

# PRINCE GEORGE'S COUNTY COUNCIL

## COMMITTEE REPORT

2023 Legislative Session

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**Reference No.:** CB-039-2023

**Draft No.:** 2

**Committee:** PLANNING, HOUSING AND ECONOMIC DEVELOPMENT

**Date:** 4/6/2023

**Action:** FAV (A)

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### **REPORT:**

Committee Vote: Favorable as amended, 5-0 (In favor: Council Members Ivey, Blegay, Dernoga, Olson, and Oriadha)

The Planning, Housing and Economic Development (PHED) Committee convened on April 6, 2023, to consider CB-39-2023. The PHED Committee Director summarized the purpose of the legislation and informed the Committee of written comments received on referral. As presented on March 14, 2023, this bill defines and provides a height standard in proximity to single-family zones for the Central Avenue Redevelopment Corridor, in order to provide flexibility for development of property fronting Central Avenue (MD 214) or Old Central Avenue between the County's boundary with the District of Columbia and Landover Road (MD 202).

The Planning Board voted to support CB-39-2023 with two technical amendments as explained in a March 30, 2023, letter to the Council Chairman with the following analysis:

### **Policy Analysis:**

This bill amends the neighborhood compatibility standards Table 27-61203(a)(2), Maximum Height in Transitional Areas, to provide additional height flexibility along a portion of MD 214 and MD 332 for Nonresidential- and Transit-Oriented/Activity Center-zoned properties abutting Residential-zoned properties.

The Planning Board supports the intent of CB-39-2023. When the neighborhood compatibility standards were initially proposed and considered, there were questions from the Council and other stakeholders as to why flexibility was proposed along US 1 but not along other corridors in the County. At the time, US 1 was the only corridor where significant investment had been occurring along a corridor with narrow commercial or mixed-use frontages immediately adjacent to residential zones and it was appropriate to provide flexibility. It was recognized that additional corridors would be granted similar flexibility as market conditions evolved.

The time is now ripe for Central Avenue west of Landover Road. Central Avenue is the heart of the Blue Line Corridor, now the County's top focus for reinvestment, and is on the cusp of realizing new investment and redevelopment that now warrant the same flexibility regarding neighborhood compatibility as US 1.

**Technical Amendments:**

Two technical amendments are necessary prior to enactment of CB-39-2023:

1. There were questions raised pertaining to the proposed area wherein flexibility is desired along Central Avenue due to the different names MD 214 and MD 332 have west of Addison Road. MD 202 also possesses two names in this vicinity. For full clarity and accuracy, the language for the location where CB-39-2023 proposes additional height flexibility in Table 27-61203(a)(2) should be revised to read:

“Parcels fronting Central Avenue/EAST CAPITOL STREET (MD 214) or Old Central Avenue/CENTRAL AVENUE (MD 332) Between the County’s Boundary with the District of Columbia and Landover Road/LARGO ROAD (MD 202)”

2. The underlined terms in the NOTES section of Table 27-61203(a)(2) should have the underlining removed. Legislative convention is that underlined terms are proposed new language; however, the underlining in this part of the table is a consequence of sourcing language from the online Zoning Ordinance, where underlined terms are hyperlinked to popup definitions and section references. These terms already exist in the NOTES, and it is not appropriate to retain the underlining suggesting added language in CB-39-2023.

**Impacted Property:**

This legislation will affect all property fronting MD 214 and MD 332 between Washington, D.C. and MD 202.

The Council’s Zoning and Legislative Counsel summarized revisions in a Proposed Draft-2 (DR-2) prepared at the bill sponsor’s request as follows:

<b><u>Parcels fronting Central Avenue (MD 214) or Old Central Avenue Between the County’s Boundary with the District of Columbia and Landover Road (MD 202)</u></b>
<u>Lesser of: 67 stories or 65 80 feet</u>

The Office of Law finds the bill to be in proper legislative form with no legal impediments to its adoption. The County Executive’s Office takes no position on the legislation.

Mr. Chad Williams, representing the Planning Board, addressed the Committee providing background and history of the neighborhood compatibility standards. Mr. Williams clarified that the provisions of CB-39-2023 do not change the 70-foot height limitation for projects within the Local Transit-Oriented (LTO) Zone in certain areas along the Blue Line Corridor. The following individuals testified in support of CB-39-2023: Mr. Bradley Farrar, Esq. Law Office of Shipley & Horne, P.A., Ms. Jacqueline Alexander, and Mr. Lloyd Blackwell. Mr. Bradley Heard,

President of the Greater Capitol Heights Improvement Corporation, submitted an April 6, 2023, letter to PHED Committee Chair Ivey in support of Proposed DR-2.

Council Member Oriadha, the bill sponsor, commented that CB-39-2023 including the proposed revisions facilitate the type of projects that she supports in her district. Council Chair Dernoga offered an additional amendment to provide that the bill take effect on the date of its adoption.

Following discussion, the Committee voted favorable on CB-39-2023 Proposed DR-2 including the additional revision to the effective date clause. DR-2 also includes the Planning Board recommended technical amendments.