

CB-45-2023 – Planning Board Analysis (Attachment 1)

This bill would provide authorization in the Zoning Ordinance for alternate development regulations for development of land owned by the Redevelopment Authority of Prince George’s County.

The Planning Board has the following comments for consideration by the District Council:

Policy Analysis:

This bill emerged from a working group including the Planning Department, Office of the County Executive, and County Council to explore alternatives to provide additional development flexibility to the Redevelopment Authority for ongoing and potential future projects including the proposed redevelopment of the former Linden Hills Elementary School located at 6181 Old Central Avenue.

This proposal would allow “any development project” in which all or a portion of the project is located in the Addison Road Metro Local Transit Center and which includes either properties owned by the Redevelopment Authority or acquired from the Redevelopment Authority pursuant to a redevelopment agreement to choose to be developed pursuant to the regulations of the LTO-C (Local Transit-Oriented, Core) Zone or the underlying zone(s) in which the project is located. Such projects may also be eligible for the Mandatory Referral process under certain conditions.

Although the Planning Board supports the foundation underlying CB-45-2023 – namely, supporting the ability of the Redevelopment Authority to gain access to additional development flexibility for projects that contribute to its mission and primary purpose – there are several concerns with CB-45-2023 as drafted.

Clarification of Purpose and Intent

While the Planning Board supports the intent of CB-45-2023 and believe the Redevelopment Authority should indeed have additional flexibility in certain circumstances, especially given their proven track record of success in achieving their mission and primary purpose, CB-45-2023 should include language explaining the public purpose that will be achieved by this proposed legislative amendment. Such language helps to inform the public and memorializes the legislative intent.

The Planning Board recommends the addition of findings, “WHEREAS” clauses, or other appropriate language that incorporates the Council’s justification for this bill.

Limited Applicability

Rather than limit the proposed expanded development flexibility of projects to the Addison Road Metro Local Transit Center, the Planning Board believes the Council may wish to consider expanding CB-45-2023 to encompass additional locations along the Blue Line Corridor/Central Avenue.

Given the County’s prioritization of the revitalization and redevelopment of the Blue Line Corridor and other ongoing legislative zoning amendments intended to set the stage for its success, there is significant logic in expanding CB-45-2023 to reflect the same geographic area as covered by CB-39-2023.

Lack of Clarity

The wording of the proposed section title, Alternative Development Standards for Redevelopment Authority Property in Local Transit Center Authorized, is very specific and contains unnecessary language. The Planning Board recommends simplifying the section title to read “Alternative Development Standards for the Redevelopment Authority.”

A far more important concern is that the Planning Board understands that the **uses** of the LTO-C Zone are desired for projects potentially subject to CB-45-2023, not just the regulations of the zone. If it is the intent of the Council to allow certain Redevelopment Authority projects the ability to access the uses permitted in the LTO-C Zone, the term “uses” must be explicitly incorporated in the bill. The term “regulations” is not sufficiently encompassing to cover uses and Planning Department staff wish to avoid future interpretation challenges.

The Planning Board recommends proposed Section 27-1408 be reworded for clarity as reflected in a proposed DR-2 of CB-45-2023.

Technical Amendments:

The term “development proposal” is undefined. For technical purposes and to ensure consistency within the new Zoning Ordinance, the term “development application,” which is a defined term, should be used instead.

Impacted Property:

As drafted, this bill would affect any “development proposals” located in the Addison Road Metro Local Transit Center that included properties owned by the Redevelopment Authority or properties acquired from the Redevelopment Authority pursuant to a redevelopment agreement.

The proposed redevelopment of the former Linden Hills Elementary School is the only proposal that could qualify.

Following discussion, the Planning Board voted to support CB-45-2023 with amendments.