

**PRINCE GEORGE'S COUNTY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: 7/29/97

Reference No.: CB-62-1997

Proposer: Maloney

Draft No.: 2

Sponsors: Maloney

Item Title: An Ordinance requiring certain adequate public facility findings for Special Exceptions for Medical/Residential Campuses under certain circumstances

Drafter: Joyce B. Nichols
Principal Counsel to the
District Council

Resource Personnel: Andy Eppelmann
Legislative Aide

LEGISLATIVE HISTORY:

Date Presented: 5/13/97

Executive Action: __/__/__ __

Committee Referral:(1) 5/13/97 PZED

Effective Date: 9/15/97

Committee Action:(1) 6/16/97 FAV(A)

Date Introduced: 7/1/97

Pub. Hearing Date: (1) 7/29/97 1:30 P.M.

Council Action: (1) 7/29/97 ENACTED

Council Votes: DB:-, SD:A, JE:A, IG:A, WM:A, RVR:A, AS:A, MW:A

Pass/Fail: P

Remarks: _____

PLANNING, ZONING & ECON. DEV. COMMITTEE REPORT

DATE: 6/16/97

Committee Vote: Favorable as amended, 3-0 (In favor: Council Members Del Giudice, Maloney and Wilson).

Council Member Maloney, the bill's sponsor, gave an overview of the bill. Mr. Maloney indicated that larger medical/ residential campuses generate adequate public facilities concerns.

Joyce Nichols, Principal Counsel to the District Council, indicated that this legislation will ensure that the adequacy of public facilities is addressed for medical/residential campuses even if a preliminary plat of subdivision or resubdivision is not required for the development. In addition, the legislation allows Council involvement in the adequate public facilities test in conjunction with the

Special Exception for a medical/residential campus.

Andre Gingles spoke on behalf of the developer of the former Great Oaks site. Mr. Gingles commented that during the review of a Special Exception application, the determination may be made as to whether a subdivision is required. If a subdivision is required, the adequate public facilities test can be applied at the time of preliminary plat.

Jimi Jones, representing the Planning Board, spoke in opposition to the bill. Mr. Jones explained the Board's opposition as contained in a staff memorandum indicating that adequate public facilities issues can be addressed under Section 27-317. This Section provides the general findings that apply to all special exception uses. If it is determined that a development will have a detrimental or adverse impact on residents or the surrounding community, the application can be denied under Section 27-317. In addition, most development of this size will require the property to be subdivided and public facilities are always tested for adequacy during the subdivision process. The Planning Board believes the general findings of Section 27-317 and the subdivision process are sufficient to assure that adequate public facilities are provided.

The Committee requested a Draft-2 of the bill which would include an amendment on page 2, line 9, to read as follows: "Prior to approval of a Special Exception for a medical/residential campus for property for which a subdivision is not approved for the entire property in accordance with the proposed medical/residential campus site plan, the applicant shall demonstrate..." The following language on Line 10 is deleted in DR-2: "proposing greater than 250 residents."

The Legislative Officer finds the bill to be in proper legal form.

BACKGROUND INFORMATION/FISCAL IMPACT

(Includes reason for proposal, as well as any unique statutory requirements)

This legislation is necessary since the current regulations for Medical/Residential Campuses do not take into consideration that large projects of this nature may adversely impact adequate public facilities and are currently not required to provide for adequate public facilities impacted by the proposed use. This legislation would require such projects providing more than 250 residents to meet an adequate public facilities for all facilities except for schools. These projects are exempt from the school facilities surcharge.

CODE INDEX TOPICS: