

Prince George's County Council

Agenda Item Summary

Meeting Date: 7/21/2009
Reference No.: CB-014-2009
Draft No.: 2
Proposer(s): Olson
Sponsor(s): Olson
Item Title: An Ordinance varying the bedroom percentages for multifamily dwellings within one-half mile of the campus center of the University of Maryland at College Park under certain circumstances.

Drafter: Karen T. Zavakos, Legislative Officer
Resource Personnel: Dannielle M. Glaros, Legislative Aide

LEGISLATIVE HISTORY:

Date Presented:	5/12/2009	Executive Action:	
Committee Referral:	5/12/2009 - PZED	Effective Date:	9/7/2009
Committee Action:	6/3/2009 - FAV(A)		
Date Introduced:	6/16/2009		
Public Hearing:	7/21/2009 - 10:00 AM		
Council Action (1)	7/21/2009 - ENACTED		
Council Votes:	MB:A, WC:A, SHD:A, TD:A, CE:N, AH:-, TK:N, EO:A, IT:A		
Pass/Fail:	P		
Remarks:			

AFFECTED CODE SECTIONS:

27-419

COMMITTEE REPORTS:

Planning Zoning & Economic Development

Date 6/3/2009

Committee Vote: Favorable with amendments, 4-1 (In favor: Council Members Dean, Olson, Bland and Dernoga; Opposed: Council Member Exum)

Staff summarized the purpose of the legislation and informed the committee of written referral comments that were received. CB-14-2009 amends the Zoning Ordinance to permit by right a higher percentage of bedrooms within multifamily buildings located within one-half mile of the Adele H. Stamp Student Union building on the University of Maryland campus.

The Office of Law reviewed CB-14-2009 and determined that it is in proper legislative form with no legal impediments to its enactment. The Planning Board supports the legislation with amendments as described in their written comments. On page 2, line 21, remove the word "dwelling" and replace with the word "building." This change clarifies the legislation and distinguishes between multifamily units and multifamily structures. Also, on line 23, the Planning Board recommends removing the words "Route" and "planning area" to eliminate the possibility of confusion between the terms "planning area" and "sector plan planning area." The new wording on line 23 would

read as follows: “and is outside the U.S. 1 Corridor Sector Plan, variation from the bedroom percentages allowed under Section 27-419 above may be permitted without a Special Exception.”

Council Member Olson, the bill’s sponsor, explained that the bedroom percentage provisions in CB-14-2009 are consistent with those in the US 1 Corridor Sector Plan and the property on which the development is proposed is just outside of the boundary of the Sector Plan.

Council Member Turner suggested that the Council consider a comprehensive review of the bedroom percentage requirements since they may need updating to accommodate multifamily developments in urban areas. Ms. Turner noted that there may be other developments throughout the County which are unable to meet current requirements and an increase in the percentages may be appropriate. Dr. Fern Piret, Planning Director, was present for the committee discussion and indicated that the Planning staff will conduct this comprehensive review of current requirements and provide recommendations where appropriate.

Council Member Exum expressed concern that during previous discussions of bedroom percentage limitations and student housing, certain developments were exempted from the public safety surcharge fees and the potential for additional exemptions which would result from this legislation.

Chairperson Bland inquired about the definition of student housing and requested that staff look into the benefits received from being classified as this type of housing versus other multifamily developments. It was requested that the staff also suggest possible limitations that can be placed on student housing if this classification is reaping benefits such as fee credits and exemptions. Ms. Bland commented that many students at the University of Maryland must find housing off campus due to the unavailability of student housing on the campus.

Tom Farasy and Bill Shipp, representing Mosaic at Turtle Creek, spoke in support of CB-14-2009. Mr. Farasy informed the committee that the intent is to attract graduate and doctorate students as well as university faculty for the proposed development. He also noted that the requested bedroom percentage increase is consistent with the M-X-T Zone standards. Mr. Shipp explained construction of the project will be connected with the University of Maryland; however, this development is not intended as undergraduate student housing.

The committee voted favorably including the amendments recommended by the Planning Board.

BACKGROUND INFORMATION/FISCAL IMPACT:

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

Section 27-419 of the Zoning Ordinance provides, with certain exceptions, percentage limitations on the number of bedrooms per unit in a multifamily dwelling building or project. This bill creates an additional limited exception to the maximum percentages.

CODE INDEX TOPICS:

INCLUSION FILES:
