

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

Meeting Date: 7/1/2003

Reference No.: CB-25-2003

Proposer: Harrington

Draft No.: 4

Sponsors: Harrington, Dean, Peters

Item Title: An Ordinance exempting certain dwelling units in proximity to a Metro Station from certain site and building design guidelines and regulations, and limitations on the number of townhouses and multifamily dwellings in the L-A-C zone.

Drafter: Jackie Brown, Director
PZED Committee

Resource Kenneth Williams
Personnel: Legislative Aide

LEGISLATIVE HISTORY:

Date Presented: 4/15/2003

Executive Action: __/__/____ __

Committee Referral: 4/15/2003 PZED

Effective Date: 8/18/2003

Committee Action: 5/14/2003 FAV(A)

Date Introduced: 5/20/2003

Public Hearing: 7/1/2003 10:00 A.M.

Council Action: 7/1/2003 ENACTED

Council Votes: PS:-, MB:A, SHD:A, TD:A, CE:A, DCH:A; TH:A, TK:A, DP:A

Pass/Fail: P

Remarks: _____

7/1/2003: CB-25-2003 (DR-3) amended on the floor; (DR-4) enacted

PLANNING, ZONING & ECONOMIC DEV. COM. REPORT DATE: 5/14/03

Committee Vote: Favorable with amendments, 4-0 (In favor: Council Members
Harrington, Dernoga, Dean and Exum)

The purpose of CB-25-2003 is to exempt property in the L-A-C Zone from the minimum lot size requirements, building group numbers and percentage standards for townhouses on property that lies a half-mile from a Metro station. The bill also provides for certain exemptions to

multifamily dwelling standards. The legislation applies to a proposed development zoned L-A-C near the Summerfield Metro Station.

Staff explained that proposed language in CB-25 is similar, but not identical, to CB-40-2002 which was enacted to modify certain site and building design guidelines and regulations for townhouses and multifamily dwellings in the M-X-T Zone for land in proximity to a Metro station. CB-25-2003 applies consistent guidelines and regulations in the L-A-C Zone for certain developments within proximity to Metro stations. CB-40-2002 was enacted to accommodate development near the Branch Avenue Metro Station.

The Planning Board supports CB-25-2003 with amendments and offers the following comments. CB-25 is in conformance with the General Plan, which highlights the goals of transit-oriented centers:

- Capitalize on public investment in existing transportation system
- Promote compact, mixed-use development at moderate to high densities
- Ensure transit-supportive and transit-serviceable development
- Require pedestrian- and transit-oriented design
- Ensure compatibility with surrounding neighborhoods

The bill changes the maximum number of units per building group from six units to nine, and there is no limit on the number of these nine-unit building groups. Narrower widths and longer group lengths may be appropriate to encourage a more dense community character near Metro stations.

The language in the bill at the beginning of line 2 through line 4 of page 3, states: “For purposes of this section, a ‘building group’ shall be considered a separate building group (even though attached) when the angle formed by the front walls of two (2) adjoining rows of units is greater than forty-five degrees (45°).” The Planning Board recommends language that defines a building group in terms of angles of side walls rather than front walls. The following amendment is offered:

For purposes of this section, a “building group” shall be considered a separate building when the angle formed by two side walls of adjoining rows of units is between seventy (70°) and one hundred and ten degrees (110°).

The design of a development is a critical element of transit-oriented development. In particular, building, street and sidewalk designs are very important to community character. While longer groups of townhouses may be appropriate for urban environments, there should be assurance of high-quality design. Transit-oriented development encourages facilities that are linked to land uses by pedestrian-friendly walkways, as noted in the General Plan. CB-25-2003 is pedestrian-oriented; however, the Planning Board recommends that all garage parking be accommodated in rear-loaded garages.

The Planning Board’s recommended amendments are: (1) to change the definition of building group and (2) to designate garage parking in rear-loaded garages.

The Legislative Officer and the Office of Law find the bill to be in proper legislative form. The Principal Counsel to the District Council provided suggestions for clarity purposes on line 12, page 2, line 10, page 3 and line 10, page 5; and beginning on line 28, at the bottom of page 2. On line 12, page 2, line 10, page 3 and line 10, page 5, the Principal Counsel recommends changing “land in the L-A-C Zone any portion which lies,” to “property in the L-A-C Zone, if any portion lies.” At the bottom of page 2, the preferable language is as follows:

“The restrictions on units per building group and percentages of building groups shall not apply to townhouses in the L-A-C Zone, if any portion of the L-A-C tract lies within ½ mile of an existing or planned Washington Metropolitan Area Transit Authority Metrorail station.”

The Office of Audits and Investigations determined there should be no negative fiscal impact on the County as a result of enacting CB-25-2003.

Richard Reed, of Rifkin, Livingston, Levitan & Silver, LLC, spoke in support of CB-25 and requested that the Committee consider additional language concerning the rear-loaded garages to clarify that this will not apply to all of the units and that some flexibility will be allowed in certain locations. Faroll Hamer, representing the Planning Board, concurred that additional language to this effect would be acceptable. It was agreed that the language could be included prior to introduction of the bill.

The Committee voted favorably on CB-25 including the amendments suggested by the Principal Counsel and the Planning Board.

BACKGROUND INFORMATION/FISCAL IMPACT

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

CB-40-2002 (DR-3) was enacted to modify certain site and building design guidelines and regulations for townhouses and multifamily dwellings in the M-X-T zone for land in proximity to a Metro station. This bill applies consistent guidelines and regulations in the L-A-C zone for certain developments within proximity to Metro stations.

CODE INDEX TOPICS: