

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

Meeting Date: 6/18/2002

Reference No.: CB-40-2002

Proposer: Estep

Draft No.: 3

Sponsors: Estep

Item Title: An Ordinance exempting townhouses in the M-X-T Zone from certain site and building design guidelines and regulations and limitations on the number of townhouses

Drafter:

Resource John D. Timms

Personnel: Legislative Aide

LEGISLATIVE HISTORY:

Date Presented: 4/30/2002

Executive Action: __/__/____ __

Committee Referral: 4/30/2002 PZED

Effective Date: 8/5/2002

Committee Action: 5/14/2002 FAV(A)

Date Introduced: 5/21/2002

Public Hearing: 6/18/2002 10:00 A.M.

Council Action: 6/18/2002 ENACTED

Council Votes: PS:A, DB:A, TD:A, JE:A, TH:A, TK:A; RVR:A, AS:N, MW:A

Pass/Fail: P

Remarks: _____

6/18/2002: CB-40-2002 (DR-2) amended on the floor; (DR-3) enacted

PLANNING, ZONING & ECONOMIC DEV. COM. REPORT

DATE: 5/14/02

Committee Vote: Favorable with amendments, 5-0 (In favor: Council Members Russell, Bailey, Hendershot, Shapiro and Wilson).

The purpose of CB-40 is to exempt property in the L-A-C, M-A-C or M-X-T zones from the minimum lot size requirements, building group numbers and percentage standards for townhouses for property that lies a half-mile from a mass transit rail station. The bill also provides for certain exemptions to multifamily dwelling standards. The legislation applies to a proposed development zoned M-X-T around the Branch Avenue Metro station, and could also

apply to the planned Largo and Summerfield/Morgan Boulevard Metro stations.

The Planning Board supports CB-40 for the following reasons. The legislation would allow townhouses to be built on smaller lots at higher densities. This would serve the purpose of providing higher residential densities near the Metro stations to create more pedestrian-oriented communities, increase Metro ridership and benefit from public investment in Metro. CB-40 does not weaken the standards or quality of construction or materials.

The Board indicated that the legislation supports the Interim General Plan, which calls for higher densities in centers at Metro stations. CB-40 would not change existing density requirements per se. But by allowing smaller lots, the bill will effectively increase density. CB-40 would permit rear entry townhouses, which would place the garage under the townhouse in the back instead of the front. This arrangement would create a much more pedestrian friendly and attractive streetscape that is appropriate for a development near a Metro station. Current townhouse regulations in the M-X-T Zone permit a maximum of 20 percent townhouses, which would result in a development with 80 percent multifamily units and 20 percent townhouses. If a higher percentage of townhouses are allowed, through this legislation, a broader variety of housing products would be allowed, resulting in a more interesting, higher quality development.

Richard Reed, of Rifkin, Livingston, Levitan & Silver, LLC, spoke in support of the legislation indicating that his client has plans to develop the majority of the residential property near the Branch Avenue Metro station.

Council Members inquired about the effect of CB-40 given the improvement that has occurred in townhouse development in the County as a result of the Council's adoption of CB-55-1996 and CB-56-1996. Faroll Hamer, M-NCPPC Planning Department, informed the Committee that even though the bill would allow smaller lots, the dwellings must meet the minimum size requirements as well as certain architectural requirements as previously adopted for new townhouses. Ms. Hamer indicated that lifting some of the requirements can provide for better recreational facilities for the development and that the proposed design is appropriate for a development near a Metro station.

Council Member Russell expressed concern that provisions of the legislation could apply to new developments at the Largo and Summerfield Metro stations. Committee members also discussed imposing a maximum number of dwelling units in a building group as well as limiting the number of building groups that may exceed the maximum of six dwelling units as is currently required.

The County Executive takes no position on CB-40. The Legislative Officer and the Office of Law found the bill to be in proper legislative form. The Office of Audits and Investigations determined there should not be any negative fiscal impact on the County as a result of enacting CB-40.

The Committee voted a favorable report on the legislation with appropriate amendments to the bill that would limit its applicability to the Branch Avenue Metro station and that would provide a maximum of ten (10) dwelling units per building group, with no more than two (2) groups containing this maximum number of dwelling units. The bill was amended to delete references to Comprehensive Design Zones (L-A-C and M-A-C) and to include the maximum dwelling

unit/building group language.

BACKGROUND INFORMATION/FISCAL IMPACT

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

CB-56-1996 was enacted to require that townhouses comply with certain site and building design guidelines and regulations, and to limit density for townhouses and multifamily dwellings in certain zones. This bill provides exemptions to the regulations adopted in CB-56-1996 for certain developments within proximity to Metro stations.

CODE INDEX TOPICS: