

Prince George's County Council

Agenda Item Summary

Meeting Date: 7/24/2012
Reference No.: CB-030-2012
Draft No.: 2
Proposer(s): Harrison
Sponsor(s): Harrison
Item Title: An Ordinance amending the requirements for improvements to existing multifamily development

Drafter: Jackie Brown, PZED Committee Director
Resource Personnel: Rodney C. Streeter, Chief of Staff District 5

LEGISLATIVE HISTORY:

Date Presented:	5/15/2012	Executive Action:	
Committee Referral:	5/15/2012 - PZED	Effective Date:	9/10/2012
Committee Action:	6/6/2012 - FAV(A)		
Date Introduced:	6/19/2012		
Public Hearing:	7/24/2012 - 10:00 AM		
Council Action (1)	7/24/2012 - ENACTED		
Council Votes:	WC:A, DLD:A, MRF:A, AH:A, ML:A, EO:A, OP:A, IT:A, KT:A		
Pass/Fail:	P		
Remarks:			

AFFECTED CODE SECTIONS:

27-419.01

COMMITTEE REPORTS:

PZED Committee Report

Date 6/6/2012

Committee Vote: Favorable with amendments, 4-0 (In favor: Council Members Franklin, Harrison, Olson, and Patterson)

Staff gave an overview of the legislation and informed the committee of written referral comments that were received. CB-30-2012 amends the Zoning Ordinance to permit multifamily developments existing as of January 1, 1990 in the R-30, R-30C, R-18, R-18C, R-10, and R-H Zones to increase the gross floor area of a building by no more than 10% provided the increase allows the enlargement of an existing area used for recreational purposes.

Council Chair Harrison, the bill's sponsor, informed the committee that she proposed this legislation to facilitate an addition at a senior active living facility located in her district that is in need of more space for recreational purposes.

The Office of Law reviewed CB-30-2012 and determined that it is in proper legislative form with no legal impediments to its enactment. The Department of Environmental Resources submitted correspondence indicating no position on the legislation. Kerry Watson, representing the County Executive's Office, indicated that the Executive is

in support of CB-30-2012. The Maryland-National Capital Building Industry Association submitted a letter dated June 5, 2012 in support of CB-30-2012.

The Planning Board supports the legislation with amendments as follows. On page 2, line 22, add the words “, not to exceed 2,000 square feet of gross floor area,” behind the word “building”. The new language would read as follows: “(12) An increase of no more than ten percent (10%) of the gross floor area of a building, not to exceed 2,000 square feet of gross floor area, provided the increase is to allow for the enlargement of an existing area used for recreational purposes.” This added language will place a maximum square footage requirement on the enlargement of the existing recreational area.

The Planning Board also recommends that Section 27-242 (Alteration, expansion, or enlargement) be amended to add the language above for nonconforming uses in all zones permitting multifamily dwellings.

Lastly, there should be language added to the bill to clarify that this legislation is not intended to apply to existing multifamily developments with an approved Detailed Site Plan (DSP). Multifamily developments with an approved DSP are required to revise the DSP to enlarge the existing area for recreational purposes.

Michele LaRocca, representing Emerson House, addressed the committee speaking in support of CB-30-2012. Ms. LaRocca also provided a letter dated January 19, 2012 from Town of Bladensburg Mayor Walter L. James, Jr. to Council Chair Andrea Harrison indicating the Town’s full support of the proposal by Emerson House to construct a 1,000 square foot addition to the building for recreational purposes as well as the proposed legislation to facilitate the construction of this addition.

Council Chair Harrison accepted the Planning Board’s suggested amendments and the Committee voted in favor of a Draft-2 including these amendments.

BACKGROUND INFORMATION/FISCAL IMPACT:

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

Improvements to nonconforming multifamily residential development are permitted under certain circumstances without obtaining new or amended special exceptions or other approvals. The bill allows an increase in the gross floor area of a multifamily building under certain circumstances.

CODE INDEX TOPICS:

INCLUSION FILES:
