

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2019 Legislative Session

Reference No.: CB-007-2019

Draft No.: 2

Committee: PLANNING, HOUSING, AND ECONOMIC DEVELOPMENT

Date: 05/02/2019

Action: FAV (A)

REPORT:

Committee Vote: Favorable as amended, 3-0-1 (In favor: Council Members Glaros, Davis, and Ivey. Abstain: Council Member Dernoga)

The Planning, Housing, and Economic Development Committee Director summarized the purpose of the legislation and informed the committee as to comments received on referral. This legislation amends the County Zoning Ordinance to allow townhouses in the C-G (General Commercial) Zone under certain circumstances provided in a new footnote to the Table of Uses. The Committee Director summarized amendments provided in a Proposed Draft-2 (DR-2), prepared at the sponsor's request, to address comments received on the bill.

Council Member Ivey, the bill sponsor, informed the Committee that CB-7-2019 facilitates the redevelopment of a retail center in her district as mixed use. Ms. Ivey commented that she has been in communication with the residents in the area regarding the proposed redevelopment of the center.

The Office of Law reviewed CB-7-2019 and commented that the bill may be subject to challenge as it appears to be drafted for a specific property. The Planning Board took no position with suggested amendments as detailed in an April 12, 2019 letter to Council Chair Turner as follows. "It should be noted that the Planning Board does not oppose the addition of townhouses in the C-G Zone. Under the Zoning Ordinance Rewrite, the C-G Zone will be consolidated into the Commercial General and Office (CGO) Zone. Townhouses will be permitted by right in the CGO Zone. This project would be subject to Detailed Site Plan review assuming that more than ten dwelling units are proposed for development.

Footnote 1, letter (A) should be revised. The language could be interpreted as stating that the proposed use is being developed on a lot or parcel where residential uses currently exist.

Letter (C) should also be revised. First, the Planning Board recommends adding development regulations to the bill to require the use of the Mixed Use-Transportation Oriented (M-X-T) Zone development regulations for townhouses under Section 27-548(h). Second, the Planning Board recommends adding language to require the development to comply with the Landscape Manual and the Parking and Loading Standards under Part 11 of the Zoning Ordinance. Third, require all

other development regulations to be established and approved on the DSP. Last, revise the language requiring a ‘water feature’ be shown on the DSP. Perhaps there could be language stating that ‘a public benefit amenity including but not limited to public art, a water feature or decorative lighting’ should be shown on the DSP.”

The following changes were provided in Proposed DR-2 to address some of the Planning Board’s suggested amendments to the footnote:

1 Permitted use provided:

- (A) The use is located on a lot(s) or parcels(s) that is at least ten (10) acres in size and is adjoined on two (2) sides by land zoned R-U (Residential Urban) as of January 1, 2019 and said land is developed with residential uses;
- (B) The property on which the use will be developed is improved with an existing commercial shopping center use and will be part of a mixed-use development including retail uses and is to be redeveloped as a mixed use development project which will include commercial retail uses and townhouses; and
- (C) A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle. Development shall be in accordance with the regulations for townhouses in the M-X-T Zone as provided in Section 27-548(h). The provisions of the Landscape Manual and the Parking and Loading standards in Part 11 of this Subtitle shall apply. Regulations concerning the net lot area, lot coverage, buffering, frontage, setbacks, height standards, parking, density, landscaping and other requirements of the C-G Zone shall not apply. All such requirements other regulations shall be those as shown, established and approved on the Detailed Site Plan. The Detailed Site Plan shall provide for a water feature as part of the development and shall also include architectural review to ensure high quality design and construction materials.

Edward Gibbs, representing Site Centers, testified in support of the legislation.

The Committee voted favorable on the legislation with the amendments provided in Proposed DR-2.