

**MINUTES**  
**Regular Meeting of the College Park City Council**  
**Tuesday, August 14, 2007**  
**8:00 P.M.**

**PRESENT:** Mayor Brayman; Councilmembers Krouse, Catlin, Perry, Fellows, Stullich, Hampton and Cook; Student Liaison Danielle Kogut.

**ABSENT:** Councilmember Milligan.

**ALSO PRESENT:** Joe Nagro, City Manager; Fred Sussman, City Attorney; Janeen Miller, City Clerk; Sara Imhulse, Assistant To The City Manager; Steve Halpern, City Engineer, Bob Ryan, Director of Public Services; Terry Schum, Director of Planning; Elisa Vitale, Planner; Bob Stumpff, Director of Public Works;

Mayor Brayman opened the meeting at 8:05 p.m. following an earlier public hearing. Councilmember Fellows led the Pledge of Allegiance.

**Minutes:** Minutes from the July 3, 2007 Special Session, July 3, 2007 Public Hearing on the Proposed Detailed Site Plan for the Downtown Parking Garage, the July 10, 2007 Public Hearing on Ordinance 07-O-06, the July 10, 2007 Regular Meeting and the July 30, 2007 Special Meeting were presented for adoption. A motion was made by Councilmember Perry and seconded by Councilmember Fellows to adopt the minutes. The motion passed 7-0-0.

**Announcements:**

Councilmember Perry said that the Berwyn community thanks the Public Works staff and their contractors for their clean up of 49<sup>th</sup> Avenue after the tree fell down.

Councilmember Stullich announced that the Council would hold a Special Meeting on Tuesday, August 21 to review the police services study conducted by Matrix Consulting Group, at 7:00 p.m. in the Council Chambers. The draft report is posted on the City's web site.

Councilmember Hampton invited everyone to attend the College Park Woods Swim Club Crab Feast on Saturday. This is a fundraising event; tickets are \$30.

Mayor Brayman followed-up on Councilmember Stullich's announcement of the Special Meeting, and pointed out that the first 12 pages of the Matrix report is the executive summary. He also announced his candidacy for Mayor in the fall election.

**Acknowledgement of Dignitaries:** Frank Underwood, Vice President, Maryland State Firemen’s Association; Jerry Anzulovic, President, Berwyn District Civic Association; Andrew Friedson, President, SGA; Suchitra Balachandran, President, West College Park Citizens Association.

**Amendments To The Agenda:** Councilmember Cook requested the withdrawal of item 07-G-86, Approval of a Letter To Stakeholders Expressing Support for a U.S. Route 1 Bus System, due to questions about the financial status of CTC.

**City Manager’s Report:** Mr. Nagro reported on the Code Enforcement Activity Summary that was included in Council packets last Friday; he announced that weekend noise enforcement is starting this Thursday and will continue all of next week.

**Student Liaison Comments:** None.

**Comments From The Audience On Non-Agenda Items:**

**Suchitra Balachandran, President, West College Park Citizens’ Association, 9320 St. Andrews Place:** On behalf of environmental grass roots organizations and various elected officials who have taken a position against the Inter-County Connector, she requested that the City consider joining an amicus brief against the ICC. Pro bono legal services are being provided to research and write the brief if the City agrees. The deadline is early September. She discussed various points the City might want to make in their brief. It can be done by the full Council or on behalf of individual elected officials.

Mayor Brayman asked who had already signed on. Ms. Balachandran said that they have approached other jurisdictions but no jurisdictions have signed on as of yet. He asked if it would be wiser to “save our gunpowder” for the Campus Connector. Her response was that the two are not necessarily connected.

Councilmember Fellows asked about the timing – if the Council acted at their September 11 Regular meeting would that be time enough? She did not know.

Councilmember Catlin mentioned the article last week about this topic in the Greenbelt News Review.

Councilmember Cook commented that it might be in the City’s interest to oppose the ICC and support the Purple Line.

**Frank Underwood, Vice President of the Maryland State Firemen’s Association:** Thanked the Council for the financial support they have provided the fire departments that serve the City; announced he is now the #2 person in the State representing 35,000 volunteer fire fighters; discussed the Home Sprinkler Initiative and the Fire Safe Cigarette Bill; stated that October is Fire Prevention Month and that Branchville will have their Open House on October 20; and made a plea for volunteers. Mayor Brayman

asked his advice about how to incentivize existing structures to retrofit and install sprinklers, perhaps by reduction of the WSSC tap fee charged to businesses.

**Consent Agenda:** A motion was made by Councilmember Perry and seconded by Councilmember Hampton to adopt the consent agenda, which consisted of the following items:

- 07-R-22 Resolution Of The Mayor And Council Of The City Of College Park, Maryland Adopting The Recommendation Of The Advisory Planning Commission And Granting Variance Application Number CPV-2007-10, 9604 51<sup>st</sup> Place, College Park, Maryland, For A Variance Of 5.7% Or 361 Square Feet From The 30% Maximum Lot Coverage Requirement; A Variance Of Two Feet (2') From The Seven Foot (7') Required Minimum Side Yard Setback Requirement For Lots Of Fifty Feet (50') In Width For The Northern Side Yard And A Waiver Of The Front Yard Parking Prohibition**
- 07-R-23 Resolution Of The Mayor And Council Of The City Of College Park, Maryland Adopting The Recommendation Of The Advisory Planning Commission And Granting Variance Application Number CPV-2007-11, 4707 Greenbelt Road, College Park, Maryland, For A Variance Of 2.01% From The Maximum Allowable Lot Coverage Of Thirty Percent (30%) And A Waiver Of The Parking Area Requirement**
- 07-R-24 Resolution Of The Mayor And Council Of The City Of College Park, Maryland Adopting The Recommendation Of The Advisory Planning Commission And Granting Variance Application Number CPV-2007-13, 4604 Kiernan Road, College Park, Maryland, For A Variance Of Six Feet (6') From The Required Twenty-Five Foot (25') Front Yard Setback**
- 07-R-25 Resolution Of The Mayor And Council Of The City Of College Park, Maryland Adopting The Recommendation Of The Advisory Planning Commission And Granting Variance Application Number CPV-2007-14, 4717 Nantucket Road, College Park, Maryland, For A Variance Of 5.8% Or 319 Square Feet From The Thirty Percent (30%) Maximum Lot Coverage Requirement**
- 07-R-21 Renewal of the Downtown College Park Management Authority**

The Consent Agenda was adopted by a vote of 7-0-0.

**Action Items:**

**07-G-84 Approval of Traffic Calming Recommendation For Edgewood Road between Narragansett Parkway and 51<sup>st</sup> Avenue**

A motion was made by Councilmember Krouse and seconded by Councilmember Perry for the installation of four flat top speed humps on Edgewood Road as outlined in the staff report: two in each direction to be located 200 feet east of Narragansett Parkway and 250 feet before 51<sup>st</sup> Avenue.

Councilmember Krouse stated that the warrants for traffic calming were met, that traffic counts are high on this street, the traffic study confirmed the concerns voiced by residents, and that this is the only stretch of Edgewood Road that does not have traffic calming.

Mayor Brayman commented that since a public hearing was held earlier this evening, no further public comment would be taken at this time.

The motion carried 7-0-0.

**07-G-88 Award of Purchase of Trash Truck #1, 33-cubic yard Automated Sideloader, from RFP CP-07-06, in the amount of \$264,510.**

A motion was made by Councilmember Perry and seconded by Councilmember Hampton to authorize the City Manager to sign a purchase order/contract with the Hudson County Motors of Secaucus, NJ to purchase Trash Truck #1, a 33-cubic yard Automated Sideloader, from RFP CP-07-06, in the amount of \$264,510. Councilmember Perry read the comments in to the record.

There were no comments from the audience on this item.

There were no comments from the Council.

The motion carried 7-0-0.

**07-G-89 Award of Purchase of Trash Truck #2B, 32-cubic yard Rear Packer, from RFP CP-07-06, in the amount of \$257,062.**

A motion was made by Councilmember Perry and seconded by Councilmember Catlin to authorize the City Manager to sign a purchase order/contract with the Central Truck Center, Landover, Maryland, for the purchase of Trash Truck #2B, a 32-cubic yard Rear

Packer, from RFP CP-07-06, in the amount of \$257,062. Councilmember Perry read the comments in to the record.

**Sam Bronstein, 9026 Autoville Drive:** He believes this truck is costly, and asked if anyone is making an electric trash truck. He asked about the load capacity.

Councilmember Perry noted that the RFP asked for three trucks, but at this time the City is only purchasing two trucks. If the City goes to single stream recycling, the third truck will not be needed.

The motion passed 7-0-0.

**07-G-85          Approval, with Conditions, Of Detailed Site Plan for College Park West**

Mayor Brayman invited Terry Schum to provide an update prior to the motion. Ms. Schum stated that several issues remain unresolved from the last Worksession, including height access, loading, traffic signalization and circulation. She said talks have continued up until today with respect to these and other issues, some of which are contained in the Declaration of Covenants and Agreement Regarding Land Use.

For the applicant: Richard Reed, Trent Smith, Glenn Cook and Megan Bramble. Mr. Reed stated the applicant is in full agreement with the revised Declaration of Covenants and requests minor changes to the motion.

Mr. Reed went through the Covenants. There was specific discussion of the following items in the Covenants: dedication of the access road, signalization, and acquisition of additional property. There was a disagreement on whether JPI agreed in last week's Worksession to pay for the installation of a split signal if SHA agreed to one.

Mr. Reed went through the Motion. Discussion and negotiations continued on the issues of loading, curb cuts and vehicular and pedestrian access to the development. Joan Carol Poor and Judith Wang participated in the discussion. Ms. Schum said that staff went back to the Route 1 consultants to get advice on access issues. They will be providing new drawings in the near future, but in general they recommended minimizing access to new development from Route 1. There was discussion about restricting right turns by certain size trucks into the development, of restricting vehicle heights in the development, of the width of the access road, of pedestrian friendly solutions, of various loading scenarios, of restricting the loading hours, of potential conflicts between bus and loading uses of the "slip-lane" pull off, of storm water management, of green building standards, of waste disposal and of recycling.

There was discussion about where in the agreement – the motion, the Covenants or the Detailed Site Plan – some of these negotiated items would reside.

Mr. Reed spoke to specific items in the motion: an agreement that 5b would be deleted, that 4a is accomplished by this plan and does minimize the number of curb cuts, and on the 3<sup>rd</sup> page, the 2<sup>nd</sup> to last bullet, that everyone would agree that this would be the final plan. The applicant does not want to leave it open ended. Councilmember Fellows and Mayor Brayman noted that the consultants' input is due next week and the Planning Board date is September 6. This gives everyone time to respond to the consultants' input. The City wishes to reserve that right.

**Motion:** A motion was made by Councilmember Cook and seconded by Councilmember Hampton that the City Council recommend approval of Detailed Site Plan 06095, including the requested rezoning, submitted by JPI for the Jefferson at College Park West subject to the following conditions:

1. Staff recommends APPROVAL of the departure from the parking design standards to allow the applicant to provide 9-foot by 19-foot parking spaces in the garage versus the required 9.5-foot by 19-foot spaces.
2. Staff recommends APPROVAL of the waiver from the retail loading requirement to allow the applicant to share 1 retail loading space with the residential loading space.
3. Staff recommends APPROVAL of the alternative development district standards for:
  - a. Table 13, Summary of Site Regulations, Area 4. To allow the applicant to exceed the front build-to-line of 10 to 20 feet behind the right-of-way line along Baltimore Avenue.
  - b. Table 13, Summary of Site Regulations, Area 5. To allow a build-to-line of 25' along Autoville Drive.
  - c. Building Design, B1. Height, Scale, Massing and Size, C and Building Heights Map. To allow the applicant to construct a 5-story building at US 1 and a 4-story building at Autoville Drive.
  - d. Building Design, B1. Height, Scale, Massing and Size, I, Massing. To allow the applicant to provide balconies on some but not all of the units facing Baltimore Avenue.
  - e. Building Design, B1. Height, Scale, Massing and Size, N, Bedroom Percentages. To allow the applicant to exceed the bedroom percentage for 2-bedroom units by 2%.
  - f. Public Areas, P2. Sidewalks, Bikeways, Trails and Crosswalks, A. To allow the applicant to not provide a sidewalk along Autoville Drive.
4. The applicant shall revise the Detailed Site Plan to be consistent with the following goals:
  - a. Minimize the number of curb cuts providing access to the site from Baltimore Avenue.
  - b. Minimize the turning radii and width of the driveway entrances.
  - c. Modify the street section, including the location of street trees, streetlights, and sidewalks, to ensure compatibility with future redevelopment to the north and south.

5. The applicant shall revise the Detailed Site Plan as follows:
  - a. Eliminate the mini-median and slip lane and create an area that would serve as a shared bus pull-off, including a bus shelter, and loading area.
  - b. Continue sidewalk treatment across driveway entrances and intersections to give priority to pedestrians.
  - c. Provide access to 9104 Baltimore Avenue from the access road.
6. The applicant shall revise the Landscape and Lighting Plan as follows:
  - a. Locate the tables and chairs shown in detail 3 on sheet L-3, Hardscape Details on the Landscape Plan.
  - b. Substitute Korean Pines for the Deodar Cedars; Serbian Spruce or Oriental Spruce for the Norway Spruce; and Maples for the Ash.
  - c. Eliminate the sod and expand the planting area.
  - d. Provide an on-site irrigation system for planting areas including the green screen and courtyard area.
7. The applicant shall provide a Sign Plan, including lighting, colors, lettering style, size, height, quantity and location for review and approval by the City of College Park and M-NCPPC.
8. Provide a color and materials board.
9. Provide lot coverage and percentage brick calculations that demonstrate how the requirement is being met.
10. The applicant shall acquire a public use easement for existing development from Ronald and Sandra Doyle, the owners of property at 9104 Baltimore Avenue, to allow for public access to the signal at Cherokee Street. The applicant shall also provide a perpetual public use easement for existing development for the access road.
11. Total development shall be limited to no more than 184 AM Peak Hour Trips and 432 PM peak hour trips.
12. The applicant shall develop the project in accordance with “A Green Strategy for JPI College Park West” as presented to the College Park City Council, a copy of which is attached.
13. The applicant shall agree to enter into an Agreement and Declaration of Covenants with the City in substantially the form as attached and authority is hereby given to the City Manager to sign the Agreement and Declaration of Covenants.

Further, the motion authorized the City Manager and City Attorney to revise the Declaration of Covenants and Agreement in the coming week to reflect tonight’s discussion, and authorized them to determine how to best document the new items discussed tonight.

A motion was made by Councilmember Fellows and seconded by Councilmember Hampton to add a condition to the motion as follows:

14. Should the Maryland State Highway Administration determine that a split signal is appropriate at Cherokee Street, the applicant and the City shall not object to the installation of such signal.

The amendment passed 7-0-0.

Comments from the audience on the main motion as amended:

**Alan Hew, 9118 Autoville Drive:** Recommended adding a height restriction to prohibit trucks from going in to certain areas in the development.

**Joan Carol Poor, 9112 Autoville Drive:** They are concerned about the residential properties behind the development and want to limit truck traffic there.

The main motion as amended passed 7-0-0.

**07-G-81      Approval of a Local Advisory Committee for the Old Town College Park Historic District and Approval of the LAC Procedures (item postponed from July 10)**

A motion was made by Councilmember Stulich and seconded by Councilmember Fellows to approve the formation of a Local Advisory Committee for the Old Town College Park Historic District and to approve procedures for the establishment and operation of the LAC for submission to the Prince George's County Historic Preservation Commission for final review and approval. She read the comments into the record. She discussed the two public meetings that were held regarding the formation of a LAC and the procedures. Members of the LAC would be appointed by the Prince George's County Historic Preservation Commission, although the City would advertise the Committee and its vacancies.

Danielle Kogut stated that having a student on the Local Advisory Committee would be desirable.

Mayor Brayman asked how the Council could overrule an LAC recommendation. He requested language that would strive for a diverse LAC with representatives from a variety of stakeholders, including perhaps a landlord who otherwise meets the membership requirements and committee objectives.

The motion passed 6-1-0 (Perry opposed).

**07-O-16      An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending City Code, Chapter 138 “Noise” To Incorporate The Use Of dB(C) When Measuring Sound**

A motion was made by Councilmember Cook and seconded by Councilmember Perry to adopt Ordinance number 07-O-16. Councilmember Cook read the comments into the record.

Due to the public hearing held earlier this evening, no further public comment was taken.

There were no comments from the Council.

The Ordinance was adopted by a vote of 7-0-0.

**07-CR-06      Introduction of 07-CR-06, A Charter Amendment Resolution Of The Mayor And Council Of The City Of College Park, Maryland, Amending Article III “Mayor And Council”, §C3-4, “Compensation” Of The City Charter To Increase The Mayor’s Annual Salary To \$7,500.00 And Each Council Members’ Annual Salary To \$5,000.00, Effective January 1, 2008.**

A motion was made by Councilmember Catlin and seconded by Councilmember Krouse to introduce Ordinance number 07-CR-06. Councilmember Catlin read the title into the record and noted that the Public Hearing will be held at 7:15 p.m. on September 11, 2007.

**07-O-15      An Emergency Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending Chapter 151 “Permit Parking”, By Repealing And Reenacting §151-4 “Issuance Of Permits” To Allow The Council To Set Various Time Periods For The Validity Of Permits**

A motion was made by Councilmember Fellows and seconded by Councilmember Krouse to adopt Ordinance number 07-O-15. Councilmember Fellows read the title and comments into the record. He noted that this is an Emergency Ordinance in order to establish six month permits in the Lord Calvert Manor area in time for the fall semester.

There were no comments from the Council.

The Ordinance was adopted by a vote of 7-0-0.

**07-G-87      Appointments To Boards and Committees**

Councilmember Stullich nominated Anna Sandburg for reappointment to the Airport Authority. A motion was made by Councilmember Fellows and seconded by Councilmember Cook to approve this nomination.

The motion passed 7-0-0.

**Council Comments:**

Councilmember Krouse requested that a follow up traffic study be conducted in May 2008 in the area that was approved tonight for traffic calming devices.

**07-G-90**      **A motion was made by Councilmember Krouse and seconded by Councilmember Catlin to direct the City Manager to repeat the traffic study on Edgewood Road between Narragansett Parkway and 51<sup>st</sup> Avenue in May of 2008.**

**Bob Schnabel, 7400 Dartmouth:** Believes that the current design of traffic calming devices do not really calm traffic, and recommends the City looks at what is effective vs. what is ineffective.

There were no comments from the Council.

The motion carried 7-0-0.

**Council Comments, continued:**

Councilmember Cook commented on the East Campus meeting she attended last night and said the City needs to be proactive in working with the University of Maryland and the developer on the project.

**Comments From The Audience:** None

**Adjournment:** Mayor Brayman requested a motion to enter Executive Session to discuss the location of a business or industrial organization in Prince George's County. A motion was made by Councilmember Krouse to enter into an Executive Session for the reasons stated by Mayor Brayman. The motion failed for lack of a second.

A motion to adjourn was made by Councilmember Perry and seconded by Councilmember Stullich. The motion carried 7-0-0, and the meeting was adjourned at 11:33 p.m.

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Janeen S. Miller, City Clerk