

MINUTES
Special Session of the College Park City Council
January 19, 2010

PRESENT: Mayor Fellows; Councilmembers Nagle, Wojahn, Catlin, Perry, Stullich, Cook, Afzali, and Mitchell.

ABSENT: None.

ALSO PRESENT: Steve Groh, Acting City Manager; Suellen Ferguson, City Attorney; Janeen Miller, City Clerk; Terry Schum, Director of Planning; Bob Ryan, Director of Public Services; Peggy Higgins, Director of Community Resources; Steve Halpern, City Engineer; Elisa Vitale and Dorothy Friedman, Planning Department staff; Student Liaison Jonathan Sachs and Deputy Student Liaison Becca Lurie.

During a regularly scheduled Worksession of the College Park City Council, a motion was made by Councilmember Afzali and seconded by Councilmember Mitchell to enter into a Special Session. The possibility of the Special Session was advertised on the Worksession agenda. The motion passed 8-0-0 and the Council entered Special Session at 8:37 p.m.

Action Items:

10-G-03 Approval Of A Property Use Agreement For Azteca Enterprises, LLC, T/A Azteca Bar & Grill, 9505 Baltimore Avenue And To Voice No Objection To Their Application For A Class B, BLX, Beer, Wine And Liquor License

A motion was made by Councilmember Cook and seconded by Councilmember Nagle that the Council voice no objection to the application of Azteca Enterprises, LLC for a Class B BLX beer, wine and liquor license subject to the Licensee entering into a Property Use Agreement in substantially the form as attached with the 40/60 food to alcohol ratio negotiated tonight. The City Manager is authorized to sign the Agreement.

Attorney Linda Carter represented the applicants, Messrs. Orellana and Burrick.

Larry Bleau, 4901 Niagara: The North College Park Citizens Association voted last week to object to both the restaurant and the liquor license due to traffic, parking and noise concerns. His personal opinion is that he would welcome the restaurant into the area and feels there are enough safeguards in the PUA to address concerns.

Dave Kolesar, 5015 Lackawanna: These are tough economic times and there are a lot of vacant buildings on Route 1 and here is an owner that is willing to cooperate with the City and would bring a nice restaurant to the City, so he hopes the City approves this license.

Councilmember Wojahn supports the motion and appreciates the applicants' flexibility in addressing the community's concerns.

Councilmember Stullich cited results from last fall's community survey and focus groups where residents indicated they want the City to aggressively attract and retain a diverse mix of desirable businesses. She believes this is a responsible applicant who has heard the residents' concerns and will bring a high quality locally owned business to College Park which the City has talked about wanting to attract. She appreciates their flexibility on the food to alcohol ratio.

Councilmember Perry asked if this is a transfer or an application for a new license? Ms. Carter stated it is an application for a new license. He asked how this business would fit in with the overall development of Route 1, if lighting and storm water had been addressed, and if this restaurant at this location is the highest and best use of the building.

The motion carried 7-1-0 (Councilmember Perry opposed).

The Special Session was recessed at 8:49 p.m. on a motion by Councilmember Perry and a second by Councilmember Stullich.

At 9:05 p.m. a motion to reconvene the Special Session was made by Councilmember Stullich and seconded by Councilmember Nagle. The motion carried 8-0-0.

Mayor Fellows indicated that the CDBG application is due by January 22 which is why this special session is needed.

10-G-06 Community Development Block Grant (CDBG) Application For Program Year 36

A motion was made by Councilmember Stullich and seconded by Councilmember Perry to approve an application for the Program Year (PY) 36 Community Development Block Grant application in the amount of \$100,000 for two projects: 1) pedestrian oriented streetlights on College Avenue and 2) Sidewalk Construction and Reconstruction in the Lord Calvert Manor area.

Councilmember Stullich noted that not only is there a need for these improvements in these areas, but these areas are CDBG eligible.

The motion carried 8-0-0.

A motion was made by Councilmember Wojahn and seconded by Councilmember Mitchell to recess from Special Session. The Special Session recessed at 9:10 p.m. by a vote of 8-0-0.

A motion was made by Councilmember Afzali and seconded by Councilmember Mitchell to reconvene the Special Session. The motion carried 8-0-0 and the Special Session reconvened at 9:15 p.m.

10-G-02 Letter To The Prince George's County Council With Comments On The Adopted Central US 1 Corridor Sector Plan And Sectional Map Amendment

A motion was made by Councilmember Wojahn and seconded by Councilmember Afzali to approve a letter to the Prince George's County Council with the City's comments on the adopted Central US 1 Corridor Sector Plan and Sectional Map Amendment.

Councilmember Wojahn stated that on December 10, 2009, the Prince George's County Planning Board adopted the preliminary Central US 1 Corridor Sector Plan and endorsed the Sectional Map Amendment with several revisions based on public testimony. The plan has been transmitted to the District Council for their review and approval. The District Council may further revise the plan and hold another joint public hearing. Some of the City's recommendations were included in the adopted plan but some were not. This letter transmits the City's comments on issues of importance that were not included.

Larry Bleau, 4901 Niagara Road: Asked for a summary of the issues being addressed in the letter. Ms. Schum provided a summary. Mr. Bleau reported that in October of 2008 the NCPCA asked that the residential areas around the Hollywood commercial district be excluded from the plan, but it does not appear they were excluded. Then in February of 2009 the NCPCA voted to take no position on the rest of the plan. Speaking personally: he would like to see bike lanes along the entire length of US 1 from the University to the beltway; the street section has not been determined in a consistent manner because State Highway's plans are at odds with Park and Planning; a plan of this magnitude should include the undergrounding of utilities. MUI is not the right tool to use in the Hollywood commercial district – the MUTC has greater citizen input and should definitely be explored. If that can't be done, he supports CSC.

Councilmember Perry asked that the word "Attachment" be added to the end of the letter.

Councilmember Stullich asked for the word "panacea" in item #6 be replaced with "is an approach for mitigation."

The motion carried 8-0-0.

A motion was made by Councilmember Perry and seconded by Councilmember Cook to adjourn the special session. The Special Session was adjourned at 9:31 p.m. by a vote of 8-0-0.

Janeen S. Miller, CMC Date Approved
City Clerk