

MINUTES
Special Session of the College Park City Council
Council Chambers
Tuesday, December 6, 2011
10:48 p.m. – 11:06

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

ABSENT: Councilmembers Cook and Perry.

ALSO PRESENT: Joe Nagro, City Manager; Suellen Ferguson, City Attorney; Janeen Miller, City Clerk; Marcella Morris, Student Liaison; Terry Schum, Director of Planning; Elisa Vitale, Senior Planner; Councilmembers-elect Robert Day, Monroe Dennis and Fazlul Kabir.

During a regularly scheduled Worksession of the College Park City Council, a motion was made by Councilmember Afzali and seconded by Councilmember Wojahn to enter into a Special Session. The motion passed 6 – 0 – 0 and the Special Session commenced at 10:48 p.m.

Action Items:

11-G-105 Motion to oppose A-10018, the re-zoning of the Cafritz property as Mixed-Use Town Center (MUTC) and supporting the re-zoning of the property as Mixed-Use Infill (MUI) with conditions.

At the November 22, 2011 Regular meeting, this agenda item was tabled until December 6. A motion was made by Councilmember Stullich and seconded by Councilmember Afzali to take item 11-G-105 off the table. The motion passed 6 – 0 – 0.

11-G-111 Motion To Request The Planning Board To Continue The December 15 Public Hearing On The Cafritz Zoning Matter

A motion was made by Councilmember Stullich and seconded by Councilmember Afzali to ask the Planning Board for a continuance of the hearing scheduled for December 15 on the Cafritz property on the grounds that the requirement for a staff report to be disseminated two weeks prior to the hearing was not met.

Comments from the audience:

Jonathan Ebbeler, Ward 1 Councilmember, Town of Riverdale Park: He asked if the applicant had a statutory right to receive their hearing within 60 days, and would that override the two-week-notice rule? Ms. Ferguson didn't know the answer but said that the law is clear that the report must be out at least two weeks prior to the hearing. He believes they are being rushed to consider all the evidence. He discussed the traffic studies.

Richard Reed, attorney for the applicant: They understand the traffic and CSX crossing are important issues and they are working hard to resolve them. He believes we are close on an agreement. He would hate to see everyone get this far and be so close, then delay the hearing on a technicality. Everyone is at the table working on these issues and unless there is a compelling reason, he asks the Council to delay their request for a continuance.

Councilmember Catlin asked which meeting of the Planning Board this would be continued to? Staff is unsure.

Councilmember Stullich believes many residents would want to attend the Planning Board hearing so if it is going to be continued it would be best to let people know as soon as possible.

Councilmember Afzali said the request for a continuance is not only based on a technicality but also because there is a lot of new information that everyone has not seen yet. The alternative is that the City might be forced to oppose the project rather than take a position of conditional support.

The motion passed 5 – 1 – 0 (Councilmember Nagle opposed).

11-G-105 Motion to oppose A-10018, the re-zoning of the Cafritz property as Mixed-Use Town Center (MUTC) and supporting the re-zoning of the property as Mixed-Use Infill (MUI) with conditions.

A motion was made by Councilmember Afzali and seconded by Councilmember Mitchell to table 11-G-105 to the December 13 meeting of the 2011-2013 College Park City Council. The motion carried 6 – 0 – 0.

Adjourn:

A motion was made by Councilmember Stullich and seconded by Councilmember Afzali to adjourn from the Special Session. The motion carried 6- 0 – 0 and Mayor Fellows adjourned the Special Session at 11:06 p.m.

Janeen S. Miller, CMC
City Clerk

Date
Approved