

**MINUTES**  
**Regular Meeting of the College Park City Council**  
**Tuesday, February 23, 2016**  
**Council Chambers**  
**7:30 p.m. – 8:29 p.m.**

**PRESENT:** Mayor Wojahn; Councilmembers Kabir, Nagle, Brennan, Dennis, Stullich (arrived at 7:33 p.m.), Day (arrived at 8:02 p.m.), Cook and Kujawa.

**ABSENT:** None.

**ALSO PRESENT:** Scott Somers, City Manager; Bill Gardiner, Assistant City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Peggy Higgins, Director of Youth, Family and Senior Services; Terry Schum, Director of Planning; Miriam Bader, Senior Planner; Cole Holocker, Student Liaison; Adler Pruitt, Deputy Student Liaison.

Mayor Wojahn opened the Regular Meeting at 7:30 p.m. Councilmember Dennis led the Pledge of Allegiance.

**Minutes:** A motion was made by Councilmember Dennis and seconded by Councilmember Brennan to approve the minutes of the February 9, 2016 Regular Meeting. The motion passed 6 – 0 – 0.

**Announcements:** None.

**Amendments To And Approval Of The Agenda:** A motion was made by Councilmember Kabir and seconded by Councilmember Dennis to add consideration of SB 1052 - University of Maryland Strategic Partnership Act of 2016 - to the agenda (added as item 16-G-26). With that amendment, the agenda was approved 6 – 0 – 0.

**City Manager's Report:** Mr. Somers reviewed red folder updates regarding 16-G-21 and 16-G-22. He reminded Council that Dr. Loh will be our guest on Thursday night for a special Four Cities Meeting.

**Student Liaison's Report:** Mr. Holocker said the SGA is working on legislation regarding the County's fracking ban and tax incentives for businesses who host paid internships for students.

**Comments From The Audience on Non-Agenda Items:** None.

**PRESENTATIONS:**

Mayor Wojahn presented an FY '16 Public School Education Grant to Paint Branch Elementary School, which was accepted by Emmett Hendershot, Principal.

**CONSENT AGENDA: A motion was made by Councilmember Dennis and seconded by Councilmember Brennan to adopt the Consent Agenda, which consisted of the following:**

- 16-G-18 Authorization for the City to sign a Memorandum of Understanding with local communities in substantially the form attached for participation in the Inter-Municipal Bikeways Working Group**
- 16-G-19 Approval of a letter in support of HB723/SB525, Transportation - Highway User Revenues - Distribution to Municipalities, in substantially the form attached**
- 16-G-20 Approval of a Department of Defense request to join them in thanking the City's Vietnam War Veterans and their families by becoming a "Commemorative Partner for the 50<sup>th</sup> Anniversary of the Vietnam War"**
- 16-G-25 Approval to sign the National League of Cities Letter to Congress In Support Of Tax-Exempt Municipal Bonds**

**The motion passed 7 – 0 – 0.**

**ACTION ITEMS:**

- 16-G-26 Discussion of Senate Bill 1052 – University of Maryland Strategic Partnership Act of 2016**

Ross Stern from the University of Maryland gave an overview of this bill: it is designed to create a unified University of Maryland with two distinct campuses – Baltimore and College Park. There would be two presidents for now, but the bill allows in the future, if the Board of Regents desires, to merge into one president. It is a strategic partnership that would work toward unified systems such as human resources, and is not a full merger. Len Lucchi, City lobbyist, discussed the status of the bill in the Senate; it has not crossed over to the House yet. They expect amendments will be made as the bill moves through the General Assembly. Council and staff asked several questions about how this would impact College Park; many issues remain unknown at this time. The City Council discussed; the consensus was not to take a position at this time.

- 16-G-21 Approval of an amendment to the Declaration of Covenants and Agreement for University View I and II and University Village**

**A motion was made by Councilmember Brennan and seconded by Councilmember Dennis to approve the request by Clark Enterprises, Inc. to amend prior agreements, including the Declaration of Covenants and Agreement, as amended, in order to remove the requirement to provide 109 parking spaces for the existing University View I and II student housing development on the adjoining properties located at 8320 and 8400 Baltimore Avenue, and other conforming changes, and to adopt the Second Amendment in substantially the form attached in place of the Declaration. The City Manager is authorized to sign the Second Amendment, and other documents necessary to effect this purpose as determined by the City Attorney.**

Councilmember Brennan said Clark has decided not to pursue the development of additional student housing on the combined 8320 and 8400 properties, for which there is an approved detailed site plan, and to put these properties on the market for sale. The properties may be sold separately or together. Clark has informed the City that the existing Declaration of Covenants and Agreement, as amended, with the 109 parking spaces requirement, is an impediment to the sale and future redevelopment of the property. Other documents, such as a deed of easement between the various properties, were also involved in securing this restriction and may be extinguished or amended. In order to mitigate for the loss of the parking spaces, neighborhood input was solicited, and Clark has agreed to a number of conditions, which are included in the Second Amendment. The Amendment contains the following generally described conditions:

1. The owners shall provide funding, in the amount of \$111,500, to be deposited with the City for the purposes of providing an on-site bikeshare station, bikeshare memberships for University View I and II residents and community-oriented transportation measures.
2. The owners shall provide 60 additional on-site bicycle parking spaces.
3. The owners agree to provide other options to meet residential vehicular parking needs at such time as parking on the University of Maryland campus is no longer available.
4. University View I and II will continue the current level of shuttle bus service.
5. The jersey barriers between the 8320 property and Route 1 will be removed and replaced with landscaped planters which must be maintained by the owners.
6. The owners agree to enforce no parking of bicycles along the fence, to engage in enforcement action on a periodic basis, and to confiscate bicycles that are not parked in a designated bicycle space.

Discussion with Francis Lynch, applicant and Chris Hatcher, attorney: The outstanding items for discussion are: 1) Frequency of the enforcement action of the bicycles that park along the fence: they propose bi-weekly instead of weekly. Council wants weekly enforcement. 2) Timing of when the jersey barriers are removed: they prefer before July 1 rather than before June 1. Council agreed. 3) Item #17 in the Amendment regarding location of bicycle parking: how many can go in the back by the bridge? Language in the amendment shall reflect that a majority of the bicycle spaces shall be placed at the rear of the building.

Councilmember Cook asked what happened with the additional parking spaces they were going to try to solicit from Mazza? Mr. Hatcher said that when the University stops providing parking spaces on campus, they will be obligated to advertise alternate parking to their residents.

**The motion passed 6 – 0 – 2 (Councilmembers Kujawa and Cook abstained).**

**16-G-22 Authorization to schedule a Public Hearing regarding the Greater College Park RISE Zone Application**

**A motion was made by Councilmember Day and seconded by Councilmember Brennan to authorize a public hearing to receive comment on the possible City participation in the Greater College Park RISE Zone application with Prince George's County, the Town of Riverdale Park, and the University of Maryland.**

Councilmember Day said that the Regional Institution Strategic Enterprise Zone (RISE) is a new State program to encourage investment and job creation near universities committed to community economic development. Certain qualified development and businesses within a designated RISE Zone would be eligible for real property tax credits and other benefits. The minimum real property tax credit is 50% on the increase to the assessed value for the first year, and a 10% credit for each of the following four years. The motion above ONLY authorizes the holding of a public hearing on the Greater College Park RISE Zone application. Staff recommends the following steps for Council to continue the review and possible approval of the City's participation in the Greater College Park RISE Zone: 1) Review proposed criteria for eligibility for tax credits due to new investment in the RISE Zone. The proposed criteria can be provided to Council for discussion at a Worksession prior to the public hearing. 2) Hold a public hearing on the proposed application. The draft Greater College Park RISE Zone application will be available prior to the public hearing. 3) Consider and vote on a Council resolution stating the level of tax credits the City will offer to qualifying businesses and investments for the five year term of the program, and authorizing the City's participation in the Greater College Park RISE Zone.

There were no comments from the audience or the Council.

**The motion passed 8 – 0 – 0.**

**16-G-23 Approval of a letter with comments to Maryland-National Capital Park and Planning Commission on Draft Module 1 of the Prince George's County Zoning Ordinance Rewrite regarding Zones and Zone Regulations and Use Regulations**

**A motion was made by Councilmember Stullich and seconded by Councilmember Brennan that a letter, in substantially the form attached, be sent to the Prince George's County Planning Department with the City's comments on Module 1 of the Prince George's County Zoning Ordinance Rewrite that addresses zones and zone regulations, use regulations and interpretations and definitions.**

Councilmember Stullich said that the Maryland-National Capital Park and Planning Commission has undertaken a multi-year process for comprehensively rewriting the County Zoning Ordinance and Subdivision Regulations. It is being released in phases and is expected to be completed in fall 2017. The purpose of the Zoning Rewrite is to align the Zoning Ordinance with the Prince George's County General Plan and to make it more current and user-friendly. Public comment during all phases of the rewrite is encouraged and may be made through the

Park and Planning website. This letter constitutes our initial set of comments and additional comments will be submitted as other modules are released.

There were no comments from the audience or the Council.

**The motion passed 7 – 0 – 1 (Councilmember Nagle abstained).**

#### **16-G-24 Appointment to Boards and Committees**

**A motion was made by Councilmember Cook and seconded by Councilmember Kabir to appoint Ian Henderson to the Neighborhood Quality of Life Committee, Daniel Walfield to the Committee for a Better Environment and Denise Mitchell to the Neighborhood Quality of Life Committee. The motion passed 8 – 0 – 0.**

#### **COUNCIL COMMENTS:**

Councilmember Cook wants to get Council material ahead of time. She felt uncomfortable voting on several items tonight because she did not have the chance to review the material.

Councilmember Dennis congratulated Paint Branch Elementary School and principal Hendershot on the grant they received tonight, and commented on the half-time entertainment they provided at the M-NCPPC Xtreme Teens event.

Councilmember Brennan said there has been an uptick in violent crime recently. We are well equipped with surveillance cameras to help police identify the perpetrators.

Councilmember Nagle commented on last Saturday's Council retreat.

**COMMENTS FROM THE AUDIENCE:** None.

#### **ADJOURN:**

A motion was made by Councilmember Stulich and seconded by Councilmember Day to adjourn, and with a vote of 8 – 0 – 0, Mayor Wojahn adjourned the meeting at 8:29 p.m.

---

Janeen S. Miller, CMC  
City Clerk

Date  
Approved