



TUESDAY, APRIL 19, 2016
CITY OF COLLEGE PARK
COUNCIL CHAMBERS

WORKSESSION AGENDA
7:30 P.M.

COLLEGE PARK MISSION STATEMENT

The City Of College Park Provides Open And Effective Governance And Excellent Services That Enhance The Quality Of Life In Our Community.

Time	Item		Staff/Council
7:30		Call to Order	
		City Manager's Report	
		Amendments to and Approval of the Agenda	
Discussion Items			
7:35	1	DSP-12030, Pregnancy Aid Center (20)	Terry Schum, Director of Planning
7:55	2	Discussion with APC about their recommendations for the City's Fence Ordinance (30)	Advisory Planning Commission
8:25	3	Discussion of Budget Ordinance prior to Introduction next week (if needed) (5)	
8:30	4	Request by the University of Maryland to rename Paint Branch Parkway to Campus Drive (10)	Scott Somers, City Manager
8:40	5	Revised joint application for the Greater College Park RISE Zone and draft Council Resolution of support (20)	Bill Gardiner, Assistant City Manager
9:00	6	Continuation of discussion from April 5 Worksession on the use of City resources to support education (<i>Possible Special Session</i>) (20)	Mayor and Council
9:20	7	Council Rules and Procedures (<i>Possible Special Session</i>) (30)	Mayor and Council
9:50	8	Discussion of creation of a Charter Revision Committee (15)	Scott Somers, City Manager
10:05	9	Agenda items for April 28 Four Cities Meeting in New Carrollton (5)	Mayor and Council

10:10	10	Review of "Future Worksessions" list (20)	Scott Somers, City Manager
10:30	11	Requests For/Status of Future Agenda items (5)	Scott Somers, City Manager
10:35	12	Appointments to Boards and Committees (5)	Mayor and Council
10:40	13	Mayor and Councilmember Comments (5)	Mayor and Council
10:45	14	City Manager's Comments (5)	Scott Somers, City Manager

INFORMATION/STATUS REPORTS FOR COUNCIL REVIEW

1. Final Legislative Report dated April 15, 2016

This agenda is subject to change. Item times are estimates only. For the most current information, please contact the City Clerk. In accordance with the Americans with Disabilities Act, if you need special assistance, please contact the City Clerk's Office and describe the assistance that is necessary. City Clerk's Office: 240-487-3501

1

DSP-12030
Pregnancy Aid Center



**CITY OF COLLEGE PARK, MARYLAND
WORKSESSION AGENDA ITEM**

Prepared By: Miriam Bader, Senior Planner

Meeting Date: April 19, 2016

Presented By: Miriam Bader, Senior Planner

Proposed Consent Agenda: No

Originating Department: Department of Planning, Community and Economic Development

Issue Before Council: Review of DSP 12030 for proposed expansion of the Pregnancy Aid Center located at 4700 Erie Street.

Strategic Plan Goal: Goal 3: High Quality Development and Reinvestment

Background/Justification:

The Pregnancy Aid Center filed a Detailed Site Plan (DSP) application for their property in order to expand an existing medical facility. This application was originally filed in 2013 but was tabled until a preliminary plan was approved. The City supported the preliminary plan. The Prince George’s County Planning Board Hearing is scheduled for April 28, 2016. The Maryland-National Capital Park and Planning Commission (M-NCPPC) technical staff report may be available around April 15, 2016.

Size and Location

1.40-acres, Lots 22 and 23, Daniels Park Subdivision, northeast quadrant of Baltimore Avenue and Erie Street

Zoning

Mixed-Use-Infill, Central US 1 Corridor Development District Overlay Zone (MUI-DDOZ)

Existing Use

A 2-story office building, 5 accessory structures (4 sheds, and a garage) and a 24-space gravel, parking lot

Surrounding Uses and Zoning

Direction from subject site	Use	Zoning
North	Commercial (Enterprise Car Rental) fronting US 1 and Single-Family Residential	MUI, DDOZ and R-55
South	Commercial (Woods Florist, Vapin Time, Proteus Bicycles) fronting US 1 and Single-Family Residential	MUI, DDOZ and R-55
West (across US 1)	Commercial (Mattress Land, Shell Gas Station) and American Legion Meeting Hall	MUI, DDOZ
East	Single-Family Residential	R-55

Proposal

The Applicant proposes constructing a 3,102 square foot building addition to an existing 5,149 square foot medical office building, paving the existing gravel parking lot, removing 3 accessory structures (2 sheds will

remain) and providing stormwater management features. The detailed site plan (DSP) was reviewed in accordance with the following criteria:

1. Conformance with the Plan Prince George's 2035 General Plan
2. Conformance with the 2009 Approved Countywide Master Plan of Transportation
3. Conformance with the requirements of the M-U-I Zone from the Zoning Ordinance
4. Conformance with Planning Board Preliminary Plan Resolution 15-77
5. Conformance with requirements of the 2010 Sector Plan and Sectional Map Amendment for Central US 1 Corridor, including the Development District Standards

Conformance with Plan Prince George's 2035 General Plan

This application is consistent with the 2035 General Plan policies for the Innovation Corridor. The subject property is located within a designated Employment Area growth policy area. Plan 2035 describes Employment Areas as places commanding the highest concentrations of economic activity in four targeted industry clusters and recommends continuing to support business growth in these areas, concentrating new business development near transit, where possible, improving transportation access and connectivity, and creating opportunities for synergies.

Conformance with 2009 Approved Countywide Master Plan of Transportation

Baltimore Avenue/US 1 is the subject of an ongoing Maryland State Highway Administration (SHA) highway improvement planning project which will include pedestrian and bicyclist improvements such as medians, bicycle lanes, sidewalks, and landscaping. The submitted DSP indicates the Applicant has provided 50-feet of right-of-way from the centerline of Baltimore Avenue/US 1, 25-feet of right-of-way from the centerline of Erie Street and 25-feet of right-of-way from the centerline of 48th Avenue.

Conformance with the requirements of the M-U-I Zone from the Zoning Ordinance

The subject property is zoned Mixed Use Infill (M-U-I). The purpose of the MUI zone is to permit a mix of residential and commercial uses in areas which are already substantially developed, to encourage redevelopment of existing structures, and to allow flexibility in the review process. The proposed development, an existing two-story structure medical office with a one-story expansion, conforms with the intent of the MUI zone by using an existing structure, which was originally a house, and adapting it into a useable medical office.

Conformance with Planning Board Preliminary Plan Resolution 15-77

The Preliminary Plan of Subdivision (4-13012) was approved via Planning Board Resolution, PGCPB No. 15-77, on July 16, 2015 with 10 conditions (Attachment 5). The following conditions (numbered as in the resolution and indicated in bold) are applicable to the DSP review:

- 3. At time of DSP review, full cut-off exterior optic light fixtures shall be used to reduce sky glow and light intrusion onto residential properties to the fullest extent possible.**

Comment: Indicated on submitted DSP; however, City staff recommends a condition to relocate Parking Lot Light Pole 1 by at least 20 feet westerly to minimize light intrusion onto nearby residential properties.

- 4. At time of DSP review, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:**
 - a. Provide seven u-shaped designed bicycle parking spaces anchored into a concrete base.**
 - b. Reflect for construction a minimum five-foot-wide sidewalk with accessible ramps along the subject property frontage of Erie Street and 48th Avenue within the right-of-way if required by the City of College Park.**
 - c. Reflect for construction a minimum five-foot-wide sidewalk with accessible ramps along the subject property frontage within the public right-of-way of US 1 subject to**

modification by SHA.

Comment:

- a. The Applicant shows seven (7) u-shaped bicycle parking spaces as specified by M-NCPPC staff; however, the Sector Plan requires “one bicycle parking space for every three vehicular spaces” (p. 239 of US 1 Sector Plan). Since the Applicant is proposing 24 vehicular parking spaces, eight (8) bicycle parking spaces are required. City staff is recommending a condition to add one bicycle parking space.
- b. The Applicant shows sufficient right-of-way to allow for construction of a sidewalk along Erie Street and 48th Avenue but is requesting a modification to not construct sidewalks on Erie Street and 48th Avenue, see modification request 6 below.
- c. The State Highway Administration (SHA) is currently in the design phase for a 5-foot wide concrete sidewalk, ramps and a retaining wall along Baltimore Avenue and has agreed to construct it.

5. Total development shall be limited to uses that would generate no more than 24 AM and 31 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.

Comment: Satisfied. No additional development is proposed beyond what was approved in the preliminary plan.

6. Development of this site shall be in conformance with the Stormwater Management Concept Plan, 26195-2012-00, and any subsequent revisions

Comment: Satisfied. Stormwater Management Concept Approval was granted on November 5, 2015 (expiration date November 5, 2018) to be met through a micro-bio-retention facility and 14 rain barrels.

7. At the time of final plat approval, the applicant shall dedicate right-of-way along Baltimore Avenue (US 1), to an ultimate right-of-way width of 100 feet (50 feet from centerline), and additional right-of-way along Erie Street to an ultimate right-of-way of 50 feet (25 feet from centerline), as reflected on the approved preliminary plan of subdivision.

Comment: Satisfied.

8. At the time of final plat, the applicant and the applicant’s heirs, successors, and/or assignees, shall grant a ten-foot-wide public utility easement (PUE) along all public streets, or an alternative PUE acceptable to all applicable public utility providers, as reflected on the approved DSP.

9. Prior to final plat approval, the detailed site plan shall reflect all required utility easements. If the utility companies do not consent to an alternative utility easement, the detailed site plan shall reflect the standard ten-foot-wide public utility easement (PUE) along all public streets, which shall be reflected on the final plat.

10. Prior to the approval of the final plat, the applicant shall submit a variation in accordance with Section 24-113(b) to Section 24-122 for an alternative public utility easement, if necessary.

Comment: Conditions 8-10 are very similar. These conditions have been satisfied for all streets except US1/Baltimore Avenue, see modifications to Sector Plan 7. Public Utility Easement below.

Conformance with the 2010 Approved US 1 Corridor Sector Plan

The subject property is located in the corridor infill character area. This character area consists of mixed-use but primarily residential development with park-like landscaping, easy accessibility to goods and services, and is intended to facilitate the redevelopment of existing strip-commercial development along US 1 while serving

as a transition from the more intensive walk-able nodes to existing residential area adjacent to the corridor. The proposed expansion of an existing medical office use is consistent with the sector plan's vision, land use, and urban design recommendations.

The applicant is requesting some modifications to the development standards of the DDOZ (see below) but is in general conformance with the Sector Plan.

Modifications to Sector Plan

The Planning Board may approve alternate standards if they are found to benefit the development and the district and will not substantially impair the implementation of the Sector Plan.

The applicant is requesting the following eight (8) modifications to the Development District Standards:

1. Building Form: Height (p. 233) – The Applicant is requesting a modification of 9-inches to the standard for first floor height in order to accommodate the design of the new addition. The regulations require the height from the finished floor to the finished ceiling be a minimum of 11 feet. The first floor in the proposed structure is 10 feet 3 inches in order to seamlessly transition from the existing structure to the proposed structure.

Comment: City staff supports this minor modification since the intent is to subtly blend the addition with the existing structure.

2. Building Form: Setbacks (p. 233) – The Applicant seeks a modification to the building and accessory building setbacks. The Sector Plan requires a 20-foot minimum to a 25-foot maximum front building setback. After the additional right-of-way dedication of 20-feet, the proposed addition will be setback eight (8) feet from the new property line, almost matching the existing structure setback of 10-feet. Also, the Sector Plan requires a minimum 10-foot side-yard setback. An existing shed on the north side yard is proposed to remain and has a zero setback.

Comment: City staff supports these building setback modifications since the intent is to align the addition with the existing building. As for the modification for the existing shed, City staff supports this request since the intent is to validate an existing condition.

3. Building Form: Parking Lot Landscaping (p. 242) – The Applicant is requesting a modification to the requirement to provide parking lot interior landscaping and landscape strips between aisles. Significant, existing perimeter landscaping is proposed to remain, supplemented by additional landscaping.

Comment: City staff supports this modification based on the small size of the parking lot, it's configuration and the existing and proposed landscaping.

4. Building Form: Parking, Number of Spaces (p.239) – The Sector Plan requires eight (8) parking spaces based on net office space. Currently there are 24 parking spaces onsite. The Applicant would like to maintain these existing parking spaces because they serve the current and anticipated future needs of the facility.

Comment: City Staff supports this modification. Originally, M-NCPPC required parking spaces based on the gross square footage which would require 25 parking spaces. It was later determined that the Sector Plan standard is based on net office space which reduced the parking requirement to eight (8) parking spaces.

5. Architectural Elements: Fencing (p. 250) – The Applicant is requesting a modification to allow the existing perimeter chain-link and picket fence to remain. Chain link and the picket fence are prohibited in the DDOZ. According to the Statement of Justification, the Applicant is requesting the existing chain-link (along road frontages), picket fence, and security gate to remain; however, the site plan indicates some fencing will be removed and some chain-link fencing will be added.

Comment: The fence information is conflicting and confusing. City staff is proposing a condition that the

Applicant provide a fence plan with details that clearly shows what fences will remain, what fences will be removed and what fences are proposed. Even though the Applicant does not indicate existing fencing in the Baltimore Avenue right-of-way will be removed, it will need to be removed prior to the time the sidewalk is constructed.

City staff does not support the fence modification at this time until more information is provided.

6. Streets and Open Spaces: Sidewalks (p. 264) – The Applicant is requesting a modification of the requirement to provide sidewalks along US 1, Erie Street, and 48th Avenue.

Comment: Sufficient right-of-way has been dedicated for the required sidewalks; however, there are extenuating circumstances for each street, as discussed below, to recommend supporting this modification.

US 1/Baltimore Avenue – The State Highway Administration (SHA) will provide the required sidewalk.

Erie Street - City staff recognizes a need for a sidewalk on Erie Street in order to aid accessibility to the site for pedestrians. However, City staff acknowledges that it would be difficult and costly to build a sidewalk on the north side of Erie Street due to a steep slope and the need for a retaining wall to be constructed to preserve the parking lot. A sidewalk along the south side of Erie Street could provide the same benefit and is more easily constructed, if an easement can be obtained from the property owners.

48th Avenue - Building a sidewalk along 48th would mean disturbing part of an existing woodland that serves as an effective buffer between the neighboring residences and the parking lot for the medical office. There are no other sidewalks along this section of 48th street and City staff does not feel a sidewalk is necessary at this time due to the low volume of traffic on 48th street which allows people to walk and bike along the side of the street.

7. Public Utility Easement - A variation for an alternative Public Utility Easement (PUE) from 10-feet to a variable width that ranges from 8-feet to 10-feet.

Comment: The majority of the PUE complies with the 10-foot width except for a 123-foot segment on Baltimore Avenue. The Applicant's dedication of a 20-foot of right-of-way along this frontage puts the existing building 10-feet and the proposed addition 8-feet from the right-of-way. City staff supports this minor variation with the understanding that the location and width of the PUE must be reviewed and approved by the applicable utility providers.

8. Width of Ingress/Egress to parking lot - A separate departure application (see below) has been requested as the expense to remove and replace the existing 20-foot wide vehicular access secured entrance (mechanical gate with key pad entry) with a 22-foot wide gate would be cost prohibitive according to the Applicant.

Departure Request

The Applicant is requesting a departure from the design standard in Section 27-560(a) of the Zoning Ordinance that requires a 22-foot-wide interior driveway for two-way traffic. The site plan shows that a portion of the existing access drive from Erie Street narrows from the required 22-feet to 17.80-feet in width at the location of the security gate. The driveway does comply at the property line but narrows as it gets to the gate and then widens in the parking lot itself. Due to the hardship and prohibitive expense associated with replacing the existing 17.80-foot wide secured vehicular access entrance (mechanical gate with key pad entry) gate, with a 22 feet wide gate, the Applicant requests the approval for the existing gate to remain in lieu of replacing said gate.

Comment: Based on an e-mail, M-NCPPC staff will not be supporting this departure and will require the

applicant to install a 22-foot wide driveway and gate. City staff supports the four-foot departure since it allows an existing driveway that is more compatible with the residential character of the area and is adequate for the low volume of traffic. In addition, City staff agrees with the Applicant that the additional cost to replace the existing 17.80-foot wide security gate with a 22-foot wide gate is not worth the benefit to widen this small section of driveway by four-feet.

Site Design

Streetscape

The Applicant did not request a modification to the streetscape requirements (p. 262-268 of the Sector Plan), except for the sidewalk requirement. The Statement of Justification states that these requirements will be met; however, a streetscape detail was not provided. City staff is recommending a condition that a Streetscape detail, conforming with the Sector Plan, be provided that shows the proposed street lights, sidewalk (to be designed and constructed by SHA) and landscaping along US1/Baltimore Avenue. A modification for a streetscape exemption for Erie Street and 48th Avenue needs to be requested. City staff would support this exemption due to site conditions (substantial existing vegetation along Erie Street and 48th Avenue) and constraints (slope along Erie Street).

Access

The Sector Plan states that the objective is to provide access to businesses/properties that is clearly defined and safe for motorists and pedestrians. The circulation pattern within parking lots shall be designed to facilitate clear vehicular movement and ensure safe and convenient pedestrian access from parked cars to building entrances. The Sector Plan also states that vehicular access from side streets should be utilized.

The subject property is currently served by a driveway on Erie Street. This access is proposed to remain. There will be no direct public access to US 1/Baltimore Avenue. There is a gated and locked driveway off of US 1 that is used occasionally for deliveries and is proposed to be used during construction. City staff is proposing a condition that this access be removed after construction by removing the curb-cut and driveway and installing a curb.

On-Site Parking

There is an existing, screened, 24-space, gravel parking lot located off Erie Street to the east of the existing building. The Applicant is proposing to pave the existing gravel lot with pervious asphalt. This improvement will remove dust previously generated by the gravel. The parking area will remain screened from view with existing and proposed landscaping. In addition, the Applicant is proposing to provide seven (7) U-shaped bicycle parking spaces to be located at the western edge of the parking lot between the entrance of the building and the handicapped parking spaces. This number of bicycle parking spaces is one space short of the Sector Plan requirements. The Sector Plan requires one bicycle parking space for every three (3) vehicular spaces; therefore, 8 bicycle parking spaces are required for a 24-space parking lot. City staff is requiring a condition that one more bicycle parking space be added to meet the Sector Plan requirements.

According to page 239 of the Sector Plan, Required Office Parking in the Corridor Infill area is defined as followed: "Office buildings are limited in square footage to what is required to provide 3 assigned parking places per 1,000 square feet of net office space." The Applicant initially calculated the required parking based on the gross square footage of the building, which would require 25 spaces but has since amended his calculations to reflect net office space, see Attachment 2, amendment to the modifications, dated April 11, 2016 which requests a modification from the eight (8) required parking spaces to allow the 24 existing parking spaces, as indicated on the submitted Detailed Site Plan. A condition has been added that this calculation be corrected prior to signature approval of the DSP.

Traffic Generation

At the time of preliminary plan review, the traffic generation was reviewed. A full traffic study was not required since this project will not generate 50 or more vehicular trips. However, Maryland-National Capital Park and

Planning Commission (M-NCPPC) Staff required weekday traffic counts for the intersection of US 1 and Fox Street and surrounding intersections for the purpose of making an adequacy finding.

The calculated weighted average of the critical lane volume (CLV) and level of service (LOS) under existing, background, and total traffic for the AM and PM peak periods for the US 1 Corridor between Capital Beltway (I-95/495) and University Boulevard (MD 193) are reported below:

Study Period	Existing Traffic CLV/LOS	Background Traffic CLV/LOS	Total Traffic CLV/LOS
AM peak period	1,523/E	1,541/E	1,556/E
PM peak period	1,403/D	1,422/D	1,445/D

The minimum acceptable average CLV/LOS for any of the three corridor segments per the approved and adopted adequacy standards of the US1 Plan is 1,600/E. Since the proposed development is not shown to exceed the adequacy standards, they have been met. The M-NCPPC Transportation Planning staff has reviewed this application and approves this use with the condition that uses permitted on the site should not generate more than 129 AM peak hour and 246 PM peak hour vehicle trips.

Photometrics

Based on the submitted photometrics, Parking Lot Light Pole 1, should be moved 20-feet farther west to lessen light spillage to the residences located along the south side of Erie Street (reduce illumination from 2.3 foot-candles across from the residence to as close to 0.0 foot-candles as reasonably possible).

Trash Removal

There will be no dumpster on site. Trash is and will be collected in traditional residential-sized trash cans that are carried out to the street for curbside pickup.

Building Design

The new addition proposes to blend with the existing building using cementitious fiber board (i.e. Hardie® board), a light grey metal rib seamed roof, multiple windows and a green tile band between the first floor windows and the foundation. The building and addition has a “U” shaped design with extensive use of glass to in order to respect and maintain the sites extensive gardens. The central landscaped garden area will provide for ground water recharge and passive solar and ventilation design.

The front of the building faces Baltimore Avenue; however, access to the building is obtained from the rear. Currently, the building is not very visible from the road due to landscaping and topography. At the time the sidewalk is constructed, the building will become more visible since vegetation will be removed and the slope modified via a retaining wall.

Comment: The proposed addition meets the architectural element standards of the Sector Plan. The elevations are incorrectly labeled on Sheets PE-1 and PE-2 and need to be corrected (i.e. East elevation needs to be corrected to read West elevation, West is East, North is South, etc.).

LEED Certification

The Corridor Infill character area encourages LEED Silver certification but does not require it. Only the “Walkable Mode” character area requires a minimum Silver certification. The Applicant has committed to implement applicable LEED and green sustainability standards, where appropriate. The Applicant has submitted their LEED scorecard (see Attachment 3).

Comment: City staff supports the Applicant’s desire to implement applicable LEED and green sustainability standards.

Landscaping and Open-Space

The site is significantly covered with mature trees, large shrubs, and dense ground cover. In addition, the former use created a garden, garden walk and patio. All the vegetation and landscaping features will remain. Additional landscaping is proposed that will include shade trees, ornamental evergreen trees and shrubs. Stormwater management and irrigation will be by captured rainwater (14 rain-barrels) to be located around the addition and a small bio-retention area to be located north of the parking lot.

Since the property contains less than 10,000 square feet of woodland on-site, it is exempt from the Woodland Conservation Ordinance. However, the Applicant is proposing to retain 3,991 square feet of woodland and retain as much of the existing landscaping as possible.

The following table indicates that the applicant complies with the Prince George's County Landscape Manual.

Type of Tree	Required		Provided		Standard Met (Y or N)
	# Trees	% Native	# Trees	% Native	
Shade	3	50%	5	100%	Y
Ornamental	0	50%	0	0%	Y
Evergreen	2	30%	6	100%	Y
Shrubs	33	30%	69	100%	Y

Other Approvals and Exemptions

A Natural Resources Inventory (NRI), Tree Conservation Plan (TCP) and Woodland and Wildlife Habitat Conservation Ordinance (WCO) letters of exemption were approved by the M-NCPPC Environmental Planning Section.

The M-NCPPC Historic Preservation Section determined that the proposal will not impact any historic sites, historic districts, historic resources or known archeological sites.

The site is not located within an Aviation Policy Area or Interim Land Use Control area.

Recommendation

To support the DSP with conditions, including the request for a departure from parking lot design standards and the modifications for: ceiling height, building setbacks, parking lot landscaping, parking spaces, sidewalks, public utility easement. The modification to allow existing and proposed chain-link fences is not supported.

Prior to signature approval, including review by City staff the Applicant shall:

1. Move Parking Lot Light Pole 1 at least 20 feet farther west to lessen light spillage to the residences located along the south side of Erie Street (reduce illumination from 2.3 foot-candles across from the residence to as close to 0.0 foot-candles at the property line as is reasonably possible).
2. Correct Parking Schedule on Sheet 1 to reflect Sector Plan requirements (use net office space not gross square footage).
3. Add one more bicycle parking space for a total of 8 bicycle parking spaces to meet the Sector Plan requirements.
4. Submit a Route 1/Baltimore Avenue streetscape design that includes the sidewalk, retaining wall, street lights and landscaping that conforms to the Sector Plan requirements.
5. Request a streetscape exemption for Erie Street and 48th Avenue which City staff supports due to site conditions and constraints.

6. Remove the curb-cut and driveway access from Baltimore Avenue and install a curb.
7. Provide a fence plan detail that clearly shows what fences will be removed, what will be added and what will remain.
8. Correct the Architectural Elevations labels concerning direction of the elevations on PE-1 and PE-2.

Fiscal Impact:

If constructed, the expanded improvements at the Pregnancy Aid Center will provide additional tax base revenue to the City.

Council Options:

1. Support the Detailed Site Plan with conditions as proposed
2. Support the Detailed Site Plan with revisions to the conditions
3. Do not support the Detailed Site Plan
4. Table in order to continue the discussion
5. Provide no comment to the Planning Board

Staff Recommendation:

#1

Recommended Motion:

I move that the City support the Pregnancy Aid Center Addition, DSP-12030 with conditions, including the request for a departure from parking lot design standards and the modifications for: ceiling height, building setbacks, parking lot landscaping, parking spaces, sidewalks, and public utility easement. The modification to allow existing and proposed chain-link fences is not supported.

Attachments:

1. Detailed Site Plan Set (DSP, Landscaping, Elevations)
2. Statement of Justification for DSP-12030
3. LEED Scorecard
4. Departure Request from Parking Design Standards
5. Preliminary Plan Planning Board Resolution
6. Maryland-National Capital Park and Planning Referrals

PREGNANCY AID CENTER DSP-12030

SHEET INDEX

1. COVER SHEET
- 1A. DEVELOPMENT DISTRICT OVERLAY ZONE (STANDARDS)
2. APPROVAL SHEET
3. SITE PLAN
4. LANDSCAPE PLAN
5. LIGHTING PLAN
6. DEDICATIONS PLAN
7. CIRCULATION PLAN
8. DETAIL SHEET
9. DETAIL SHEET

LEGEND

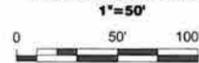
	EXISTING TOPOGRAPHY
	EXISTING BRUSHLINE
	EXISTING SLOPE EASEMENT
	EXISTING BOUNDARY
	EXISTING CHAIN LINK FENCE
	EXISTING PICKET FENCE
	EXISTING GRAVEL
	EXISTING PATIO
	EXISTING CURBSTOPS
	EXISTING SOILS BOUNDARY
	EXISTING STRUCTURE
	PROPOSED CURBLINE
	PROPOSED CURBSTOPS
	PROPOSED BUILDING
	EXISTING WATER LINE
	EXISTING SEWER LINE
	PUBLIC UTILITY EASEMENT
	PROPOSED SIDEWALK
	PROPOSED ASPHALT
	PROPOSED CONTOUR MAJOR
	PROPOSED CONTOUR MINOR
	PROPOSED LIMIT OF DISTURBANCE
	EXISTING LIGHT POLE

SITE DATA

PROJECT NAME	PREGNANCY AID CENTER
ZONE	M-U-1
METHOD OF SEWAGE DISPOSAL	PUBLIC SYSTEM
SEWER CATEGORY	S-3
WATER CATEGORY	W-3
PROPOSED USE OF PROPERTY	MEDICAL OFFICE
GROSS FLOOR AREA OF EXISTING BUILDING	5,149 SF
GROSS FLOOR AREA OF PROPOSED EXTENSION	3,102 SF
TITLE INFORMATION	Liber: 32904 Folio: 050
TAX MAP NUMBER	25
TAX GRID NUMBER	E-3
HISTORIC RESOURCES	NONE
CEMETERIES	NONE
MANDATORY DEDICATION OF PARKLAND	NONE
STORMWATER MANAGEMENT CONCEPT PLAN	26195-2012
100 YEAR FLOODPLAIN	NO
FEMA PANEL #	245208 00150
STREAMS	NONE
WETLANDS	NONE
200' MAP REFERENCE	211NE04
TOPOGRAPHY	M-NCPPC GIS & DEWBERRY FIELD TOPO
BOUNDARY SURVEY	DEWBERRY CONSULTANTS, LLC
MASTER PLAN AREA	66
CHESAPEAKE BAY CRITICAL AREA	NO
AVIATION POLICY AREA	N/A
10-FOOT PUBLIC UTILITY EASEMENT ALONG R/W	YES
APPLICANT	PREGNANCY AID CENTERS, INC.
TOTAL PLAN ACREAGE	61,121 SF (1.40 AC)
BUILDING HEIGHT	ALLOWED - 4 STORIES EXISTING +/- 24' (2 STORIES) PROPOSED 2 STORIES
GREEN AREA PROVIDED	36,498 SF (59.7% of total site)
BUILDING LOT COVERAGE	7,172 SF (11.7% of total site)
OUT BUILDING SQUARE FOOTAGE	939 SF (0.01% of total site)



LOCATION MAP



PROPERTY	AREA IN ACRES
PROPERTY	1.40
FLOODPLAIN	0.00
FOREST IN FLOODPLAIN	0.00
OUT OF FLOODPLAIN	0.00
TOTAL	0.00 AC

VICINITY MAP
SCALE: 1" = 2000'

ADC Map 5288, Grid B9-10
COPYRIGHT ADC THE MAP PEOPLE
PERMITTED USE NUMBER 20711182

GENERAL NOTES

1. PROPOSED DEVELOPMENT: BUILDING ADDITION
2. EXISTING ZONING: M-U-1 MIXED USE INFILL
3. GENERAL TIER: DEVELOPED
4. GROSS TRACT AREA: 61,120 SF (1.40 AC)
5. NET TRACT AREA: 61,120 SF (1.40 AC)
6. TOTAL DISTURBED AREA: 19,689 SF (0.45 AC)
7. 2 LOTS
8. 200' MAP REFERENCE NUMBER (WSSC): 211NE04
9. TAX MAP 25 GRID E3
10. WATER AND SEWER DESIGNATION: W-3 AND S-3
11. PRELIMINARY PLAN 4-13012
12. TREE CONSERVATION PLAN:
 - A. EXEMPT RECEIPT: WAIVED PER PRELIMINARY PLAN 4-13012
 - B. DATE ISSUED: MARCH 31, 2015
 - C. EXPIRATION: MARCH 31, 2017
13. PLANNING AREA: COLLEGE PARK-BERWYN HEIGHTS AND VICINITY
14. FLOODPLAIN: NO
15. STREAMS: NO
16. STORMWATER CONCEPT APPROVAL NUMBER: 26195-2012-00
17. CHESAPEAKE BAY CRITICAL AREA OVERLAY: NO
18. CEMETERIES: NO
19. ELECTION DISTRICT: 21ST DISTRICT
20. EXISTING SOIL TYPES: (USGS)
 - A. UFSB: URBAN LAND-SASSAFRAS, 0% TO 5% SLOPES.
 - B. SdD: SASSAFRAS-URBAN LAND COMPLEX, 5% TO 15% SLOPES.
21. HISTORIC SITE: NONE
22. PREVIOUSLY APPROVED NRI-110-12
23. CASE S-057-15 STANDARD EXEMPTION LETTER FOR TREE CONSERVATION PLAN
24. PROPOSED SIDEWALK ALONG ROUTE 1 TO BE COMPLETED BY SHA.
25. VARIATION REQUEST:
 - A MODIFICATION OF 9" TO THE STANDARD FOR THE FIRST FLOOR HEIGHT IN ORDER TO ACCOMMODATE THE DESIGN OF THE NEW ADDITION
 - A MODIFICATION OF THREE FEET TO THE SETBACK STANDARD (0.1) FRONT BTL PRINCIPAL
 - A MODIFICATION TO RELEASE THE APPLICANT FROM HAVING TO PROVIDE SIDEWALKS ALONG ERIE STREET
 - A MODIFICATION TO THE REQUIREMENT TO PROVIDE PARKING LOT INTERIOR LANDSCAPING
 - A MODIFICATION TO ALLOW THE EXISTING CHAIN LINK FENCE TO REMAIN
26. FILL AREAS:
 - A. CLASS I FILL TO BE PLACED BELOW ALL BUILDINGS.
 - B. CLASS II FILL TO BE PLACED BELOW ALL PAVED AREAS INCLUDING PARKING LOTS, DRIVES, AND SIDEWALKS.
 - C. CLASS III FILL TO BE PLACED IN AREAS THAT WILL REMAIN "GREEN".
27. THIS PLAN IS FOR ENTITLEMENT PURPOSES ONLY AND SHALL NOT BE UTILIZED FOR CONSTRUCTION.
28. FOOTINGS ARE TO BE EXTENDED TO EXISTING GROUND WHERE NECESSARY.
29. TEMPORARY TRAFFIC CONTROL, PERMANENT TRAFFIC SIGNAGE, AND PERMANENT PAVEMENT MARKINGS SHALL CONFORM WITH THE LATEST EDITION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) AND THE MARYLAND SUPPLEMENT TO THE MUTCD.
30. IT IS THE APPLICANT'S RESPONSIBILITY TO OBTAIN ANY STATE PERMITS, IF REQUIRED, FOR ANY CONSTRUCTION ACTIVITY COVERED BY THIS PLAN WHICH IMPACTS A STATE REGULATED WETLAND. ANY CHANGES TO PLANS FOR THIS DEVELOPMENT WHETHER REQUIRED BY THE STATE OR INITIATED BY THE APPLICANT TO MEET STATE REQUIREMENTS, MUST BE APPROVED BY PGDPIE
31. IF REQUIRED, IT SHALL BE THE RESPONSIBILITY OF THE OWNER/APPLICANT TO OBTAIN ALL EASEMENTS AND RIGHTS-OF-WAY ASSOCIATED WITH THIS PLAN.
32. IF REQUIRED, IT SHALL BE THE RESPONSIBILITY OF THE OWNER/APPLICANT TO OBTAIN PERMISSION FROM APPROPRIATE GOVERNMENT AGENCY TO REMOVE ANY TREES ASSOCIATED WITH THIS PLAN.

REQUIRED PARKING:	PROPOSED PARKING:
MAIN BUILDING (5,149SF + 3,102SF) = 24.8	22 STANDARD SPACES (9.5' x 19')
3.0 PER 1,000SF	2 HANDICAPPED SPACES (8' x 19')
	7 BICYCLE SPACES (BIKE RACK)
TOTAL=25	TOTAL=24 (+7 BICYCLE)

NOTE
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8-1-1 OR 1-800-257-7777
OR LOG ON TO
www.call811.com
<http://www.miaa811.net>
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M-NCPPC
APPROVAL

PROJECT NAME: PREGNANCY AID CENTER
PROJECT NUMBER: DSP-12030

For Conditions of Approval see Site Plan Cover Sheet or Approval Sheet
Revision numbers must be included in the Project Number

Dewberry & Davis LLC
301.441.1100 (FAX)
www.dewberry.com

OWNER/APPLICANT
PREGNANCY AID CENTERS, INC.
4809 GREENBELT ROAD
COLLEGE PARK, MD 20740

CONTACT:
MARY JELACIC
PH: (301) 441-9150 FAX: (301) 441-3147

PREGNANCY AID CENTER DSP-12030
21ST ELECTION DISTRICT
PRINCE GEORGES COUNTY MARYLAND
TAX MAP: 25, GRID: E3
200' SHEET: 211NE04

SEAL

PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME AND THAT I AM DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. LICENSE NO. 21443. EXPIRATION DATE: DECEMBER 16, 2016.

KEY PLAN

SCALE

AS-SHOWN

No.	DATE	BY	Description

TITLE
DETAILED SITE & LANDSCAPE PLAN
COVER SHEET

PROJECT NO. 50048899

1

SHEET NO. 013 OF 9

1

2

3

4

5

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D

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B

A



Dewberry
Consultants LLC
Formerly known as
Dewberry & Davis LLC

1000 DEREKWOOD LANE
SUITE 204
LANHAM, MD 20706
301.731.5551
301.731.5188 (FAX)
www.dewberry.com

OWNER/APPLICANT
PREGNANCY AID CENTERS, INC.
4800 GREENBELT ROAD
COLLEGE PARK, MD 20740

CONTACT:
MARY JELACIC
PH: (301) 441-9150 FAX: (301) 441-3147

PREGNANCY AID
CENTER DSP-12030
21ST ELECTION DISTRICT
PRINCE GEORGES COUNTY
MARYLAND
TAX MAP: 25.01D.03
2007 SHEET: 211NE04

SEAL

PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS
WERE PREPARED OR APPROVED BY ME, AND
THAT I AM DULY LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS OF THE STATE
OF MARYLAND, LICENSE NO. 21440,
EXPIRATION DATE: DECEMBER 18, 2016.

KEY PLAN

SCALE

No.	DATE	BY	Description

REVISIONS

TITLE
**DETAILED SITE
& LANDSCAPE
PLAN**
APPROVAL SHEET

PROJECT NO. 50048899

2

SHEET NO. 2 OF 9

NOTE
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by the Planning Board, its designer
or the District Council.

**M-NCPPC
APPROVAL**

PROJECT NAME: PREGNANCY AID CENTER
PROJECT NUMBER: DSP-12030

For Conditions of Approval see Site Plan Cover Sheet or Approval Sheet
Revision numbers must be included in the Project Number

015

No.	DATE	BY	Description

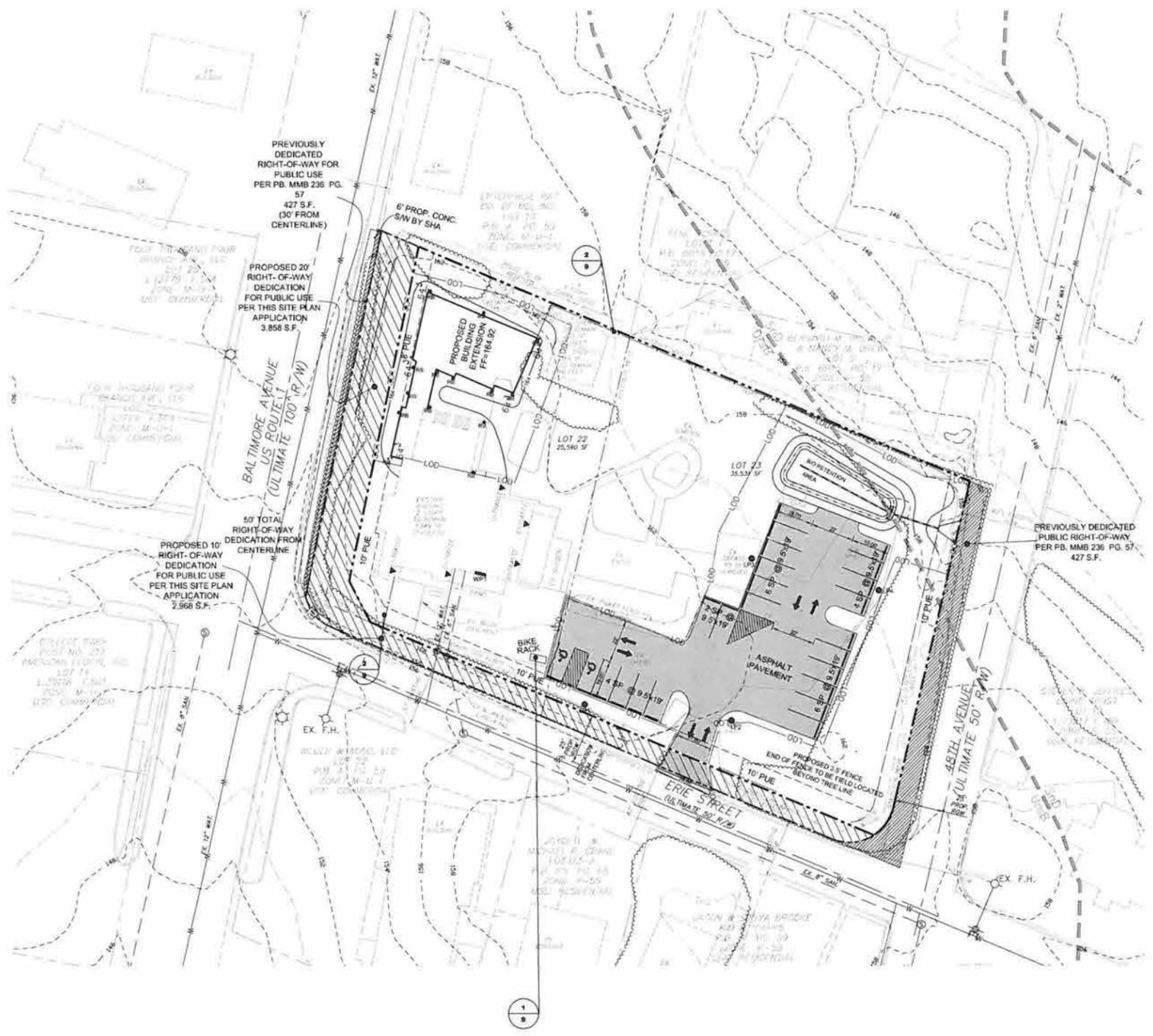
REVISIONS

1 2 3 4 5

F
D
C
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A

LEGEND

	EXISTING TOPOGRAPHY
	EXISTING BRUSHLINE
	EXISTING SLOPE EASEMENT
	EXISTING BOUNDARY
	EXISTING CHAIN LINK FENCE
	EXISTING PICKET FENCE
	EXISTING GRAVEL
	EXISTING PATIO
	EXISTING CURBSTOPS
	EXISTING SOILS BOUNDARY
	EXISTING STRUCTURE
	PROPOSED CURBLINE
	PROPOSED CURBSTOPS
	PROPOSED BUILDING
	EXISTING WATER LINE
	EXISTING SEWER LINE
	PUBLIC UTILITY EASEMENT
	PROPOSED SIDEWALK
	PROPOSED ASPHALT
	PROPOSED CONTOUR MAJOR
	PROPOSED CONTOUR MINOR
	PROPOSED LIMIT OF DISTURBANCE
	PROPOSED CIRCULATION PATTERN
	PROPOSED STREET LIGHT
	PROPOSED BUILDING LIGHT
	PROPOSED RAIN BARREL
	EXISTING LIGHT POLE



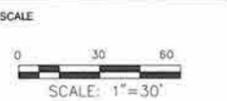
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M-NCPPC APPROVAL
 PROJECT NAME: PREGNANCY AID CENTER
 PROJECT NUMBER: DSP-12030
For Conditions of Approval see the Plan Cover Sheet or Approval Sheet. Revision numbers must be included in the Project Number.



PROFESSIONAL CERTIFICATION:
 I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY REGISTERED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 3772 EXPIRATION DATE: MAY 13, 2016.

KEY PLAN



No.	DATE	BY	Description

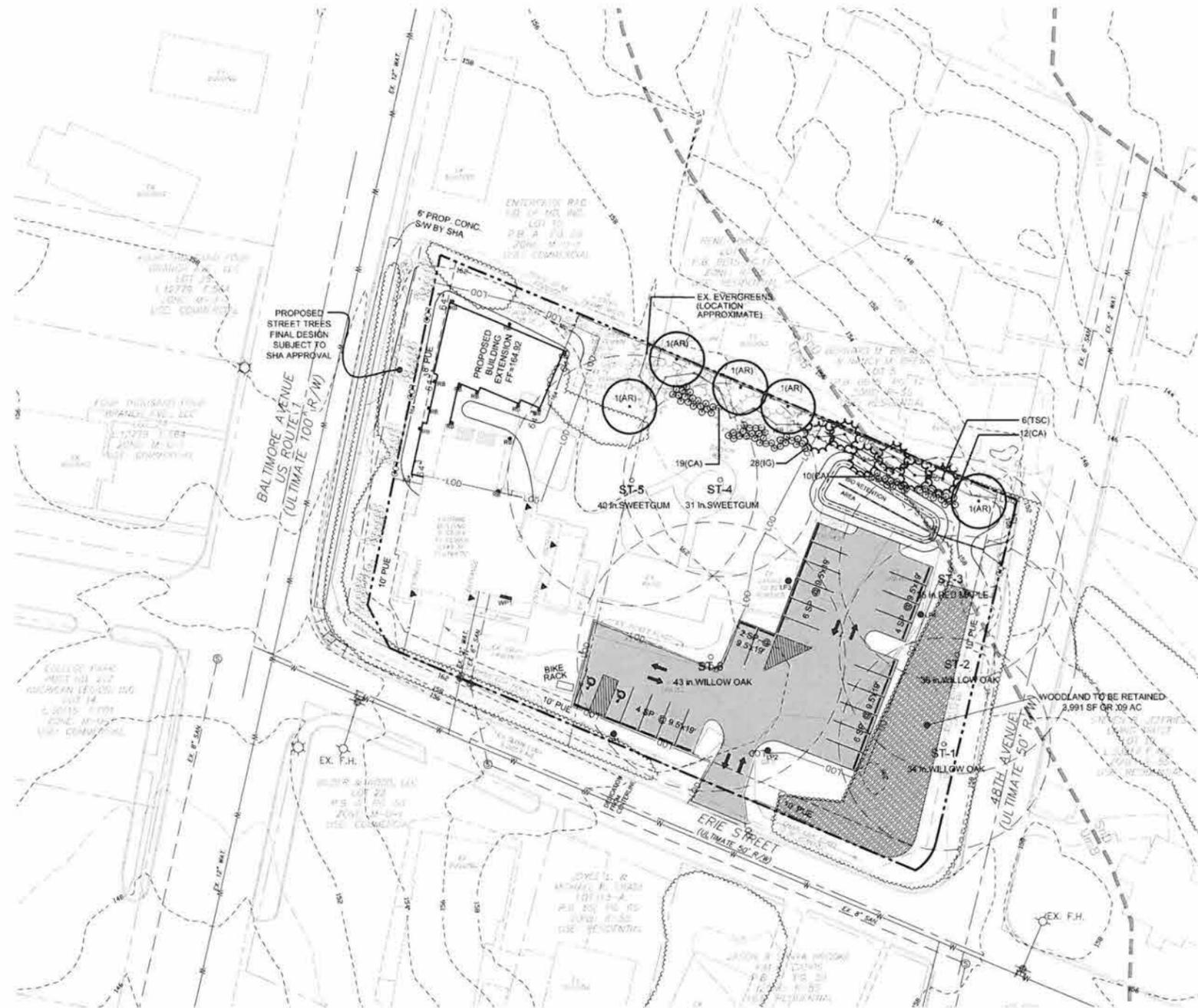
REVISIONS

TITLE
DETAILED SITE & LANDSCAPE PLAN
LANDSCAPE PLAN

PROJECT NO. 50048899

4

SHEET NO. 017 OF 9



LEGEND

- EXISTING TOPOGRAPHY
- EXISTING BRUSHLINE
- EXISTING SLOPE EASEMENT
- EXISTING BOUNDARY
- EXISTING CHAIN LINK FENCE
- EXISTING PICKET FENCE
- EXISTING GRAVEL
- EXISTING PATIO
- EXISTING CURBSTOPS
- EXISTING SOILS BOUNDARY
- EXISTING STRUCTURE
- PROPOSED CURBLINE
- PROPOSED CURBSTOPS
- PROPOSED BUILDING
- EXISTING WATER LINE
- EXISTING SEWER LINE
- PUBLIC UTILITY EASEMENT
- PROPOSED SIDEWALK
- PROPOSED ASPHALT
- PROPOSED CONTOUR MAJOR
- PROPOSED CONTOUR MINOR
- PROPOSED LIMIT OF DISTURBANCE
- PROPOSED CIRCULATION PATTERN
- PROPOSED STREET LIGHT
- PROPOSED BUILDING LIGHT
- PROPOSED RAIN BARREL
- EXISTING LIGHT POLE
- PROPOSED SHADE TREE
- PROPOSED EVERGREEN TREE
- PROPOSED SHRUB

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M-NCPPC
 APPROVAL
 PROJECT NAME: PREGNANCY AID CENTER
 PROJECT NUMBER: DSP-12030
For Conditions of Approval see Site Plan Cover Sheet or Approval Sheet
 Rescission numbers must be included in the Project Number.



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WERE PREPARED OR APPROVED BY ME, AND
THAT I AM A DULY REGISTERED LANDSCAPE
ARCHITECT UNDER THE LAWS OF THE STATE
OF MARYLAND, LICENSE NO. 3772, EXPIRATION
DATE: MAY 13, 2016.

KEY PLAN



No.	DATE	BY	Description

TITLE
**DETAILED SITE
& LANDSCAPE
PLAN**
PHOTOMETRICS

PROJECT NO. 50048899

5

SHEET NO. 5 OF 9
018

- LEGEND**
- EXISTING TOPOGRAPHY
 - EXISTING BRUSHLINE
 - EXISTING SLOPE EASEMENT
 - EXISTING BOUNDARY
 - EXISTING CHAIN LINK FENCE
 - EXISTING PICKET FENCE
 - EXISTING GRAVEL
 - EXISTING PATIO
 - EXISTING CURBSTOPS
 - EXISTING SOILS BOUNDARY
 - EXISTING STRUCTURE
 - PROPOSED CURBLINE
 - PROPOSED CURBSTOPS
 - PROPOSED BUILDING
 - EXISTING WATER LINE
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 - PUBLIC UTILITY EASEMENT
 - PROPOSED SIDEWALK
 - PROPOSED ASPHALT
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 - PROPOSED CIRCULATION PATTERN
 - PROPOSED STREET LIGHT
 - PROPOSED BUILDING LIGHT
 - PROPOSED RAIN BARREL
 - EXISTING LIGHT POLE



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LIGHTING NOTES:
1. THIS PLAN IS FOR LIGHT LOCATIONS ONLY. WIRING AND MECHANICAL DESIGN IS THE RESPONSIBILITY OF OTHERS. DEWBERRY CONSULTANTS, LLC IS NOT RESPONSIBLE FOR THE ACCURACY OF THE STORM DRAIN INLETS, PIPES OR UTILITIES AS SHOWN ON THESE PLANS OR WHICH MAY DIFFER FROM THESE PLANS AS A RESULT OF ANY FIELD ADJUSTMENTS. THE LIGHTING CONTRACTOR MUST VERIFY ALL UTILITY LOCATIONS PRIOR TO CONSTRUCTION. SHOULD ANY CONFLICTS OCCUR, THE OWNER AND DEWBERRY CONSULTANTS MUST BE NOTIFIED PRIOR TO ANY CONSTRUCTION. ALL LIGHT, TRANSFORMER AND WIRE LOCATIONS SHOULD BE FIELD STAKED AND PRE-APPROVED BY THE INSPECTORS AND THE OWNER PRIOR TO COMMENCING WORK.

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PROJECT NAME: PREGNANCY AID CENTER	
PROJECT NUMBER: DSP-12030	
For Conditions of Approval see Site Plan Cover Sheet or Approval Sheet Revision numbers must be included on the Project Number.	

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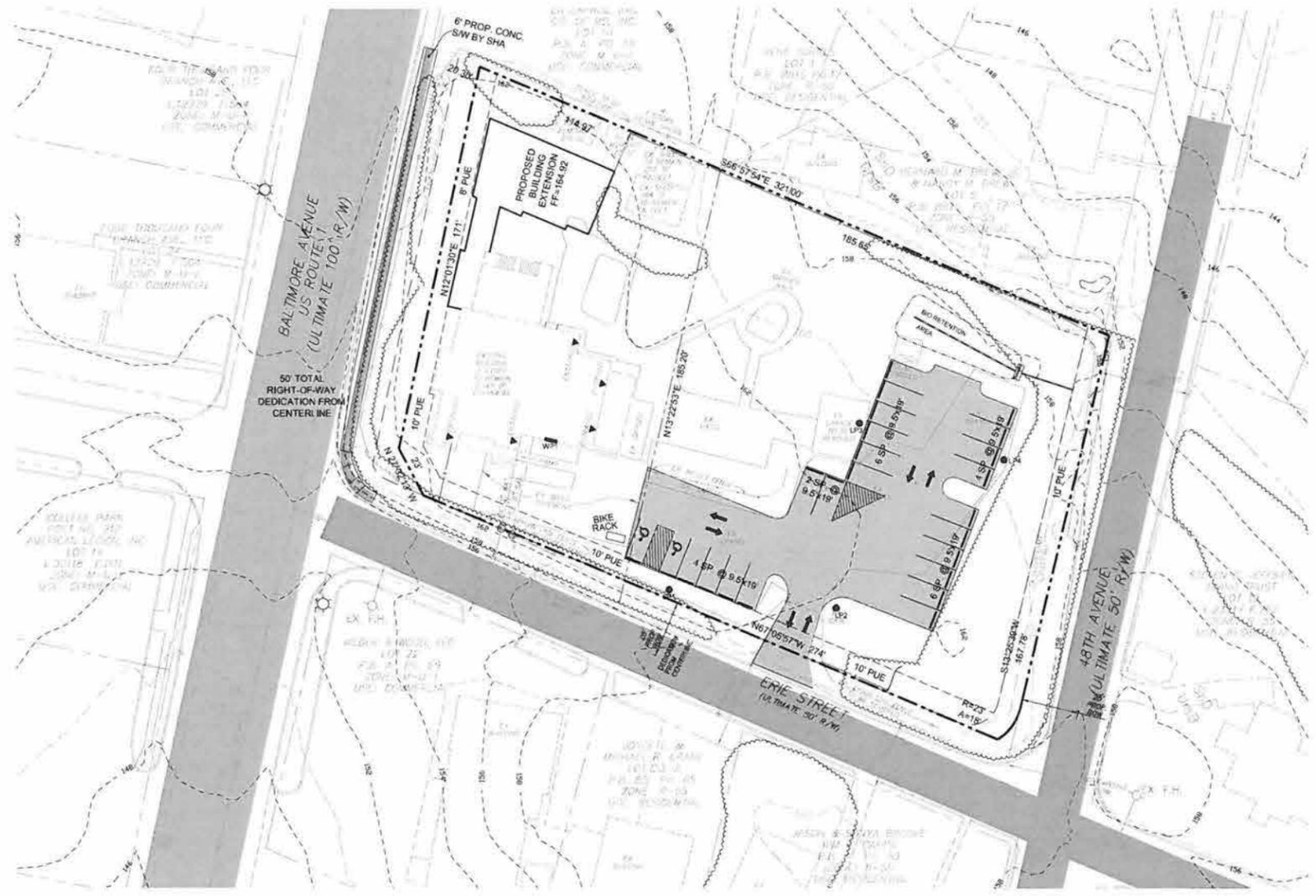


LEGEND

	EXISTING TOPOGRAPHY
	EXISTING BRUSHLINE
	EXISTING SLOPE EASEMENT
	EXISTING BOUNDARY
	EXISTING CHAIN LINK FENCE
	EXISTING PICKET FENCE
	EXISTING GRAVEL
	EXISTING PATIO
	EXISTING CURBSTOPS
	EXISTING SOILS BOUNDARY
	EXISTING STRUCTURE
	PROPOSED CURBLINE
	PROPOSED CURBSTOPS
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	PROPOSED SIDEWALK
	PROPOSED ASPHALT
	PROPOSED CONTOUR MAJOR
	PROPOSED CONTOUR MINOR
	PROPOSED LIMIT OF DISTURBANCE
	PROPOSED CIRCULATION PATTERN
	PROPOSED STREET LIGHT
	PROPOSED BUILDING LIGHT
	PROPOSED RAIN BARREL
	EXISTING LIGHT POLE

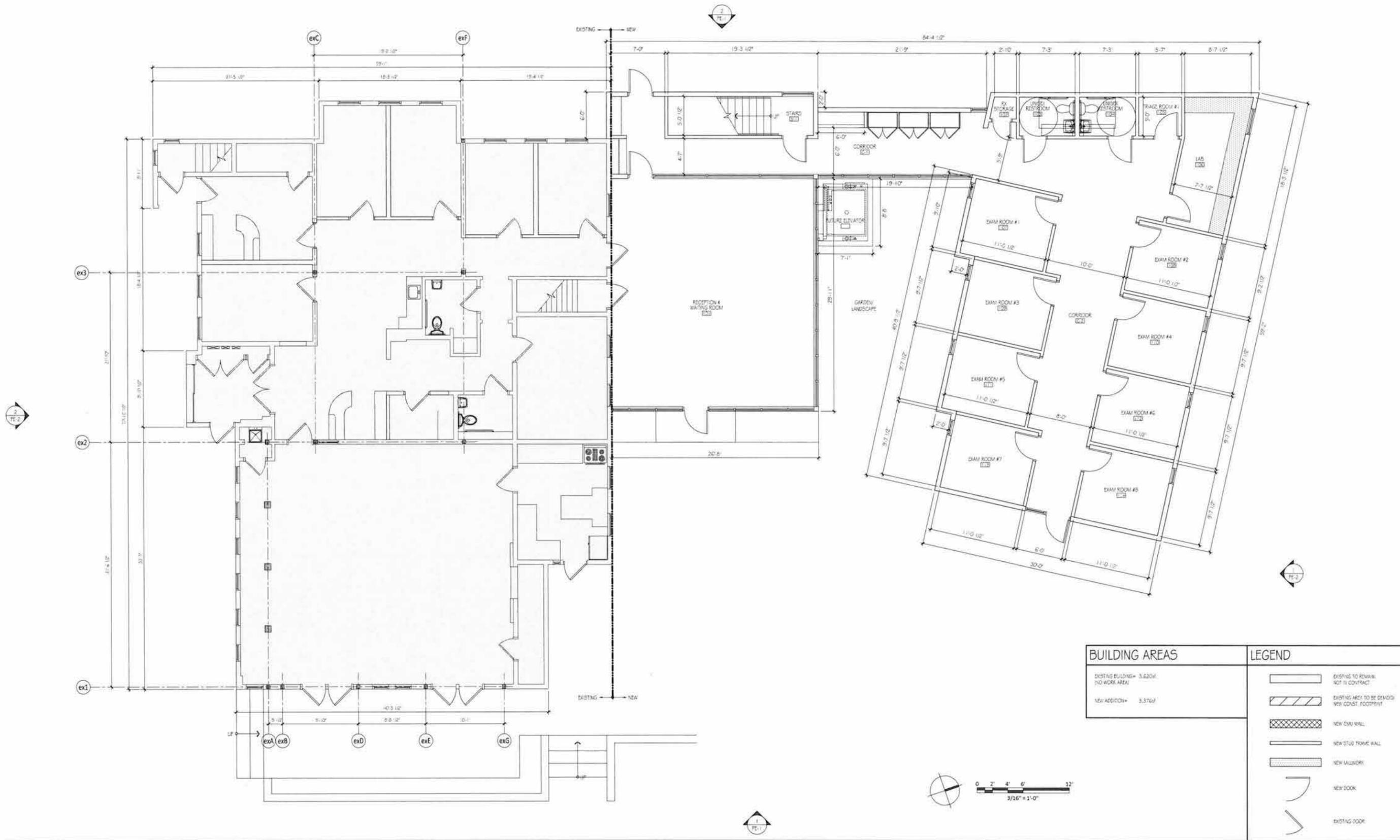
LEGEND

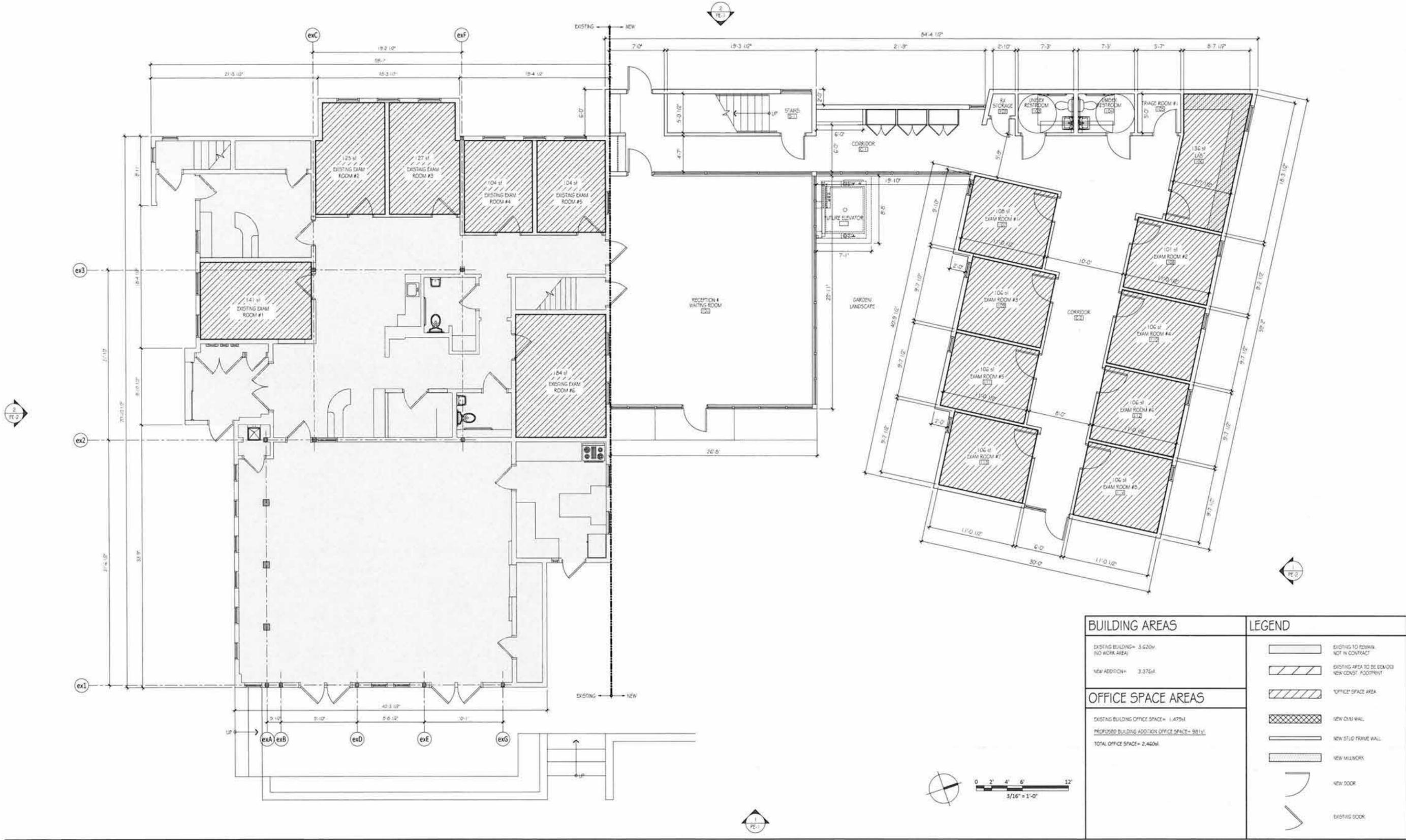
	MAJOR COLLECTOR (PUBLIC)
	PUBLIC ROAD
	SIDEWALKS



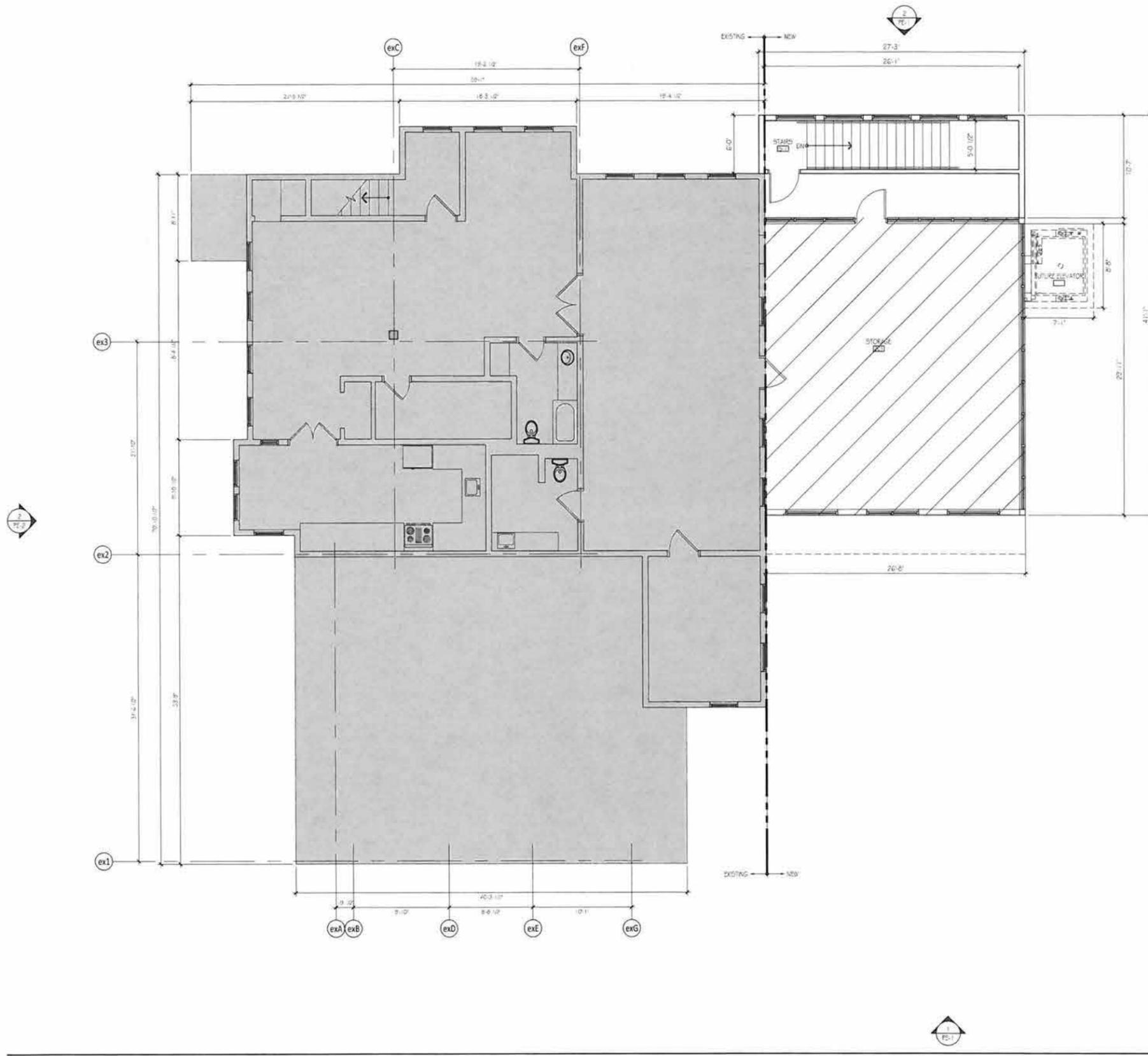
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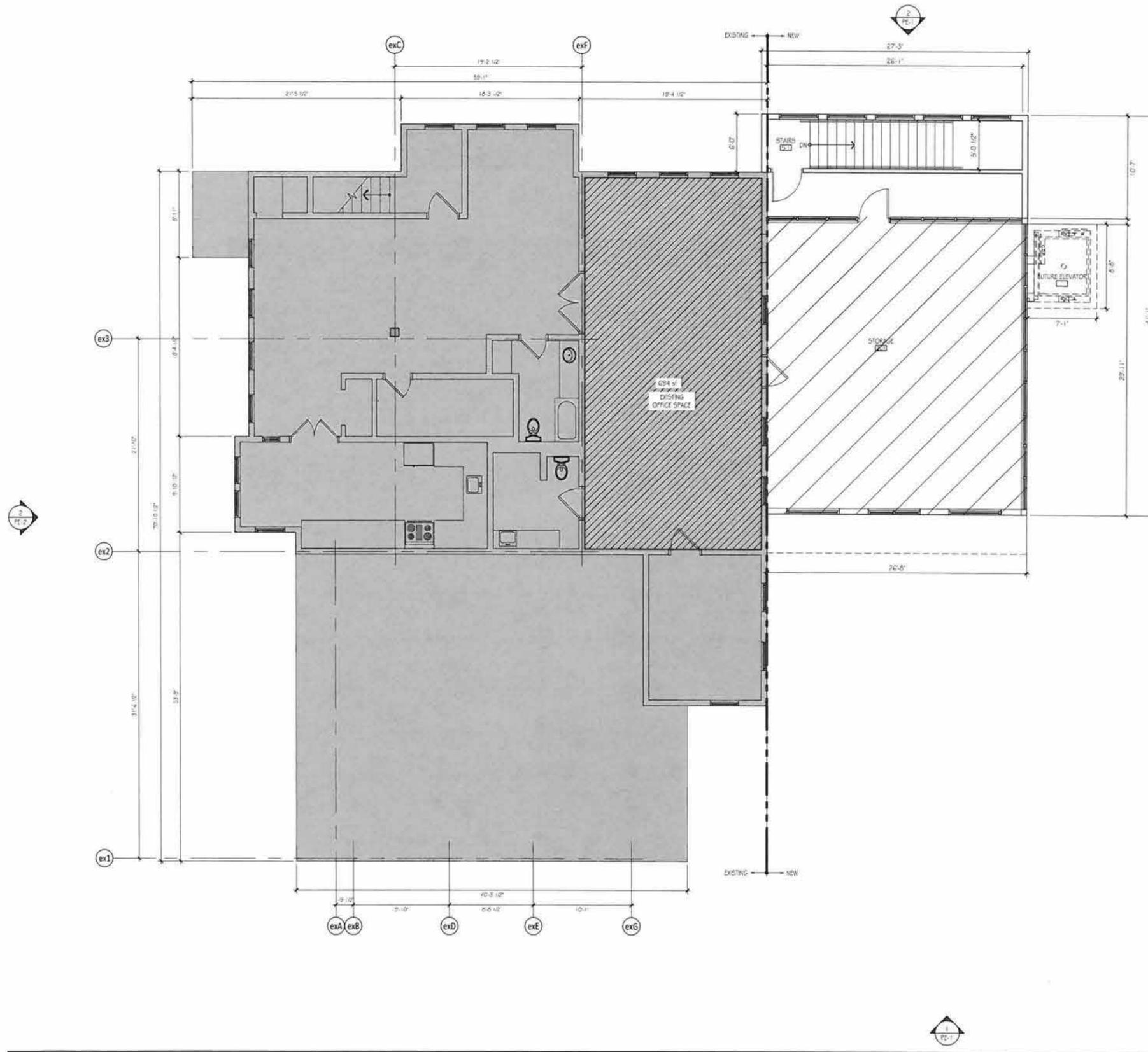




BUILDING AREAS	LEGEND
EXISTING BUILDING= 3,620sf (NO WORK AREA)	EXISTING TO REMAIN NOT IN CONTRACT
NEW ADDITION= 3,376sf	EXISTING AREA TO BE DEMOLISHED NEW CONSTR. FOOTPRINT
OFFICE SPACE AREAS	
EXISTING BUILDING OFFICE SPACE= 1,475sf	NEW CURT WALL
PROPOSED BUILDING ADDITION OFFICE SPACE= 981sf	NEW STUD FRAME WALL
TOTAL OFFICE SPACE= 2,456sf	NEW MILLWORK
	NEW DOOR
	EXISTING DOOR



BUILDING AREAS	LEGEND
EXISTING BUILDING= 3,670sf (NO WORK AREA)	EXISTING TO REMAIN NOT IN CONTRACT
NEW ADDITION= 3,275sf	EXISTING AREA TO BE DEMOLISHED NEW CONST. FOOTPRINT
	NEW CMU WALL
	NEW STUD FRAME WALL
	NEW MILLWORK
	NEW DOOR
	EXISTING DOOR

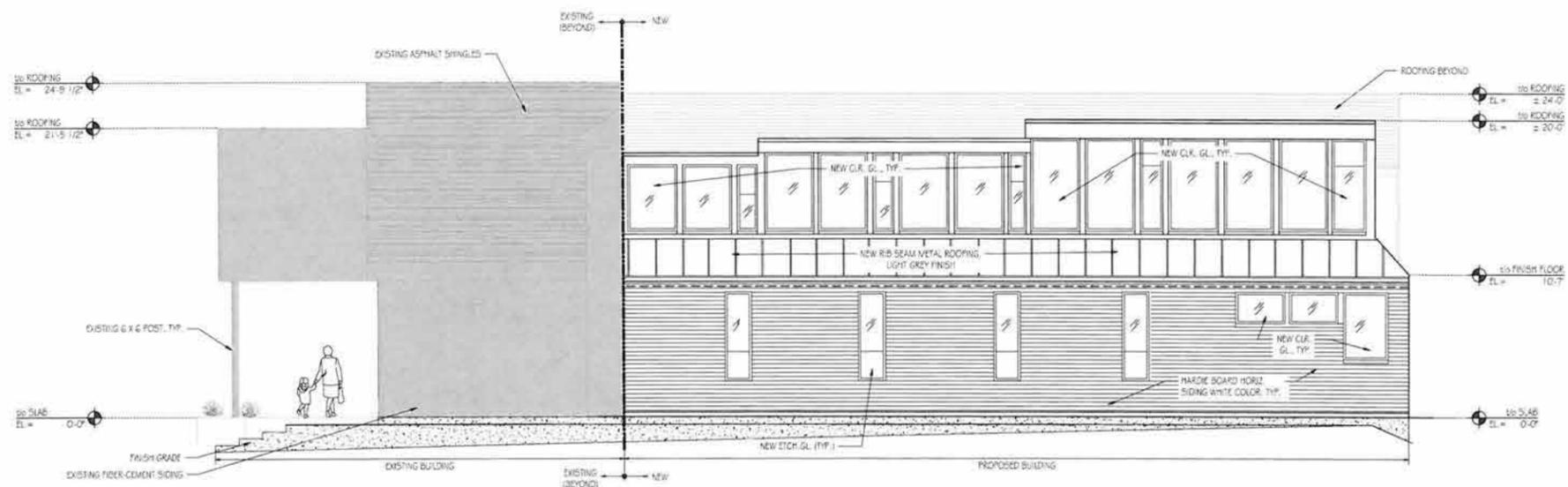


BUILDING AREAS	LEGEND
EXISTING BUILDING= 3,620sf (NO WORK AREA)	EXISTING TO REMAIN NOT IN CONTRACT
NEW ADDITION= 3,376sf	EXISTING AREA TO BE DEMOLISHED NEW CONSTR. FOOTPRINT
OFFICE SPACE AREAS	'OFFICE' SPACE AREA
EXISTING BUILDING OFFICE SPACE= 1,479sf	NEW OMI WALL
PROPOSED BUILDING ADDITION OFFICE SPACE= 361sf	NEW STUD FRAME WALL
TOTAL OFFICE SPACE= 2,460sf	NEW MILLWORK
	NEW DOOR
	EXISTING DOOR



2 NORTH (SIDE) ELEVATION

Scale: 3/16" = 1'-0"



1 SOUTH (SIDE) ELEVATION

Scale: 3/16" = 1'-0"

LAW OFFICES
SHIPLEY & HORNE, P.A.

1101 Mercantile Lane, Suite 240
 Largo, Maryland 20774
 Telephone: (301) 925-1800
 Facsimile: (301) 925-1803
 www.shpa.com

Russell W. Shipley
 Arthur J. Horne, Jr.*
 Dennis Whitley, III*
 Robert J. Antonetti, Jr.

Bradley S. Farrar
 L. Paul Jackson, II*
 * Also admitted in the District of Columbia

February 23, 2016

VIA HAND DELIVERY

Ms. Jill Kosack
 Development Review Division
 Maryland-National Capital Park and Planning Commission
 14741 Governor Oden Bowie Drive
 Upper Marlboro, Maryland 20772

Request: DSP-12030 – Approval of a Detailed Site Plan and Variations to the standards for first floor building height, building setbacks, installation of sidewalks, provision of parking lot interior landscaping, and the standards for fencing for a Not-for-Profit Pregnancy Aid Center Operated as a Medical Clinic

Applicant, Pregnancy Aid Center, Inc., by and through their attorneys, Robert J. Antonetti, Jr., and Shipley & Horne, P.A., hereby submits this statement of justification in support of a Detailed Site Plan application to allow this permitted use within the M-U-I Zone and Central US 1 Corridor Development District Overlay (DDO) Zone. The application is submitted in accordance with the requirements of said DDO and pursuant to the Detailed Site Plan requirements in Part 3, Division 9, and Section 27-282 of Subtitle 27 of the Prince George's County Code, also known as the Zoning Ordinance for Prince George's County. The application is submitted for property known as Lots 20A and 21A of the Daniels Park Subdivision, Liber 32904, and Folio 050. More specifically, the subject property is located at 4700 Erie Street, College Park, Maryland.

The Detailed Site Plan has been prepared in accordance with the following criteria:

1. Requirements of the 2010 Sector Plan and Sectional Map Amendment for Central US 1 Corridor, including the Development District Standards therein
2. Requirements in the Woodland Conservation and Tree Preservation Ordinance
3. Requirements for the preparation of Detailed Site Plans
4. Requirements of the M-U-I Zone
5. Requirements of pertinent County General, Master and Functional Master Plans

Description of Subject Property and Immediate Neighborhood:

The subject property is located along the north side of Erie Street, between US 1 and 48th Avenue. It has 272.37 feet of frontage along Erie Street, 187.45 feet of frontage along the east side of US 1, and 167.78 feet of frontage along the west side 48th Avenue. The site contains 1.40±

acres or 61,121 square feet in the M-U-I Zone and associated Development District Overlay (DDOZ) Zone. It is developed with a two-story, 5,149 square-foot structure, formerly used as a single-family dwelling and also utilized for a not for profit organization. Access is provided to a gravel parking lot by a 29 foot wide driveway to Erie Street. Several sheds and a detached garage exist and all but two sheds near the north property line will be removed. There is a substantial amount of existing landscaping and mature trees along each street that provide effective screening, combined with substantial grade separations and slope easements from US 1 and portions of Erie Street. A rather substantial garden, garden walk and patio associated with the former use is located behind the existing building and will be retained. An existing picket fence exists along the north property line on Lot 21 and a portion of Lot 20A. A chain link fence is along all road frontages and a gate exists across the driveway.

Development Data Summary:

	Existing	Proposed
Zone	M-U-I/DDOZ	M-U-I/DDOZ
Use(s)		Pregnancy Aid Medical Office
Acreage	1.40	1.40
Lots	2	2
Green Area	39,244 SF (64.2%)	36,498 SF (59.7%)
Building Lot Coverage	4,826 SF (7.9%)	7,172 SF (11.7%)
Square Footage/GFA	5,149	8,251
Building Height	2 stories	1 story attached addition
Parking Spaces Provided	15	22

Planning Considerations:

The subject property is located within the General Plan’s Developed Tier and the boundaries of the Approved 2010 Central US 1 Corridor Sector Plan. The Developed Tier’s envisions a network of sustainable, transit supporting, mixed-use, and pedestrian-oriented, medium-to-high density neighborhoods. The proposal is compatible with this vision and represents a sensitive expansion and intensification of infill redevelopment that helps retain a semblance of the immediate residential neighborhood yet provides for mixed-use along US 1 in a block that fronts both US 1 and contains adjacent single-family dwellings to the and l Policy I in the General Plan’s Developed Tier has several strategies that encourage, among other objectives, providing flexible development standards when reusing or rehabilitating older buildings and revising regulations to foster quality

infill redevelopment. The instant proposal provides quality infill redevelopment while being sensitive to adjacent single-family residential uses.

The Sector Plan recommends mixed-use development within one of several designated specific character areas known as the “Corridor Infill” area.

The Applicant has reviewed the proposal within the context of the Sector Plan’s vision and policies and has not found any inconsistency. The proposal complements Sector Plan urban design recommendations for the Corridor Infill area north of University Boulevard (Page 79), that in general proposes a phased conversion of the area to a pedestrian-friendly environment where new development is more intense, with appropriate transitions to single-family residences behind. An illustrative concept on Page 90 of the Sector Plan illustrates (suggests) the subject property have perimeter buildings along both road frontages to hide parking. The proposed addition and existing structure are higher in elevation than US 1 and for some extent along Erie Street. The elevation difference and extensive existing and proposed landscaping along Erie Street will likewise screen the parking to the rear of the structures. The size and scale of the proposed center provides an effective density transition from US 1 and respects existing neighborhoods to the rear and along 48th Avenue and as suggested in the Sector Plan.

The proposal also conforms to Corridor Infill Policy 2 that encourages creating or maintaining a more residential character having park like landscaping. The subject property has an extensive outdoor garden area that provides a natural calming effect and helps buffer the site from adjacent residences. The two story building height for buildings with ground floor nonresidential uses is provided. A traditional residential building frontage is maintained and the parking areas are located mid-block (lot) and screened from the roadways.

The Sector Plan also contains land use and urban design policies for existing neighborhoods that seek preservation of a residential character and building intensity transitions from the neighborhoods to the commercial and mixed-use areas such as the subject property. The proposed use with a small 3,100 ± square foot one story addition will provide an effective transition between conflicting uses yet essentially maintain the desired a residential character of the immediate neighborhood. As far as smaller scale office type uses, the Sector Plan envisions on Page 173 such uses as serving neighborhood and niche markets. The plan envisions such uses are likely to continue on a small scale.

To ensure all development conforms to the Sector Plan, the DDOZ generally requires that all new development and redevelopment of existing structures within the DDOZ shall comply with the development district standards and the general intent and goals of the Sector Plan. Compliance is to be demonstrated during the required detailed site plan process and applications shall list all applicable standards that have been used in designing the project, including a list of standards that have not been fulfilled and explanations as to why.

Relationship to Requirements in the Zoning Ordinance:

A. Section 27-441(b) – Table of Permitted Uses – Mixed Use Infill (M-U-I) Zone:

The subject property is in the M-U-I Zone and associated DDOZ Zone and is proposed for development as a small medical office and women's clinic as a permitted office type use. Because the property and proposed development and redevelopment is in the DDOZ it requires approval of a detailed site plan pursuant to Part 3, Division 9 of the Prince George's County Zoning Ordinance

B. Section 27-281 - Purposes of Detailed Site Plans:

(a) *Examples of detailed site plans are listed in this section.*

(b) *General DSP Purposes:*

(1) *The general purposes of Detailed Site Plans are:*

(A) *To provide for development in accordance with the principles for the orderly, planned, efficient and economical development contained in the General Plan, Master Plan, or other approved plan;*

(B) *To help fulfill the purposes of the zone in which the land is located; Section 27-546.15 contains the following purposes of the M-U-I Zone:*

RESPONSE: The 2010 Sector Plan and DDOZ standards provide the parameters by which the proposed use and development can occur.

(a) *The general purpose of the M-U-I Zone is to permit, where recommended in applicable plans ... a mix of residential and commercial uses as infill development in areas which are already substantially developed. The M-U-I Zone may be approved on properties which adjoin developed properties or otherwise meet plan recommendations and which have overlay zone regulations requiring site plan review*

(b) *The specific purposes of the M-U-I Zone are:*

(1) *To implement recommendations in approved Master Plans, Sector Plans, or other applicable plans by encouraging residential or commercial infill development in areas where most properties are already developed;*

(2) *To simplify review procedures for residential, commercial, and mixed residential and commercial development in established communities;*

- (3) *To encourage innovation in the planning and design of infill development;*
- (4) *To allow flexibility in the process of reviewing infill development;*
- (5) *To promote smart growth principles by encouraging efficient use of land and public facilities and services;*
- (6) *To create community environments enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses; and*
- (7) *To permit redevelopment, particularly in areas requiring revitalization, of property owned by a municipality or the Prince George's County Redevelopment Authority.*

RESPONSE: The subject property will be developed and utilized as a medical office and, as part of the Corridor Infill area, will become one of the mixed-use elements envisioned for this area. The proposed medical clinic for pregnancy counseling is designed as an attractive adaptive reuse that blends the new addition with the former dwelling using attractive architectural elements such as Hardie® Board, light grey metal rib seamed roof, multiple use of windows and clearstories, and an attractive green tile band between the first floor windows and the foundation. The building adaptation respects and maintains part of the sites extensive gardens as the 'U' – shaped building opens up through extensive use of glass to a central landscaped garden area, providing for ground water recharge and passive solar and ventilation design.

- (C) *To provide for development in accordance with the site design guidelines established in this Division; and*

RESPONSE: The proposed development is designed in accordance with site design guidelines in this Division and with previous approvals. The general design guidelines are found in Section 27-283 and require the following:

- (a) *The Detailed Site Plan shall be designed in accordance with the same guidelines as required for a Conceptual Site Plan (Section 27-274).*
- (b) *The guidelines shall only be used in keeping with the character and purpose of the proposed type of development, and the specific zone in which it is to be located.*
- (c) *These guidelines may be modified in accordance with Section 27-286.*

RESPONSE: The proposed use and development has been designed pursuant to the general design guidelines in Part 3, Division 9 of the Zoning Ordinance and the design standards in the 2010 Central US 1 corridor Sector Plan to the extent practical as applied to the conversion of an existing residential structure to a new office building. Where a Corridor Infill standard cannot be met, the Applicant requests a modification to the standard pursuant to Section 27-548.25 (c) of the Zoning Ordinance. If a modification is requested, the Planning Board shall find that the alternate Development District Standards will benefit the development and the Development District and will not substantially impair implementation of the Sector Plan. The proposed Detailed Site Plan

(DSP-12030 includes seven variation requests: [1] A modification of 9-inch to the standard for first floor height in order to accommodate the design of the new addition, [2] A modification of three (3) feet to setback standard (g.1) Front BTL principal, [3] A modification to release the applicant from having to provide a sidewalks along Erie Street, [4] A modification to the requirement to provide parking lot interior landscaping, [5] A modification to allow the existing chain link fence to remain, [6] A variation for an alternative PUE, and [7] A separate departure application has been requested as the expense to remove and replace the existing 20 feet wide vehicular access secured entrance (mechanical gate with key pad entry) would be cost prohibitive to permit the existing gate to remain in lieu of replacing said gate with a 22 feet wide gate.

C. **Section 27-546.19. - Site Plans for Mixed Uses.**

(c) *A Detailed Site Plan may not be approved unless the owner shows:*

(1) *The site plan meets all approval requirements in Part 3, Division 9;*

RESPONSE: The proposed use and development has been designed pursuant to the general design guidelines in Part 3, Division 9 of the Zoning Ordinance and the design standards in the 2010 Central US 1 corridor Sector Plan to the extent practical as applied to the conversion of an existing residential structure to a new office building. Where a Corridor Infill standard cannot be met, the Applicant requests a modification to the standard pursuant to Section 27-548.25 (c) of the Zoning Ordinance. If a modification is requested, the Planning Board shall find that the alternate Development District Standards will benefit the development and the Development District and will not substantially impair implementation of the Sector Plan.

The proposed Detailed Site Plan (DSP-12030) includes seven variation requests: [1] A modification of 9-inch to the standard for first floor height in order to accommodate the design of the new addition, [2] A modification of three (3) feet to setback standard (g.1) Front BTL principal, [3] A modification to release the applicant from having to provide a sidewalks along Erie Street, [4] A modification to the requirement to provide parking lot interior landscaping, [5] A modification to allow the existing chain link fence to remain, [6] A variation for an alternative PUE, and [7] A separate departure application has been requested as the expense to remove and replace the existing 20 feet wide vehicular access secured entrance (mechanical gate with key pad entry) would be cost prohibitive to permit the existing gate to remain in lieu of replacing said gate with a 22 feet wide gate.

(2) *All proposed uses meet applicable development standards approved with the Master Plan, Sector Plan, Transit District Development Plan, or other applicable plan;*

RESPONSE: The subject property will be developed and utilized as a medical office and, as part of the Corridor Infill area, will become one of the mixed-use elements envisioned for this area. The proposed medical clinic for pregnancy counseling is designed as an attractive adaptive reuse

that blends the new addition with the former dwelling using attractive architectural cementitious fiber board elements (i.e., such as Hardie® Board), light grey metal rib seamed roof, multiple use of windows and clearstories, and an attractive green tile band between the first floor windows and the foundation. The building adaptation respects and maintains part of the sites extensive gardens as the ‘U’- shaped building opens up through extensive use of glass to a central landscaped garden area, providing for ground water recharge and passive solar and ventilation design.

- (3) *Proposed uses on the property will be compatible with one another;*
- (4) *Proposed uses will be compatible with existing or approved future development on adjacent properties and an applicable Transit or Development District; and*
- (5) *Compatibility standards and practices set forth below will be followed, or the owner shows why they should not be applied:*
 - (A) *Proposed buildings should be compatible in size, height, and massing to buildings on adjacent properties;*

RESPONSE: The proposal is compatible with this vision and represents a sensitive expansion and intensification of infill redevelopment that helps retain a semblance of the immediate residential neighborhood yet provides for mixed-use along US 1 in a block that fronts both US 1 and contains adjacent single-family dwellings to the and I Policy I in the General Plan’s Developed Tier has several strategies that encourage, among other objectives, providing flexible development standards when reusing or rehabilitating older buildings and revising regulations to foster quality infill redevelopment. The instant proposal provides quality infill redevelopment while being sensitive to adjacent single-family residential uses.

- (B) *Primary facades and entries should face adjacent streets or public walkways and be connected by on-site walkways, so pedestrians may avoid crossing parking lots and driveways;*

RESPONSE: The DSP-12030 site design complies with the above standard.

- (C) *Site design should minimize glare, light, and other visual intrusions into and impacts on yards, open areas, and building facades on adjacent properties;*

RESPONSE: All exterior lighting will utilize cut-off optics where practicable. The detailed photometric for the proposed exterior lighting fixtures are provided on the Detailed Site & Landscape Plan Photometrics sheet of the Detailed Site Plan (i.e., sheet 5 of 9), provides the estimated measurement of the intensity of light or of relative illuminating power based on the proposed lighting fixtures. The conclusion of said photometric analysis shows there will be extremely minimal light spillage (0.0 lumens) off of the subject property.

- (D) ***Building materials and color should be similar to materials and color on adjacent properties and in the surrounding neighborhoods, or building design should incorporate scaling, architectural detailing, or similar techniques to enhance compatibility;***

RESPONSE: The Pregnancy Aid Center expansion design includes variations in exterior architectural materials, colors, articulations, and fenestrations in compliance with this standard. Colored conceptual elevations, as well as dimensioned architectural elevation plan sets are contained within this instant Detailed Site Plan application package.

- (E) ***Outdoor storage areas and mechanical equipment should be located and screened to minimize visibility from adjacent properties and public streets;***

RESPONSE: The Applicant agrees to comply with this requirement.

- (F) ***Signs should conform to applicable Development District Standards or to those in Part 12, unless the owner shows that its proposed signage program meets goals and objectives in applicable plans; and***

RESPONSE: There is no signage requested with this application.

- (G) ***The owner or operator should minimize adverse impacts on adjacent properties and the surrounding neighborhood by appropriate setting of:***
- (i) ***Hours of operation or deliveries;***
 - (ii) ***Location of activities with potential adverse impacts;***
 - (iii) ***Location and use of trash receptacles;***
 - (iv) ***Location of loading and delivery spaces;***
 - (v) ***Light intensity and hours of illumination; and***
 - (vi) ***Location and use of outdoor vending machines.***

RESPONSE: As noted previously in this report, the subject property will be developed and utilized as a medical office and, as part of the Corridor Infill area, will become one of the mixed-use elements envisioned for this area. The proposed medical clinic for pregnancy counseling is designed as an attractive adaptive reuse that blends the new addition with the former dwelling using attractive architectural cementitious fiber board elements (i.e., such as Hardie® board), light grey metal rib seamed roof, multiple use of windows and clearstories, and an attractive green tile band between the first floor windows and the foundation. The building and site adaptation respects and maintains part of the sites extensive gardens as the ‘U’- shaped building opens up through extensive use of glass to a central landscaped garden area, providing for ground water recharge and passive solar and ventilation design. The proposed development will not be a noise generator that

could impact adjacent properties, and roadways adjacent to the proposed development are not regulated for noise.

D. Compliance with 4-13012 Conditions of Approval:

The following conditions of approval relating to DSP-12030 were approved by the Planning Board for Preliminary Plan of Subdivision 4-13012 in the their resolution of approval PGCPB No. 15-77:

- (3) *At time of DSP review, full cut-off exterior optic light fixtures shall be used to reduce sky glow and light intrusion onto residential properties to the fullest extent possible.*

RESPONSE: As noted above in this report, all exterior lighting will utilize cut-off optics where practicable. The detailed photometric for the proposed exterior lighting fixtures are provided on the Detailed Site & Landscape Plan Photometrics sheet of the Detailed Site Plan (i.e., sheet 5 of 9), provides the estimated measurement of the intensity of light or of relative illuminating power based on the proposed lighting fixtures. The conclusion of said photometric analysis shows there will be extremely minimal light spillage (0.0 lumens) off of the subject property.

- (4) *At time of DSP review, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:*

- (a) *Provide seven u-shaped designed bicycle parking spaces anchored into a concrete base.*

RESPONSE: The DSP-12030 application complies with this requirement. The bicycle rack has been located next to the 2 handicapped parking spaces and detail has been provided.

- (b) *Reflect for construction a minimum five-foot-wide sidewalk with accessible ramps along the subject property frontage of Erie Street and 48th Avenue within the right-of-way subject to modification by the City of College Park.*

RESPONSE: At the SDRC meeting held on January 29th, Miriam Bader stated that the sidewalk was not necessary because of her discussions with the City Manager. The City Manager said that as long as the right-of-way was dedicated for the sidewalk that it would allow for the sidewalk in the future. Miriam went on to say that she would verify with Terry Schum. On February 3rd Miriam (via email) advised that she had spoken with Terry Schum and that she wanted the sidewalk on 48th Avenue and that it was needed due to the city's adoption of a "complete street's policy". On February 4th the Applicant, Mary Jelacic spoke with Patrick Wojahn, Mayor of the City of College Park regarding the sidewalks along both Erie Street and 48th Avenue. Mayor Wojahn told Mrs. Jelacic that as long as the right-of-way was dedicated that allows for the future construction of the sidewalks that the City would not require the Pregnancy Aid Center to construct

either sidewalk. The City would find funding for the sidewalks if they believed that they were necessary in the future. Based on this conversation, we are not proposing any sidewalks on either Erie Street or 48th Avenue.

- (c) ***Reflect for construction a minimum five-foot-wide sidewalk with accessible ramps along the subject property frontage within the public right-of-way of US 1 subject to modification by SHA.***

RESPONSE: The SHA is currently in the design phase for the ramps and the sidewalk along Route 1 and have also agreed to construct it; therefore, this construction would not be a part of this application.

- (9) ***Prior to final plat approval, the detailed site plan shall reflect all required utility easements. If the utility companies do not consent to an alternative utility easement, the detailed site plan shall reflect the standard ten-foot-wide public utility easement (PUE) along all public streets, which shall be reflected on the final plat.***

RESPONSE: Per the right-of-way dedication, the right-of-way falls within eight (8) feet of the east or Baltimore Avenue (US Rte. 1) side of the existing buildings; therefore, a ten (10) feet wide PUE is not feasible. The maximum eight (8) feet wide PUE has been provided.

- (10) ***Prior to the approval of the final plat, the applicant shall submit a variation in accordance with Section 24-113(b) to Section 24-122 for an alternative public utility easement, if necessary.***

RESPONSE: The request for variation can be found attached to the DSP-12030 application submittal.

E. Specific DSP Purposes:

- (1) ***The specific purposes of Detailed Site Plans are:***
- (A) ***To show the specific location and delineation of buildings and structures, parking facilities, streets, green areas, and other physical features and land uses proposed for the site;***
 - (B) ***To show specific grading, planting, sediment control, tree preservation, and storm water management features proposed for the site;***
 - (C) ***To locate and describe the specific recreation facilities proposed, architectural form of buildings, and street furniture (such as lamps, signs, and benches) proposed for the site; and***
 - (D) ***To describe any maintenance agreements, covenants, or construction contract documents that are necessary to assure that the Plan is implemented in accordance with the requirements of this Subtitle.***

RESPONSE: The proposed use and development has been designed pursuant to the general design guidelines in Part 3, Division 9 of the Zoning Ordinance and the design standards in the 2010 Central US 1 corridor Sector Plan to the extent practical.

F. **Section 27-548.25 - Site Plan Approval (DDOZ)** – Subsection (c) requires that the Planning Board shall find that the site plan meets applicable Development District Standards.

RESPONSE: The following Section E of this justification demonstrates that all pertinent development district standards are met with the exception of the standards for first floor building height, and the installation of sidewalks along US1 and Erie Street, which will need modification.

G. **Central US 1 Corridor Development Standards**

BUILDING FORM (Corridor Infill)

Building Configuration

1. Building height shall be measured in number of stories, excluding attics and raised basements.
2. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first-floor commercial use, which must be a minimum of 11 feet with a maximum of 25 feet.
3. Height shall be measured to the eave or roof deck.

RESPONSE: The site plan indicates a two story structure, excluding basement and attic having a maximum height of 24.0' for the existing structure and 21' 8" for the proposed one (1) story addition. Each story is less than 14 ' in height. The first floor in the proposed structure is 10' 3". A 9" variation to the standard for first floor height is requested in order to accommodate the design of the new addition. This is a medical office facility and not a retail store where high ceilings are typical.

Setbacks

1. The façades and elevations of building shall be distanced from the lot lines as shown.

Building Configuration	Standard	Proposed
• Height	2-4 stories	2 story existing building with 1 story attached addition
Lot Occupation		
• Frontage Buildout	60% min. at BTL	76% proposed and existing building
• Lot Coverage	70% max	59.7% proposed coverage

Setbacks -Building		
(g.1) Front BTL principal	20 ft. min. – 25 ft. max.	28 feet proposed and existing building
(g.2) Front BTL secondary	10 ft. min. – 20 ft. max.	N/A
(g.3) Side setback	10 feet	N/A
(g.4) Rear setback	10 feet	N/A
Private Frontages		
• Porch & fence	permitted	proposed
• Stoop	permitted	proposed
Building Massing		
• Expression Line	Show if building over 2 stories	Not shown for 2 story building
Parking Spaces		
• Office & one outbuilding (net sq. ft.)	3/1,000 sq. ft. or 21.5 spaces	22 as shown of DSP Plan Sheet 1 with DDOZ & City's two-space parking allowance
• Bicycle Parking	1 parking space/3 vehicle spaces. Racks placed in highly visible locations along the street	Standard is met with racks as proposed on the Detailed Site Plan
<p>Comment – As noted, the applicant requests a modification of three feet to building setback standard (g.1) Front BTL principal. There is no modification requested to building setback standard (g.2) Front BTL secondary, and (g.3) Side Setback, because the proposed building addition is not located in these setback areas. The total net office space is 8,251 square feet, requiring 24.8 parking spaces at three (3) parking spaces per 1,000 square feet of net office space. Outbuildings contain 658 square feet and require 1.3 parking spaces at 1.0 space per 500 square feet. The DDOZ parking allowance for the CI area allows a (10%) percent parking allowance of 2.6 spaces. Also, the City of College Park has provided a 2.0 space parking waiver, resulting in a total required 21.5 spaces as shown on Plan Sheet 1. A total of 22 parking spaces are provided. The 22 parking spaces provided in this Corridor Infill area require eight (8) bicycle parking spaces. The required bicycle parking is provided with racks as proposed on the Detailed Site Plan.</p>		

RESPONSE: The applicant requests a modification of three feet to building setback standard (g.1) Front BTL principal to the building addition to allow the proposed building addition to align more closely with the existing structure.

Building Configuration	Standard	Proposed
Parking Access		
• 4 options allowed		Rear parking accessed from side street
• Width of access drive	22 feet maximum	22 feet maximum

• Parking lot setback	20 feet minimum from BRL	20 feet minimum from BRL
• Screening	Mask from primary & secondary frontage street	Use of fencing, landscaping & building facades
• Interior landscaping	If parking lot exceeds 6,000 sq. feet	Parking area is above the minimum 6,000 square feet; however existing trees around the perimeter are to remain. A modification to this requirement is requested.
• Landscape strip between isles	6 feet	No strips proposed
• Parking Surface	Durable pervious service is recommended	Pervious asphalt
Comment – The parking lot surface is proposed to be paved with durable pervious asphalt. A parking surface modification is not proposed or required.		
• Street Screens (screen parking & service areas from frontage streets)	Various techniques & dimensions recommended	Hedges, fences, landscaping
• Loading areas (office)	None if less than 10,000 sq. ft.	8,250 sq. ft. requires none
• Fencing	Brick, stone, wrought iron & wood preferred (3' 6" to 6'); chain link prohibited	Picket & chain link fencing; Modification is requested
Comment – A fencing modification is requested because existing chain link is screened from US 1& Erie Street by slope and mature landscaping.		
• Hedges	Serve same purposes as walls and fences to provide privacy and delineate the edge of yards (3' 6" to 6')	Existing fence and vegetation to remain. Site is exempt from buffer requirements as indicated on page 226 of the Central US 1 Sector Plan / SMA
Architectural Elements		
• Facade materials	Hardie® Board & masonry preferred	Hardie® Board, clear windows, green/black tile
• Lighting		See Site Plan Sheet 9 for details; proposed street light and building lights are on Site Plan Sheet 3 of 9
• Fences	Durable, attractive	Modification requested to

	materials; chain link fencing prohibited	allow existing chain link fence to remain
Signage		
• commercial	Façade attached, projecting or hanging (less than 9 sq. ft.), external lighted	Signage not indicated on site plan
Sustainability & Environment		
• LEED	Silver encouraged	Applicable LEED certification or green (sustainability) standard will be implemented where appropriate
• Passive solar & ventilation		Multiple high-performance, operable windows & clearstories
• Water efficiency & recharge		Applicable MNCPPC stormwater mitigation & groundwater recharge best practice proposed

RESPONSE: The applicant requests a modification to the requirement to provide interior landscaping within parking lots exceeding 6,000 square feet. The existing 23 space lot totals 9,874 square feet and has significant existing trees along the perimeter, and the proposed addition of landscape plantings, which include shade trees, ornamental evergreen trees and shrubs.

The applicant requests a modification to allow the existing chain link fence to remain. The chain link fence is screened from US1 and Erie Street by slopes and mature landscaping.

The following design standards are addressed in textual form:

SUSTAINABILITY AND THE ENVIRONMENT

Leadership in Energy and Environmental Design (LEED®) Certification

1. LEED® standards for building, as set forth by the U.S. Green Building Council, should be reviewed and integrated into the design and construction process for all new development and renovation projects. LEED-Silver or better certification is desired for all new development.
2. All development within the walkable nodes shall obtain a minimum of silver certification in one of the following applicable LEED® rating systems: new construction and major renovations, existing buildings, commercial interiors, core and shell, schools, retail, healthcare, and homes.

3. LEED-Gold or platinum certification under an applicable LEED® rating system is encouraged for all development when feasible.
4. Developments composed of several buildings should pursue LEED® for Neighborhood Development certification.

RESPONSE: For the proposed Corridor-Infill project, the applicant will take care to understand and integrate the applicable LEED certification programs. Stakeholders include the owner, architect, engineer(s), contractor(s) and facility manager. During the design process and prior to actual construction, coordination and communication with the the applicant about LEED goals are necessary, including LEED organization and processes and specific knowledge of sustainable materials and systems, regardless of level of certification or sustainability sought or achieved.

Among the development team, the Owner is the major driver, Architect and Engineer(s) are the knowledge-based organizers and expeditors, and the Contractor is the implementer.

As configured the proposed project, which is an addition to an existing building of small size and minimal complexity, can implement applicable LEED design elements in all LEED rating system categories, including:

Sustainable site - mainly stormwater management and heat island effect; Water efficiency - mainly efficient plumbing fixture and non-potable water (greywater, rainwater); Energy and Atmosphere - mainly passive energy efficiency and best practices, and also photovoltaic options for site lighting and south-facing roof, efficient HVAC.

Materials and Resources - all materials highly sustainable: bamboo laminates, zinc roofing, engineered wood flooring, all VOC-free paints, minimal carpeting, no toxic adhesives or formaldehyde, sustainable insulations, Forest Stewardship heavy timber (if any), controlled waste management during construction process, etc.

Indoor Environmental Quality - mainly architectural design best practices: light, air and ventilation - see below.

Innovation - TBD, mainly natural lighting innovations, if any.

Passive Solar and Ventilation Design

1. Provide shade for south-facing façades by designing properly-sized overhangs on south facing glazing. Mature trees can also fulfill the need for shade on south facing façades.
2. Solar tubes and skylights can reduce the need for electric lighting or provide sunlight to rooms that have few or no windows. These are encouraged because they provide natural daylight to interior spaces.

3. Maximize opportunities to align fenestration on opposite façades of buildings in order to facilitate cross-ventilation. Minimize floor plate sizes so that rooms may have access to light and air.

RESPONSE: Building siting and functional organization minimize glazed exposures on east and west facing elevations. Mature trees exist at both east and west. East facing glazing is generally within shade and shadow zones of adjacent structure in morning and midday, as well as afternoon. West facing elevations are mainly unglazed, and additional deciduous tree plantings are proposed.

Operable clearstory skylights or glazing occur at the north facing elevation(s) to illuminate and ventilate semi-public corridors and public gathering spaces. South-facing operable windows are of minimal number (only four total). Because these windows illuminate medical procedure rooms, they will have double-etched glass, which disperses insolation, as well as 'solar-veil' type operable blinds. In low angle winter sun they are in shade from the adjacent structures. In high angle summer sun the eave overhang and casing setback detail provide adequate shadow.

All public, semi-public and private rooms will have operable glazing or sash of double-glazed, low-e type, fritted or etched in particular cases, allowing for maximum adjustable natural ventilation. As a residential scale, professional-use structure, the basic architectural configuration supports and encourages both stack-effect ventilation *and* cross-ventilation. All rooms and spaces have direct access to natural light and fresh air.

Materials

1. Wherever possible, green materials shall be used in both the structure and interior finishes of buildings. These include: recycled or salvaged materials, rapidly renewable materials (derived from plants with a fast growth cycle), Forest Stewardship Council® certified wood, and materials harvested or manufactured locally.

RESPONSE: All building materials and finishes will be specified to meet current best practices of sustainability, especially wood products, wall finishes, and certified wood. These standards are no longer difficult to attain, and there are many market options. The key is correct specification research and attention to detail.

On-Site Energy Generation and Efficiency

1. In the case of pitched roofs, place photovoltaic panels on the slope that has the highest amount of solar gain.
2. In the case of flat-roofs, place photovoltaic panels behind a parapet so that they are not visible from the street, and orient them as closely as possible to the ideal angle for solar gain. Sun-tracking panels are encouraged.
3. Roof-mounted solar hot water and/or photovoltaic panels are encouraged to reduce grid demand energy use.

4. Proposed plantings and/or building additions that will shade preexisting solar panel installations on adjacent properties should be avoided.
5. Phase out fossil-fuel climatization systems, such as oil heating. Renewable energy sources, such as wind, solar, and geothermal generation, should be pursued.
6. Air-conditioning systems and appliances should be of the highest efficiency ratings. Wherever possible, use Energy Star appliances.
7. All lighting should use high-performance or LED lighting systems.

RESPONSE: Where possibly applicable (a single roof surface only), use of photovoltaic roof panels will be explored. As the project is an addition, integration with the existing electrical system is a technical factor, as is the fact that the existing 2-story structure is oriented to the south of proposed single story structure. All new mechanical systems equipment and lighting will be carefully designed to best practice performance standards.

Landscaping

1. Minimize lawn or turf area. Turf should only be used in areas where it provides functional benefits.
2. Use drought-tolerant and/or slow-growing hardy grasses, native and indigenous plants, shrubs, ground covers, and trees appropriate for local conditions.
3. Permanent irrigation systems shall only utilize captured rainwater and/or building graywater (with approved filtration systems). Potable water shall not be permitted in permanent irrigation systems.
4. Use mulches to minimize evaporation, reduce weed growth, and slow erosion.
5. Encourage on-site food production by planting fruit-bearing trees adapted to the local climate. Set aside areas and construct composting areas and planting beds for the cultivation of fruits, vegetable, and herbs.

RESPONSE: The site is heavily covered with existing plant material and vegetation of long standing, including mature trees and large shrubs, and dense ground cover, all of which will remain. Relative to the proposed addition area, new landscaping will consist of ground covers and native shrubs similar to the existing and a number of hardy deciduous trees (maple, etc.) along the west border. Irrigation will be by captured rainwater, with the opportunity for an additional small bio-swale (water retention) between the existing structure and the proposed addition.

Water Efficiency and Recharge

1. Surface parking areas, alleyways, and driveways should be constructed with durable pervious paving materials (grass paver systems or pervious asphalt) to promote groundwater recharge and reduce stormwater runoff quantity and flow rates. Gravel is discouraged because of issues related to dust generation.
2. All at-grade walks (excluding public sidewalks) and pathways shall be constructed with pervious materials.

3. Capture slow runoff using exfiltration tanks, drainage swales, and other devices.
4. Use low-flow water closets, faucets, showerheads, washing machines, and other efficient water-consuming appliances.

RESPONSE: Relative to the proposed addition, new pathways (approximately 60 linear ft.) will be pervious construction, and all water-consuming fixtures and appliances will be low-flow, high-efficiency type. Greywater from new plumbing fixtures will be recycled for irrigation and groundwater recharge, where allowable by local codes. The parking surface is proposed to be paved with durable pervious asphalt. A parking surface modification is not required or proposed.

Stormwater Management and the Paint Branch

1. All new development within established floodplains shall comply with all adopted county, state, and federal environmental regulations to prevent unnecessary runoff and pressure on the Paint Branch and the greater watershed.
2. Underground or above-grade cisterns shall be integrated into the site plan for all new development within or abutting the Paint Branch buffer. These cisterns will both reduce the amount of stormwater flowing into the Paint Branch and will help to store water on-site for uses, such as landscape irrigation.
3. Site grading, paving, and planting shall be done in a manner that minimizes off-site stormwater runoff.
4. Suburban stormwater management measures, such as regional storage and drainage ponds shall be prohibited.

RESPONSE: The site is not within an established floodplain and is not within or abutting the Paint Branch buffer area. Site grading, paving and planting is done with the intent to minimize off-site stormwater runoff.

Food Production

1. This table shows ways of incorporating types of local food production throughout the Central US 1 Corridor. Cities are increasingly allowing urban agriculture and the raising of animals for household use to encourage lower-cost food supplies and reduction in energy consumption for food transport.
2. Community gardens provide a focus for recreation and sociability greater than that of private yards. They are also welcomed by apartment-dwellers who enjoy gardening. Community garden plots are not sold, but rather let under municipal or private administration.
3. Green roofs also provide opportunities for food production, even as they mitigate carbon emissions and reduce stormwater runoff. They may be incentivized by giving developers bonuses for installing them.
4. As tree preservation and planting regulations are introduced, fruit trees may be included and designated for local food production.

RESPONSE: This requirement is not applicable or practical as applied to this small scaled medical facility.

STREETS AND OPEN SPACES

Streetscape, Amenities, and Adequate Public Facilities

Additional detail on streetscapes, including sidewalk treatments, pedestrian and bicyclist amenities, and decorative elements essential to creating a strong sense of place, are specified below.

Sidewalks

1. At the time of development, the developer/property owner (including the developer and the applicant's heirs, successors, and/or assignees) is required to install sidewalks.
2. Special decorative paving materials, such as brick, precast pavers, Belgium block, or granite pavers, are recommended in the walkable nodes and at appropriate locations within the corridor infill areas.
3. Sidewalk materials should be continued across driveways whenever possible, and accent paving should be used to define pedestrian crossings.

RESPONSE: A five (5) foot sidewalk is proposed to be installed along US 1, in accordance with the State Highway Administration (SHA). The SHA will allow the sidewalk to run along the back of curb to eliminate the need for a retaining wall along the west side of the property. A handrail will be installed between the walk and US 1. The applicant requests a variation from the requirement to install a sidewalk along Erie Street because of a steep slope and grade differences in slope easement areas, and the need for a retaining wall to be constructed in order to preserve the existing drop off and Parking spaces for the handicapped along the south side of the property.

Streetscape Amenities

1. Amenities, such as benches, bicycle racks, trash receptacles, water fountains, sculpture/artwork, game tables, moveable seating, public mailboxes, and bus shelters, shall be required for all development.
2. Streetscape amenities shall be consistent in design within a development project and should be consistent within each distinct walkable node, corridor infill area, or existing residential neighborhood.
3. All proposed streetscape amenities shall be indicated on detailed site plan submittals and shall include information of location, spacing, quantity, construction details, and method of illumination.

RESPONSE: Streetscape amenities are not proposed along US 1 or Erie St. because of a steep slope and grade difference in the slope easement area, lack of existing or proposed sidewalks, existing mature vegetation and the residential character of the neighborhood.

Adequacy of Transportation Facilities

Within the Central US 1 Corridor Development District, the transportation facilities adequacy standard shall be Level-of-Service E, based on the average peak period levels of service for all signalized intersections in three designated segments of the Central US 1 Corridor. These segments are (1) Capital Beltway south to MD 193; (2) MD 193 south to Paint Branch Parkway/Campus Drive; and (3) Paint Branch Parkway/Campus Drive south to Guilford Drive. Outside the Capital Beltway, the transportation facilities adequacy, standard for any new development or redevelopment shall be peak period Level-of-Service E, for individual intersections calculated in accordance with procedures outlined in the guidelines maintained by the Transportation Planning Section of the Planning Department.

RESPONSE: The subject property is located in Segment 1 noted above. In this segment the traffic Level-of-Service is "Average E".

Streetscape Lighting

Lighting Types and Configurations

Lighting fixtures shall be appropriately chosen for the character area within which they are located; the diagram and standards below shall be used as a guide to selecting fixtures.

1. Variety in character is good to establish identity and uniqueness. However, there shall be consistency along the Central US 1 Corridor, creating a unifying scheme of illumination that is appropriate to the scale of the street and the level of nighttime activity. Lamp styles shall not be mixed along any one particular block of a street.
2. Light fixtures shall be downcast or low cut-off fixtures to prevent glare and light pollution.
3. Energy efficient lamps shall be used for all public realm lighting in order to conserve energy and reduce long-term costs.

RESPONSE: The shoebox style light selected is a downcast fixture which has minimal light trespass above 90 degrees (low-cutoff fixture). The light source is recessed in an opaque casing which prevents glare and light pollution. The fixture selected is 100 Watts, which is the most energy efficient selection for the High Pressure Sodium option for this style of fixture.

The subject property is located north of MD 193 and forms the northeast corner of the intersection of US 1 and Erie Street. This location is within what is known as the "Corridor Infill (CI)" development character area. The sector plan describes such areas as consisting of mixed-use area within a primarily residential urban fabric. Such area may have a wide range of building

types, such as single-family, sideyard, and row houses. Setbacks and landscaping are variable. New development is regulated in detail in these areas.

H. Section 27-285 (b): Required findings for Detailed Site Plans:

- (1) *The Planning Board may approve a Detailed Site Plan if it finds that the plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. If it cannot make these findings, the Planning Board may disapprove the Plan.***
- (2) *The Planning Board shall also find that the Detailed Site Plan is in general conformance with the approved Conceptual Site Plan (if one was required).***
- (3) *The Planning Board may approve a Detailed Site Plan for Infrastructure if it finds that the plan satisfies the site design guidelines as contained in Section 27-274, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge.***

RESPONSE: It is the Applicant's belief that the Detailed Site Plan (DSP-12030) represents a reasonable alternative to satisfying all design guidelines and required findings for detailed site plan approval (Section 27-285b).

I. Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment Compliance:

Building Orientation (page 231)

- *Buildings and lots have fronts, sides, and backs. Fronts display a building's façade and shall face the public realm. The backs of buildings and lots, which are the private or service side, shall face mid-block and be screened from View. Sides of buildings and lots may face either the public realm or may be concealed mid-block.*
- *Frontage streets and side streets shall be faced with the fronts or sides of buildings and lots.*
- *Rear alleys and mid-block parking areas shall be faced with the backs or sides of buildings and lots.*

Response: As noted previously in this justification report, the proposed medical clinic for pregnancy counseling is designed as an attractive adaptive reuse that blends the new addition with the former dwelling using attractive architectural elements, light grey metal rib seamed roof, multiple use of windows and clearstories, and an attractive green tile band between the first floor windows and the foundation. The building adaptation respects and maintains part of the sites extensive gardens as the 'U'-shaped building opens up through extensive use of glass to a central landscaped garden area, providing for ground water recharge and passive solar and ventilation design. Where applicable and practicable, the Pregnancy Aid Center is designed to comply with the above design standards.

Building Form – Corridor Infill Building

Setbacks (page 233)

1. *The facades and elevations of buildings shall be distanced from the lot lines as shown.*
2. *Facades shall be built along the principal frontage to the minimum specified by the frontage buildout.*

- (g.1) Front BTL principal 20 ft. min. 25 ft. max.*
(g.2) Front BTL secondary 10 ft. min. 20 ft. max.
(g.3) Side setback 10 ft. min.
(g.4) Rear setback 10 ft. min.

Response: The Preliminary Plan of Subdivision reflects 20 feet of public right-of-way (ROW) dedication along US 1 for a total of 50 feet from the centerline of US 1 with a maximum ROW of 100 feet wide along the property frontage. This amount of proposed dedication is sufficient to implement the sector plan's recommended right-of-way along US 1 and accommodate SHA engineering plans, which are in the design phase. A chart has been provided on DSP sheet 1A to provide information regarding built-to-lines, building setbacks, and parking lot setbacks.

Modification: The applicant requests a modification to the requirement to provide interior landscaping within parking lots exceeding 6,000 square feet. The existing 23 space lot totals 9,874 square feet and has significant existing trees along the perimeter, and the proposed addition of landscape plantings, which include shade trees, ornamental evergreen trees and shrubs.

Parking Placement (page 233)

1. *Uncovered parking spaces may be provided within the third layer or setback at least 20 feet from the BTL.*
2. *Covered parking shall be provided within the third layer.*
3. *Trash containers shall be stored within the third layer.*

Response: The subject parking is designed with a minimum 20 foot setback from the building restriction line (BRL). The property has an extensive outdoor garden area that provides a natural calming effect and helps buffer the site from adjacent residences. The two story building height for buildings with ground floor nonresidential uses is provided. A traditional residential building frontage is maintained and the parking areas are located mid-block (lot) and screened from the roadways. There is no dumpster on site. The trash is collected in traditional residential sized trash cans and carried out to the street for curbside pickup the night before the scheduled pickup.

Modification: As noted previously, the applicant requests a modification of three feet to building setback standard (g.1) Front BTL principal. There is no modification requested to building setback

standard (g.2) Front BTL secondary, and (g.3) Side Setback, because the proposed building addition is not located in these setback areas.

Building Form – Parking Access

Access to Off-Street Parking Lots and Structured Parking (page 241)

- *When present, alleys shall be the primary source of access to off-street parking. Parking along alleys may be head-in, diagonal, or parallel. See Figure 1.*
- *Alleys may be incorporated into parking lots as standard drive aisles. Access to all properties adjacent to the alley shall be maintained. Access between parking lots across property lines is also encouraged.*
- *When alleys are not present, secondary frontage or side streets may be used as the primary source of access to off-street parking. See Figure 2.*
- *When neither alleys, secondary frontage, or side streets are present, primary frontage streets may be used as the primary source of access to off-street parking, with a driveway that either passes to the side of the building or through the building. See Figures 3 and 4. This condition should be avoided to the fullest extent possible to reduce the number of driveways.*
- *Circular drives shall be prohibited for all uses except for civic building.*
- *The vehicular access drive of a parking lot or garage shall be no wider than 22 feet.*

Response: The proposed parking area complies with the above standards. Existing access is provided to a rear gravel parking lot by a 29 foot wide driveway is accessed from Erie Street side-street to the subject property. The DSP parking plan is redesigned to a maximum driveway width of 22 feet.

Modification: No modification of this standard is required.

Streets and Open Spaces

Sidewalks (page 264)

- *At the time of development, the developer/ property owner (including the developer and the applicant's heirs, successors, and/or assignees) is required to install sidewalks.*
- *Special decorative paving materials, such as brick, precast pavers, Belgium block, or granite pavers, are recommended in the walkable nodes and at appropriate locations within the corridor infill areas.*
- *Sidewalk materials should be continued across driveways whenever possible, and accent paving should be used to define pedestrian crossings.*

Response: A five (5) foot sidewalk is proposed to be installed along US 1, in accordance with the State Highway Administration (SHA). The SHA will allow the sidewalk to run along the back of curb to eliminate the need for a retaining wall along the west side of the property. A handrail will be installed

between the walk and US 1. The applicant requests a variation from the requirement to install a sidewalk along Erie Street because of a steep slope and grade differences in slope easement areas, and the need for a retaining wall to be constructed in order to preserve the existing drop off and Parking spaces for the handicapped along the south side of the property.

Modification: At the SDRC meeting held on January 29th, Miriam Bader stated that the sidewalk was not necessary because of her discussions with the City Manager. The City Manager said that as long as the right-of-way was dedicated for the sidewalk that it would allow for the sidewalk in the future. Miriam went on to say that she would verify with Terry Schum. On February 3rd Miriam (via email) advised that she had spoken with Terry Schum and that she wanted the sidewalk on 48th Avenue and that it was needed due to the city's adoption of a "complete street's policy". On February 4th the Applicant, Mary Jelacic spoke with Patrick Wojahn, Mayor of the City of College Park regarding the sidewalks along both Erie Street and 48th Avenue. Mayor Wojahn told Mrs. Jelacic that as long as the right-of-way was dedicated that allows for the future construction of the sidewalks that the City would not require the Pregnancy Aid Center to construct either sidewalk. The City would find funding for the sidewalks if they believed that they were necessary in the future. Based on this conversation, we are not proposing any sidewalks on either Erie Street or 48th Avenue.

Streetscape Amenities (page 264)

- *Amenities, such as benches, bicycle racks, trash receptacles, water fountains, sculpture/artwork, game tables, moveable seating, public mailboxes, and bus shelters, shall be required for all development.*
- *Streetscape amenities shall be consistent in design within a development project and should be consistent within each distinct walkable node, corridor infill area, or existing residential neighborhood.*
- *All proposed streetscape amenities shall be indicated on detailed site plan submittals and shall include information of location, spacing, quantity, construction details, and method of illumination.*

Response: Streetscape amenities are not proposed along US 1 or Erie Street because of a steep slope and grade difference in the slope easement area, lack of existing or proposed sidewalks, existing mature vegetation and the residential character of the neighborhood.

Modification: Due to the impacts resulting from the public road widening projects proposed for US Route 1 and Erie Streets (i.e., steep slope easements, retaining walls, and right-of-way expansions) limiting the Applicant's ability to install the above-referenced street amenities, aA modification of this standard is requested.

Adequacy of Transportation Facilities (page 264)

Within the Central US 1 Corridor Development District, the transportation facilities adequacy standard shall be Level-of-Service E, based on the average peak period levels of service for all

signalized intersections in three designated segments of the Central US 1 Corridor. These segments are (1) Capital Beltway south to MD 193; (2) MD 193 south to Paint Branch Parkway/Campus Drive; and (3) Paint Branch Parkway/ Campus Drive south to Guilford Drive. Outside the Capital Beltway, the transportation facilities adequacy standard for any new development or redevelopment shall be peak period Levels-of-Service E, for individual intersections calculated in accordance with procedures outlined in the guidelines maintained by the Transportation Planning Section of the Planning Department.

Response: The subject property is located in Segment 1 noted above. In this segment the traffic Level-of-Service is “Average E”.

Modification: No modification of this standard is required.

Street Trees (page 265)

Street trees are required in all character areas at a minimum spacing of 30 feet on center. The appropriate location, arrangement, and planter type for street trees in each character area is described in further detail in the Streetscape Standards of the Streets and Open Spaces Section, found on pages 262-264, as well as in the individual street sections, found on pages 259–261. Refer to the Landscape Manual for appropriate street tree species.

Response: The existing parking has significant existing trees along the perimeter, and the proposed addition of landscape plantings, which include shade trees, ornamental evergreen trees and shrubs. There is a substantial amount of existing landscaping and mature trees along each street that provide effective screening, combined with substantial grade separations and slope easements from US 1 and portions of Erie Street. A rather substantial garden, garden walk and patio associated with the former use is located behind the existing building and will be retained. The proposed addition and existing structure are higher in elevation than US 1 and for some extent along Erie Street. The elevation difference and extensive existing and proposed landscaping along Erie Street will likewise screen the parking to the rear of the structures.

Modification: No modification of this standard is required.

Street Lighting (page 266)

A combination of pedestrian-scaled street light fixtures and intersection street light fixtures may be required to ensure a well-lit street area and to establish a unifying element along the street.

- *Pedestrian-scaled fixtures shall be used on all streets.*
- *Street lights shall be placed aligned with the street tree alignment line (generally between two and a half to four feet from the back of the curb). Placement of fixtures shall be coordinated with the organization of sidewalks, landscaping, street trees, building entries, driveways, and signage.*

- *The height of light fixtures shall be kept low (generally not taller pedestrian-scaled lighting 15' max. intersection lighting 25'-40' typ. than 15 feet) to promote a pedestrian scale to the public realm and to minimize light spill to adjoining properties. Light fixtures in the walkable node and corridor infill areas shall be closely spaced (generally not more than 30 feet on center) to provide appropriate levels of illumination.*
- *In the walkable nodes, business owners are encouraged to assist with lighting the sidewalk and accent their business location by leaving display-window and interior lighting on at night.*
- *Light poles may include armatures that allow for the hanging of banners or other amenities (e.g., hanging flower baskets, artwork, etc.).*
- *Consideration of security and pedestrian comfort shall be prioritized by increasing illumination low to the ground in public parking lots, at building entries, in public plazas, and at transit stops.*
- *Use Louis Poulsen Nyhavn lighting fixtures as selected by the City of*
- *College Park along any US 1 frontage.*

Response: The shoebox style light selected is a downcast fixture which has minimal light trespass above 90 degrees (low-cutoff fixture). The light source is recessed in an opaque casing which prevents glare and light pollution. The fixture selected is 100 Watts, which is the most energy efficient selection for the High Pressure Sodium option for this style of fixture. All exterior lighting will utilize cut-off optics where practicable. The detailed photometric for the proposed exterior lighting fixtures are provided on the Detailed Site & Landscape Plan Photometrics sheet of the Detailed Site Plan (i.e., sheet 5 of 9), provides the estimated measurement of the intensity of light or of relative illuminating power based on the proposed lighting fixtures. The conclusion of said photometric analysis shows there will be extremely minimal light spillage (0.0 lumens) off of the subject property.

Modification: No modification of this standard is required.

Specific Uses of Lighting (page 266)

To increase safety, help with orientation, and highlight the identity of an area, the street elements specified below are recommended to be lit.

- *Transit stops: People feel more secure when transit stops are well-lit. Lighting also draws attention to and encourages use of such amenities.*
- *Edges: Edges of a park or plaza shall be lit to define and identify the space.*
- *Architectural details: Lighting entrances, archways, cornices, columns, and other features can call attention to the uniqueness of a building or place. Lighting of building entrances also contributes to safety.*
- *Focal points: Lighted sculptures, fountains, and towers in a neighborhood, especially those visible to pedestrians and vehicles, provide a form of wayfinding.*

Response: The above four specific lighting situations are not anticipated for this project.

Modification: No modification of this standard is required.

Lighting Types and Configurations (page 267)

Lighting fixtures shall be appropriately chosen for the character area within which they are located; the diagram and standards below shall be used as a guide to selecting fixtures.

- *Variety in character is good to establish identity and uniqueness. However, there shall be consistency along the Central US 1 Corridor, creating a unifying scheme of illumination that is appropriate to the scale of the street and the level of nighttime activity. Lamp styles shall not be mixed along any one particular block of a street.*
- *Light fixtures shall be downcast or low cut-off fixtures to prevent glare and light pollution.*
- *Energy-efficient lamps shall be used for all public realm lighting in order to conserve energy and reduce long-term costs.*

Response: As discussed above, the shoebox style light selected is a downcast fixture which has minimal light trespass above 90 degrees (low-cutoff fixture). The light source is recessed in an opaque casing which prevents glare and light pollution. The fixture selected is 100 Watts, which is the most energy efficient selection for the High Pressure Sodium option for this style of fixture. All exterior lighting will utilize cut-off optics where practicable. The detailed photometric for the proposed exterior lighting fixtures are provided on the Detailed Site & Landscape Plan Photometrics sheet of the Detailed Site Plan (i.e., sheet 5 of 9), provides the estimated measurement of the intensity of light or of relative illuminating power based on the proposed lighting fixtures. The conclusion of said photometric analysis shows there will be extremely minimal light spillage (0.0 lumens) off of the subject property.

Modification: No modification of this standard is required.

Conclusion:

The proposed Detailed Site Plan (DSP-12030) is consistent with the College Park Sector Plan's vision and policies for the designated Corridor Infill area. The Applicant proposes a viable adaptive reuse and expansion of an existing not-for-profit use. As discussed herein, the proposed use is in accordance with the Table of Permitted Uses – Mixed-Use Infill (M-U-I) Zone. Moreover, the detailed site plan conforms to the specific requirements found in Part 3, Division 9, and Section 27-282 of Subtitle 27 of the Prince George's County Code. The only physical changes to the subject property are limited to the proposed building expansion, landscape planting and storm water management device. It should be noted that the proposal is in accordance with all requirements for preparation of a detailed site plans, the purposes of the R-55 Zone, the M-U-I Zone and the Central US 1 Corridor Development District Overlay (DDO) Zone.

For the above reasons, the Applicant respectfully requests approval of the proposed

Detailed Site Plan (DSP-12030) and seven variation requests: [1] A modification of 9-inch to the standard for first floor height in order to accommodate the design of the new addition, [2] A modification of three (3) feet to setback standard (g.1) Front BTL principal, [3] A modification to release the applicant from having to provide a sidewalks along Erie Street, [4] A modification to the requirement to provide parking lot interior landscaping, [5] A modification to allow the existing chain link fence to remain, [6] A variation for an alternative PUE, and [7] A separate departure application has been requested as the expense to remove and replace the existing 20 feet wide vehicular access secured entrance (mechanical gate with key pad entry) would be cost prohibitive to permit the existing gate to remain in lieu of replacing said gate with a 22 feet wide gate.

Respectfully submitted,

Robert J. Antonetti, Jr., Esq.

RJA/fms

Enclosures

cc:

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LAW OFFICES
SHIPLEY & HORNE, P.A.

Russell W. Shipley
Arthur J. Horne, Jr.*
Dennis Whitley, III*
Robert J. Antonetti, Jr.

1101 Mercantile Lane, Suite 240
Largo, Maryland 20774
Telephone: (301) 925-1800
Facsimile: (301) 925-1803
www.shpa.com

Bradley S. Farrar
L. Paul Jackson, II*

* Also admitted in the District of Columbia

April 11, 2016

VIA ELECTRONIC MAIL and HAND DELIVERY

Ms. Jill Kosack
Development Review Division
Maryland-National Capitol Park and Planning Commission
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

RE: DSP-12030 Pregnancy Aid Center, Inc.
Amendment to Statement of Justification

Dear Ms. Kosack:

On behalf of the applicant, Pregnancy Aid Center, Inc., please consider this letter a supplemental amendment of the Statement of Justification dated February 23, 2016 for the above referenced Detailed Site Plan application. Specifically, this letter is meant to amend sections of the original Statement of Justification relating to the parking requirements for the proposed medical offices for the applicant.

As you may be aware, the *Approved Central U.S. 1 Corridor Section Plan and Sectional Map Amendment* (the "Approved Sector Plan") establishes those parking requirements for new office development within the sector. Specifically, page 239 of the Approved Sector Plan states that the required office parking in the "Corridor Infill" node requires a rate of "three (3) assigned parking spaces per 1000 square feet of net office space." For purposes of the instant application, the applicant has interpreted the term "net office space" to include all areas for work purposes (including, but not limited to, exam rooms, testing areas, and administrative offices). Conversely, non-office space rooms such as file rooms, closets, bathrooms, and storage rooms have not been included in the definition of "net office space". To this end, the applicant believes that the square footage of the net office area within the proposed structure to be 1,766 square feet. Applying the amended parking standards set forth in the Approved Sector Plan to the instant proposal, the updated parking space requirement should be a total of six (6) vehicle spaces ($1.766 \times 3 = 5.3$ spaces).

As you are aware, the currently proposed Detailed Site Plan shows a total of twenty-four (24) vehicle spaces. It should be noted that these vehicle spaces exist and currently serve the medical office use as presently situated on the property. Notwithstanding the Approved

N:\elacic_Mary\Pregnancy Aid Center - Pro Bono\Correspondence\Ltr to Ms. Kosack 04.11.16.dot

April 11, 2016

Page 2

Sector Plan's standards for new development, the applicant feels that the twenty-four (24) spaces will adequately meet the current and future needs of the facility. For these reasons, the applicant respectfully requests that the technical staff and the Planning Board support a finding that the minimum parking standards of the Approved Sector Plan have been satisfied by the instant application request, and that the twenty-four (24) existing parking spaces are appropriate in light of the current and future operations designated for the property.

Thank you in advance for your attention to this matter. If you have any questions or comments, please do not hesitate to contact me at your earliest convenience.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized initial 'R' followed by a series of loops and a long horizontal tail that ends in a small arrowhead.

Robert J. Antonetti, Jr.

RJA/ah

Cc: Miriam Bader, City of College Park
Nat Ballard, P.E.
Francis M. Silberholz



LEED v4 for BD+C: New Construction and Major Renovation
Project Checklist

Project Name: Pregnancy Aid Center
Date: 2/25/2016

Y ? N

1	Credit	Integrative Process	1
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6	23	3	Location and Transportation	16
16	Credit	LEED for Neighborhood Development Location	16	
1	Credit	Sensitive Land Protection	1	
2	Credit	High Priority Site	2	
5	Credit	Surrounding Density and Diverse Uses	5	
5	Credit	Access to Quality Transit	5	
1	Credit	Bicycle Facilities	1	
1	Credit	Reduced Parking Footprint	1	
1	Credit	Green Vehicles	1	

4	1	5	Sustainable Sites	10
Y	Prereq	Construction Activity Pollution Prevention	Required	
1	Credit	Site Assessment	1	
2	Credit	Site Development - Protect or Restore Habitat	2	
1	Credit	Open Space	1	
3	Credit	Rainwater Management	3	
2	Credit	Heat Island Reduction	2	
1	Credit	Light Pollution Reduction	1	

0	0	11	Water Efficiency	11
N	Prereq	Outdoor Water Use Reduction	Required	
N	Prereq	Indoor Water Use Reduction	Required	
N	Prereq	Building-Level Water Metering	Required	
2	Credit	Outdoor Water Use Reduction	2	
6	Credit	Indoor Water Use Reduction	6	
2	Credit	Cooling Tower Water Use	2	
1	Credit	Water Metering	1	

0	0	0	Energy and Atmosphere	33
N	Prereq	Fundamental Commissioning and Verification	Required	
N	Prereq	Minimum Energy Performance	Required	
N	Prereq	Building-Level Energy Metering	Required	
?	Prereq	Fundamental Refrigerant Management	Required	
	Credit	Enhanced Commissioning	6	
	Credit	Optimize Energy Performance	18	
	Credit	Advanced Energy Metering	1	
	Credit	Demand Response	2	
	Credit	Renewable Energy Production	3	
	Credit	Enhanced Refrigerant Management	1	
	Credit	Green Power and Carbon Offsets	2	

0	0	0	Materials and Resources	13
N	Prereq	Storage and Collection of Recyclables	Required	
N	Prereq	Construction and Demolition Waste Management Planning	Required	
	Credit	Building Life-Cycle Impact Reduction	5	
	Credit	Building Product Disclosure and Optimization - Environmental Product Declarations	2	
	Credit	Building Product Disclosure and Optimization - Sourcing of Raw Materials	2	
	Credit	Building Product Disclosure and Optimization - Material Ingredients	2	
	Credit	Construction and Demolition Waste Management	2	

0	0	0	Indoor Environmental Quality	16
N	Prereq	Minimum Indoor Air Quality Performance	Required	
N	Prereq	Environmental Tobacco Smoke Control	Required	
	Credit	Enhanced Indoor Air Quality Strategies	2	
	Credit	Low-Emitting Materials	3	
	Credit	Construction Indoor Air Quality Management Plan	1	
	Credit	Indoor Air Quality Assessment	2	
	Credit	Thermal Comfort	1	
	Credit	Interior Lighting	2	
	Credit	Daylight	3	
	Credit	Quality Views	1	
	Credit	Acoustic Performance	1	

0	0	0	Innovation	6
	Credit	Innovation	5	
	Credit	LEED Accredited Professional	1	

0	0	0	Regional Priority	4
	Credit	Regional Priority: Specific Credit	1	
	Credit	Regional Priority: Specific Credit	1	
	Credit	Regional Priority: Specific Credit	1	
	Credit	Regional Priority: Specific Credit	1	

10	25	19	TOTALS	Possible Points: 110
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Certified: 40 to 49 points, Silver: 50 to 59 points, Gold: 60 to 79 points, Platinum: 80 to 110

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 www.shpa.com

Bradley S. Farrar
L. Paul Jackson, II*
 *Also admitted in the District of Columbia

February 25, 2016

VIA HAND DELIVERY

Ms. Jill Kosack
 Development Review Division
 Maryland-National Capital Park and Planning Commission
 14741 Governor Oden Bowie Drive
 Upper Marlboro, Maryland 20772

Request: DDS-_____ Departure from Parking Design Standards of Section 27-563 of the Zoning Ordinance regarding Connection to a Street in accordance with Section's 27-587 and 27-239.01 of the Zoning Ordinance

Dear Ms. Kosack:

Applicant, Pregnancy Aid Center, Inc., by and through their attorneys, Robert J. Antonetti, Jr., and Shipley & Horne, P.A., hereby submits this statement of justification in support of a requested departure from parking design standards contained in Section 27-563 of the Prince George's County Zoning Ordinance, being also Division 2 of Part 11 Off-Street Parking and Loading of Subtitle 27 of the Prince George's County Code, regarding the width of a driveway connecting to a public street. In conjunction with Detailed Site Plan DSP-12030 application, the departure is required in order to allow the applicant to validate the existing driveway width and parking area and to retain the existing 18 feet wide vehicular access secured entrance (mechanical gate with key pad entry) in lieu of replacing said gate with a 22 feet wide gate.

A. Location and Description:

The subject property is located at 4618 College Avenue in the City of College Park, Maryland, approximately 150 feet west of Rhode Island Avenue. The property forms a narrow rectangular lot (Lot 5). The subject property is located along the north side of Erie Street, between US 1 and 48th Avenue. It has 272.37 feet of frontage along Erie Street, 187.45 feet of frontage along the east side of US 1, and 167.78 feet of frontage along the west side 48th Avenue. The site contains 1.40± acres or 61,121 square feet in the M-U-I Zone and associated Development District Overlay (DDOZ) Zone. It is developed with a two-story, 5,149 square-foot structure, formerly used as a single-family dwelling and also utilized for a not for profit

organization. Access is provided to a gravel parking lot by a 29 foot wide driveway to Erie Street. Several sheds and a detached garage exist and all but two sheds near the north property line will be removed. There is a substantial amount of existing landscaping and mature trees along each street that provide effective screening, combined with substantial grade separations and slope easements from US 1 and portions of Erie Street. A rather substantial garden, garden walk and patio associated with the former use is located behind the existing building and will be retained. An existing picket fence exists along the north property line on Lot 21 and a portion of Lot 20A. A chain link fence is along all road frontages and a gate exists across the driveway.

B. Surrounding Uses:

The subject site is zoned Mixed-Use Infill (M-U-I) and is within Central US 1 Corridor Development District Overlay Zone (D-D-O). The site is bounded to the north by a commercial office use in the M-U-I Zone and single-family detached residential uses in the R-55 Zone; to the east by 48th Avenue; to the west by Baltimore Avenue (US 1); and to the south by Erie Street. The properties across 48th Avenue zoned R 55 and are developed with single-family detached residential. The properties across Erie Street are zoned M U-I and R-55 and are developed with commercial. The properties across US 1 are zoned M-U-I/D-D-O and are developed with commercial.

C. Development Data Summary:

	Existing	Proposed
Zone	M-U-I/DDOZ	M-U-I/DDOZ
Use(s)		Pregnancy Aid Medical Office
Acreage	1.40	1.40
Lots	2	2
Green Area	39,244 SF (64.2%)	36,498 SF (59.7%)
Building Lot Coverage	4,826 SF (7.9%)	7,172 SF (11.7%)
Square Footage/GFA	5,149	8,251
Building Height	2 stories	1 story attached addition
Parking Spaces Provided	15	22

D. Nature of Requested Departure:

The proposal requests a departure from the design standard in Section 27-560(a) of the Zoning Ordinance that requires a 22-foot-wide interior driveway for two-way traffic. The site plan shows that a portion of the existing access drive from Erie Street necks down to from the required 22 feet dimension down to 18 feet in width at the security gate entrance onto the parking lot. Due to the hardship and prohibitive expense associated with replacing the existing 18 feet

wide secured vehicular access entrance (mechanical gate with key pad entry) gate, with a 22 feet wide gate, the Applicant requests the approval for the existing gate to remain in lieu of replacing said gate.

E. Departure from Design:

Section 27-239.01 (a) (1) – Authorization:

A departure from the design standards contained in Part 11 or Part 12 of this Subtitle or contained in the Landscape Manual may be permitted by the Planning Board or Planning Director, if authorized, in accordance with the provisions of this Section.

Section 27-239.01 (7) – Required Findings for Departures from Design Standards:

In order for the Planning Board to grant departures from the parking design standards contained in Part 11 and Part 12 of the Subtitle or contained in the *Landscape Manual*, it shall make the following findings and shall, pursuant to Section 27-239.01 (6) embody its decision in a resolution and give written notice to all persons of record and the District Council:

- (i) *The purposes of this Subtitle will be equally well or better served by the applicant's proposal;*

RESPONSE: The purposes for parking design standards contained in Part 11 of the Zoning Ordinance (Off-Street Parking and Loading) are found in Section 27-550:

Section 27-550 – Purposes:

- (a) *The purposes of this Part are:*
 - (1) *To require (in connection with each building constructed and each new use established) off-street automobile parking lots and loading areas sufficient to serve the parking and loading needs of all persons associated with the buildings and uses;*

Response: In conjunction with the proposed Detailed Site Plan application DSP-12030 the 22 space off-street parking lot is designed to provide adequate, safe parking for the Applicant and visitors to the property, that is sufficient to serve the needs and intended use of the property. In addition to the 22 parking spaces provided in this Corridor Infill area require eight (8) bicycle parking spaces; with the required bicycle parking provided with racks adjacent to the handicapped parking spaces, as proposed on the Detailed Site Plan.

- (2) *To aid in relieving traffic congestion on streets by reducing the use of public streets for parking and loading and reducing the number of access points;*

RESPONSE: All parking will be provided on-site and will not cause traffic congestion on nearby streets. The single access to the parking lot is located along the south side of the property off of Erie Street, approximately 110 feet west of its intersection with 48th Street.

(3) *To protect the residential character of residential areas; and*

RESPONSE: As noted in the companion Detailed Site Plan application, subject property is located within the General Plan's Developed Tier and the boundaries of the Approved 2010 Central US 1 Corridor Sector Plan. The Developed Tier's envisions a network of sustainable, transit supporting, mixed-use, and pedestrian-oriented, medium-to-high density neighborhoods. The proposal is compatible with this vision and represents a sensitive expansion and intensification of infill redevelopment that helps retain a semblance of the immediate residential neighborhood yet provides for mixed-use along US 1 in a block that fronts both US 1 and contains adjacent single-family dwellings to the and I Policy I in the General Plan's Developed Tier has several strategies that encourage, among other objectives, providing flexible development standards when reusing or rehabilitating older buildings and revising regulations to foster quality infill redevelopment. The instant proposal provides quality infill redevelopment while being sensitive to adjacent single-family residential uses.

(4) *To provide parking and loading areas which are convenient and increase the amenities in the Regional District.*

RESPONSE: The proposed parking area and driveway are designed and located to conveniently serve pregnancy aid center guests. There is a substantial amount of existing landscaping and mature trees along each street that provide effective screening, combined with substantial grade separations and slope easements from US 1 and portions of Erie Street. A rather substantial garden, garden walk and patio associated with the former use is located behind the existing building and will be retained. The proposed addition and existing structure are higher in elevation than US 1 and for some extent along Erie Street. The elevation difference and extensive existing and proposed landscaping along Erie Street will likewise screen the parking to the rear of the structures.

(ii) *The departure is the minimum necessary, given the specific circumstances of the request;*

RESPONSE: The design departure to allow and validate the existing 18 foot wide security gated driveway entrance is the minimum necessary that will allow the applicant to legally establish pregnancy aid center use. Overall, the two-way driveway as proposed provides a 22 foot wide interior driveway connection to Erie Street. Thus a departure of four (4) feet is the minimum required to validate this existing situation.

(iii) *The departure is necessary in order to alleviate circumstances which are unique to the site or prevalent in areas of the County developed prior to November 29, 1949;*

RESPONSE: The departure is required to alleviate circumstances unique to the subject and adjacent property and not too different than found at other locations in this College Park neighborhood. The conditions on which the variation is based are unique because of the necessity to accommodate the existing conditions of the property. According to public records, the existing structure was built in 1912. This existing situation and the fact that the property was platted in 1905 create conditions unique to the property. A driveway is required to access the parking spaces.

(iv) The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood.

RESPONSE: The design departure from the width of an interior driveway will not impair the visual, functional and environmental integrity of the site or surrounding neighborhood. Due to the very limited uses at the subject property and number of parking spaces which access the subject driveway, along with the fact that there is sufficient width to accommodate two-way operations at very low speeds within the overall driveway and parking lot, the minimum departure provides a functional solution to accommodating all required parking. The additional landscaping provided elsewhere on the site will improve the appearance of the property and further enhance the overall Environmental Setting.

Conclusion:

For the reasons above, and those contained within the companion Detailed Site Plan (DSP-12030) the Applicant is confident that approval of the requested reduction of the driveway/access to 18 feet is consistent with the College Park Sector Plan's vision and policies for the designated Corridor Infill area, and the purposes of the Zoning Ordinance. The Applicant proposes a viable adaptive reuse and expansion of an existing not-for-profit use. As discussed herein, the proposed use is in accordance with the Table of Permitted Uses – Mixed-Use Infill (M-U-I) Zone. Moreover, the detailed site plan conforms to the specific requirements found in Part 3, Division 9, and Section 27-282 of Subtitle 27 of the Prince George's County Code. The only physical changes to the subject property are limited to the proposed building expansion, landscape planting and storm water management device. It should be noted that the proposal is in accordance with all requirements for preparation of a detailed site plans, the purposes of the R-55 Zone, the M-U-I Zone and the Central US 1 Corridor Development District Overlay (DDO) Zone.

The Applicant respectfully requests approval of the instant departure application as the expense to remove and replace the existing 18 feet wide vehicular access secured entrance (mechanical gate with key pad entry) would be cost prohibitive to permit the existing gate to remain in lieu of replacing said gate with a 22 feet wide gate.

Respectfully submitted,

DDS-
February 25, 2016
Page 6

Robert J. Antonetti, Jr.

RJA/fms

Enclosures

cc:

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PGCPB No. 15-77

File No. 4-13012

RESOLUTION

WHEREAS, The Pregnancy Aid Center c/o Mary Jelacic is the owner of a 1.40-acre parcel of land known as Lots 20-A and 21-A located in the City of College Park on Tax Map 25, Grid E-3 in Plat Book MMB 236 Plat Number 57, said property being in the 21st Election District of Prince George's County, Maryland, and being zoned Mixed-Used Infill (M-U-I) and is within the Central US 1 Corridor Development District Overlay Zone (D-D-O); and

WHEREAS, on April 30, 2015, The Pregnancy Aid Center c/o Mary Jelacic filed an application for approval of a Preliminary Plan of Subdivision for 2 lots to expand an existing medical office and associated site facilities; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-13012 for The Pregnancy Aid Center was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on July 16, 2015, for its review and action in accordance with the Land Use Article of the Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on July 16, 2015, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board DISAPPROVED the Variation from Section 24-122(a) for nonstandard public utility easement along public roads and APPROVED Preliminary Plan of Subdivision 4-13012, with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision (PPS), the plan shall be revised to make the following technical corrections:
 - a. Add the digital approval block to the plan.
 - b. Revise General Note 4 as follows "Purpose of Subdivision: 8,251 square feet of GFA."
 - c. Correct General Note 10 to reflect 6,826 square feet of road dedication.
 - d. Add "D-D-O" to General Note 11.

- e. Correct General Note 15 to reflect that the property is not affected by the Andrews Interim Land Use Control Zones.
 - f. Add the corridor name to General Note 16.
 - g. Correct General Note 21 to reflect that the project is “exempt” from the mandatory park dedication requirement.
 - h. Add General Note 32, stating that “a variation will be required at time of final plat from Section 24-122(a) of the Subdivision Regulations for an alternative public utility easement.”
 - i. Label the proposed lots as “Lot 22 and Lot 23.” Add the lot area for the proposed lots.
 - j. Label all existing structures as “to remain” or as “To be removed.”
 - k. Add a note: This site (Lots 22 and 23) are considered one site or “lot” for development purposes pursuant to Section 27-107.01(129). The interior lot line is not subject to the 2010 *Prince George’s County Landscape Manual* or building setbacks as long as the DSP is for one “lot,” being that Lots 22 and 23 are developed as one site.
 - l. Provide the centerline of all abutting rights-of-way.
 - m. Reflect ultimate right-of-way of 50 feet along 48th Avenue.
2. A substantial revision to the uses on the subject property, including the addition of residential, that affects Subtitle 24 adequacy findings, as set forth in a resolution of approval, shall require the approval of a new preliminary plan of subdivision prior to the approval of building permits.
3. At time of DSP review, full cut-off exterior optic light fixtures shall be used to reduce sky glow and light intrusion onto residential properties to the fullest extent possible.
4. At time of DSP review, the applicant and the applicant’s heirs, successors, and/or assignees shall provide the following:
- a. Provide seven u-shaped designed bicycle parking spaces anchored into a concrete base.
 - b. Reflect for construction a minimum five-foot-wide sidewalk with accessible ramps along the subject property frontage of Erie Street and 48th Avenue within the right-of-way if required by the City of College Park.
 - c. Reflect for construction a minimum five-foot-wide sidewalk with accessible ramps along the subject property frontage within the public right-of-way of US 1 subject to modification by SHA.

5. Total development shall be limited to uses that would generate no more than 24 AM and 31 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.
6. Development of this site shall be in conformance with the Stormwater Management Concept Plan, 26195-2012-00, and any subsequent revisions.
7. At the time of final plat approval, the applicant shall dedicate right-of-way along Baltimore Avenue (US 1), to an ultimate right-of-way width of 100 feet (50 feet from centerline), and additional right-of-way along Erie Street to an ultimate right-of-way of 50 feet (25 feet from centerline), as reflected on the approved preliminary plan of subdivision.
8. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees, shall grant a ten-foot-wide public utility easement (PUE) along all public streets, or an alternative PUE acceptable to all applicable public utility providers, as reflected on the approved DSP.
9. Prior to final plat approval, the detailed site plan shall reflect all required utility easements. If the utility companies do not consent to an alternative utility easement, the detailed site plan shall reflect the standard ten-foot-wide public utility easement (PUE) along all public streets, which shall be reflected on the final plat.
10. Prior to the approval of the final plat, the applicant shall submit a variation in accordance with Section 24-113(b) to Section 24-122 for an alternative public utility easement, if necessary.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The subject property is located in the City of College Park on Tax Map 25, Grid E-3, and is known as Lots 20-A and 21-A, recorded in the Prince George's County Land Records in Plat Book MMB 236 Plat Number 57 on July 16, 2012 and are legal lots. This plat was recorded pursuant to Section 24-108(a)(3) of the Subdivision Regulations to dedicate additional right-of-way, along Baltimore Avenue (US 1) and 48th Avenue. Lots 20-A and 21-A have never been the subject of a Preliminary Plan of Subdivision (PPS). This site is currently improved with 5,149 square feet of medical office which is to remain. The PPS is required as a result of the proposed and previous additions onto an existing office building that result in a cumulative total of more than 5,000 square feet of gross floor area (GFA). The PPS is for the construction of an additional 3,102 square feet, which will result in a total gross floor area of 8,251 square feet for the subject site resulting in this PPS requirement.

This property is located along the northeast quadrant of the intersection of US 1 and Erie Street and also fronts 48th Avenue. This PPS is for two lots; Lot 22 is proposed with 20,488 square feet and Lot 23 is proposed with 33,807 square feet. Together these lots are to be developed as one site, or lot as defined by Section 27-107.01(129) of the Zoning Ordinance, which defines a lot as one more record lots to be built on as a unit.

Therefore, the interior lot line is not subject to building setbacks or the 2010 *Prince George's County Landscape Manual* (Landscape Manual). The Lot (Lots 22 and 23) has frontage and direct access to a public street. Right-of-way dedication is required along the frontages of both US 1 and Erie Street, totaling 6,826 square feet.

As part of the review of this PPS the applicant request a variation to the Subdivision Regulations to allow alternative locations for the public utility easements along public roads. The variation request was received on June 23, 2015. Section 24-113(b) of the Subdivision Regulations requires that a variation request be submitted no less than 30 days prior to the Planning Board hearing. Because of the 30-day requirement, the Planning Board is compelled to recommend disapproval of this variation request with the PPS. The request is evaluated in Finding 15. The applicant will have the option of requesting the Board's approval of the variation at the time of final plat, subject to the requirements of Section 24-113(b).

The Detailed Site Plan DSP-12030 is currently in review which is required for development in a DDOZ. Prior to the certification of the DSP it should be revised to be consistent with the PPS including the alternative locations of the utility easements.

3. **Setting**—The subject site is zoned Mixed-Use Infill (M-U-I) and is within Central US 1 Corridor Development District Overlay Zone (D-D-O). The site is bounded to the north by a commercial office use in the M-U-I Zone and single-family detached residential uses in the R-55 Zone; to the east by 48th Avenue; to the west by Baltimore Avenue (US 1); and to the south by Erie Street. The properties across 48th Avenue zoned R-55 and are developed with single-family detached residential. The properties across Erie Street are zoned M-U-I and R-55 and are developed with commercial. The properties across US 1 are zoned M-U-I/D-D-O and are developed with commercial
4. **Development Data Summary**—The following information relates to the subject PPS application and the proposed development.

	EXISTING	APPROVED
Zone	M-U-I	M-U-I
Use(s)	Medical Office (5,149 square feet)	Medical Office (8,251 square feet)
Acreages	(8,251 square feet)	1.40
Lots	2	2
Outlots	0	0
Parcels	0	0
Dwelling Units	0	0
Public Safety Mitigation Fee	No	No
Variance	No	No
Variation	No	Yes 24-122(a)

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on May 22, 2015. The requested variation to Section 24-122(a) of the Subdivision Regulations was accepted on June 23, 2015 and heard at the SDRC meeting on July 6, 2015.

5. **Community Planning**—The PPS is consistent with the Plan Prince George's 2035 General Plan policies for the Innovation Corridor and conforms to the land use recommendations of the 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment* (2010 Central US 1 Corridor Sector Plan SMA) for mixed-use commercial land use.

This application is located within a designated Employment Area growth policy area. *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035) describes Employment Areas as areas commanding the highest concentrations of economic activity in four targeted industry clusters and recommends continuing to support business growth in these areas, concentrating new business development near transit, where possible, improving transportation access and connectivity, and creating opportunities for synergies.

The Plan 2035 Strategic Investment Program places this property in a designated priority investment area—the Innovation Corridor. Plan Prince George's 2035 describes the Innovation Corridor as the area that “has the highest concentrations of economic activity in our four targeted industry clusters and the greatest potential to catalyze future job growth, research, and innovation in the near- to mid-term. This Innovation Corridor is well positioned to capitalize on the synergies that derive from businesses, research institutions, and incubators locating in close proximity to one another and on existing and planned transportation investment, such as the Purple Line.”

The Approved Land Use North Map (Map 7) on page 59 of the 2010 Central US 1 Corridor Sector Plan SMA recommends mixed-use commercial land uses. The site fronts Baltimore Avenue

(US 1), which is a major collector (MC-200) with a right-of-way width of 88 to 112 feet per the 2010 Central US 1 Corridor Sector Plan and SMA.

The 2010 Central US 1 Corridor Sector Plan and SMA recommends dedicated bicycle facilities, with bicycle lanes as a possible interim solution and cycle tracks as the preferred long-term facility, along Baltimore Avenue (US 1).

The subject site is not located within an Aviation Policy Area or the JLUS Interim Land Use Control area. The June 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment* (2010 US 1 Corridor Sector Plan and SMA) retained this property in the M-U-I Zone. The Development District Overlay Zone (D-D-O), which requires detailed site plan review (DSP), was retained on the site.

The Plan Prince George's 2035 general plan policies, strategies, and recommendations for employment areas and the innovation corridor are primarily focused on economic and employment growth. The PPS for the expansion of an existing medical office use will help achieve Plan Prince George's 2035 and is consistent with the previous 2002 *Prince George's County Approved General Plan*.

The 2010 Central US 1 Corridor Sector Plan and SMA recommends mixed-use commercial land uses for the site (see Map 7 on page 59). The proposed expansion of an existing medical office use is consistent with the sector plan's land use recommendations.

Conformance with the Development District Standards will be further reviewed with the DSP process. Special attention should be paid to the pedestrian connectivity to the site, particularly along Baltimore Avenue (US 1), and to sustainability elements given the proposed dedication to municipal and state transportation authorities.

6. **Stormwater Management**—A Stormwater Management Concept Approval Letter (26195-2012-00) and associated plan were submitted with the application for this site. The approval letter was issued on October 1, 2012 and is valid through October 1, 2015.

The concept letter and plan indicate the payment of fee-in-lieu for the provision of on-site attenuation/quality control measures, the use of rain barrels for storage and infiltration purposes, and the provision of a bioretention facility. An outfall structure is shown for the bioretention facility connecting to an existing curb inlet. Development should conform to this approval and subsequent revisions.
7. **Parks and Recreation**—In accordance with Section 24-134(a) of the Subdivision Regulations, this PPS is exempt from mandatory dedication of parkland requirements because it consists of nonresidential development.
8. **Trails**—Section 24-124.01 of the Subdivision Regulations establishes the general criteria by which to ensure the adequacy of public pedestrian and bikeway facilities in County Centers and

Corridors. The subject application proposes 3,102 square feet of new development. There are no new residential units proposed for development.

The proposal is exempt from Section 24-124.01 because less than 5,000 square feet of gross floor area (GFA) of new development is proposed by the applicant. Section 24-124.01 states the following exemption:

- (b) **Except for applications for development projects proposing five (5) or fewer units or otherwise proposing development of 5,000 or fewer square feet of gross floor area, before any preliminary plan may be approved for land lying, in whole or part, within County Centers and Corridors, the Planning Board shall find that there will be adequate public pedestrian and bikeway facilities to serve the proposed subdivision and the surrounding area.**

The subject property fronts on Baltimore Avenue (US 1) and is within “Character Area 4” of the “Corridor Infill Character Area” described in the June 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment*. The sector plan recommends the establishment of sidewalks and bicycle lanes within the rights-of-way of US 1 and local roads.

The PPS reflects 20 feet of public right-of-way (ROW) dedication along US 1 for a total of 50 feet from the centerline of US 1 with a maximum ROW of 100 feet wide along the property frontage. This amount of proposed dedication is sufficient to implement the sector plan’s recommended right-of-way along US 1 and accommodate SHA engineering plans, which are in the design phase.

Baltimore Avenue US 1 Highway Improvement Plans

Baltimore Avenue is the subject of an active Maryland State Highway Administration (SHA) highway improvement planning project. The state plan is currently in final design for the section of US 1 between College Avenue and University Boulevard (MD 193). Other sections of US 1, including the subject section of Baltimore Avenue (US 1), which is north of University Boulevard (MD 193) and south of the Capital Beltway (I-95/495), are in various phases of re-design.

The sector plan contains recommended projects to implement the plan’s vision, including sidewalks, pedestrian crossings, bicycle enhancements, and transit improvements. Specifically, the sector plan recommends that Baltimore Avenue (US 1) be improved to accommodate more pedestrians and bicyclists.

The SHA plan for the entire US 1 corridor contains some of the following elements and based on on discussion with the City of College Park, include the frontage of the subject site:

- Geometric Improvements
- Planted Medians
- Pedestrian Safety Elements and Pedestrian Refuges
- Bicycle Lanes (six-foot-wide Typical)
- Improved Crosswalks and Signal Timing

- Revised Bus-Stop locations and Bus Pads in the Roadway
- Sidewalk Improvements (five-foot-wide Typical)
- Pedestrian-Scaled Lighting

The final design of the US 1 corridor is currently undergoing changes, and as recently as May 7, 2016, SHA anticipates that the typical section along US 1 will change to accommodate six-foot-wide bicycle lanes.

SHA anticipates acquiring property along the corridor for the highway improvement project at some locations. Right-of-way dedication proposed by the applicant will contribute to the SHA project. Bicycle facilities and sidewalks can be accommodated within the area that is proposed for dedication by the applicant along US 1.

City of College Park Streets

The subject property has frontage on three public rights-of-way, Erie Street and 48th Avenue, are under the jurisdiction of the City of College Park. Access is provided along Erie Street. The PPS reflects ten feet of public right-of-way dedication along Erie Street for a total of twenty-five feet from centerline. Both Erie Street and 48th Avenue are planned for a 50-foot ultimate right-of-way width at the property frontage. Erie Street is an east-west direction street, and currently does not contain sidewalks, but are recommended.

The subject property is within “Character Area 4” of the “Corridor Infill Character Area” described in the June 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment*. The sector plan recommends the establishment of sidewalks within, or adjacent to the rights-of-way of local roads.

The sector plan recommends that all east-west streets in the plan area function as a “secondary frontage” or a “side street” when a corner lot is located at the intersection of a major north-south and east-west streets. The sector plan recommends various street types that can be utilized for the Corridor Infill Character Area (pages 262–263). The sector plan recommends sidewalk widths that vary between four feet and eight feet for the roads within the Corridor Infill Character Area.

For the current proposal, it is recommended that a sidewalk within the public right-of-way, minimum five-foot-wide, be constructed along the subject property frontage of Erie Street, which is a side street and 48th Avenue. Construction should conform to the Americans with Disabilities Act (ADA) ramps and a driveway aprons may be required by the Department of Public Works and Transportation (DPW&T), or the City of College Park.

Countywide Master Plan of Transportation

The November 2009 *Approved Countywide Master Plan of Transportation* (MPOT) includes several policies related to pedestrian access and the provision of sidewalks within designated centers and corridors, as well as other areas in the Growth Policy Area (Developed and Developing Tiers). The Complete Streets Section includes the following policies regarding sidewalk construction and the accommodation of pedestrians, which support the right-of-way dedication

proposed by the applicant:

Policy 1:

Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

Policy 2:

All road frontage improvements and road capital improvement projects within the developed and

Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

The subject property has frontage on Baltimore Avenue (US 1), Erie Street, and 48th Avenue which should contain sidewalks as recommended. The applicant proposes right-of-way dedication on US 1 and Erie Street for the provision of sidewalks. As stated previously, bicycle facilities will be accommodated within property that is proposed for dedication by the applicant along US 1. The nearest intersection with a crosswalk is located at the intersection of Fox Street and US 1.

Bicycle Parking

The area master plan recommends that one bicycle parking space be provided for every three vehicular parking spaces (page 239). The applicant's concept plan proposes 22 vehicle-parking spaces. It is recommended that a bicycle parking schedule for 7 bicycle parking spaces be included in the DSP.

9. **Transportation**—The subject property is located within Transportation Service Area – TSA 1, as defined in the *Plan Prince George's 2035 Approved General Plan*. A traffic count was required pursuant to provisions in the "Transportation Review Guidelines, Part 1 2012." Account was required for the intersection of US 1 and Fox Street for the purpose of making transportation adequacy finding. The applicant is proposing to add 3,102 square feet to an existing medical office building of 5,149 square feet for a total of 8,251 square feet.

Traffic Analysis

The site is within the June 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment* area which requires that traffic counts be averaged. "Within the Central US 1 Corridor Development District, the transportation facilities adequacy standard shall be Level of Service E, based on the average peak period levels of service for all signalized intersections in three designated segments of the Central US 1 Corridor." The site falls within the segment between the Capital Beltway (I-95/495) and University Boulevard (MD 193). The averaged traffic counts are then grouped together with other signalized intersections in the study area as defined by the sector plan to determine adequacy. This procedure is explained in the *Guidelines* on pages 31 and 32. The study area includes the following signalized intersections:

- US 1 and Ramp from I-95/I-495 Edgewood Road
- US 1 and Cherry Hill Road
- US 1 and Hollywood Road
- US 1 and Fox Street
- US 1 and Cherokee Street (North) (Future Signal)

The applicant was required to provide an existing count for the intersection of US 1 and Fox Street. The other traffic counts were taken from a 2014 traffic study and a growth adjustment to 2015 was applied. A traffic signal is approved for US 1 and Cherokee Street. The table below contains critical lane volumes (CLV) and intersection volumes as well as corridor averages as required by the 2010 *Approved Central US 1 Corridor Sector and Sectional Map Amendment*.

EXISTING TRAFFIC CONDITIONS						
Intersection	(LOS/CLV/INTVOL, AM)			(LOS/CLV/INTVOL, PM)		
	US 1 & Edgewood Road	D	1,398	4,170	D	1,327
US 1 & Cherry Hill Road	F	1,729	4,721	F	1,709	5,318
US 1 & Hollywood Road	E	1,511	3,738	D	1,349	4,220
US 1 & Fox Street	E	1,453	3,611	C	1,227	4,267
US 1 & Cherokee Street	--	--	--	--	--	--
Corridor Average	E	1,523	4,060	D	1,403	4,602

The critical intersections identified above are not programmed for improvements with 100 percent construction funding within the next six years in the current Maryland Department of Transportation “Consolidated Transportation Program” or the Prince George’s County “Capital Improvement Program.” The corridor average is at LOS E in the AM peak hour which is acceptable.

Background traffic from two nearby developments included 22,000 square feet of office space, 220 apartments, and 25,000 square feet of retail space.

BACKGROUND TRAFFIC CONDITIONS						
Intersection	(LOS/CLV/INTVOL, AM)			(LOS/CLV/INTVOL, PM)		
	US 1 & Edgewood Road	D	1,415	4,206	D	1,390
US 1 & Cherry Hill Road	F	1,737	4,779	F	1,730	5,413
US 1 & Hollywood Road	E	1,520	3,802	D	1,370	4,315
US 1 & Fox Street	E	1,461	3,669	C	1,248	4,362
US 1 & Cherokee Street	E	1,570	3,782	D	1,370	4,553
Corridor Average	E	1,541	4,048	D	1,422	4,664

Under background conditions the corridor still operates at an acceptable level of service (LOS E) with a corridor critical lane volume (CLV) of 1,559 (1,451 to 1,600 is acceptable). The table below shows total traffic conditions with trips from the proposed medical office expansion added. The corridor average remains at LOS E in the AM peak hour and LOS D during the PM peak hour which is acceptable.

TOTAL TRAFFIC CONDITIONS						
Intersection	(LOS/CLV/INTVOL, AM)			(LOS/CLV/INTVOL, PM)		
	US 1 & Edgewood Road	D	1,418	4,237	D	1,392
US 1 & Cherry Hill Road	F	1,741	4,810	F	1,738	5,450
US 1 & Hollywood Road	E	1,524	3,828	D	1,378	4,351
US 1 & Fox Street	E	1,466	3,707	C	1,262	4,407
US 1 & Cherokee Street	F	1,629	3,889	E	1,455	4,686
Corridor Average	E	1,556	4,094	D	1,445	4,720

Site Access Evaluation

On-site access will be provided on Erie Street at an existing commercial entrance. All of the parking spaces are located behind the existing building on Lot 20-A. Site access and circulation will be further reviewed at DSP.

Master Plan Roads

Baltimore Avenue (US 1) is in the 2010 *Approved Central U.S. 1 Corridor Sector Plan and Sectional Map Amendment* as a major collector roadway. A right-of-way width of 88 to 92 feet is recommended in the master plan which may extend to 108 to 112 feet where bus pads are provided. US 1 is under the jurisdiction of the State Highway Administration (SHA). For PPS frontage on US 1; the ultimate right-of-way is 100 feet, the right-of-way on the PPS is shown fifty feet from the centerline, twenty feet of right-of-way dedication is proposed. Erie Street and 48th Avenue are under the jurisdiction of the City of College Park. Erie Street is shown on the PPS with the ultimate right-of-way width of 50 feet, the right-of-way on the PPS is shown twenty-five feet from the centerline, ten feet of right-of-way dedication is proposed. 48th Street has an ultimate right-of-way of 50 feet, the right-of-way width on the PPS is shown twenty-five feet from the centerline, additional dedication along 48th Avenue is not required. The proposed dedications along US 1 and Erie Street are acceptable.

Based on the preceding findings, adequate transportation facilities would exist to serve the proposed subdivision as required by Section 24-124 of the Subdivision Regulations.

10. **Schools**—The subdivision has been reviewed for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the Adequate Public Facilities Regulations for Schools (CR-23-2001 and CR-38-2002) and concluded that the subdivision is exempt from a review for schools because it is a nonresidential use.
11. **Fire and Rescue**—This PPS was reviewed for adequacy of fire and rescue services in accordance

with Section 24-122.01(e)(1)(E) of the Subdivision Regulations. Section 24-122.01(e)(1)(E) states “A statement by the Fire Chief that the response time for the first due station in the vicinity of the property proposed for subdivision is a maximum of seven (7) minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response times for call for service during the preceding month.”

The proposed project is served by Branchville Fire and Rescue Company 11, a first due response station (a maximum of seven (7) minutes travel time), is located at 4905 Branchville Road, College Park, Maryland, and is within the response time standard.

12. **Police Facilities**—The proposed development is within the service area of Police District I, Hyattsville. There is 267,660 square feet of space in all of the facilities used by the Prince George’s County Police Department and the July 1, 2014 (U.S. Census Bureau) County population estimate is 904,430. Using the 141 square feet per 1,000 residents, it calculates to 127,524 square feet of space for police. The current amount of space 267,660 square feet is within the guideline.
13. **Water and Sewer Categories**—The 2008 *Approved Water and Sewer Plan* designates existing Lots 20-A and 21-A in Water and Sewer Category 3, inside the Sewer envelope, in the Developed Tier (now Growth Policy Area) and within Tier 1 under the Sustainable Growth Act and will be served by public systems. A water line in Baltimore Avenue abuts Lot 21-A and water and sewer lines in Erie Street abut Lots 20-A and 21-A. Records indicate that the existing development is served by public water and sewer.
14. **Use Conversion**—The PPS was analyzed based on the proposal for commercial development. The analysis includes access, mandatory dedication, public facilities, and density specifically related to the land use and layout proposed with this application. While the subject application is not proposing any residential development, if such a land use were proposed, a new preliminary plan shall be required.
15. **Public Utility Easement (PUE) and Variation**—The PPS has frontage on three public rights-of-way, Baltimore Avenue, Erie Street and 48th Avenue. The applicant proposes an alternative to the standard ten-foot-wide PUE along the public rights-of-way to serve the proposed development. The variation request was received on June 23, 2015. Section 24-113(b) of the Subdivision Regulations requires that variation requests be submitted no less than 30 days prior to the Planning Board hearing. Because of the 30-day requirement, the Planning Board is compelled to recommend disapproval of this variation request with the PPS. The request is evaluated herein and saving this technical issue staff would recommend approval. The applicant will have the option of requesting the Planning Board’s approval of the variation at the time of final plat which is recommended in this instance, subject to the requirements of Section 24-113(b).

Section 24-122 of the Subdivision Regulations states the following:

- (a) **When utility easements are required by a public utility company, the subdivider shall include the following statement in the dedication documents: Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.**

Section 24-113(a) sets forth the required findings for approval of a variation request as follows:

- (a) **Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon evidence presented to it in each specific case that:**

- (1) **The granting of the variation will not be detrimental to the public safety, health, welfare, or injurious to other property;**

Granting this variation to permit the PUE in alternate locations will not be detrimental to public safety, health, welfare, or injurious to other property. The location of utilities on the site must be reviewed and approved by the applicable utility providers during the DSP review to determine their most appropriate location in relation to other easements and the overall development of the site, thereby, ensuring public safety, health, and welfare.

- (2) **The conditions on which the variations are based are unique to the property for which the variation is sought and are not applicable generally to other properties;**

The conditions on which the variation is based are unique because of the necessity to accommodate the existing conditions of the property. According to public records, the existing structure was built in 1912. This existing situation and the fact that the property was platted in 1905 (A-59) creates conditions unique to the property. Along US 1, the required dedication results in an eight-foot PUE in front of the existing structure.

- (3) **The variance does not constitute a violation of any other applicable law, ordinance or regulation.**

As the location of an alternative PUE would require approval of the applicable public utility providers, no other applicable law, ordinance, or regulation would be violated by approving the variation.

Each lot or parcel shall have PUE's of sufficient width to accommodate all utility providers, which will be included as part of the review of the detailed site plan.

- (4) **Because of the peculiar physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out.**

With utilizing existing structures and dedicating right-of-way to accommodate requested road improvements, alternative design considerations are required to accommodate the design proposal. With the property fronting on three rights-of-way, the property is a through lot which results in design constraints. The existing building is currently in use by the medical office. The building fronts Baltimore Avenue and with the road dedication, the PUE is reduced to 8.53 feet.

The encroachment of the proposed parking lot into the PUE on Erie Street is the result of preserving existing trees and gardens located in the center of the site. In this area, the PUE is reduced to 3.01 feet. The denial of this variation for the PUE design would result in a particular hardship to the applicant because existing structures, which are proposed to remain, would have to be razed.

Based on the proceeding findings, staff recommends a request for variation be submitted 30 days prior to the approval of the final plat for a variation from Section 24-122 for an alternative public utility easement (PUE).

16. **Historic**—A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. This proposal will not impact any historic sites, historic resources, Historic Districts or known archeological sites.
17. **Environmental**—The PPS was previously reviewed the site as a Natural Resource Inventory (NRI-110-12) which was approved on August 31, 2012. The site was found to be exempt from the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because although the site was larger than 40,000 square feet, it contained no woodlands. A Standard Letter of Exemption (S-057-15) was issued on March 31, 2015.

Grandfathering

The project is subject to the environmental regulations of Subtitle 24, 25 and 27 that came into effect on September 1, 2010 and February 1, 2012, because the application is a new preliminary plan.

Site Description

No woodland areas are located on-site. According to mapping research and as documented with the approved NRI, no regulated environmental features (stream buffers, wetlands, 100-year floodplains and steep slopes) are found on the property. This site is within the Indian Creek

watershed of the Anacostia watershed, which flows into the Potomac River basin. The predominant soils found to occur on-site, according to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), include Sassafras-Urban land complex (5–15 percent slopes), and Urban land-Sassafras complex (0–5 percent slopes). According to available information, Marlboro clay and Christiana complexes are absent from this property. This site is not located within a sensitive species protection review area according to a letter dated August 2, 2012 from the Heritage and Wildlife Service, Maryland Department of Natural Resources. The site has frontage on Baltimore Avenue (US 1) to the west, which is a master-planned major collector road. The site also has frontage along two local roads with no master plan designations; Erie Street to the south and 48th Avenue to the east. None of the adjacent roads are regulated for noise because they do not have a classification of arterial or higher. The site shares no frontage with any road designated as a scenic or historic road. The site is located within Environmental Strategy Area 1 (formerly the Developed Tier) of the Regulated Environmental Protection Areas Map as designated by *Plan Prince George's 2035 Approved General Plan*. According to the 2005 *Approved Countywide Green Infrastructure Plan*, the site contains no Regulated, Evaluation or Network Gap Areas within the designated network.

Master Plan Conformance

The Master Plan for this area is the Central US 1 Corridor Approved Sector Plan and Sectional Map Amendment (June 2010). In the approved Master Plan, the Environmental Infrastructure section contains goals, policies and strategies. The following guidelines have been determined to be applicable to the current project. The text in **BOLD** font is the text from the master plan and the text in plain font provides comments on plan conformance:

Policy 2: Restore and enhance water quality in the Paint Branch stream system and other areas that have been degraded and preserve water quality in areas not degraded.

The site is not located in the Paint Branch sub-watershed. The site has an approved Stormwater Management Concept Letter and associated plan (26195-2012-00), which includes the use of rain barrels and on-site bioretention for water quality control.

Policy 3: Conserve water and avoid using potable water for nonpotable uses.

The approved stormwater management concept plan (26195-2012-00) proposes the use of rain barrels for the conservation and reuse of non-potable water.

Policy 4: Reduce flooding and its detrimental effects on human and natural resources.

The Department of Permitting, Inspections and Enforcement (DPIE) will continue to review the project for conformance with Subtitle 32, Water Quality Resources and Grading Code.

Policy 5: Implement more environmentally sensitive building techniques and reduce overall energy consumption.

The use of green building methodologies and energy conservation techniques should be used as appropriate. The use of alternative energy sources such as solar, wind and hydrogen power is encouraged.

Policy 6: Preserve and enhance the existing urban tree canopy.

Adherence to Subtitle 25, Division 3, Tree Canopy Coverage will be reviewed at the time of detailed site plan.

Policy 7: Reduce light pollution and intrusion into residential communities and environmentally sensitive areas.

Information regarding lighting was not provided with the current application. Because the proposed development is located adjacent to existing single-family residences to the north, east and south, it is recommended that downward facing full cut-off optics be used in the project area to reduce light spillover and sky glow to the fullest extent practicable. At time of DSP review, full cut-off exterior optic light fixtures shall be used to reduce sky glow and light intrusion onto residential properties to the fullest extent possible.

Policy 8: Reduce air pollution to support community health and wellness by supporting development that is accessible by nonmotorized and alternative modes of travel, as well as by increasing the urban tree canopy.

The preliminary plan shows the proposed location of sidewalks on the site's frontages along US 1 and Erie Street to improve walkability. A five-foot-wide sidewalk should also be reflected with the right-of-way of 48th Avenue. Improvements to US 1 are under the jurisdiction of the Maryland SHA. Improvements in Erie Street and 48th Avenue are under the jurisdiction of the City of College Park.

Policy 9: Reduce adverse noise impacts to meet State of Maryland noise standards.

The proposed development will not be a noise generator and roadways adjacent to the proposed development are not regulated for noise.

Conformance with the Green Infrastructure Plan

The site contains no elements of the 2005 *Countywide Green Infrastructure Plan*.

Conformance with the Water Resources Functional Master Plan

The 2010 *Approved Water Resources Functional Master Plan* contains policies and strategies related to the sustainability, protection and preservation of drinking water, stormwater, and

wastewater systems within the county, on a county-wide level. These policies are not intended to be implemented on individual properties or projects and instead will be reviewed periodically on a countywide level. As such, each property reviewed and found to be consistent with the various countywide and area master plans, county ordinances for stormwater management, floodplain and woodland conservation, and programs implemented by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE), Prince George's County Department of Health, Prince George's County Department of the Environment (DoE), Prince George's Soil Conservation District, Maryland-National Park and Planning Commission (M-NCPPC) and Washington Suburban and Sanitary Commission (WSSC) are also deemed to be consistent with this master plan.

Environmental Review

An approved Natural Resource Inventory plan (NRI-110-12) was submitted with the review package, which was approved on August 31, 2012. The NRI verifies that no regulated environmental features or woodlands occur on the subject property. No further information is required with regards to the NRI.

This project is exempt from the provisions of the Woodland and Wildlife Habitat Conservation Ordinance because although the site is larger than 40,000 square feet in area, the site contains less than 10,000 square feet of woodland, and does not have a previously approved tree conservation plan. The site received a letter of Exemption (S-057-15) on March 31, 2015, and a Type 1 Tree Conservation Plan is not required. No additional information is required with regard to woodland conservation.

Section 24-130(b)(4) of the County Code requires that "Where a property is partially or totally within an area covered by an adopted watershed plan, the plat shall conform to such plan."

The approved stormwater concept plan is required to be designed in conformance with any approved watershed management plan, pursuant to Subtitle 32 Water Resources and Protection, Division 3 Stormwater Management, Section 172 Watershed Management Planning. As such, the requirements of Section 24-130(b)(4), which requires that a subdivision be in conformance with any watershed management plan have been addressed with the approval of the stormwater management (SWM) concept plan by the Department of Public Works and Transportation (DPW&T).

According to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), include Sassafras-Urban land complex (5–15 percent slopes), and Urban land-Sassafras complex (0–5 percent slopes). According to available information Marlboro clay and Christiana complexes are absent from this property. This information is provided for the applicant's benefit. The County may require a soils report in conformance with County Council Bill CB-94-2004 during the building permit process review.

18. **Urban Design**—The Applicant has filed a Detailed Site Plan, (DSP-12030), which is pending to construct a 3,102-square-foot addition onto an existing 5,149-square-foot office building and an

expanded parking area. The PUE location will be evaluated with the DSP and reflected on the final plat prior to approval, along with the submittal of a variation to Section 24-122(a) of the Subdivision Regulations.

Conformance with the Requirements of the Zoning Ordinance

Conformance with Section 27-546.18 Regulations and Section 27-546.19 Site Plans for Mixed Uses for development in the M-U-I Zone along with other applicable Zoning Regulations will be evaluated at time of DSP review.

Conformance with the Requirements of the Central US 1 Corridor Sector Plan and SMA

The proposed development is within the Corridor Infill Character Area of the Central US 1 Corridor Sector Plan Development District and is thus subject to the DDOZ standards for Building Form; Architectural Elements; Sustainability and the Environment; and, Streets and Open Spaces. Conformance to the applicable standards will be evaluated at the time of DSP review.

Conformance with the 2010 Prince George's County Landscape Manual

The sector plan exempts development in the development district from Section 4.2 (Requirements for Landscape Strips Along Streets), Section 4.3 (Parking Lot Requirements) and Section 4.7 (Buffering Incompatible Uses). Conformance with the applicable requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual), including 4.4 (Screening Requirements) and 4.9, Sustainable Landscaping Requirements will be determined at time of DSP review.

Conformance with the Tree Canopy Ordinance

Because the site is in the D-D-O Zone, it is exempt from TCC requirements.

19. **City of College Park**—The subject property is within the City of College Park. The PPS is scheduled to be heard by the City Council on July 14, 2015. As of the writing of this technical staff report, the City of College Park Department of Planning, Community and Economic Development is in support of the PPS and Variation Request. The Maryland-National Capital Park and Planning Commission (M-NCPPC) Planning Department have incorporated the City of College Park recommendations as appropriate.
20. At the public hearing on July 16, 2015, the Planning board accepted into the record Applicant's Exhibit #1 and #2. The Planning Board approved revisions to conditions numbered 1(h), 1(m), and 4b, as well as the additional Finding 21 below, which is related to the Applicant coordination with SHA and the City of College Park for right-of-way improvements.
21. In the event that an access permit is required by SHA, the Applicant should coordinate with SHA and the City of College Park for any required right-of-way improvements for US 1.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Shoaff, Bailey and Hewlett voting in favor of the motion at its regular meeting held on Thursday, July 16, 2015, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 30th day of July 2015.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator

PCB:JJ:SN:ydw

April 4, 2016

MEMORANDUM

TO: Jill Kosack, Urban Design Section

VIA: Whitney Chellis, Subdivision Section

FROM: Suzanne Nickle, Subdivision Section

SUBJECT: DSP-12030 Pregnancy Aid Center

This property is the subject of Preliminary Plan of Subdivision (PPS) 4-13012 which was approved by the Planning Board on July 16, 2015 (PGCPB Resolution No. 15-77) and is valid through July 30, 2017. The PPS was approved for 1 parcel for 8,251 square feet of GFA for a medical office use. Any additional development will require a new preliminary plan of subdivision. The PPS was approved with 10 conditions. The following conditions are applicable to the DSP review.

- 3. At time of DSP review, full cut-off exterior optic light fixtures shall be used to reduce sky glow and light intrusion onto residential properties to the fullest extent possible.**

Conformance to Condition 3 should be reviewed and determined by the Urban Design Section with this DSP review.

- 4. At time of DSP review, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:**

- a. Provide seven u-shaped designed bicycle parking spaces anchored into a concrete base.**
- b. Reflect for construction a minimum five-foot-wide sidewalk with accessible ramps along the subject property frontage of Erie Street and 48th Avenue within the right-of-way if required by the City of College Park.**
- c. Reflect for construction a minimum five-foot-wide sidewalk with accessible ramps along the subject property frontage within the public right-of-way of US 1 subject to modification by SHA.**

Conformance to Condition 4 should be reviewed and determined by the Transportation Planning Section and the Urban Design Section with this DSP review.

7. **At the time of final plat approval, the applicant shall dedicate right-of-way along Baltimore Avenue (US 1), to an ultimate right-of-way width of 100 feet (50 feet from centerline), and additional right-of-way along Erie Street to an ultimate right-of-way of 50 feet (25 feet from centerline), as reflected on the approved preliminary plan of subdivision.**

Sheet 3 of the DSP labels additional right-of-way dedication along US 1 as “50’ total right-of-way dedication from centerline.” Add a dimension from the centerline of US 1 to the extent of the proposed dedication, which should measure 50-foot-wide. Sheet 6 of the DSP has a dimension of 49.93-foot-wide. This should be corrected to reflect the 50-foot-wide dedication. The DSP correctly shows the 25-feet from centerline of additional right-of-way dedication along Erie Street.

The proposed road dedication is unclear on the plans. The DSP is required to clearly show the proposed road dedication, and label the boundaries with bearings, distances and quantify the area in square feet that is to be dedicated to public use to match the record plat. Failure of the DSP and record plat to match (including bearings, distances and areas) will result in permits being placed on hold until plans are corrected.

8. **At the time of final plat, the applicant and the applicant’s heirs, successors, and/or assignees, shall grant a ten-foot-wide public utility easement (PUE) along all public streets, or an alternative PUE acceptable to all applicable public utility providers, as reflected on the approved DSP.**
9. **Prior to final plat approval, the detailed site plan shall reflect all required utility easements. If the utility companies do not consent to an alternative utility easement, the detailed site plan shall reflect the standard ten-foot-wide public utility easement (PUE) along all public streets, which shall be reflected on the final plat.**
10. **Prior to the approval of the final plat, the applicant shall submit a variation in accordance with Section 24-113(b) to Section 24-122 for an alternative public utility easement, if necessary.**

The DSP shows public utility easements that are less than 10-feet-wide. The PPS addresses this with Conditions 8, 9, and 10. The DSP should be corrected to clearly depict the proposed alternative public utility easement, and provide documentation that the alternative is acceptable to all applicable utility providers.

The above items are outstanding and need to be addressed prior to the approval of DSP-12030. If the above PPS conditions are addressed, the DSP is in substantial conformance with the preliminary plan of subdivision. There are no other subdivision issues at this time.

April 5, 2016

MEMORANDUM

TO: Jill Kosack, Senior Planner, Development Review Division, Urban Design Section
 VIA: Frederick Stachura, Acting Supervisor, Community Planning Division, North Section
 FROM: Susan Hartmann, Planner Coordinator, Community Planning Division, North Section
 SUBJECT: **DSP-12030, Pregnancy Aid Center**

DETERMINATIONS

This application is consistent with the Plan Prince George's 2035 General Plan policies for the Innovation Corridor.

This application conforms to the land use recommendations of the 2010 Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment for mixed-use, commercial land use.

The applicant should address design considerations specified in the District Development Overlay Zone (DDOZ) guidelines as detailed in the Planning Issues section below.

BACKGROUND

Location: 4700 Erie Street, College Park, MD; at the intersection of Baltimore Avenue (US 1)

Size: 1.4 acres

Existing Uses: Medical facility and associated parking

Proposal: Construct a 3,102 square foot expansion of the existing medical facility.

GENERAL PLAN, MASTER PLAN, AND SMA

This application requires conformance with the applicable General or Master Plan. YES

General Plan: This application is located within a designated Employment Area growth policy area. Plan 2035 describes Employment Areas as areas commanding the highest concentrations of economic activity in four targeted industry clusters and recommends continuing to support business growth in these areas, concentrating

new business development near transit, where possible, improving transportation access and connectivity, and creating opportunities for synergies.

The Plan 2035 Strategic Investment Program places this property in a designated priority investment area-the Innovation Corridor. Plan 2035 describes the Innovation Corridor as the area that has the highest concentrations of economic activity in our four targeted industry clusters and the greatest potential to catalyze future job growth, research, and innovation in the near- to mid-term.

Master/Sector Plan: 2010 Approved Central US 1 Corridor Sector Plan

Planning Area/

Community: PA 66/College Park

Land Use: The approved land use north map on page 59 of the 2010 Approved Central US 1 Corridor Sector Plan recommends mixed use commercial land uses on the subject property.

Environmental: Refer to the Environmental Planning Section referral for comments on the environmental element of the Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment and the 2005 Countywide Green Infrastructure Plan.

Historic Resources: None identified

Transportation: The site fronts Baltimore Avenue (US 1), which is a major collector (MC-200) within a right-of-way per the 2010 Central US 1 Corridor Sector Plan and Sectional Map Amendment.

Public Facilities: None identified

Parks & Trails: The 2010 Central US 1 Corridor Sectional Map Amendment recommends dedicated bicycle facilities, with bicycle lanes as a possible interim solution and cycle tracks as the preferred long-term facility, along Baltimore Avenue (US 1), and marked bike lanes along Erie Street.

Aviation/ILUC: The subject site is not located within an Aviation Policy Area or the JLUS Interim Land Use Control area.

SMA/Zoning: The 2010 Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment retained the property in the M-U-I Zone. The property is also located within a Development District Overlay Zone (DDOZ).

PLANNING ISSUES

The Plan Prince George's 2035 general plan policies, strategies, and recommendations for employment areas and the innovation corridor are primarily focused on economic and employment growth. The proposed resubdivision of two lots to allow for the expansion of an existing medical office use will help achieve Plan 2035 and is consistent with the general plan.

The 2010 Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment recommends mixed-use commercial land uses for the subject property (see Map 7 on page 59). These land uses are described on page 57 of the sector plan. Mixed-use commercial land uses emphasize a mix of uses that are predominately nonresidential on the ground floor, including commerce, office, institutional, civic and recreational uses. The proposed development of a 3,102 square foot expansion to an existing

eleemosynary facility and associated parking conforms with the land use recommendations of the sector plan.

The proposed development is zoned M-U-I and is located in the corridor infill character area as shown on the diagram on page 61 of the sector plan and in Map 26 on page 229. The corridor infill character area consists of mixed-use but primarily residential development with park-like landscaping and easy accessibility to goods and services, and is intended to facilitate the redevelopment of existing strip-commercial development along US 1 while serving as a transition from the more intensive walkable nodes to existing residential areas adjacent to the corridor. The proposed development retains an existing two-story structure and expands to include medical offices, and conforms with the intent of corridor infill areas to serve as a transition from walkable nodes to the existing residential areas adjacent to the corridor.

Requests to Amend Development District Standards

The submitted application and justification materials indicate the need to deviate from several development district standards to accommodate the proposed development on the subject property. These standards are discussed below.

Building Form: Height (p. 233)

The applicant requests a modification of 9-inches to the standard for first floor height in order to accommodate the design of the new addition. The site plan indicates a two story structure, excluding basement and attic, and having a maximum height of 24 feet for the existing structure and 21 feet 8 inches for the proposed one story addition. Each story is less than 14 feet in height. The first floor in the proposed structure is 10 feet 3 inches. The applicant requests a modification in order to accommodate the design of the new structure and the use of the building as a medical office, rather than a retail store where higher ceilings are typical. Staff believes that the requested modification is reasonable given the continued medical office use, and new addition to an existing building.

Building Form: Setbacks (p. 233)

The applicant requests an amendment of three feet to the standard (g.1) Front BTL principal. Staff believes that the requested modification is reasonable to allow the proposed building addition to align with the existing structure.

Streets and Open Spaces: Sidewalks (p. 264)

The sector plan and DDOZ states that at the time of development the property owner is required to install sidewalks with the goal of improving pedestrian safety and connectivity along the US 1 corridor and in surrounding neighborhoods. The applicant has dedicated sufficient right-of-way along US 1, Erie Street and 48th Avenue, and has requested to be released from the requirement to construct the sidewalks.

- *US 1* - Due to the fact that the Maryland State Highway Authority (SHA) is currently in the design phase for the sidewalk and retaining wall along Baltimore Avenue and has agreed to construct the sidewalk at the front of the property, the applicant will provide the right-of-way for sidewalk improvements, but should not be required to construct the sidewalk.
- *48th Avenue* - The applicant has dedicated sufficient right-of-way to allow for future construction of a sidewalk along 48th Avenue and should not be required to construct the sidewalk at this time.



- *Erie Street* - The sector plan recommends that a sidewalk be constructed along Erie Street; however, due to topographic and other site considerations on the north side of Erie (fronting the property), the City of College Park may pursue obtaining sufficient right-of-way along the south side of Erie Street for a sidewalk project. The applicant requests to be released from the requirement to install sidewalks along Erie Street. Staff recommends that the applicant should be released from the requirement to construct the sidewalk, pursuant to the City of College Park's confirmation of its intent to obtain right-of-way and construct sidewalks on the south side of the street in order to improve pedestrian safety and access.

Building Form: Parking Lot Landscaping (p. 242)

The applicant requests an amendment from parking lot landscaping requirements. The proposed parking area totals 9,874 square feet and includes 23 parking spaces. The sector plan requires interior planting for parking lots that exceed 6,000 square feet, and that interior planting areas comprise at least six percent of total lot area. The sector plan also requires that the applicant install landscape strips at least six feet wide between parking isles of head-in parking, and plant one tree for every 60 feet along landscape strips. The applicant requests an amendment based on the retention of existing trees along the property's perimeter, and the addition of new plantings of evergreen shrubs and shade trees as part of the planned site design. Staff believes that the requested modification is reasonable given the retention of existing trees and the extent of proposed landscaping throughout the site.

Architectural Elements: Fencing (p.250)

The applicant requests an amendment to allow for the existing chain link fence to remain as it is screened from US 1 and Erie Street by slopes and mature landscaping. The DDOZ includes guidelines that fences be built of durable, attractive materials, such as: brick, stone, wrought iron and wood. Staff believes that the proposed chain link fence is not consistent with the intended design character of the corridor infill character areas. Staff recommends that the applicant remove the chain link fence and replace with one that is compatible.



cc: Ivy A. Lewis, Division Chief, Community Planning Division



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department
Countywide Planning Division, Transportation Planning Section

(301) 952-3680
www.mncppc.org

January 29, 2016

MEMORANDUM

TO: Jill Kosack, Urban Design Section, Development Review Division
FROM: Eric Jenkins, Transportation Planning Section, Countywide Planning Division
VIA: Tom Masog, Transportation Planning Section, Countywide Planning Division
SUBJECT: DSP-12030, Pregnancy Aid Center

The Transportation Planning Division has reviewed the detailed site plan application referenced above. The site consists of 1.47 acres in the D-D-O and M-U-I Zones. It is located in the northeast quadrant of the intersection of US 1 and Erie Street. The applicant is seeking to expand an existing medical office building.

Review Comments—Detailed Site Plan

The site is within the Central US 1 Corridor Development District Overlay Zone (D-D-O). A detailed site plan is required in this zone. There is an approved subdivision for the site. See Preliminary Plan 4-13012 and PGCPB No. 15-77 approved in July 2015. There were several transportation conditions.

Condition 5. OK. Total development shall be limited to uses that would generate no more than 24 AM and 31 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.

No additional development is proposed beyond what was approved in the preliminary plan.

Condition 7: OK. At the time of final plat approval, the applicant shall dedicate right-of-way along Baltimore Avenue (US 1), to an ultimate right-of-way width of 100 feet (50 feet from centerline), and additional right-of-way along Erie Street to an ultimate right-of-way of 50 feet (25 feet from centerline), as reflected on the approved preliminary plan of subdivision.

This was done at the preliminary plan stage and is shown correctly on the detailed site plan.

Site Access Evaluation

On-site access will be provided on Erie Street at an existing commercial entrance. All of the parking spaces are located behind the existing building on Lot 20-A. A five foot sidewalk is proposed along US 1. On-site circulation and parking is acceptable.

SHA Project (Baltimore Avenue US 1 Highway Improvement Plans)

Baltimore Avenue is the subject of an active Maryland State Highway Administration (SHA) highway improvement planning project. The State plan is currently in final design for the section of US 1 between College Avenue and University Boulevard (MD 193). Other sections of US 1, including the subject section of Baltimore Avenue (US 1), which is north of University Boulevard (MD 193) and south of the Capital Beltway (I-95/495), are in various phases of re-design. Some of the design elements include sidewalk improvements, pedestrian safety, and bike lanes.

The sector plan contains recommended projects to implement the plan's vision, including sidewalks, pedestrian crossings, bicycle enhancements, and transit improvements. Specifically, the sector plan recommends that Baltimore Avenue (US 1) be improved to accommodate more pedestrians and bicyclists. Right-of-way dedication proposed by the applicant during the preliminary plan stage will contribute to the SHA project. Bicycle facilities and sidewalks can be accommodated within the area that is proposed for dedication by the applicant along US 1.

Master Plan Roads

Baltimore Avenue (US 1) is in the 2010 *Approved Central U.S. 1 Corridor Sector Plan and Sectional Map Amendment* as a major collector roadway. A right-of-way width of 88 to 92 feet is recommended in the master plan which may extend from 108 to 112 feet where bus pads are provided. US 1 is under the jurisdiction of the State Highway Administration (SHA). The site plan shows the ultimate right-of-way on US 1 of 100 feet, and the ultimate rights-of-way of Erie Street and 48th Avenue at 50 feet. These dedications are acceptable, no structures are shown within the master plan right-of-way of US 1 or on Erie Street and 48th Avenue.

Conclusion

Overall from the standpoint of transportation, it is determined that this plan is acceptable and meets the finding required for a detailed site plan as described in the Zoning Ordinance.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSIO

**Prince George’s County Planning Department
Countywide Planning Division, Transportation Planning Section**

**(301) 952-3681
www.mncppc.org**

February 1, 2016

MEMORANDUM

TO: Jill Kosack, Urban Design Section, Development Review Division
FROM: Bryan Barnett-Woods, Transportation Planning Section, Countywide Planning Division
SUBJECT: Detailed Site Plan Review for Master Plan Trail Compliance

The following detailed site plan was reviewed for conformance with the *Approved Countywide Master Plan of Transportation* and/or the appropriate area Master Plan in order to provide the appropriate recommendations.

Detailed Site Plan Number: DSP-12030

Name: Pregnancy Aid Center

Type of Master Plan Bikeway or Trail

Municipal R.O.W.*	<u>X</u>	Public Use Trail Easement	<u> </u>
PG Co. R.O.W.*	<u> </u>	Nature Trails	<u> </u>
SHA R.O.W.*	<u>X</u>	M-NCPPC – Parks	<u> </u>
HOA	<u> </u>	Bicycle Parking	<u>X</u>
Sidewalks	<u>X</u>	Trail Access	<u> </u>

*If a Master Plan Trail is within a city, county, or state right-of-way, an additional two - four feet of dedication may be required to accommodate construction of the trail.

The Transportation Planning Section has reviewed the detailed site plan application referenced above for conformance with the 2009 *Approved Countywide Master Plan of Transportation* and/or the appropriate area master/sector plan in order to implement planned trails, bikeways, and pedestrian improvements. Staff recommendations based on current or proposed conditions are also included in this memo.

The subject application is located on the east side of US Route 1 (Baltimore Avenue) and on the north side of Erie Street. The site is covered by the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2010 *Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment* (sector plan). The subject site development was previously approved as a preliminary plan of subdivision 4-13012 (PGCPB No. 15-77).

The subject application proposes a 3,102 square-foot building addition to an existing 5,149 square-foot building. The building and the proposed addition are located on a 1.4 acre site. The application proposes a medical office use in the M-U-I and D-D-O (for Central US 1 Corridor) zones. The subject site is exempt from Section 24-124.01, because less than 5,000 square feet of gross floor area of new development is

proposed by the applicant.

Review Comments (Master Plan Compliance and Prior Approvals)

Plan Compliance

There are two MPOT trail recommendations that directly impact the subject site. The MPOT recommends a Shared-Use side path and a bicycle lane along Baltimore Avenue along the frontage of the subject site (see MPOT map).

The MPOT includes additional policies and strategies related to multimodal transportation. The complete streets section of the MPOT includes the following policies regarding sidewalk provision:

Policy 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

Policy 2: All road frontage improvements and road capital improvement projects within the developed and developing tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

Comment: The submitted site plan shows a proposed standard sidewalk along Baltimore Avenue along the subject site's frontage. The site plan also shows 24 feet of dedicated right-of-way along Baltimore Avenue. A bicycle lane can be installed as part of a future/ongoing corridor wide capital improvement project.

Baltimore Avenue is the subject of an ongoing Maryland State Highway Administration (SHA) highway improvement planning project. This improvement project will likely include pedestrian and bicyclist improvements such as medians, bicycle lanes, pedestrian refuges, and lighting. The submitted preliminary plan of subdivision depicts 24 ft of right-of-way dedication along Baltimore Avenue. The planned facilities in the SHA improvement project can likely be accommodated within the right-of-way dedication. The sidewalk, provided by the applicant will be subject to modification by Maryland SHA.

The sector plan provides recommendations for development of the overall Central US 1 Corridor area as well as specific development standards. The sector plan discusses the applicability of the D-D-O zone (sector plan, page 203):

All new development and redevelopment of existing structures within the DDOZ shall comply with the development district standards and the general intent and goals of the Central US 1 Corridor Sector Plan. Development must show compliance with the development district standards during the detailed site plan process.

Whenever there appears to be a conflict between Central US 1 Corridor DDOZ regulations and definitions and the Prince George's County Zoning Ordinance (as applied to a particular development), the DDOZ shall prevail. For development standards not covered by the Central US 1 Corridor DDOZ, the other applicable sections of the Zoning Ordinance and the Landscape Manual shall serve as the requirement. All development shall comply with all relevant federal, state, county, and local regulations and ordinances.

The sector plan identifies the subject site as the “Corridor Infill” development character type (sector plan, page 228):

Corridor Infill – Consists of mixed-use but primarily residential urban fabric. It may have a wide range of building types, such as single-family, sideyard, and row houses. Setbacks and landscaping are variable. New development in corridor infill areas is regulated in detail in these development district standards.

The sector plan identifies parking standards and guidelines, including detail for providing bicycle parking (sector plan, page 239):

- Within the corridor infill and walkable node areas, a minimum of one bicycle parking space shall be provided within the public or private frontage for every three vehicular spaces. Bicycle racks shall be placed in highly visible locations along the street or within parking garages as appropriate.

The applicant provided comments regarding the provision of streetscape amenities, including bicycle parking, in the Statement of Justification (SOJ), submitted with the detailed site plans (SOJ, page 15):

RESPONSE: Streetscape amenities are not proposed along US 1 or Erie St. because of a steep slope and grade difference in the slope easement area, lack of existing or proposed sidewalks, existing mature vegetation and the residential character of the neighborhood.

Comment: Bicycle parking is not shown in the submitted detailed site plan. Although the plan recommends installing bicycle parking along street frontage or within a parking garage, bicycle parking at this location may be more convenient if installed on the parking lot of the subject site. Staff recommends that seven bicycle parking spaces (four u-rack type bicycle parking racks) be installed on the subject site.

The sector plan identifies streets and open space standards and guidelines, including detail for providing sidewalks (sector plan, page 264):

- At the time of development, the developer/property owner (including the developer and the applicant’s heirs, successors, and/or assignees) is required to install sidewalks.
- Special decorative paving materials, such as brick, precast pavers, Belgium block, or granite pavers, are recommended in the walkable nodes and at appropriate locations within the corridor infill areas.
- Sidewalk materials should be continued across driveways whenever possible, and accent paving should be used to define pedestrian crossings.

The applicant provided comments regarding the provision of sidewalks in the Statement of Justification, submitted with the detailed site plans (SOJ, page 15):

RESPONSE: A five (5) foot sidewalk is proposed to be installed along US 1, in accordance with the State Highway Administration (SHA). The SHA will allow the sidewalk to run along the back of curb to eliminate the need for a retaining wall along the west side of the property. A handrail will be installed between the walk and US 1. The applicant requests a variation from the requirement to install a sidewalk along Erie Street because of a steep slope and grade differences

in slope easement areas, and the need for a retaining wall to be constructed in order to preserve the existing drop off and Parking spaces for the handicapped along the south side of the property.

Comment: The submitted site plans depict a proposed five-foot wide sidewalk along the subject site frontage on Baltimore Avenue. This sidewalk meets the streetscape details from the sector plan (sector plan, page 260-263) and will be subject to modification by Maryland SHA.

The submitted plans also show an approximate 13.5 foot right-of-way dedication and a proposed standard five-foot wide sidewalk along the subject site's frontage on Erie Street. This sidewalk meets the streetscape details from the sector plan (sector plan, page 260-263) and will be subject to modification by the City of College Park.

The plans do not depict any sidewalks on 48th Avenue. During the Subdivision Review Committee Meeting (1/29/2016), staff from the City of College Park intimated that a sidewalk along 48th Avenue would not likely be required. The submitted site plans depict a previously dedicated public right-of-way approximately 10 feet wide. This right-of-way was dedicated as a condition of the preliminary plan of subdivision 4-13012 (PGCPB No. 15-77). The additional right of way reflects the ultimate 50-foot right-of-way along 48th Avenue. Installing a sidewalk along 48th Avenue is only necessary if required by the City of College Park and is subject to modification by the City of College Park.

Prior Approval

The subject site was previously approved as preliminary plan 4-13012 (PGCPB No. 15-77). The preliminary plan resolution included the following conditions of approval that relate to active transportation:

1. Prior to signature of approval of the preliminary plan of subdivision, the plan shall be revised to make the following technical corrections:
 - m. Reflect ultimate right-of-way of 50 feet along 48th Avenue

4. At the time of DSP review, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:
 - a. Provide seven u-shaped designed bicycle parking spaces anchored into a concrete base.
 - b. Reflect for construction a minimum five-foot-wide sidewalk with accessible ramps along the subject property frontage of Erie Street and 48th Avenue within the right-of-way if required by the City of College Park.
 - c. Reflect for construction a minimum five-foot-wide sidewalk with accessible ramps along the subject property frontage within the public right-of-way of US 1 subject to modification by SHA.

Comment: The submitted site plans do not depict the bicycle parking as conditioned. The submitted plans also do not depict a sidewalk along 48th Avenue. However, it is likely that this sidewalk will not be required by the City of College Park. The submitted plans depict the other active transportation conditions from preliminary plan of subdivision 4-13012.

Conclusion

1. Prior to signature of approval of the detailed site plan (DSP-13020), and in order to be in conformance with the *2009 Approved Countywide Master Plan of Transportation*, the *2010 Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment* and, the approved preliminary plan of subdivision 4-13012 (PGCPB No. 15-77), the applicant and the applicant's heirs, successors, and/or assigns shall revise the detailed site plan in order to show:
 - a. The location of bicycle parking and detail of the u-shape rack type

Countywide Planning Division
Environmental Planning Section
301-952-3650

February 10, 2016

MEMORANDUM

TO: Jill Kosack, Senior Planner, Urban Design Section
VIA: Katina Shoulars, Supervisor, Environmental Planning Section
FROM: Chuck Schneider, Senior Planner, Environmental Planning Section
SUBJECT: Pregnancy Aid Center, DSP-12030

The Environmental Planning Section has reviewed the Detailed Site Plan for the Pregnancy Aid Center, stamped as received by the Environmental Planning Section on January 12, 2016. Verbal comments were provided in a Subdivision Development Review Committee meeting on January 29, 2016. This application was originally review in 2013, but was put on hold because a preliminary plan was required. The Environmental Planning Section recommends approval of Detailed Site Plan, DSP-12030.

Background

The Environmental Planning Section previously reviewed the following applications and associated plans for the subject site:

Development Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
4-13012	Exempt	Planning Board	Approved	7/16/2015	PGCPB No. 15-77
DSP-12030	Exempt	Planning Board	Pending	Pending	Pending

The project consists of two lots known as Lots 20A and 21A of the Daniels Park Subdivision recorded in the Prince George's County land records in with no conditions. An NRI exemption letter (NRI-110-12) for the subject property was approved on March 1, 2012. A standard letter of exemption from the Woodland and Wildlife Habitat Conservation Ordinance was issued on August 28, 2012 because the site has less than 10,000 square feet of woodlands and has no previous TCP approvals. No other previous environmental reviews have occurred on this site.

Proposed Activity

The current application for the 1.40 acre site is to construct a 3,102 square foot expansion on the existing women's health services facility. There will also be an increase in parking area and stormwater management structure creation.

Grandfathering

The property is subject to the current provisions of Subtitles 24, 25 and 27 that went into effect September 1, 2010, because the site recently had a new preliminary plan approved.

Site Description

The 1.40-acre site in the M-U-I zone is located on the northwest corner of the intersection of Baltimore Avenue (MD Route 1) and Erie Street. According to the signed Natural Resource Inventory submitted, no streams, wetlands, or associated 100-year floodplain are found to occur on this property. The NRI indicates that the site contains less than 10,000 square feet of woodlands, and is therefore exempt from the Woodland and Wildlife Habitat Conservation Ordinance. According to the Prince George's County Soil Survey the principal soils on this site are in the Sassafras-Urban land complex and Urban Land-Sassafras complex, which pose no particular problems related to land development. The site is not located in a Sensitive Species Protection Review area based on a review of the SSPRA GIS layer prepared by the Heritage and Wildlife Service, Maryland Department of Natural Resources. Baltimore Avenue (US Route 1) and Erie Street are considered collector roads and are not regulated for noise. The property is located in Anacostia watershed and drains into the Potomac River basin. This site is located within the Environmental Strategy Area 1 (formerly the Developed Tier) of the Regulated Environmental Protection Areas Map as designated by Plan Prince George's 2035 Approved General Plan. According to the approved Countywide Green Infrastructure Plan, the site is not mapped within the network.

Review of Previously Approved Conditions

The following text addresses previously approved environmental conditions related to the subject application. The text in **BOLD** is the actual text from the previous cases or plans. The plain text provides the comments on the plan's conformance with the conditions.

Preliminary Plan of Subdivision (PPS) 4-13012 was approved by the Planning Board on March 19, 2015. The conditions of approval can be found in PGCPB No. 15-77.

Conformance with PGCPB No. 15-77 for Preliminary Plan of Subdivision 4-13012

- 3. At time of detailed site plan review, full cut-off exterior optic light fixtures shall be used to reduce sky glow and light intrusion onto residential properties to the fullest extent possible.**

As part of this DSP review process, the landscape plans showed a detail of the proposed exterior optic light fixtures to be used at the subject site. These light fixtures are designed to have the full-cut-off optic feature.

No additional information is required at this time with regard to full cut-off exterior optic light fixtures.

Environmental Review

Note: As revisions are made to the plans submitted, the revision boxes on each plan sheet shall be used to describe what revisions were made, when, and by whom.

Natural Resources Inventory – Existing Features

An approved Natural Resource Inventory was submitted with the detail site plan review package, NRI-110-12, which was approved on August 31, 2012. The NRI shows no regulated environmental features on the site.

No additional information is required related to the NRI.

Woodland Conservation Ordinance

The property is not subject to the provisions of the Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the site has less than 10,000 square feet of woodlands. There are six specimen trees located throughout the site. The removal of these trees is not subject to a variance because the site is exempt from the WCO. A standard letter of exemption has been issued for this subject property and was submitted with the application.

No further information about woodland conservation is required for the subject property

Tree Canopy Ordinance

Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage on properties that require a tree conservation plan or Letter of Exemption. Properties zoned M-U-I are required to provide a minimum of 10 percent of the gross tract area in tree canopy.

Compliance with Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, is demonstrated by the addition of a Tree Canopy Coverage Schedule to the landscape plan.

Regulated Environmental Features

This site contains no regulated environmental features that are required to be protected under Section 27-285(b)(4) of the Zoning Ordinance. The required finding of “fullest extent possible” is not required for the subject application.

Stormwater Management

A Stormwater Management Concept Approval Letter (# 26195-2012-00) and associated plan were submitted with the application for this site. The approval was issued on October 1, 2012 with this project from the Prince George County Department of Permitting, Inspections and Enforcement.

Since this area is already contains impervious areas, the plan proposes to construct a new on-site bio-retention pond with infiltration and rain barrels. A stormwater management fee of \$533.00 for on-site attenuation/quality control measures is required.

No county delineated 100 year flood plain is located on the subject parcel as set forth in section 24-129 of the County Code. The site has a drainage area of less than 50 acres.

No further action regarding stormwater management is required with this Conceptual Site Plan review.

Scenic and Historic Roads

In accordance with County Code Section 24-152, there are no scenic or historic roads located on or adjacent to the subject property.

No additional information is required concerning scenic or historic roadways for the subject property.

Noise

The site has frontage on Baltimore Avenue (US Route 1) and Erie Street, which are master plan roadway designated as a collector roads. These roadways are not traffic noise generators and will not be regulated for noise mitigation.

No additional information is required concerning noise for the subject property.

Soils

The predominant soils found to occur on-site, according to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), are the Sassafras-Urban land complex and Urban Land-Sassafras complex. According to available information, Marlboro clay is not identified on the property, but Christiana complex which contains clay deposits, is found to occur on this property.

This information is provided for the applicant's benefit. The county may require a soils report in conformance with CB-94-2004 during the building permit process review.

If you have any questions concerning these comments, please contact me at 301-883-3240 or by e-mail at alwin.schneider@ppd.mncppc.org.

ACS.acs



Division of Environmental Health

Date: March 7, 2016

To: Jill Kosack, Urban Design, M-NCPPC

From: Adebola Adepoju, Environmental Health Specialist, Environmental Engineering/ Policy Program

Re: DSP- 12030, Pregnancy Aid Center

The Environmental Engineering/Policy Program of the Prince George's County Health Department has completed a health impact assessment review of the detailed site plan submission for the Pregnancy Aid Center and has the following comments/recommendations:

1. Applicant must obtain a raze permit from the Approving Authority prior to the removal of sheds and the detached garages.
2. No construction noise should be allowed to adversely impact activities on adjacent occupied properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.
3. During the construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent occupied properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

If you have any questions or need additional information, please contact me at 301-883-7677 or aoadepoju@co.pg.md.us.



Robbert L. Baker, III
County Executive

Environmental Engineering Program
Largo Government Center
9201 Basil Court, Suite 318, Largo, MD 20774
Office 301-883-7681, Fax 301-883-7266, TTY/STS Dial 711
www.princegeorgescountymd.gov/health

APC Recommendations For City Fence Ordinance



City of College Park
240-487-3500
www.collegeparkmd.gov

City Hall
4500 Knox Road
College Park, MD 20740-3390

City Manager
240-487-3501

City Clerk
240-487-3501

Finance
240-487-3509

Human Resources
240-487-3533

Parking Enforcement
240-487-3520

Planning
240-487-3538

Youth & Family Services
4912 Nantucket Road
College Park, MD 20740-1458

240-487-3550

Seniors Program
301-345-8100

Public Services
4601-A Calvert Road
College Park, MD 20740-3421

Code Enforcement
240-487-3570

Public Works
9217 51st Avenue
College Park, MD 20740-1947

240-487-3590

March 3, 2016

Patrick Wojahn, Mayor
City of College Park, MD
4500 Knox Road
College Park, Maryland 20740

Re: College Park Fence Ordinance Listening Session

Dear Mayor Wojahn and Members of Council,

The College Park Advisory Planning Commission (APC) held a Fence Ordinance Listening Session on December 3, 2015 in order to obtain public comment on the City Fence Ordinance. At the session, Planning Department staff provided an overview of the City's ordinance (see Attachment 1, PowerPoint Presentation), which was followed by verbal testimony from five individuals. In addition, written comments were submitted by the Committee for a Better Environment (CBE) and two individuals. The minutes from the meeting are included as Attachment 2 and the written testimony received is included as Attachments 3 and 4.

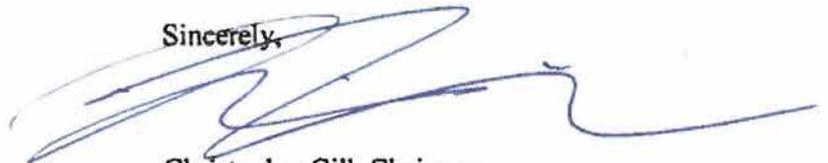
Based on this information and follow-up discussions with APC members and staff, the APC has several recommendations for simplifying and streamlining the fence ordinance regulations in response to the comments that were received. These are listed below for your consideration:

1. The definition of a fence, as written, is too long and confusing. Provide clear and concise definitions for the different types of fences mentioned (hedge, decorative fence and retaining wall).
2. Clearly state what does not constitute a fence and include decorative rocks or boulders in that statement.
3. Define a new fence type called "Garden Fence," with the intent of enclosing and protecting a home garden that grows fruits and/or vegetables.

4. Allow garden fences in the front yard under certain circumstances. We recommend that these fences be allowed up to a height of 4 feet to enclose the garden but not the entire front yard (up to a certain percentage of the yard should be specified). Raised beds, poles, trellises, cold frames and other appurtenances that are part of the garden could be permitted. Garden fence materials should be limited to open wire mesh such as poultry netting (chicken wire) or rabbit guard. When the garden is no longer in use, it should be required to be dismantled.
5. Review the definitions of “yards” and align them with the definitions used by Prince George’s County to the extent possible.
6. Provide a specific requirement for “incorporating openness and visibility” such as: “Spaces between fencing material (planks/pickets) shall be at least as wide as the planks/pickets (50%) opacity.”
7. Revise the section on retaining walls for clarity.
8. To further discourage chain link fences, the City should consider offering financial incentives to promote the use of other fence materials.
9. Reduce the number of criteria required to be met in order to obtain a variance. Zoning ordinance appeals only have three criteria while the fence ordinance has seven.
10. In general, reorganize the provisions of the ordinance for clarity so that the purpose and scope are listed first, regulations next and definitions last.
11. Include illustrative drawings and diagrams as part of the ordinance.

We thank you for your consideration of these recommendations and offer our assistance should this matter be addressed further.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Christopher Gill', with a long horizontal flourish extending to the right.

Christopher Gill, Chairman
Advisory Planning Commission



Background

- City and County both regulate fences (City can be more strict)
- 05-O-12 Adopted October 2005 by City
- CR-2-2006 Adopted January 2006 by County
- 07-O-14 Amended June 2007 to allow variances to be decided by the City Council rather than the Advisory Planning Commission
- 08-O-03 Amended May 2008 to correct clerical error in fence definition

Purposes of Ordinance

- Preserve, improve and protect the character of residential neighborhoods
- Add to comfort and attractiveness of residential areas
- Create a better home environment
- Prevent obstruction of visibility at corners
- Allow for unobstructed streets and sidewalks

City Fence Definition

Any structure, barrier, wall, partition or natural growth greater than four feet that encloses a piece of land, divides a piece of land, separates two adjoining properties, or creates an obstacle to a pedestrian crossing.

Includes

- Retaining walls
- Landscaping/hedges

Excludes

- Underground invisible animal restraints
- An arbor or trellis less than 8-feet tall
- Decorative structures less than 4-feet tall and 8-feet long (no more than two at least 12 feet apart)

Scope of Ordinance

- Applies to new fences and reconstructed or replacement fences
- Requires a building permit for all fences
- Prohibits front yard fences
- Prohibits barbed wire, electrically charged or other hazardous materials
- Chain link prohibited unless it was the original material
- Excludes property in commercial zones

Variance Process

Exception to the law can be made if a variance is obtained from the City Council

1. File an application with the City Planning Dept. that addresses the 7 criteria required to be met.

Most important are:

- Extraordinary situation or condition
 - Peculiar and unusual practical difficulty or exceptional or undue hardship
2. Attend public hearing before APC
 3. 15-day appeal period
 4. City Council decision

Key Differences between City and County Ordinances

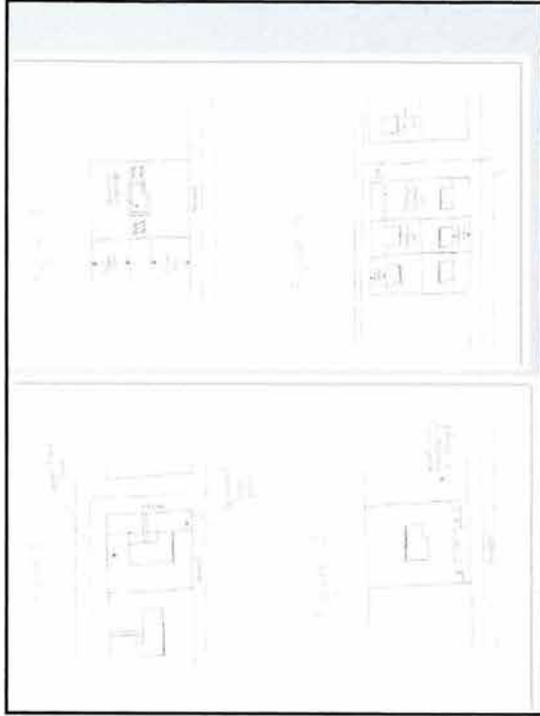
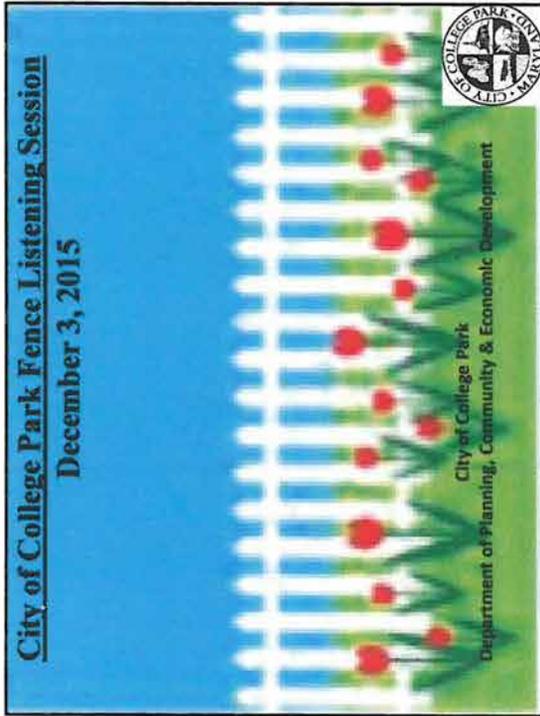
- County allows front yard fences, City does not.
- County requires building permit only for fences higher than 4-feet, City requires a permit for all fences.
- County does not regulate fence materials, City does.
- The City and County have conflicting definitions of apparent front yard, rear yard, side street yard and through corner lots.

More Information

Go to: <http://ecode360.com/9897183>

Or, go to the Code of the City of College Park, Chapter 87-23. Fences.

Or, contact: Miriam H. Bader, Senior Planner
 Phone: 240-487-3542
 e-mail: mbader@collegetparkmd.gov





**ADVISORY PLANNING COMMISSION
FENCE ORDINANCE LISTENING SESSION**

*Approved Minutes of Meeting
December 3, 2015 – 7:30 P.M.
City Hall – Council Chambers*

<u>Members</u>	<u>Present</u>	<u>Absent</u>
Mary Cook, Chair	<u> x </u>	<u> </u>
Lawrence Bleau	<u> x </u>	<u> </u>
James McFadden	<u> x </u>	<u> </u>
Rose Greene Colby	<u> </u>	<u> x </u>
Christopher Gill, Vice Chair	<u> x </u>	<u> </u>
Kate Kennedy	<u> x </u>	<u> </u>
Javid Farazad	<u> x </u>	<u> </u>

Also Present: Planning Staff – Terry Schum, Miriam Bader and Theresheia Williams;
Attorney: Jillian Bokey

I. Welcome and Introductions: Mary Cook called the meeting to order at 7:35 p.m.

Mary Cook opened the meeting with the welcome and informed the audience of the order of the agenda for the listening session. She stated that there will be an overview by Terry Schum, Director of Planning, and then comments from the audience. Individuals will have 3 minutes to speak and anyone representing an organization will be allowed 5 minutes.

II. Overview of City & County Fence Ordinances:

Terry Schum gave an overview and explained why and how the City regulates fences. She introduced Miriam Bader, Senior Planner for the City, who accepts and reviews the variance applications to be brought before the Commission.

History & Background

In October 2005, the City enacted its first City-wide ordinance. The County approved the City Ordinance through a County Council resolution in January 2006 and sometime after that the City Ordinance became effective. The City has amended the ordinance twice. The first time was June 2007. The Advisory Planning Commission initially would hear the variances and be the final decision maker, but the amendment allowed the final decision to be made by the Mayor and Council. The second amendment was July 2014, which were just minor corrections.

Purpose of Ordinance

When the ordinance was first enacted in 2005, it stated that the purpose of the fence ordinance was to:

- Preserve, improve and protect the character of residential neighborhoods
- Add to comfort and attractiveness of residential areas
- Create a better home environment
- Prevent obstruction of visibility at corners
- Allow for unobstructed streets and sidewalks

Another reason for why the City pursued this is that chain link fences were proliferating in the neighborhood and this was a way to control that from happening into the future.

City Fence Ordinance Definition

A fence is defined as any structure, barrier, wall, partition or natural growth greater than four feet that encloses a piece of land, divides a piece of land, separates two adjoining properties, or creates an obstacle to a pedestrian crossing.

Scope of Ordinance

- Applies to new fences and reconstructed or replacement fences
- Requires a building permit for all fences (City and County)
- Prohibits front yard fences
- Prohibits barbed wire, electrically charged or other hazardous materials
- Chain link prohibited unless it was the original material
- Excludes property in commercial zones

All existing fences prior to the enactment in 2005 are allowed to remain on the property. You are also allowed to repair and replace the fence in-kind.

Variance Process

There is a process in the law that allows you to be excepted from that law if you have a good reason. The APC is the body that hears requests for variances from the City's or County's Ordinance.

The Variance Process is as follows:

1. File an application with the City Planning Dept. that addresses the 7 criteria required to be met
2. Attend public hearing before APC
3. 15-day appeal period
4. City Council decision

Key Differences between City and County Ordinances

- County allows front yard fences, City does not.
- County requires building permit only for fences higher than 4-feet, City requires a permit for all fences.
- County does not regulate fence materials, City does.
- The City and County have conflicting definitions of apparent front yard, rear and side street yard and through corner lots.

Terry stated that in the 10 years that the Fence Ordinance has been in effect, there have been just over 30 applications that have been for variances before the APC. The vast majority of those variance requests have been approved. Three of them were denied outright, two were withdrawn and two were modified. This board looks carefully at the request coming in and the justification provided then makes a determination.

III. Comments from the Audience:

Below is testimony of the five residents who spoke at the listening session. Written comments were also submitted by the Committee for A Better Environment (CBE) and Patrick O'Brien of 9032 48th Place (attached).

John Krouse, 9709 53rd Avenue, testified that he was a councilmember for the City when the Fence Ordinance was passed. He stated that in early 2000, there were a lot of additional new fences being constructed because there was a tremendous amount of turn-over in the housing market. In his neighborhood, chain link fences are most common. A typical height is about 40". He stated that there are a lot of concerns from other College Park residents, not just North College Park, about the fences that are being erected. He stated that he thinks that the fence ordinance is somewhat complicated and needs to be streamlined. There are too many hurdles to go through to try to get something reasonable done on your property. He stated that having an ordinance that makes people go through certain formalities to get their permit helps to reduce problems down the road and he supports that.

Frances Sutphen, 4822 Erie Street, testified that she purposely bought a house that had a chain link fence because she has a dog. She also moved into College Park in a single-family home because she did not want to be bothered with a Home Owners Association. She stated that she has no problem with chain link fences in her neighborhood, but she feels like the City took a few bad instances and placed a restriction on everyone. She would like to have the Fence Ordinance revised because she feels it is too restrictive. She stated that electric fences do not work because another dog can come into the yard and attack her dog.

Christopher Gill asked how tall is her front yard fence?

Frances Stuphen stated that it is 4-feet. She stated that she lives on a corner lot and would like to put up a fence on her back lot also where she has a lot of overgrowth.

Linda Rioux, 4900 Blackfoot Road, testified that she moved into her place in 1999. She stated that it is a corner lot and when she moved there, the fence was buried in the hedge; you could barely see the fence. She stated that if you can prove that there is an extraordinary situation or condition, then the City should approve the variance for a front yard fence.

Gemma Evans, 9419 Rhode Island Avenue, stated that she went through the fence process back in 2010 to install a fence, which was granted. She stated that the APC and the City Council should consider changing the ordinance when it prohibits owners who are interested in front yard vegetable gardens. She stated that anyone who wants to grow their own vegetables should be able to do that without going through the variance process. She feels that the fence ordinance is unnecessarily, restrictive and burdensome on residents who have corner and through lots. She stated that the standard fence height should be changed from 4 feet to 4 ½ feet.

Mary Cook asked when she stated that the fence ordinance is too burdensome, what was she referring to?

Gemma Evans stated that the height is unnecessarily restrictive and the process makes the whole thing restrictive. As a homeowner, when you make the decision to hire someone to build a fence or build it yourself, it's a commitment to the purchase of the materials, the contractor, and the maintenance and upkeep of the fence. She stated that as a working professional, it's an inconvenience to keep taking off to complete the process.

David Dorsh, 4607 Calvert Road, testified that the ordinance needs to be less restrictive. A lot of money is going into improving your property, so the fence application process should be easier. A lot of people don't need a fence, but they just want something around their house to make it look nice.

Mary Cook stated that the Advisory Planning Commission appreciates everyone coming out and expressing their concerns and giving their recommendations. She stated that the APC will be discussing the comments at a later meeting and submitting a letter to the Mayor and Council. Anyone wishing to submit written comments may do so until December 10, 2015.

IV. Adjourn: There being no further business, the listening session adjourned at 8:50 p.m.

Minutes prepared by Theresheia Williams



PLANNING DEPARTMENT

November 30, 2015

Dear Mayor Fellows, Mayor-Elect Wojahn and Council Members:

It was brought to CBE's attention that the City's current fence ordinance is an obstacle to those who wish to grow vegetables and fruits in their front yards because it does not permit front-yard garden enclosures. Code enforcement staff has allowed some gardeners to put up enclosures around their vegetable gardens in the summer but required them to remove them at the end of the summer. As a result, residents have to put up temporary enclosures, which are not always the ones best suited to keep animals away from their gardens and which are not always the most aesthetically pleasing. Most residents who utilize their front yards for vegetable and fruits do so because their back yards are shaded and unsuitable for gardening or because they want additional garden plots.

The City of College Park has always been a strong supporter of all aspects of sustainable living and in keeping with our sustainability goals, CBE asks the City to amend the front-yard fence ordinance to allow gardeners the maximum flexibility to protect their vegetable and fruit gardens from unwanted animals. The ordinance should also state clearly that the City does not have any laws against front-yard vegetable and fruit gardens.

CBE Recommendation on Front-Yard Garden Enclosures

The Committee for a Better Environment recommends that the College Park City Council modify the fence ordinance to recognize:

1. The City of College Park is a strong supporter of all aspects of sustainable living.
2. In keeping with our sustainability goal, the City encourages residents to grow vegetables and fruits for home consumption. The City has no laws against front-yard vegetable gardens. For those who cannot or choose not to garden at home, the City has developed a community garden plot in Calvert Hills.
3. The City's community garden has an 8' fence surrounding it to keep deer and other animals out. While the City realizes that an 8' fence may not be compatible with the residential nature and small gardens in many of our neighborhoods, the City wishes to give residents the maximum flexibility to protect their gardens from unwanted animals such as rabbits, groundhogs and deer.

Therefore, the City's code on fences, section 87-23, should be amended to include the following language on garden enclosures:

- The City does not have any laws against vegetable and fruit gardens in front yards.
- The following temporary or permanent garden enclosures surrounding vegetable and fruit gardens are permitted.
- Garden enclosures may be up to 4' tall.

- Residents may choose any garden enclosure material types ranging from sturdy picket fences to a wire enclosure with buried flashing to keep animals from entering the garden.
- For example, two concentric 4' enclosures with 2'-3' spacing between each are permitted to keep deer from jumping into the garden. Wire garden enclosures with buried flashing are permitted to keep ground hogs from burrowing or climbing into the garden. Residents may opt for other enclosures depending on their particular situations.
- Front-yard vegetable and fruit gardens may also include tall poles, cages and trellises required for vegetables such as tomatoes, beans, cucumber, peas and squashes during the growing season and low tunnels or cold frames to extend the growing season during the winter.
- Enclosures may remain as long as vegetables and fruits are grown in the garden and must be removed when the garden is permanently dismantled.

Thank you for considering our request, and please let me know if you have questions.

Janis Oppelt

Chair, Committee for a Better Environment

cc: Mary Cook, Chair, Advisory Planning Commission

From: Patrick O'Brien [pdobrien@gmail.com]
Sent: Tuesday, November 10, 2015 8:52 AM
To: Theresheia Williams
Subject: Comments for listening session on Fence Ordinance

CITY OF COLLEGE PARK
PLANNING DEPARTMENT

Hello,

I will not be able to make the listening session on the Fence Ordinance in person so I am sending my comments via email.

I fully support the prohibition of front yard fences. I believe they make a neighborhood unattractive and unwelcoming. However, a well-maintained front yard fence made of quality materials (wrought iron or wood) is vastly preferable to chain link fencing.

I would like the City Council to consider modifying the fence ordinance to prohibit chain link fencing for any and all fences in the City (residential and commercial.) An exception could be made for commercial or industrial properties where the fence is not visible from roads or sidewalks.

Of course existing chain link fences would remain, but perhaps the City can explore methods to compel or encourage their removal (require removal on sale and/or give a tax credit or grant for removal costs. When chain link is removed, the metal fence posts can still be utilized to support a new wood or iron fence.

I would also like the Council to consider removing the permit requirement for fences. A County permit is already required for fences over 4' tall. The City provides no inspections of the work and thus the only reason to require the permit is to enforce the ban on front-yard fences. A homeowner and contractor unaware of the City fence requirements is likely to also be unaware of the City permitting requirements, thus the net effect of not requiring a City permit would be the same, i.e. I would expect roughly the same number of homeowners to break ground on a new fence in violation of the City Fence Ordinance if there was not a permit process in place.

Patrick O'Brien
9032 48th Pl.

3

FY 2017 Budget Ordinance

4

UMD Request to rename Paint Branch Parkway



**CITY OF COLLEGE PARK, MARYLAND
WORKSESSION AGENDA ITEM**

Prepared By: Scott Somers, City Manager

Meeting Date: April 19, 2016

Presented By: Scott Somers, City Manager

Originating Department: Administration

Issue Before Council: Consider supporting a request by the University of Maryland (UMD) to rename Paint Branch Parkway to Campus Drive.

Strategic Plan Goal: Goal 1: One College Park
Goal 3: High Quality Development and Reinvestment

Background/Justification:

During the February 2, 2016 Worksession, the City Council discussed a request from UMD to support renaming Paint Branch Parkway to Campus Drive (please see the attached letter from UMD requesting City support). The agency charged with approving this request is Maryland-National Capital Park and Planning Commission. The City Council directed staff to place the request on the next regular City Council agenda (February 9, 2016). At the February 9, 2016 meeting, the item was removed from the agenda with the understanding that UMD representatives would approach properties along Paint Branch Parkway to inquire as to the level of support for the name change request. Since that time, UMD has received a letter of support from the FDA, a property owner along Paint Branch Parkway.

Fiscal Impact:

No fiscal impact anticipated.

Council Options:

1. Support a request by the University of Maryland to rename Paint Branch Parkway to Campus Drive by directing staff to prepare of letter of support and authorizing the Mayor to sign.
2. Do not support a request by the University of Maryland to rename Paint Branch Parkway to Campus Drive.

Staff Recommendation:

Staff will take direction from Council.

Attachments:

1. Letter from the University of Maryland requesting City support.
2. Letter from FDA supporting the requested name change.



UNIVERSITY OF MARYLAND

DIVISION OF ADMINISTRATION & FINANCE

Office of the Vice President

2119 Main Administration Building
College Park, Maryland 20742
301.405.1105 TEL
www.vpaf.umd.edu

December 8, 2015

The Honorable Patrick L. Wojahn
Mayor
City of College Park
4500 Knox Rd.
College Park, MD 20740

The Honorable Vernon Archer
Mayor
Town of Riverdale Park
5008 Queensbury Rd.
Riverdale Park, MD 20737

Subject: Proposal to Rename Paint Branch Parkway

Dear Mayors Wojahn and Archer:

This letter sets forth an intention to request renaming a section of Prince George's County roadway currently named Paint Branch Parkway. Paint Branch Parkway extends approximately 1.6 miles between Baltimore and Kenilworth Avenues, and is located in the municipalities of College Park and Riverdale Park. To the east, it becomes Good Luck Road and to the west, it is named Campus Drive as it enters the University of Maryland (image attached). The University believes a name change to Campus Drive or Campus Parkway will benefit both the University and the surrounding community for the reasons stated below.

First, extending the name Campus Drive would provide greater continuity between the main campus, the forthcoming Innovation District, and the M Square Research Park. The University aims to better connect the Research Park, which will eventually employ an estimated 6,500 people, with the main campus. Extending Campus Drive to its doorstep would be a significant step towards achieving that goal as well as reinforcing the connection of the College Park Metro Station to the UMD campus.

Second, a name change would provide clarity in wayfinding. Visitors, as well as members of the local community, will be able to navigate more easily and articulate directions more effectively. This will help to mitigate heavy traffic flow to and from the University onto Baltimore Avenue by providing a clear exit strategy to direct traffic to continue on Campus Drive to Kenilworth Avenue. A clear alternative to exiting onto Baltimore Avenue is expected to lessen the impacts of congestion along that heavily trafficked roadway.

And, finally, since the number of properties on Paint Branch Parkway is limited, and several of them are owned by the University, the process of modifying street addresses would be straightforward. The University would, of course, reach out to owners to explain this proposal

P.L. Wojahn and V. Archer
December 8, 2015
Page 2

and answer any questions. The following properties currently have Paint Branch Parkway addresses:

- University of Maryland Fire and Rescue Institute, 4500 Paint Branch Pkwy
- University of Maryland Paint Branch Building, 4501 Paint Branch Pkwy
- U.S. Food and Drug Administration, 5100 Paint Branch Pkwy
- College Park Tennis Club, 5200 Paint Branch Pkwy
- 94th Aero Squadron Restaurant (closed), 5240 Paint Branch Pkwy
- University of Maryland Patapsco Building, 5145 Paint Branch Pkwy
- Herbert Wells Ice Rink and Ellen E. Linson Splash Park, 5211 Paint Branch Pkwy

We view this proposal as a positive development for the University of Maryland and for the College Park and Riverdale Park communities. Extending Campus Drive would provide clarity, continuity, and the potential to mitigate traffic from the University and Baltimore Avenue. We request your support for this proposed initiative and eagerly await a response.

Sincerely,

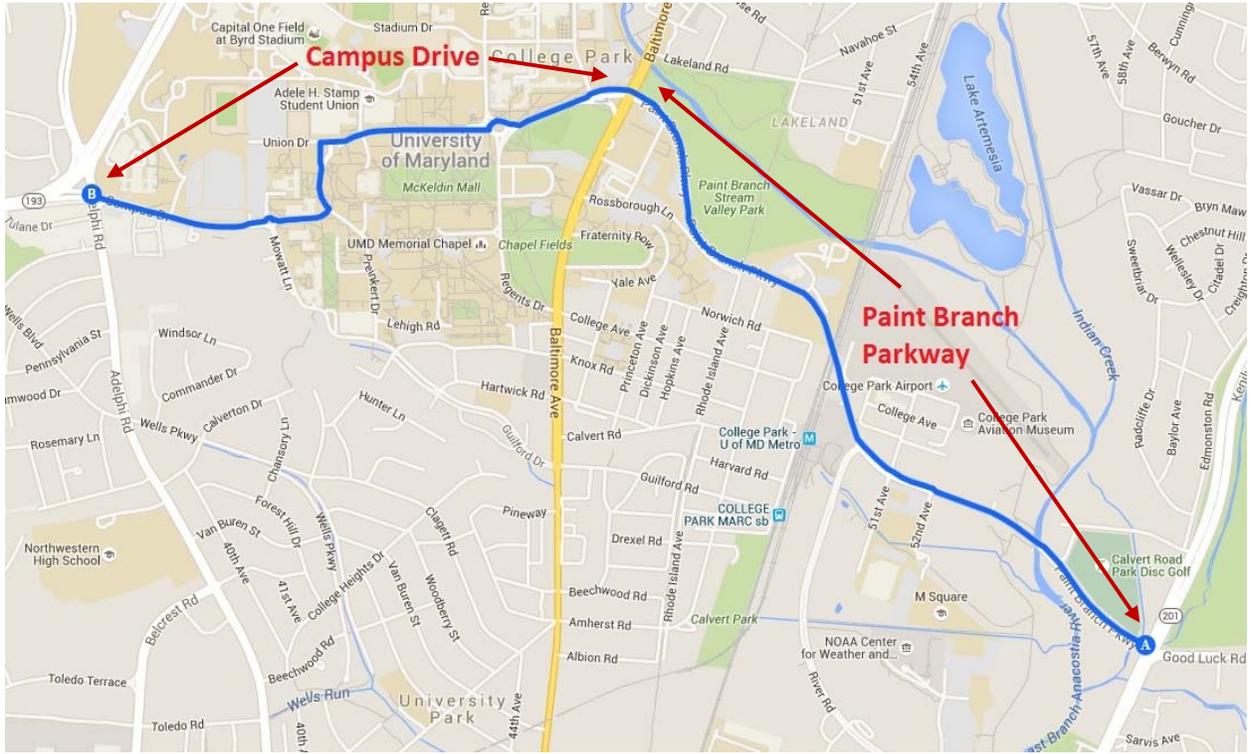


Carlo Colella
Vice President for Administration and Finance

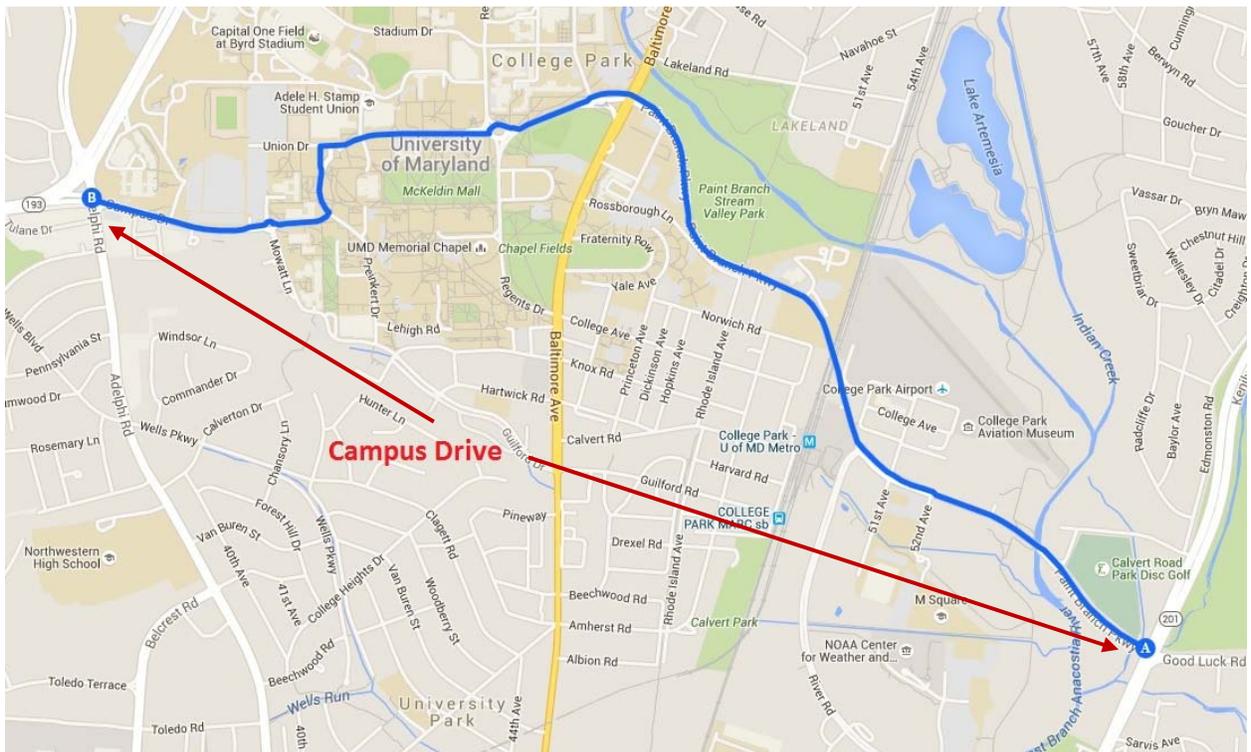
Enc.

cc: The Hon. Rushern L. Baker, III
Mr. Bradley W. Frome
The Hon. Dannielle M. Glaros
Mr. David S. Iannucci
Ms. Sara Imhulse
Dr. Wallace D. Loh
Mr. Darrell Mobley
Mr. Eric C. Olson
Mr. Scott Somers
Mr. Ross Stern
The Hon. James A. Rosapepe

Current Conditions: Paint Branch Parkway and Campus Drive



Proposed: Campus Drive





DEPARTMENT OF HEALTH AND HUMAN SERVICES

Public Health Service

Food and Drug Administration
5100 Paint Branch Parkway
College Park, MD 20740

Date: March 24, 2016
To: Carlo Colella, Vice President Administration and Finance
From: Jeffrey Domanski, Associate Director for Office of Management
Subject: Paint Branch Parkway Renaming

Dear Carlo:

Thank you for the presentation about upcoming plans and expectations for the University's Research Park and the area near Metro and FDA facilities in College Park. We are pleased to know additional amenities are planned for this area.

I have discussed the University's desire to rename Paint Branch Parkway with CFSAN leaders. The change will have some operational implications for us, but we understand the rationale and support the proposed change. As discussed, please keep me informed of the timing so we may implement the changes necessary for CFSAN as we do anticipate the need for a long lead time.

In addition, I look forward to additional conversations about how we can develop closer links with the University.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey Domanski", written over a white background.

Jeffrey Domanski
Associate Director for Management
FDA/CFSAN/OM
5100 Paint Branch Pkwy, Harvey Wiley Bldg.
College Park, MD 20740

5

RISE Zone application



**CITY OF COLLEGE PARK, MARYLAND
WORKSESSION AGENDA ITEM**

Prepared By: Bill Gardiner, Asst. City Manager **Meeting Date:** April 19, 2016
Presented By: Bill Gardiner, Asst. City Manager **Proposed Consent Agenda:** No

Originating Department: Planning

Issue Before Council: City Participation in the Regional Institution Strategic Enterprise Zone (RISE) with the University of Maryland, Prince George’s County, and Riverdale Park

Strategic Plan Goal: Goal 3: High Quality Development and Reinvestment

Background/Justification:

In 2014, the State created the RISE Zone program to encourage investment and job creation near universities committed to economic development in their communities. The City has been working with the University, the County, the CPCUP, and Riverdale Park on a joint RISE Zone application. The Prince George’s County Council has introduced a resolution in support of the RISE Zone with a five-year, 75 percent County tax credit for high-technology new investment.

The RISE Zone application has been amended in response to Council comments during the February 16 Worksession discussion.

The application specifies that anywhere in the entire RISE Zone (see map), new commercial and industrial buildings will be eligible for the minimum real property tax credit on the increased value of the property due to new investment (a new building or the expansion / major renovation of an existing building). Hotels, motels, grocery stores, and retail are NOT included in this category of commercial and industrial.

The proposed tax credits are:

- City of College Park: 50 percent first year, 10 percent following four years
- Prince George’s County: 50 percent first year, 10 percent following four years

Additionally, the application proposes that within the Innovation District and the Research Park areas of the RISE Zone, new investment for high technology businesses in the fields of engineering, data analytics, earth sciences, virtual reality, cybersecurity, quantum computing, linguistics, additive manufacturing, e-commerce, robotics, aerospace, biotechnology and similar industries will be eligible for the following real property tax credits on the increase to the property assessment:

- City of College Park: 50 percent for five years
- Prince George’s County: 75 percent for five years

The intent of the higher RISE Zone tax credits is to attract technology investment to these specific parts of the RISE Zone. The proposed tax credits are significant and targeted. The RISE Zone incentives offered by the State, County, municipalities, and University should lead to new investment that would not occur otherwise.

The revised application states that the County will consult with the municipalities and the University and will be responsible for determining whether a business or development meets the criteria to receive the RISE Zone benefits. Prior to a determination of eligibility, copies of all RISE Zone applications will be provided to the municipalities and the University. The eligibility for the credit will be established by the application process, and the value of real property tax credits will be calculated after construction and a new assessment.

In order for the City to participate in the RISE Zone application, it must do the following:

1. Hold a public hearing on the application.
2. Pass a resolution approving the City's real property tax credit for qualified businesses for each year of the five-year term of the RISE Zone. A draft resolution is attached with the proposed tax credit levels noted above.
3. Provide a statement from the Planning Department that the boundaries of the proposed RISE Zone do not overlap a development district established under the Economic Development Article, Title 12, Subtitle 2, Annotated Code of Maryland, or a special taxing district established under the Local Government Article, Title 21, Annotated Code of Maryland.
4. Approve the application, which includes the Zone goals, the types of businesses / industry sectors eligible for the incentives, the boundaries of the Zone, and anticipated development in the Zone.

Fiscal Impact:

The RISE Zone tax credits for new development apply only to the increase in assessed value due to new construction of an eligible property. The RISE Zone has no impact on the City's existing real property tax revenue. The RISE Zone incentives are designed to attract investment that otherwise would not occur—without the incentive, the tax revenue would not increase; with the incentive, the tax revenue increases but not at the full rate.

The information below and in the attached chart provide a simple estimate of potential City real property tax revenue and RISE Zone tax credits for 300,000 square feet (sf) of new commercial development eligible for the credit.

The estimate assumes the 300,000 sf of development is completed at the same time, and provides the revenue and tax credit information for the two levels of credit: the required minimum for commercial and industrial development, and the higher credit for high technology development.

The estimate assumes that 300,000 square feet of new commercial property would be assessed at \$180 per square foot, or a total of \$54 million. (\$180 is the average per square foot assessed value of three new office buildings in the research park).

At the minimum required level (50% credit year 1, and 10% credit years 2-5), the RISE Zone tax credit total over five years would be \$162,810. The City new tax revenue would be \$741,690.

At the higher credit level for high technology development, the City RISE Zone tax credit of 50% for five years results in new City tax revenue of \$452,250.

Council Options:

1. Schedule for April 25, 2016 the public hearing and a Council vote on the City's participation in the Greater College Park RISE Zone application. The City intends to provide the minimum real property tax credit for certain commercial and industrial development in all parts of the RISE Zone, and a five-year, 50 percent tax credit for new high technology development located in the Innovation District and the Research Park.
2. Schedule a public hearing on the City's participation in the Greater College Park RISE Zone application, and establish a different real property tax credit level.
3. Request staff to obtain additional information regarding the application and bring the item back for discussion.
4. Decide not to participate in the RISE Zone application.

Staff Recommendation:

Option 1.

Recommended Motion:

If Council chooses to participate in the Greater College Park RISE Zone, the motion following the public hearing could state:

I move that the Council approve Resolution XXX, authorizing the City's participation in the proposed Greater College Park RISE Zone application.

Attachments:

1. Revised RISE Zone application and Map of Proposed Boundaries
2. Spreadsheet with calculations of hypothetical City tax revenue and RISE Zone tax credits
3. Draft Council Resolution supporting the RISE Zone

**Greater College Park RISE Zone
RISE Zone Application**

**Regional Institution Strategic Enterprise Zone (RISE Zone)
RISE Zone Application
Greater College Park RISE Zone
[MONTH] 2016**

Applicant Qualified Institution:

University of Maryland College Park
College Park, Maryland 20742

Contact Person:

Carlo Colella, Vice President for Administration and Finance
University of Maryland
2119 Main Administration Building
College Park, Maryland 20742
Phone: 301-405-2987
Fax: 301-314-9659
ccolella@umd.edu

Chief Executive Officer:

Wallace D. Loh, President
University of Maryland
1101 Main Administration Building
College Park, Maryland 20742
Phone: 301-405-5803
Fax: 301-314-9560
wdlloh@umd.edu

Contact Person for Prince George's County:

David S. Iannucci, Assistant Deputy CAO for Economic Development and Public Infrastructure
Prince George's County
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772
Phone: 301.952.4131
Fax: 301.952.3784
dsiannucci@co.pg.md.us

Contact Person for College Park:

Scott Somers, City Manager
City of College Park
4500 Knox Road
College Park, MD 20740
Phone: 240.487.3501

**Greater College Park RISE Zone
RISE Zone Application**

Fax: 301.699.8029

ssomers@collegeparkmd.gov

Contact Person for Riverdale Park:

Sara Imhulse, Town Administrator

Town of Riverdale Park

5008 Queensbury Road

Riverdale Park, MD 20737

Phone: 301.927.6381

Fax: 301.864.8090

simhulse@riverdaleparkmd.gov

Chief Elected Officer for Prince George's County:

Rushern L. Baker, III, County Executive

Prince George's County

14741 Governor Oden Bowie Drive

Upper Marlboro, MD 20772

Phone: 301.952.4131

Fax: 301.952.3784

countyexecutive@co.pg.md.us

Chief Elected Officer for College Park:

Patrick Wojahn, Mayor

City of College Park

4500 Knox Road

College Park, MD 20740

Phone: 240.487.3501

Fax: 301.699.8029

pwojahn@collegeparkmd.gov

Chief Elected Officer for Riverdale Park:

Vernon Archer, Mayor

Town of Riverdale Park

5008 Queensbury Road

Riverdale Park, MD 20737

Phone: 301.985.1720

Fax: 301.864.8090

varcher@gmail.com

**Greater College Park RISE Zone
RISE Zone Application**

RISE Zone Location:

Prince George’s County. Principally portions of the City of College Park, but also including those parcels in the University of Maryland (“UMD”) Research Park located in the Town of Riverdale Park.

Name of Proposed Zone:

Greater College Park RISE Zone

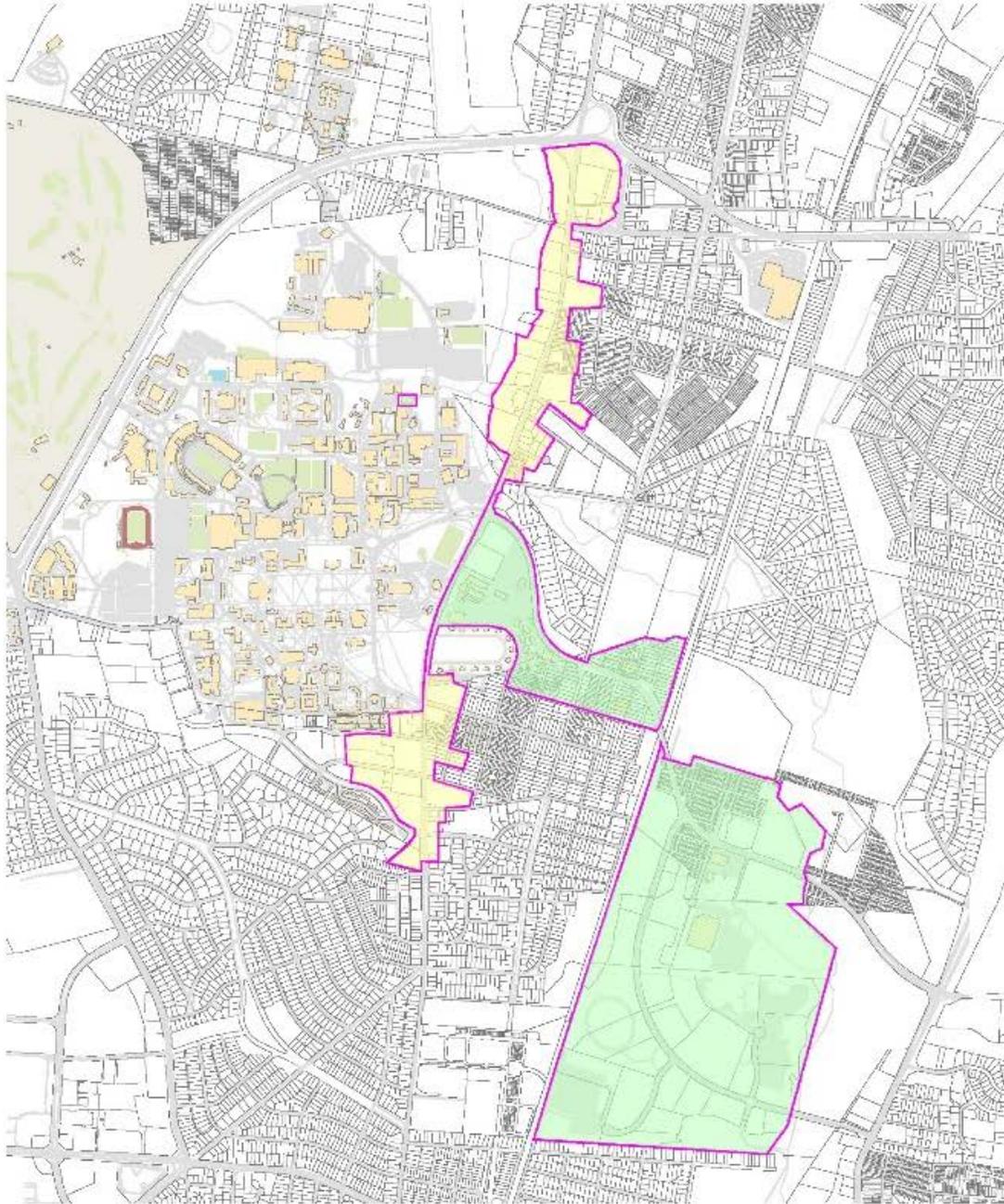
Location Description:

The proposed *Greater College Park RISE Zone* (below, and Exhibit A) is comprised of approximately 470 acres and includes four major areas:

- i) The Technology Advancement Building on the UMD campus;
- ii) UMD’s Innovation District, which includes the under-construction Hotel at the University of Maryland, as well as adjacent sites, mostly UMD-owned, slated for development as part of UMD’s Innovation District vision;
- iii) UMD’s Research Park, plus nearby development sites such as the College Park/UMD Metro station and MARC station, and developable parcels owned by both public entities (WMATA, Prince George’s County, M-NCPPC and UMD) as well as private owners; and
- iv) Property (mostly privately-owned) fronting Baltimore Avenue from Fordham Lane to MD 193.

**Greater College Park RISE Zone
RISE Zone Application**

Greater College Park RISE Zone



-  Greater College Park RISE Zone
-  Baltimore Avenue Subzone

**Greater College Park RISE Zone
RISE Zone Application**

Exact Boundaries:

See the map (above, and Exhibit A).

Statement from M-NCPPC that the boundaries of the proposed RISE Zone do not overlap a development district established under the Economic Development Article, Title 12, Subtitle 2, Annotated Code of Maryland, or a special taxing district established under the Local Government Article, Title 21, Annotated Code of Maryland:

Please see the letter dated December 30, 2015 from M-NCPPC.

Statement from M-NCPPC that the area to be designated may not be construed to limit or supersede a provision of a comprehensive plan, zoning ordinance, or other land use policy adopted by a county, municipal corporation, or bi-county agency with land use authority over the designated RISE Zone area:

Please see the letter dated December 30, 2015 from M-NCPPC.

Map showing any overlap of the proposed RISE Zone with an existing enterprise zone or enterprise zone focus area:

There is no overlap with an enterprise zone or enterprise zone focus area.

Description of the Nexus of the RISE Zone with the Qualified Institution:

The Qualified Institution, UMD, is the State’s flagship university and one of the nation’s preeminent public research universities. UMD’s main entrance is the heart of the proposed RISE Zone. The zone extends up and down Baltimore Avenue incorporating commercial development areas proximate to UMD. To the east of UMD’s main entrance, the proposed zone includes UMD’s Innovation District and the College Park / Riverdale Park Transit District, which includes UMD’s Research Park. All of these areas proximate to UMD’s campus are targeted for current and future development. On campus, the proposed zone includes the University’s Technology Advancement Program (TAP) Building. This building offers high-potential emerging companies furnished offices and flexible lab space as well as a multitude of other benefits and services that can only be found at a technology business incubator situated on the campus of one of the nation’s top research universities.

UMD has launched an initiative called “Greater College Park,” which integrates UMD’s vision of making the immediately surrounding area a premier University town by linking dynamic academic buildings, a public-private research hub and a vibrant downtown community. “Greater College Park” is a realization of, and extension of, the University District Vision, a collaborative effort spearheaded by the College Park City-University Partnership (CPCUP). The

Greater College Park RISE Zone RISE Zone Application

CPCUP vision emphasizes housing and development, sustainability, schools, transportation and safety.

Designating key areas on and near campus as a RISE Zone is one important element of the CPCUP initiative to attract quality private sector investment to revitalize commercial, research and residential areas in the proposed zone. The proposed zone has superior transit connections, including WMATA's Green Line, MARC's Camden Line, the future Purple Line and a robust network of County, WMATA and UMD bus routes. It is also well-connected to major roads including Baltimore Avenue, the Beltway and I-95. This accessibility will facilitate the goal of increasing employment, particularly in growth industries and those heavily reliant on the highly educated workforce needed for science, technology, research and development industries.

The proposed RISE Zone is also ideally situated to take advantage of the potential relocation of the Federal Bureau of Investigation headquarters to Greenbelt. UMD has nationally ranked disciplines in criminal justice, computer forensics, fire protection engineering, data analysis, biological sciences, language, homeland security and national security. With the FBI in Greenbelt, UMD would have the ability to better customize and deliver professional training courses for FBI personnel, develop stronger linkages between UMD and FBI research programs, and provide adjunct appointments for appropriate FBI researchers in UMD's many departments and research institutes. The future promises a close relationship between UMD and the FBI and the designation of this RISE zone in the location proposed would greatly facilitate the development of business infrastructure.

Existing demographic and socioeconomic character of the proposed RISE Zone:

The proposed RISE Zone consists of primarily commercial properties located in College Park and Riverdale Park.

The City of College Park (total area, 5.64 square miles) is home to a highly-educated population of more than 31,000 residents. The city has more than 6,600 households, 58 percent of which are non-family households. Over 70 percent of residents have attended some level of college and more than 25 percent have earned a graduate or professional degree. 20 percent of households include one or more people age 65 or over; 16 percent include one or more people under age 18. Of local residents 16 years and over, 52 percent are in the labor force, with 58 percent as private wage/salary workers, 39 percent government workers and three percent self-employed. Unemployment is reported as 5.9 percent (+/-1.1%).

The Town of Riverdale Park (total area, 1.65 square miles) is home to more than 7,000 residents. The area reports 2,000 households, 28 percent of which are non-family households. Approximately 45 percent of residents have attended some level of college and 10 percent have earned a graduate or professional degree. Nearly 13 percent of households include one or more people age 65 or over; 48 percent include one or more people under age 18. Of local

Greater College Park RISE Zone RISE Zone Application

residents 16 years and over, nearly 79 percent are in the labor force, with 80 percent as private wage/salary workers, 17 percent government workers and three percent self-employed. Unemployment is reported as 8.6 percent (+/- 2.6%).

Strategic importance of the area to the economic development interests of the applicants, including a list of other revitalization programs applicable to the area:

As the State's flagship university with a \$500 million annual research budget, UMD is the anchor employer and economic driver of the Greater College Park area. UMD has a strong record of economic development, which includes launching the State's first technology incubator, investing in the State's first tech transfer office, and building the State's largest research park. UMD's Maryland Technology Enterprise Institute (Mtech) has generated over \$32 billion in total economic impact, creating over 8,000 direct jobs since its inception in 1985. A 2014 economic impact study by the UMD-Morgan State Center for Economic Development found UMD's impact on the State and County to exceed \$3 billion.

UMD has made substantial investments in the local community, including approximately \$47 million in its research park, an initial \$1 million in planning activities for its Innovation District (with substantially more to follow), and nearly \$5 million in recent acquisitions by the University of Maryland College Park Foundation, our institutionally related foundation. UMD also has over \$700 million invested in active, on-campus construction projects. Working with the local community, plans for the burgeoning Innovation District near UMD's front gate foretell a vibrant gathering place, blending campus and community. A \$150 million privately developed hotel and conference center is now under construction. The near future will bring a mix of innovation and incubator space, retail, housing and offices.

Along with UMD, the City of College Park, the Town of Riverdale Park, Prince George's County, the State of Maryland, and private sources have also made significant investments in the proposed RISE Zone. Many of these investments are detailed below, under "Description of existing or proposed projects to be developed in the RISE Zone," and they include a broad array of improvements, not just in land development, but in community development, education, public safety, transportation, and sustainability. These include the launching of College Park Academy, significant investments in bike and pedestrian infrastructure, lighting, bus and train improvements, community gardens and farmers' markets, a home ownership program, and public safety measures – such as additional policing, cameras, and safety ambassadors. There is a great deal of municipal, UMD and County economic development investment in the proposed RISE Zone.

A foreshadowing of what can be accomplished using the economic incentive tools made available under the RISE Act is the story of the 2010 Maryland Incubator company of the year, FlexEI. FlexEI, a custom battery solutions company, was poised to relocate to Virginia from UMD's on-campus incubator program. Through the combined efforts of the County, the State and UMD, FlexEI was convinced to stay in College Park (and bring 50 new jobs here). UMD

Greater College Park RISE Zone RISE Zone Application

repurposed an existing warehouse building and leased it to FlexEl. The County and State provided critical financial support. FlexEl illustrates both the promise and potential of collaborative effort by UMD and local government. We can attract exciting new companies, either those founded by on-campus incubators, students or professors or those simply attracted to a university environment and community. The hurdle is that there is, as-yet, insufficient inventory of office and flex R&D space required to provide space to these companies that will wish to locate near UMD. The establishment of this proposed RISE zone is one key part of the solution to this problem.

The benefits provided in a RISE zone can, and will, work in conjunction with existing state, federal and local economic incentive and development programs. Programs offering real property tax credits (such as revitalization tax credits) cannot be “stacked” with the real property tax credits available under the RISE Act. Indeed, the County intends (again, on a case-by-case basis, where a substantial investment is made or where need is considered greatest) to continue to use existing programs, such as the revitalization tax credit to attract economic sectors, such as retail and hotels, which are outside the intended scope of the Rise Zone benefits (e.g., office, research and technology facilities). Existing incentive and economic development programs include the following:

At the Municipal level:

- College Park Revitalization Tax Credit Program
- College Park Business Retention Fund
- College Park Community Legacy Program
- Riverdale Park Community Legacy Program
- Riverdale Park Sustainable Communities Program
- Riverdale Park Economic Development Grant Program

At the University level:

- Eligibility to apply for Maryland Industrial Partnership (MIPS) funding
- Startup entrepreneurship counseling by UMD Technology Enterprise Institute
- Access to Angel Investment Network managed by UMD Dingman Center in Smith Business School
- Proximity to the largest cohort of STEM (Science, Technology, Engineering and Math) students in the state or mid-Atlantic region
- Federal contracting incentives for small businesses through HUB Zone Initiative
- Access to specialized research equipment and faculty consulting available on a campus that conducts over one-half billion dollars a year in sponsored research

At the County level:

- Revitalization Tax Credits
- Economic Development Incentive Fund
- Prince George’s County Workforce Services

Greater College Park RISE Zone RISE Zone Application

- Industrial Revenue Bonds/Private Activity Bonds
- High Technology Tax Credit Program
- Payment In Lieu of Taxes (PILOT)

At the State level:

- Priority Funding Areas
- Sustainable Communities
- Neighborhood Business Works
- Community Legacy
- Technology Commercialization Fund
- Various tax credit programs for businesses (Job Creation Tax Credit, Research and Development Tax Credit, DHCD Investor Tax Credit, etc.)
- Various loan and grant programs for businesses, including those that fall under the Maryland Economic Development Assistance Authority Fund umbrella
- Maryland Industrial Development Financing Authority programs
- Various environment- and energy-related tax incentive programs

At the Federal level:

- The Economic Development Administration's Public Works and Economic Development Assistance Programs
- The U.S. Small Business Administration's Historically Underutilized Business (HUB) Zone program
- New Markets Tax Credits
- Various environment-related tax incentive programs

Goals and objectives of the RISE Zone:

The proposed Greater College Park RISE Zone will contribute to goals shared by the County, the municipalities and UMD, as outlined in the College Park City University Partnership's University District 2020 Vision, the City of College Park's Strategic Plan, M-NCPPC's Central US 1 Corridor Sector Plan and College Park / Riverdale Park Transit District Development Plan, and the University's Facilities Master Plan. These goals include:

- Become a premier University town and community.
- Using a coordinated combination of UMD and local government resources and programs to create new jobs and diversify and expand the economic base, particularly in growth industry sectors and in industries (science, technology, research and development) reliant upon (and attracted to) the highly educated workforce that universities produce.
- Focus UMD's natural economic impact, and take advantage of Rise Zone's excellent transit connectivity (including the future Purple Line), in a way that attracts and retains key entrepreneurs and businesses

Greater College Park RISE Zone RISE Zone Application

- Coordinate the benefits available under the RISE Act for commercial development with other State, County and local incentive programs to simultaneously invest in related infrastructure (housing and amenities) that will create further incentives for these skilled workforce members to live, work and play in the Greater College Park community.

Description of existing or proposed projects to be developed in the RISE Zone:

- **College Park Place:** A 157-room select service hotel with 23,000 square feet of retail. Scheduled to open in 2017
- **Alta at Berwyn House:** A 275-unit multifamily building. Scheduled to open in 2017.
- **The Brendan Iribe Center for Computer Science and Innovation:** A new computer science building located at the main entrance to campus, designed for cutting-edge work in virtual reality, augmented reality, computer vision, robotics and future computing platforms. Scheduled to open in 2018.
- **Innovation District:**
 - The Hotel at the University of Maryland: A 4-star hotel and conference center with 300 rooms, 40,000 square feet of meeting space, restaurants and a spa. It will also have 20,000 square feet of innovation space for academic research, laboratory, incubator and start-up business uses.
 - Manufacturing Innovation Institute Headquarters: The anticipated re-use of 25,000 square feet in an existing UMD building for the headquarters of the Revolutionary Fibers and Textiles Manufacturing Innovation Institute. Institutes for Manufacturing Innovation provide shared facilities to local start-ups and small manufacturers to help them scale up new technologies, and accelerate technology transfer to the marketplace. Award decision expected within two months.
 - Other projects planned for the Innovation District include: retail (85,000 square feet), faculty/staff/graduate student housing (2,000 units), and innovation space (offices, research and incubator space) (920,000 square feet).
- **City Hall block redevelopment:** A joint City/University project to redevelop the City Hall block with a new City Hall and enhanced civic space, a UMD office building and ground floor retail.
- **Art House:** A public-private partnership to build an arts venue, restaurant and bar in the heart of Downtown College Park. Scheduled to open in 2016.

Greater College Park RISE Zone RISE Zone Application

- **Terrapin Row:** A \$150 million redevelopment of the former “Knox Box” area as 420 units of student housing in multifamily buildings and townhouses, with 12,000 square feet of retail. Scheduled to open in 2016.
- **Quality Inn block redevelopment:** The proposed redevelopment of a motel and diner as upscale mixed-use housing. This is in the solicitation stage.
- **Coffeehouse and wine bar:** The redevelopment of an auto parts store as a two-story, 4,500-square foot coffeehouse and wine bar. Scheduled to open in 2016.
- **Research Park projects:**
 - A proposed new 75,000 square foot office building. Scheduled to open in 2017.
 - A proposed new 370-unit multifamily residential project with ground floor retail, privately developed on UMD land adjacent to the Metro station.
 - A proposed 90,000 square feet of flex space.
 - A WMATA joint development project located on the Metro station property; likely to include multifamily with ground floor retail. This is in the solicitation stage.
 - A proposed development located on County property. This is in the solicitation stage.
- Recent and proposed investments by Federal, State, County, City, and UMD in the proposed RISE Zone also include those in the areas of education, transportation, public safety, and sustainability:
 - **College Park Academy:** An innovative, rigorous, college-preparatory public middle and high school charter school opened in fall 2013. This was launched by the City of College Park and UMD. A new school building is anticipated in the very near future in the proposed RISE Zone.
 - **Bike infrastructure:** The City of College Park recently completed the final segment of the College Park Trolley Trail, which spans the length of the City on an old trolley right-of-way. The City is also implementing recommendations from a bike plan, adding designated on-road bike routes.
 - **Bike Share:** anticipated to start in 2016, the City and UMD are collaborating on a bike share program with bike share stations located on the UMD campus and throughout College Park. Funding for this program also comes from the State, County, and private sources.
 - **Route 1 Rebuild:** The State Highway Administration will soon start reconstruction of Route 1 (Baltimore Avenue) from College Avenue north to MD 193. This will create a safer pedestrian and bicycle environment, adding bike lanes, sidewalks, shade trees, dedicated turn lanes, a median, and other improvements for travelers in cars, on foot, or on bike.

Greater College Park RISE Zone RISE Zone Application

- **MARC Commuter Train expansion:** In 2015, MTA added three additional trains to serve the College Park MARC stop.
- **Route 1 Ride Bus:** The County has launched the “Route 1 Ride” Bus to serve the rapidly redeveloping Baltimore Avenue corridor.
- **Pedestrian Safety improvements and lighting:** The State Highway Administration, with strong collaboration from UMD, the City of College Park, County, and others, has invested in safety improvements to Baltimore Avenue, including: upgrading 50 streetlights to brighter LED lights and adding 38 new LED streetlights, reducing the speed limit to 25 miles per hour, installing more visible crosswalks, adding call buttons with countdown lights and more frequent signal changes to make it easier for pedestrians to cross the road, installing a new pedestrian activated light at Hartwick Road as well as a median, building a median fence to prevent jaywalking, and more.
- **Contract Policing:** The City of College Park has added additional contract police coverage, using Prince George’s County officers. The City spends more than \$1 million annually for this enhanced police coverage.
- **Public Safety cameras and License Plate readers:** Dozens of new public safety cameras and license plate readers have been installed in College Park in recent years. UMD Police monitor many of these cameras. The State assisted with funding. We seek to add more in coming years.
- **Public Safety Ambassadors:** A City-University initiative, non-sworn safety personnel, under the management of UMD police, will greet visitors, serve as additional eyes and ears in commercial areas and heavily walkable corridors, report suspicious activity or other hazards (including infrastructure), and enhance public safety. This program has \$100,000 in State funding.
- **Expansion of University of Maryland Policing and Student Code of Conduct:** In 2014, UMD expanded its police patrols into additional areas of the City. UMD also broadened application of its Code of Student Conduct by making it applicable to off-campus actions.
- **Homeownership Program:** The City-University Partnership, in 2015, launched a homeownership program to make forgivable \$15,000 loans to UMD faculty and staff who choose to buy homes and to live in College Park. This program is funded by both the State Department of Housing and Community Development and UMD.
- **Community Garden and Farmer’s Markets:** The City of College Park launched a community garden and added two new farmer’s markets.

Timeline of development and activity in the proposed RISE Zone:

Construction is already under way on some projects. Completion of the projects detailed above and others that will arise will take 5-10 years.

**Greater College Park RISE Zone
RISE Zone Application**

Expected economic impact of the designation on the area, including anticipated capital investment resulting from the designation, projected number, type and salary ranges of jobs to be created, and projected number of new establishments to locate in the proposed RISE Zone:

The opportunity to create investment and jobs in this zone is real.

For example, The Hotel at the University of Maryland will generate significant economic impact to the City, County and State. The overall economic impact of the project, including both construction and stable operations phases, will create 1,637 jobs, increase overall economic activity by more than \$62 million per year, and result in over \$4.4 million in state and local tax revenues annually.

As noted, a 75,000 square foot office building is slated for construction in 2017 in UMD's research park and there is an additional 450,000 square feet of development potential on land that already has an approved detailed site plan. To illustrate the economic impact of these projects: Each new 100,000 square foot office building has an approximate construction cost of \$35 million. Depending on the use, the County estimates between 650 and 1350 employees would work in a building of this size, with corresponding estimated payrolls ranging from \$50 million to \$100 million (annual salary close to \$75,000). The County alone would realize annual real estate taxes of approximately \$336,000 (before any RISE tax credits). As noted, actual development is planned for the research park, but the potential for much more exists, both on land that benefits from existing development approvals and elsewhere. Approval of the proposed RISE zone is expected to support future development of the office market, both inside the research park and in other commercial areas of Greater College Park. If the federal government selects Greenbelt for the FBI consolidation, the opportunity for collaboration with the resources of UMD and additional economic impact in the RISE Zone increases significantly.

We anticipate that designation of this zone, along with the judicious selection of eligible businesses by the County and the municipalities, will significantly influence business investment in the zone, create desired new jobs, and increase the tax base, with significant returns to the State, County and municipalities.

Industry sectors that will be certified for RISE Zone incentives:

The broad statutory purpose of the proposed RISE zone is to use the resources and expertise of UMD, coupled with incentives and other assistance from local governments and the State, to spur economic development and community revitalization, as well as to create a significant number of new jobs within this proposed RISE zone.

Commercial and industrial businesses (with the exceptions immediately following) located anywhere within the Zone will be eligible for certification and for the minimum real property

Greater College Park RISE Zone RISE Zone Application

tax credit—50% for year one, and 10% for years two through five). Retail, grocery, and motel and hotel uses are not eligible for certification and the real property tax credit.

Businesses in key target industries, including engineering, data analytics, earth sciences, virtual reality, cybersecurity, quantum computing, linguistics, additive manufacturing, ecommerce, robotics, aerospace, biotechnology and similar industries, will be eligible for greater incentives if they locate in the UMD Research Park or Innovation District. The County is proposing a 75% real property tax credit for five years for new development that houses these high priority technology companies that choose to locate at UMD's Research Park or its Innovation District. The City of College Park is proposing a 50% real property tax credit for five years for new (or significant renovated) commercial or industrial development housing companies in these key industries.

The County, municipalities and UMD anticipate that applicants for the higher level of tax credits must first demonstrate the intent to make significant capital investment, and provide a business plan that projects the creation of jobs in fields such as technology, computer science, business and finance, education or some other key desired field, to be determined on a case by case basis.

Requirements for existing businesses located in a RISE Zone prior to the RISE Zone designation to be certified for RISE Zone incentives:

An existing business located in the RISE Zone may be eligible for certification if the business, as part of its application process, commits to a new investment, expansion or job creation program that warrants a corresponding commitment by the County or municipalities to support the new proposed investment, expansion or hiring. The certified business may be eligible for the minimum property tax credit for new investment, or the higher property tax credit, depending on its industry sector. The County, in consultation with the municipalities, will retain the discretion to make such decisions based upon the strength of the existing businesses' application.

Workforce training programs that may be available in the proposed RISE Zone area:

The Prince George's County Economic Development Corporation's Workforce Services Division (WSD) is responsible for policy development and workforce activities related to administering services and programs funded by the Workforce Investment Act (WIA) of 1998. WSD is the link between local job seekers looking to begin or change careers, and businesses looking for skilled workers to maintain competitiveness in a changing labor market.

Utilizing a funding stream comprised of WIA, state and county workforce investment funds, the One-Stop Career Center system serves over 30,000 local job seekers and employers each year.

**Greater College Park RISE Zone
RISE Zone Application**

WSD provides workforce intelligence and solutions for the job seeker and business customer. The WSD mission is to contribute to the economic vitality of Prince George's County by providing a demand driven system that delivers qualified workers to businesses while providing job seekers with opportunities for careers in high demand/high growth industries. Its programs would be made available to any business locating in the RISE zone, as well as to any job seeker seeking a connection with a business in the zone.

Sponsored by Prince George's Community College, the County's Youth@Work/Summer Youth Enrichment Program provides career development, life-skills training and job training to young people ages 15-19. Second year students have the opportunity to gain competencies through the newly implemented career pathways program.

Of course, UMD is, itself, a workforce trainer.

Point of contact for the RISE Zone and entity responsible for certifying to the Department if the business is eligible for RISE Zone incentives and for submitting an annual report to the Department:

David Iannucci (contact information provided on page 1) will be the point of contact, and the Office of the County Executive will be the entity responsible for certifying to the Department if the business is eligible for RISE Zone incentives and for submitting an annual report to the Department.

Local process for certifying businesses as eligible for the RISE Zone incentives:

The County will manage the business certification process and will consult with UMD and the municipalities. Under procedures likely to be similar to existing County economic development programs (with respect to process and qualifications of applicants), the Prince George's County Economic Development Corporation and the County's Office of Finance (Treasury Division) will review applications and certify qualified businesses, subject to Oversight by the County Executive's Office. Copies of RISE Zone applications will be provided by the Economic Development Corporation to the respective local governments prior to certification.

Evidence and certification that each applicant political subdivision, before submission, held a public hearing on the application with adequate notice and publicity:

[WILL INSERT DOCUMENTATION HERE OR AS EXHIBIT]

Resolutions from the political subdivisions approving the real property tax credit, specifying the credit percentage each year for the five year period:

[WILL INSERT DOCUMENTATION HERE OR AS EXHIBIT]

**Greater College Park RISE Zone
RISE Zone Application**

LIST OF EXHIBITS

Exhibit A: Proposed Greater College Park RISE Zone

[WILL ADD ANY OTHER EXHIBITS]

**Greater College Park RISE Zone
RISE Zone Application**

**Exhibit A
Proposed Greater College Park RISE Zone**

[MAP TO BE INSERTED HERE]

Hypothetical RISE Zone Tax Credit and New City Revenue

Assumes 300,000 sf of new, eligible development over five years

Year	New Development SF	Assessed Value (\$180 per square foot)	City Real Property Tax	New City Revenue MINIMUM RISE Credit	New City Revenue 50% RISE Credit**
1	300,000	\$54,000,000	\$180,900	\$90,450	\$90,450
2	0		\$180,900	\$162,810	\$90,450
3	0		\$180,900	\$162,810	\$90,450
4	0		\$180,900	\$162,810	\$90,450
5	0		\$180,900	\$162,810	\$90,450
		5-year Total:	\$904,500	\$741,690	\$452,250

**** Only high technology businesses are eligible.**

Note: If the County supports supports a five-year RISE Zone credit at 75% for each year, the value of its incentive would be more than four times the value of the City incentive at 50%, because the County tax is much higher than the City tax. See the estimate below.

Hypothetical RISE Zone Tax Credit and New Prince George's County Tax Revenue

Year	New Development SF	Assessed Value (\$180 per square foot)	County Real Property Tax	New County Revenue MINIMUM RISE Credit	New County Revenue 75% RISE Credit**
1	300,000	\$54,000,000	\$540,000	\$270,000	\$135,000
2	0		\$540,000	\$486,000	\$135,000
3	0		\$540,000	\$486,000	\$135,000
4	0		\$540,000	\$486,000	\$135,000
5	0		\$540,000	\$486,000	\$135,000
		5-year Total:	\$2,700,000	\$2,214,000	\$675,000

**** Only high technology businesses are eligible.**

DRAFT

A RESOLUTION concerning the Regional Institution Strategic Enterprise (RISE) Zone Program

For the purpose of approving the City of College Park's participation in the Greater College Park Regional Institution Strategic Enterprise (RISE) Zone application and establishing the real property tax credits the City will provide to qualified businesses and qualified new development.

WHEREAS, during the 2014 Session, the Maryland General Assembly passed House Bill 742, which established the Regional Institution Strategic Enterprise (RISE) Zone Program, codified as Section 5-1401 et seq. of the Economic Development Article of the Annotated Code of Maryland); and

WHEREAS, the purpose of the RISE Zone Program is to access institutional assets that have a strong and demonstrated history of commitment to economic development and revitalization in the communities in which they are located; and

WHEREAS, the RISE Zone Program provides income and property tax credits to qualifying businesses within a geographical area designated as a RISE zone by the Maryland Department of Commerce; and

WHEREAS, pursuant to Section 5-1404(a) of the Economic Development Article, a "qualified institution" shall apply jointly with a county, a municipal corporation, or the economic development agency of a county or municipal corporation to the Secretary of the Maryland Department of Commerce to designate an area as a RISE zone; and

WHEREAS, on September 11, 2015, the Secretary of the Maryland Department of Commerce designated the University of Maryland College Park (UMD) as a "qualified institution"; and

WHEREAS, UMD, the City of College Park, the Town of Riverdale Park, and Prince George's County, Maryland are jointly applying to the Secretary of the Maryland Department of Commerce to designate a certain area as a RISE zone (hereinafter referred to as the "Greater College Park RISE Zone") within the County, the City of College Park, and the Town of Riverdale Park at UMD's Research Park; and

WHEREAS, the Greater College Park RISE Zone is comprised of approximately four hundred seventy (470) acres and includes four major locations at: (1) UMD's Technology Advancement Building; (2) UMD's Innovation District; (3) UMD's Research Park and other nearby development sites; and (4) the property fronting Baltimore Avenue from Fordham Lane to Maryland Route 193; and

WHEREAS, UMD has a five hundred million dollar (\$500,000,000) annual research budget, is the largest employer and economic driver in the Greater College Park area, and is the birthplace of numerous startup-technology companies and innovations; and

WHEREAS, UMD has a strong record of economic development, which includes: launching the State's first technology incubator, investing in the State's first technology transfer office, and building the State's largest research park; and

WHEREAS, the Greater College Park RISE Zone will be an important element of the collaboration by UMD, the County, the Town of Riverdale Park, and the City of College Park to attract quality private sector investment and to revitalize commercial, research and residential areas in the proposed zone; and

WHEREAS, Attachment A, attached hereto and made part hereof, depicts the boundaries of the Greater College Park RISE Zone, and Attachment B, attached hereto and made part hereof, is in substantive form the joint Greater College Park RISE Zone application.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of College Park, Maryland hereby expresses approval of the joint application by the University of Maryland College Park, Prince George's County, the Town of Riverdale Park, and the City of College of Park to be submitted to the Secretary of the Maryland Department of Commerce for the designation of the Greater College Park Regional Institution Strategic Enterprise (RISE) Zone.

BE IT FURTHER RESOLVED that the City Council hereby expresses approval for the standard real property tax credit, effective for a five (5) year period pursuant to Section 5-1404(f) of the Economic Development Article of the Annotated Code of Maryland, of fifty percent (50%) in the first year, and ten percent (10%) in years two through five, on the increase to the assessment of new commercial development located anywhere within the RISE zone, excluding retail businesses; hotels and motels; and grocery stores.

BE IT FURTHER RESOLVED that the City Council hereby expresses approval of a real property tax credit of fifty percent (50%), effective for a five (5) year period, on the increase to the assessment of new commercial development located within the Innovation District or the Research Park areas of the RISE Zone, and occupied by high technology companies and businesses in key target industries, including: engineering, data analytics, earth sciences, virtual reality, cybersecurity, quantum computing, linguistics, additive manufacturing, e-commerce, robotics, aerospace, biotechnology and similar industries.

BE IT FURTHER RESOLVED that the City Council acknowledges Prince George's County will manage the business certification process and will consult with UMD and the municipalities regarding certification.

BE IT FURTHER RESOLVED that the City of College Park held a public hearing regarding the City's participation in the Greater College Park RISE Zone application and the real property tax credit levels noted above.

BE IT FURTHER RESOLVED that the City of College Park hereby acknowledges and concurs with the Maryland-National Capital Park and Planning Commission determination that the Greater College Park RISE Zone is not located in: (1) a development district established under Title 12, Subtitle 2 of the

Economic Development Article of the Annotated Code of Maryland; or (2) a special taxing district established under Title 21 of the Local Government Article of the Annotated Code of Maryland.

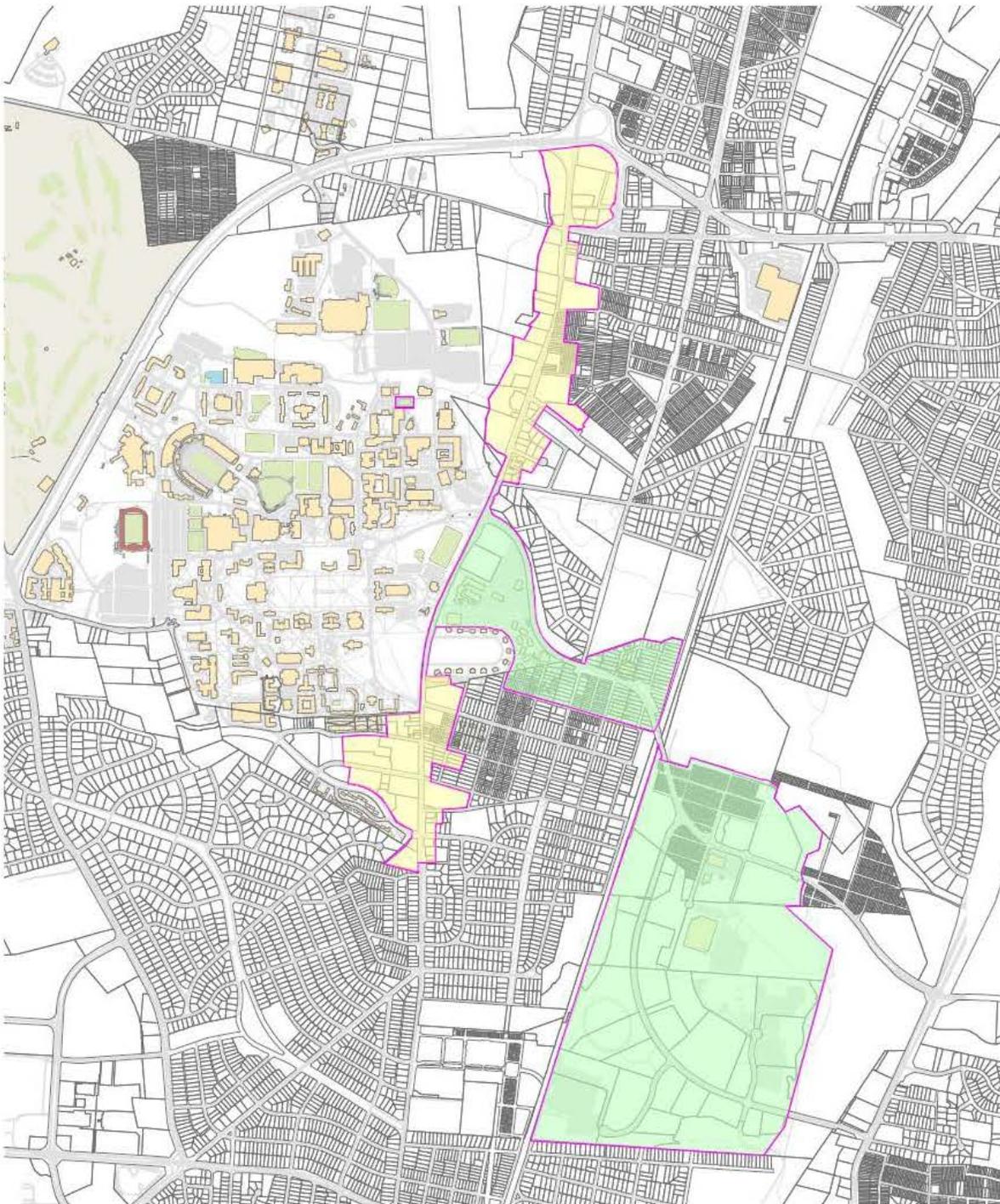
BE IT FURTHER RESOLVED by the City of College Park that the designation of an area as a RISE zone may not be construed to limit or supersede a provision of a comprehensive plan, zoning ordinance, or other land use policy adopted by the County, a municipal corporation, or bi-county agency with land use authority over the area designated as a RISE zone.

BE IT FURTHER RESOLVED by the City Council that copies of this Resolution shall be sent by the Clerk of the Council to the County Executive, the University of Maryland College Park, the Town of Riverdale Park, and the Secretary of the Maryland Department of Commerce.

Adopted this day of , 2016.

Attachment A

Greater College Park RISE Zone



-  Greater College Park RISE Zone
-  Baltimore Avenue Subzone

Attachment B

[application]

6

City Resources to support education

7

Council Rules and Procedures



**CITY OF COLLEGE PARK, MARYLAND
WORKSESSION AGENDA ITEM**

Prepared By: Scott Somers, City Manager

Meeting Date: April 19, 2016

Presented By: Scott Somers, City Manager

Proposed Consent: No

Originating Department: Administration

Issue Before Council: Review and discuss the draft Council Rules. Provide direction to staff on how to proceed.

Strategic Plan Goal: Goal 5: Effective Leadership

Background/Justification:

During the March 15, 2016 Council Worksession, the Mayor and Council reviewed redlined draft edits to the Council Rules. During the April 5, 2016 Worksession, Council reviewed and discussed several iterations of Council Rules. Council directed staff to bring the Council Rules to the April 12, 2016 meeting for Council consideration. At the April 12, 2016 meeting, Council directed staff to place the Council Rules on the next Worksession with a possible Special Session to allow the Council to take action if needed.

Fiscal Impact:

None

Council Options:

1. Please review the attached draft Council Rules and then provide direction to staff on how to proceed.
2. Direct staff otherwise.

Staff Recommendation:

Staff will take direction from Council.

Attachments:

1. Draft Council Rules from the April 12, 2016 Meeting packet
2. Email from Councilmember Kabir

DRAFT FOR APRIL 12 REGULAR SESSION

RULES AND PROCEDURES FOR
THE MAYOR AND CITY COUNCIL OF COLLEGE PARK

I. ADOPTION, REVIEW AND AMENDMENT

A. Adoption. These rules are adopted pursuant to the authority provided in Art. VI, § C6-1 of the City Charter.

B. Biennial Review. These rules and procedures shall be reviewed at least biennially by the Mayor and City Council. Public notice and an opportunity for public comment shall be provided prior to making changes to these rules. Changes in procedure may be made by majority vote of the Mayor and City Council at the Regular Meeting after the change in rules or procedures is proposed.

C. Rescission and Suspension of Rules. A motion to rescind or amend the rules and procedures previously adopted or a motion to suspend these rules and procedures may be brought pursuant to the appropriate section of Robert's Rules of Order.

II. LEGISLATIVE ACTIONS

The City Council affirmatively acts by voting at a meeting. Four types of legislative actions taken at City Council meetings are General Motions, Resolutions, Ordinances, and Charter Amendments.

A. General Motions. General motions are used for approval of a Council position or a letter, to give direction to staff, to approve contracts, or to set policy. They do not update the City Code or Charter.

B. Resolutions. Resolutions are used to set forth legal decisions and official positions of the City Council, to set policy, to establish commissions, and to implement programs. Resolutions do not update the City Code or Charter and do not have specific public hearing requirements.

Resolutions may be introduced and voted on at the same meeting, and are usually effective immediately upon adoption.

C. Ordinances.

1. Purpose and Requirements. The City Council updates the City Code, and adopts other measures as required by State law, by Ordinance, which is enacted pursuant to the provisions of Article VIII of the City Charter. An Ordinance requires an introduction and a public hearing prior to adoption, and may not be adopted at the meeting at which it is introduced, unless designated as an emergency ordinance.

2. Public Hearing; Notice. As required by Art. VIII, § C8-2, a public hearing shall be held on proposed ordinances following the advertisement of the ordinance or a fair summary thereof on the City website, cable channel, bulletin board and City email listserv. Emergency ordinances shall be considered pursuant to § C8-2B of the College Park Charter.

3. Majority vote. The affirmative vote of a simple majority of the members of the City Council present and voting shall be required for the enactment of ordinances, except as otherwise required by law.

4. Adoption. The Council shall not adopt an ordinance or ordinance amendment at the same meeting at which the ordinance is introduced unless it is declared an emergency ordinance. Ordinances shall become effective upon expiration of twenty (20) days following Council approval unless the Council declares otherwise.

D. Charter Amendment Resolutions

Charter Amendment Resolutions are used only to amend the City Charter. Charter amendments may be enacted by charter resolution pursuant to the provisions of §4-301 *et seq.*, of the Local Government Article, Annotated Code of Maryland, and the City Charter. Prior to adoption, a public hearing shall be held on charter resolutions initiated by the Council following advertisement of the resolution or a fair summary thereof on the City website, cable channel, bulletin board and City email listserv and publication in a local newspaper of general circulation. The Council shall not adopt a charter resolution at the same meeting at which it is introduced. The pre-adoption notice and publication requirements of this subsection, as well as the

requirement that the charter resolution not be adopted at the meeting at which it is introduced, are self-imposed and may be overridden by the Council by a majority vote.

III. MEETINGS

A meeting occurs when a quorum of the Mayor and City Council convenes to consider or transact public business.

A. Meeting Schedule.

An annual meeting schedule shall be approved by the Mayor and City Council at its first Regular Meeting in December of each year. Public notice of any changes to the meeting schedule shall be provided as soon as possible. In an election year, the schedule shall be approved by the new Council. Any time requirements related to amendments to agendas and submission of meeting materials will be adjusted accordingly when the meeting is held on a day other than Tuesday.

B. Regular Meetings.

The Mayor and Council shall normally meet in Regular Meetings on the second and fourth Tuesday of each month if necessary, but, in no event, less frequently than required by Art. VI, § C6-1 of the Charter. The Mayor and Council may meet on other days when, in its judgment, an alternative day is either necessary or desirable.

C. Worksessions.

The Mayor and Council will normally meet in Worksession meetings on the first and third Tuesday of each month. The Mayor and Council may meet on other days when, in their judgment, an alternative day is either necessary or desirable. Additional Worksessions may be scheduled by the Mayor and City Council as required.

D. Special Meetings. The Mayor and City Council may meet in Special Meetings upon written request of either the Mayor or two members of the City Council. Notice of Special Meetings shall be given to each Councilmember at least twenty-four (24) hours in advance of such Special Meeting and shall contain the purpose, date, time and place of such meeting. The matter or matters to be considered at a Special Meeting of the Mayor and City Council shall be stated in

the call to the meeting. No other matters shall be considered unless all members of the Mayor and Council are present.

E. Emergency Meetings.

Emergency Meetings may be called with the consent of two-thirds of the Mayor and City Councilmembers available for matters constituting a severe and imminent danger to the health, safety or welfare of the public. Notice of such meetings shall be given as is feasible under the circumstances.

F. Closed Sessions.

The Mayor and City Council may close a meeting to the public by a vote in open session under the circumstances, conditions and for reasons set forth in Art. VI, § 6-3 of the Charter. Notice of Closed Sessions shall be given as required by law.

G. Information Meetings.

The Mayor and City Council may hold Information Meetings to present information to, and obtain feedback from, residents of the City. The Mayor and City Council will determine the rules governing presentations made at such meetings.

H. Limitation on Number of Meetings.

No more than four meetings may be held in any given month, unless approved by a majority of the Council present and voting. Except in the event of an emergency as determined in subsection E, in no event may council approve more than two additional meetings in any given month.

I. Place of Meeting.

All meetings of the Mayor and City Council, unless otherwise determined, shall be held at the College Park City Hall, Council Chambers, located at 4500 Knox Road, College Park, Maryland. In addition to the customary forms of notice, the notice of change in meeting place shall be prominently posted on the door of the regularly scheduled meeting place.

J. Meeting Time.

Meetings of the Mayor and City Council shall begin at 7:30 p.m. unless a different starting time is established by the Mayor and City Council and reasonable notice thereof is provided to residents of the City.

K. Public Notice of Meeting.

Proper notice of all meetings of the Mayor and City Council shall be provided to the public by the City Clerk.

L. Quorum.

1. Quorum requirements. A quorum shall consist of five (5) members of the City Council and the presiding officer. To conduct official business, a quorum must be present at all times. To be "present" is defined as being within the Council Chambers or the place in which the meeting is being held as that area may be defined from time to time by the Mayor and City Council.

Worksessions do not require a quorum of the Council.

2. Loss of quorum. Once a meeting has been properly convened with the presence of a quorum and the number of persons necessary to constitute a quorum is no longer present, the presiding officer or a Councilmember should bring this fact to the attention of the Mayor and City Council and the Mayor and City Council shall then be automatically, temporarily recessed until a quorum is reestablished. Upon reestablishment of the quorum, the Mayor and City Council shall resume consideration of the matter before it at the time of the recess. If, in the opinion of the presiding officer, a quorum cannot be obtained within a reasonable period of time, the presiding officer shall declare the meeting adjourned until the next scheduled meeting. At that next meeting, after taking up the usual preliminary matters, the Mayor and City Council shall resume its consideration of the matter that was before it when it previously adjourned. This shall not prevent any Councilmember from moving to table, defer, postpone, or make any other appropriate motion with respect to any pending matter.

M. Agendas.

1. Content. The agenda shall outline the established order of business.

2. Preparation. A proposed agenda is prepared from the master list, and from requests by the Mayor, Councilmembers and staff. A discussion of the proposed agenda for the following regular meeting will take place at the preceding Tuesday Worksession. After the Tuesday Worksession the Mayor, Councilmembers and staff may add to the proposed agenda as necessary for the efficient conduct of City business, with notice to the Mayor, Council and the City Clerk, before the agenda is finalized for publication. The proposed agenda for all meetings of the Mayor and Council will be finalized for publication by the City Manager and City Clerk in consultation with the Mayor on the Friday before the meeting. Proposed agendas shall be created that can be reasonably accomplished within three hours.

Deleted: developed Tuesday

Deleted: night for the following meeting. The proposed agenda will be derived from a master list of items requested by the City Councilmembers, residents and staff

3. Master List. Staff shall maintain the master list and may add to it and the proposed agenda as necessary for the efficient conduct of City business. The Mayor or Councilmembers may add to the master list at meetings, and at other times, with notice to the Mayor, Council and staff.

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4. Proposed amendments to the published agenda. Proposed amendments to add to or delete items from the published agenda by the Mayor or a Councilmember must be sent to the Mayor, Council and staff by close of business on the Monday before the meeting to receive consideration at the meeting on Tuesday. Any such proposed amendment shall be made available to the general public on the City's website by Tuesday morning. Proposed amendments to the published agenda may be made by staff as necessary for the efficient conduct of City business. Any proposed amendments to the agenda submitted after the publication of the agenda may be considered by consent of a simple majority of members of the Mayor and City Council present at the meeting.

Deleted: At each Worksession, the Mayor and Council shall review requested additions to the master list and determine which requested items will be placed on the master list.

5. Notice of Agenda. Agendas for Regular Meetings and Worksessions shall be published on the Friday prior to the meeting.

6. Consent Agenda. Items of routine business that generally require no discussion by Council may be placed on the Consent Agenda of a Regular Meeting. Any member of the Council may remove an item from the Consent Agenda and place it under Action Items.

7. Adoption of Agenda. All meeting agendas and amendments shall be approved by the City Council at the beginning of the meeting. Items on the agenda can be reordered by the Mayor and City Council during the scheduled meeting.

N. Distribution of Meeting Materials.

1. Distribution. Meeting materials will be prepared by the City Clerk and published with the agenda and made available to the Mayor and Council and the general public (except for materials which are legally privileged or confidential) no later than close of business on the Friday immediately preceding the meeting at which such matters are to be considered. The Mayor, Council and staff shall use emails and telephone calls whenever possible to reduce the need for explanation and discussion. Materials shall be delivered to the Mayor and Council pursuant to arrangements established with each official. Any meeting materials for items on the published agenda not included in the Friday distribution shall be emailed to Mayor and Council as soon as available.

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2. Meeting materials for additions proposed by the Mayor and Council members. Any meeting materials for a proposed addition by the Mayor or a Councilmember to the published agenda that are not included in the distribution of meeting materials on Friday must be provided to Mayor and Council by close of business on Monday by email to receive consideration at the meeting on Tuesday. Any such meeting materials shall be posted on the City's website by Tuesday morning unless the material distributed is legally privileged or confidential.

3. Meeting materials for additions proposed City staff. Any meeting materials for a proposed addition by staff to the published agenda that are not delivered to Mayor and Council with the Friday distribution of information will be emailed to Council as soon as available.

4. Meeting Folder: Any items submitted after the Friday distribution will be included in a separate folder for Mayor and Council at the time of the meeting, outside of the main Council packet.

O. Conduct of Meetings.

1. Presiding Officer. The Mayor shall preside at all meetings of the Mayor and City Council. The Mayor Pro Tem shall preside at all meetings in the absence of the Mayor. In the absence of both the Mayor and the Mayor Pro Tem, the Mayor, or the Mayor Pro Tem, if the Mayor is not available to do so, shall designate a member of the City Council to preside in their absence.

2. Parliamentary Authority. Robert's Rules of Order, Newly Revised, as amended, shall govern all questions of procedure not otherwise provided for in these rules or by State or Federal Law.

3. Procedure.

a. Recognition. Councilmembers shall be recognized by the presiding officer before speaking.

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Other persons at a meeting of the Mayor and City Council may speak only when called upon or authorized.

b. Comments on Agenda Items. A Councilmember who introduces an agenda item for action by the Mayor and Council may provide comments relating thereto.

Comments by the Councilmember who introduces an agenda item shall be limited to five minutes. The time required to actually state the motion shall not be included in the five minutes.

Following introduction and seconding of an agenda item, each member of the Council may provide up to two comments on the item. Each comment shall be limited to three minutes.

Amendments shall be treated as a new item for purposes of Council comments. When considering items where many questions are anticipated, a "round" approach shall be used in

which each Councilmember, the Mayor, and appropriate staff shall be limited to one question per

Deleted:

"round". The presiding officer shall cut off overly lengthy remarks with support by the Council.

c. Council Comments. During the time established for Council comments at the end of any formal Council meeting agenda, the Mayor and Councilmembers may offer comments provided they are limited to five minutes. Council comments shall be limited to no more than three items.

4. Motions in Writing. All motions pertaining to Ordinances, Council policies or other substantive proposals shall, where possible, be made in writing.

5. Reconsideration. A motion to reconsider a vote on any action may be made no later than the next Regular Meeting following the meeting at which the action to be reconsidered was taken. A motion to reconsider may be made only by a Councilmember who voted on the prevailing side of the action to be reconsidered or by a member absent when the vote was taken, although any member of the Council, and the Mayor when voting as allowed by law, may support the motion to reconsider. A motion to reconsider may be approved by a simple majority of those Council members present and voting. The same number of votes shall be required to approve the action upon reconsideration as was required to pass or adopt the original action.

6. Voting by Councilmembers, Mayor. When a question is put by the presiding officer, every member of the City Council present shall vote either "Yes" or "No," or shall abstain from voting. Each member of the Council may make a brief statement explaining the reasons for the member's vote or abstention. The Mayor, when authorized by law to vote, shall vote either "Yes" or "No,"

or shall abstain from voting and may make a brief statement explaining the reasons for the vote or abstention. Upon request of any Councilmember, a roll call vote will be taken.

7. Public Participation. Members of the public may speak at public meetings of the Mayor and City Council according to procedures established by the Mayor and City Council.

a. Sign-up Procedure. Cards will be placed in the back of the room for people to sign if they wish to speak. When they come to the podium, they will give the cards to the City Clerk. This will assure that the Minutes record the proper spelling of the name and a correct address.

b. Oral Comment.

1. Non-agenda and Consent Agenda Items. Comments are limited to three minutes per person and will be taken at the beginning of the Council meeting

2. Action Items. Comments are limited to three minutes for individuals and five minutes for speakers representing a group or organization. The Mayor and Council may, by simple majority vote of those present, alter or waive the time requirements.

3. General Comments. After the portion of the meeting devoted to general Council comments at the end of the meeting, a person may speak for up to five minutes.

c. Written Comment. Comment may be submitted in writing at or prior to the meeting. In order to be received by the Council as part of the record, the comment must include the specific agenda item to which it relates and the full name and address of the person submitting the comment. Comments that are submitted to the City Clerk prior to the close of business (5:00 p.m.) on the day of the meeting will be provided to the Mayor and City Council at the start of the meeting.

P. Conduct of Worksessions.

1. No person or group shall be interrupted by the Mayor or any Councilmember during a presentation at a Worksession. Questions may be asked at the end of the presentation.

2. Neither the Mayor nor any member of Council may speak for more than five minutes without interruption upon any single agenda item. The presiding officer shall deny the floor to any member of the Council after that person has spoken for five minutes or more, either at the presiding officer's own instance or upon a point of order.

3. A request for a show of hands not to discuss an agenda item any further shall always be in order.

4. Presentations from developers in advance of requests for City support shall be limited to forty minutes.

5. It is the goal of the Mayor and Council to complete all Worksessions by 10:30 p.m. In the absence of a straw vote of a simple majority of Council to continue the proceedings, all Worksessions must cease by midnight, and the Council is therefore considered adjourned.

6. Because a quorum is not required, individual Councilmembers or the Mayor may leave the meeting without affecting the continuation of the Worksession.

Q. Disorderly Conduct.

The presiding officer shall call to order any person who disrupts the orderly conduct of business at meetings including speaking without being recognized, exceeding designated time limits, failure to be germane to the issue being presented or use of vulgarities.

R. Record of Meetings.

1. Responsibility for meeting record. The City Clerk or the City Clerk's designee shall be responsible for minutes of each Regular Meeting and Worksession of the Mayor and City Council and for maintaining the official record, which shall include all Council actions. Minutes shall include:

- a. all motions made, the name of the motion maker and second, the method and outcome of the votes taken, names of guests and their affiliation; and
- b. copies of resolutions, new or revised ordinances or other actions approved by the Mayor and City Council.

2. Public access to meeting records. Minutes and records of meetings of the Mayor and City Council shall be made available to the public by the Clerk in accordance with the Public Information Act and the State Open Meetings Laws.

S. Conduct of Councilmembers.

1. If the Mayor or any member of the Council indulges in any language or conduct unbecoming to the office, the member shall be called to order by the presiding officer and, in such case, the offending member shall lose the floor and shall not proceed without the approval of the majority of the members present. The Mayor and Council may, by vote of all members of the Mayor and

Council, excluding the offending member, expel the Mayor or any member of the Council from a meeting for disorderly conduct or violation of Council rules.

2. Conflict of Interest. The Mayor or any Councilmember shall not participate in any matter pending before the Council in which the Mayor or Councilmember has a conflict of interest, as defined in the City's Code of Ethics, or has taken a formal position as a party in a legal matter which is contrary to the legal position of the City of College Park in such matter.

IV. MISCELLANEOUS

A. Representation or position by Mayor or Councilmember. When the Mayor or a Councilmember gives a statement in their elected capacity on an issue affecting the City, the Mayor or Councilmember shall first identify the adopted position of Mayor and Council with respect to that subject, if any. Thereafter, the Mayor or Councilmember may provide a statement of personal opinion or comment (including a minority or opposing viewpoint), provided the Councilmember expressly acknowledges that such statements do not represent the position of the City.

B. Use of Staff Resources. Neither the Mayor nor any members of Council may request that staff time in excess of two hours be spent on a specific item unless prior approval has been granted by the Mayor and Council.

C. Public Notice. Any public notice required in these rules shall be given in the following manner unless otherwise stated herein: by posting on the City website, the City cable channels, City Hall Bulletin Board and City email listserv.

Janeen S Miller

Subject: FW: 16-G-52: Council Rules

From: Fazlul Kabir
Sent: Thursday, April 14, 2016 1:37 PM
To: Suellen M. Ferguson
Cc: mcall
Subject: RE: 16-G-52: Council Rules

Hi Suellen,

Based on our discussion, I am suggesting the following changes to Section M2 and M3. I swapped these two sections, because of the dependencies on the term "master list". I also added clarifying languages on how worksession agenda items will be decided. Thanks.

2. Master List. Staff shall maintain the master list, which will contain a list of proposed agenda items, the name of the submitter and the date of submission. The list will be sorted by the date of submission. The Mayor, Councilmembers and staff (the "body" hereafter) may add to the master list at meetings, and at other times, with notice to the "body" .

3. Preparation. The "body" will discuss and prepare the proposed agenda for the following regular meeting and the following worksession at the end of the preceding Tuesday Worksession. The proposed worksession agenda will be based on the master list. Items in the proposed worksession agenda will be primarily selected based on the date when the items were submitted, however the "body" may choose to add items to the proposed agenda if it considers them time sensitive. After the Tuesday Worksession, the "body" may add to the proposed agenda as necessary for the efficient conduct of City business, with notice to the Mayor, Council and the City Clerk, before the agenda is finalized for publication. The proposed agenda for all meetings of the Mayor and Council will be finalized for publication by the City Manager and City Clerk in consultation with the Mayor on the Friday before the meeting. Proposed agendas shall be created that can be reasonably accomplished within three hours.

Fazlul Kabir
Council Member, District 1
City of College Park
301- 659 - 6295

8

Charter Revision Committee



**CITY OF COLLEGE PARK, MARYLAND
WORKSESSION AGENDA ITEM**

Prepared By: Scott Somers, City Manager

Meeting Date: April 19, 2016

Presented By: Scott Somers, City Manager

Originating Department: Administration

Issue Before Council: Discussion on creation of a Charter Review Committee

Strategic Plan Goal: Goal 5: Effective Leadership
Goal 6: Excellent Services

Background/Justification:

The City Council has expressed interest in reviewing the City Charter in order to remove administrative-type provisions from the Charter and placing those provisions in more appropriate areas such as ordinances, resolutions, and policies, while leaving those more substantive items in the City Charter.

Since the purpose of this committee is to review and recommend the removal of administrative-type provisions from the City Charter, staff is recommending the following persons participate on the committee:

Mayor Wojahn
Councilmember Nagle
City Clerk Miller
City Attorney Ferguson
City Manager Somers

Fiscal Impact:

1. Attorney time and staff time for serving on the Charter Review Committee – no estimate available.
2. The Charter Amendment itself will have cost implications:
 - A. General Code Publishing: editing and reprinting the City Charter
 - B. Classified advertising for the Public Hearing and the four state-required notices in the newspaper

Council Options:

1. Direct staff to form the Charter Review Committee as recommended
2. Direct staff to form a Charter Review Committee with other members

Staff Recommendation:

Option #1.

Attachments:

No attachments

9

Agenda items for April 28 Four Cities Meeting

Four Cities Agenda Items

Here is what we know so far:

1. Berwyn Heights would like hear updates on:

- Greenbelt Station development, especially the hiker biker trail
- North County Animal Shelter (invite County representative to speak?)
- Purple Line

And would like to discuss:

- Regional vegetation/ tree cutting policy

2. College Park:

- Collaboration on Support for local public schools
- Other?

10

Review of Future W/S items

11

Future Agendas



TO: Mayor, City Council, City Manager and Department Directors
FROM: Janeen S. Miller, City Clerk
DATE: April 15, 2016
RE: Future Agendas

The following items are tentatively placed on future agendas. This list has been prepared by the City Manager and me, and represents the current schedule for items that will appear on future agendas.

MONDAY, APRIL 25, 2016 REGULAR MEETING

Public Hearing on the RISE Zone Application

Presentation by City lobbyists on Maryland General Assembly session – Len Lucchi and Eddie Pounds

Proclamation for Children’s Mental Health Awareness Week – Peggy Higgins

Lakeland S.T.A.R.S. Presentations (30) (plus a 6:45 p.m. reception prior to meeting)

Recognition of Youth and Family Services graduate interns (5)

Introduction of FY 2017 Budget Ordinance

Support for College Park Food Truck Hub locations

TUESDAY, MAY 3, 2016 WORKSESSION

04-13-16: Discussion of security cameras City-wide (30)

Discussion of an amendment to the Property Use Agreement with Fishnet (Class B, Beer and Wine License), 5010 Berwyn Road, College Park, Maryland 20740, for a Growler Permit – Bob Ryan, Director of Public Services (15)

03-07-16: Discussion of permit parking survey results near the Metropolitan development (now called The Boulevard at 9091) (20)

Discussion of parking around Terrapin Row development – Bob Ryan, Director of Public Services

Discussion of Hollywood Gateway Park project – Terry Schum, Director of Planning (20)

02-02-16: Proposed amendments to Chapter 157 of the City Code to eliminate conflicting guidelines for snow removal AND other proposed amendments to this chapter including discussion of amendments to the City Code to add requirements for the prevention of sediment runoff and erosion of soil from residential and non-residential properties (Chapters 125-8.I & 157-6.B(1)(a)[5]) – Suellen Ferguson, City Attorney and Bob Ryan, Director of Public Services

Follow-up on an Arts and Entertainment Task Force (15) - Bill Gardiner, Assistant City Manager

Award of Contract for Compensation Study – Jill Clements, Director of Human Resources

Review of WMATA document re: Calvert Hills Community Garden – Suellen Ferguson, City Attorney

TUESDAY, MAY 10, 2016 REGULAR MEETING

Proclamation: National Public Works Week

Constant Yield Tax Rate Public Hearing

Budget Public Hearing

Presentation – Towne Place Suites?

16-R-03 Adoption of Resolution 16-R-03 for SunTrust Master Lease #3 for Fleet Purchases

TUESDAY, MAY 17, 2016 WORKSESSION

Discussion of possible budget changes after public hearing (if needed)

Discussion about the possibility of creating a Martin Luther King, Jr. Tribute Committee (10)

Award of Contract for the Construction of Duvall Field Concession Building and Plaza - Terry Schum, Director of Planning

TUESDAY, MAY 24, 2016 REGULAR MEETING

Adoption of the FY 2017 Budget

Police Recognition and introduction District 1 command staff

TUESDAY, JUNE 7, 2016 WORKSESSION

TUESDAY, JUNE 14, REGULAR MEETING

Award of annual asphalt and concrete maintenance contracts - Steve Halpern, City Engineer

FUTURE WORKSESSIONS

03-08-12: Trolley Trail negotiations – Suellen Ferguson, City Attorney

01-07-14: Model Public Participation Ordinance – Mayor Wojahn

02-11-14: Discussion of an awards program to encourage and reward property owners (CBE)

Draft resolution establishing a Business Recycling Task Force - Bill Gardiner, Assistant City Manager

Logistical issues/information needed to develop a business recycling program – Bob Stumpff, Director of Public Works

10-06-14: Discussion of an amendment to the City Code to prohibit the placement of furniture not designed for outdoor use, within or under a permanent accessory structure such as a covered porch or gazebo (Chapter 125-10.N) – Bob Ryan, Director of Public Services

11-18-14: Proposed Revisions to the City's "48 hour parking" rule – Bob Ryan, Director of Public Services and Suellen Ferguson, City Attorney

Discussion about issuing a Request for Expressions of Interest for the Calvert Road School site

05-19-15: Discussion of City-wide technology plan – request of Councilmember Kabir

08-05-15: Report from "Council Internship Program Subcommittee" – Councilmember Kabir

09-09-15: Presentation by Prince George's County Public Schools on the Capital Improvement Plan for northern Prince George's County

10-06-15: I-495 and Route 1 intersection safety improvements – SHA

10-06-15: Discussion about the future of the Neighborhood Watch Steering Committee

10-20-15: Presentation of alternatives for Greenbelt Road at Rhode Island Avenue intersection – Venu Nemani, SHA District Engineer

01-06-16: Follow-up to the January 5 discussion of recommendations by the Noise Control Board – Suellen Ferguson, City Attorney

12-11-15: Discussion on Landlord Orientation Pilot Program – Scott Somers, City Manager

01-20-16: Update to request for Commuter Shuttle Bus Service – Bill Gardiner, Assistant City Manager (this item will be discussed in conjunction with the Aging-In-Place Task Force Report)

03-24-15: Review of the City's Emergency Preparedness Plan – Bob Ryan, Director of Public Services

12-14-15: Award of contract for stormwater management projects along Rhode Island Avenue and Narragansett Parkway – Terry Schum, Director of Planning

02-24-16: Contract for Development Consultant – Scott Somers, City Manager

03-15-16: New Resolution establishing the Neighborhood Quality of Life Committee – Councilmembers Stulich and Brennan

03-15-16: Discussion of drainage in the City – request of Councilmember Nagle

03-30-16: Proposal for hen keeping in College Park (this will be discussed as part of the County zoning rewrite) – Request of Councilmember Kabir

04-07-16: Litter Awareness Campaign (request of Councilmember Brennan) AND Solid waste reduction ideas including Pay As You Throw (PAYT) (request of Councilmember Nagle)

FY 2017 Budget Schedule:

April 9 and April 16: Saturday Budget Worksessions (second one is only if needed)

April 25: Budget Ordinance Introduced

May 10: Budget Public Hearing and Constant Yield Tax Rate Public Hearing

May 17: Worksession discussion of possible budget changes after PH, if needed

May 24: Budget adoption

Budget Parking Lot:

FY 2015:

1. Public Services-Admin performance measure #2 (response within 1 business day)
(Wojahn): Worksession follow-up (Bob Ryan)
2. Reduce printing City-wide (Brennan): Worksession discussion

FY 2016:

3. Performance Measures
4. SunGard Business Process Review (Part 2)
5. Finance satellite office at Public Works

May 10, 2014 Retreat Parking Lot:

1. What is the City's role vis-à-vis Day Care needs in the City

12

Appointments

City of College Park
Board and Committee Appointments

Shaded rows indicate a vacancy or reappointment opportunity.
The date following the appointee's name is the initial date of appointment.

Advisory Planning Commission			
Appointee	Represents	Appointed by	Term Expires
Larry Bleau 7/9/02	District 1	Mayor	01/19
Rosemarie Green Colby 04/10/12	District 2	Mayor	04/18
Christopher Gill 09/24/13	District 1	Mayor	09/16
James E. McFadden 2/14/99	District 3	Mayor	04/16
Kate Kennedy 08/11/15	District 1	Mayor	08/18
Javid Farazad 10/27/15	District 4	Mayor	10/18
John Rigg 01/12/16	District 3	Mayor	01/19
<p>City Code Chapter 15 Article IV: The APC shall be composed of 7 members appointed by the Mayor with the approval of Council, shall seek to give priority to the appointment of residents of the City and assure that there shall be representation from each of the City's four Council districts. Vacancies shall be filled by the Mayor with the approval of the Council for the unexpired portion of the term. Terms are three years. The Chairperson is elected by the majority of the Commission. Members are compensated. Liaison: Planning.</p>			

Aging-In-Place Task Force			
Appointee	Position Filled:	Resides In:	Term Expires
VACANT	Resident 1		Upon completion and submission of final report to the City Council.
Darlene Nowlin 10/14/14	Resident 2	District 4	
VACANT	Resident 3		
Lisa Ealley 01/27/15	Resident 4	District 1	
Judy Blumenthal 01/27/15	Resident 5	District 1	
Dave Dorsch 03/10/15	Resident 6	District 3	
Helen Barnes 04/15/15	Resident 7	District 3	
VACANT	Resident 8		
VACANT	Councilmember #1		
Patrick L. Wojahn 11/25/14	Councilmember #2	District 1	
P. J. Brennan 11/25/14	Councilmember #3	District 2	
Fazlul Kabir 11/25/14	Councilmember #4	District 1	
<p>Established April 2014 by Resolution 14-R-07. Council positions expanded from 2 to 4 by Resolution 14-R-34 October 2014. Final report of strategies and recommendations to Council anticipated January 2015. Composition: 8 City residents (with the goal of having two from each Council District) and 4 City Council representatives, for a total of 12. Quorum = 5. Task Force shall elect Chairperson from membership. Not a compensated committee. Liaison: Director of Youth, Family and Seniors Services.</p>			

Airport Authority			
Appointee	Resides in	Appointed by	Term Expires
James Garvin 11/9/04	District 3	M&C	10/18
Jack Robson 5/11/04	District 3	M&C	03/17
Anna Sandberg 2/26/85	District 3	M&C	03/19
Gabriel Iriarte 1/10/06	District 3	M&C	04/16
Christopher Dullnig 6/12/07	District 2	M&C	01/17
David Kolesar 04/28/15	District 1	M&C	04/18
Dave Dorsch 08/11/15	District 3	M&C	08/18
City Code Chapter 11 Article II: 7 members, must be residents and qualified voters of the City, appointed by Mayor and City Council, for three-year terms. Vacancies shall be filled by M&C for an unexpired portion of a term. Authority shall elect Chairperson from membership. Not a compensated committee. Liaison: City Clerk's Office.			

Animal Welfare Committee			
Appointee	Resides in	Appointed by	Term Expires
Lois Donaty 07/14/15	District 2	M&C	07/18
Dave Turley 3/23/10	District 1	M&C	03/16
Patti Stange 6/8/10	Non resident	M&C	02/17
Taimi Anderson 6/8/10	Non resident	M&C	02/18
Suzie Bellamy 9/28/10	District 4	M&C	04/17
Nick Brennan 05/26/15	District 2	M&C	05/18
Kathy Rodeffer 11/24/15	Non resident	M&C	11/18
Christiane Williams 03/22/16	District 1	M&C	03/19
Resolution 15-R-26, 10-R-20: Up to fifteen members appointed by the Mayor and Council for three-year terms. Not a compensated committee. Liaison: Public Services.			

Board of Election Supervisors			
Appointee	Represents	Appointed by	Term Expires
John Robson (Chief) 5/24/94	Mayoral appt	M&C	03/17
Terry Wertz 2/11/97	District 1	M&C	03/17
Mary Katherine Theis 02/24/15	District 2	M&C	03/17
VACANT	District 3	M&C	03/17
Maria Mackie 08/12/14	District 4	M&C	03/17
City Charter C4-3: The Mayor and Council shall, not later than the first regular meeting in March of each year in which there is a general election, appoint and fix the compensation for five qualified voters as Supervisors of Elections, one of whom shall be appointed from the qualified voters of each of the four election districts and one of whom shall be appointed by the Mayor with the consent of the Council. The Mayor and Council shall designate one of the five Supervisors of Elections as the Chief of Elections. This is a compensated committee; compensation is based on a fiscal year. Per Council action (item 11-G-66) effective in March, 2013: In an election year all of the Board receives compensation. In a non-election year only the Chief Election Supervisor will be compensated. Liaison: City Clerk's office.			

Cable Television Commission			
Appointee	Resides in	Appointed by	Term Expires
Jane Hopkins 06/14/11	District 1	Mayor	09/17
VACANT		Mayor	
James Sauer 9/9/08	District 3	Mayor	10/16
Tricia Homer 3/12/13	District 1	Mayor	03/16
Normand Bernache 09/23/14	District 4	Mayor	09/17
City Code Chapter 15 Article III: Composed of four Commissioners plus a voting Chairperson, appointed by the Mayor with the approval of the Council, three year terms. This is a compensated committee. Liaison: City Manager's Office.			

College Park City-University Partnership			
Appointee	Represents	Appointed by	Term Expires
Carlo Colella	Class A Director	UMD President	06/30/18
Edward Maginnis	Class A Director	UMD President	06/30/18
Michael King	Class A Director	UMD President	06/30/16
Brian Darmody	Class A Director	UMD President	06/30/17
Patrick L. Wojahn (01/12/16)	Class B Director	M&C	06/30/17
Maxine Gross	Class B Director	M&C	06/30/18
Senator James Rosapepe	Class B Director	M&C	06/30/19
Stephen Brayman	Class B Director	M&C	06/30/17
David Iannucci (07/15/14)	Class C Director	City and University	06/30/17
Dr. Richard Wagner	Class C Director	City and University	06/30/19
The CPCUP is a 501(c)(3) corporation whose mission is to promote and support commercial revitalization, economic development and quality housing opportunities consistent with the interests of the City of College Park and the University of Maryland. The CPCUP is not a City committee but the City makes appointments to the Partnership. Class B Directors are appointed by the Mayor and City Council; Class C Directors are jointly appointed by the Mayor and City Council and the President of the University of Maryland.			

Citizens Corps Council			
Appointee	Represents	Appointed by	Term Expires
Spiro Dimakas		M&C	10/17
Yonaton Kobrias 10/14/14		M&C	10/17
VACANT	Neighborhood Watch	M&C	
Dan Blasberg 3/27/12		M&C	03/18
David L. Milligan (Chair) 12/11/07		M&C	02/17
Marilyn Morin 04/12/16		M&C	04/19
Resolution 05-R-15. Membership shall be composed as follows: A Citizen Corps Coordinator for each neighborhood shall be nominated and appointed by the Mayor and Council and serve as a potential member of the CPCCC for the term of their respective office in the neighborhood group. Mayor and Council shall nominate and appoint 5 to 7 residents to serve as community coordinators and to serve on the CPCCC. At least one member of the CPCCC shall be the Neighborhood Watch			

Coordinator, and at least one member shall represent each of the other Citizen Corps programs such as CERT, Fire Corps, Volunteers In Police Service, etc. Each member of the CPCCC shall serve for a term of 3 years, and may be reappointed for an unlimited number of terms. The Mayor, with the approval of the City Council, shall appoint the Chair and Co-Chair of the CPCCC from among the members of the committee. The Director of Public Services shall serve as an ex officio member. Not a compensated committee. Liaison: Public Services.

Committee For A Better Environment			
Appointee	Resides in	Appointed by	Term Expires
Janis Oppelt 8/8/06	District 1	M&C	01/19
Suchitra Balachandran 10/9/07	District 4	M&C	01/17
Donna Weene 9/8/09	District 1	M&C	01/19
Kennis Termini 01/14/14	District 1	M&C	01/17
Matt Dernoga 12/09/14	District 1	M&C	12/17
Karen Garvin 04/28/15	District 1	M&C	04/18
Susan Keller 05/26/15	District 1	M&C	05/18
Adam Killian 11/24/15	District 1	M&C	11/18
Alan Hew 01/12/16	District 4	M&C	01/19
Daniel Walfield 02/23/16	District 1	M&C	02/19
Todd Larsen 03/22/16	District 2	M&C	03/19
Melissa Avery 04/12/16	District 4	M&C	04/19
City Code Chapter 15 Article VIII: No more than 25 members, appointed by the Mayor and Council, three year terms, members shall elect the chair. Not a compensated committee. Liaison: Planning.			

Education Advisory Committee			
Appointee	Represents	Appointed by	Term Expires
Charlene Mahoney 12/11/12	District 2	M&C	02/17
Alethea Ten Eyck-Sanders 11/10/15	District 3	M&C	11/17
Melissa Day 9/15/10	District 3	M&C	03/17
Carolyn Bernache 2/9/10	District 4	M&C	12/16
Doris Ellis 9/28/10	District 4	M&C	12/16
Tricia Homer 04/22/14	District 1	M&C	04/16
Peggy Wilson 6/8/10	UMCP	UMCP	05/16
Dawn Powers 1/26/16	District 2	M&C	01/18
VACANT			
Resolutions 15-R-25, 97-R-17, 99-R-4 and 10-R-13: At least 9 members who shall be appointed by the Mayor and Council: at least two from each Council District and one nominated by the University of Maryland. Two year terms. The Committee shall appoint the Chair and Vice-Chair of the Committee from among the members of the Committee. Not a compensated committee. Liaison: Youth and Family Services.			

Ethics Commission			
Appointee	Represents	Appointed by	Term Expires
Nora Eidelman 11/24/15	District 1	Mayor	11/17
Joe Theis 05/12/15	District 2	Mayor	05/17
James Sauer 12/09/14	District 3	Mayor	12/16
Gail Kushner 09/13/11	District 4	Mayor	01/18
Robert Thurston 9/13/05	At Large	Mayor	03/18
Alan C. Bradford 1/23/96	At-Large	Mayor	11/17
Frank Rose 05/08/12	At-Large	Mayor	03/18
City Code Chapter 38 Article II: Composed of seven members appointed by the Mayor and approved by the Council. Of the seven members, one shall be appointed from each of the City's four election districts and three from the City at large. 2 year terms. Commission members shall elect one member as Chair for a renewable one-year term. Commission members sign an Oath of Office. Not a compensated committee. Liaison: City Clerk's office.			

Housing Authority of the City of College Park			
Bob Catlin 05/13/14		Mayor	05/01/19
Betty Rodenhausen 04/09/13		Mayor	05/01/18
John Moore 9/10/96		Mayor	05/01/19
Thelma Lomax 7/10/90		Mayor	05/01/20
Carl Patterson 12/11/12	Attick Towers resident	Mayor	05/01/16
The College Park Housing Authority was established in City Code Chapter 11 Article I, but it operates independently under Article 44A Title I of the Annotated Code of Maryland. The Housing Authority administers low income housing at Attick Towers. The Mayor appoints five commissioners to the Authority; each serves a five year term; appointments expire May 1. Mayor administers oath of office. One member is a resident of Attick Towers. The Authority selects a chairman from among its commissioners. The Housing Authority is funded through HUD and rent collection, administers their own budget, and has their own employees. The City supplements some of their services.			

Neighborhood Quality of Life Committee			
Name:	Represents:	Appointed By:	Term Ends:
Mayor and City Council of the City of College Park			Term in office
Chief David Mitchell	UMD DPS (UMD Police)	University	02/16
Dr. Andrea Goodwin	UMD Administration – Rep 1	University	02/16
Marsha Guenzler-Stevens (Stamp Student Union)	UMD Administration – Rep 2	University	04/16
Matthew Supple (Fraternity-Sorority Life)	UMD Administration – Rep 3	University	04/16
Gloria Aparicio- Blackwell (Office of Community Engagement)	UMD Administration – Rep 4	University	04/16
Karyn Keating-Volke	City Resident 1	City Council	02/17
Aaron Springer	City Resident 2	City Council	10/17

Bonnie McClellan	City Resident 3	City Council	04/16
Denise Mitchell 02/23/16	City Resident 4	City Council	02/18
Bob Schnabel	City Resident 5	City Council	08/17
Ryan Belcher	City Resident 6	City Council	09/17
Cole Holocker	UMD Student 1	City Council	11/16
Adler Pruitt	UMD Student 2	City Council	09/17
VACANT	UMD Student 3	City Council	
Ian Henderson 02/23/16	UMD Student 4	IFC	02/18
VACANT	UMD Student 5	Nat'l Pan-Hell. Council, Inc. / United Greek Council	
Drew Hogg	Graduate Student	GSG Representative	09/17
VACANT	Student Co-Operative Housing	City Council	
Maj. Bill Alexander	PG County Police Dept.	PG County Police	
Bob Ryan	Director of Public Services	City Council	10/15
Jeannie Ripley	Manager of Code Enforcement	City Council	
Lisa Miller	Rental Property Owner	City Council	02/16
Richard Biffl	Rental Property Owner	City Council	02/16
Paul Carlson	Rental Property Owner	City Council	03/16
<p>Established by Resolution 13-R-20 adopted September 24, 2013 to replace the Neighborhood Stabilization and Quality of Life Workgroup. Amended October 8, 2013 (13-R-20.Amended). Amended February 11, 2014 (14-R-03). Amended July 15, 2014 to change the name (14-R-23). City Liaison: City Manager's Office. Two year terms. Main Committee to meet four times per year. This is not a compensated committee.</p>			

Neighborhood Watch Steering Committee			
	Resident of:	Appointed By:	Term Expires:
Robert Boone 04/12/11	District 1	M&C	03/17
Aaron Springer 02/14/12	District 3	M&C	05/16
Nick Brennan 04/22/14	District 2	M&C	04/16
<p>Created on April 12, 2011 by Resolution 11-R-06 as a three-person Steering Committee whose members shall be residents. Coordinators of individual NW programs in the City shall be ex-officio members. Terms are for two years. Annually, the members of the Steering Committee shall appoint a Chairperson to serve for a one-year term. Meetings shall be held on a quarterly basis. This Resolution dissolved the Neighborhood Watch Coordinators Committee that was established by 97-R-15. This is not a compensated committee. Liaison: Public Services.</p>			

Noise Control Board			
Appointee	Represents	Appointed by	Term Expires
Mark Shroder 11/23/10	District 1	Council, for District 1	01/19
Harry Pitt, Jr. 9/26/95	District 2	Council, for District 2	03/16
Alan Stillwell 6/10/97	District 3	Council, for District 3	09/16
Suzie Bellamy	District 4	Council, for District 4	12/16
Adele Ellis 04/24/12	Mayoral Appt	Mayor	04/16
Bobbie P. Solomon 3/14/95	Alternate	Council - At large	05/18
Larry Wenzel 3/9/99	Alternate	Council - At large	02/18
<p>City Code Chapter 138-3: The Noise Control Board shall consist of five members, four of whom shall be appointed by the Council members, one from each of the four election districts, and one of whom shall be appointed by the Mayor. In addition, there shall be two alternate members appointed at large by the City Council. The members of the Noise Control Board shall select from among themselves a Chairperson. Four year terms. This is a compensated committee. Liaison: Public Services.</p>			

Recreation Board			
Appointee	Lives In	Appointed by	Term Expires
Eric Grims 08/12/14	District 1	M&C	08/17
Sarah Araghi 7/14/09	District 1	M&C	10/18
Alan C. Bradford 1/23/96	District 1	M&C	02/17
Adele Ellis 9/13/88	District 3	M&C	02/17
Barbara Pianowski 3/23/10	District 4	M&C	05/17
Judith Oarr 05/14/13	District 4	M&C	05/16
Bettina McCloud 1/11/11	District 1	M&C	02/17
VACANT		M&C	
VACANT		M&C	
VACANT		M&C	
<p>City Code Chapter 15 Article II: Effective 2/2/16: 10 members appointed by the Mayor and Council for three-year terms with a goal of representation from each district. The Chairperson will be chosen from among and by the district appointees. Not a compensated committee. Additional participants include the University of Maryland liaison and the M-NCPPC liaison. Liaison: Public Services.</p>			

Tree and Landscape Board			
Member	Represents	Appointed by	Term Expires
Christine O'Brien 08/11/15	Citizen	M&C	08/17
John Krouse	Citizen	M&C	10/16
Eric Hoffman 08/11/15	Citizen	M&C	08/17
Mark Wimer 7/12/05	Citizen	M&C	10/16
Joseph M. Smith 09/23/14	Citizen	M&C	09/16
Janis Oppelt	CBE Chair Liaison		
John Lea-Cox 1/13/98	City Forester	M&C	04/17
Steve Beavers	Planning Director		
Brenda Alexander	Public Works Director		
City Code Chapter 179-5: The Board shall have 9 voting members: 5 residents appointed by M&C, the CBE Chair or designee, the City Forester or designee, the Planning Director or designee and the Public Works Director or designee. Two year terms. Members choose their own officers. Not a compensated committee. Liaison: City Clerk's office.			

Veterans Memorial Committee			
Appointee	Represents	Appointed by	Term Expires
Deloris Cass 11/7/01		M&C	12/15
Joseph Ruth 11/7/01	VFW	M&C	01/19
Blaine Davis 10/28/03	American Legion	M&C	01/19
Rita Zito 11/7/01		M&C	12/18
Doris Davis 10/28/03		M&C	01/19
Arthur Eaton		M&C	11/16
Seth Gomoljak 11/6/14		M&C	11/17
VACANT			
Resolution 15-R-27, 01-G-57: Board comprised of 9 to 13 members including at least one member from American Legion College Park Post 217 and one member from Veterans of Foreign Wars Phillips-Kleiner Post 5627. Appointed by Mayor and Council. Three year terms. Chair shall be elected each year by the members of the Committee. Not a compensated committee. Liaison: Public Works.			

13

Information/Status Report

O'MALLEY, MILES, NYLEN & GILMORE, P.A.

Attorneys & Counselors at Law

11785 Beltsville Drive, 10th Floor
Calverton, MD 20705

www.omng.com

(301) 572-7900 • (301) 572-6655 (f)

Matthew D. Osnos
Lawrence N. Taub
Lynn Loughlin Skerpon
Nathaniel A. Forman

Mark G. Levin
William M. Shipp
Kate Pomper Pruitt
Eddie L. Pounds

Nancy L. Slepicka
Leonard L. Lucchi
Stephanie P. Anderson

Peter F. O'Malley
(1939-2011)

Edward W. Nylan
(1922-2010)

John D. Gilmore, Jr.
(1921-1999)

April 15, 2016

TO: Bill Gardiner, Assistant City Manager
FROM: Len Lucchi and Eddie Pounds, City Lobbyists
DATE: April 15, 2016
RE: Weekly Report

The 2016 Session of the Maryland General Assembly adjourned *sine die* at midnight on Monday, April 11th. The following is a list of legislation affecting the City of College Park was approved by the legislature or is still pending:

- a. **SB 190 – Budget Bill** – Despite the Governor's proposed increase in Highway User Funds for municipalities, this bill allocates the same amount for FY2017 as it did for FY 2016.
- b. **HB 1138 – Prince George's County – School Facilities Surcharge – Student Housing Exemptions** – This bill, which eliminates the exemption from the school facilities surcharge for undergraduate housing in the College Park area, and allows for the City to designate graduate student housing for a surcharge exemption (subject to review by the County Council), passed the General Assembly and is on the Governor's desk for signature.
- c. **SB 191 – Capital Budget**– This bill became law without the Governor's signature. It includes \$150,000 for Hollywood Streetscaping.
- d. **SB 1052 – University of Maryland Strategic Partnership Act of 2016** – This bill would create a partnership between The University of Maryland College Park Campus and The University of Maryland Baltimore Campus. Amendments were added by Senator Rosapepe to recognize the collaboration that has taken place between UMCP and the City, require continued collaboration, and require the University to annually report on that collaboration. Also, the provision allowing for one president was stripped out. The bill has become law without the

Governor's signature.

- e. **HB 1087 – Task Force to Study a Promise Scholarship Program in Prince George's County – HB 1087** – Bill establishes a task force to study a promise scholarship program in the County. It has passed both houses and awaits the Governor's signature.
- f. **HB 852 – Local Government – Municipal Elections – Tie Votes** – This bill requires municipalities to establish procedures for tie votes. This bill passed both houses and awaits the Governor's signature.
- g. **HB 462 – Program Open Space – Transfer Tax Repayment – Use of Funds** – This legislation replaces what was known as Program Open Space Trust Fund Act of 2016 (SB 927/HB 1464). The original provisions of the former legislation, which were intended to protect and restore Program Open Space (POS) monies, are now included under HB 462. The bill has been signed into law by the Governor.
- h. **SB 395 – Municipal Financial Disclosures and Conflict of Interest** –The State Ethics Commission's testified that the bill is just clarifying language to clear up any misunderstanding about the level of authority the commission has with respect to regulating compliance issues under the law. MACO and MML came in strong against the measure, providing testimony that the bill's language should be deemed a substantive change and is an attempt by the commission to expand its authority by adding a new requirement that would allow the commission in the future to set new requirements on making modifications that were already set by law. This bill passed both houses and awaits the Governor's signature.
- i. **SB 320 – Prince George's County Regional Medical Center Act of 2016** – This bill guarantees funding for the building and operating of the new regional medical center in Largo and accelerates the takeover of the system by the University of Maryland Medical System from Dimensions Health Care. It has become law without the Governor's signature.

Thank you for the honor and opportunity to represent the City of College Park before the Maryland General Assembly during the 2016 Session.