



TUESDAY, JULY 5, 2016
CITY OF COLLEGE PARK
COUNCIL CHAMBERS

WORKSESSION AGENDA
7:00 P.M.

(Note: There will be a closed session after the Worksession)

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
7:00	Call to Order	
	City Manager's Report	
	Amendments to and Approval of the Agenda	
Discussion Items		
7:05	<p>Special Session 16-R-12: Resolution Of The Mayor And Council Of The City Of College Park, Maryland Adopting The Recommendations Of The Advisory Planning Commission Regarding Appeal Number CEO-2016-01, 9507 48th Place, College Park, Maryland, Recommending Approval Of Variances From The Following Requirements: Prince George's County Zoning Ordinance, Section 27-420(A), City Code §87-23 B. And C. To Permit The Reconstruction Of An Existing Fence With A 6-Foot High, Board And Batten Fence In The Side/Rear Yard, And Construction Of A 4-Foot High Picket Fence Within The Front Yard. (Appeal period ended July 2, 2016)</p>	Proposed Consent
	<p>Special Session 16-R-13: Resolution Of The Mayor And Council Of The City Of College Park, Maryland Adopting The Recommendations Of The Advisory Planning Commission Regarding Variance Application Number CPV-2016-04, 5008 Huron Street, College Park, Maryland, Recommending Approval Of A Variance From Section 27-120.01(C) Of The</p>	Proposed Consent

		Prince George's County Zoning Ordinance, "Front Yards Of Dwellings," To Construct A Driveway In The Front Yard, 24 Feet In Width By 24 Feet In Length (Appeal period ended July 2, 2016)	
	3	Special Session 16-R-14: Resolution Of The Mayor And Council Of The City Of College Park, Maryland Adopting The Recommendations Of The Advisory Planning Commission Regarding Variance Application Number CPV-2016-05, 8405 48th Avenue, College Park, Maryland, Recommending Approval Of A Variance From Section 27-120.01(C) Of The Prince George's County Zoning Ordinance, "Front Yards Of Dwellings," To Construct A Driveway In The Front Yard, 16 Feet In Width By 31 Feet In Length (Appeal period ended July 2, 2016)	Proposed Consent
7:10	4	Special Session 16-R-15: Adoption of Resolution 16-R-15, A Resolution of the Mayor and Council of the City of College Park, Maryland to approve an amendment to the Memorandum of Understanding with Prince George's County to establish zoning enforcement procedures in the City (10)	Suellen Ferguson, City Attorney
7:20	5	Litter Awareness Campaign (request of Councilmember Brennan) AND Solid waste reduction ideas including Pay As You Throw (PAYT) (request of Councilmember Nagle) (30)	Steve Beavers, Community Development Coordinator, and Janis Oppelt, Chair, CBE
7:50	6	Discussion of the City's Community Legacy Grant Application (10)	Terry Schum, Director of Planning
8:00	7	Agreement outlining the coordination between the City's and the CPCUP/UMD homeowner grant program AND report from the CPCUP on eligibility criteria for the homeowner grant (condition of the FY '17 \$50,000 funding from the City) (15)	Bill Gardiner, Assistant City Manager and Eric Olson, Executive Director, CPCUP
8:15	8	Request by the CPCUP for support for their Community Legacy Grant Application for their Homeownership Grant Program (10)	Eric Olson, Executive Director, CPCUP
8:25	9	Discussion on proposal from the University of Maryland for child care at the Calvert Road School (30)	Carlo Colella and Anne Martens, University of Maryland
8:55	10	Discussion of compliance with the Declaration of Covenants with Terrapin Row developers regarding streetscape/roadway improvements on Hartwick, Guilford and Knox Roads (15)	Suellen Ferguson, City Attorney
9:10	11	Discussion of parking restrictions around the Terrapin Row development (15)	Bob Ryan, Director of Public Services

9:25	12	Possible Special Session: Approval of a letter to Gov. Hogan regarding funding for Youth Service Bureaus (10)	Scott Somers, City Manager
9:35	13	Discussion of Council action to prohibit through truck traffic on residential streets (request of Councilmember Kabir) (10)	Scott Somers, City Manager
9:45	14	Agenda items for July 28 Four Cities Meeting in Berwyn Heights	Mayor and Council
9:50	15	Requests For/Status of Future Agenda items	Mayor and Council
9:55	16	Appointments to Boards and Committees	Mayor and Council
10:00	17	Mayor and Councilmember Comments	Mayor and Council
10:05	18	City Manager's Comments	Scott Somers, City Manager

There will be a Closed Session after the Worksession to consider the acquisition of real property for a public purpose

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

**Special
Session
16-R-12**

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK ADOPTING THE RECOMMENDATIONS OF THE ADVISORY PLANNING COMMISSION REGARDING APPEAL NUMBER CEO-2016-01, 9507 48TH PLACE, COLLEGE PARK, MARYLAND, RECOMMENDING APPROVAL OF VARIANCES FROM THE FOLLOWING REQUIREMENTS: PRINCE GEORGE'S COUNTY ZONING ORDINANCE, SECTION 27-420(A), CITY CODE §87-23 B. AND C., TO PERMIT THE RECONSTRUCTION OF AN EXISTING FENCE WITH A 6-FOOT HIGH, BOARD AND BATTEN FENCE IN THE SIDE/REAR YARD, AND CONSTRUCTION OF A FOUR (4)FOOT HIGH PICKET FENCE WITHIN THE FRONT YARD.

- WHEREAS,** the City of College Park, Maryland (hereinafter, the "City") has, pursuant to §190-1 *et seq.*, of the City Code and in accordance with Section 27-924 of the Prince George's County Zoning Ordinance (hereinafter, "Zoning Ordinance"), enacted procedural regulations governing any or all of the following: departures from design and landscaping standards, parking and loading standards, sign design standards, and variances for lot size, setback, and similar requirements for land within the corporate boundaries of the City, alternative compliance from landscaping requirements, certification, revocation, and revision of nonconforming uses, and minor changes to approved special exceptions; and
- WHEREAS,** the Advisory Planning Commission (hereinafter "APC") is authorized by §190-3 of the City Code to hear requests for variances from the terms of the Zoning Ordinance with respect to lot size, setback, and other requirements from which a variance may be granted by the Prince George's County Board of Appeals, including variances from Section 27-420(a) of the Zoning Ordinance, and to make recommendations to the Mayor and Council in connection therewith; and
- WHEREAS,** the Prince George's County Code, Section 27-420(a) restricts fences in the front or side yard to four feet for corner lots of one acre or less; and
- WHEREAS,** the City is authorized by the Zoning Ordinance to grant an application for a variance where, by reason of exceptional narrowness, shallowness, shape, topography, or other extraordinary situation or condition of the specific parcel of property, the strict application of the Zoning Ordinance would result in peculiar and unusual practical difficulties or an exceptional or undue hardship upon the owner of the property, and a variance can be granted without substantial impairment of the intent, purpose and integrity of the General Plan or Master Plan; and
- WHEREAS,** the City, in accordance with §25-303 of the Land Use Article, Annotated Code of Maryland, has adopted Section 87-23 "Fences" of the City Code (hereinafter, the "Fence Ordinance") and established certain restrictions of the construction and reconstruction of fences on residential properties, including a prohibition on constructing fences in the front yard; and
- WHEREAS,** pursuant to §15-19 of the City Code, the APC is authorized to hear appeals of the provisions of Chapter 87, "Building Construction", of the City Code; and

WHEREAS, the City is authorized by the Fence Ordinance to grant a variance where, by reason of extraordinary situation or condition, the strict application of the Fence Ordinance would result in peculiar and unusual practical difficulty to or an exceptional or undue hardship upon the owner of the property; and a variance can be granted without substantial impairment of the intent, purpose and integrity of the Fence Ordinance; and where, if applicable, the variance is consistent with the Design Guidelines adopted for the Historic District; the variance will not adversely affect the public health, safety, welfare, or comfort, the fence for which a variance is requested incorporates openness and visibility as much as is practicable, provided that the fence shall not be constructed of chain link unless the material is consistent with the surrounding neighborhood; and the fence construction, including setbacks, is characteristic of and consistent with the surrounding neighborhood; in neighborhoods where chain link is a characteristic material, alternate materials incorporating openness and visibility, may be permitted; and

WHEREAS, on March 30, 2016, Timothy Edmond Purvis (hereinafter, the “Applicant”), submitted an appeal from City Code, §87-23, which restricts fences from being constructed in the front yard and requires that fences be set back 25 feet from the property line where the rear or side lot line is a continuation of the front yard line of the adjacent lot, and from the Zoning Ordinance, Section 27-420(a) which limits the height of front and side yard fences on corner properties to four (4) feet, for the premises known as 9507 48th Place, College Park, Maryland (the “Property”).

WHEREAS, on June 2, 2016, the APC conducted a hearing on the merits of the application, at which time the APC heard testimony and accepted evidence, including the staff report, Exhibits 1 – 11, and the staff presentation with respect to whether the subject application meets the standards for granting a variance set forth in §87-23 and 190-4 of the City Code; and

WHEREAS, based upon the evidence and testimony presented, the APC recommended variances of 1) two (2) feet from the Zoning Ordinance maximum height of four (4) feet in the side yard of a corner property, 2) to permit a fence in the front yard and 3) for the fencing along Iroquois Street, 25 feet from the required 25-foot side street-line setback, be granted under certain conditions; and

WHEREAS, the Mayor and Council are authorized by §87-19 and 190-6 to accept or deny the recommendation of the APC with respect to variance requests; and

WHEREAS, the Mayor and Council have reviewed the recommendation of the APC as to the Application and in particular have reviewed the APC’s findings of fact and conclusions of law; and

WHEREAS, no exceptions have been filed.

NOW THEREFORE, the Mayor and Council are in agreement with and hereby adopt the findings of fact and conclusions of law of the APC with respect to CEO-2016-01 for variances from City Code §87-23 which restricts fences from being constructed in the front yard and requires that fences be set back 25 feet from the property line where the rear or side lot line is a continuation of the front yard line of the adjacent lot, and from the Zoning Ordinance, Section 27-420(a) which limits the height of front yard fences to four (4) feet, as follows:

Section 1. Findings of Fact

- 1.1 The Property, located at 9507 48th Place, is in the Snyder Subdivision, is part of the North College Park Citizens Association and is zoned R-55.
- 1.2 The northern property line measures 83.19 feet, the western property along 48th Place measures approximately 64.29 feet (not including the corner radius); the southern property line along Iroquois Street measures approximately 34 feet (not including the corner radius); and the eastern property line measures 85.83 feet.
- 1.3 The Property is basically a square-shaped corner lot with street frontage on 48th Place and Iroquois Street.
- 1.4 The house faces 48th Place. According to the City Fence Ordinance, this is defined as the apparent front yard.
- 1.5 The County defines the front yard, for fence purposes, as any yard abutting a street. A corner lot has two front yards.
- 1.6 There are existing fences on the Property as follows: a 3-foot high wood split-rail fence with wire netting starting at the south side of the house, continuing along Iroquois Street and then enclosing the rear yard of the house until it connects to a 4-foot high wood stockade fence directly behind the house and continues along the northeasterly side of the lot enclosing a shed and rear deck.
- 1.7 The surrounding neighborhood is single-family residential with many front yard fences (mainly chain-link and wood picket). There are some wood stockade fences in the neighborhood to enclose rear yards and corner “rear” yards.
- 1.8 The Applicant has two large-breed dogs. The dogs are currently contained via an invisible fence. However, passers-by and service professionals are frequently concerned that the dogs are not restrained since they do not see an adequate physical fence. According to the Applicant, this leads to many unnecessary “unrestrained dog” complaints to the City animal control officer.
- 1.9 The right-of-way for this segment of Iroquois Street is 20 feet wider (50-foot wide) than the majority of Iroquois Street (30-foot wide). Moreover, the right-of-way for this segment of 48th Place is also 50-foot wide and narrows to 35-feet as 48th Place travels north.

1.10 The Applicant is requesting to erect two fences:

Fence 1 (along Iroquois) is to replace a 3-foot split-rail fence with a 6-foot high board and batten fence in the backyard to restrain two large dogs. The 6-foot height is needed to safely restrain the dogs when the Applicant is not present.

Fence 2 (along 48th Place) is to erect a 4-foot tall wood-picket fence in the apparent front yard as an additional, occasional, exercise area for the dogs when the Applicant is present.

1.11 For Fence 1 (along Iroquois Street), a variance of 2-feet from the Zoning Ordinance maximum height of four (4) feet for a front and side yard fence on a corner property is requested.

1.12 For Fence 1 and Fence 2 (the portion along Iroquois Street), a variance of 25 feet from the required 25-foot side street-line setback in the Fence Ordinance is requested.

1.13 For Fence 2 (primarily along 48th Place), a variance from the Fence Ordinance to permit a fence in the front yard is requested.

Section 2 Conclusions of Law

2.1 There is an extraordinary situation or condition that would support the request for a variance.

Fence 1: The usable back yard is exceptionally small due to location of the house, deck, two sheds, and the comparatively very large right-of-way on Iroquois Street. The requirement of a 25 foot set back reduces this space even further.

2.2 Fence 2: The limited amount of space available for the dogs in the rear yard necessitates use of the front yard for this purpose. The dogs are restrained by an invisible fence which prevents the dogs from leaving the property but does not prevent dogs and people from approaching the owner's dogs.

2.3 The denial of the variance would result in a peculiar and unusual practical difficulty to, or exceptional or undue hardship to the Applicant.

Fence 1 and Fence 2: Since people cannot see the invisible fence, many people perceive the large dogs as inadequately restrained and a threat to public safety, which results in calls to the animal control officer. The animal control officer has then issued unwarranted citations to the Applicant resulting in a peculiar and unusual practical difficulty for the Applicant. The 25 foot setback coupled with the wider than usual right of way severely limits the space available for the fence construction.

2.4 Granting the variance will not impair the intent, purpose or integrity of the Fence Ordinance.

Fence 1 and Fence 2: Granting the variances will not impair the intent, purpose or integrity of the Fence Ordinance. It is not the intent of the Fence Ordinance to prohibit Applicant from reasonably restraining his pets. In addition, if the fence is required to be located north of and behind the tree line along Iroquois Street, open space will be maintained.

- 2.5 The variance is consistent with the design guidelines adopted for the historic district, if applicable.

Fence 1 and Fence 2: Not applicable, the Property is not located in an historic district.

- 2.6 The variance will adversely affect the public health, safety, welfare or comfort.

Fence 1 and Fence 2: A major purpose of both fences is to improve the comfort of the public who perceive the large dogs as being insufficiently restrained due to misperceptions of the invisible fence. Fence 2 as shown on applicant's drawing encroaches into the visibility triangle. All fences must comply with the visibility triangle regulations as defined in Section 27-421 and no variance can be granted from that requirement.

- 2.7 The fence for which an appeal is requested incorporates openness and visibility as much as is practicable, provided however, that it shall not be constructed of chain link unless this material is consistent with the surrounding neighborhood.

Fence 1: It is necessary to block the view of the dogs from the public. It is not practical for the fence to be open because when the dogs see people, they become excited and start to bark and jump. Also, some people become alarmed when large dogs become agitated, bark and run towards them. The applicant is proposing the top one foot of the fence to be made of lattice in order to incorporate openness and visibility as much as is practical.

Fence 2: The four-foot wooden picket fence will incorporate openness and visibility.

- 2.8 The proposed construction, including setbacks, is characteristic of and consistent with the surrounding neighborhood. In neighborhoods where chain link is a characteristic material, alternate materials incorporating openness and visibility, may be permitted.

Fence 1: The portion of the fence that is located in back of the house and presents as a back yard fence is characteristic of and consistent with the surrounding neighborhood. Also, the fence is proposed to be located on the driveway side of the adjoining Property which will minimize negative impact to this Property.

Fence 2: The proposed front yard picket fence is also characteristic of and consistent with the surrounding neighborhood.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of College Park to approve CEO-2016-01, and grant the following variances:

Fence 1: A variance of two (2) feet from the Zoning Ordinance maximum height of four (4)feet for side yard fences on corner properties, and for the portion of Fence 1 along Iroquois Street, a variance of 25 feet from the Fence Ordinance required 25-foot side street-line setback, with the condition that the fence be located north of and behind the tree line along Iroquois Street and outside of the City right-of-way.

Fence 2: A variance from the Fence Ordinance to permit a fence in the front yard , and for the portion of Fence 2 along Iroquois Street, a variance of 25 feet from the Fence Ordinance required 25-foot side street-line setback with the understanding that the fence will comply with Section 27-421 which regulates corner lot sight-line obstructions and that the Applicant will close in the front yard by adding fencing along the driveway.

ADOPTED, by the Mayor and Council of the City of College Park, Maryland during a Special Session on the 5th day of July 2016.

CITY OF COLLEGE PARK

Janeen S. Miller, CMC
City Clerk

Patrick L. Wojahn, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

Suellen M. Ferguson
City Attorney

2

**Special
Session
16-R-13**

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK ADOPTING THE RECOMMENDATIONS OF THE ADVISORY PLANNING COMMISSION REGARDING VARIANCE APPLICATION NUMBER CPV-2016-04, 5008 HURON STREET, COLLEGE PARK, MARYLAND, RECOMMENDING APPROVAL OF A VARIANCE FROM SECTION 27-120.01(C) OF THE PRINCE GEORGE’S COUNTY ZONING ORDINANCE, “FRONT YARDS OF DWELLINGS,” TO CONSTRUCT A DRIVEWAY IN THE FRONT YARD, 24 FEET IN WIDTH BY 24 FEET IN LENGTH

- WHEREAS**, the City of College Park, Maryland (hereinafter, the "City") has, pursuant to §190-1 *et seq.*, and in accordance with Section 27-924 of the Prince George's County Zoning Ordinance (hereinafter, "Zoning Ordinance"), enacted procedural regulations governing any or all of the following: departures from design and landscaping standards, parking and loading standards, sign design standards, and variances for lot size, setback, and similar requirements for land within the corporate boundaries of the City, alternative compliance from landscaping requirements, certification, revocation, and revision of nonconforming uses, and minor changes to approved special exceptions; and
- WHEREAS**, the City is authorized by §190-1 *et seq.* of the City Code to grant an application for a waiver or variance for lot size, setback, and similar requirements where, by reason of exceptional narrowness, shallowness, shape, topography, or other extraordinary situation or condition of the specific parcel of property, the strict application of the Zoning Ordinance would result in peculiar and unusual practical difficulties or an exceptional or undue hardship upon the owner of the property, and a variance can be granted without substantial impairment of the intent, purpose and integrity of the General Plan or Master Plan; and
- WHEREAS**, the Advisory Planning Commission (hereinafter "APC") is authorized by §190-3 of the City Code to hear requests for variances from the terms of the Zoning Ordinance with respect to lot size, setback, and other requirements from which a variance may be granted by the Prince George’s County Board of Appeals, including variances from Section 27-120.01(c) of the Zoning Ordinance, and to make recommendations to the Mayor and Council in connection therewith; and
- WHEREAS**, Section 27-120.01 (c) of the Zoning Ordinance stipulates that no parking space, parking area, or parking structure other than a driveway no wider than its associated garage, carport, or other parking structure may be built in the front yard of a dwelling, except a townhouse or multifamily dwelling, in the area between the front street line and the sides of the dwelling; and
- WHEREAS**, on May 5, 2016, Erika Rubio Sosa (hereinafter, the “Applicant”), submitted an application for a variance from the Zoning Ordinance, Section 27-120.01(c), to permit construction of a 24-foot by 24-foot driveway in front of the house at the premises known as 5008 Huron Street, College Park, Maryland (the “Property”); and

WHEREAS, on June 2, 2016, the APC conducted a hearing on the merits of the application, at which time the APC heard testimony and accepted evidence, including the staff report, Exhibits 1 – 7, and the staff presentation with respect to whether the subject application meets the standards for granting a variance set forth in §190-4 of the City Code.

WHEREAS, based upon the evidence and testimony presented, the APC voted 6-0-0 to recommend that the variance be granted; and

WHEREAS, the Mayor and Council are authorized by §190-6 to accept or deny the recommendation of the APC with respect to variance requests; and

WHEREAS, the Mayor and Council have reviewed the recommendation of the APC as to the Application for a variance and in particular have reviewed the APC’s findings of fact and conclusions of law; and

WHEREAS, no exceptions have been filed.

NOW THEREFORE, the Mayor and Council are in agreement with and hereby adopt the findings of fact and conclusions of law of the APC with regard to CPV-2016-04 for a variance from Section 27-120.01(c) of the Prince George’s County Zoning Ordinance, “Front Yards of Dwellings,” to construct a driveway in the front yard, 24 feet in width by 24 feet in length, as follows:

Section 1. Findings of Fact

- 1.1 The Property is located at 5008 Huron Street in the Daniel’s Park subdivision.
- 1.2 The North College Park Citizen’s Association is the civic association that represents the area in which the Property is located.
- 1.3 The Property is zoned R-55, single family residential.
- 1.4 The Applicant is proposing to construct a double-wide driveway and curb-cut.
- 1.5 The Property, 50-feet in width by 100-feet in length, is rectangular in shape and has an area of 5,000 square feet.
- 1.6 The original house was constructed in 1966.
- 1.7 The house footprint is 35.9 feet wide by 26.0 feet deep or 933.4 square feet.
- 1.8 The immediate neighborhood is zoned R-55, single-family residential and has many narrow side yards with single and double-wide driveways in front of the homes.
- 1.9 The Applicant does not currently have any driveway or curb-cut.
- 1.10 The Prince George’s County Department of Permitting, Inspections and Enforcement require a driveway setback of 3.5 feet from the side property line.

- 1.11 There is no permit parking on Huron Street and on-street parking is very limited.
- 1.12 A double-wide driveway requires a double-wide driveway curb cut and apron, which may only be granted by the City Council.

Section 2 Conclusions of Law

- 2.1 The side yards are exceptionally narrow (7.6-feet wide for the western side yard and 6-feet wide for the eastern side yard), and are not sufficient for providing a functional driveway without encroaching in front of the house.
- 2.2 The strict application of the County Zoning Ordinance will result in a peculiar and unusual practical difficulty to the Applicant by preventing her from parking her cars on her Property,. On-street parking is very limited in this area. The Applicant wants to park her vehicles on her Property due to crime and safety of her young children.
- 2.3 Granting the driveway variance will not substantially impair the intent and purpose of the applicable County General Plan or County Master Plan, because driveways encroaching in front of the house, including a number of double-wide driveways and double-wide curb-cuts, are a characteristic of this neighborhood.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of College Park to approve CPV-2016-04 and grant a variance from Section 27-120.01(c) to encroach in the front yard with a 24-foot by 24-foot driveway t subject to approval by the City Council of a double-wide curb-cut and driveway apron. If the Council does not grant the double-wide curb-cut and driveway apron, then a variance for a 10-foot wide by 19-foot long driveway is granted.

ADOPTED, by the Mayor and Council of the City of College Park, Maryland during a Special Session on the 5th day of July 2016.

CITY OF COLLEGE PARK

Janeen S. Miller, CMC
City Clerk

Patrick L. Wojahn, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

Suellen M. Ferguson
City Attorney

3

Special
Session
16-R-14

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK ADOPTING THE RECOMMENDATIONS OF THE ADVISORY PLANNING COMMISSION REGARDING VARIANCE APPLICATION NUMBER CPV-2016-05, 8405 48TH AVENUE, COLLEGE PARK, MARYLAND, RECOMMENDING APPROVAL OF A VARIANCE FROM SECTION 27-120.01(C) OF THE PRINCE GEORGE'S COUNTY ZONING ORDINANCE, "FRONT YARDS OF DWELLINGS," TO CONSTRUCT A DRIVEWAY IN THE FRONT YARD, 16 FEET IN WIDTH BY 31 FEET IN LENGTH

- WHEREAS**, the City of College Park, Maryland (hereinafter, the "City") has, pursuant to §190-1 *et seq.*, and in accordance with Section 27-924 of the Prince George's County Zoning Ordinance (hereinafter, "Zoning Ordinance"), enacted procedural regulations governing any or all of the following: departures from design and landscaping standards, parking and loading standards, sign design standards, and variances for lot size, setback, and similar requirements for land within the corporate boundaries of the City, alternative compliance from landscaping requirements, certification, revocation, and revision of nonconforming uses, and minor changes to approved special exceptions; and
- WHEREAS**, the City is authorized by the Ordinance to grant an application for a waiver or variance for lot size, setback, and similar requirements where, by reason of exceptional narrowness, shallowness, shape, topography, or other extraordinary situation or condition of the specific parcel of property, the strict application of the Zoning Ordinance would result in peculiar and unusual practical difficulties or an exceptional or undue hardship upon the owner of the property, and a variance can be granted without substantial impairment of the intent, purpose and integrity of the General Plan or Master Plan; and
- WHEREAS**, the Advisory Planning Commission (hereinafter "APC") is authorized by §190-3 of the City Code to hear requests for variances from the terms of the Zoning Ordinance with respect to lot size, setback, and other requirements from which a variance may be granted by the Prince George's County Board of Appeals, including variances from Section 27-442(c) of the Zoning Ordinance, and to make recommendations to the Mayor and Council in connection therewith; and
- WHEREAS**, Section 27-120.01 (c) of the Zoning Ordinance stipulates that no parking space, parking area, or parking structure other than a driveway no wider than its associated garage, carport, or other parking structure may be built in the front yard of a dwelling, except a townhouse or multifamily dwelling, in the area between the front street line and the sides of the dwelling; and
- WHEREAS**, on May 18, 2016, Dennis R. and Janet R. McGrath (hereinafter, the "Applicants"), submitted an application for a variance from the Zoning Ordinance, Section 27-120.01 (c), to permit an already constructed 16-foot by 31-foot driveway in front of the house at the premises known as 8405 48th Avenue, College Park, Maryland (the "Property"); and

WHEREAS, on June 2, 2016, the APC conducted a hearing on the merits of the application, at which time the APC heard testimony and accepted evidence, including the staff report, Exhibits 1 – 7, and the staff presentation with respect to whether the subject application meets the standards for granting a variance set forth in §190-4 of the City Code.

WHEREAS, based upon the evidence and testimony presented, the APC voted 6-0-0 to recommend that the variance be granted; and

WHEREAS, the Mayor and Council are authorized by §190-6 to accept or deny the recommendation of the APC with respect to variance requests; and

WHEREAS, the Mayor and Council have reviewed the recommendation of the APC as to the Application for a variance and in particular have reviewed the APC’s findings of fact and conclusions of law; and

WHEREAS, no exceptions have been filed.

NOW THEREFORE, the Mayor and Council are in agreement with and hereby adopt the findings of fact and conclusions of law of the APC with regard to CPV-2016-05 for a variance from Section 27-120.01 (c) of the Prince George’s County Zoning Ordinance, “Front Yards of Dwellings,” to construct a driveway in the front yard, 16 feet in width by 31 feet in length as follows:

Section 1. Findings of Fact

- 1.1 The Property is located at 8405 48th Avenue in the Berwyn subdivision.
- 1.2 The Berwyn District Civic Association is the civic association that represents the area in which the property is located.
- 1.3 The Property is zoned R-55, single family residential.
- 1.4 The Applicants have constructed a driveway in the front yard of the property. There is an existing curb-cut on the property that served a previously existing driveway.
- 1.5 The Property, 100-feet in width by 200-feet in length, is rectangular in shape and has an area of 20,000 square feet.
- 1.6 The original house was constructed in 1928.
- 1.7 A detached garage, 11.8-feet in width by 16-feet in length, was constructed prior to 1972 (according to a survey). A driveway apron was most likely constructed at this time in order for a vehicle to access the garage. It appears that the original driveway was 16-feet wide by 31-feet in length and led to the detached garage.
- 1.8 An addition (18-feet by 30-feet) was constructed at the location of the driveway in 1973 (according to a building permit).

- 1.9 There are many mature trees on the south side of the house.
- 1.10 There is extreme slope, 15-25%, to the north of the house.
- 1.11 The immediate neighborhood is zoned R-55, single-family residential.
- 1.12 The driveway across the street from the Property encroaches in front of the house. There are other driveways in the neighborhood that encroach in front of their respective houses.
- 1.13 The Applicants testified that there is very limited on-street parking due to proximity of the neighborhood to the University campus and the lack of a permit parking system
- 1.14 The Applicants constructed a new 18-foot by 22-foot brick driveway pad at the location of a previously existing driveway without first obtaining a county or city building permit.
- 1.15 The Applicants received a Building Permit Violation notice on May 5, 2016 for failure to obtain a building permit for the installation of a brick driveway.

Section 2 Conclusions of Law

- 2.1 The Property has a number of exceptional conditions and extraordinary situations, including: extreme slope to the north of the house and mature trees to the south of the house both of which limit the location of a driveway, and very limited on-street parking due to proximity of the neighborhood to the University campus and the lack of a permit parking system.
- 2.2 The location of a speed hump to the immediate north of the house results in an unusual practical difficulty by limiting the Applicants from relocating their curb-cut and any related driveway to a location that is not in front of the house, does not require removal of mature trees, and does not impact existing topography.
- 2.3 Granting the driveway variance will not substantially impair the intent and purpose of the applicable County General Plan or County Master Plan, because driveways encroaching in front of the house are a characteristic of this neighborhood.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of College Park, Maryland that to approve CPV-2016-04 and grant a variance from Section 27-120.01(c) to encroach in the front yard with a driveway not to exceed a width of 16-feet in width and 31-feet in length, for a total encroachment of 496 square feet.

ADOPTED, by the Mayor and Council of the City of College Park, Maryland during a Special Session on the 5th day of July 2016.

CITY OF COLLEGE PARK,

Janeen S. Miller, CMC
City Clerk

Patrick L. Wojahn, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

Suellen M. Ferguson
City Attorney

4

Special
Session
16-R-15

**CITY OF COLLEGE PARK, MARYLAND
SPECIAL SESSION AGENDA ITEM**



AGENDA ITEM NUMBER 16-R-15

Prepared By: Suellen M. Ferguson, Esq.
City Attorney

Meeting Date: July 5, 2016

Presented By: Suellen M. Ferguson, Esq.
City Attorney

Consent Agenda: No

Originating Department: City Attorney

Action Requested: Approval and ratification of an amendment to the Memorandum of Understanding between the City and the Prince George's County Council, sitting as the District Council, to authorize the City to enforce the County zoning code within the municipal boundaries.

Strategic Plan Goal: Goal 6– Excellent Services

Background/Justification:

The City and County Council, sitting as the District Council, entered into a Memorandum of Understanding in 2002 that authorized the City to enforce the County Zoning Ordinance. The City's Department of Public Services has been enforcing the County Zoning Ordinance since that time. It has become necessary to clarify certain language to fully elucidate and ratify the original and continuing intent of the parties to the MOU at the time of its adoption to the present that the MOU does not diminish, limit or affect the City's right to issue City permits, or to exercise those municipal powers authorized by law, or to adopt or enforce City laws pursuant to its municipal powers; and to update obsolete references to certain County agencies and practices, as well as provisions of State and County law. The District Council has approved an amended MOU, which is attached.

Fiscal Impact:

None.

Council Options:

- #1: Approve Resolution 16-R-15 to adopt and ratify the amended MOU
- #2: Take no action

Staff Recommendation:

#1:

Recommended Motion:

I move to approve 16-R-15 to adopt and ratify the amended MOU between the City and the Prince George's County Council, sitting as the District Council, in the form attached as Exhibit A to the Resolution.

Attachments:

Resolution 16-R-15
Amended MOU

CR-48-2016 of the Prince George's County Council sitting as the District Council approving the amended MOU

**RESOLUTION OF THE MAYOR AND COUNCIL
OF THE CITY OF COLLEGE PARK TO AMEND AND RATIFY AN AMENDED
MEMORANDUM OF UNDERSTANDING WITH THE COUNTY COUNCIL OF
PRINCE GEORGE’S COUNTY, SITTING AS THE DISTRICT COUNCIL, TO
ENFORCE ZONING WITHIN THE CITY BOUNDARIES**

WHEREAS, §22-119 of the Land Use Article, Annotated Code of Maryland, provides that a municipal corporation within Prince George’s County has concurrent jurisdiction to enforce the zoning laws of the County within its municipal boundaries; and

WHEREAS, prior to exercising the authority conferred by §22-119, the municipal corporation and the District Council are required to enter into a written agreement concerning the method by which the County will be advised of citations issued by a municipal inspector, the responsibility of the municipal corporation or the County to prosecute violations cited by the municipal corporation , the resolution of disagreements between the municipal corporation and the County concerning interpretations of the zoning law, and other matters deemed necessary by the District Council for the proper and lawful exercise of this zoning authority; and

WHEREAS, the City sought to exercise zoning enforcement within the City and submitted a Memorandum of Understanding (“MOU”) to the District Council for its consideration and execution, addressing each requirement set forth in §22-119, on or about September 17, 2002; and

WHEREAS, after reviewing the proposed document, the District Council adopted CR-57-2002 on October 22, 2002 for the purpose of approving the terms of the proposed MOU submitted by the City; and

WHEREAS, the Mayor and Council approved the adoption of the MOU on November 19, 2002; and

WHEREAS, since the execution of the MOU, the District Council and the City have determined that there is a need to clarify certain language to fully elucidate and ratify the original and continuing intent of the parties to the MOU at the time of its adoption to the present that the MOU does not diminish, limit or affect the City's right to issue City permits, or to exercise those municipal powers authorized by law, or to adopt or enforce City laws pursuant to its municipal powers; and to update obsolete references to certain County agencies and practices, as well as provisions of State and County law; and

WHEREAS, the Prince George's County Council, sitting as the District Council, approved and ratified the amendment of the MOU on June 14, 2016; and

WHEREAS, the Mayor and Council have determined that it is in the public interest to approve and ratify the amendment of the MOU in substantially the form attached as Exhibit A.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of College Park that the amendment to the MOU in substantially the form attached as Exhibit A be and it is hereby approved and ratified.

ADOPTED by the Mayor and City Council of the City of College Park, Maryland at a regular meeting on the 5th day of July, 2016.

EFFECTIVE the 5th day of July, 2016.

WITNESS:

THE CITY OF COLLEGE PARK

Janeen S. Miller, CMC, City Clerk

Patrick L. Wojahn, Mayor

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:**

Suellen M. Ferguson, City Attorney

AMENDED MEMORANDUM OF UNDERSTANDING

This Amended Memorandum of Understanding to Establish Zoning Enforcement Procedures in the City of College Park is made this _____ day of _____, 2016, by and between the City of College Park, Maryland, a municipal corporation of the State of Maryland, and the County Council of Prince George's County, Maryland, sitting as the District Council for that part of the Maryland-Washington Regional District in Prince George's County.

W I T N E S S E T H

WHEREAS, §22-119 of the Land Use Article, Annotated Code of Maryland, vests in each municipal corporation in the Maryland-Washington Regional District in Prince George's County concurrent jurisdiction with the County Council of Prince George's County, sitting as the District Council, to enforce zoning laws within the corporate limits of the municipal corporation; and

WHEREAS, the City of College Park, Maryland, wishes to assume the duty and exercise the power of enforcement of zoning laws within its corporate limits; and

WHEREAS, the District Council is willing to cooperate with the City in the enforcement of the County's zoning laws, subject to certain conditions; and

WHEREAS, the City will implement stated operating procedures, after District Council approval, for City enforcement of County zoning laws within the City, in accordance with the conditions; and

WHEREAS, the City represents that it has the resources to perform the obligations set forth in this Memorandum of Understanding.

NOW, THEREFORE, the parties mutually agree as follows:

1. City Powers and Duties; Definitions

(a) On December 1, 2002, the City will assume the duty and first exercise the power, pursuant to §22-119 of the Land Use Article, as amended, and as authorized in this Memorandum of Understanding, to enforce the Prince George's County Zoning Ordinance within the corporate limits of the City of College Park. On and after that date, zoning violation cases within the City will be the primary duty and responsibility of City government, which will have all enforcement powers then possessed by County government under the Act.

(b) The City's assumption of zoning enforcement powers and duties shall not be deemed to diminish any City power or authority under §§ 25-301 or 25-303 of the Land Use Article, or any other law.

(c) In this Memorandum of Understanding, the following terms have the indicated meanings:

"Board" or "Board of Appeals" means the Board of Appeals of Prince George's County, sitting as the Board of Zoning Appeals.

"City" means the City of College Park, Maryland.

"Commission" or "Planning Commission" means the Maryland-National Capital Park and Planning Commission.

"County" means Prince George's County, Maryland.

"Department" means the County Department of Permitting, Inspections and Enforcement.

"District Council" or "Council" means the County Council of Prince George's County, Maryland, sitting as the legislative branch of County government or as the District Council, under the provisions of the Regional District Act.

"Memorandum" or "Memorandum of Understanding" means this Memorandum of Understanding between the City and the Council.

"Ordinance" or "Zoning Ordinance" means the Prince George's County Zoning Ordinance, set forth in Subtitle 27, Prince George's County Code, as amended from time to time.

"Planning Board" means the Planning Board of the Maryland-National Capital Park and Planning Commission.

(d) In this Memorandum, the words "will" and "shall" are mandatory.

2. **City Procedures**

(a) The City will implement Zoning Ordinance enforcement procedures conforming to the outline approved by the City Council. A copy of the approved outline is attached as Exhibit A and incorporated herein by reference. Under its delegated power, the City will enforce the Ordinance and require compliance on all properties within municipal boundaries, except for construction operations proceeding under a County grading or building permit and uses which

are the subject of active use and occupancy permit applications on file with the Department, which will continue to be enforced by the County.

(b) All City actions to enforce the Zoning Ordinance will be taken by City enforcement officers under the direction of the City Manager and City Attorney. The City Attorney is authorized to appear before the Board of Appeals, the Planning Board, the Council, and any State court to enforce the Ordinance and to defend claims, including appeals and requests for waivers or variances, which are related to Ordinance enforcement.

(c) The City is not authorized to issue County building, grading, use and occupancy, or other County permits issued by the County Department of Permitting, Inspections and Enforcement, the City is not authorized to override Department interpretations of the Ordinance in issuing County permits, and the City is not authorized to perform inspections for County permit applications. The City may initiate and pursue enforcement action for any property which does not have the required County use and occupancy permits for its use or uses. This Memorandum of Understanding does not diminish, limit or affect the City's right to issue City building, occupancy, health and safety, rental or business permits or other licenses or permits, or to exercise those powers authorized by the Local Government Article, Annotated Code of Maryland, or any other law, or to adopt or enforce City laws under its municipal powers.

(d) The City will file with the individual designated by the Department a copy of each citation or violation notice, within one business day after service on the person deemed in violation. Filing may be completed by delivery, by ordinary mail, or by other means agreed to by the City and the Department.

3. **Zoning Ordinance Interpretations; Appeals**

(a) The City shall enforce the provisions of the Zoning Ordinance in strict accordance with its language. If the City or the Department has a question about a City interpretation or enforcement practice, it may raise the matter with the City Attorney, who may consult with the County Attorney or the District Council's attorney. The City Attorney, County Attorney, and Council attorney shall consult from time to time, as needed, on Ordinance interpretations and enforcement practices.

(b) Nothing in this Memorandum authorizes the City to impose standards or requirements which the Zoning Ordinance does not establish or which the Department or other

County zoning officials could not impose, nor may the City overrule prior Department or County interpretations of the Zoning Ordinance in particular cases.

(c) A City zoning citation or notice of violation may be appealed by the subject property's owner or by its occupant, where the occupant is responsible for the structure or use cited. All appeals of City citations or violation notices shall be to the Board of Appeals. The procedures to be followed in appeals, including time requirements and other procedures, are the same as those in zoning appeals to the Board for properties outside the City.

4. **City Access to Department Records**

The Department and the County will provide the City access as needed, on a case-by-case basis, to all permit information and property information and records in the Department's files related to the City's enforcement of the Zoning Ordinance.

5. **Annual City Reports; Meetings; Zoning Liaisons**

(a) Each year after 2002, on or before December 1, the City will provide to the Council and the Commission an annual report of the City's Zoning Ordinance enforcement activities for the prior 12 months. The report shall contain summaries of all activities and case information requested by the County or the Commission.

(b) At the request of the City, County, or Commission, meetings may be held from time to time to facilitate City enforcement activities, to allow City access to County data and records, to ensure uniform interpretation of the Zoning Ordinance and uniform enforcement practices by City and County, and to encourage City, County, and Commission cooperation in the enforcement and administration of the Zoning Ordinance.

(c) The City and County will each appoint one or more persons to act as zoning liaison, to facilitate prompt and effective communication concerning zoning enforcement matters.

6. **City Indemnification**

The parties agree that the City shall be responsible for carrying out the enforcement of the Zoning Ordinance within City boundaries, in strict accordance with the Prince George's County Zoning Ordinance. The City, to the extent permitted by law and without waiving common law and other governmental immunities and the provisions §5-301 et seq., Local Government Tort Claims Act, Courts and Judicial Proceedings Article, Annotated Code of

Maryland,, shall indemnify and hold the County harmless from and against any and all actions, liabilities, claims, suits, damages, costs, or expenses, of whatever kind or nature, which may be brought or made against the County or any County agency or department which the County must pay and incur by reason of, or in any manner resulting from, the City's performance or failure to perform any obligation under the law or the terms of this Memorandum of Understanding.

7. Severability

If any word, sentence, or part of this Memorandum of Understanding is determined by a court of competent jurisdiction to be invalid under any applicable law, such provision shall be deemed void, but the remainder of this Memorandum of Understanding shall continue in full force and effect, to the extent that it is consistent with the enforcement of the Prince George's County Zoning Ordinance and the Regional District Act. This Memorandum of Understanding shall be construed, interpreted, and enforced in accordance with the laws of the State of Maryland.

8. Notices

All notices made or required to be given pursuant to this Memorandum of Understanding shall be in writing and deemed to be duly served if and when mailed by registered mail, postage prepaid, return receipt requested, to the other party at the address set forth here or at such other address as the party may hereafter designate in writing. Notice to the District Council shall be deemed sufficient if addressed as follows:

Council Administrator
Prince George's County Council
County Administration Building
14741 Gov. Oden Bowie Drive
Upper Marlboro, MD 20772

A copy shall also be sent by first-class mail to the District Council's attorney.

Notices to the City shall be deemed sufficient if addressed as follows:

City Manager
City of College Park
4500 Knox Road
College Park, MD 20740

A copy shall also be sent by first-class mail to the City Attorney.

9. Duration of Agreement; Extensions; Notice of Termination

This Amended Memorandum of Understanding shall be effective on the 1st day of December, 2002, and shall run from year to year thereafter. This Amended Memorandum shall be extended automatically, without further action, unless either party gives to the other notice of termination, in writing, not later than 120 days prior to the end of an annual term.

10. Third Party Rights

This Amended Memorandum of Understanding and any documents executed in connection with it are intended only for the benefit of the parties, and no rights are intended or shall be deemed to be granted to any other persons.

IN WITNESS WHEREOF, the parties hereto have caused this Amended Memorandum of Understanding to be executed as of the date and year first written above.

CITY OF COLLEGE PARK

ATTEST: _____

By: _____
Patrick L. Wojahn, Mayor

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL
FOR THAT PART OF THE MARYLAND-
WASHINGTON REGIONAL DISTRICT
IN PRINCE GEORGE'S COUNTY
MARYLAND

ATTEST: _____

By: _____
Derrick Leon Davis, Chair

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2016 Legislative Session**

Resolution No. CR-48-2016

Proposed by Council Members Lehman and Glaros

Introduced by Council Members Lehman, Glaros, Turner, Davis and Taveras

Co-Sponsors _____

Date of Introduction June 14, 2016

RESOLUTION

1 A RESOLUTION concerning

2 Delegation of Zoning Enforcement Authority to the City of College Park

3 For the purpose of approving certain proposed amendments to the Memorandum of
4 Understanding between the City of College Park and County Council of Prince George's County,
5 sitting as the District Council, regarding the enforcement of zoning laws within the municipal
6 boundaries of the City of College Park.

7 WHEREAS, Section 22-119 of the Land Use Article, Annotated Code of Maryland,
8 provides that a municipal corporation within that portion of the Regional District lying in Prince
9 George's County, Maryland, has concurrent jurisdiction with the County Council of Prince
10 George's County, Maryland, sitting as the District Council, to enforce zoning laws within its
11 corporate limits; and

12 WHEREAS, prior to exercising the authority conferred by Section 22-119, State law
13 requires that the municipal corporation and the District Council enter into a written agreement
14 concerning the method by which the County will be advised of citations issued by a municipal
15 inspector, the responsibility of the municipal corporation or the County to prosecute violations
16 cited by the municipal corporation, the resolution of disagreements between the municipal
17 corporation and County concerning interpretations of any zoning law, and other matters deemed
18 necessary by the District Council for the proper and lawful exercise of this zoning authority; and

19 WHEREAS, the City of College Park submitted a Memorandum of Understanding
20 ("MOU") to the District Council, for its consideration and potential execution, addressing each

1 requirement set forth in Section 22-119 of the Land Use Article on or about September 17, 2002;
2 and

3 WHEREAS, after reviewing the proposed document, the District Council adopted CR-57-
4 2002 for the purpose of approving the terms of the proposed MOU submitted by the City of
5 College Park on or about October 22, 2002; and

6 WHEREAS, pursuant to the Council's adoption of CR-57-2002, the Chair of the County
7 Council executed the MOU with the City of College Park on or about October 22, 2002; and

8 WHEREAS, since the execution of the zoning enforcement MOU with the City of College
9 Park, the District Council finds, and the City of College Park concurs, that there is a need to
10 clarify certain language to fully elucidate and ratify the original and continuing intent of the
11 parties to the MOU at the time of its adoption on October 22, 2002, to the present that the MOU
12 does not diminish, limit, or affect the City's right to issue City permits, or to exercise those
13 municipal powers authorized by law, or to adopt or enforce City laws pursuant to its municipal
14 powers; and to update obsolete references to certain County agencies and practices, as well as
15 provisions of State and County law; and

16 WHEREAS, the District Council has reviewed the proposed amendments to the October 22,
17 2002. MOU, attached hereto as Attachment A and incorporated as if set forth fully herein, and
18 concurs with the proposed amendments.

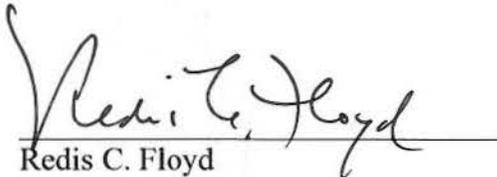
1 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
2 County, Maryland, sitting as the District Council for that part of the Maryland-Washington
3 Regional District in Prince George's County, Maryland, that the proposed amendments to the
4 October 22, 2002, Memorandum of Understanding, attached hereto as Attachment A, be and the
5 same are hereby approved and ratified; and the Chairman of the County Council is authorized to
6 execute the amended Memorandum of Understanding on behalf of the District Council.

Adopted this 14th day of June, 2016.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: 
Derrick Leon Davis
Chairman

ATTEST:


Redis C. Floyd
Clerk of the Council



Prince George's County Council

Agenda Item Summary

Meeting Date: 6/14/2016

Effective Date:

Reference No.: CR-048-2016

Chapter Number:

Draft No.: 1

Public Hearing Date:

Proposer(s): Lehman and Glaros

Sponsor(s): Lehman, Glaros, Turner, Davis and Taveras

Item Title: A RESOLUTION CONCERNING DELEGATION OF ZONING ENFORCEMENT AUTHORITY TO THE CITY OF COLLEGE PARK for the purpose of approving certain proposed amendments to the Memorandum of Understanding between the City of College Park and County Council of Prince George's County, sitting as the District Council, regarding the enforcement of zoning laws within the municipal boundaries of the City of College Park.

Drafter: Karen T. Zavakos, Zoning and Legislative Counsel
Rajesh A. Kumar, Principal Counsel to the District Council

Resource Personnel: Suellen M. Ferguson, City Attorney, City of College Park
Bridget E. Warren, Chief of Staff/Legislative Aide, District 1

LEGISLATIVE HISTORY:

Date:	Acting Body:	Action:	Sent To:
06/14/2016	County Council	introduced	
	Action Text:		
	This Resolution was introduced		
06/14/2016	County Council	rules suspended	
	Action Text:		
	A motion was made by Vice Chair Glaros, seconded by Council Member Lehman, that this Resolution be rules suspended. The motion carried by the following vote:		
	Aye: 9 Davis, Franklin, Glaros, Harrison, Lehman, Patterson, Taveras, Toles and Turner		
06/14/2016	County Council	adopted	
	Action Text:		
	A motion was made by Council Member Lehman, seconded by Vice Chair Glaros, that this Resolution be adopted. The motion carried by the following vote:		
	Aye: 9 Davis, Franklin, Glaros, Harrison, Lehman, Patterson, Taveras, Toles and Turner		

AFFECTED CODE SECTIONS:

BACKGROUND INFORMATION/FISCAL IMPACT:

Pursuant to provisions of the Regional District Act as amended by the Maryland General Assembly during its 2002 Regular Session, the County Council of Prince George's County, Maryland, sitting as the District Council was given authority to enter into an agreement with a municipal corporation for purposes of providing zoning enforcement within the corporate boundaries of said municipal corporation. Accordingly, and in compliance with the terms of the 2002 State law, on or about September 17, 2002, the City of College Park forwarded a proposed Memorandum of Understanding ("MOU") for consideration by the District Council. Thereafter, on October 22, 2002, the District Council approved CR-57-2002 to approve the proposed terms of a zoning enforcement MOU with the City of College Park and authorized the Chairman of the County Council to execute the MOU on behalf of the District Council.

Thereafter, there is now a need to refine the language of the October 2002 MOU in order to fully elucidate the intent of the parties at the time of execution to present. Consequently, this Resolution approves proposed amendments to the 2002 and will authorize the Chairman to execute said amendments on behalf of the District Council.

Document(s): R2016048, CR-48-2016 Attachment A

5

Litter Awareness Campaign

Solid waste
reduction ideas



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

Prepared By: Steve Beavers
Community Development Coordinator

Meeting Date: July 5, 2016

Presented By: Janis Oppelt, CBE Chairperson

Proposed Consent Agenda: N/A

Originating Department: Planning, Community and Economic Development

Issue Before Council: Litter Awareness Campaign

Strategic Plan Goal: Goal 2: Environmental Sustainability

Background/Justification:

Councilmember Brennan approached the Committee for a Better Environment (CBE) earlier this year after observing litter issues in several neighborhoods of the City. Contributing factors may be a lack of trash & recycling bin locations and a lack of closable trash containers which allow animal scavenging.

The CBE was supportive of a litter logo contest to generate excitement and raise awareness of litter prevention. A public litter logo design contest was held during the month of April, a panel selected finalists and the public was invited to vote on their favorite designs from each of three categories which included elementary / high school students, university students and non-students. Based on the results of the voting, first, second and third place winners were chosen. Winners will be presented with awards at the September 13 Council meeting. One of the winning litter logo entries could potentially be used in a Citywide litter awareness campaign.

While researching the contest, staff reached out to the Alice Ferguson Foundation and the Potomac Watershed Society, each of which are already running successful regional litter prevention campaigns. These organizations provide marketing resources and other support to municipalities to help with their litter prevention and cleanup efforts. The City could partner with one or both of these organizations on a formal litter campaign.

This item is presented to gauge Council's interest in a citywide litter outreach effort.

Fiscal Impact:

Staff time needed will vary depending on the scope of the outreach. Production of marketing materials may require funding.

Council Options:

For discussion only. No action required at this time.

Staff Recommendation:

N/A

Recommended Motion:

N/A

Attachments:

1. Litter Issues and Awareness Campaign Ideas

“Keep College Park Clean” Campaign*

**This slogan is a placeholder. The designer of the logo and campaign can create their own unique phrase (i.e. Trash Free CP, Leash the Litter)*

The City of College Park boasts many features that contribute to environmental beauty and stewardship, from the many parks and trail to the services provided by the local government, university, and nonprofit organizations. Touted as a Tree City USA, Sustainable Maryland Certified, UMD Arboretum and Botanical Garden... the city has much to take pride in and preserve. The city’s Committee for a Better Environment, many student/resident environmental activists, and regular city programs like Good Neighbor Day ensure that attention is paid to the treatment of our environment, both in natural and urban settings.

The Paint Branch Trail connects areas from the furthest north areas to the furthest south, by ways of the Trolley Tail. Along the ways, pedestrians and bicyclists enjoy city and county parks, waterways, and commercial areas in our downtown. The Paint Branch, Little Paint Branch, Indian Creek, and Lake Artemesia waterways connect through our city, flowing south to the Northeast Branch of the Anacostia River and ultimately the Potomac.

With consideration to the newly adopted 2015 Sustainability Plan, the city will no doubt continue to advance environmental stewardship through strategic measures that will Keep College Park Clean.

PROBLEM

Despite the many good qualities, the City of College Park struggles with environmental issues. Most notably, our city struggles with litter, which contributes to blight, clogged sewers, threats to wildlife, pollution in the Chesapeake Bay, and diminished property values. Litter is dispersed by wind, wildlife, and pedestrians.

Opportunities to appropriately dispose of waste in our city are not consistent in municipal areas. Waste receptacles are not evenly distributed in areas that have high pedestrian traffic (i.e. along the Trolley Trail in Old Town). Furthermore, most trash receptacles are open to the elements, which means that wind and wildlife can easily disperse appropriately disposed-of waste because it is not contained properly (i.e. littered north College Park playgrounds) . Finally, the majority of receptacles in our city are for waste only and do not provide an opportunity to recycle. Without the opportunity to recycle, countless recyclables end up in the standard waste stream and in landfills instead of recycling plants.

With consideration to the growing development in our city, College Park is in a position where greater pedestrian traffic will result in increased litter and a greater need to educate and provide appropriate accommodations for waste producers.

PROPOSED SOLUTIONS

We can continue to organize and clean littered areas as we’ve done year after year, but we must also address why wind, wildlife, and pedestrians contribute to the litter problem in the first place. Primarily, the issues with litter can be remedied through greater awareness, promotion of behavioral changes, and the placement of appropriately designed waste receptacles. Pedestrians need the opportunity to make good choices with their waste. To achieve this, we must



Picking up trash, December 27, 2015, on the Trolley Trail between Paint Branch Parkway & College Avenue. One trash bag filled in two blocks.

come together as residents of the city to identify solutions and commit to play a role in promoting this change. Secondly, our city services can assist with the goal to Keep College Park Clean, through more proactive fining and trash pick ups.

“Keep College Park Clean” Campaign

Launch a competition city-wide for a logo design that will be the brand for the “Keep College Park Clean” initiative. The designer can use any phrase, word, and design that evokes the need for environmental awareness and stewardship. The city should consider whether or not to pay a prize for the winner as an incentive (use community block grant money). Consideration should be given to a diverse group of designers: university students, children, seniors, and other residents of College Park.

- 1st Place - \$250
- 2nd Place - \$100
- 3rd Place - \$50

The logo should then be paired with language that gives direction on proper waste disposal and our individual impacts on the environment.

The campaign should be advertised through the city, the partnership, and the university (via Diamondback) to get a wide audience.

Branding

Our desire to Keep College Park Clean needs visibility.

- Websites and advertising.
- Consideration should be given to the cross promotion with the pedestrian safety initiative. The two issues go hand in hand with pedestrian awareness - with safety and the environment
- The city might also consider stenciling the logo along the trail on the path and on objects along the path - but should be careful to not promote graffiti.



Council should advise staff to adopt a standard of receptacles for both urban and more natural settings (defining those boundaries)

Commercial Areas = Victor Stanley Receptacles with waste and recycling together. These receptacles require greater maintenance because they are in high pedestrian areas, they are exposed to wind and wildlife and the quality of these receptacles reflect the cleanliness of our commercial areas.



Park Areas = Pilot Rock (RJ Thomas Manufacturing) model #BPR2-72, brown color. These receptacles require less maintenance because their in slightly less pedestrian areas, they shield the waste from wind and wildlife, and trash is generally well contained and not left visible (unless opened or overflowing).



Bus stops = Pole mounted receptacles (with a lid) that include recycling. These need to be maintained the most because they are in very high pedestrian and transportation areas and they are incredibly visible.



Council should ask staff/CBE to develop a campaign around Keeping College Park Clean

Consideration should be given to prize money

Council should commit to budgeting the purchase of trash receptacles

Approx. \$1,500/receptacle

Identify locations for new receptacles

College Park Woods Neighborhood Park

Hollywood Recreation Center

Hollywood Playground

Davis Playground

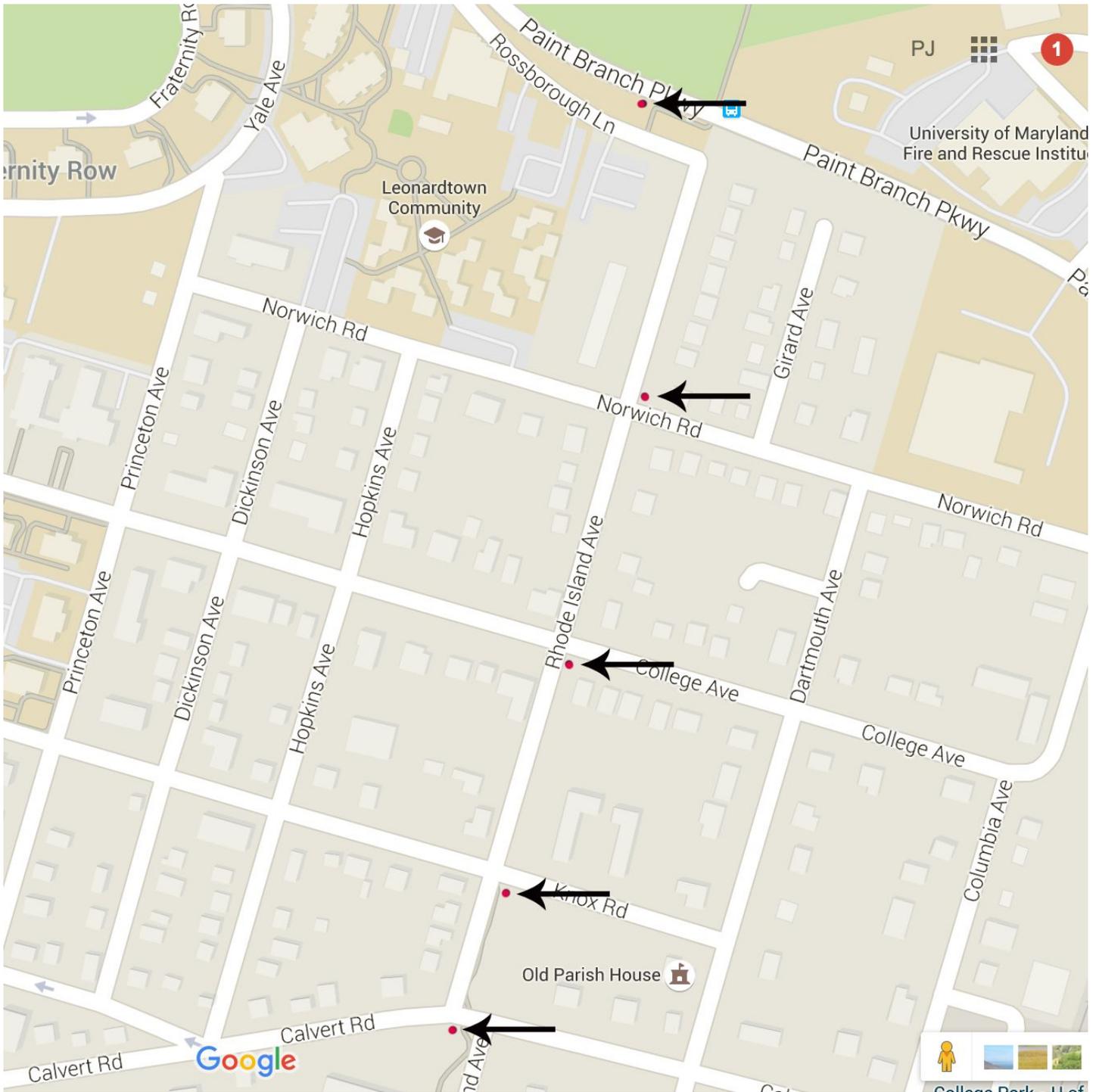
Duval Field & Playground

Lakeland (2-3, including bus stop on Paint Branch)

Paint Branch Trail (TBD - Coordinate with MNCPPC)

Old Town (5)

Sent letter to and work with MNCPPC and developers on consistence in the standards



Expand the initiative to include issues like fertilizer and pesticide use, household chemicals like Drano, graffiti, Verizon telephone lines, utility markings, etc...



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

Prepared By: Steve Beavers
Community Development Coordinator

Meeting Date: July 5, 2016

Presented By: Janis Oppelt, CBE Chairperson
Suchitra Balachandran, CBE Member

Proposed Consent Agenda: N/A

Originating Department: Planning, Community and Economic Development

Issue Before Council: Solid Waste Reduction

Strategic Plan Goal: Goal 2: Environmental Sustainability

Background/Justification:

The Committee for a Better Environment (CBE) is one of the City's oldest volunteer advisory groups consisting of Council-appointed residents. The CBE sponsors numerous events throughout the year that raise awareness of important environmental causes and sustainability topics among City residents.

One of the most important sustainability issues is solid waste and the CBE would like to encourage a substantial reduction in the level of residential and commercial waste within the City. This typically involves source reduction, an increase in re-use, donation and recycling, and diversion of food waste from the conventional waste stream.

There are various methods of encouraging these activities, some of which include a variable rate pricing strategy for municipal waste. These have several different names, such as Pay As You Throw (PAYT) or Save Money and Reduce Tons (SMART). Various programs have proven to be effective in reducing waste levels and increasing recycling in similar cities in other regions of the country.

This item is presented as a preliminary discussion to gauge the Council's interest in the topic of PAYT/SMART and for the CBE to receive guidance on examining these strategies further.

Fiscal Impact:

There may be budgetary implications depending on Council's direction.

Council Options:

For discussion only. No action required at this time.

Staff Recommendation:

N/A

Recommended Motion:

N/A

Attachments

1. Letter from the CBE dated June 21, 2016



June 21, 2016

Mayor Patrick Wojahn and College Park City Council
City Hall
4500 Knox Rd
College Park, MD 20740

Dear Mayor Wojahn and Council Members:

The City of College Park has been a leader in embracing and advocating for many aspects of environmental sustainability. To further these goals, the Committee for a Better Environment (CBE) recommends that the City of College Park move from its current tax-based revenue system for trash collection to usage-based trash pricing—commonly known as Pay as You Throw (PAYT) or, more appealingly, Save Money and Reduce Trash (SMART).

Over the last several years, one of CBE's members, Suchitra Balachandran, has been actively involved in researching many aspects of Zero Waste including the SMART approach to waste reduction. She prepared the attached document, which we hope will provide you with a solid basis of information for considering this change.

Suchitra and I plan to attend the July 5, 2016, work session where you will be discussing this topic. Please let us know if you need anything further from us at this time.

Sincerely,



Janis Oppelt, CBE Chair

THE SMART PROGRAM

At last count by the US Environmental Protection Agency (EPA) in 2006, usage-based trash pricing, commonly known as Pay as You Throw (PAYT) or, more appealingly, Save Money and Reduce Trash (SMART), was in use in over 7,000 jurisdictions across the United States. Many of these jurisdictions have used this method for decades, and the numbers have increased since the EPA count.

Experiences show that usage-based trash pricing is the single most effective way to reduce residential waste and increase recycling. In communities with some form of SMART, per-capita waste is far lower than in communities with flat fees, clearly demonstrating that, when offered a financial incentive, consumers change their habits to recycle more and waste less.

Current City Performance

College Park's recycling rate, including yard-waste composting, is about 34 percent. The average resident produces 780 pounds of trash each year compared to the average Massachusetts resident under SMART who produces about 432 pounds.

CBE Outreach Efforts

The CBE has addressed waste-reduction issues through recycling workshops, both stand-alone and tabling at College Park Day; organizing two backyard composting workshops; and giving away 40 to 50 compost bins to residents. For the most part, the community residents we reach are those who are already inclined to recycle because they share CBE's concerns about the environment and public health.

Council Action on Mandatory Recycling

Appreciating the need for improved recycling and sensing the urgency, the Mayor and Council amended the City code in February 2015 and made residential recycling mandatory. For various and obvious reasons, this measure has not resulted in an increase in recycling rates in the City. For instance, despite our shared concern for waste management, many CBE members were not

even aware that the City had taken this step and likely the vast majority of residents are unaware of it as well.

Mandates have to be followed by enforcement and, in this case, the level of enforcement needed to identify repeat offenders will require a great deal of staff time, continuous monitoring and may not be very effective in our transient population.

You may be interested to know that a civil judge in Seattle recently ruled it impermissible for city employees to inspect the garbage of residents for compostable materials that should have been separated out per the rules.

County Waste Analysis

What is in the waste we throw away? Prince George's County recently received the results of its first waste-composition analysis, which was carried out by SCS Engineers, the workhorse firm for such studies in our region. Combining the study with Prince George's annual recycling tonnages, the residential sector in the county recycles only 50 percent of paper and 33 percent of plastics, despite the ease of single-stream recycling and curbside pickup. College Park's numbers are likely to be very similar to the county average.

SMART Creates Incentives

SMART removes the stick approach to recycling and turns it into a juicy carrot that is entirely in the hands of residents. The approach is identical to having metered rates for water, electricity and gas. There is no financial incentive for residents to turn the thermostat down or fix a leaking faucet when the utility charge is a flat fee—but there is every incentive when residents are paying the utility charge each month.

SMART provides the incentive for residents to put their plastics, paper and metals into the recycling bin. It also incentivizes residents to ensure that materials and goods are reused, for example, by taking used clothing to thrift stores.

Usage-based Trash Incentives and Fees

Although usage-based trash fees can be based on weight, tags, or volume, **the CBE recommends the volume-based system, which is summarized below.**

In volume-based systems, fees are levied according to the sizes and numbers of bins or the sizes and numbers of bags. **Data from communities with volume-based trash pricing show that waste reduction is larger when the unit is smaller.** The average, typical per-capita waste from communities that bill by bin size is 560 pounds versus 425 pounds for communities that bill by bag.

For example, if there are three sizes of trash bins, there is no incentive for residents to decrease their trash to anything less than the smallest bin—typically 30 gallons. However, there is every incentive for the resident to choose a medium-sized bin to accommodate the few annual occasions when the household may produce more trash. By contrast, when the unit is an 8-gallon or 13-gallon bag, residents see an immediate benefit when they reduce their trash to a smaller amount while retaining the ability to use multiple bags occasionally.

The effectiveness of waste reduction in either the bin or the bag system depends critically on pricing. There must be a clear incentive to choose a small bin or bag, and the pricing should be at least linear (preferably greater) by volume. Bin pricing, and the varying approaches to it, is the principal reason why per-capita waste in bin-based systems ranges between 525 and 850 pounds across communities; within the bin-system, communities generate less trash when the incentive is correctly priced.

The CBE is fully cognizant that the City currently receives its revenues for its waste collection directly from the property taxes paid by residents and that the waste-collection cost is not broken out in the tax bill. **When the City moves to usage-based trash pricing, the revenues from taxes should be appropriately reduced; otherwise, residents would justifiably view the added cost as double-billing.** For this reason, we *strongly* urge the Mayor and Council to address this issue in an open and upfront fashion so as not to undermine the effectiveness of the transition.

A bin-based system would require the City to set up an administrative process for billing residents for trash pickup and disposal. It would also require the City to purchase and stock bins of different sizes and determine how often residents could change bin sizes. The logistics for stocking bags for a bag-based system may be simpler and could likely be outsourced.

If revenues collected from bags were refunded to residents on an average basis, those who produce less than the average amount of trash would receive a larger refund compared to the amount that they would incur from purchasing the bags. Those who produce more-than-average trash would end up paying more.

Waste-reduction Estimates and Recycling Increases for College Park

In November 2014, former Mayor Andy Fellows invited Kristen Brown, a former EPA expert on waste reduction, now at Waste Zero (<http://wastezero.com/>), a firm that advocates for SMART and provides logistical support for a bag-based model, to a meeting with him and the City's Public Works Director Bob Stumpff. Ms. Brown provided estimates of waste reduction and recycling increase for College Park based on her expertise, and those data are available from Mr. Stumpff. Ms. Brown has since met with several council members to discuss SMART in June 2015 and January 2016.

Encourage Residents to Compost

The CBE suggests that the move by the City to SMART be accompanied by an offer of free backyard compost bins for residents. While only a small minority of residents may take advantage of the offer, the advantages will be twofold:

- Once recycling tonnages increase, organic waste will be the most significant component of trash, and backyard composting has the smallest environmental footprint among the options for dealing with a portion of organic waste.
- Residents who wish to further reduce their trash disposal costs may see backyard composting as a means to do so.

Reducing Waste Helps Fight Climate Change

The EPA report “Opportunities to Reduce Greenhouse Gas Emission through Materials and Land Management Practices” (<https://www3.epa.gov/region09/climatechange/pdfs/ghg-land-materials-management.pdf>) shows that “approximately 42 percent of U.S. greenhouse gas emissions are associated with the energy used to produce, process, transport, and dispose of the food we eat and the goods we use.” The EPA has created a Waste Reduction Model (WARM) through which inputs of wasted materials can be translated to greenhouse gas impacts.

Ms. Brown estimated that College Park’s current curbside recycling rate of 34 percent could be increased to 56 percent using a bag-based usage fee. Using the WARM model, she estimated the increased recycling to be equivalent to:

- Greenhouse gas emissions from 680 passenger vehicles
- Burning 387,000 gallons of gasoline
- The energy generated from 3,600 rooftop solar arrays or the energy used by 260 single-family homes.

By taking such a significant step toward reducing greenhouse gas emissions, College Park would set a sterling example for municipalities in Prince George’s County and likely the county as a whole. The CBE offers to fully partner in planning and implementing this effort.

Prepared by Suchitra Balachandran

June 2016

Contacts and Articles on PAYT/SMART

Contacts provided by Kristen Brown of Waste Zero

Below are three people that might be helpful to talk with as we investigate PAYT further. They all started programs and went on to big positions.

- Former Mayor of Gloucester, Massachusetts Carolyn Kirk:
 - Carolyn implemented PAYT as a first term Mayor and went on to serve three terms. She is now the Deputy Secretary Executive Office of Housing and Economic Development.
 - Cell number is 978-281-3616
 - Carolyn's PAYT presentation MMA 2011
 - <https://www.youtube.com/watch?v=tBocw61Rh3U> (Gloucester Mass, Mayor Carolyn Kirk Speaks About PAYT)

- Former Commissioner of Public Works Worcester, Massachusetts Bob Moylan:
 - Bob was one of the first to implement PAYT in 1993
 - Cell number is 508-873-9144
 - Bob has offered to put you in touch with Tim Murray who was Mayor of Worcester at the time of implementation, and went on to be Lieutenant Governor of Massachusetts.
 - Bob's PAYT Presentation 2013 Manchester NH <https://www.youtube.com/watch?v=R4hj7cJ65iU>

- Former Mayor of Portland, Maine George Campbell:
 - George went on to become Commissioner of Transportation for both Maine and New Hampshire.
 - Cell number is 603-321-2695
 - Recent article Maine Townsman Nov. 2014
 - http://www.memun.org/DesktopModules/Bring2mind/DMX/Download.aspx?Command=Core_Download&EntryId=7955&PortalId=0&TabId=119#page=19

Articles on SMART/PAYT

Neil Seldman, Co-Founder, Institute for Local Self Reliance

http://www.governing.com/gov-institute/voices/col-pay-as-you-throw-higher-recycling-rates.html?utm_medium=email&utm_source=Act-On+Software&utm_content=email&utm_campaign=The%20Evolving%20Job%20Descripti

[on%20%28and%20Requirements%29%20of%20a%20CFO&utm_term=Gold%20in%20the%20Garbage%3A%20How%20Recycling%20Rates%20Could%20Be%20a%20Lot%20Higher](http://www.commonwealthmagazine.org/environment/seriously-is-this-the-best-we-can-do/)

This article contains recent independent research demonstrating that statewide PAYT communities (MA) dispose of 45% less waste than non-PAYT communities. This article came out because of the MA legislation — link also attached.

<http://commonwealthmagazine.org/environment/seriously-is-this-the-best-we-can-do/>

Massachusetts Legislation setting waste reduction goals:

<https://malegislature.gov/Bills/189/House/H671>

Recent articles from areas that have summer rentals

- <http://plymouth.wickedlocal.com/article/20141001/NEWS/141009818>
- [http://brewster.wickedlocal.com/article/20150109/NEWS/150106701/?St
art=1](http://brewster.wickedlocal.com/article/20150109/NEWS/150106701/?Start=1)
- <http://www.capecodtimes.com/article//20140818/NEWS/140819393>
- <http://www.capecodtimes.com/article//20140806/NEWS/140809778>
- Other recent articles
 - [http://www.centralmaine.com/2014/10/26/new-waterville-trash-
program-exceeds-six-week-goals/](http://www.centralmaine.com/2014/10/26/new-waterville-trash-program-exceeds-six-week-goals/)
 - [http://www.reformer.com/localnews/ci_26281895/recycling-booming-
vernon](http://www.reformer.com/localnews/ci_26281895/recycling-booming-vernon)
 - [http://www.metrowestdailynews.com/article/20140814/NEWS/14081844
4](http://www.metrowestdailynews.com/article/20140814/NEWS/140818444)

•
Website of non-profit started by former PAYT advocates

- <http://payasyouthrow.org/about-us/>
-

6

City's
Community
Legacy Grant
Application



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

Prepared By: Terry Schum, Planning Director

Meeting Date: July 5, 2016

Presented By: Terry Schum

Proposed Consent Agenda: No

Originating Department: Department of Planning, Community and Economic Development

Issue Before Council: Fiscal Year 2017 Community Legacy Program Application

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

Background/Justification:

The City, as a designated Sustainable Community under the State of Maryland, is eligible to apply for funding through the Community Legacy Program (\$6 million available). The purpose of the program is to provide assistance in support of local revitalization initiatives and to position older communities for increased private investment. The state also offers assistance through the Strategic Demolition Fund for high impact capital projects that accelerate economic development and job production (\$3.5 million available and 25% match requirement). The deadline for submission of applications for both programs is July 15, 2016. A Resolution of Support from the local government is no longer required to be submitted with the application.

Staff has two project ideas for consideration by the City Council that are described below. Cost estimates have not yet been prepared for these projects.

1. Citywide Parking Study: This project would engage a consultant to do a comprehensive review of all existing commercial and residential parking policies, programs, fees and fines and propose recommendations for changes to meet best practices. Increased development and changes in University of Maryland parking regulations has put pressure on residential neighborhoods to implement permit parking and for the City to look at strategies such as shared parking and parking districts. A holistic approach to these issues is needed to help the City balance the needs of existing residences and new development.
2. College Park Shopping Center Parking Lot Renovation: Work is currently underway to renovate the facades of the CPSC which is located in the center of the Downtown commercial district. There are no plans to upgrade the parking lot serving the CPSC, which is maintained and managed by the City. The parking lot does not meet current zoning standards for design, landscaping or stormwater and the circulation within the lot and access to and from the lot cause traffic and pedestrian safety problems. This project would involve the preparation of 100% design plans and construction drawings for a renovated parking lot. Discussions are ongoing with the CPSC property owner regarding the feasibility of this project.

Fiscal Impact:

Project #1 could result in changes in the parking pricing policies of the City that could have either a positive or negative fiscal impact. Project #2 is not expected to have any fiscal impact unless the number of parking spaces in the lot is significantly increased or decreased.

Council Options:

1. Select project #1 for a Community Legacy application.
2. Select project #2 for a Community Legacy application.
3. Propose a different project for a Community Legacy application.
4. Do not submit a FY2017 Community Legacy application.

Staff Recommendation:

#1

Recommended Motion: I move that City staff be authorized to submit a grant application to the FY2017 Community Legacy Program for a comprehensive citywide parking study (amount to be determined).

Attachments: None

7

Coordination
between the
City and
CPCUP/UMD
homeowner
grant program



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

Prepared By: Bill Gardiner, Asst. City Manager

Meeting Date: July 5, 2016

Presented By: Bill Gardiner

Proposed Consent: No

Originating Department: Administration

Issue Before Council: Proposal to modify the City's Homeownership Grant Program to facilitate use in combination with the College Park City-University Partnership (CPCUP) Homeownership Program

Strategic Plan Goal: Goal 1: One College Park

- Increase owner-occupancy of the existing single-family homes Consider expanding eligibility criteria for homeownership program
- Work with UMD and with CPCUP to support programs that help UMD faculty and staff become City homeowners

Background/Justification:

The City of College Park's Homeownership Grant provides \$5,000 to homebuyers of former rental or foreclosed properties and new single-family homes in the City, and to qualified public safety officers and City employees (for any home). CPCUP created a homeownership program that provides a \$15,000 forgivable loan to UMD employees and City employees who purchase a home in College Park. Each program places a lien on the property in case the homebuyer violates the terms of the loan.

Coupling the City and the CPCUP programs for a qualified homebuyer has been difficult because homebuyers are not able to secure a mortgage with two additional liens (one from the City and one from CPCUP) on the home purchase. CPCUP proposed changes that would streamline the process. City staff, the City Attorney, and CPCUP staff met and agreed upon modifications that would facilitate a qualified homebuyer benefitting from both programs, streamline the process, and still protect the City in case of a violation of the terms.

The attached letter and proposed terms outlines how the two programs would work together when a homebuyer is qualified for both programs. Essentially, the City would provide its \$5,000 to CPCUP (not directly to the homebuyer), and CPCUP would provide a \$20,000 loan to the homebuyer with conditions. If the homebuyer failed to abide by the conditions, the CPCUP would obtain repayment from the homeowner and would be responsible to repay the City its outstanding portion of the \$5,000.

If the City Council supports these changes, it would need to amend the homeownership grant program.

Fiscal Impact:

The City has budgeted funds for this program and will continue to offer the funds for qualified homebuyers for the City's program. If Council approves the changes above, it would also make the funds available to CPCUP for buyers meeting the City's and the CPCUP criteria.

Council Options:

1. Amend the City's Homeownership Grant Program and develop an agreement with CPCUP that would enable the changes noted above.
2. Amend the City's Homeownership Grant Program in other ways that would streamline the process to use both the CPCUP and the City programs.
3. Take no action.

Staff Recommendation:

Option 1.

Recommended Motion:

For discussion only. If Council wishes to move forward, a resolution and motion will be provided for the July 12, 2016 Council Meeting.

Attachments:

Letter from Eric Olson, Executive Director of the College Park City-University Partnership



Eric Olson, Executive Director
 eolson@collegeparkpartnership.org
 240-416-3184

Valerie Woodall, Program Associate
 vwoodall@collegeparkpartnership.org
 845-649-2477

COLLEGE PARK CITY-UNIVERSITY PARTNERSHIP

June 29, 2016

Mayor Wojahn and City Council
 City of College Park
 4500 Knox Road
 College Park, MD 20740

RE: City-University Partnership Homeownership program expansion

Dear Mayor and City Councilmembers,

Thank you for your FY'17 contribution to the Partnership's Homeownership Program. We appreciate the contribution and look forward to continuing this successful program well into the future. When you supported this allocation, the Mayor and Council asked Partnership staff to expand the program to include full-time City employees and to explore including public safety personnel and teachers as well. I wanted to update you on this.

Expanding the program to full-time City employees was approved by the City-University Partnership Board of Directors at its Annual Board meeting on June 13. We have instructed our legal counsel to update our legal documents to include City employees, and an announcement is being sent out to City employees to make them aware of their eligibility for the program by the City's HR Department on July 1.

Partnership staff has discussed the idea of including public safety personnel and teachers with the Maryland Department of Housing and Community Development (DHCD), which provides Community Legacy Grant funding for the program. We were told that such a change could affect our competitiveness for future funding since the program would no longer be a "live near your work" type program, but instead would be "workforce" program. We were advised that we have a good, successful program as a "live near your work" initiative, and were advised against changing it from a "live near your work" program. We will continue to explore ways we may be able to provide incentives for teachers and public safety personnel with the city, it may have to be outside this program.

In addition, the Mayor and Council requested we explore, with City staff, how to streamline the Partnership's Homeownership Program and the City's "New Neighbor" program, when a situation arises that a homebuyer can use both programs (See Proposal Below). We worked out the following proposal with Attorney Suellen Ferguson, City Manager Scott Somers, Assistant City Manager Bill Gardiner, City Planning Director Terry Schum, City Planning Staff Theresheia Williams and Partnership Treasurer Ed Maginnis. We ask for your support of the proposal, and, if it meets your satisfaction, ask that we create an MOU to be voted on by you at the next Council meeting (July 12). We have one potential homebuyer who meets the criteria for both programs (a University police officer), who is interested in using both programs.

STREAMLINING PARTNERSHIP AND CITY OF COLLEGE PARK PROGRAMS

Background. The College Park City-University Partnership and the City of College Park each have a home ownership program. While slightly different in scope, each is focused on increasing the number of College Park homeowners.

The challenge. The process to couple the loans (only in the case that a University of Maryland employee or a City employee is purchasing a former rental property or they are a police officer, career or volunteer fire fighter or an emergency medical technician) has been found to be not only unwieldy, but nearly impossible in practice, even though the two programs are similar in terms of structure, process, legal documentation, and goals. To date, there have been issues pertaining to home buyers being able to secure a loan from a lender with two additional liens on the home purchase.

PROPOSED AGREEMENT

Combine the City New Neighbor Grant Program and the Partnership's Home Ownership Program funds to offer a \$20,000 loan to full-time, benefits-eligible UMD or full-time City employees who seek to purchase a former rental property in College Park or if the UMD or City employee is a police officer, career or volunteer fire fighter or an emergency technician.

Structure of the loan in this scenario.

- The \$20,000 loan would be a combination of funds - \$15,000 from the Partnership, \$5,000 from the City of College Park—the \$20,000 loan to the homebuyer would come from the Partnership only.
- The terms of the loan would mirror the Partnership’s loan, which requires homebuyers to maintain this home as their primary residence and requires them to maintain their employment with the University of Maryland or the City for a period of ten years.
- This loan would be secured upon the property with a deed of trust and promissory note.
- If the home buyer did not maintain the property as their primary residence, left the employment of the University or the City voluntarily or did not adhere to the other regulations in the Partnership’s Homeownership Program, they would be mandated by the Partnership to repay the loan. Monitoring of compliance would be achieved partly via an annual certification from the homebuyer that they are compliant. This certification would be reviewed and monitored by the Partnership and provided to the City. The City would require repayment for its loan from the Partnership if a borrower fails to comply with the restrictions.

Protocol for combining the programs. We propose that if a home buyer is interested in using both programs, they would submit the Partnership’s application and let the Partnership know that they are interested in using the City’s program also. A review of this request would be completed by both organizations (Partnership would review application as it currently does and if a rental, or if the purchaser is a police officer, fire fighter or EMT, confirm with the City that the home or homebuyer is eligible). The Partnership would officially request the \$5,000 from the City to pool together with its \$15,000 loan. All legal documentation would be filed with the Partnership. The City would receive all copies of the legal documents, transmitted by the Partnership, for their records.

Remedy if a homebuyer breaks the rules. If a homebuyer does not comply with the loan, the Partnership would recoup their funds based on the loan repayment schedule. The Partnership would be obligated to return the portion the City contributed back to the City even if the Partnership did not recoup funds from the homeowner.

Why this proposal is important to consider. Providing a pathway for the City of College Park and The Partnership to combine their programs on our end, when a homebuyer is eligible for both programs, will help home buyers secure loans and purchase homes with our program, while also helping achieve the University District Vision goal of increasing UMD faculty and staff and City employees living in College Park and stabilizing neighborhoods through homeownership.

Thank you very much for your continued support.

Sincerely,



Eric Olson
Executive Director

8

CPCUP request:
Support for their
Community
Legacy Grant
Application for
Homeownership
Grant Program



Eric Olson, Executive Director
eolson@collegeparkpartnership.org
240-416-3184

Valerie Woodall, Program Associate
vwoodall@collegeparkpartnership.org
845-649-2477

COLLEGE PARK CITY-UNIVERSITY PARTNERSHIP

June 15, 2016

Mayor Wojahn and City Council
City of College Park
4500 Knox Road
College Park, MD 20740

RE: Support for the Partnership's DHCD Grant application to continue the Homeownership program

Dear Mayor Wojahn and City Council Members,

Thank you for your budget support of \$50,000 toward the Partnership's Homeownership Program. We are adding City of College Park employees to the program.

As you know, the program is an effort to improve our local economy, reduce commutes, and encourage more people to live near work. The program, which was launched in the summer of 2015, provides \$15,000 forgivable loans to full-time, benefits-eligible employees of the University of Maryland (and now, employees of the City of College Park) to purchase a home in College Park. The home must be their permanent residence. The program was initially supported by a \$100,000 DHCD Community Legacy Grant and a \$50,000 grant from the University of Maryland. A year ahead of schedule, the Partnership has dispersed this initial funding to support 10 home purchases in the City. These have spanned every city council district.

This is a successful program, and we are seeking additional funding from the Maryland Department of Housing and Community Development's Community Legacy Grant program in FY17 to continue our program. In order to apply, as in 2014, we are required to have a resolution of support from the City of College Park. We respectfully request the City Council's continued support. Attached we are including a sample resolution for the Council's consideration. The application to DHCD is due on July 15th at 3:00 pm, so we respectfully request your action at your July meeting.

As you know, this project complements the City of College Park's current New Neighbors Program and augments the effort to stabilize our residential areas through homeownership. Each home purchased through our program helps bolster the City's economy, neighborhoods, and reduce commutes.

The Partnership requests the City's support for its grant application to DHCD, in the form of a Council resolution. Please let me know if you have any questions. This will build upon existing City, University, and State investment and will continue to enhance College Park.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Olson".

Eric Olson
Executive Director

[College Park Letterhead]

RESOLUTION OF THE MAYOR AND CITY COUNCIL

The City of College Park has approved the College Park City-University Partnership’s application and receipt of financing for a Community Legacy Grant (the “Project”) further described in the Application dated July 15, 2016 (“The Application”) either directly by the Department of Housing and Community Development (the “Department”) of the State of Maryland or through other departments or agencies of the State of Maryland.

WHEREAS, The City of College Park recognizes that there is a significant need for reinvestment and revitalization in the community; and,

WHEREAS, the College Park City-University Partnership proposes to continue, and expand, its Homeownership Program (the “Project”) as further described in the Application, the purpose of which is to contribute to the reinvestment and revitalization in the Sustainable Community Area; and,

WHEREAS, the Department, through Community Legacy, may provide some or all of the financing for the Project (the “Project Financing”) in order to assist in making it financially feasible; and

WHEREAS, the Project is located within a priority funding area under Section 5-7B-02 of the Smart Growth Act and the Project will conform to the local zoning code; and

WHEREAS, the applicable law and regulations require approval of the Project, and the Project financing by the City of College Park and, where appropriate, by the chief elected executive official of the local subdivision;

NOW, THEREFORE BE IT RESOLVED THAT, the City of College Park hereby endorses the Project; and, HEREBY approves the request for financial assistance in the form of a grant or loan up to the amount of \$250,000; and

BE IT FURTHER RESOLVED THAT, the chief elected executive official be, and is hereby requested to endorse this Resolution, thereby indicating his approval thereof; and,

BE IT FURTHER RESOLVED THAT, copies of this Resolution are sent to the Secretary of the Department of Housing and Community Development of the State of Maryland.

READ AND PASSED THIS ____ day of _____, 20____.

BY ORDER: _____, I hereby certify that Resolution Number _____ is true and correct and duly adopted by the City Council of the City of College Park.

ATTEST/WITNESS:

TYPE NAME OF LOCAL GOVERNING BODY HERE

By: _____

Name: _____

Title: _____

Approved By: _____

Name: _____

Title: _____

[Chief elected executive official]

Date: _____

9

Proposal from
the University of
Maryland for
child care at the
Calvert Road
School

(No packet material)

10

Terrapin Row Declaration of Covenants – status



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

Prepared By: Suellen M. Ferguson, Esq.
City Attorney

Meeting Date: July 5, 2016

Presented By: Suellen M. Ferguson, Esq.
City Attorney

Consent Agenda: No

Originating Department: City Attorney

Action Requested: Approval of Toll proposal for intersection and other improvements adjacent to Terrapin Row as being in substantial compliance with the Declaration of Covenants and Agreement Regarding Land Use

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

Background/Justification:

In 2013, the City entered into a Declaration of Covenants and Agreement Regarding Land Use ("Covenants") with Toll Brothers ("Toll") with respect to the re-development of the Knox Box area. The project, known as Terrapin Row, is nearing completion. Certain intersection improvements and signage were required in the Covenants, based on a conceptual study that was included as an exhibit. These improvements were designed to increase pedestrian safety. After recent site review, City staff and Toll agreed that certain improvements required by the Covenants should be amended or waived. These include the 12 - 16 foot width requirement for crosswalks, elimination of the curb extension on Knox Road as it interferes with the bike lane, and at the northwest corner of Knox and Guilford due to bike lane and storm water controls, and to substitute cross walks and bollards for the pedestrian crossing at Knox and Guilford. Toll has notified the City that an amendment to the MDE permit issued for this area would be required to install the remaining curb extensions required by the Covenants (at Rossburg and Guilford and at the NE and SE corner of Knox and Guilford), which are in the flood plain. It is their position that Toll is, as a result, not required to install the curb extensions. As an alternative, Toll is proposing certain intersection improvements that would not require an amendment of the MDE permit. That proposal is included in a letter from Tom Haller dated June 30, 2016. The proposal does not include reference to a pedestrian sign required in the Covenants, and the City should receive an update on this item before the meeting on Tuesday. It also does not reference who will maintain the striping and bollards, which are less sturdy than the original plan for a concrete delineated pedestrian path, and Mr. Haller will provide more information on whether Toll is willing to maintain.

Also attached are copies of letters received from the Catholic Student Center and Hope Lutheran Church detailing their concerns with respect to the adjacent intersections.

Staff recommends that the Council consider the Toll proposal. It will increase pedestrian safety at this complex intersection, and will increase sight lines for vehicles at stop signs. The fact that improvements in this area are in the flood plain and require MDE approval has complicated these safety efforts, and the ones now proposed do not require this approval and so can be installed immediately.

Fiscal Impact:

None.

Council Options:

- #1: Approve the proposal by Toll as being in substantial compliance with the Declaration of Covenants
- #2: Amend and approve the proposal by Toll as being in substantial compliance with the Declaration of Covenants
- #3: Disapprove the proposal by Toll

Staff Recommendation:

#1:

Recommended Motion:

Not yet available. This will depend on whether an amendment to the Declaration of Covenants is required, or whether Toll would be satisfied with a motion acknowledging substantial compliance with the Declaration of Covenants as sufficient.

Attachments:

Letter from Tom Haller dated June 30, 2016

Declaration of Covenants and Agreement Regarding Land Use dated November 13, 2013

Letter from the Catholic Student Center

Letter from Hope Lutheran Church dated May 8, 2016

LAW OFFICES
GIBBS AND HALLER
1300 CARAWAY COURT, SUITE 102
LARGO, MARYLAND 20774

(301) 306-0033
FAX (301) 306-0037
gibbshaller.com

EDWARD C. GIBBS, JR.
THOMAS H. HALLER

ANTHONY G. BROWN
OF COUNSEL

June 30, 2016

Mr. Scott Somers
City Manager
City of College Park
4500 Knox Road
College Park, MD 20740

Re: Terrapin Row Roadway Improvements

Dear Mr. Somers:

I represent Toll Brothers regarding the Terrapin Row project in the City of College Park. I have participated in conversations and meetings with your staff and the City Attorney regarding certain road improvements which incorporated in a Declaration of Covenants and Agreement Regarding Land Use dated November 13, 2013 ("Declaration"). Following up on my recent e-mail to Suellen Ferguson on June 23, 2016, I am transmitting the attached information for review by the City Staff and the City Council for the worksession scheduled for July 5, 2016.

As you are aware, the during the review of the Detailed Site Plan which governs the development of the property, the City presented Toll with certain proposed roadway and streetscape improvements which were intended to promote a safe pedestrian environment. Sketches of the proposed improvements were attached to the Declaration. Most of the improvements identified on the sketches were located along Guilford Road at the intersections of Knox Road and Hartwick Road. The entirety of Guilford Road along the property frontage is in the floodplain and development of the project required a permit from the Maryland Department of the Environment ("MDE"). Many of the proposed road improvements suggested by College Park required the installation of curb extensions which required the alteration of the road surface in a manner that could be construed as placing additional fill in the floodplain. As a result, the Declaration provided that Toll was not obligated to construct any streetscape or roadway improvements which would require the approval of the MDE. We have forwarded the sketch plans attached to the Declaration to

MDE and they have confirmed that construction of these improvements will require an amendment to the approved permit. I have attached a copy of the e-mail exchange between Bohler Engineering and MDE regarding this issue. As a result, Toll is not obligated to make these improvements under the terms of the Declaration.

Notwithstanding the above, in the course of our meetings with staff and the City Attorney, we were made aware of concerns raised by students who frequently walk to the religious student centers on the south side of Guilford Road at Knox Road. Even though Toll is not obligated to install the curb extensions, we have requested our traffic consultant, Lenhart Traffic Consulting, Inc. to review the Nelson Nygaard sketch attached to the Declaration and propose modifications which can be implemented without triggering review by MDE. Attached to this letter are drawings prepared by Lenhart Traffic Consulting, Inc. which depicts striping, stop sign modifications and the installation of bollards/separator curbs which address the City's concern regarding pedestrian safety. As a gesture of good will, Toll is willing to proffer these improvements.

We understand that the City Council intends to discuss this matter at its worksession on July 5, 2016. We were asked to get any proposed modifications to you by Friday at noon for inclusion in their back up. For that reason, I have included copies to all Council Members and the City Attorney. Given the submission of this information, we do not believe that it is necessary to meet tomorrow prior to the worksession. You should have sufficient opportunity to review these plans prior to that time. Please let me know if you have any questions regarding the attached.

Very truly yours,

~~GIBBS AND HALLER~~



Thomas H. Haller

Enclosures

cc: Mayor
All City Council Members
Suellen Ferguson, Esq.
Terry Schum
Steve Halpern

Tom Haller

From: Matthew Jones <mjones@bohlereng.com>
Sent: Tuesday, June 14, 2016 10:45 AM
To: Tom Haller; phackler@tollbrothersinc.com
Cc: Nicholas Speach; MB122062@nf.bohlereng.com
Subject: FW: MDE # 14-NT-0039/201460131 Terrapin Row MDE permit inquiry

Matthew Jones, P.E. | Associate



16701 Melford Blvd, Suite 310 | Bowie, MD 20715
P: 301-809-4500 | M: 703-531-9471 | mjones@bohlereng.com
www.BohlerEngineering.com



2015

**BEST PLACES
TO WORK**

Confidentiality Note: This e-mail, and any attachment to it, contains confidential information intended only for the use of the designated recipients, which information may also be privileged. If the reader of this e-mail is not the intended recipient, the document has been received in error and any use, review, dissemination, distribution, disclosure or copying of this message is strictly prohibited. If you have received this e-mail in error, please notify the sender via reply e-mail and immediately delete this e-mail from your system.

From: Imtiaz Choudhry -MDE- [mailto:imtiaz.choudhry@maryland.gov]
Sent: Tuesday, June 14, 2016 10:43 AM
To: Matthew Jones <mjones@bohlereng.com>
Subject: Re: MDE # 14-NT-0039/201460131 Terrapin Row MDE permit inquiry

It is correct.

Confirmed,

Thanks,

Imtiaz

On Tue, Jun 14, 2016 at 10:41 AM, Matthew Jones <mjones@bohlereng.com> wrote:

Imtiaz,

Thank you for discussing this project today. You stated that we should do two things to permit these additional street improvements.

1. Extend the existing permit and include justification for the extension
2. Request a modification to the existing permit to include the additional work in the street and include the increased fill created by the street improvements. Include new plans
3. A \$250 modification fee will be required

Thank you,

Matthew Jones, P.E. | Associate



16701 Melford Blvd, Suite 310 | Bowie, MD 20715

P: [301-809-4500](tel:301-809-4500) | M: [703-531-9471](tel:703-531-9471) | mjones@bohlereng.com

www.BohlerEngineering.com



2015
BEST PLACES
TO WORK

Confidentiality Note: This e-mail, and any attachment to it, contains confidential information intended only for the use of the designated recipients, which information may also be privileged. If the reader of this e-mail is not the intended recipient, the document has been received in error and any use, review, dissemination, distribution, disclosure or copying of this message is strictly prohibited. If you have received this e-mail in error, please notify the sender via reply e-mail and immediately delete this e-mail from your system.

From: Matthew Jones

Sent: Friday, June 03, 2016 5:50 PM

To: ichoudhry@mde.state.md.us

Cc: Thomas H. Haller <thaller@gibbshaller.com>; MB122062@nf.bohlereng.com <MB122062@nf.bohlereng.com>; phackler@tollbrothersinc.com; Nicholas Speach <nspeach@bohlereng.com>

Subject: MDE # 14-NT-0039/201460131 Terrapin Row MDE permit inquiry

Imtiaz,

Good evening. I hope this email finds you well.

Toll Brothers, Inc. was issued a permit from MDE # 14-NT-0039/201460131, which expires in August 2016. The improvements approved under the MDE permit have been constructed for

the most part. The MDE permit was issued without curb bump outs (curb extension improvements) in the public right of way (City streets) as shown on the attached redlined exhibit supplied by the City of College Park. These curb improvements are within the 100 year floodplain, and create additional fill within the floodplain area. Will these improvements require a permit revision or new MDE permit?

Thank you,

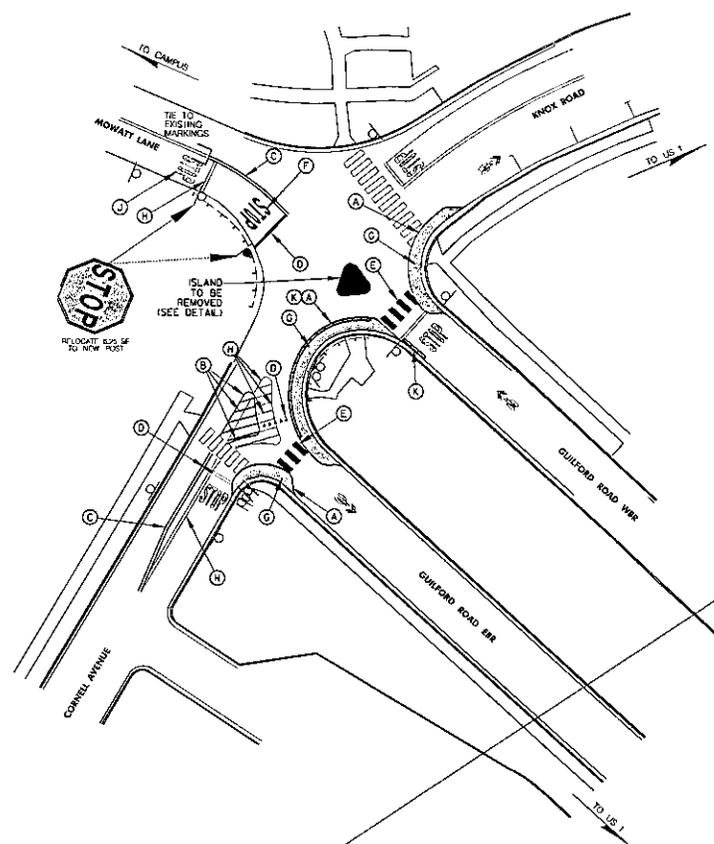
Matt Jones, PE

[301-809-4500](tel:301-809-4500)

--

Imtiaz A. Choudhry, P. E.
Senior Regulatory & Compliance Engineer
Waterway Construction Division
Nontidal Wetlands and Waterways Program
1800 Washington Blvd., ste. 430
Baltimore, Maryland 21230
Office: 410-537-3813
Fax: 410-537-3751
email: imtiaz.choudhry@maryland.gov

DRAFT WORK IN PROGRESS
NOT FOR CONSTRUCTION



PAVEMENT MARKING LEGEND

- (A) 5" SOLID WHITE LEAD FREE REFLECTIVE THERMOPLASTIC PAVEMENT MARKING
- (B) 5" SOLID YELLOW LEAD FREE REFLECTIVE THERMOPLASTIC PAVEMENT MARKING
- (C) 5" SOLID DOUBLE YELLOW LEAD FREE REFLECTIVE THERMOPLASTIC PAVEMENT MARKING
- (D) 12" SOLID PREFORMED REFLECTIVE THERMOPLASTIC PAVEMENT MARKING LINES
- (E) 24" SOLID PREFORMED REFLECTIVE THERMOPLASTIC PAVEMENT MARKING LINES
- (F) WHITE PREFORMED PAVEMENT MARKING LEGENDS AND ARROWS
- (G) SAND COLOR PREFORMED PAVEMENT MARKINGS
- (H) REMOVE EXISTING PAVEMENT LINE MARKINGS - ANY WIDTH
- (J) REMOVE EXISTING PAVEMENT LETTERS, SYMBOLS, ARROWS AND NUMBERS
- (K) INSTALL KNICK KURB CHANNELIZATION PANELS ADJACENT TO EDGE LINE

PAVEMENT LEGEND



FULL-DEPTH PAVEMENT CONSTRUCTION

SIGNING LEGEND

SYMBOL	DESCRIPTION	REV	DATE	REVISION	CHECK
[Symbol]	EXISTING GROUND MOUNTED SIGN AND SUPPORT(S)				
[Symbol]	PROPOSED GROUND MOUNTED SIGN AND SUPPORT(S)				
[Symbol]	EXISTING SIGN TO REMAIN				
[Symbol]	EXISTING SIGN TO BE REMOVED				
[Symbol]	PROPOSED SIGN TO BE INSTALLED				
[Symbol]	EXISTING GUARD RAIL				

TERRAPIN ROW

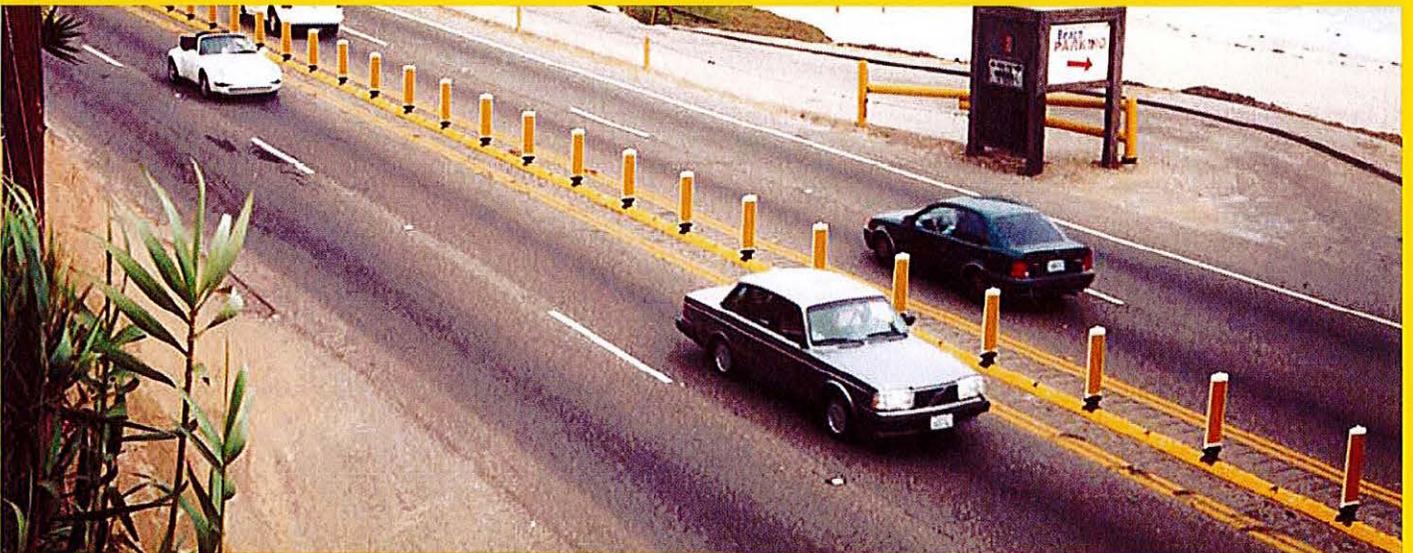
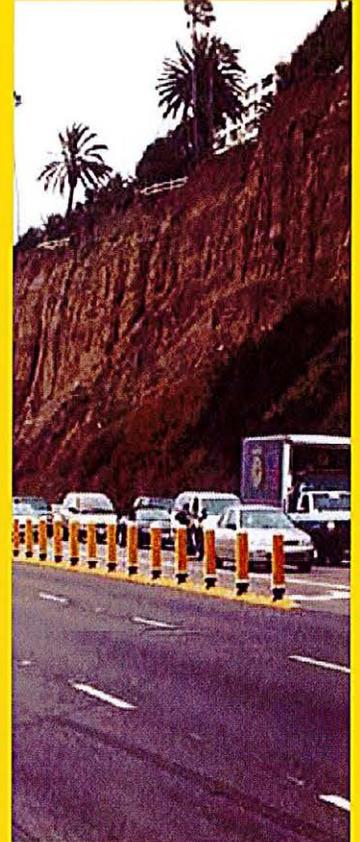
SIGNING AND PAVEMENT MARKING PLAN

DATE: 05/26/2010	DESIGN BY: DCM	DRAWING NO.:	SHEET NO.:
SCALE: 1"=20'	DRAWN BY: AMT	SN 21	1 OF 1
	CHECK BY: BMB		

LENHART-TRAFFIC CONSULTING, INC.
 645 BALCONGEAN BOULEVARD, SUITE 214
 TERRELL, MISSISSIPPI 39294
 TEL: (601) 716-1212
 FAX: (601) 781-2708
 www.lenharttraffic.com

PLOTTED: Thursday, June 26, 2010 at 8:37 PM
 FILE: F:\PROJECTS\TERRAPIN ROW\DWG\TERRAPIN ROW.DWG

OWICK KURB®



SOLID QUALITY & PROVEN DURABILITY

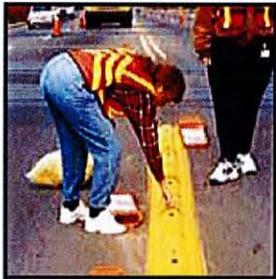
SEPARATOR CURB



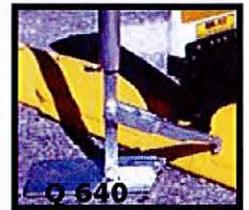
Each pallet holds 211 lf of Separator. Each Separator Unit weighs over 34 lbs. A conveyor can be hooked to a truck for long lengths of Separator. Using our "Hook & Bolt System" you can install nearly 1000 ft. per hour at temporary installations.

L62 Female End
18 Inch length

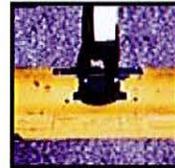
L60 Separator Unit
40" length
10 5/8 Inch width
3 1/2 Inch height



To depict profile of curb
SNAP IN A L65
REFLECTIVE ARC



Marker Puller



Flex with
Stabilizing
Bar



Securing
Arcs
For panel
stability



FS 50
Bolt,
Molly &
Washer
for on
Asphalt



FS 51
Anchor
Wedge
Concrete

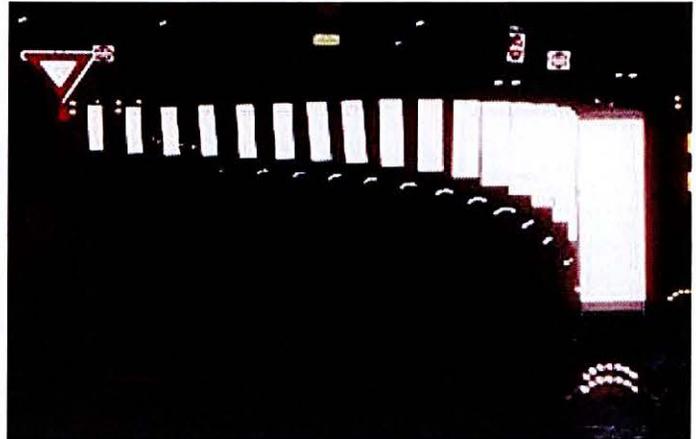


L61 Male End
18 Inch length

For permanent installations a hole is drilled into the road surface and the Separator is secured to the road using a bolt and molly. **Tighten to the road until the washer begins to bend. Our curb doesn't crack or shatter.** Reboundable markers slide into place quickly with the panel puller. Spacing of markers is as close as every meter.

THE ONE AND ONLY WITH OVER 20 YEARS ROAD EXPERIENCE

L104 MEGA MARKER™



CLEAR - DAY & NIGHT



CROSSWALK MESSAGE



BULLNOSE VISIBILITY

The Air Marker offers high target value both day and night. Each side of the Air Marker has 232 square inches of Hi-Intensity retro-reflective sheeting.

GET THE MESSAGE ACROSS WITH MEGA MARKERS



35503 589

Clerk of the
Circuit Court

2013 DEC 20 PM 4:07

DECLARATION OF COVENANTS AND AGREEMENT

REGARDING LAND USE

PR GEO CO HD 401

THIS DECLARATION OF COVENANTS AND AGREEMENT REGARDING LAND USE ("Agreement") is made this 13th day of November, 2013 by and between TOLL BROS, INC. ("Toll"), a corporation existing under the laws of the State of Maryland, and the CITY OF COLLEGE PARK, MARYLAND (the "City") a municipal corporation of the State of Maryland.

WHEREAS, Toll is the contract purchaser of certain real property consisting of forty four (44) platted lots currently improved with 22 residential buildings on 5.3 acres (hereinafter "the Property") located in Prince George's County, Maryland, on the west side of Route 1, Baltimore Avenue, referenced as Block E, Lots 1-10, Lord Calvert Manor, College Park and recorded in the Land Records of Prince George's County at Plat Book 20, Plat No. 94; and Re-subdivision of Blocks F (Lots 9-14), and H (Lots 29-56), recorded in the Land Records of Prince George's County, Maryland at Plat Book 21, Plat No. 96; all as shown on the plat attached as Exhibit A; and

WHEREAS, the Toll has proposed the construction of rental student housing on the Property ("the Project"); and

WHEREAS, Toll has asked the City to recommend approval of Detailed Site Plan No. DSP 13025 ("DSP") for the Project to the Prince George's County Planning Board ("Planning Board") and the District Council for Prince George's County, Maryland; and

WHEREAS, the proposed DSP also includes certain real property consisting of four (4) platted lots currently improved with two (2) residential buildings on approximately 0.9 acres

TMP PD SURE 1 0.00
RECORDING FEE 0.00
TOTAL 0.00
RECORDED R#14333333
DATE MAR 21 11:51:12
DEC 20, 2013 03:52 PM

located in Prince George's County, Maryland, on the west side of Route 1, Baltimore Avenue, referenced as Re-subdivision of Part of Block I (Lots 9-12), recorded in the Land Records of Prince George's County, Maryland at Plat Book 20, Plat No. 94; also referenced herein as Parcel 3, which is owned by KNOX VILLAGE PARTNERS, LLC, a Maryland limited liability company; KNOX BOX REALTY, LLC, a Delaware limited liability company, and AO ENTERPRISES, LLC, a Maryland limited liability company (collectively, the "Developer")

WHEREAS, Toll has asked the City to close, and consent to the vacation of, a portion of Rossburg Drive, currently in use as a public way, to enable the Project; and

WHEREAS, the City has agreed to make said recommendation, and to close and consent to the vacation of a portion of Rossburg Drive, upon certain conditions, which shall be executed by Toll in the form of this Agreement as set forth below, which covenants run with the land and may be enforced by the City

NOW, THEREFORE, in consideration of the aforesaid recommendations by the City, Toll hereby declares and agrees on behalf of itself its successors and assigns that the Property shall be held, transferred, sold, leased, rented, hypothecated, encumbered, conveyed or otherwise occupied subject to the following covenants, conditions, restrictions, limitations and obligations which shall run with and bind the Property or any part thereof and shall inure to the benefit and be enforceable by the City, its successors and assigns as follows:

1. The recitals set forth above as well as the foregoing "NOW, THEREFORE," are incorporated herein as operative provisions of these Covenants.
2. The parties hereto acknowledge that Toll intends to construct and operate the Property as a student rental apartment community, that the Project consists of multiple buildings, that the Project also includes rental commercial space, and that

Paragraph 2(c) shall only apply in the event a condominium regime is recorded and the sale of individual residential condominium units to third-party purchasers commences. In conjunction with the ownership and operation of the Project, Toll agrees as follows:

(a) TOLL will not sell any of the multi-family apartment units separately from the remaining multi-family apartment units, except as set out in Paragraph 2(c). This provision shall not preclude the sale of whole buildings containing multi-family apartment units to another entity, or the sale of interests in the owning entity in connection with a joint venture and such entity will be subject to the provisions of Paragraph 2(c).

(b) When all or a portion of the Property not part of a condominium regime is operated as a rental facility, in order to insure high quality unitary management, said units shall be managed by TOLL or its affiliates, or in the alternative, by a reputable professional management agent having 10 years experience managing multifamily student rental properties. Any decision to discontinue such required professional property management or management by Toll or its affiliates shall require the prior written consent of the City of College Park

(c) The provisions of this Paragraph 2(c) shall only be applicable in the event TOLL establishes a condominium regime under which individual condominium units for any of the multi-family units in the Property may be sold, and commences the sale of such units to third-party unit purchasers and shall not apply to commercial or retail condominiums or the establishment of a condominium regime which creates condominium units to separate the

commercial use in the Property from the residential uses in the property. In the event TOLL determines to establish a condominium regime under which residential units may be individually sold, Toll agrees that no more than one master residential condominium regime will be established on the Property, and any such regime shall be included in and governed by a master condominium document. This Paragraph 2(c) does not apply to commercial or retail condominiums, which shall be included in and governed by a master condominium document. TOLL further agrees, to the reasonable satisfaction of the City, that it will include provisions in the applicable condominium documents, not subject to amendment, except as set out herein, as follows:

- i. To insure high quality management of the common areas, require unitary management for each such regime by a reputable professional condominium management agent not owned or operated by any unit owner (except TOLL or its affiliates or other similarly experienced multifamily owner/operators) that has at least ten (10) years of experience managing multifamily student housing projects. Any decision by the Board of Directors of a condominium to discontinue professional property management (or management by TOLL or its affiliates or other similarly experience multifamily owner/operator) would require the prior written consent of the City of College Park;
- ii. A provision prescribing that the condominium association provide a sample lease to unit owners for units which may be individually leased by unit owners to third parties, which lease shall include a notice to proposed tenants of applicability of City ordinances relating to tenant rights and obligations and

requiring unitary high quality maintenance and management with enforcement rights granted to the City and the condominium association to monitor and enforce tenant compliance with lease and other tenant obligations as set out herein and the City noise, nuisance and parking ordinances.

iii. The condominium documents shall provide that, except in cases of actual hardship, no more than twenty-five percent (25%) of the units within the condominium may be leased at any time, unless otherwise approved by the City. Any owner wishing to lease a unit must notify the Board of Directors of its intention to lease. Except in the event of actual hardship, the Board of Directors shall deny the right of a unit owner to lease a unit if such lease would result in more than twenty-five percent (25%) of the units within the Condominium being leased. Hardship is defined as need based on military service, loss of employment, involuntary relocation, death, disability, or other such circumstances. In the event an exception to the 25% rental limit is granted due to hardship, any lease so granted shall not exceed twelve months in duration unless approved by the City. In no event shall the total rental percentage, including hardship exception rentals, exceed 30% of the units within the Condominium. Any unit owner seeking to lease a unit must comply with all applicable laws, including obtaining any required rental licenses. The Board of Directors, shall require, and each occupant of a unit shall provide, not more than once in any twenty-four (24) month period (or more often if reasonably necessary), an affidavit certifying the status of the unit occupancy (i.e., whether the occupant is a unit owner, member of the unit owner's family, guest or invitee, or a lessee). The

affidavit shall be in a form subject to the reasonable approval by the City of College Park (a copy of which is attached hereto) and shall require that each occupant provide reasonable verification of the information contained in the affidavit. The City of College Park shall be entitled to receive a copy of all affidavits filed. In the event individual residents fail to submit the requested affidavit but the Condominium Board of Directors or management company has information concerning the occupancy status of particular units, the verification of occupancy status may be given by the Condominium Board of Directors or the management company. The minimum lease term for all leases within the for-sale condominium shall be twelve (12) months, and any rental of units will be subject to the prior review and approval of the Board of Directors. In this manner, the Board of Directors would be able to monitor the extent of leasing activity. No changes or modifications to these leasing restrictions will be permitted without the prior written consent of the City of College Park. The City of College Park would also be afforded the right, but not the obligation, to enforce these leasing restrictions against the individual unit owners.

iv No transient tenants may be accommodated in any Unit, nor shall any Unit be utilized for short-term hotel purposes. For purposes of this section, the term "transient tenants" shall mean a tenant leasing for a period of less than 12 months. No portion of a Unit (other than the entire Unit) may be rented. All agreements of the lease of a Unit shall provide that the terms of the lease shall be subject in all respects to the provisions of the Maryland Condominium Act, the Condominium Declaration and Bylaws and that any failure of the lessee to comply with the

terms of such provisions shall be a default under the lease, which default may be remedied by the Unit Owner in accordance with the lease and by the Condominium Association, in accordance with the Act. All leases must be in writing.

v. No Condominium Unit Owner or occupant shall make or permit to be made any unreasonably disturbing noise in the Common Elements or in the Units by himself, his family, guests, tenants, employees, servants or invitees, nor permit anything to be done by any such persons as would materially interfere with the rights, comfort or convenience of other Unit Owners or occupants. No Unit Owner or occupant of any Unit shall carry on, or permit to be carried on, any practice in his Unit or on the Property which unreasonably interferes with the quiet enjoyment and proper use of another Unit or the Common Elements by the Unit Owner or occupant of any other Unit, or which creates or results in a material hazard or nuisance on the Condominium.

vi. Unit Owners and occupants must deposit all rubbish or litter in the designated areas and receptacles provided for such purpose.

viii. Unless specific portions of the General Common Elements are designated by the Board of Directors for such purpose, no portion of the General Common Elements shall be used for the storage or placement of furniture or any other article, including, but not limited to, plants, boxes, shopping carts, bicycles, shoes or other articles of clothing and the like.

viii. The Unit Owners and occupants shall not cause or permit the blowing of any horn from any vehicle in which his guests, family, tenants, invitees or

employees shall be occupants, approaching or upon any of the driveways or parking areas serving the Condominium, except as may be necessary for the safe operation thereof.

ix. The owners and occupants of the Units shall in general not act or fail to act in any manner that unreasonably interferes with the rights, comfort and convenience of other Unit Owners and occupants.

x. No Unit Owner or any of his agents, servants, employees, licensees, or visitors shall at any time bring into or keep in his Unit any flammable, combustible or explosive fluid, material, chemical or substance, except for normal household use.

xi. Subject to the provisions in the Condominium Declaration and in the Bylaws, household birds and fish, house dogs or domesticated house cats are allowed, provided that the same shall not disturb other Unit Owners or occupants, including disturbance caused by barking or howling dogs. Any inconvenience, damage or unpleasantness caused by such pets shall be the sole responsibility of the respective owners thereof. All such pets shall be kept under the direct control of their owners at all times and shall not be allowed to run free or unleashed or to otherwise unreasonably interfere with the rights, comfort and convenience of any of the Unit Owners or occupants. All pets shall be attended at all times and shall be registered, licensed and inoculated as may from time to time be required by law, and must be registered with the condominium managing agent. Pets shall be walked on the condominium property only where permitted and must be cleaned up after.

which would not pass applicable state inspection criteria), shall be kept upon any portion of the Condominium or upon the public or private streets adjacent to the Condominium (except for bona fide emergencies), nor shall the repair or extraordinary maintenance of automobiles or other vehicles be carried out thereon.

xviii. Streets and other exterior surface parking areas within the Condominium shall be used by Unit Owners, occupants and guests for fully operable, inspected and registered four-wheel passenger vehicles, motorcycles, mopeds, two wheel motorized bicycles and standard bicycles only. No recreational vehicles, vans (other than non-commercial passenger vans), mobile homes, trailers, boats, trucks (unless licensed as a passenger vehicle and less than three-quarter ton capacity) or commercial vehicles (whether or not registered as a commercial vehicle with the Maryland Department of Motor Vehicles) shall be permitted to be parked on the Property, except on a day-to-day temporary basis in connection with repairs, maintenance or construction work on the Property.

xix. Outdoor cooking or barbequing is prohibited on any patios, decks, balconies or porches of an individual unit, but shall be permitted in the Common Areas where specifically provided for.

xx. Each Unit Owner shall maintain his Unit in a safe and sanitary manner and condition, in good order and repair and in accordance with all applicable restrictions, conditions, ordinances, codes and any rules or regulations which may be applicable hereunder or under law.

xxi. Portions of a Unit visible from the exterior of the Unit and the Limited Common Elements must be kept in an orderly condition so as not to detract from the neat appearance of the Condominium community. In this regard, no motorcycles or other motorized vehicles may be parked on the patios, decks, balconies or porches. No clotheslines and no outdoor clothes drying or hanging shall be permitted anywhere in the Condominium, nor shall anything be hung, painted or displayed on the outside of the windows (or inside of the windows, if visible from the outside) or placed on the outside walls or outside surfaces of doors of any of the Units, and no awnings, canopies or shutters (except for those heretofore or hereinafter installed by Declarant) shall be affixed or placed upon the exterior of a Units, or any part thereof, nor relocated or extended, without the prior written consent of the Board of Directors. Window air conditioners are prohibited. The Board of Directors, in its sole discretion, may determine whether the portions of a Unit visible from the exterior of the Unit and the Limited Common Elements are reasonably orderly. If an Owner shall fail to keep the portions of the Owner's Unit or the Limited Common Elements (if any) appurtenant thereto, that are visible from the exterior of such Unit or Limited Common Elements orderly, the Board of Directors may have any objectionable items removed from the portions of the Unit that are visible from the exterior of the Unit or the Limited Common Elements so as to restore their orderly appearance, without liability therefor, and charge the Unit Owner for any costs incurred in connection with such removal.

xxii. With the exception of lawn care or other maintenance equipment used by the Condominium Association, its employees or contractors, motorized vehicles may not be driven on the Common Elements (other than the paved street and parking areas designated for such use) by any Unit Owner occupant or guest and no unlicensed vehicles are allowed within the Condominium. Motorized vehicles shall include, but not be limited to, mini-bikes, snowmobiles and motorcycles,.

xxiii. Each Unit Owner shall maintain his Unit and in accordance with the Declaration and rules and regulations of the Association. In the event that a Unit is not so maintained, the Association shall have the right to enter the Unit to maintain the same, after giving the Unit Owner at least fifteen (15) days written notice to cure any maintenance problems or deficiencies. In the event that the Association exercises its right of entry for maintenance purposes, the Association shall have the right to assess the particular Unit Owner for the cost of such maintenance. The Association, by its Board of Directors, shall have the right to establish Rules governing the maintenance of any Unit.

3. In the event that the Property is developed and subsequently sold to any non-taxable entity, so that the Property is no longer subject to real property taxes, the entity(ies) purchasing the properties and each of them (or any successors or assigns) shall be liable to make an annual payment in perpetuity to the City in an amount equal to the annual City real property taxes on the property and any improvements, based on assessed value, it being the intent of the parties that the City not be deprived of this income regardless of the tax status of any owner and that this obligation shall run with the land. TOLL'S obligation set forth herein shall terminate upon the sale of the Property to an arm's length third party purchaser. Further, the requirement

set forth herein shall not apply in the event the Property is obtained by any non-taxable entity via the process of right-of-way dedication, eminent domain or condemnation. The owner shall notify the City in writing upon the closing of any sale to a third party purchaser, or upon receipt of legal process instituting any action of eminent domain or condemnation.

4. Prior to approval of a building permit, if the Capital Bikeshare Program or similar program is operational in the City of College Park, TOLL, its successors and assigns, shall pay the sum of \$45,000 to the City of College Park for the installation and operation of an 11 dock/6 bike station that measures 31 feet in length and 6 feet in width at a location on or near the Property. In the event the City of College Park determines that the Bikeshare facility should be located on the Property, it shall be placed in the location designated on the DSP.

5. Toll Brothers, Inc. shall achieve U.S. Green Building Council (USGBC) LEED-Silver certification under an applicable, current LEED rating system as required by the Sector Plan Development Standards. Specifically, TOLL shall follow the process below:

- a. Prior to DSP certification, TOLL shall:
 - i. Designate a LEED-accredited professional (“LEED-AP”) who is also a professional engineer or architect, as a member of their design team. TOLL shall provide the name and contact information for the LEED AP to the City.
 - ii. Designate the City’s Planning Director, or designee, as a team member in the USGBC’s LEED Online system. The City’s team member will have privileges to review the project status and monitor the progress of all documents submitted by the project team.
- b. Prior to approval of a building permit, TOLL shall:
 - i. Register the project with the U.S. Green Building Council (USGBC) and show results of LEED-ND Stage 1 or Stage 2 review. If conditional approval is obtained, TOLL shall employ every effort to obtain full LEED-ND certification and provide documentation of such. If conditional approval is not obtained, TOLL shall make every effort to achieve USGBC LEED-Silver certification under LEED-NC and/or LEED Homes, or if available, equivalent standard.
- c. Prior to issuance of the first Use and Occupancy Permit, TOLL shall:
 - i. Submit a report by a LEED AP that demonstrates that the project is anticipated to

attain a sufficient number of credits that will ultimately be sufficient to attain the LEED ND Silver certification or LEED-NC and LEED Homes as appropriate.

- ii. Establish an escrow or letter of credit in the amount of \$50,000 with an agent that is acceptable to the City. Said escrow agent shall hold the funds subject to the terms of this Agreement. The escrow (or letter of credit) shall be released to Applicant upon final LEED Silver certification. In the event that TOLL fails to provide, within 1 year of issuance of the use and occupancy permit for the final building within the LEED ND boundary, documentation to the City demonstrating attainment of LEED Silver certification, then as the City's sole remedy the entirety of the escrow will be released upon demand to the City and will be posted to a fund within the City budget supporting implementation of environmental initiatives. If LEED certification is obtained but not at the Silver level, 50% of the escrow will be released to TOLL and 50% will be released upon demand to the City to be posted to a fund within the City budget supporting implementation of environmental initiatives.
- d. If TOLL provides documentation from the USGBC demonstrating, to the satisfaction of the City, that USGBC completion of the review of the LEED certification application has been delayed through no fault of TOLL, TOLL's contractors or subcontractors, the proffered time frame may be extended as determined appropriate by the City, and no release of escrowed funds shall be made to TOLL or to the City during the extension.

6. Prior to a Use and Occupancy Permit, TOLL shall provide a copy of an agreement with the University of Maryland for the installation, maintenance and monitoring of emergency call boxes (Public Emergency Reporting Telephones, PERT). Prior to Use and Occupancy Permit, Toll will install exterior cameras with views of Knox Road, Hartwick Road, Guilford Road, and the Mews.

7. TOLL shall extend the street trees and pedestrian light fixtures required by the DSP from the Project boundary along Knox Road and Guilford Road to the intersection of these two streets. TOLL shall maintain, in a manner reasonably acceptable to the City, all pedestrian light fixtures installed in the right-of-way pursuant to the DSP and/or this Agreement along Knox Road, Hartwick Road and Guilford Drive, with the exception of the pedestrian light fixtures that are installed outside of the Project's property frontage. Maintenance and operation shall include but not be limited to electric utility charges, replacement of light bulbs, and repair and replacement of the pedestrian street lights within a reasonable period of time, pursuant to a maintenance schedule established

with the City.

The City may invoice TOLL on a quarterly basis for electricity costs in the event Toll is not invoiced the costs of electricity directly by the utility company. Invoices shall be payable to the City within thirty (30) days of receipt. In the event that any such invoice is not timely paid, in addition to any other remedy available at law, any outstanding amount shall be a lien upon the Property to be collected in the same manner as City taxes are collected. TOLL shall indemnify and save harmless the City, its officers, employees and agents, from all suits, actions and damages or costs of every kind and description, including reasonable attorneys' fees, arising directly or indirectly out of the maintenance of the pedestrian light fixtures, caused by the negligent act or omission, intentional wrongful acts, intentional misconduct or failure to perform with respect obligations under this paragraph on the part of TOLL, its agents, servants, employees and subcontractors.

8. Prior to the issuance of any occupancy permit, Toll shall grant to the Developer property a perpetual right to lease from Toll, or its successors and assigns, a sufficient number of spaces in the garage on Toll's property to meet the parking requirements for the Developer property ("the Parking Access Easement") as shown on the DSP. The required number of spaces reflected on the DSP as of the date of this Agreement is 24 spaces. These parking rights shall run with the land and shall be reflected in a Parking Access Easement Agreement in a form reasonably satisfactory to Toll and the City. The Parking Access Easement Agreement shall be recorded among the Land Records of Prince George's County, Maryland and shall be enforceable by the City.

9. A public use easement shall be provided to allow pedestrian and bicycle access through

the Project within the open area created on Parcel 1, between Knox Road and Guilford and Hartwick Roads (the "Public Pedestrian Access Easement). The Public Pedestrian Access Easement shall be to the benefit of the City of College Park and shall be approved by the City of College Park and the Maryland-National Park and Planning Commission. The easement shall set forth the rights, responsibilities, and liabilities of the parties.

10. Toll and Toll's heirs, successors, and/or assignees shall vacate the dedicated public right-of-way of Rossburg Drive (WWW 20-94) and obtain approval of a minor final plat pursuant to Section 24-112 of the Subdivision Regulations at a time in accordance with the approved Detailed Site Plan DSP-13025. The minor final plat shall reflect the liber and folio of the Parking Access Easement and the Public Pedestrian Access Easement.

11. The City has presented Toll with proposed roadway and streetscape improvements intended to promote a safe pedestrian environment. These streetscape and roadway improvements are shown on Exhibits B-D, attached to this Agreement and incorporated by reference. Toll agrees that, prior to any use and occupancy permit, it will obtain a right of way permit from the City and construct the roadway and streetscape improvements as shown on Exhibits B-D provided that i) such improvements are not construed or interpreted by Prince George's County constituting fill in the 100 year floodplain which adversely affect the existing floodplain by causing the floodplain elevation to rise from the current elevation shown on the approved floodplain study prepared by Bohler Engineering, or ii) if such improvements are construed or interpreted by Prince George's County as constituting fill in the floodplain which causes the floodplain elevation to rise from that the current elevation shown on the approved floodplain study prepared by Bohler Engineering, then Toll's sole obligation to compensate for such impact shall be limited to payment of a fee in lieu thereof which is reasonably acceptable to

Toll. In addition, Toll shall not be obligated to construct any streetscape or roadway improvements which would require modification or alteration to any stream channel or stream embankment which would require the approval of the Maryland Department of the Environment or the United States Army Corps of Engineers.

12. Prior to signature approval of the DSP, the applicants shall revise the site plan to:

- a. Show a possible location for a proposed Bikeshare Station (11 docks and 6 bikes) that measures 31 feet in length and 6 feet in width.
- b. Redesign the mews/stairs to accommodate pushing a bike.
- c. Show street light fixtures spaced not more than 30 feet on center.
- d. Show the installation of street trees and pedestrian light fixtures extended from the project boundary along Knox Road and Guilford Road to the intersection of these two streets.
- e. Show sidewalks along the property frontage at a minimum of 6-foot wide, preferably 8-foot wide to the extent possible.
- f. Provide a 6-foot wide sidewalk and 5-foot wide planting strip along the north side of Knox Road from the proposed crosswalk east to the driveway of the Delta Sigma Phi fraternity.
- g. Stripe Knox Road to provide a 5-foot wide west-bound bike lane, 10-foot wide west-bound drive lane, 11-foot wide east-bound "sharrow" lane and 8-foot wide parking lane on the south side of Knox Road. The ultimate street section is subject to approval and modification by the City of College Park.

13. Prior to a Use and Occupancy Permit, the applicant (Toll Brothers, Inc.) shall stripe Knox Road to provide a 5-foot wide west-bound bike lane, 10-foot wide west-bound drive lane, 11-foot wide east-bound "sharrow" lane and an 8-foot wide parking lane on the south side of Knox Road.

14. Prior to the closure of Rossburg Drive, the applicant shall convert Knox Road to a two-way street, in coordination with the City of College Park engineer.

15. Prior to signature approval of the DSP, the architectural elevations shall be revised for review and approval by the City of College Park and M-NCPPC as follows:

- a. Label the materials used on the façade of the garage.
- b. Create a 5-story projecting vertical bay with windows on Building B-south elevation, similar to that found on Building B-north elevation, or appropriate alternative.
- c. Create a 5-story projecting vertical bay with windows for Building C-west elevation.

similar to that found on Building C-north elevation, or appropriate alternative.

16. Each person accepting a deed, lease or other instrument conveying any interest in the Property shall be bound by the terms of this Agreement whether or not the same is incorporated or referred to in such deed, lease or instrument and this Agreement is hereby incorporated by reference in any deed or other conveyance of all or any portion of each person's interest in any real property subject hereto.

17. These obligations are subject to and contingent upon final approval of the aforesaid DSP (with such approval being beyond appeal).

18. This Agreement shall be effective immediately as to TOLL and shall be binding on its heirs, successors and assigns subject to the terms and conditions hereof.

19. This Property shall be held, conveyed, encumbered, sold, leased, rented, used, and/or occupied subject to the terms and provisions of this Agreement, provided the Property is developed pursuant to the approved multifamily concept set forth in the DSP, which shall run with the land.

20. The City shall have the right to enforce, by any proceeding at law or in equity, including injunction, all restrictions, terms, conditions, covenants and agreements imposed upon the Property, and/or TOLL pursuant to the provisions of this Agreement. The parties agree that if TOLL should breach the terms of this Agreement, the City would not have an adequate remedy at law and would be entitled to bring an action in equity for specific performance of the terms of this Agreement. In the event the City is required to enforce this Agreement and TOLL is determined to have violated any provision of this Agreement, TOLL will reimburse the City for all reasonable costs of the proceeding including reasonable attorneys' fees. Should TOLL prevail in any action brought by the City to enforce a provision of this Agreement, the City shall

reimburse said party for all reasonable costs of the proceeding including reasonable attorneys' fees.

21. This Agreement may not be amended or modified except in a writing executed by all parties hereto, and no waiver of any provision or consent hereunder shall be effective unless executed in writing by the waiving or consenting party.

22. This Agreement shall be construed in accordance with the laws of the State of Maryland, excepting its conflict of law provisions. The provisions of this Agreement shall be deemed severable, so that if any provision hereof is declared invalid or violative of any federal, state or local law or regulation, all other provisions of this Agreement shall continue in full force and effect.

23. In the event that any provision of this Agreement is in direct conflict with any provision mandated by any government agency with jurisdiction, to the extent that the provision in this Agreement is by necessity precluded, then that provision shall be null and void, provided, however, that the remainder of this Agreement shall remain in full force and effect.

24. The City shall (i) generally support the approval of the DSP as long as they are found by the City to be in substantial conformance with the development plans for the Property previously shown to and endorsed by the City and (ii) close and support the vacation of the portion of Roszburg Drive to be closed and vacated as set forth in the DSP, upon the satisfaction of the conditions precedent thereto in the DSP and this Agreement. The City retains the right throughout the development process to comment on, object to, recommend conditions for and/or appeal issues not previously addressed and issues that have not yet arisen due to the current stage of development plans provided that it will not unreasonably withhold consent. The City further acknowledges that a conformance finding is not to be unreasonably withheld.

35503 608

IN WITNESS WHEREOF, the parties have caused these presents to be executed and delivered.

WITNESS/ATTEST:

TOLL BROS., INC.

[Handwritten Signature]

[Handwritten Signature]
Title: Vice President

~~Pennsylvania~~
STATE OF MARYLAND)

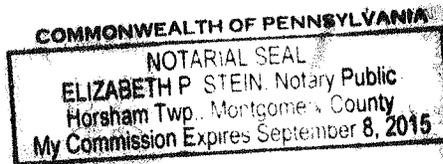
ss:
COUNTY of Montgomery

I HEREBY CERTIFY, that on this 19th day of November 2013, before me, a Notary Public in and for the State aforesaid, personally appeared Richard L. Key, Sr., and that he, being authorized so to do, executed the foregoing Agreement for the purposes therein contained by signing in my presence.

WITNESS my hand and Notarial Seal.

[Handwritten Signature] (SEAL)
Notary Public

My Commission Expires: 9/8/2015



WITNESS/ATTEST:

CITY OF COLLEGE PARK

By: *Janeen S. Miller*
Janeen S. Miller, City Clerk

By: *Joseph L. Nagro*
Joseph L. Nagro, City Manager

Gvette Allen
Asst. City Clerk
STATE OF MARYLAND)

) ss:

COUNTY OF MONTGOMERY

I HEREBY CERTIFY that on this 17TH day of DEC, 2013, before me, the subscriber, a Notary Public in the State and County aforesaid, personally appeared Joseph L. Nagro, who acknowledged himself to be the City Manager of the City of College Park, and that he, as such City Manager, being authorized so to do, executed the foregoing Agreement for the purposes therein contained by signing, in my presence, the name of said City of College Park, by himself, as City Manager.

WITNESS my hand and notarial seal.

Stephen [Signature] (SEAL)

Notary Public

My Commission Expires: 01/14/17

THIS IS TO CERTIFY that the within instrument has been prepared under the supervision of the undersigned Maryland attorney-at-law duly admitted to practice before the Court of Appeals.

Suellen M. Ferguson
Suellen M. Ferguson

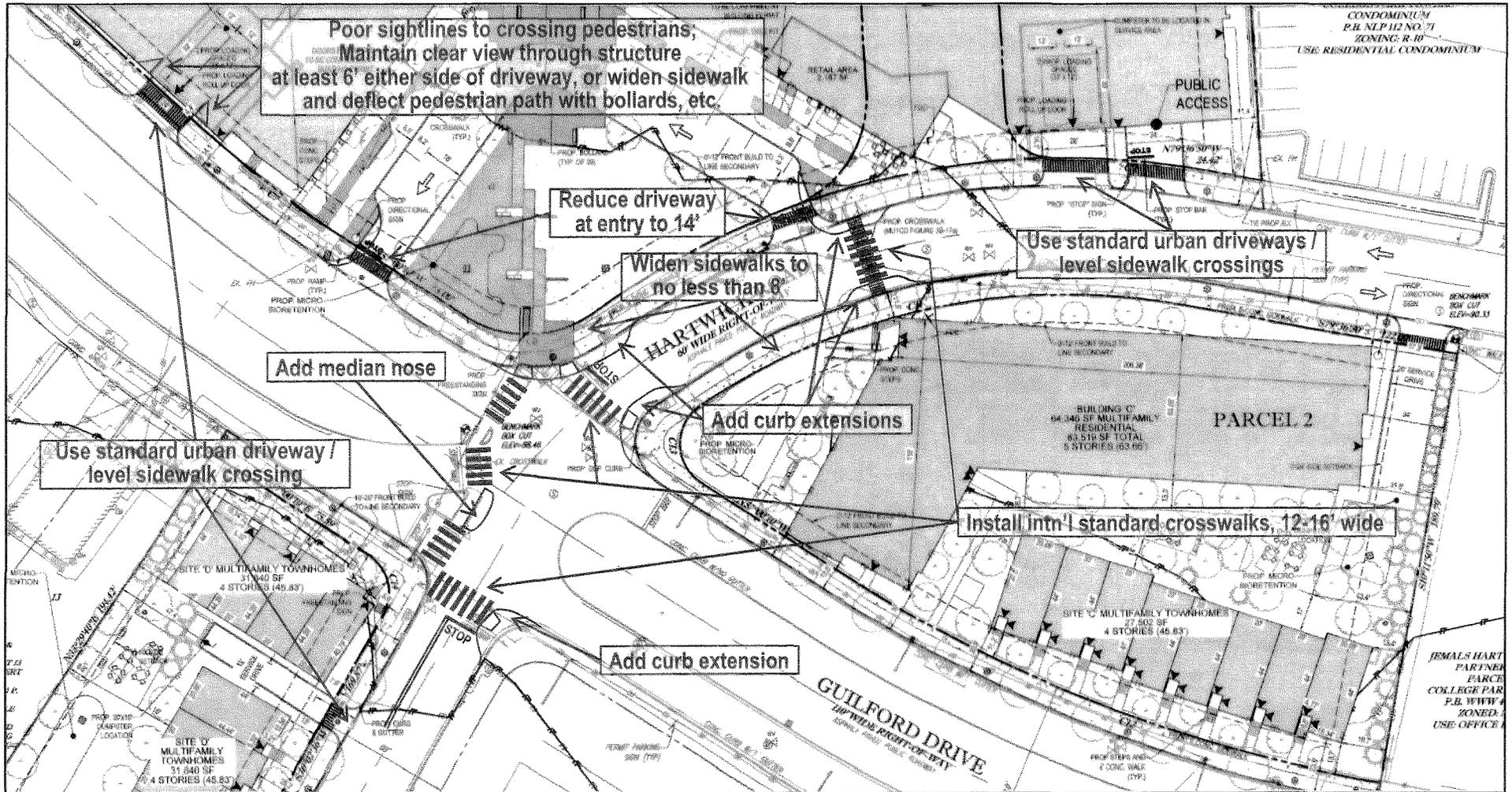
35503 610

This document shall be recorded in the Land Records of Prince George's County. After recording, please return to:

Suellen M. Ferguson, Esq.
Council, Baradel, Kosmerl & Nolan, P.A.
P.O. Box 2289
Annapolis, MD 21404-2289

UMD Student Housing at Knox Road: Site Design Comments

35503 612



099

Exhibit "B"

October 18, 2013, Page 1

UMD Student Housing at Knox Road: Site Design Comments

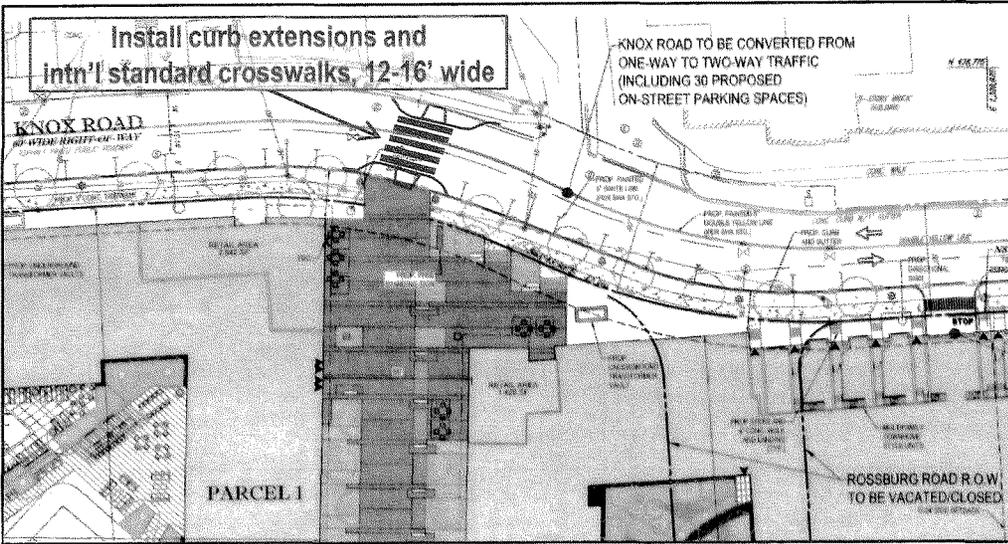
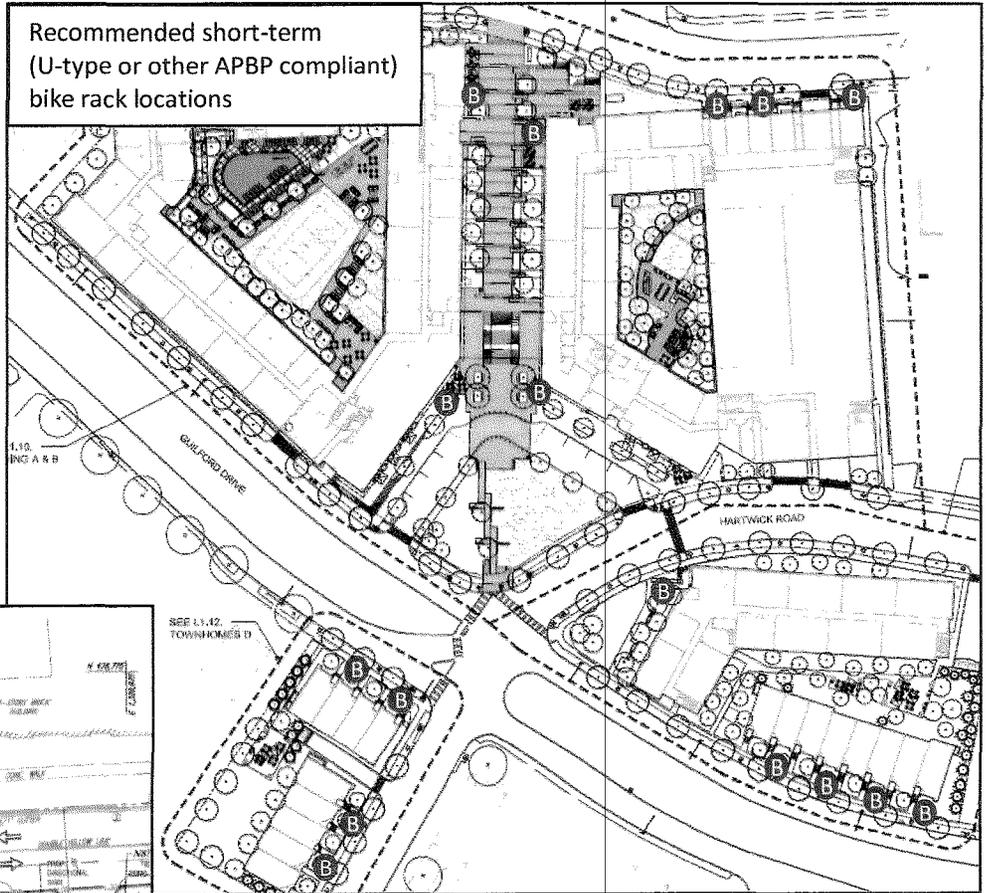
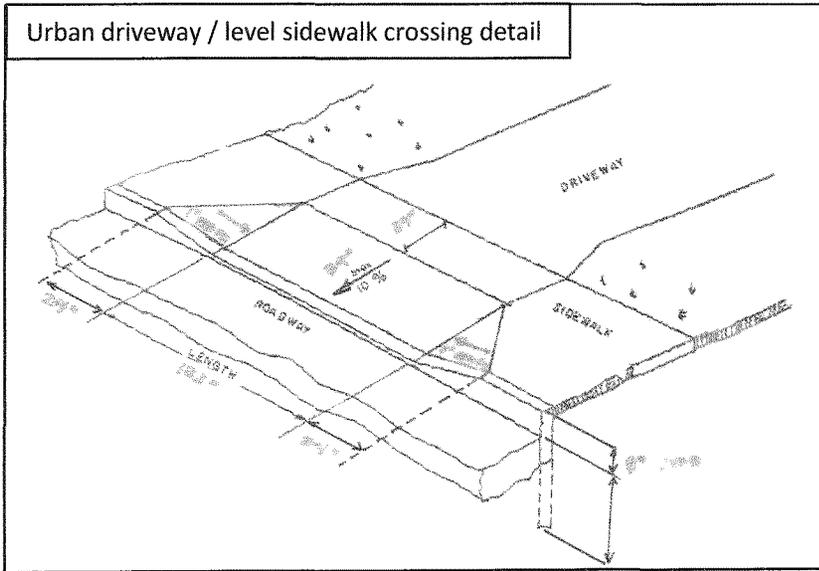
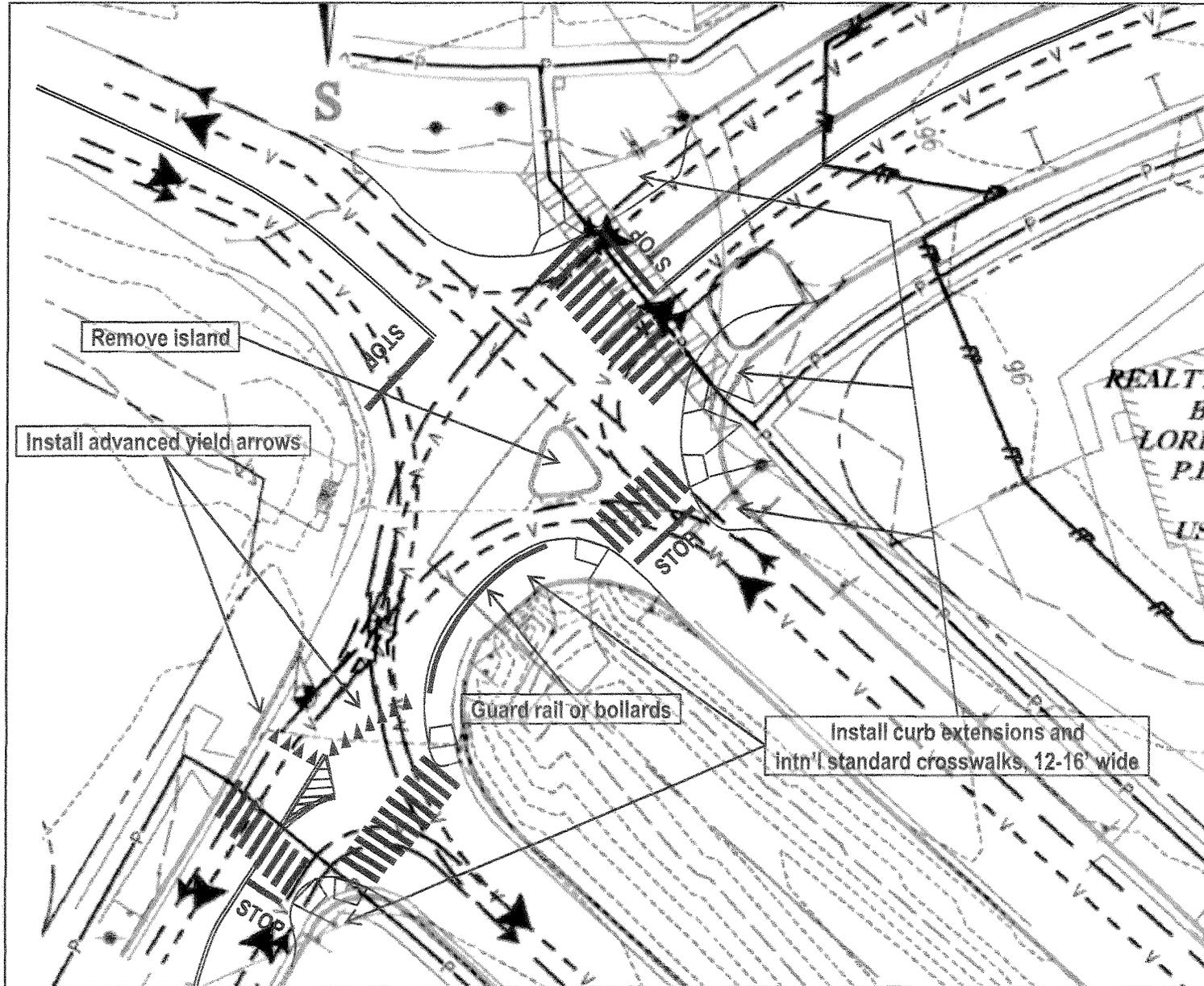


Exhibit "C"

UMD Student Housing at Knox Road: Site Design Comments

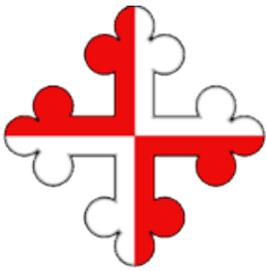


Knox & Guilford

35503 614

Exhibit "D"

101



Catholic Student Center at University of Maryland

4141 Guilford Drive, College Park, MD 20740
Phone: (301) 864-6223 Fax: (301) 864-8411
Email: catholicterps@gmail.com



1933

1965

Today

To whom it may concern:

As longtime members of the College Park community, our center sits at what could be called one of the most dangerous intersections in our area for both drivers, but also and most importantly pedestrians.

Situated at the intersection of Knox Road, Mowatt Lane, Cornell Rd, and Guilford Drive, our Center serves the UMD student/staff community. We are open 7 days a week, and have Mass during the week and on the weekends that attract over 200 people, many on foot. The only available crosswalk to our center is located on Mowatt Lane at Preinkert Drive which accesses a footbridge that spans the water management stream.

Anyone who travels west on foot on the eastbound side of Guilford, whether or not they are coming to our center or going to campus, also cannot cross Guilford safely at any point except at that crosswalk. This generally means they must cross our property – leaving damaged grass, and trash along the route, or more frequently – they cross over the 5 way intersection often directly into oncoming cars that come around the curve to head east on Guilford.

We constantly witness near-miss incidents of pedestrians crossing at this intersection, with no safe means to cross. With the potential increase in population with the completion of Terrapin Row, and addition of retail stores, we expect to see an increase in foot traffic from the south side of Guilford (eastbound traffic flow) crossing at this very dangerous intersection.

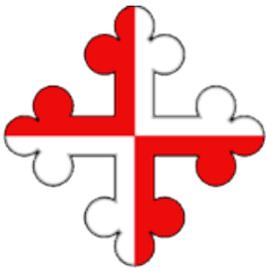
In 2013, one of our engineering students did a research paper on this intersection and its safety concerns. At that time, they researched and surveyed students and people who were most likely to walk in this area to inquire their level of concern for safety. The attached diagram is an excerpt of a longer paper, which we can share with you, that details how they obtained the information and their recommendations for addressing the issues. The diagram clearly shows the concern pedestrians have with regards to the intersection as it currently stands.

The addition of a crosswalk, that would go from the corner of Cornell, crossing over both east and west bound Guilford to the sidewalk at Knox and Mowatt could decrease the potential for a fatal pedestrian incident.

We urgently implore you to consider the risks of pedestrian fatality at this intersection, and resolve the concern with the addition of a safe way to cross the roads.

If you have additional questions regarding our concerns, please contact me or my administrator, Ann Gradowski, ann@catholicterps.org . We appreciate your prompt response and action.

Fr. Robert Walsh
Chaplain
frob@catholicterps.org



Catholic Student Center at University of Maryland

4141 Guilford Drive, College Park, MD 20740
Phone: (301) 864-6223 Fax: (301) 864-8411
Email: catholicterps@gmail.com



1933

1965

Today

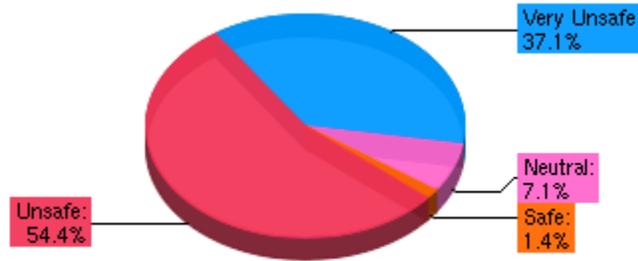


Figure 12: Safety of Guildford Drive and Knox Road Intersection (SurveyGizmo)

The pie chart in Figure 12 shows the full distribution of responses regarding the safety of the Intersection of Guilford Drive and Knox Road.

Not only is there evidence that students believe the areas are hazardous. They also support the addition of a crosswalk and sidewalk.



Figure 14: Responders Opinion on adding a crosswalk to Knox Road and Guilford Drive (SurveyGizmo)

Figure 14 shows the student support of adding a crosswalk to the intersection of Knox Road and Guilford Dr.

HOPE LUTHERAN CHURCH
4201 Guilford Dr.
College Park, MD 20740

May 8, 2016

To The City of College Park:

We at Hope Lutheran Church are writing to express our continued concern over the dangerous intersection of Knox, Cornell, Mowatt and Guilford Drive. This intersection will see an increase of traffic with the new Terrapin Row complex opening next semester. As pedestrian safety has appropriately been a growing concern for the city, we are asking the city to take action in order to provide safe crossing for pedestrians to go to and from Hope Lutheran Church and the Catholic Student Center.

Every day, dozens of pedestrians must cross the dangerous intersection in order to go to and from Hope Church. Our parking lot is used by faculty, staff and students, and our center regularly hosts students and guests coming from campus almost every day of the week. Many cars at the intersection are confused about the traffic patterns, and many are also in a hurry as they barely stop at the stop signs. We have personally witnessed many close calls with pedestrians barely avoiding being struck by cars.

In addition, once a week we have elementary school children at Hope Church for our mentoring program who often need to cross through the intersection to get to campus. Without cutting through the Catholic Student Center property, it is impossible to safely cross from Guilford Drive to Mowatt Lane. With inclement weather, crossing the dangerous intersection becomes even more of a safety hazard.

With about one thousand new beds opening up in Terrapin Row, we expect to see even more foot traffic to and from Hope Lutheran Church. Finding a fix to the intersection, or, better yet, providing a bridge over the stream on Guilford Drive near the intersection will go a long way to preventing unnecessary accidents and will continue to help College Park build a safer experience for pedestrians.

Sincerely,

Pastor Ray Ranker
Senior Pastor, Hope Lutheran Church
Chaplain, Lutheran Campus Ministry UMD

Pastor Julie Bringman
Hope Lutheran Church

301-405-8448 ~ lutheran@umd.edu ~ www.hopecp.org

11

Parking
restrictions
around the
Terrapin Row
development



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

Prepared By: R.W. Ryan, Director, Public Services

Meeting Date: July 5, 2016

Presented By: R.W. Ryan, Director, Public Services

Consent Agenda: No

Originating Department: Public Services

Issue Before Council: City Council approval of increased parking fees for municipal garage permits; establishment of a new "pay to park" zone, and change of two residential parking zones to new monthly permit zones.

Strategic Plan Goal: #6 – Excellent Services

Background/Justification:

The municipal parking garage monthly permit fee is currently \$80/month. The current market rate for off campus structured parking space is \$125/month, as charged by both Landmark and Terrapin Row. The City currently sells monthly permits for 125 of the 288 spaces in the garage. There is high demand for monthly garage parking permits, as there is insufficient parking space available to meet demand in the new apartment buildings. There are peak times when additional hourly parking space in the garage is needed. (Hourly parking is sold for \$0.75/hour). Staff recommends raising the monthly garage permit fee to market rate of \$125 per month, and reducing the number of monthly spaces available from 125 to 100. There will be a net revenue gain of \$ 2,500/month for monthly garage permit fees for approximately 9 months of the year, equaling \$22,500 annually.

The developers of the Terrapin Row mixed use off campus student housing apartment complex and commercial retail space, and the UMD development advisor Ken Ulman, have requested the City to establish a new 'pay to park' zone around this new development. Staff has reviewed and supports this proposal as the best practice for managing customer, visitor, and resident parking around this development. A map showing the proposed area of 58 'pay to park' spaces and 5 pay stations is attached. The parking fee will be the same as other City metered and 'pay to park' spaces, at \$0.75/hour.

As this area, officially known as Lord Calvert Manor, has been redeveloped as mixed use and high density multifamily/apartments, staff has proposed that on-street parking in this area be changed from bi-annual/annual residential permit parking zones (11 and 11A) common to R-55 zones of single family housing, to monthly permit parking zones, similar to the Knox Road monthly permit program adjacent to the College Park Towers. Staff believes this would be the best use of available on street parking here.

It is proposed that both permit zones 11 and 11A be changed from bi-annual/annual residential permits sold for \$10 bi-annually/\$10 annually, to monthly on-street parking permits sold for \$60/month. This would provide first come permits for any of the residents of Lord Calvert Manor, serving residents of Terrapin Row, College Park Towers, Graduate Gardens, or remaining smaller apartment buildings. Zone 11A has gone virtually unused since it was designated several years ago. Zone 11 was used primarily by residents of the old "Knox Boxes". This area is now high density apartments. There are approximately 110 on-street parking spaces on Hartwick Road, Guilford Drive, Cornell Avenue, and Rossburg Drive combined, which are proposed to be converted to monthly permits to be sold at \$60 / month, slightly less than half of the proposed monthly garage permit fee. Estimated annual revenue for 110 spaces would increase from \$1,100/year to \$59,400 for 9 months of the year. In addition, it is proposed that the one-day visitor passes that were allocated to these permit zones be removed from this program in its entirety.

It is proposed that monthly permits be sold in increments of 1-6 months. Permits would be sold for the periods of August through January, and February through July. This would reduce demand on staff during permit renewal times which now occur monthly, while providing for the opportunity to adjust permit fees twice a year.

Fiscal Impact:

Revenue gain = \$ 80,800

Cost to implement pay to park zone (5 pay stations, new signs, power) = Estimated \$75,000

Council Options:

- #1: Approve new monthly permit parking zones and new fees for on street parking in these zones, and new fees for monthly municipal garage permits.
- #2: Approve alternate parking management plans and fees.
- #3: Take no action

Staff Recommendation:

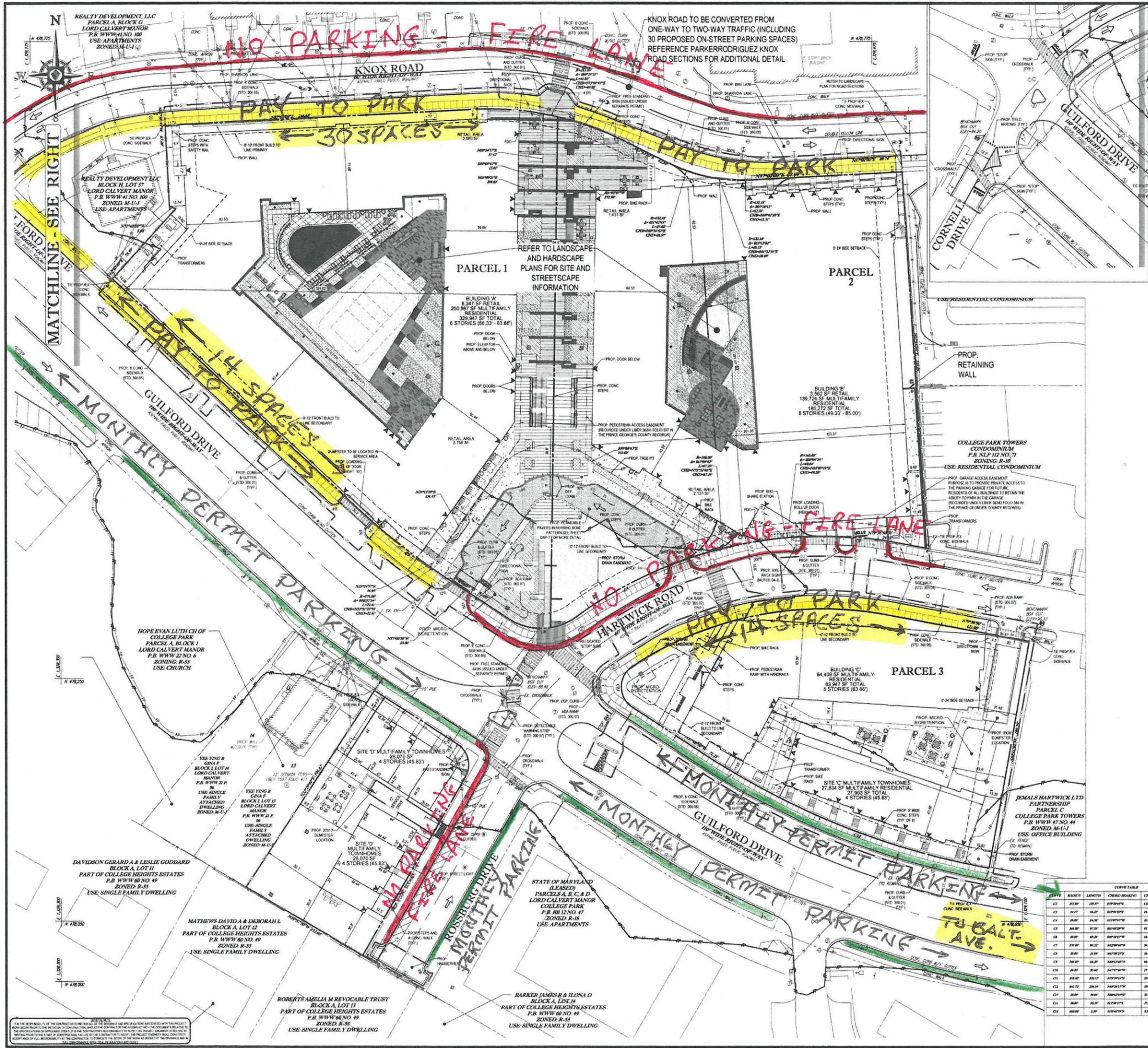
1

Recommended Motion:

I move to approve monthly municipal garage permit fees of \$125/month, monthly on street parking permit fees in other than R-55 residential zones of \$60/month, and conversion of parking permit zones 11 and 11A to monthly permit zones, effective August 1, 2016.

Attachments:

Maps of Terrapin Row Pay to Park zone, and Knox Road monthly permit zone, and permit parking zones 11 and 11A



KNOX ROAD TO BE CONVERTED FROM ONE-WAY TO TWO-WAY TRAFFIC (INCLUDING 30 PROPOSED ON-STREET PARKING SPACES) REFERENCE PARKERRODRIGUEZ KNOX ROAD SECTIONS FOR ADDITIONAL DETAIL

REFER TO LANDSCAPE AND HARDSCAPE PLANS FOR SITE AND STREETSCAPE INFORMATION

STANDARD DRAWING LEGEND		
EXISTING NOTE	TYPICAL NOTE TEXT	PROPOSED NOTE
(Symbol)	ON-SITE PROPERTY LINE (P.O.W. LINE)	(Symbol)
(Symbol)	NEIGHBORING PROPERTY LINE / INTERSECTION PARCEL LINE	(Symbol)
(Symbol)	EASEMENT LINE	(Symbol)
(Symbol)	SETBACK LINE	(Symbol)
(Symbol)	CONCRETE CURB & GUTTER	(Symbol)
(Symbol)	UTILITY POLE WITH LIGHT	(Symbol)
(Symbol)	TRAFFIC LIGHT	(Symbol)
(Symbol)	UTILITY POLE	(Symbol)
(Symbol)	TYPICAL SIGN	(Symbol)
(Symbol)	PARKING CURB'S	(Symbol)

REVISIONS		
REV.	DATE	COMMENT
1	08/13/13	PER MNCPP COMMENTS
2	10/01/13	DSP SUBMISSION
3	01/03/14	EXHIBIT PRESENT APPLICATION
4	02/25/14	DSP CERTIFICATION
5	10/01/14	PER MNCPP COMMENTS

LIMITS OF DISTURBANCE - BREAKS 5' OR 6' EACH		
SYMBOL	DESCRIPTION	SYMBOL
(Symbol)	SANITARY LABEL	(Symbol)
(Symbol)	STORM LABEL	(Symbol)
(Symbol)	SANITARY SEWER LABEL	(Symbol)
(Symbol)	UNDERGROUND WATER LINE	(Symbol)
(Symbol)	UNDERGROUND ELECTRIC LINE	(Symbol)
(Symbol)	UNDERGROUND GAS LINE	(Symbol)
(Symbol)	OVERHEAD WIRE	(Symbol)
(Symbol)	UNDERGROUND TELEPHONE LINE	(Symbol)
(Symbol)	UNDERGROUND CABLE LINE	(Symbol)
(Symbol)	STORM SEWER	(Symbol)
(Symbol)	SANITARY SEWER MAIN	(Symbol)
(Symbol)	HYDRANT	(Symbol)
(Symbol)	SANITARY MANHOLE	(Symbol)
(Symbol)	STORM MANHOLE	(Symbol)
(Symbol)	WATER METER	(Symbol)
(Symbol)	GAS VALVE	(Symbol)
(Symbol)	GAS METER	(Symbol)
(Symbol)	TYPICAL END SECTION	(Symbol)
(Symbol)	HEADWALL OR ENCHWELL	(Symbol)
(Symbol)	YARD INLET	(Symbol)
(Symbol)	CURB	(Symbol)
(Symbol)	SCALE	(Symbol)
(Symbol)	CLEAN OUT	(Symbol)
(Symbol)	ELECTRIC MANHOLE	(Symbol)
(Symbol)	TELEPHONE MANHOLE	(Symbol)
(Symbol)	ELECTRIC BOX	(Symbol)
(Symbol)	ELECTRIC PEDESTAL	(Symbol)
(Symbol)	MONITORING WELL	(Symbol)
(Symbol)	TEST PIT	(Symbol)
(Symbol)	BENCHMARK	(Symbol)
(Symbol)	BORING	(Symbol)
(Symbol)	FLOODPLAIN	(Symbol)

BOHLER ENGINEERING
 CIVIL ENGINEERING CONSULTANTS
 16701 MELFORD BLVD., SUITE 310
 BOWIE, MARYLAND 20718
 Phone: (301) 800-4500
 Fax: (301) 500-4501
 www.BohlerEngineering.com

NOT APPROVED FOR CONSTRUCTION

PROJECT NO: M122022
 DRAWN BY: TS
 CHECKED BY: G42013
 DATE: 08/13/13
 SCALE: 1"=20'
 CAD ID: 855

DETAILED SITE PLAN
 FOR
TERRAPIN ROW

LOCATION OF SITE
 KNOX ROAD AND GUILFORD DRIVE
 PRINCE GEORGE'S COUNTY
 COLLEGE PARK, MD 20740
 21st ELECTION DISTRICT

BOHLER ENGINEERING
 16701 MELFORD BLVD., SUITE 310
 BOWIE, MARYLAND 20718
 Phone: (301) 800-4500
 Fax: (301) 500-4501
 www.BohlerEngineering.com

M. K. JONES
 PROFESSIONAL ENGINEER
 LICENSE NO. 10820
 EXPIRES 12/31/2015

SITE PLAN
 SHEET NUMBER
DSP-4
 OF DSP-7
 REVISION 6

NO.	BAZEN	LENGTH	CURB TABLE	CHORD	DEG 2	TANGENT
C1	30.00	10.00	5.00	10.00	30.00	10.00
C2	40.00	15.00	7.50	15.00	40.00	15.00
C3	50.00	20.00	10.00	20.00	50.00	20.00
C4	60.00	25.00	12.50	25.00	60.00	25.00
C5	70.00	30.00	15.00	30.00	70.00	30.00
C6	80.00	35.00	17.50	35.00	80.00	35.00
C7	90.00	40.00	20.00	40.00	90.00	40.00
C8	100.00	45.00	22.50	45.00	100.00	45.00
C9	110.00	50.00	25.00	50.00	110.00	50.00
C10	120.00	55.00	27.50	55.00	120.00	55.00
C11	130.00	60.00	30.00	60.00	130.00	60.00
C12	140.00	65.00	32.50	65.00	140.00	65.00
C13	150.00	70.00	35.00	70.00	150.00	70.00
C14	160.00	75.00	37.50	75.00	160.00	75.00
C15	170.00	80.00	40.00	80.00	170.00	80.00

THIS BLOCK IS FOR OFFICIAL USE ONLY
 IF ANY CHANGES ARE MADE TO THIS PLAN, THE USER SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION.
 MNCPP APPROVAL
 PROJECT NAME: UMD STUDENT HOUSING AT KNOX ROAD
 PROJECT NUMBER: DSP-13025
 (FOR CONDITIONS OF APPROVAL, SEE SITE PLAN COVER SHEET OR APPROVAL SHEET. REVISION NUMBERS MUST BE INDICATED IN THE PROJECT NUMBER.)

PROFESSIONAL CERTIFICATE
 I, MATTHEW W. JONES, HEREBY CERTIFY
 THAT I AM A duly LICENSED PROFESSIONAL ENGINEER
 UNDER THE LAWS OF THE STATE OF MARYLAND
 LICENSE NO. 10820, EXPIRATION DATE: 12/31/2015

12

Governor's
funding for
Youth Service
Bureaus



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

Prepared By: Peggy Higgins, Director
Youth, Family and Senior Services

Meeting Date: July 5, 2016

Presented By: Scott Somers, City Manager

Proposed Consent: No

Originating Department: Youth, Family and Senior Services

Issue Before Council: The Governor's Office for Children has announced that it is not funding the five Youth Services Bureaus in Prince George's County, two Youth Services Bureaus in Baltimore County and one in Anne Arundel County. The City's Youth and Family Services program is one of the 20 Youth Service Bureaus in the State; one of five in Prince George's County.

Strategic Plan Goal: Goal 6: Excellent Services

Background/Justification:

The City of College Park has been a State partner in providing delinquency prevention and mental health services for children and families over 40 years. This is also true for the cities of Bowie and Greenbelt. The city of District Heights has been a partner with the State in the provision of these critical services for 12 years. The fifth Youth Service Bureau in the County's State partners is the County Health Department.

On Friday, June 24th, six days before the beginning of the fiscal year, the Governor's Office for Children (GOC) put out a press release announcing grant awards that did not include funding for the Prince George's County Youth Service Bureaus. The Prince George's County Youth Services Bureaus were later informed by the Prince George's County Local Management Board in a conference call that GOC's only rationale for not funding the County's Youth Services Bureaus was a brief statement that the Youth Service Bureaus were under-functioning.

These programs are monitored on a regular basis by both the Local Management Board and the Department of Juvenile Services and have never been notified that they were not meeting outcomes. To the contrary, monitoring visits have been exemplary.

That said, if a problem had been identified, COMAR 16.17.01.04 (D) regarding Youth Service Bureaus lays out a clear process for reviewers to examine regulatory compliance and program effectiveness and a plan for corrective action. This process has never been utilized, because it has not been needed.

Already, the action of the Governor's Office of Children has sparked a strong and growing reaction by state legislators, the Maryland Association of Youth Service Bureaus (MAYSB), individual Bureaus across the state and the community-at-large. The Governor's Office is now reporting that the Governor has not decided whether to release the funds.

Ten years ago when all of the Youth Service Bureaus were cut from the budget, the public outcry was successful in reversing the decision and the funds re-instated. This situation is stronger than ten years ago. Then the issue was to get Youth Service Bureaus back in the budget. This time Youth Service Bureaus are in the budget and funds specifically designated for their funding are in the budget and so the issue today is to advocate for the Governor to release the funds.

Fiscal Impact: \$72,055

Council Options:

- 1) To join in the growing effort to get the funds released by the Governor with the following proposed actions:
 - A) approve attached letter to the Governor requesting the release of Youth Service Bureau funds, along with the cities of Bowie, Greenbelt and District Heights. This letter is also being submitted the other jurisdictions.
 - B) Authorize the city lobbyist, who also serves as the city of Bowie's lobbyist, to actively join the Maryland Association of Youth Service Bureaus's (MAYSB) lobbyist and Executive Board in advocating for the release of funds.
 - C) Contact state and county elected officials and requesting their support for the release of funds.
 - D) Individually contact the Governor and state and county elected officials of your concern.
 - E) Notify city residents of this issue through list serves, the municipal scene and other media and encourage them to contact the Governor's office and request that the funds be released.(Flyer with details being prepared.)
- 2) Absorb the loss of revenue.
- 3) Reduce program expenditures by a portion of or all of the \$72,055.

Staff Recommendation:

- 1) Approve the initiatives listed to get the funds released.

Recommended Motion:

I move to approve the letter to Governor Hogan in substantially the form attached and authorize the Mayor to sign; and take other actions including those listed above to advocate for the release of State funds.

Attachment:

Letter from the four municipalities to the Governor requesting release of funds.

City of Bowie
15901 Excalibur Road
Bowie, Maryland 20716

City of College Park
4500 Knox Road
College Park, Maryland 20740

City of Greenbelt
25 Crescent Road
Greenbelt, Maryland

City of District Heights
2000 Marbury Drive
District Heights, Maryland 20747

July 6, 2016

Larry Hogan, Governor of Maryland
100 State Circle
Annapolis, Maryland 21401

Dear Governor Hogan:

We join in respectfully requesting that you take immediate action to release the funds designated for Youth Service Bureaus in the FY17 State budget.

Our four cities have been the State's long-standing partner in providing these important delinquency prevention and mental health services to families in Prince George's County. The cities of Bowie, College Park and Greenbelt have been the State's partners for over 40 years; District Heights has been providing these critical programs for 12 years.

Youth Service Bureaus are a proven alternative to institutionalization of at-risk youth. Each day our Bureaus serve families facing serious issues such as substance use, violence, bullying, truancy, child abuse, depression, suicidality, school failure, and delinquency. All are issues that impact a youth's ability to thrive and to be successful in our communities. It should also be noted that these families have few, if any, alternate places to seek help for these issues. This sudden loss of funding will have a significant impact.

Additionally, our community-based Bureaus are valued partners with local schools, faith-based organizations and other local government agencies which are dedicated to the health, safety and well-being of our County's children, youth and families.

We only learned that the State was withholding its funds on Friday, June 24th, just six days before the fiscal year began. It's worth noting that we only learned of it when the Governor's Office for Children (GOC) put out a press release regarding grant awards that did not include funding for the Prince George's County Youth Service Bureaus. We later were informed by our Prince George's County Local Management Board that GOC's only rationale for not funding the County's Youth Services Bureaus was a brief statement that the Youth Service Bureaus were under-functioning.

We bring to your attention the fact that these programs are monitored on a regular basis by both the Local Management Board and the Department of Juvenile Services and that never were they notified that they were not meeting outcomes. To the contrary, monitoring visits have been exemplary.

That said, if a problem had been identified, COMAR 16.17.01.04 (D) regarding Youth Service Bureaus lays out a clear process for reviewers to examine regulatory compliance and program effectiveness and a plan for corrective action. This process has never been utilized, because it has not been needed.

Youth Service Bureaus deliver vital services in our community which, we note, help minimize the strain on the State government. For these many years, we have been committed partners with the State in the provision of these quality community-based programs. We strongly urge you to release the Youth Service Bureau funds and to keep our longstanding collaboration in providing this essential support for our families intact.

Regards,

G. Frederick Robinson, Mayor of Bowie

Emmett V. Jordan, Mayor of Greenbelt

Patrick L. Wojahn, Mayor of College Park

Eddie L. Martin, Acting Mayor of
District Heights

cc:

The Honorable James Rosapepe, State Senator, District 21
The Honorable Benjamin Barnes, State Delegate, District 21
The Honorable Barbara Frush, State Delegate, District 21
The Honorable Joseline Peña-Melnyk, State Delegate, District 21
The Honorable Paul Pinsky, State Senator, District 22
The Honorable Tawanna Gaines, State Delegate, District 22
The Honorable Anne Healey, State Delegate, District 22
The Honorable Alonzo Washington, State Delegate, District 22
The Honorable Douglas J.J. Peters, State Senator, District 23
The Honorable Joseph F. Vallario, State Delegate, District 23B
The Honorable Marvin E. Holmes, Jr., State Delegate, District 23B
The Honorable Geraldine Valentino-Smith, State Delegate, District 23A

The Honorable Ulysses Currie, State Senator, District 25
The Honorable Rushern Baker, Prince George's County Executive
The Honorable Angela Angel, Esq., State Delegate, District 25
The Honorable Darryl Barnes, State Delegate, District 25
The Honorable Derek E. Davis, State Delegate, District 25
The Honorable Mary Lehman, County Councilmember, District 1
The Honorable Dannielle Glaros, County Councilmember, District 3
The Honorable Todd Turner, County Councilmember, District 4
The Honorable Derek L. Davis, County Councilmember, District 6

13

Through truck traffic on residential streets



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

Prepared By: Scott Somers, City Manager

Meeting Date: July 5, 2016

Presented By: Scott Somers, City Manager

Originating Department: City Manager's Office

Issue Before Council: Install 'No Through Truck' signage and designate alternative routes

Strategic Plan Goal: Goal 4: Quality Infrastructure

Background/Justification:

Several complaints have been received from a resident along Cheyenne Place with respect to through truck traffic and resulting damage. A request was made by the resident and District 1 Councilmembers to install No Through Trucks signs on Cheyenne Place, Cree Lane, and Delaware Street to prevent large scale trucks from driving on certain residential streets.

Per the City Attorney, from available records, it appears that No Through Trucks signs in the area, which were installed many years ago, were approved by a resolution of Council. The overall authority to install other types of signs and controls, such as stop signs and speed restrictions, are in the City Code under §§184-1 and 2. Specific stop signs are approved through Council resolution under §184-26. In keeping with how the other traffic restrictions are enabled in the City Code, one course is to adopt the overall authority to install No Through Trucks signage and designate alternative routes by ordinance, and then authorize the specific signage and route alternatives to be adopted by Council resolution, or by automatic approval if no Council action is taken (§184-26). Under 184-28, the Mayor and Council have the authority for and are responsible for the promulgation of traffic regulations and the installation of traffic control devices within the city. Therefore, this section could be used to act on No Through Trucks signs by regulation. At minimum, any additional No Through Trucks signs must be approved by Council resolution. Simply posting the signs is not sufficient, as they are then unenforceable.

Fiscal Impact:

Minimal fiscal impact associated with public notices and material and labor costs.

Council Options:

1. Direct staff to prepare an ordinance that establishes the overall authority to install No Through Trucks signage and designate alternative routes, and then authorize the specific signage and route alternatives to be adopted by Council resolution.
2. Direct staff to prepare a resolution approving the installation of No Through Trucks signs in certain areas.

Staff Recommendation: Option #1

14

Agenda items
for July 28
Four Cities
Meeting in
Berwyn
Heights

15

Future Agenda items



TO: Mayor, City Council, City Manager and Department Directors
FROM: Janeen S. Miller, City Clerk
DATE: July 1, 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.

TUESDAY, JULY 12 REGULAR MEETING

Presentation: City Social Media (15) – Ryna Quinones, Communication Coordinator

05-04-16: Public Hearing on proposed permit parking around The Boulevard at 9091 (formerly Metropolitan)

06-14-16: Public Hearing on Ordinance 16-O-04, amendments to the Noise Ordinance in Chapter 138 of the City Code

06-14-16: Public Hearing on Ordinance 16-O-05, amendments to the Noise Ordinance in Chapter 138 of the City Code

06-14-16: Public Hearing on Charter Amendment 16-CR-01, eliminating the requirement to provide public notice in a newspaper of general circulation in the City for ordinances, election judges and vacancies

Proposed Consent: 06-08-16: Support for name change of Randolph Macon to Howard – Terry Schum, Director of Planning

Proposed Consent: 06-10-16: Request from the College Park Community Center for a letter of support for a Stormwater Stewardship grant application to Chesapeake Bay Trust – Mayor Wojahn

Approval of PUAs with the four restaurants in The Hotel (Linda Carter, Attorney) – Suellen Ferguson, City Attorney

(16-G-70) Award of Contract for the Construction of Duvall Field Concession Building and Plaza – Terry Schum, Director of Planning (10)

(16-G-74) Recommendation for Contract award for Development Consultant - Terry Schum, Director of Planning (30)

06-13-16: MTA request for Right Of Entry at two City locations for Purple Line Construction

Consideration of Permit Parking Restrictions around Boulevard at 9091

Adoption of Ordinance 16-O-04, 16-O-05, and Charter Amendment 16-CR-01

Possible action by Council for acquisition of Real Property – Terry Schum, Director of Planning

Closed Session after the Regular Meeting: 1) To consider the acquisition of real property for a public purpose

WEDNESDAY, AUGUST 3, 2016 WORKSESSION

04-20-16: Proposed amendments to the Fence Ordinance and discussion about the APC's suggestion that the City provide financial incentives to residents to promote the use of fence materials other than chain link.

05-24-16: Discussion of a banner policy for public buildings

05-04-16: Revisions to resolution establishing the Neighborhood Quality of Life Committee – Councilmembers Stulich and Brennan

12-14-15: Award of contract for stormwater management projects along Rhode Island Avenue and Narragansett Parkway – Terry Schum, Director of Planning

06-22-16: Discussion of CBE recommendation for a project for the Environmental Finance Center to partner with the City on - ?

Closed Session after the Worksession: 1) To discuss a personnel matter (City Manager performance evaluation criteria)

TUESDAY, AUGUST 9, 2016 REGULAR MEETING

06-08-16: Presentation of Certificates of Appreciation to College Park Woods Neighborhood Watch leaders

TUESDAY, SEPTEMBER 6, 2016 WORKSESSION

05-04-16: Discussion of duties of the City's Board of Election Supervisors – should they be organizing debates? – request of Councilmember Nagle

05-18-16: Discussion of FY 2018 Homestead Tax Credit Rate (15)

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

06-01-16: Review and discussion of Sections 184.43-44 Non-resident parking permits – Scott Somers, City Manager

06-07-16: Review of proposed revisions to Chapter 184 regarding the 48-hour prohibited parking rule – Suellen Ferguson, Bob Ryan and Jim Miller (follow up from June 7 W/S)

TUESDAY, SEPTEMBER 13, 2016 REGULAR MEETING

Presentation to winners of Litter Logo Competition – Councilmember Brennan and Janis Oppelt, Chair, CBE

Closed Session after the Regular Meeting: To discuss a personnel matter (City Manager evaluation)

TUESDAY, SEPTEMBER 20, 2016 WORKSESSION

06-02-16 Presentation of Seniors Program and Discussion of Aging-In-Place Task Force Report Recommendations – Peggy Higgins, Director of Youth, Family & Senior Services

01-20-16: Discussion of transportation issues (request of Councilmember Kujawa) and discussion of the request to provide Commuter Shuttle Bus Service and discussion of transportation needs revealed by the Aging-In-Place Task Force

05-17-16: Update on Strategic Plan (40)

05-13-16: Discussion of policy/procedure about responding to letters (20)

TUESDAY, SEPTEMBER 27, 2016 REGULAR MEETING

PENDING AGENDA ITEMS

03-08-12: Trolley Trail negotiations – Suellen Ferguson, City Attorney

01-07-14: Model Public Participation Ordinance and community engagement – Mayor Wojahn

Discussion about issuing a Request for Expressions of Interest for the Calvert Road School site

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

03-24-15: Review of the City's Emergency Preparedness Plan – Bob Ryan, Director of Public Services

MASTER LIST

03-15-16: Discussion of drainage in the City – request of Councilmember Nagle

04-25-16: Business and development incentives for North College Park – request of Councilmember Kabir

05-04-16: Comprehensive review of City fines – request of Councilmember Brennan (Finance and Public Services – schedule for Fall)

05-04-16: Discussion of a “homeowners’ resources” fund to provide long-term loans to homeowners for home improvements that would be secured by a lien – request of Councilmember Nagle

05-13-16: Follow-up on an Arts and Entertainment Task Force – Bill Gardiner, Assistant City Manager

06-07-16: Review of parking situation around early voting and general election voting centers – request of Councilmember Dennis (schedule by September)

06-07-16: Report from staff about how we are addressing issues of language barriers with our residents – request of Councilmember Kabir

06-14-16: Comprehensive discussion of proposed development and the ability of our infrastructure to support it – request of Councilmember Nagle

Business Recycling (from FY '17 budget W/S)

06-22-16: Request to abandon City R-O-W for the portion of Pontiac Street between Patuxent Avenue and Rhode Island Avenue

06-10-16: Approval for the City's participation in the Wyland Foundation's 2017 National Mayor's Challenge for Conservation – Mayor Wojahn

Presentation and Request for Support from the City – The Tennis Center (request of Mayor Wojahn)

Budget Parking Lot:

FY 2015:

1. Public Services-Admin performance measure #2 (response within 1 business day)
(Wojahn): Worksession follow-up (Bob Ryan)

FY 2016:

2. Performance Measures

FY 2017:

3. Location of the additional RRFB
4. Amendment of City Code to allow a parking ban for snow removal or street cleaning
5. Subsidy of resident membership in mbike

May 10, 2014 Retreat Parking Lot:

1. What is the City's role vis-à-vis Day Care needs in the City

16

Boards and Committees

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
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.			

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	04/19
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
<p>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.</p>			

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
VACANT		Mayor	
Normand Bernache 09/23/14	District 4	Mayor	09/17
<p>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.</p>			

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
<p>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.</p>			

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
<p>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.</p>			

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
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
<p>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.</p>			

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
VACANT			
Peggy Wilson 6/8/10	UMCP	UMCP	05/16
Dawn Powers 1/26/16	District 2	M&C	01/18
David Toledo 04/25/16	District 1	M&C	04/18
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.			

Dr. Martin Luther King, Jr. Tribute Committee			
Appointee	Represents	Appointed by	Term Expires
		M&C	
<p>Between five and nine members, appointed by the Mayor and Council for three-year terms. The Committee shall appoint the Chair and Vice-Chair from among their membership annually. A quorum will consist of a majority of the appointed members. The Committee may work with partners such as the University of Maryland, the Maryland National Capital Park and Planning Commission, local schools and faith communities, and others as appropriate, in planning the event.</p>			

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	05/18
Richard Biffel	Rental Property Owner	City Council	02/16
Paul Carlson	Rental Property Owner	City Council	05/18
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.			

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
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.			

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	04/20
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
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.			

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	05/19
Bettina McCloud 1/11/11	District 1	M&C	02/17
David Toledo 04/25/16	District 1	M&C	04/19
Stuart Adams 05/24/16	District 3	M&C	05/19
VACANT		M&C	

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.

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
VACANT	Citizen	M&C	
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.