



CITY OF COLLEGE PARK ADVISORY PLANNING COMMISSION
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ADVISORY PLANNING COMMISSION
Approved Minutes of Meeting
July 3, 2014 – 7:30 P.M.
City Hall Council Chambers

<u>Members</u>	<u>Present</u>	<u>Absent</u>
Mary Cook, Chair	_____	_____ x
Clay Gump, Vice-Chair	_____	_____ x
Lawrence Bleau	_____ x	_____
James McFadden	_____ x	_____
Rose Greene Colby	_____ x	_____
Christopher Gill	_____ x	_____

Also Present: Planning Staff- Terry Schum, Miriam Bader and Theresheia Williams; City Engineer, Steve Halpern; Attorney – Sue Ford.

I. Call to Order: Lawrence Bleau called the meeting to order at 7:48 p.m.

II. Approval of Minutes:

Christopher Gill moved to accept the minutes of June 5, 2014. James McFadden seconded. The motion carried 4-0-0.

III. Amendments to Agenda: There were no Amendments to the Agenda.

IV. Public Remarks on Non-Agenda Items: There were no Public Remarks on Non-Agenda Items.

V. Public Hearings:

**CPV-2014-03: Variance to Construct a Driveway in the Front Yard
(continued from 6/5/14)**
Appellant: Juan Avila
Location: 9728 51st Place

Sue Ford, attorney, stated that Mary Cook, Lawrence Bleau, James McFadden and Christopher Gill was present at the June 5, 2014 meeting. Mary Cook is not present tonight, but Rose Colby is in attendance and reviewed the testimony from the prior hearing to be included in the voting.

Lawrence Bleau explained the hearing procedures and placed witnesses under oath. He indicated that this case was continued from the June 5, 2014 meeting to allow the applicant to provide more information on resident permit parking and revise his application to address drainage and lot coverage concerns. Miriam Bader summarized the staff report. The applicant is requesting the following variances: 1) a variance not to exceed 3 feet in width and 19 feet in length of parking area in the

front of the dwelling to construct a new driveway and curb cut; 2) a variance of 5 feet from the required combined minimum setback of 17 feet for side yards to validate an existing condition; and 3) a variance of 2 feet from the required minimum setback of 8 feet for side yards to validate an existing condition. Previously the driveway proposed was 14 feet wide by 19 feet long with a 9 foot encroachment. The proposed new driveway is 10 feet wide by 19 feet long with a 3 foot encroachment. The applicant submitted a revised application on June 19, 2014 that relocated the proposed driveway from the low side of the lot to the high side to address drainage concerns and reduce the width of the driveway to 10-foot wide to address lot coverage and encroachment concerns. The house was built in 1950 without a curb cut or driveway. The property is zoned R-55 and is of similar size to neighboring properties. The majority of homes in the neighborhood have at least a single-wide driveway.

The section of street in front of the subject property is in Permit Parking Zone 2, which states that permits are required Monday through Friday from 6:30 a.m. – 9:30 a.m. and 4:00 p.m – 7:00 p.m. There were 73 parking violations in this area in a one year period. The Field Operations Parking Supervisor verified that most streets in the vicinity of and including 51st Place are near capacity in the evening.

Miriam Bader submitted the staff report, Exhibits 1-9 and the PowerPoint presentation into the record. She also submitted an e-mail from Richard Hageman, 9726 51st place, which was entered into the record as Exhibit 10. Commissioners accepted unanimously.

Steve Halpern, City Engineer, testified that the driveway should be placed on the north side of the lot, which has a higher elevation and will have less storm water impact to the property. This will require the removal of a tree. A small retaining wall may be necessary, which will be less than 1 foot.

James McFadden asked if a retaining wall is necessary, where would it be located and would a variance be required?

Steve Halpern stated that it would be on the north side and technically it's not a retaining wall because it is less than 3 feet. The County defines a retaining wall as 3 feet or higher.

Sue Ford stated that the City Code Section 87-23(a)(1) defines fences as any hedge or natural growth greater than 4 feet, any structure barrier wall, retaining wall or partition of combination thereof having the effect or record for the purpose of enclosing a piece of land, dividing a piece of land into distinct portions, separating two contiguous estates, or stopping and/or creating an obstacle to pedestrian crossings.

Commissioners reviewed the criteria that need to be met before the variance can be granted and determined that:

- 1) The property has exceptional shape and narrowness.
- 2) The strict application of the County Zoning Ordinance will result in an unusual practical difficulty upon the property owner by preventing him from having a close, reliable, regular parking space.
- 3) Granting the requested variance will not impair the intent and purpose of the applicable County General Plan or County Master Plan because most of the single-family homes in the neighborhood have driveways.

James McFadden moved to approve the variance because the requests meets the criteria for granting the variance for the reasons stated above. Rose Colby seconded. Motion carried 4-0-0.

**CPV-2014-04: Vote on Validation of the Existing Structure
(initial hearing held 6/5/14)**
Appellant: Reina Vasquez
Location: 5025 Iroquois Street

Lawrence Bleau stated that this case was heard on June 5, 2014. The applicant requested two variances. The variance of the parking area requirements prohibiting driveways in the front yard was denied, but there was an administrative oversight and commissioners inadvertently omitted voting on the validation of an existing side yard setback. No more evidence or testimony was presented.

Christopher Gill moved to approve the existing side yard variance for CPV-2014-04. Rose Colby seconded. Motion carried 4-0-0.

VI. Discussion on Electronic Distribution of Packets

Terry Schum stated that staff has been asked by the City Council to look at ways that the department can reduce the use of paper. Commissioners discussed distribution of electronic packets and suggested reducing the number of maps included in the staff report and referring to staff's PowerPoint presentation during the meeting. They also suggested submitting only the photographs in color and condensing the pages. The majority of the commissioners would like to at least try using the electronic version (PDF). The attorney will discuss any legal issues associated with this change at the next meeting.

VII. Update on development Activity: Terry Schum reported on the following:

4700 Berwyn House Road – Phase II of the project has been amended to expand the boundaries to include a 275 unit apartment building. Phase I consist of a hotel, retail and parking structure. The Planning Board public hearing is slated for July 17, 2014.

University of Maryland Conference Hotel – There will be an informational presentation at the August 6, 2014 Council worksession. The Architect and University staff will present the project to the City Council.

Transit District Development Plan – The Planning Board worksession was May 29, 2014 and they are proposing changes. The Plan has not been adopted by the Planning Board. There will be a second public hearing before the District Council sometime in September. The District Council is slated to approve the plan in October.

VIII. Other Business: There was no other business.

IX. Adjourn: There being no further business, the meeting was adjourned at 9:20 p.m.

Minutes prepared by Theresheia Williams