



**CITY OF COLLEGE PARK ADVISORY PLANNING COMMISSION**  
**8400 BALTIMORE AVENUE, COLLEGE PARK, MARYLAND 20740**  
**TELEPHONE: (240) 487-3538**

**ADVISORY PLANNING COMMISSION**  
**Approved Minutes of Meeting**  
**July 1, 2021**

*(Due to COVID-19 Pandemic, this was a Virtual Meeting)*

<u>Members</u>	<u>Present</u>	<u>Absent</u>
Stephanie Stullich, Chair	<u>  x  </u>	<u>      </u>
Santosh Chelliah, Vice-Chair	<u>  x  </u>	<u>      </u>
Daejauna Donahue	<u>  x  </u>	<u>      </u>
Vernae Martin	<u>      </u>	<u>  x  </u>
Kiersten Johnson	<u>  x  </u>	<u>      </u>
Malaika Nji-Kerber	<u>  x  </u>	<u>      </u>

Also Present: Planning Staff – Terry Schum, Miriam Bader and Theresheia Williams;  
 Attorney - Susan Cook

- I. Call to Order and Amendments to Agenda:** Stephanie Stullich called the meeting to order at 7:31 p.m. There were no Amendments to the Agenda.
- II. Approval of the Agenda:** Santosh Chelliah moved to approve the agenda as published. Kiersten Johnson seconded. Motion carried 5-0-0.
- III. Approval of Minutes:** Daejauna Donahue moved to adopt the minutes of May 6, 2021. Malaika Nji-Kerber seconded. Motion carried 5-0-0.
- IV. Introduction of New Members:** The two newly appointed members introduced themselves:
 

**Malaika Nji-Kerber** – Malaika resides in District 4 and has lived in College Park for 15 years. She stated that she loves living in College Park and being on the commission will allow her to learn about the inner working of College Park. She stated that, “If you live in a community, you should also be involved.”

**Kiersten Johnson** – Kiersten resides in District 3 and has lived in College Park since 2003. She was a prior member of the North College Park Community Association where she was able to observe how important decisions made by the Advisory Planning Commission involve the quality of life and making the city a livable, walkable place to live. She feels it is important to be involved in your community.
- V. Public Remarks on Non-Agenda Items:** There were no Public Remarks on Non-Agenda Items.

- VI. CPV-2021-05** Variances to construct a driveway  
**Applicant:** Rember R. Gomez-Orellana  
**Location:** 5016 Mineola Road

Stephanie Stullich explained the hearing procedures and placed witnesses under oath. Miriam Bader summarized the staff report. The applicant is requesting a variance of 84 square feet to allow parking in front of the house and a variance of 30.07 square feet from the maximum allowable lot coverage of 30% to construct a single-width driveway. The property is a rectangular lot with a total area of 5,000 square feet. The house was built in 1950 and the property is improved with a 1,180.07 square foot brick and frame house, and a 70 square foot shed. The narrow side yards prevent the installation of a standard 10-foot-wide driveway without encroaching in front of the house. A standard curb-cut exists along the eastern frontage where the property owner wishes to install a driveway.

Parking demand is high and curb space is limited in this neighborhood. There is no permit parking along this section of the street. The homeowner has 2 vehicles and would like to park at least one of the vehicles on the property. Currently, it is difficult for them to find parking for both cars on the street.

Staff recommends approval of the requested variances to permit a parking area encroachment in the front yard of 84 square feet (3 feet x 28 feet) and lot coverage variance of 0.6% or 30.07 square feet.

Malaika Nji-Kerber asked if the stairs in front of the house will be removed when the driveway is installed?

Miriam Bader stated no, the stairs and concrete sidewalk will still be in place.

Rember R. Gomez-Orellana, applicant, testified that it is heavy traffic on his street, and he is concerned for the safety of his children. He also stated that he would like to park at least one of his two vehicles on the property.

Stephanie Stullich asked where are their vehicles currently parked?

Mr. Gomez stated that he currently parks on the street.

Stephanie Stullich asked if he parks in front of the house, or further away?

Mr. Gomez stated that sometimes there is parking available in front of the house.

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

- 1) The property has an extraordinary condition in that the house was constructed in 1950, long before the driveway encroachment amendment to the County Zoning Ordinance in 2002. The placement of the house creates two narrow side yards that cannot accommodate a compliant driveway without encroaching in the front yard.

- 2) The strict application of the Zoning Ordinance will result in a practical difficulty by preventing the property owner from parking at least one of his two vehicles on his property.
- 3) Granting the driveway variance will not substantially impair the intent or purpose of the applicable County General Plan or County Master Plan since most of the properties with driveways on Mineola encroach in front of the house. Both the lot coverage variance of 0.6% and encroachment of 3-feet are of minimal additional impact.

Kiersten Johnson moved to recommend approval of variance CPV-2021-05 based on staff recommendation and the criteria outlined in the discussion. Malaika Nji-Kerber seconded. Motion carried 5-0-0.

**VII. CPV-2021-06**                      Variance to construct an addition  
**Applicant:**                      James Martin & Janice Benton  
**Location:**                      7101 Rhode Island Avenue

Stephanie Stulich explained the hearing procedures and placed witnesses under oath. Miriam Bader summarized the staff report. The applicants are requesting a variance of 6.71% or 666.35 square feet from the maximum allowable lot coverage of 30% square feet to enlarge the footprint of an existing screened-in rear porch area and convert it to a bedroom. The applicants want to add a bedroom to their first floor to allow them to age in place. The property is rectangular with a total area of 9,930 square feet and was built in 1922. The property is improved with a 1,768 square foot, two-story frame house, a freestanding garage, screened porch and driveway.

The driveway extends almost the entire depth of the lot to connect to the garage at the back of the lot. The driveway widens halfway down the lot from 15-feet to 28-feet wide to provide access to the two-bay garage. Long driveways leading to detached garages in the rear yard are very common in the Calvert Hills Neighborhood.

The existing lot coverage exceeds the maximum allowed by 5.86%. The proposed addition will only increase existing lot coverage by 84 square feet since it will be located over the footprint of the existing screened porch and part of the driveway. The applicants are willing to remove four sections of the driveway to reduce lot coverage by 542.15 square feet, resulting in an overage of 124.20 square feet.

Staff recommends approval of a lot coverage variance of 1.25% or 124.20 square feet with the removal of 542.15 square feet of driveway.

Janice Benton, applicant, testified that she and her husband have lived in College Park since October 1998. She stated that she loves living in College Park near all the amenities and her family. Being able to extend to add a first-floor bedroom will allow them to age in place.

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

- 1) The property is exceptionally deep with a detached rear yard garage. The resulting long driveway adds significantly to lot coverage. The construction preceded the Zoning Ordinance therefore a lot coverage variance was not required.
- 2) The strict application of the Zoning Ordinance will result in a peculiar and unusual practical difficulty by preventing the replacement of an outdated porch with a bedroom addition that will allow the Applicants to age in place. The new addition will increase lot coverage only nominally above the existing non-conforming lot coverage.
- 3) Granting the driveway variance will not substantially impair the intent or purpose of the applicable County General Plan or County Master Plan since lot coverage will only be nominally increased. The Applicant is willing to reduce the size of the existing driveway to bring lot coverage more in line with the current lot coverage maximum and well within the new lot coverage maximum.

Santosh Chelliah moved to recommend approval of variance CPV-2021-06 based on staff recommendation and the criteria outlined in the discussion. Malaika Nji-Kerber seconded. Motion carried 5-0-0.

- VIII. CPD-2021-01**                      Departure from Sign Design Standards under the US 1  
Corridor Sector Plan Development District Standards  
**Applicant:**                              David DuGoff/College Park Car Wash  
**Location:**                                8616 Baltimore Avenue

Stephanie Stullich explained the hearing procedures and placed witnesses under oath. Miriam Bader summarized the staff report. The applicant is requesting a Departure from Sign Design Standards under the US 1 Corridor Sector Plan Development District Standards to replace and relocate a freestanding sign that must be removed due to State Highway Administration (SHA) Right-of-Way (ROW) acquisition. The property is approximately 253.80 feet wide by 278.54-feet deep. The car wash bays are set back 94 feet from the highway and there is landscaping along the street frontage.

The State Highway Administration (SHA) has acquired a 7-foot-wide strip of land as part of their improvements to Baltimore Avenue which includes the existing freestanding sign. Since the sign must be removed, the applicant would like to replace this sign with a smaller and shorter sign at an approved location. The proposed sign is 17.5 feet tall and 54.4 square feet. The sign cabinet will be about 7.5-feet tall and 7.3-feet wide and will include 2 sections, the upper section will show the logo and name of the tenant and the lower will have a LED electronic display board.

Miriam Bader also stated that since the Departure is necessitated through SHA action, the applicant has requested a Financial Hardship Waiver for a reduction in the \$2000 application fee to the standard variance fee of \$200 plus the cost of the Public Notice Sign of \$30.

Staff recommends approval of the requested departure to relocate and replace the existing free-standing sign.

Kiersten Johnson asked, what is the current recommended signage in this zoning area?

Miriam Bader stated that in the Central US 1 Corridor Sector Area, only building or roof signs are permitted, no free-standing signs.

Malaika Nji-Kerber asked since the sign will be smaller and moved closer to the entrance, would it be visible to drivers?

Miriam Bader stated that the applicant should be able to address exactly where the sign will be placed.

Terry Schum, Planning Director, stated that the applicant has a choice of a monument sign, which is a lower sign at ground level, or a pole sign as he is proposing. Neither sign is allowed because the Sector Plan has a regulation that eliminates both of these types of signs. New developments proposed in the Sector Plan should be closer to the street with nothing but landscaping between the curb and the building. A building sign or roof sign in some cases is the only type of sign permitted.

David DuGoff, applicant, testified that he has worked with the City Engineer and SHA for the past four years to find the best place to replace the sign. The State Highway Administration will remove 7 feet off the front of his property. The plan is to add another sidewalk with landscaping, which will be good for pedestrian walking. Mr. DuGoff stated that he met with a sign consultant to find out what height the sign would have to be to allow visibility for drivers. After the study, they arrived at the sign type and size he is proposing, which would be the least intrusive. The sign will be located where it will not block the new telephone and red-light pole. He stated that they did consider the monument sign, but because of the slope of Rt. 1 coming from the North going South, the sign has to be high enough to be visible.

Santosh Chelliah asked what is the reasoning for the reduction in the sign size?

David DuGoff stated that the existing sign was installed in 1986, when there was a Gas Station on the property. When he opened the car wash, the sign was in good condition, so it was just refaced. Mr. DuGoff stated that when he met with the sign expert, he said that the sign could be reduced to a smaller size and still serve the purpose.

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

- 1) The purposes of the applicable provisions of the Prince George’s County Zoning Ordinance will be equally well or better served by the applicant’s proposal.

- a. To promote the health, safety, and welfare of the present and future inhabitants of the Regional District.

The sign safely identifies the use. Without a sign near the street, customers may miss the entrance to the driveway and have difficulty returning safely to the site without making U-turns.

- b. To encourage and protect the appropriate use of land, buildings, and structures.

An identification sign for a business is an appropriate use of land.

- c. To regulate unsightly and detrimental signs which could depreciate the value of the property and discourage quality development in the Regional District.

Although free-standing signs are not permitted in the DDOZ, some type of free-standing sign has existed at this location since 1967. The proposed sign is smaller, lower, and an upgrade from the existing sign.

- d. To regulate signs that are a hazard to safe motor vehicle operation.

The proposed sign will not create a hazard to safe motor vehicle operation.

- e. To eliminate structurally unsafe signs that endanger a building, structure, or the public.

The sign is not structurally unsafe but needs to be relocated for Route 1 reconstruction.

- f. To prevent the proliferation of signs that could detract from the scenic qualities of the landscape or the attractiveness of development.

The Applicant is replacing an existing sign.

- g. To control the location and size of signs, to provide for adequate identification and advertisement in a manner that is compatible with land uses in the Regional District.

The proposed sign is adequate to identify and advertise in a manner that is compatible with land uses in this district. Free-standing signs are not uncommon in this section of US-1/Baltimore Avenue where properties have not been redeveloped.

- 2) The departure is the minimum necessary, given the specific circumstances of the request.

The sign conforms to the Zoning Ordinance in terms of size (54.4-square feet), and height (17.5-feet tall). Freestanding signs are not permitted; however, since the building is set back 94 feet from the road, and the building to the north is built closer to the road blocking the view of the building, a freestanding sign becomes necessary to advertise the business.

- 3) The departure is necessary to alleviate circumstances that are special to the subject use, given its nature at this location or alleviate circumstances which are prevalent in the district.

The departure is necessary to replace and relocate a freestanding sign that must be removed due to SHA ROW acquisition and construction. Due to the setback of the building, a sign on the building is not readily visible from the street. The Zoning Ordinance allows freestanding signs when the commercial building is located over 40-feet away from the right-of-way which is the case for the subject property.

- 4) The departure will not impair the visual, functional or environmental quality or integrity of the site or that of the surrounding neighborhood.

The departure will not impair the visual, functional or environmental quality or integrity of the site or that of the surrounding neighborhood. Larger and taller freestanding signs have existed on the site for over 54 years.

Kiersten Johnson moved to recommend approval of variance CPD-2021-01 based on staff recommendation and the criteria outlined in the discussion. Malaika Nji-Kerber seconded. Motion carried 5-0-0.

Commissioners discussed the applicant's request for a Financial Hardship Waiver. Since the departure is necessitated by SHA action, the applicant is requesting a reduction in the \$2,000 application fee to the standard variance fee of \$200 plus the cost of the Public Notice sign of \$30.

Daejuana Donahue asked if there are any additional criteria for the reduction in the application fee?

Terry Schum stated that it is based on hardship, but the applicant can define what his hardship is.

Santosh Chelliah asked why is the departure fee so much more than the standard variance fee?

Miriam stated that the City uses the same zoning fees schedule as the County, and they charge \$2,000 for a departure. Ms. Bader stated that she had limited work to do to complete Mr. DuGoff's application because it was very thorough, and he did a lot of the research and background work.

Terry Schum stated that the primary reason that the County charges more for a departure than a variance is that a departure is a more involved application. There are a lot more criteria that need to be addressed and there are several different types of departures. In general, it is a more intense type of application review. The County variances go to a Board of Appeals and departures go to the Planning Board, which is a higher level of review. In the case of the city, variances and departures are heard by the Advisory Planning Commission and it generally doesn't involve that much more work for the staff.

Stephanie Stullich asked who does the sign fee goes to?

Miriam Bader stated that the sign fee goes to the city.

Malaika Nji-Kerber asked if the business was offered compensation for the movement of the signage?

David DuGoff stated yes, it was included in the settlement made with SHA several years ago.

Santosh Chelliah moved to approve the Financial Hardship Waiver Request and reduce the \$2,000 fee to \$200 plus the \$30 public notice fee. Daejauna Donahue seconded. Motion carried 5-0-0.



**IX. Update on Development Activity** Terry Schum reported on the following:

There are no new major development project applications that have been submitted recently but there are still a lot of inquiries on parcels that remain undeveloped. Listed below are some pending projects:

- 1) A proposal to establish a cultural center in the Old Town residential neighborhood utilizing a single-family home and building an addition. The applicant is making significant revisions to the proposed project based on input from residents, the Local Advisory Committee, the Old Town Historic District and staff. It may be before the APC in a month or two.
- 2) A proposal in downtown College Park at the intersection of Guilford Drive and Knox Road. The few remaining Knox Boxes will be demolished and replaced with townhouses. Staff has not seen the actual plan or met with the applicant yet. This would be a Detailed Site Plan coming to the APC soon.
- 3) Next month, there is a development proposal to be presented at the next APC meeting. The site involves the College Park Bicycle Shop at the intersection of Route 1 and Calvert Road. This is a long-time business in College Park. The business owners are retiring, but the owners of the property wish to build vertically to add a couple of additional floors and increase the number of units that exist there now. It is currently a mixed-use building, ground floor retail with apartments above. The preference is not to have student housing, although that is an option on the table. Another option is market-rate apartments, and it all revolves around requirements for parking. We will invite the community to come and hear the proposal, ask the applicant questions and weigh in with comments.
- 4) Honda of College Park will be relocating from College Park to the City of Greenbelt. Honda has been in College Park for many years. The site will remain as a car dealership. The Hyundai dealership which adjoins Honda has the same property owner so Hyundai will be expanded into that site.

**X. Other Business:** There was no other business.

**XI. Adjourn:** There being no further business. The meeting was adjourned at 9:15 p.m.

Minutes prepared by Theresheia Williams