



**CITY OF COLLEGE PARK ADVISORY PLANNING COMMISSION**  
**4500 KNOX ROAD COLLEGE PARK, MARYLAND 20740**  
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**ADVISORY PLANNING COMMISSION**

*Approved Minutes of Meeting  
 September 1, 2016 – 7:30 P.M.  
 City Hall – Council Chambers*

<u>Members</u>	<u>Present</u>	<u>Absent</u>
Lawrence Bleau	<u>  x  </u>	<u>      </u>
James McFadden	<u>  x  </u>	<u>      </u>
Rose Greene Colby	<u>  x  </u>	<u>      </u>
Christopher Gill, Chair	<u>  x  </u>	<u>      </u>
Kate Kennedy, Vice Chair	<u>  x  </u>	<u>      </u>
John Rigg	<u>  x  </u>	<u>      </u>
Denise Mitchell	<u>  x  </u>	<u>      </u>

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

**I. Call to Order:** Christopher Gill called the meeting to order at 7:35 p.m.

**II. Approval of Minutes:**

Kate Kennedy moved to adopt the minutes of August 18, 2016. Lawrence Bleau seconded. The motion carried 7-0-0.

**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-2016-08                      Variance to Construct a Roof over an Existing Patio**  
Applicant:                      **Vickey Bennett**  
Location:                        **5103 Mineola Road**

Christopher Gill explained the hearing procedures and placed witnesses under oath. Miriam Bader summarized the staff report. The applicant is requesting a waiver of the western side yard setback to construct a roof over an existing patio. The subject house was constructed in 1950 and has an area of 5,000 square feet. The property is rectangular in shape and is improved with a 1-story, brick house, side yard patio and a 4-foot high chain-link perimeter fence. The lot coverage is 17%, but with the proposed roof, it will be 22% which meets the maximum permitted lot coverage of 30%. There are a number of side yard patios in the neighborhood that are covered. Originally, there was a driveway at the location of the patio. The front section of the driveway was removed and grass was planted. The remaining section was converted into a patio.

Staff recommends that the waiver of the side yard setback be approved with the condition that the porch not be enclosed unless another variance is granted for such a request.

Miriam Bader submitted the staff report, Exhibits 1-7 and the PowerPoint presentation into the record. She also submitted a letter from the adjacent property owner at 5101 Mineola Road indicating that she is not opposed to the variance, but request that a condition be made that the applicant install a gutter spout on the roof to direct water away from her property. The letter was entered into the record as Exhibit 8.

John Rigg asked what percent of lots in the City have a 50-foot width?

Terry Schum stated that it varies by neighborhood, but there is a large portion in this neighborhood.

Vickey Bennett and Joseph Peterson, applicant's, testified that the property has transformed as noted in the pictures submitted. There was an enormous tree in the front yard that served as shade for the home, which is now gone. Ms. Bennett stated that a lot of sun is on that side of the house, and their electric bill has increased as a result of the high temperatures during the summer months. Mr. Peterson stated that the concrete patio still exists under the current patio, and it was coming up. He stated that he is scheduled for back surgery soon and would like to have the work completed as soon as possible. He will need a handicapped entrance due to his health conditions and the covered patio would allow the easiest handicapped accessible front entrance.

Christopher Gill asked if the patio requires a setback?

Miriam Bader stated no, lot coverage is not counted until a roof is added.

John Rigg asked if the construction on the side where the proposed roof will be installed is all new construction?

Joseph Peterson stated yes.

Lawrence Bleau asked if there is a grade to the patio, does it slope away from the house.

Joseph Peterson stated that it is level. If there is any grade, it would be on the back side of the property where it is one step down and raised 2 inches from the foundation.

Christopher Gill asked if there is a back door on the house?

Vickey Bennett stated no.

Lawrence Bleau asked if they have considered upgrading their air conditioning system to counter the heat on that side of the house.

Vickey Bennett stated that they installed central air in 2011 and it hasn't helped.

Kate Kennedy moved to approve staff recommendation for variance CPV-2016-08 with the condition that the patio shall be enclosed and a gutter installed to the proposed roof with a down-spout that directs away from the property to the west. James Mcfadden seconded. Motion carried 6-1-0, with Lawrence Bleau voting nay.

**CPV-2016-10**                      **Variance to Replace and Enlarge an Existing Portico**  
**Applicant:**                      **Benjamin & Tracy Busch**  
**Location:**                        **4925 Lackawanna Street**

Christopher Gill explained the hearing procedures and placed witnesses under oath. Miriam Bader summarized the staff report. The applicant is requesting a variance of up to 6 feet from the minimum front yard setback of 25 feet to reconstruct and expand a previously existing covered front entrance from 6-feet by 6-feet to 7-feet by 7-feet. The subject house was constructed in 1948 and has an area of 9,375 square feet. The property is rectangular in shape and is improved with a 2-story, brick and frame house, a rear stone patio and a 4-foot high chain-link perimeter fence. The applicant removed the original portico several years ago because the roof and posts had rotted. The house was originally built within one foot back from the front setback line, so that the original steps and portico already encroached into the front yard. The applicant could have replaced the original portico without a variance, but the applicant proposes to reconstruct the steps with a slightly expanded portico. Staff recommends that the 6-foot variance for the proposed portico be approved.

Miriam Bader submitted the staff report, Exhibits 1-7 and the PowerPoint presentation into the record.

Christopher Gill asked if the front of the structure is at the 25-foot line?

Miriam Bader stated yes.

Lawrence Bleau asked if no cover was over the portico, would a variance still be required?

Miriam Bader stated no, a variance is only required because of the roof.

Benjamin Bush, applicant, testified that the porch is pre-existing. All the houses in the neighborhood have a porch. He stated that he removed the portico several years ago because the roof and posts were rotten and it was not attractive. He stated that because of time and finances he did not replace the porch right after he removed it. He would like to extend the portico to cover the front step.

Christopher Gill asked how long ago was the portico removed?

Benjamin Bush stated a few years ago.

Christopher Gill asked if the portico that was removed original to the house?

Benjamin Busch stated yes.

Lawrence Bleau asked if the proposed portico is built to 6' x 6', the same size as the original, would the variance still be required?

Miriam Bader stated that the variance would still be required because he removed the old portico and left it down for a period of time.

James McFadden moved to approve staff recommendation for variance CPV-2016-10 as amended. Denise Mitchell seconded. Motion carried 7-0-0.

## **VI. Review of Fence Ordinance, Second Draft**

The City Attorney prepared a second draft of the Fence Ordinance based on comments and recommendations made at the August 18<sup>th</sup> meeting. She also met with staff and incorporated their comments. The following changes were made:

- Under Fence remove the list of materials a fence can be made of and insert “regardless of composition”.
- Under Fence add more purposes for a fence, such as, privacy, exclusion, security, etc.
- Move “apparent front yard” to under “front yard” definition.
- Move “corner lot” to the end of the definitions to make it consistent with the other definitions.
- Include “garden fences” under permit requirement.
- Add the definition for fence height.
- Use the definition of “streets” from the City Code.

Commissioners reviewed and discussed the draft Ordinance and voted unanimously to continue the discussion at the October 7, 2016 meeting.

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

**Lidl** – Located at 8601 Baltimore Avenue at the existing Clarion Hotel. The developers are proposing a new grocery store and surface parking. There is a concern that because of the additional traffic to be generated by the grocery store, Berwyn Road might need a right turn lane onto Route 1. On September 15, 2016, Lidl representatives will be at the Berwyn District Civic Association. A City Council review is scheduled for September 20, 2016 worksession.

**EZ Storage** – Located at 5151 Branchville Road in the industrial area, north of Greenbelt Road. The developer will replace a Hydraulic truck repair facility with a 3-story internal concrete block structure with elevators, separate parking and a gated entrance. They will be dedicating some right-of-way to the City and constructing a sidewalk at the City’s request. The Planning Board hearing date is proposed for October 27, 2016 with review by the City Council on October 18.

**Honda** - Located at 9400 Baltimore Avenue. The developers will be building a new service bay addition at the rear of their property. They will need to file a Detailed Site Plan, but will not need to conform to the District standards that are contained in the Sector Plan. Planning Board hearing date is proposed for October 27, 2016 with review by the City Council on October 18.

**M Square** – The University and their private partner have decided to construct the 75,000 square foot office building that was approved some time ago, but never built at the University Research Park off River Road in Riverdale. There is no tenant scheduled for the proposed building yet. The Purple Line station will be located nearby. There will be no public hearing or meeting before the City Council. It will be handled at the County staff level.

**College Park Metro Station** – The developers, Gilbane Construction, awarded by WMATA to construct the joint development at the College Park Metro Station would like to meet with the City in the near future. The proposed project will consist of mix-use, mostly residential apartments, retail and public open space.

**College Park Food Truck Hub** – Opens September 2<sup>nd</sup>. The County requires that two trucks be in the Hub at all times. The two food trucks, Capital Chicken and Waffle and a Quesadilla truck are scheduled from 5:00 p.m. to midnight on Friday, Saturday and Sunday's. They are also scheduled for M Square Research Park on Wednesday's and Friday's.

**VII. Other Business:**

Kate Kennedy will draft a memo to submit to the City Council for an Incentive program to encourage residents to replace their chain-link fence with a different material. The draft memo will be included on the October 6, 2016 agenda for review.

**IX. Adjourn:** There being no further business, the meeting was adjourned at 9:17 p.m.

Minutes prepared by Theresheia Williams