



**TUESDAY, AUGUST 11, 2015**  
**CITY OF COLLEGE PARK**  
**COUNCIL CHAMBERS**

**7:00 P.M.**  
**ORAL ARGUMENT – CPD-2015-01**  
**4618 COLLEGE AVENUE**

**7:30 P.M.**  
**MAYOR AND COUNCIL MEETING**  
**AGENDA**

MEDITATION

PLEDGE OF ALLEGIANCE: Councilmember Mitchell

ROLL CALL

MINUTES: Public Hearing on Strategic Plan held on July 7, 2015; Special Session of July 7, 2015; Regular Meeting on July 14, 2015.

ANNOUNCEMENTS

ACKNOWLEDGMENT OF DIGNITARIES

ACKNOWLEDGMENT OF NEWLY APPOINTED BOARD AND COMMITTEE MEMBERS

AWARDS

PROCLAMATIONS

AMENDMENTS TO THE AGENDA

CITY MANAGER'S REPORT: Joe Nagro

STUDENT LIAISON'S REPORT: Cole Holocker

COMMENTS FROM THE AUDIENCE ON NON-AGENDA ITEMS

PRESENTATIONS

**CONSENT AGENDA**

15-R-12 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-2015-03, 9735 Narragansett Parkway, 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, 15.5 Feet In Width By 32.5 Feet In Length

Motion By:  
To: Approve  
Second:  
Aye: \_\_\_\_  
Nay: \_\_\_\_  
Other: \_\_\_\_

- 15-G-84 Award of a one-year contract extension (Option Year 3 in Contract CP-13-01) to NZI Construction Corporation of Beltsville, MD for FY '16 "Miscellaneous Concrete Maintenance and Asphalt Resurfacing" in an amount not to exceed \$721,000, funded from Fund 301 Unrestricted C.I.P. Reserve
  
- 15-R-13 Resolution Of The Mayor And Council Of The City Of College Park, Maryland Establishing A Framework For Evaluating Requests For Recognitions And Commemorations
  
- 15-G-85 Approval of an Amendment to Contract CP-13-01 with NZI Construction Corporation of Beltsville, MD for Miscellaneous Downtown Streetscape Improvements in an amount not to exceed \$175,000 to be funded from C.I.P. #103001, Downtown Streetscape #2, federal EDI Special Project Grant Program B-08-SP-MD-0517, subject to a determination of proper form and legal sufficiency by the City Attorney.

**ACTION ITEMS**

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|---------|---|--|
| 15-G-87 | Adoption of the 2015-2020 Strategic Plan and Action Plan  | Motion By: Dennis<br>To: Approve<br>Second:<br>Aye: _____ Nay: _____<br>Other: _____   |
| 15-G-86 | Approval of the scope of services for a feasibility study for Hollywood Road extended at Mazza GrandMarc Apartments   | Motion By: Mitchell<br>To: Approve<br>Second:<br>Aye: _____ Nay: _____<br>Other: _____ |
| 15-G-88 | Approval of Amendment Three To Agreement Of Lease By And Between City Of College Park And Ledo Restaurant, Inc.   | Motion By: Day<br>To: Approve<br>Second:<br>Aye: _____ Nay: _____<br>Other: _____      |
| 15-O-04 | Introduction Of Ordinance 15-O-04, An Ordinance Of The Mayor And Council Of The City Of College Park, Amending Chapter 175 "Taxation", Article IV, "Revitalization Tax Credit", Sections §175-9 "Eligibility Requirements"; §175-10 "Eligibility Criteria"; §175-11 "Tax Credit – Amount And Term"; §175-12 "Application Process"; And §175-13 "Waiver", To Change Eligibility Requirements And Criteria, To Clarify That A Tax Credit Will Be Granted Only If Financially Feasible, To Clarify The Application Process, And To Delete A Certain Waiver Option. | Motion By: Wojahn<br>To: Introduce<br>Second:  |

***The Public Hearing is scheduled for 7:15 p.m. on Tuesday, September 8, 2015 in the Council Chambers***

15-G-89 Placeholder: Approval of the City Manager's Employment Agreement

Motion By:  
To: Approve  
Second:  
Aye: \_\_\_\_\_ Nay: \_\_\_\_\_  
Other: \_\_\_\_\_

15-G-91 Discussion and possible approval of a Council position on certain design issues on SHA's proposed U.S. Route 1 reconstruction

Motion By:  
To: Approve  
Second:  
Aye: \_\_\_\_\_ Nay: \_\_\_\_\_  
Other: \_\_\_\_\_

15-G-90 Appointments to Boards and Committees

Motion By:  
To: Approve  
Second:  
Aye: \_\_\_\_\_ Nay: \_\_\_\_\_  
Other: \_\_\_\_\_

COUNCIL COMMENTS

COMMENTS FROM THE AUDIENCE

ADJOURN

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**INFORMATION/STATUS REPORTS (For Council Review)**

(None.)

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**This agenda is subject to change. 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**

7:00 P.M.  
ORAL  
ARGUMENT  
CPD-2015-01  
4618  
COLLEGE  
AVENUE

From: [Theresheia Williams](#)  
To: [REDACTED]  
Cc: [Janeen S Miller](#)  
Subject: Steven Behr - CPD-2014-01  
Date: Friday, July 31, 2015 4:43:52 PM

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Below are the Dropbox links to access the files for Steven Behr, 4618 College Avenue, Case# CPD-2014-01.

There are two files, one from the Oral argument on January 27, 2015 and one from the Remand hearing with APC on May 7, 2015.

If you would also like hard copies, let me know and I will provide them.

If you have any questions, please call or e-mail.

Theresheia.

<https://www.dropbox.com/s/f9snq9b9o9gxr10/Steven%20Behr%20Oral%20Argument%20hearing%201.27.15.pdf?dl=0>

<https://www.dropbox.com/s/c7javkn1hp4kno3/Steven%20Behr%20Remand%20Hearing%205.7.15.pdf?dl=0>

*Theresheia Williams*  
*Planning, Community & Economic Development*  
*City of College Park*  
*4500 Knox Road*  
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*P: 240-487-3538*  
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# MINUTES

**MINUTES**  
**Public Hearing of the College Park City Council**  
**Tuesday, July 7, 2015**  
**7:00 – 7:15 p.m.**  
**Draft 2015-2020 Strategic Plan**

**PRESENT:** Mayor Fellows; Councilmembers Kabir (arrived at 7:04 p.m.), Wojahn, Brennan, Dennis, Stullich, Day, Hew and Mitchell.

**ABSENT:** None.

**ALSO PRESENT:** Joe Nagro, City Manager; Bill Gardiner, Assistant City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Bob Ryan, Director of Public Services; Miriam Bader, Senior Planner; Cole Holocker, Student Liaison.

Mayor Fellows opened the Public Hearing on the proposed 2015-2020 Strategic Plan at 7:00 p.m. and invited consultant Catherine Tuck Parrish to provide an overview.

Ms. Tuck Parrish said that when this process began in January, we tried to answer three questions: What do we know to be true (environmental scan - where are we now), what do we hope to be true in the future (Council vision and goals for where we want to go), and what must go well in order to make it so (action plan and implementation). She reviewed the process and timeline: there were four focus groups with 55 participants; 223 respondents to the community survey; and council and staff each had specific input. Council workshops were held in February. In March and April we sought community input. During April – June the draft Strategic Plan was refined and sent to staff to develop the action plan. Council should adopt the Strategic Plan in August and provide feedback to staff on the Action Plan and give staff permission to move forward on implementation, identify any additional staff or community resources that will be needed, place quarterly updates on Council agendas going forward, and incorporate the plan into budget documents in the future.

Mayor Fellows invited public comment.

**Mary Cook, 4705 Kiernan Road:** Under “Excellent Services”: She has received some excellent services from staff this year. She thinks that gas and water main replacement should be incorporated into the Strategic Plan – we have aging infrastructure and have to keep them in good repair. Also under “Excellent Services” she didn’t see anything about our seniors: we need to improve the effectiveness of our service to senior citizens. Regarding communication: she saw there was supposed to be a full time communication person: Rather than adding an FTE for communication we should use the University. Regarding “Leadership” it takes good communication with your constituents to make for good leadership. They have established a Civic Association Leaders association that meets quarterly.

There being no further public comment, Mayor Fellows closed the public hearing at 7:15 p.m. and announced that Council would take a brief recess and continue with discussion about the Strategic Plan at 7:20 p.m.

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Janeen S. Miller, CMC  
City Clerk

Date Approved

**MINUTES**  
**Special Session of the College Park City Council**  
**Tuesday, July 7, 2015**  
**Council Chambers**  
**10:18 p.m. – 10:52 p.m.**

**PRESENT:** Mayor Fellows; Councilmembers Kabir, Wojahn, Brennan, Dennis, Stullich, Day, Hew and Mitchell.

**ABSENT:** None

**ALSO PRESENT:** Joe Nagro, City Manager; Bill Gardiner, Assistant City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Bob Ryan, Director of Public Services; Steve Beavers, Community Development Coordinator; Cole Holocker, Student Liaison.

During a regularly scheduled Worksession of the College Park City Council, a motion was made by Councilmember Kabir and seconded by Councilmember Day to enter into a Special Session to discuss the University of Maryland's proposal to sell beer and wine at University of Maryland sporting events. The possibility of the Special Session was listed on the Worksession agenda. The motion passed 8 – 0 – 0 and the Council entered Special Session at 10:18 p.m.

**ACTION ITEMS**

**15-G-71 University of Maryland proposal to sell beer and wine at UMD sports events**

Mayor Fellows said he would recuse himself from the discussion because of his affiliation with the University of Maryland. Mayor Pro Tem Mitchell presided.

Prior to entering into the Special Session, the City Council heard presentations by Linda Carter, attorney for the applicant; Dave Mitchell, Chief, University of Maryland Police Department; Joe Mollineaux, Director, UMD Dining Services; and Dr. Amelia Arria, Associate Professor at the UMD School of Public Health. After discussion, the City Council entered into a Special Session to take a position on the University's proposal. The matter is time sensitive because the BOLC hearing is tomorrow.

**A motion was made by Councilmember Stullich and seconded by Councilmember Day to send a letter to the Board of License Commissioners in support of the University's proposed one-year trial period to sell beer and wine to patrons at athletic events, with certain details to be included in the letter.**

There were no comments from the audience nor was there any further discussion by the Council.

**Roll Call Vote:**

**Aye: Dennis, Day, Stullich, Mitchell, Hew**

**Nay: Brennan, Kabir, Wojahn**

**Abstain: None**

**Motion passed 5 – 3 – 0.**

The City Council recessed the Special Session at 10:22 p.m. and Mayor Fellows returned to the table.

Council reconvened in Special Session at 10:25 p.m. to consider a request from the College Park City-University Partnership for a Resolution in support of their application to the state for the Maryland Community Investment Tax Credit Program.

**15-R-10 College Park City-University Partnership Application To The Maryland Department Of Housing And Community Development For Allocation Of Tax Credits Under The Community Investment Tax Credit Program**

Eric Olson, Executive Director of the College Park City-University Partnership, said the Partnership is applying to the state for a Community Investment Tax Credit that would allow a 50% tax credit for those who donate to the CPCUP. This is a state program to help non-profits build their donor base. They need the City Council's support on the resolution for the application. They have not developed a program yet, but if they are awarded this incentive, they might use funds to expand the homeownership program or the safety ambassadors program. If Council agrees, they need the resolution tonight because the application is due July 9. The possibility of the Special Session was listed on the Worksession agenda.

**A motion was made by Councilmember Stulich and seconded by Councilmember Day to adopt Resolution 15-R-10, A Resolution Of The Mayor And Council Of The City Of College Park In Support Of The College Park City-University Partnership Application To The Maryland Department Of Housing And Community Development For Allocation Of Tax Credits Under The Community Investment Tax Credit Program.**

Councilmember Stulich said this would be beneficial by encouraging individuals and businesses to support the Partnership in the many wonderful things they are trying to do for our community.

**Comments from the audience:**

**Carlo Colella, Vice President of the University of Maryland and Vice Chair of the College Park City-University Partnership:** Spoke in favor of this Resolution.

**The motion passed 8 – 0 – 0.**

The Council recessed from the Special Session at 10:27, and reconvened in Special Session at 10:51 p.m. to discuss a contract award. The possibility of this Special Session was listed on the Worksession agenda.

**15-G-72 Contract award to Victor Stanley, Inc. not to exceed \$100,000 for US 1 streetscape furniture to be paid from an EDI grant.**

Steve Beavers said that the City has funds remaining in the HUD Economic Development Incentive Grant (EDI) that can pay for streetscape improvements along Route 1. A portion has

already been spent. We have a preliminary design plan from College Avenue to Hartwick Road for 9 benches, 15 tables, 14 trash/recycling bins and 4 planters. He is asking Council to approve the contract, subject to the approval of the City Attorney, and to sole-source this purchase to Victor Stanley, the vendor we have used in the past. The need for the Special Session is because it takes Victor Stanley 8 – 10 weeks lead-time to manufacture these items, and we are running up against a September deadline.

Councilmember Kabir asked when staff learned about this and why there is such a rush. Mr. Beavers said we were waiting for State Highway Administration to make more progress on their Route 1 plans so we could integrate our purchases with their design, but that hasn't moved as quickly as we hoped. We have used some funds to make some improvements in front of the Bagel Place. There is a legislative deadline that this money has to be spent by the end of September. Mr. Gardiner said this was a congressional earmark; the funds originally went to the University of Maryland specifically for downtown College Park and then were transferred to the City.

**A motion was made by Councilmember Stulich and seconded by Councilmember Brennan to authorize the purchase of streetscape furniture from Victor Stanley, Inc., in an amount not to exceed \$100,000.00, subject to the review and approval of a contract by the City Attorney and confirmation by the U.S. Department of Housing and Urban Development that all procurement and grant requirements for this contract have been met.**

There were no comments from the audience or from the Council.

**The motion passed 8 – 0 – 0.**

**ADJOURN:** A motion was made by Councilmember Stulich and seconded by Councilmember Brennan to adjourn the Special Session. With a vote of 8 – 0 – 0, Mayor Fellows adjourned the Special Session at 10:52 p.m.

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Janeen S. Miller, CMC  
City Clerk

Date  
Approved

**MINUTES**  
**Regular Meeting of the College Park City Council**  
**Tuesday, July 14, 2015**  
**Council Chambers**  
**7:52 p.m. – 8:28 p.m.**

**PRESENT:** Mayor Fellows; Councilmembers Kabir, Wojahn, Brennan, Dennis, Stulich, Day, Hew and Mitchell.

**ABSENT:** None.

**ALSO PRESENT:** Joe Nagro, City Manager; Janeen Miller, City Clerk; Bill Gardiner, Assistant City Manager; Suellen Ferguson, City Attorney; Terry Schum, Director of Planning; Bob Ryan, Director of Public Services; Peggy Higgins, Director of Youth, Family and Senior Services; Jill Clements, Director of Human Resources; Miriam Bader, Senior Planner; Cole Holocker, Student Liaison.

Mayor Fellows opened the Regular Meeting at 7:52 p.m. after the conclusion of a 7:00 p.m. Closed Session. Councilmember Hew led the Pledge of Allegiance.

**Minutes:** A motion was made by Councilmember Mitchell and seconded by Councilmember Dennis to approve the minutes of the Special Session on June 2, 2015 and the Regular Meeting on June 9, 2015. The motion passed 8 – 0 – 0.

**Announcements:**

Councilmember Hew said volunteers are needed to weed the permaculture garden on the Trolley Trail on Thursday at 5:30 p.m.

Councilmember Day discussed the situation on Edmonston Road where part of the road gave away. Washington Gas has responded and backfilled the trench.

Councilmember Brennan discussed the Next Door app that Berwyn has been using; the Prince George's County Police announced that they have partnered with them as well.

Councilmember Wojahn reminded everyone of next Monday's "Live Smart, Eat Local" event at Ledo's Restaurant. The guest speaker is County Executive Rushern Baker. The College Park Community Foundation is hosting a grant workshop on August 5 for groups interested in applying for a grant from the CPCF.

Councilmember Kabir thanked those who participated in the Hollywood clean-up last weekend.

**Amendments to the Agenda:** Remove item 15-G-78. Add Field Use Request by College Park Boys and Girls Club to Consent Agenda (15-G-80). Add consideration of a letter of support for MilkBoy College Park grant application (15-G-82). Add consideration of a letter to Prince George's County opposing increase in fees for farmers markets and one day special event food licenses (15-G-81).

**City Manager's Report:** Mr. Nagro said this is the last Council meeting for the month of July. The next Worksession will be Wednesday, August 5. National Night Out is Tuesday, August 4. There is a Four Cities Meeting on Wednesday, July 29 at 7:30 p.m. in Berwyn Heights. Finally, Mr. Nagro wished the City of College Park a Happy Birthday – this month is the 70th anniversary of the incorporation of the City.

**Student Liaison's Report:** Mr. Holocker reported that the second summer session has begun. The UMD campus is busy hosting numerous events and organizations.

**Comments From The Audience on Non-Agenda Items:**

**Oscar Gregory, 9253 Limestone Place:** On June 10 he attended a meeting on the Park and Planning Master Trail Plan because he had questions on the proposed connector trail to College Park Woods. He circulated a petition through College Park Woods and asked people who are opposed to this trail to sign the petition. He submitted the petitions to the City Council. The estimated cost to build the trail from the end of DuPauw exceeds an alternate site under the power lines. He would rather see the funds spent to revitalize the existing neighborhood park. He asked the City Council to rescind their letter of support to Park and Planning on the proposed connector trail.

**CONSENT AGENDA**

**A motion was made by Councilmember Brennan and seconded by Councilmember Dennis to adopt the consent agenda, which consisted of the following items:**

- 15-G-73      Approval of a Field Use Request by Knight Management Group for use of Duvall Field on Saturday, August 22, 2015 from 9:00 a.m. – 3:00 p.m.**
  
- 15-R-06      Resolution Of The Mayor And Council Of The City Of College Park, Maryland Adopting The Recommendation Of The Advisory Planning Commission Regarding Request For Certification Of Non-Conforming Use CNU-2013-05 For Church Of God, 8800 48th Avenue, College Park, Maryland Recommending Approval Of The Request For Certification Of Non-Conforming Use**
  
- 15-R-07      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-2015-01, 5014 Roanoke Place, College Park, Maryland, Recommending Approval Of A Variance From The Requirements Of The Prince George's County Zoning Ordinance, Section 27-442(C), Prescribing Maximum Lot Coverage**
  
- 15-R-08      Resolution Of The Mayor And Council Of The City Of College Park, Maryland Adopting The Recommendation Of The Advisory Planning Commission And Granting Departure Application Number CPD-2015-01, 7402 Baltimore Avenue, College Park, Maryland, Nando's Peri-Peri, Recommending A Departure Of 14 Parking Spaces And 1 Loading Space**

- 15-G-74** Approval of a contract in substantially the form attached between the City of College Park and Navitus, Inc. of Annapolis, Maryland, an approved PEPCO Trade Ally, in an amount not to exceed \$70,368 for energy efficiency retrofitting of parking garage lighting. The City will be reimbursed \$65,620 under the PEPCO Small Business Program Lighting Incentive and the balance of \$4,748 will be reimbursed by a grant from the Maryland Energy Administration
- 15-R-11** Adoption of Resolution 15-R-11, A Resolution Of Mayor And Council Of The City Of College Park, Maryland To Apply For And Accept Community Legacy Funding To Be Used For Calvert Road School Improvements
- 15-G-76** Approval of the extension of the Police Services Agreement with Prince George's County for full-time contract police from October 2014 – October 2017, and ratification of the contract extension from October 2014 to July 2015
- 15-G-77** Approval of a letter to the Washington Metropolitan Area Transit Authority regarding proposed service reductions on Metro's Green Line
- 15-G-80** Approval of a Field Use Request for College Park Boys and Girls Club for summer soccer scrimmages at Duvall Field

**ACTION ITEMS:**

- 15-G-75** Approval, with conditions, of the Preliminary Plan of Subdivision 4-13012 for the Pregnancy Aid Center, 4700 Erie Street

A motion was made by Councilmember Kabir and seconded by Councilmember Wojahn that the City Council recommend approval of Preliminary Plan of Subdivision 4-13012 and a public utility variation request for the Pregnancy Aid Center located at 4700 Erie Street subject to conditions 1-10 in the Maryland-National Capital Park and Planning Commission technical staff report and the following condition: Prior to final plat approval, revise the plan to correct the ultimate right-of-way for 48<sup>th</sup> Avenue from 40-feet to 50-feet.

Councilmember Kabir said the Prince George's County Planning Board is scheduled to hear this application on July 16, 2015. The Pregnancy Aid Center is proposing a 3,102 square foot addition to an existing medical facility and will also be filing a Detailed Site Plan application.

There were no comments from the audience or from the Council

**The motion passed 8 – 0 – 0.**

- 15-G-82** Discussion of letter in support of MilkBoy grant application – no action

Mayor Fellows said the City has been asked to provide a letter of support for a grant application to the Prince George's County Redevelopment Authority for the MilkBoy College Park Project.

Mr. Gardiner said he checked with the staff at the Redevelopment Authority and learned that the Redevelopment Authority had this grant program last year; this would be for the second round of funds for this program but it hasn't been announced yet. If the guidelines are the same in the second round, the cap would be \$50,000 and the applicant would have to be a non-profit organization. He was told that it would be announced in August and applications would be accepted in September.

Mayor Fellows asked if we should wait until we have all the details. Mr. Gardiner said unless there is some other reason for urgency, Council might want to have a presentation on this project from the applicant before going forward.

**15-G-81 Letter to County in opposition to increase in fees for local farmers markets from \$175 to \$250 and for one-day special event food permits from \$25 to \$125 (CB-41-2015)**

**A motion was made by Councilmember Wojahn and seconded by Councilmember Kabir to express opposition to the increases in fees in CB-41-2015 to the one-day special event food vendor's permit from \$25 to \$125 each, and opposition to the increase in the farmers market permit from \$175 - \$250 each.**

Councilmember Wojahn said this was brought to his attention by County Council Member Glaros and by Denise Seifried, the College Park Day event planner. The bill hasn't passed yet but these are in effect retroactively. His concern is that the 500% increase in the one-day special event food vendor permits would negatively impact College Park Day because it would be more expensive, and thereby more difficult, for vendors to participate. He is not sure how this would impact farmers markets for the season but it would make it more expensive for them to participate.

There were no comments from the audience.

Councilmember Mitchell said this bill has been sent to the other municipalities in the County.

Councilmember Kabir asked that this item be added to the next Four Cities Agenda.

**The motion passed 8 – 0 – 0.**

**15-G-79 Appointments to Boards and Committees**

A motion was made by Councilmember Brennan and seconded by Councilmember Dennis to appoint Lois Donaty to the Animal Welfare Committee. The motion passed 8 – 0 – 0.

**COUNCIL COMMENTS:** Councilmember Kabir said that National Night Out is August 4 and north College Park will have an event at 6:30 p.m. at Duvall Field.

**COMMENTS FROM THE AUDIENCE:** None.

**ADJOURN:** A motion was made by Councilmember Wojahn and seconded by Councilmember Mitchell to adjourn the regular meeting and to reconvene into a Worksession. The motion passed 8 – 0 – 0 and Mayor Fellows adjourned the regular meeting at 8:28 p.m.

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Janeen S. Miller, CMC City Clerk	Date Approved
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Pursuant To §3-103 of the General Provisions Article of the Maryland Annotated Code, the Mayor and City Council met in Administrative Function session from 7:00 p.m. – 7:45 p.m. on Monday, July 6, 2015 in the Council Chambers of City Hall. Mayor Fellows and all members of the City Council were present for this meeting. The City Council discussed the City Manager search.

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Pursuant to §C6-3 of the College Park City Charter, at 7:05 p.m. on July 14, 2015, a motion was made by Councilmember Dennis and seconded by Councilmember Mitchell to enter into a Closed Session to discuss a personnel matter related to specific individual(s). The motion passed 5 – 0 – 0 and the Council entered into the closed session at 7:05 p.m.

**Present:** Mayor Andrew Fellows; Councilmembers Wojahn, Brennan, Dennis, Hew and Mitchell.

**Absent:** Councilmembers Kabir, Stullich and Day.

**Also Present:** Joe Nagro, City Manager; Suellen Ferguson, City Attorney; Bill Gardiner, Assistant City Manager; Bob Ryan, Director of Public Services; Sgt. Selway and Lt. Keleti were present for part of the meeting.

**Topics Discussed:** The City Council was advised about a personnel matter. The City Council discussed a personnel matter.

**Actions Taken:** None.

**Adjourn:** A motion was made by Councilmember Brennan and seconded by Councilmember Dennis to adjourn the closed session, and at 7:50 p.m. with a vote of 5 – 0 – 0, Mayor Fellows adjourned the meeting.

15-R-12

**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-2015-03, 9735 NARRAGANSETT PARKWAY, 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, 15.5 FEET IN WIDTH BY 32.5 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**, Section 27-422 (c), Table II, of the Prince George's County Zoning Ordinance prescribes a maximum lot coverage of 30% in the R-55 zoning district; 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 Prince George's County 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 15, 2015, Leonardo Gonzalez (hereinafter, the “Applicant”), submitted an application for a variance from Prince George’s County Zoning Ordinance, Section 27-120.01 (c), to permit construction of a 15.5-foot by 32.5-foot driveway or a 22.5-foot by 27.5-foot driveway in front of the house at the premises known as 9735 Narragansett Parkway, College Park, Maryland (the “Property”);
- WHEREAS,** on July 2, 2015, 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 and Exhibits 1 – 7 with respect to whether the subject application meets the standards for granting a variance set forth in the Ordinance.
- WHEREAS,** based upon the evidence and testimony presented, the APC voted 4-0-0 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 and in particular have reviewed the APC’s findings of fact and conclusions of law; and
- WHEREAS,** no exceptions have been filed; and
- WHEREAS,** the Mayor and Council are in agreement with and hereby adopt the findings of fact and conclusions of law of the APC as to the Application as follows:

Section 1. Findings of Fact

- 1.1 The property is located at 9735 Narragansett Parkway in the Hollywood subdivision.
- 1.2 The North College Park Citizens Association is the civic association that represents the area in which the property is located.
- 1.3 The property is zoned R-55.
- 1.4 The Applicant is proposing to construct a driveway for two vehicles. The property has a curb-cut but no driveway.
- 1.5 The property is located at the end of a small cul-de-sac resulting in an irregular, triangular shape with a narrow width at the property line.
- 1.6 The property has an area of 8,960 SF or .21 acres.
- 1.7 The property is improved with a 1,127 square foot, one-story, brick, single-family house.
- 1.8 The subject house was constructed in 1950.
- 1.9 The immediate neighborhood is zoned R-55, single-family residential.

- 1.10 The one-way cul-de-sac serves eight (8) properties.
- 1.11 Three (3) of the properties on the cul-de-sac have single-wide driveways and five (5), including the applicant’s property, do not have driveways.
- 1.12 In this neighborhood, it is customary for people to be able to park in their driveway or close to their home.
- 1.13 On-street parking is on one side of the street because it is one-way and is further limited due to the configuration of the cul-de-sac.
- 1.14 The narrow width of the property at the street line and the location of the house make it impossible to provide parking on-site that complies with the regulations.
- 1.15 Perpendicular parking is permitted in the cul-de-sac but restricts the turning radius, which can impede emergency vehicles from servicing the properties.
- 1.16 Permit parking in the cul-de-sac is insufficient to limit the parking and serve the needs of the residents.
- 1.17 The Applicant must routinely park on Narragansett, his vehicles being out-of-sight from his residence which creates vehicle-safety concerns.

Section 2      Conclusions of Law

The Mayor and Council makes the following conclusions of law with regard to CPV-2015-03 for a Variance from Section 27-120.01 (c) of the Prince George’s County Zoning Ordinance, “Front Yards of Dwellings,” to expand a driveway in the front yard to a width of 15.5-feet and a length of 32.5-feet or a driveway in the front yard to a width of 22.5-feet and a length of 27.5 feet

- 2.1 The property has an exceptional topographic condition due to its exceptional shape. The frontage is at the end of a cul-de-sac resulting in a curved front property line that is only 28.88-feet wide. Given the location and configuration of the house on the lot, there is insufficient room to construct a driveway alongside the house.
- 2.2 Despite permit parking, the number of parking spaces on the street is insufficient to accommodate residents. The strict application of the Zoning Ordinance will result in an unusual practical difficulty by making it more difficult for the Applicant to park his vehicles within sight of his home.
- 2.3 Granting a single-wide driveway variance will not impair the intent and purpose of the applicable County General Plan or County Master Plan, because similarly configured driveways exist in this cul-de-sac. Moreover, the driveway will help to reduce the perpendicular parking in the cul-de-sac, thereby helping city and emergency vehicles to service the street.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of College Park, Maryland that the findings of fact and conclusions of law of the APC are hereby adopted and approval of a variance from Section 27-120.01 (c) to encroach in the front yard with a driveway not to exceed a width of 15.5-feet wide and a length of 32.5-feet for a total encroachment of 504 square feet is granted.

**ADOPTED**, by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the 11<sup>th</sup> day of August 2015.

CITY OF COLLEGE PARK,  
MARYLAND

---

Janeen S. Miller, CMC  
City Clerk

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Andrew M. Fellows, Mayor

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

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Suellen M. Ferguson  
City Attorney

15-G-84

# MEMORANDUM

**To:** Mayor & Council

**Through:** Joe Nagro, City Manager

**From:** Steven E. Halpern, P.E.

**Date:** July 29, 2015

**Subject:** Award of Miscellaneous Concrete Maintenance and Asphalt Resurfacing RFP CP-13-01 – Contract Option with NZI Construction Corporation for FY16. (Proposed Consent)

## **Background**

On May 24, 2012, sealed bids were opened for the FY13 Miscellaneous Concrete Maintenance and Asphalt Resurfacing project, RFP CP-13-01. NZI Construction Corporation of Beltsville, MD was awarded the base contract. The CP-13-01 contract was a 1-year contract with 3 optional 1-year extensions. The contract was renewed for FY14 and FY15.

NZI Construction Corporation has agreed to maintain their current unit prices. The term of this 3rd option is from July 1, 2015 to June 30, 2016 (fiscal year 2016).

We have projected that we will spend about \$721,000 in FY16.

NZI Construction Corporation was the successful bidder for our previous contract, CP-09-01. Their current work performance under the CP-13-01 contract has been exceptional.

Funding source: Fund 301 Unrestricted C.I.P. Reserve.

## **Recommendation**

Based on staff's review of the subject contract performance, it is recommended that Contract CP-13-01 (Option Year 3), Miscellaneous Concrete Maintenance and Asphalt Resurfacing, be awarded to NZI Construction Corp. of Beltsville, MD in an amount not to exceed \$721,000.

15-R-13

**RESOLUTION OF THE MAYOR AND COUNCIL  
OF THE CITY OF COLLEGE PARK, MARYLAND  
ESTABLISHING A FRAMEWORK FOR EVALUATING  
REQUESTS FOR RECOGNITIONS AND COMMEMORATIONS**

- WHEREAS, The Mayor and Council of the City of College Park may wish to recognize certain individuals in the community who have made noteworthy contributions to the City; and
- WHEREAS, The City also receives requests to commemorate certain individuals and events taking place in the City; and
- WHEREAS, The Mayor and City Council wish to establish a framework to evaluate the various requests received for such recognitions and commemorations and to help guide future evaluations; and
- WHEREAS, Mayor Fellows established an “Ad Hoc Recognition Committee” which met in 2015 to recommend a framework to help evaluate such requests; and
- WHEREAS, the Ad Hoc Recognition Committee reviewed and considered Resolution 00-R-10A, “A Resolution of the Mayor and Council of the City of College Park, Maryland adopting a Policy to Recognize and Commemorate Citizens by Naming A City Facility Or Other Public Property In Their Name” which was adopted on April 25, 2000, and Resolution 13-R-04, “A Resolution of the Mayor and Council of the City of College Park Establishing The Jack Perry Award” which was adopted on February 26, 2013.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of College Park that the following guidelines for evaluating requests for recognitions and commemorations be adopted:

1. Organizations, elected officials, residents and staff of the City of College Park may recommend individuals for recognition. Recommendations should be submitted in writing to the Mayor, City Manager or City Clerk, and shall state the reasons why the individual should be considered.
2. The type of recognition shall be commensurate with the contributions of the individual, and shall be considered within the context of Attachment 1, Evaluation Chart, which lists previous City recognitions in order of prestige and expense.
3. Some of the criteria to be considered when evaluating said requests will include:
  - Length of service
  - Chair of a City-appointed Board, Commission or Committee
  - Overall impact of the contribution to the City’s wellbeing, welfare or quality of life
  - Something that brings honor and prestige to the City

- 4. Only those residents who have made the most significant and outstanding contributions to the City of College Park shall be recognized by the naming of a City facility or other public property in their honor. Such recognition would normally be considered posthumously.
- 5. City-appointed Authorities, Boards, Commissions and Committees that wish to officially honor past members and/or spend City funds to do so, must send the recommendation of the body to the City Council for Council review and action.
- 6. At the discretion of the Mayor, in consultation with the City Clerk and other staff as appropriate, the City may offer proclamations, certificates, or letters on the Mayor’s personal stationery, in response to requests to commemorate individuals and/or events taking place in the City.

BE IT FURTHER RESOLVED that Resolution 13-R-04 establishing the Jack Perry Award remains in effect.

BE IT FURTHER RESOLVED that Resolution 00-R-10A, adopted April 25, 2000, be repealed in its entirety.

ADOPTED by the Mayor and City Council of the City of College Park, Maryland at a regular meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

EFFECTIVE the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**WITNESS:**

**THE CITY OF COLLEGE PARK,  
MARYLAND**

\_\_\_\_\_  
Janeen S. Miller, CMC, City Clerk

\_\_\_\_\_  
Andrew M. Fellows, Mayor

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY

\_\_\_\_\_  
Suellen M. Ferguson  
City Attorney

<b>City Recognition Evaluation Chart Attachment 1</b>		
	<b>Type of Recognition</b>	<b>Who approves</b>
1	Name a City place or building after the person (normally considered posthumously)	Council Action
2	Host a Reception to honor the person and give them a proclamation	
3	The Mayor presents the “Key to the City” – this includes a proclamation	Decision of the Mayor who will notify the City Council
4	Proclaim a “Day” for the person – this includes a proclamation and plaque	
5	Purchase and plant a tree and install an engraved plaque at the base of the tree	
6	Purchase and install a bench with an engraved plaque	
7	Present an engraved desk clock	
8	Present a custom wood plaque	
9	Present a Lucite plaque	
10	Place an engraved plaque on an existing bench	
11	Prepare a Proclamation to be listed on the agenda and read at a Council meeting	
12	Provide a Proclamation signed by the Mayor	
13	Provide a Certificate of Appreciation or Letter of Congratulations signed by the Mayor	

15-G-85

**MEMORANDUM**

**TO:** Mayor and Council

**FROM:** Terry Schum, Planning Director *ts*

**THROUGH:** Joseph L. Nagro, City Manager *JL*

**DATE:** August 5, 2015

**SUBJECT:** Amendment to Contract CP-13-01 with NZI Construction Corporation for Miscellaneous Downtown Streetscape Improvements

**ISSUE**

The NZI Construction Corporation has provided a cost estimate for the implementation of various downtown streetscape improvements under the soon to expire HUD Economic Development Initiative (EDI) grant for Route 1. The contract was bid in conformance with federal purchasing requirements and an amendment is needed in order to include this work under the contract.

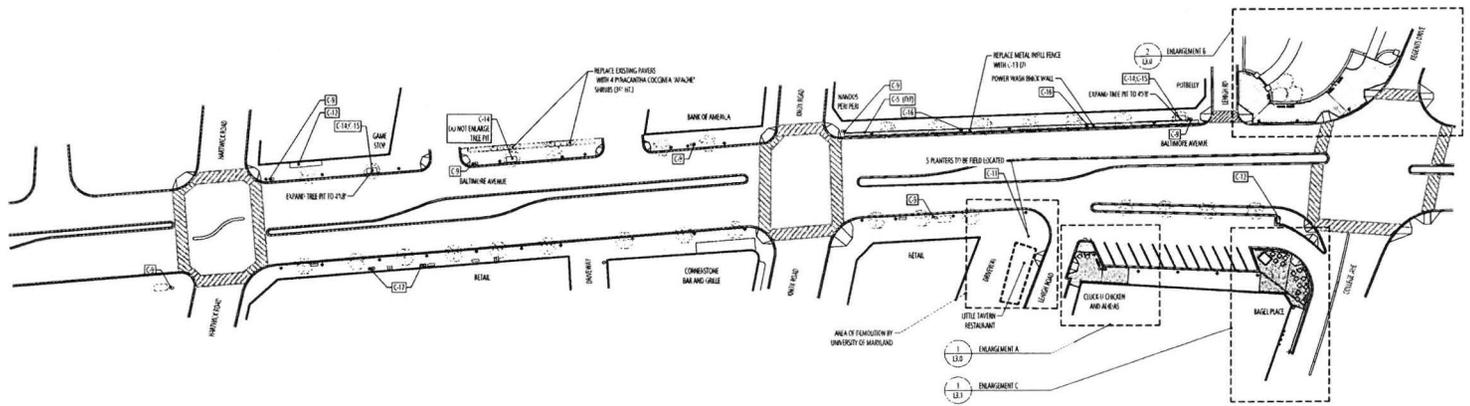
**SUMMARY**

The scope of work will generally be in accordance with the attached plan and will include the following in an amount not to exceed \$175,000:

1. Install street furniture (benches, tables, bicycle racks, planters) purchased from Victor Stanley (approved by City Council on July 7, 2015).
2. Remove/grind existing tree stumps and install new trees and structural soil.
3. Remove and replace concrete curb and gutter.
4. Remove and replace concrete sidewalk area.
5. Furnish and install new French drain.

**RECOMMENDATION**

It is recommended that CP-13-01 be amended to include this additional scope of work in an amount not to exceed \$175,000. The project is CIP# 103001, Downtown Streetscape #2, federal EDI Special Project Grant Program B-08-SP-MD-0517.



SYMBOL	ITEM TYPE	CONSTRUCTION NOTES	REFERENCE
C-1	EDGE RESTRAINT	30' spacing maximum	Detail 2/A.0
C-2	EXPANSION JOINT UNDER PAVEMENT	10' spacing maximum	Detail 2/A.0
C-3	EXPANSION JOINT TO SURFACE	10' spacing maximum	Detail 2/A.0
C-4	BIKE RACK	Victor Stanley Series 500 Dura-Lock BRHS - 121 Cycle Sentry Series, Standard Surface Mount per manufacturer's specifications, Color: Black, Qty: 5	Detail 2/A.2
C-5	BIKE RAIL	Custom Fabricated, Color: Black, Qty: 5	Detail 2/A.0
C-6	BENCH	Victor Stanley RB-28 Steelcraft RB Series, 6' length, Surface mount per manufacturer's specifications, Color: Black, Qty: 5	Detail 2/A.1
C-7	TABLE	Victor Stanley RB-D-133 Steelcraft Collection, 3 Seat Table, Solid Top, No Laminate Edge, Surface mount per manufacturer's specifications, Color: Black, Qty: 13	Detail 2/A.1
C-8	HANDICAPPED ACCESSIBLE TABLE	Victor Stanley RB-D-133 Steelcraft Collection, Wheelchair Accessible Table, Solid Top, No Laminate Edge, Surface mount per manufacturer's specifications, Color: Black, Qty: 3	Detail 2/A.1
C-9	RECYCLING RECEPTACLE	Victor Stanley SD-43 Promina Series, Side Door Recycling Station, Provide Recycling and Trash Decals - Provide Dome Lid, Surface mount per manufacturer's specifications, Color: Black, Qty: 9	Detail 2/A.2
C-10	BOLLARD - Placeholder for Little Tavern Site	Victor Stanley W-485 Street Sentry Series Bollard, 3' in. Standard in-ground mount per manufacturer's specifications, Color: Black, Qty: 0	Detail 2/A.2
C-11	PLANTER	Victor Stanley Urban Long Planter 2400 Series Collection, 36" W, Color: Matte Express, Qty: 5, At Little Tavern	Detail 2/A.2
C-12	NEWSPAPER COLUMNS	Custom Fabricated Metal Panel to match C-13, Length varies, Refer to plan, Qty: 2	Detail 2/A.2
C-13	PERFORATED METAL PANEL	Custom Aluminum Perforated Metal Panel barrier with frames, 6' long x 42" H, Powder Coat, Color: Grey, 42" depth, bottom, 1800, Qty: 38	Detail 2/A.2
C-14	STREET TREE REPLACEMENT	Shade tree to be replaced with shade tree, 3" cal. Provide new soil as indicated in the planting detail, Qty: 3	Detail 2/A.3
C-15	EXPAND TREE PIT	Several existing concrete sidewalks to be expanded and new sidewalks to be placed, Qty: 3	Refer to Plans
C-16	STREET LIGHT	Alumilite VLS385/QL-120-245-XCC-88, Pole: DPG 12-4-80" Black, Qty: 2, Mount on existing column.	Detail 2/A.2
C-17	SINGLE RECYCLING RECEPTACLE W/RECYCLING DECAL	Victor Stanley SD-43 Promina Series, Side Door Recycling Station, Provide Recycling Decals, Provide Dome Lid, Surface mount per manufacturer's specifications, Color: Black, Qty: 2	Detail 2/A.1
C-18	ORNAMENTAL TREE	Carriacum Cordana "Cherry Blossom", 4" in. dbh, Provide new soil as indicated in the planting detail, Qty: 3	Detail 2/A.3
C-19	BENCH	Victor Stanley RB-28 Steelcraft RB Series, 4' length, Surface mount per manufacturer's specifications, Color: Black, Qty: 1	Detail 2/A.1

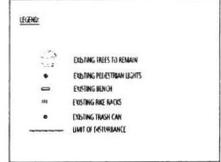
SYMBOL	PAVER TYPE	NOTES	REFERENCE
P-1	POURED IN PLACE CONCRETE WITH SAWCUT JOINTS	CITY OF COLLEGE PARK STANDARD	
P-2	PAVER FIELD	WELLSBORO HOLLANDSTONE-TUCKER BLEND, 7-7/8" x 5 1/2" x 2-3/8"	Detail 2/A.0
P-3	PAVER BORDER	WELLSBORO HOLLANDSTONE-COLOR TRIO, 7-7/8" x 3 1/2" x 2-3/8"	Detail 2/A.0
P-4	PROPOSED HANDICAPPED RAMP	CITY OF COLLEGE PARK STANDARD	
P-5	STANDARD CURB	CITY OF COLLEGE PARK STANDARD	

**GREEN NOTES**

- EXISTING CONDITIONS AND PLANS ARE THE BEST COMPLETION OF EXISTING PLANS AND FIELD MEASUREMENTS AND ARE NOT A RESULT OF A FIELD SURVEY. CONTRACTOR SHALL VERIFY ALL DIMENSIONS, UTILITY LOCATIONS AND SETTING FEATURES PRIOR TO BEGINNING AND MAINTAINANCE OF EXISTING UTILITIES AND VERIFY LOCATION OF PROPOSED IMPROVEMENTS SHALL BE VERIFIED TO THE LARGEST EXTENT POSSIBLE TO MAINTAIN EXISTING UTILITIES.
- THE CONTRACTOR SHALL CONTACT THE UTILITY PROVIDER PRIOR TO ANY FIELD PREP TO BEGINNING CONSTRUCTION TO VERIFY ANY EXISTING UTILITIES.
- IF THE CONTRACTOR IS RESPONSIBLE TO FIELD VERIFY ANY CONDITIONS PRIOR TO THE START OF ANY WORK, ANY DISCREPANCIES SHALL BE REPORTED TO THE LANDSCAPE ARCHITECT AND CORRECTED IMMEDIATELY.
- THE CONTRACTOR SHALL CONTACT THE OWNER IMMEDIATELY UPON BEING AND UNEXPECTED CONCERN.
- THE CONTRACTOR SHALL MAINTAIN PROPER RECORDS OF ALL FIELD WORK.
- THE CONTRACTOR IS RESPONSIBLE FOR REMOVAL AND PROPER DISPOSAL OF ANY WASTE FROM THE SITE. CONTRACTOR SHALL NOTIFY THE OWNER IMMEDIATELY UPON BEING AND UNEXPECTED CONCERN.
- EXISTING TREES ARE TO BE PRESERVED FROM DAMAGE FROM EQUIPMENT AT ALL TIMES. THE CONTRACTOR SHALL NOT SHALL MARKING OF EQUIPMENT SHALL BE PRESERVED FROM DAMAGE TO THE TREES.
- FUNCTIONAL AND PROTECTIVE TRAILS AND ACCESS TO ROADS SHALL BE MAINTAINED AT ALL TIMES DURING CONSTRUCTION. COORDINATE WITH THE CITY OF COLLEGE PARK AND LOCAL AGENCIES.
- ALL TRAILERS AND SITE EQUIPMENT SHALL BE REMOVED AND TO BE RETURNED TO THE CITY OF COLLEGE PARK BY 10:00 AM.

**LAYOUT NOTES**

- EXISTING AND PROPOSED SHOWN ON THE DRAWINGS ARE FOR THE PURPOSE OF ILLUSTRATING DESIGN INTENT. ALL PROPOSED PLANTING SHALL BE LAID OUT IN RELATION TO EXISTING BUILDINGS AND FEATURES AS INDICATED BY THE LANDSCAPE ARCHITECT.
- ALL DIMENSIONS SHALL BE SHOWN IN THE FIELD BY THE CONTRACTOR PRIOR TO COMMENCING MATERIALS OR PLANTING OPERATIONS.
- LANDSCAPE ARCHITECT'S RESPONSIBILITIES END AT THE POINT OF MATERIALS AND FIELD CONSTRUCTION TO THE LANDSCAPE ARCHITECT.
- THE PLY ARE DIMENSIONED TO THE OUTSIDE OF THE CURB WALLS.
- SCORING IS DIMENSIONED TO THE CENTERLINE OF THE SCENE ONLY.



PROFESSIONAL CERTIFICATION: I hereby certify that these drawings were prepared, supervised, sealed and signed by me as a duly licensed professional architect and/or under the laws of the State of Maryland.

LICENSE NUMBER: 0000000000



**ROUTE 1  
STREETSCAPE IMPROVEMENTS**  
College Park, MD

REVISION: DATE:


PROJECT #: ##-##-##

DRAWN: AM

CHECKED: ZR

SHEET TITLE:  
**OVERALL SITE PLAN**  
PROGRESS SET - NOT FOR CONSTRUCTION

DATE: 2015-07-01

SCALE:

**L2.0**

SHEET 1 OF 8

15-G-87

**MOTION:**

**I move for the adoption of the 2015–2020 Strategic Plan and Action Plan, which establish a new City Vision, Mission, Values, and Goals for the next five years. The Action Plan identifies the specific steps City staff will take in order to accomplish the Strategic Plan goals.**

**DISCUSSION:**

In late 2014 the City Council initiated the development of a new Strategic Plan with the assistance of The Novak Consulting Group.

The process included an environmental scan, focus group meetings, an online survey, public hearings, and all-day workshops with Council and with staff.

The Strategic Plan that Council is presenting tonight for adoption articulates a new community vision for College Park, and establishes new goals and steps to achieve our vision.

**The 2020 Strategic Plan Goals are:**

1. One College Park
2. Environmental Sustainability
3. High Quality Development and Reinvestment
4. Quality Infrastructure
5. Effective Leadership
6. Excellent Services

With input from Council, City staff have developed and refined an Action Plan that identifies the steps that City departments will carry out to accomplish the goals. The Action Plan will be updated regularly, and Council may add or change items.

Council and staff will work to ensure that residents, businesses, and our partners in the region understand and embrace the City’s vision and goals.

15-G-86

## MOTION FOR COUNCILMEMBER MITCHELL

## ITEM # 15-G-86

I move that the scope of services submitted by VIKA Maryland, LLC for a feasibility study to extend Hollywood Road west of US Route 1 to the Mazza GrandMarc Apartments be approved subject to the following modifications:

1. Item # 2 under Project Assumptions shall be revised to state that the alternative alignments should be designed to minimize the impact to adjoining properties to the extent possible and that consideration may be given to a one-way alignment alternative if practicable.
2. Item #11 under Project Assumptions shall be revised to clarify that there will be a minimum of two meetings with community stakeholders; one meeting to review the alternative alignments to be studied and one meeting to present the final results of the study.
3. Item # 3 Hollywood Road Site Layout and Grading Plan under Scope of Services shall be revised to include community stakeholders in the discussions with the client and city staff in determining the three alternative alignments to be studied.
4. Item # 9 Project Meetings under Scope of Services shall be revised to add adjoining property owners, community stakeholders and city staff to those already listed.

### Comments:

- \$500,000 is held in escrow by Starr Insurance Holding, Inc. for the planning, design and construction of the extension of Hollywood Road west of Route 1 as required under an Agreement with the City. The feasibility study is estimated to cost \$66,500.
- The study will be conducted by VIKA engineers under the supervision of Starr and in conjunction with city staff, adjoining property owners and community stakeholders. The results will be presented to the City Council at which time the next steps will be considered.

# 15-G-88

(Material to be  
provided next week)

15-0-04

**ORDINANCE**  
**OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK, AMENDING**  
**CHAPTER 175 “TAXATION”, ARTICLE IV, “REVITALIZATION TAX CREDIT”,**  
**SECTIONS §175-9 “ELIGIBILITY REQUIREMENTS”; §175-10 “ELIGIBILITY**  
**CRITERIA”; §175-11 “TAX CREDIT – AMOUNT AND TERM”; §175-12**  
**“APPLICATION PROCESS”; AND §175-13 “WAIVER”, TO CHANGE ELIGIBILITY**  
**REQUIREMENTS AND CRITERIA, TO CLARIFY THAT A TAX CREDIT WILL BE**  
**GRANTED ONLY IF FINANCIALLY FEASIBLE, TO CLARIFY THE APPLICATION**  
**PROCESS, AND TO DELETE A CERTAIN WAIVER OPTION.**

WHEREAS, the State of Maryland, pursuant to 9-318(g) of the Tax-Property Article, Annotated Code of Maryland, has authorized the establishment of revitalization districts by resolution for the purpose of encouraging redevelopment and the granting of a property tax credit against the City’s real property tax for a property located within the revitalization district that is constructed or substantially redeveloped in conformance with adopted eligibility criteria and reassessed as a result of the construction or redevelopment at a higher value than that assessed prior to the construction or redevelopment; and

WHEREAS, the Mayor and Council determined that it is in the public interest to provide for the establishment of revitalization tax districts and to set the criteria for designation of such districts, and adopted Article IV, Revitalization Tax Credit, of Chapter 175, “Taxation” for this purpose; and

WHEREAS, the Mayor and City Council have determined that it is in the public interest to amend certain provisions of the Revitalization Tax Credit Article.

**Section 1.** NOW THEREFORE, BE IT ORDAINED AND ENACTED, by the Mayor and Council of the City of College Park, Maryland that Chapter 175 “Taxation”, Article IV “Revitalization Tax Credit” §175-9, “Eligibility requirements” be and it is hereby repealed, re-enacted and amended to read as follows:

---

CAPS	: Indicate matter added to existing law.
[Brackets]	: Indicate matter deleted from law.
Asterisks * * *	: Indicate matter remaining unchanged in existing law but not set forth in Ordinance

**§175-9 Eligibility requirements.**

To be eligible for the tax credit, a property must meet the following eligibility ~~[criteria]~~

**REQUIREMENTS:**

- A. Improvements must include new construction, reconstruction, or rehabilitation of residential ~~[(excluding single family detached)]~~, commercial, hospitality, or mixed-use properties, EXCLUDING SINGLE FAMILY DETACHED HOUSING, MULTI-FAMILY HOUSING INTENDED TO HOUSE UNDERGRADUATE STUDENTS, AND DIRECT, EXTERIOR ROOM ACCESS HOTELS AND MOTELS.
- B. The applicant must be in good standing with the City ~~[of College Park's Public Services and Finance Departments]~~. In order to be in good standing, applicants may not have any outstanding code OR ZONING violations or be delinquent on any payments including, but not limited to, trash bills, permit fees, FINES and City tax payments.
- C. Projects are ineligible for this program if they are located within a tax increment financing district at the time of application, OR IN A REGIONAL INSTITUTION STRATEGIC ENTERPRISE ("RISE") ZONE DESIGNATED UNDER §5-1401 OF THE ECONOMIC DEVELOPMENT ARTICLE, ANNOTATED CODE OF MARYLAND AND ARE LOCATED ON A PROPERTY RECEIVING OR APPLYING FOR A TAX CREDIT UNDER §9-103.1 OF THE TAX-PROPERTY ARTICLE, ANNOTATED CODE OF MARYLAND. IN ADDITION, THE OWNERS AND ASSIGNS OF ANY PROPERTY RECEIVING A CITY TAX CREDIT UNDER THIS ARTICLE MUST AGREE TO FOREGO ANY FUTURE APPLICATION OR RECEIPT OF A RISE ZONE TAX CREDIT.
- D. \* \* \* \*

E. AN APPLICATION FOR A CITY TAX CREDIT SHALL BE SUBMITTED NO LATER THAN THE DATE OF ACCEPTANCE FOR THE INITIAL DETAILED SITE PLAN FOR THE PROJECT BY THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION (M-NCPPC), IF APPLICABLE, OR THE SUBMISSION OF A BUILDING PERMIT APPLICATION TO PRINCE GEORGE'S COUNTY. Projects that are under construction, completed, or have an approved detailed site plan or building permit prior to the adoption of this program are not eligible for the tax credit.

**Section 2. BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park Maryland that Chapter 175 “Taxation”, Article IV “Revitalization Tax Credit” §175-10, “Eligibility criteria” be and it is hereby repealed, re-enacted and amended to read as follows:

**§175-10 Eligibility criteria**

When evaluating whether a project will receive a tax credit under this article, the City Council will use the following criteria. For projects located within the boundaries of Tax Credit District 1, at least 4 of the criteria must be met; and for projects located within the boundaries of Tax Credit District 2, at least 2 of the criteria must be met.

A. The MAJORITY OF THE LAND AREA OF THE PROPERTY UPON WHICH project is located IS within a 1/2-mile radius of an existing or under construction rail station for THE Washington Metropolitan Area Transit Authority, Maryland Area Regional Commuter, Maryland Transit Administration, or similar agency.

B. \* \* \* \*

- C. The project involves the SIGNIFICANT INVESTMENT OF FUNDS IN THE buyout of leases, SUCH AS LONG TERM LEASES, to facilitate redevelopment.
- D. The project will complete, or commit funds for, substantial infrastructure improvements such as a new or relocated traffic signal, a public street, a public park, a public parking garage, undergrounding of utilities, or SUPPORT FOR a bikeshare SYSTEM [station].
- E. The project [meets] EXCEEDS the REQUIRED PRINCE GEORGE'S COUNTY minimum green building guidelines as established by the US Green Building Council's LEED [Silver] Certification for the project's appropriate rating system AND IN ANY EVENT MEETS THE MINIMUM STANDARDS FOR A LEED SILVER CERTIFICATION. A LEED scorecard must be submitted with the detailed site plan application and evidence of certification MUST BE SUBMITTED at the time of final application for the tax credit.
- F. The MAJORITY OF THE LAND AREA OF THE PROPERTY ON WHICH THE project is located IS within one of the walkable development nodes designated in the approved Central US 1 Corridor Sector Plan.
- G. The project involves the demolition of an existing non-historic structure, which has been vacant at least one year, OR THE DEMOLITION OF A HOTEL OR MOTEL WITH DIRECT EXTERIOR ROOM ACCESS.
- H. \* \* \* \*.
- I. The project has secured at least one locally-owned, non-franchise business TOTALLING AT LEAST 1,000 SQUARE FEET OF SPACE as evidenced by executed lease agreements OF AT LEAST FIVE YEARS DURATION at the time of final application for the tax credit.

- J. The project provides AT LEAST 1,000 SQUARE FEET OF space for a business incubator, community center, art gallery, or similar public-benefit use.

**Section 3. BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park Maryland that Chapter 175 “Taxation”, Article IV “Revitalization Tax Credit” §175-11, “Tax credit - amount and term” be and it is hereby repealed, re-enacted and amended to read as follows:

**§175-11 Tax Credit: amount and term**

An eligible property may receive a five-year tax credit on City real property taxes based on the increased assessment attributed to the taxable improvements upon project completion as determined by the Supervisor of Assessments. The tax credit shall be in an amount equal to 75% of the increased assessment of City tax imposed in the first year; 60% in the second year; 45% in the third year; 30% in the fourth year; and 15% in the fifth year, PROVIDED HOWEVER, THAT IF SUCH A TAX CREDIT IS NOT FINANCIALLY FEASIBLE BASED ON CITY BUDGET CONSTRAINTS, THE COUNCIL MAY REDUCE OR ELIMINATE THE AMOUNT AND/OR DURATION, AND/OR ALTER THE SEQUENCE, OF THE TAX CREDIT. The tax credit is transferable to subsequent property owners within the term of the original agreement.

**Section 4. BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park Maryland that Chapter 175 “Taxation”, Article IV “Revitalization Tax Credit” §175-12, “Application process” be and it is hereby repealed, re-enacted and amended to read as follows:

**§175-12 Application process.**

The application process is as follows:

A. \* \* \* \*

B. City staff review [~~and recommendation~~]. Upon receipt and acceptance of a completed application, the City's Planning, Community, and Economic Development department will refer a copy of the application to the finance department. City staff will provide aN [~~recommendation~~] ELIGIBILITY REPORT to the City Council WITH RESPECT TO THE APPLICATION for a tax credit [~~at the time of~~] SUBSEQUENT TO THE detailed site plan review [~~before~~] BY the City Council. For projects that do not require a detailed site plan, staff will review building permit plans and schedule the application for review by the City Council at a City Council work session.

C. City Council resolution. A City Council resolution must be approved to authorize the award of a tax credit. The approval will be contingent on all required terms of the revitalization tax credit program being met at the time of final application. If the Prince George's County Planning Board, the District Council, or any other government agency with authority changes the City-approved conditions for the detailed site plan after the resolution has been adopted, staff will review the changes and provide a supplemental [~~recommendation for~~] REPORT CONCERNING the tax credit authorization that the City Council will rely upon with respect to determining whether it should reconsider the authorization.

D. Final application approval. Prior to final [~~acceptance~~] APPROVAL of the application for a City tax credit, documentation must be submitted to the City's Director of Finance, including a legal description of the property, proof of a properly issued use and occupancy permit

applicable to eligible improvements, evidence of compliance with any City agreement or required certifications, COPIES OF ALL LEASES TO LOCALLY-OWNED, NON-FRANCHISE BUSINESSES USED AS A BASIS FOR ELIGIBILITY, CERTIFICATION OF LEED STATUS, and such other information or documentation as the Director may require. Upon final acceptance the City will issue a certificate to the property owner that confirms the parcel's tax credit status. A copy of the certificate will be sent to the Prince George's County Supervisor of Assessments who will determine the value of improvement.

**Section 5. BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park Maryland that Chapter 175 “Taxation”, Article IV “Revitalization Tax Credit” §175-13, “Waiver” be and it is hereby repealed, re-enacted and amended to read as follows:

**§175-13 WAIVER**

A. If it finds that the purposes of this article will be equally well served by doing so, the Council may waive the requirement in § 175-12 that an application must be filed no later than the date of acceptance for a detailed site plan, if applicable, or a building permit application, and consider whether to grant a tax credit under the following circumstances for projects for which no appeal was filed by the City:

- (1) When the application is filed prior to the approval of the detailed site plan or issuance of the building permit; or
- (2) ~~[Notwithstanding § 175-9E, if the detailed site plan was approved after January 1, 2009, the project has been constructed, and the project satisfies at least the minimum required criteria identified in § 175-10 for the district; or~~

~~(3)~~ If a detailed site plan has been approved, but construction has not occurred, for the purpose of encouraging the construction; or

~~[(4)]~~(3) For an application that is timely filed, when the minimum requirements of § 175-10 are not met.

B. – C. \* \* \* \*

**Section 6. BE IT FURTHER ORDAINED AND ENACTED** by the Mayor and Council of the City of College Park that, upon formal introduction of this proposed Ordinance, which shall be by way of a motion duly seconded and without any further vote, the City Clerk shall distribute a copy to each Council member and shall maintain a reasonable number of copies in the office of the City Clerk and shall publish this proposed ordinance or a fair summary thereof in a newspaper having a general circulation in the City of College Park together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council. The public hearing, hereby set for \_\_\_\_\_ P.M. on the \_\_\_\_\_ day of \_\_\_\_\_, 2015, shall follow the publication by at least seven (7) days, may be held separately or in connection with a regular or special Council meeting and may be adjourned from time to time. All persons interested shall have an opportunity to be heard. After the hearing, the Council may adopt the proposed ordinance with or without amendments or reject it. As soon as practicable after adoption, the City Clerk shall have a fair summary of the Ordinance and notice of its adoption published in a newspaper having a general circulation in the City of College Park and available at the City's offices. This Ordinance shall become effective on \_\_\_\_\_, 2015 provided that a fair summary of this Ordinance is published at least once prior to the date of passage and once as soon as practical after the date of passage in a newspaper having general circulation in the City.

**INTRODUCED** by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the \_\_\_\_\_ day of \_\_\_\_\_ 2015.

**ADOPTED** by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the \_\_\_\_\_ day of \_\_\_\_\_ 2015.

**EFFECTIVE** the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**ATTEST:**

**CITY OF COLLEGE PARK,**

By: \_\_\_\_\_  
Janeen S. Miller, CMC, City Clerk

By: \_\_\_\_\_  
Andrew M. Fellows, Mayor

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

\_\_\_\_\_  
Suellen M. Ferguson, City Attorney

15-G-89

(Placeholder)

15-G-91

## MEMORANDUM

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**TO:** Mayor and City Council  
**FROM:** Bill Gardiner, Assistant City Manager  
Terry Schum, Planning Director  
**THROUGH:** Joe Nagro, City Manager  
**DATE:** August 7, 2015  
**SUBJECT:** Current SHA Plan for the Reconstruction of Baltimore Avenue

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### ISSUE:

The SHA designs for the reconstruction of Baltimore Avenue between College Avenue and MD 193 are nearing completion. Right-of-Way acquisition is scheduled to begin in early 2016. The City, County, and University of Maryland would like for SHA to make some modifications to the current plan that would result in a safer environment for all users.

### SUMMARY:

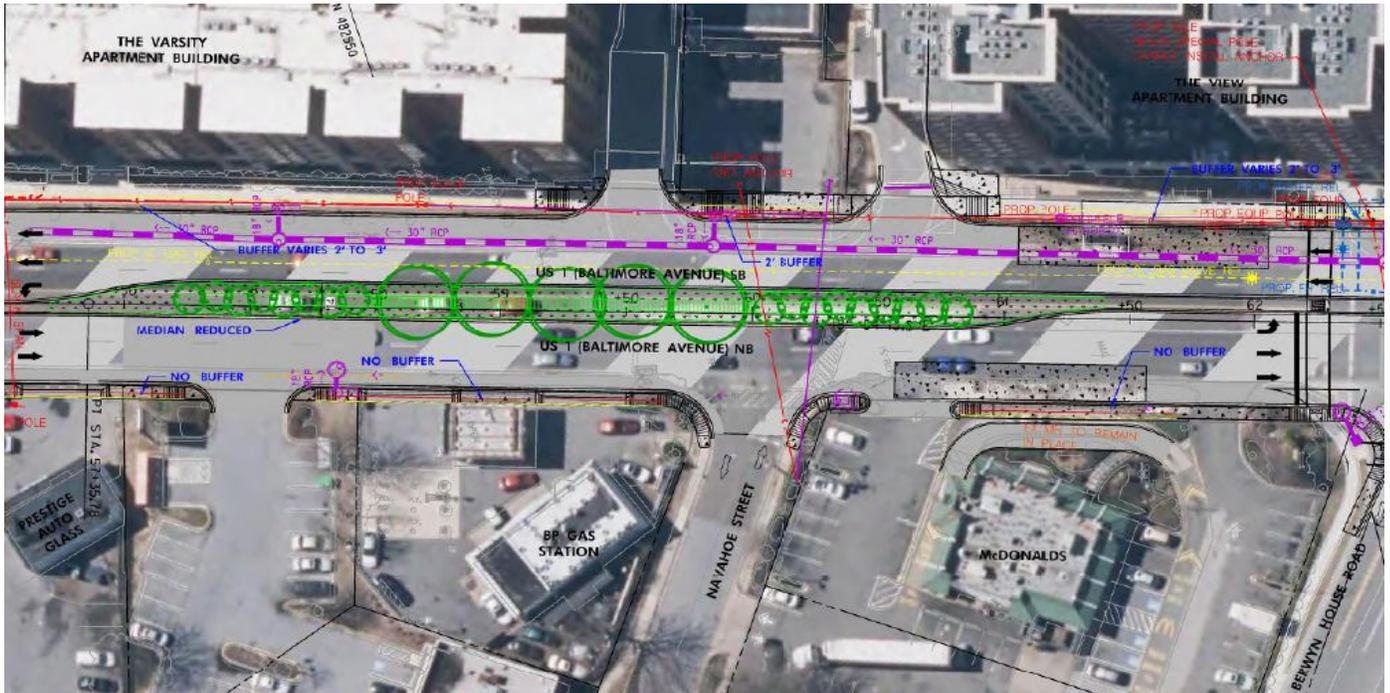
SHA has met with City, County, and University officials to review the plans in detail several times since June 2015. These meetings have resulted in a better understanding of some of the design challenges, as well as improvements to the intersection designs, pedestrian crosswalks, and access management from businesses. SHA presented a summary of the current plans during the August 5, 2015 Worksession. City, County, and University staff have urged SHA to consider some additional changes to create an appropriate landscape buffer for pedestrians and improved safety for cyclists. These changes would further the project purpose (as stated in the SHA presentation), which is:

*To improve safety for vehicles, bicyclists and pedestrians that travel along the corridor, manage access, and provide aesthetic improvements to establish US 1 as a gateway to the City of College Park and the University of Maryland, College Park (UMD-CP).*

An important area of concern is best shown by the images from the August 5, 2015 SHA presentation. The photo immediately below shows the landscaped buffer and sidewalk adjacent to the Varsity and the View. These developments were required to give SHA a 20-foot easement to create the appropriate pedestrian facilities (new development on the east side is also required to give a 20-foot easement). The landscaped buffer includes trees that can provide shade for pedestrians, the pedestrian lighting, and the utility poles. Across the street, the existing sidewalk is four-feet wide and immediately adjacent to the curb.



The current SHA plan for this section of Baltimore Avenue is shown below. The buffer in front of the Varsity and the View is between two and three feet wide, too narrow for trees and too close to the curb for pedestrian lights and utility poles. The sidewalk is only five-feet wide. On the east side, a five-foot wide sidewalk is planned immediately against the curb, similar to the current situation (although a bike lane will be adjacent to the curb). A five-foot sidewalk is adequate for two pedestrians to pass each other without one person needing to step aside.



City, County, and University staff have expressed to SHA the importance for this area and others to have a safety and landscaped buffer between the curb and the sidewalk, and to ensure the sidewalk width is appropriate for the use. Similar concerns have been expressed regarding the current design for no buffer between the sidewalk and road, and only a five-foot sidewalk near Jenkins Garage, Rita's, and Comfort Inn, and minimal buffers elsewhere.

**RECOMMENDATION:**

Staff recommends that Council express its concerns with the planned pedestrian areas as noted above, and the absence of a raised barrier for the bicycle lanes. Council is requested to authorize City staff to work with the County, University of Maryland, elected officials, and SHA, as well as the business and property owners along Baltimore Avenue, to create an appropriate buffered pedestrian zone with adequate sidewalks, improved access management onto Baltimore Avenue, the appropriate location of utilities, and improved buffers for bicyclists.

A proposed Council motion is attached.

**MOTION:**

I move for Council to express its concerns with the current SHA plans, as presented on August 5, 2015, for pedestrian and bicycle facilities for the Reconstruction of Baltimore Avenue Project. Council authorizes City staff to work with the County, the University of Maryland, elected officials, the business and property owners along Baltimore Avenue, and SHA officials, to create an appropriate buffered pedestrian zone with adequate sidewalks, improved access management onto Baltimore Avenue, the appropriate location of utilities, and an improved buffer for bicyclists.

**DISCUSSION:**

The City, County, and University have been meeting and will continue to meet with SHA on these design issues. This motion is to convey the Council's concerns and support for the positions identified above. Council may wish to review the plans in greater detail and provide additional comments in the fall after the parties have met with SHA.

15-G-90

## Appointments to Boards and Committees

15-G-90

### Mayor Fellows:

- Kate Kennedy to the Advisory Planning Commission

### Councilmember Wojahn:

- Eric Hoffman to the Tree and Landscape Board
- Christine O'Brien to the Tree and Landscape Board

### Councilmember Kabir:

- Pat Noone to the Animal Welfare Committee

### Councilmember Stulich:

- Bob Schnabel to the Neighborhood Quality of Life Committee

### Councilmember Day:

- Dave Dorsch to the Airport Authority for a three-year term