

City Council of Hyattsville, Maryland

AGENDA

**City Council Regular Meeting
Monday, November 4, 2019
8:00 PM**



**Council Chambers
Hyattsville Municipal Building
4310 Gallatin Street, 3rd Floor
Hyattsville, MD 20781
(301) 985-5000 www.hyattsville.org**

CITY COUNCIL

[Mayor Candace B. Hollingsworth](#)
[Kevin Ward, Council President, Ward 1](#)
[Carrianna Suiter, Council Vice President, Ward 3](#)
[Bart Lawrence, Ward 1](#)
[Robert S. Croslin, Ward 2](#)
[Danny Schaible, Ward 2](#)
[Ben Simasek, Ward 3](#)
[Edouard Haba, Ward 4](#)
[Daniel Peabody, Ward 4](#)
[Joseph Solomon, Ward 5](#)
[Erica Spell, Ward 5](#)

ADMINISTRATION

Tracey E. Douglas, City Administrator
Laura Reams, City Clerk, 301-985-5009, lreams@hyattsville.org

WELCOME TO THE CITY OF HYATTSVILLE CITY COUNCIL MEETING! Your participation at this public meeting is valued and appreciated.

Agenda/Packet: The Agenda/Packet is available for review at the Hyattsville Municipal Building and online at www.hyattsville.org prior the scheduled meeting (generally available no later than the Friday prior to the scheduled Monday meeting). Please note, times given for agenda items are estimates only. Matters other than those indicated on the agenda may also be considered at Council discretion.

Americans with Disabilities Act: In compliance with the ADA, if you need special assistance to participate in this meeting or other services in conjunction with this meeting, please contact the City Clerk's Office at (301) 985-5009. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Audible Devices: Please ensure all audible devices are turned off or otherwise not audible when the City Council is in session. Thank you.

Consent Agenda: Items listed on the Consent agenda are considered to be routine in nature, and are normally approved by one motion. Please note that most items on the Consent agenda have been discussed at a previous meeting. If a Councilmember wishes to comment on a particular item, that item shall be removed from the Consent agenda to "action" to allow for additional discussion.

Public Input: If you wish to address the Council during the Public Comment period, please submit an Audience Participation Form to the City Clerk prior to the beginning of the meeting. Matters identified during Public Comment that are not on that meeting's agenda will be referred to staff for follow-up or considered on a future agenda. Issues that require a response will be addressed publically at the next regular Council meeting. Speakers are requested to keep their comments to no more than two (2) minutes per speaker. Written comments or supporting documents may be turned in to the City Clerk for distribution to the Mayor and Council.

Ways to Watch the Meetings Live: City Council meetings are broadcast live on cable television channel 71 (Comcast) and channel 12 (Verizon). You may also view meetings live online at hyattsville-md.granicus.com/MediaPlayer.php?camera_id=2

Replay Schedule: The meetings will be re-broadcast on cable television, channel 71 (Comcast) and channel 12 daily at 7:00 a.m., 1 p.m., and 8 p.m. Meetings are also able for replay online at www.hyattsville.org/councilagendas.

City Information: Sign up to receive text and email notifications about Hyattsville events, government, police and programs at www.hyattsville.org/list.aspx

Inclement Weather: In the event of inclement weather, please call 301-985-5000 to confirm the status of the Council meeting.



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1.Call to Order and Council Roll Call

2.Pledge of Allegiance to the Flag

3.Approval of Agenda

4.Approval of the Minutes

4.a) Approval of the Minutes

HCC-130-FY20

I move that the Mayor and Council approve the Council Meeting Minutes for May 21, 2018, and October 7, 2019.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[FINAL Minutes May 21 2018.docx](#)

[Minutes Oct 7 2019 FINAL.docx](#)

5.Public Comment (8:10 p.m. – 8:20 p.m.) Limit 2 minutes per speaker

6.City Administrator Update

7.Presentations (8:25 p.m. - 8:30 p.m.)

7.a) City Treasurers Update (5 minutes)

HCC-111-FY20

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

8.Proclamations

8.a) Proclamation for Native American Heritage Month

HCC-119-FY20

I move that Mayor and Council adopt this proclamation to declare November 2019 as Native American Heritage Month in the City of Hyattsville.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Native American Heritage Month 2019 BP .pdf](#)

8.b) Proclamation: Veterans Day

HCC-125-FY20

I move that the Mayor and Council proclaim November 11, 2018, to be Veterans Day in the City of Hyattsville.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Proclamation Veterans Day 2019.docx](#)

8.c) Proclamation: Municipal Government Works Month**HCC-124-FY20**

I move that the Mayor and Council recognize November 2018 as Municipal Government Works Month in the City of Hyattsville.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Municipal Government Works Month 2019 Final.docx](#)

9.Consent Items**9.a) FY20 Budget Amendment: Special Revenues Speed Camera Budget Increase and Purchase of Hybrid Mobile Camera Trailers****HCC-118-FY20**

I move that the Mayor and Council amend the FY20 Special Revenue Funds and increase Fund 60 FY20 Speed Camera budget appropriations in Other Capital Equipment by \$69,990 and approve the purchase of two MPS 3100 Falcon hybrid mobile camera trailers from Mobile Pro Systems in an amount not to exceed \$69,990.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Purchase Memo Request for Solar Trailer Oct 2019.docx](#)

[Mobile Pro Proposal for Mobile Camera.pdf](#)

9.b) Network Security Assessment**HCC-120-FY20**

I move the Mayor and Council authorize the City Administrator to execute a work order with Dataprise, Inc. to perform a network security assessment of the City's information technology operations at a cost not to exceed \$19,000.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

9.c) Board of Zoning Appeals Variance (V-101-19): 3318 Gumwood Drive, Hyattsville**HCC-121-FY20**

I move the City Council authorize the Mayor to provide correspondence to the Prince George's County Board of Zoning Appeals in support of zoning variance application V-101-19, a request to permit a 200 square foot net lot area and 10-foot front building line width, a variance request of 4-feet front building line width, 4.5 feet front yard depth and a waiver of

the parking area location requirements for the subject property located at 3318 Gumwood Drive, Hyattsville.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Memo - V-101-19.docx](#)

[V-101-19 Application.pdf](#)

[City of Hyattsville Zoning Variance Policy Statement & Variance Process ENGLISH.pdf](#)

**9.d) Board of Zoning Appeals Variance (V-102-19): 3909 Longfellow Street, Hyattsville
HCC-122-FY20**

I move the City Council authorize the Mayor to provide correspondence to the Prince George's County Board of Zoning Appeals in support of zoning variance application V-102-19, a request for a variance of 9-feet front building line width, 4-feet front yard depth, 7-feet rear yard depth and 9.4% net lot coverage for the purposes of rebuilding an existing screened porch for the subject property at 3909 Longfellow Street, Hyattsville.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Memo - V-102-19.docx](#)

[V-102-19 Application.pdf](#)

[City of Hyattsville Zoning Variance Policy Statement & Variance Process ENGLISH.pdf](#)

**9.e) Contract for Services: Shannon Baum Signs & Graphics, Inc.
HCC-123-FY20**

I move the City Council authorize the City Administrator to execute a work order with Shannon Baum Signs & Graphics, Inc., in an amount not to exceed \$17,000.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Memo - Signage Installation Services - 10.30.2019.docx](#)

**9.f) Memorandum of Understanding - Anacostia Watershed Society
HCC-126-FY20**

I move that the Mayor and Council authorize the City Administrator to execute a Memorandum of Understanding with the Anacostia Watershed Society for tree plantings in the City of Hyattsville, upon the review and approval by the City Attorney for legal sufficiency.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Anacostia Watershed Society.pdf](#)

**9.g) FY20 Budget Amendment: Maryland DHCD Community Legacy Grant Award Funds
HCC-128-FY20**

I move that the Mayor and Council amend the FY20 Special Revenue Budget in Fund 23 for Contracted Services State DHCD Commercial Improvements by appropriating the remaining

balance of \$50,000 in Community Legacy Grant Funds that were approved in prior fiscal years to support capital improvement projects.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

10.Action Items (8:45 p.m. - 9:35 p.m.)

10.a) Loan Approval: Hyattsville Volunteer Fire Department (10 minutes)

HCC-129-FY20

I move that the Mayor and Council approve a loan to Hyattsville Volunteer Fire Department in the amount of \$650,000 for a term of ten years at an annual interest rate between 2.95% to 3.25%. These funds are to be used to purchase a new Seagrave Model DB Capitol Pumper Truck. Upon completion of final terms, review and approval of all financial and related documents by the City Attorney, all documents will be presented to HFVD officials, City Administrator and City Treasurer for signatures.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

10.b) DSP-19039 - NSR Properties - 3599 East-West Highway, Hyattsville (30 minutes)

HCC-131-FY20

I move the City Council authorize the Mayor to provide correspondence to the Maryland-National Capital Park & Planning Commission regarding Detailed Site Plan 19039.

The letter shall convey that the applicant's request for variation or modification to the Prince George's Plaza TDDP Standards shall be limited and that a reduction in the building footprint consistent with the 'exemption' provisions should limit modification to the development standards to the 'Maximum Build-to Line' and 'Total Frontage Maximum Depth Requirement', as it is essential to the use and circulation of the site. The City, through the PPS application for this subject site, requested denial of support for an amendment to the Table of Uses to permit the use of the site as a gas station, in accordance with Section 27-548.09.01(b)(1) of the Zoning Ordinance, which will be reaffirmed through this correspondence.

The Prince George's Plaza Transit District Development Plan was developed through a comprehensive process which included the participation of all public and private stakeholders, the result of which was a plan that created a framework to guide investment and a vision for pedestrian connectivity, mixed-use density and a reduced reliance on single occupancy vehicles. We firmly believe that investment to real property within the Prince George's Plaza Transit District shall advance the vision of the Plan and shall not undermine the goals and objectives of the Plan.

With respect to the proposed site improvements, it is the City's opinion that the the TDDP provides sufficient exemptions that permit the applicant to proceed with minor aesthetic and operational improvements to ensure the economic viability of the existing business. It is the City's opinion that the proposed site improvements proposed for the subject property shall remain consistent with the relevant exemption outlined within the 2016 Prince George's Plaza Transit District Development Plan (TDDP) and that the TDDP provides sufficient exemptions, through the detailed site plan review, that permit the applicant to

proceed with minor aesthetic and operational improvements to ensure the economic viability of the existing business.

It is therefore the City's opinion that the Planning Board require all improvements of the subject property shall abide by the relevant exemption outlined within the 2016 Prince George's Plaza Transit District Development Plan and shall include modifications and/or conditions to the site plan, subject to Planning Board approval:

1. The retail building structure on site shall not exceed 3,432.75 square feet, a 15% addition to the square footage of the existing structure as allowed under the exemptions within the TDDP.
2. A sidewalk shall extend from the convenience store structure to the sidewalk along Belcrest Road, mirroring the sidewalk from East-West Highway to the convenience store structure. This is necessary to fully accommodate pedestrian traffic through the site.
3. The proposed monument signs shall not be approved but shall be affixed to the structure. The City was not provided with sufficient elevations by the applicant.
4. The proposed stand-alone ATM and associated drive-aisle shall be removed from the exhibit. Any proposed ATM shall either be affixed to the building exterior or be located within the building interior.
5. A mural or other equivalent artistic element shall be integrated into the proposed convenience store building.
6. All pedestrian and service entrances shall have overhead awnings.
7. All sidewalks and frontage depths shall be designed and constructed to the development standards of the 2016 Prince George's Plaza Transit District Development Plan, unless otherwise modified by Maryland State Highway Administration (SHA).
8. The proposed modifications to the development standards shall be limited to the proposed 'Total Frontage Maximum Depth Requirement' and, as necessary a departure from the 'Maximum Build-to Line' to provide for a building setback along the southern perimeter of the property.
- 9.. In additions to those listed above, the City is requesting the applicant consider the following enhancements to the site:
 - a. The applicant's inclusion of a conduit along the western side of the site to provide for a future utility connection to support an electric charging parking space location, should the applicant choose to include an EV charger as part of the project now or in the future.
 - b. Landscaping on the site shall be limited to native species and consistent with the Prince George's County Landscape Manual.
 - c. The City is supportive of a minor increase in the number of fueling stations on the site, however we are recommending that the applicant reduce the number of pumps to six (6) service bays and twelve (12) service pumps.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[DSP-19039 - 3599 East West Hwy - Memo FINAL .docx](#)

[Council Packet minus Memo - NSR Properties 11.04.2019.pdf](#)

11.Council Dialogue (9:35 p.m. - 9:45 p.m.)

12. Community Notices and Meetings

12.a) Main City Calendar: November 5-18, 2019

HCC-132-FY20

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Main City Calendar _ Nov 5-Nov 18 2019.docx](#)

13. Motion to Adjourn



Hyattsville City Council Agenda Item Report

Meeting Date: November 4, 2019
Submitted by: Laura Reams
Submitting Department: City Clerk
Item Type: Legislative
Agenda Section:

SUBJECT

Approval of the Minutes

HCC-130-FY20

Recommendation:

I move that the Mayor and Council approve the Council Meeting Minutes for May 21, 2018, and October 7, 2019.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[FINAL Minutes_May 21 2018.docx](#)

[Minutes_Oct 7 2019_FINAL.docx](#)

Summary Background:

Action summaries for Council Meetings are posted to the City website within 48 hours of the meeting. Staff is in the process of reviewing records to ensure all previous meeting minutes have been approved by Council. Please see attached minutes.

Next Steps:

Upon approval, approved minutes will be posted on the City's website.

Fiscal Impact:

N/A

City Administrator Comments:

N/A

Community Engagement:

N/A

Strategic Goals:

Goal 1 - Ensure Transparent and Accessible Governance

Legal Review Required?

N/A



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

MAY 21, 2018

Present: Candace Hollingsworth, Mayor (arrived at 8:28 pm.)
Kevin Ward, W1 (Council VP)
Bart Lawrence, W1
Robert Croslin, W2 (arrived at 7:56 p.m.)
Shani Warner, W2
Thomas Wright, W3
Carrianna Suiter, W3 (arrived at 7:37 p.m.)
Paula Perry, W4
Erica Spell, W5
Joseph A Solomon, W5

Absent: Edouard Haba, W4 (Council Pres.)

Also present were the following City staff members:

City Administrator Tracey E. Nicholson
City Treasurer Ron Brooks
Director of Human Resources Vivian Snellman
City Clerk Laura Reams
Deputy City Clerk Nicola Konigkramer

1) [Call to Order and Council Roll Call](#)

Council Vice President Kevin Ward called the meeting to order at 7:33 p.m.

2) [Pledge of Allegiance to the Flag](#)

3) [Approval of Agenda](#)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Lawrence
SECONDER:	Solomon
AYES:	Ward, Lawrence, Warner, Wright, Perry, Spell, Solomon
NAYS:	None
ABSENT:	Hollingsworth, Haba, Croslin, Suiter

4) [Approval of the Minutes](#)

4.a) Approval of the Minutes

HCC-350-FY18

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Cover Page](#) 

[Minutes_Apr 16 2018 CM.pdf](#) 

I move that the Mayor and Council approve the Council Meeting Minutes for the Regular Council Meeting of April 16, 2018.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

MAY 21, 2018

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Lawrence
SECONDER:	Solomon
AYES:	Ward, Lawrence, Warner, Wright, Suiter, Perry, Spell, Solomon
NAYS:	None
ABSENT:	Hollingsworth, Haba, Croslin

5) [Public Comment \(7:40 p.m. – 8:10 p.m.\) Limit 2 minutes per speaker](#)

Maureen Foster, co-chair of Planning Committee, reminded residents that the Planning Committee meets on the third Tuesday of every month and provides an opportunity for residents to learn about projects happening in the City, ask questions, and directed those interested to the recorded minutes of the meetings that are available online. She invited both residents and Council alike to review the information and noted upcoming projects including Riverfront at West Hyattsville. She closed by acknowledging Tom Wright's attendance of the meeting.

Todd Dingle, a Ward 2 resident and member of the Planning Committee, reiterated the theme of Ms. Foster's words that emphasized the efforts of the Planning Committee and the time devoted by each member. He noted that there was a lot of debate regarding the Magruder Pointe development and that it was important to come to a distinct decision when discussing such matters of contention.

Flawn Williams, a Ward 2 resident, addressed the Mayor and Council in support of the Magruder Pointe project and explained that he had seen several changes in the plan in response to community input and is pleased by the creativity and logic implemented regarding the developers.

Debbie Franklin, a Ward 2 resident, addressed the Mayor and Council in support of the Magruder Pointe project. She thanked the Planning Committee for their efforts and agreed with their conclusion.

Stefano Terricola, a Ward 2 resident, addressed the Mayor and Council in support of the Magruder Pointe project. Regarding the Hyattsville Elementary School (HES) proposal, Mr. Terricola stated that there had been no direct communication regarding the lower lot and said it would take a long time for an elementary school to be built. He provided suggestions in relation to the moving of HES to the existing County services building.

Daniel Broder, a Ward 2 resident, addressed the Mayor and Council in opposition of the Magruder Pointe project. Mr. Broder quoted from an email sent by the developer, stating that there would be a reduction of the townhouse units in the lower lot to 44 units. He went on to quote from a staff memo regarding Magruder Pointe that stated that the applicant has not settled on a unit count and asked for clarification of the duplicitous assessments regarding the public process. He expressed that he felt the process has been violated because there hadn't been mock-ups for the new design, nor had it gone through the Planning Committee.

David Marshall, a Ward 2 resident, addressed the Mayor and Council regarding Magruder Pointe. He rejected the claim that the land would possibly be used to build a new elementary school and expressed his fatigue in hearing that the parking lot is a "great evil". Regarding the Queens Chapel road project, he relayed concerns about the design closing Oliver Street. He recalled that in meetings with the state it had been determined that Oliver Street would be opened on the east side while the west side would remain walled off, allegedly for safety reasons and not in line with the preference of the residents. He requested proof and stated that there was, in fact, no proof to be provided. He argued that there was a low accident and injury rate on both sides of Oliver Street and his family was requesting that the City contact the State and request that Oliver Street remain open on both sides as it best serves the community.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

MAY 21, 2018

Ward 4 Councilmember, Paula J. Perry responded that she was in the meetings with the State Highway Administration and, at the time, expressed to SHA that all the complaints would continue to be relevant until properly addressed. She added that she believed Madison street was one of the most dangerous roadways due to the obscured line of sight. She concluded that she did not feel as though SHA had any intention of making any changes to their established plan.

Joseph Pyrozdoski, a Ward 2 resident, addressed the Mayor and Council in opposition to the Magruder Pointe proposal and stated that the development was inconsistent with the land use proposal. He noted that the public had not yet seen the proposal and, therefore, were not informed of the details.

James Daley, a Ward 2 resident, addressed the Mayor and Council in support of the Magruder Pointe proposal. Mr. Daley stated that the likelihood of a better development proposal was virtually zero.

6) Consent Items (8:10 p.m. - 8:15 p.m.)

6.a) Pedestrian and ADA Improvements Near Schools - Phase 1

HCC-351-FY18

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Cover Page](#)

I move that the Mayor and Council authorize an expenditure not to exceed \$120,000 to NZI Construction, Inc. for improvements to sidewalks and roads to remediate ADA compliance and pedestrian safety deficiencies in the areas around Hyattsville Elementary, St Jerome's, and Hyattsville Middle Schools.

6.b) Storm Drain Inspection - City Wide

HCC-354-FY18

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Cover Page](#)

[MA 3521 Mobile Dredging & Video Pipe Inc..pdf](#)

[B-1051 RFB.pdf](#)

[MA3521 - Option year 1.pdf](#)

I move that the Mayor and City Council authorize the City Administrator to enter into a rider agreement on Baltimore County Master Agreement 3521 and authorize the expenditure not to exceed \$75,000, with Mobile Dredging & Video Pipe, Inc. to perform Storm Drain Inspections - City Wide, upon the review and approval of the City Attorney for legal sufficiency.

6.c) Zoning Variance Request V-12-18: 3701 Kennedy Place

HCC-359-FY18

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Cover Page](#)

[City of Hyattsville Zoning Variance Policy Statement and Variance Process 10 3 11.pdf](#)

[3701 Kennedy Place Plat.pdf](#)

[Variance_Memo_V-12-18_FINAL.docx](#)



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

MAY 21, 2018

I move that the City Council authorize the Mayor to send correspondence to the Prince George's County Board of Zoning Appeals stating the City of Hyattsville's support for Variance Request V-12-18, for a variance of 3 feet front yard depth, 5 feet side yard width, and 13 feet rear yard depth for the dwelling, and a variance of 7 feet front street line setback and a waiver of the rear yard location requirement for an accessory building for the subject property 3701 Kennedy Place, Hyattsville.

[6.d\) Authorization to join Friend of the Court Brief: Sanctuary Jurisdictions](#)

HCC-349-FY18

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Cover Page](#) 

[2018-2-12 80 56 Cities Counties Amicus Brief \(9th Cir 17-17480\).pdf](#) 

I move that the Mayor and Council formally authorize the City Attorney to join, on behalf of the City, a friend of the Court brief filed in the United States Court of Appeals for the Ninth Circuit contending that it is within the authority of local governments to declare themselves sanctuary jurisdictions and that the federal government does not have the authority to withhold funding on the basis that a local government declares itself to be a sanctuary jurisdiction.

[6.e\) Environmental Remediation for 3505 Hamilton Street](#)

HCC-352-FY18

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Cover Page](#) 

I move that the Mayor and City Council authorize the City Administrator to execute a contract with Retro Environmental, Inc., and authorize an expenditure not to exceed \$160,000 for the Environmental Remediation of 3505 Hamilton Street, upon the review and approval of the City Attorney for legal sufficiency.

[6.f\) Proclamation of National Gun Violence Awareness Day](#)

HCC-365-FY18

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Cover Page](#) 

[National_Gun_Violence_Awareness_Day_2018.docx](#) 

I move that the Mayor and Council proclaim June 2, 2018, as National Gun Violence Awareness Day in the City of Hyattsville.

[6.g\) Independent Financial Advisor](#)

HCC-366-FY18

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Cover Page](#) 

I move that the Mayor and Council accept the proposal submitted by Sudsina & Associates to serve as the City's Independent Financial Advisor, to assist the City with the issuance and sale of general obligation bonds or notes to fund various City infrastructure projects and in obtaining a City bond rating, if needed, and authorize the City Administrator to execute a contract for services in an amount not to exceed \$45,000, upon the review and approval of the City Attorney for legal sufficiency.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

MAY 21, 2018

6.h) Circulator Feasibility Study

HCC-362-FY18

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Cover Page](#)

[Memo - Circulator Service Study - Toole Design - 5.15.2018.docx](#)

[2018-03-12_Circulator Study_ScopeAndFee \(1\).pdf](#)

[2018-05-10_Circulator Study_FEE_Updated \(1\).pdf](#)

I move that the City Council accept the proposal submitted by Toole Design Group and authorize the City Administrator to execute an additional work order to amend contract for services with Toole Design Group for the purpose of conducting a circulator feasibility study at an additional fee for services, not to exceed \$41,000.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Lawrence
SECONDER:	Solomon
AYES:	Ward, Lawrence, Croslin, Warner, Wright, Suiter, Perry, Spell, Solomon
NAYS:	None
ABSENT:	Hollingsworth, Haba

7) Motion to Close (8:15 p.m. - 9:15 p.m.)

7.a) Motion to Close (60 minutes)

HCC-363-FY18

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Cover Page](#)

I move that the Mayor and Council close the Council Meeting of May 21, 2018 in order to consider the acquisition of real property.

This session will be closed under the authority of the Annotated Code of Maryland State Government General Provisions Article Section 3-305(b) (3) to consider the acquisition of real property for a public purpose and matters directly related to the acquisition.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Lawrence
SECONDER:	Solomon
AYES:	Ward, Lawrence, Croslin, Warner, Wright, Suiter, Perry, Spell, Solomon
NAYS:	None
ABSENT:	Hollingsworth, Haba

Pursuant to the requirement of the Annotated Code of Maryland State Government Article 3-306(C)(2); this statement is included in these minutes:

A closed session of the Council of the City of Hyattsville was held at 8:02 p.m. on Monday, May 21, 2018, in the City of Hyattsville Municipal Building, Third Floor Council Chambers.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

MAY 21, 2018

In addition to the City Council, the following staff members were present: City Administrator Tracey E. Nicholson, Assistant City Administrator Jim Chandler, City Treasurer Ron Brooks, and City Clerk Laura Reams.

The authority under which the session was closed was the Annotated Code of Maryland State Government General Provisions Article Section 3-305(b) (3) to consider the acquisition of real property for a public purpose and matters directly related to the acquisition.

Topics Discussed: Negotiations with Werrlein Properties for possible acquisition of real property located within the City.

Action Taken: Ward 5 Councilmember Joseph A. Solomon moved that the Mayor and Council authorize the City Administrator to enter into a letter of intent with Werrlein Properties for the acquisition of 1.81 acres, at a cost not to exceed \$300K, of the subject property located on the southwest side of the property adjacent to Magruder Park and identified as exhibit A. This letter of intent does not constitute endorsement or support of the land use application or a proposed school at this location. Ward 5 Councilmember Erica Spell seconded the motion.

The motion was approved 6-4.

Yay – Solomon, Spell, Suiter, Wright, Warner, Croslin

Nay – Hollingsworth, Lawrence, Perry, Ward

Absent - Haba

Ward 2 Councilmember Robert Croslin made a motion to adjourn the closed session, which was seconded by Councilmember Solomon and approved unanimously by the Council. The closed session adjourned at 9:04 p.m.

8) Action Items (9:15 p.m. - 9:35 p.m.)

8.a) Hyattsville Ordinance 2018-04: Fiscal Year 2019 Budget Ordinance (5 minutes)

HCC-361-FY18

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Cover Page](#) 

[Final Budget Memo FY2019.docx](#) 

[HO 2018-04_FY2019 Final Budget Ordinance 5 15 2018.pdf](#) 

[University Town Center Special Tax Report 2018-2019.pdf](#) 

I move that the Mayor and Council introduce Hyattsville Ordinance 2018-04, adopting an annual budget for Fiscal Year 2019 beginning July 1, 2018 through June 30, 2019, for the General Purpose; fixing the tax rates for the Fiscal Year beginning July 1, 2018; authorizing collection of taxes herein levied, and appropriating funds for the Fiscal Year (FIRST READING).

Ward 3 Councilmember Tom Wright commented on the amazing job that staff performed in order to compile the budget proposal. He thanked staff for a job well done.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

MAY 21, 2018

Ward 2 Councilmember Shani Warner posed questions as to how the process would be affected in a certain real-case scenario in which the Environment Committee introduced a tree rebate program and soon after learned that the county had an existing program in which residents could partake if the city had not already had their own. She stated that, in theory, the city program could be abolished, and residents could participate in the county program therefore freeing funds that could be applied elsewhere to the benefit of city residents.

City Treasurer Ron Brooks responded by asking if the intended purpose of the reserved funds had changed.

Councilmember Warner spoke to the criteria of the purpose of the funding and stated that the funding could be used for something else.

Treasurer Brooks further clarified that if the purpose of the funds was unchanged, no amendment would be needed.

City Administrator Tracey E. Nicholson stated that the item could be revisited on consent to reallocate the funds.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ward
SECONDER:	Perry
AYES:	Hollingsworth, Ward, Lawrence, Croslin, Warner, Wright, Suiter, Perry, Spell, Solomon
NAYS:	None
ABSENT:	Haba

[8.b\) PPS 4-17025: Hyatt View \(15 minutes\)](#)

HCC-357-FY18

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Cover Page](#)

[Action_Memo.docx](#)

[Statement of Justification](#)

[Variance Request](#)

[Site Plan](#)

[Gateway Arts District Standards - Build To Line.pdf](#)

I move that the City Council authorize the Mayor to submit correspondence on behalf of the City of Hyattsville to the Maryland-National Capital Park & Planning Commission in support the preliminary plan of subdivision for the Hyatt View development PPS 4-17025, subject to the following conditions:

- The public utility easement shall be 10-feet;
- The applicant shall provide the City of Hyattsville with an exhibit demonstrating the location of the concrete pad that residents will use to put out their trash and recycling bins;
- M-NCPPC staff should confirm whether or not the parking pad provided outside each unit meets the standards to be considered a dedicated parking space. If the pad does not meet those dimensions, the applicant shall revise the plan reflecting the proper dimensions for a parking space;
- The applicant should reduce the number of units on site below eight.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

MAY 21, 2018

Councilmember Wright stated that he was glad to see that the Planning Committee's comments had been incorporated in the staff's recommendations. He communicated his difficulty understanding the staff recommendation to reduce from eight units without suggesting a specific alternate number and stated that it would be a burden on the property owner.

Assistant City Administrator Chandler stated staff was recommending a decrease in units but not a smaller "build out" (meaning it would still maintain the 80% threshold of the property). Mr. Chandler spoke to the reasoning behind the condition to improve sanitation purposes. He noted a change that would occur in the motion language to replace "concrete pad" with "landscape plan" in condition number 2. The Council indicated agreement with the change.

Councilmember Wright asked if there was a sense from the developer that he found the recommendations reasonable or if they would be burdensome.

Mr. Chandler stated that staff was not specific regarding the width and reduction of units, but that it would affect the developer. He communicated his understanding that the developer would want to divide the land in a way that was profitable.

Ward 1 Councilmember Bart Lawrence asked for clarification on the 10-foot easement for trash receptacles.

Mr. Chandler replied that it would be quite a walk for access to the receptacles and that the alternative would be the homeowner paying an HOA fee to have private trash retrieval.

Councilmember Wright went on to state that if the council approved it, the measure would be approved with the conditions that staff had provided. He asked at what time it would go before the planning board; Mr. Chandler replied that it would be the first Thursday in June.

The motion was amended as follows:

I move that the City Council authorize the Mayor to submit correspondence on behalf of the City of Hyattsville to the Maryland-National Capital Park & Planning Commission in support the preliminary plan of subdivision for the Hyatt View development PPS 4-17025, subject to the following conditions:

- The public utility easement shall be 10-feet;
- The applicant shall provide the City of Hyattsville with an exhibit demonstrating the location of the landscape plan that residents will use to put out their trash and recycling bins;
- M-NCPPC staff should confirm whether or not the parking pad provided outside each unit meets the standards to be considered a dedicated parking space. If the pad does not meet those dimensions, the applicant shall revise the plan reflecting the proper dimensions for a parking space;
- The applicant should reduce the number of units on site below eight.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

RESULT:	APPROVED AS AMENDED [UNANIMOUSLY]
MOVER:	Ward
SECONDER:	Croslin
AYES:	Hollingsworth, Ward, Lawrence, Croslin, Warner, Wright, Suiter, Perry, Spell, Solomon
NAYS:	None
ABSENT:	Haba



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

MAY 21, 2018

9) Discussion Items (9:35 p.m. - 10:35 p.m.)

9.a) CSP-18002: Magruder Pointe (60 minutes)

HCC-358-FY18

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

Cover Page

CSP_Action_Memo_-_5.15.2018_FINAL.docx

Previous_Development_Applications_for_WSSC_Building.docx

CSP-18002.pdf

SOJ CSP-18002.pdf

Zoning Map.PNG

Character Area Map.PNG

TRN Summary.PNG

TRN Goals and Recommendations.pdf

Sec. 27_548.19.____Introduction.doc

Table of Uses - Residential TRN.pdf

Planning Committee Minutes - Adopted - 02.27.2018.pdf

Planning Committee Minutes - 03.20.2018 Pending.pdf

Mayor Candace Hollingsworth noted that this item has been discussed several times and the item was anticipated to come back before Council on June 4th. The Council had received comments from the Planning Committee and a proposal had been communicated to residents with the intent to clarify the language to be discussed on June 4. She concluded that the language will be developed by the Council.

Councilmember Wright expressed his appreciation for the framework but requested further clarity. He brought to attention memos dated May 15th and April 5th and asked that the differences between the two be identified. He assessed that there was a recommended support of the Conceptual Site Plan (CSP) of a maximum of nine units; a decrease from 10 stated in the previous memo.

Mr. Chandler responded that nine was more likely to be supported by the Council body after they inspected the site and judged which of the units could be omitted and effect the on the traffic flow.

Councilmember Wright opined that the amount is still toward high end of the Traditional Residential Neighborhood (TRN) which is a four (4) to ten (10) unit recommendation to which Mr. Chandler agreed. Councilmember Wright asked why some of the Planning Committee recommendations were not included in the Council recommendations. Mr. Chandler confirmed that staff only entertained comments related to the table of uses and not the subdivision comments. Councilmember Wright enquired whether all the recommendations from the Planning Committee would be included. Mr. Chandler responded that he saw no harm in it but noted that the Planning Committee would only consider comments pertaining to the table of uses. Community Planner Katie Gerbes interjected regarding comments on the unit count and stated they are still talking about the conceptual design within the subdivision which did not include unit counts.

Councilmember Wright expressed that his comments on the table of uses were his views and his alone. He stated the city staff and Planning Committee were in support of the CSP and he also wanted to note that the Planning Committee was exemplary in their assessment of this project. He stressed that the task before the Council is daunting. In his view, the project as a concept was nice and he commended the developer for listening to feedback. He voiced his lingering concern with amending the table of uses and implored that this request should not be taken lightly and welcomed criticism from his peers.

Councilmember Solomon asked Councilmember Wright to further clarify his statements.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

MAY 21, 2018

Councilmember Wright reiterated that he was of the understanding that the amendment to the table of uses was specific to the project and it had not changed the table of uses for any other project. His concern lied in setting a precedent and he didn't think the project was supporting the intent of the Gateway Arts District sector plan.

Councilmember Solomon stated that he would like to hear the staff's response as the question sounded similar to a previous conversation that involved some of the parties present. He relayed his opinion that the proposal was in line with the TRN plan, but it showed a different interpretation.

Mr. Chandler addressed the amendments and explained that it was rare that two (2) amendments look alike. He added that if it was to set a precedent, it could not be determined until an application had been received that was identical and cited previous examples. He continued that the land was unique and exercised a set of circumstances for which the plan is not generally written.

Ms. Gerbes addressed Councilmember Wright's concern about the discrepancies between the recommendation of the staff and his own. She explained that the rarity of this type of recommendation brought forth a question about the purpose and spirit of the plan too subjective to accurately answer.

Mayor Hollingsworth confirmed that there were no further questions regarding the issue.

Ward 1 Councilmember Bart Lawrence interjected that the intent had not been established and enquired to the logistics of the process in which the body could proceed. He proposed a method in which the Council could have 2 motions: a motion in opposition; and if that were to pass, a motion for acceptance with contingent conditions.

Mayor Hollingsworth considered the possibility and stated that it was in a preliminary stage reflective of an assumption of the body's will. She asked Council to relay the intentions they had in mind and went on to state that she believed that residents are requesting the Council find a balance between a practical solution and the desired solution that aligns with the vision. In consideration of staff comments, she stated she believed it was unfair to put the entirety under the purview of staff. She provided suggestions about what things needed to be different and asked to confer about what the Council considered to be sound.

Councilmember Lawrence voiced his appreciation for the various concerns including the opinion to do away with the building and stated that he understood that those involved are limited by the considered vision. He said that the decision regarding the school was not a decision for discussion before the Council.

Ms. Gerbes stressed to keep in mind a call she shared on Friday with Henry Zhang, the case reviewer, in which it was discussed that if the amendment to the table of uses didn't go forward, everything associated with the table of uses would require an amendment.

Councilmember Lawrence expressed his struggle with a decision and emphasized that the subject at hand was focused on the table of uses and to take into consideration the flexibility already displayed by the developer.

Councilmember Wright raised questions regarding an opportunity to do a variance request to change the underlying zone.

Ms. Gerbes responded that it would be a rezoning and it was a possibility.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

MAY 21, 2018

Councilmember Solomon thanked community members who spoke and highlighted the passion had existed within the residents of Hyattsville for a long time. He acknowledged the difficulty presented in making a decision and thanked community members for providing a dialogue. He stated that he was comfortable moving forward with the Planning Committee's recommendations.

Councilmember Wright further clarified his previous points and comments.

Mayor Hollingsworth proceeded with regular order and recommended that the Council submit correspondence with the conditions noted in the staff memo and the Planning Committee. She concluded that further discussion on the topic would continue June 4.

Mayor Hollingsworth addressed Council regarding their preferred outcomes resulting from an amendment to the table of uses and noted that there have been concerns from residents. She cited the cost of the proposal and stressed the importance of how the city and community interacted with the park in the future and encouraged Council to take the adequate measures to give the item proper consideration.

Councilmember Wright reiterated that the project could not be viewed as two different parcels because we don't have the opportunity to look at this as 2 different parcels and extended additional perspective.

Ms. Gerbes reminded Council that the issue presented before the body is the amendment of the table of uses.

Mr. Chandler explained that the Planning Board considered conceptual site plans in its entirety.

Councilmember Warner spoke hesitantly but felt the need to reassess her thoughts due to the comments of her Ward 2 constituents who repeatedly express their displeasure with the building and would like to see it eliminated. She hypothesized that if the proposal was only for the top lot there would be widespread support. She found that the school building inclusion would be unlikely but the important aspect for her was the lower lot.

Mayor Hollingsworth summarized her views and the discussion and reiterated that her principal issue was limiting the functionality of the park in perpetuity.

10) [Council Dialogue \(10:35 p.m. - 10:45 p.m.\)](#)

Councilmember Spell marked her one-year anniversary on Council. Councilmembers announced upcoming events and offered condolences for the recent passing of Mayor Hanco from New Carrollton.

11) [Community Notices and Meetings](#)

11.a) City Calendar: May 22 – June 4, 2018

HCC-364-FY18

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Cover Page](#)

[Main City Calendar_May 22 - Jun 4 2018.docx](#)



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

MAY 21, 2018

12) Motion to Adjourn

The meeting adjourned at 10:21 p.m.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Croslin
SECONDER:	Perry
AYES:	Hollingsworth, Ward, Lawrence, Croslin, Warner, Wright, Suiter, Perry, Spell, Solomon
NAYS:	None
ABSENT:	Haba



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

October 7, 2019

Present: Candace Hollingsworth, Mayor
Kevin Ward, W1 (Council President)
Carrianna Suiter, W3 (Council Vice President)
Bart Lawrence, W1
Robert Croslin, W2
Danny Schaible, W2
Ben Simasek, W3
Edouard Haba, W4
Daniel Peabody, W4
Joseph A. Solomon, W5
Erica Spell Wolf, W5

Absent: None

Also present were the following City staff members:

Tracey E. Douglas, City Administrator
Jim Chandler, Assistant City Administrator, Dir. of Community and Economic Development
Chief Amal Awad, City of Hyattsville Police Department
Laura Reams, City Clerk
Sean Corcoran, Deputy City Clerk
E. I. Cornbrooks, IV, City Attorney (arrived at 9:10 p.m.)

1) [Call to Order and Council Roll Call](#)

Council President Kevin Ward called the meeting to order at 8:00 p.m.

2) [Pledge of Allegiance to the Flag](#)

3) [Approval of Agenda](#)

Mayor Hollingsworth noted the following amendments to the agenda:

1) AMEND Motion # HCC-101-FY20 – Health Care, Prescription Drug and Dental Care Rates for CY20

I move that the Mayor and Council approve the 2020 calendar year health insurance premium costs that maintains the current City and employee's contributions in all plans, except the Kaiser EPO Plan that will have an increase in the employee contribution per pay period of approximately \$4.50 for single, \$9.50 for individual plus one and \$11.50 for family; makes no changes to the employee contributions for Prescription Drugs, no increase in the Dental PPO Plan and the employee increase in the Dental HMO Plan per pay, is less than \$4.00 per pay period.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

October 7, 2019

2) ADD Motion # HCC-104-FY20 – Motion to Close

I move that the Mayor and Council close the Council Meeting of October 7, 2019 to consult with the City Attorney to receive legal advice. The reason for closing the meeting under these exceptions is to protect attorney/client privilege.

This session will be closed under the authority of the Annotated Code of Maryland State Government General Provisions Article Section 3-305(b)(7) consult with counsel to obtain legal advice.

RESULT:	APPROVED, AS AMENDED [UNANIMOUS]
MOVER:	Ward
SECONDER:	Croslin
AYES:	Hollingsworth, Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Haba, Peabody, Solomon, Spell Wolf
ABSENT:	None

4) Approval of the Minutes

4.a) Approval of the Minutes

HCC-103-FY20

I move that the Mayor and Council approve the Council Meeting Minutes for November 5, 2018, November 19, 2018, and August 28, 2019.

[Cover Page](#)

[Minutes_Aug 28 2019 SCM.docx](#)

[Minutes_Nov 5 2018 CM_FINAL.docx](#)

[Minutes_Nov 19 2019 CM_FINAL.docx](#)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ward
SECONDER:	Croslin
AYES:	Hollingsworth, Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Haba, Solomon, Spell Wolf
NAYS:	None
ABSENT:	None

5) Public Comment (8:10 p.m. – 8:20 p.m.) Limit 2 minutes per speaker

City resident, Patricia Welch, spoke regarding the shooting incident of September 26 and expressed support for mental health education.

Ward 1 resident, Sam Denes, spoke in support of the Trolley Trail extension. He shared his experience as the victim of a collision with a motor vehicle while bicycling on Rhode Island Avenue and Armontrout Drive. Advocating for trolley trail extension for bike safety, Mr. Denes identified two areas: pedestrian crossing on the north of Armontrout Drive and the sidewalk located on the west side of Rhode Island Avenue. As a member of HWRAC he supports this infrastructure.

Ward 1 resident, Tiki Miles, relayed her displeasure with the omittance of her home regarding the curb reconstruction at the corner of 4703 and 4710 41st Place. She stated that patrons of nearby business continue to use the front of her home for parking.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

October 7, 2019

Ward 1 resident, Greg Smith, made general comments expressing lamentation for the shooting incident of September 26 and stated that he appreciated the community meeting held the following Tuesday. He was in support of the Trolley Trail safety measures and thanked the Council for their work relating to the Magruder Pointe project.

Ward 3 resident, Chuck Perry, expressed his displeasure for the way in which the shooting situation was handled; specifically, the movements and decisions of the City Council.

Ward 2 resident, Kevin Blackerby, made comments about the success of the 4th Annual Hyattsville Zombie run for which he was Director. He stated that the run registered 690 participants, over 1k attendees, and its success could not have been possible without the officials and law enforcement of the City of Hyattsville.

Ward 2 resident, David Marshall, relayed questions regarding the Complete Count Committee and the details of its members. He explained that he was not in favor of allocating any discretionary funds from Ward 2 for the use of any private business. He closed with an inquiry about the status of the investigation of the September 26 shooting incident.

6) City Administrator Update

City Administrator Tracey E. Douglas updated Council on several items:

- FY18 audit; Transaction review for general fund and cap fund should be complete by the end of October; FY19 complete by end of January 2020.
- All bond series have been purchased; \$13.8M to fund the Department of Public Works and Police Department Headquarters project.
- Welcoming Sean Corcoran as the newly hired Deputy City Clerk.
- The addition of 6 new members to the Clean and Safe Team.
- Magruder Pointe petition for judicial review.
- Comments regarding the shooting incident of September 26; currently unsure of the timeline for the final report; ensures a concerted effort for transparency.

7) Presentations (8:25 p.m. - 9:05 p.m.)

7.a) Presentation of Check to Special Olympics of Prince George's County (5 minutes)

HCC-91-FY20

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

Ward 2 Councilmember Danny Schaible addressed the success of the Hyattsville cycle run and a check was presented for funds raised by the special Olympics in the city; \$85,000 over 11 years.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

October 7, 2019

7.b) Maryland State Highway Administration: Rhode Island Avenue Trolley Trail Design (20 minutes)

HCC-93-FY20

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Cover Page](#)

[Memo - Rhode Island Avenue Trolley Trail - 10.2.2019.doc](#)

[RIATT-2019-09-09.pdf](#)

[Planning Committee DRAFT Minutes - Sept 17, 2019.doc](#)

[RIATT - City of Hyattsville - 30 Design - Response Letter.pdf](#)

[Response Letter to M-NCPPC \(US-1 from Charles Armentrout Dr. to Farragut St\) \(1\).pdf](#)

Ward 3 Councilmember Ben Simasek reiterated the importance of anticipating actual behavior with the planned longer path and expressed his inclination for a 4th crosswalk for pedestrian safety. He would like to see the visibility issues under the bridge addressed; mirrors, flashing lights to improve lines of sight.

Councilmember Schaible directed questions to MDSHA about what would be planted in the median. The MDSHA representative responded that the median would consist of turf and grass but proposed some trees along the shared use path. He went on to ask about whether the absence of trees in the adjacent area was due to obstruction of sight for drivers. The representative said they would follow up about the possibility of planting smaller trees and give an update. Councilmember Schaible discussed the road diet; reducing the street to one travel lane. He expressed concern about traffic backup and compared it to similar projects. MDSHA responded that the data they've examined does not give them the inclination that traffic would increase in the area. He stated that, overall, he was supportive of the plan.

Ward 4 Councilmember Edouard Haba asked Assistant City Administrator Jim Chandler about the agreement and is assured that the details of the MOU are as expected; authorized by Council in the last meeting and was in legal review. Councilmember Haba then asked about what would be required of the city regarding the plan and Mr. Chandler explained that it would be the routine landscape maintenance.

Councilmember Ward presented questions regarding conditions at Rte. 1 and Armounttrout; what the signage would be. The Maryland State Highway Administration (MDSHA) representative responded that signage decisions were to be made in the near future and signage and signals were planned for no turn on red at the pertinent intersection.

7.c) Dewey East Preliminary Plan of Subdivision (PPS-4-18022) Presentation (15 minutes)

HCC-96-FY20

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Cover Page](#)

[Dewey East PPS Presentation .pdf](#)



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

October 7, 2019

Mr. Chandler introduced the Dewey East Preliminary Plan of the subdivision. The measure would go to the Planning Committee in October and return to Council for comment and action in November.

Councilmember Schaible referenced slide 7 and shared that he would like more information on the proposed trail due to his lack of clarity on the issue as a whole.

Thomas Hallerman, counsel for the applicants for the project recalled and gave a summary of he and his client's participation in a City meeting in June. He conducted a presentation of potential concerns and resolutions to other concerns within the plan. He reported on a request to address pedestrian connection and accessibility. He presented the bicycle and pedestrian impact assessment.

8) Proclamations

Mayor Candace Hollingsworth noted a change to the agenda regarding proclamation and appointments; that they are separate but treated as consent items.

8.a) Breast Cancer Awareness Month 2019 Proclamation

HCC-87-FY20

I move that the Mayor and Council adopt a proclamation in support of Breast Cancer Awareness Month

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Cover Page](#) 

[Breast Cancer Awareness Month 2019.docx](#) 

8.b) Domestic Violence Awareness Month 2019 Proclamation

HCC-88-FY20

I move that the Mayor and Council adopt a proclamation in support of Domestic Violence Awareness Month.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Cover Page](#) 

[Domestic Violence Awareness Month 2019.docx](#) 

8.c) National Disability Employment Awareness Month 2019 Proclamation

HCC-89-FY20

I move that the Mayor and Council adopt a proclamation in support of National Disability Employment Awareness Month.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Cover Page](#) 

[National Disability Awareness Month 2019.docx](#) 



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

October 7, 2019

8.d) Economic Development Week 2019 Proclamation

HCC-98-FY20

I move that the Mayor and Council recognize October 20 - 26, 2019 as Economic Development Week in the City of Hyattsville.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Cover Page](#)

[Economic Development Week_2019 Proclamation.docx](#)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ward
SECONDER:	Haba
AYES:	Hollingsworth, Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Haba, Solomon, Spell Wolf, Peabody
ABSENT:	None

9) [Appointments](#)

9.a) Appointments to the Complete Count Committee

HCC-102-FY20

I move that the Mayor and Council appoint Christine Blackerby (Ward 2), Steven Blanco (Ward 2), and Alissa Scheller (Ward 2) to the Hyattsville Complete Count Committee for a term of one year to expire on September 16, 2020.

Lead Sponsor: Lawrence

Co-Sponsor(s): Peabody, Schaible

[Cover Page](#)

[CCC Application_Blackerby_redacted.pdf](#)

[CCC Application_Blanco_redacted.pdf](#)

[CCC Application_Scheller_redacted.pdf](#)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ward
SECONDER:	Lawrence
AYES:	Hollingsworth, Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Haba, Solomon, Spell Wolf, Peabody
ABSENT:	None



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

October 7, 2019

10) Consent Items

10.a) DPW Renovation - Water Meter Vault Easement with Washington Suburban Sanitary Commission
HCC-90-FY20

I move that the Mayor and Council authorize the City Administrator to enter into a utility easement with the Washington Suburban Sanitary Commission for the installation, inspection, and service of a water meter vault at 4633 Arundel Place, pending legal review.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Cover Page](#)

[190925 - Easement - WSSC easement for DPW water meter.pdf](#)

10.b) 4310 Gallatin Street HVAC Repair Change Order
HCC-92-FY20

I move that the Mayor and Council authorize an additional expenditure not to exceed \$20,000 to Wallmark Services Company, LLC. to cover the increases cost of the coil replacement for the HVAC system at 4310 Gallatin Street.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Cover Page](#)

[Memo - HVAC coil change 2019.pdf](#)

[Est_3341_from_Wallmark_Service_Co._LLC_13452.pdf](#)

10.c) Board of Zoning Appeals Variance Request: 2907 Jamestown Road, Hyattsville
HCC-94-FY20

I move the City Council authorize the Mayor to provide correspondence to the Prince George's County Board of Zoning Appeals in support of zoning variance application V-84-19, a request to permit 4.5-foot front building line width, 4.5-foot front yard depth, and a waiver of the parking area location requirements, for the subject property located at 2907 Jamestown Road, Hyattsville.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Cover Page](#)

[Memo - V-84-19.docx](#)

[Application.pdf](#)

[Site Plan.pdf](#)

10.d) Disbursement of Ward 2 Discretionary Funds
HCC-101-FY20

I move that the Mayor and Council approve the appropriation of \$200 from the Ward 2 Council Discretionary Fund to offset costs for the installation of a shade structure at Art Works Now.

Lead Sponsor: Croslin

Co-Sponsor(s): Schaible

[Cover Page](#)



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

October 7, 2019

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ward
SECONDER:	Haba
AYES:	Hollingsworth, Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Haba, Solomon, Spell Wolf, Peabody
ABSENT:	None

11) Action Items (9:20 p.m. - 9:50 p.m.)

11.a) Health Care, Prescription Drug and Dental Care Rates for CY20 (10 minutes)

HCC-104-FY19

I move that the Mayor and Council approve the 2020 calendar year health insurance premium costs that maintains the current City and employee's contributions in all plans, except the Kaiser EPO Plan that will have an increase in the employee contribution per pay period of approximately \$4.50 for single, \$9.50 for individual plus one and \$11.50 for family; makes no changes to the employee contributions for Prescription Drugs, no increase in the Dental PPO Plan and the employee increase in the Dental HMO Plan per pay, is less than \$4.00 per pay period.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Cover Page](#) 

RESULT:	APPROVED, AS AMENDED [UNANIMOUS]
MOVER:	Ward
SECONDER:	Spell Wolf
AYES:	Hollingsworth, Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Haba, Solomon, Spell Wolf, Peabody
ABSENT:	None

11.b) DSP-19020: Landy Project Architecture Detailed Site Plan (20 minutes) HCC-95-FY20

I move that the City Council authorize the Mayor to provide correspondence to the Maryland-National Capital Park & Planning Commission in support of Detailed Site Plan 19020, subject to the following conditions:

1. Doorway awnings shall be incorporated in no less than 50% of townhouse units.
2. Brick facades shall be extended to the sides of high-visibility end-units, with brick extending throughout the entire side façade on select end-units.
3. Fourth-floor additions or roof decks shall be incorporated in no less than 25% of townhouse units.
4. End-unit townhouses shall incorporate additional windows to those present in the current designs and renderings.
5. The (3) proposed *Acer rubrum* ("Red Sunset Red Maple") shall be replaced with a more appropriate canopy tree species.
6. The (66) proposed *Rhododendron catawbiense* ("White Catawba Rhododendron") shall be replaced with a more appropriate species, such as Oak Leaf Hydrangeas.
7. The (8) proposed *Cercis canadensis* ("Eastern Redbud") shall be replaced with a more appropriate ornamental tree species.
8. The proposed (11) *Lagerstroemia indica* ("Natchez Crape Myrtle") will be replaced with a more appropriate ornamental tree species.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

October 7, 2019

[Cover Page](#)

[Landy City Council Memo - 10.3.2019 - Final.docx](#)

[Exhibit 1 - Brick Facade on End-Units.pdf](#)

[Landy Property Architecture DSP - HyattsvillePresentation-091719.pptx](#)

[A-SOJ-DSP19020.pdf](#)

[CIVP-DSP19020.pdf](#)

[LSLP-DSP19020.pdf](#)

[Planning Committee DRAFT Minutes - Sept 17, 2019.doc](#)

Councilmember Simasek noted Dewey is located directly across from Landy development and asked if the trails line up. Assistant City Administrator Jim Chandler reported on the status of the project. Councilmember Simasek asked about the intersecting pathways regarding the project. He expressed concerns for the safety of bicyclists and made comments regarding the signage that he felt could be beneficial. Ward 1 Councilmember Bart Lawrence enquired about the landscaping and more specifically the types of natural structures and foliage that would be used.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ward
SECONDER:	Haba
AYES:	Hollingsworth, Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Haba, Solomon, Spell Wolf, Peabody
ABSENT:	None

12) Discussion Items (9:50 p.m. - 10:10 p.m.)

12.a) Proposed Changes to the Noise Ordinance (20 minutes)

HCC-85-FY20

Lead Sponsor: Hollingsworth

Co-Sponsor(s): N/A

[Cover Page](#)

[Noise Ordinance Draft 9.13.19.docx](#)

[Hollingsworth_Noise Ordinance Modification.pdf](#)

Mayor Hollingsworth introduced the ordinance and provided comments and concerns. She turned the discussion over to City Administrator Douglas and City Counsel E.I. Cornbrooks, IV to provide the intentions for change to the ordinance.

Ward 5 Councilmember Joseph Solomon asked about the application process for sound ordinance changes. He continued his series of questions regarding noise ordinance enforcement and consequences. Ms. Douglas laid out aspects of the plan in response to Councilmember Solomon's concerns. Mayor Hollingsworth added her knowledge of the procedure.

Councilmember Haba asked about the enforcement of the ordinance in regard to construction areas as well as residential. City Counsel Cornbrooks explained the decibel meter used for enforcement.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

October 7, 2019

Councilmember Simasek enquired about an addition to the ordinance that would provide a warning before enforcement of citations. City Administrator Douglas and City Counsel Cornbrooks respond by explaining the protocol.

Council Vice President Carianna Suiter provided comments and suggestions for improvements of the noise ordinance protocol. Mr. Chandler also briefly summarized the project.

City Administrator Douglas explained that the ordinance had been benchmarked across other cities and the standard was the audible; the meter required training and certification.

Mayor Hollingsworth suggested modification to allow for a decibel reader and auditory perception at 50 feet. She noted the City has not had to go to court on a noise complaint and that the City will watch technology for an instrument that could be more flexible.

Councilmember Solomon asked about the process by which an individual would apply for a special permit. City Administrator Douglas explained that the city recently updated all of the applications and it could be viewed on the City's website.

Councilmember Solomon asked about a venue for residents who were possibly concerned about hosting loud events in the park and whether there was an application process. City Administrator Douglas responded that, to date, the volume was adjusted. Regarding the application process, Ms. Douglas retorts that the city hadn't had extensive conversations on that subject at that time, but that notification may be required when residents intended to conduct an event. Mayor Hollingsworth added that there was an overlap between this modification and the one used for park hours.

Councilmember Haba sought clarity regarding 79-2 and 79-3 and the associated decibel levels. City Counsel Cornbrooks explained that the city must take into consideration the different areas and how the ordinance would apply to residential, commercial, and industrial areas; he suggested a decibel meter would be more appropriate for commercial or industrial.

Councilmember Simasek explained it was an officer's discretion to issue a warning and asked whether it was reasonable to write the procedure in the code. He further compounded his opinion that it should be equitably enforced. City Counsel Cornbrooks gave his legal opinion that normal protocol would give officers discretion. City Administrator Douglas added that there was no recent record of a citation for excessive noise.

Council Vice President Suiter warned that space should be left for exceptions. She shared her concern regarding construction restricted to 8AM - 8PM and relayed her opinion that it could be dangerous for workers in the extreme heat during summer months. Assistant City Administrator Chandler notes that the City would sporadically receive complaints about construction activities and that an ordinance should distinguish between phases of construction and noise level associated with it.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

October 7, 2019

Councilmember Haba asked how the ordinance would apply to ice cream trucks. City Administrator Douglas confirmed that the sound of an ice cream truck does not have a prolonged noise that would need to be addressed. Mr. Haba argued that it was a prolonged noise and the concerns were valid.

Mayor Hollingsworth implied the need to supervise areas as the city created more public spaces to convene.

Councilmember Lawrence made general comments on Councilmember Haba's concerns.

13) Council Dialogue (10:10 p.m. - 10:20 p.m.)

Councilmember Simasek addressed the events of Ward 3; the fatal shooting of the previous Thursday and expressed his condolences to all involved. He expressed his appreciation for the town meeting held after the incident and commended community leaders and the leadership of the City of Hyattsville. He went on to state there would be a Ward 3 check-in soon.

Ward 2 Councilmember Robert Croslin informed the attendees about the Ward 2 check-in.

Ward 5 Councilmember Erica Spell Wolf expressed her thoughts and condolences regarding the shooting incident.

Councilmember Haba requested a moment of silence for all involved in the shooting incident.

Council President Ward stressed the need for a detailed, careful, process moving forward regarding the shooting incident. He cited the difficulty of careful decision making in such an event and empathized with everyone affected by the event. He then shared his pleasure with the success of the Zombie Run.

Council Vice President Suiter expressed that as a result of the tragic event the incident should be treated as an opportunity to take value in others and show community camaraderie.

Councilmember Solomon shared his thoughts and feelings on the shooting incident. He stated that the Council's involvement and actions are important in response to the incident.

Councilmember Schaible sent his condolences to all involved in the shooting. He moved on and recalled the positive results of the city trash pickup event. He transitioned to a personal matter involving a family friend within the community that had a 40% increase in their rent due to the sale of their home by the property owner. He suggested addressing the general issue within the Council.

Ward 4 Councilmember Daniel Peabody acknowledged the comments of Councilmember Schaible and, also, the comments and feelings of his fellow Council members regarding the shooting incident. He praised Mayor Hollingsworth and others involved for the town meeting held afterwards that addressed the concerns of residents. He shared his sympathy for all those involved.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

October 7, 2019

Mayor Hollingsworth provided closing comments and highlighted future subjects to be addressed by the Council.

Councilmember Haba highlighted a candlelight vigil that would be taking place the following night at 7pm in honor of the incident subject, Mr. Shand.

14) Community Notices and Meetings

- 15) Motion to Adjourn AMENDED to Motion to Close (10:03 p.m. – 11:30 p.m.)
HCC-104-FY20

6.a) Motion to Close (1 hour, 27 minutes)

I move that the Mayor and Council close the Council Meeting of October 7, 2019 to consult with the City Attorney to receive legal advice. The reason for closing the meeting under these exceptions is to protect attorney/client privilege.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ward
SECONDER:	Lawrence
AYES:	Hollingsworth, Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Haba, Solomon, Spell Wolf, Peabody
ABSENT:	None

Pursuant to the requirement of the Annotated Code of Maryland State Government Article 3-104(1)(2); this statement is included in these minutes:

A closed session of the Council of the City of Hyattsville was held at 10:03p.m. on Monday, October 7, 2019 in the City of Hyattsville Municipal Building, Third Floor Council Chambers.

In addition to the City Council, the following staff members were present: Tracey E. Douglas, City Administrator; Jim Chandler, Assistant City Administrator; Laura Reams, City Clerk; E.I. Cornbrooks, IV, City Attorney.

The authority under which the session was closed was the Annotated Code of Maryland State Government General Provisions Article Section §3–305(b)(7) - consult with counsel to obtain legal advice.

Sponsor: At the Request of the City Administrator.

Co-Sponsor(s): N/A

Topics Discussed: The Mayor and City Council were advised on privileged and confidential legal matters relating to the officer involved shooting on September 26, 2019.

Action Taken: None



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD

October 7, 2019

The closed session was adjourned at 11:30 p.m. on a motion made by Councilmember Croslin and seconded by Councilmember Lawrence.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Croslin
SECONDER:	Lawrence
AYES:	Hollingsworth, Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Haba, Solomon, Spell Wolf, Peabody
ABSENT:	None



Hyattsville City Council Agenda Item Report

Meeting Date: November 4, 2019

Submitted by: Ron Brooks

Submitting Department: Finance

Item Type: Audit

Agenda Section:

SUBJECT

City Treasurers Update (5 minutes)

HCC-111-FY20

Recommendation:

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

Summary Background:

The FY18 audit is in the last phase of analytical review and will begin the statement comment stage with the firms partners. Completion is still scheduled for the end of November. The FY19 audit started on October 10th with completion slated for January 2020. In other financial matters, the Fiscal Year 2021 budget cycle begins in mid-November of this year.

Next Steps:

Continue to work through audits until completion.

Fiscal Impact:

Late audit filings can result in loss of State grants and loss of revenues from the State of Maryland.

City Administrator Comments:

See summary background above.

Community Engagement:

N/A

Strategic Goals:

Goal 1 – Ensure Transparent and Accessible Governance

Legal Review Required?

N/A



Hyattsville City Council Agenda Item Report

Meeting Date: November 4, 2019

Submitted by: Brayan Perez

Submitting Department: Community Services

Item Type: Proclamation

Agenda Section:

SUBJECT

Proclamation for Native American Heritage Month

HCC-119-FY20

Recommendation:

I move that Mayor and Council adopt this proclamation to declare November 2019 as Native American Heritage Month in the City of Hyattsville.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Native_American_Heritage_Month_2019__BP_.pdf](#)

Summary Background:

Native American Heritage Month is an opportunity to celebrate the rich culture and traditions of Native Americans while recognizing the tremendous contributions that Native Americans have made to the United States.

Next Steps:

To approve this 2019 Native American Heritage Month proclamation.

Fiscal Impact:

N/A

City Administrator Comments:

TBD

Community Engagement:

Celebration of Native American Heritage Month will be recognized.

Strategic Goals:

Goal 5 – Strengthen the City's Identity as a Diverse, Creative, and Welcoming Community

Legal Review Required?

N/A

CITY OF HYATTSVILLE

PROCLAMATION

DECLARING NOVEMBER 2019 AS NATIVE AMERICAN HERITAGE MONTH IN THE CITY OF HYATTSVILLE

Native American Heritage Month is an opportunity to celebrate the rich culture and traditions of Native Americans while recognizing the tremendous contributions that Native Americans have made to the United States.

WHEREAS, Native American Heritage Month has been advocated for and observed in many communities since the early 1900s, and nationally and officially established in 1990; and

WHEREAS, Native Americans have called Maryland home long before the arrival of European explorers; and

WHEREAS, the values and spirit celebrated this month are ones that resonate for Americans of every background and heritage, including respect for the natural world and the flourishing of future generations;

NOW, THEREFORE BE IT RESOLVED, that the City of Hyattsville hereby proclaims the month of November 2019 as Native American Heritage Month, and all residents are encouraged to learn about the lasting legacies of the original inhabitants of what is now the United States.

Candace B. Hollingsworth
Mayor, City of Hyattsville

November 4, 2019





Hyattsville City Council Agenda Item Report

Meeting Date: November 4, 2019
Submitted by: Laura Reams
Submitting Department: Community Services
Item Type: Proclamation
Agenda Section:

SUBJECT

Proclamation: Veterans Day

HCC-125-FY20

Recommendation:

I move that the Mayor and Council proclaim November 11, 2018, to be Veterans Day in the City of Hyattsville.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Proclamation_Veterans Day 2019.docx](#)

Summary Background:

This proclamation declares November 11, 2019, to be Veterans Day in the City of Hyattsville, honoring and recognizing heroes past and present from the United States Armed Forces.

Next Steps:

Recognize November 11, 2019, as Veterans Day in the City of Hyattsville

Fiscal Impact:

N/A

City Administrator Comments:

Recommend Approval

Community Engagement:

N/A

Strategic Goals:

Goal 5 – Strengthen the City's Identity as a Diverse, Creative, and Welcoming Community

Legal Review Required?

N/A

CITY OF HYATTSVILLE

PROCLAMATION

RECOGNIZING NOVEMBER 11, 2019, AS VETERANS DAY IN THE CITY OF HYATTSVILLE

This proclamation declares November 11, 2019, to be Veterans Day in the City of Hyattsville, honoring and recognizing heroes past and present from the United States Armed Forces.

WHEREAS, the contributions and sacrifices of veterans are a reminder that freedom is not free, and we are forever indebted to the millions of service members who have fought and died in the line of duty; and

WHEREAS, significant sacrifices are also made by the family members who support the men and women that have fought to preserve our liberties; and

WHEREAS, Hyattsville and surrounding municipalities within Prince George's County have approximately 60,000 veterans who have served in the United States Armed Forces; and

WHEREAS, it is most appropriate that we honor and recognize the dedication and valor that veterans continue to display as they protect our freedom and democracy.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council with the utmost respect and gratitude for the more than 21.8 million veterans who have faithfully served our country in the Armed Forces hereby proclaim November 11, 2019, to be Veterans Day in the City of Hyattsville.

Candace B. Hollingsworth
Mayor, City of Hyattsville

November 4, 2019





Hyattsville City Council Agenda Item Report

Meeting Date: November 4, 2019

Submitted by: Laura Reams

Submitting Department: Community Services

Item Type: Proclamation

Agenda Section:

SUBJECT

Proclamation: Municipal Government Works Month

HCC-124-FY20

Recommendation:

I move that the Mayor and Council recognize November 2018 as Municipal Government Works Month in the City of Hyattsville.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Municipal_Government_Works_Month_2019__Final.docx](#)

Summary Background:

Municipal Government Works Month is an annual opportunity to raise Maryland residents' awareness of the many contributions that local government employees make to our communities on a daily basis.

Next Steps:

Recognize November 2018 as Municipal Government Works Month in the City of Hyattsville

Fiscal Impact:

N/A

City Administrator Comments:

Recommend Approval

Community Engagement:

Recognition of Municipal Government Works Month has been planned.

Strategic Goals:

Goal 5 – Strengthen the City's Identity as a Diverse, Creative, and Welcoming Community

Legal Review Required?

N/A

CITY OF HYATTSVILLE

PROCLAMATION

RECOGNIZING NOVEMBER 2019 AS MUNICIPAL GOVERNMENT WORKS MONTH IN THE CITY OF HYATTSVILLE

This proclamation declares the month of November 2019, to be Municipal Government Works Month in the City of Hyattsville. Municipal Government Works Month is an annual opportunity to raise Maryland residents' awareness of the many contributions that local government employees make to our communities on a daily basis.

WHEREAS, municipal government represents the most responsive level of government, allowing residents to have direct access to elected officials; and

WHEREAS, the City of Hyattsville became an incorporated Maryland municipality in April 1886; and

WHEREAS, the Maryland Municipal League established Municipal Government Works Month in 1993; and

WHEREAS, municipalities have enhanced the quality of life for their respective residents by helping to make Maryland a great place to live, work, play, and explore;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the City of Hyattsville join the Maryland Municipal League in declaring November 2019 to be Municipal Government Works Month in the City of Hyattsville.

Candace B. Hollingsworth
Mayor, City of Hyattsville

November 4, 2019





Hyattsville City Council Agenda Item Report

Meeting Date: November 4, 2019

Submitted by: Zach Nemser

Submitting Department: Police Department

Item Type: Purchase

Agenda Section:

SUBJECT

FY20 Budget Amendment: Special Revenues Speed Camera Budget Increase and Purchase of Hybrid Mobile Camera Trailers

HCC-118-FY20

Recommendation:

I move that the Mayor and Council amend the FY20 Special Revenue Funds and increase Fund 60 FY20 Speed Camera budget appropriations in Other Capital Equipment by \$69,990 and approve the purchase of two MPS 3100 Falcon hybrid mobile camera trailers from Mobile Pro Systems in an amount not to exceed \$69,990.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Purchase Memo Request for Solar Trailer Oct 2019.docx](#)

[Mobile Pro Proposal for Mobile Camera.pdf](#)

Summary Background:

Municipal agencies around the country have begun investing in mobile surveillance solutions to enhance investigative, identification and response capabilities. These portable products are designed to be deployed within minutes and can provide live, remote video surveillance directly to our dispatch center. The trailers can be deployed and operational in approximately thirty minutes. The ease of deployment of these trailers can get timely information to our police dispatch center. In addition to collecting important information such as license plate data the appearance of mobile surveillance trailers can be a valuable deterrent and improve safety. These mobile trailers are ideal for providing temporary video surveillance when needed.

The products and pricing of three different companies were examined, and Mobile Pro Systems was selected as the best product, value and cost.

The Treasurer has confirmed that speed camera revenues are available to support the \$69,990 expenditure.

Next Steps:

Purchase the MPS 3100 Falcon hybrid mobile camera trailers from Mobile Pro Systems and deploy them when and where needed to support police operations.

Fiscal Impact:

\$69,990

City Administrator Comments:

Recommend Support

Community Engagement:

N/A

Strategic Goals:

Goal 3 – Promote a Safe and Vibrant Community

Legal Review Required?

Complete



Candace B. Hollingsworth
Mayor

Tracey Nicholson-Douglas
City Administrator

October 18, 2019

To: Lt. Colonel Scott Dunklee, Operations Commander

From: Mr. Dan Sheffield, Administrative Services Specialist

Ref: Purchase Request for Two Mobile Surveillance Camera Trailers

Background:

Recently, neighboring municipal agencies have been investing in mobile surveillance solutions to enhance their crime-fighting capabilities. These portable products are designed to be deployed in minutes and provide live, remote video surveillance directly to our dispatch center, all hours of the day.

These trailers can be deployed anywhere in the City by a single person and made operational in approximately thirty minutes. The ease and quickness of deployment of these trailers get information to our police dispatch center in a timely manner. In addition, the appearance of mobile surveillance trailers provides a crime deterrent, helping to make our areas safer. These trailers will assist in collecting important information such as license plate data that can assist in future investigations.

The mobile trailers are ideal for providing temporary video surveillance for a variety of applications such as scheduled events where large crowds of people gather, unplanned emergency management type events, and areas experiencing an increase in offender activity, giving us eyes on the scene exactly when we need it.

To assist in serving the diversity of our community with our crime prevention technology and suppression, it is recommended to purchase two of these mobile surveillance units.

Proposal:

I respectfully request the City of Hyattsville purchase two mobile surveillance camera trailers for the staff of the Police Department to use to enhance our crime-fighting capabilities. Based on my research, I have found the MobilePro Systems MPS 3100 Falcon system to be rugged, compact, dependable and ideal for our community. In addition, I have found the camera hardware included in our purchase to be compliant with ONVIF standards, compatible Skyline technology, who currently maintain our city-wide video surveillance system. The costs for two MPS 3100 Falcons are \$69,990. If



approved, these two mobile surveillance trailer platforms will serve the City of Hyattsville well during all aspects of crime prevention and suppression.

I obtained three quotes as follows:

- (1) MobilePro Systems - \$69,990
- (2) Millenium Products, Inc. - \$84,069
- (3) WCCTV Mini Dome Solar Trailer - \$71,402

I recommend purchasing the MPS 3100 Falcon from Mobile Pro Systems as MPDC and Alexandria City PD have also successfully purchased and employed these products for their crime reduction initiatives.





QUOTE

21811

Falcon 3100 Video Surveillance Trailer

DATE: 10/17/2019

QUOTE #: 21811

QUOTE EXP: 11/18/2019

PROJECT NAME: Hyattsville City Police Dept /Hyattsville City Police Dept

TO: Hyattsville City Police Dept

Daniel Sheffield

4310 Gallatin Street

Hyattsville, MD 20781

301-363-2416

DSheffield@hyattsville.org

SALES PERSON	PROJECT SCOPE		PAYMENT TERMS
S.Dunker	Falcon 3100 Video Surveillance Trailer		50% START / NET 15
QTY	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
2	MPS 3100 TRAILER SYSTEM	\$34,995.00	\$69,990.00

QTY	MODEL NUMBER	DESCRIPTION
1	MPS-3100-BASE	FALCON 3100 BASE TRAILER SYSTEM w/ 20 ft. stabilized MAST
1	GEN-3100-GAS	MPS 3100 GAS GENERATOR SYSTEM
1	BATT-KIT-9-100	900 AH AGM BATT 3100
2	FC-1080P2MP-1LUX-A	FIXED DOME CAMERA 2 MP .1LUX 1080p - AXIS Q3515-LVE
2	POE-12-35W	12VDC HI POE 35W
2	TR-CAM-MOUNT	STOCK CAMERA MOUNT
3	EXACQ-LICENSE-PRO	EXACQ 1 YEAR CAMERA LICENSE SERVICE AGREEMENT
1	COM-TR-CP-IBR600B	CRADLEPOINT CELLULAR ROUTER W/ WI-FI
1	LAPTOP-I5	LAPTOP SERVER - I5 - 8GB - OS W/CONFIG (NO HD)
1	COMP-2TB HDD DRIVE	2 TB HDD DRIVE WITH CONFIGURATION
1	SW-16-P-1GIG	16 PORT NETWORK SWITCH
1	TM-STROBE KIT R/B	TOP MAST LED STROBE LIGHT KIT
1	HD-JACK	HEAVY DUTY FRONT WHEEL JACK
1	SOLAR-900W-3100	900W SOLAR SYSTEM 3100 KIT

Base System Includes MP Status
Monitoring & Control Platform
- Door Contact, Vibration Sensor & GPS
(2) HD Fixed Cameras - Axis

Video Management Software & Camera Licenses
Cellular Modem 4G with WIFI
Server for Video Management
Software (VMS pre-loaded)

Top Mast Strobe Lights

Solar Charging System

QTY	MODEL NUMBER	OPTIONS DESCRIPTION	OPTIONAL PRICE EACH
1	AUDIO-AX-3003	IP BASED 2 WAY AUDIO HORN KIT	\$971.00
4	SENS-LX-402	Optex 120DEG WIDE X 40'	\$908.00
1	BODY-STROBE-KIT	6 BODY LED STROBE LIGHT KIT	\$921.00
1	TM-LIGHT-BAR-KIT-42-R	TOP MAST 2-42" LED FLOOD LIGHT KIT	\$842.00

PROPOSAL CREATED BY:

Steve Dunker

V.P. of Business Development

Mobile Pro Systems

250 Lothenbach Ave.

West St. Paul MN 55118

Cell: 612-619-8018 Direct: 952-324-5645

eMail: Steve.Dunker@MobileProSystems.com

System Includes a (1) One Year Limited Warranty
This QUOTE is valid for 30 days.

Total Less Options:

Estimated Sales Tax:

Estimated Shipping:

Estimate TOTAL:

PRICING DOES NOT INCLUDE OPTIONS

\$69,990.00

TBD

TBD

\$69,990.00

Freight Charges To Be Determined (TBD) and are based upon quantity ordered and final shipping destination.....

I accept this estimate

DATE

FALCON 3100

ADDED VERSATILITY WITH A SMALLER PROFILE — POWERFUL PLATFORM

The Falcon 3100 powers your security, network and communications technologies. It's smaller size, when compared to the original Commander 3400 system, makes it perfect for rapid or temporary deployment applications. Even with a reduced foot print, this system is still rugged for long-term, day-to-day use in the field. Ideal for law enforcement, crowd control, military, emergency management, transportation/DOTs, education, mining, construction, and more.

KEY FEATURES

- **Fast Setup & Simple Operation**
Pre-wired mast, equipment racking, proprietary Quick Install™ hardware system and tool-less deployment.
- **Extreme Stability**
The vibration-proof mast and outriggers are built to withstand the elements. Plus, the unique mast stabilization system features adjustable levelers.
- **Highly Configurable**
Get automatic operation status with innovative MP Status Technology remote control.
- **Long Deployment**
Capable of operation for weeks between refueling.

- Alarm detection devices
- One-way or two-way paging
- Mobile mass notification sirens
- Many Quick Install™ mounting options

HYBRID POWER SYSTEMS

Flexible Charging Options:

- Self-charging
 - Allows for long deployments
- Embedded gas generator:
 - Allows access to innovative MP Status Technology, conveniently controlled remotely.
 - Works in conjunction with other battery charging systems.
- Solar
- Shore power

OPTIONS

- Multiple cameras, types and manufacturers:
 - Pan, tilt and zoom (PTZ)
 - Fixed
 - Night vision and thermal
- On-board recording solutions
- Remote video status monitoring
- Wireless communications
- IR illuminators
- LED flood lighting
- License Plate Reader (LPR)
- Speed signs
- Digital signage displays



651-434-2333

250 Lothenbach Avenue, West St Paul, MN 55118

www.mobileprosystems.com



FALCON 3100 SPECIFICATIONS

TRAILER

- Travel: 68" x 116" x 105" (W x L x H)
(L = 60" when tongue removed)
- Deployed: 94" x 116" x 19'6"
- Gross weight rating: 2500 lbs.

TOWER

- Telescoping Style Mast - Height: 19'6" telescoping style mast Construction: 4 section telescoping

SUPPORT

- 4 jack stands with adjustable outriggers

RACK MOUNT ENCLOSURE

- Capacity: 6U rack
- Size: 19" standard rack mount 17"D x 12"H
- Environmental rating: power vented
- Mounting: 1-pin removable

ELECTRICAL

- Standard tower cabling:
 - (6) Ethernet
 - Inverter Power – Pure Sine Wave (150 watt)
 - (2) Power 12 VDC
 - (2) four-wire control line
 - custom configurations also available

SHORE POWER

- Power source: 120 VAC 800 watt max

BATTERY POWER

- 900 Amp-hour AGM battery packs
- 55 Amp smart charge system

SOLAR POWER

- 900 watt solar package

GENERATOR POWER

- 3000 watt gas charge system
- MP Status-controlled charger system
- 4 gallon fuel storage

REMOTE CONTROL STATUS & CONTROL

- MP Status dashboard application monitoring:
 - Battery voltage
 - Current power usage
 - Key temperature points
 - Displays active map GPS monitoring
 - Intrusion detection reporting
 - Lighting control
 - Horns/sounders strobes control

OPTIONS

Communications

- Cellular, mesh network, Wi-Fi 802.11, satellite, fiber

Cameras

- IP, fixed position, PTZ, high definition and FLIR thermal

Lighting

- IR illuminators, visible including LED and instant on the mid mast

Recording

- On board video management system
- Laptop based NVR
- exacqVision
- exacqVision Edge
- Genetec
- Milestone
- Full remote access

Computer Hardware

- Computer module, full-sized rack mount, laptop (protected in drawer), switches, routers, power control through I/O module(s)

Vision Analytics

- Highly effective vision analytics package

Detection Devices

- PIR, long range, microwave, laser line

Mid-Mast Motion Detection System

- 4 individually addressable points of protection

Deterrents

- Strobe lights, horns, sirens, two-way audio

Remote Viewing

- Several packages are available upon request.

Automation

- Allows the ability to report and take action on events such as motion detection



Hyattsville City Council Agenda Item Report

Meeting Date: November 4, 2019

Submitted by: Jim Chandler

Submitting Department: Information Technology

Item Type: Contract

Agenda Section:

SUBJECT

Network Security Assessment

HCC-120-FY20

Recommendation:

I move the Mayor and Council authorize the City Administrator to execute a work order with Dataprise, Inc. to perform a network security assessment of the City's information technology operations at a cost not to exceed \$19,000.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

Summary Background:

The City will commission Dataprise to perform a security gap assessment, which will include a network security, authentication security and access controls. The City, as a best practice, performs IT assessments to identify areas of progress and recommend modifications to policy and future needs. The last assessment was completed in 2014.

Next Steps:

No additional action is required.

Fiscal Impact:

Funding for this project is included in the FY2020 Information Technology budget.

City Administrator Comments:

Recommend Approval

Community Engagement:

N/A

Strategic Goals:

Goal 4 – Foster Excellence in all City Operations

Legal Review Required?

Complete



Hyattsville City Council Agenda Item Report

Meeting Date: November 4, 2019

Submitted by: Jim Chandler

Submitting Department: Community & Economic Development

Item Type: Planning & Development

Agenda Section:

SUBJECT

Board of Zoning Appeals Variance (V-101-19): 3318 Gumwood Drive, Hyattsville

HCC-121-FY20

Recommendation:

I move the City Council authorize the Mayor to provide correspondence to the Prince George's County Board of Zoning Appeals in support of zoning variance application V-101-19, a request to permit a 200 square foot net lot area and 10-foot front building line width, a variance request of 4-foot front building line width, 4.5 feet front yard depth and a waiver of the parking area location requirements for the subject property located at 3318 Gumwood Drive, Hyattsville.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Memo - V-101-19.docx](#)

[V-101-19 Application.pdf](#)

[City of Hyattsville Zoning Variance Policy Statement & Variance Process_ENGLISH.pdf](#)

Summary Background:

The applicant, Donald Ashby, has applied to the Prince George's County Board of Zoning Appeals for a zoning variance to validate existing conditions and obtain a building permit for unauthorized construction of a driveway. Specific violations of the Zoning Ordinance are outlined below:

- Section 27-442(d)(Table III) prescribes that each lot shall have a minimum width of 65 feet measured along the front building line.
- Section 27-442(e)(Table IV) prescribes that each lot shall have a front yard at least 25 feet in depth.
- Section 27-120.01(c) which prescribes 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 in the area between the front street line and the sides of the dwelling.

The property resides in an R-55 (One-Family Detached Residential) Property Zone and is not located within a Residential Parking Zone. The subject property contains an approximately 1,075 square foot one-story brick residence and the applicant is proposing the construction of a 12.5' x 20' driveway.

Next Steps:

No additional action is required.

Fiscal Impact:

N/A

City Administrator Comments:

Staff recommends the City Council support the applicant's variance request of a 4 feet front building line width, as this condition is pre-existing to the property and there is no practical way to incorporate additional frontage to the lot. Staff recommends the City Council support the applicant's variance request of 4.5 feet front yard depth, as this condition is pre-existing and consistent with adjacent properties. Staff recommends the City Council support the applicant's parking area waiver as the request is consistent with adjacent properties.

Community Engagement:

The variance application is scheduled for a public hearing by the Prince George's County Board of Zoning Appeals on November 6, 2019.

Strategic Goals:

Goal 3 – Promote a Safe and Vibrant Community

Legal Review Required?

N/A



Memo

To: Jim Chandler, Assistant City Administrator and Director, Community & Economic Development

From: Kate Powers, City Planner

CC: Tracey Nicholson, City Administrator

Date: October 29, 2019

Re: Zoning Variance Request V-101-19 – 3318 Gumwood Drive, Hyattsville

Attachments: Application for Variance (Appeal No. V-101-19)
City of Hyattsville Variance Policy

The purpose of this memorandum is to provide the Director of Community & Economic Development with a briefing on the Zoning Variance request V-101-19, for the property located at 3318 Gumwood Drive, Hyattsville 20783.

Summary of Variance Conditions:

The applicant, Donald Ashby, has applied to the Prince George's County Board of Zoning Appeals for a zoning variance to validate existing conditions and obtain a building permit for unauthorized construction of a driveway. Specific violations of the Zoning Ordinance are outlined below:

- Section 27-442(d)(Table III) prescribes that each lot shall have a minimum width of 65 feet measured along the front building line.
- Section 27-442(e)(Table IV) prescribes that each lot shall have a front yard at least 25 feet in depth.
- Section 27-120.01(c) which prescribes 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 in the area between the front street line and the sides of the dwelling.

Variances of 4 feet front building line width, 4.5 feet front yard depth, and a waiver of the parking area location requirement are requested.

The property resides in an R-55 (One-Family Detached Residential) Property Zone and is not located within a Residential Parking Zone. The subject property contains an approximately 1,075 square foot one-story brick residence and the applicant is proposing the construction of a 12.5' x 20' driveway.

Recommendation:

Staff recommends the City Council support the applicant's variance request of a 4 feet front building line width, as this condition is pre-existing to the property and there is no practical way to incorporate additional frontage to the lot.

Staff recommends the City Council support the applicant's variance request of 4.5 feet front yard depth, as this condition is pre-existing and consistent with adjacent properties.

Staff recommends the City Council support the applicant's parking area waiver as the request is consistent with adjacent properties.

As a note, the applicant must obtain a city and county permit prior to installing the proposed driveway.



THE PRINCE GEORGE'S COUNTY GOVERNMENT⁵⁴

BOARD OF ZONING APPEALS

BOARD OF ADMINISTRATIVE APPEALS

COUNTY ADMINISTRATION BUILDING, UPPER MARLBORO, MARYLAND 20772
TELEPHONE (301) 952-3220

NOTICE OF HEARING

Date: October 22, 2019

Petitioner: Donald Ashby

Appeal No.: V-101-19

Hearing Date: WEDNESDAY, NOVEMBER 6, 2019, AT 6:00 P.M. EVENING

Place: Zoning Hearing Room #L205
County Administration Building, Upper Marlboro, Md.

Appeal has been made to this Board for permission to validate existing conditions (property and dwelling) and obtain a building permit for unauthorized construction of a driveway on R-55 (One-Family Detached Residential) property known as Lot 18, Block H, University Hills Subdivision, being 3318 Gumwood Drive, Hyattsville, Prince George's County, Maryland, contrary to the requirements of the Zoning Ordinance.

The specific violation resides in the fact that Zoning Ordinance Section 27-442(d)(Table III) prescribes that each lot shall have a minimum width of 65 feet measured along the front building line. Section 27-442(e)(Table IV) prescribes that each lot shall have a front yard at least 25 feet in depth. Section 27-120.01(c) prescribes 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 in the area between the front street line and the sides of the dwelling. Variances of 4 feet front building line width, 4.5 feet front yard depth and a waiver of the parking area location requirement are requested.

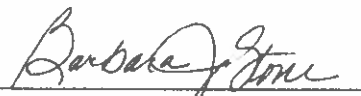
Public hearing on this Appeal is set for the time and place stated above. **Petitioner, or counsel representing Petitioner, should be present at the hearing. A Petitioner which is a corporation, limited liability company, or other business entity *MUST* be represented by counsel, licensed to practice in the State of Maryland, at any hearing before the Board. Any non-attorney representative present at the hearing on behalf of the Petitioner (or any other person or entity) shall not be permitted to advocate.**

Adjoining property owners, who are owners of premises either contiguous to or opposite the property involved, are notified of this hearing in order that they may express their views if they so desire. However, their presence is not required unless they have testimony to offer the Board.

If inclement weather exists on hearing date, please contact the office to ascertain if hearing is still scheduled.

BOARD OF ZONING APPEALS

By:


Barbara J. Stone
Administrator

cc: Petitioner
Adjoining Property Owners
Park and Planning Commission
City of Hyattsville

APPEAL NO.

V-101-19⁵⁵

(USE BLACK INK ONLY)
PLEASE READ ALL INSTRUCTIONS
BEFORE FILLING OUT APPLICATION

**TO: BOARD OF ZONING APPEALS FOR PRINCE
 GEORGE'S COUNTY, MARYLAND**
 County Administration Building, Room L-200
 14741 Governor Oden Bowie Drive
 Upper Marlboro, Maryland 20772
 (301) 952-3220



**BOARD
 of APPEALS**

Zoning and Administrative



Received Stamp

APPLICATION FOR A VARIANCE

(If variance is being applied for due to receipt of a Violation Notice, a copy of the notice is required.)

For assistance in completing questions below, see corresponding paragraphs on *Instructions to Applicants*, which is designed to help you fill out this form.

Owner(s) of Property DONALD ASHBY
(AS SHOWN ON DEED)
 Address of Owner(s) 3318 GUMWOOD DR
 City HYATTSVILLE State MD Zip Code 20783
 Telephone Number (home) 202 294 4125 (cell) 202 294 4125 (work) _____
 E-mail address: ASHBYDON@YAHOO.COM

Location of Property involved:

Street Address 3318 GUMWOOD DR
 City HYATTSVILLE
 Lot(s) 18 Block H Parcel _____
 Subdivision Name UNIVERSITY HILLS

Professional Service:

► Engineer ► Contractor ► Architect: (if different from above): (circle one)

Name: NO Phone Number: _____
 Address: _____ Email Address: _____

Attorney representing applicant: (If applicable)

Name: NONE Phone Number: _____
 Address: _____ Email Address: _____

Association Name(s) & Address(es) (Homeowners/Citizens/Civic and/or Community):Name: NONE

Address: _____

Municipality (Incorporated City/Town)Name HYATTSVILLE

What will be or has been constructed on the property which has required a variance? _____

NEW DRIVEWAY 12FT 6 INCHES X 20 FTVALIDATE AN EXISTING CONDITION [COVERED PORCH]**Has a Violation Notice / Stop Work Order /Correction Notice been issued to the Property Owner regarding this property?**No _____ Yes ☒ Date Issued: _____ Violation Notice No. # _____

Inspector's Name: _____

Do you need the services of a foreign language interpreter at your hearing? (\$30.00 fee required)Yes _____ No ☒ Foreign Language: _____


 Signature of Owner/Attorney

DONALD ASHBY
 Printed Name
IMPORTANT:

Failure to provide complete and accurate information on this application may delay or jeopardize consideration of the request. Applications on which all required information is not furnished will be returned for completion before processing.

Approval of a variance is not a guarantee that further review will not be necessary by other governmental authorities. For further information regarding Board of Zoning Appeals policies and procedures, see Sections 27-229 through 27-234 of the County Zoning Ordinance and/or the Board's website at <http://pgccouncil.us/>.

*****FOR OFFICE USE ONLY*****

Filing Fee Paid: \$ 200-

CK/M.O. # 2002

By: Donald L. Ashby
3318 Gumwood Dr.
Hyattsville, MD 20783

Sign Posting Fee Paid: \$ 30-

CK/M.O. # 2003

By: Donald L. Ashby
3318 Gumwood Dr.
Hyattsville, MD 20783

Translation Services: \$ N/A

CK/M.O. # _____

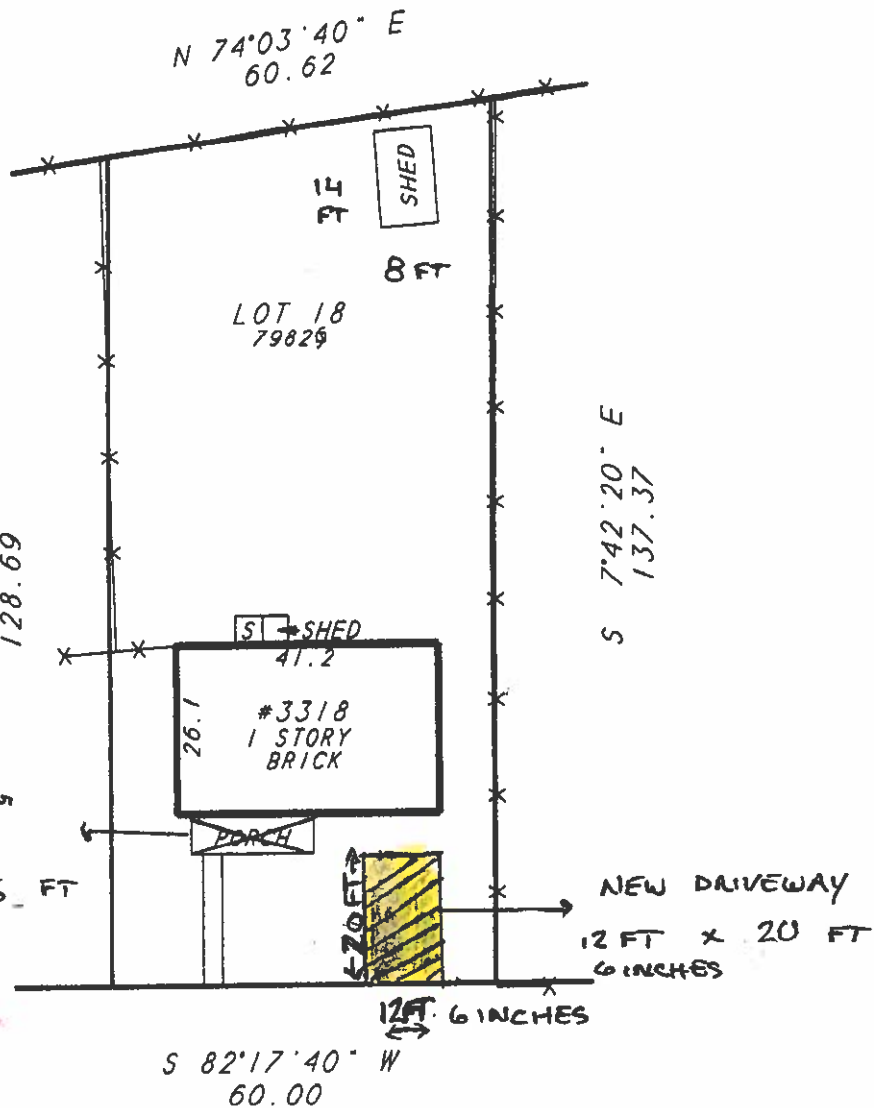
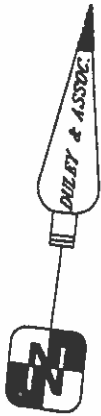
By: _____

Re-advertisement: \$ _____

CK/M.O. # _____

By: _____

Property Zone:	R-55 (ONE-Family Detached Residential)
Overlay Zone:	NO
Previous Activity: i.e.: Variance, PB Action.	
Violation Notice #: Yes ☒ No ☐	



1. 2% Maximum Slope Allowed On
Residential Property
2. 5% Maximum Slope Allowed
On Yard Or Lawn Areas 10' Or More
From Slope Of Path Away From
Structure Required

GUMWOOD DRIVE

Approved for Soils, Grading
and Drainage

By: Danahy 7/31/19 Date

Permit #: 35081-2019

coordinate w/ Hyattsville for Apron

NOTE:
* ENCROACHMENTS MAY EXIST *
A BOUNDARY SURVEY IS RECOMMENDED
TO DETERMINE THE EXACT LOCATION
OF IMPROVEMENTS. PLEASE SIGN:

LOCATION DRAWING OF:

#3318 GUMWOOD DRIVE

LOT 18 BLOCK H

UNIVERSITY HILLS

PLAT BOOK 12 PAGE 61

PRINCE GEORGE'S COUNTY, MD

DATE: 5-24-03

DATE: 5-24-03

CASE # R0305099

DAVILIA

FILE # 032946-241

DRAWN BY: ZB

A LAND SURVEYING AND DESIGN COMPANY



**DULEY
AND
ASSOCIATES, INC.**
SERVING D.C. MD. VA.



HOUSE LOCATION SURVEYS
BOUNDARY SURVEYS - ALTA SURVEYS
TOPOGRAPHIC SURVEYS - SITE PLANS

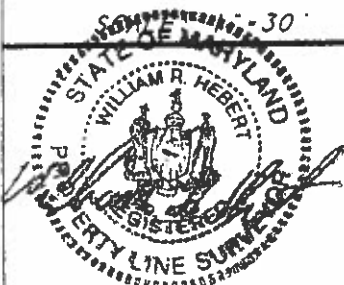
14604 ELM STREET
UPPER MARLBORO, MD. 20772

PHONE: 301-888-1111
PHONE: 1-888-88-DULEY

FAX: 301-888-1114
FAX: 1-888-55-DULEY

SURVEYOR'S CERTIFICATE

I HEREBY STATE THAT THE EXISTING VISIBLE IMPROVEMENTS ON THE ABOVE DESCRIBED PROPERTY HAS BEEN CARE-
FULLY ESTABLISHED BY ACCEPTED METHODS AND THAT THE IMPROVEMENTS APPEAR TO LIE WITHIN FLOOD ZONE C.
A FLOOD CERTIFICATION IS RECOMMENDED TO DETERMINE THE EXACT FLOOD ELEVATION AND FLOOD ZONE.
THIS SURVEY IS NOT TO BE USED OR RELIED UPON FOR THE ESTABLISHMENT OF ANY FENCE, BUILDING, OR OTHER
IMPROVEMENTS. THIS PLAT DOES NOT PROVIDE FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES,
BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING FINANCING OR REFIN-
ANCING. THIS PLAT IS OF BENEFIT TO A CONSUMER ONLY INsofar AS IT IS REQUIRED BY A LENDER OR A TITLE
INSURANCE COMPANY OR ITS AGENT IN CONNECTION WITH THE CONTEMPLATED TRANSFER, FINANCING OR REFINANCING
THE LEVEL OF ACCURACY FOR THIS DRAWING IS 1". NO TITLE REPORT WAS FURNISHED TO NOR DONE BY THIS
COMPANY. SAID PROPERTY SUBJECT TO ALL NOTES, RESTRICTIONS AND EASEMENTS OF RECORD. BUILDING RE-
STRICTION LINES AND EASEMENTS MAY NOT BE SHOWN ON THIS SURVEY. IMPROVEMENTS WHICH IN THE SURVEYORS
OPINION APPEAR TO BE IN A STATE OF DISREPAIR OR MAY BE CONSIDERED "TEMPORARY" MAY NOT BE SHOWN.





City of Hyattsville

Zoning Variance Policy Statement and Variance Process

The Mayor and Council adopted the following City of Hyattsville Policy and Process for Zoning Variance Requests: City of Hyattsville Zoning Variance Policy Statement:

The City of Hyattsville affirms the role of the Prince George's County Planning Board zoning authority and "the purposes, intent, standards and design criteria set forth in the Zoning Ordinance and appropriate County policies."

The City of Hyattsville affirms the current zoning policy within the City limits and as a matter of policy does not support zoning variances as a normal business practice.

The City's support of a zoning variance ordinarily be granted only after the Mayor and City Council acknowledge that the granting of a variance:

1. remedies a unique situation that zoning did not anticipate;
2. remedies that which creates a significant hardship on the property-owner that can be documented and clearly demonstrated;
3. will result in benefits to the residents and improve the quality of the environment of the City.

Citizens requesting such support shall submit:

1. current plat of site with all existing conditions;
2. photos of all existing site conditions;
3. scale plans and elevations of existing conditions and proposed changes;
4. narrative description of the proposed changes, specifics of the zoning variance requirements and an explanation of how the zoning variance request responds to:
 - a. a unique situation that zoning did not anticipate;
 - b. a significant hardship on the property owner;
 - c. benefits to the residents and improve the environment of the City

The City shall as a matter of policy provide letters of support for residents to document a "non-conforming lot" as part of the normal permitting process for projects complying with all other aspects of zoning regulations, unless the matter at hand is the certification of a non-conforming use on a non-conforming lot. The standard for the support of the certification of a non-conforming use on a non-conforming lot would revert to the instant aforementioned requirements for City support of a zoning variance.

The City will not support variance requests for additional lot coverage when the intention of the request is to add off-street parking on the lot, except in extraordinary circumstances.

City of Hyattsville Zoning Variance Process

Requests for zoning variances shall be processed by the Office of Code Enforcement and reviewed by the staff for technical issues. The Office of Code Enforcement shall determine if the request complies with all of the requirements of City of Hyattsville Zoning Variance Policy or to document a "non-conforming lot". The Supervisor shall then issue a report for the City Administrator citing one of the following "Actions":

- A. The request for the City's support of the zoning variance does not comply with City's policy, Do Not Recommend Approval
- B. The request for the City's support of the zoning variance does comply with City's policy, Recommend Approval - Zoning Variance
- C. The request for the City's support of the zoning variance does comply with City's policy for "non-conforming lots", Recommend Approval - Non Conforming Lot

The City Administrator shall review the Office of Code Enforcement Supervisor's Report and determine which of the following actions is applicable and execute accordingly:

- A. Do Not Recommend Approval - The City Administrator shall draft a letter detailing the City's opposition for the proposed request for a zoning variance for the Mayor's consideration and signature. The City letter opposing the proposed request for a zoning variance shall be placed on the Consent Items Agenda for approval by the City Council.
- B. Recommend Approval - Zoning Variance - The City Administrator shall forward the Office of Code Enforcement Supervisor's Report for the proposed request for a zoning variance to the (Planning Committee for review and comment along with any other City staff comments) the Mayor and City Council for action.
- C. Recommend Approval - Non Conforming Lot - The City Administrator shall draft a letter detailing the City's support for the proposed request for a zoning variance for a "non-conforming lot" to the Mayor for his review and signature. The City letter supporting the proposed request for a zoning variance shall be placed on the Consent Items Agenda for approval by the City Council.

Adopted by the Mayor and Council on February 13, 2006

Amended by the Mayor and Council on October 3, 2011



Hyattsville City Council Agenda Item Report

Meeting Date: November 4, 2019

Submitted by: Jim Chandler

Submitting Department: Community & Economic Development

Item Type: Planning & Development

Agenda Section:

SUBJECT

Board of Zoning Appeals Variance (V-102-19): 3909 Longfellow Street, Hyattsville

HCC-122-FY20

Recommendation:

I move the City Council authorize the Mayor to provide correspondence to the Prince George's County Board of Zoning Appeals in support of zoning variance application V-102-19, a request for a variance of 9-feet front building line width, 4-feet front yard depth, 7-feet rear yard depth and 9.4% net lot coverage for the purposes of rebuilding an existing screened porch for the subject property at 3909 Longfellow Street, Hyattsville.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Memo - V-102-19.docx](#)

[V-102-19 Application.pdf](#)

[City of Hyattsville Zoning Variance Policy Statement & Variance Process_ENGLISH.pdf](#)

Summary Background:

The property resides in an R-55 (One-Family Detached Residential) Property Zone and a Development District Overlay Zone. This address is within the Traditional Residential Neighborhood Character Area and is not located within a Residential Parking Zone. The subject property is currently a 1,191.3 square foot one-story brick residence on a 5,011 square foot lot. The applicant is proposing the reconstruction of the existing 128 square foot screen porch with no major changes to the design except for code upgrades.

Next Steps:

No additional action is required.

Fiscal Impact:

N/A

City Administrator Comments:

Staff recommends the City Council support the applicant's variance requests of a 9 feet front building line width, 4 feet front yard depth, 7 feet rear yard depth/width, and 9.4% net lot coverage, as all these conditions were pre-existing to the property. The applicant is not making any substantial changes to the subject property, as the proposed rebuild of the porch will merely replace the existing porch and improve conditions.

Community Engagement:

A public hearing with the Prince George's County Board of Zoning Appeals is scheduled for November 6, 2019.

Strategic Goals:

Goal 3 – Promote a Safe and Vibrant Community

Legal Review Required?

N/A



Memo

To: Jim Chandler, Assistant City Administrator and Director, Community & Economic Development

From: Kate Powers, City Planner

CC: Tracey Nicholson, City Administrator

Date: October 29, 2019

Re: Zoning Variance Request V-102-19 – 3903 Longfellow Street, Hyattsville

Attachments: Application for Variance (Appeal No. V-102-19)
City of Hyattsville Variance Policy

The purpose of this memorandum is to provide the Director of Community & Economic Development with a briefing on the Zoning Variance request V-102-19, for the property located at 3909 Longfellow Street, Hyattsville 20781.

Summary of Variance Conditions:

The applicants, Stephane & Jane Dehais, have applied to the Prince George's County Board of Zoning Appeals for a zoning variance to validate existing conditions and obtain a building permit to rebuild an existing screen porch. Specific violations of the Zoning Ordinance are outlined below:

- Section 27-442(d)(Table III) prescribes that each lot shall have a minimum width of 65 feet measured along the front building line.
- Section 27-442(e)(Table IV) prescribes that each lot shall have a front yard at least 25 feet in depth.
- Section 27-442(e)(Table IV) prescribes that each lot shall have a rear yard at least 20 feet in depth/width.
- Section 27-442(c)(Table II) prescribes that not more than 30% of the net lot area shall be covered by buildings and off-street parking.

Variances of 9 feet front building line width, 4 feet front yard depth, 7 feet rear yard depth/width, and 9.4% net lot coverage are requested.

The property resides in an R-55 (One-Family Detached Residential) Property Zone and a Development District Overlay Zone. This address is within the Traditional Residential Neighborhood Character Area and is not located within a Residential Parking Zone. The subject property is currently a 1,191.3 square foot one-

story brick residence on a 5,011 square foot lot. The applicant is proposing the reconstruction of the existing 128 square foot screen porch with no major changes to the design except for code upgrades.

Recommendation:

Staff recommends the City Council support the applicant's variance requests of a 9 feet front building line width, 4 feet front yard depth, 7 feet rear yard depth/width, and 9.4% net lot coverage, as all these conditions were pre-existing to the property. The applicant is not making any substantial changes to the subject property, as the proposed rebuild of the porch will merely replace the existing porch.



THE PRINCE GEORGE'S COUNTY GOVERNMENT. 69

BOARD OF ZONING APPEALS

BOARD OF ADMINISTRATIVE APPEALS

COUNTY ADMINISTRATION BUILDING, UPPER MARLBORO, MARYLAND 20772
TELEPHONE (301) 952-3220

NOTICE OF HEARING

Date: October 22, 2019

Petitioners: Stephane & Jane Dehais

Appeal No.: V-102-19

Hearing Date: WEDNESDAY, NOVEMBER 6, 2019, AT 6:00 P.M. **EVENING**

Place: Zoning Hearing Room #L205
County Administration Building, Upper Marlboro, Md.

Appeal has been made to this Board for permission to validate existing conditions (property, dwelling and development) and obtain a building permit to rebuild an existing screen porch on R-55 Zoned (One-Family Detached Residential) property known as Lot 30, Block 14, Hyattsville Hills Subdivision, being 3903 Longfellow Street, Hyattsville, Prince George's County, Maryland, contrary to the requirements of the Zoning Ordinance.

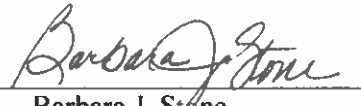
The specific violation resides in the fact that Zoning Ordinance Section 27-442(d)(Table III) prescribes that each lot shall have a minimum width of 65 feet measured along the front building line. Section 27-442(e)(Table IV) prescribes that each lot shall have a front yard at least 25 feet in depth. Section 27-442(e)(Table IV) prescribes that each lot shall have a rear yard at least 20 feet in depth/width. Section 27-442(c)(Table II) prescribes that not more than 30% of the net lot area shall be covered by buildings and off-street parking. Variances of 9 feet front building line width, 4 feet front yard depth, 7 feet rear yard depth/width and 9.4% net lot coverage are requested.

Public hearing on this Appeal is set for the time and place stated above. **Petitioner, or counsel representing Petitioner, should be present at the hearing. A Petitioner which is a corporation, limited liability company, or other business entity MUST be represented by counsel, licensed to practice in the State of Maryland, at any hearing before the Board. Any non-attorney representative present at the hearing on behalf of the Petitioner (or any other person or entity) shall not be permitted to advocate.**

Adjoining property owners, who are owners of premises either contiguous to or opposite the property involved, are notified of this hearing in order that they may express their views if they so desire. However, their presence is not required unless they have testimony to offer the Board.

If inclement weather exists on hearing date, please contact the office to ascertain if hearing is still scheduled.

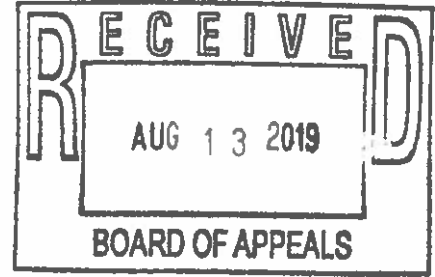
BOARD OF ZONING APPEALS

By: 
Barbara J. Stone
Administrator

cc: Petitioners
Adjoining Property Owners
Park and Planning Commission
City of Hyattsville

(USE BLACK INK ONLY)
PLEASE READ ALL INSTRUCTIONS
BEFORE FILLING OUT APPLICATION

**TO: BOARD OF ZONING APPEALS FOR PRINCE
GEORGE'S COUNTY, MARYLAND**
County Administration Building, Room L-200
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
(301) 952-3220



Received Stamp

APPLICATION FOR A VARIANCE

(If variance is being applied for due to receipt of a Violation Notice, a copy of the notice is required.)

For assistance in completing questions below, see corresponding paragraphs on *Instructions to Applicants*, which is designed to help you fill out this form.

Owner(s) of Property Stephane M. Dehais, Jane N. Dehais
(AS SHOWN ON DEED)
Address of Owner(s) 3903 Longfellow Street
City Hyattsville **State** MD **Zip Code** 20781
Telephone Number (home) _____ **(cell)** 202 569 2125 **(work)** _____
E-mail address: jane.dehais@longandfoster.com

Location of Property involved:

Street Address 3903 Longfellow Street
City Hyattsville
Lot(s) 30 **Block** 14 **Parcel** _____
Subdivision Name Hyattsville Hills

Professional Service:

► Engineer ☒ **Contractor** ► Architect: (if different from above): (circle one)
Name: _____

Alex Velasquez **Phone Number:** 301-717 4162
Address: 4605 Eastern Ave Mt Rainier MD 20712 **Email Address:** velasquez-llc@verizon.net

Attorney representing applicant: (If applicable)

Name: None. **Phone Number:** _____
Address: _____ **Email Address:** _____

Association Name(s) & Address(es) (Homeowners/Citizens/Civic and/or Community):Name: None.

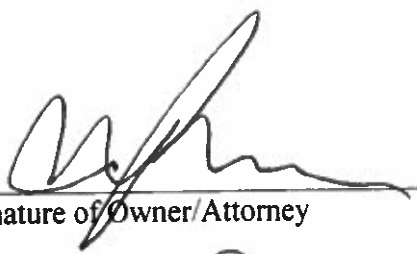
Address: _____

Municipality (Incorporated City/Town)Name HyattsvilleWhat will be or has been constructed on the property which has required a variance? proposedRebuilding existing screen porch w/ no changes
except for code upgrades.**Has a Violation Notice / Stop Work Order /Correction Notice been issued to the Property Owner regarding this property?**No ☒ Yes _____ Date Issued: _____ Violation Notice No. # _____

Inspector's Name: _____

Do you need the services of a foreign language interpreter at your hearing? (\$30.00 fee required)Yes _____ No ☒

Foreign Language: _____


Signature of Owner/AttorneyJane Dehaas
Printed Name**IMPORTANT:**

Failure to provide complete and accurate information on this application may delay or jeopardize consideration of the request. Applications on which all required information is not furnished will be returned for completion before processing.

Approval of a variance is not a guarantee that further review will not be necessary by other governmental authorities. For further information regarding Board of Zoning Appeals policies and procedures, see Sections 27-229 through 27-234 of the County Zoning Ordinance and/or the Board's website at <http://pgccouncil.us/>.

*****FOR OFFICE USE ONLY*****

Filing Fee Paid: \$ 200

CK/M.O. # 26036900402

By: Jane Dehais
3903 Longfellow Street
Hyattsville, MD 20781

Sign Posting Fee Paid: \$ 30

CK/M.O. # ~~324~~ 350

By: Jane Dehais
3903 Longfellow St.
Hyattsville, MD 20781

Translation Services: \$ _____

CK/M.O. # _____

By: _____

Re-advertisement: \$ _____

CK/M.O. # _____

By: _____

Property Zone:	R-55 (One-Family Detached Residential)
Overlay Zone:	DDO Gateway Arts District Section Plan and SMA
Previous Activity: I.e.: Variance, PB Action,	
Violation Notice #: Yes ☐ No ☒	

LOT COVERAGE WORKSHEET

NET LOT SIZE 5,011 SQUARE FEET

30 % LOT COVERAGE ALLOWED 1,503.3 SQUARE FEET

<u>STRUCTURE/PARKING</u>	<u>MEASUREMENTS</u>	<u>SQUARE FOOTAGE</u>
HOUSE	<u>31.6 x 37.7</u>	<u>1,191.3</u>
GARAGE/CARPORT		
DRIVEWAY	<u>11 x 55.5</u>	<u>610.5</u>
PORCH/SUNROOM	<u>8 x 16</u> <u>4.5 x 9.5</u>	<u>128</u> <u>42.75</u> > 170.75
SHED(S)		
ADDITION(S)		
OTHER: _____		

TOTAL LOT COVERAGE		<u>1,972.6</u>
TOTAL % NET LOT COVERAGE		<u>39.4%</u>
TOTAL % OVER NET LOT COVERAGE		<u>9.4</u> % (<u>469.3</u> S.F.)

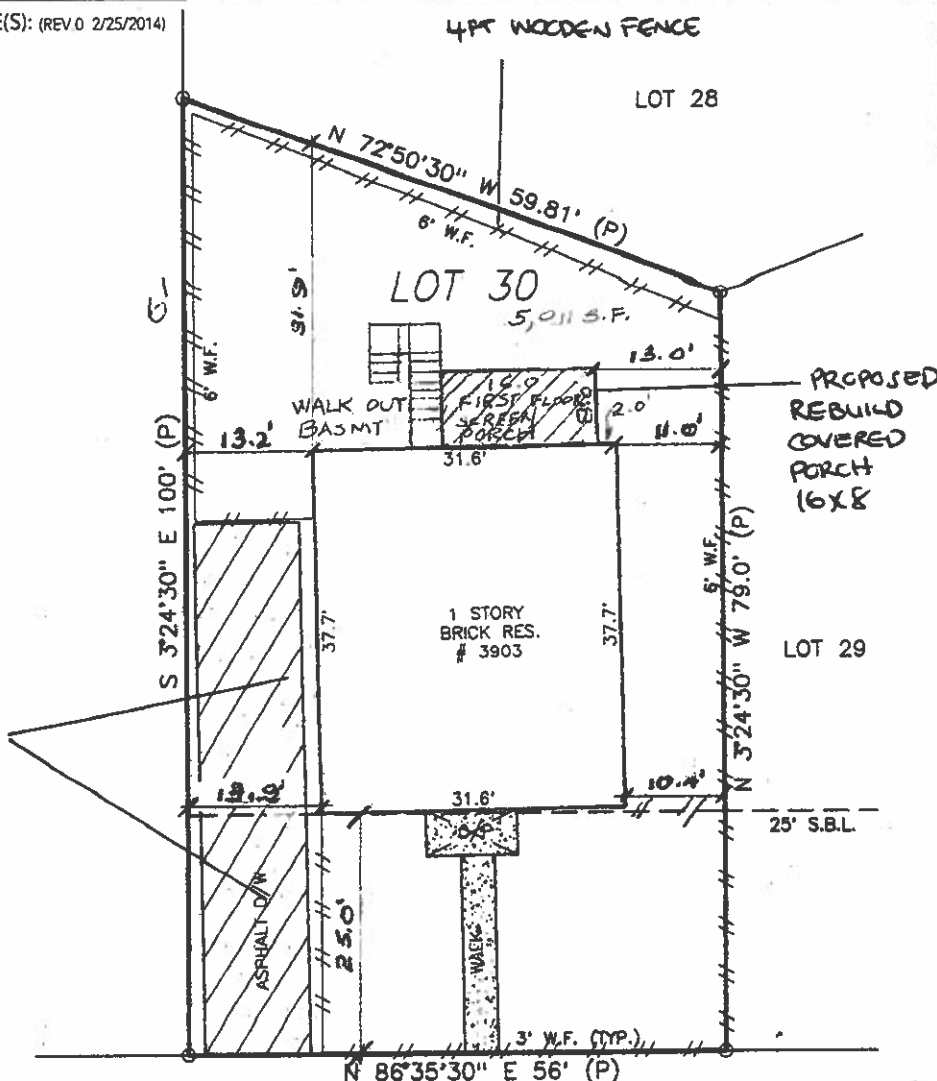
PROPERTY ADDRESS 3903 LONGFELLOW STREET HYATTSVILLE, MARYLAND 20781 SURVEY NUMBER 3015

FIELD WORK DATE: 2/25/2014 REVISION DATE(S): (REV 0 2/25/2014)

1402.1728
LOCATION DRAWING
LOT 30
HYATTSVILLE HILLS
PRINCE GEORGE'S COUNTY, MARYLAND
02-25-2014 SCALE 1"=20'



EXISTING DRIVEWAY



LONGFELLOW STREET
FORMERLY BAILY AVENUE

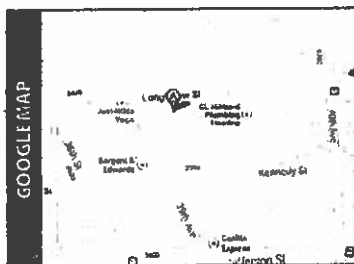


GRAPHIC SCALE (In Feet)
1 inch = 20' ft.

ACCURACY=3/4"

NOTES NONE VISIBLE

CLIENT NUMBER 114530BETS	DATE 2/25/2014
BUYER: Stephane M. Dehais and Jane N. Dehais,	
SELLER: DOMINIC W. HOLT AND HEATHER R. KAPP,	
CERTIFIED TO: Stephane M. Dehais and Jane N. Dehais, ; Sage Title Group, LLC; First American Title Insurance Company; Prosperity Home Mortgage, LLC.	



7700 Georgetown Road
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Hank Prensky

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hank@takomahomes.com
www.takomahomes.com



is page 1 of 2 and is not valid without all pages.

Axis Vendor Group (Axis) is a vendor management company specializing in electronic survey coordination for the title insurance and mortgage lending industries. The following product has been prepared by a state licensed land surveying firm as indicated on the 'plat' page of the survey product. Axis provides service coordination services and the digitally encrypted transmission and archiving of these products and is not involved in any aspect of the surveying process. All transmissions of this product are via a secure SHA-1 secure hash message digest authentication code within its signature file. A manually signed and sealed log of this survey's

EXACTA
Maryland Surveyors, Inc.

www.exactaMD.com
P 866.735.1916 F 866.744.2882



City of Hyattsville

Zoning Variance Policy Statement and Variance Process

The Mayor and Council adopted the following City of Hyattsville Policy and Process for Zoning Variance Requests: City of Hyattsville Zoning Variance Policy Statement:

The City of Hyattsville affirms the role of the Prince George's County Planning Board zoning authority and "the purposes, intent, standards and design criteria set forth in the Zoning Ordinance and appropriate County policies."

The City of Hyattsville affirms the current zoning policy within the City limits and as a matter of policy does not support zoning variances as a normal business practice.

The City's support of a zoning variance ordinarily be granted only after the Mayor and City Council acknowledge that the granting of a variance:

1. remedies a unique situation that zoning did not anticipate;
2. remedies that which creates a significant hardship on the property-owner that can be documented and clearly demonstrated;
3. will result in benefits to the residents and improve the quality of the environment of the City.

Citizens requesting such support shall submit:

1. current plat of site with all existing conditions;
2. photos of all existing site conditions;
3. scale plans and elevations of existing conditions and proposed changes;
4. narrative description of the proposed changes, specifics of the zoning variance requirements and an explanation of how the zoning variance request responds to:
 - a. a unique situation that zoning did not anticipate;
 - b. a significant hardship on the property owner;
 - c. benefits to the residents and improve the environment of the City

The City shall as a matter of policy provide letters of support for residents to document a "non-conforming lot" as part of the normal permitting process for projects complying with all other aspects of zoning regulations, unless the matter at hand is the certification of a non-conforming use on a non-conforming lot. The standard for the support of the certification of a non-conforming use on a non-conforming lot would revert to the instant aforementioned requirements for City support of a zoning variance.

The City will not support variance requests for additional lot coverage when the intention of the request is to add off-street parking on the lot, except in extraordinary circumstances.

City of Hyattsville Zoning Variance Process

Requests for zoning variances shall be processed by the Office of Code Enforcement and reviewed by the staff for technical issues. The Office of Code Enforcement shall determine if the request complies with all of the requirements of City of Hyattsville Zoning Variance Policy or to document a "non-conforming lot". The Supervisor shall then issue a report for the City Administrator citing one of the following "Actions":

- A. The request for the City's support of the zoning variance does not comply with City's policy, Do Not Recommend Approval
- B. The request for the City's support of the zoning variance does comply with City's policy, Recommend Approval - Zoning Variance
- C. The request for the City's support of the zoning variance does comply with City's policy for "non-conforming lots", Recommend Approval - Non Conforming Lot

The City Administrator shall review the Office of Code Enforcement Supervisor's Report and determine which of the following actions is applicable and execute accordingly:

- A. Do Not Recommend Approval - The City Administrator shall draft a letter detailing the City's opposition for the proposed request for a zoning variance for the Mayor's consideration and signature. The City letter opposing the proposed request for a zoning variance shall be placed on the Consent Items Agenda for approval by the City Council.
- B. Recommend Approval - Zoning Variance - The City Administrator shall forward the Office of Code Enforcement Supervisor's Report for the proposed request for a zoning variance to the (Planning Committee for review and comment along with any other City staff comments) the Mayor and City Council for action.
- C. Recommend Approval - Non Conforming Lot - The City Administrator shall draft a letter detailing the City's support for the proposed request for a zoning variance for a "non-conforming lot" to the Mayor for his review and signature. The City letter supporting the proposed request for a zoning variance shall be placed on the Consent Items Agenda for approval by the City Council.

Adopted by the Mayor and Council on February 13, 2006

Amended by the Mayor and Council on October 3, 2011



Hyattsville City Council Agenda Item Report

Meeting Date: November 4, 2019

Submitted by: Jim Chandler

Submitting Department: Community & Economic Development

Item Type: Contract

Agenda Section:

SUBJECT

Contract for Services: Shannon Baum Signs & Graphics, Inc.

HCC-123-FY20

Recommendation:

I move the City Council authorize the City Administrator to execute a work order with Shannon Baum Signs & Graphics, Inc., in an amount not to exceed \$17,000.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Memo - Signage Installation Services - 10.30.2019.docx](#)

Summary Background:

The contract is for hardware and the installation of free standing signage to support the City's Residential Parking Zone and Public Parking Lot programs. The City will be 'piggy-backing' off of the existing Montgomery County contract for 'Furnishing and Installation' of signage assemblies.

The Public Works Department has on occasion managed the sign acquisition and installation process, but due to the large quantity and resources required, the Director of Public Works recommends the work be contracted out.

Next Steps:

No additional action is required.

Fiscal Impact:

\$17,000 - FY2020 Budget: Community & Economic Development - Parking Compliance

City Administrator Comments:

Recommend approval.

Community Engagement:

N/A

Strategic Goals:

Goal 4 – Foster Excellence in all City Operations

Legal Review Required?

N/A



Memo

To: Mayor and Council
From: Jim Chandler, Assistant City Administrator, Director, Com. & Econ. Development
CC: Tracey Douglas, City Administrator
Lesley Riddle, Director, Department of Public Works
Ron Brooks, Treasurer
Chris Giunta, Manager, Code & Parking Compliance
Date: October 30, 2019
Re: Parking Signage Installation Services: Shannon Baum Signs, Inc.

The City is scheduled to complete the roll-out of supplemental signage to support the City's Residential Parking Zone program. In addition, the Department will be installing additional signage within the City's public parking lots for the purpose of advising patrons of payment methods and parking requirements.

The Director has consulted with DPW Director Riddle and concurred that due to the quantity of installations and associated resources, it is necessary to contract out this work.

The City has secured a cost proposal from Shannon Baum Signs & Graphics, Inc. is a State of Maryland certified Women-owned Business Enterprise (WBE) and the City will be utilizing an existing Montgomery County contract to secure unit pricing.

The costs for materials and services is estimated at \$16,035.00.



Hyattsville City Council Agenda Item Report

Meeting Date: November 4, 2019

Submitted by: Lesley Riddle

Submitting Department: Public Works

Item Type: Memorandum of Understanding

Agenda Section:

SUBJECT

Memorandum of Understanding - Anacostia Watershed Society

HCC-126-FY20

Recommendation:

I move that the Mayor and Council authorize the City Administrator to execute a Memorandum of Understanding with the Anacostia Watershed Society for tree plantings in the City of Hyattsville, upon the review and approval by the City Attorney for legal sufficiency.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Anacostia Watershed Society.pdf](#)

Summary Background:

Anacostia Watershed Society (AWS) is a active partner with the City of Hyattsville in restoring City tree canopy and restoring the Anacostia River. This relationship works to improve Hyattsville and our surrounding communities. Hyattsville is the owner of public right of way and can improve the community by planting trees at designated locations within the City. City staff will work with AWS to identify planting sites for approval. The initial property that AWS is interested in planting trees at 3308 Rosemary Lane. AWS estimates planting up to twenty (20) tree at this site. AWS will select, plant and maintain the trees each year.

Next Steps:

With Council approval, AWS and the City will schedule a date from planting the trees at 3308 Rosemary Lane.

Fiscal Impact:

None

City Administrator Comments:

Recommend Support

Community Engagement:

Outreach regarding planning sites.

Strategic Goals:

Goal 3 – Promote a Safe and Vibrant Community

Legal Review Required?

Pending

City of Hyattsville and Anacostia Watershed Society Memorandum of Understanding

Whereas: Hyattsville is the owner of Property in the City of Hyattsville and desires to improve the community by planting trees at designated locations and agrees that those trees planted will represent a permanent tree and location for a tree in order to be inventoried and considered effective at sequestering Greenhouse Gases and potentially provide credits for stormwater management to the Prince George's County MS4 permit requirement.

Whereas: AWS has a contract with Urban Offsets, Inc. to plant and maintain trees to meet a contractual obligation for the sale of carbon credits to American University. AWS will help find locations, install, and maintain the planted trees for the duration of the prime Urban Offsets, Inc. AWS contract, currently 3 years with 2-year option. The Carbon Credits will accrue to Urban Offsets, Inc.

Whereas; AWS is a partner to Hyattsville in achieving a restored Anacostia River. In this relationship we are working together to improve the town and communities.

Therefore, Hyattsville and AWS enter into this MOU that sets out the details of the tree-planting efforts by both parties. The initial property that AWS is interested in planting trees is at 3308 Rosemary Lane. AWS estimates planting up to 20 trees at this site.

The trees to be planted will be selected from a list of approved trees. Trees will be three gallon and 1" in size at a minimum. Once the sites are selected and the trees planted, an inventory of the trees will be prepared and the trees and sites will be documented in a GIS layer. AWS will maintain the trees and complete an inventory each year. If trees are lost AWS will replace them.

- Urban Tree Planting Owner (City of Hyattsville) (UTP) is a corporation, a legally constituted entity (such as a utility or special district), city, county, state agency, educational campus, individual(s), or a combination thereof that has legal control of any amount of urban forest carbon within the Project Area. Control of urban forest carbon means the UTP Owner has the legal authority to effect changes to urban forest carbon quantities (right to plant or remove, for example). Control of urban forest carbon occurs, for purposes of satisfying this protocol, through fee ownership perpetual contractual agreements, and/or deeded encumbrances. This protocol recognizes the fee owner as the default owner of urban forest carbon where no explicit legal encumbrance exists. Individuals or entities holding mineral, gas, oil, or similar de minimis interests without fee ownership are precluded from the definition of UTP Owner.
- Urban Tree Planting Operators (Urban Offsets, Inc.) will obtain ownership of the urban forest carbon created from the project. The UTP Operator is thereby responsible for project

quantification, monitoring, reporting, and contracting with a third-party to verify the carbon. The Project Operator is responsible for any reversals associated with the project. In all cases where multiple Urban TP Owners participate in a UTP Project, the Project Operator must secure an agreement from all other UTP Owners that assigns ownership of the urban forest carbon to the Project Operator.

- Urban Tree Planting Maintainer (AWS) is an entity responsible for maintaining the health of all project trees across the project timeline. Project Maintainers can be the UTP Owner, municipal tree crews, contractors, or volunteers trained in best industry practices such as the International Society of Arboriculture. The UTP Maintainer is also responsible for documenting all found tree deaths and submitting them to the UTP Operator for review.

City of Hyattsville

Date

Anacostia Watershed Society

Date



Hyattsville City Council Agenda Item Report

Meeting Date: November 4, 2019

Submitted by: Ron Brooks

Submitting Department: Finance

Item Type: Budget

Agenda Section:

SUBJECT

FY20 Budget Amendment: Maryland DHCD Community Legacy Grant Award Funds

HCC-128-FY20

Recommendation:

I move that the Mayor and Council amend the FY20 Special Revenue Budget in Fund 23 for Contracted Services State DHCD Commercial Improvements by appropriating the remaining balance of \$50,000 in Community Legacy Grant Funds that were approved in prior fiscal years to support capital improvement projects.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

Summary Background:

As a State of Maryland designated Sustainable Community, the City is eligible to apply for Community Legacy grant funds as well as other State funding programs authorized under the Sustainable Communities Act of 2010. In order for a project to be eligible for funding it must be located in a geographic area designated by the Governor's Smart Growth Subcabinet and must support the plan that has been approved by the Smart Growth Subcabinet as a Sustainable Community Plan. The City of Hyattsville has received Community Legacy grant funds to support a variety of capital improvements projects and programming efforts as follows:

- (1) Business retention
- (2) Expansion and attraction initiatives
- (3) Streetscape improvements
- (4) Increasing homeownership and home rehabilitation
- (5) Residential and commercial façade improvement programs
- (6) Real estate acquisition, including land banking and strategic demolition and
- (7) Establishing funds to provide loan guarantees and credit enhancement to leverage other public or private financing.

Beginning in FY04 through FY2020 the City has received and appropriated these grant funds for the various activities noted above.

Next Steps:

Appropriate the remaining balance of \$50,000 in Community Legacy Grant Funds for FY20.

Fiscal Impact:

Increase FY20 Special Revenue Budget in Fund 23 by \$50,000.

City Administrator Comments:

Recommend Support.

Community Engagement:

N/A

Strategic Goals:

Goal 3 – Promote a Safe and Vibrant Community

Legal Review Required?

N/A



Hyattsville City Council Agenda Item Report

Meeting Date: November 4, 2019

Submitted by: Ron Brooks

Submitting Department: Finance

Item Type: Budget

Agenda Section:

SUBJECT

Loan Approval: Hyattsville Volunteer Fire Department (10 minutes)

HCC-129-FY20

Recommendation:

I move that the Mayor and Council approve a loan to Hyattsville Volunteer Fire Department in the amount of \$650,000 for a term of ten years at an annual interest rate between 2.95% to 3.25%. These funds are to be used to purchase a new Seagrave Model DB Capitol Pumper Truck. Upon completion of final terms, review and approval of all financial and related documents by the City Attorney, all documents will be presented to HFVD officials, City Administrator and City Treasurer for signatures.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

Summary Background:

The Hyattsville Volunteer Fire Department loan approved by the City Council in May of 2011 in the amount of \$120,000 was retired in 2018 three years ahead of time. The current loan approved in FY19 by Council for \$350,000 at an annual rate 3.25% for 5 years is presently paid 6 months ahead of scheduled. Historically, HFVD have requested loans thru the City because we have provided lower interest rates and better terms than what is available from local commercial banks. The administration has been in support of providing these loans only to the extent there are sufficient and available cash reserves at the time of the request. Although not required, the City has in the past received some level of interest earnings from these transactions.

Next Steps:

City Attorney final review and approval of all documents including obligor note instrument and debt schedule, signatures by HFVD, City Administrator and Treasurer and release of funds to HFVD.

Fiscal Impact:

The City will earn approximately \$50,000 in interest revenue.

City Administrator Comments:

Recommend Support.

Community Engagement:

N/A

Strategic Goals:

Goal 1 – Ensure Transparent and Accessible Governance

Legal Review Required?

Pending



Hyattsville City Council Agenda Item Report

Meeting Date: November 4, 2019

Submitted by: Jim Chandler

Submitting Department: Community & Economic Development

Item Type: Planning & Development

Agenda Section:

SUBJECT

DSP-19039 - NSR Properties - 3599 East-West Highway, Hyattsville (30 minutes)

HCC-131-FY20

Recommendation:

I move the City Council authorize the Mayor to provide correspondence to the Maryland-National Capital Park & Planning Commission regarding Detailed Site Plan 19039.

The letter shall convey that the applicant's request for variation or modification to the Prince George's Plaza TDDP Standards shall be limited and that a reduction in the building footprint consistent with the 'exemption' provisions should limit modification to the development standards to the 'Maximum Build-to Line' and 'Total Frontage Maximum Depth Requirement', as it is essential to the use and circulation of the site. The City, through the PPS application for this subject site, requested denial of support for an amendment to the Table of Uses to permit the use of the site as a gas station, in accordance with Section 27-548.09.01(b)(1) of the Zoning Ordinance, which will be reaffirmed through this correspondence.

The Prince George's Plaza Transit District Development Plan was developed through a comprehensive process which included the participation of all public and private stakeholders, the result of which was a plan that created a framework to guide investment and a vision for pedestrian connectivity, mixed-use density and a reduced reliance on single occupancy vehicles. We firmly believe that investment to real property within the Prince George's Plaza Transit District shall advance the vision of the Plan and shall not undermine the goals and objectives of the Plan.

With respect to the proposed site improvements, it is the City's opinion that the the TDDP provides sufficient exemptions that permit the applicant to proceed with minor aesthetic and operational improvements to ensure the economic viability of the existing business. It is the City's opinion that the proposed site improvements proposed for the subject property shall remain consistent with the relevant exemption outlined within the 2016 Prince George's Plaza Transit District Development Plan (TDDP) and that the TDDP provides sufficient exemptions, through the detailed site plan review, that permit the applicant to proceed with minor aesthetic and operational improvements to ensure the economic viability of the existing business.

It is therefore the City's opinion that the Planning Board require all improvements of the subject property shall abide by the relevant exemption outlined within the 2016 Prince George's Plaza Transit District Development Plan and shall include modifications and/or conditions to the site plan, subject to Planning Board approval:

1. The retail building structure on site shall not exceed 3,432.75 square feet, a 15% addition to the square footage of the existing structure as allowed under the exemptions within the TDDP.
2. A sidewalk shall extend from the convenience store structure to the sidewalk along Belcrest Road, mirroring the sidewalk from East-West Highway to the convenience store structure. This is necessary to fully accommodate pedestrian traffic through the site.
3. The proposed monument signs shall not be approved but shall be affixed to the structure. The City was not provided with sufficient elevations by the applicant.
4. The proposed stand-alone ATM and associated drive-aisle shall be removed from the exhibit. Any proposed ATM shall either be affixed to the building exterior or be located within the building interior.

5. A mural or other equivalent artistic element shall be integrated into the proposed convenience store building.
6. All pedestrian and service entrances shall have overhead awnings.
7. All sidewalks and frontage depths shall be designed and constructed to the development standards of the 2016 Prince George's Plaza Transit District Development Plan, unless otherwise modified by Maryland State Highway Administration (SHA).
8. The proposed modifications to the development standards shall be limited to the proposed 'Total Frontage Maximum Depth Requirement' and, as necessary a departure from the 'Maximum Build-to Line' to provide for a building setback along the southern perimeter of the property.
- 9.. In additions to those listed above, the City is requesting the applicant consider the following enhancements to the site:
 - a. The applicant's inclusion of a conduit along the western side of the site to provide for a future utility connection to support an electric charging parking space location, should the applicant choose to include an EV charger as part of the project now or in the future.
 - b. Landscaping on the site shall be limited to native species and consistent with the Prince George's County Landscape Manual.
 - c. The City is supportive of a minor increase in the number of fueling stations on the site, however we are recommending that the applicant reduce the number of pumps to six (6) service bays and twelve (12) service pumps.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[DSP-19039 - 3599 East West Hwy - Memo FINAL .docx](#)

[Council Packet minus Memo - NSR Properties 11.04.2019.pdf](#)

Summary Background:

The applicant is proposing the addition of four (4) service bays (eight gas service pumps), for a total of eight (8) services bays and sixteen (16) service pumps, and a stand-alone ATM, as well as the construction of a new convenience store/management office at 3599 East West Highway. The property is located within the "Downtown Core" character area of the Prince George's Plaza Transit District Overlay Zone and is zoned M-U-I (Mixed-Use-Infill).

The applicant is requesting three (3) modifications to the 2016 Prince George's Plaza Transit District Development Plan (TDDP) standards. The existing use is permitted; however, the applicant is required to file for Detailed Site Plan (DSP) review as the proposed improvements require a variance to the development standards. In addition, the proposed improvements to the site may constitute a 'new' use and/or be interpreted as non-conforming use and all major improvements to non-conforming properties must be approved via a DSP.

Staff is recommending the applicant make improvements to the property within the exemption regulations specified within the 2016 Prince George's Plaza Transit District Development Plan (TDDP), which read, "an addition to a nonresidential structure... that was lawful or could have been certified as nonconforming pursuant to Section 27-244 of the Zoning Ordinance on July 19, 2016, is exempt from the Transit District Standards and DSP review if the addition (and the cumulative sum of all additions since July 19, 2016) does not increase the GFA by more than 15 percent or 5,000 square feet, whichever is less" (pg. 199).

The staff opines that the TDDP provides sufficient exemptions that permit the applicant to proceed with minor aesthetic and operational improvements to ensure the economic viability of the existing business. The only variation City Staff deems necessary is the modified Total Frontage Maximum Depth, as it is essential to the use and

circulation of the site. Beyond frontage depth, all improvements of the subject property shall remain consistent with the relevant exemption outlined within the 2016 Prince George's Plaza Transit District Development Plan.

The applicant has consented to specific site modifications to conform with the 'Exemption' language included in the Prince George's Plaza TDDP, specifically:

Limiting the GFA of the retail structure to no greater than 15% of the existing building footprint. The new building footprint would be limited to 3,329 square feet and will be submitting a revised site plan to address specific concerns outlined in the attached staff memorandum.

Next Steps:

No additional action is required. The M-NCPPC Planning Board Hearing for this application is scheduled for December 12, 2019.

Fiscal Impact:

N/A

City Administrator Comments:

Recommend approval of the motion.

Community Engagement:

The applicant met with the Planning Committee on July 16, 2019 to present and discuss the development application. At the April 17, 2018 Planning Committee meeting, recommendations unanimously approved by the Planning Committee included:

- The applicant should consider the inclusion of "some form of artistic or attractive feature" along the south facing rear wall of the convenience store building;
- The applicant should consider reducing the number of curb cuts and enhancing pedestrian access and safety on the site.

In the revised DSP, the applicant addressed the number of curb cuts by reducing the number from a total of four (4) curb cuts to (2) curb cuts, with one (1) curb cut along East-West Highway and one (1) curb cut along Belcrest Road. However, the applicant did not address the Planning Committee's recommendation to include some form of artistic or attractive feature to the proposed building. The Planning Committee reiterated this recommendation during the July 16, 2019 meeting.

During the Planning Committee's July 16, 2019 meeting, the majority of the Planning Committee's discussion focused on the applicant's requested variances. The Planning Committee supports the applicant's first three (3) original amendments without any major contention, which include an 8-foot sidewalk and 6.3-foot tree and furnishing zone along East-West Highway, canopy set back of 25.6' from East-West Highway, and a 43' build-to line on Belcrest Road. In addition, the Planning Committee supports the canopy branding presented in the DSP, with one (1) member opposed stating the highway-styled branding is not consistent with the spirit of the TDDP.

Strategic Goals:

Goal 2 – Ensure the Long-Term Economic Viability of the City

Legal Review Required?

N/A



Memo

To: Mayor and City Council

CC: Tracey Nicholson, City Administrator

From: Jim Chandler, Assistant City Administrator and Director, Community & Economic Development
Kate Powers, City Planner

Date: October 31, 2019

Re: DSP-19039: 3599 East-West Highway, Hyattsville

Attachments: Revised Detailed Site Plan, DSP-19039
DSP-19039 Statement of Justification
M-NCPPC Design Standards Analysis & Additional Amendments
Relevant TDDP Pages
Planning Committee Minutes 07.16.19
Planning Committee Minutes 04.17.18

The purpose of this memorandum is to provide the City Council with a summary of Detailed Site Plan 19039, the redevelopment of 3599 East-West Highway, as well as provide Staff recommendations related to this development.

DSP Application Summary

- The applicant is proposing the addition of four (4) service bays (eight gas service pumps), for a total of eight (8) services bays and sixteen (16) service pumps, and a stand-alone ATM, as well as the construction of a new convenience store/management office at 3599 East West Highway.
- The property is located within the “Downtown Core” character area of the Prince George’s Plaza Transit District Overlay Zone and is zoned M-U-I (Mixed-Use-Infill).
- The applicant is requesting three (3) modifications to the 2016 Prince George’s Plaza Transit District Development Plan (TDDP) standards.
- The existing use is permitted; however, the applicant is required to file for Detailed Site Plan (DSP) review as the proposed improvements require a variance to the development standards. In addition, the proposed improvements to the site may constitute a ‘new’ use and/or be interpreted as non-conforming use and all major improvements to non-conforming properties must be approved via a DSP.

- The applicant presented their Detailed Site Plan to the Planning Committee on Tuesday, July 16, 2019. The Planning Committee's recommendations are incorporated into this memorandum and the draft minutes of the meeting are included as an attachment.
- The DSP being presented is in direct opposition with the vision of the TDDP, and therefore, Staff cannot recommend the City Council support DSP-19039 including the recommended variances requested by the applicant, as submitted.
- Staff is recommending the applicant make improvements to the property within the exemption regulations specified within the 2016 Prince George's Plaza Transit District Development Plan (TDDP), which read,

"an addition to a nonresidential structure... that was lawful or could have been certified as nonconforming pursuant to Section 27-244 of the Zoning Ordinance on July 19, 2016, is exempt from the Transit District Standards and DSP review if the addition (and the cumulative sum of all additions since July 19, 2016) does not increase the GFA by more than 15 percent or 5,000 square feet, whichever is less" (pg. 199).

- Staff is recommending the City Council not support the majority of the applicant's requests for variation or modification to the Prince George's Plaza TDDP Standards. It is Staff's opinion that the TDDP provides sufficient exemptions that permit the applicant to proceed with minor aesthetic and operational improvements to ensure the economic viability of the existing business. The only variation City Staff deems necessary is the modified Total Frontage Maximum Depth, as it is essential to the use and circulation of the site. Beyond frontage depth, it is Staff's opinion that all improvements of the subject property shall remain consistent with the relevant exemption outlined within the 2016 Prince George's Plaza Transit District Development Plan.
- The applicant has consented to specific site modifications to conform with the 'Exemption' language included in the Prince George's Plaza TDDP, specifically:
 - o Limiting the GFA of the retail structure to no greater than 15% of the existing building footprint. The new building footprint would be limited to 3,329 square feet;
 - o Elimination of freestanding automated teller machine (ATM) and ATM drive aisle. The ATM will be relocated to be affixed to the retail building exterior and/or within the interior of the building;
 - o Inclusion of an additional sidewalk to be located on the southeastern side of the site, connecting to the sidewalk along the west side of Belcrest Road.
- Other site modifications and/or conditions are as follows:
 - o The applicant's inclusion of a conduit along the western side of the site to provide for a future utility connection to support an electric charging parking space location, should the applicant choose to include an EV charger as part of the project now or in the future.
 - o Landscaping on the site shall be limited to native species and consistent with the Prince George's County Landscape Manual.
 - o Staff is supportive of a minor increase in the number of fueling stations on the site, however we are recommending that the applicant reduce the number of pumps to six (6) service bays and twelve (12) service pumps.
 - o A mural or other equivalent artistic element shall be integrated into the proposed convenience store building.
 - o All pedestrian and service entrances shall include overhead awnings.

- The M-NCPPC Planning Board Hearing for this application is scheduled for December 12, 2019.

DSP Application Details

The subject property is a 0.837-acre site located at 3599 East West Highway, at the southwestern intersection of East West Highway (MD 410) and Belcrest Road. The site has maintained a gas station since 1961 and currently operates as a Sunoco gas station. The property is zoned M-U-I (Mixed-Use-Infill) and lies within the “Downtown Core” character area of the Prince George’s Plaza Transit District Overlay Zone (TDOZ). The property owner is proposing to redesign and reconfigure the site, expanding the number of gas pumps, demolishing the existing convenience store, and building a new commercial building along the southern property line of the site.

The site currently has four (4) gas bays, allowing for eight (8) pumps. The applicant is proposing to double the number of bays for a total of eight (8) multi-product dispensers, which will allow for (16) pumps on site. The applicant also plans to demolish the existing 2,985 square foot convenience store, which is in the center of the site, and rebuild it along the southern edge of the property. The new convenience store building is a proposed 4,796 square foot structure. The ATM currently affixed to the exterior of the building will be relocated as a stand-alone machine on the east side of the site.

The application calls for one (1) right-in, right-out curb cut on East-West Highway and one (1) right-in, right-out curb cut on Belcrest Road. Currently, the site has two (2) curb cuts on East-West Highway and two (2) curb cuts on Belcrest Road.

Variance Requests

The applicant is requesting three (3) variations from the 2016 Prince George’s Plaza Transit District Development Plan (TDDP) standards for this project. The applicant has provided a Statement of Justification to the City of Hyattsville and Maryland-National Capital Park & Planning Commission (M-NCPPC) detailing the rationale for these proposed modifications. The applicant’s requested variations are outlined below.

1. Requested Modification: The proposed building will be set back 50-feet from the curb line. The applicant is proposing an 8-foot sidewalk and 6.3-foot tree and furnishing zone along East-West Highway and a 10-foot sidewalk along Belcrest Road.
Corresponding TDDP Standard: Total Frontage Maximum Depth Requirement is 25’ for East-West Highway (TDDP, pg. 211).
2. Requested Modification: The proposed food and beverage store and office building will be setback 43’ from Belcrest Road and 133’ from East-West Highway.
Corresponding TDDP Standard: Maximum Build-To Line on the west side of Belcrest Road is 33’ (TDDP, pg. 211). Maximum Build-To Line on East-West Highway is 25’ (TDDP, pg. 211).
3. Requested Modification: Amend the Table of Uses to permit the use of the site as a gas station, in accordance with Section 27-548.09.01(b)(1) of the Zoning Ordinance. This section states that a property owner may request a change to the list of allowed uses to the approved Transit District Overlay Zone.
Corresponding TDDP Standard: Gas Station (in the C-M Zone, subject to detailed site plan review

in accordance with Section 27-358(a)(1),(2),(4),(5),(6),(7),(8),(9), and (10) (CB-1-1989; CB -72-1999) in T-D-O/M-U-I Zone use is permitted and not nonconforming within the Prince George's Plaza Transit District of legally existing on July 19, 2016. New uses of this type are prohibited within the Transit District (TDDP, pg. 277 & 291).

City staff has consulted with M-NCPPC staff regarding the proposed modifications. M-NCPPC staff opinion is that implementing the site plan, as proposed, may require up to thirty-two (32) modifications to the Prince George's Plaza Transit District Development Plan. This is a significant increase from the number of modifications being requested by the applicant. City Staff solely analyzed the modifications as requested and presented by the applicant, however an outline of the additional amendments identified by M-NCPPC can be found attached to this memo.

Prince George's Plaza TDDP - Table of Uses

The applicant's final variance request, as briefly outlined in the above section, is related to the permitted use of the subject property and whether the redevelopment presented in the proposed application constitutes a "new use". The Table of Uses for the Prince George's Transit District Development Plan provides that in the Transit District Overlay/Mixed-Use Infill (T-D-O/M-U-I) Zone, a gas station use "is permitted and not nonconforming within the Prince George's Plaza Transit District if legally existing on July 19, 2016. New uses of this type are prohibited within the Transit District" (TDDP, pg. 291). The subject property was originally approved for a gas station in 1961 and has remained a gas station for the last 58 years; It is the only gas station present in the Prince George's Plaza Transit District Overlay Zone (TDOZ). As noted, gas station is not a permitted use within the TDOZ, however the gas station use of the subject property has been permitted to continue as a conforming use under the TDDP and therefore is permitted.

The applicant is proposing to raze the existing food and beverage store and gas canopy present on the site, reconfigure the site, and construct a new convenience store and canopied gas pumps. There is a debate as to whether these proposed actions constitute a "new use" of the site as opposed to allow the retention of a continued use.

The 2016 Prince George's Plaza Transit District Development Plan (TDDP) lays out specific language pertinent to the subject property site. The TDDP states,

"...[P]roperties... located in the Downtown Core of the Transit District, are considerably underdeveloped considering their proximity to a transit station, have auto-oriented uses that are incompatible with a walkable downtown environment, and are envisioned for a significantly increased intensity of development and mix of uses. ...[R]ezoning permits these properties to retain the uses that they have on an interim basis while they transition, as that market allows, to the walkable urban products the real estate market increasingly demands. The M-U-I Zone, coupled with the Transit District Standards, permits a range of uses in a variety of buildings, creating the flexibility most conducive to development and redevelopment" (TDDP, pg. 174).

As per the TDDP, M-NCPPC staff's opinion is that the gas station use of the subject property was intended to continue temporarily and allow for the transition to a use more appropriate for a downtown core; the intention was not for the site to retain its gas station use long-term.

The legal determination as to whether the application constitutes a "new use" or retains a "continued use" will fall to the County Planning Board and District Council. If the DSP is approved, the redevelopment

proposed by the applicant will be implemented. If the DSP is denied, it is likely the gas station use will remain in its current state, without any additional improvements, until market conditions facilitate the redevelopment of the site consistent with the vision of the TDDP. Staff recommends the City Council defer to the Planning Board's decision on appropriate use in relation to this application.

Exemptions from the Transit District Development Plan (TDDP)

Regardless of whether the DSP presents a 'new use,' the applicant has the right to improve their site within the exemption guidelines provided in the Prince George's Plaza TDDP.

The TDDP includes language on specific exemptions from part or all of the Transit District Standards and DSP review. The exemption language within the TDDP was included to allow this specific subject property to proceed with minor aesthetic and operational site improvements without the need for an approved detailed site plan. As relevant to the subject property, the TDDP reads,

An addition to a nonresidential structure, other than an integrated shopping center, that was lawful or could have been certified as nonconforming pursuant to Section 27-244 of the Zoning Ordinance on July 19, 2016, is exempt from the Transit District Standards and DSP review if the addition (and the cumulative sum of all additions since July 19, 2016) does not increase the GFA [Gross Floor Area] by more than 15 percent or 5,000 square feet, whichever is less (pg. 199).

Under this exemption, the applicant can increase the square footage of their existing convenience store by 447.75 sq. ft., for a total square footage of 3,432.75 sq. ft. See calculation below.

$$(15\% \times 2,985) + 2,985 = 3,432.75$$

$$(447.75) + 2,985 = 3,432.75$$

This would provide for an additional 21 ft. by 21 ft. to the existing structure. However, due to the location of the existing retail structure, the applicant is not requesting an addition, but rather a new structure with an increased footprint to enable the expansion of gas pumps and improved site circulation.

Site improvements made under the relevant TDDP 'exemption' will not require the applicant submit, or receive approval of, a detailed site plan. The benefit of utilizing the exemption provisions through a detailed site plan application is that it requires the applicant to make improvements that would otherwise not be required, specifically regulatory compliance with landscape manual and storm water management requirements. It is Staff's opinion that it is appropriate for the applicant to proceed with improvements through the 'exemption' provisions specified within the TDDP.

Planning Committee Review

The applicant met with the Planning Committee on July 16, 2019 to present and discuss the development application.

Since the Planning Committee has already reviewed a version of this site plan, they recommended that the relevant comments from the April 17, 2018 meeting be put into record, as they are pertinent to the discussion of the updated DSP submitted by the applicant.

At the April 17, 2018 Planning Committee meeting, recommendations unanimously approved by the Planning Committee included:

- The applicant should consider the inclusion of “some form of artistic or attractive feature” along the south facing rear wall of the convenience store building;
- The applicant should consider reducing the number of curb cuts and enhancing pedestrian access and safety on the site.

In the revised DSP, the applicant addressed the number of curb cuts by reducing the number from a total of four (4) curb cuts to (2) curb cuts, with one (1) curb cut along East-West Highway and one (1) curb cut along Belcrest Road. However, the applicant did not address the Planning Committee’s recommendation to include some form of artistic or attractive feature to the proposed building. The Planning Committee reiterated this recommendation during the July 16, 2019 meeting.

During the Planning Committee’s July 16, 2019 meeting, the majority of the Planning Committee’s discussion focused on the applicant’s requested variances. The Planning Committee supports the applicant’s first three (3) original amendments without any major contention, which include an 8-foot sidewalk and 6.3-foot tree and furnishing zone along East-West Highway, canopy set back of 25.6’ from East-West Highway, and a 43’ build-to line on Belcrest Road. In addition, the Planning Committee supports the canopy branding presented in the DSP, with one (1) member opposed stating the highway-styled branding is not consistent with the spirit of the TDDP.

Regarding the Table of Uses variance request, the Planning Committee discussed whether this issue was within their scope, as it will ultimately be a legal determination. A vote specific to supporting this variance and the applicant’s interpretation of the zoning ordinance failed due to most Planning Committee members abstaining from the vote. Abstentions were based on the belief that this variance will need to be legally determined and this decision is outside the purview of the Planning Committee.

The Planning Committee voted to support the current use of the site as a gas station with the renovations and reconstruction proposed by the applicant; this vote was premised on the value members believe this use brings to the community, and not on any legal basis.

Meeting minutes from the April 17, 2018 meeting and July 16, 2019 meeting are attached to this document.

Staff Analysis and Recommendations

It is Staff’s opinion that it is appropriate for the applicant to proceed with improvements through the ‘exemption’ provisions specified within the TDDP. It is our opinion that improvements through the exemption provisions are the only feasible option moving forward, as it is the only course of action that satisfies both the applicant’s desire to improve their property and the standards outlined in the TDDP.

In our analysis, Staff has determined three requirements for development on this site:

- (1.) Improvements must not significantly hinder the future, intended transition of the site to higher-density development;
- (2.) The applicant should have the opportunity to further invest in and improve their business; and
- (3.) Any action taken shall be compatible with the vision and goals of the Transit District Development Plan.

Further explanation of these three requirements, and how they relate to Staff's recommendation, can be found below.

1. Ease of phasing development

During the development of the 2016 Prince George's Plaza Transit District Development Plan, Park and Planning took into considered that the TDOZ was comprised of sites with multiple different owners and that the timing of development would likely be driven by market conditions and the willingness of property owners to redevelop. Park and Planning envisioned redevelopment of parcels within the TDOZ over time, culminating at the intersection of Belcrest Road and East West Highway. The TDDP states,

Greater land values (due to the proximity to the Metro station) and the need for underground parking will likely position this area for the highest-intensity of development only after the Transit District has reached a certain level of maturation (TDDP, pg. 72).

In order to make this future "highest-intensity of development" possible means non-compatible uses must be phased out and current uses must allow for this eventual transition. If the redevelopment laid out in DSP-19039 comes to fruition, a non-conforming use gas station may reside on the anchor site of the Hyattsville Downtown Core for more than 30 years. Exemptions were created specifically for this site to avoid this possibility, while also allowing for improvements to the site. Requiring the applicant work within the exemptions will facilitate the continued use of the site as a gas station, without thwarting the property's potential to become a dense, walkable anchor site in Hyattsville's Downtown Core within a reasonable timeframe.

2. Site improvements to benefit the property owner

By working within the exemptions, the property owner has the opportunity to improve the site and invest in their business, without the hassle of submitting a DSP for review. The exemption laid out in the TDDP allows the property owner to create an addition on the existing building as long as it does not increase the GFA by more than 15 percent. This exemption is broad and allows some freedom in what enhancements can be done to the existing convenience store.

3. Alignment with the vision of the TDDP

The redevelopment proposed in DSP-19039 is in direct opposition with the adopted vision of the 2019 Prince George's Plaza Transit District Development Plan. Within the Downtown Core, the TDDP requires:

- Concentrated density (TDDP, pg. 76)
- Street-framing, mixed-use buildings (TDDP, pg. 76)
- Active ground uses (TDDP, pg. 76)
- Largest buildings at key intersections and near the Metro Station (TDDP, pg. 76)
- Significant urban design features at signature sites (TDDP, pg. 106)
- Special buildings around key intersections (TDDP, pg. 106)

The 2016 Prince George's Plaza Transit District Development Plan was created to "shape the character of the built environment" and "create a walkable, mixed-use downtown" for the City of Hyattsville (TDDP, pg. 201). Though not immediately apparent, requiring the subject property work within the exemptions does align with the vision and goals of the TDDP. These exemptions were created specifically for 3599 East West Highway, as it is the only property to which this exemption applies. It was the intent of the

stakeholders that participated in the crafting of the plan for the property owner to work within this exemption.

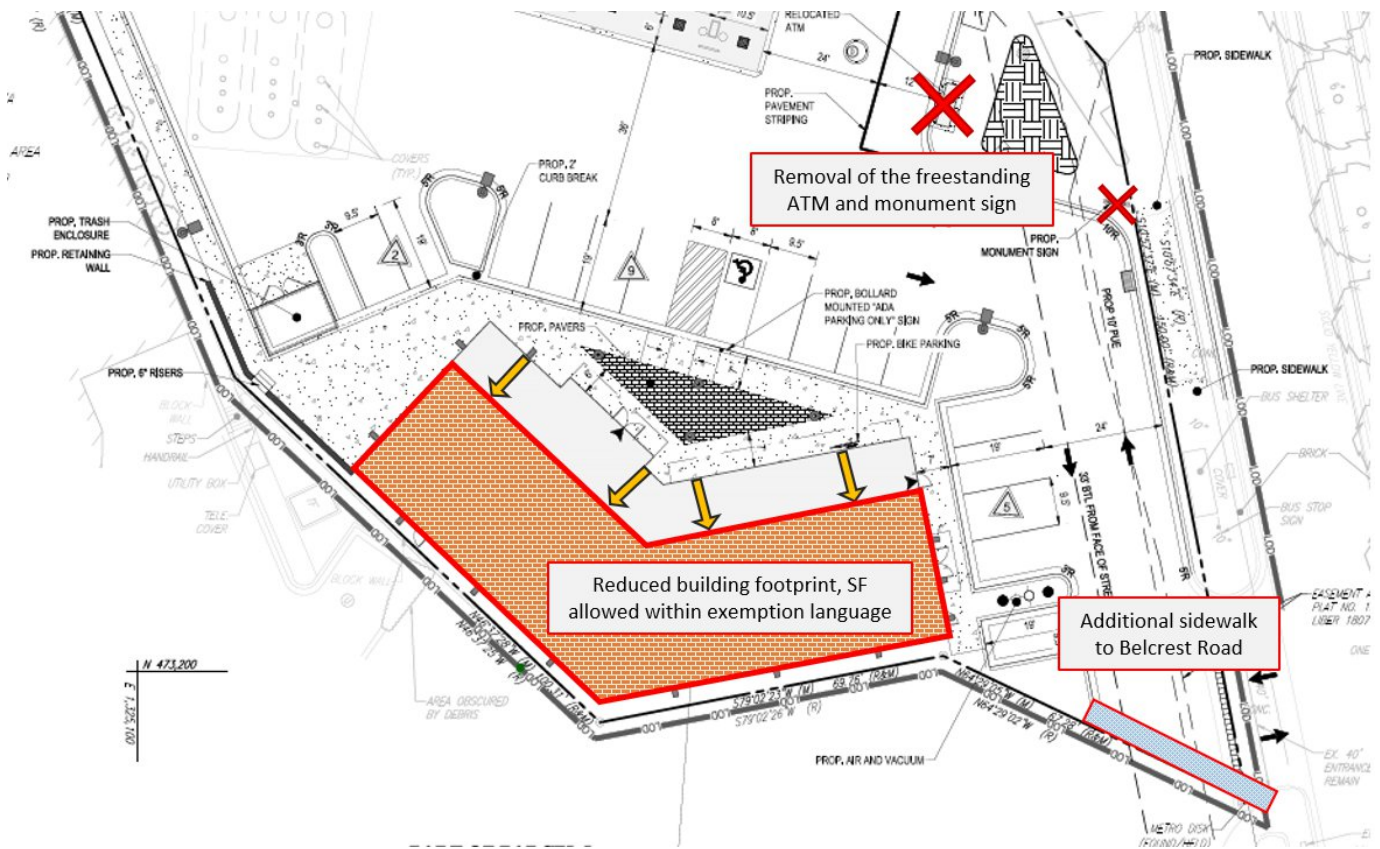
City Staff met with the applicant on Monday, October 14, 2019 to discuss the exemption language relevant to the subject property. City Staff is in support of a newly constructed, 1-story building on the site. Ideally, City Staff would like improvements to go through the DSP process, as this would require the applicant adhere to stormwater and landscaping requirements, as well as traffic mitigation along Belcrest Road, which City Staff fully endorses. As a note, traffic mitigation measures along East-West Highway will be adhered to based on the approval of the site's preliminary plan of subdivision.

On October 29, 2019, the applicant submitted a revised DSP which reverted the site plan back to the applicant's original submission, with the exception of eliminating the 2-story building for a 1-story building. However, the proposed structure is 4,796 square feet. This is an increase of 1,811 square feet to the existing structure on site, making it 60% larger than the existing building. This is four times larger than what is allowed under the exemption language outlined in the TDDP.

In addition, this "revised" DSP includes a freestanding ATM on the corner of East-West Highway and Belcrest Road, as well as a proposed monument sign along Belcrest Road. City Staff is not in support of the freestanding ATM nor the monument sign, as the freestanding ATM poses safety and circulation issues and City Staff was not given adequate materials to review the proposed monument sign. Also, the "revised" DSP omits any artistic elements, overhead awnings on all entrances and exits, and a sidewalk from the proposed convenience store to Belcrest Road, all of which City Staff recommends be included within the project on this site.

The proposed site calls for 8 service bays, with a total of 16 gas pumps. City staff would ask the applicant to consider a reduction in the number of pumps to not exceed 6 service bays, for a total of 12 gas pumps. In addition, City Staff would like for the applicant to consider installing utilities adjacent to the northwestern-most parking spot to allow for an eventually EV charging station.

Below is a visual representation of the reduced building footprint, additional sidewalk, and removal of both the stand-alone ATM and monument sign as suggested by City Staff. The building footprint is intended to depict scale and is not intended to dictate the configuration of the building.



It is Staff's opinion that it is reasonable to require the applicant be limited to the specific enhancements to a 'gas station' use and that improvements made to the site are generally consistent with the exemptions permitted within the TDDP, which were specifically created for this site, and is likely the only feasible option moving forward.

City Council Action

The M-NCPPC Planning Board is scheduled to conduct a hearing to consider DSP-19039 on Thursday, December 12, 2019. Any recommendations adopted by the City Council at the November 4, 2019 meeting will be conveyed to the Planning Board before the M-NCPPC hearing.

Staff is recommending the City Council adopt the following motion:

"I move the City Council authorize the Mayor to provide correspondence to the Maryland-National Capital Park & Planning Commission regarding Detailed Site Plan 19039.

The letter shall convey that the applicant's request for variation or modification to the Prince George's Plaza TDDP Standards shall be limited and that a reduction in the building footprint consistent with the 'exemption' provisions should limit modification of the development standards to the 'Maximum Build-to Line' and 'Total Frontage Maximum Depth Requirement, as it is essential to the use and circulation of

the site. The City, through the PPS application for this subject site, requested denial of support for an amendment to the Table of Uses to permit the use of the site as a gas station, in accordance with Section 27-548.09.01(b)(1) of the Zoning Ordinance, which will be reaffirmed through this correspondence.

With respect to the proposed site improvements, it is the City's opinion that the proposed site improvements proposed for the subject property shall remain consistent with the relevant exemption outlined within the 2016 Prince George's Plaza Transit District Development Plan (TDDP) and that the TDDP provides sufficient exemptions, through the detailed site plan review, that permit the applicant to proceed with minor aesthetic and operational improvements to ensure the economic viability of the existing business.

It is therefore the City's opinion that the Planning Board require all improvements of the subject property shall abide by the relevant exemption outlined within the 2016 Prince George's Plaza Transit District Development Plan and shall include modifications and/or conditions to the site plan, subject to Planning Board approval:

1. The retail building structure on site shall not exceed 3,432.75 square feet, a 15% addition to the square footage of the existing structure as allowed under the exemptions within the TDDP.
2. A sidewalk shall extend from the convenience store structure to the sidewalk along Belcrest Road, mirroring the sidewalk from East-West Highway to the convenience store structure. This is necessary to fully accommodate pedestrian traffic through the site.
3. The proposed monument signs shall not be approved but shall be affixed to the structure. The City was not provided with sufficient elevations by the applicant.
4. The proposed stand-alone ATM and associated drive-aisle shall be removed from the exhibit. Any proposed ATM shall either be affixed to the building exterior or be located within the building interior.
5. A mural or other equivalent artistic element shall be integrated into the proposed convenience store building.
6. All pedestrian and service entrances shall have overhead awnings.
7. All sidewalks and frontage depths shall be designed and constructed to the development standards of the 2016 Prince George's Plaza Transit District Development Plan.
8. The proposed modifications to the development standards shall be limited to the proposed 'Total Frontage Maximum Depth Requirement' and, as necessary, a departure from the 'Maximum Build-to Line' to provide for a building setback along the southern perimeter of the property.
9. All pedestrian and service entrances shall include overhead awnings.
10. In additions to those listed above, the City is requesting the applicant consider the following enhancements to the site:
 - a. The applicant's inclusion of a conduit along the western side of the site to provide for a future utility connection to support an electric charging parking space location, should the applicant choose to include an EV charger as part of the project now or in the future.
 - b. Landscaping on the site shall be limited to native species and consistent with the Prince George's County Landscape Manual.
 - c. The City is supportive of a minor increase in the number of fueling stations on the site, however we are recommending that the applicant reduce the number of pumps to six (6) service bays and twelve (12) service pumps.

- d. A mural or other equivalent artistic element shall be integrated into the proposed convenience store building.

STANDARD DRAWING LEGEND		
FOR ENTIRE PLAN SET (NOT TO SCALE)		
EXISTING NOTE	TYPICAL NOTE TEXT ON SITE	PROPOSED NOTE
---	PROPERTY LINE / EASEMENT	---
---	PROPERTY LINE / EASEMENT	---
---	PROPERTY LINE / EASEMENT	---
---	PROPERTY LINE / EASEMENT	---
---	SETBACK LINE	---
=====	CONCRETE CURB & GUTTER	CURB AND GUTTER SPILL CURB TRANSITION CURB DEPRESSED CURB AND GUTTER
=====	UTILITY POLE WITH LIGHT	=====
=====	POLE LIGHT	=====
=====	TRAFFIC LIGHT	=====
=====	UTILITY POLE	=====
=====	TYPICAL LIGHT	=====
=====	ACORN LIGHT	=====
=====	TYPICAL SIGN	=====
=====	PARKING COUNTS	=====
-----170----- -----169-----	CONTOUR LINE	-----190----- -----187-----
TC 516.4 DP 516.4	SPOT ELEVATIONS	TC 516.00 BC 515.95
SAN #	SANITARY LABEL	SAN #
-----S-----	STORM LABEL	-----S-----
-----S-----	SANITARY SEWER LATERAL	-----S-----
-----W-----	UNDERGROUND WATER LINE	-----W-----
-----E-----	UNDERGROUND ELECTRIC LINE	-----E-----
-----G-----	UNDERGROUND GAS LINE	-----G-----
-----OH-----	OVERHEAD WIRE	-----OH-----
-----T-----	UNDERGROUND TELEPHONE LINE	-----T-----
-----C-----	UNDERGROUND CABLE LINE	-----C-----
=====	STORM SEWER	=====
-----S-----	SANITARY SEWER MAIN	-----S-----
-----	HYDRANT	-----
-----	SANITARY MANHOLE	-----
-----	STORM MANHOLE	-----
-----	WATER METER	-----
-----	WATER VALVE	-----
-----	GAS VALVE	-----
-----	GAS METER	-----
-----	TYPICAL END SECTION	-----
-----	HEADWALL OR ENDWALL	-----
-----	YARD INLET	-----
-----	CURB INLET	-----
-----	CLEAN OUT	-----
-----	ELECTRIC MANHOLE	-----
-----	TELEPHONE MANHOLE	-----
-----	ELECTRIC BOX	-----
-----	ELECTRIC PEDESTAL	-----
-----	MONITORING WELL	-----
-----	TEST PIT	-----
-----	BENCHMARK	-----
-----	BORING	-----

STANDARD ABBREVIATIONS			
FOR ENTIRE PLAN SET			
AC	ACRES	POG	POINT OF GRADE
ADA	AMERICANS WITH DISABILITY ACT	PROP	PROPOSED
ARCH	ARCHITECTURAL	PT	POINT OF TANGENCY
BC	BOTTOM OF CURB	PTCR	POINT OF TANGENCY, CURB RETURN
BF	BASEMENT FLOOR	PVC	POLYVINYL CHLORIDE PIPE
BK	BLOCK	PVI	POINT OF VERTICAL INTERSECTION
BL	BASELINE	PVT	POINT OF VERTICAL TANGENCY
BLDG	BUILDING	R	RADIUS
BM	BUILDING BENCHMARK	RCP	REINFORCED CONCRETE PIPE
BRL	BUILDING RESTRICTION LINE	RET WALL	RETAINING WALL
CF	CUBIC FEET	R/W	RIGHT OF WAY
CL	CENTERLINE	S	SLOPE
CMP	CORRUGATED METAL PIPE	SAN	SANITARY SEWER
CONN	CONNECTION	SF	SQUARE FEET
CONC	CONCRETE	STA	STATION
CPP	CORRUGATED PLASTIC PIPE	STM	STORM
CY	CUBIC YARDS	SW	SIDEWALK
DEC	DECORATIVE	TBR	TO BE REMOVED
DEP	DEPRESSED	TBRL	TO BE RELOCATED
DIP	DUCTILE IRON PIPE	TC	TOP OF CURB
DOM	DOMESTIC	TELE	TELEPHONE
ELEC	ELECTRIC	TPF	TREE PROTECTION FENCE
ELEV	ELEVATION	TW	TOP OF WALL
EP	EDGE OF PAVEMENT	TYP	TYPICAL
ES	EDGE OF SHOULDER	UG	UNDERGROUND
EW	END WALL	UP	UTILITY POLE
EX	EXISTING	W	WIDE
FES	FLARED END SECTION	WIL	WATER LINE
FF	FINISHED FLOOR	W/M	WATER METER
FH	FIRE HYDRANT	±	PLUS OR MINUS
FG	FINISHED GRADE	°	DEGREE
G	GRADE	Ø	DIAMETER
GF	GARAGE FLOOR (AT DOOR)	#	NUMBER
GH	GRADE HIGHER SIDE OF WALL		
GL	GRADE LOWER SIDE OF WALL		
GRT	GRATE		
GV	GATE VALVE		
HDPE	HIGH DENSITY POLYETHYLENE PIPE		
HP	HIGH POINT		
HOR	HORIZONTAL		
HW	HEADWALL		
INT	INTERSECTION		
INV	INVERT		
LF	LINEAR FOOT		
LOC	LIMITS OF CLEARING		
LOD	LIMITS OF DISTURBANCE		
LOS	LINE OF SIGHT		
LP	LOW POINT		
LS	LANDSCAPE		
MAX	MAXIMUM		
MIN	MINIMUM		
MH	MANHOLE		
MJ	MECHANICAL JOINT		
OC	ON CENTER		
PA	POINT OF ANALYSIS		
PC	POINT CURVATURE		
PCCR	POINT OF COMPOUND CURVATURE, CURB RETURN		
PI	POINT OF INTERSECTION		

DETAILED SITE PLAN

DSP-19039

FOR

NSR PROPERTIES, LLC

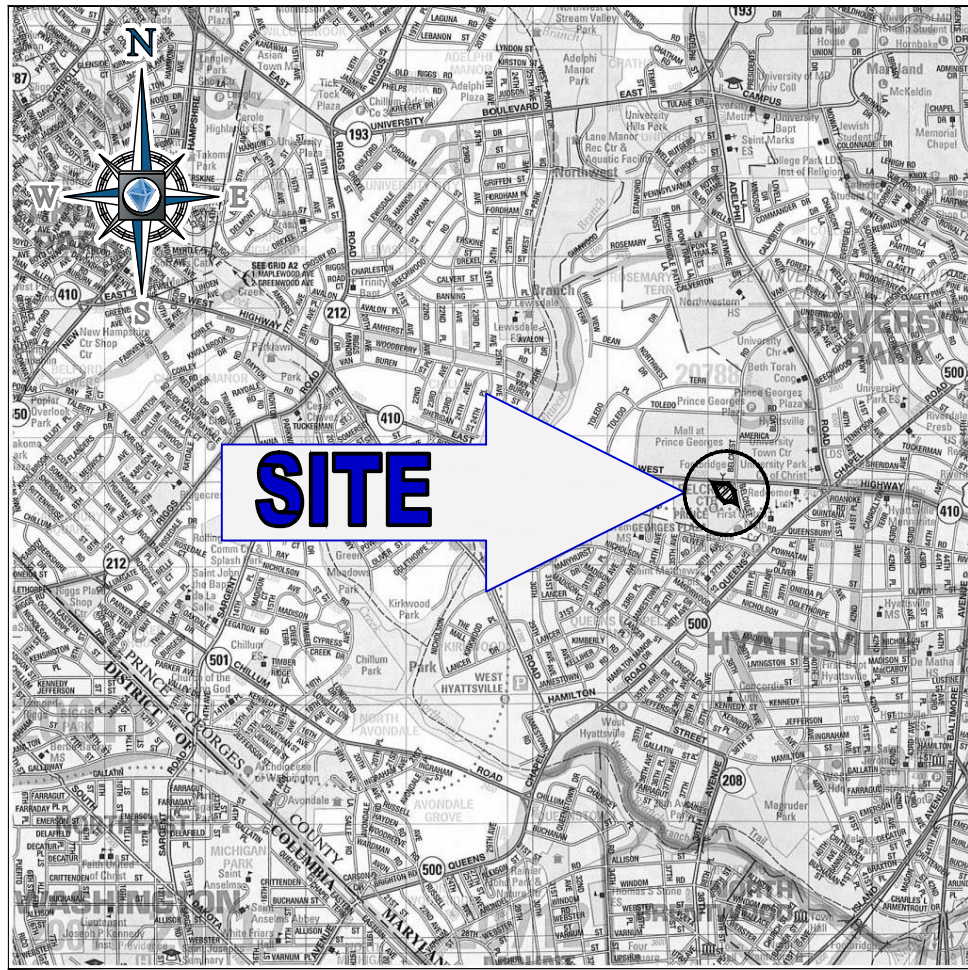
LOCATION OF SITE

3599 EAST-WEST HIGHWAY

HYATTSVILLE, MD 20782

PRINCE GEORGE'S COUNTY

TM 42, GRID A2



LOCATION MAP
COPYRIGHT ADD THE MAP PEOPLE
PERMIT USE NO. 20602153-5
SCALE: 1"=2000'

APPLICANT
NSR PROPERTIES, LLC
7303 HANOVER PARKWAY, SUITE A
GREENBELT, MD 20770
CONTACT: SAJID CHAUDHRY
PHONE: (301) 982-5400



PREPARED BY

BOHLER

ENGINEERING

16701 MELFORD BLVD , SUITE 310
BOWIE, MARYLAND 20715

Phone: (301) 809-4500

Fax: (301) 809-4501

MD@BohlerEng.com

CONTACT: NICHOLAS SPEACH, P.E.

GENERAL NOTES

- THIS PLAN IS BASED ON AN ALTA/ACSM TITLE SURVEY BY:
BOHLER ENGINEERING
NSR PETRO
3599 EAST WEST HIGHWAY
17TH ELECTION DISTRICT
PRINCE GEORGE'S COUNTY, MARYLAND
PROJECT NO.: SB172062
DATED: 12/14/17
- APPLICANT:
NSR PROPERTIES, LLC
7303 HANOVER PARKWAY, SUITE A
GREENBELT, MD 20770
CONTACT: SAJID CHAUDHRY
PHONE: (301) 982-5400
- SITE DATA:
NSR PETRO SERVICES
TAX MAP / GRID: 042 / A2
WSSC GRID: 207NE03
- EXISTING ZONING: SURVEYED AREA 0.861 AC M-U-1 (MIXED-USE INFILL)
PROPOSED ZONING: SURVEYED AREA 0.861 AC M-U-1 (MIXED-USE INFILL)
- NUMBER OF LOTS: 1
- THIS SITE LIES WITHIN THE PRINCE GEORGE'S PLAZA TRANSIT DISTRICT DEVELOPMENT PLAN (TDDP). WITHIN THE PRINCE GEORGE'S PLAZA TDDP, THE SITE LIES IN THE DOWNTOWN CORE CHARACTER AREA.
- EXISTING USE: THE SITE CONSISTS OF A GAS STATION AND A SINGLE STORY BUILDING WITH A CONVENIENCE STORE.
PROPOSED USE: GAS STATION, FOOD AND BEVERAGE STORE.
- GROSS FLOOR AREA:
EXISTING: 2,985 SF
PROPOSED: 4,796 SF
- THE SITE IS NOT LOCATED WITHIN A 100-YEAR FLOODPLAIN PER FEMA FLOODPLAIN MAP 2403300129E, EFFECTIVE SEPTEMBER 16, 2016.
- THIS SITE DOES NOT DISCHARGE INTO A TIER II WATERSHED.
- NO AVIATION POLICY AREAS EXIST ON OR IN VICINITY OF THE PROPERTY.
- NO CEMETERIES ARE KNOWN TO EXIST ON THE PROPERTY.
- THE PROPERTY IS NOT WITHIN A HISTORIC PROPERTY.
- THE PROPERTY IS NOT WITHIN THE CRITICAL AREA.
- THERE ARE NO STEAMS OR WETLANDS LOCATED ON THE SITE.
- THE SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA OVERLAY.
- SITE TO BE SERVICED WITH PUBLIC WATER AND SEWER.
EXISTING AND PROPOSED WATER/SEWER DESIGNATIONS: W3 / S3
- TOPOGRAPHY PROVIDED BY DOCUMENTS FROM NOTE 1 ABOVE.
- COMPANION APPLICATIONS:
SDCP: #2296-2018
- FRONTAGE IMPROVEMENTS ALONG BELCREST ROAD TO INCLUDE SIDEWALK REPLACEMENT, STREET LIGHTS / UPGRADE, MILL AND OVERLAY OF PAVEMENT, AND STREET TREES PER STORMWATER MANAGEMENT CONCEPT APPROVAL DATED AUGUST 7, 2018.

PARKING REQUIREMENTS					
LOT	USE	MAX. REQUIREMENTS	REQUIRED (MIN.)	REQUIRED (MAX.)	PROPOSED
1	COMMERCIAL DEVELOPMENT	2.5 SPACES PER 1,000 SF OF GLA	NA*	12	16 INCLUDING 1 ADA
*PER PRINCE GEORGE'S PLAZA TRANSIT DISTRICT DEVELOPMENT PLAN DATED JULY 2016, THERE IS NO MINIMUM NUMBER OR RATIO OF OFF-STREET PARKING SPACES FOR ANY DEVELOPMENT WITHIN THE TRANSIT DISTRICT					

BICYCLE PARKING REQUIREMENTS				
LOT	USE	REQUIREMENTS	REQUIRED	PROPOSED
1	COMMERCIAL DEVELOPMENT	1 SPACE PER 10,000 SF OF BUILDING AREA	1	1

SHEET INDEX

SHEET TITLE	SHEET NUMBER
COVER SHEET	DSP-1
APPROVALS SHEET	DSP-2
EXISTING CONDITIONS AND DEMOLITION PLAN	DSP-3
SITE PLAN	DSP-4
CIRCULATION PLAN	DSP-5
GRADING AND UTILITY PLAN	DSP-6
DRAINAGE AREA MAP	DSP-7
LANDSCAPE PLAN	DSP-8
LANDSCAPE NOTES & DETAILS	DSP-9
LIGHTING PLAN / PHOTOMETRIC STUDY	DSP-10
LIGHTING NOTES AND DETAILS	DSP-11
SITE DETAILS	DSP-12
ARCHITECTURAL ELEVATIONS	DSP-13 - DSP-16

SOIL TYPES			
SOIL TYPE	DESCRIPTION	HYDROLOGIC SOIL GROUP	DRAINAGE CLASS
RuB	URBAN LAND-RUSSETT-CHRISTIANA COMPLEX COMPLEX, 0 TO 5 PERCENT SLOPES	D	N/A
UrB	RUSSETT-CHRISTIANA-URBAN LAND COMPLEX, 0 TO 5 PERCENT SLOPES	D	MODERATELY WELL-DRAINED

THIS BLOCK IS FOR OFFICIAL USE ONLY

OR LABEL CERTIFIES THAT THIS PLAN MEETS CONDITIONS OF FINAL APPROVAL BY THE PLANNING BOARD, ITS DESIGNEE OR THE DISTRICT COUNCIL.

M-NCPPC

APPROVAL

PROJECT NAME: NSR PROPERTIES, LLC

PROJECT NUMBER: DSP-19039

FOR CONDITIONS OF APPROVAL SEE SITE PLAN COVER SHEET OR APPROVAL SHEET
REVISION NUMBERS MUST BE INCLUDED IN THE PROJECT NUMBER

REFERENCES

- BOUNDARY & TOPOGRAPHIC/ALTA SURVEY:
BOHLER ENGINEERING
NSR PETRO
3599 EAST WEST HIGHWAY
17TH ELECTION DISTRICT
PRINCE GEORGE'S COUNTY, MARYLAND
PROJECT NO.: SB172062
DATED: 12/14/17
- UTILITIES:
THE FOLLOWING COMPANIES WERE NOTIFIED BY DELMARVA MISS UTILITY SYSTEM (1-800-257-7777) AND REQUESTED TO MARK OUT UNDERGROUND FACILITIES AFFECTING AND SERVICING THIS SITE. THE UNDERGROUND UTILITY INFORMATION SHOWN HEREON IS BASED UPON THE UTILITY COMPANIES RESPONSE TO THIS REQUEST. SERIAL NUMBER(S): 14178109
- CONTACT INFORMATION:
UTILITY COMPANY
VERIZON - LAMBERT CABLE
BGE ELECTRIC-USIC
BGE GAS-USIC
COMCAST-UTILQUEST
MCI
ZAYO/STAKE CENTER LOCATION
PEPCO - OCCLS
QWEST GOVERNMENT SERVICES
QWEST COMMUNICATIONS
WASHINGTON GAS-UTILQUEST
WSSC - PINPOINT UG
PHONE NUMBER
(410) 536-0070
(800) 778-9140
(800) 778-9140
(410) 536-0070
(800) 289-3427
(888) 287-1063
(410) 712-0202
(703) 464-7592
(303) 864-8090
(301) 210-0355
(301) 868-6803
- WOODLAND CONSERVATION LETTER OF EXEMPTION:
BOHLER ENGINEERING, LLC
APPROVAL DATE: 01/05/2018
- NRI EQUIVALENCY LETTER:
BOHLER ENGINEERING, LLC
APPROVAL DATE: 01/05/2018
- SITE DEVELOPMENT CONCEPT PLAN:
BOHLER ENGINEERING, LLC
"SITE DEVELOPMENT CONCEPT PLAN FOR NSR PETRO SERVICES"
DATED: 01/19/2018
APPROVAL DATE: 07/23/2018
- GEO-TECHNICAL REPORT
HILLIS-CARNES ENGINEERING ASSOCIATES, INC.
"GEO-TECHNICAL ENGINEERING STUDY 3599 EAST-WEST HIGHWAY"
DATED: 05/04/18

BOHLER ENGINEERING

SITE CIVIL AND CONSULTING ENGINEERING, ARCHITECTURE, LAND SURVEYING, DESIGN, PERMITTING SERVICES, TRANSPORTATION SERVICES, SUSTAINABLE DESIGN

UPSTATE NEW YORK • BALTIMORE, MD • CHARLOTTE, NC
NEW ENGLAND • SOUTHERN MARYLAND • ATLANTA, GA
NEW YORK, NY • CENTRAL VIRGINIA • SOUTH FLORIDA
SOUTHEASTERN, PA • RALEIGH, NC
NEW YORK, NY • GREENSBORO, NC
THE INFORMATION, DESIGN AND CONCEPT OF THIS PLAN AND SPECIFICATIONS ARE THE PROPERTY OF BOHLER ENGINEERING, LLC. NO PART OF THIS PLAN OR SPECIFICATIONS SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF BOHLER ENGINEERING, LLC.

REVISIONS			
REV	DATE	COMMENT	BY

NOT APPROVED FOR CONSTRUCTION

PROJECT No.: MB172062
DRAWN BY: TJM
CHECKED BY: NBS
DATE: 03/01/18
SCALE: AS SHOWN
CAD I.D.: SD0

PROJECT: DETAILED SITE PLAN

FOR: NSR PROPERTIES, LLC

LOCATION OF SITE
3599 EAST-WEST HIGHWAY
HYATTSVILLE, MARYLAND
PRINCE GEORGE'S COUNTY
TM 42, GRID A2

BOHLER ENGINEERING

16701 MELFORD BLVD., SUITE 310
BOWIE, MARYLAND 20715
Phone: (301) 809-4500
Fax: (301) 809-4501
MD@BohlerEng.com

N. B. SPEACH

PROFESSIONAL ENGINEER
MARYLAND LICENSE NO. 42083
PROFESSIONAL CERTIFICATION
I, NICHOLAS B. SPEACH, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.
LICENSE NO. 42083, EXPIRATION DATE: 8/14/2021

SHEET TITLE: COVER SHEET

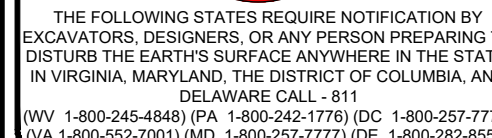
SHEET NUMBER: DSP-1

M-NCPPC
APPROVAL

PROJECT NAME:

PROJECT NUMBER:

FOR CONDITIONS OF APPROVAL SEE
REVISION NUMBERS MUST

[illegible][illegible]

PROJECT No.:	MB172062
DRAWN BY:	TJM
CHECKED BY:	NBS
DATE:	03/01/18
SCALE:	N/A
CAD I.D.:	SDC

— FOR

LOCATION OF SITE
3599 EAST-WEST HIGHWAY
HYATTSVILLE, MARYLAND
PRINCE GEORGE'S COUNTY
TM 42, GRID A2



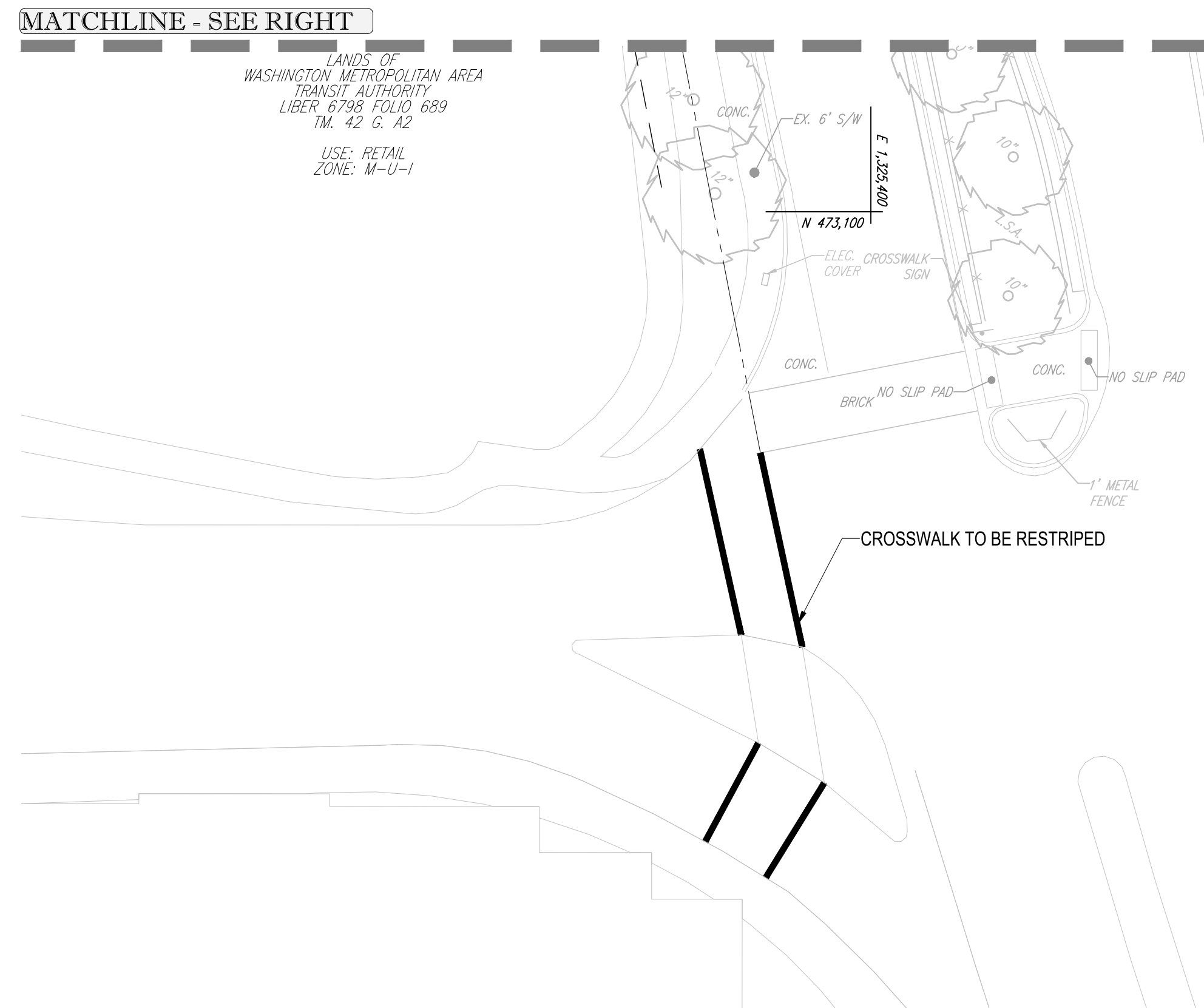
**16701 MELFORD BLVD , SUITE 310
BOWIE, MARYLAND 20715**
Phone: (301) 809-4500
Fax: (301) 809-4501
MD@BohlerEng.com

N. B. SPEACH

PROFESSIONAL ENGINEER
 MARYLAND LICENSE NO. 40563
PROFESSIONAL CERTIFICATION
 I, NICHOLAS B. SPEACH, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 40563, EXPIRATION DATE: 6/14/2021

SHEET NUMBER: _____

DSP-2



N. B. SPEACH

PROFESSIONAL ENGINEER
MARYLAND LICENSE NO. 402683

PROFESSIONAL CERTIFICATION

I, NICHOLAS B. SPEACH, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 402683, EXPIRATION DATE: 8/14/2021

SHEET TITLE:	
SITE PLAN	
SHEET NUMBER:	
DSP-4	



PARCEL A
BELCREST CENTER AT
PRINCE GEORGE'S PLAZA
P.B. 206 PG. 66

LANDS OF
WASHINGTON METROPOLITAN AREA
TRANSIT AUTHORITY
LIBER 6798 FOLIO 689
TM. 42 G. A2
USE: RETAIL
ZONE: M-U-1

*PART OF PARCEL L -
PRINCE GEORGE'S PLAZA*
P.B. 39 PG. 76
P.B. 206 PG. 66

PARCEL A
BELCREST CENTER AT
PRINCE GEORGE'S PLAZA
P.B. 206 PG. 66

LANDS OF
WASHINGTON METROPOLITAN AREA
TRANSIT AUTHORITY
LIBER 6798 FOLIO 689
TM. 42 G. A2
USE: RETAIL
ZONE: M-U-1

LANDS OF
NSR PROPERTIES, LLC
LIBER 31944 FOLIO 21
TM. 42 G. A2
AREA: 37,516 S.F. OR 0.861 AC. (R&M)

LANDS OF
NSR PROPERTIES, LLC
LIBER 3194 FOLIO 21
TM. 42 G. A2
AREA: 37,516 S.F. OR 0.861 AC. (R&M)

EX. METRO STATION

BELCREST ROAD
VARIABLE WIDTH RIGHT-OF-WAY
PLAT NO. 13531 & 13535
UNIMPROVED PUBLIC ROADWAY

PEDESTRIAN CIRCULATION



QR LABEL CERTIFIES THAT THIS PLAN MEETS CONDITIONS OF FINAL APPROVAL BY THE PLANNING BOARD, ITS DESIGNEE OR THE DISTRICT COUNCIL.

M-NCPPC
APPROVAL

PROJECT NAME:	NSR PROPERTIES, LLC
---------------	---------------------

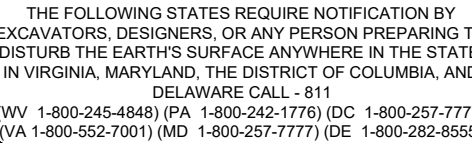
PROJECT NUMBER:	DSP-19039
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FOR CONDITIONS OF APPROVAL SEE SITE PLAN COVER SHEET OR APPROVAL SHEET
REVISION NUMBERS MUST BE INCLUDED IN THE PROJECT NUMBER



BOHLER
ENGINEERING
TM

SUSTAINABLE DESIGN			
UPSTATE NEW YORK	SOUTHERN NEW JERSEY	BALTIMORE, MD	CHARLOTTE, NC
NEW ENGLAND	PITTSBURGH, PA	NORTHERN MARYLAND	ATLANTA, GA
BOSTON, MA	PHILADELPHIA, PA	NORTHERN VIRGINIA	TAMPA, FL
NEW YORK, NY	LEHIGH VALLEY, PA	CENTRAL VIRGINIA	SOUTH FLORIDA
NEW YORK METRO	SOUTH KENTUCKY, KY	KANSAS CITY, MO	DALLAS, TX
NORTHERN NEW JERSEY	RENO/BIOWASH, NV	WASHINGTON, DC	

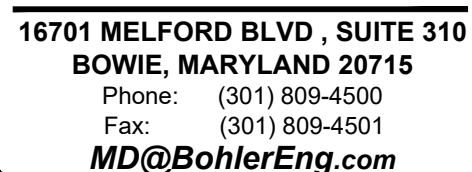
[illegible]

PROJECT No.:	MB172062
DRAWN BY:	AJH
CHECKED BY:	NBS
DATE:	03/18/19
SCALE:	1" = 40'
CAD I.D.:	MT0

FOR

NSR PROPERTIES,
LLC

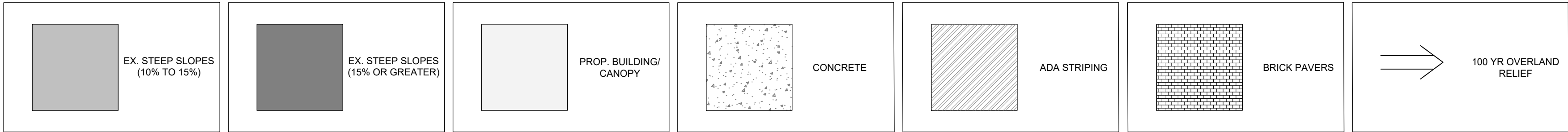
LOCATION OF SITE
3599 EAST-WEST HIGHWAY
HYATTSVILLE, MARYLAND
PRINCE GEORGE'S COUNTY
TM 42, GRID A2



PROFESSIONAL ENGINEER
MARYLAND LICENSE No. 40263
PROFESSIONAL CERTIFICATION
I, NICHOLAS B. SPEACH, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 40263, EXPIRATION DATE: 8/14/2021

SHEET TITLE:

SHEET NUMBER:
DSP-5

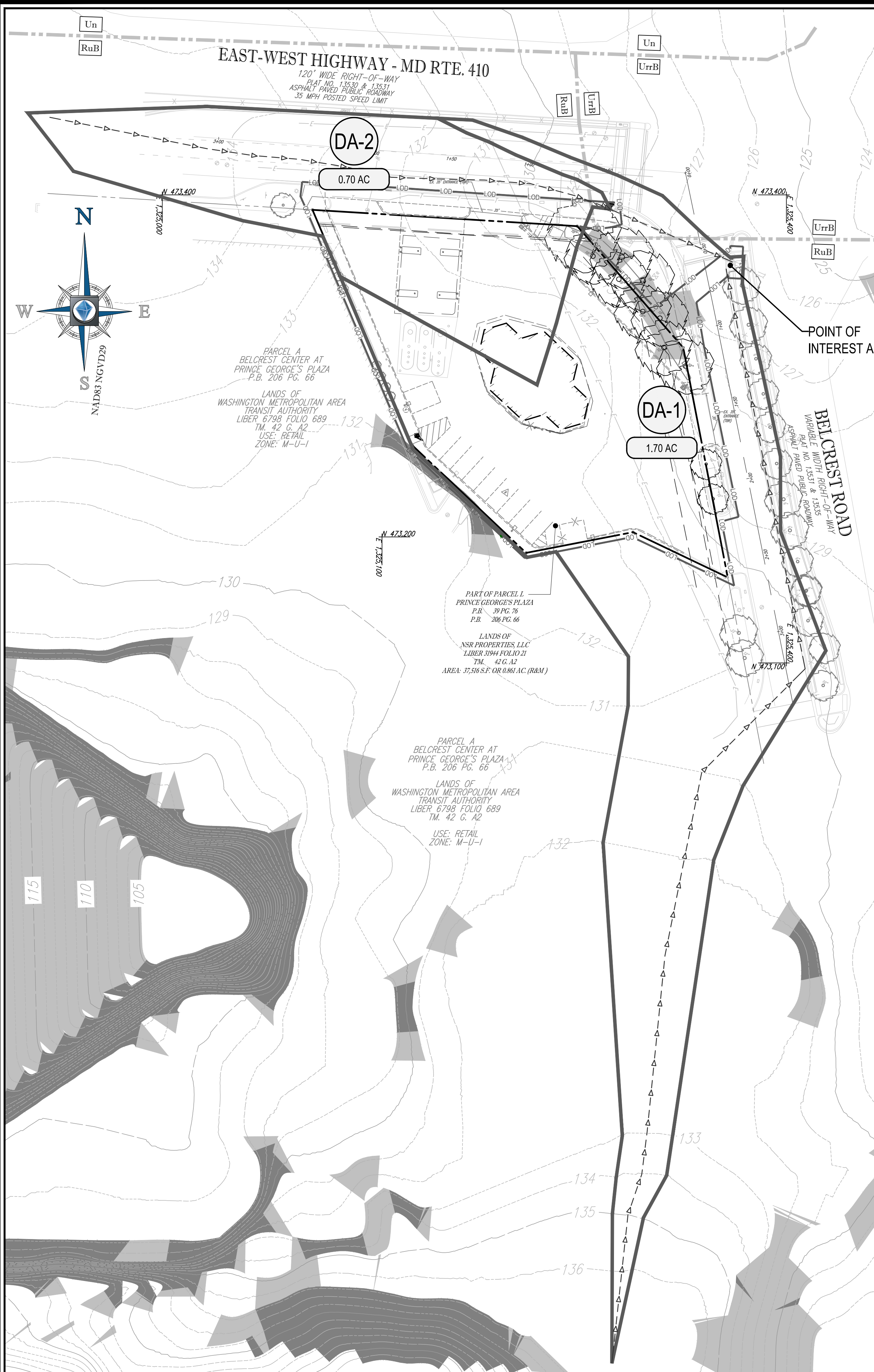


FOR CONDITIONS OF APPROVAL SEE SITE PLAN COVER SHEET OR APPROVAL SHEET
REVISION NUMBERS MUST BE INCLUDED IN THE PROJECT NUMBER

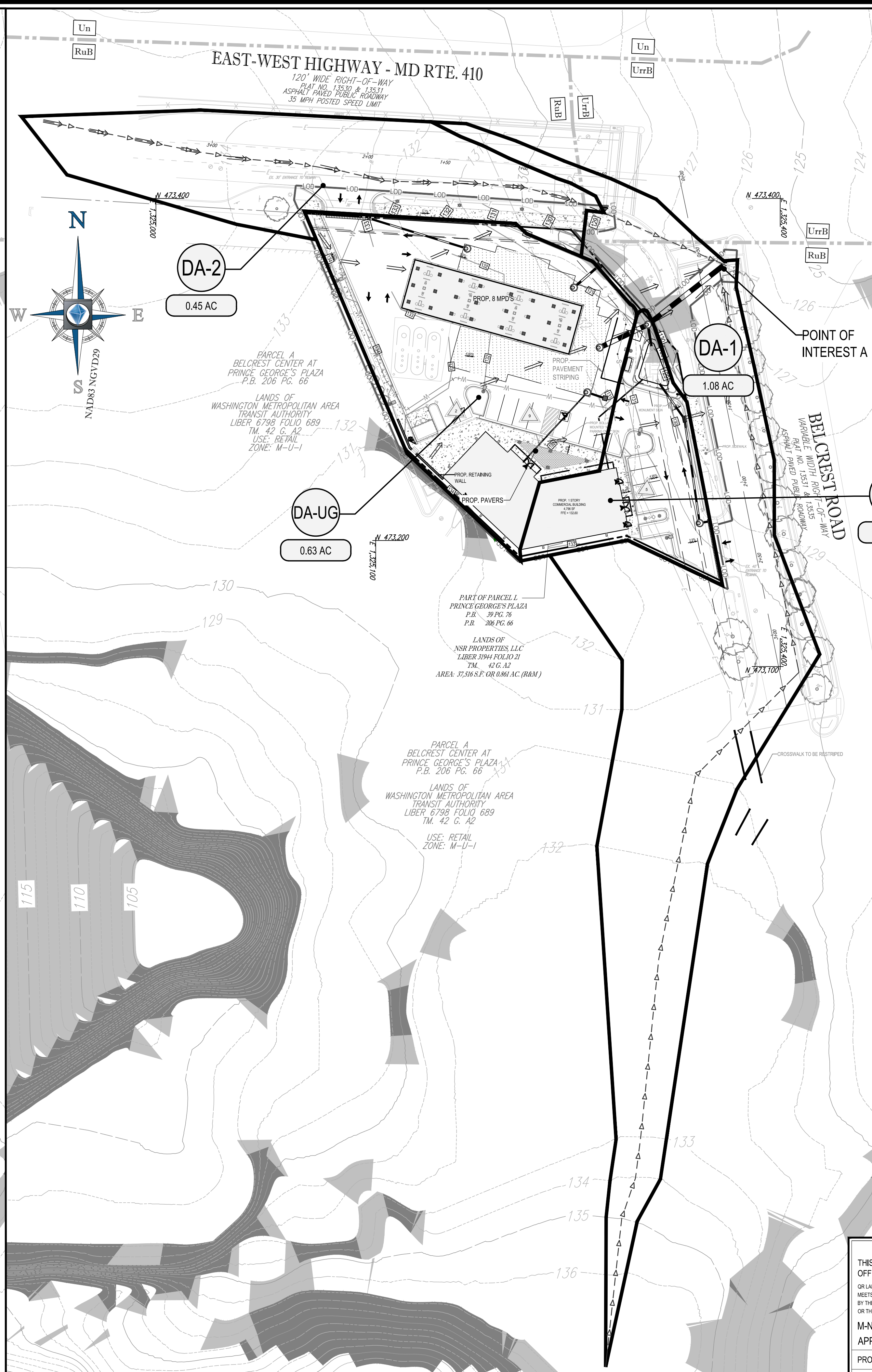
N. B. SPEACH

PROFESSIONAL ENGINEER
 MARYLAND LICENSE No. 42963
PROFESSIONAL CERTIFICATION
 I, NICHOLAS B. SPEACH, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE No. 42963, EXPIRATION DATE: 6/14/2021

DSP-6



EXISTING CONDITIONS - DRAINAGE AREA MAP



PROPOSED CONDITIONS - DRAINAGE AREA MAP

LEGEND	
LOD	— LOD — LOD —
SOIL DIVIDES	CnD CnC
DRAINAGE AREA DIVIDE	—
EXISTING STEEP SLOPES 15% OR GREATER	■
EXISTING STEEP SLOPES 10% TO 15%	■
100 YR. OVERLAND RELIEF	⇒ ⇒ ⇒ ⇒ ⇒
TIME OF CONCENTRATION PATH	— ▸ — ▸ — ▸ — ▸ —

THIS BLOCK IS FOR OFFICIAL USE ONLY	
OR LABEL CERTIFIES THAT THIS PLAN MEETS CONDITIONS OF FINAL APPROVAL BY THE PLANNING BOARD, ITS DESIGNEE OR THE DISTRICT COUNCIL.	
M-NCPPC APPROVAL	
PROJECT NAME:	NSR PROPERTIES, LLC
PROJECT NUMBER:	DSP-19039
FOR CONDITIONS OF APPROVAL SEE SITE PLAN COVER SHEET OR APPROVAL SHEET. REVISION NUMBERS MUST BE INCLUDED IN THE PROJECT NUMBER.	

BOHLER ENGINEERING

SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING DESIGN
SUSTAINABLE DESIGN
PERMITTING SERVICES
TRANSPORTATION SERVICES

CHARLOTTE, NC
BALTIMORE, MD
BOSTON, MA
CHICAGO, IL
COLUMBIA, SC
DENVER, CO
FORT LAUDERDALE, FL
HOUSTON, TX
LOS ANGELES, CA
MIAMI, FL
MINNEAPOLIS, MN
NEW YORK, NY
PHILADELPHIA, PA
PORTLAND, ME
SAN ANTONIO, TX
SAN JOSE, CA
SEATTLE, WA
SOUTH BEND, IN
TAMPA, FL
WASHINGTON, DC
WICHITA, KS

REVISIONS

REV	DATE	COMMENT	BY

NOT APPROVED FOR CONSTRUCTION

PROJECT No.: MB172062
DRAWN BY: TJM
CHECKED BY: NBS
DATE: 03/01/18
SCALE: 1" = 40'
CAD I.D.: DAO

DETAILED SITE PLAN

FOR

NSR PROPERTIES, LLC

LOCATION OF SITE
3599 EAST-WEST HIGHWAY
HYATTSVILLE, MARYLAND
PRINCE GEORGE'S COUNTY
TM 42, GRID A2

BOHLER ENGINEERING

16701 Melford Blvd., Suite 310
Bowie, Maryland 20715
Phone: (301) 809-4500
Fax: (301) 809-4501
MD@BohlerEng.com

N. B. SPEACH

PROFESSIONAL ENGINEER
MARYLAND LICENSE NO. 42083
PROFESSIONAL CERTIFICATION
I, NICHOLAS B. SPEACH, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.
LICENSE NO. 42083, EXPIRATION DATE: 8/4/2021

SHEET TITLE:
DRAINAGE AREA MAP

SHEET NUMBER:
DSP-7

EAST-WEST HIGHWAY - MD RTE. 410

120' WIDE RIGHT-OF-WAY
PLAT NO. 13530 & 13531
ASPHALT PAVED PUBLIC ROADWAY
35 MPH POSTED SPEED LIMIT

LANDSCAPE SCHEDULE

KEY	QTY.	BOTANICAL NAME	COMMON NAME	CAL.	CONT.	NATIVE
SHADE TREES						
PXAB	2	PLATANUS X ACERIFOLIA 'BLOODGOOD'	BLOODGOOD LONDON PLANETREE	2 1/2-3" CAL. / 12-14"	B+B	NON-NATIVE
QBC	1	QUERCUS BICOLOR	SWAMP WHITE OAK	2 1/2-3" CAL.	B+B	NATIVE
OR	5	QUERCUS RUBRA	RED OAK	2 1/2-3" CAL.	B+B	NATIVE
SUBTOTAL:	8					
DECIDUOUS SHRUBS						
IV	71	ITEA VIRGINICA 'HENRY'S GARNET'	GARNET SWEETSPICE	24-30"	#5 CAN	NATIVE
RAGL	34	RHUS AROMATICA 'GRO-LOW'	GRO-LOW SUMAC	12-18"	CONTAINER	NATIVE
SUBTOTAL:	105					
EVERGREEN SHRUBS						
IGC	21	ILEX GLABRA 'COMPACTA'	DWARF INKBERRY HOLLY	24-30"	#5 CAN	NATIVE
JDP	48	JUNIPERUS DAURICA 'PARSON'	PARSON JUNIPER	15-18" SPRD.	#3 CAN	NON-NATIVE
SUBTOTAL:	69					

NOTE: IF ANY DISCREPANCIES OCCUR BETWEEN AMOUNTS SHOWN IN THE PLAN AND THE PLANT LIST, THE PLAN SHALL DICTATE.

SECTION 4.9
SUSTAINABLE LANDSCAPING REQUIREMENT

1. PERCENTAGE OF PLANT MATERIAL REQUIRED IN EACH CATEGORY:

REQUIRED	PROVIDED
SHADE TREES: 9 x 50% = 5 ORNAMENTAL TREES: 0 x 50% = 0 EVERGREEN TREES: 0 x 30% = 0 SHRUBS: 162 x 30% = 49	SHADE TREES: 6 (67% NATIVE) ORNAMENTAL TREES: N/A EVERGREEN TREES: N/A SHRUBS: 128 (79% NATIVE)
2. ARE INVASIVE SPECIES PROPOSED	NO
3. ARE EXISTING INVASIVE SPECIES ON-SITE IN AREAS THAT ARE TO REMAIN UNDISTURBED	NO
4. IF "YES" IS CHECKED IN NUMBERS 2 OR 3, IS A NOTE INCLUDED ON THE PLAN REQUIRING REMOVAL OF INVASIVE SPECIES PRIOR TO CERTIFICATION IN ACCORDANCE WITH SECTION 1.5, CERTIFICATION OF INSTALLATION OF PLANT MATERIALS	N/A
5. ARE TREES PROPOSED TO BE PLANTED ON SLOPES GREATER THAN 3:1	NO

PARKING AND LOADING
SURFACE PARKING FACILITIES

1 TREE PER 24 SPACES REQUIRED	
1. NUMBER OF SPACES PROVIDED	16 SPACES
2. TREES REQUIRED	16 / 24 = 7 1 TREE REQUIRED
3. TREES PROVIDED	1 TREES

** INDICATES PLANT MATERIAL UTILIZED TO FULFILL REQUIREMENT

NOTE: ALL JURISDICTIONAL REQUIREMENTS PERTAINING TO LANDSCAPE FOR THIS DEVELOPMENT ARE SUBJECT TO THE PRINCE GEORGE'S PLAZA TDDP/TDOZMA MANUAL.

STREET TREES
PER PRINCE GEORGE'S PLAZA TDDP/TDOZMA

1 TREE PER 40 LINEAR FEET	
1. LENGTH OF ROAD FRONTAGE	274 LF - 30 LF (ENTRANCES) = 244 LF
2. TREES REQUIRED	244 / 40 = 6.1 7 TREES REQUIRED
3. TREES PROVIDED	7 TREES

** INDICATES PLANT MATERIAL UTILIZED TO FULFILL REQUIREMENT

STREET TREE LANDSCAPE SCHEDULE

KEY	QTY.	BOTANICAL NAME	COMMON NAME	CAL.	CONT.
SHADE TREES					
UAP	7	ULMUS AMERICANA 'PRINCETON'	PRINCETON AMERICAN ELM	2 1/2-3" CAL. / 12-14"	B+B
SUBTOTAL:	7				

** INDICATES PLANT MATERIAL UTILIZED TO FULFILL REQUIREMENT

BOHLER
ENGINEERING



REVISIONS

REV	DATE	COMMENT	BY



THE FOLLOWING STATES REQUIRE NOTIFICATION BY EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN THE STATE IN VIRGINIA, MARYLAND, THE DISTRICT OF COLUMBIA, AND DELAWARE CALL: 811 (WV 1-800-348-AMBER (PA 1-800-242-7776) (DC 1-800-257-7777) (VA 1-800-552-7071) (MD 1-800-257-7777) (DE 1-800-362-8600)

NOT APPROVED FOR
CONSTRUCTION

PROJECT No.: MB172062
DRAWN BY: JWC
CHECKED BY: ERM
DATE: 03/01/18
SCALE: AS SHOWN
CAD I.D.: LPO

PROJECT:
DETAILED
SITE PLAN

FOR
NSR PROPERTIES,
LLC

LOCATION OF SITE
3599 EAST-WEST HIGHWAY
HYATTSVILLE, MARYLAND
PRINCE GEORGE'S COUNTY
TM 42, GRID A2

BOHLER
ENGINEERING

16701 MELFORD BLVD., SUITE 310
BOWIE, MARYLAND 20715
Phone: (301) 809-4500
Fax: (301) 809-4501
MD@BohlerEng.com

E.R. McWILLIAMS
REGISTERED PROFESSIONAL ARCHITECT
LANDSCAPE ARCHITECT

SHEET TITLE:

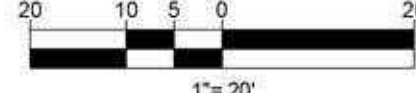
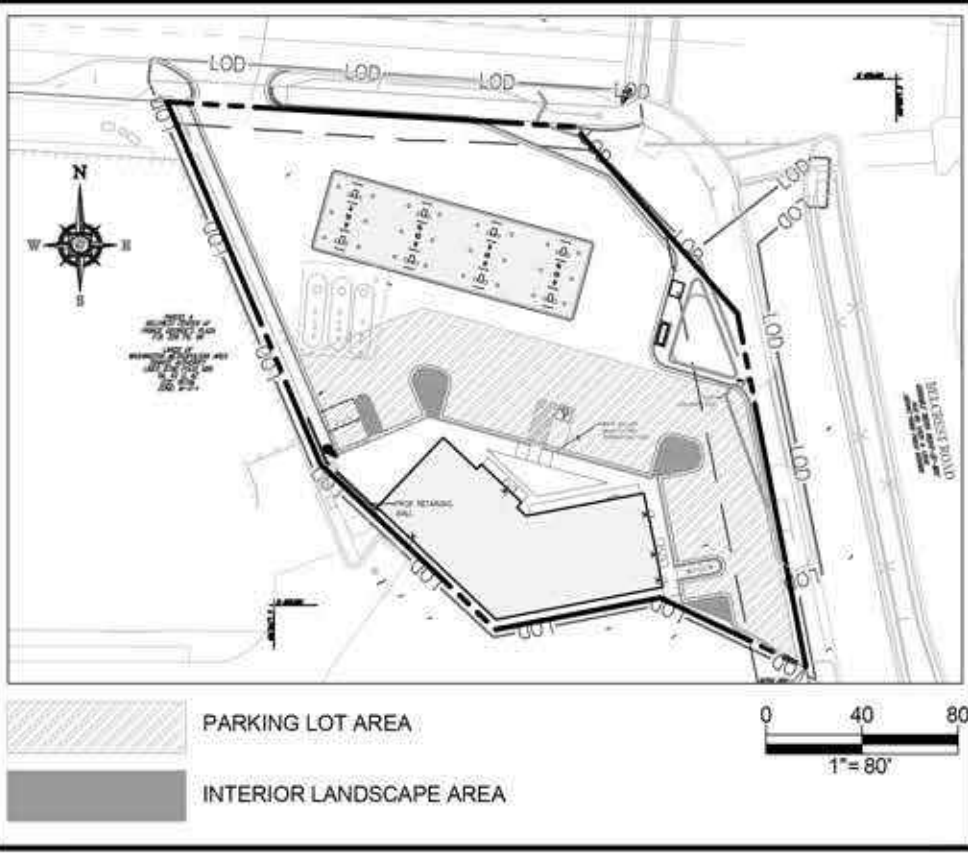
LANDSCAPE
PLAN

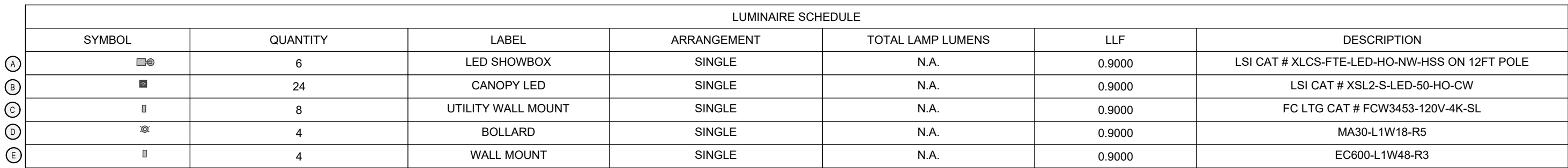
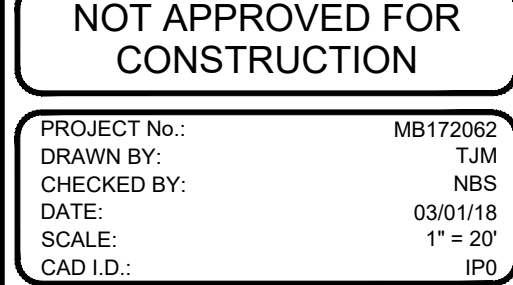
SHEET NUMBER:

DSP - 8

PROFESSIONAL CERTIFICATION
I, ERIC R. McWILLIAMS, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 3697, EXPIRATION DATE: 9/2020

PARKING AREA CALCULATIONS



[illegible]

 **BOHLER**
ENGINEERING

**16701 MELFORD BLVD , SUITE 310
BOWIE, MARYLAND 20715**

Phone: (301) 809-4500
Fax: (301) 809-4501
MD@BohlerEng.com

SHEET TITLE:

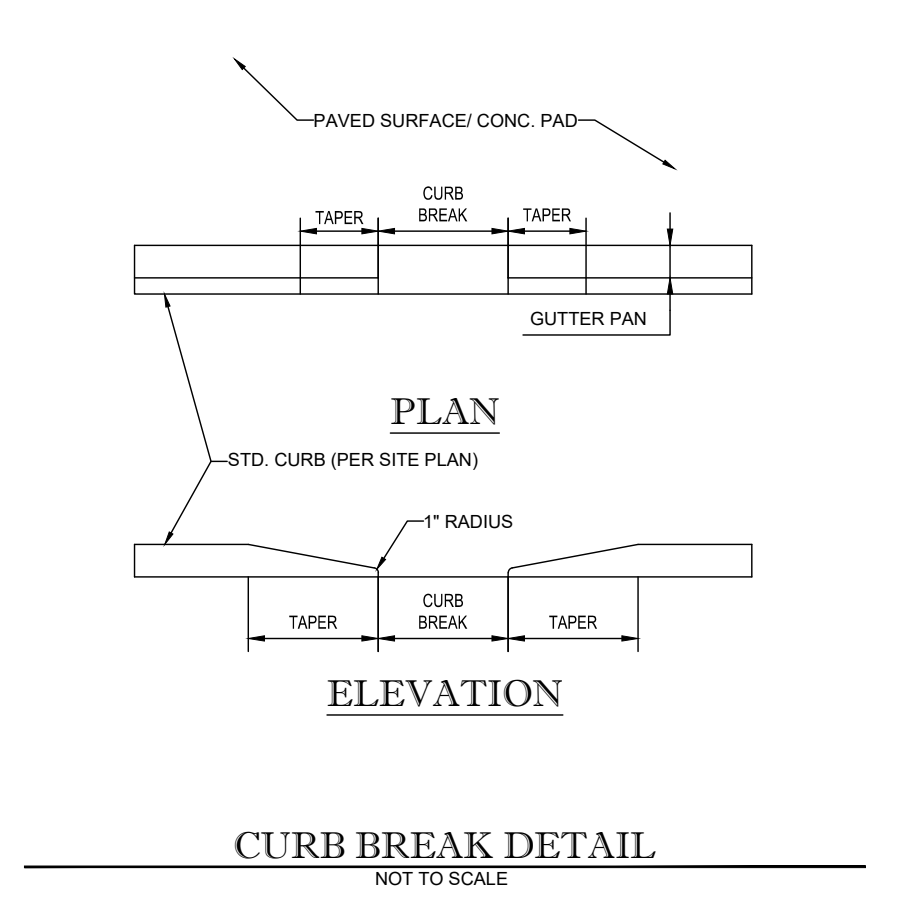
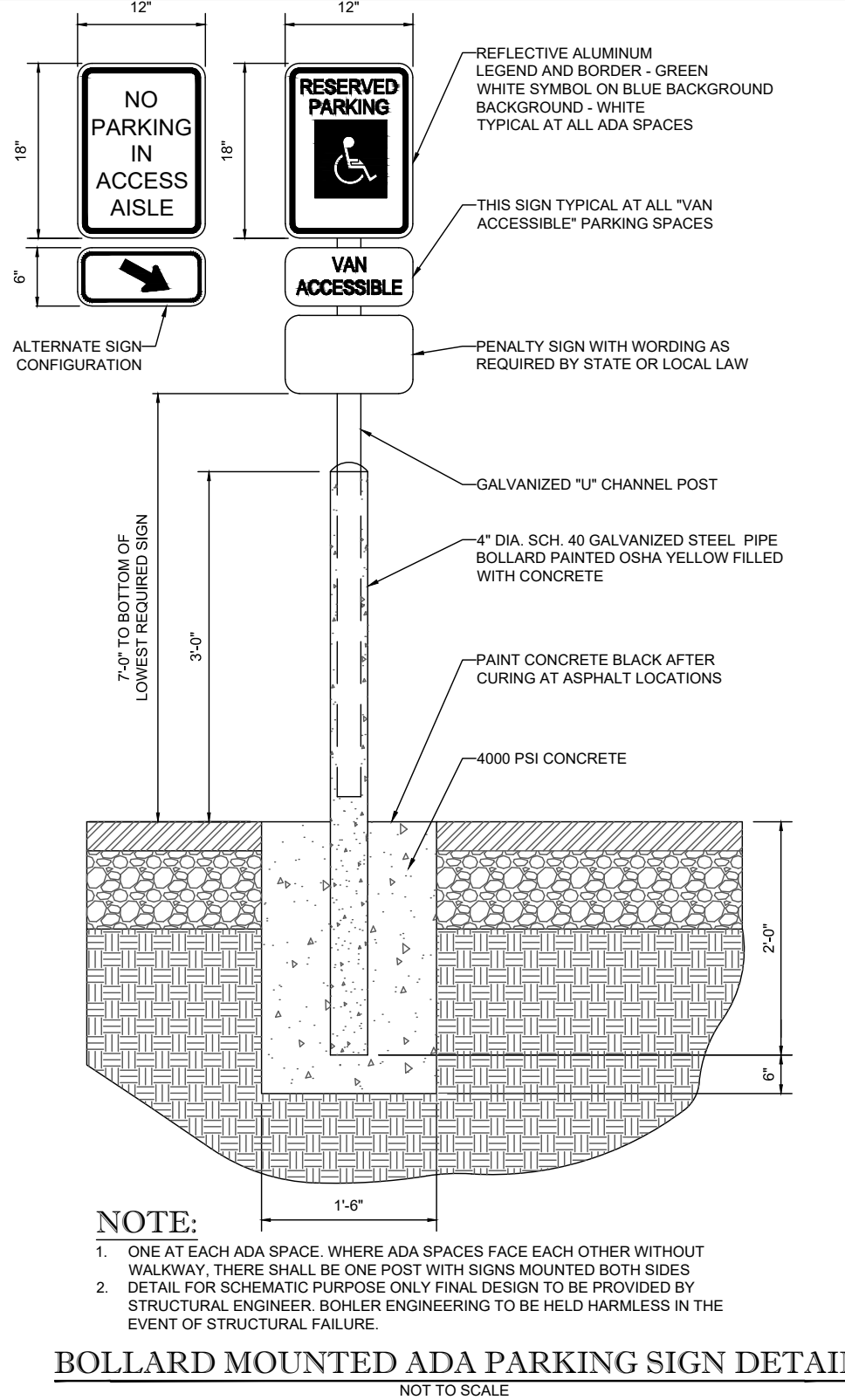
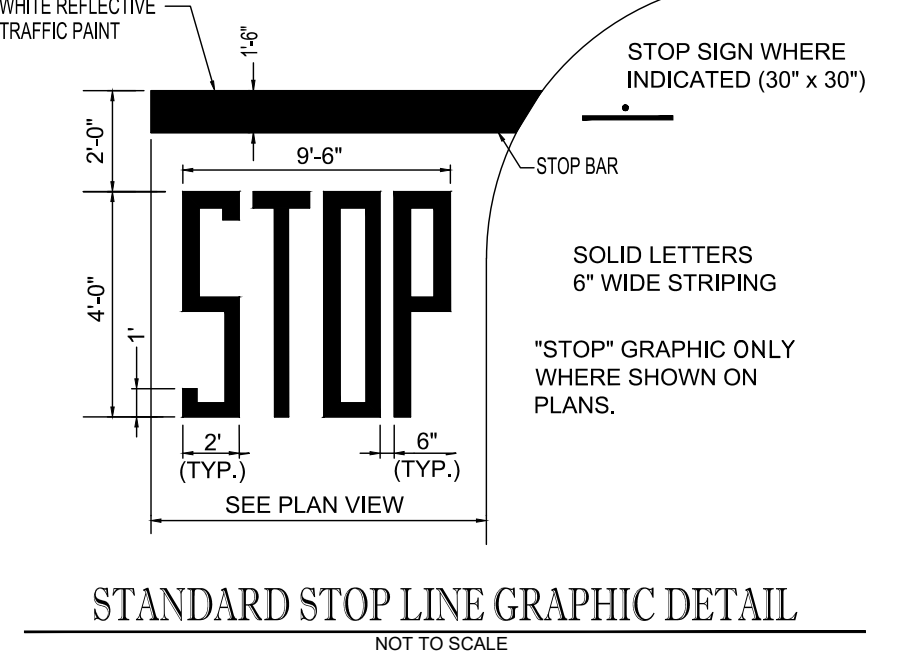
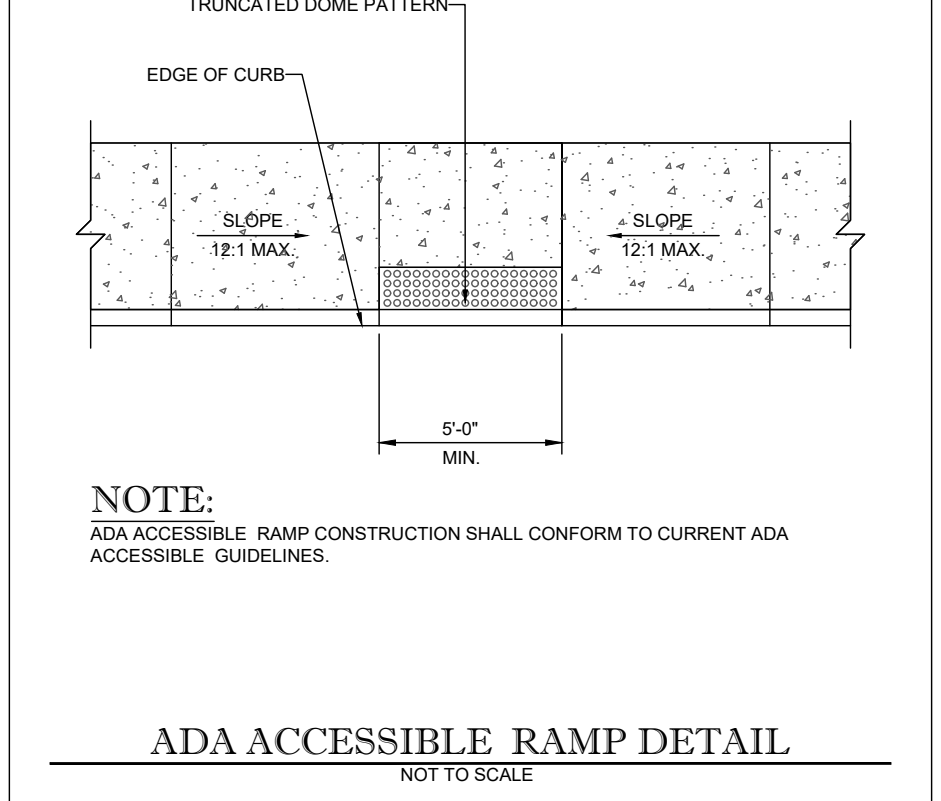
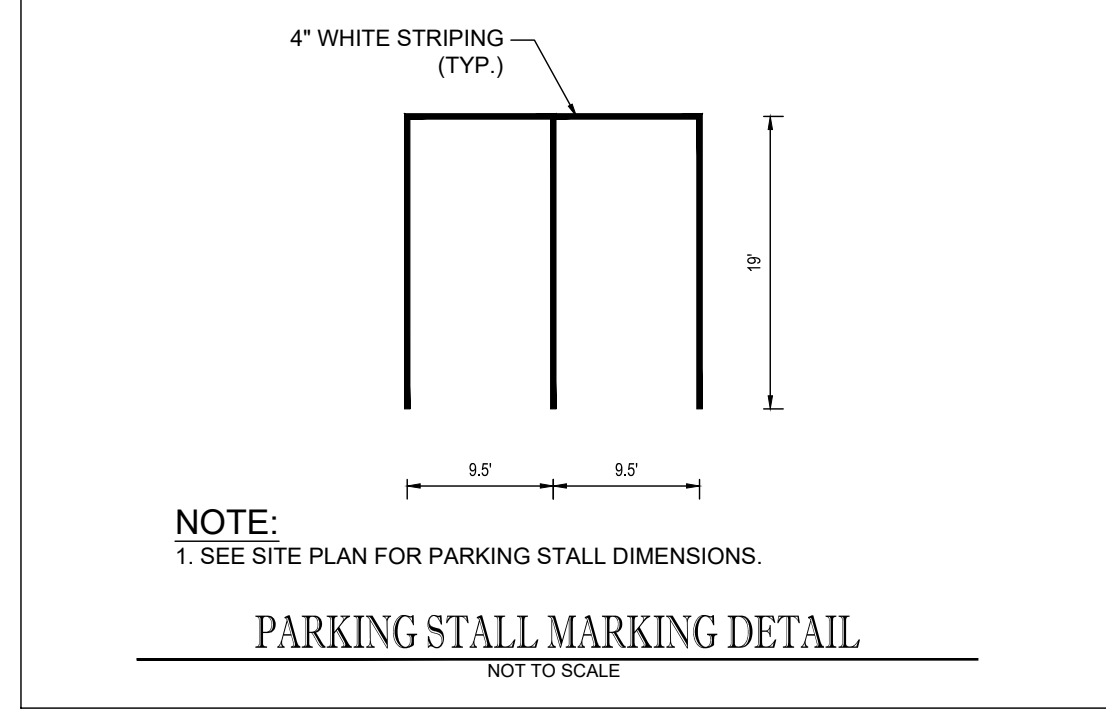
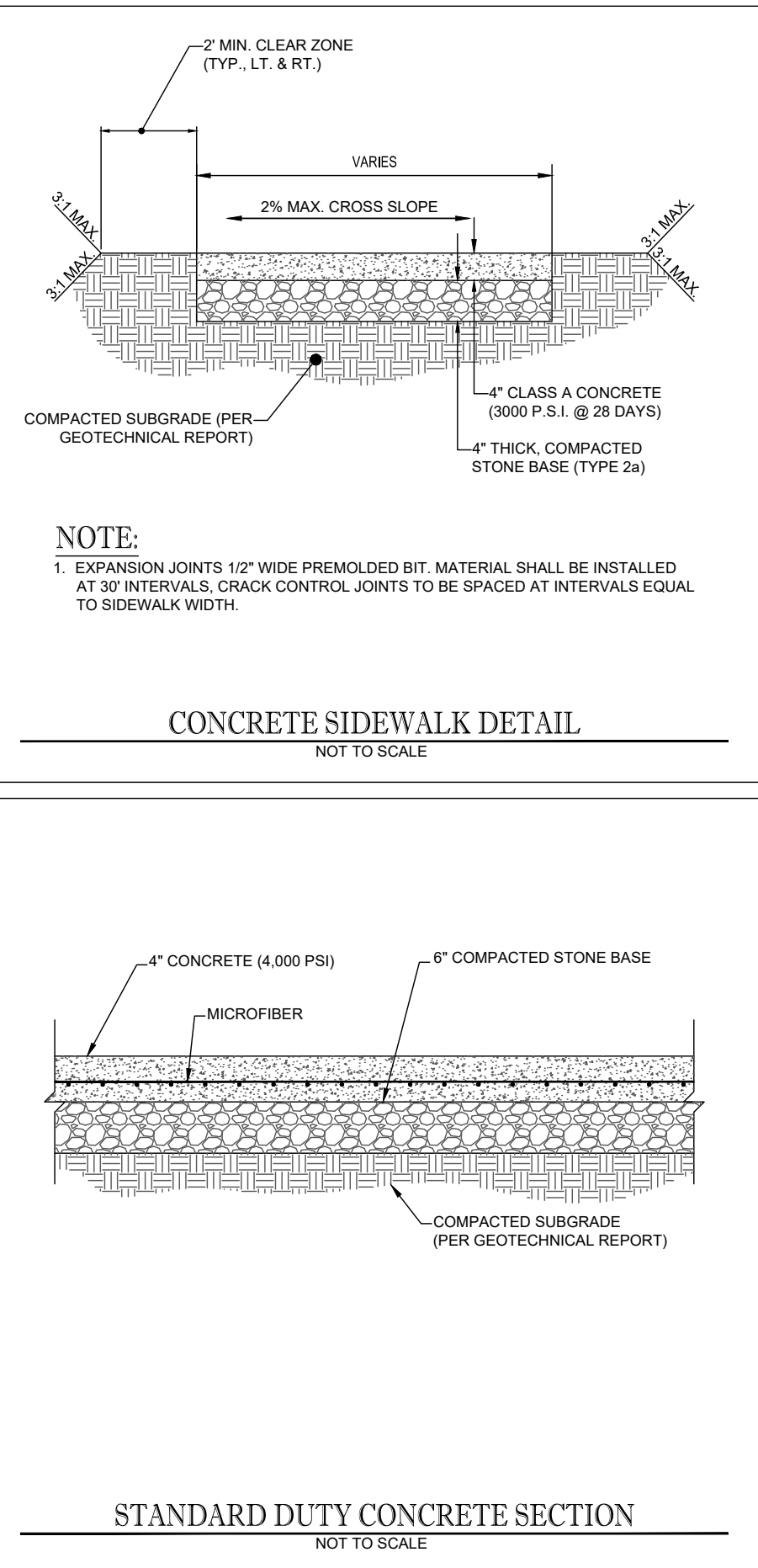
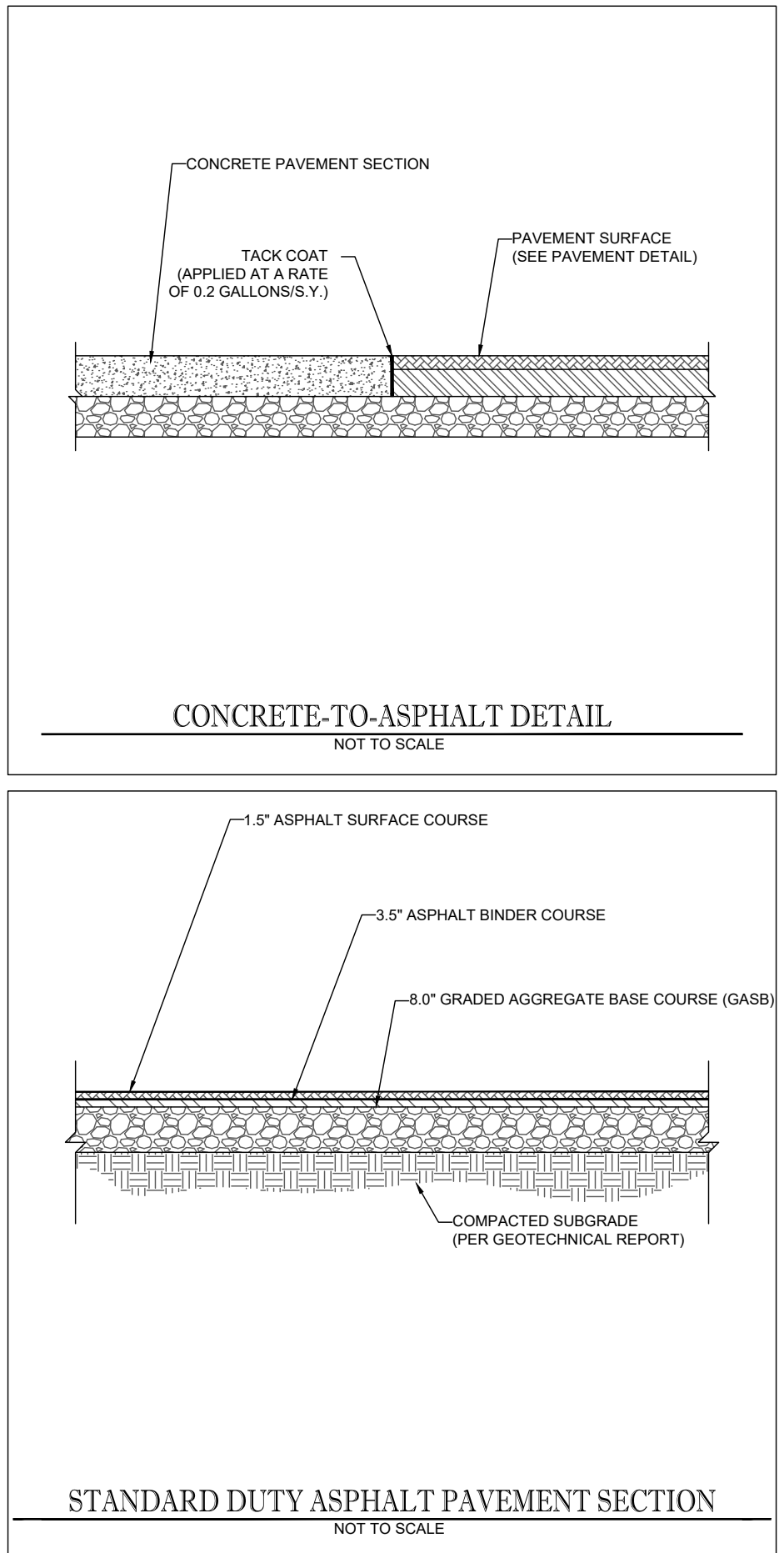
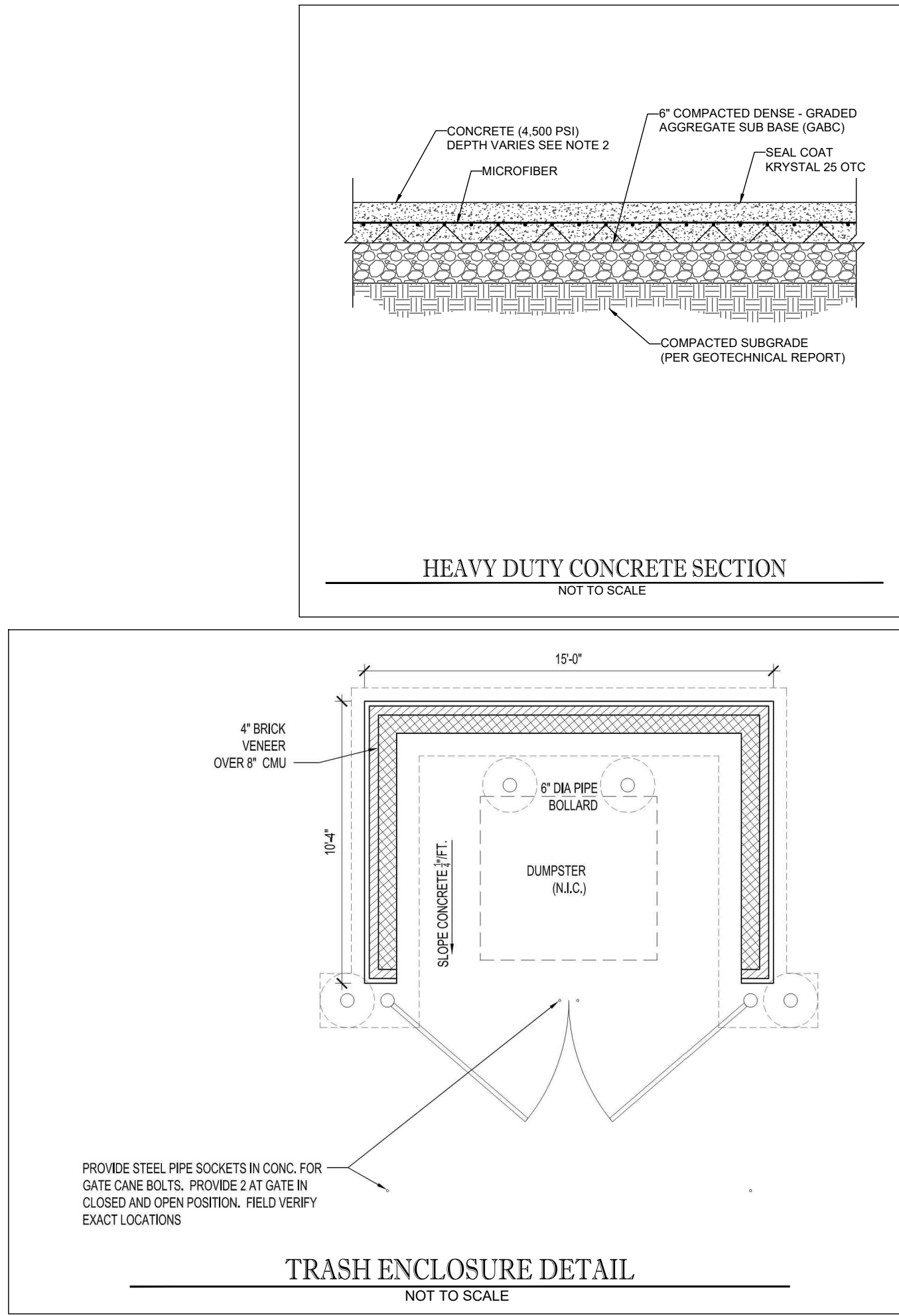
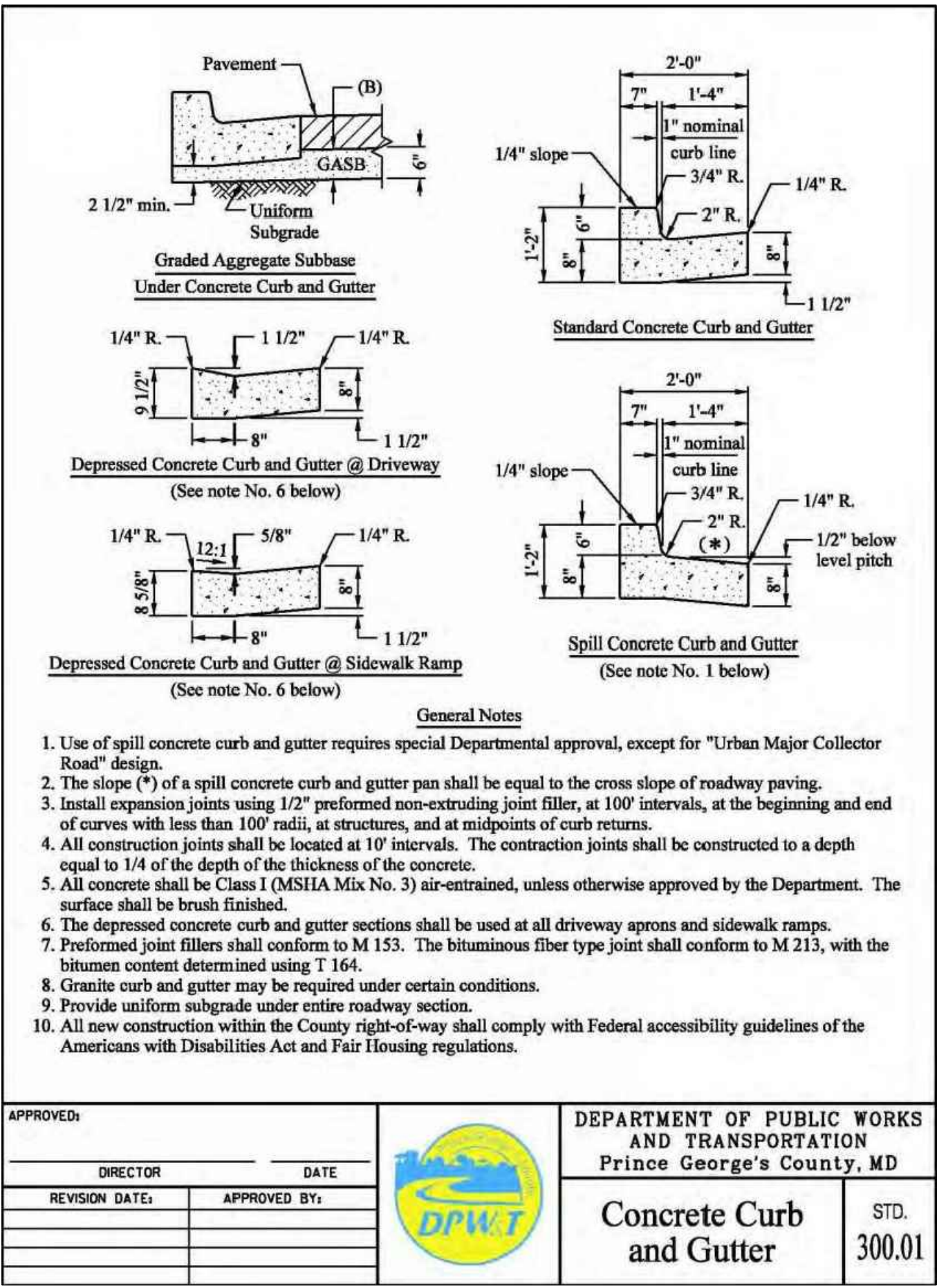
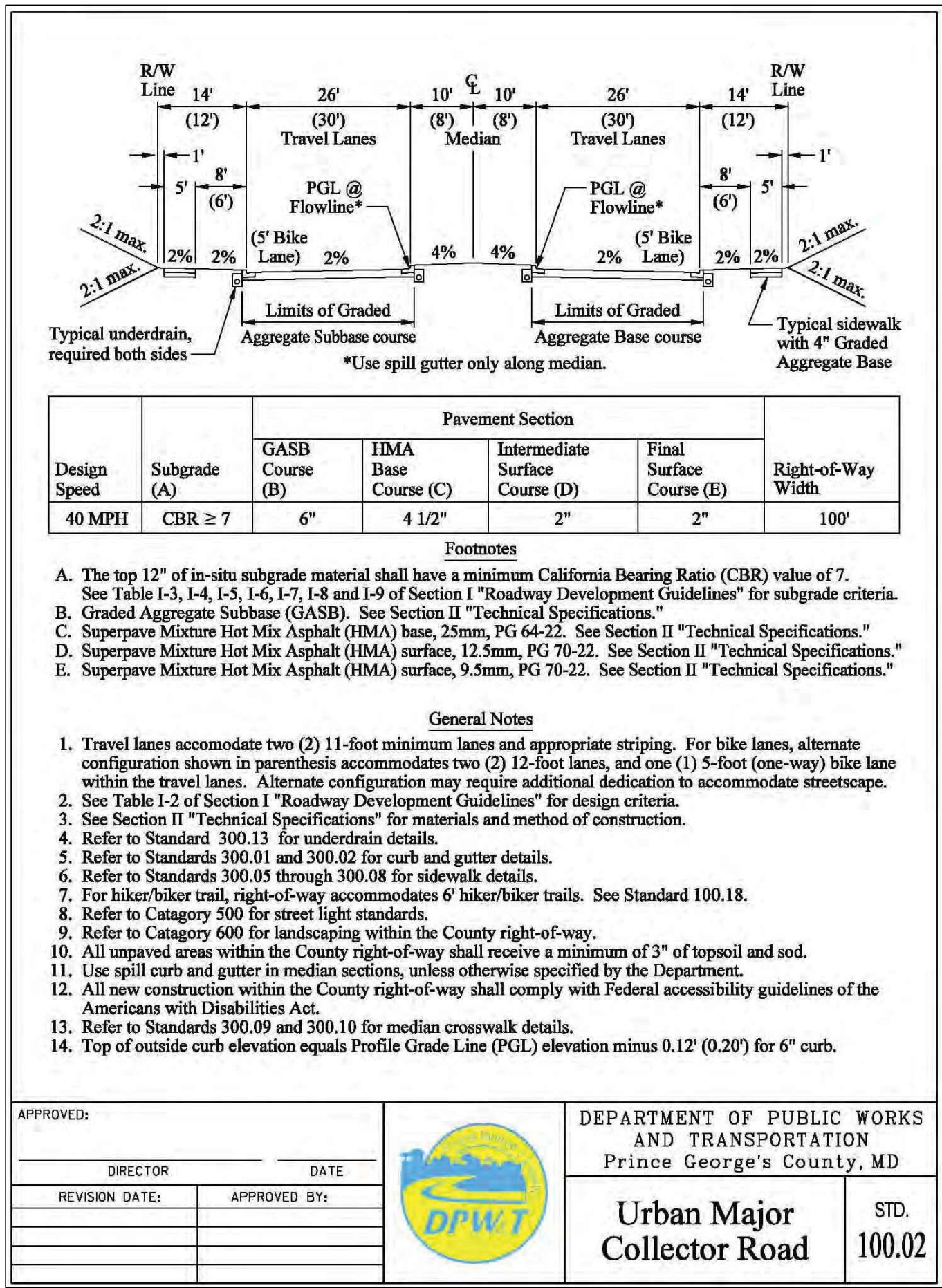
LIGHTING

PLAN/PHOTOMETRIC

STUDY

SHEET NUMBER:

DSP-10



THIS BLOCK IS FOR OFFICIAL USE ONLY

OR LABEL CERTIFIES THAT THIS PLAN MEETS CONDITIONS OF FINAL APPROVAL BY THE PLANNING BOARD, ITS DESIGNEE OR THE DISTRICT COUNCIL.

M-NCPPC APPROVAL

PROJECT NAME: NSR PROPERTIES, LLC

PROJECT NUMBER: DSP-19039

FOR CONDITIONS OF APPROVAL SEE SITE PLAN COVER SHEET OR APPROVAL SHEET REVISION NUMBERS MUST BE INCLUDED IN THE PROJECT NUMBER

BOHLER ENGINEERING

SITE CIVIL AND CONSULTING ENGINEERING ARCHITECTURE

LAND SURVEYING DESIGN PERMITTING SERVICES TRANSPORTATION SERVICES

SUSTAINABLE DESIGN

CHARLOTTE, NC

ATLANTA, GA

SOUTH FLOIDA

DALLAS, TX

NEW YORK, NY

NEW JERSEY

PALM BEACH, FL

PHILADELPHIA, PA

PITTSBURGH, PA

RICHMOND, VA

ROCKFORD, IL

SPRINGFIELD, IL

WASHINGTON, DC

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NOT APPROVED FOR CONSTRUCTION

PROJECT No.: MB172062

DRAWN BY: TJM

CHECKED BY: NBS

DATE: 03/01/18

SCALE: N/A

CAD I.D.: SD0

PROJECT: DETAILED SITE PLAN

FOR: NSR PROPERTIES, LLC

LOCATION OF SITE

3599 EAST-WEST HIGHWAY

HYATTSVILLE, MARYLAND

PRINCE GEORGE'S COUNTY

TM 42, GRID A2

BOHLER ENGINEERING

16701 MELFORD BLVD., SUITE 310

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N. B. SPEACH

PROFESSIONAL ENGINEER

MARYLAND LICENSE NO. 42083

PROFESSIONAL CERTIFICATION

I, NICHOLAS B. SPEACH, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. LICENSE NO. 42083, EXPIRATION DATE: 8/4/2021

SHEET TITLE: SITE DETAILS

SHEET NUMBER: DSP-12

STATEMENT OF JUSTIFICATION
DSP-12062/01

APPLICANT: NSR Properties, LLC
7303 Hanover Parkway, #A
Greenbelt, Maryland 20770

CORRESPONDENT: Daniel F. Lynch, Esq.
McNamee Hosea
6411 Ivy Lane, Suite 200
Greenbelt, Maryland 20770
(301) 441-2420 Voice
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dlynch@mhlawyers.com E-mail

REQUEST: Amendment to Detailed Site Plan, Sections 27-285(b), 27-548.25,
27-548.26 of the Zoning Ordinance.

I. DESCRIPTION OF PROPERTY

1. Addresses – 3599 East West Highway, Hyattsville, MD
2. Proposed and Use – Gas station, food and beverage store and offices
3. Election District – 17
4. Lots – Part of Parcel L
5. Total Area – 0.8370 acres
6. Tax Map – 042 /A2
7. Location – Located in the southwest quadrant of the intersection of East West Highway and Belcrest Road.
8. Zoned – M-U-I (with DDOZ overlay)
9. Owners – NSR Properties, LLC.
10. Zoning Map – 207NE03
11. Incorporated Area – City of Hyattsville

II. NATURE OF REQUEST

The applicant is requesting the approval of an amendment to an approved detailed site plan (DSP-12062) to allow for the reconstruction of a gas station and food and beverage store on the subject property. The property is currently developed with a 2,983 square foot food and beverage store and 4 multi-product gas dispensers under cover of a canopy. The applicant is proposing to raze all existing improvements on the subject property and construct a 4,796 square foot building that will contain a food and beverage store and 8 multi-product dispensers and canopy.

II. PROCEDURAL HISTORY

Special Exception SE-691 was originally approved for a gas station on the subject property in 1961. The existing buildings on-site were built in conformance with that approval. The special exception was revised in 1979 for a kiosk on-site. Subsequently SE-3885 was approved for the subject property in 1989 for the purpose of adding a freestanding car wash and revising the gas station layout. The property was never developed in conformance with SE-3885. A Transit District Overlay Zone was first established for Prince George's Plaza in 1992. The TDDP retained the subject property in the C-S-C Zone, but implemented a T-D-O on the property. The gas station was certified as a nonconforming use through NCGS 14 approved by the District Council on June 13, 1995. In 1998, Council Resolution re-established the Transit District Overlay Zone and adopted the TDDP. The TDDP rezoned the property to the M-X-T Zone and retained the T-D-O. Permit 1438-99-CU/01 certified the food and beverage store and fast food restaurant on site. Permit 8749-99-CG was issued for the installation of an automated teller machine. In April of 2014, the District Council approved CSP-13003 and DSP-12062 for the subject property. The CSP and DSP proposed the redevelopment of the site with a gas station, food and beverage store and car wash. Since the purpose of those applications was to add a car wash to the site, and the amendment to the Table of Uses to allow the car wash was not approved, the applicant chose not to redevelop the site in accordance with those approvals. In July 2016, the District Council re-established the Transit District Overlay Zone for Prince George's Plaza. The TDDP rezoned the subject property from the M-X-T Zone to the M-U-I Zone. On February 28, 2019, the Planning Board approved Preliminary Plan 4-18013 for the Subject Property, subject to 8 conditions.

III. CRITERIA FOR APPROVAL

The required findings for a Detailed Site Plan in the TDOZ are stated in Section 27-548.08(c) of the Zoning Ordinance. As will be demonstrated below, the Applicant complies with the criteria as follows:

1. The Transit District Site Plan is in strict conformance with any mandatory development requirements of the TDDP.

Comment: The Detailed Site Plan conforms with the Mandatory Development Requirements is as follows:

Street and Frontages – Blocks

Comment: The applicant is not proposing to create any new blocks with this application and therefore this standard is not applicable.

Streets and Frontages – Frontage Zones

Comment: The proposed building will be set back 50 feet from the street line. The applicant is proposing an 8 foot sidewalk and 6.3 foot tree and furnishing zone along East-west Highway and a 10 foot sidewalk along Belcrest Road. The Belcrest Road sidewalk configuration is consistent with the properties with frontage on Belcrest Road located to the south and east of the subject property. These frontage improvements are also consistent with the conditions imposed by DPIE in its approval of the Site Development Concept Plan (“SDCP”). The applicant is not proposing a 10’ cycle track as there is insufficient room in the dedicated right-of-way to accommodate that track and its installation would conflict with the standards imposed by DPIE in its SDCP approval letter. The 8-foot sidewalk and 6.3 foot tree and furnishing zone along East-West Highway is comparable to the sidewalk and tree and furnishing zone provided to the west of the subject property. In addition, the proposed front entrance to the building will open into the parking area associated with the proposed development. The applicant is therefore requesting an amendment to the TDDP to allow the frontage zone as proposed herein and to allow the front entrance of the building to open into the parking area.

Streets and Frontages – Build-to Lines and Zones

Comment: The minimum build-to line along East-West Highway is 20’ which includes a 6’ wide tree and furnishing zone and 6’ wide clear zone (as set forth in Table 42). The proposed food and beverage store will be set back 133’ from East West Highway and the applicant is therefore requesting an amendment. The build-to line on Belcrest Road is set for in Table 42 as 33’. The proposed food and beverage store and office building will be setback 43 feet from Belcrest and the applicant is therefore requesting an amendment.

Street and Frontages – Build-to lines - Building Entrances

Comment: The standards require that the primary entrance be located at the front façade of the building. The primary entrance to the food and beverage store faces East West Highway and therefore complies with this standard.

Articulation – As shown on the elevations submitted with the application package, the applicant is proposing a one story building and the architecture of that building includes canopies over the main entrance as well as the windows facing East West Highway, a tower element and a variation of building materials that add visual interest to the building.

Alleys – The applicant is not constructing any alleys as part of this proposal.

Tree and Furnishing Zones – The applicant is not constructing any streets as part of this proposal and not proposing any improvements within the right-of-way.

Street Lights – The applicant is not proposing to perform any work within the right-of-way.

Street and Frontages – Build-to lines - Articulation

Comment: In order to provide visual interest and reduce the perceived massing and scale of buildings, building architecture shall incorporate at least three of the elements listed. The applicant's architecture does incorporate at least three of those elements. Specifically, the applicant is proposing a tower, covered entry and repetitive windows facing East-West Highway.

Street and Frontage – Alleys

Comment: The applicant is not proposing any alleys as part of this Detailed Site Plan and therefore this standard is not applicable.

Street Frontage – Tree and Furnishing Zones

Comment: As shown in the Detailed Site Plan, the applicant will conform to the standard that is applicable to this site.

Street and Frontage – Street Lights

Comment: The applicant will install street lights along Belcrest Road and East-West Highway as required by SHA and Prince George's County.

Bulk and Height – Lots and Building Placement

Comment: The applicant is not creating any new lots as part of this proposal. The building faces East West Highway, an A Street.

Bulk and Height - Density and Building Height

Comment: The applicant is proposing a single building. The TDDP states that the maximum building height for this property shall be 28 stories.

Bulk and Height - Public Amenity Height/Bonus Program - This Detailed Site Plan does not propose residential development and this standard is therefore inapplicable.

Site Elements – Placemaking and Open Space

Comment: This Detailed Site Plan does not propose any open space.

Site Elements – Lighting

Comment: This Detailed Site Plan complies with this standard in that the applicant is providing sufficient on-site lighting as to provide for the safe circulation of pedestrians and vehicles on-site, but the lighting fixtures provided will limit the amount of light spillage off-site.

Site Elements - Green Infrastructure

Comment: The proposed development will not impact the Primary Management Area and in addition, the site will be developed in accordance with an approved Site Development Concept Plan.

Site Elements - Tree Canopy Coverage

Comment: As noted on the Special Exception Landscape Plan, the proposed development complies with the Tree Canopy Coverage Requirements.

Site Elements – Screening

Comment: The external mechanical equipment for the building will be located on the roof and screened. The applicant is not proposing a loading space, but the trash dumpster will be screened from public view via a 6-foot site tight fence. The applicant is also screening the proposed air and vacuum pump.

Site Elements - Walls, Fences and Gates

Comment: As noted above, the applicant is proposing to install a fence around the trash dumpster for screening purposes. The proposed fence complies with the Standards. There are no other fences or walls being proposed by this Detailed Site Plan.

Architectural Elements - Signage

Comment: The applicant is proposing wall signs and a freestanding sign as part of this Detailed Site Plan.

Wall Signs – The proposed building mounted signage meets the dimension requirements.

Freestanding Sign – There is an existing freestanding sign on the property that the applicant is proposing to maintain. The Exemptions found on page 200 of the TDDP state that an existing sign for an existing use, building or structure that was lawful or could have been certified as a nonconforming use on July 19, 2016 are exempt from the Transit District Standards and are not nonconforming.

Architectural Elements – Awning

Comment: The applicant is proposing a metal awning, which is prohibited under the standard. The applicant believes that this awning adds visual interest to the building and is requesting an amendment to this standard.

Architectural Elements – Balconies

Comment: The applicant is not proposing any balconies

Architectural Elements – Sustainable Building Materials

Comment: The applicant will explore the use of green building materials in the construction of the building.

Parking and Loading

Standards – The standards permit 22.5 parking spaces for this use and the applicant is proposing 17 parking spaces. The Detailed Site Plan therefore complies with the parking cap for the Transit District.

Surface Parking- The surface parking lot proposed as part of this Detailed Site Plan has existed since 1961 and therefore not subject to the restrictions or standards contained in the TDDP. The applicant is restriping the parking lot to create 5 additional general purpose spaces and is requesting an amendment to these standards to accomplish such.

Reconstruction – The applicant is proposing to reconstruct the surface parking lot. This reconstruction will result not result in an increase in impervious area.

Loading – This Detailed Site Plan does not proposed a loading facility.

Transportation Adequacy

Comment: A transportation adequacy finding for this project was made during the review and approval of the preliminary plan of subdivision (4-18013)

Downtown Core - General

Comment: The applicant is not proposing any accessory buildings in this Detailed Site Plan.

Downtown Core - Blocks

Comment: As shown on the Detailed Site Plan, the building is facing East West Highway, an A Street.

Downtown Core - A Street

Comment: The Detailed Site Plan demonstrates that the building entrance faces East West Highway. There is no service or loading areas adjacent to East West Highway or Belcrest Road.

Downtown Core- B Street – Not applicable.

Downtown Core - Pedestrian Streets and Promenade – Not applicable.

Downtown Core – Fenestration

Comment: More than 50% of the front facade of the proposed building contains glass and therefore this proposal complies with the TDDP.

Downtown Core -Mixed Use and Nonresidential Buildings

Comment: The applicant is proposing an amendment to the build-to line requirement as it is proposing to locate the building along the southern property line of the subject property. It is also requesting an amendment to this requirement since the building on the adjacent property meets the BTL requirement. As noted, the applicant is proposing to construct a canopy and fueling dispensers along the East West Highway frontage and given the nature of the use, compliance with this requirement is not conducive to the circulation of vehicles and pedestrians on the property.

Transit District Table of Uses

Comment: The Table of Uses for the Prince George's Transit District Development Plan provides that in the MUI Zone a gas station "is permitted and not nonconforming within the Prince George's Plaza Transit District if legally existing on July 19, 2016. New uses of this type are prohibited within the Transit District. New uses of this type are prohibited within the Transit District.' As indicated above, the subject gas station has existed on the subject property since the early 1960s and under the plain reading of the TDDP, the use is therefore a permitted use. This is not a "new use." The applicant's proposal to raze and rebuild the food and beverage store and increase the number of fuel pumps does not change the use of the property. "Use" is defined in the Zoning Ordinance as follows:

Use:

(A) A "Use" is either:

- (i) The purpose for which a "Building," "Structure," or land is designed, arranged, intended, maintained, or occupied; or
- (ii) Any activity, occupation, business, or operation carried on in, or on, a "Building," "Structure," or parcel of land

Building is defined in the Zoning Ordinance as follows:

Building:

(A) A "Structure" having a roof and used for the shelter, support, or enclosure of persons, animals, or property. Any part of a "Building" is considered a separate "Building" when:

- (i) It is entirely separated from all other parts by a wall extending from the lowest floor to the roof; and
- (ii) It has no door or other opening directly to the other parts.

The applicant is proposing to raze the existing food and beverage store and gas canopy on the property and construct a larger food and beverage store and gas canopy. The applicant is not proposing to introduce a new gas station use to the property as the gas station use currently exists and has existed since the early 1960s and under the plain reading of the TDDP, it is a permitted use.

This is further supported on page 180 of the TDDP which contains a discussion of the rezoning of the subject property from the M-X-T to the M-U-I Zone. The TDDP states, in part, that “[t]his rezoning permits these properties to retain the uses that they have on an interim basis while they transition as the market allows to the walkable urban products the real estate market increasingly demands.” The applicant is proposing to retain the existing use, a gas station and food and beverage store, on the subject property, as anticipated by the TDDP. The fact that this applicant is proposing to construct a new food and beverage store and increase the size on the canopy and number of fuel pumps does not change the use.

However, out of an abundance of caution, should the District Council determine that the applicant’s proposal introduces a new use to the property, the applicant requests that the Table of Uses be amended in accordance with Section 27-548.09.01(b)(1) of the Zoning Ordinance. Section 27-548.09.01(b)(1) provides that a property owner may request a change to the list of allowed uses to the approved Transit District Overlay Zone. This applicant requests to change the list of allowed uses for the Prince George’s Plaza Approved District Development Plan.

Section 27-548.09.01– Amendment of Approved Transit District Overlay Zone

(b) Property Owner

- (1) A property owner may ask the District Council, but not the Planning Board, to change the boundaries of the T-D-O Zone, a property’s underlying zone, the list of allowed uses, building height restrictions or parking standards in the Transit District Development Plan.
- (2) The owner’s application shall include:
 - (A) A statement showing that the proposed development conforms with the purposes and recommendations for the Transit District, as stated in the Transit District Development Plan; and
 - (B) A Detailed Site Plan or Conceptual Site Plan, in accordance with Part 3, Division 9

The applicant is proposing to redevelop an existing gas station and convenience store that has existing on the subject property since the early 1960s. Generally, the redevelopment will bring the site into conformance with current stormwater management regulations, reduce the number of access driveways along East-West Highway and Belcrest Road, improve the sidewalks along the site’s road frontage and replace a 2,983 square foot building with a 4,796 square foot building. The applicant is therefore bringing the site into conformance with the TDDP. First, it is retaining two of the existing uses on the property as anticipated when the property was placed in the M-U-I Zone. Finally, the reduction of number of access driveways and modifications of the sidewalks along East-West Highway and Belcrest Road will improve the pedestrian system in the Transit District. Overall, the applicant believes that this proposal conforms to the purposes and recommendations contained in the TDDP.

2. The Transit District Site Plan is consistent with, and reflects the Site Design Guidelines and criteria contained in, the TDDP.

Comment: The proposed gas station, food and beverage store and office building,, as shown on the Detailed Site Plan, is consistent with the applicable Design Guidelines contained in the TDDP except for the amendments requested herein.

3. The Transit District Site Plan meets all the requirements of the TDOZ and applicable regulations of the underlying zone.

Comment: The regulations for the TDOZ are contained in Section 27-548.06 of the Zoning Ordinance. The applicant's proposal, as shown on the Detailed Site Plan, complies with these regulations.

4. The location, size and design of buildings, signs, other structures, open spaces, landscaping, pedestrian and vehicular circulation systems, and parking and loading areas maximize safety and efficiency and are adequate to meet the purposes of the TDOZ.

Comment: With the amendments being requested by the applicant, the location, size and design of the building proposed and other site features will not only improve the safety and efficiency of the site, but will meet the purposes of the TDOZ found in Section 27-548.03 of the Zoning Ordinance.

5. Each structure and use, in the manner proposed, is compatible with other structures and uses in the transit district and with existing and proposed development.

Comment: The applicant is proposing to raze the existing single story gas station and convenience store building and construct a new building that will contain the food and beverage store. Not only will this proposal create greater mass on site, but the proposed architecture of the building and building materials complement the structure located on the adjacent property. In addition, the applicant will be improving the pedestrian system along the East-West Highway and Belcrest Road frontages of the property. The applicant is requesting amendments to the TDDP standards relative to each frontage, but the amendments will allow for a design that is compatible with the properties located to the west, south and east of the subject property.

6. In addition to the findings above, the following is required for Detailed Site Plans:

- a. The Planning Board shall find that the Detailed Site Plan is in general conformance with the approved Conceptual Site Plan (if one is required).**

Comment: The property is zoned M-U-I and conceptual site plan approval is not applicable.

IV. CONFORMANCE WITH PRELIMINARY PLAN SUBDIVISION

As indicated above, Preliminary Plan 4-18013 was approved by the Prince George's Planning Board on February 28, 2019 subject to 8 conditions. The conditions relevant to this Detailed Site Plan are follows:

2. Total development within the subject parcel shall be limited to uses which generate no more than 166 AM and 130 PM peak-hour trips. Any development generating an impact greater than that

identified herein shall require a new determination of the adequacy of transportation facilities and a new preliminary plan of subdivision.

Comment: The development of this site with the gas station, convenience store and offices complies with this condition of approval. However, given the reduction in the size of the proposed building, the proposed redevelopment of the subject property is now except from the preliminary plan of subdivision requirements in accordance with Section 24-107 (c)(7)(D)

Development of this site shall be in conformance with an approved Stormwater Management Concept Plan, 2296-2018-00, and any subsequent revisions.

Comment: The development conforms to that proposed under SDCP 2296-2018-00.

4. In conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment*, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following unless modified by the road operating agency:
 - a. An eight-foot-wide sidewalk along the frontage of MD 410 (East West Highway).
 - b. A 10-foot-wide cycle track along the frontage of Belcrest Road.

Comment: The frontage improvements to MD 410 and Belcrest Road conform to the requirements of SHA and DPIE.

7. Prior to approval of a detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide an exhibit that illustrates the location, limits, and details of the off-site bicycle and pedestrian impact statement improvements along Belcrest Road, consistent with Section 24-124.01(f) of the Subdivision Regulations.

Comment: The applicant has included this exhibit in the application package.

V. CONCLUSION

The applicant, NSR Properties, LLC, is seeking approval of this Detailed Site Plan to allow it to reconstruct a gas station and food and beverage store on the abovementioned property. The applicant believes that this request, subject to the amendments requested herein, meets the standards of the approved TDDP for Prince George's Plaza and therefore the applicant respectfully requests approval of DSP-12062/01

Respectfully submitted,

MCNAMEE HOSEA

By: _____
Daniel F. Lynch

		Standard	Page
Streets and Frontage – Frontage Zones			
	1	All existing and proposed A, B, and Pedestrian Streets shall have sidewalks on both sides constructed to the frontage standards prescribed in this plan. At a minimum, all sidewalks shall have a Sidewalk Clear Zone and a Tree and Furnishing Zone. Provision of Buffer Zones, Residential Frontage Zones, or Retail Zones is optional, as needed.	208
	2	Tables 42 and 43 contain dimensional standards for frontage zones and new private streets. The Total Frontage Depth Requirements referenced in the text and identified in Table 44 and Figures 9-24 (see pages 213-230) reflect the minimum amount of frontage required for each street. The maximum amount of frontage permitted is equivalent to this minimum, plus 5 feet in the Downtown Core and the minimum plus 10 feet in the Neighborhood Edge.	208 (See Tables 42 and 43 on pages 211-212.) Graphic on page 214 – 410 is required to have a 20-25 foot frontage Zone) The table also states that the off street parking type Permitted is structured on a street A
	3	The Sidewalk Clear Zones and Tree and Furnishing Zones shall be consistent along a block.	208
Street Frontage -build-To Lines and Zones			
	4	The minimum BTL shall be established at the rear of the frontage zones (except for promenades).	209
	5	The total frontage depth requirement in Tables 42- 43 and Figures 9-23 shall represent the distance between the street curb and BTL	209
	6	The maximum BTL shall be 5 feet further from the curb in the Downtown Core, and 10 feet further from the curb in the Neighborhood Edge, than the minimum BTL.	209
	7	The area between the minimum and maximum BTL shall be the BTZ.	209
	8	Streets and Frontage Build-to Lines and Zones Building Entrances	
Streets and Frontage Tree and Furnishing Zones			
	9	Street trees shall be located within the Tree and Furnishing Zone; additional trees may be provided within the Retail or Residential Zones, as appropriate.	232
	10	Shade trees two and one-half to three-inch caliper in size, shall be planted along each street with spacing of not greater than 40 feet on center, excluding driveway openings. Spacing allowances may be made, where necessary, to accommodate curb cuts, fire hydrants, and other infrastructure elements.	232
Streets and Frontage Street Lights			
	11	All pedestrian rights-of-way—including sidewalks, trails, paths, and pathways from building entrances and exits to the sidewalk—shall be continuously lit.	234
	12	Street lights shall either be pedestrian-scale fixtures or a combination of a street light and a pedestrian fixture. Pedestrian lights shall be no higher than 14 feet. Existing street lights shall not be counted toward this requirement unless they include pedestrian-scale fixtures that meet this standard.	234
	13	Street lights installed along MD 410 (East West Highway) and Belcrest Road shall use PEPCO's Teardrop or equivalent style from PEPCO's most recent Street Light Catalog.	234
	14	Street light fixtures shall be spaced a maximum of 40 feet apart in the Downtown Core.	234
SINGLE-STORY BUILDING HEIGHT AND FRONTAGE			
	15	Commercial, institutional, mixed-use, or multifamily residential buildings: the first (ground) floor shall be at least 20 feet high, with a floor to ceiling height of at least 14 feet.	240
Site Elements Screening			
	16	All mechanical equipment and meters shall be screened to prevent excessive noise and visual impacts on surrounding properties.	248
OTHER FREESTANDING SIGNS			
	17	Freestanding signs, other than monument signs, single-family detached home and townhome development identification signs, sculptural signs, and A-frame sign boards, shall be located only in the Tree and Furnishing Zone or retail zone within the Downtown Core. Such freestanding signs shall not exceed eight feet in height nor three feet in width.	255
Architectural Elements Awnings			
	18	Metal, plastic, and backlit awnings shall not be permitted.	256
Parking and Loading			
	19	Restriping of surface parking facilities that result in an addition of general purpose parking spaces is prohibited.	259
Parking and Loading Surface Parking			
	20	Off-street surface parking is prohibited except where at least one of the following conditions apply:	260

	21	The off-street surface parking will be provided through alteration or reconstruction of a surface parking lot legally existing on July 19, 2016.	260
	22	The Planning Board may permit reconstruction of a surface parking lot where the applicant will remove an equivalent square footage of existing impervious surface and create an equivalent or greater square footage of unpaved or pervious space. Notwithstanding the above, construction of a surface parking lot shall not expand the area of impervious surface on any property in the Transit District as it existed on July 19, 2016.	260
SURFACE PARKING FACILITIES			
	23	Parking facilities and entrances shall be located on B Streets or Alleys.	260
	24	All new surface parking lots shall be screened from streets by buildings, landscaping, or any other cover that mitigates the view of the parking lot from the street.	260
	25	Surface parking lots shall be landscaped with a minimum of one tree per 24 spaces and a minimum of one landscape island for every 12 spaces.	260
DOWNTOWN CORE STANDARDS			
	26	No service area or loading dock shall be permitted adjacent to any street unless enclosed such that all sides appear as a primary façade similar to the primary façade of the main building, including design, detail, finished material, and landscaping.	265
DOWNTOWN CORE FENESTRATION STANDARDS			
	27	Façades at the ground level facing A Streets, Pedestrian, Promenade, or fronting an open space shall be visually permeable (clear glass windows, doors, etc.); at a minimum, 50 percent of the ground floor façade shall consist of transparent materials (glass).	266
	28	Tinted or mirrored glass, or glass blocks are not permitted.	266
DOWNTOWN CORE MIXED-USE AND NONRESIDENTIAL BUILDINGS			
	29	All buildings on abutting lots within the Downtown Core shall be attached at the sides, except where separated by a street (as defined by this TDDP), plaza, or public open space.	267
	30	The minimum clear height of retail space and of storefront fenestration is 14 feet.	267
Figure 26. Downtown Core: One-Story Commercial-Institutional Standards			
	31	BTL Defined by a Building: Front (Primary Street); 100% minimum A Street, Pedestrian Street, or Promenade; 80% minimum B Street; Side 80% minimum	268
	32	3. In front and side yards where buildings do not meet the build-to-line, only public open spaces, plazas, or seating for eating and drinking establishments are permitted.	268

Exemptions | Single-Family Residential Dwellings

E5 On July 19, 2016, no single-family residential dwellings existed within the Transit District. Construction of single-family residential dwellings within the Transit District is subject to the Transit District Standards and DSP review. Subsequent additions or modifications to any single-family residential dwelling are exempt from the Transit

District Standards and DSP review if the residential use continues. A new single-family dwelling unit built to replace one destroyed by fire, flood, or other natural disaster shall also be exempt from the Transit District Standards for up to five years from the date of loss.

Exemptions | Multifamily Development

E6 An addition to a multifamily residential structure that was lawful or could have been certified as nonconforming pursuant to Section 27-244 of the Zoning Ordinance on July 19, 2016 is exempt from the Transit District Standards and DSP review if the

addition (and the accumulated sum of all additions since July 19, 2016) does not increase the gross floor area (GFA) by more than 15 percent or 5,000 square feet, whichever is less.

Exemptions | Nonresidential Development

E7 An addition to a nonresidential structure, other than an integrated shopping center, that was lawful or could have been certified as nonconforming pursuant to Section 27-244 of the Zoning Ordinance on July 19, 2016, is exempt from the Transit District

Standards and DSP review if the addition (and the cumulative sum of all additions since July 19, 2016) does not increase the GFA by more than 15 percent or 5,000 square feet, whichever is less.

Exemptions | Existing Shopping Centers

E8 An attached nonresidential addition to any existing building that is part of an integrated shopping center that was lawful or could have been certified as nonconforming pursuant to Section 27-244 of the Zoning Ordinance on July 19, 2016 is exempt from the Transit District Standards and DSP review if the addition (and the accumulated sum of all additions since July 19, 2016) does not increase the GFA by more than 15 percent of the total GFA of the integrated shopping center (excluding single-use pad sites) as it existed on July 19, 2016.

Any addition which causes an integrated shopping center to exceed this threshold, and all subsequent nonresidential additions, require the approval of a DSP pursuant to Exemption E1 and such additions are subject to the Transit District Standards.

E9 All other development on the site of an integrated shopping center not attached to an existing integrated shopping center, including, but not limited to, pad sites, shall require the approval of a DSP and conformance to the Transit District Standards.

Table 42. Downtown Core (DC) and Neighborhood Edge (NE) Frontage/Build-To Zone Standards: Existing Public Streets

CONTEXT	DOWNTOWN CORE				NEIGHBORHOOD EDGE			ALL
	MD 410 (East West Highway) (A)	Belcrest Road * (A)	Toledo Road (A)	Toledo Terrace (A)	Adelphi Road (A)	Northwest Drive (A)	Dean Drive (A)	All Existing (B)
Building Orientation (Entrance location)	Front	Front, side	Front, side	Front, side	Front	Front	Front	Front, side
Minimum Frontage Zone Depth/Build-To Line								
Tree and Furnishing Zone (Required)	6'	6'	6'	6'	7'	7'	7'	5'
Sidewalk Clear Zone (Required)	6'	6' East Side 5' West Side	6'	6'	8'	8'	8'	5'
Retail, Residential, and/or Buffer Zones (Total)	Varies as needed	Varies as needed	Varies as needed	Varies as needed	Varies as needed	Varies as needed	Varies as needed	Varies as needed***
Total Frontage Minimum Depth Requirement/ Minimum Build-To Line	20'	20' East Side 28' West Side*	20'	20'	18'	18'	18'	15'
Maximum Frontage Zone Depth/Build-To Line								
Total Frontage Maximum Depth Requirement/ Maximum Build-To Line	25'	5' East Side 33' West Side	25'	25' South/ East Side 30' North/ West Side	28'	28'	28'	20'
Off-Street Parking								
Off-Street Parking Type Permitted	Structured	Structured	Structured	Structured	Structured	Structured	Structured	Any
New Off-Street Parking Permitted on Side of Building	No	No	No	No	Yes	Yes	Yes	Yes
New Off-Street Parking Access	No	No	No	No	No	No	No	Yes
New Driveways Permitted	No	No	No	No	Yes	No	No	Yes
* West side Belcrest Road frontage zone integrates a 10' off-street cycle track (see Chapter 3). ***Small furniture or benches are encouraged in the retail zone.								

Table 47. Table of Permitted Uses: Transit District Overlay/Mixed-Use Infill (T-D-O/M-U-I) Zone

USE	ZONE	
	M-U-I	T-D-O/M-U-I
(1) Commercial		
(A) Eating or Drinking Establishments:		
Eating or drinking establishment, with drive-through service (CB-49-2005; CB-19-2010)	P ²⁴	X
Eating or drinking establishment, excluding drive-through service (CB-49-2005; CB-19-2010)	P	P
Eating or drinking establishment of any type, including music and patron dancing past the hours of 12:00 midnight, excluding adult entertainment (CB-49-2005; CB-19-2010; CB-56-2011)	SE	P
(B) Vehicle, Mobile Home, Camping Trailer, and Boat Sales and Service:		
Bus maintenance accessory to:		
(i) A private school or educational institution	SE	X
(ii) A church or other place of worship	SE	X
Boat fuel sales at the waterfront	P	X
Boat sales, service, and repair, including outdoor storage of boats and boat trailers:		
(i) Accessory to a marina	P	X
(ii) All others	SE	X
Boat storage yard	X	X
Car wash:		
(i) On a parcel of at least 10 acres with any structures located at least 200 feet from any land in any residential zone or land proposed to be used for residential purposes on an approved basic plan for a comprehensive design zone, approved official plan for an R-P-C Zone, or any approved conceptual or detailed site plan	P	X
(ii) Self-service, coin-operated, automatic car wash as an accessory use to the permitted use of a commercial parking lot, with shuttle service to Metro and located within two miles of a Metro station (CB-76-1998)	P	X
(iii) All others (CB-76-1998; CB-114-2004)	SE	X
Gas station (in the C-M Zone, subject to detailed site plan review in accordance with Section 27-358(a)(1),(2),(4),(5),(6),(7),(8),(9), and (10) (CB-1-1989; CB-72-1999)	SE	P ^c
Incidental automobile service in a parking garage ³	SE	P
Private Automobile and Other Motor Vehicle Auctions		
(i) Operating prior to January 1, 2011, as a use that conforms to the definition under Section 27-107.01, subject to the provisions of Section 27-464.06(c), (d), and (f)	X	X
(ii) All others, subject to the requirements of Section 27-464.06 (CB-59-2010)	X	X
Vehicle lubrication or tune-up facility, provided all sales and installation operations are conducted in a wholly enclosed building with no outdoor storage (CB-43-1987)	SE	X
Vehicle, mobile home, or camping trailer repair and service station (CB-50-1993)	SE ¹⁹	X
Vehicle, mobile home, or camping trailer sales lot, which may include dealer servicing and outdoor storage of vehicles awaiting sale, but shall exclude the storage or sale of wrecked or inoperable vehicles, except as accessory to the dealership for vehicles that the dealership will repair ³⁷ (CB-95-1987; CB-87-2000; CB-29-2002)	SE ⁶⁰	X
Vehicle or camping trailer rental (in the C-M Zone, subject to Section 27-417(a),(b)(2), and (c))	SE	X
Vehicle or camping trailer storage yard (CB-80-1996)	X	X
Vehicle parts or tire store including installation facilities, provided all sales and installation operations are conducted in a wholly enclosed building with no outdoor storage:		

Table 47. Table of Permitted Uses: Transit District Overlay/Mixed-Use Infill (T-D-O/M-U-I) Zone

USE	ZONE	
	M-U-I	T-D-O/M-U-I
(C) All others (CB-19-1985)	P	P
Storage of any motor vehicle which is wrecked, dismantled or not currently licensed, except where specifically allowed ⁶ (CB-4-1987)	X	X
Taxicab dispatching station:		
(A) Without cab storage, repair, or servicing	P	P
(B) With cab storage	SE	X
(C) With cab repair or servicing within a wholly enclosed building (CB-50-1987)	X	X
Taxicab stand	P	P
Telegraph or messenger service	P	P
Towers or poles (electronic, public utility when not otherwise permitted, radio, or television, transmitting or receiving):		
(A) Nonprofit, noncommercial purposes, with no height restrictions	P	P
(B) Freestanding for commercial purposes, not exceeding 100 feet above ground level	P	P
(C) Attached to a roof for commercial purposes, not exceeding 40 feet above the height of the building	p ²³	p ²³
(D) All others (CB-8-1990; CB-41-1994; CB-123-1994; CB-65-2000)	SE	P

- a Signs within the Prince George's Plaza Transit District are subject to the Transit District Standards as well as certain provisions of Part 12 of the Zoning Ordinance. See Applicability clause SG2 to determine which standards apply.
- b Use is not permitted above the second story above grade in a multifamily building, except where footnote "h" applies.
- c Use is permitted and not nonconforming within the Prince George's Plaza Transit District if legally existing on July 19, 2016. New uses of this type are prohibited within the Transit District.
- d Permitted pursuant to a currently valid Preliminary Plan of Subdivision or Detailed Site Plan approved on or before July 19, 2016. Otherwise, only multifamily dwelling units are permitted in the T-D-O/M-X-T Zone. All other dwelling unit types are prohibited.
- e [Reserved]
- f Driving instruction limited to classroom instruction; no on-site driving course permitted.
- g Airport, airpark, airfield, airstrip, and heliport prohibited within the Transit District. Helistop permitted.
- h Use is permitted on the top floor or roof of a multifamily building, but on no other floor except where footnote "b" also applies. .
- i Use must meet the requirements of Section 27.464.05(a)(1), (a)(2), and (b) of the Zoning Ordinance, as well as the Transit District Standards, at the time of Detailed Site Plan. A Special Permit shall not be required.
- j Use must meet the requirements of Section 27.445.09(a)(1), (a)(2), and (b) of the Zoning Ordinance, as well as the Transit District Standards, at the time of Detailed Site Plan. A Special Permit shall not be required.

The following footnotes apply to sections (1), (2), (4), (5), (7), and (8) above:

- 1 Provided the site is either:
 - (A) In the proximity of an area designated as a fire or rescue station on an approved Functional Master Plan of Fire and Rescue Stations;
 - (B) In a location which the Fire Chief has indicated (in writing) is appropriate; or
 - (C) Occupied by a station that was in use immediately prior to July 1, 1982.

Table 35. Zoning Change 7: C-S-C, C-O, and R-18 to M-U-I

Change Number	Zoning Change	Areas of Change (Acres)	Approved SMA/ZMA/SE Number	Approved SMA/ZMA/SE Date	200' Scale Index Map
7	C-S-C to M-U-I C-O to M-U-I R-18 to M-U-I	52.61 3.85 12.29	14-1998	6/23/98	208NE03

DISCUSSION: These properties are located in the Downtown Core of the Transit District, are considerably underdeveloped considering their proximity to a transit station, have auto-oriented uses that are incompatible with a walkable downtown environment, and are envisioned for a significantly increased intensity of development and mix of uses. This rezoning permits these properties to retain the uses that they have on an interim basis while they transition, as the market allows, to the walkable urban products the real estate market increasingly demands. The M-U-I Zone, coupled with the Transit District Standards, permits a range of uses in a variety of buildings, creating the flexibility most conducive to development and redevelopment.

Address	Tax Map and Grid	Tax Account	Legal Description	Lot	Block	Parcel
003321 Toledo Ter	041F2	1835560	Bldg A Unit LI-06			
003331 Toledo Ter	041F2	1835784	Bldg 2 Unit 206			
003321 Toledo Ter	041F2	1835727	Bldg 1 Unit 304			
003331 Toledo Ter	041F2	1835776	Bldg 2 Unit 205			
003311 Toledo Ter	041F2	1835529				
003311 Toledo Ter	041F2	1835289	Suite B-101			
003321 Toledo Ter	041F2	1835651	Bldg 1 Unit 201			
003311 Toledo Ter	041F2	1835388	Suite C-103			
006404 Belcrest Rd	042A2	3234812	Parcel A-2 (Town Annexation 2006)			
003321 Toledo Ter	041F2	1835594				
003321 Toledo Ter	041F2	1835578	Bldg 1 Unit 1			
003321 Toledo Ter	041F2	1835644	Bldg 1 Unit 104			
003331 Toledo Ter	041F2	1835768				
003321 Toledo Ter	041F2	1835685	Bldg 1 Unit 204			
003500 East West Hwy	041F2	3234804	Parcel A-1 (Town Annexation 2006)			
003321 Toledo Ter	041F2	1835677	Bldg 1 Unit 203			
003311 Toledo Ter	041F2	1835537	Bldg A Unit LI-03			
003321 Toledo Ter	041F2	1835628	Bldg 1 Unit 102			
003311 Toledo Ter	041F2	1835511				
003311 Toledo Ter	041F2	1835487	Bldg A Unit A-201			
003321 Toledo Ter	041F2	1835636	Bldg 1 Unit 103			
003321 Toledo Ter	041F2	1835610	Bldg 1 Unit 101			
003311 Toledo Ter	041F2	1835503	Bldg A Unit A-203			
003331 Toledo Ter	041F2	1835834	Bldg 2 Unit 307			
003321 Toledo Ter	041F2	1835701	Bldg 1 Unit 302			
003311 Toledo Ter	041F2	1835321	Suite B-201			
003400 East West Hwy	041F2	1835271	Parcel R (Town Annexation 2006)(Entire Imps Razed 5/1/09			

Land Use | Future Land Use

The anticipated pattern of development reflects the desire for a mix of commercial, institutional, residential and other uses nearest the Metro station, MD 410 (East West Highway), and Belcrest Road, with primarily residential development decreasing in intensity to the north and west. Classification in the mixed-use land category is not intended to mandate a vertical mix of uses but rather to reflect a mix of uses—horizontal as well as vertical—that are desired in the Downtown Core as it redevelops over time. The use of the flexible

Mixed-Use Infill (M-U-I) Zone throughout the Transit District permits property owners the option of constructing single- or mixed-use buildings in response to market conditions. In addition, the Transit District Standards focus more on building form than use, permitting a great deal of flexibility in leasing, construction, and mixing of uses. Map 15 shows the recommended future land use in the Transit District.

Land Use | Future Land Use | *Anticipated Phasing*

During the outreach phase, there were a number of questions about the phasing of development. In small districts such as this, with multiple property owners, the location and timing of development will respond largely to market conditions and the willingness of property owners to invest in their properties. During the development of this TDDP, we heard from several property owners who indicated that redevelopment of their properties was possible soon following approval of the TDDP.

Contributing nonmarket factors to the phasing of development are:

1. The creation of a management entity for the Transit District.
2. The creation of an infrastructure funding mechanism.
3. The construction of a regional stormwater management facility in the Wells Run subwatershed.
4. Construction or reconstruction of the envisioned street network.
5. The availability of incentives, such as the Prince George's County Economic Development Incentive Fund.

The timing of these nonmarket factors could affect the phasing of development; as these occur, the development climate will be more supportive of market demand.

Additional contributing factors to the phasing of development include:

6. The desire to keep The Mall at Prince Georges visible from MD 410 (East West Highway).
7. Long-term retail leases preventing redevelopment of structures or major reductions in surface parking.
8. Redevelopment of Prince George's Plaza Professional Park (between the Mall at Prince Georges and Toledo Terrace) complicated by condominium ownership.

Development activity is generally moving west to east; this trend may continue, culminating in the redevelopment of the parcels at the intersection of Belcrest Road and MD 410 (East West Highway). Greater land values (due to the proximity to the Metro station) and the need for underground parking will likely position this area for the highest-intensity of development only after the Transit District has reached a certain level of maturation.

Land Use | Areawide Land Use Policies | *Downtown Core Policies and Strategies*

POLICY LU4 Concentrate medium- to high-density development in the Downtown Core.

Strategy LU4.1: Frame streets in the Downtown Core with mixed-use buildings containing active-ground uses, such as retail, community spaces, and institutions to enliven these key routes.

Strategy LU4.2: Explore opportunities to colocate or relocate public facilities and community services to the Downtown Core to help catalyze redevelopment in the Transit District.

Strategy LU4.3: Concentrate the largest buildings at key intersections and near the Metro station.

POLICY LU5 Create sufficient commercial capacity to help meet the County's Growth Management Goal of 50 percent of new jobs in Regional Transit Districts.

Strategy LU5.1: Use mixed-use zoning to allow for market responsiveness in the Downtown Core.

Strategy LU5.2: Work with property owners to retain current retail and commercial tenants while simultaneously marketing the Transit District to new retailers, offices, and other commercial enterprises.



Land Use | Areawide Land Use Policies | *Neighborhood Edge Policies and Strategies*

POLICY LU6 Create a residential neighborhood north of Toledo Terrace east of Belcrest Road.

Strategy LU6.1: Incorporate a mix of housing types, including multifamily units, townhouses, two over twos, and single-family houses, attractive to a range of homebuyers and renters, including families, young professionals, empty-nesters, and seniors.

POLICY LU7 Limit nonresidential development in the Neighborhood Edge.

Strategy LU7.1: Limit the use of underlying mixed-use zones to the Downtown Core or to properties previously zoned for mixed use.

Strategy LU7.2: Prohibit incompatible or inappropriate uses in the Neighborhood Edge.

Community Heritage, Culture, and Design | Areawide Placemaking Policies and Strategies

POLICY HD5 Create significant urban design features at signature sites that establish a distinct identity of place, create symbolic gateways and significant points of interest, and contribute to the visual and architectural character of the Transit District.

Strategy HD5.1: Termini and visually interesting features are recommended at the end of critical sight lines within the Transit District. Such features can range from building articulations in the form of towers, unique architectural design of entrances and bays, as well as components of public art integrated into the design of buildings. Work with property owners to develop architecturally-memorable buildings or other landmark features at the following visual termini:

- North end of existing Mall entrance.
- Western end of the Metro platform.
- At the intersection of America Boulevard Extended and Toledo Terrace Extended.
- At both termini of Northwest Drive.

Strategy HD5.2: Avoid construction that negatively impacts the following architectural vistas:

- The view of the Mosaic from southbound Belcrest Road.
- The view of Hitching Post Hill from the “Clay Property.”

Strategy HD5.3: Building façades should be located to terminate a vista created by the centerline of a street or open space. When building façades terminate a vista, they should be designed to have a significant architectural feature located on axis with the vista.

Strategy HD5.4: Special corner buildings are recommended around key intersections within the Transit District. Such buildings should visually address the corner, which can be achieved by orienting the building entrance at a diagonal facing the corner; articulating the building as a tower or a corner bay that fronts the intersection; or by setting back the building to create a small urban plaza at the ground floor. A range of strategies are encouraged around each of these key intersections to create visual interest.

POLICY HD6 Create opportunities for artistic and cultural expression and events.

Strategy HD6.1: Work with stakeholders to create and manage opportunities for artistic expression, including, but not limited to, sculpture and other public art, architectural enhancements, special landscape treatments, art studios, murals, and art displays within the public realm. Public displays of works of art, architectural enhancements, or special landscape treatments should take into account appropriateness to the site, permanence of the work relative to environmental conditions, maintenance requirements and cost, and nature of the artistic statement.

Strategy HD6.2: Work with stakeholders to program events at various public spaces throughout the year, including, but not limited to musical, theatrical, or other artistic performances; farmers markets; arts and crafts shows; street festivals; etc.

CITY OF HYATTSVILLE
PLANNING COMMITTEE MINUTES
JULY 16, 2019

1. Introduction of Committee & Guests Members (7:30 PM)
 - Maureen Foster, Co-Chair
 - Wil Maxwell, Co-Chair
 - Chad Copeland, Committee Member
 - Todd Dengel, Committee Member
 - David Marshall, Committee Member
 - Jonathan Muller, Committee Member
 - Thomas Sheffer, Committee Member
 - Nkosi Yearwood, Committee Member
 - Ben Simasek, Council Liaison
 - Erica Spell, Council Member
 - Jim Chandler, Staff Liaison
 - Kate Powers, City Planner
 - Dan Lynch, Attorney for the Applicant
 - Nasir Cheema, Applicant
 - Sajid Chaudhry, Applicant
 - John Sheridan, Resident
2. 3599 East West Highway, Gas Station Reconstruction: Detailed Site Plan (DSP-19039)
 - Presentation
 - Dan Lynch, Attorney for the Applicant, McNamee Hosea, Attorneys & Advisors
 - Project Background
 - Presenter, Dan Lynch, is a land use attorney who has been working on the redevelopment of the subject site for 2 years.
 - This applicant has come before the Planning Committee in the past, with their original DSP. After this initial presentation, Parks and Planning required the applicant get a PPS approved first, which they did. Now, they are returning to the Planning Committee with their final DSP, which has been filed with Park and Planning but has not yet been accepted. Once accepted, a Planning Board Hearing will be set within 70 days and an official referral will be send to the City. This application will likely go to the Planning Board in October or November of 2019.
 - Current condition: The subject site is an older gas station, developed with kiosks typical of this use and limited commercial space. Four (4) gas dispensers reside along East-West Highway. There is a convenience store on site with parking present behind the building. There are driveway access points both on East-West Highway and Belcrest Road.

- The applicant plans to raze the current site and construct a 9,000 square foot building with the gas dispensers and canopy along East-West Highway. The building will be two stories, with a convenience store on the first floor and offices on the second floor (mix of uses). The applicant is proposing a two-story building in order to add bulk and be in conformance with the TDDP. Parking will be available in front of the building and there will be a drive-thru ATM.
- The applicant's landscape plan will bring the site into conformance with current standards.
- Most of the building façade will be brick with a tower element towards the center. There will be a brick trash screen on site and signage along East-West Highway.
- The applicant is requesting four (4) amendments to the standards outlined in the TDDP:
 1. Allow for an 8-foot sidewalk and 6.3-foot tree and furnishing zone along East-West Highway in order to be consistent with the neighboring properties to the west.
 2. Allow the canopy to be set back 25.6' from East-West Highway (TDDP minimum of 20').
 3. Allow a build-to line on Belcrest Road of 43' (TDDP BLT of 33').
 4. Due to conflicting viewpoints between the applicant and Park and Planning regarding the grandfathered use of the site, the District Council will likely determine the appropriate use for the site. As a cautionary measure, in case the District Council denies the applicant's grandfathered status, the applicant is requesting that the Table of Uses be amended in accordance with Section 27-548.09.01(b)(1) of the Zoning Ordinance to allow the site to be used as a gas station.
- Clarifying Questions
 - Todd Dengel: Are the minutes from the Committee's past meeting regarding this property on the record for our current meeting?
 1. Jim Chandler: There are some modifications between the DSP being presented today and the DSP the Planning Committee reviewed last year, therefore some of the comments may not be relevant. However, past comments made regarding this site can be referenced during this meeting.
 2. Todd Dengel: What changes have been made to the current DSP from the previous DSP?
 3. Dan Lynch: In response to SHA, there is a "right-in, right-out" path along East-West Highway. In addition, the pathway through Belcrest has been altered.
 - Wil Maxwell: Will the office space be leased out? Would the applicant occupy this space themselves?
 1. Dan Lynch: Yes, the office will be available to lease. But if it is not leased out, the applicant will use the offices for accounting space.

- D. Marshall: Is the door on the backside of the building an emergency door or a service door?
 1. Nasir Cheema: It is an emergency door.
 2. D. Marshall: Regarding the variance for sidewalk consistency, would this apply to both East-West Highway and Belcrest Road?
 3. Dan Lynch: The sidewalk variance only applies to East-West Highway.
- Nkosi Yearwood: As part of the DSP, are there any proposed physical street space improvements?
 1. Dan Lynch: It will include sidewalk and gutter improvements
 2. Nkosi Yearwood: As part of this DSP, are there any dedications?
 3. Dan Lynch: No, the right-of-way along Belcrest abuts the property line, and there is no room for additional dedication.
- Ben Simasek: Will there be dedicated parking for building tenants?
 1. Dan Lynch: No, but the parking proposed is in conformance with the TDDP.
- John Sheridan: How many offices will there be in the building?
 1. Dan Lynch: 6 occupants.
 2. Dan Lynch: The applicant does not know if they will be leasing out the office space. They will likely use this space themselves.
- D. Marshall: Who owns the staircase towards the metro along the southside of the property?
 1. Dan Lynch: I don't know.
 2. D. Marshall: Does this project in any way alter access to the staircase?
 3. Dan Lynch: It does not.
 4. D. Marshall: Is the coloring of the building presented in the DSP a part of the branding or just generic?
 5. Dan Lynch: The brick presented in the DSP is what the applicant is proposing in terms of building color and material.
- Thomas Sheffer: Are there any restraints on the proposed signage along the canopy? It seems very large and a potential eyesore.
 1. Dan Lynch: The signage meets requirements.
- Jim Chandler: What prevents you from locating the canopy along the southwest corner of the site?
 1. Dan Lynch: We have not laid out this configuration from an engineering standpoint. There are some concerns with that layout, as the pumps will be screened from the main road (East-West Highway), decreasing visibility of individuals pumping gas. This tends to make customers uncomfortable, especially when accessing the gas station at night. The proposed layout in the DSP, with the gas dispensers out front, has worked for other gas stations in the past from a retail standpoint. Also, if the building is placed in the southwest corner of the site, it will likely prevent trucks from accessing the gas pumps.
- Nkosi Yearwood: Is the opening along Belcrest Road channelized?

1. Dan Lynch: The opening is channelized (right-in, right-out) on both Belcrest Road and East-West Highway in order to allow trucks to circulate. The entrances were designed so field trucks can safely enter and exit.
 2. Nkosi Yearwood: Why is the applicant proposing a stand-alone ATM, when it is currently attached to the building?
 3. Dan Lynch: The applicant wants the ATM to be directly accessed from individuals' cars.
- Comments and Committee Recommendations to the City Council
 - D. Marshall: I am interested in revisiting the comments the Committee previously made regarding this site.
 1. Jim Chandler: Here are the comments made by the Committee during the April 2018 meeting:
 - a. Consider reducing the number of curb cuts and enhancing pedestrian access and safety on the site
 - b. Need clarification on the number of parking spaces
 - i. Dan Lynch: 15
 - c. The rear wall should include some interesting, artistic, or attractive feature.
 - d. Retain the staircase as it is important in accessing the Metro
 - **Recommendation: The Committee recommends that the comments and recommendations made by the Committee regarding this site during the April 2018 meeting be transferred to the current meeting record; Approved 6-1 with 1 abstention.**
 - D. Marshall: The building is very tan; I'd like for it to stand out more.
 - Chad Copeland: The Sunoco brand has bright colors, but the proposed building is bland and generic looking.
 - Jonathan Mueller: The applicant has been very responsive to previous requests and I continue to support the proposed project and the applicant's proposed amendments, including the site's continued use as a gas station.
 - D. Marshall: Does City Staff have any concerns with the amendments proposed by the applicant?
 1. Jim Chandler: City Staff has not spent enough time reviewing the DSP at this point to have an answer. It will be brought to City Council on August 5th as a presentation. The biggest issue moving forward will be the interpretation of use for the site and the City will need to take a position on that.
 - **Recommendation: The Committee supports the 8-foot sidewalk and 6.3-foot tree and furnishing zone along East-West Highway as proposed by the applicant; Approved 8-0.**
 - **Recommendation: The Committee supports the canopy be set back 25.6' from East-West Highway as proposed by the applicant; Approved 6-0 with 2 abstentions.**

- **Recommendation: The Committee supports the 43' build-to line on Belcrest Road as proposed by the applicant; Approved 6-0 with 2 abstentions.**
- Chad Copeland: In terms of the applicant's 4th proposed amendment, I believe this is a legal question outside the scope of this committee and therefore I will abstain from any vote related to it.
- Wil Maxwell: Instead of voting for the 4th amendment, we could vote indicating if we are in favor of the project overall.
- Chad Copeland: Voting for or against this amendment will not change the legal outcome.
- Todd Dengel: I concur. A legal team will be responsible for determining appropriate use.
- Jim Chandler: Typically, the Planning Committee does not weight in on legal matters; However, the County expects the City to take a position.
- D. Marshall: Rather than take a position, we could vote on whether we support the continuing use of this site as a gas station based on renovations and reconstruction.
- Maureen Foster: We can vote on the support of this amendment separate from the legal opinion while recognizing that some people will abstain or not support the motion.
- **Recommendation: The Committee support the applicant's argument of continued use according to the Zoning Ordinance; Failed 2-0 with 6 abstentions.**
- **Recommendation: The Committee supports the use of this site as a gas station with the renovations and reconstruction proposed by the applicant; Approved 6-0 with 2 abstentions.**
- Todd Dengel: It should be made clear to the Council that a significant amount of Committee Members abstained from voting on this issue.
- Chad Copeland: The reason the recommendation failed was because the majority of Committee Members abstained as they believed this is a legal determination.
- Nkosi Yearwood: This property is specifically addressed in the TDDP as a footnote. It would be helpful for this to be available to the Committee.
- Wil Maxwell: Will the issue regarding the Table of Uses come back to the Planning Committee for further review?
 - 1. Dan Lynch: This item will ultimately be approved by the District Council.
- Chad Copeland: The City will provide a recommendation – Will the Council adopt the recommendation, or will this be the job of the City attorney?
 - 1. Jim: The latter. If the Mayor wants clarification from the City attorney, it will be requested and allow the council to have some legal basis.
- Chad Copeland: The City needs to determine the legal standing first before bringing it to the Planning Committee.

1. Jim Chandler: This may not be practical, as the attorney may not have enough time to address it before it needs to come to the Planning Committee. This sort of issue coming to the Planning Committee is uncommon.
 - Wil Maxwell: If the staircase is behind the trash screen, it will not be visible to pedestrians.
 1. Nasir Cheema: The staircase is essential to the success of the building, so it is a priority.
 - Thomas Sheffer: Regarding the comments about the aesthetics of the building, I would like to see the canopy be less “in-your-face.” It is very large and is essentially a billboard. The intent of the TDDP was to move from a highway aesthetic to a pedestrian aesthetic. The canopy is an eyesore and not in the spirit of the TDDP.
 - D. Marshall: I am comfortable with the aesthetics of the canopy as displayed in the DSP.
 - Todd Dengel: Franchises need to comply with their company branding.
 - **Recommendation: The Committee supports the canopy branding as presented in the DSP; Approved 6-1 with 1 abstention.**
 - D. Marshall: I support the project and the site’s continued use as a gas station and convenience store. It serves the community and is the only gas station in that part of the area (Jonathan Muller and Todd Dengel agreed with these comments).
- Summary of Planning Committee’s Recommendations
 - *Since the Planning Committee has already reviewed a version of this site plan, they recommended that the relevant comments from the April 17, 2018 meeting be put into record, as they are pertinent to the discussion of the updated DSP submitted by the applicant.*
 - *In terms of the applicant’s variance requests, the Planning Committee supports the applicant’s first three (3) amendments without any major contention, which include an 8-foot sidewalk and 6.3-foot tree and furnishing zone along East-West Highway, canopy set back of 25.6’ from East-West Highway, and a 43’ build-to line on Belcrest Road. In addition, the Planning Committee supports the canopy branding presented in the DSP, with one (1) member opposed stating the highway-styled branding is not in the spirit of the TDDP.*
 - *The fourth variance request concerns the permitted use of the property. The Planning Committee discussed whether this issue was within their scope, as it will ultimately be a legal determination. A vote specific to supporting the fourth variance and the applicant’s interpretation of the zoning ordinance failed due to most Planning Committee members abstaining from the vote. Abstentions were based on the belief that this variance will need to be legally determined and this decision is outside the purview of the Planning Committee.*
 - *However, the Planning Committee did vote to support the current use of the site as a gas station with the renovations and reconstruction proposed by the*

applicant; this vote was premised on the value members believe this use brings to the community, and not on any legal basis.

3. Development Update

- Miller's Ale House – City Council Decision
 - Miller's Ale House is a restaurant pad site in the western most out parcel of the Mall at Prince George's.
 - The applicant stated that they got their SWM concept approval in order to be grandfathered into previous regulations. With that, they proceeded with related stormwater work. Due to the SWM measures in place along the south frontage, the applicant asserts that the building must be pushed back 70'.
 - City Staff believes if the building must be setback 70', the applicant is obligated to mitigate for this major variance from the standards. These mitigation measures include an outdoor dining area like matchbox in Rockville, reduced parking on the west side of the building, and increased pedestrian connectivity with dedicated public space.
 - The County received a letter from DPIE stating that the applicant was aware that they can maintain their grandfathered status even if the structure is moved closer to the street as required by the TDDP.
 - Miller's Ale House provided an exhibit demonstrating a 70' setback, while the County presented an exhibit with a 35' setback requiring minimal mitigation measures.
 - City Council adopted a position based on a 70' setback for the building. Conditions supported by the Council will reorient some of the site and are necessary, as the applicant's effort to activate the streetscape is insufficient.
 - Recommendations will pull pedestrian elements to the south and west, while vehicular and service traffic will be to the north and east of the building.
 - If the applicant does not accept these mitigation measures, the Council indicated that they would defer to Park and Planning's recommendations.
 - The TDDP is not intended for pad sites, and the southwestern most parcel of the mall most likely won't be high density for a while. With the Council's recommendations, the applicant has an opportunity to monetize some of the improvements.
 - D. Marshall: With the shorter setback, is the applicant able to accomplish the underground elements of their SWM?
 1. With a shorter setback, the applicant will need to relocate their underground stormwater pipes.
 2. Is a high voltage electric cable on the site?
 3. Yes, at a 45-degree angle. It is in an unusual location. The City has had conversations with the mall in the past regarding it, but they did not consider relocating it. It is the main powerline to the mall.
 4. Has the pad site been built?

5. The pad is not complete, as they are not permitted to build a pad. However, they have been approved to move forward with some of the infrastructure.

- Dewey Parcel – M-NCPPC Planning Board Hearing & Dewey East Parcel
 - Approved by the Planning Board in June 2019.
 - The development will be on Toledo and Belcrest and includes proposed multi-family units and 2-over-2 condos, with an out parcel of townhouses.
 - The City's position includes the support of a non-motorized connection to the out parcel. The creation of this connection will be left up to DER, who will be managing the SWM facility. The applicant's DSP will give us an idea of what it will look like.
 - The adjacent Dewey Parcel has just been submitted. The Planning Committee will likely see it at the meeting in September.
- Kiplinger Project – Inspection of Sentinel Drive
 - Sentinel Drive bisects the property and has been dedicated to the City. To be publicly dedicated, it must comply with City and County standards.
 - Staff conducted a walk-through with the Kiplinger engineer, then again with DPW Staff.
 - The punch list put together is significant and includes the replacement of concrete, inclusion of signage, and additional striping. Staff anticipates it will take between 60 and 90 days to complete the items listed on the punch list with the street being publicly dedicated at the end of 2019.
 - D. Marshall: Is street parking still allowed?
 1. Jim Chandler: Currently, Sentinel Drive functions as private property until the City officially accepts responsibility for its ownership and maintenance.
 - D. Marshall: There is no signage currently. There is parking on both sides of the street which would make it difficult if there was an emergency.
 1. Jim Chandler: The only exception is the Fire Department – If they deem it unacceptable, then cars can be moved.
 - Wil Maxwell: What about the connecting streets on the property? Are they publicly dedicated?
 1. Jim Chandler: Alleys are not planned to be dedicated, as they were built under a private standard.

4. Committee Business

- **Motion to approve the minutes for the June 18, 2019 meetings with the following edits:**
 - "Will Maxwell" changed to "Wil Maxwell" throughout
 - Under 'Presentation,' change John Sheridan to John Lender
 - "Oliver Garden" changed to "Olive Garden" throughout
- **Motion passes; Approved 7-0 with 1 abstention**

5. Additional Questions & Discussion

- Nkosi Yearwood: Why did the City appeal the Magruder Pointe project?
 - D. Marshall: The document has been received, and the City Council has formed a resolution.
 - **Motion to have City Staff provide the Planning Committee with appeal information regarding this project. Motion passes; Approved 7-0 with 1 abstention.**
 - Nkosi Yearwood: It is sad to see the City against this project, as the building has been vacant.
- Nkosi Yearwood: I like the new blue streets signs at the intersections. The blue ones are better than the green ones.
 - Jim Chandler: In addition, as outlined in our Transportation Plan, wayfinding signs should be installed in the next 6-8 weeks.
- Nkosi Yearwood: I'm interested in receiving updates on Ager Road, parking at the Arts District, and with Cedar Realty and County Revenue Authority.
 - Jim Chandler: Ager Road is under construction and there are no updates for the remaining items.
- Thomas Sheffer: What is the City's involvement with the Middle School and Magruder Park?
 - Jim Chandler: The City has a facilities task force to work through some items related to this and help the City develop a position.
 - Part of the conversation with the County is, what are you looking for in terms of acceptable school sites? They have responded that they prefer suburban sites with significant acreage, which doesn't exist in the City. In addition, the County does not want to acquire a site at fair market value.
 - Magruder Park is technically an open space. Potential sites further north and west are outside the service area for a City School.
 - There are 2 different funding models – 1.) Public Private Partnership where the school selects a builder who constructs the school and then the school pays a lease; and 2.) Traditional County CIP
 - P3 sites are not yet public but will likely be made public in the fall.
 - If the CIP model is used, the school will likely be prefabricated to expedite the process.
 - There may be a viable site along 38th Avenue but there is uncertainty as to whether this location can support the increased traffic. Also, there may be flooding issues in this location.
 - One potential option is placing the Middle School at Magruder Park and moving the Elementary School to the current Middle School site. The current Elementary School site would then be sold.
 - If the County were to rebuild at the existing sites, the buildings would need to be much denser (2-3 stories).
 - The Elementary School site layout is not conducive to meaningful outdoor space.
 - In terms of the Planning Committee's engagement, it is at the discretion of the Council. Committee members are welcome to attend the Education

Facility Task Force meetings. Keep in mind, it is a very consuming process – In March, April, and May, the Task Force met once a week.

- Chad Copeland: I am disappointed and upset that the City doesn't want people to know why they are appealing the Magruder project. It is contrary to the principle of transparency that is preached by the Council (Nkosi Yearwood and Todd Dengel agreed with these comments).
- D. Marshall: For the Kiplinger project, does the City have the power to require the word "street" be removed from signs along alleyways?
 - Jim Chandler: Street naming is under the authority of the County.

6. Adjourn (9:30 PM)

CITY OF HYATTSVILLE
PLANNING COMMITTEE MINUTES
APRIL 17, 2018

1. Introduction of Committee & Guests Members (7:32 PM)
 - David Marshall
 - Jonathan Mueller
 - Maureen Foster
 - Wil Maxwell
 - Todd Dengel
 - Katie Gerbes
 - Jim Chandler
 - Tom Wright
 - Yohannes Bennehoff
 - Dan Lynch, McNamee Hosea
 - Matt Gordon, Linowes and Blocker
 - Emmanuel Isong, Mama's Care
2. Committee Business (7:34 PM)
 - Adoption of Minutes from March 2018
 - i. Approved unanimously with edits.
3. Mama's Care Congregate Living Facility: DSP-17054 (7:39 PM)
 - Matt Gordon, Linowes and Blocher
 - Property is located at 4111 East West Highway
 - Currently exists as a congregate living facility with 8 beds. In 2012, underwent addition to add 6 more beds to the facility, for a total of 14 allowable residents.
 - Typically, wouldn't need to go through a DSP, but in this case M-NCPPC is requiring a DSP
 - Only changes to property is the restriping of parking spaces; all other physical changes have already been made.
 - DM: Currently have four parking spaces, and you plan to keep the same amount of spaces?
 - i. Under the zoning ordinance, the requirement is 1 space per 4 residents, so we can keep the same amount of spaces even with the increased occupancy.
 - ii. DM: So where do visitors go to park?
 1. They mostly park on the street.
 - TD: Currently there are 8 beds, you are looking for 14 and the expansion was done in 2012 to accommodate the 14? Has it met all of the relevant codes?

- i. Will have to go through the state to get their updated license, but the fire department has already inspected since the addition of the additional bedrooms and approved it.
- DM: I have no issue with the project exceptt for parking. I don't know how many houses are on the block?
 - i. MF: There is only one other house on the block, it is weird
 - ii. DM: My concern would be about visitors parking on the street preventing residents from parking at their homes, but that doesn't seem to be an issue.
- MF: Motion to support the project
 - i. 4 in favor, 1 abstention

4. 3599 East West Highway: DSP-12062 (7:50 PM)

- Dan Lynch, McNamee Hosea
- Property is the gas station located at the intersection of East West Highway and Belcrest Road
- Proposing to tear down all structures on the site, add 8 pumps and a new convenience store with second floor offices.
- Need to go through detailed site plan to show conformance with the Prince George's Plaza TDDP
- Property has been a gas station since 1961 with the only change being the 1979 addition of the convenience kiosk to the property.
- Will be retaining existing access to site and not doing any work within the right-of-way
- Will be introducing new landscaping strips along the road frontages
- Building will be two-story with three different façade elements
- Requesting two amendments: The build to lines along Belcrest Road and East West Highway
 - i. Build to Lines:
 - 1. Need 0.6 feet further set back on East West Highway to accommodate truck circulation
 - 2. 10-foot amendment on Belcrest
 - ii. Connecting buildings:
 - 1. TDDP calls for connecting the buildings to create a solid frontage, but that is not possible with a gas station as vehicles need to get in and out of the site
- TD: You said overall operation, besides the gas station and convenient store, but what other operations will be there?
 - i. Office space for the "corporate office" of the business owners
- TD: Are you making any lighting changes, such as changing to LED?
 - i. Will be providing onsite lighting that conforms with the TDDP; not sure if it is LED or not. I do not have the specifications for that lighting at this time.
- TD: Are there any landscape requirements for any stormwater runoff?

- i. Have received site plan approval from Maryland Department of Environment
- WM: Are the stairs that are on the back of the property remaining?
 - i. I think so, but I will check on that and get back to Jim
- WM: Is the parking sufficient for both the gas station and the office use above?
 - i. TDDP tries to limit parking spaces this close to Metro. We can provide up to 22 spaces and we are providing 17 on site.
 - ii. MF: Can you show me how we get to 17?
 - iii. In recounting, counts 16 spaces. Will confirm that number and relay to staff.
- JM: How many parking spaces exist currently?
 - i. 10.
- JM: Have you dropped the plan for the car wash that came to us a while ago?
 - i. Yes.
- DM: I am not getting the same amount of spaces that you are. I am seeing these triangles between the spaces, but they seem to be the buffers between handicapped spaces.
 - i. They are not,
- DM: At the Council meeting, you stated that the office space is for the owner's business, not to lease to other tenants. Is that correct?
 - i. Yes.
- DM: The staircase at the back of the property that allows people to get to and from the Metro is important. It needs to remain to give those folks access. IF you don't make a space for them, they will create their own space.
- DM: Can you talk about why the dumpsters are located where they are?
 - i. We felt it was the best location given the access aisles available on the rest of the site.
- DM: There was a question about LED lights and the City wants to see things that are as energy efficient as possible. If you can incorporate that, that would be a good thing to do.
 - i. Lighting will be LED.
- DM: Still concerned about the number of parking spaces and the lack of gaps/aisles for handicapped spaces.
 - i. The ADA space is in the middle and here is the buffer area. We are only required to provide one space.
- JM: You are doubling the number of gas pumps?
 - i. Correct.
- TD: Is this location the headquarters for a franchise of Sunoco? Will it be consistent with other sites?
 - i. It will be Sunoco brand along with the A Plus market store that is consistent with Sunoco franchise.
 - ii. TD: If there is a chance for anything new, there is a change for new opportunities. I would recommend that you take the opportunity to reflect on all of the things we talked about: LED, maybe EV charging, stormwater runoff. This station is an epicenter of sorts, so there is an

opportunity to enhance the space that creates it as a flagship and hope you take that into consideration.

- iii. MF: This is the opportunity to incorporate native species.
- MF: I would like to see the incorporation of a different building material other than efface, which is essentially Styrofoam and not very durable.
- MF: This is a great opportunity to make this station a flagship. There have been others nearby closing as a result of the Purple Line, I think.
 - i. That is correct, this will soon be the only one on this side of East West Highway
- DM: Are there any plantings going in along the back of the building? It could be a great tagging wall.
 - i. No plantings.
 - ii. DM: Approximately how long is that wall?
 - iii. DM: Is there anything behind the wall or is that where the roadway to Metro goes in?
 - It backs up to the vacant parcel that is owned by Metro.
 - iv. DM: I would suggest that maybe you talk to the City or someone about putting a piece of artwork along that wall to detract from those who may want to tag it.
- DM: On your building in general because of where it is at, there is an opportunity to put something on the front of the building that is significant to the City. That would be a nice piece of neon or an icon, and could be more attractive than a regular convenient store.
- TD: As part of the TDDP, this area is poised for pedestrian use. To take it a step further for pedestrian, is there talk about removing one of the vehicle curb cuts to allow for better pedestrian use?
- DM: You currently have 3 access points?
 - i. 4.
 - ii. DM: This plan retains all of those?
 - Yes.
- TD: Is this a non-conforming use?
 - i. Yes, certified nonconforming use, so it is maintaining its use as a gas stations, but needs to get improvements approved through the detailed site plan process.
- WM: I echo the comments about art on that back wall.
- CC: I agree with Todd's comments about the curb cuts. 4 seems excessive and not consistent with the TDDP. It seems like you could eliminate the curb cuts on East West or eliminate one on East West and one on Belcrest.
- DM: Where is the kiosk to be located? Is it drive up or walk up?
 - i. Walk up.
- DM: I understand you need the two curb cuts on East West Highway, but could you live without one of the curb cuts on Belcrest Road?
 - i. Will have to do some engineering about the turning radius and see if that is feasible.
- TD: Have you thought about electric charging?
 - i. We are not proposing it as part of this station.

- ii. I have not seen too many gas stations that are proposing EV charging stations and am not sure how well it would practically work here.
- CC: What is the little peninsula in the top corner?
 - i. It is associated with stormwater.
- MF: One thing I heard is that people are pleased that the lighting is going to be LED and consistent with the TDDP. Recommendations could go further into no efface, better plantings and otherwise turning this station into more of a flagship. There is concern about stormwater runoff.
 - i. We will be compliant with the current standards, which is almost 100% of runoff.
 - ii. TD: There is a strong marketing opportunity in focusing on the environmental impact of the station and how it fits into the aesthetic of the building.
- MF: I think I heard agreement that there be a recommendation about doing something to that rear wall to make it interesting or artistic in some way. "Some form of attractive feature"
 - i. Approved unanimously.
- JM: Is there any environmental issues that need to be addressed with the gas tanks underneath, etc.?
 - i. These would be issue with a complete raise and rebuild. In redoing this site, they will be putting in new tanks and making significant upgrades to the site to make it more environmentally planning. We're bringing the site up to date and into this century.
- MF: There was a recommendation about removing one curb cut on Belcrest.
 - i. JM: I don't want to be second guessing how your operations work and recommend something against the functionality or if it becomes too tight. I want to look at the possibilities.
 - ii. MF: What if the recommendation read "consider reducing the number of curb cuts and enhancing pedestrian access and safety on the site."
 - Because some of the entrances are close to the light at the intersection, people prefer to use different curb cuts to come in and out of the property.
 - Approved unanimously.
 - DM: When the proposal was for the car wash, it was proposed to eliminate one of the curb cuts. You are now saying that it is not feasible, so these two plans contradict themselves.
 - I don't know what that layout was, but from a circulation standpoint of the site, the trucks will come in through East West Highway and out through Belcrest. Closing the Belcrest curb cut may interfere with the functionality of some of the parking spaces, but it may be possible.
- MF: Need a clarification on the number of parking spaces given to Jim/Katie.
 - i. Agreed unanimously.
- MF: We like seeing that the staircase is staying as it is important for access to Metro.

- Can I get clarification? You mentioned native species, is that the improvement you would like with the landscaping?
 - i. MF: Yes, that is one of many options.
- DM: We are not trying to burden you with extras, but we want to see ways to improve the site and make it representative of the community and what we want. This is to give you this information, so you don't get in the middle of the process and start hearing these things. I think we all want to see this development.
 - i. We appreciate that, it is not my first rodeo. We will do what we can to address concerns raised.

5. Open Meetings Act Debriefing (8:40 PM)

- Let the record show that Jonathan and Wil were both at the Open Meetings Act Training.
- MF: For those who took it, how are we doing as a committee?
 - i. JC: We're doing really good. A few golden rules:
 1. Can't have conversations via email about topics germane to the committee
 2. We cannot conduct a meeting without a quorum. If we lose a quorum, we must end the meeting. If you plan on being absent, please let the chair know in advance so we can determine if the meeting needs to be cancelled or not. There could be issues with the timeline of development projects if a meeting gets cancelled and therefore cannot get planning committee recommendations first.
 3. Chair can entertain public comment at their discretion, but it is not mandatory. Open meetings give the public the opportunity to view, not to participate.
 4. Ensuring the agenda is published in an adequate amount of time. We're pretty good about it
 5. If committee wants specific updates about specific projects, we should state it on the agenda. We cannot get too deep into the weeds of a specific project at length. If something is specifically requested, we should list it under development updates.
- DM: What constitutes a quorum?
 - i. 51%. In our committee's case, we need 5 members present.
- Another thing that could be an issue is consistent absenteeism if it affects the ability to reach a quorum. Please continue to let staff know if you will be absent
- MF: I will send a note out this week to everyone about attendance and reminding them to give staff notice if they will not be here.

6. Development Updates (8:54 PM)

- Riverfront at West Hyattsville architectural DSP will come back in May or June to the Planning Committee.
- Council had Discussion on Werrlein last night. Council will likely have one more day of discussion and then take action on May 21.

- i. Lots of public speakers, some in favor, some against.
 - ii. If there are any substantive changes to their subdivision package, we will bring it back to the Committee. If there is not is not, we will continue with the committee's prior comments.
- DM: Any mall updates?
 - i. Ulta is open, the pad site has probably gone away. &Pizza just signed a lease to be in the mall food strip area.
 - ii. TD: Is the proposed teen club supposed to go over there?
 - 1. In UTC, not the mall. Unlikely this committee will be involved in that unless the Council explicitly directs the body to do it.
- DM: What is up with the Marche property? Are they done?
 - i. Mostly done, but looking to put up some exterior shades of some sort.
- DM: Last night the developer on Route 1 mentioned a cost of \$100 million. Does that sound right?
 - i. Yes. They are still working on the detailed site plan to see what the retail/unit mix looks like. Will probably come to the Planning Committee in the fall.
- Hyatt Park:
 - i. Final concept plan delivered to City from NDC. Will be presented at the City Council meeting tomorrow. Tomorrow will also start the window where the plan will be posted on the Speak Up site. Comments will be accepted until May 1.
 - ii. Staff will begin electrical plan and sourcing materials in the upcoming weeks. Hoping to start building at the end of summer and complete the process before the end of the calendar year.
- TD: Did the Streetsense TESST building go under contract?
 - i. Yes. Cannot say who yet, but they will hope to renovate and occupy it in the near future.
- TD: Is the Demmer's building under contract?
 - i. Not to our knowledge.
- TD: Is the property along Route 1 across from UIP still under contract? Can you talk about it?
 - i. Yes, under contract. No cannot talk about it.
 - ii. TD: Does this impact the parking garage site?
 - 1. Yes and no.
- MF: What is happening with the building on Route 1 that is falling down?
 - i. It is under contract, but they are having difficulty finding one of the lien holders and they need to demonstrate that they have made contact with all lien holders to move forward.
- MF: What about the former Mi Patio site? It seems awfully vacant.
 - i. They recently contacted us and may be using our Commercial Façade Improvement program this year.
- MF: What is the status of the closed synagogue on Adelphi Road?
 - i. M-NCPPC is in the process of selecting the next multigenerational site in the county. It is one of the four sites they are considering, which will be determined by the next County Executive. They are also going through

the process of finding a new director for recreation, so until that is settled, a site will not be selected.

- DM: Harvey Maisel's property at Queen's Chapel Town Center – is there any redevelopment happening there?
 - i. Nothing yet. If it redevelops, it will not be by them. Their portfolio is about holding on to properties. I imagine that will change in the upcoming years as the market changes and they might sell.
- JM: On Hamilton and Queen's Chapel the crosswalk is always torn up.
 - i. The county is aware of it and their strategy is to replace the popped up pavers with asphalt in a piecemeal fashion.
 - ii. WM: there are no pavers left, the crosswalks are all asphalt now.

7. Adjourn (9:19 PM)

* Times listed are estimates and may vary.



Hyattsville City Council Agenda Item Report

Meeting Date: November 4, 2019
Submitted by: Laura Reams
Submitting Department: City Clerk
Item Type: Community Notices
Agenda Section:

SUBJECT

Main City Calendar: November 5-18, 2019

HCC-132-FY20

Recommendation:

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Main City Calendar_ Nov 5-Nov 18 2019.docx](#)

Summary Background:

N/A

Next Steps:

N/A

Fiscal Impact:

None

City Administrator Comments:

N/A

Community Engagement:

N/A

Strategic Goals:

Goal 1 – Ensure Transparent and Accessible Governance

Legal Review Required?

N/A

Main City Calendar: November 5 – November 18, 2019

Weekly Program Offerings

Ageless Grace Senior Exercise Classes

Wednesdays and Fridays, 10:00 AM – 11AM, City Municipal Building (1st Floor Multipurpose Room)

Teen Center

Center Hours: Monday-Thursday 3:30 PM - 7:00 PM; Fridays 3:30 PM - 10 PM (3911 Hamilton Street)

Community Yoga

Sundays, 5:00 PM - 6:00 PM, City Municipal Building (2nd Floor Pranglely Room)

City Calendar: Nov 5 – Nov 18, 2019

Board of Supervisors of Elections Meeting - CANCELLED

November 5, 2019, 4:00 PM City Municipal Building

CITY OFFICES CLOSED: Veterans Day

November 11, 2019

There'll be no yard waste pick-up on Monday and compost will be picked up on Tuesday. Trash collection will follow its normal schedule.

Hyattsville Environment Committee Meeting

November 12, 2019, 7:00 PM – 8:30 PM, City Municipal Building (2nd Floor Pranglely Room)

Police and Public Safety Advisory Committee Meeting

November 13, 2019, 7:30 PM, City Municipal Building (1st Floor Multipurpose Room)

Race and Equity Task Force Meeting

November 14, 2019, 7:00 PM – 8:30 PM, City Municipal Building (2nd Floor Pranglely Room)

Invasive Plant Removals

November 16, 2019, 10:00 AM - 2:00 PM, Magruder Woods

To learn more, please contact Dawn Taft at (301) 852-8790.

City Council Meeting

November 18, 2019, 8:00 PM, City Municipal Building (3rd Floor - Council Chambers)