

City Council of Hyattsville, Maryland

AGENDA

City Council Regular Meeting

Monday, July 15, 2019

7:00 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-30-FY20

I move that the Mayor and Council approve the Council Meeting Minutes for May 20, 2019 and the Public Hearing of June 3, 2019.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Minutes May 20 2019 CM 1.pdf](#)

[Minutes May 20 2019 CM 2.pdf](#)

[Minutes June 3 2019 PH.pdf](#)

5.Public Comment (7:10 p.m. – 7:20 p.m.) Limit 2 minutes per speaker

6.Motion to Close (7:20 p.m. - 8:20 p.m.)

6.a) Motion to Close (60 minutes)

HCC-8-FY20

I move that the Mayor and Council close the Council Meeting of July 15, 2019 consult with the City Attorney to receive legal advice, discuss potential litigation, and to discuss confidential personnel matters related to a specific employee.

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; 3-305(b)(8) consult with staff, consultants, or other individuals about pending or potential litigation and 3-305(b) (1) discuss a personnel matter that affects one or more specific employees.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

7. Presentations (8:20 p.m. - 8:50 p.m.)

7.a) City Administrator Update (5 minutes)

HCC-14-FY20

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

7.b) City Treasurer Update (5 minutes)

HCC-15-FY20

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

7.c) Miller's Ale House: DSP-99044-17 (20 minutes)

HCC-24-FY20

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[DSP 99044-17 Applicant Presentation Packet.pdf](#)

[A-SOJ-DSP 99044-17.pdf](#)

8. Consent Items (8:50 p.m. - 8:55 p.m.)

8.a) Appointment to the Educational Facilities Task Force

HCC-9-FY20

I move that the Mayor and Council appoint Emily Strab (Ward 2) to the Educational Facilities Task Force for a term of two (2) years to expire on July 15, 2021.

Lead Sponsor: Suiter

Co-Sponsor(s): Haba, Solomon

[Committee Application EFTF Emily Strab W2](#)

8.b) Appointment to the Ethics Commission

HCC-10-FY20

I move that the Mayor with Council approval appoint Ralph Ferguson (Ward 2) to the Ethics Commission for a term of three (3) years to expire on July 15, 2022.

Lead Sponsor: Hollingsworth

Co-Sponsor(s): N/A

[Committee Application Ferguson Ethics Redacted.pdf](#)

8.c) Appointment to the Education Advisory Committee

HCC-11-FY20

I move that the Mayor and Council appoint Ralph Ferguson (Ward 2) to the Education Advisory Committee for a term of two (2) years to expire on July 15, 2021.

Lead Sponsor: Haba

Co-Sponsor(s): Schaible

[Committee Application Ferguson EAC Redacted.pdf](#)

8.d) Schedule Public Hearing on Charter Amendment Resolution 2019-01

HCC-12-FY20

I move that the Mayor and Council schedule a Public Hearing on proposed Charter Amendment Resolution 2019-01 for August 5, 2019 at 7:30 p.m.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Resolution 2019-01 - Amending Charter -Compensation Review Committee 4.9.19.docx](#)

8.e) Proclamation in Support of the Mayors' Monarch Pledge**HCC-13-FY20**

I move that the Mayor and Council adopt a proclamation in support of the Mayor's Monarch Pledge. The pledge affirms the City's commitment to increasing wildlife habitat and public awareness for the monarch butterfly in support of our objectives for sustainability communities.

Lead Sponsor: Hollingsworth

Co-Sponsor(s): N/A

[Proclamation Mayors Monarch Pledge 2019.docx](#)

8.f) FY20 Budget Amendment: Accept and Appropriate Maryland Department of Natural Resources Community Parks and Playground Grant**HCC-16-FY20**

I move that the Mayor and City Council amend the FY20 CIP budget to accept and appropriate the grant award from the Maryland Department of Natural Resources Community Parks and Playground program in the amount of \$125,000 for the Hyatt Park Placemaking project, upon the review and approval of the City Attorney for legal sufficiency.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Scanned from a Xerox Multifunction Printer \(34\).pdf](#)

8.g) FY20 CIP Budget Amendment: Accept and Appropriate the Chesapeake Bay Trust Grant Award**HCC-18-FY20**

I move that the Mayor and Council amend the FY20 CIP to accept and appropriate the Chesapeake Bay Trust award in the amount of \$100,000 for implementation of the Wells Boulevard Green Street Project in University Hills, upon the review and approval of the City Attorney for legal sufficiency.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[16962 \(1\).pdf](#)

8.h) FY20 Budget Appropriation: Maryland Criminal Intelligence Network (MCIN) Grant**HCC-19-FY20**

I move that the Mayor and Council accept and appropriate into the FY20 budget the Grant Award from the Governor's Office on Crime Control and Prevention in the amount of \$354,988 for the 'Maryland Criminal Intelligence Network' program.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

8.i) FY20 Special Revenue Funds Budget Amendment

HCC-20-FY20

I move that the Mayor and Council amend the FY20 Special Revenue Funds Budget and appropriate \$10,500 in remaining unencumbered FY19 LGIT training grant funds to complete the Heavy Equipment Operator Safety training in July 2019.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

8.j) FY20 Budget Amendment: Accept and Appropriate Grant for Summer Reading Program

HCC-26-FY20

I move that the Mayor and Council amend the FY20 budget to accept \$2,000 in grant funding from Prince George's County for the summer reading program, 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

8.k) Purchase of Body-Worn Camera and In-Car Video Data Storage

HCC-21-FY20

I move that the Mayor and Council authorize the Police Department to purchase additional data storage for the Body-Worn Camera (BWC) and In-Car Video (ICV) programs from DATAPRISE at a cost not to exceed \$25,739.96.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[BWC Server Justification.pdf](#)

8.l) Resolution 2019-05: Purchase of 5812 40th Avenue (Teen Center)

HCC-22-FY20

I move that the Mayor and Council introduce and adopt Hyattsville Resolution 2019-05, a resolution of the City Council of Hyattsville, Maryland, whereby the purchase the property at 5812 40th Avenue is authorized, including the approximately 3,000-square-foot building and the adjacent 25,000 square feet of green space for \$500,000.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Resolution Purchase of 5812 40th Ave For Adoption \(2\).docx](#)

8.m) Repair of Solid Waste Vehicle #0565

HCC-1-FY20

I move that the Mayor and Council authorize an expenditure from the FY20 Operating Budget in an amount not to exceed \$30,000, for the purpose of repairing the 2005 International using the proposal submitted by KD Neil, a sole source provider for International equipment repair.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[estimate 2319458 0\(1\).pdf](#)

**8.n) Zoning Variance Request V-55-19 – 3500 Jefferson Street, Hyattsville
HCC-25-FY20**

I move the City Council authorize the Mayor to provide letter to the Prince George's County Board of Zoning Appeals, in support of a zoning variance, for the subject property at 5709 40th Place, Hyattsville, validating the existing conditions permitting:

- (1) A variance request of 15 feet rear yard depth/width and 16 feet set back from the front street line;
- (2) A waiver of the rear yard location requirement for an accessory building, as relocating structures to comply with zoning would create significant hardship on the property-owner and/or be physically infeasible based on the lot size and current orientation of the house.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Memo - V-55-19.docx](#)

[Fulgencio Application - V-55-19.pdf](#)

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

9.Action Items (8:55 p.m. - 9:55 p.m.)

**9.a) FY20 CIP Budget Amendment and Appropriation of FY19 Unencumbered Account
Balances (5 minutes)**

HCC-23-FY20

I move that the Mayor and Council amend the FY20 CIP Budget and appropriate \$9,940,524 of remaining FY19 unencumbered funds in various accounts for the previously approved renovation of 3505 Hamilton Street.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

**9.b) Zoning Variance Request V-33-19 – 7104 Claymore Avenue, Hyattsville (10 minutes)
HCC-27-FY20**

I move the City Council authorize the Mayor to provide letter to the Prince George's County Board of Zoning Appeals, in support of a zoning variance, for the subject property at 7104 Claymore Avenue, Hyattsville, permitting:

- (1) A variance request of 1-foot front building line width and 1-foot front street line width, as the variance is minimal and is a validation of existing condition of the property.

The City does not support the applicant's requested waiver of the parking area location requirement, as the applicant has not demonstrated significant hardship. Neighboring properties include driveway dimensions similar to the applicant's existing 10' x 30' driveway, so the requested additional impervious surface, if approved, would be inconsistent with the front yard impervious surfaces area of similar residential properties and the overall character of the neighborhood.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Memo - V-33-19 FINAL.docx](#)

[7104 Claymore Ave - Google Maps.pdf](#)

[Hu Application - V-33-19.pdf](#)

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

9.c) Zoning Variance Request V-38-19 – 4605 Burlington Road, Hyattsville (10 minutes)
HCC-4-FY20

I move the City Council authorize the Mayor to provide letter to the Prince George's County Board of Zoning Appeals, in support of a zoning variance, for the subject property at 5709 40th Place, Hyattsville, permitting the following subject to conditions:

(1) The applicant's variance request of a 200 square feet net lot area, 25 feet front building line width, and 5 feet front street line width, as these conditions are pre-existing to the property and it is the City's opinion that there is no practical way to incorporate additional frontage or square footage to the lot.

(2) The applicant's variance request of a 13 feet front yard depth and 4 feet side yard width, as these conditions are pre-existing to the property with the condition that the applicant be required to remove the existing chain-link fence and replace it with a 3- to 4-foot wood or decorative fence, similar to adjacent residential properties;

(3) The applicant's variance request of a 4.3% net lot coverage, as the additional lot coverage is minimal, is consistent with the coverage of adjacent properties and the proposed improvements to the residential property will be beneficial to the homeowner and the aesthetics of the neighborhood. As a condition of this variance approval and for the purposes of providing a safe, livable residence, the Board of Zoning Appeals shall consider a condition requiring the applicant install a sprinkler system in the proposed basement dwelling unit.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Memo - V-38-19 FINAL.docx](#)

[Neway Application - V-38-19.pdf](#)

[V-38-19 Site Photo.pdf](#)

9.d) Zoning Variance Request V-39-19 – 5227 42nd Place, Hyattsville (10 minutes)
HCC-28-FY20

I move the City Council authorize the Mayor to provide a letter to the Prince George's County Board of Zoning Appeals in support of a zoning variance for the subject property at 5227 42nd Place Hyattsville, permitting:

(1) A variance request of 693 square feet net lot area, as the variance addresses a pre-existing condition of the property and incorporating additional square footage to the property is impractical.

(2) A variance request of 2.7% net lot coverage, as the variance is minimal, and staff does not anticipate any major negative impacts from this addition.

(3) A variance request of 5 feet front yard depth, as it is consistent with the existing neighboring properties;

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Memo - V-39-19 Final.docx](#)

[Mackie Application - V-39-19.pdf](#)

[Mackie site plan - V-39-19.pdf](#)

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

[42nd PLACE CONCEPT 100 CY \(1\) For SCD.pdf](#)

9.e) DSP-99044-17: Miller's Ale House (15 minutes)

HCC-6-FY20

I move the City Council authorize the Mayor to provide correspondence to the Maryland-National Capital Park & Planning Commission in support of Miller's Ale House Detailed Site Plan (DSP-99044-17), subject to the following conditions:

1. The applicant shall revise their DSP to include an outdoor seating area to the west of the pad site, eliminating the proposed landscape island at the south end of the parking lot and requiring the subsequent relocation of the proposed micro-bioretenention #1. Architectural renderings of the outdoor seating area shall be submitted to the City.
2. The applicant shall revise the DSP to include a prominent pedestrian plaza to the southwest of the building, along MD 410, to include ground lighting, landscaping, benches, and prominent artistic/sculptural elements. This revision should include the removal of the amenity wall adjacent to the proposed plaza. Renderings of the pedestrian plaza shall be submitted to the City.
3. The applicant shall revise their architectural design so the left (west) elevation matches the large windows currently present along the right (east) elevation of the building.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Miller s Ale House - Memo to City Council - 7.15.2019.docx](#)

[Planning Committee Minutes - 06.18.2019 DRAFT.docx](#)

[DSP 99044-17.pdf](#)

[A-SOJ-DSP 99044-17.pdf](#)

[A-CRL-DSP 99044-17.pdf](#)

[TCP2-DSP 99044-17.pdf](#)

[MB1220679 - Section Perspective Render Board - 2019-07-01.pdf](#)

[Page from Detailed Site Plan.pdf](#)

[DSP-99044-17 072519.doc](#)

[DSP-99044-17, Exhibits.pdf](#)

9.f) Armory Apartments – Maryland Historical Trust MOU (10 minutes)

HCC-5-FY20

I move the City Council authorize the City Administrator to execute a Memorandum of Understanding with the Maryland Historical Trust and Urban Investment Partners for the purpose of detailing specific mitigation requirements for the Armory Apartments project, to be located along the 5300 block of Baltimore Avenue, Hyattsville.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Memo - Armory Apartments MHT MOU - July 2019.docx](#)

[Hyattsville MOA draft 7.9.19 MHT Final Draft.docx](#)

10. Discussion Items (9:55 p.m. - 10:10 p.m.)

10.a) General Fund Budget Stabilization Fund (15 minutes)

HCC-3-FY20

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Hyattsville Stabilization Fund Item Packet.pdf](#)

[General Fund Budget Stabilization Fund \(1\).docx](#)

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

12. Community Notices and Meetings

12.a) Main City Calendar: July 16 - August 5, 2019

HCC-450-FY19

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Main City Calendar Jul 16-Aug 5 2019.docx](#)

13. Motion to Adjourn



Hyattsville City Council Agenda Item Report

Meeting Date: July 15, 2019
Submitted by: Laura Reams
Submitting Department: City Clerk
Item Type: Legislative
Agenda Section:

SUBJECT

Approval of the Minutes

HCC-30-FY20

Recommendation:

I move that the Mayor and Council approve the Council Meeting Minutes for May 20, 2019 and the Public Hearing of June 3, 2019.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Minutes_May 20 2019_CM 1.pdf](#)

[Minutes_May 20 2019_CM 2.pdf](#)

[Minutes_June 3 2019_PH.pdf](#)

Summary Background:

See attached.

Next Steps:

Upon approval, final 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 20, 2019 – 7:00 P.M.

Present: Candace Hollingsworth, Mayor
Edouard Haba, W4 (Council Pres.)
Kevin Ward, W1 (Council VP)
Bart Lawrence, W1
Robert Croslin, W2
Shani Warner, W2
Carrianna Suiter, W3
Thomas Wright, W3
Joseph A Solomon, W5
Erica Spell, W5

Absent: None

Also present were the following City staff members:

Tracey E. Douglas, City Administrator
Jim Chandler, Assistant City Administrator, Dir. Community and Economic Development
Ron Brooks, City Treasurer
Amal E. Awad, Chief of Police
Lesley Riddle, Director of Public Works
Vivian Snellman, Director of Human Resources
Laura Reams, City Clerk
Nicola Konigkramer, Deputy City Clerk
E.I. Cornbrooks I.V., City Attorney

1) **Call to Order and Council Roll Call**

The meeting was called to order at 7:03 p.m.

2) **Pledge of Allegiance to the Flag**

3) **Approval of Agenda**

Mayor Hollingsworth noted an amendment to the Consent agenda to add the following item:

HCC-414-FY19 City Administrator Contract Renewal

I move that the Mayor and Council approve the employment contract for Tracey E. Douglas as the Hyattsville City Administrator for a term of two (2) years, with an option for a twelve (12) month renewal.

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

4) **Public Comment (7:05 p.m. – 7:10 p.m.) Limit 2 minutes per speaker**

Nina Faye, a Ward 3 resident, thanked Tom Wright and Shani Warner for serving on City Council. She noted that it was a tough, time consuming job. In reference to the agenda, Ms. Faye said her family was opposed to the proposed tax credit for University Investment Partners and opposed to the entire project.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MAY 20, 2019 – 7:00 P.M.

David Marshall, a Ward 2 resident, said he would like to see language for affordable housing included in the tax credit with preference for existing residents. He raised concerns with the diversity of hiring for City contractors and with the budget appropriation for the fire department. He thanked Councilmember Wright for his service to Council. Mayor Hollingsworth asked Mr. Marshall to provide additional information on the contractors to the City Administrator.

5) **Presentations (7:10 p.m. - 7:15 p.m.)**

5.a) City Administrator Update (5 minutes)

HCC-409-FY19

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

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City Administrator Douglas announced the Corridor Development Grant program and reminded residents that the Residential Parking Program was underway. She acknowledged the work of the City Treasurer on the budget and noted that the presented budget was balanced. City Administrator thanked Councilmembers Warner and Wright for their service on Council and encouraged them to stay involved.

Mayor Hollingsworth presented certificates of recognition to City Clerk Reams and Deputy Clerk Konigkramer for their work on the May 2019 City Election. Mayor Hollingsworth then recognized the accomplishments of City Administrator Douglas during her tenure with the City, and presented Ms. Douglas with her 5-year anniversary pin.

6) **Consent Items (7:15 p.m. - 7:20 p.m.)**

6.a Acceptance of the Certified Election Results for the 2019 Biennial Election

I move that the Mayor and Council accept the certified election results from the Board of Supervisors of Elections for the City Election held on Tuesday, May 7, 2019. This certification is provided for under Section C4-11 of the Hyattsville City Charter.

[Cover Page](#)

[Certified Return Sheet_2019.pdf](#)

6.b) City Administrator Contract Renewal

HCC-414-FY19

I move that the Mayor and Council approve the employment contract for Tracey E. Douglas as the Hyattsville City Administrator for a term of two (2) years, with an option for twelve (12) month renewal.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

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

7) **Action Items (7:20 p.m. - 7:40 p.m.)**

7.a Resolution 2019-04: Revitalization Tax Credit Application Approval - Urban Investment Partner (UIP) Companies - Hyattsville Town One, LLC (10 minutes)



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MAY 20, 2019 – 7:00 P.M.

I move the City Council introduce and adopt Resolution 2019-04, a resolution granting and approving a Revitalization Tax Credit for Urban Investment Partner (UIP) Companies - Hyattsville Town One, LLC to support the financing of The Armory Apartments, a redevelopment project to be constructed along the west side of the 5300 block of Baltimore Avenue, Hyattsville. The conditions of the City's Revitalization Tax Credit approval are as follows:

The tax credit shall be limited to no more than 50% of the net taxable value of the improved property;

The tax credit shall be limited to a term of 10-consecutive years and shall not exceed a value of \$3,000,000;

The applicant shall be required to provide 10% of all newly constructed residential dwelling units (RDU's) at 60% of Average Median Income (AMI) for a term of 30-years;

The applicant may not receive a reduction in Prince George's County development impact fees, including public school impact fees and/or public safety impact fees. Any such fee reduction will deem the City's revitalization tax credit award, null and void.

Council President Haba inquired if the Council could incorporate Mr. Marshall's comments regarding affordable housing into the tax credit. City Administrator Douglas said staff would investigate and follow up with Council.

[Cover Page](#)

[Resolution - Revitlization Tax Credit 05.16.19 - For Adoption .docx](#)

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

- 7.b Hyattsville Ordinance 2019-03: Fiscal Year 2020 Budget Ordinance (10 minutes)
I move that the Mayor and Council approve Hyattsville Ordinance 2019-03, adopting an annual budget for fiscal Year 2020 beginning July 1, 2019 through June 30, 2020, for the General Purpose; fixing the tax rates for the Fiscal Year beginning July 1, 2019; authorizing collection of taxes herein levied; and appropriating funds for the Fiscal Year (SECOND READING).

[Cover Page](#)

[Hyattsville Ordinance 2019-03_FY 2020 Budget_FINAL.docx](#)

[RB Final Copy of Excel FTE FY 2020\(1\).xls](#)

[FY20 Town Center.pdf](#)

[Updated RB Five Forecast Full Report \(1\).docx](#)

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

8) Motion to Close (7:40 p.m. - 7:50 p.m.)

- 8.a Motion to Close (10 minutes)



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MAY 20, 2019 – 7:00 P.M.

I move that the Mayor and Council close the Council Meeting of May 20, 2019 consult with the City Attorney to receive legal advice and to discuss potential litigation. 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; 3-305(b)(8) consult with staff, consultants, or other individuals about pending or potential litigation.

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RESULT:	APPROVED [UNANIMOUS]
MOVER:	Haba
SECONDER:	Spell
AYES:	Hollingsworth, Haba, Ward, Lawrence, Croslin, Warner, Suiter, Wright, Solomon, Spell
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 7:29 p.m. on Monday, May 20, 2019, in the City of Hyattsville Municipal Building, Third Floor Council Chambers. In addition to the City Council, the following staff members were present: City Administrator Douglas, City Attorney Cornbrooks, Assistant City Administrator Chandler, and City Clerk Reams. 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; 3-305(b)(8) consult with staff, consultants, or other individuals about pending or potential litigation.

Topics Discussed: Potential litigation related to the Magruder Pointe development project.

Action Taken: Councilmember Warner moved to authorize the City attorney to note an appeal to the Circuit Court of Prince Georges County of the District Council's decision pertaining to the Magruder Pointe Development. Councilmember Lawrence seconded the motion. The motion passed 7-3 with Councilmembers Haba, Croslin, and Spell opposed.

The Council returned to open session on a motion made by Councilmember Croslin, seconded by Councilmember Spell and approved unanimously by the body at 7:43 p.m.

9) Council Dialogue (7:50 p.m. - 8:00 p.m.)

Colleagues thanked Councilmember Wright and Warner for their service. Councilmembers Wright and Warner offered parting thoughts and thanks.

10) Motion to Adjourn Sine Die (8:00 p.m.)

The meeting adjourned sine die at 8:02 p.m.

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



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MAY 20, 2019 – 8:00 P.M.

1) Oath of Office, Newly Elected City Councilmembers (8:00 p.m. - 8:15 p.m.)

City Administrator Douglas opened the Oath of Office Ceremony and noted Clerk of the Court for Prince George's County Mahasin El Amin would administer the Oath of Office.

The following newly elected Mayor and City Councilmembers took their Oath of Office: Mayor Candace Hollingsworth, Ward One Councilmember Kevin Ward, Ward Two Councilmember Danny Schaible, Ward Three Councilmember Ben Simasek, Ward Four Councilmember Daniel Peabody, and Ward Five Councilmember Joseph Solomon.

2) Call to Order and Council Roll Call

The meeting was called to order at 8:15 p.m.

3) Pledge of Allegiance to the Flag

4) Approval of Agenda

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

5) Public Comment (8:15 p.m. – 8:25 p.m.) Limit 2 minutes per speaker

Greg Smith, a Ward 2 resident, addressed the Mayor and Council regarding City staff and the successful election. Mr. Smith applauded City staff and leadership. Mr. Smith stated that he was focused on sustainability within the City and stated that he looked forward to working with the new council and offered his congratulations.

David Marshall, a Ward 2 resident, addressed the Mayor and Council thanked Deputy Clerk Konigkramer for her service and offered his support for the reappointment of the City Attorney. Mr. Marshall expressed his approval of the attainment of the firm. Mr. Marshall gave remarks to the newly elected Council and spoke to his experience with past Councils.

6) Consent Items (8:25 p.m. - 8:30 p.m.)

- 6.a Proclamation in Recognition of Councilmember Tom Wright
I move that the Mayor and Council recognize outgoing Councilmember Tom Wright for his service to the City.

[Cover Page](#)

[Tom_Wright_2019\(1\).docx](#)

- 6.b Proclamation in Recognition of Councilmember Shani Warner
I move that the Mayor and Council recognize outgoing Councilmember Shani Warner for her service to the City.

[Cover Page](#)

[Shani_Warner_2019\(1\).docx](#)



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MAY 20, 2019 – 8:00 P.M.

- 6.c Proclamation Declaring June 2, 2019 as National Gun Violence Awareness Day
I move that the Mayor and Council declare June 2, 2019 as National Gun Violence Awareness Day in the City of Hyattsville.

[Cover Page](#)

[2019 Gun Violence Awareness Day Proclamation.docx](#)

- 6.d Schedule Public Hearing on Proposed Sites for Hyattsville Middle School
I move that the Mayor and Council schedule a Public Hearing on proposed sites for Hyattsville Middle School on June 3, 2019 at 7:30 p.m.

[Cover Page](#)

[HMS PGCPs Capital Program.pdf](#)

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

7) Recognition in Honor of Councilmembers Shani N. Warner and Thomas Wright (8:30 p.m. - 8:40 p.m.)

Mayor Hollingsworth presented proclamations and City flags in honor of Councilmembers Shani N. Warner and Thomas Wright for their service to the City.

8) Action Items (8:40 p.m. - 9:05 p.m.)

- 8.a Appointment of City Attorney (5 minutes)
I move that the Mayor, with Council approval, appoint E.I. Cornbrooks IV, Esquire of the firm of Karpinski, Colaresi, and Karp, P.A. as the Attorney for the City.

[Cover Page](#)

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

- 8.b Election of City Council Officers (10 minutes)
I move that the Mayor and Council elect the following individuals to the positions of Council President and Council Vice President: President Kevin Ward and Vice President Carrianna Suiter.

[Cover Page](#)

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

- 8.c Assignment of Committee Liaisons (10 minutes)



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MAY 20, 2019 – 8:00 P.M.

I move that the Mayor and Council appoint the following Councilmembers as liaisons to City committees (appointments TBD at the meeting).

- Code Compliance Advisory Committee: Haba, Schaible
- Education Advisory Committee: Ward, Lawrence, Peabody
- Educational Facilities Task Force: Solomon, Lawrence
- Health, Wellness, and Recreation Advisory Committee: Suiter, Solomon
- Hyattsville Environment Committee: Solomon, Simasek
- Planning Committee: Schaible, Simasek, Lawrence
- Police and Public Safety Citizen's Advisory Committee: Ward, Croslin, Peabody
- Race and Equity Task Force: Hollingsworth, Peabody
- Teen Advisory Committee: Suiter, Croslin

[Cover Page](#)

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

9) [Council Dialogue \(9:05 p.m. - 9:15 p.m.\)](#)

Councilmembers welcomed their new colleagues and new members expressed gratitude for joining the Council.

10) [Community Notices and Meetings \(9:15 p.m. - 9:20 p.m.\)](#)

[Cover Page](#)

[Main City Calendar_ May 21- Jun 3 2019.docx](#)

11) [Motion to Close \(9:20 p.m. - 9:40 p.m.\)](#)

11.a Motion to Close (20 minutes)

I move that the Mayor and Council close the Council Meeting of May 20, 2019 consult with the City Attorney to receive legal advice and to discuss potential litigation.

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; 3-305(b)(8) consult with staff, consultants, or other individuals about pending or potential litigation.

[Cover Page](#)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ward
SECONDER:	Lawrence



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MAY 20, 2019 – 8:00 P.M.

AYES:	Hollingsworth, Lawrence, Ward, Croslin, Schaible, Simasek, Suiter, Haba, Peabody, Solomon, Spell
ABSENT:	None

It was stated that the Council would not return to open session.

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 9:24 p.m. on Monday, May 20, 2019, in the City of Hyattsville Municipal Building, Third Floor Council Chambers. In addition to the City Council, the following staff members were present: City Administrator Douglas, City Attorney Cornbrooks, Assistant City Administrator Chandler, and City Clerk Reams. 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; 3-305(b)(8) consult with staff, consultants, or other individuals about pending or potential litigation.

NOTE FOR THE RECORD: City Administrator Douglas left the closed session at 9:26 p.m.

Topics Discussed: The new Council was briefed by the City Attorney on litigation related to the Magruder Pointe development project.

Action Taken: None taken.

The Council adjourned on a motion made by Councilmember Croslin, seconded by Councilmember Lawrence and approved unanimously by the body at 9:36 p.m.



PUBLIC HEARING OF THE CITY COUNCIL, HYATTSVILLE MD JUNE 3, 2019

Present: Candace Hollingsworth, Mayor
Kevin Ward, W1 (Council Pres.)
Carrianna Suiter, W3 (Council VP)
Bart Lawrence, W1 (arrived at 7:36 p.m.)
Robert Croslin, W2
Danny Schaible, W2
Ben Simasek, W3
Daniel Peabody, W4
Joseph A Solomon, W5
Erica Spell, W5

Absent: Edouard Haba, W4

Also present were the following City staff members:

Tracey E. Douglas, City Administrator
Jim Chandler, Assistant City Administrator, Dir. Community and Economic Development
Ron Brooks, City Treasurer
Amal E. Awad, Chief of Police
Vivian Snellman, Director of Human Resources
Laura Reams, City Clerk

Notice of Public Hearing

1) Call to Order

Mayor Hollingsworth opened the hearing with the reading of the public notice.

2) Background Information

2.a Educational Facilities Task Force Presentation (10 minutes)
Presentation to City Council on proposed school sites.

Cover Page 

EFTF Letter.docx 

EFTF Presentation to Council.pdf 

HMS Interior Photos.pdf 

Dan Broder, Chair of the Hyattsville Educational Facilities Task Force presented the Task Force's analysis of proposed school sites for the renovation or replacement of Hyattsville Middle School. The scope of the Task Force analysis was to research and analyze potential sites for the middle school. Mr. Broder said four (4) sites were presented to the City Council for consideration on May 6, 2019. Based on Council and Prince George's County Public Schools feedback the sites had been narrowed to two (2) locations: the existing site or a new site at Magruder Park. Mr. Broder stressed that the Task Force did not adopt an official recommendation and would present pros and cons for both locations.

Chair Broder reviewed the pros and cons for the existing Hyattsville Middle School. He said the site was currently owed by PGCPs eliminating land swap negotiations and it was possible the renovation could be partially built on site with existing utilities and infrastructure. Possible negatives were noted as disruptive construction activity, limited site space and parking issues exacerbated by construction.



PUBLIC HEARING OF THE CITY COUNCIL, HYATTSVILLE MD JUNE 3, 2019

Should the site be vacated during construction and students housed in swing space, Chair Broder noted concerns with lack of nearby swing space and the possible impact on teacher retention. He also stated that the minimum site requirements for a middle school could not be met at the existing site without a multiple level build.

Chair Broder moved on to the other possible site, located at Magruder Park. He reviewed possible locations in the park, highlighting areas owned by Maryland-National Capital Park and Planning (M-NCPPC) and the City of Hyattsville. He acknowledged that the park was in a flood plain, which would require mitigation. Mr. Broder highlighted pros as an improved school site, additional acreage for the schools, and the potential for a joint use agreement for the fields. He also noted the site would not require the use of swing space and may increase walkability to the school. Potential negatives at Magruder Park included complex and costly flood plain mitigation, multi-jurisdictional coordination on infrastructure and utilities, and the loss of community open space.

Chair Broder reviewed site requirements the Task Force considered when completing their analysis. These considerations included a site to meet future capacity needs, maximization of open space and recreational areas for students, and the expansion of the existing creative arts program at Hyattsville Middle School to the 6th grade. He also noted the importance of transparent community engagement moving forward in the site selection process.

City Administrator Douglas introduced Elizabeth Chaisson, PGCPs Capital Programs Officer. Ms. Chaisson was present to answer questions from Council regarding the school renovation/replacement project. Administrator Douglas acknowledged the accelerated pace of the project and said it was tied to alternate construction project financing and the summer release of a Request for Proposal (RFP) by the County for new school construction projects.

Mayor Hollingsworth clarified that the intent of the hearing was to kickstart the community and public engagement process on site selection. She said that while the Council did not have a decision point at the hearing there likely would be a need for a decision soon. Mayor Hollingsworth opened the meeting for Council discussion.

3) **Council Discussion**

Councilmember Peabody asked why a multi-level school was not being considered for the existing Hyattsville Middle School site. Mr. Broder said the initial feedback from PGCPs was a site with 12 contiguous acres and the current site was 9.4 acres. He deferred to Ms. Chaisson on the multi-level build.

Councilmember Schaible expressed concern with the proposal to build within the flood plain. He asked if a site at the park could be built to the standard of the 500-year flood plain. He also inquired if the site could incorporate the existing Hamilton Splash Park pool or some other integration of a aquatic amenity.

Mayor Hollingsworth asked Ms. Chaisson to provide insight into the process for site evaluation. Ms. Chaisson said that depending on the outcome of the hearing, PGCPs intended on hiring an architect to do a site fit analysis of Magruder Park. In terms of site amenities, she said PGCPs was open to suggestions but could not make promises. Ms. Chaisson noted that they were using a prototype middle



PUBLIC HEARING OF THE CITY COUNCIL, HYATTSVILLE MD JUNE 3, 2019

school design that did not include a swimming pool. Mr. Broder noted resident feedback to the Task Force was favorable for the inclusion of an aquatic element.

Mayor Hollingsworth asked for an explanation of a site fit analysis. Ms. Chaisson said the analysis looked at what the possible school footprint may look like including parking and the appropriateness of the site for placement of a school. She said the analysis would review flood plain issues.

Mayor Hollingsworth asked to what degree would PGCPs would mitigate the flood plain and if that was determined at the site test fit or later. Ms. Chaisson said that would be part of the analysis and typically schools were built to the 100-year flood plain standard.

Mayor Hollingsworth asked Ms. Chaisson what was PGCPs's expectation from the close of this meeting, noting that the City had sent correspondence to PGCPs citing the existing location and Magruder Park as two possible locations for the middle school. Ms. Chaisson said that unless the Council told PGCPs to not pursue Magruder Park, they will move forward with both potential sites.

Councilmember Simasek noted that Hyattsville Elementary School was noted as a potential benefit if the middle school moved to the park. Chair Broder confirmed, stating that if the existing middle school moved to the park, the site could be utilized for the elementary school, also scheduled for renovation/replacement.

Mayor Hollingsworth opened the meeting for public comment.

4) Public Comment

Michael Gorman, a Ward 5 resident, said he was not in favor of the proposed Magruder Park location citing the loss of wildlife habitat and trees.

Raphael Talisman, a Ward 1 resident, expressed concern regarding the Prince George's County Council decision regarding the Magruder Pointe development.

Matt Bowman, a Ward 1 resident, stated opposition to the use of Magruder Park citing the loss of open space and increased traffic concerns. He suggested the creation of a park and green space task force and asked the Council to focus on what could be done with the existing site.

John Imahori, a member of the Educational Facilities Task Force and Ward 2 resident read from prepared comments. He stated support of the placement of Hyattsville Middle School at Magruder Park.

Elizabeth Turcan, a Ward 2 resident, stated opposition to the proposed Magruder Park location. She said the City's Latinx population was not represented at the meeting and were frequent users of the park.

Justine Christianson, Hyattsville Middle School Parent Teacher Organization President and a Ward 2 resident, highlighted the great need for renovation or replacement of the school and said this was an opportunity to re-envision public land.



PUBLIC HEARING OF THE CITY COUNCIL, HYATTSVILLE MD JUNE 3, 2019

Scott Wilson, a Ward 1 resident offered general comments. He said that while the middle school location in a park made a lot of sense, construction would wildlife significantly. Mr. Wilson said the recent transportation study suggested roads through the current middle school site and he was opposed to that idea.

Pamela Boozer-Strother, PGCPD District 3 Board Member, thanked to everyone for engaging in the process and said this was an opportunity to fund our schools differently.

Thornton Boone, Principal, Hyattsville Middle School, thanked the Task Force, PTSO, and Council. He advocated for better facilities on behalf of the students and teachers.

Greg Smith, a Ward 1 resident offered general comments. Mr. Smith asked for accountability on the health and safety conditions at the school. He asked for clarification on the minimum required acreage for the school. He said if the school was built in the park the plan should mitigate to the 500-year flood plain. He concluded that a lot of the goals and ideals could be met by a school at either site.

Mayor Hollingsworth asked Ms. Chaisson for clarification on the minimum site requirement. Ms. Chaisson said 20 acres was the norm outside of the beltway but many schools were built on smaller sites, especially in urban areas. Ms. Chaisson said the urban builds were more expensive and the school system was looking for a way to mitigate costs which was why they had asked the City for alternative sites.

5) **Adjournment**

The public hearing adjourned at 8:25 p.m.



Hyattsville City Council Agenda Item Report

Meeting Date: July 15, 2019
Submitted by: Laura Reams
Submitting Department: City Clerk
Item Type: Legislative
Agenda Section:

SUBJECT

Motion to Close (60 minutes)

HCC-8-FY20

Recommendation:

I move that the Mayor and Council close the Council Meeting of July 15, 2019 consult with the City Attorney to receive legal advice, discuss potential litigation, and to discuss confidential personnel matters related to a specific employee.

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; 3-305(b)(8) consult with staff, consultants, or other individuals about pending or potential litigation and 3-305(b) (1) discuss a personnel matter that affects one or more specific employees.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

Summary Background:

N/A

Next Steps:

N/A

Fiscal Impact:

N/A

City Administrator Comments:

Recommend Approval

Community Engagement:

N/A

Strategic Goals:

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

Legal Review Required?

Complete



Hyattsville City Council Agenda Item Report

Meeting Date: July 15, 2019
Submitted by: Laura Reams
Submitting Department: Administration
Item Type: Report
Agenda Section:

SUBJECT

City Administrator Update (5 minutes)

HCC-14-FY20

Recommendation:

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

Summary Background:

City Administrator Douglas will provide an update on various items.

Next Steps:

N/A

Fiscal Impact:

N/A

City Administrator Comments:

Presentation Only

Community Engagement:

N/A

Strategic Goals:

Goal 1 - Ensure Transparent & Accessible Governance

Legal Review Required?

N/A



Hyattsville City Council Agenda Item Report

Meeting Date: July 15, 2019
Submitted by: Laura Reams
Submitting Department: Finance
Item Type: Audit
Agenda Section:

SUBJECT

City Treasurer Update (5 minutes)

HCC-15-FY20

Recommendation:

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

Summary Background:

The FY18 audit continues to progress through the required stages of review, the current focus remains in the areas of accounts payable and account receivables. I expect the FY18 audit to be completed by the end of September of this calendar year. The start date to begin the FY19 audit has been pushed out and will begin around mid-August with the goal of completing this audit no later than January 2020 or sooner.

Bond Issuance Update: The issuance of bonds previously approved by Council in the amount of \$13,825,000 is still moving forward and due to scheduling looks to be an early August issue. The Moody's Bond Rating should be released prior to going to market in early August 2019.

Next Steps:

Audits: Continue to complete audits as discussed. Bond Issue: Continue working through the bond issuance process to secure funding for the DPW and Police Department projects.

Fiscal Impact:

Audits: Late audits filings can result in loss of State grants and loss of revenues. Bond Issue: Secure bond proceeds of \$13.8 million.

City Administrator Comments:

See summary 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: July 15, 2019

Submitted by: Laura Reams

Submitting Department: Community & Economic Development

Item Type: Planning & Development

Agenda Section:

SUBJECT

Miller's Ale House: DSP-99044-17 (20 minutes)

HCC-24-FY20

Recommendation:

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[DSP 99044-17 Applicant Presentation Packet.pdf](#)

[A-SOJ-DSP 99044-17.pdf](#)

Summary Background:

The Miller's Ale House pad site development is part of Parcel A-1 of Prince George's Plaza, located at 3430 East-West Highway Route 410. This site is north of East-West Highway and east of Toledo Road, and currently exists as a retail parking lot servicing patrons of the Mall at Prince George's. The south section of the site is adjacent to East-West highway and includes part of an amenity wall that runs along MD 410. Through their detailed site plan, the applicant is proposing to build an 8,285 square feet freestanding restaurant (Miller's Ale House). The subject property is zoned as Mixed-Use-Infill, a zoning category which encourages density consistent with existing adjacent uses. The property is subject to the development standards prescribed in the 2016 Prince George's Plaza Transit District Overlay Zone and is in the Downtown Core Character Area.

The applicant is requesting four (4) modifications to the 2016 Prince George's Plaza Transit District Development Plan (TDDP) standards, which are detailed in the attached applicant materials.

Next Steps:

This item is scheduled for Action on July 15, 2019. The applicant's M-NCPPC Planning Board hearing is scheduled for Thursday, July 19, 2019.

Fiscal Impact:

N/A

City Administrator Comments:

TBD

Community Engagement:

The applicant presented to the Hyattsville Planning Committee on Tuesday, June 18, 2019.

Strategic Goals:

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

Legal Review Required?

N/A



14401 Sweitzer Lane

Suite 570

Laurel, MD 20707

240-280-1203

240-280-1686 fax

andre@ginglesllc.com

June 6, 2019

James Chandler, Director
Community and Economic Development
City of Hyattsville
4310 Gallatin Street, City Building—3rd Floor
Hyattsville, Maryland 20781

Re: Proposed Miller's Ale House Restaurant at
The Mall at Prince George's DSP 99044-17

Dear Mr. Chandler:

On behalf of Miller's Ale House ("Miller's"), I am presenting this information in advance of the June 18th City Planning Committee Meeting and July 15th Council Meeting, at which our proposed application will be considered.

By way of background, Miller's operates a casual sports restaurant and bar concept specializing in freshly-made food in a variety of locations in 18 states. The proposed Hyattsville location would be its third in Maryland, adding to the Bel Air and Rockville locations. The Mall at Prince George's ("MPG") has been desirous of adding to its existing retail, dining and entertainment ("RD&E") options for the community and visiting patrons and feels Miller's adds diversity to the existing dining concepts.

The proposed location adds to the creation of a restaurant row along MPG's Md 410 frontage with another visible dining option, convenient for the community with the ability to attract additional patrons to the MPG. Our application is an amendment to the MPG's DSP, wherein the pad area for Miller's was previously approved by the Planning Board. While the amendment conforms to the overwhelming majority of the applicable development district standards ("DDS"), Miller's is seeking approval of three modifications to the standards—primarily to address to some existing conditions and continue the uniformity along MPG's Md. 410 frontage.

1. Miller's and MPG want to align the restaurant with the existing Olive Garden and Outback locations—hence, set the restaurant consistent with those locations. The DDS expresses 25 feet as the maximum build to line ("BTL"), and the proposed Miller's location is at 80 feet. This is uniform with other restaurant locations and conforming to the requirement would require destruction of the existing landscape wall along MPG's Md. 410 frontage and create conflicting vehicular circulation between restaurants.
2. Miller's permeable glass range along its ground level is less than the DDS requirement. Much of the restaurant's mechanical, structural and back-of-house elements would be exposed if these areas were made permeable to conform to the requirement.

Mr. James Chandler

June 6, 2019

Page 2 of 2

3. Lastly, the DDS requires a minimum 14-foot ceiling for retail space. The design of the restaurant entry vestibule area (approximately 9'8") is the primary architectural element necessitating this modification.

Miller's and MPG are excited about this potential addition, and both are extremely desirous of having Miller's open in time for the 2019 Holiday Season, which might otherwise be pushed well into 2020—inasmuch as it is difficult to open restaurants in the winter. This necessitates the commencement of project construction in August. To that end, we greatly appreciate Hyattsville's willingness to adjust their normal review schedule to assist in accommodating this effort.

Also included is our Statement of Justification and Development District Standards Overview/Modification Request. Bohler Engineering will be providing our submissions to you electronically in a separate email. Representatives of Miller's and our consultants will be present at both meeting to address all aspects of our submission, operations and related matters. Should you need any additional information in the interim or in advance of any of the meetings, please contact me.

Sincerely,



André J. Gingles

cc: Shane Feemster, Miller's Ale House
Mark Gambill, Pennsylvania Real Estate Investment Trust
Paul Rothfeld, Bohler Engineering

Attachments (2)

PRINCE GEORGE'S PLAZA
Miller's Ale House Freestanding Restaurant

APPLICATION OF
PR PRINCE GEORGE'S PLAZA LLC FOR A
PLANNING BOARD REVIEW OF A
DETAILED SITE PLAN
DSP – 99044 – 17

STATEMENT OF JUSTIFICATION
May 3, 2019

OWNER:

PR Prince George's Plaza LLC
200 South Broad Street, Third Floor
Philadelphia, Pennsylvania 19102
Contact: Mark Gambill
t: 215.875.0472

APPLICANT:

Miller's Ale House, Inc.
5750 Major Blvd. Suite 400
Orlando, Florida 32819
Contact: Shane Feemster
t: 469-559-6400

CIVIL ENGINEER:

Bohler Engineering
16701 Melford Boulevard, Suite 310
Bowie, Maryland 20715
Contact: Nicholas Speach, P.E.
t: 301.809.4500

ATTORNEY:

Gingles, LLC
14401 Sweitzer Lane, Suite 570
Laurel, Maryland 20707
Contact: Andre J. Gingles
t: 240.280.1203

I. INTRODUCTION

Miller's Ale House, Inc. (hereinafter the "Applicant"), hereby submits this amendment to the Detailed Site Plan (hereinafter "DSP") in order to revise DSP-99044-14 for the Mall at Prince George's, consistent with the criteria established in §27-548.08 of the Prince George's County (hereinafter "County") Zoning Ordinance. The Mall at Prince George's ("Mall") consists of 51.03 acres of property in the M-U-I Transit District Overlay Zone (hereinafter the "TDOZ").

The purpose of this application is to request an amendment to DSP-99044 for the construction of a 8,285 square foot eating and drinking establishment. Chapter 6 of the Prince George's Plaza Transit District Development Plan (the "TDDP") expresses that new pad site development is within an integrated shopping center requires approval of a DSP in conformance with the standards of the TDOZ. Inasmuch there is an existing DSP applicable to the Mall Property, the Zoning Ordinance permits an Applicant to pursue revisions on previously approved DSP applications.

The Mall was originally developed in the late 1950s. Since the 1950's, over ten (10) DSP amendments have been approved for Mall at Prince George's, including DSP-99044-01 for the addition of a new anchor tenant store and the addition of two tenants at the rear of the shopping center; DSP-99044-02 for the renovation of the rear of the shopping center to include new paving and additional green space; DSP-99044-03 to allow two-way traffic in an existing drive aisle that was originally one-way traffic only; DSP-99044-04 for the addition of a 7,686 square foot restaurant pad site (Olive Garden); DSP-99044-05 for the modification of the rear elevation on the east side of the mall to accommodate new tenants and to improve 19 parking spaces; DSP-99044-06 for the addition of a 6,574 square foot restaurant pad site (Famous Daves – never constructed); DSP-99044-07 for the construction of a restaurant pad site (Chick-fil-A – never constructed); DSP-99044-08 for a minor addition to the mall to accommodate TJ Maxx; DSP-99044-10 for the addition of a 6,722 square foot restaurant pad site (Outback Steakhouse); DSP-99044-12 for the addition of building signage that did not conform to the TDDP; and DSP-99044-13 for the addition of a 8,568 square foot addition for new tenant space on the west end of the existing mall, and DSP-99044-14 for the construction of a pad site and associated infrastructure to support the future eating and drinking establishment. There is no previously approved Conceptual Site Plan and the Zoning Ordinance (27-548.08) negates the conformance requirement, if one existed, for DSPs in a Transit District.

II. APPLICATION DATA

- A. Location: Located northeast of the intersection of East West Highway and Toledo Road.
- B. Tax Map/Grid: Map 41, Grid F-2.
- C. Frontage: East-West Highway
- D. Election District: 17
- E. Council manic District: 2
- F. Acreage: 51.03

- G. Existing Zoning: M-U-I – Mixed Use Infill
- H. Master Plan & SMA: The Approved Prince George’s Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment.
- I. General Plan: Plan 2035, the Approved General Plan designates the property within one of the “Regional Transit Districts.”
- J. Proposed Use: Freestanding Restaurant

III. **CRITERIA FOR APPROVAL OF A DETAILED SITE PLAN**

The Applicant respectfully requests that the Planning Board approve this amendment to the DSP application. As described below, this application complies with the approval requirements outlined in Section 27-548.08(c) of the Zoning Ordinance.

§27-548.08 (c) Required Findings.

- (1) In addition to the findings required by Section 27-276(b) for approval of a Conceptual Site Plan in the T-D-O Zone, the Planning Board shall find that the Transit District Site Plan is consistent with, and reflects the guidelines and criteria for development contained in, the Transit District Development Plan. In this instance, the General Standards and Downtown Core Standards of the TDDP are applicable to the proposed development.
- (2) The findings required by Section 27-285(b) shall not apply to the T-D-O Zone. Instead, the following findings shall be made by the Planning Board when approving a Detailed Site Plan in the T-D-O Zone:

(A) The Transit District Site Plan is in strict conformance with any mandatory requirements of the Transit District Development Plan;

Comment: The proposed freestanding restaurant, as shown on the Detailed Site Plan, is in conformance with the mandatory requirements of the Transit District Development Plan except as described below:

Alleys

There are no alleys proposed with this project.

Street Lights

There are no street lights proposed with this project.

Placemaking and Open Space

There are no existing or proposed open spaces within the limits of this project.

Tree Canopy Coverage

Tree Canopy Coverage requirements will be met within the lease area of the pad site.

Density

No residential development is proposed by DSP.

Maximum Building Height

The TDOZ allows for buildings to be a maximum of 16 stories for all buildings north of MD 410, east and south of Toledo Terrace, and west of Belcrest Road. The proposed freestanding restaurant is in conformance with this standard as a single story building with a maximum height of 27.33 feet.

General Standards: Public Facility, Height, and Density Bonus

The General Standards regarding Public Facilities, Height, and Density Bonus permits the construction of taller buildings in exchange for the provision of land, buildings, or building space for public facilities. The proposed freestanding restaurant complies with these standards.

Signage

The TDDP requirements for wall signs state that vertical wall signs may not exceed a maximum dimension of 36 inches by twice the business frontage width. The proposed freestanding restaurant is in conformance as the vertical wall signs have a maximum height of 34.75 inches and the width does not exceed two times the building frontage of 85 feet. The requirements for monument signs include at least 150,000 square feet of building area, only one monument sign per building, located in either the Tree and Furnishing Zone, the Retail Zone, or the Residential Zone and not within five feet of any public right-of-way. In addition, the signs shall not exceed 30 feet in height and not exceed 300 feet square in area, and shall not be obstructed by landscaping. The proposed monument sign is 10 feet tall and 32 feet square in area in conformance with the requirements. A proposed location for the monument sign is shown on the DSP.

Architectural Standards

The TDDP Architectural Elements do not permit metal, plastic and backlit awnings. The proposed freestanding restaurant has metal awnings and the colored metal is characteristic of style, identification and branding for Miller Brewhouse Restaurants. As such, the Applicant requests amendment of that standard pursuant to Section 27-548.08 c. The amount of metal awning is a small percentage of the building material and is designed to highlight and accent the building identification. Its limited use and placement on the new structure does not impede future development and its use is primarily part of the Applicant's branding and identification. The awning design is otherwise in conformance with the guidelines for awnings in the TDDP. No balconies are proposed. The TDOZ Architectural Standards also state buildings are encouraged to be built with "green" building materials that meet the following criteria: produced locally or salvaged; recycled and/or recyclable; rapidly

renewable; durable; containing a low embodied energy; manufactured in a less environmentally hazardous or toxic manner; for wood, certified in accordance with the Forest Stewardship Guidelines for environmentally responsible forest management; for refrigerants and fire suppression devices, not containing CFCs or Halon gas. The proposed freestanding restaurant will try to use building materials in conformance with this criteria as much as possible.

Parking (General) and Transportation Adequacy

The revised parking with this application does not result in the addition of parking spaces and therefore its review is exempt. The allowed parking ratio at the time the mall was first developed was 4.35 spaces / 1,000 SF of Gross Floor Area. The existing parking exceeds the maximum of 2.5 spaces / 1,000 SF of Gross Floor Area per the current standards, but is in conformance with the parking ratio from the time it was built.

Transportation Demand Management Standard

The applicant has owned and redeveloped the site since 2007.

Transportation Adequacy Standard

The TDDP requires properties to demonstrate that the transportation facilities (limited to only signalized and/or unsignalized intersections) will be adequate to serve the proposed development for any preliminary plan, and any DSP if prior adequacy findings are more than six years old. The previous DSP met adequacy findings and therefore the proposed freestanding restaurant meets the requirement.

Surface Parking

The off street parking that exists on site was installed prior to the adoption of the TDDP and is therefore exempt from meeting Surface Parking requirements.

Above-Grade Parking Structures

There are no above-grade parking structures proposed with this application.

Underground Parking

There is no underground parking proposed with this application.

Walls, Fences, and Gates

The existing wall along East-West Highway (MD 410) will be modified to accommodate a pedestrian connection from the pad site to East-West Highway. The wall was installed prior to the adoption of the TDDP and is therefore exempt from the TDDP wall standards. There are no fences or gates proposed.

Downtown Core Standards

The proposed freestanding restaurant is not an accessory use. The proposed

application is also exempt from meeting lot coverage and green area requirements as defined in the Landscape Manual because there are no lot coverage or minimum green area requirements for development within the Downtown Core.

(B) The Transit District Site Plan is consistent with, and reflects the guidelines and criteria for development contained in, the Transit District Development Plan;

Comment: The proposed freestanding restaurant, as shown on the Detailed Site Plan, is consistent with, and reflects the guidelines and criteria for the development contained in the Transit District Development Plan.

(C) The Transit District Site Plan meets all of the requirements of the Transit District Overlay Zone, and applicable regulations of the underlying zones, unless an amendment to the applicable requirement or regulation has been approved;

Comment: The proposed freestanding restaurant, as shown on the Detailed Site Plan, meets all of the requirements of the Transit District Overlay Zone per Section 27-548.06 of the Zoning Ordinance.

(D) 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 Transit District Overlay Zone;

Comment: The proposed freestanding restaurant site meets the requirements for the proposed building and signage. The landscaping, pedestrian and vehicular circulation systems, and parking and loading areas were designed to maximize safety and efficiency and are adequate to meet the purposes of the Transit District Overlay Zone.

(E) Each structure and use, in the manner proposed, is compatible with other structures and uses in the Transit District, and with existing and proposed adjacent development; and

Comment: The proposed use is compatible with the adjacent sites existing on the property. The proposed freestanding restaurant is oriented to face East-West Highway and provides a sidewalk connection to the right-of-way.

(F) Requests for reductions from the total minimum required parking spaces for Transit District Overlay Zones pursuant to Section 27-548.09.02 meet the stated location criteria and are accompanied by a signed Memorandum of Understanding between a car sharing corporation or company and the applicant.

Comment: The Transit District Overlay Zone has a maximum allowed parking requirement. Therefore, a reduction in parking does not require a Memorandum of Understanding between a car sharing corporation or company and the applicant.

- (3) The applicant may ask the Planning Board to apply development standards which differ from mandatory requirements in the Transit District Development Plan, unless the plan provides otherwise. The Board may amend any mandatory requirements except building height restrictions and parking standards, requirements which may be amended by the District Council under procedures in Part 10A, Division 1. The Board may amend parking provisions concerning the dimensions, layout, or design of parking spaces or parking lots.

IV. CONCLUSION

The proposed amendment to the DSP, inclusive of the requested standard modification, will permit the construction of a freestanding restaurant and associated parking, stormwater management, and utilities. This proposed freestanding restaurant will contribute to the diversity of the tenants in the Mall at Prince George's and will make good use of currently unused parking area. The Applicant is confident that this application meets the purposes of a DSP as outlined in §27-548.08 and respectfully requests their approval.

Respectfully submitted,



Nicholas Speach, P.E.

Bohler Engineering VA, LLC

Miller's Ale House DSP 99044-17

*Development District Standards Analysis Summary of the
Prince George's Plaza Transit District Development Plan and
Transit District Overlay Zone*

04.25.19



Item #	Section	Location in Sector Plan	Description	Applicant Comment	Requested Standards Modification
1	Streets and Frontage / Blocks	p. 208	The street network shall define blocks of up to 500 linear feet on each side. Each side of a block shall not be more than 500 linear feet from right-of-way to right-of-way. For all new redevelopment on existing block frontages of greater than 500 linear feet, a perpendicular A Street or B Street (or, in the Downtown Core, a Pedestrian Street) shall be constructed at no greater than a 500-foot interval from the nearest existing or proposed street. A block shall be divided by an A, B, or Pedestrian Street, or a Promenade, to allow a pedestrian or vehicular connection from the front of the block to the rear of the block. Alleys or service drives, where necessary, shall be included within blocks and shall not divide one block from another.	The pad site area proposes no new street within the existing area that will eventually become multiple blocks at such time as redevelopment occurs on the east side of the new building. The pad site is a portion of a previously existing parking lot for which pedestrian and vehicular connections already exist throughout that area. Nevertheless, the proposed development— inclusive of the interior lease lines—is within a distance of Toledo Road (to the west), so that a block of less than 500 feet is created as established by the plan per the Standards.	
2	Streets and Frontage / Build-To Lines and Zones	p. 209-210	The minimum BTL shall be established at the rear of the frontage zones (except for promenades). The total frontage depth requirement in Tables 42-43 and Figures 9-23 shall represent the distance between the street curb and BTL. 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.	The primary entrance to the building fronts Maryland East-West Highway (“MD 410”), and the service entrance in the rear of the building is in compliance with the Standards. The building does not conform with the BTL requirements. The minimum BTL is 20’ and maximum is 25’. The building is set back 80’ +/- from the MD 410 curb. The	Applicant requests modification of the BTL Standard. The Mall at Prince George’s (“MPG”) has an established restaurant row with all of those venues along MD 410 set back at what is being proposed for this DSP. This uniformity along MD 410 is helpful to the establishment and consistency of the

Item #	Section	Location in Sector Plan	Description	Applicant Comment	Requested Standards Modification
			The area between the minimum and maximum BTL shall be the BTZ. BUILDING ENTRANCES Primary entrances shall be located at the front façade of the buildings. If a building fronts on both A and B Streets, Pedestrian Street, or Promenade, its primary entry shall be located on the A Street. Service entrances shall be at the rear of the building. ARTICULATION To provide visual interest and to reduce the perceived massing and scale of buildings, building architecture shall incorporate at least three of the following design elements: » Colonnades » Gables » Hip roofs » Towers » Dormers » Archways » Covered entries » Repetitive window openings » Arched and corbelled parapets » Cornices » Transoms » Other design elements deemed appropriate by the Planning Board	right-of-way line for the subject property is approximately 13' off of the MD 410 curb. Modification is requested from the BTL Standards. Existing development necessitates the proposed building location relates to the other existing restaurant development along MD 410, e.g. Olive Garden and Outback Steakhouse. ARTICULATION: The building has (3) items of articulation; an entry tower, transoms over public access points, and pilasters on the sides and rear of the building where blank wall surfaces are present.	buildings along MD 410. The Standards would be appropriate if MPG were commencing development of a significant building along MD. 410, which might include new sidewalks and other amenities. The TDOZ recognizes the MPG will remain in existence for a substantial period of time. Effective continuation of the shopping center does require some conformity to the existing development scheme. Inasmuch as redevelopment of the MD 410 frontage is not proposed at this time, the requested modification will not negatively impact the implementation of the intent of the Standards when that redevelopment is poised to occur.
3	Downtown Core Frontage / Build-To Zone Standards:	p. 211	Building Orientation Front (Entrance Location)	The building fronts MD 410 in compliance with the Standards. No changes are proposed within MD 410 Right of Way ("ROW") and the ROW is not impacted by	

Item #	Section	Location in Sector Plan	Description	Applicant Comment	Requested Standards Modification
	Existing Public Streets			this application. MD 410 ROW improvements were provided as part of DSP 99044-14 No new off-street parking access or driveways are proposed. The parking shown is existing spaces that are being restriped/reconfigured.	
4	Downtown Core Frontage / Build-To Zone Standards: Existing Public Streets/Minimum Frontage Zone Depth / Build-To Line	p. 211	Tree & Furnishing Zone (Required) 6'	Street tree, both existing and proposed along MD 410 are located within the Tree and Furnishing Zone. Shade trees also proposed along the rear of the building. Size and spacing of shade trees are in conformance with the Standards.	
			Sidewalk Clear Zone (Required) 6'		
			Retail Zones Varies as needed		
			Total Frontage Min Depth Requirement/Min BTL 20'		
5	Downtown Core Frontage / Build-To Zone Standards: Existing Public Streets / Maximum Frontage Zone Depth / BTL	p. 211	Total Frontage Max Depth Requirement/Max BTL 25'	The building does not conform with the BTL requirements. The minimum BTL is 20' and maximum is 25'. The building is set back 80' +/- from the MD 410 curb. The right-of-way line for the subject property is approximately 13' off of the MD 410 curb. Modification is requested from the BTL Standards. Existing development necessitates the	See Discussion in No. 2 above relative to requested modification.

Item #	Section	Location in Sector Plan	Description	Applicant Comment	Requested Standards Modification
				proposed building location relates to the other existing restaurant development along MD 410, e.g. Olive Garden and Outback Steakhouse.	
6	Downtown Core Frontage / Build-To Zone Standards: Existing Public Streets / Off-Street Parking	p. 211	Off Street Parking Type Structured Permitted	The off-street parking will be a reconstruction of a surface parking lot legally existing on July 19, 2016 and is therefore permitted. There is one loading space proposed in the rear of the building which is in conformance with the Standards.	
			New Off-Street Parking No Permitted on Side of Bldg		
			New Off-Street Parking No Access		
			New Driveways Permitted No		
7	Streets and Frontage / Tree and Furnishing Zones	p. 232	Street Trees Street trees shall be located within the Tree and Furnishing Zone; additional trees may be provided within the Retail or Residential Zones, as appropriate. 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. Ornamental trees, seven to nine feet in height, may only be used to meet the requirements of this section where overhead wires prohibit the planting of shade trees.	Street trees, both existing and proposed along MD 410 are located within the Tree and Furnishing Zone. Shade trees also proposed along the rear of the building. Size and spacing of shade trees are in conformance with the Standards.	

Item #	Section	Location in Sector Plan	Description	Applicant Comment	Requested Standards Modification
8	Streets and Frontage / Street Lights	p. 234	All pedestrian rights-of-way—including sidewalks, trails, paths, and pathways from building entrances and exits to the sidewalk—shall be continuously lit. 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. 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. All other streets in the Transit District shall use PEPCO's Acorn or equivalent style from PEPCO's most recent Street Light Catalog. Cobra fixtures and high-pressure sodium fixtures shall not be permitted. Street light fixtures shall be spaced a maximum of 40 feet apart in the Downtown Core. Street light fixtures shall be spaced a maximum of 50 feet apart in the Neighborhood Edge, and may be placed in a staggered arrangement.	There are no proposed street lights. The pedestrian sidewalk along MD 410 is lit with pedestrian scale fixtures spaced 40'-50' on center. MD 410 right-of-way improvement were provided as part of DSP 99044-14	
9	Bulk and Height / Lots and Building Placement	p. 235	Each new lot shall abut an A, B, or Pedestrian Street to permit, at a minimum, emergency vehicle access.		
10	Bulk and Height / Density and	p. 236	For the purposes of this TDDP, building height shall be measured in number of stories above the ground-level public entrance at the highest elevation. Differences in topography may permit	Building conforms to the Standards inasmuch as it is one-story in height with parapets at 21'-6" on all sides. Entry tower	

Miller's Ale House DSP 99044-17

Development District Standards Analysis

Summary of the Prince George's Plaza TDDP and TDOZ

Item #	Section	Location in Sector Plan	Description	Applicant Comment	Requested Standards Modification
	Building Height		ground-level entrances at lower elevations; these stories shall be considered basement or subgrade floors and shall not count against the story maximum. For example, a building may front on side A at street level; an entrance on side B may be two floors below the entrance on side A. The height of the building would be measured in stories from side A. - When a mezzanine is present, the mezzanine shall be counted as an additional story. - Habitable space in roof and attic areas with a sloping roof shall not be counted as a story. - Any portion of the building below the ground level shall not count as a story. - Raised basements shall not exceed one-half of a story in height above grade along the build-to line.	has a height of 27'-4" at tallest point.	
11	Bulk and Height / Single-Story Building Height and Frontage	p. 240	Single-story buildings and single-story portions of multistory buildings are prohibited on corner lots in the Downtown Core. Single-story buildings in the Downtown Core, or portions of multistory buildings consisting of a single story, shall have a façade of at least 20 feet in height measured from the average mean building grade at the front of the building to the top of the façade, with a minimum floor-to-ceiling height of 14 feet.	The building is single-story but is not located on a corner lot.	
12	Bulk and Height / Other Amenity Bonuses	p. 241	The Planning Board may grant a bonus of up to 20 percent, up to the maximum permitted density for the underlying zone, for the provision of certain publicly-accessible amenities. This bonus encourages the construction of amenities that enrich the public	This building does not meet either item to be considered for an amenity bonus.	

Item #	Section	Location in Sector Plan	Description	Applicant Comment	Requested Standards Modification
			realm; add destinations for workers, residents, and visitors; and enhance property values and tax revenues. Bonuses may be granted for the following: 8. Provision of solar or green roofs. 9. Certification of green building construction or neighborhood development at a LEED® Silver or equivalent level (equivalency to be determined by the Planning Board).		
13	Site Elements / Tree Canopy Coverage	p. 247	Section 25-127(b)(1)(I) of the County Code states that “properties subject to tree canopy coverage requirements contained in an approved Transit District Overlay (T-D-O) Zone or a Development District Overlay (D-D-O) Zone are exempt from the tree canopy coverage requirements contained in this Division.” Pursuant to this section, the tree canopy coverage requirements for the Prince George’s Plaza Transit District Overlay Zone shall be met through the provision of street, on-site, and other trees preserved by a property owner or provided to comply with other Transit District Standards and guidelines.	Tree canopy coverage and screening requirements conform to the Standards; please refer to the enclosed Landscape Plan that has been included with this application.	
14	Site Elements / Screening	p. 248	- Screening materials shall consist of evergreen trees and shrubs, walls, or fences. - Loading areas consisting of off-street loading spaces, loading docks, and service or maintenance areas shall be screened so as to not be visible from an A Street or single-family residential dwelling units.		

Item #	Section	Location in Sector Plan	Description	Applicant Comment	Requested Standards Modification
			- All mechanical equipment and meters shall be screened to prevent excessive noise and visual impacts on surrounding properties.		
15	Architectural Elements / Signage / General	p. 249	All attached or projecting signs are permitted to be placed horizontally or vertically. Attached signs shall consist of three types: wall signs, window signs, and digital signs, as defined in this section. Projecting signs shall consist of four types: blade signs, awning signs, high-rise building identification signs, and vertical corner signs. The following signs are not permitted in the Transit District: - Signs not expressly identified in this chapter. - Signs that obstruct any opening intended to provide ingress or egress for any building or structure. - Signs that obstruct the view of traffic control devices. - Signs that, because of their shape, color, or wording, may be confused with any traffic control device (placed by a public authority), or may mislead motorists.	The signage package put together by the tenant's vendor utilizes wall mounted signage and complies with the design Standards.	
16	Architectural Elements / Signage / Projecting Signs	p. 252	VERTICAL CORNER SIGNS Vertical corner signs are permitted only at the corners of blocks. They may project perpendicularly from one side of the building or at a 45-degree angle to the corner. Vertical corner signs shall be mounted a minimum of 10 feet in height from the sidewalk, measured to the bottom of the sign. The height	There are not any vertical corner or awning signs utilized in the signage package put together by the tenant's vendor.	

Item #	Section	Location in Sector Plan	Description	Applicant Comment	Requested Standards Modification
			of the sign shall not exceed the first-story wall height. Vertical corner signs shall be mounted 12 inches maximum away from the exterior wall of the building and shall be a maximum of 3 feet wide. AWNING SIGNS Signage may only be painted either on the fringe of an awning or in the center of the body of the awning. Awning signs shall be painted directly on the canvas. Back lit awnings are prohibited.		
17	Parking and Loading / Surface Parking	p. 260	The surface parking was legally existing on July 19, 2016. The off-street surface parking will be provided through alteration or reconstruction of a surface parking lot legally existing on July 19, 2016.	The off-street parking will be a reconstruction of a surface parking lot legally existing on July 19, 2016, and is therefore permitted by the Standards. There is one loading space proposed in the rear of the building which is in conformance with the Standards.	
18	Parking and Loading / Loading	p. 263	The required number of off-street loading spaces shall be determined at the time of DSP. Off-street loading spaces may only be located in the rear of buildings.	The off-street parking will be a reconstruction of a surface parking lot legally existing on July 19, 2016, and is therefore permitted. There is one loading space proposed in the rear of the building which is in	

Item #	Section	Location in Sector Plan	Description	Applicant Comment	Requested Standards Modification
				conformance with the Standards.	
19	Transportation Adequacy / General	p. 263	Within the Prince George's Plaza Transit District, the transportation facilities adequacy standard shall be LOS E for individual critical intersections.		
20	Downtown Core General Standards	p. 265	Accessory buildings are not permitted within the Downtown Core. Accessory, subordinate, and service uses should be housed within the main building or attached parking structure. There are no lot coverage or minimum green area requirements for development within the Downtown Core.	No accessory buildings are proposed	
21	Downtown Core Block Standards	p. 265	Primary façades shall face A Streets, Pedestrian Streets, or Promenades.	The primary façade faces MD 410	
22	Downtown Core A Street Standards	p. 265	The following streets existing in the Downtown Core on July 19, 2016, are to be considered A Streets: » MD 410 (East West Highway) » Belcrest Road » Toledo Terrace » America Boulevard » Toledo Road Primary entrances to new buildings shall be located on A Streets. 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.	The design and building satisfy the Standards	

Item #	Section	Location in Sector Plan	Description	Applicant Comment	Requested Standards Modification
23	Downtown Core Fenestration Standards	p. 266	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). Tinted or mirrored glass, or glass blocks are not permitted.	The visually permeable ratio for the ground floor façade varies depending upon the façade between 28.1% up to 42.0%. A modification to the design Standards is requested.	The Restaurant is a design that encompasses its marketing concept for a brewery. Part of the Standards requirement is premised on an openness for pedestrian activity and interest that would accompany a vibrant on-street sidewalk which would not occur until MPG commenced substantial redevelopment along MD 410. The interim has added some glass to get closer to the permeable ratio; however, additional changes would move the building too far away from its building signature.
24	Downtown Core Mixed-Use and Non-Residential Buildings Standards	p. 267	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. The minimum clear height of retail space and of storefront fenestration is 14 feet.	There is no ceiling in the dining areas of the restaurant, with the bottom of the roof deck at +/- 17'-5" AFF complying with the 14'-0" minimum floor-to-ceiling height.	The ceiling in the vestibule is restricted due to the entry canopy structure; hence, a modification to the Standards is requested for this area of the building. The maximum fenestration height for the building is 9'-8" due to the extents of the interior décor package and branding. Raising the heads of the windows to comply with the minimum height would

Item #	Section	Location in Sector Plan	Description	Applicant Comment	Requested Standards Modification
					result in the mechanical and structural systems being easily visible through the windows, hence a modification to the Standards is requested for this item.
25	Downtown Core Mixed-Use and Non-Residential Buildings Guidelines	p. 267	Retail awnings may encroach across the BTL for a maximum of six feet. Marquees, fixed canopies, and all other permitted overhead entry features may encroach beyond the BTL for more than six feet maximum but may not project beyond the Tree and Furnishing Zone.	The intended entry canopy and awnings project no more than 3'-0" away from the surface of the building.	

MALL AT PRINCE GEORGE'S
Miller's Ale House Freestanding Restaurant

APPLICATION OF
PR PRINCE GEORGE'S PLAZA LLC FOR A
PLANNING BOARD REVIEW OF A
DETAILED SITE PLAN
DSP-99044-15

STATEMENT OF JUSTIFICATION
June 20, 2019

OWNER:

PR Prince George's Plaza LLC
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Philadelphia, Pennsylvania 19102
Contact: Mark Gambill
t: 215.875.0472

APPLICANT:

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Contact: Shane Feemster
t: 469-559-6400

CIVIL ENGINEER:

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t: 240.280.1203

I. INTRODUCTION

Miller's Ale House, Inc. (hereinafter the "Applicant"), hereby submits this amendment to the Detailed Site Plan (hereinafter "DSP") in order to revise DSP-99044-14 for the Mall at Prince George's, consistent with the criteria established in §27-548.08 of the Prince George's County (hereinafter "County") Zoning Ordinance. The Mall at Prince George's ("Mall") consists of 51.03 acres of property in the M-U-I Transit District Overlay Zone (hereinafter the "TDOZ").

The purpose of this application is to request an amendment to DSP-99044 for the construction of a 8,285-square foot eating and drinking establishment. Chapter 6 of the Prince George's Plaza Transit District Development Plan (the "TDDP") expresses that new pad site development within an integrated shopping center requires approval of a DSP in conformance with the standards of the TDOZ. Inasmuch as there is an existing DSP applicable to the Mall Property, the Zoning Ordinance permits an Applicant to pursue revisions on previously approved DSP applications.

The Mall was originally developed in the late 1950s. Since the 1950s, over ten (10) DSP amendments have been approved for Mall at Prince George's, including DSP-99044-01 for the addition of a new anchor tenant store and the addition of two tenants at the rear of the shopping center; DSP-99044-02 for the renovation of the rear of the shopping center to include new paving and additional green space; DSP-99044-03 to allow two-way traffic in an existing drive aisle that was originally one-way traffic only; DSP-99044-04 for the addition of a 7,686 square foot restaurant pad site (Olive Garden); DSP-99044-05 for the modification of the rear elevation on the east side of the mall to accommodate new tenants and to improve 19 parking spaces; DSP-99044-06 for the addition of a 6,574 square foot restaurant pad site (Famous Dave's – never constructed); DSP-99044-07 for the construction of a restaurant pad site (Chick-fil-A – never constructed); DSP-99044-08 for a minor addition to the Mall to accommodate TJ Maxx; DSP-99044-10 for the addition of a 6,722 square foot restaurant pad site (Outback Steakhouse); DSP-99044-12 for the addition of building signage that did not conform to the TDDP; DSP-99044-13 for the addition of a 8,568 square foot addition for new tenant space on the west end of the existing mall; and DSP-99044-14 for the construction of a pad site and associated infrastructure to support the future eating and drinking establishment. There is no previously approved Conceptual Site Plan, and the Zoning Ordinance (§27-548.08) negates the conformance requirement, if one existed, for DSPs in a Transit District.

II. APPLICATION DATA

- A. Location: Located northeast of the intersection of East West Highway and Toledo Road.
- B. Tax Map/Grid: Map 41, Grid F-2.
- C. Frontage: East-West Highway
- D. Election District: 17

- E. Councilmanic District: 2
- F. Acreage: 51.03
- G. Existing Zoning: M-U-I – Mixed Use Infill
- H. Master Plan & SMA: The Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment.
- I. General Plan: Plan 2035, the Approved General Plan designates the property within one of the "Regional Transit Districts."
- J. Proposed Use: Freestanding Restaurant

III. CRITERIA FOR APPROVAL OF A DETAILED SITE PLAN

The Applicant respectfully requests that the Planning Board approve this amendment to the DSP application. As described below, this application complies with the approval requirements outlined in §27-548.08(c) of the Zoning Ordinance.

Section 27-548.08 (c) Required Findings.

- (1) In addition to the findings required by §27-276(b) for approval of a Conceptual Site Plan ("CSP") in the T-D-O Zone, the Planning Board shall find that the Transit District Site Plan is consistent with, and reflects the guidelines and criteria for development contained in, the Transit District Development Plan. In this instance, the General Standards and Downtown Core Standards of the Transit District Development Plan are applicable to the proposed development.
- (2) The findings required by §27-285(b) shall not apply to the T-D-O Zone. Instead, the following findings shall be made by the Planning Board when approving a DSP in the T-D-O Zone:
 - (A) The Transit District Site Plan is in strict conformance with any mandatory requirements of the Transit District Development Plan;

Comment: Generally, the proposed freestanding restaurant, as shown on the DSP, is in conformance with most of the mandatory requirements of the TDDP as outlined below with the three requested modifications to the Standards. No alleys, street lights, or residential are proposed with this project. A "plaza area" is proposed and discussed in detail under Modification No. 1. Tree Canopy Coverage requirements are satisfied within the lease area of the pad site, and the proposed freestanding restaurant, which is not an accessory use, is in conformance with this standard as a single-story building with a maximum height of 27.33 feet, and no lot coverage or green area requirements are applicable to the Downtown Core

development.

- i. The street network shall define blocks of up to 500 linear feet on each side. Each side of a block shall not be more than 500 linear feet from right-of-way to right-of-way. For all new redevelopment on existing block frontages of greater than 500 linear feet, a perpendicular A Street or B Street (or, in the Downtown Core, a Pedestrian Street) shall be constructed at no greater than a 500-foot interval from the nearest existing or proposed street. A block shall be divided by an A, B, or Pedestrian Street, or a Promenade, to allow a pedestrian or vehicular connection from the front of the block to the rear of the block. Alleys or service drives, where necessary, shall be included within blocks and shall not divide one block from another.

Comment: The pad site area proposes no new street within the existing area that will eventually become multiple blocks at such time as redevelopment occurs on the east side of the new building. The pad site is a portion of a previously existing parking lot for which pedestrian and vehicular connections already exist throughout that area. Nevertheless, the proposed development—inclusive of the interior lease lines—is within a distance of Toledo Road (to the west), so that a block of less than 500 feet is created as established by the plan per the Standards.

- ii. The minimum BTL /frontage depth for the proposed development is determined by Tables 42-43 and Figures 9-23—which would require placement of the building not further than 25' from curb.

Comment: The building does not conform with these Standards and the Applicant herein requests Modification No. 1 to the Standards. The Applicant is proposing the building be set back approximately 80' +/- from the MD 410 curb. The right-of-way line for the subject property is approximately 13' off of the MD 410 curb. The location of the building is necessitated by the following factors:

- **An existing sidewalk runs along the entire frontage, within the Mall property;**
- **Behind the sidewalk are street lights, an amenity wall and landscaping, all part of a consistent streetscape which would require substantial removal to adhere to the Standards;**
- **The primary Mall structure and its parking drains southwesterly from the Mall to the Md. 410, which causes runoff to flow towards development site;**
- **SWM regulations changed earlier this decade, and now the water from the parking lot and our LOD needs to be treated. Such requirements were not in place for the other two restaurants which also exist along MD 410;**

- The current SWM requirements make the proper placement the bio-retention area to the front of the proposed building;
- Storm drain pipes run through the parking lot, which need to be re-routed around the building. Some go to the back of the building, but some have to go in the front, which again, pushes the building back;
- The technical SWM plan has been approved already, so any changes to the building location would require changes to the plans—which could be significant; and,
- Construction has commenced on some of the items in the SWM plans, so potential changes could require pipes to be pulled out of the ground or deem certain structures unusable.

The Applicant asserts the building cannot be situated in conformance with the Standards without major negative and costly implications to the site infrastructure, part of which would have a substantial ripple impact on the existing Mall development—as noted above. However, the intent of the Standards can be substantially satisfied by some specific site and building modifications to enhance connectivity of the building/use to the street (MD 410). These include:

1. Adding a patio element to the eastern elevation of the building that fronts on MD 410. The open activity will help the building connect more visually to MD 410. The eastern elevation already has outdoor seating—with roll up doors—and the patio addition greatly enhances the connection.
2. A portion of the amenity wall running along MD 410 will be removed to create a plaza/pedestrian area that activates a stronger connection between MD 410 and the building. This is envisioned to be used by patrons, the community and potential Metro pedestrians and could include an art element and pedestrian furniture for users.
3. Landscaping treatments will be enhanced as part of the plaza/pedestrian connection.

Modification to these Standards will benefit the existing and proposed development by creating new connectivity/enhanced connectivity (the plaza area) between the Mall and MD 410. The property owner is a long-term holder of the asset (the Mall). The redevelopment of the MD 410 frontage can occur more consistent with the Standards when the market allows for vertical mixed-use on MD 410 as substitution/ redevelopment of the single-story development along that alignment. This interim development does not substantially impair what will ultimately be a phased implementation of the TDDP on the Mall property. Essentially, the addition of the restaurant—if the modification is allowed—will provide a new venue to the Mall, further attract patrons to the area, and potentially

enhance Metro ridership.

iii. BUILDING ENTRANCES

Primary entrances shall be located at the front façade of the buildings. If a building fronts on both A and B Streets, Pedestrian Street, or Promenade, its primary entry shall be located on the A Street.

Service entrances shall be at the rear of the building. As well, the building should have articulation that provides visual interest and reduces perceived massing.

Comment: The building fronts MD 410 in compliance with the Standards. No changes are proposed within MD 410 right-of-way ("ROW"), and the ROW is not impacted by this application. MD 410 ROW improvements were provided as part of DSP 99044-14, and no new off-street parking access or driveways are proposed. The parking shown is existing spaces that are being restriped/reconfigured. The building has several items of articulation—proposed in the Standards—including an entry tower, transoms over public access points, and pilasters on the sides and rear of the building where blank wall surfaces are present. Building massing leverages several techniques to break down the overall building form. The stone tower anchors the building while also signifying entry to the guests. Flanking the tower, there are two different building masses with different height parapets that break down the volume of overall structure. These appointments allows the building to leverage texture and form to create architectural visual interest. Miller's Ale House proposes use of several elevated finishes, e.g. stone at the tower and water table to provide building texture and Nichiha wood panels to elevate architectural expression and building uniqueness.

- iv. Building Façades at the ground level facing MD 410 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).

Comment: The visually permeable ratio for the ground floor façade varies depending upon the façade between 28.1% up to 42.0%, and the Applicant herein requests Modification No. 2 to the Standards. The Restaurant is a design that encompasses its marketing concept for its brewer concept. Part of the Standards requirement is premised on an openness for pedestrian activity and interest. However, the intent of the Standards can be substantially satisfied by some specific site and building modifications to enhance connectivity of the building/use to the street (MD 410). These include:

1. The restaurant has included a significant open dining area and has also added an open patio area creating enhanced visual openness into the use.

2. The enlarged viewshed—into and outwardly from the use—results in an enhanced activation of street pedestrian connectivity.
3. Adding transoms to the typical windows to elongate the window expression on the main façade.

The enhanced out-door dining will be visually interesting in much the same manner that permeable material helps attract interest. The modification to these Standards allows for new connectivity/enhanced connectivity at that location. Moreover, the modification does not substantially impair what will ultimately be a phased implementation of the TDDP on the Mall property. Essentially, the addition of the restaurant—if the modification is allowed—will provide a new venue to the Mall, further attract patrons, and provide a higher degree of "street interest".

- v. 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, and the minimum clear height of retail space and of storefront fenestration is 14 feet.

Comment: The proposed building is on the same lot (parcel) as the Mall, and therefore meets the Standards requirement. However, there is no ceiling in the dining areas of the restaurant, hence the bottom of the roof deck at +/- 17'-5" AFF complies with the 14'-0" minimum floor-to-ceiling height. The ceiling in the vestibule is restricted due to the entry canopy structure; hence the Applicant herein requests Modification No. 3 to the Standards. The maximum fenestration height for that portion of the building is 9'-8" due to the extents of the interior décor package and branding. Raising the heads of the windows to comply with the minimum height would result in the mechanical and structural systems being easily visible through the windows. The intent of the Standards can be substantially satisfied by:

1. The building modifications of the patio addition—which can be visualized from the pedestrian pathways.
2. The opens area that has height helps create the similar impact of permeable area with interior height.
3. Architectural pilasters to create height and verticality on all façades.

Collectively, these additions provide and further enhance the benefit expressed for Modification No. 2.

- vi. New Off-Street Parking is not permitted.

Comment: The off-street parking will be a reconstruction of a surface parking lot legally existing on July 19, 2016, and is therefore permitted. There is one loading space proposed

in the rear of the building which is in conformance with the Standards. Parking that is provided exceeds the Standards ratio but is in conformance with the parking ration applicable to when the Mall was developed.

- vii. Street Trees, Street Lights, Tree Canopy Coverage, Site Screening and Frontage design are governed by the Standards.

Comment: Street trees, both existing and proposed along MD 410, are located within the Tree and Furnishing Zone. Shade trees also proposed along the rear of the building. Size and spacing of shade trees are in conformance with the Standards. There are no proposed street lights. The pedestrian sidewalk along MD 410 is lit with pedestrian scale fixtures spaced 40'-50' on center. MD 410 right-of-way improvements were provided as part of DSP 99044-14. Tree canopy coverage and screening requirements conform to the Standards as shown on the enclosed Landscape Plan.

- viii. Signage shall conform to the Standards.

Comment: The signage package put together by the tenant's vendor utilizes wall mounted signage and complies with the Standards and no free-standing signs are proposed. The TDDP requirements for wall signs state that vertical wall signs may not exceed a maximum dimension of 36 inches by twice the business frontage width. The restaurant proposes vertical wall signs with a height of 33 inches and the width does not exceed two times the building frontage of 85 feet.

- ix. The Standards for Architectural Elements do not permit metal, plastic and backlit awnings.

Comment: The proposed freestanding restaurant has metal awnings, and the colored metal is characteristic of style, identification and branding for Miller Brewhouse Restaurants. As such, the Applicant herein requests Modification No. 4 to the Standards. The amount of metal awning is a small percentage of the building material and is designed to highlight and accent the building identification. Its limited use and placement on the new structure does not impede future development, and its use is primarily part of the Applicant's branding and identification. The awning design is otherwise in conformance with the guidelines for awnings in the TDDP. No balconies are proposed. The TDOZ Architectural Standards also state buildings are encouraged to be built with "green" building materials that meet the following criteria: produced locally or salvaged; recycled and/or recyclable; rapidly renewable; durable; containing a low embodied energy; manufactured in a less environmentally hazardous or toxic manner; for wood, certified in accordance with the Forest Stewardship Guidelines for environmentally responsible forest management; for refrigerants and fire suppression devices, not containing CFCs or Halon gas. The proposed freestanding restaurant will use building materials in conformance with these criteria as much as possible.

- (B) The Transit District Site Plan is consistent with, and reflects the guidelines and criteria for development contained in, the Transit District Development Plan;

Comment: The TDDP and companion Standards recognized the Mall property might continue to exist and include additional development over time even as potential redevelopment might occur. The new restaurant conforms to many Standards with the proposed freestanding restaurant, with the primary Standards modification being the location of the building.

- (C) The Transit District Site Plan meets all of the requirements of the Transit District Overlay Zone, and applicable regulations of the underlying zones, unless an amendment to the applicable requirement or regulation has been approved;

Comment: Four modifications to the Standards are proposed as part of the DSP, and incorporated into this Statement of Justification.

- (D) 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 Transit District Overlay Zone;

Comment: With the proposed modifications to the Standards, the proposed DSP will be adequate to meet the purposes of the Transit District Overlay Zone.

- (E) Each structure and use, in the manner proposed, is compatible with other structures and uses in the Transit District, and with existing and proposed adjacent development;

Comment: The proposed use is compatible and reflective of other uses on the Mall property and adjacent thereto.

- (F) Requests for reductions from the total minimum required parking spaces for Transit District Overlay Zones pursuant to §27-548.09.02 meet the stated location criteria and are accompanied by a signed Memorandum of Understanding between a car sharing corporation or company and the applicant.

Comment: The TDOZ has a maximum allowed parking requirement. Therefore, a reduction in parking does not require a Memorandum of Understanding between a car sharing corporation or company and the applicant.

- (G) The applicant may ask the Planning Board to apply development standards which differ from mandatory requirements in the Transit District Development Plan, unless the plan provides otherwise. The Board may amend any mandatory requirements except building height restrictions and parking standards, requirements which may be amended by the District Council under

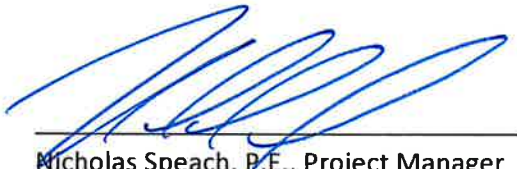
procedures in Part 10A, Division 1. The Board may amend parking provisions concerning the dimensions, layout, or design of parking spaces or parking lots.

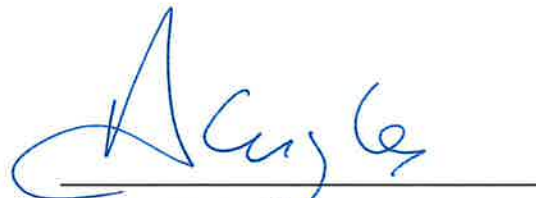
Comment: The modifications to Standards requested the Applicant are of the type the Board can consider and approve.

IV. CONCLUSION

The proposed amendment to the DSP, inclusive of the requested modifications to the Standards, will permit the construction of a freestanding restaurant and associated parking, stormwater management, and utilities. This proposed freestanding restaurant will contribute to the diversity of the tenants in the Mall at Prince George's and will make good use of currently unused parking area. The Applicant is confident that this application meets the purposes of a DSP as outlined in §27-548.08 and respectfully requests their approval.

Respectfully submitted,



Nicholas Speech, P.E., Project Manager
Bohler Engineering VA LLC

André J. Gingles, Esq.
Gingles, LLC

STANDARD DRAWING LEGEND		
FOR ENTIRE PLAN SET (NOT TO SCALE)		
EXISTING NOTE	TYPICAL PROPERTY TEXT	PROPOSED NOTE
---	ONSITE PROPERTY LINE / R.O.W. LINE	---
---	NEIGHBORING PROPERTY LINE / INTERIOR PARCEL LINE	---
---	EASEMENT LINE	---
---	SETBACK LINE	---
CURB AND GUTTER		
=====	CONCRETE CURB & 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-----	CONTOUR LINE	-----190-----
-----169-----	SPOT ELEVATIONS	-----187-----
TC 516.4 OR 516.4		TC 516.03 BC 516.03
SAN	SANITARY LABEL	SAN
SAN	STORM LABEL	SAN
SL	SANITARY SEWER LATERAL	SL
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
HY	HYDRANT	HY
S	SANITARY MANHOLE	S
D	STORM MANHOLE	D
WM	WATER METER	WM
WV	WATER VALVE	WV
□	GAS VALVE	□
⊗	GAS METER	⊗
▽	TYPICAL END SECTION	▽
▽	HEADWALL OR ENDWALL	▽
⊙	YARD INLET	⊙
⊙	CURB INLET	⊙
○	CLEAN OUT	○
E	ELECTRIC MANHOLE	E
T	TELEPHONE MANHOLE	T
EB	ELECTRIC BOX	EB
EP	ELECTRIC PEDESTAL	EP
△	MONITORING WELL	△
⊞	TEST PIT	⊞
⊞	BENCHMARK	⊞
⊞	BORING	⊞

GENERAL NOTE:
IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THIS PROJECT. WORK SCOPE PRIOR TO THE INITIATION OF CONSTRUCTION. SHOULD THE CONTRACTOR FIND A CONFLICT WITH THE DOCUMENTS RELATIVE TO THE SPECIFICATIONS OR APPLICABLE CODES, IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE PROJECT ENGINEER OF RECORD IN WRITING PRIOR TO THE START OF CONSTRUCTION. FAILURE BY THE CONTRACTOR TO NOTIFY THE PROJECT ENGINEER SHALL CONSTITUTE ACCEPTANCE OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF THE WORK AS DEFINED BY THE DRAWINGS AND IN FULL CONFORMANCE WITH ALL LOCAL, STATE AND FEDERAL CODES.

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	RW	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	TBA	TO BE ABANDONED
DOM	DOMESTIC	TC	TOP OF CURB
ELEC	ELECTRIC	TELE	TELEPHONE
ELEV	ELEVATION	TPF	TREE PROTECTION FENCE
EP	EDGE OF PAVEMENT	TW	TOP OF WALL
ES	EDGE OF SHOULDER	TYP	TYPICAL
EW	END WALL	UG	UNDERGROUND
EX	EXISTING	UP	UTILITY POLE
FES	FLARED END SECTION	W	WIDE
FF	FINISHED FLOOR	WL	WATER LINE
FH	FIRE HYDRANT	WM	WATER METER
FG	FINISHED GRADE	±	PLUS OR MINUS
G	GRADE	°	DEGREE
GF	GARAGE FLOOR (AT DOOR)	Ø	DIAMETER
GH	GRADE HIGHER SIDE OF WALL	#	NUMBER
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		
LVS	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		

SHEET INDEX	
SHEET TITLE	SHEET NUMBER
COVER SHEET	DSP-1
APPROVALS SHEET	DSP-2
APPROVALS SHEET	DSP-3
OVERALL SITE PLAN	DSP-4
EXISTING CONDITIONS/DEMOLITION PLAN	DSP-5
SITE PLAN	DSP-6
GRADING AND UTILITY PLAN	DSP-7
LANDSCAPE PLAN	DSP-8
LANDSCAPE NOTES AND DETAILS	DSP-9
SITE DETAILS	DSP-10
DRAINAGE AREA MAP PLAN	DSP-11
LIGHTING PLAN / PHOTOMETRIC STUDY	DSP-12
LIGHTING NOTES AND DETAILS	DSP-13 - DSP-14
SIGN NOTES AND DETAILS	DSP-15
ELEVATIONS	DSP-16
COLOR ELEVATIONS	DSP-17

DETAILED SITE PLAN

DSP# 99044-17

FOR

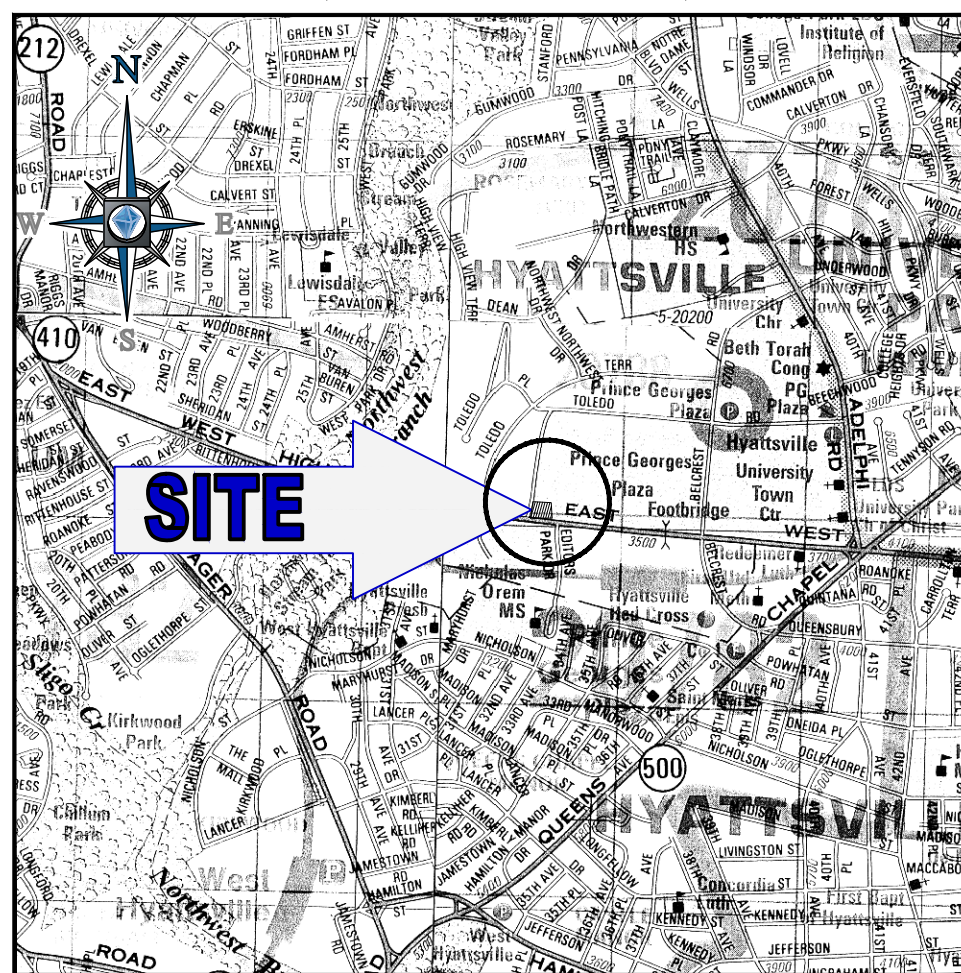
MALL AT PRINCE GEORGE'S

MILLER'S ALE HOUSE

FREESTANDING

RESTAURANT

LOCATION OF SITE
3430 EAST WEST HIGHWAY RTE 410,
PRINCE GEORGE'S COUNTY,
HYATTSVILLE, MD 20782
17TH ELECTION DISTRICT,
TAX MAP 41, GRID F2, PARCEL A-1



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

OWNER
PR PRINCE GEORGE'S PLAZA, LLC
CONTACT: MARK GAMBILL
200 SOUTH BROAD STREET
PHILADELPHIA, PA 19102
PHONE: (215) 875-3587

APPLICANT
MILLER'S ALE HOUSE, INC.
5750 MAJOR BLVD, SUITE 400
ORLANDO, FLORIDA 32819
CONTACT: SHANE FEEMSTER

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 B. SPEACH, P.E.

REFERENCES

BOUNDARY & TOPOGRAPHICAL SURVEY:
BOHLER ENGINEERING
"EAST-WEST HIGHWAY, MD RTE. 410
PART OF PARCEL A-1, PRINCE GEORGE'S PLAZA
PLAT BOOK 186 PAGE 9 CHILLUM (17TH) ELECTION DISTRICT
PRINCE GEORGE'S COUNTY, MARYLAND"
PROJECT NO.: SB116502
DATED: 10/11/11

SOILS REPORT:

NRCS
"CUSTOM SOIL RESOURCE REPORT FOR PRINCE GEORGE'S
COUNTY MARYLAND"
DATED: 02/21/17

SITE DEVELOPMENT CONCEPT PLAN:

BOHLER ENGINEERING
"SITE DEVELOPMENT CONCEPT PLAN FOR MALL AT PRINCE
GEORGE'S FREESTANDING RESTAURANT"
CASE NO.: 10794-2017-00
PROJECT NO.: MB1220677
DATED: 08/03/17

DETAILED SITE PLAN:

BOHLER ENGINEERING
"DETAILED SITE PLAN FOR MALL AT PRINCE GEORGE'S PAD
SITE AND INFRASTRUCTURE FOR FUTURE FREESTANDING
RESTAURANT"
CASE NO.: DSP-99044-14
PROJECT NO.: MB1220677
APPROVED: 06/11/18

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):
16676973

CONTACT INFORMATION:
FIBERLIGHT/SUNBELT TELECO
COMCAST-UTILIQUEST
LEVEL3 COMMUNICATION
MCI
PEPCO/DCJ UTILITY LOCATING
QWEST GOVERNMENT SERVICES
VERIZON
WASHINGTON GAS-UTILIQUEST
WSSC-PINPOINT UG

PHONE NUMBER
(727) 596-1500
(410) 536-0070
(877) 366-8344
(800) 289-3427
(800) 634-4385
(703) 387-9152
(410) 536-0070
(301) 210-0355
(301) 888-6803

STANDARD NOTES:

- THIS PLAN IS BASED ON AN ALTA/ACSM TITLE SURVEY BY:
BOHLER ENGINEERING
"EAST-WEST HIGHWAY, MD RTE. 410
PART OF PARCEL A-1, PRINCE GEORGE'S PLAZA
PLAT BOOK 186 PAGE 9 CHILLUM (17TH) ELECTION DISTRICT PRINCE GEORGE'S COUNTY, MARYLAND"
PROJECT NO.: SB116502
DATED: 10/11/11
 - OWNER: PR PRINCE GEORGE'S PLAZA LLC
SUBDIVISION: PRINCE GEORGE'S PLAZA - RSB PAR A
200 SOUTH BROAD STREET, PHILADELPHIA, PA 19102
CONTACT: MARK GAMBILL
PHONE: (215) 875-3587
 - APPLICANT: MILLER'S ALE HOUSE, INC.
5750 MAJOR BLVD, SUITE 400
ORLANDO, FLORIDA 32819
CONTACT: SHANE FEEMSTER
 - PROJECT NAME: MALL AT PRINCE GEORGE'S - FREESTANDING RESTAURANT PAD
SITE DATA:
LOTS:
PARCELS: A-1
OUTLOTS: 0
OUTPARCELS: 0
TAX MAP: 041 GRID F2
WSSC GRID: 208NE03
PLAT REFERENCE NO.: 17186009
 - ZONING: M-U-I (MIXED USED INFILL) - 51.03 AC
TOTAL = 51.03 AC
- | ZONING ORDINANCE PROVISIONS: | REQUIRED | PROVIDED |
|------------------------------|----------|----------|
| A. MINIMUM LOT SETBACKS | | |
| BUILDING SETBACKS | | |
| NORTH | 0' | 1007.23' |
| SOUTH | 28' | 82.76' |
| EAST | 0' | 1648.15' |
| WEST | 0' | 231.51' |
- EXISTING USE: RETAIL PARKING LOT
PROPOSED USE: RESTAURANT
 - PARTIAL PROPERTY BOUNDARY BY BOHLER ENGINEERING.
 - STORMWATER REQUIREMENTS FOR THE PROPOSED DEVELOPMENT WILL BE MET WITH TWO (2)
MICRO-BIORETENTION FACILITIES.

PRINCE GEORGE'S COUNTY GENERAL NOTES:

- SUBDIVISION NAME: PRINCE GEORGE'S PLAZA - RSB PAR A (ZONED: M-U-I)
- TOTAL ACREAGE: 51.03 AC (ZONED: M-U-I)
- EXISTING ZONE: M-U-I
- PROPOSED USE OF PROPERTY: RESTAURANT
- NUMBER OF LOT, PARCELS, OUTLOTS & OUTPARCELS: PARCEL A-1, M-U-I (MIXED USED INFILL)
- NO DWELLING UNITS PROPOSED
- PROPOSED GROSS FLOOR AREA = 8,285 SF
- 200 FOOT MAP REFERENCE (WSSC): 208 NE 03
- TAX MAP NUMBER AND GRID: MAP 041, GRID F2
- WATER / SEWER DESIGNATION (EXISTING): CATEGORY 3
- WATER / SEWER DESIGNATION (PROPOSED): CATEGORY 3
- STORMWATER MANAGEMENT CONCEPT NUMBER: 10794-2017-00.
- 10' PUBLIC UTILITY EASEMENTS EXIST ALONG ALL RIGHTS-OF-WAY.
- MANDATORY PARK DEDICATION NOT REQUIRED FOR THIS PROJECT.
- THERE ARE NO KNOWN CEMETERIES ON OR CONTIGUOUS TO THE PROPERTY.
- THERE ARE NO KNOWN HISTORIC SITES ON OR IN THE VICINITY OF THE PROPERTY.
- THERE ARE NO KNOWN WETLANDS OR STREAMS ON THE PROPERTY.
- THE PROPERTY IS NOT WITHIN A 100 YR FLOODPLAIN. FEMA FIRM# 245208 0025C 6/18/1987
- THE PROPERTY IS NOT WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THE PROPERTY IS NOT WITHIN AN AVIATION POLICY AREA (APA).
- AN AUTOMATIC FIRE SUPPRESSING SYSTEM SHALL BE PROVIDED IN ALL NEW BUILDINGS PROPOSED ON PARCEL A-1 (M-U-I ZONE) UNLESS THE PRINCE GEORGE'S COUNTY FIRE/EMS DEPARTMENT DETERMINES THAT AN ALTERNATIVE METHOD OF FIRE SUPPRESSION IS APPROPRIATE.
- TOPOGRAPHY PREPARED BY BOHLER ENGINEERING.
- APPLICANT: MILLER'S ALE HOUSE, INC.
- OWNER: PR PRINCE GEORGE'S PLAZA, LLC

SIGN REQUIREMENTS

BUILDING MOUNTED SIGNAGE			
QUANTITY	TYPE	BASE DIMENSIONS	TOTAL SIGN AREA
4	"MILLER'S ALE HOUSE"	N/A	4(90 SF) = 360 SF
TOTAL			392 SF

BUILDING MOUNTED SIGNAGE NOTE: PER PRINCE GEORGE'S PLAZA TDDPTDOZA CHAPTER 6, PAGE 250 - A HORIZONTAL WALL SIGN CAN HAVE A MAXIMUM SIGN HEIGHT OF 36" AND A MINIMUM WALL ELEVATION ON 10'.

BOHLER ENGINEERING

SITE PLANS, CONCEPT PLANS, LANDSCAPE ARCHITECTURE, LAND SURVEYING, PROGRAM MANAGEMENT, TRANSPORTATION SERVICES, SUSTAINABLE DESIGN, PERMITTING SERVICES

PHILADELPHIA, PA
BALTIMORE, MD
NEW YORK, NY
NEW JERSEY
NORTH CAROLINA
NORTH VIRGINIA
SOUTH CAROLINA
SOUTH FLORIDA
SOUTH WEST VIRGINIA
WASHINGTON, DC
WISCONSIN

UPSTATE NEW YORK
WEST VIRGINIA
NEW YORK METRO
NEW JERSEY
NORTH CAROLINA
NORTH VIRGINIA
SOUTH CAROLINA
SOUTH FLORIDA
SOUTH WEST VIRGINIA
WASHINGTON, DC
WISCONSIN

PHONE: (215) 875-3587
FAX: (215) 875-3587
EMAIL: info@bohlereng.com
WEBSITE: www.bohlereng.com

REVISIONS			
REV	DATE	COMMENT	BY
1	04/03/19	PER MNCPPC COMMENTS	AJH



NOT APPROVED FOR
CONSTRUCTION

PROJECT No.: MB1220679
DRAWN BY: AJH
CHECKED BY: NBS
DATE: 02/18/19
SCALE: AS SHOWN
CAD I.D.: SD1

PROJECT:
**DETAILED
SITE PLAN**
FOR
**MILLER'S ALE
HOUSE, INC.**

LOCATION OF SITE
3430 EAST WEST HIGHWAY RTE 410,
PRINCE GEORGE'S COUNTY,
HYATTSVILLE, MD 20782
17TH ELECTION DISTRICT,
TAX MAP 41, GRID F2, PARCEL A-1

BOHLER ENGINEERING

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

NICHOLAS B. SPEACH

PROFESSIONAL ENGINEER
EXPIRATION DATE: 6/14/21

SHEET TITLE:
**COVER
SHEET**

SHEET NUMBER:
DSP - 1

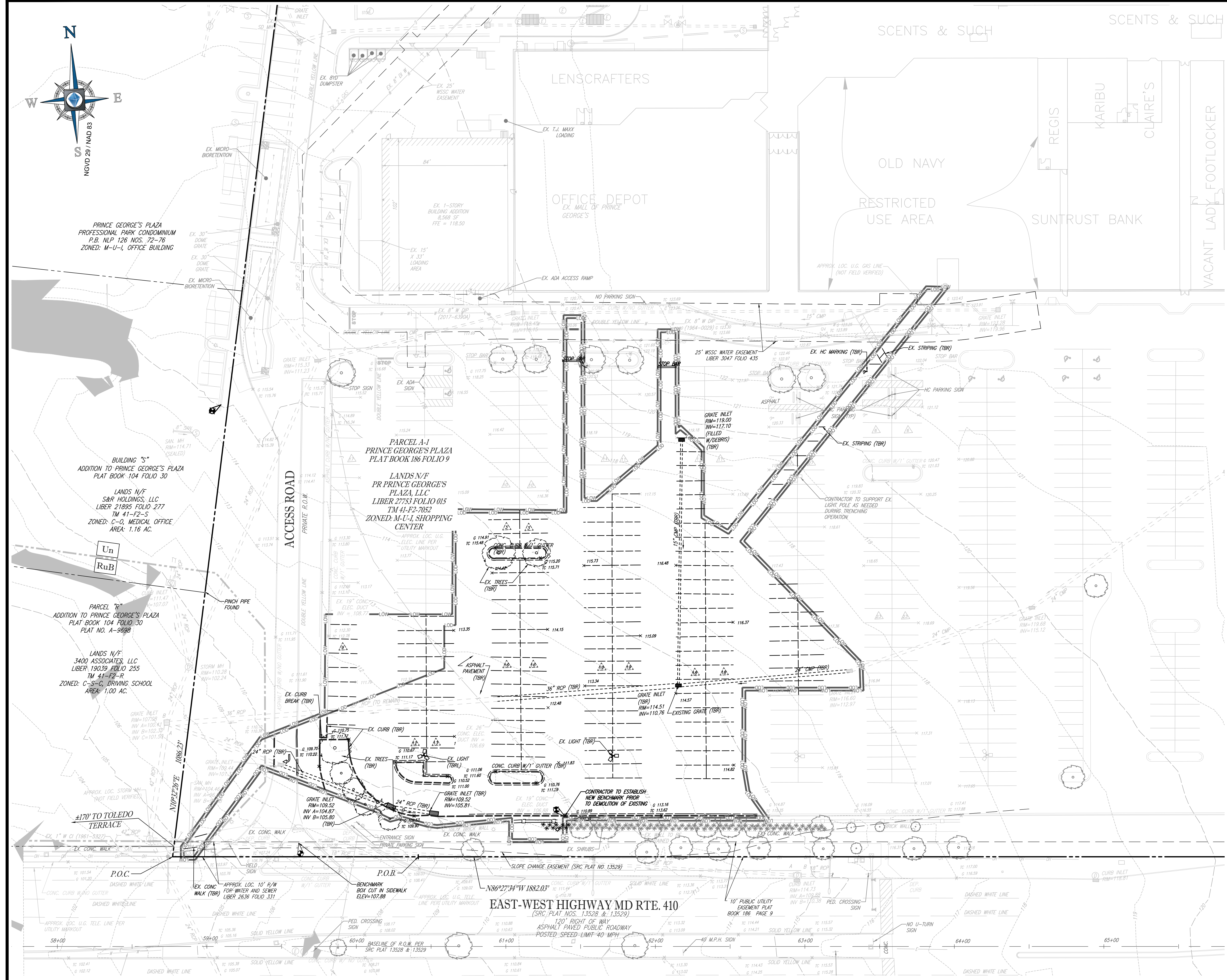
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MEETS CONDITIONS OF FINAL APPROVAL
BY THE PLANNING BOARD, ITS DESIGNEE
OR THE DISTRICT COUNCIL.

M-NCPPC APPROVAL

PROJECT NAME: MALL AT PRINCE GEORGE'S MILLER'S ALE
HOUSE FREESTANDING RESTAURANT

PROJECT NUMBER: DSP-99044-17

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



- SURVEY NOTES:**
1. THE PROPERTY IS PART OF PARCEL A-1, PRINCE GEORGE'S PLAZA, AS RECORDED IN PLAT BOOK 186, FOLIO 9, BEING PART OF THE LANDS OF PR PRINCE GEORGE'S PLAZA, LLC RECORDED IN LIBER 27753 FOLIO 15, ALL AMONG THE LAND RECORDS OF PRINCE GEORGE'S COUNTY, MARYLAND AND WITH A TAX REFERENCE OF 41 F2 7052.1.
 2. AREA = N/A
 3. LOCATION OF ALL UNDERGROUND UTILITIES ARE APPROXIMATE. SOURCE INFORMATION FROM PLANS AND MARKINGS HAS BEEN COMBINED WITH OBSERVED EVIDENCE OF UTILITIES TO DEVELOP A VIEW OF THOSE UNDERGROUND UTILITIES. HOWEVER, LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY AND RELIABLY DEPICTED. WHERE ADDITIONAL OR MORE DETAILED INFORMATION IS REQUIRED, THE CLIENT IS ADVISED THAT EXCAVATION MAY BE NECESSARY.
 4. THIS SURVEY WAS PERFORMED IN THE FIELD UTILIZING THE REFERENCE MATERIAL AS LISTED HEREON AND DEPICTS BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS THEREON, ON DECEMBER 29, 2016, BY BOHLER ENGINEERING.
 5. THIS PROPERTY MAY BE SUBJECT TO RESTRICTIONS, COVENANTS AND/OR EASEMENTS, WRITTEN OR IMPLIED. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.
 6. THE EXISTENCE OF UNDERGROUND STORAGE TANKS, IF ANY, WAS NOT KNOWN AT THE TIME OF THE FIELD SURVEY; HOWEVER, NO PHYSICAL INDICATIONS OF SUCH WERE FOUND AT THE TIME OF THE FIELD INSPECTION OF THIS SITE.
 7. ELEVATIONS ARE BASED ON NGVD 29 DATUM PER WSSC BM # 19943 WITH A PUBLISHED ELEVATION OF 89.9 FEET

BOHLER
ENGINEERING

SITE INVESTIGATION, FIELD SURVEYING, LANDSCAPE ARCHITECTURE, LAND SURVEYING, PROGRAM MANAGEMENT, TRANSPORTATION SERVICES, SUSTAINABLE DESIGN, PERMITTING SERVICES

NORTHERN VIRGINIA
PHILADELPHIA, PA
BALTIMORE, MD
SOUTH EASTERN, PA
REHOBOTH BEACH, DE
NEW YORK, NY
NEW JERSEY
SOUTHERN MARYLAND

THE INFORMATION CONTAINED HEREON IS THE PROPERTY OF BOHLER ENGINEERING, INC. AND IS NOT TO 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, INC.

REVISIONS			
REV	DATE	COMMENT	BY
1	04/03/19	PER MNCPPC COMMENTS	AJH

THE FOLLOWING STATES REQUIRE NOTIFICATION BY EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN THE STATE OF VIRGINIA, MARYLAND, THE DISTRICT OF COLUMBIA, NORTH CAROLINA AND DELAWARE CALL 811 (WV 1-800-246-4848) (PA 1-800-242-1779) (DC 1-800-267-7777) (VA 1-800-552-7071) (MD 1-800-251-7777) (DE 1-800-262-8559)

NOT APPROVED FOR CONSTRUCTION

PROJECT No.: MB1220679
DRAWN BY: AJH
CHECKED BY: NBS
DATE: 02/18/19
SCALE: 1" = 30'
CAD I.D.: SS1

DETAILED SITE PLAN

FOR
MILLER'S ALE HOUSE, INC.

LOCATION OF SITE
3430 EAST WEST HIGHWAY RTE 410,
PRINCE GEORGE'S COUNTY,
HYATTSTVILLE, MD 20782
17TH ELECTION DISTRICT,
TAX MAP 41, GRID F2, PARCEL A-1

BOHLER
ENGINEERING

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

NICHOLAS E. SPEACH
PROFESSIONAL ENGINEER
PRINCIPAL ENGINEER
1. NICHOLAS E. SPEACH HEREBY CERTIFIES 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. 40265, EXPIRATION DATE 6/14/21.

SHEET TITLE:
EXISTING CONDITIONS/DEMOLITION PLAN

SHEET NUMBER:
DSP - 5

LEGEND

LIMITS OF WORK	— LOW — LO —
LIMITS OF DISTURBANCE	— LOD — LOD —
EX. TREE TRUNK AND CANOPY	
STEEP SLOPES 15% - 25%	
STEEP SLOPES >25%	

THIS BLOCK IS FOR OFFICIAL USE ONLY
OR LABEL CERTIFIED THAT THIS PLAN MEETS CONDITIONS OF FINAL APPROVAL BY THE PLANNING BOARD, ITS DESIGNER OR THE DISTRICT COUNCIL.

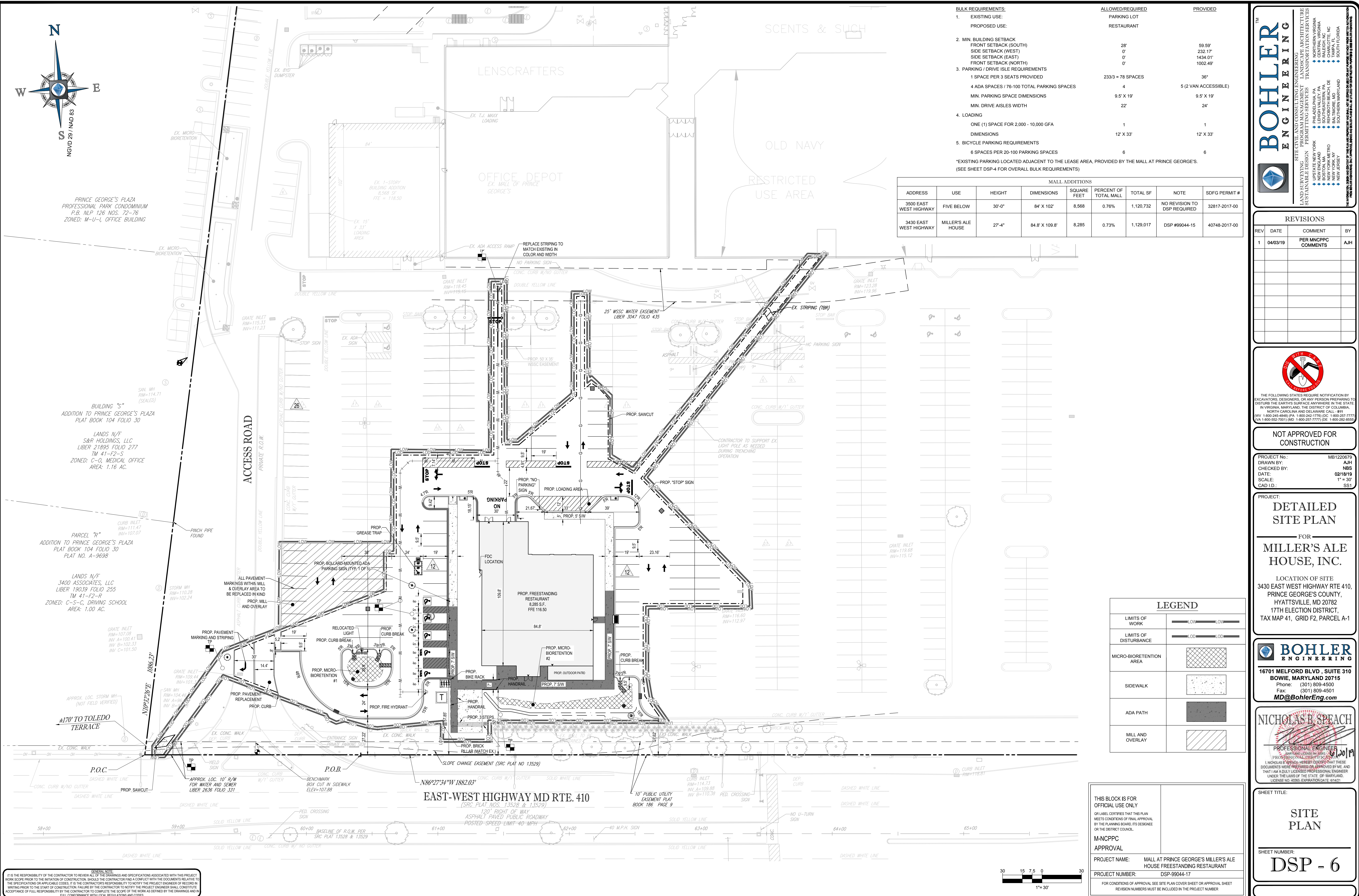
M-NCPPC
APPROVAL

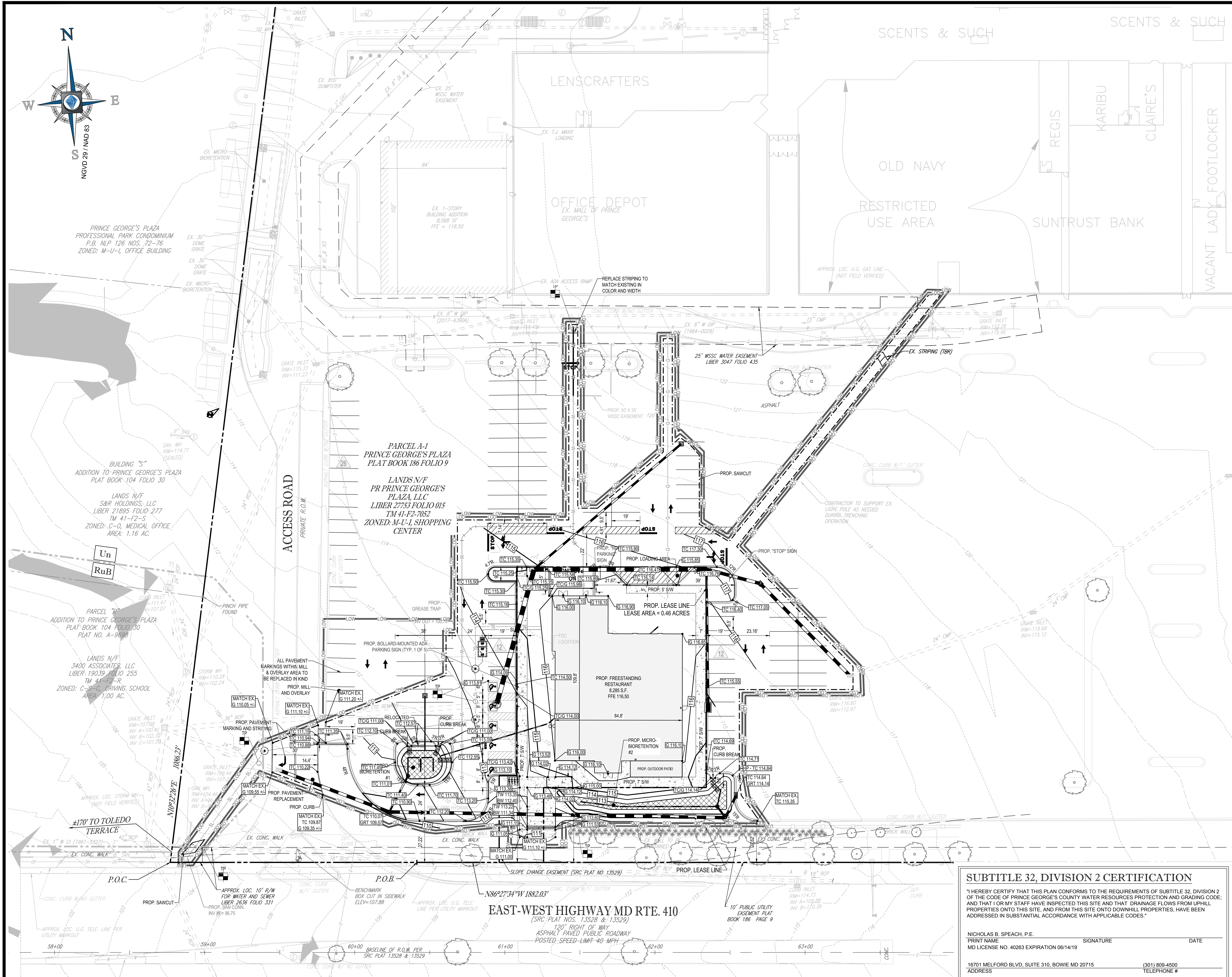
PROJECT NAME: MALL AT PRINCE GEORGE'S MILLER'S ALE HOUSE FREESTANDING RESTAURANT

PROJECT NUMBER: DSP-99044-17

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

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THIS PROJECT. WORK SCOPE PRIOR TO THE INITIATION OF CONSTRUCTION, SHOULD THE CONTRACTOR HAVE A CONSULT WITH THE DOCUMENTS RELATIVE TO THE SPECIFICATIONS OR APPLICABLE CODES. IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE PROJECT ENGINEER OF RECORD IN WRITING PRIOR TO THE START OF CONSTRUCTION. FAILURE BY THE CONTRACTOR TO NOTIFY THE PROJECT ENGINEER SHALL CONSTITUTE ACCEPTANCE OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF THE WORK AS DEFINED BY THE DRAWINGS AND IN FULL CONFORMANCE WITH ALL LOCAL, STATE AND FEDERAL CODES.







PRINCE GEORGE'S PLAZA
PROFESSIONAL PARK CONDOMINIUM
P.B. NLP 126 NOS. 72-76
ZONED: M-U-1, OFFICE BUILDING

BUILDING "S"
ADDITION TO PRINCE GEORGE'S PLAZA
PLAT BOOK 104 FOLIO 30

LANDS N/F
S&P HOLDINGS, LLC
LIBER 21895 FOLIO 277
TM 41-F2-S
ZONED: C-O, MEDICAL OFFICE
AREA: 1.16 AC.

PARCEL "H"
ADDITION TO PRINCE GEORGE'S PLAZA
PLAT BOOK 104 FOLIO 30
PLAT NO. A-9598

LANDS N/F
3400 ASSOCIATES, LLC
LIBER 19039 FOLIO 255
TM 41-F2-R
ZONED: C-S-C, DRIVING SCHOOL
AREA: 1.00 AC.

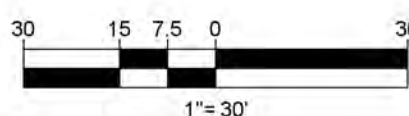
PARCEL A-1
PRINCE GEORGE'S PLAZA
PLAT BOOK 186 FOLIO 9

LANDS N/F
PR PRINCE GEORGE'S
PLAZA, LLC
LIBER 27753 FOLIO 015
TM 41-F2-7052
ZONED: M-U-1, SHOPPING
CENTER

EAST-WEST HIGHWAY MD RTE. 410
(SRC PLAT NOS. 13528 & 13529)

120' RIGHT OF WAY
ASPHALT PAVED PUBLIC ROADWAY
POSTED SPEED LIMIT 40 MPH

GENERAL NOTE:
IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THIS PROJECT.
WORK SCOPE PRIOR TO THE INITIATION OF CONSTRUCTION SHOULD BE IN ACCORDANCE WITH THE DOCUMENTS RELATIVE TO THE
SPECIFICATIONS OR APPLICABLE CODES. IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE PROJECT ENGINEER OF RECORD IN
WRITING PRIOR TO THE START OF CONSTRUCTION. FAILURE BY THE CONTRACTOR TO NOTIFY THE PROJECT ENGINEER SHALL CONSTITUTE
ACCEPTANCE OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF THE WORK AS DEFINED BY THE DRAWINGS AND IN
FULL CONFORMANCE WITH LOCAL, REGIONAL AND CODES.



BIORETENTION AREAS PLANTING SCHEDULE

SPECIES		TYPE	SPACING	SIZE	MBR FACILITY 1 (650 S.F.)	BIO-SWALE FACILITY 2 (730 S.F.)	TOTAL
BOTANICAL NAME	COMMON NAME						
HYDRANGEA ARBORESCENS 'ANNABELLE'	ANNABELLE HYDRANGEA	SHRUB	30" O.C.	1 GAL. CONT.	12	0	12
CORNUS AMOMIUM	SILKY DOGWOOD	SHRUB	30" O.C.	1 GAL. CONT.	12	0	12
HIBISCUS MOSCHEUTOS	SWAMP ROSE MALLOW	PERENNIAL	12" O.C.	PLUG	72	0	72
LOBELIA CARDINALIS	CARDINAL FLOWER	PERENNIAL	12" O.C.	PLUG	72	0	72
RUDBECKIA LACINIATA	TALL CONEFLOWER	PERENNIAL	12" O.C.	PLUG	72	0	72
JUNCUS EFFUSUS	SOFT RUSH	PERENNIAL	12" O.C.	PLUG	143	0	143
SCIRPUS ACUTUS	HARDSTEMMED BULLRUSH	PERENNIAL	12" O.C.	PLUG	143	0	143
ITEA VIRGINICA 'HENRY'S GARNET'	GARNET SWEETSPIRE	SHRUB	AS SHOWN	#5 CAN.	0	30	30
ILEX GLABRA 'COMPACTA'	DWARF INKBERRY HOLLY	SHRUB	AS SHOWN	#5 CAN.	0	18	18

Tree Canopy Coverage Schedule for Sec. 25-128

Project Name:	Site Calculations:	TCP2#:	DRD Case #:	Area (acres)
Prince George's Plaza		Zone 1:		1.38
		Zone 2:		
		Zone 3:		
		Zone 4:		
		Total Acres:		1.38
Total Acres (gross acres)	1.38	% of TCC required	TCC Required (Acres)	TCC Required (In SF)
		10.0%	0.14	6011
A. TOTAL ON-SITE WC PROVIDED (acres) =				0
B. TOTAL AREA EXISTING TREES (non-WC acres) =				740.52
C. TOTAL SQUARE FOOTAGE IN LANDSCAPE TREES =				5350
D. TOTAL TREE CANOPY COVERAGE PROVIDED =				6091
E. TOTAL SQUARE FOOTAGE REQUIRED =				6011
				Requirement Satisfied

Credit Categories for Landscape Trees	TCC Credit per Tree Based on Size at Planting (SF)	Number of Trees	TCC Credit (SF)
Deciduous - columnar shade tree (50' or less height)	2 - 1/2" - 3" = 65 3 - 3 1/2" = 75		0
Deciduous - ornamental tree (20' or less height with equal spread). Minimum planting size 7' - 9' in height	1 - 1/2" - 1 3/4" = 75 2 - 1/2" = 100	11	1100
Deciduous - minor shade tree (25-50' height with equal spread or greater). Minimum planting size 8-10' in height	2 - 1/2" - 3" = 110 3 - 3 1/2" = 175		0
Deciduous - major shade tree (50' and greater ht. with spread equal to or greater than ht) Minimum planting size 12 to 14' in height	2 - 1/2" - 3" = 225 3 - 3 1/2" = 250	17	4250
Evergreen - columnar tree (less than 30' height with spread less than 15')	6 - 8" = 40 8 - 10" = 50 10 - 12" = 75		0
Evergreen - small tree (30-40' height with spread of 15-20')	6 - 8" = 75 8 - 10" = 100 10 - 12" = 125		0
Evergreen - medium tree (40-50' height with spread of 20-30')	6 - 8" = 125 8 - 10" = 150 10 - 12" = 175		0
Evergreen - large tree (50' height or greater with spread of over 30')	6 - 8" = 150 8 - 10" = 200 10 - 12" = 250		0
TOTAL NUMBER OF TREES/TCC CREDIT (SF)		28	5350
(Manually enter information/figures into shaded areas)			

Bohler Engineering
Prepared by: 20-Jun-19
Date: 20-Jun-19
NOTE: PER RESOLUTION CB-19-2013 THE REQUIRED TREE CANOPY COVERAGE REQUIREMENT SHALL BE BASED ON THE LIMIT OF DISTURBANCE.

SECTION 4.2-2 INTERIOR PLANTING FOR PARKING LOTS 7,000 S.F. OR LARGER

1. PARKING LOT AREA	30,248 S.F.
2. INTERIOR LANDSCAPE AREA REQUIRED	5% 1,512 S.F.
3. INTERIOR LANDSCAPE AREA PROVIDED	6.8% 2,084 S.F.
4. NUMBER OF SHADE TREES REQUIRED	
PARKING LOTS LESS THAN 50,000 S.F. (1 PER 300 S.F. OF INTERIOR PLANTING AREA PROVIDED)	7 SHADE TREES
PARKING LOTS GREATER THAN 50,000 S.F. (1 PER 200 S.F. OF INTERIOR PLANTING AREA PROVIDED)	N/A
5. NUMBER OF SHADE TREES PROVIDED	7 TREES
6. IS A MINIMUM OF 160 S.F. OF CONTIGUOUS PERVIOUS LAND AREA PROVIDED PER SHADE TREE?	YES
7. IS THERE A PLANTING ISLAND ON AVERAGE EVERY 10 SPACES?	NO
8. IS A CURB OR WHEEL STOP PROVIDED FOR ALL PARKING SPACES ABUTTING A PLANTING OR PEDESTRIAN AREA?	YES
9. ARE PLANTING ISLANDS WHICH ARE EITHER PARALLEL OR PERPENDICULAR TO PARKING SPACES ON BOTH SIDES A MINIMUM OF 9 FEET WIDE?	NO
10. IS A PLANTING ISLAND THAT IS PERPENDICULAR TO PARKING SPACES ON ONE SIDE A MINIMUM OF 6 FEET WIDE?	NO
11. FOR PARKING LOTS 50,000 S.F. OR LARGER	
A) IS THERE A 9 FOOT WIDE PLANTING ISLAND PERPENDICULAR TO PARKING FOR EVERY 2 BAYS?	N/A
B) IS THE NUMBER OF SHADE TREES REQUIRED INCREASED (1 PER 200 S.F. OF INTERIOR PLANTING AREA PROVIDED)?	N/A

** INDICATES PLANT MATERIAL UTILIZED TO FULFILL REQUIREMENT
PER RESOLUTION CB-19-2013 THE INTERIOR PLANTING REQUIREMENT IS FIVE (5) PERCENT OF THE PARKING LOT AREA WITHIN THE LIMIT OF DISTURBANCE.

THIS BLOCK IS FOR
OFFICIAL USE ONLY

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

M-NCPPC
APPROVAL

PROJECT NAME: MALL AT PRINCE GEORGE'S MILLER'S ALE
HOUSE FREESTANDING RESTAURANT

PROJECT NUMBER: DSP-99044-17

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

INTERIOR PARKING AREA DETAIL

SCALE: 1"=100'



NOTE OF EXEMPTION SECTION 4.7:

THE SUBJECT PROPOSAL MEETS THE FOLLOWING THREE CRITERIA AND IS THEREFORE EXEMPTED FROM THE REQUIREMENTS OF SECTION 4.7 OF THE 2012 LANDSCAPE MANUAL.

- BUILDING PERMITS THAT INVOLVE A TOTAL CUMULATIVE INCREASE IN GFA OF AN EXISTING BUILDING(S) ON A SINGLE LOT AS OF JANUARY 1, 1990, OR FIVE THOUSAND (5,000) SQUARE FEET, WHICHEVER IS LESS.
- NO PART OF ANY NEW STRUCTURE, INCLUDING ANY PAVED SURFACE INTENDED FOR PARKING, LOADING, OR ACCESS THERETO BUT EXCLUDING A WALL OR FENCE, EXTENDS CLOSER TO AN ADJACENT PROPERTY IN A LESS-INTENSE USE CATEGORY THAN WOULD NORMALLY BE ALLOWED BY THE PROVISIONS OF SECTION 4.7.
- USE AND OCCUPANCY PERMITS THAT DO NOT INVOLVE A CHANGE OF USE FROM A LOWER- TO HIGHER- INTENSITY USE CATEGORY AS DEFINED IN TABLE 4.7.

NOTE:

THE REQUIRED LANDSCAPING ALONG STREET HAS BEEN PROVIDED IN ACCORDANCE WITH THE JUNE 1998 PRINCE GEORGE'S PLAZA TRANSIT DISTRICT OVERLAY ZONE, STANDARDS P97, S7, AND G3 APPLY.

SECTION 4.9 SUSTAINABLE LANDSCAPING REQUIREMENT

PERCENTAGE OF PLANT MATERIAL REQUIRED IN EACH CATEGORY:	
REQUIRED	PROVIDED
SHADE TREES: 17 x 50% = 9 ORNAMENTAL TREES: 11 x 50% = 6 EVERGREEN TREES: 0 x 30% = 0 SHRUBS: 172 x 30% = 52	SHADE TREES: 17 (100% NATIVE) ORNAMENTAL TREES: 11 (100% NATIVE) EVERGREEN TREES: N/A SHRUBS: 75 (44% 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

** INDICATES PLANT MATERIAL UTILIZED TO FULFILL REQUIREMENT

SCHEDULE 4.2-1 REQUIREMENTS FOR LANDSCAPE STRIPS ALONG STREETS

LINEAR FEET OF STREET FRONTAGE, EXCLUDING DRIVEWAY ENTRANCES (ACCESS ROAD)	284 LF
1. GENERAL PLAN DESIGNATION	DEVELOPED TIER
2. OPTION SELECTED	1
3. IS THERE A PUBLIC UTILITY EASEMENT ALONG THE FRONTAGE OF THE PROPERTY?	YES
4. NUMBER OF PLANTS REQUIRED	9 SHADE TREES 82 SHRUBS
5. TOTAL NUMBER OF TREES PROVIDED	17 SHADE TREES (13 EXISTING TO REMAIN, 4 PROPOSED) 135 SHRUBS (81 EXISTING, 54 PROPOSED)

** INDICATES PLANT MATERIAL UTILIZED TO FULFILL REQUIREMENT

SCHEDULE 4.2-1 REQUIREMENTS FOR LANDSCAPE STRIPS ALONG STREETS

LINEAR FEET OF STREET FRONTAGE, EXCLUDING DRIVEWAY ENTRANCES (ACCESS ROAD)	181 LF
1. GENERAL PLAN DESIGNATION	DEVELOPED TIER
2. OPTION SELECTED	1
3. IS THERE A PUBLIC UTILITY EASEMENT ALONG THE FRONTAGE OF THE PROPERTY?	NO
4. NUMBER OF PLANTS REQUIRED	6 SHADE TREES 52 SHRUBS
5. TOTAL NUMBER OF TREES PROVIDED	6 SHADE TREES (6 PROPOSED) 70 SHRUBS (70 PROPOSED)

** INDICATES PLANT MATERIAL UTILIZED TO FULFILL REQUIREMENT

LANDSCAPE SCHEDULE

KEY	QTY.	BOTANICAL NAME	COMMON NAME	CAL.	CONT.
SHADE TREES					
PXAB	10	PLATANUS X ACERIFOLIA 'BLOODGOOD'	BLOODGOOD LINDEN PLANT TREE	3 1/2" CAL / 15' H	B-B
OC	7	QUERCUS COCCINEA	SCARLET OAK	3 1/2" CAL / 12' H	B-B
SUBTOTAL:	17				
ORNAMENTAL TREES					
CC	6	CERCIS CANADENSIS	EASTERN REDBUD	2 1/2" CAL / 8-10'	B-B
CF	3	CORNUS FLORIDA	WHITE FLOWERING DOGWOOD	2 1/2" CAL / 8-10'	B-B
SUBTOTAL:	11				

KEY	QTY.	BOTANICAL NAME	COMMON NAME	CAL.	CONT.
DECIDUOUS SHRUBS					
IV	30	ITEA VIRGINICA 'HENRY'S GARNET'	GARNET SWEETSPIRE	24-30"	#5 CAN
ROW	40	ROSA 'CARREEF WONDER'	CAREFREE WONDER ROSE	24"	3 GAL.
SUBTOTAL:	70				
EVERGREEN SHRUBS					
ICC	18	ILEX GLABRA 'COMPACTA'	DWARF INKBERRY HOLLY	24-30"	#5 CAN
IGS	27	ILEX GLABRA 'SHAMROCK'	SHAMROCK INKBERRY HOLLY	24-30"	#5 CAN
JOP	33	JUNIPERUS DAURICA 'PARSON'	PARSON JUNIPER	15-18" SPREAD	#5 CAN
PXOL	24	PRUNUS LAUROCESTRAS 'OTTO LUXEN'	OTTO LUXEN CHERRY LAUREL	24-30"	#5 CAN
SUBTOTAL:	102				

BOHLER ENGINEERING

SITE VISIT AND CONSULTATION SERVICES
LAND SURVEYING
SUSTAINABLE DESIGN
PROGRAM MANAGEMENT
PERMITTING SERVICES
TRANSPORTATION SERVICES
LANDSCAPE ARCHITECTURE
NORTHERN VIRGINIA
ARLINGTON, VA
FALLS CHURCH, VA
PHILADELPHIA, PA
PITTSBURGH, PA
REHOBOTH BEACH, DE
NEW YORK, NY
NEW JERSEY
SOUTHERN MARYLAND
SOUTH FLORIDA

REGISTERED PROFESSIONAL ENGINEER
ELECTRICAL ENGINEERING
LICENSE NO. 3697 EXPIRATION DATE: 9/20/20

REVISIONS			
REV	DATE	COMMENT	BY
1	04/03/19	PER MNCPPC COMMENTS	AJH

NOT APPROVED FOR CONSTRUCTION

PROJECT No.: MB1220679
DRAWN BY: AJH
CHECKED BY: NBS
DATE: 02/18/19
SCALE: 1" = 30'
CAD I.D.: LSP-1

DETAILED SITE PLAN

FOR
MILLER'S ALE HOUSE, INC.

LOCATION OF SITE
3430 EAST WEST HIGHWAY RTE 410,
PRINCE GEORGE'S COUNTY,
HYATTSTVILLE, MD 20782
17TH ELECTION DISTRICT,
TAX MAP 41, GRID F2, PARCEL A-1

BOHLER ENGINEERING

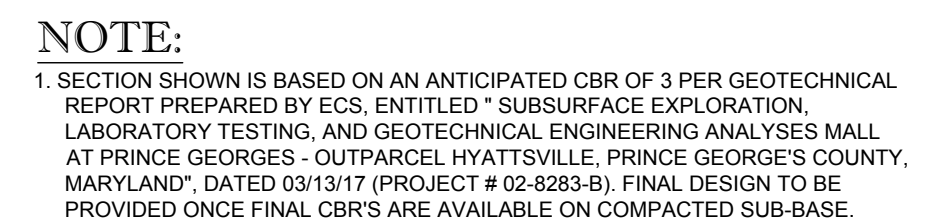
16701 Melford Blvd., Suite 310
Bowie, Maryland 20715
Phone: (301) 809-4500
Fax: (301) 809-4501
MD@BohlerEng.com

E.R. McWilliams

REGISTERED PROFESSIONAL ARCHITECT
ELECTRICAL ENGINEERING
LICENSE NO. 3697 EXPIRATION DATE: 9/20/20

SHEET TITLE:
LANDSCAPE PLAN

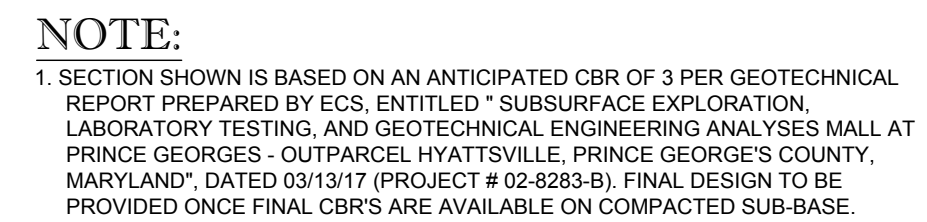
SHEET NUMBER:
DSP - 8



NOT TO SCALE



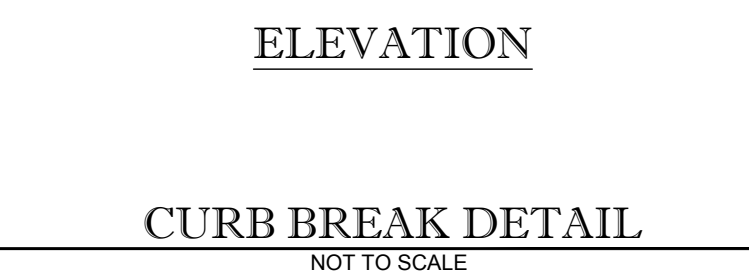
NOT TO SCALE



NOT TO SCALE



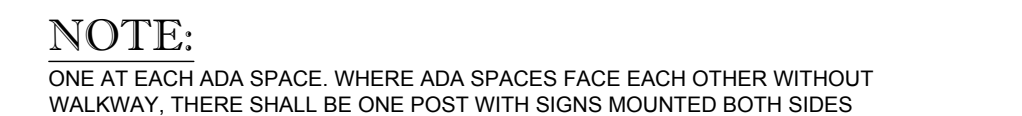
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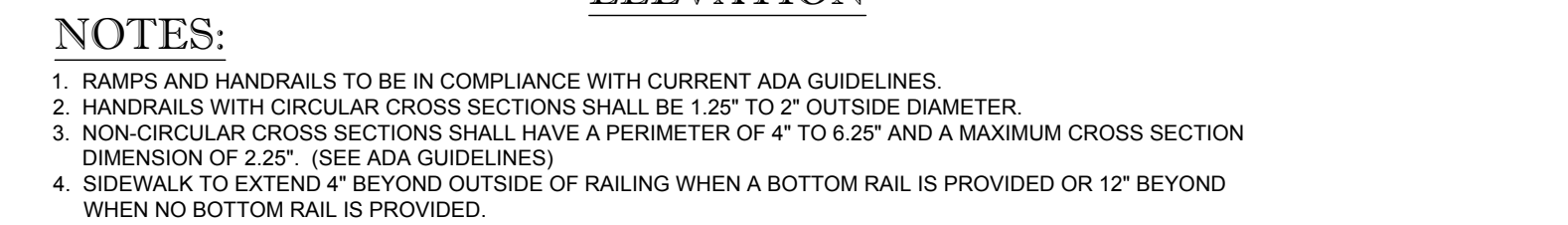
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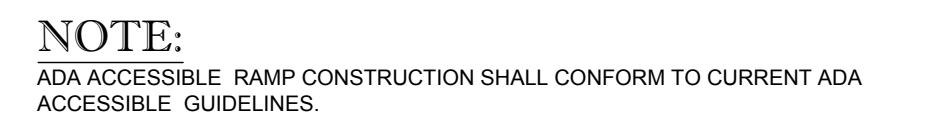
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DETAIL "A"



NOT TO SCALE



BIKE RACK DETAIL



NOT TO SCALE



SPILL CURB & GUTTER

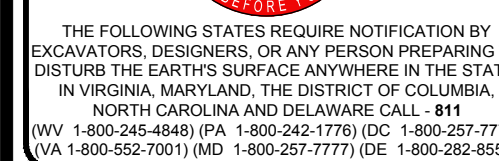


COLLECTOR CURB & GUTTER

M-NCPPC
APPROVAL

PROJECT NAME:	MAI HO
PROJECT NUMBER:	

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



NOT APPROVED FOR
CONSTRUCTION

PROJECT No.: MB1220675
DRAWN BY: AJH
CHECKED BY: NBS
DATE: 02/18/19
SCALE: AS NOTED
CAD I.D.: SD

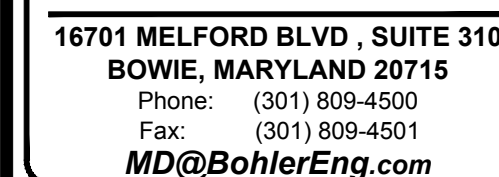
PROJECT:

**DETAILED
SITE PLAN**

— FOR —

**MILLER'S ALE
HOUSE, INC.**

LOCATION OF SITE
3430 EAST WEST HIGHWAY RTE 410
PRINCE GEORGE'S COUNTY,
HYATTSVILLE, MD 20782
17TH ELECTION DISTRICT,
TAX MAP 41, GRID F2, PARCEL A-1



NICHOLAS B. SPEACH

PROFESSIONAL ENGINEER
 MARYLAND LICENSE NO. 42963
PROFESSIONAL CERTIFICATE
 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: 12/14/21.

SHEET TITLE:

SITE DETAILS

SHEET NUMBER:
DSP - 10



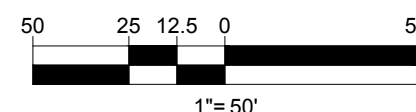
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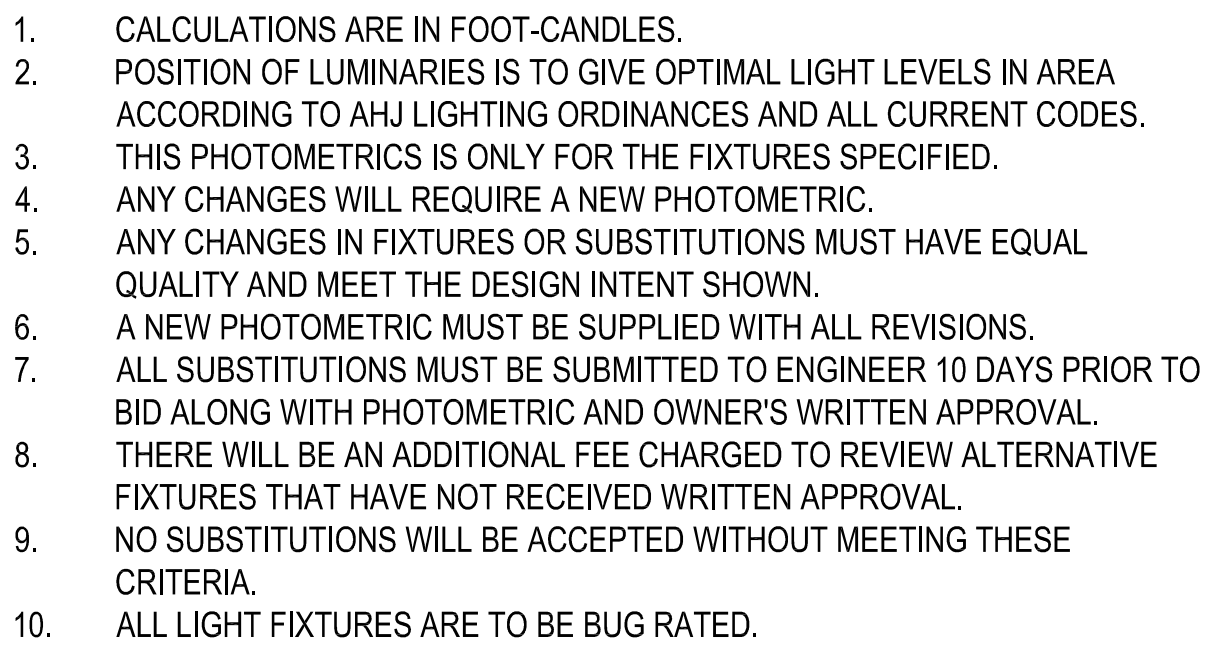
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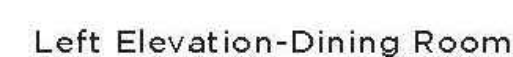
TOTAL	7.04
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REVISION NUMBERS MUST BE INCLUDED IN THE PROJECT NUMBER





76



GENERAL NOTE:
IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THIS PROJECT WORK SCOPE PRIOR TO THE INITIATION OF CONSTRUCTION. SHOULD THE CONTRACTOR FIND A CONFLICT WITH THE DOCUMENTS RELATIVE TO THE SPECIFICATIONS OR APPLICABLE CODES, IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE PROJECT ENGINEER OF RECORD IN WRITING PRIOR TO THE START OF CONSTRUCTION. FAILURE BY THE CONTRACTOR TO NOTIFY THE PROJECT ENGINEER SHALL CONSTITUTE ACCEPTANCE OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF THE WORK AS DEFINED BY THE DRAWINGS AND SPECIFICATIONS IN FULL CONFORMANCE WITH LOCAL, STATE, FEDERAL AND CODES.

H:\12\MB1220679\DRAWINGS\PLAN SETS\DSP\MB1220679SD1.DWG PRINTED BY: AHORGAN 6/20/19 @ 11:54 AM LAST SAVED BY: AHORGAN

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

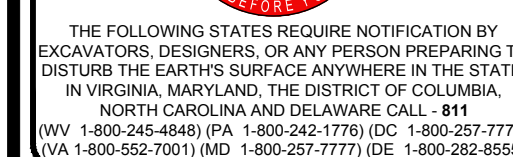
M-NCPPC
APPROVAL

PROJECT NAME:	MALL AT PRINCE GEORGE'S MILLER'S ALE HOUSE FREESTANDING RESTAURANT
PROJECT NUMBER:	DSP-99044-17

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

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REVISIONS

[illegible]

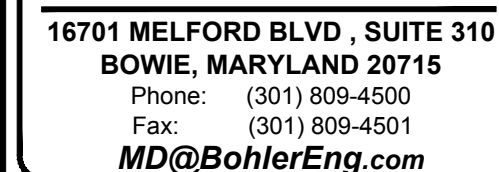
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CONSTRUCTION

PROJECT No.:	MB1220679
DRAWN BY:	AJH
CHECKED BY:	NBS
DATE:	02/03/19
SCALE:	AS NOTED
CAD I.D.:	SD1

DETAILED SITE PLAN

— FOR —
MILLER'S ALE
HOUSE, INC.

LOCATION OF SITE
3430 EAST WEST HIGHWAY RTE 410,
PRINCE GEORGE'S COUNTY,
HYATTSVILLE, MD 20782
17TH ELECTION DISTRICT,
TAX MAP 41, GRID F2, PARCEL A-1



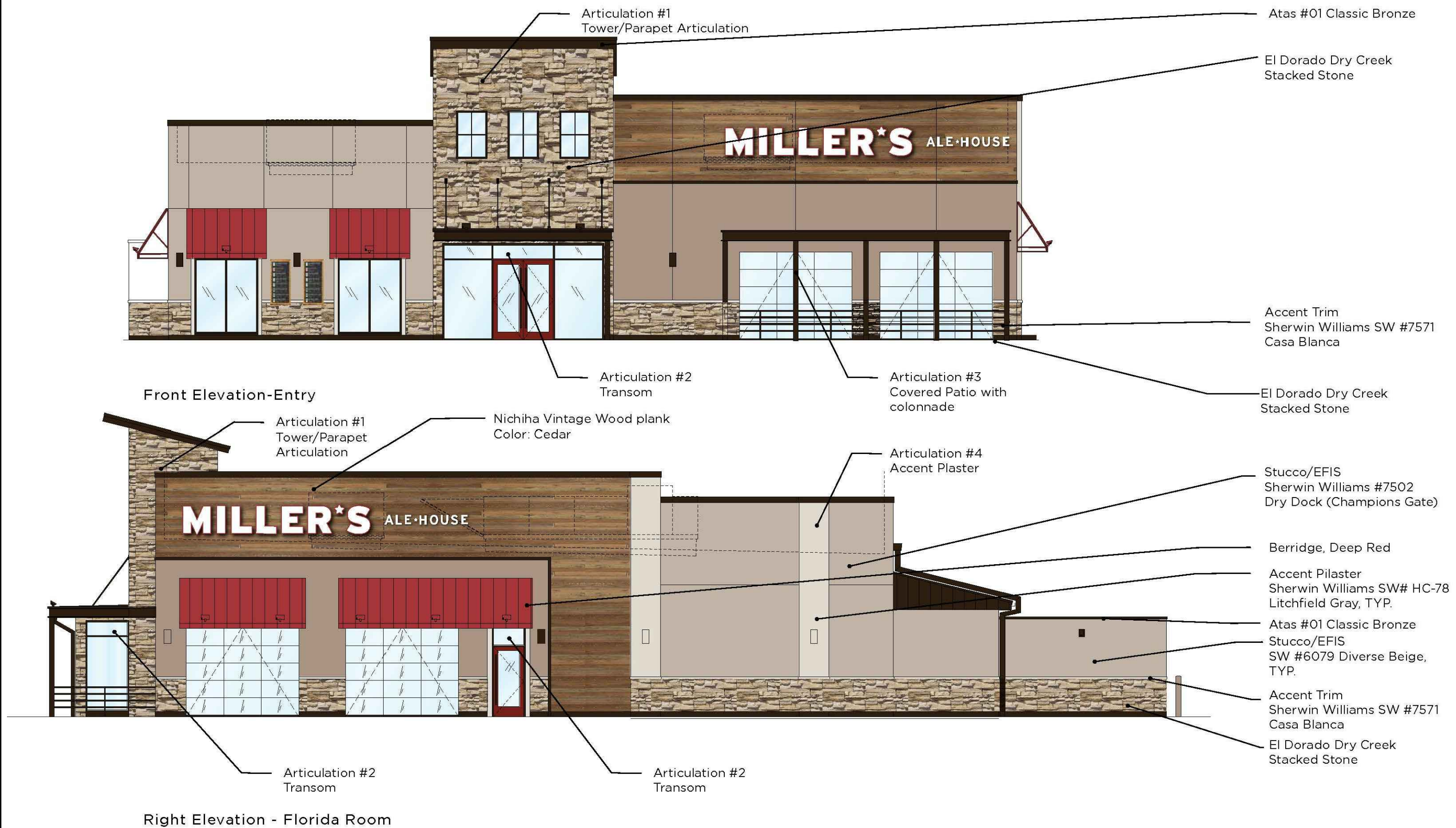
PROFESSIONAL ENGINEER
MARYLAND LICENSE NO. 40263
PROFESSIONAL CERTIFICATE
I, NICHOLAS B. SPACK, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 40263, EXPIRATION DATE: 6/14/21

SHEET TITLE:

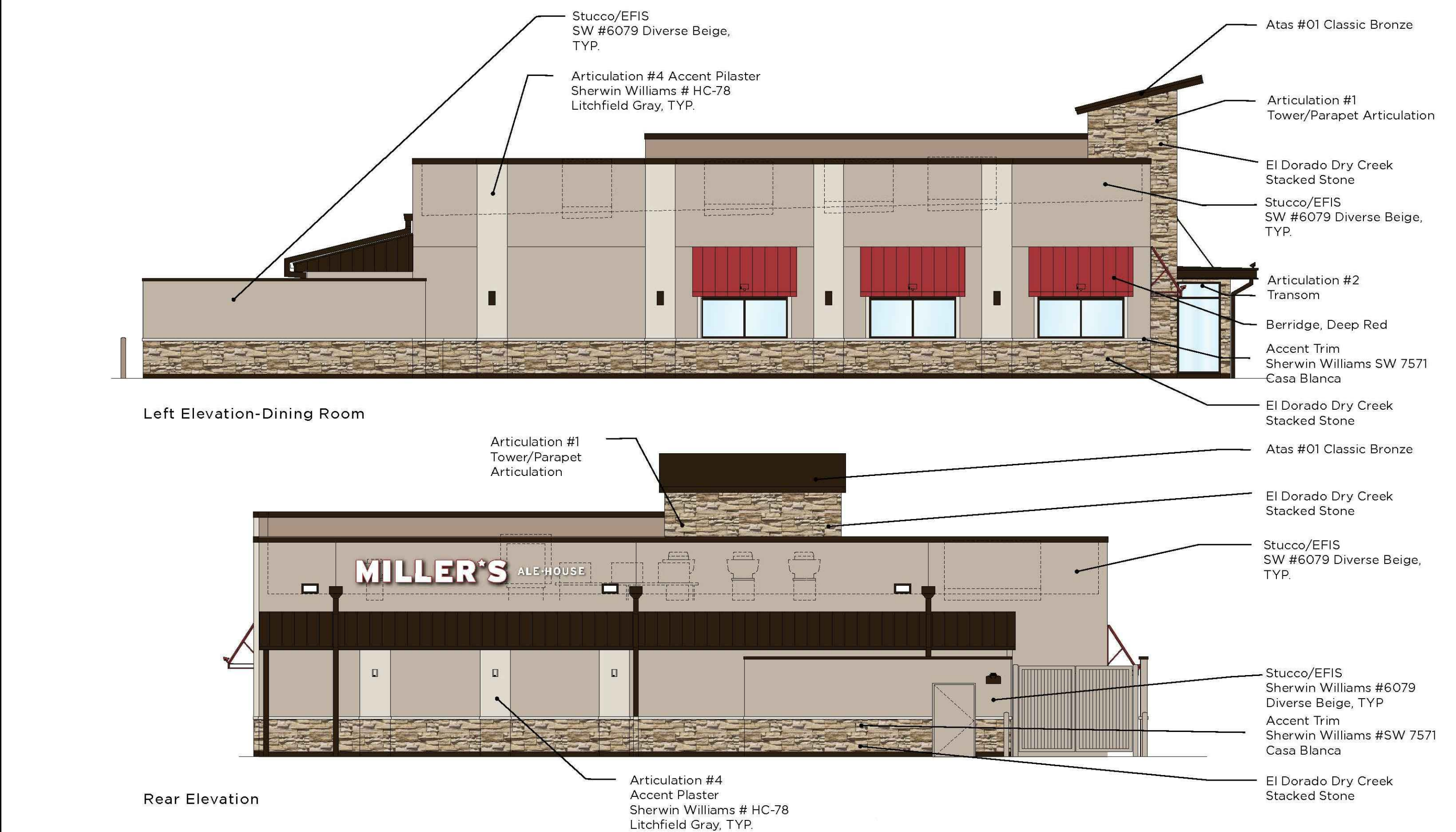
ELEVATIONS

SHEET NUMBER:

DSP - 16



Miller's Ale House | Hyattsville, MD | June 20, 2019 2



Miller's Ale House | Hyattsville, MD | June 20, 2019 3

GENERAL NOTE:
IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THIS PROJECT. WORK SCOPE PRIOR TO THE INITIATION OF CONSTRUCTION. SHOULD THE CONTRACTOR FIND A CONFLICT WITH THE DOCUMENTS RELATIVE TO THE SPECIFICATIONS OR APPLICABLE CODES, IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE PROJECT ENGINEER OF RECORD IN WRITING PRIOR TO THE START OF CONSTRUCTION. FAILURE BY THE CONTRACTOR TO NOTIFY THE PROJECT ENGINEER SHALL CONSTITUTE ACCEPTANCE OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF THE WORK AS DEFINED BY THE DRAWINGS AND IN FULL CONFORMANCE WITH LOCAL, STATE, AND CODES.

BOHLER ENGINEERING

SITE PLANS, CONSTRUCTION DOCUMENTS, LAND SURVEYING, PROGRAM MANAGEMENT, TRANSPORTATION SERVICES, SUSTAINABLE DESIGN, PERMITTING SERVICES

PHILADELPHIA, PA
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SOUTHERN MARYLAND
SOUTH FLORIDA

THE COMPANY'S DESIGN AND CONSTRUCTION SERVICES ARE PROVIDED BY A LICENSED PROFESSIONAL ENGINEER OR ARCHITECT. THE COMPANY'S DESIGN AND CONSTRUCTION SERVICES ARE PROVIDED BY A LICENSED PROFESSIONAL ENGINEER OR ARCHITECT.

REVISIONS				
REV	DATE	COMMENT	BY	
1	04/03/19	PER MNCPPC COMMENTS	AJH	

NOT APPROVED FOR CONSTRUCTION

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, NORTH CAROLINA AND DELAWARE CALL 811 (WV 1-800-245-4548) (PA 1-800-242-1776) (DC 1-800-267-7777) (VA 1-800-552-7071) (MD 1-800-257-7777) (DE 1-800-282-8559)

NOT APPROVED FOR CONSTRUCTION

PROJECT No.: MB1220679
DRAWN BY: AJH
CHECKED BY: NBS
DATE: 09/19/19
SCALE: AS NOTED
CAD I.D.: SD1

DETAILED SITE PLAN

FOR
MILLER'S ALE HOUSE, INC.

LOCATION OF SITE
3430 EAST WEST HIGHWAY RTE 410,
PRINCE GEORGE'S COUNTY,
HYATTSVILLE, MD 20782
17TH ELECTION DISTRICT,
TAX MAP 41, GRID F2, PARCEL A-1

BOHLER ENGINEERING

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

NICHOLAS E. SPEACH

PROFESSIONAL ENGINEER
NICHOLAS E. SPEACH, HEREIN CERTIFYING THAT THESE DOCUMENTS WERE PREPARED OR SUPERVISED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. LICENSE NO. 40283, EXPIRATION DATE: 6/14/21

SHEET TITLE:
COLOR ELEVATIONS

SHEET NUMBER:
DSP - 17

THIS BLOCK IS FOR OFFICIAL USE ONLY

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

M-NCPCC
APPROVAL

PROJECT NAME: MALL AT PRINCE GEORGE'S MILLER'S ALE HOUSE FREESTANDING RESTAURANT

PROJECT NUMBER: DSP-99044-17

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



June 20, 2019
Via Hand Delivery

M-NCPPC
Development Review Division
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

Attn: Andrew Bishop

Re: Detailed Site Plan – DSP-99044-17
Mall at Prince George's
Miller's Ale House
3500 East West Highway
Hyattsville, Prince George's Co., MD
BEPC #MB1220679

Dear Mr. Bishop:

In regard to the above referenced project and pursuant to comments dated June 20, 2019, please find the following point-by-point responses for your review:

General Comments:

Comment 1: Bring building closer to street. The required set back is 20-25 feet by the TDDP. The proposed 80-foot setback with stormwater in between the building and the street is not acceptable. (The adjacent Olive Garden appears to be 25-feet from the sidewalk and 40-feet from the right-of-way.)

Response 1: As discussed in our meeting with staff, there are multiple constraints that require the building to be placed as originally designed. Additional patio space and outdoor dining have been provided to address the pedestrian activation of the site. The details and justification for this is noted in the revised Statement of Justification that has been provided for your review.

Comment 2: Create a more elaborate and inviting plaza at entrance to restaurant to encourage pedestrian traffic.

Response 2: An updated plaza has been added to the front of the building, along with an outdoor seating patio to encourage pedestrian traffic.

Comment 3: Include outdoor dining option along MD 410, it appears that the windows on this side of the building are designed to resemble roll up doors and could accommodate this type of site element.

Response 3: An outdoor patio has been added per your request.

Comment 4: The SOJ and the TDDP standard matrix provided are not consistent and should be revised does not address the applications need for an amendment and should be revised.

Response 4: The Statement of Justification has been updated and submitted for your review.

Comment 5: Remove the free-standing sign on MD 410, it is not consistent with any other establishments in the mall, no other use includes its own free-standing sign. If the building is moved closer to the street its visibility will be improved.

Response 5: The freestanding sign has been removed.



Comment 6: Remove the proposed lease line from the site plan.

Response 6: **The lease line has been removed from the site plan.**

Comment 7: Provide a signage schedule indicating the total cumulative amount of signage and type proposed building mounted signage included in this DSP.

Response 7: **A signage schedule is shown on the Cover Sheet of the DSP.**

Comment 8: Use higher quality building materials and improve architectural fenestration of the building facade. Examples include: Use of less EFIS; Providing stone on the water table of the building; or introduction of vertical banding on the building facade to provide interest.

Response 8: **The elevations have been updated based on our meeting.**

Comment 9: Propose additional landscaping around the base of the building to provide interest, the plan does not propose much.

Response 9: **Additional landscaping has been added around the patio area per your request.**

Comment 10: Illustrative site plan needed for PowerPoint presentation.

Response 10: **An illustrative plan is being prepared and will be sent prior to the presentation.**

Comment 11: Photometric.

Response 11: **A photometric plan is included on Sheet DSP-12.**

Comment 12: Possible wall removal.

Response 12: **A section of the wall is being removed to accommodate the new plaza area.**

Comment 13: Revise the mall additions table on sheet 6 and the calculations in the general notes on sheet 4 so that the total proposed square footage reflects the square footage of the building being proposed (8,285sf).

Response 13: **The square footage has been updated per your request.**

Comment 14: Revise the general notes on sheet 4 to include reference to the site's record plat, VJ 186-9.

Response 14: **A note has been added referencing the plat.**

Comment 15: Clean up bearings and distances – hard to read.

Response 15: **The bearings and distances are based on an existing plan and cannot be updated.**

Please find enclosed the following materials for your review:

- One (1) copy of the Detailed Site Plan, prepared by Bohler Engineering, dated August 9, 2017, revised June 20, 2019.
- One (1) copy of the Statement of Justification, prepared by Gingles, LLC, dated June 20, 2019.
- One (1) copy of the Tree Conservation Plan, Type II, approved on November 10, 2003.
- One (1) CD containing PDFs above.



BOHLER
ENGINEERING

DSP-99044-17
Mall at Prince George's Miller's Ale House
Hyattsville, MD
BEPC #MB1220679
June 20, 2019
Page 3 of 3

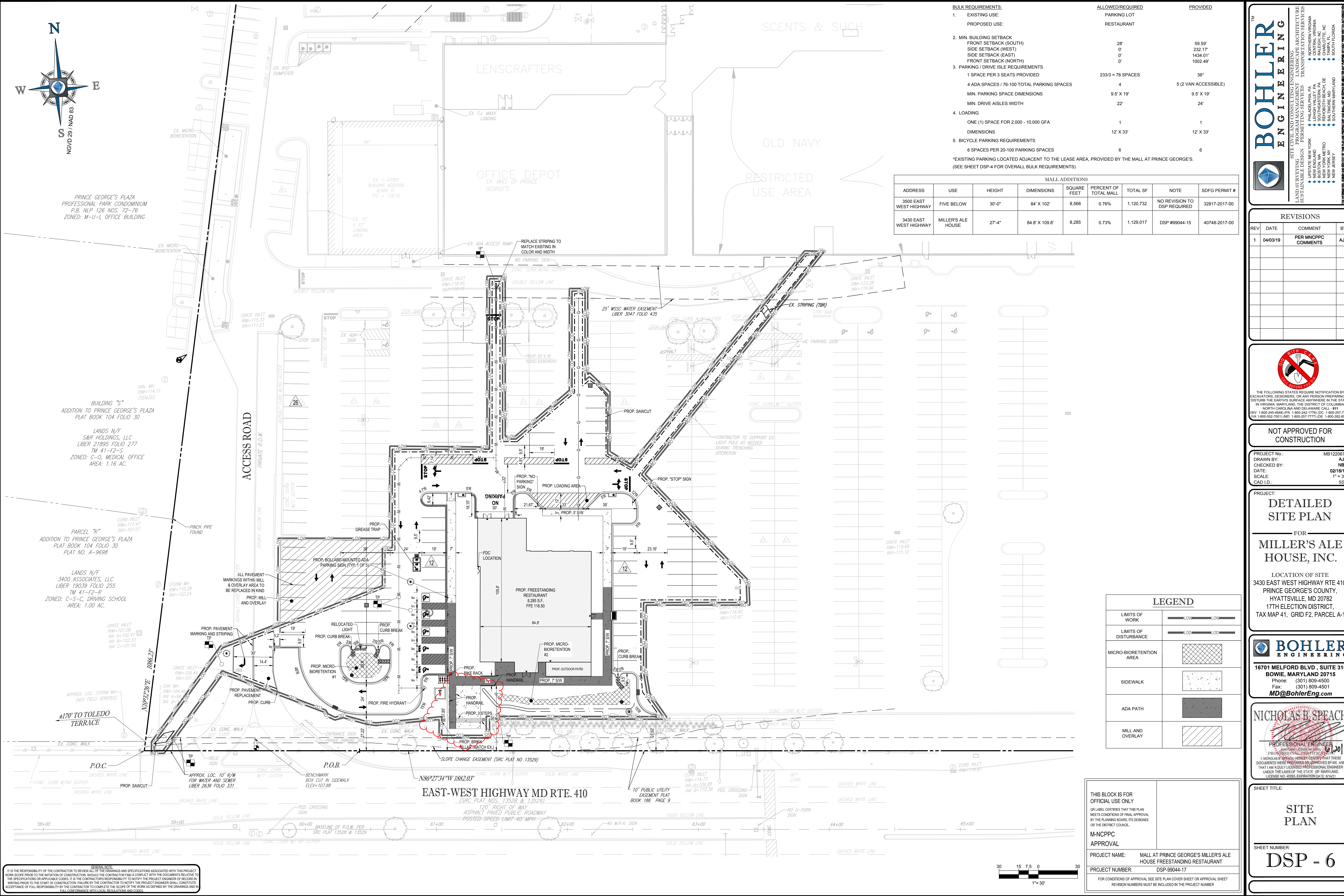
Should you have any questions or require additional information, please do not hesitate to contact this office at (301) 809-4500.

Sincerely,
Bohler Engineering VA, LLC

Nicholas B. Speech P.E.

cc: Shane Feemster, MAH
File

NS/kd
H:\12\MB1220679\Administrative\Letters\190403 - MNCPPC - ABishop - DSP-99044-17 CR Letter.doc



BULK REQUIREMENTS:		ALLOWED/REQUIRED	PROVIDED
1.	EXISTING USE:	PARKING LOT	
	PROPOSED USE:	RESTAURANT	
2.	MIN. BUILDING SETBACK		
	FRONT SETBACK (SOUTH)	28'	59.59'
	SIDE SETBACK (WEST)	0'	232.17'
	SIDE SETBACK (EAST)	0'	1434.01'
	FRONT SETBACK (NORTH)	0'	1002.49'
3.	PARKING / DRIVE ISLE REQUIREMENTS		
	1 SPACE PER 3 SEATS PROVIDED	233/3 = 78 SPACES	36*
	4 ADA SPACES / 76-100 TOTAL PARKING SPACES	4	5 (2 VAN ACCESSIBLE)
	MIN. PARKING SPACE DIMENSIONS	9.5' X 19'	9.5' X 19'
	MIN. DRIVE AISLES WIDTH	22'	24'
4.	LOADING		
	ONE (1) SPACE FOR 2,000 - 10,000 GFA	1	1
	DIMENSIONS	12' X 33'	12' X 33'
5.	BICYCLE PARKING REQUIREMENTS		
	6 SPACES PER 20-100 PARKING SPACES	6	6
*EXISTING PARKING LOCATED ADJACENT TO THE LEASE AREA, PROVIDED BY THE MALL AT PRINCE GEORGE'S. (SEE SHEET DSP-4 FOR OVERALL BULK REQUIREMENTS)			

MALL ADDITIONS								
ADDRESS	USE	HEIGHT	DIMENSIONS	SQF/AREE FEET	PERCENT OF TOTAL MALL	TOTAL SF	NOTE	SDFG PERMIT #
3500 EAST WEST HIGHWAY	FIVE BELOW	30'-0"	84' X 102'	8,568	0.76%	1,120,732	NO REVISION TO DSP REQUIRED	32817-2017-00
3430 EAST WEST HIGHWAY	MILLER'S ALE HOUSE	27'-4"	84.8' X 109.8'	8,285	0.73%	1,129,017	DSP #99044-15	40748-2017-00

[illegible]

**NOT APPROVED FOR
CONSTRUCTION**

PROJECT No.: MB1220679
 DRAWN BY: AJH
 CHECKED BY: NBS
 DATE: 02/18/19
 SCALE: 1" = 30'
 CAD I.D.: SS1

PROJECT: **DETAILED
SITE PLAN**

— FOR —

**MILLER'S ALE
HOUSE, INC.**

LOCATION OF SITE

**3430 EAST WEST HIGHWAY RTE 410,
PRINCE GEORGE'S COUNTY,
HYATTSVILLE, MD 20782
17TH ELECTION DISTRICT,
TAX MAP 41, GRID F2, PARCEL A-1**



BOHLER
ENGINEERING

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

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

NICHOLAS B. SPEACH

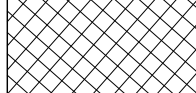
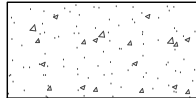
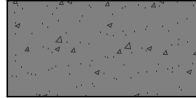
PROFESSIONAL ENGINEER
MARYLAND LICENSE NO. 20002

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: 6/14/21

6/20/19

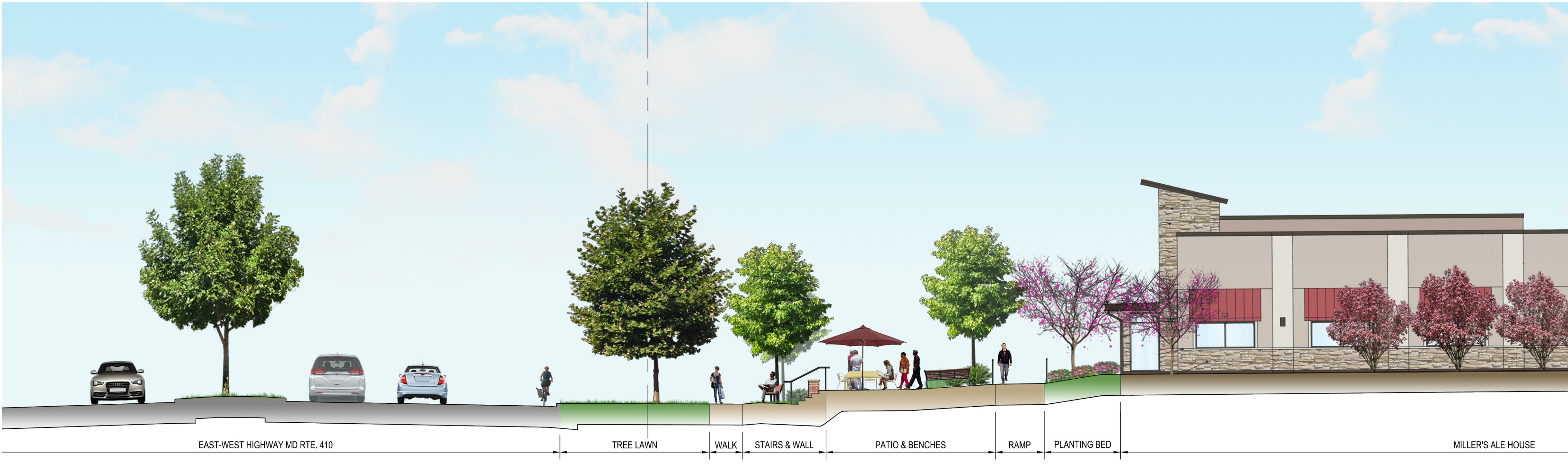
SHEET TITLE:	
SITE PLAN	
SHEET NUMBER:	
DSP - 6	

LEGEND	
LIMITS OF WORK	
LIMITS OF DISTURBANCE	
MICRO-BIORETENTION AREA	
SIDEWALK	
ADA PATH	
MILL AND OVERLAY	

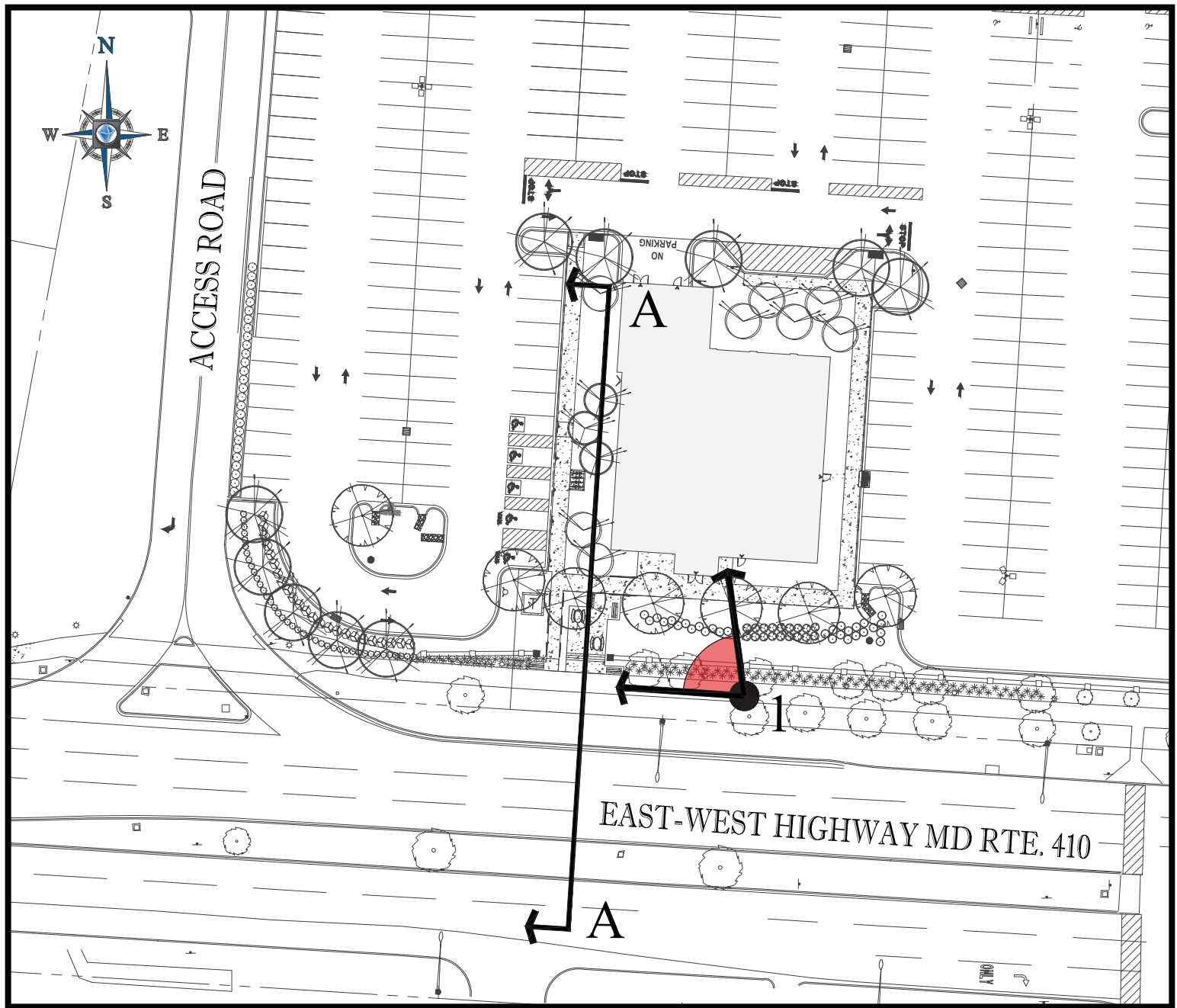
THIS BLOCK IS FOR OFFICIAL USE ONLY QR LABEL CERTIFIES THAT THIS PLAN MEETS CONDITIONS OF FINAL APPROVAL BY THE PLANNING BOARD, ITS DESIGNEE OR THE DISTRICT COUNCIL. M-NCPPC APPROVAL		
PROJECT NAME:	MALL AT PRINCE GEORGE'S MILLER'S ALE HOUSE FREESTANDING RESTAURANT	
PROJECT NUMBER:	DSP-99044-17	
FOR CONDITIONS OF APPROVAL, SEE SITE PLAN COVER SHEET OR APPROVAL SHEET REVISION NUMBERS MUST BE INCLUDED IN THE PROJECT NUMBER		



PERSPECTIVE 1
 LOOKING NORTHWEST ON EAST-WEST HIGHWAY



SECTION A-A'
 LOOKING WEST ON EAST-WEST HIGHWAY



KEY MAP

MALL AT PRINCE GEORGE'S
Miller's Ale House Freestanding Restaurant

APPLICATION OF
PR PRINCE GEORGE'S PLAZA LLC FOR A
PLANNING BOARD REVIEW OF A
DETAILED SITE PLAN
DSP-99044-15

STATEMENT OF JUSTIFICATION
June 20, 2019

OWNER:

PR Prince George's Plaza LLC
200 South Broad Street, Third Floor
Philadelphia, Pennsylvania 19102
Contact: Mark Gambill
t: 215.875.0472

APPLICANT:

Miller's Ale House, Inc.
5750 Major Blvd. Suite 400
Orlando, Florida 32819
Contact: Shane Feemster
t: 469-559-6400

CIVIL ENGINEER:

Bohler Engineering
16701 Melford Boulevard, Suite 310
Bowie, Maryland 20715
Contact: Nicholas Speach, P.E.
t: 301.809.4500

ATTORNEY:

Gingles, LLC
14401 Sweitzer Lane, Suite 570
Laurel, Maryland 20707
Contact: Andre J. Gingles, Esq.
t: 240.280.1203

I. INTRODUCTION

Miller's Ale House, Inc. (hereinafter the "Applicant"), hereby submits this amendment to the Detailed Site Plan (hereinafter "DSP") in order to revise DSP-99044-14 for the Mall at Prince George's, consistent with the criteria established in §27-548.08 of the Prince George's County (hereinafter "County") Zoning Ordinance. The Mall at Prince George's ("Mall") consists of 51.03 acres of property in the M-U-I Transit District Overlay Zone (hereinafter the "TDOZ").

The purpose of this application is to request an amendment to DSP-99044 for the construction of a 8,285-square foot eating and drinking establishment. Chapter 6 of the Prince George's Plaza Transit District Development Plan (the "TDDP") expresses that new pad site development within an integrated shopping center requires approval of a DSP in conformance with the standards of the TDOZ. Inasmuch as there is an existing DSP applicable to the Mall Property, the Zoning Ordinance permits an Applicant to pursue revisions on previously approved DSP applications.

The Mall was originally developed in the late 1950s. Since the 1950s, over ten (10) DSP amendments have been approved for Mall at Prince George's, including DSP-99044-01 for the addition of a new anchor tenant store and the addition of two tenants at the rear of the shopping center; DSP-99044-02 for the renovation of the rear of the shopping center to include new paving and additional green space; DSP-99044-03 to allow two-way traffic in an existing drive aisle that was originally one-way traffic only; DSP-99044-04 for the addition of a 7,686 square foot restaurant pad site (Olive Garden); DSP-99044-05 for the modification of the rear elevation on the east side of the mall to accommodate new tenants and to improve 19 parking spaces; DSP-99044-06 for the addition of a 6,574 square foot restaurant pad site (Famous Dave's – never constructed); DSP-99044-07 for the construction of a restaurant pad site (Chick-fil-A – never constructed); DSP-99044-08 for a minor addition to the Mall to accommodate TJ Maxx; DSP-99044-10 for the addition of a 6,722 square foot restaurant pad site (Outback Steakhouse); DSP-99044-12 for the addition of building signage that did not conform to the TDDP; DSP-99044-13 for the addition of a 8,568 square foot addition for new tenant space on the west end of the existing mall; and DSP-99044-14 for the construction of a pad site and associated infrastructure to support the future eating and drinking establishment. There is no previously approved Conceptual Site Plan, and the Zoning Ordinance (§27-548.08) negates the conformance requirement, if one existed, for DSPs in a Transit District.

II. APPLICATION DATA

- A. Location: Located northeast of the intersection of East West Highway and Toledo Road.
- B. Tax Map/Grid: Map 41, Grid F-2.
- C. Frontage: East-West Highway
- D. Election District: 17

- E. Councilmanic District: 2
- F. Acreage: 51.03
- G. Existing Zoning: M-U-I – Mixed Use Infill
- H. Master Plan & SMA: The Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment.
- I. General Plan: Plan 2035, the Approved General Plan designates the property within one of the "Regional Transit Districts."
- J. Proposed Use: Freestanding Restaurant

III. CRITERIA FOR APPROVAL OF A DETAILED SITE PLAN

The Applicant respectfully requests that the Planning Board approve this amendment to the DSP application. As described below, this application complies with the approval requirements outlined in §27-548.08(c) of the Zoning Ordinance.

Section 27-548.08 (c) Required Findings.

- (1) In addition to the findings required by §27-276(b) for approval of a Conceptual Site Plan ("CSP") in the T-D-O Zone, the Planning Board shall find that the Transit District Site Plan is consistent with, and reflects the guidelines and criteria for development contained in, the Transit District Development Plan. In this instance, the General Standards and Downtown Core Standards of the Transit District Development Plan are applicable to the proposed development.
- (2) The findings required by §27-285(b) shall not apply to the T-D-O Zone. Instead, the following findings shall be made by the Planning Board when approving a DSP in the T-D-O Zone:
 - (A) The Transit District Site Plan is in strict conformance with any mandatory requirements of the Transit District Development Plan;

Comment: Generally, the proposed freestanding restaurant, as shown on the DSP, is in conformance with most of the mandatory requirements of the TDDP as outlined below with the three requested modifications to the Standards. No alleys, street lights, or residential are proposed with this project. A "plaza area" is proposed and discussed in detail under Modification No. 1. Tree Canopy Coverage requirements are satisfied within the lease area of the pad site, and the proposed freestanding restaurant, which is not an accessory use, is in conformance with this standard as a single-story building with a maximum height of 27.33 feet, and no lot coverage or green area requirements are applicable to the Downtown Core

development.

- i. The street network shall define blocks of up to 500 linear feet on each side. Each side of a block shall not be more than 500 linear feet from right-of-way to right-of-way. For all new redevelopment on existing block frontages of greater than 500 linear feet, a perpendicular A Street or B Street (or, in the Downtown Core, a Pedestrian Street) shall be constructed at no greater than a 500-foot interval from the nearest existing or proposed street. A block shall be divided by an A, B, or Pedestrian Street, or a Promenade, to allow a pedestrian or vehicular connection from the front of the block to the rear of the block. Alleys or service drives, where necessary, shall be included within blocks and shall not divide one block from another.

Comment: The pad site area proposes no new street within the existing area that will eventually become multiple blocks at such time as redevelopment occurs on the east side of the new building. The pad site is a portion of a previously existing parking lot for which pedestrian and vehicular connections already exist throughout that area. Nevertheless, the proposed development—inclusive of the interior lease lines—is within a distance of Toledo Road (to the west), so that a block of less than 500 feet is created as established by the plan per the Standards.

- ii. The minimum BTL /frontage depth for the proposed development is determined by Tables 42-43 and Figures 9-23—which would require placement of the building not further than 25' from curb.

Comment: The building does not conform with these Standards and the Applicant herein requests Modification No. 1 to the Standards. The Applicant is proposing the building be set back approximately 80' +/- from the MD 410 curb. The right-of-way line for the subject property is approximately 13' off of the MD 410 curb. The location of the building is necessitated by the following factors:

- **An existing sidewalk runs along the entire frontage, within the Mall property;**
- **Behind the sidewalk are street lights, an amenity wall and landscaping, all part of a consistent streetscape which would require substantial removal to adhere to the Standards;**
- **The primary Mall structure and its parking drains southwesterly from the Mall to the Md. 410, which causes runoff to flow towards development site;**
- **SWM regulations changed earlier this decade, and now the water from the parking lot and our LOD needs to be treated. Such requirements were not in place for the other two restaurants which also exist along MD 410;**

- The current SWM requirements make the proper placement the bio-retention area to the front of the proposed building;
- Storm drain pipes run through the parking lot, which need to be re-routed around the building. Some go to the back of the building, but some have to go in the front, which again, pushes the building back;
- The technical SWM plan has been approved already, so any changes to the building location would require changes to the plans—which could be significant; and,
- Construction has commenced on some of the items in the SWM plans, so potential changes could require pipes to be pulled out of the ground or deem certain structures unusable.

The Applicant asserts the building cannot be situated in conformance with the Standards without major negative and costly implications to the site infrastructure, part of which would have a substantial ripple impact on the existing Mall development—as noted above. However, the intent of the Standards can be substantially satisfied by some specific site and building modifications to enhance connectivity of the building/use to the street (MD 410). These include:

1. Adding a patio element to the eastern elevation of the building that fronts on MD 410. The open activity will help the building connect more visually to MD 410. The eastern elevation already has outdoor seating—with roll up doors—and the patio addition greatly enhances the connection.
2. A portion of the amenity wall running along MD 410 will be removed to create a plaza/pedestrian area that activates a stronger connection between MD 410 and the building. This is envisioned to be used by patrons, the community and potential Metro pedestrians and could include an art element and pedestrian furniture for users.
3. Landscaping treatments will be enhanced as part of the plaza/pedestrian connection.

Modification to these Standards will benefit the existing and proposed development by creating new connectivity/enhanced connectivity (the plaza area) between the Mall and MD 410. The property owner is a long-term holder of the asset (the Mall). The redevelopment of the MD 410 frontage can occur more consistent with the Standards when the market allows for vertical mixed-use on MD 410 as substitution/ redevelopment of the single-story development along that alignment. This interim development does not substantially impair what will ultimately be a phased implementation of the TDDP on the Mall property. Essentially, the addition of the restaurant—if the modification is allowed—will provide a new venue to the Mall, further attract patrons to the area, and potentially

enhance Metro ridership.

iii. BUILDING ENTRANCES

Primary entrances shall be located at the front façade of the buildings. If a building fronts on both A and B Streets, Pedestrian Street, or Promenade, its primary entry shall be located on the A Street.

Service entrances shall be at the rear of the building. As well, the building should have articulation that provides visual interest and reduces perceived massing.

Comment: The building fronts MD 410 in compliance with the Standards. No changes are proposed within MD 410 right-of-way ("ROW"), and the ROW is not impacted by this application. MD 410 ROW improvements were provided as part of DSP 99044-14, and no new off-street parking access or driveways are proposed. The parking shown is existing spaces that are being restriped/reconfigured. The building has several items of articulation—proposed in the Standards—including an entry tower, transoms over public access points, and pilasters on the sides and rear of the building where blank wall surfaces are present. Building massing leverages several techniques to break down the overall building form. The stone tower anchors the building while also signifying entry to the guests. Flanking the tower, there are two different building masses with different height parapets that break down the volume of overall structure. These appointments allows the building to leverage texture and form to create architectural visual interest. Miller's Ale House proposes use of several elevated finishes, e.g. stone at the tower and water table to provide building texture and Nichiha wood panels to elevate architectural expression and building uniqueness.

- iv. Building Façades at the ground level facing MD 410 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).

Comment: The visually permeable ratio for the ground floor façade varies depending upon the façade between 28.1% up to 42.0%, and the Applicant herein requests Modification No. 2 to the Standards. The Restaurant is a design that encompasses its marketing concept for its brewer concept. Part of the Standards requirement is premised on an openness for pedestrian activity and interest. However, the intent of the Standards can be substantially satisfied by some specific site and building modifications to enhance connectivity of the building/use to the street (MD 410). These include:

1. The restaurant has included a significant open dining area and has also added an open patio area creating enhanced visual openness into the use.

2. The enlarged viewshed—into and outwardly from the use—results in an enhanced activation of street pedestrian connectivity.
3. Adding transoms to the typical windows to elongate the window expression on the main façade.

The enhanced out-door dining will be visually interesting in much the same manner that permeable material helps attract interest. The modification to these Standards allows for new connectivity/enhanced connectivity at that location. Moreover, the modification does not substantially impair what will ultimately be a phased implementation of the TDDP on the Mall property. Essentially, the addition of the restaurant—if the modification is allowed—will provide a new venue to the Mall, further attract patrons, and provide a higher degree of "street interest".

- v. 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, and the minimum clear height of retail space and of storefront fenestration is 14 feet.

Comment: The proposed building is on the same lot (parcel) as the Mall, and therefore meets the Standards requirement. However, there is no ceiling in the dining areas of the restaurant, hence the bottom of the roof deck at +/- 17'-5" AFF complies with the 14'-0" minimum floor-to-ceiling height. The ceiling in the vestibule is restricted due to the entry canopy structure; hence the Applicant herein requests Modification No. 3 to the Standards. The maximum fenestration height for that portion of the building is 9'-8" due to the extents of the interior décor package and branding. Raising the heads of the windows to comply with the minimum height would result in the mechanical and structural systems being easily visible through the windows. The intent of the Standards can be substantially satisfied by:

1. The building modifications of the patio addition—which can be visualized from the pedestrian pathways.
2. The opens area that has height helps create the similar impact of permeable area with interior height.
3. Architectural pilasters to create height and verticality on all façades.

Collectively, these additions provide and further enhance the benefit expressed for Modification No. 2.

- vi. New Off-Street Parking is not permitted.

Comment: The off-street parking will be a reconstruction of a surface parking lot legally existing on July 19, 2016, and is therefore permitted. There is one loading space proposed

in the rear of the building which is in conformance with the Standards. Parking that is provided exceeds the Standards ratio but is in conformance with the parking ration applicable to when the Mall was developed.

- vii. Street Trees, Street Lights, Tree Canopy Coverage, Site Screening and Frontage design are governed by the Standards.

Comment: Street trees, both existing and proposed along MD 410, are located within the Tree and Furnishing Zone. Shade trees also proposed along the rear of the building. Size and spacing of shade trees are in conformance with the Standards. There are no proposed street lights. The pedestrian sidewalk along MD 410 is lit with pedestrian scale fixtures spaced 40'-50' on center. MD 410 right-of-way improvements were provided as part of DSP 99044-14. Tree canopy coverage and screening requirements conform to the Standards as shown on the enclosed Landscape Plan.

- viii. Signage shall conform to the Standards.

Comment: The signage package put together by the tenant's vendor utilizes wall mounted signage and complies with the Standards and no free-standing signs are proposed. The TDDP requirements for wall signs state that vertical wall signs may not exceed a maximum dimension of 36 inches by twice the business frontage width. The restaurant proposes vertical wall signs with a height of 33 inches and the width does not exceed two times the building frontage of 85 feet.

- ix. The Standards for Architectural Elements do not permit metal, plastic and backlit awnings.

Comment: The proposed freestanding restaurant has metal awnings, and the colored metal is characteristic of style, identification and branding for Miller Brewhouse Restaurants. As such, the Applicant herein requests Modification No. 4 to the Standards. The amount of metal awning is a small percentage of the building material and is designed to highlight and accent the building identification. Its limited use and placement on the new structure does not impede future development, and its use is primarily part of the Applicant's branding and identification. The awning design is otherwise in conformance with the guidelines for awnings in the TDDP. No balconies are proposed. The TDOZ Architectural Standards also state buildings are encouraged to be built with "green" building materials that meet the following criteria: produced locally or salvaged; recycled and/or recyclable; rapidly renewable; durable; containing a low embodied energy; manufactured in a less environmentally hazardous or toxic manner; for wood, certified in accordance with the Forest Stewardship Guidelines for environmentally responsible forest management; for refrigerants and fire suppression devices, not containing CFCs or Halon gas. The proposed freestanding restaurant will use building materials in conformance with these criteria as much as possible.

- (B) The Transit District Site Plan is consistent with, and reflects the guidelines and criteria for development contained in, the Transit District Development Plan;

Comment: The TDDP and companion Standards recognized the Mall property might continue to exist and include additional development over time even as potential redevelopment might occur. The new restaurant conforms to many Standards with the proposed freestanding restaurant, with the primary Standards modification being the location of the building.

- (C) The Transit District Site Plan meets all of the requirements of the Transit District Overlay Zone, and applicable regulations of the underlying zones, unless an amendment to the applicable requirement or regulation has been approved;

Comment: Four modifications to the Standards are proposed as part of the DSP, and incorporated into this Statement of Justification.

- (D) 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 Transit District Overlay Zone;

Comment: With the proposed modifications to the Standards, the proposed DSP will be adequate to meet the purposes of the Transit District Overlay Zone.

- (E) Each structure and use, in the manner proposed, is compatible with other structures and uses in the Transit District, and with existing and proposed adjacent development;

Comment: The proposed use is compatible and reflective of other uses on the Mall property and adjacent thereto.

- (F) Requests for reductions from the total minimum required parking spaces for Transit District Overlay Zones pursuant to §27-548.09.02 meet the stated location criteria and are accompanied by a signed Memorandum of Understanding between a car sharing corporation or company and the applicant.

Comment: The TDOZ has a maximum allowed parking requirement. Therefore, a reduction in parking does not require a Memorandum of Understanding between a car sharing corporation or company and the applicant.

- (G) The applicant may ask the Planning Board to apply development standards which differ from mandatory requirements in the Transit District Development Plan, unless the plan provides otherwise. The Board may amend any mandatory requirements except building height restrictions and parking standards, requirements which may be amended by the District Council under

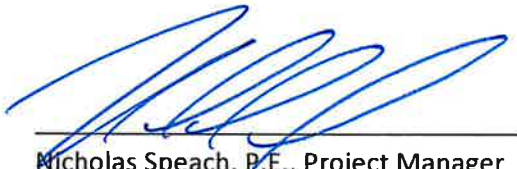
procedures in Part 10A, Division 1. The Board may amend parking provisions concerning the dimensions, layout, or design of parking spaces or parking lots.

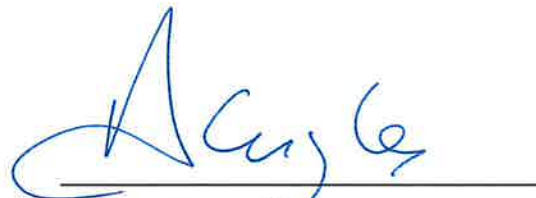
Comment: The modifications to Standards requested the Applicant are of the type the Board can consider and approve.

IV. CONCLUSION

The proposed amendment to the DSP, inclusive of the requested modifications to the Standards, will permit the construction of a freestanding restaurant and associated parking, stormwater management, and utilities. This proposed freestanding restaurant will contribute to the diversity of the tenants in the Mall at Prince George's and will make good use of currently unused parking area. The Applicant is confident that this application meets the purposes of a DSP as outlined in §27-548.08 and respectfully requests their approval.

Respectfully submitted,



Nicholas Speech, P.E., Project Manager
Bohler Engineering VA LLC

André J. Gingles, Esq.
Gingles, LLC



Hyattsville City Council Agenda Item Report

Meeting Date: July 15, 2019
Submitted by: Laura Reams
Submitting Department: City Clerk
Item Type: Appointment
Agenda Section:

SUBJECT

Appointment to the Educational Facilities Task Force

HCC-9-FY20

Recommendation:

I move that the Mayor and Council appoint Emily Strab (Ward 2) to the Educational Facilities Task Force for a term of two (2) years to expire on July 15, 2021.

Sponsor(s):

Suiter

Co-Sponsor(s):

Haba, Solomon

ATTACHMENTS

[Committee Application_EFTF_Emily Strab_W2](#)

Summary Background:

Please see attached application.

Next Steps:

N/A

Fiscal Impact:

N/A

City Administrator Comments:

Recommend Approval

Community Engagement:

Agendas for the Educational Facilities Task Force meetings are posted on the City's website. Meetings are open to the public and all are encouraged to attend.

Strategic Goals:

Goal 1 - Ensure Transparent and Accessible Governance

Action 1.1 - Provide Information and Opportunities for Resident Participation in Civic Endeavors.

Legal Review Required?

N/A

Board, Committee and Commission Application

Profile

Emily

First Name

Strab

Last Name

Email Address

Street Address

City

Suite or Apt

State

Postal Code

To find your City Ward, click on this link! <http://www.hyattsville.org/538/Residency-Verification-Page>

*

☒ Ward 2

Primary Phone

Alternate Phone

Which Boards would you like to apply for?

Education Advisory Committee: Submitted

Educational Facilities Task Force: Submitted

Referred By:

Joseph Solomon

Please provide a brief background statement including why you want to serve on a committee. This statement may be posted on the City's website.

As a teacher and supporter of public schools, I want to make sure that Hyattsville students are being served by their school facilities.

Question applies to Educational Facilities Task Force

The Educational Facilities Task Force will make recommendations to the City Council to ensure the County addresses local school infrastructure needs. We are specifically seeking individuals with expertise in one or more of the following areas: Hyattsville area public school operational needs and landscape, architecture, land use/acquisition, urban planning, and PGCPs policies and procedures. Please describe how your skills and experience will assist the Task Force in making these recommendations.

I am a former PGCPs teacher and current teacher and school administrator.



Hyattsville City Council Agenda Item Report

Meeting Date: July 15, 2019
Submitted by: Laura Reams
Submitting Department: City Clerk
Item Type: Appointment
Agenda Section:

SUBJECT

Appointment to the Ethics Commission

HCC-10-FY20

Recommendation:

I move that the Mayor with Council approval appoint Ralph Ferguson (Ward 2) to the Ethics Commission for a term of three (3) years to expire on July 15, 2022.

Sponsor(s):

Hollingsworth

Co-Sponsor(s):

N/A

ATTACHMENTS

[Committee Application_Ferguson_Ethics_Redacted.pdf](#)

Summary Background:

Please see attached application.

Next Steps:

N/A

Fiscal Impact:

N/A

City Administrator Comments:

Recommend Approval

Community Engagement:

Agendas for the Ethics Commission Meetings are posted on the City's website. Meetings are open to the public and all are encouraged to attend.

Strategic Goals:

Goal 1 - Ensure Transparent and Accessible Governance

Action 1.1 - Provide Information and Opportunities for Resident Participation in Civic Endeavors.

Legal Review Required?

N/A

Board, Committee and Commission Application

Profile

Ralph

First Name

Ferguson

Last Name

Email Address

Street Address

City

Suite or Apt

State

Postal Code

To find your City Ward, click on this link! <http://www.hyattsville.org/538/Residency-Verification-Page>

*

☒ Ward 2

Primary Phone

Alternate Phone

Which Boards would you like to apply for?

Ethics Commission: Eligible

Education Advisory Committee: Eligible

Code Compliance Advisory Committee: Eligible

Referred By:

Please provide a brief background statement including why you want to serve on a committee. This statement may be posted on the City's website.

I have worked in finance and accounting the past 20 years in both state and federal governments to include over eight years as an active duty Marine. I have moved around quite a bit throughout my career but I plan to make Hyattsville my home until I retire. I have never served in a local government role and I believe this would be the best way to give back to the community I reside in.

Question applies to Ethics Commission

The Ethics Commission is composed of five (5) members, appointed by the Mayor and approved by Council for a term of three (3) years.

The Commission's responsibilities include adopting regulations in accordance with the City's Ethics Code, providing advisory opinions, and certifying compliance to the State Ethics Commission. In addition to these responsibilities, the Commission is appointed by the Board of Supervisors of Elections to review all campaign finance documents for the 2019 Election.

The Commission has adopted the following meeting dates for 2019. Commissioners must attend the meetings.

- Monday, March 4, 6 PM: Candidate Information Session
- Saturday, March 23, 10 AM: Candidate Information Session
- Tuesday, April 2, 7 PM
- Thursday, April 4, 6 PM: Certified Candidate Information Session
- Tuesday, April 16, 7 PM
- Friday, April 19, 7 PM
- Tuesday, April 30, 7 PM
- Friday, May 3, 7 PM
- Tuesday, May 14, 7 PM
- No meetings June - August
- Thursday, September 5, 7 PM
- Thursday, September 26, 7 PM

Question applies to Ethics Commission

What skills and experience will you bring to the Commission? Include any governmental experience, activities with civic and business organizations, accounting experience, or any other experience that would contribute to your effectiveness as a Commissioner.

20 years of state and federal government experience in accounting. Have worked for the South Carolina Department of Social Services, Environmental Protection Agency, Department of Defense, and Department of Homeland Security. I also teach accounting part time at the community college level. I have conducted and been part of internal, state, and federal audits in most of these positions.



Hyattsville City Council Agenda Item Report

Meeting Date: July 15, 2019
Submitted by: Laura Reams
Submitting Department: City Clerk
Item Type: Appointment
Agenda Section:

SUBJECT

Appointment to the Education Advisory Committee

HCC-11-FY20

Recommendation:

I move that the Mayor and Council appoint Ralph Ferguson (Ward 2) to the Education Advisory Committee for a term of two (2) years to expire on July 15, 2021.

Sponsor(s):

Haba

Co-Sponsor(s):

Schaible

ATTACHMENTS

[Committee Application_Ferguson_EAC_Redacted.pdf](#)

Summary Background:

Please see attached applications.

Next Steps:

Staff liaisons for the Education Advisory Committee will reach out to the appointees to invite them to attend the next meeting.

Fiscal Impact:

N/A

City Administrator Comments:

Recommend Approval

Community Engagement:

Agendas for the EAC Meetings are posted on the City's website. Meetings are open to the public and all are encouraged to attend.

Strategic Goals:

Goal 1 - Ensure Transparent and Accessible Governance

Action 1.1 - Provide Information and Opportunities for Resident Participation in Civic Endeavors.

Legal Review Required?

N/A

Board, Committee and Commission Application

Profile

Ralph

First Name

Ferguson

Last Name

Email Address

Street Address

City

Suite or Apt

State

Postal Code

To find your City Ward, click on this link! <http://www.hyattsville.org/538/Residency-Verification-Page>

*

☒ Ward 2

Primary Phone

Alternate Phone

Which Boards would you like to apply for?

Ethics Commission: Eligible

Education Advisory Committee: Eligible

Code Compliance Advisory Committee: Eligible

Referred By:

Please provide a brief background statement including why you want to serve on a committee. This statement may be posted on the City's website.

I have worked in finance and accounting the past 20 years in both state and federal governments to include over eight years as an active duty Marine. I have moved around quite a bit throughout my career but I plan to make Hyattsville my home until I retire. I have never served in a local government role and I believe this would be the best way to give back to the community I reside in.

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Question applies to Ethics Commission

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20 years of state and federal government experience in accounting. Have worked for the South Carolina Department of Social Services, Environmental Protection Agency, Department of Defense, and Department of Homeland Security. I also teach accounting part time at the community college level. I have conducted and been part of internal, state, and federal audits in most of these positions.



Hyattsville City Council Agenda Item Report

Meeting Date: July 15, 2019
Submitted by: Laura Reams
Submitting Department: City Clerk
Item Type: Charter Amendment
Agenda Section:

SUBJECT

Schedule Public Hearing on Charter Amendment Resolution 2019-01

HCC-12-FY20

Recommendation:

I move that the Mayor and Council schedule a Public Hearing on proposed Charter Amendment Resolution 2019-01 for August 5, 2019 at 7:30 p.m.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Resolution 2019-01 - Amending Charter -Compensation Review Committee 4.9.19.docx](#)

Summary Background:

During the 2019 Compensation Review Process areas were identified in the Charter that needed clarification. The City Attorney drafted an amendment to the City Charter to clarify procedures relating to the Compensation Review Committee and the compensation review process for the Mayor and Council. The City Attorney presented the Resolution at the Council Meeting of April 15. A Public Hearing was held on May 6 and the Council adopted the Resolution on May 6.

Due to a clerical error, the required legal notification for the adoption of the Resolution was not posted, invalidating the Resolution. Per State law the Council must hold another Public Hearing on the proposed Charter Amendment and affirmatively adopt the Charter Amendment Resolution again.

Next Steps:

Schedule the Public Hearing and provide notice.

Fiscal Impact:

N/A

City Administrator Comments:

Recommend Support

Community Engagement:

Notice of the Public Hearing will be published on the City's website and in the Hyattsville Reporter at least 21 days prior to the scheduled hearing. Additionally, notification of the public hearing will be sent to subscribers of the City's Notify Me alerts.

Strategic Goals:

Goal 1 – Ensure Transparent and Accessible Governance

Legal Review Required?

Complete

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CHARTER AMENDMENT RESOLUTION 2019-01

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF HYATTSVILLE, MARYLAND, adopted pursuant to the authority of Article XI-E of the Constitution of Maryland and Title 4, Subtitle 3 of the Local Government Article of the Annotated Code of Maryland (2013 Edition, as amended), to amend the Charter of the said City, said Charter being a part of the public local laws of Maryland (1963 Edition, as amended), which Article contains in whole or in part the Charter of the City of Hyattsville, Maryland, whereby the Mayor and City Council seek to amend the City Charter to provide clarity and flexibility for the public, the City's Compensation Review Committee, and for the Mayor and Council with respect to the compensation review process.

WHEREAS, the Mayor and Council recognize and agree with the prohibition on an elected official voting to alter the elected official's compensation during the official's term of office; and

WHEREAS, the Mayor and Council perceive that the City's staggered council elections combined with the above stated prohibition create unintended challenges for the City's Compensation Review Committees; and

WHEREAS, the Mayor and Council seek to address this issue by amending the language in the Charter to provide needed flexibility and clarity for the Compensation Review Committee; and

WHEREAS, the City Council gave at least twenty-one (21) days advance notice of the public hearing held regarding adoption of this Resolution and the amendment to the Charter contained herein.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Hyattsville, Maryland, in regular session assembled:

Section 1: That Section C2-6.1 of the Charter of the City of Hyattsville, Maryland, be amended as follows:

§ C2-6.1. Compensation Review Committee. [Amended 3-3-08 by HR 2008-07, Amended 2-19-15 by HR 2015-02]

A. Every four (4) years, At least one hundred and eighty (180) days prior to a every regular mayoral election, the Mayor shall appoint, with Council approval, a seven person compensation review committee whose membership shall be comprised of at least one member from each Ward of the City, to review and make recommendations for the compensation of both the Mayor to be elected in the next municipal election and all City Councilmembers serving during that upcoming four year term who shall serve within the period of recommendation as determined elsewhere in this section. The Compensation Review Committee shall make its recommendation as to any compensation increase, decrease, or lack of change, in the existing compensation to the Mayor and City Council at least ninety (90) days prior to the election. The Mayor and Council shall have no power to alter or amend the Commission committee's recommendation, but shall either accept or

1 reject it, by motion, resolution, or ordinance. Regardless of how any recommendation is accepted,
2 the salaries of the Mayor and Council shall be set by ordinance as required by sections C2-5 and
3 C2-6 of the City's Charter.

4 B. In order to ensure no elected official is voting to alter his or her own compensation, the
5 committee shall begin its review with the fiscal year commencing on the first day of July following
6 each regular mayoral election or on the first day of July following the expiration of the current
7 compensation period. The length of time covered by the committee's recommendation to the
8 Mayor and Council shall be no less than (3) three fiscal years and no more than (6) six fiscal years.
9 The length of the committee's recommendation shall be governed by:

10 (1) the need to avoid having an elected official vote on his or her own salary, being mindful
11 of the staggered Council terms,

12 (2) the expiration date of any existing period covered by an enactment based upon a
13 recommendation of a committee, and

14 (3) keeping the period of recommendation as short as possible so as not to undermine the
15 input of the next committee.

16 C. Notwithstanding the provisions set forth in subparagraphs A and B in this subsection, the
17 Mayor and Council shall have the authority to adopt by ordinance the 2019 Compensation Review
18 Committee's recommended compensation increases for the fiscal years beginning July 1, 2021,
19 July 1, 2022, July 1, 2023, and July 1, 2024, which were previously accepted by the Mayor and
20 Council.

21 Section 2: That the date of the adoption of this Resolution is **May 6, 2019**, and that the
22 amendment to the Charter of the City of Hyattsville hereby proposed by this enactment shall
23 become effective on **June 25, 2019**, unless a proper petition for a referendum hereon shall be filed
24 by **June 14, 2019**, and that an exact copy of this Resolution shall be posted at the main municipal
25 building and a fair summary of the Amendment shall be published in a newspaper having general
26 circulation in the City not less than four (4) times at weekly intervals by **June 14, 2019**.

27 Section 3: That as soon as the Charter Amendment hereby enacted becomes effective,
28 either as herein provided or following a referendum, the Clerk shall send separately to the
29 Department of Legislative Services, the following information concerning the Charter
30 Amendment: (1) the complete text of this Resolution; (2) the date of referendum election, if any,
31 held with respect thereto; (3) the number of votes cast for and against this Resolution by the Mayor
32 and City Council of the City of Hyattsville or in a referendum; and (4) the effective date of the
33 Charter Amendment.

34 Section 4: That the Clerk be, and is specifically enjoined and instructed to carry out the
35 provisions of Sections 2 and 3, and as evidence of compliance herewith the said Clerk shall cause
36 to be affixed to the Minutes of this meeting (1) an appropriate certificate of publication of the
37 newspaper in which the fair summary of the Amendment shall have been published; and (2)
38 records of mailing referred to in Section 3, and shall further complete and execute a Certificate of
39 Compliance.

1 **INTRODUCED** by the Mayor and City Council of the City of Hyattsville, Maryland, at a
2 Regular Meeting on **May 6, 2019**, at which meeting copies were available to the public for
3 inspection, and at which time a public hearing took place.

4 **ADOPTED** by the Mayor and City Council of the City of Hyattsville, Maryland, at a
5 Regular Meeting on **May 6, 2019**, at which meeting copies were available to the public for
6 inspection.

Adopted: _____

Attest: _____
Laura Reams, City Clerk

Candace B. Hollingsworth, Mayor

7
8
9 ⌋ indicate deletions

10 Underline/**bold**/**CAPS** indicate additions/amendments to additions

DRAFT



Hyattsville City Council Agenda Item Report

Meeting Date: July 15, 2019
Submitted by: Laura Reams
Submitting Department: Public Works
Item Type: Proclamation
Agenda Section:

SUBJECT

Proclamation in Support of the Mayors' Monarch Pledge

HCC-13-FY20

Recommendation:

I move that the Mayor and Council adopt a proclamation in support of the Mayor's Monarch Pledge. The pledge affirms the City's commitment to increasing wildlife habitat and public awareness for the monarch butterfly in support of our objectives for sustainability communities.

Sponsor(s):

Hollingsworth

Co-Sponsor(s):

N/A

ATTACHMENTS

[Proclamation Mayors_Monarch_Pledge_2019.docx](#)

Summary Background:

On December 17, 2018 The Hyattsville Environment Committee presented several proposals as part of their GAP Analysis for FY19/20. The Mayors' Monarch Pledge was one of several proposed recommendations included in the presentation. This initiative will help save the monarch butterfly, an iconic species whose populations have declined by 90% in the last 20 years. By way of this pledge we will commit to increasing wildlife habitat and public awareness for this butterfly in support of our objectives for sustainability communities.

The pledge signifies that the City intends to meet a minimum four (4) of the action Items as listed in the attached documentation and we will work toward additional goals. Adopting a proclamation is one of the action items. Together with the support and efforts of the Hyattsville Horticultural Society the City currently meets at least nine (9) of the current requirements. Additionally, we will be providing free native milkweed and nectar plants at our Arbor Day Celebration this year in support of the monarch.

Next Steps:

Upon adoption of the proclamation, staff will complete the steps necessary to formally join the Mayor's Monarch Pledge. As part of the pledge, staff will support additional goals to protect and preserve the monarch butterfly.

Fiscal Impact:

None

City Administrator Comments:

Recommend Approval

Community Engagement:

Continue our outreach to residents promoting environmental programs that the City supports.

Strategic Goals:

Goal 3 – Promote a Safe and Vibrant Community

Legal Review Required?

N/A

CITY OF HYATTSVILLE

PROCLAMATION

DECLARING THE MAYOR'S MONARCH PLEDGE FOR THE CITY OF HYATTSVILLE

WHEREAS, the monarch butterfly is an iconic North American species whose multigenerational migration and metamorphosis from caterpillar to butterfly has captured the imagination of millions of Americans; and

WHEREAS, 20 years ago, more than one billion Eastern monarch butterflies migrated to Mexico, but in the winter of 2014 only 60 million made the trip; and

WHEREAS, monarch caterpillars need milkweed to grow into butterflies, and they feed on over 100 species of milkweed native to North America; and

WHEREAS, cities, towns and counties have a critical role to play to help save the monarch butterfly, and the City of Hyattsville is taking a leadership role by establishing monarch waystations throughout the City and reestablishing native plant areas to incorporate milkweed; and

WHEREAS, every citizen of Hyattsville can make a difference for the monarch by planting native milkweed and nectar plants to provide habitat for the monarchs and pollinators.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of Hyattsville, do hereby take the Mayor's Monarch Pledge to assist in the support and development of the Monarch Butterfly.

Candace B. Hollingsworth
Mayor, City of Hyattsville

July 15, 2019





Hyattsville City Council Agenda Item Report

Meeting Date: July 15, 2019
Submitted by: Laura Reams
Submitting Department: Public Works
Item Type: Budget
Agenda Section:

SUBJECT

FY20 Budget Amendment: Accept and Appropriate Maryland Department of Natural Resources Community Parks and Playground Grant

HCC-16-FY20

Recommendation:

I move that the Mayor and City Council amend the FY20 CIP budget to accept and appropriate the grant award from the Maryland Department of Natural Resources Community Parks and Playground program in the amount of \$125,000 for the Hyatt Park Placemaking project, upon the review and approval of the City Attorney for legal sufficiency.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Scanned from a Xerox Multifunction Printer \(34\).pdf](#)

Summary Background:

In FY18 the City began the design for the Hyatt Park Placemaking Project, receiving approval of the MNCPPC and the City Council at the end of FY18. Phase 1 began construction during the winter of 2018. At the same time the City submitted an application for the Fiscal Year 2020. On May 1, 2020 the City was notified that we were approved for a grant of \$125,000 pending final adoption of the budget..

Next Steps:

N/A

Fiscal Impact:

\$125,000

City Administrator Comments:

This is great news for the City. Recommend Approval

Community Engagement:

Hyatt Park Placemaking had several meeting during the design phase and will have a Grand Opening one the project is complete.

Strategic Goals:

Goal 3 – Promote a Safe and Vibrant Community

Legal Review Required?

Pending



Larry Hogan, Governor
 Boyd Rutherford, Lt. Governor
 Jeannie Haddaway-Riccio, Secretary

May 1, 2019

Leslie Riddle
 Director, DPW
 4310 Gallatin Street
 Hyattsville, MD 20781

Dear Leslie Riddle:

Thank you for submitting an application for the Community Parks and Playgrounds Program. Funding for the project below has been included in the State of Maryland's FY 2020 Capital Budget.

Project Title	Funds Pending BPW*
Hyatt Park Placemaking Project	\$125,000

* These funds must be approved by the Maryland Board of Public Works

This project is funded with GO Bonds; therefore, the grant is subject to Board of Public Works approval. This Letter of Acknowledgement establishes the project start date but does not bind the State to reimburse the applicant for expenditures incurred on the project until Board of Public Works approval occurs.

The Department of Natural Resources will forward your project to the Maryland State Clearinghouse for notification and intergovernmental review. Once reviewed, the project will be submitted to the Board of Public Works for approval at the earliest possible date. The applicant will be notified as to the Board of Public Works' decision. If the project is approved, the applicant may then submit requests for reimbursement up to the total amount of funds approved for the project.

It is a pleasure for the Department of Natural Resources to assist you with your Community Parks and Playgrounds project(s). I hope that our combined efforts will result in safe and convenient recreation opportunities for all to share and enjoy. For additional information about the Community Parks and Playground Program, please go to <http://dnr.maryland.gov/land/Pages/ProgramOpenSpace/cpp.aspx> or contact your Program Administrator listed on the back page.

Sincerely,

Carrie Lhotsky
 Grants and Stewardship Manager
 Land Acquisition and Planning

Community Parks and Playgrounds Program Administrators**John Braskey**

Allegany and Garrett Counties

john.braskey@maryland.gov

301-777-2030

Margaret Lashar

Anne Arundel, Calvert, Charles, Frederick, Howard, Montgomery, Prince George's, St. Mary's, and Washington Counties

margaret.lashar@maryland.gov

410-260-8427

Carrie Lhotsky

Baltimore City, Baltimore, Caroline, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester Counties

carrie.lhotsky@maryland.gov

410-260-8409

Sandi Trent

Carroll, Cecil, and Harford Counties

sandi.trent@maryland.gov

410-260-8448



Hyattsville City Council Agenda Item Report

Meeting Date: July 15, 2019
Submitted by: Laura Reams
Submitting Department: Public Works
Item Type: Grant
Agenda Section:

SUBJECT

FY20 CIP Budget Amendment: Accept and Appropriate the Chesapeake Bay Trust Grant Award

HCC-18-FY20

Recommendation:

I move that the Mayor and Council amend the FY20 CIP to accept and appropriate the Chesapeake Bay Trust award in the amount of \$100,000 for implementation of the Wells Boulevard Green Street Project in University Hills, upon the review and approval of the City Attorney for legal sufficiency.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[16962 \(1\).pdf](#)

Summary Background:

As part of completing the University Hills street and sidewalk project the Council authorized the design of Wells Boulevard/Parkway as a complete green street. City staff submitted an application for grant funding from the Chesapeake Bay Trust in March of 2019, and the awards were announced on July 2nd, 2019. The Wells Boulevard/Parkway project was awarded \$100,000 for the construction of green features as part of the project.

Next Steps:

Complete the design of and authorize the expenditure of funds for construction.

Fiscal Impact:

\$100,000

City Administrator Comments:

This is great news for the City. Recommend Approval.

Community Engagement:

N/A

Strategic Goals:

Goal 3 – Promote a Safe and Vibrant Community

Legal Review Required?

Pending



**Baltimore Office
of Sustainability**
People • Planet • Prosperity



May 31, 2019

Mrs. Tracy Douglas
City Administrator
City of Hyattsville
4310 Gallatin Street
Hyattsville, MD 20781

Dear Mrs. Douglas:

The Chesapeake Bay Trust thanks the City of Hyattsville for your proposal to the Green Streets, Green Jobs, Green Towns Award Program. The Trust received a high level of requests, over \$2.4 million in requests for the over \$960,000 available in this round of the program. I am pleased to report approval of \$100,000 for implementation of the Wells Boulevard Green Street Project in Hyattsville, Maryland.

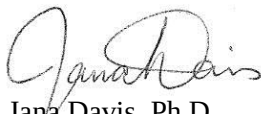
Your award will be distributed as detailed in the award agreement attached. The payment(s) are contingent on key elements that are required prior to the release of each payment as described in your award agreement. **Please carefully read your award agreement** and contact the Trust if you have questions.

The signed award agreement, any other contingencies, and status and final reports must be submitted by logging into the Chesapeake Bay Trust Online Grant System account accessed through the link https://www.GrantRequest.com/SID_1520 with the same username and password used when you applied. The Trust reserves the right to cancel the award and apply funds to other projects if the requirements of the award agreement are not met by the due dates.

The Trust and funding partners, United States Environmental Protection Agency and the City of Baltimore, are pleased to invite you to an event on July 2, 2019, to announce the awards. Details of the event will be provided to your project lead via email by our program staff when we have the location and time confirmed. **We respectfully request that you await conclusion of this event prior to media announcements of your specific project.** Our communications team would be happy to help with any media outreach after the event.

If you should have any questions regarding our decision, please feel free to contact the Program Officer, Jeffrey Popp at 410-974-2941 ext. 103. The Chesapeake Bay Trust greatly appreciates the time you invested in proposal development and looks forward to working with you in the future.

Sincerely,



Jana Davis, Ph.D.
Executive Director

Award #: 16962
Project Leader: Hal Metzler



108 Severn Avenue • Annapolis, MD 21403 • PH: 410.974.2941
www.chesapeakebaytrust.org



Award Agreement between the Chesapeake Bay Trust
And the City of Hyattsville

May 29, 2019

This agreement is between the Chesapeake Bay Trust (the Trust) and the City of Hyattsville (the “awardee”) (DUNS #: 094888781). The total amount of the award for award number 16962 is \$100,000. Delivery of this award is made through the Award Program and is subject to receipt by the Trust of a signed copy of this agreement, which confirms that:

- 1) **Award Amount and Description:** The award is in the amount of \$100,000 for implementation of the Wells Boulevard Green Street Project in Hyattsville, Maryland. By accepting this award, awardee agrees that said monies will be used to accomplish deliverables with budgeted items as proposed in your application received on 3/7/2019, modified through any contingencies below, and approved in this award agreement.
- 2) **Period of Performance:** The period of performance for this award is from 5/15/2019 to 7/15/2020.
- 3) **Changes in Scope and Budget:** Up to 10% of total project funds may be shifted from one of the seven high level budget categories (e.g., supplies, travel, etc.) to another, as long as the shift does not substantively modify the project’s goals, objectives, milestones, or deliverables. Significant changes to project budget and/or scope must be approved by the Trust in advance of the change. Requests for approval of changes must be made by completing the Award Revision Request Requirement available in your online award portal. The following types of changes should trigger an Award Revision Request:
 - a. Scope changes:
 - i. An alteration of the intent, goals, objectives, milestones, and/or deliverables of the project
 - ii. A change in the physical location of a project
 - iii. Changes in key personnel or key project partners
 - iv. Changes in project deliverables as proposed in your original application and modified through contingencies in this award agreement
 - v. Changes in timeline in your original application or as subsequently amended, including requests for no-cost extensions
 - b. Budgetary changes:
 - i. Changes in budget that result in a greater than 10% shift in funds across high level budget categories (personnel, supplies, contractual, travel, field trip fees, other, and indirect costs)
 - ii. Addition of a line item to the budget that falls under one of the seven high level budget categories that had not yet appeared in your budget (e.g., adding personnel when none had been approved previously or adding contractual services to the budget)
 - iii. Budget changes that reflect an alteration of the intent of the project
 - iv. Budget changes that reflect a change in the environmental benefit or impact of a project
- 4) **Pre-construction meeting:** The awardee agrees to initiate, organize, and schedule a mandatory pre-construction meeting after the construction contract with the prime contractor has been awarded and within 30 days of the construction start date, to include Trust staff, the landowner, the applicant, the contractor, and the project engineer.
- 5) **Change to Design Plan:** Any changes to the design plans submitted to the Trust within the application must be approved by the funding partners; i.e., if the design plans submitted to the Trust are not identical to plans used for construction, changes must be approved.

- 6) **Start of construction/implementation:** Construction/implementation must be initiated by 9/15/2019; otherwise the award may be terminated by the Trust.
- 7) **Distribution of funding:** Funding will be distributed in phased payments as described below:
- a. Phase 1 payment of \$90,000 is contingent upon:
 - i. submission by 8/15/2019 to the Trust of the signed award agreement;
 - ii. submission by 8/15/2019 to the Trust of the Audit Verification Requirement required for all awards involving federal funds (accessible via your online portal; see the “Submitting Documents” section below);
 - iii. submission by 8/15/2019 to and approval by the Trust of a final design that details the stormwater best management practices to be implemented and including a final planting plan, native plant list, and estimated nutrient reduction and stormwater treatment area calculations, (Total Nitrogen, Total Phosphorus, and Total Suspended Solids);
 - iv. submission by 8/15/2019 to and approval by the Trust of a written statement (<1 page) that explains how educational signage will be included as part of the project; and
 - v. submission by 8/15/2019 to and approval by the Trust of copies of all required permits; and
 - vi. completion of a pre-construction meeting, as described in Section 4 (above) of the grant agreement, indicating implementation will commence in 30 days and submission of the meeting requirement by 9/15/2019 (accessible via your online portal; see the “Submitting Documents” section below).

Contact the Trust for assistance with these contingencies. Funds will not be released until these contingencies are met.

- b. Final payment of \$10,000 (10% of the award amount) will be distributed upon submission to and review by the Trust of your **final report due on or before 7/15/2020**. The final report shall include:
 - i. **Post-Construction site visit.** The awardee agrees to initiate, organize, and schedule a mandatory post-construction site visit to include Trust staff, the landowner, and the awardee to verify the project was completed as approved. In the event the awardee fails to complete the project in accordance with the conditions of this Agreement, the awardee shall return the funds to the Trust.
 - ii. **Programmatic report.** A final report as specified in the report form instructions that can be assessed through https://www.grantrequest.com/SID_1520. Included in the final report will be a deliverables section that should match the deliverables you proposed in your approved application, as modified by any contingencies or budget adjustments.
 - iii. **Financial report - Financial Management Spreadsheet’s “Expenses” worksheet.** Information must be entered in the appropriate columns (see the “Expenses Instructions” worksheet) describing how the previous phase funds were spent plus the final 10% such that the full award amount, less any award monies not to be used, is reported. If unauthorized changes were made to the budget or deliverables without Trust approval you will be required to refund the award.
 - iv. **Financial documentation - Submission of invoices/receipts and an accounting of personnel costs.** Invoices/receipts and documentation of personnel expenses must be included in ONE PDF or other file. Each row entered into the Financial Management Spreadsheet’s “Expenses” worksheet must include a corresponding invoice/receipt/piece of documentation. The individual receipts/invoices/documentation must be numbered with the corresponding backup document numbers (Column A) in the Financial Management Spreadsheet’s “Expenses” worksheet and submitted in numerical order. Copies of timesheets associated with any personnel time supported by the award must be included. Institutions of Higher Education may provide, in lieu of timesheets, time and effort reporting documentation that complies with 2 CFR 200.430. Any invoices,

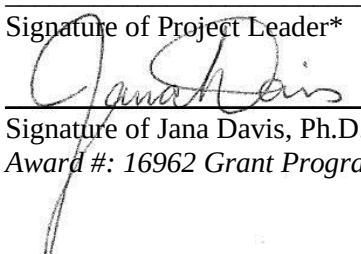
- receipts, or other documentation already submitted in reporting on a previous phase, if applicable, need not be resubmitted.
- v. **Final products** that include a **completed 2,000 square foot green street project, educational signage, final nutrient reduction and stormwater treatment area calculations (Total Nitrogen, Total Phosphorus, and Total Suspended Solids)**, and additional other deliverables as outlined in your award application as modified through any contingencies.
 - vi. **Photos of the project:** For all projects that involve a construction element, submit before, during, and after construction photos. For all projects that involve an outreach or community engagement element, submit photos of engagement events.
- 8) **Progress report(s):** Progress report(s) on this project including the outreach and/or restoration progress, to date, is due to the Trust on or before 3/1/2020.
- 9) **Submitting documents:** The signed award agreement, other contingencies, and status and final reports are required to be submitted by logging into the Chesapeake Bay Trust Online Grant System account accessed through the link https://www.GrantRequest.com/SID_1520 with the same username and password used when you applied. Status and final report extension requests must be made using the Award Revision Request Requirement prior to the report due date. Depending on circumstances, the Trust may or may not grant an extension. In cases where the awardee fails to submit a status report or final report by the due date, the Trust reserves the right to terminate the award agreement and require a refund of funds already transferred to the awardee. By signing this award agreement, the awardee agrees to comply with all conditions of the agreement, status and progress report date(s), if applicable, and the final report date listed above and agrees to return funds if a complete report is not submitted by the deadline. Failure to submit report(s) by the deadline will affect eligibility for future awards.
- 10) **Acknowledgement of funding partners:** All public communications and promotion including press releases, print publications, signage, online messaging, etc. must:
- a. Acknowledge program partners, United States Environmental Protection Agency Region 3, the Baltimore City's Office of Sustainability, Maryland Department of Natural Resources, and the Chesapeake Bay Trust (using both names and logos) whose logos appear at the top of the cover letter to this Agreement;
 - b. Include the Trust's license plate logo (available at www.cbtrust.org/logos); and
 - c. Issue the following statement on all work products disseminated: "This project has been funded wholly or in part by the United States Environmental Protection Agency under assistance agreement CB96358501 to Maryland Department of Natural Resources. The contents of this document do not necessarily reflect the views and policies of the Environmental Protection Agency, nor does the EPA endorse trade names or recommend the use of commercial products mentioned in this document."
- 11) **Ownership of Equipment:** All "non-expendable equipment" (defined as equipment with a probably useful life greater than one year beyond the date of acquisition and that costs at least \$500 either as an individual piece or a group of pieces intended to be used together) and "major equipment" (defined as any item of equipment costing \$2,000 or more) procured with award funds will be property of the Maryland Department of Natural Resources (DNR) and must be used primarily for work under this Agreement. Prior written approval is required for use of the equipment for other work. Upon completion of the award, the Trust, as instructed by DNR, will determine what disposition shall be made of the equipment and will notify the awardee within 30 days.
- 12) **Federal funding requirements:** This program is a partnership of the Trust and the U.S. Environmental Protection Agency (EPA), with EPA funding coming through CFDA # 66.466 Chesapeake Bay Program through Federal Award Identification Number (FAIN) CB96358501 dated 12/20/18. For purposes of accounting, you may consider your award (\$100,000) composed of 100% federal funding as a sub-award. Neither the non-federal nor the federal component of the award, if any, may be used to

match funds from other federal programs. If you are receiving federal funds (i.e., the percentage of your award that is from a federal source is >0%), as a sub-recipient:

- a. You must comply with federal requirements governing the use of those funds, specifically Title 2 CFR Part 200: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance).
 - b. If your total Federal annual expenditures exceed \$750,000 you are required to obtain a Single Audit and to furnish the Trust and our auditors with the Single Audit financial statement for each year covered by the award and allow access to your records.
 - c. Consistent with federal procurement guidelines, you must obtain or have obtained at least three estimates for any work to be performed by subcontractors greater than \$3,000 and less than \$150,000, must keep documentation on the estimates, and must use good faith efforts to engage disadvantaged/minority/women business enterprises (DBE) by reaching out to DBE/MBE/WBE firms to submit estimates/bids (the following website may be helpful in identifying firms: <https://mbe.mdod.maryland.gov/>). You must verify by checking at <https://www.sam.gov/SAM/> that any subcontractor or supplier has not been suspended, debarred, excluded, or disqualified by the federal government, and pass this requirement on to your subcontractors who in turn use subcontractors or suppliers.
- 13) The recipient understands that none of the funds for this project (including funds contributed by the recipient as cost sharing) may be used to pay for the travel of Federal employees or for other costs associated with Federal participation in this project unless a Federal agency will be providing services to the recipient as authorized by a Federal statute.
- 14) If doing research on human subjects (defined as a living individual about whom an investigator (whether professional or student) conducting research obtains (1) data through intervention or interaction with the individual, or (2) identifiable private information) or animal subjects, you agree to comply with all applicable provisions of EPA 40 CFR 26 and/or Animal Welfare Act of 1966 as amended.
- 15) The recipient agrees to comply with the terms and conditions included in the proposal submission and all applicable local, state, and federal laws.

The undersigned who is (are) fully authorized in the premises of the City of Hyattsville accepts, subject to the terms and conditions in the above award agreement, the proposed award of \$100,000.

Please return signed copies of the full award letter, with each page initialed and full signatures on the last page, by uploading a scanned copy to your Chesapeake Bay Trust Online Grant System account accessed through the link https://www.GrantRequest.com/SID_1520 with the same username and password used when you applied. Please keep a copy for your records.

Signature of Executive Officer*	Title	Date
Signature of Project Leader*	Title	Date
	Executive Director	5/29/2019
Signature of Jana Davis, Ph.D., Executive Director; Chesapeake Bay Trust		Date
Award #: 16962 Grant Program: Green Streets		



Hyattsville City Council Agenda Item Report

Meeting Date: July 15, 2019
Submitted by: Laura Reams
Submitting Department: Police Department
Item Type: Grant
Agenda Section:

SUBJECT

FY20 Budget Appropriation: Maryland Criminal Intelligence Network (MCIN) Grant

HCC-19-FY20

Recommendation:

I move that the Mayor and Council accept and appropriate into the FY20 budget the Grant Award from the Governor's Office on Crime Control and Prevention in the amount of \$354,988 for the 'Maryland Criminal Intelligence Network' program.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[MCIN Official Notice of Acceptance City of Hyattsville.pdf](#)

Summary Background:

The City of Hyattsville's Maryland Criminal Intelligence program helps reduce crime, augment gaps and foster collaboration and cooperation among partner agencies and stakeholders. The program will address three major concerns affecting the City of Hyattsville and surrounding municipalities.

The funding will be used to increase police presence in focus areas, target criminal gangs, identify violent offenders and continue working with school administrators and youth through our safe schools program.

The MCIN program aggressively works with our coalition partners through a multi-agency collaboration with state and local law enforcement agencies, the State's Attorney's Office, schools, and community partners. Program funds also provide personnel and contractual services.

Next Steps:

Approval and acceptance of the grant.

Fiscal Impact:

\$354,988

City Administrator Comments:

This program has had tremendous success. Recommended support.

Community Engagement:

N/A

Strategic Goals:

Goal 3 – Promote a Safe and Vibrant Community

Legal Review Required?

Pending



GOVERNOR'S COORDINATING OFFICES

COMMUNITY INITIATIVES • SERVICE & VOLUNTEERISM • PERFORMANCE IMPROVEMENT
CRIME CONTROL & PREVENTION • SMALL, MINORITY & WOMEN BUSINESS AFFAIRS
CHILDREN • DEAF & HARD OF HEARING

June 26, 2019

The Honorable Candance
Hollingsworth
City of Hyattsville
4310 Gallatin Street
Hyattsville, Maryland 20781

Chief Amal Awad
Hyattsville City Police
Department
4310 Gallatin Street
Hyattsville, Maryland 20781

Mr. Scott Dunklee
City of Hyattsville
4310 Gallatin Street
Hyattsville, Maryland 20781

Reference: 2019-MC-0014

Dear Mayor Hollingsworth,

The Governor's Office of Crime Control and Prevention (GOCCP) have reviewed your grant application request for the FY 2020 Maryland Criminal Intelligence Network (MCIN) grant program. I am pleased to inform you that your project titled, "FY20 Maryland Criminal Intelligence Network Program," will be funded in the amount of \$354,988.

Our office anticipates that the official award packets will be sent out in the upcoming weeks. Should you have any questions or need specific budget information please contact me via email at Quentin.Jones@maryland.gov. In the meantime, please accept this letter as GOCCP's official Notice of Intent to fund your program for the award period of July 1st, 2019 to June 30th, 2020.

Thank you for your continuous efforts and commitment to making Maryland safer.

Sincerely,

Quentin Jones,
Program Manager



Hyattsville City Council Agenda Item Report

Meeting Date: July 15, 2019
Submitted by: Laura Reams
Submitting Department: Public Works
Item Type: Budget
Agenda Section:

SUBJECT

FY20 Special Revenue Funds Budget Amendment

HCC-20-FY20

Recommendation:

I move that the Mayor and Council amend the FY20 Special Revenue Funds Budget and appropriate \$10,500 in remaining unencumbered FY19 LGIT training grant funds to complete the Heavy Equipment Operator Safety training in July 2019.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

Summary Background:

In the summer of 2018 the City was awarded a grant for heavy equipment training from LGIT. Due to unexpected delays in setting up the training it could not be completed prior to the end of the fiscal year. Training is currently scheduled for July 2019.

Next Steps:

N/A

Fiscal Impact:

\$10,500

City Administrator Comments:

Recommend Approval

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: July 15, 2019
Submitted by: Laura Reams
Submitting Department: Community Services
Item Type: Grant
Agenda Section:

SUBJECT

FY20 Budget Amendment: Accept and Appropriate Grant for Summer Reading Program

HCC-26-FY20

Recommendation:

I move that the Mayor and Council amend the FY20 budget to accept \$2,000 in grant funding from Prince George's County for the summer reading program, 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

Summary Background:

The City's Education Advisory Committee worked with City staff to seek a special appropriations grant funding from County Councilwoman Deni Taveras in support of the Committee's summer reading program. The program launched in June this year, and this is the third year it is taking place.

Next Steps:

Utilize funds to support literacy in summer of 2019.

Fiscal Impact:

\$2,000

City Administrator Comments:

TBD

Community Engagement:

The summer reading program is a community engagement program.

Strategic Goals:

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

Legal Review Required?

N/A



Hyattsville City Council Agenda Item Report

Meeting Date: July 15, 2019
Submitted by: Laura Reams
Submitting Department: Police Department
Item Type: Purchase
Agenda Section:

SUBJECT

Purchase of Body-Worn Camera and In-Car Video Data Storage

HCC-21-FY20

Recommendation:

I move that the Mayor and Council authorize the Police Department to purchase additional data storage for the Body-Worn Camera (BWC) and In-Car Video (ICV) programs from DATAPRISE at a cost not to exceed \$25,739.96.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[BWC Server Justification.pdf](#)

Summary Background:

The Police Department has identified the need to purchase additional storage for Body Worn Camera (BWC) and In Car Video (ICV) data storage. The current server is full and emergency provisions have been made to continue collecting the data for appropriate storage according to our policy. We have not lost any video; we just need to procure more storage space to ensure these two programs continue uninterrupted. Per the City's procurement policies the department received three quotes, Dataprise \$25,739, Peake Tech \$29,100 and NTI for \$30,751. Dataprise was selected as the lowest and the best based on their familiarity of the current data storage systems.

Next Steps:

Complete the purchase with DATAPRISE.

Fiscal Impact:

\$25,739.96

City Administrator Comments:

Recommend Approval

Community Engagement:

N/A

Strategic Goals:

Goal 4 – Foster Excellence in all City Operations

Legal Review Required?

N/A

AMAL E. AWAD, CHIEF OF POLICE

CITY OF HYATTSVILLE POLICE DEPARTMENT



CITY OF HYATTSVILLE POLICE DEPARTMENT

Candace B. Hollingsworth
Mayor

Tracey Nicholson-Douglas
City Administrator

FROM: A/Lt. Zach Nemser #222

DATE: 06/18/2019

		Signature	Date
1	Capt. Scott Dunklee	<i>SD</i>	6/18/2019
2			
3			
4			
5			
6			
7			
8			

REFERENCE: BWC Server Justification

- ☐ For your Information ☒ For your approval ☐ For your signature
☐ For your consideration ☐ For appropriate action ☐ For your files
☐ Please handle ☐ Please advise ☐ Please note and return
☐ Please supply more detail ☐ Please discuss with me ☐ Per your request
☐ Recommendation(s) ☐ Please prepare reply for signature of _____

REMARKS: Here is the BWC Server justification with quotes attached. It has not gone through finance yet.



AMAL E. AWAD, CHIEF OF POLICE

CITY OF HYATTSVILLE POLICE DEPARTMENT



CITY OF HYATTSVILLE POLICE DEPARTMENT



Candace B. Hollingsworth
Mayor

Tracey Nicholson-Douglas
City Administrator

DATE: June 18th, 2019

TO: Capt. Scott Dunklee, Deputy Chief *SD*

FROM: A/Lt. Zach Nemser, Patrol Commander *ZN*

REF.: Procurement of additional storage for BWC and ICV

As discussed in multiple staff meetings, our department has identified the need to purchase additional storage for Body Worn Camera (BWC) and In Car Video (ICV) data storage. The current server is full and emergency provisions have been made to continue collecting the data for appropriate storage according to our policy. As you know, we have not lost any video; we just need to procure more storage space to ensure these two programs continue uninterrupted. Sgt. Hartnett has selected the appropriate equipment with the assistance of our BWC and ICV vendors and in consultation with the City's IT contractor. Sgt. Hartnett has collected three quotes for additional storage as per the City of Hyattsville Procurement Policy. The quotes are as follows:

DATAPRISE: Synology Rackstation and associated equipment, **\$25,739.96**

NTI: Synology Rackstation and associated equipment, **\$30,751.84**

PEAKE Tech.: Synology Rackstation and associated. equipment, **\$29,100.00**

Based on the attached quotes and the recommendation of Sgt. Hartnett, we recommend this purchase be made from **DATAPRISE** in the amount of **\$25,739.96**.

This purchase is considered a Public Safety related issue and we therefore request the use of Speed Camera revenue to fund this equipment.





Purchase Agreement

PA #: 2019-CQK-P11

Customer: City of Hyattsville

Bill to: 4310 Gallatin Street
Hyattsville, MD 20781

Ship to: -- SAME --

Attention: James Chandler

Cust. PO: NONE

Date: 6/6/2019

Representative: Ahmad Marzuki

Prices Expire: 7/6/2019

Terms: See attached.

I. Product / Service

Project: DATAPRISE PROJECT SERVICES - SYNOLOGY RACKSTATION UPGRADE - ESTIMATED

Task 1 - Technical Professional Consulting Services (Mid-Level)- Estimated.

1. Provide Certified Network Engineer (Mid-Level) to perform the following tasks to include, but not limited to:

- Replicate configuration of current Synology NAS
- Configure replication with versioning on Secondary NAS

Special Terms:

1. Minimum on-site visit is four (4) hours.
2. There are no travel charges for all on-site visits of eight (8) hours or greater. A travel fee of ½ hour of the prevailing on-site rate will apply to a) all on-site visits under eight (8) hours, and b) all after-hours service requests.
3. Overages will be billed to final invoice with Customer's approval.

The rest of this page is intentionally blank

II. Price Summary**Product / Service**

Section 1 - Synology NAS	\$10,598.00
Section 2 - Seagate Primary	\$4,799.84
Section 3 - Seagate Secondary	\$7,679.84
Section 4 - Dell SFP+	\$783.62
Section 5 - HPE Module	\$707.98
Section 6 - Cables	\$10.68

Sub Total Products: \$24,579.96

Total Non-Recurring Technical Services \$1,160.00

0.00% Sales Tax: \$0.00

TOTAL: \$25,739.96

Note: See price detail for optional items.
Note: Some service items have estimated quantities.

III. Customer Authorization

By signing this Purchase Agreement, Customer hereby authorizes Dataprise, Inc. to fulfill the requirements specified under Product / Services (including the Special Terms) above according to the Prices specified and the Terms and Conditions of Sale below. Please have an authorized representative of your organization sign below and return.

AUTHORIZED CUSTOMER NAME

AUTHORIZED CUSTOMER SIGNATURE

AUTHORIZED CUSTOMER TITLE

Authorized Date

DATAPRISE, INC.

DATAPRISE REPRESENTATIVE NAME

for Dataprise, Inc.

DATAPRISE REPRESENTATIVE TITLE

Acceptance Date

50% Down payment of \$12,869.98 due upon execution of this order. Please remit to:

Dataprise, Inc.
Attn: Accounts Receivable
P.O. Box 62550
Baltimore, MD 21264-2550



Thank you for this opportunity to serve you.

Questions? Contact your Dataprise Account Executive:
Ahmad Marzuki
1-410-230-9999 Ext. 10627
amarzuki@dataprise.com

IV. Price Detail

Section 1 - Synology NAS

#	Item	Part #	Qty.	Price	Extension
	(Hardware)				
1.	SYNOLOGY RACKSTATION RS4017XS+ SAN/NAS SERVER - INTEL XEON D-1541 OCTA-CORE (8 CORE) 2.10 GHZ - 8 GB RAM DDR4 SDRAM - Serial ATA Controller - RAID Supported 0, 1, 5, 6, 10, Basic, JBOD - 16 x Total Bays - 16 x 2.5"/3.5" Bay - 2 x Total Slot(s) - 10 Gigabit Ethernet - 2 USB Port(s) - 2 USB 3.0 Port(s) - Network (RJ-45) - DiskStation Manager - iSCSI, DLNA, AFP, CIFS, Kerberos, FTP, HTTP, NFS - Rack-mountable	QRS4017XS+	2	\$5,299.00	\$10,598.00

T=Taxable Item

Sub Total: \$10,598.00

Section 2 - Seagate Primary

#	Item	Part #	Qty.	Price	Extension
	(Hardware)				
1.	SEAGATE IRONWOLF PRO ST8000NE0004 8 TB HARD DRIVE - SATA (SATA/600) - 3.5" Drive - Internal - 7200rpm - 256 MB Buffer - Hot Pluggable 256MB 3.5IN	QST8000NE0004	16	\$299.99	\$4,799.84

T=Taxable Item

Sub Total: \$4,799.84

Section 3 - Seagate Secondary

#	Item	Part #	Qty.	Price	Extension
	(Hardware)				
1.	SEAGATE IRONWOLF PRO ST12000NE0008 12 TB HARD DRIVE - 512e Format - SATA (SATA/600) - 3.5" Drive - Internal - 7200rpm - 256 MB Buffer - Hot Pluggable 256MB 3.5IN	QST12000NE0008	16	\$479.99	\$7,679.84

T=Taxable Item

Sub Total: \$7,679.84

Section 4 - Dell SFP+

#	Item	Part #	Qty.	Price	Extension
	(Hardware)				
1.	ENET SFP+ MODULE - For Data Networking - 1 RJ-45 10GBase-T Network - Twisted Pair - Category 6a, Category 710 Gigabit Ethernet - 10GBase-T CAT6A/CAT7 RJ45 30M - DELL COMPATIBLE	Q407-BBWL-ENC	2	\$391.81	\$783.62

T=Taxable Item

Sub Total: \$783.62

Section 5 - HPE Module

#	Item	Part #	Qty.	Price	Extension
	(Hardware)				
1.	HPE EXPANSION MODULE - Interfaces/Ports Details 2 x RJ-45 10GBase-T Network LAN - Connectivity Media Twisted Pair 10GBase-T - Interface Type 10GBase-T	QJ9732A	2	\$353.99	\$707.98

T=Taxable Item

Sub Total: \$707.98

Section 6 - Cables

#	Item	Part #	Qty.	Price	Extension
	(Hardware)				
1.	V7 CAT.7 PATCH NETWORK CABLE - Category 7 Network Cable - First End: 1 x RJ-45 Male Network - Second End: 1 x RJ-45 Male Network - Patch Cable - Shielding - Black CABLE RJ45 W/ METAL SHIELDED	QV7CAT7FST P-2M-BLK-1N	4	\$2.67	\$10.68

T=Taxable Item

Sub Total: \$10.68

Non-Recurring Technical Services Detail

Task	Description	Qty.	Per	Price	Extension
1	Technical Professional Consulting Services (Mid-Level)- Estimated	8	Hour	\$145.00	\$1,160.00

T=Taxable Item

Sub Total: \$1,160.00

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2019-CQK-P11

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Technical Services - OPTIONAL ITEMS

<u>Task</u>	<u>Description</u>	<u>Min. Qty.</u>	<u>Per</u>	<u>Price</u>	<u>Extension</u>
2	Technical Project Management	0	Hour	\$165.00	\$0.00
3	Technical Professional Consulting Services (Senior-Level) - Hourly Rate	0	Hour	\$165.00	\$0.00
4	Technical Professional Consulting Services - After Hours Rate (All-Levels)- (6:30PM - 8:00AM Daily, All Day Weekends, Published Holidays, \$100/per incident response fee if unscheduled emergency response)	0	Hour	\$155.00	\$0.00
5	Technical Professional Consulting Services - Remote Help Desk Support - Hourly Rate	0	Hour	\$95.00	\$0.00
6	Data Cabling Services - Hourly Rate	0	Hour	\$85.00	\$0.00
<i>T=Taxable Item</i>				<u>Sub Total:</u>	<u>\$0.00</u>

DRAFT

Terms and Conditions of Sale

Please Initial: _____ Initials Date: _____

A. General

- SERVICES:** The Services provided hereunder are as described under the "Product / Service" section of this Agreement. All time billed to the nearest 1/4 hour increment.
- TAXES AND SHIPPING:** Applicable taxes, shipping, and freight charges are the responsibility of Customer and may not be included in Dataprise pricing.
- ENTIRE AGREEMENT:** This Agreement supersedes all previous proposals and discussions and reflects the final understanding between the Customer and Dataprise, Inc. with respect to the subject matter of the Agreement.
- EXPENSES:** Customer will be invoiced separately for any procurement expenses for equipment or other hardware or software as may be provided by Dataprise.
- SCHEDULED VISIT CANCELLATIONS:** Twenty-four (24) hours notice is required for any cancellation or rescheduling of regularly scheduled or planned on-site visits. Failure to provide such notice may result, at Dataprise's sole discretion, in the charging of anticipated on-site visit fees.
- HIRING OF DATAPRISE PERSONNEL:** Customer hereby understands and agrees that Dataprise spends considerable time and money hiring, training and growing its professional staff and that its staff is generally utilized among many different clients. Accordingly, Customer agrees that it will not solicit for employment, hire or contract with any of Dataprise's existing or former technical or professional personnel assigned either directly or indirectly to Customer's account during the term of this Agreement and for a period of two years from its termination, regardless of the reason for termination. Customer agrees to pay Dataprise the sum of \$35,000 as liquidated damages for the breach or attempted breach of this provision for each occurrence thereof. For this purpose, solicitation does not include contact resulting from indirect means such as public advertisement, Internet postings, placement firm searches or similar means not directed specifically at the employee to which the employee responds on his or her own initiative, as long as any such general advertisements are not made for the purpose of circumventing this section. This provision shall survive the termination of this Agreement for any reason.
- ESTIMATED CHARGES:** All hourly charges reflected in this Purchase Agreement are estimated based on projected use. Actual final costs may vary based on actual work performed.
- ORIGINAL SIGNATURE:** Customer hereby agrees to and attests that any signature by facsimile is deemed to be an original.
- EQUIPMENT SALES:** All hardware and software equipment sales provided hereunder are final and products listed herein may not be returned unless previously authorized. Dataprise generally offers a 15 day return period on all items still in their original manufacturer's packaging and in re-sellable condition. Dataprise may charge a 15% restocking fee on all returned items. Final return authorization is subject to original equipment manufacturer (OEM) approval. Equipment pricing is subject to fluctuations due to changing market conditions and availability and cannot be guaranteed. Consequently, Dataprise may cancel or offer substitutions on those items that, at time of order, are no longer available at the prices quoted herein.
- PRODUCT SUBSTITUTIONS:** If equipment specified hereunder is unavailable from manufacturer, Dataprise will consult with Customer concerning substitutions. Any price impact resulting from necessary substitution(s) will be subject to price adjustment.
- CHANGE IN INSTALLATION CONDITIONS:** If installation conditions at Customer's site are different from those reasonably discoverable during an initial walk-through of the site by Dataprise staff or are different from those that are explicitly communicated to Dataprise staff by the Customer, and such different conditions cause an increase in Dataprise's installation or labor costs, then Dataprise shall be entitled to equitable price adjustment to cover such additional costs. This provision is in addition to the ESTIMATED CHARGES provision above.
- ON-SITE MINIMUM:** Customer will be assessed a four (4) hour on-site minimum. On-site travel charges billed for time spent traveling from point-of-origin to Customer site. Additional charges may apply for on-site travel greater than 100 miles.
- INDEPENDENT CONTRACTOR:** Dataprise is and shall at all times be an independent contractor and shall not be deemed an employee or agent of Customer. Nothing in this Agreement is intended to, or shall be deemed to, constitute a partnership or joint venture between the parties.
- CONFLICT OF TERMS:** Where these "Terms and Conditions of Sale" conflict with anything contained in the "Special Terms" found in Section I, Product / Services, the "Special Terms" conditions shall control.
- TERMINATION:** This Agreement may be terminated by either party with thirty (30) days' written notice on account of a party's material failure to perform which is not cured within thirty (30) days' written notice to the breaching party. In the event that either party terminates this Agreement prior to the completion or final delivery of Products and/or Services hereunder, Customer shall be liable to Dataprise for any products delivered or services rendered through the date of termination, including any hourly non-recurring technical services that may have accrued.

B. Limitation of Liability

- Dataprise's failure to perform any term or condition of this Agreement as a result of conditions beyond its control such as, but not limited to, war, terrorism, strikes, fires, floods, acts of God, governmental restrictions or power failures shall not be deemed a breach of this Agreement.
- Warranties of any and all hardware equipment and software applications are provided directly by their respective manufacturers. Dataprise assumes no risk whatsoever for any defective items but will make reasonable efforts to assist Customer in obtaining repair or replacement under manufacturer's warranty.
- It is expressly understood and agreed that Dataprise has not made any guarantees or promises to Customer with respect to the exact date of the complete delivery, installation and operational status of any equipment or services provided hereunder.
- Dataprise warrants that the technical support services being performed by it under this Agreement will be performed in a professional manner and that Dataprise will use commercially reasonable efforts in addressing all service problems. Dataprise's total liability under this Agreement shall in no event exceed the total amounts paid by Customer to Dataprise under this Agreement.
- THE LIMITED WARRANTIES SET FORTH ABOVE ARE EXCLUSIVE AND ARE IN LIEU OF ALL OTHER WARRANTIES AND CONDITIONS, EXPRESSED OR IMPLIED, STATUTORY OR OTHERWISE WITH RESPECT TO THE SERVICES OR PRODUCTS PROVIDED UNDER THIS AGREEMENT, OR AS TO THE RESULTS WHICH MAY BE OBTAINED THEREFROM, AND AS TO ALL IMPLIED WARRANTIES AND CONDITIONS OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. IN NO EVENT SHALL DATAPRISE BE LIABLE FOR ANY INDIRECT, SPECIAL OR CONSEQUENTIAL DAMAGES FOR LOSS OF PROFITS OR LOSS OF DATA ARISING OUT OF OR RELATED TO THIS AGREEMENT, THE PERFORMANCE OR BREACH THEREOF, THE SERVICES PROVIDED OR FAILED TO BE PROVIDED, INCLUDING BUT NOT LIMITED TO ANY DELAY, NON-DELIVERY, WRONG DELIVERY, SERVICE INTERRUPTION OR LOSS OF ACTUAL OR ANTICIPATED VALUE OF THE BUSINESS, EVEN IF DATAPRISE HAS BEEN WARNED OF SUCH LOSS.
- Customer agrees to indemnify and hold harmless Dataprise, and its parents, subsidiaries, affiliates, officers, directors, shareholders, employees and agents, from any claim or demand, including reasonable attorneys fees, made by any third party due to or arising out of Customer's conduct, Customer's use of the support services provided under this Agreement, any alleged violation of this Agreement, or any alleged violation of any rights of another, including but not limited to Customer's use of any content, trademarks, service marks, trade names, copyrighted or patented material, or other intellectual property used in connection with services provided to Customer under this Agreement. Dataprise reserves the right, at its own expense, to assume the exclusive defense and control of any matter otherwise subject to indemnification by Customer, but doing so shall not excuse Customer's indemnity obligations.

C. Acceptance

- Product orders will be deemed "Accepted" by Customer upon Customer receipt and delivery of any such products, or agreed substitution if not available from manufacturer, as specified under this Agreement.
- In the event of any extended delays due to the Customer, service provider, or any other third party that causes Dataprise not to fulfill some or all of the product or service items specified hereunder, Dataprise shall be entitled to payment of those individual product or service items that are completed as specified hereunder.

D. Payment

- All payments shall be made in U.S. dollars payable to "Dataprise, Inc.". A service charge of \$50 will be assessed for any returned checks.
- A finance charge of 1.5% will be applied monthly on all unpaid balances after the final payment due date.
- If the amount due Dataprise, Inc. must be collected by or through an attorney or otherwise adjudicated, Customer will be responsible for all reasonable attorney's fees and / or court costs incurred by Dataprise, Inc..

THIS DOCUMENT IS CONFIDENTIAL AND PROPRIETARY

2019-CQK-P11

Page 5 of 6

E. Governing Law

1. This Agreement shall be governed by and construed in accordance with the laws of the state of Maryland. Any actions to interpret or enforce this Agreement shall be solely brought in the state of Maryland and, to the extent permitted by law, the parties agree that the venue for such action shall be in the County of Montgomery.
2. Any notices or communications under this Agreement shall be made in writing and transmitted by certified mail return receipt requested to the party to whom such communication is directed. If to Dataprise, such notices shall be addressed to Dataprise, Inc., Attn.: Legal Department, 9600 Blackwell Road, 4th Floor, Rockville, MD 20850. If to Customer, such notices shall be addressed to the mailing address specified when Customer opens an account with Dataprise, or such other address as either party may give the other by notice as provided above.

DRAFT



4501 Boston Way, Suite C
Lanham, MD 20706
(301) 306-0790
www.nowtechs.com

Date	11-Jun-19
Page	1 of 1
Quote #	CH20190611

City of Hyattsville
4310 Gallatin Street
Hyattsville, MD 20781

ITEM	QTY	PART #	DESCRIPTION	PRICE	EXTENDED
1	2	8J9298	Synology Rackstation RS4017XS+ SAN/NAS Server - Intel Xeon D-1541 Octa-core (8 Core) 2.10 GHz - 8 GB RAM DDR4 SDRAM - Serial ATA Controller - RAID Supported 0, 1, 5, 6, 10, Basic, JBOD - 16 x Total Bays - 16 x 2.5"/3.5" Bay - 2 x Total Slot(s) - 10 Gigabit Ethernet - 2 USB Port(s) - 2 USB 3.0 Port(s) - Network (RJ-45) - DiskStation Manager - iSCSI, DLNA, AFP, CIFS, Kerberos, FTP, HTTP, NFS - Rack-mountable	\$ 5,299.99	\$ 10,599.98
2	16	SV9010	Seagate IronWolf Pro ST8000NE0004 8TB Hard Drive - SATA (SATA/600) - 3.5" Drive - Internal - 7200rpm - 256 MB Buffer - Hot Pluggable - 20 Pack RPM 256MB 3.5IN	\$ 392.99	\$ 6,287.84
3	16	5RZ196	Seagate IronWolf Pro ST12000NE0008 12TB Hard Drive - 512e Format - SATA (SATA/600) - 3.5" Drive - Internal - 7200rpm - 256 MB Buffer - Hot Pluggable - 20 Pack 7200 RPM 256MB 3.5IN	\$ 633.99	\$ 10,143.84
4	2	2GB893	ENET SFP+ Module - For Data Networking 1 RJ-45 10GBase-T Network - Twisted Pair - Category 6a, Category 710 Gigabit Ethernet - 10GBase-T CAT6A/CAT7 RJ45 30M DELL COMPATIBLE	\$ 522.99	\$ 1,045.98
5	2	2QF618	HPE Expansion Module - For Data Networking 2 RJ-45 10GBase-T Network - Twisted Pair10 Gigabit Ethernet - 10GBase-T - Plug-in Module	\$ 493.99	\$ 987.98
6	4	3N1132	V7 Cat.7 Patch Network Cable - Category 7 Network Cable - First End: 1 x RJ-45 Male Network - Second End: 1 x RJ-45 Male Network - Patch Cable - Shielding - Black CABLE RJ45 W/ METAL SHIELDED	\$ 2.99	\$ 11.96
Quote valid for 14 days <u>THIS IS NOT AN INVOICE</u>				Total	\$29,077.58
				Tax	EXEMPT
				S&H	\$274.26
				Est. Labor	\$1,400.00
				Grand Total	\$30,751.84



Richard Hartnett <rhartnett@gmail.com>

Price Quote Request

Matthew Deskin <Matt.Deskin@nowtechnologies.com>

Tue, Jun 11, 2019 at 4:22 PM

To: "rhartnett@hyattsville.org" <rhartnett@hyattsville.org>

Cc: Sean Williams <Sean.Williams@nowtechnologies.com>

Sgt. Hartnett,

Thank you for the opportunity to work with the City of Hyattsville. Now Technologies submits the attached quote for requested hardware and estimated labor. In addition, NTI's rates for requested technical services are as follows:

- | | |
|---|------------------------------|
| 1. Technical Project Management | \$150/hour (minimum 1 hour) |
| 2. Technical Professional Consulting (Senior-Level) | \$150/hour (minimum 1 hour) |
| 3. Technical Professional Consulting (After Hours) | \$150/hour (minimum 2 hours) |
| 4. Technical Professional Consulting (Remote Help Desk) | \$125/hour |
| 5. Data Cabling Services | \$125/hour |

Please let me know if the City of Hyattsville is interested in a Managed IT Services contract with NTI. I can offer discounted rates on the above services upon execution of a new contract for FY2020.

We look forward to your response.

Regards,

Matt Deskin

Vice President

nti Now Technologies, Inc.

4501 Boston Way, Suite C

Lanham, MD 20706

Baltimore: 410.844.4222

Washington: 301.306.0790

Mobile: 301.802.0990

mdeskin@nowtechs.com

**** Have a business associate in need of IT services? Refer them to your trusted IT professionals, Now Technologies. If the referred business signs a contract with us, we'll send you a referral reward! Contact me for more details. Thank you for your continued business!**

[Quoted text hidden]

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 **CH20190611.pdf**
117K



We have prepared a quote for you

City of Hyattsville - Arbitrator Video Storage

Quote # 014862 Version 1

PREPARED FOR
City of Hyattsville

PEAKE™

TECHNOLOGY PARTNERS

P: E: acotsalas@peaketechnology.com W: www.peaketechnology.com

Products & Services

Description		Price	Qty	Ext. Price
Synology RackStation NAS Server		\$6,478.79	2	\$12,957.58
Synology Mounting Rail Kit for Network Storage System		\$115.31	2	\$230.62
Crucial 16GB DDR4 Synology Memory Module		\$123.09	4	\$492.36
Seagate IronWolf Pro 8 TB 7200 RPM SATA Hard Drive		\$367.11	16	\$5,873.76
Seagate IronWolf Pro 12 TB 7200 RPM SATA Hard Drive		\$518.48	16	\$8,295.68
PEAKE Project Manager		\$200.00	1	\$200.00
PEAKE Senior Engineer • Replicate configuration of existing Synology • Rack, cable, and install 2 x new Synology units • Configure replication with versioning of secondary Synology • Assist with file migration to new storage and Arbitrator configurations, as needed • Secure recycling and destruction of old hardware (optional)		\$150.00	7	\$1,050.00

Subtotal: **\$29,100.00**

PEAKE™

TECHNOLOGY PARTNERS

P: E: acotsalas@peaketechnology.com W: www.peaketechnology.com

City of Hyattsville - Arbitrator Video Storage

Prepared by:

PEAKE Technology Partners

Alex Cotsalas
(866) 35-PEAKE
acotsalas@peaketechnology.com

Prepared for:

City of Hyattsville

4310 Gallatin St.
Hyattsville, MD 20781
Sgt. Richard Hartnett
(301) 985-5000
rhartnett@hyattsville.org

Quote Information:

Quote #: 014862

Version: 1
Delivery Date: 06/13/2019
Expiration Date: 07/13/2019

Quote Summary

Description	Amount
Products & Services	\$29,100.00
Total: \$29,100.00	

Taxes, shipping, handling and other fees may apply. We reserve the right to cancel orders arising from pricing or other errors.

PEAKE Technology Partners

City of Hyattsville

Signature: _____

Name: Alex Cotsalas

Title: Lead Systems Analyst

Date: 06/13/2019

Signature: _____

Name: Sgt. Richard Hartnett

Date: _____



Hyattsville City Council Agenda Item Report

Meeting Date: July 15, 2019
Submitted by: Laura Reams
Submitting Department: Community Services
Item Type: Resolution
Agenda Section:

SUBJECT

Resolution 2019-05: Purchase of 5812 40th Avenue (Teen Center)

HCC-22-FY20

Recommendation:

I move that the Mayor and Council introduce and adopt Hyattsville Resolution 2019-05, a resolution of the City Council of Hyattsville, Maryland, whereby the purchase the property at 5812 40th Avenue is authorized, including the approximately 3,000-square-foot building and the adjacent 25,000 square feet of green space for \$500,000.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Resolution_Purchase_of_5812_40th_Ave_For_Adoption \(2\).docx](#)

Summary Background:

City Council authorized the purchase of the building during the June 3 meeting. Once renovated, the building will serve to expand the City's teen program and other programming.

Next Steps:

Finalize the purchase.

Fiscal Impact:

\$500,000

City Administrator Comments:

Recommend Approval

Community Engagement:

This has been discussed and voted on in open session.

Strategic Goals:

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

Legal Review Required?

Complete

RESOLUTION 2019-05
Authorizing the Purchase of 5812 40th Avenue

A Resolution of the City Council of Hyattsville, Maryland, whereby the purchase the property at 5812 40th Avenue is authorized, including the approximately 3,000-square-foot building and the adjacent 25,000 square feet of green space for \$500,000.

WHEREAS, sections C9-1 and C9-4 of the City of Hyattsville Charter authorize the City to purchase real property and acquire buildings and structures; and

WHEREAS, the City seeks a space for the expanding teen programming it offers, and additional general recreation space; and

WHEREAS, 5812 40th Avenue (hereinafter the “Property”) has been on the market, partly or completely vacant, for years, causing frustration among neighboring homeowners and businesses for its impact on property values, foot traffic, and general neighborhood aesthetic; and

WHEREAS, the property includes both indoor and outdoor space, and sits next to one of the City’s pocket parks, making it an ideal location for City programming; and

WHEREAS, the Mayor and Council authorized the City Administrator to negotiate the purchase of the Property and enter into a contract of sale within certain parameters; and

WHEREAS, the purchase price of \$500,000, is within the parameters authorized by the City Council and the City Council approved the purchase at that amount by motion on June 3, 2019.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hyattsville that the City Council in regular session assembled, hereby approves and ratifies the contract for the sale to the City of 5812 40th Avenue at a cost of \$500,000.00 and hereby authorizes the City Administrator, Tracey Douglas, to sign all settlement documents to purchase the premises according to the contract dated June 20, 2019, and any further amendments or negotiations as done by the City Attorney within his reasonable discretion; and

BE IT FURTHER RESOLVED, BE IT FURTHER RESOLVED, that upon approval by City Council the City Treasurer shall identify for disbursement the available City resources needed by the City for settlement on the premises; and

INTRODUCED by the Mayor and City Council of the City of Hyattsville, Maryland, at a Regular Meeting on **July 15, 2019**, at which meeting copies were available to the public for inspection.

ADOPTED by the Mayor and City Council of the City of Hyattsville, Maryland, at a Regular Meeting on **July 15, 2019**, and will take effect immediately upon adoption.

Adopted: _____

Attest: _____
Laura Reams, City Clerk

Candace Hollingsworth, Mayor



Hyattsville City Council Agenda Item Report

Meeting Date: July 15, 2019
Submitted by: Lesley Riddle
Submitting Department: Public Works
Item Type: Purchase
Agenda Section:

SUBJECT

Repair of Solid Waste Vehicle #0565

HCC-1-FY20

Recommendation:

I move that the Mayor and Council authorize an expenditure from the FY20 Operating Budget in an amount not to exceed \$30,000, for the purpose of repairing the 2005 International using the proposal submitted by KD Neil, a sole source provider for International equipment repair.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[estimate_2319458_0\(1\).pdf](#)

Summary Background:

The Department of Public Works currently has four trash trucks to provide solid waste services to City residents. The 2005 International trash truck, with over 14 years of service, requires a major engine repair. This truck has significant importance to Solid Waste operations and the Departments ability to provide timely trash removal for City residents. This vehicle has not required any major repairs throughout its service life until this time. Staff believes that repairing the vehicle of equipment is a better fiscal decision than replacing the unit which may cost well over \$200,000.

This is a sole source procurement because the parts or equipment are not interchangeable with parts or equipment from other manufacturers. The cost of the repair should not exceed \$30,000.

Next Steps:

With Council approval staff will schedule the repair of International Solid Waste trash truck

Fiscal Impact:

Funds for this repair are in the DPW Solid Waste operating budge.

City Administrator Comments:

Recommend Approval

Community Engagement:

None

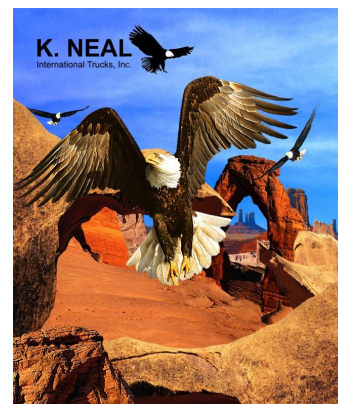
Strategic Goals:

Goal 4 – Foster Excellence in all City Operations

Legal Review Required?

N/A

K. NEAL INTL TRUCKS INC
5000 TUXEDO ROAD - HYATTSVILLE, MD 20781
Phone: (1) 301-7725100 - Fax: (1) 301-3223163
Estimate Number: 2319458 - RO Number: 26351
Service Writer: Liane Martinez - Date: 1/7/2019 12:26 PM (C)
Currency: USD



Unit No: SW65

City of Hyattsville

VIN: 1HTWGAAT85J003947
Model: 7400 SBA 6X4
Engine: INTL DT466 HT 285HP/2400 GOV
Make: International
Delivered: 9/27/2004
In Service: 14 Years 3 Months
Mileage: 104680 Eng Hrs: 15659

Recall/AFC: No

Contact Name: Mike Schmidl
Position: primary
Phone: (301) 985-5032
E-Mail:
PO Number:

Operation (Un-Sectioned)	Labor Cost	Parts Cost	Core Charge	Total Cost
Engine Oil / Fluid Leak, Diagnosis	\$229.50	\$0.00	\$0.00	\$229.50
Engine Front Cover And/Or Gasket, R & R And/Or Replace (1) COVER ASSEMBLY FRONT REAR HALF G2 (1) COVER KIT, FRONT FRONT HALF WITH SEAL (1) KIT, OIL PUMP 8 LOBE (1) BOLT M16 X 65MM-12PT (1) BOLT, FRONT COVER M8 X 50MM WITH SEAL (5) BREAKER CLEANER (20) CABLE TIE (3) 3M SURFACE	\$3,672.00	\$3,734.18	\$0.00	\$7,406.18

In Frame Engine Overhaul, I6	\$6,579.00	\$6,159.41	\$0.00	\$12,738.41
(2) INSULATOR, FRONT ENGINE MOUNTING (1) WATER PUMP (1) BELT, FAN RIBBED "V" 8 PACKAGE 2348 MM (1) HOSE, RADIATOR 64 MM I.D. X 241" MM (1) HOSE, RADIATOR INLET (1) HOSE, RADIATOR OUTLET 2-1/2" DIAMETER (1) ELBOW, HOSE 63.5X115X90DEG (2) HOSE, INLET RADIATOR (1) THERMOSTAT ASSEMBLY (1) CLAMP, CUSHIONED RUBBER WITH .406" MOUNTING HOLE 2 1/2" I.D. (4) HOSE, HEATER (4) HOSE 16 4480 (16) HOSE, HEATER (8) COOLANT (32) OIL (1) KIT, ENGINE OVERHAUL (1) GASKET ASN VALVE COVER COVER /UVC HARNESS (6) WASHER LOWER SUPPORT (14) BOLT BEARING CAP (1) SEAL, COOLANT PORTAL (4) SLEEVE, COMPRESSION FITTING 3/8" (1) CLAMP, EXHAUST PIPE, CLAMP, TURBOCHARGER PIPE TO TURBOCHARGER 4 INCH (11) BOLT, TORQUE PREVAILING M12 X 1.75 X 40 MM (1) KIT, EGR BOLT AND WASHER (1) FILTER 1253240 (1) MISC CLAMPS (5) BRAKE CLEANER (20) CABLE TIE (3) 3M SURF (1) TANK, RADIATOR SURGE OVERFLOW (1) TANK, SURGE DEAREATION				
Machine Shop (MACHINING) - CYLINDER HEAD CHECK	\$0.00	\$0.00	\$0.00	\$500.00

Notes:

[1/7/2019 12:26 PM] - Dealer: CHECK UNIT LEAK AT FRONT -Checked unit for oil leak at front of engine- Cleaned area and found rear half of front cover leaking bad. Need to replace cover but will have to change front half as well due to these covers are a GEN 1 and they dont make them anymore will have to update to so they are not interchangeable.
Next checked engine fluids and found oil is low due to leaks. Next started engine let it run to check for other leaks and found excessive blowby coming from draft tube and removed oil fill and its huffing blow by out of engine is worn due to large amount of engine hours and miles on engine engine has over 15 thousand hours on it. Also noticed passenger side of engine cylinder head gasket is leaking coolant. Next made quote for all repairs and head will need to be sent out to be checked for overhaul.

Summary

Parts:	\$9,893.59
Core:	\$0.00
Labor:	\$10,480.50
Shop:	\$250.00
Tax:	\$0.00
Other Items:	\$500.00
Haz. Waste:	\$7.50
TOTAL:	\$21,131.59

This estimate is subject to teardown and inspection and is valid for 30 days from date above. I, the undersigned, authorize you to perform the repairs and furnish the necessary materials. I understand any costs verbally quoted are an estimate only, not binding, and that I may be asked to provide a 50% deposit before repairs begin unless I hold an account in good standing with K. Neal International Trucks. Your employees may operate vehicle for inspecting, testing and delivery at my risk. You will not be responsible for loss or damage to vehicle or articles left in it. AUTHORIZED BY: _____ DATE: __/__/__



Hyattsville City Council Agenda Item Report

Meeting Date: July 15, 2019

Submitted by: Laura Reams

Submitting Department: Community & Economic Development

Item Type: Planning & Development

Agenda Section:

SUBJECT

Zoning Variance Request V-55-19 – 3500 Jefferson Street, Hyattsville

HCC-25-FY20

Recommendation:

I move the City Council authorize the Mayor to provide letter to the Prince George's County Board of Zoning Appeals, in support of a zoning variance, for the subject property at 5709 40th Place, Hyattsville, validating the existing conditions permitting:

- (1) A variance request of 15 feet rear yard depth/width and 16 feet set back from the front street line;
- (2) A waiver of the rear yard location requirement for an accessory building, as relocating structures to comply with zoning would create significant hardship on the property-owner and/or be physically infeasible based on the lot size and current orientation of the house.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Memo - V-55-19.docx](#)

[Fulgencio Application - V-55-19.pdf](#)

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

Summary Background:

The applicant, Fulgencio Salguero, has appealed to the Prince George's County Board of Zoning Appeals for permission to validate an existing condition (dwelling) and construct a partial second floor on the property, contrary to the requirements of the Zoning Ordinance. Specific violations of the Zoning Ordinance are outlined below:

- 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(i)(Table VIII) prescribes that accessory buildings shall be set back 60 feet from the front street line and generally be located only in the rear yard, or in the yard opposite the designated front of the main building on corner lots where the designated front of the main building faces the side street.

Variances of 15 feet rear yard depth/width, 16 feet set back from the front street line, and a waiver of the rear yard location requirement for an accessory building are being requested.

The property resides in an R-55 Property Zone within the Gateway Arts District Overlay Zone and Traditional Residential Neighborhood Character Area. This address is located within Residential Parking Zone 6. The subject property contains a brick single-family dwelling and attached garage. The lot is irregular in shape and resides on the

corner of Jefferson Street and 35th Place. The driveway extends from the garage 31 feet to 35th Place, while the front of the house faces towards Jefferson Street. An accessory building (shed) is present east of the residence. The proposed construction will occur 5 feet from the rear property line, where the garage currently resides, and the proposed partial second floor will be on top of the existing building towards the rear.

Next Steps:

The City Council's position regarding V-55-19 will be provided to the Prince George's County Board of Zoning Appeals.

Fiscal Impact:

N/A

City Administrator Comments:

Staff recommends the City Council support the applicant's variance request of 15 feet rear yard depth/width, 16 feet set back from the front street line, and a waiver of the rear yard location requirement for an accessory building, as relocating structures to comply with zoning would create significant hardship on the property-owner and/or be physically infeasible based on the lot size and current orientation of the house. Staff recommends the City Council validate the existing condition of the dwelling.

Community Engagement:

The subject property was posted, per BZA requirements.

Strategic Goals:

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

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: July 3, 2019

Re: Zoning Variance Request V-55-19 – 3500 Jefferson Street, Hyattsville

Attachments: Application for Variance (Appeal No. V-55-19)
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-55-19, for the property located at 3500 Jefferson Street, Hyattsville, MD, 20782.

Summary of Variance Conditions:

The applicant, Fulgencio Salguero, has appealed to the Prince George's County Board of Zoning Appeals for permission to validate an existing condition (dwelling) and construct a partial second floor on the property, contrary to the requirements of the Zoning Ordinance. Specific violations of the Zoning Ordinance are outlined below:

- 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(i)(Table VIII) prescribes that accessory buildings shall be set back 60 feet from the front street line and generally be located only in the rear yard, or in the yard opposite the designated front of the main building on corner lots where the designated front of the main building faces the side street.

Variances of 15 feet rear yard depth/width, 16 feet set back from the front street line, and a waiver of the rear yard location requirement for an accessory building are being requested.

The property resides in an R-55 Property Zone within the Gateway Arts District Overlay Zone and Traditional Residential Neighborhood Character Area. This address is located within Residential Parking Zone 6. The subject property contains a brick single-family dwelling and attached garage. The lot is irregular in shape and resides on the corner of Jefferson Street and 35th Place. The driveway extends from the garage 31 feet to 35th Place, while the front of the house faces towards Jefferson Street. An accessory building (shed) is

present east of the residence. The proposed construction will occur 5 feet from the rear property line, where the garage currently resides, and the proposed partial second floor will be on top of the existing building towards the rear.

Recommendation:

Staff recommends the City Council support the applicant's variance request of 15 feet rear yard depth/width, 16 feet set back from the front street line, and a waiver of the rear yard location requirement for an accessory building, as relocating structures to comply with zoning would create significant hardship on the property-owner and/or be physically infeasible based on the lot size and current orientation of the house. Staff recommends the City Council validate the existing condition of the dwelling.



Constance, Jim T Raley - Kate Council
THE PRINCE GEORGE'S COUNTY GOVERNMENT

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BOARD OF ZONING APPEALS

BOARD OF ADMINISTRATIVE APPEALS

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

NOTICE OF HEARING

Date: June 18, 2019

Petitioner: Fulgencio Salguero

Appeal No.: V-55-19

Hearing Date: WEDNESDAY, JULY 3, 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 an existing condition (dwelling) and construct a partial second floor on R-55 Zoned (One-Family Detached Residential) property known as lot 14, Block 6, Clearwood Subdivision, being 3500 Jefferson 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(e)(Table IV) prescribes that each lot shall have a rear yard at least 20 feet in depth/width. Section 27-442(i)(Table VIII) prescribes that accessory buildings shall be set back 60 feet from the front street line and generally be located only in the rear yard, or in the yard opposite the designated front of the main building on corner lots where the designated front of the main building faces the side street. Variances of 15 feet rear yard depth/width, 16 feet set back from the front street line and a waiver of the rear yard location requirement for an accessory building are requested.

Public hearing on this Appeal is set for the time and place above stated. **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:

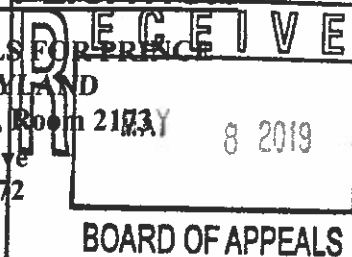
Barbara J. Stone
Barbara J. Stone
Administrator

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

1/3.
(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 2173Y
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
(301) 952-3220



Filing Fee Paid: \$ 200 -

OK/M.O. # 538

By: Fulgencio Guillen-Salguero
3500 Jefferson Street
Hyattsville MD 20782

Sign Posting Fee Paid: \$ 60 -

OK/M.O. # 539

By: Fulgencio Guillen-Salguero
3500 Jefferson Street
Hyattsville, MD 20782

APPEAL NO. V-55-19

(OFFICE USE ONLY)

**APPLICATION FOR A VARIANCE
FROM STRICT APPLICATION OF THE ZONING ORDINANCE**

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

Owner(s) of Property FULGENCIO GUILLEN SALGUERO
(AS SHOWN ON DEED)

Address of Owner(s) 3500 JEFFERSON ST

City HYATTSVILLE State MARYLAND Zip Code 20782

Telephone Number (home) _____ (cell) (202) 878-2690 (work) _____

E-mail address: mrthnavas@hotmail.com

Applicant/attorney/engineer/contractor's name, address and telephone number if different from above: (circle one)

MARTHA NAVAS / 21014 CLARKSBURG RD / BOYDS, MD 20841

For assistance in completing questions below, see corresponding paragraphs on *Instructions to Applicants*, which is designed to help you fill out this form. **SUBMITTED SITE PLANS/PLATS MUST BE DRAWN TO SCALE BY A CERTIFIED ENGINEER, SURVEYOR OR ARCHITECT (WITH OFFICIAL SEAL OR STATE OF MARYLAND REGISTRATION NUMBER SHOWN ON THE SITE PLAN/PLAT) AND MUST SHOW ALL STRUCTURES (TO INCLUDE ALL DIMENSIONS AND NUMBER OF STORIES) AS WELL AS OFF-STREET PARKING AND ANY PROPOSED CONSTRUCTION ON THE PROPERTY. THE PLAN MUST NOTE THE SCALE, THE LOT SIZE, THE LEGAL DESCRIPTION AND A NORTH ARROW.**

Location of Property involved: a) Street Address 3500 JEFFERSON ST.

City HYATTESVILLE, MD 20782

b) Lot(s) 14 Block 6 Parcel 0000

Subdivision Name CLEARWOOD

c) Name(s) & Address(es) of Homeowners/Citizens/Civic and/or Community Association(s):

N/A

d) Municipality (Incorporated City/Town) Name Hyattsville

What will be/has been constructed on the property? (Variance(s) Required) CONSTRUCTION

IS 5 FT FROM THE REAR PROPERTY LINE - AND

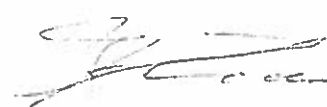
PROPOSED PARTIAL 2ND FLOOR ON TOP OF THE EXISTING HOUSE

18.5' x 36.1'

Do you need the services of a foreign language interpreter at your hearing? (Additional \$30 fee required)

Yes ☒ No ☐

Foreign Language: SPANISH


Signature of Owner/Attorney

Fulgencio Villar Salgado
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. Filing fees must be made payable to Prince George's County and sign posting fees must be made payable to M-NCPPC. 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 COUNTY USE ONLY

Property Zone: R-55 Overlay Zone: Gateway Arts District

Has the property in question ever been subject to previous Board, County Council or Zoning Hearing Examiner action? No If so, give Case No.(s)/Decision Date(s) N/A

Is the property subject to any action by the Planning Board? No

If so, what type of action? _____

Variance(s) requested: _____

FOR A LIST OF ALL NAMES AND MAILING ADDRESSES OF ADJOINING PROPERTY OWNERS AND OTHER PARTIES, PLEASE SEE THE PERSONS OF RECORD LIST

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- [illegible]



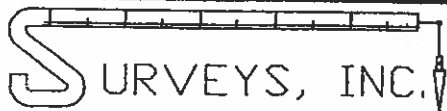
Drawn By: Tam O
Checked By: Tax
Date: 4-10-19
Scale: 1" = 20'
Job No. H-0 1269-12
Case No. F. Guillen

I hereby certify that the position of all the existing improvements on the above described property has been carefully surveyed by me or directly under my supervision and that they are located as shown. THIS IS NOT A BOUNDARY SURVEY.

4-10-2019

Date

Gregory C. Benefiel
Gregory C. Benefiel
Registered Professional
Land Surveyor, Md. No. 10994

SURVEYS, INC.

SURVEYORS • ENGINEERS • LAND PLANNERS
PERMIT SERVICES

950 MAIN STREET

LAUREL, MARYLAND, 20707

PHONE 301-716-0561

FAX 301-716-0642

HOUSE LOCATION SURVEY

3500 Jefferson Street

Lot(s)/~~Block~~ 14, #/Block 6

Plat _____, Section _____, Phase _____

CLEARWOOD

(16TH) Hyattsville Election District
Prince George's County, Maryland

Plat Book BB-7 Plat No. 85

Liber 14260 Follo 315

S-5389



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: July 15, 2019
Submitted by: Laura Reams
Submitting Department: Police Department
Item Type: Budget
Agenda Section:

SUBJECT

FY20 CIP Budget Amendment and Appropriation of FY19 Unencumbered Account Balances (5 minutes)

HCC-23-FY20

Recommendation:

I move that the Mayor and Council amend the FY20 CIP Budget and appropriate \$9,940,524 of remaining FY19 unencumbered funds in various accounts for the previously approved renovation of 3505 Hamilton Street.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

Summary Background:

In May 2017 the City Council approved moving forward with the design and renovation of 3505 Hamilton Street to be the new City Police Station. The Council authorized a capital budget appropriation of \$10,265,000 be added to the FY 2019 budget to cover the costs of the project. Due to a longer than expected design and procurement phase to the project the funds were not encumbered in FY 2019 as originally anticipated. The funds will be encumbered in FY 2020 and this motion moves the remaining unencumbered funds from FY 2019 to FY 2020.

Next Steps:

Complete the design and put the construction of the building out to bid.

Fiscal Impact:

10,074,771.28

City Administrator Comments:

Recommend Support

Community Engagement:

Community Engagement occurred earlier in the the design phase.

Strategic Goals:

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

Legal Review Required?

N/A



Hyattsville City Council Agenda Item Report

Meeting Date: July 15, 2019

Submitted by: Laura Reams

Submitting Department: Community & Economic Development

Item Type: Planning & Development

Agenda Section:

SUBJECT

Zoning Variance Request V-33-19 – 7104 Claymore Avenue, Hyattsville (10 minutes)

HCC-27-FY20

Recommendation:

I move the City Council authorize the Mayor to provide letter to the Prince George's County Board of Zoning Appeals, in support of a zoning variance, for the subject property at 7104 Claymore Avenue, Hyattsville, permitting:

(1) A variance request of 1-foot front building line width and 1-foot front street line width, as the variance is minimal and is a validation of existing condition of the property.

The City does not support the applicant's requested waiver of the parking area location requirement, as the applicant has not demonstrated significant hardship. Neighboring properties include driveway dimensions similar to the applicant's existing 10' x 30' driveway, so the requested additional impervious surface, if approved, would be inconsistent with the front yard impervious surfaces area of similar residential properties and the overall character of the neighborhood.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Memo - V-33-19 FINAL.docx](#)

[7104 Claymore Ave - Google Maps.pdf](#)

[Hu Application - V-33-19.pdf](#)

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

Summary Background:

The applicant, Charlotte Hu, has applied to the Prince George's County Board of Zoning Appeals for a zoning variance with regards to a proposed 10' x 30' driveway extension in the front yard of their property. 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 along the front building line and 65 feet along the front street line.
- Section 27-442(e)(Table IV) states each lot shall have a side yard at least 8 feet in width.
- 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 1-foot front building line width and 1-foot front street line width, as well as a waiver of the parking area location requirement, are being requested.

The property resides in an R-55 Property Zone within the Traditional Residential Neighborhood Area and the Gateway Arts District Overlay Zone. This address is not located within a Residential Parking Zone. The subject property is a one-story brick dwelling located on Claymore Avenue. The property has a 10' x 30' existing driveway, which the applicant hopes to double in size with an additional 10' x 30'. If the applicant's variance is approved, the driveway would be a total of 20' x 30'. Surrounding homes have comparable driveway widths to the applicant's existing driveway.

The homeowners have not adequately addressed the City's Variance Policy (see attached). Specifically, the applicant did not submit photos of all existing site conditions and a narrative description of the proposed changes.

Next Steps:

The City Council's position will be provided to the Board of Zoning Appeals for its consideration.

Fiscal Impact:

N/A

City Administrator Comments:

Staff recommends the City Council support the applicant's variance request of 1-foot front building line width and 1-foot front street line width, as the variance is minimal and is a validation of existing condition of the property.

Staff recommends the City Council deny the applicant's requested waiver of the parking area location requirement, as the applicant has not demonstrated significant hardship. Neighboring properties have similar driveway dimensions as the applicant's 10' x 30' existing driveway, so the requested extension, if approved, would be inconsistent with the paved surfaces area and character of the neighborhood.

Community Engagement:

The subject property was posted, per BZA requirements.

Strategic Goals:

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

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: July 3, 2019

Re: Zoning Variance Request V-33-19 – 7104 Claymore Avenue, Hyattsville

Attachments: Application for Variance (Appeal No. V-33-19)
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-33-19, for the property located at 7104 Claymore Avenue, Hyattsville, MD, 20782.

Summary of Variance Conditions:

The applicant, Charlotte Hu, has applied to the Prince George's County Board of Zoning Appeals for a zoning variance with regards to a proposed 10' x 30' driveway extension in the front yard of their property. 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 along the front building line and 65 feet along the front street line.
- Section 27-442(e)(Table IV) states each lot shall have a side yard at least 8 feet in width.
- 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 1-foot front building line width and 1-foot front street line width, as well as a waiver of the parking area location requirement, are being requested.

The property resides in an R-55 Property Zone within the Traditional Residential Neighborhood Area and the Gateway Arts District Overlay Zone. This address is not located within a Residential Parking Zone. The subject property is a one-story brick dwelling located on Claymore Avenue. The property has a 10' x 30' existing driveway, which the applicant hopes to double in size with an additional 10' x 30'. If the applicant's

variance is approved, the driveway would be a total of 20' x 30'. Surrounding homes appear to have comparable driveway widths to the applicant's existing driveway.

The homeowners have not adequately addressed the City's Variance Policy (see attached). Specifically, the applicant did not submit photos of all existing site conditions and a narrative description of the proposed changes.

Recommendation:

Staff recommends the City Council support the applicant's variance request of 1-foot front building line width and 1-foot front street line width, as the variance is minimal and is a validation of existing condition of the property.

Staff recommends the City Council deny the applicant's requested waiver of the parking area location requirement, as the applicant has not demonstrated significant hardship. Neighboring properties have similar driveway dimensions as the applicant's 10' x 30' existing driveway, so the requested extension, if approved, would be inconsistent with the paved surfaces area and character of the neighborhood.

Google Maps 7104 Claymore Ave

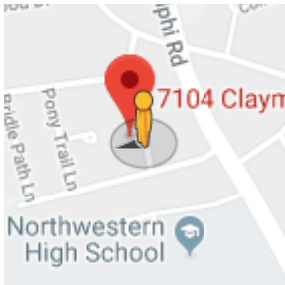


Image capture: Jun 2012 © 2019 Google

Hyattsville, Maryland



Street View - Jun 2012





THE PRINCE GEORGE'S COUNTY GOVERNMENT

BOARD OF ZONING APPEALS

BOARD OF ADMINISTRATIVE APPEALS

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

NOTICE OF HEARING

Date: May 7, 2019

Petitioner: Charlotte Hu

Appeal No.: V-33-19

Hearing Date: WEDNESDAY, MAY 22, 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 obtain a permit to extend the driveway on the premises known as Lot 3, Block A, College Heights Terrace Subdivision, being at 7104 Claymore Avenue, Hyattsville, Prince George's County, Maryland, contrary to the requirements of the Zoning Ordinance.

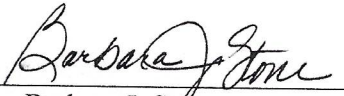
The specific violation resides in the fact that Zoning Ordinance Section 27-442(d)(Table III) prescribes that each lot shall have a minimum width of 65 feet along the front building line and 65 feet along the front street line. Section 27-442(e)(Table IV) prescribes that each lot shall have a side yard at least 8 feet in width. 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 1-foot front building line width, 1-foot front street line width and a waiver of the parking area location requirement are requested.

Public hearing on this Appeal is set for the time and place above stated. **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.**

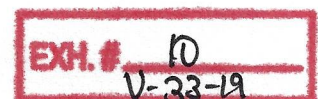
Adjoining property owners, who are owners of premises either contiguous to or opposite the property involved, are notified of this hearing in order that they may express their views if they so desire. However, their presence is not required unless they have testimony to offer the Board.

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

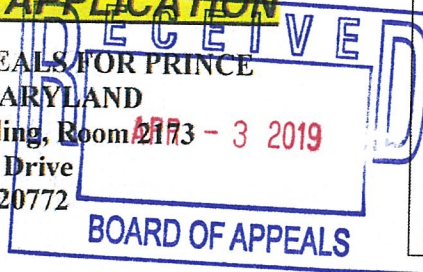
cc: Petitioner
Adjoining Property Owners
Park and Planning Commission
City of Hyattsville



(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 2173 - 3 2019
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
(301) 952-3220



Filing Fee Paid: \$	200.00
CK/M.O. #	466
By:	Big Hu
	7104 Claymore Ave
	Hyattsville, MD 20782
Sign Posting Fee Paid: \$	30.00
CK/M.O. #	467
By:	SAME
APPEAL NO.	V-33-19
(OFFICE USE ONLY)	

**APPLICATION FOR A VARIANCE
FROM STRICT APPLICATION OF THE ZONING ORDINANCE**

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

Owner(s) of Property CHARLOTTE HU
(AS SHOWN ON DEED)
Address of Owner(s) 7104 CLAYMORE AVE
City HYATTSVILLE State MD Zip Code 20782
Telephone Number (home) _____ (cell) 571-289-4785 (work) 703-692-4429
E-mail address: CHARLOTTE.ANN.CHARLIE.HU@GMAIL.COM
Attorney/engineer/contractor name, address and telephone number (applicant if different from above): (circle one)
ERIC AT DAD STAR GROUP LLC, 3500 WAYNESWOOD RD
FORT WASHINGTON, MD 20744 (301) 379-6794

For assistance in completing questions below, see corresponding paragraphs on *Instructions to Applicants*, which is designed to help you fill out this form. **SUBMITTED SITE PLANS/PLATS MUST BE DRAWN TO SCALE BY A CERTIFIED ENGINEER, SURVEYOR OR ARCHITECT (WITH OFFICIAL SEAL OR STATE OF MARYLAND REGISTRATION NUMBER SHOWN ON THE SITE PLAN/PLAT) AND MUST SHOW ALL STRUCTURES (TO INCLUDE ALL DIMENSIONS AND NUMBER OF STORIES) AS WELL AS OFF-STREET PARKING AND ANY PROPOSED CONSTRUCTION ON THE PROPERTY. THE PLAN MUST NOTE THE SCALE, THE LOT SIZE, THE LEGAL DESCRIPTION AND A NORTH ARROW.**

Location of Property involved: a) Street Address 7104 CLAYMORE AVE
City HYATTSVILLE, MD 20782
b) Lot(s) 3 Block A Parcel _____
Subdivision Name COLLEGE HEIGHTS TER
c) Association Name(s) & Address(es) (Homeowners/Citizens/Civic and/or Community):
N/A

d) Municipality (Incorporated City/Town) Name HYATTSVILLE, MD

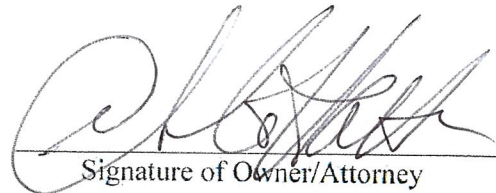
What will be/has been constructed on the property? (Variance(s) Required)

PROPOSED 10x30 FT DRIVEWAY EXTENSION. 172

Do you need the services of a foreign language interpreter at your hearing? (Additional \$30 fee required)

Yes _____ No X

Foreign Language: _____


Signature of Owner/Attorney

CHARLOTTE HU
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. Filing fees must be made payable to Prince George's County and sign posting fees must be made payable to M-NCPPC. 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 COUNTY USE ONLY

Property Zone: R-5B Overlay Zone: Gateway Arts District

Has the property in question ever been subject to previous Board, County Council or Zoning Hearing Examiner action? N/A If so, give Case No.(s)/Decision Date(s) _____

Is the property subject to any action by the Planning Board? No

If so, what type of action? _____

Variance(s) requested: FBL, FSL, side, PKgwin

FOR A LIST OF ALL NAMES AND MAILING ADDRESSES OF ADJOINING PROPERTY OWNERS AND OTHER PARTIES, PLEASE SEE THE PERSONS OF RECORD LIST

Approved for Soils, Grading
and Drainage

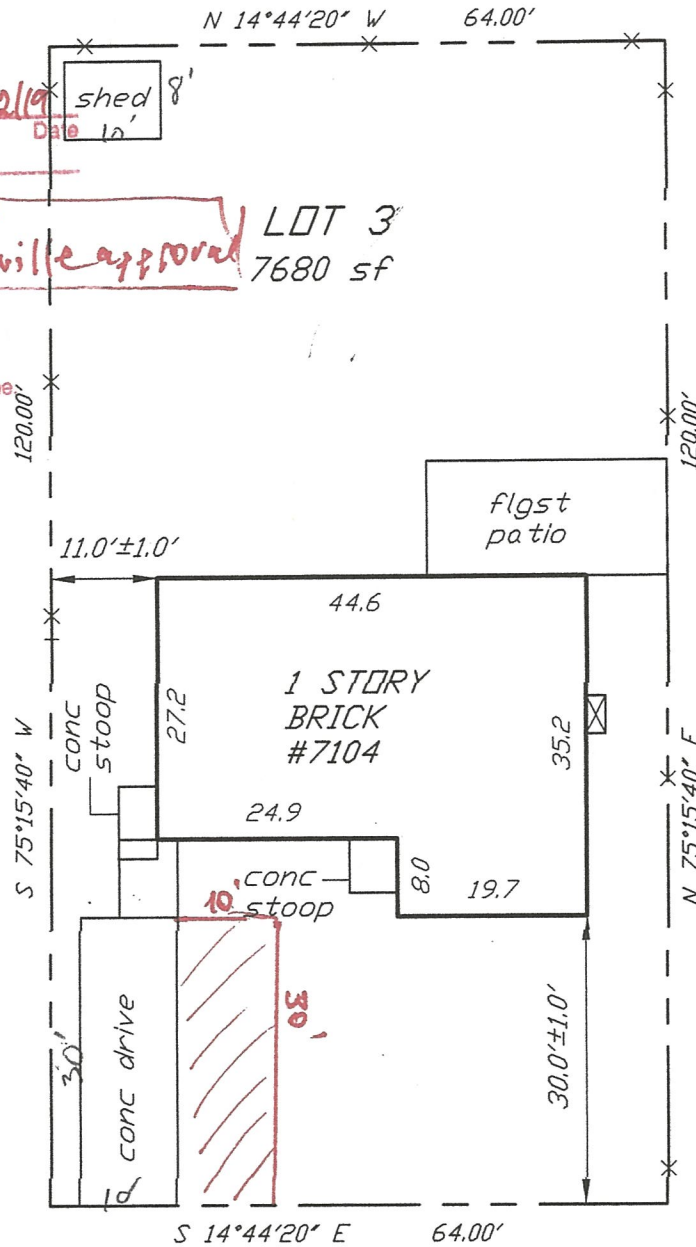
By: MM 04/22/19

Permit #: 13106-2019

*DW Pad + apron
* Subject to Hyattsville approved

LOT 3
7680 sf

- 3:1 Maximum Slope Allowed On Residential Property
- 7% Maximum Parking Pad Slope and 12.5% Maximum Driveway Slope
- 2.5% Minimum Slope Required On Yard or Lawn Areas. 10" in 10' Minimum Slope of Pad Away From Building is Required.



Apparent occupation shown.
No evidence of property corners was found.



Date: 4-10-18 Scale: 1" = 20' Drn: R.C.d.
Plat Book: 26
Plat No.: 3 NO TITLE REPORT FURNISHED
Work Order: 18-1162
Address: 7104 CLAYMORE AVENUE
District: 17
Jurisdiction: PRINCE GEORGES COUNTY, MARYLAND

LOCATION DRAWING

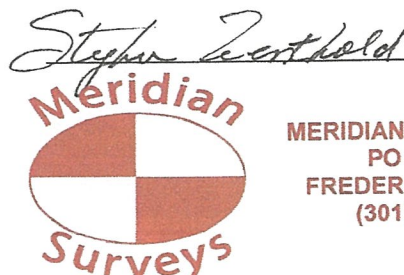
LOT 3
BLOCK A
COLLEGE HEIGHTS TERRACE

NOTE: 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 contemplated transfer, financing or refinancing. This plat is not to be relied upon for the establishment or location of fences, improvements. This plat does not show property boundary lines, but such transfer of title or securing financing

EXH. # 2
V-32-19

Surveyor's Certification
My License expires February 10, 2020

I hereby certify that the survey shown hereon is correct to the best of my knowledge and that, unless noted otherwise, it has been prepared utilizing description of record. This survey is not a boundary survey and the location or existence of property corners is neither guaranteed nor implied. Fence lines, if shown, are approximate in location. Building restriction lines shown are per available information and are subject to the interpretation of the originator.



MERIDIAN SURVEYS, INC.
PO BOX 549
FREDERICK, MD 21705
(301) 721-9400

Permit History

Application Date	Permit Number	Permit Name	Permit Type	Work Description	Permit Mode	Issuance Date
12/12/2016 12:00:00 AM	63676-2016-0	HAROON FENCE	DPIE R	Fence in back of yard.	APPLICATION	
4/25/2018 8:47:54 AM	19842-2018-0	2948594 Walter Electric LLC	DPIE ER	Upgrade the electrical service to 200amp	PERMITTED	4/25/2018 8:49:15 AM
4/1/2019 12:00:00 AM	13106-2019-0	COLLEGE HEIGHTS TERRACE	RESIDENTIAL DRIVEWAY PERMIT	TAX ACC 1903863 OWNER HU CHARLOTTE A	APPLICATION	

[Close Window](#)

EXH. # 5
V-33-19

175



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: July 15, 2019

Submitted by: Jim Chandler

Submitting Department: Community & Economic Development

Item Type: Planning & Development

Agenda Section:

SUBJECT

Zoning Variance Request V-38-19 – 4605 Burlington Road, Hyattsville (10 minutes)

HCC-4-FY20

Recommendation:

I move the City Council authorize the Mayor to provide letter to the Prince George's County Board of Zoning Appeals, in support of a zoning variance, for the subject property at 5709 40th Place, Hyattsville, permitting the following subject to conditions:

- (1) The applicant's variance request of a 200 square feet net lot area, 25 feet front building line width, and 5 feet front street line width, as these conditions are pre-existing to the property and it is the City's opinion that there is no practical way to incorporate additional frontage or square footage to the lot.
- (2) The applicant's variance request of a 13 feet front yard depth and 4 feet side yard width, as these conditions are pre-existing to the property with the condition that the applicant be required to remove the existing chain-link fence and replace it with a 3- to 4-foot wood or decorative fence, similar to adjacent residential properties;
- (3) The applicant's variance request of a 4.3% net lot coverage, as the additional lot coverage is minimal, is consistent with the coverage of adjacent properties and the proposed improvements to the residential property will be beneficial to the homeowner and the aesthetics of the neighborhood. As a condition of this variance approval and for the purposes of providing a safe, livable residence, the Board of Zoning Appeals shall consider a condition requiring the applicant install a sprinkler system in the proposed basement dwelling unit.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Memo - V-38-19 FINAL.docx](#)

[Neway Application - V-38-19.pdf](#)

[V-38-19 Site Photo.pdf](#)

Summary Background:

The applicant, Haddis Neway, has applied to the Prince George's County Board of Zoning Appeals for a zoning variance with regards to the demolition and replacement of the second story of the dwelling, as well as a second story addition at the rear of the building. Specific violations of the Zoning Ordinance are outlined below:

- Section 27-442(b)(Table I) prescribes that each lot shall have a minimum net lot area of 5,000 square feet.
- Section 27-442(d)(Table III) prescribes that each lot shall have a minimum width of 65 feet measured along the front building line and 45 feet measured along the front street line.
- Section 27-442(e)(Table IV) prescribes that each lot shall have a front yard at least 25 feet in depth and a side yard at least 8 feet in 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 200-square feet net lot area, 25 feet front building line width and 5 feet front street line width, 13 feet front yard depth, 4 feet side yard width and 4.3% net lot coverage are requested.

Next Steps:

The City's correspondence will be provided to the Prince George's County Board of Zoning Appeals (BZA) for its consideration.

Fiscal Impact:

N/A

City Administrator Comments:

Staff recommends the City Council support the applicant's variance request of a 200 square feet net lot area, 25 feet front building line width, and 5 feet front street line width, as these conditions are pre-existing to the property and there is no practical way to incorporate additional frontage or square footage to the lot.

Staff recommends the City Council support the applicant's variance request of a 13 feet front yard depth and 4 feet side yard width, as these conditions are pre-existing to the property. In order to mitigate the impacts of these variances, staff recommends the applicant remove the existing chain link fence enclosing the front yard and replace it with a 3- to 4-foot wood or decorative fence. The fencing recommended by staff will make the appearance of the front yard more open and appealing.

Staff recommends the City Council support the applicant's variance request of a 4.3% net lot coverage, as the additional lot coverage is minimal, is consistent with the coverage of adjacent properties and the proposed improvements to the residential property will be beneficial to the homeowner and the aesthetics of the neighborhood. In order to create a safe, livable residence, staff recommends a condition requiring the applicant install a sprinkler system in the proposed basement dwelling unit.

Community Engagement:

The subject property was posted, per BZA requirements.

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: July 3, 2019

Re: Zoning Variance Request V-38-19 – 4605 Burlington Road, Hyattsville

Attachments: Application for Variance (Appeal No. V-38-19)
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-38-19, for the property located at 4605 Burlington Road, Hyattsville 20781.

Summary of Variance Conditions:

The applicant, Haddis Neway, has applied to the Prince George's County Board of Zoning Appeals for a zoning variance with regards to the demolition and replacement of the second story of the dwelling, as well as a second story addition at the rear of the building. Specific violations of the Zoning Ordinance are outlined below:

- Section 27-442(b)(Table I) prescribes that each lot shall have a minimum net lot area of 5,000 square feet.
- Section 27-442(d)(Table III) prescribes that each lot shall have a minimum width of 65 feet measured along the front building line and 45 feet measured along the front street line.
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- 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 200-square feet net lot area, 25 feet front building line width and 5 feet front street line width, 13 feet front yard depth, 4 feet side yard width and 4.3% net lot coverage are requested.

The property resides in an R-55 Property Zone within the Development District Overlay and Intense Development Overlay Zones. This address is not located within a Residential Parking Zone. The subject property is a 777.4 square foot, two-story stucco dwelling located on Burlington Road. The property has an

8.5' x 59' existing driveway and 8' x 23.5' screened porch. The proposed second-story addition is 8' x 22.25' and 178 square feet.

Recommendation:

Staff recommends the City Council support the applicant's variance request of a 200 square feet net lot area, 25 feet front building line width, and 5 feet front street line width, as these conditions are pre-existing to the property and there is no practical way to incorporate additional frontage or square footage to the lot.

Staff recommends the City Council support the applicant's variance request of a 13 feet front yard depth and 4 feet side yard width, as these conditions are pre-existing to the property. In order to mitigate the impacts of these variances, Staff recommends the applicant remove the existing chain link fence enclosing the front yard and replace it with a 3- to 4-foot wood or decorative fence. The fencing recommended by Staff will make the appearance of the front yard more open and appealing.

Staff recommends the City Council support the applicant's variance request of a 4.3% net lot coverage, as the additional lot coverage is minimal, is consistent with the coverage of adjacent properties and the proposed improvements to the residential property will be beneficial to the homeowner and the aesthetics of the neighborhood. In order to create a safe, livable residence, Staff recommends a condition requiring the applicant install a sprinkler system in the proposed basement dwelling unit.



THE PRINCE GEORGE'S COUNTY GOVERNMENT

BOARD OF ZONING APPEALS

BOARD OF ADMINISTRATIVE APPEALS

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

NOTICE OF HEARING

Date: May 28, 2019

Petitioner: Haddis Neway

Appeal No.: V-38-19

Hearing Date: WEDNESDAY, JUNE 12, 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 permit to construct a two-story addition and replace the second story on the premises known as Lot 38, Burgess Subdivision of Rogers & Phillips Addition to Hyattsville, being 4605 Burlington Road, Hyattsville, Property located in the Zoned R-55 (One-Family Detached Residential), Prince George's County, Maryland, contrary to the requirements of the Zoning Ordinance.

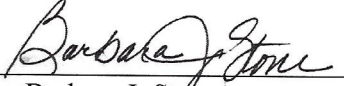
The specific violation resides in the fact that Zoning Ordinance Section 27-442(b)(Table I) prescribes that each lot shall have a minimum net lot area of 5000 square feet. Section 27-442(d)(Table III) prescribes that each lot shall have a minimum width of 65 feet measured along the front building line and 45 feet measured along the front street line. Section 27-442(e)(Table IV) of the Zoning Ordinance, which prescribes that each lot shall have a front yard at least 25 feet in depth and a side yard at least 8 feet in 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 200 square feet net lot area, 25 feet front building line width and 5 feet front street line width, 13 feet front yard depth, 4 feet side yard width and 4.3% net lot coverage are requested.

Public hearing on this Appeal is set for the time and place above stated. **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.**

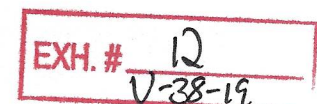
Adjoining property owners, who are owners of premises either contiguous to or opposite the property involved, are notified of this hearing in order that they may express their views if they so desire. However, their presence is not required unless they have testimony to offer the Board.

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



(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 2173
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
(301) 952-3220

Filing Fee Paid: \$ <u>200</u>
CKM.O. # <u>130</u>
By: <u>Wasi Consulting</u> <u>2045 Kimmitt Drive</u> <u>Falls Church, VA 22043</u>
Sign Posting Fee Paid: \$ <u>30</u>
CKM.O. # <u>131</u>
By: <u>Wasi Consulting</u> <u>2045 Kimmitt Drive</u> <u>Falls Church, VA 22043</u>
APPEAL NO. <u>V-38-19</u>
(OFFICE USE ONLY)

**APPLICATION FOR A VARIANCE
FROM STRICT APPLICATION OF THE ZONING ORDINANCE**

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

Owner(s) of Property Haddis Neway
(AS SHOWN ON DEED)
Address of Owner(s) 5021 Seminary Rd #410
City Alexandria State VA Zip Code 22311
Telephone Number (home) 703-567-1687 (cell) 703-599-5611 (work) _____
E-mail address: haddisn@gmail.com

Attorney/engineer/contractor name, address and telephone number (applicant if different from above): (circle one)
ANDRES CARVALLO 202-222-8507
andres@wasiconsulting.com

For assistance in completing questions below, see corresponding paragraphs on *Instructions to Applicants*, which is designed to help you fill out this form. **SUBMITTED SITE PLANS/PLATS MUST BE DRAWN TO SCALE BY A CERTIFIED ENGINEER, SURVEYOR OR ARCHITECT (WITH OFFICIAL SEAL OR STATE OF MARYLAND REGISTRATION NUMBER SHOWN ON THE SITE PLAN/PLAT) AND MUST SHOW ALL STRUCTURES (TO INCLUDE ALL DIMENSIONS AND NUMBER OF STORIES) AS WELL AS OFF-STREET PARKING AND ANY PROPOSED CONSTRUCTION ON THE PROPERTY. THE PLAN MUST NOTE THE SCALE, THE LOT SIZE, THE LEGAL DESCRIPTION AND A NORTH ARROW.**

Location of Property involved: a) Street Address 4605 BURLINGTON RD
City HYATTSVILLE

b) Lot(s) 38 Block _____ Parcel _____

Subdivision Name BURGESS SUB OF ROGERS & PHILLIPS ADDN TO HYATTSVILLE

c) Association Name(s) & Address(es) (Homeowners/Citizens/Civic and/or Community):
N/A

d) Municipality (Incorporated City/Town) Name HYATTSVILLE

What will be/has been constructed on the property? (Variance(s) Required) The proposed work includes
demolition and replacement of the second story and roof, and a 2 story
addition @ the rear side (23.25' x 33.68') (22.75' x 8')

Do you need the services of a foreign language interpreter at your hearing? (Additional \$30 fee required)

Yes _____ No ☒

Foreign Language: _____



Signature of Owner/Attorney

Haddis Neway

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. Filing fees must be made payable to Prince George's County and sign posting fees must be made payable to M-NCPPC. 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 COUNTY USE ONLY

Property Zone: R-55 Overlay Zone: D-D-O, I-D-O

Has the property in question ever been subject to previous Board, County Council or Zoning Hearing Examiner action? _____ If so, give Case No.(s)/Decision Date(s) _____

Is the property subject to any action by the Planning Board? _____

If so, what type of action? _____

Variance(s) requested: _____

FOR A LIST OF ALL NAMES AND MAILING ADDRESSES OF ADJOINING PROPERTY OWNERS AND OTHER PARTIES, PLEASE SEE THE PERSONS OF RECORD LIST

Permit History

Application Date	Permit Number	Permit Name	Permit Type	Work Description	Permit Mode	Issuance Date
2/25/2019 1:17:19 PM	7326-2019-0	NEWAY DEMO	DPIE RW	Demolition of roof and loft.	APPLICATION	

Close Window

EXH. # 6
U-38-19

185

LOT COVERAGE WORKSHEETNET LOT SIZE 4,800 SQUARE FEET30% LOT COVERAGE ALLOWED 1,440 SQUARE FEET

<u>STRUCTURE/PARKING</u>	<u>MEASUREMENTS</u>	<u>SQUARE FOOTAGE</u>
HOUSE	<u>33.8 x 23</u>	<u>777.4</u>
GARAGE/CARPORT		
DRIVEWAY	<u>8.5 x 59</u>	<u>501.5</u>
PORCH/SUNROOM	<u>8 x 23.5</u>	<u>188</u>
SHED(S)		
ADDITION(S)	<u>8 x 22.25</u>	<u>178</u>
OTHER: _____		

TOTAL LOT COVERAGE		<u>1,644.9</u>
TOTAL % NET LOT COVERAGE		<u>34.3</u> %
TOTAL % OVER NET LOT COVERAGE		<u>4.3</u> % (<u>204.9</u> S.F.)

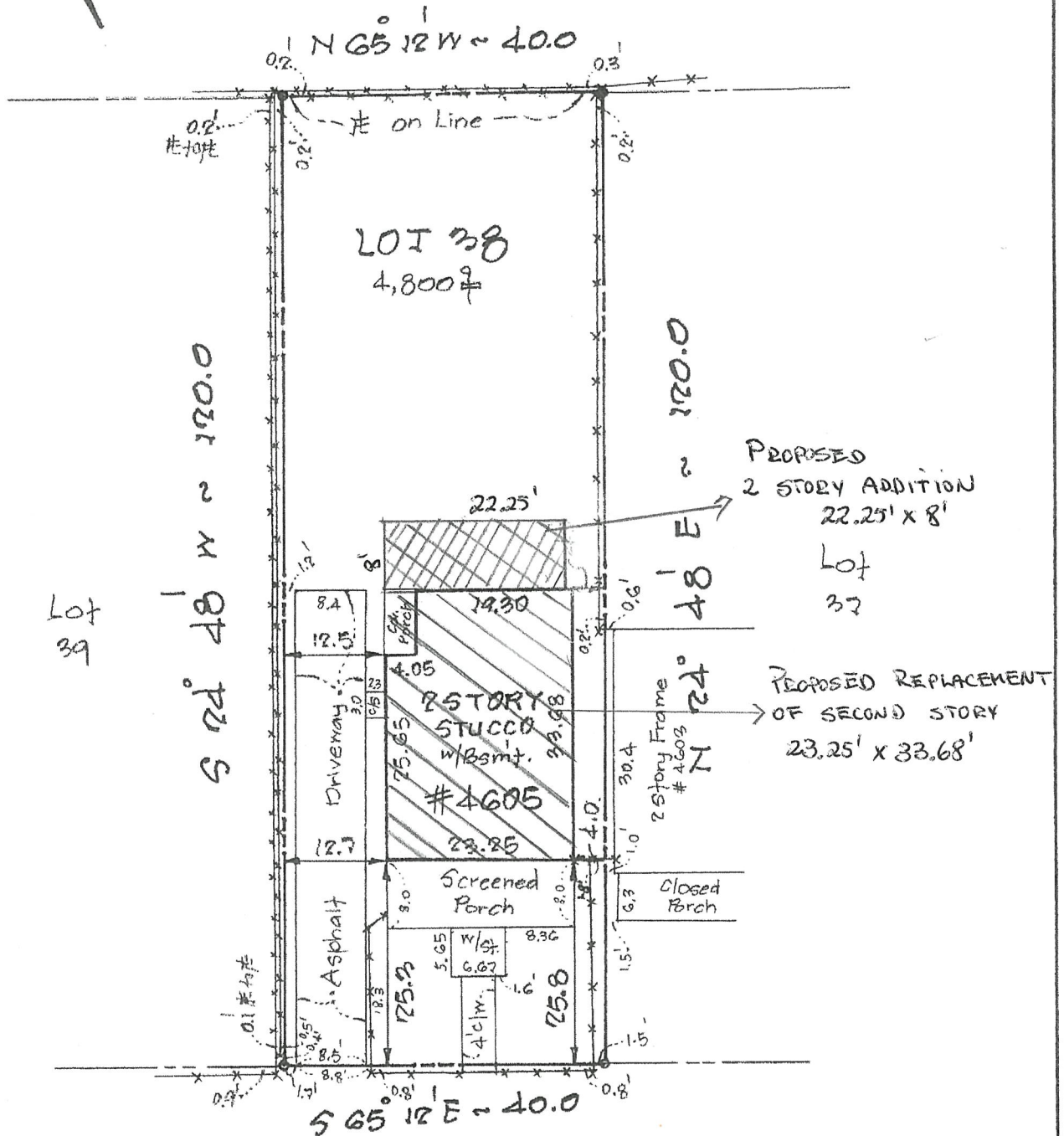
EXH. #

11

V-38-1A

SCALE: 1" = 20'

LOT 38
ROGERS AND PHILLIPS' ADDITION TO
HYATTSVILLE
PLAT BOOK A @ PLAT NO. 16
16TH ELECTION DISTRICT
PRINCE GEORGE'S COUNTY, MD.



BURLINGTON [40W] ROAD

SURVEYOR'S CERTIFICATES:

I hereby certify that the position of the existing improvements on the above described property has been carefully established by a transit - tape survey and that unless otherwise shown, there are no visible encroachments.

DATE: 5th March 2019 W. L. M.

I hereby certify that I have carefully surveyed the property as shown by this plat and iron pipe are in place as shown.

DATE:

NOTE: Location drawing do not include setting Iron Pipes on property corners.

NO TITLE REPORT FURNISHED
PLAT SUBJECT TO RESTRICTIONS & EASEMENTS
OF RECORD OR OTHERWISE.

The property shown hereon is not within Zone A-Special Flood Hazard Area per F.E.M.A. Flood Insurance Rate Maps.



W. L. MEEKINS, INC.

3101 RITCHIE ROAD
FORESTVILLE, MD 20747
TEL : 301-736-7115
email : info@meekins.net
web : www.meekins.net

REGISTRATIONS

MD # 10833
DCLS # 900860

EXH. # 2
11-28-19



FRONT ELEVATION

(2)

+17'-11"
2 ROOF PLAN

+9'-1"
1 2ND FLOOR PLAN

±0'
0 1ST FLOOR PLAN

-7'-9"
-1 BASEMENT FLOOR PLAN

1/4" = 1'-0"
EXH. # 3(a-d)
U-88-19



2045 PIMMIT DR.
FALLS CHURCH, VA 22043
(202) 222-8507
andres@wasiconsulting.com

APPROVED:

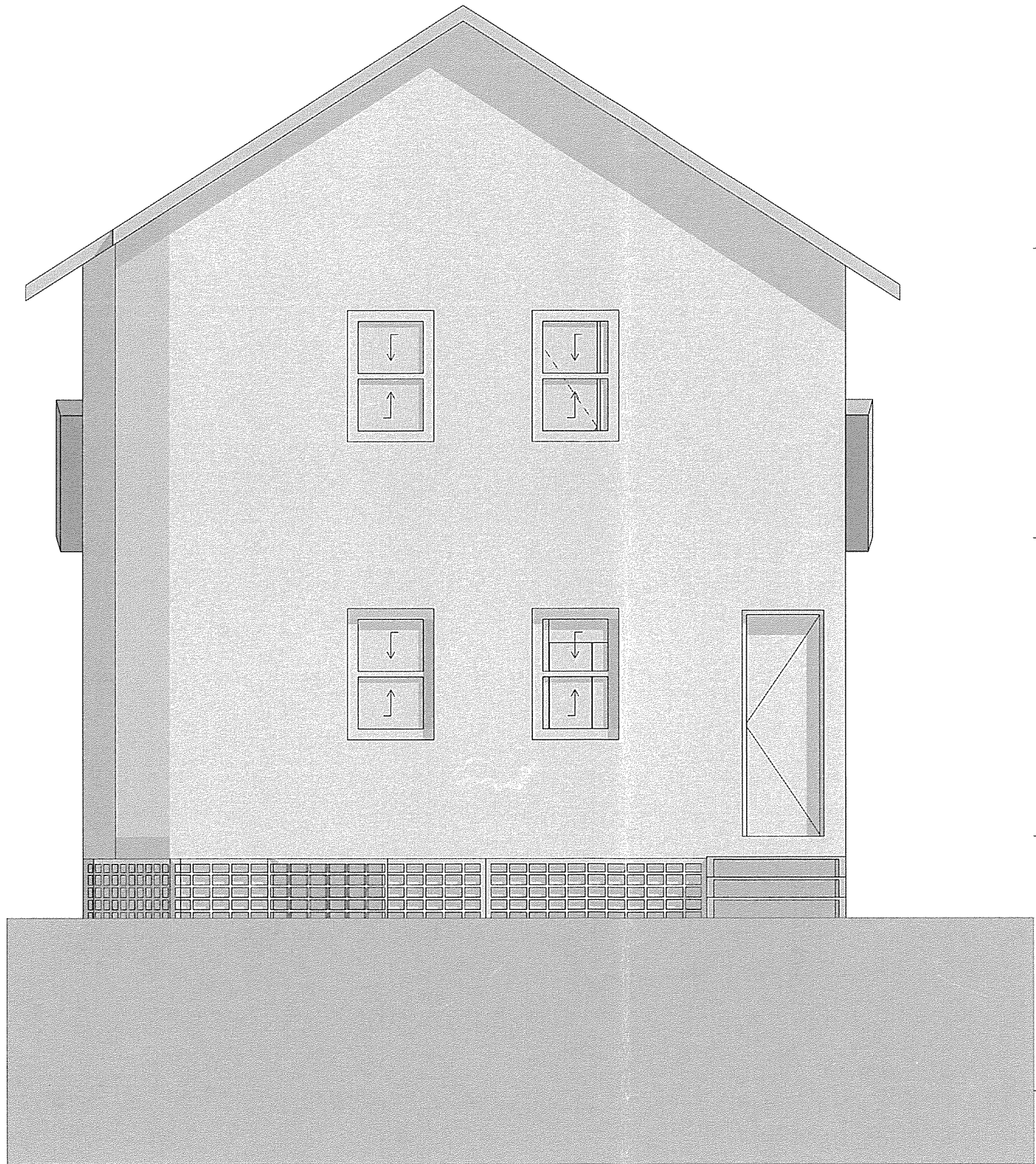
CLIENT:
HADDIS NEWAY

ADDRESS:
4605 BURLINGTON RD
HYATTSVILLE, MD

SEAL

REVISION	
REV. NO.	DATE
-	-
-	-
DATE	03/30/19
SCALE	1/4" = 1'
DRAWN BY	JL
CHECKED BY	AC

SHEET NO A10



REAR ELEVATION

+17'-11"
ROOF PLAN

+9'-1"
2ND FLOOR PLAN

±0'
1ST FLOOR PLAN

-7'-9"
BASEMENT FLOOR PLAN

1/4" = 1'-0"

wasicon
CONSULTING

2045 PIMMIT DR.
FALLS CHURCH, VA 22043
(202) 222-8507
andres@wasiconsulting.com

APPROVED:

CLIENT:
HADDIS NEWAY

ADDRESS:
4605 BURLINGTON RD
HYATTSVILLE, MD

SEAL

REVISION	
REV. NO.	DATE
-	-
-	-
DATE	03/30/19
SCALE	1/4" = 1'
DRAWN BY	JL
CHECKED BY	AC

SHEET NO **A11**

APPROVED:

CLIENT:
HADDIS NEWAY

ADDRESS:
4605 BURLINGTON RD
HYATTSVILLE, MD

SEAL

REVISION

REV. NO.	DATE
-	-
-	-

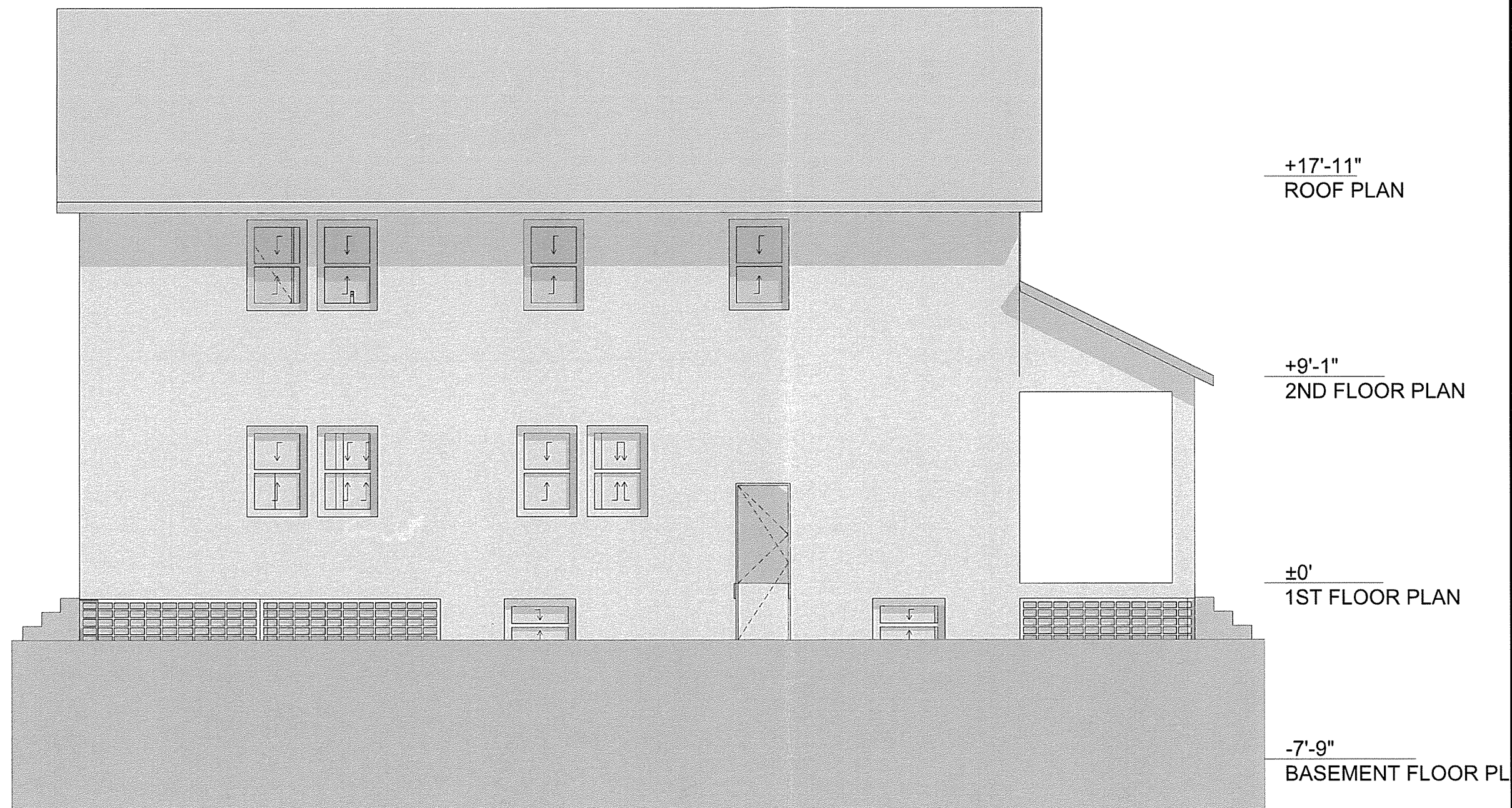
DATE	03/30/19
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SCALE	1/4" = 1'
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DRAWN BY	JL
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CHECKED BY	AC
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SHEET NO **A12**



LEFT ELEVATION

3/16" = 1'-0"

(C)

APPROVED:

CLIENT:
HADDIS NEWAY

ADDRESS:
4605 BURLINGTON RD
HYATTSVILLE, MD

SEAL

REVISION

REV. NO.	DATE
----------	------

-	-
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-	-
---	---

DATE	03/30/19
------	----------

SCALE	1/4" = 1'
-------	-----------

DRAWN BY	JL
----------	----

CHECKED BY	AC
------------	----

SHEET NO **A13**

+17'-11"
ROOF PLAN

+9'-1"
2ND FLOOR PLAN

±0'
1ST FLOOR PLAN

-7'-9"
BASEMENT FLOOR PL

RIGHT ELEVATION

3/16" = 1'-0"

(d)



ED
MIT
5
ENFORCED











Hyattsville City Council Agenda Item Report

Meeting Date: July 15, 2019

Submitted by: Laura Reams

Submitting Department: Community & Economic Development

Item Type: Planning & Development

Agenda Section:

SUBJECT

Zoning Variance Request V-39-19 – 5227 42nd Place, Hyattsville (10 minutes)

HCC-28-FY20

Recommendation:

I move the City Council authorize the Mayor to provide a letter to the Prince George's County Board of Zoning Appeals in support of a zoning variance for the subject property at 5227 42nd Place Hyattsville, permitting:

- (1) A variance request of 693 square feet net lot area, as the variance addresses a pre-existing condition of the property and incorporating additional square footage to the property is impractical.
- (2) A variance request of 2.7% net lot coverage, as the variance is minimal, and staff does not anticipate any major negative impacts from this addition.
- (3) A variance request of 5 feet front yard depth, as it is consistent with the existing neighboring properties;

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Memo - V-39-19 Final.docx](#)

[Mackie Application - V-39-19.pdf](#)

[Mackie site plan - V-39-19.pdf](#)

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

[42nd PLACE_CONCEPT 100 CY \(1\) For SCD.pdf](#)

Summary Background:

The applicant, Mackie Homes, LLC, has applied to the Prince George's County Board of Zoning Appeals for a zoning variance with regards to a proposed new build of a single-family detached house on the property. Specific violations of the Zoning Ordinance are outlined below:

- Section 27-442(b)(Table I) prescribes that each lot shall have a minimum net lot area of 5000 square feet.
- 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
- Section 27-442(e)(Table IV) prescribes that each lot shall have a front yard at least 25 feet in depth.

Variances of 693 square feet net lot area, 2.7% net lot coverage, and 5 feet front yard depth are being requested.

The property resides in an R-55 Property Zone within the Gateway Arts District Overlay Zone and Traditional Residential neighborhood Character Area. This address is located within a Residential Parking Zone 1. The subject property previously contained a single-family detached house before being razed in 2014. The total area of the lot is 4,307 square feet. The applicant has included a site development concept, landscaping, and site plan with their variance request.

Next Steps:

The City Council's action will be forward to the Prince George's County Board of Zoning Appeals (BZA) for its consideration of this variance request.

Fiscal Impact:

N/A

City Administrator Comments:

Staff recommends the City Council support the applicant's variance request of 693 square feet net lot area, as the variance addresses a pre-existing condition of the property and incorporating additional square footage to the property is impractical.

Staff recommends the City Council support the applicant's variance request of 2.7% net lot coverage, as the variance is minimal, and staff does not anticipate any major negative impacts from this addition.

Staff recommends the City Council support the applicant's variance request of 5 feet front yard depth, as it is consistent with the existing neighboring properties.

Community Engagement:

The subject property was posted, per the BZA requirements.

Strategic Goals:

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

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: July 2, 2019

Re: Zoning Variance Request V-39-19 – 5227 42nd Place, Hyattsville

Attachments: Application for Variance (Appeal No. V-39-19)
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-39-19, for the property located at 5227 42nd Place, Hyattsville, MD, 20781.

Summary of Variance Conditions:

The applicant, Mackie Homes, LLC, has applied to the Prince George's County Board of Zoning Appeals for a zoning variance with regards to a proposed new build of a single-family detached house on the property. Specific violations of the Zoning Ordinance are outlined below:

- Section 27-442(b)(Table I) prescribes that each lot shall have a minimum net lot area of 5000 square feet.
- 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
- Section 27-442(e)(Table IV) prescribes that each lot shall have a front yard at least 25 feet in depth.

Variances of 693 square feet net lot area, 2.7% net lot coverage, and 5 feet front yard depth are being requested.

The property resides in an R-55 Property Zone within the Gateway Arts District Overlay Zone and Traditional Residential neighborhood Character Area. This address is located within a Residential Parking Zone 1. The subject property previously contained a single-family detached house before being razed in 2014. The total area of the lot is 4,307 square feet. The applicant has included a site development concept, landscaping, and site plan with their variance request.

Recommendation:

Staff recommends the City Council support the applicant's variance request of 693 square feet net lot area, as the variance addresses a pre-existing condition of the property and incorporating additional square footage to the property is impractical.

Staff recommends the City Council support the applicant's variance request of 2.7% net lot coverage, as the variance is minimal, and staff does not anticipate any major negative impacts from this addition.

Staff recommends the City Council support the applicant's variance request of 5 feet front yard depth, as it is consistent with the existing neighboring properties.

Due to likely drainage and visibility concerns, Staff recommends the City Council require the applicant accept the following conditions of approval:

1. Inclusion of a French under drain at the eastern end of the property; and
2. Inclusion of mature hedges behind the building restriction line, along the north and east perimeter of the property.

(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 173
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20774
(301) 952-3220



Filing Fee Paid: \$ 500
CK/M.O. # 1720
By: Werrlein Properties LLC
2016 Haverford Drive
Corwonsville, MD 21032
Sign Posting Fee Paid: \$ 30
CK/M.O. # 1721
By: Werrlein Properties LLC
2016 Haverford Drive
Corwonsville, MD 21032
APPEAL NO. V-39-19
(OFFICE USE ONLY)

**APPLICATION FOR A VARIANCE
FROM STRICT APPLICATION OF THE ZONING ORDINANCE**

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

Owner(s) of Property MACKIE HOMES, LLC
(AS SHOWN ON DEED)
Address of Owner(s) 3106 CATHEDRAL AVE
City WASHINGTON State DC Zip Code 20008
Telephone Number (home) _____ (cell) 443-510-1274 (work) _____
E-mail address: KARL@WERRLEINPROPERTIES.COM

Attorney/engineer/contractor name, address and telephone number (applicant if different from above): (circle one)
KARL GRANZOW 522 DEFENSE HWY ANNAPOLIS MD 21401
LAW OFFICES OF NORMAN RIVERA

For assistance in completing questions below, see corresponding paragraphs on *Instructions to Applicants*, which is designed to help you fill out this form. SUBMITTED SITE PLANS/PLATS MUST BE DRAWN TO SCALE BY A CERTIFIED ENGINEER, SURVEYOR OR ARCHITECT (WITH OFFICIAL SEAL OR STATE OF MARYLAND REGISTRATION NUMBER SHOWN ON THE SITE PLAN/PLAT) AND MUST SHOW ALL STRUCTURES (TO INCLUDE ALL DIMENSIONS AND NUMBER OF STORIES) AS WELL AS OFF-STREET PARKING AND ANY PROPOSED CONSTRUCTION ON THE PROPERTY. THE PLAN MUST NOTE THE SCALE, THE LOT SIZE, THE LEGAL DESCRIPTION AND A NORTH ARROW.

Location of Property involved: a) Street Address 5227 42ND PLACE

City HYATTSVILLE MD 20781

b) Lot(s) 1/3 OF LOTS 1 + 2 Block E Parcel _____

Subdivision Name 2ND ADDITION TO HYATTSVILLE WINE + JOHNSON

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

d) Municipality (Incorporated City/Town) Name HYATTSVILLE

What will be/has been constructed on the property? (Variance(s) Required) PROPOSE TO BUILD A NEW SINGLE FAMILY DETACHED HOUSE TO REPLACE PREVIOUSLY RABED HOUSE (PLEASE SEE ATTACHED REQUEST) W BASEMENT LEVEL 2-STORY DWELLING 22' X 46' INCLUDES COVERED PORCH.

Do you need the services of a foreign language interpreter at your hearing? (Additional \$30 fee required)

Yes _____ No X

Foreign Language: _____



Signature of Owner/Attorney



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. Filing fees must be made payable to Prince George's County and sign posting fees must be made payable to M-NCPPC. 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 COUNTY USE ONLY

Property Zone: R-55 Overlay Zone: Gateway Arts District (D-D-0)

Has the property in question ever been subject to previous Board, County Council or Zoning Hearing Examiner action? N/A If so, give Case No.(s)/Decision Date(s) N/A

Is the property subject to any action by the Planning Board? _____

If so, what type of action? _____

Variance(s) requested: Lot size (693 square feet), 20 feet FBL, 5 feet Ftyd,
2.7% net lot coverage and 10 feet retaining wall height and location

FOR A LIST OF ALL NAMES AND MAILING ADDRESSES OF ADJOINING PROPERTY OWNERS AND OTHER PARTIES, PLEASE SEE THE PERSONS OF RECORD LIST

April 11, 2019

Board of Zoning Appeals for
Prince George's County
County Administration Building, Room 2173
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

RE: Request for Variance

Address of Property: 5227 42nd Place, Hyattsville, MD 20781
Lot: 1/3 of lots 1 & 2
Block: E
Tax Identification Number: 16-1816099
Home Owners Association: None
City of Hyattsville
Zoned: R-55
Owner: Mackie Homes, LLC
Contract Purchaser: Werrlein Properties, LLC
Legal Counsel: Law offices of Norman Rivera

Purpose

The purpose of this request is to construct one single family detached house on a lot that previously had a single family detached house which was razed in 2014. This lot is part of the "Wine and Johnson's 2nd Addition to Hyattsville" subdivision recorded in Plat Book JWB 2 at Plat 618 (1893) and re-recorded in Plat Book A at Plat 20 A (1930). Both Plats are attached. It is within the Gateway Arts District in the City of Hyattsville and part of a Traditional Residential Community.

Currently, this lot struggles with overgrown vegetation and occasional debris. Our goal is to build a new home that has esthetically pleasing characteristics of the TRN area. Pictures showing a similar house that will be constructed are attached.

Variance from Subtitle 27-442 (b) Table I - Net Lot Area (Minimum in Square Feet)

This lot is 4,307 square feet which is 693 square feet below the required minimum of 5,000 square feet as outlined in Subtitle 27-442 (b) Table 1 - Net Lot Area (Minimum in Square Feet). Because of the peculiar size of this lot a variance is requested from this minimum requirement. Moreover, there is no practical opportunity to add any addition square footage to this property as all adjacent properties are developed and have existing houses. Approving this request will not impact the County's General Plan as this lot, and adjacent properties with existing homes, have existed with this size for almost a hundred years.

Variance from Subtitle 27-442 (c) Table II - Lot Coverage and Green Area

Because this lot is 4,307 square feet, there is a practical difficulty and hardship with meeting the maximum requirements of 30% lot coverage as outlined in Subtitle 27-442 (c) Table II - Lot Coverage and Green Area. We have been able to design a home and engineer the lot to have a modern livable home and enough off-street parking for two vehicles but have exceeded the maximum coverage by 2.7% for a total of 32.7%. We respectfully request that a variance of 2.7% be allowed for this property.

Variance from Subtitle 27-442 (e) Table IV - Yards (Minimum Depth/Width in Feet

Subtitle 27-442 (e) Table IV - Yards (Minimum Depth/Width in Feet dictates a minimum front yard depth of twenty-five feet. The adjacent existing home to the north has an approximate 21' of front yard depth and the adjacent existing home to the south has an approximate 11' of front yard depth. If we were to site this house using the require 25' of front yard depth, it would be awkwardly out of place and present unsightly views from the street perspective as it relates to both these adjacent homes.

In order to present a perspective reflective of a Traditional Residential Neighborhood, we are requesting a variance of 5' form the required 25' front to allow us to place the house with a front yard depth of twenty feet. Granting this variance would not be inconsistent with the County's General Plan but rather compliment the Plan's allowance for flexibility in order to reflect the existing community's home setbacks.

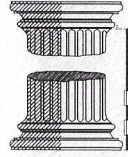
Attachments

Architecture Collaborative, Inc.
8394 Main Street
Ellicott City, MD 21043
www.archcol.com
Tel.: (410) 465-7500 Fax: (410) 465-0903

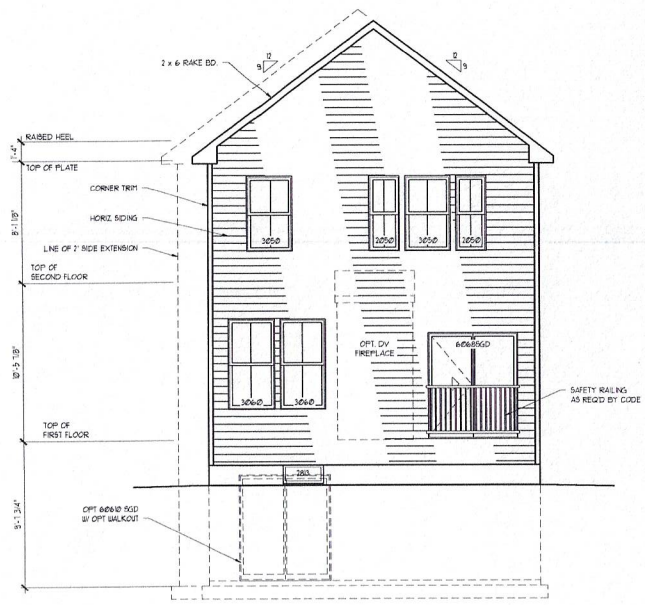
FRONT AND REAR ELEVATION
DATE: 01-00-15
DRAWN: [Signature]
SCALE: 1" = 8' (1/8" = 1'-0")
PROJECT: WERLEIN PROPERTIES
SHEET: 3.1

DATE	REVISION	BY	CONTENT
01-03-15	PERMIT SET		
01-03-15			
01-03-15			
01-03-15			
01-03-15			
01-03-15			
01-03-15			

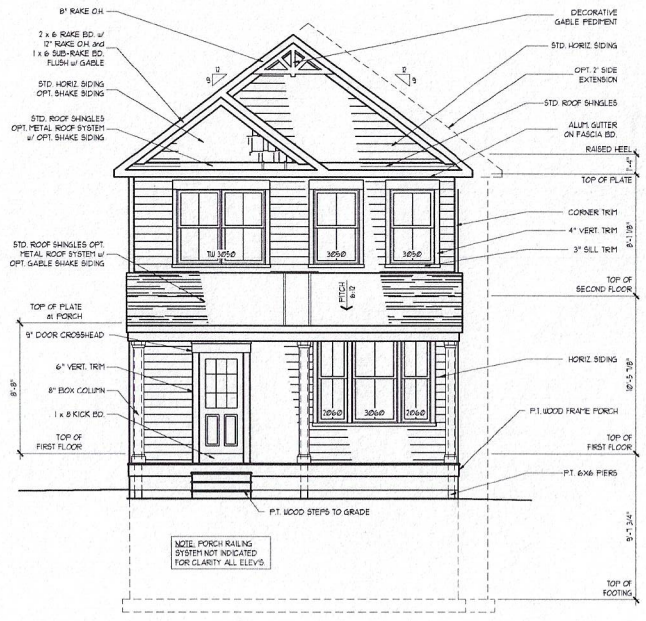
SHEET #
3.1



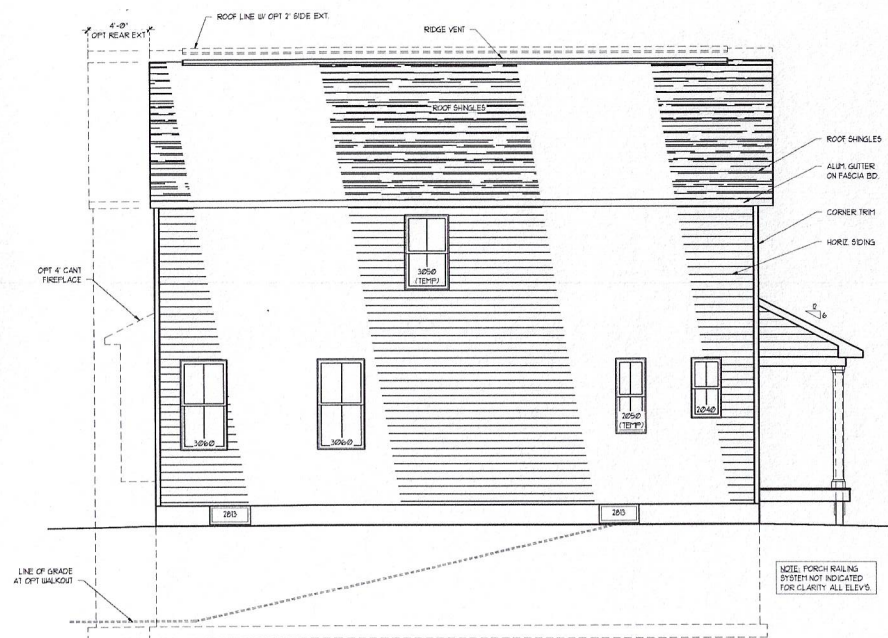
Professional Certification
5921
April 3, 2015



REAR ELEVATION
SCALE (1/8" = 1'-0")
SCALE (1/4" = 1'-0")

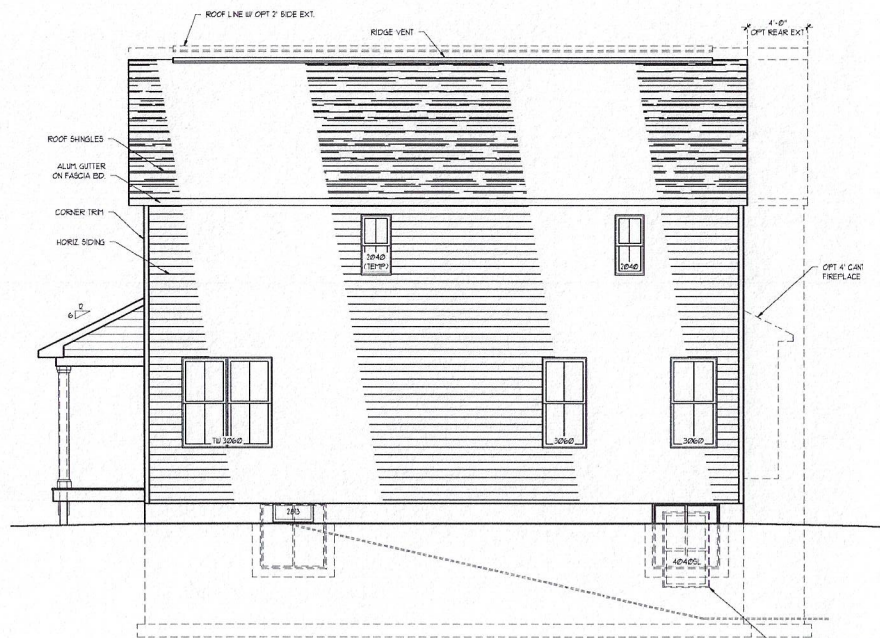


FRONT ELEVATION
SCALE (1/8" = 1'-0")
SCALE (1/4" = 1'-0")



LEFT ELEVATION

SCALE (11'x11) 1/8" = 1'-0"
SCALE (14'x22) 1/4" = 1'-0"



RIGHT ELEVATION

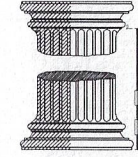
SCALE (11'x11) 1/8" = 1'-0"
SCALE (14'x22) 1/4" = 1'-0"

Architecture Collaborative, Inc.
8334 Main Street
Ellicott City, MD 21043
www.archtool.com
Tel.: (410) 465-7500 Fax: (410) 465-0903

DATE: 01-03-15
DRAWN: [signature]
CHECKED: [signature]
BY: [signature]
FOR: [signature]
PROJECT: [signature]
SHEET: 3.2
TITLE: WERLEIN PROPERTIES
MONTGOMERY

Date	Revision	By	Content
01-03-15	PERMIT SET		

SHEET #
3.2



Professional Certification:
I, the undersigned, do hereby certify that I am a duly licensed and registered professional architect in the State of Maryland.
5921
April 3, 2016



OWNER'S/DEVELOPER'S CERTIFICATION

"I/We hereby certify that I/we have reviewed this erosion and sediment control plan and that any clearing, grading, drainage, construction and/or development will be done pursuant to this approved plan, including inspecting and maintaining controls and that any responsible personnel involved in the construction project will have a Certificate of Training at a Maryland Department of the Environment approved training program for the control of erosion and sediment before beginning the project. Prince George's Soil Conservation District and the enforcement authority shall have the right of entry for periodic on-site evaluations."

Signature _____ Date _____
Name (printed) _____ Title _____
Firm _____
Complete address _____

BMP SUMMARY TABLE

ESD PRACTICE (SPSC)	DA	Imp. Area	Fiber Bed Area	Facility Elevation	Average Depth of Ponding	ESD VSEL	Temp. Ponding Vol.	Filter Depth	Filter Storage	(1") Min. ESD	(1.4") Target ESD	(2.7") Max. ESD	Provided ESD
ESD Chain + Netting	1500 SF	2800 SF	120 SF	105.00	10.50 IN	10000	98 CF	12"	78 CF	70 CF	98 CF	188 CF	176 CF

Target ESD	176 CF
Provided ESD	176 CF

EQUATIONS:
MAX PE COMPUTED USING $Q = 0.005 + (0.009 * (DA * 1000)^{0.12})$
MIN PE COMPUTED USING $Q = 0.005 + (0.009 * (DA * 1000)^{0.12})$
TARGET PE COMPUTED USING $Q = 0.4 * (0.05 + (0.009 * (DA * 1000)^{0.12}))$
RAIN GARDEN PROVIDED ESD COMPUTED USING = FILTER BED AREA BY THE FILTER DEPTH AND MULTIPLIED BY A 0.40 POROSITY FACTOR AND TAKING INTO CONSIDERATION THE 0.5 TEMPORARY PONDING VOLUME

STORMWATER MANAGEMENT FEE IN LIEU TABULATION

# OF UNITS	RESIDENTIAL FEE
1	\$250

RESIDENTIAL FEE IS CALCULATED AT \$250.00/UNIT FOR THE 100 YR CONTROL
TOTAL SWM FEE-IN-LIEU \$250.00

STORMWATER MANAGEMENT CONCEPT NOTES

- STORMWATER MANAGEMENT TO BE FULLY ESD COMPLIANT.
- PRIMARY SWM CONTROL FOR THIS SITE TO RAIN GARDEN.
- ARCHITECT PLANS ON FILE 1111 NANTUCKET
- NO TREES BEING DISTURBED

GENERAL NOTES/SITE DATA

- PROPERTY IS IN PRINCE GEORGES COUNTY SUBDIVISION HYATTSVILLE HILLS, MAP 42, GRID B4,, BLOCK 'E'.
- THIS PARCEL IS ZONED R55
- TOTAL AREA OF LOT - 4,307 SF
- IMPERVIOUS IS 1411 SF AND PERCENT IMPERVIOUS IS 32.7%
- TOTAL AREA TO BE DISTURBED DURING CONSTRUCTION - 4,307 SF OR 0.1 AC.
- TOTAL AREA TO BE VEGETATIVELY STABILIZED - 3307 SF
- SOILS MAP SHOWS SITE AREA LOCATED IN SOILS CLASS HSG D
- EARTHWORK QUANTITIES
A. CUT - 231 CU YDS
B. FILL - 137 CU YDS
- TEMPORARY STOCKPILE TO BE WITHIN LOD OF SITE
- EXCESS SPOIL MATERIAL TO BE HAULED OFF TO AN APPROVED SITE

COMMON NAME	BOTANICAL NAME	QUANTITY	SPACING
BLUE STAR	AMSONIA HUBRICHTII	3	1'-6.0000"
MAIDENHAIR FERN	ADIANTUM PEDATUM	10	1'-0"
SHENANDOAH	PANICUM VIRGINICUM	10	3'-0"
HENRYS GARNET	ITEA VIRGINICA	3	-

GRADING CERTIFICATION

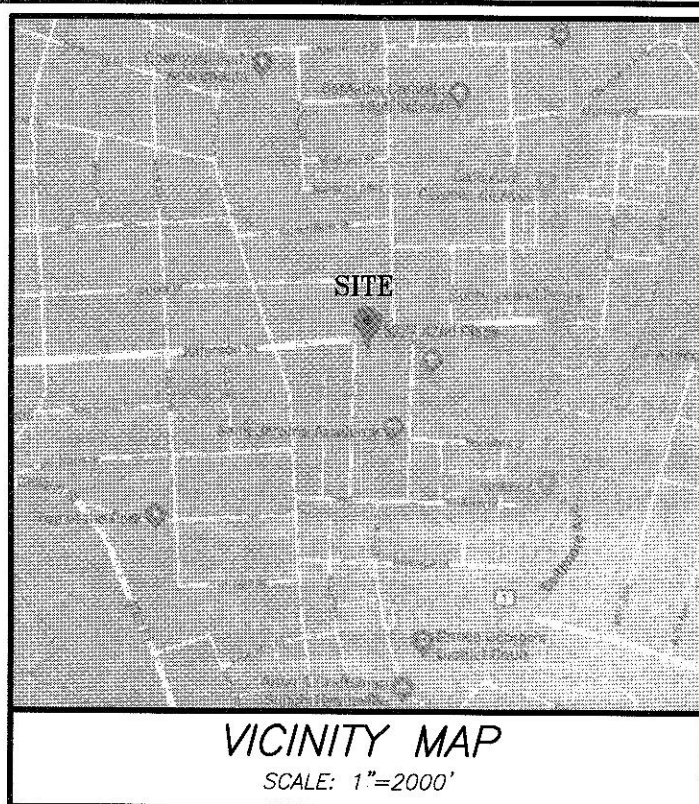
"I HEREBY CERTIFY THAT THIS PLAN CONFORMS TO THE REQUIREMENTS OF SUBTITLE 32, DIVISION 2 OF THE CODE OF PRINCE GEORGE'S COUNTY WATER RESOURCES PROTECTION AND GRADING CODE; AND THAT I OR MY STAFF HAVE INSPECTED THIS SITE AND THAT DRAINAGE FLOWS FROM UPHILL PROPERTIES ONTO THIS SITE, AND FROM THIS SITE ONTO DOWNHILL PROPERTIES, HAVE BEEN ADDRESSED IN SUBSTANTIAL ACCORDANCE WITH APPLICABLE CODES, AND SIGNED, SEALED AND DATED BY A PROFESSIONAL

4/6/2019
Date

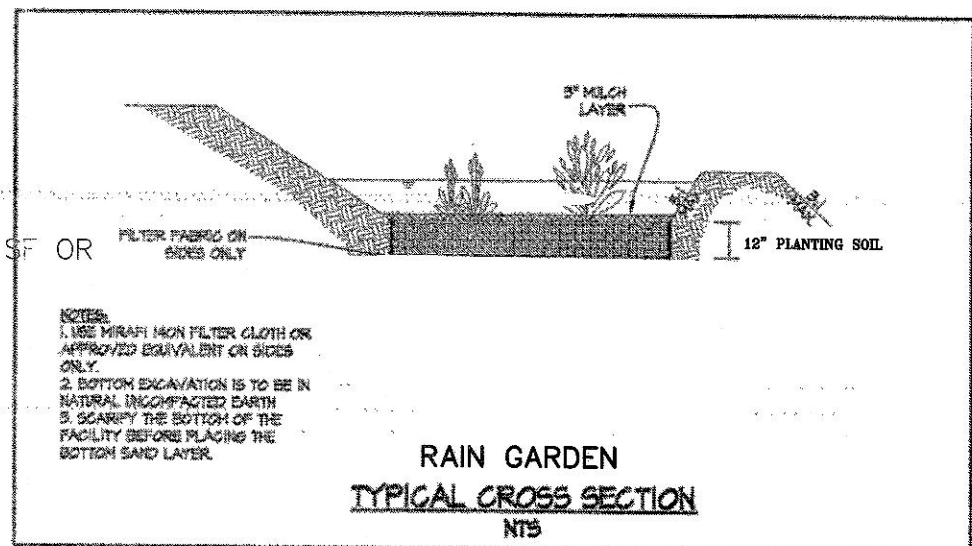
DAVID WALLACE
Professional Engineer

LANDSCAPING NOTES

- CONTRACTOR SHALL NOTIFY ALL UTILITIES AT LEAST (5) FIVE DAYS BEFORE STARTING WORK. ALL GENERAL NOTES, ESPECIALLY THOSE REGARDING UTILITIES, ON SHEET NO.1 SHALL APPLY.
- FIELD VERIFY UNDERGROUND UTILITY LOCATIONS AND EXISTING CONDITIONS BEFORE STARTING PLANTING WORK. CONTACT CONSTRUCTION MANAGER OR OWNER IF ANY RELOCATIONS ARE REQUIRED.
- PLANT QUANTITIES SHOWN ON THE PLAN LIST ARE PROVIDED FOR THE CONVENIENCE OF THE CONTRACTOR ONLY. IF DISCREPANCIES EXIST BETWEEN QUANTITIES SHOWN ON THE PLAN AND THOSE SHOWN ON THE PLANT LIST, THE QUANTITIES ON THE PLAN SHALL TAKE PRECEDENCE.
- ALL SHRUBS SHALL BE DENSE, HEAVY TO THE GROUND, AND WELL GROWN, SHOWING EVIDENCE OF BEING SHEARED REGULARLY, AND SHALL BE SOUND, FREE OF PLANT DISEASE OR INSECT EGGS AND SHALL HAVE A HEALTHY NORMAL ROOT SYSTEM. PLANTS SHALL BE FRESHLY DUG AND NOT HEEL-IN STOCK FROM COLD STORAGE. ALL PLANTS SHALL BE NURSERY GROWN (EXCEPT AS NOTED BELOW). PLANTS SHALL NOT BE PRUNED IMMEDIATELY PRIOR TO DELIVERY. THE SHAPE OF THE PLANT SHALL IN GENERAL CONFORM TO ITS NATURAL GROWTH PROPORTIONS UNLESS OTHERWISE SPECIFIED. TREES SHALL CONFORM TO THE BRANCHING, CALIPER, AND HEIGHT SPECIFICATIONS OF THE AMERICAN NURSERY AND LANDSCAPE ASSOCIATION, AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z 60.1), AND SHALL HAVE A WELL-SHAPED, HEAVY BRANCH STRUCTURE FOR THE SPECIES. EVERGREEN TREES SHALL HAVE AN INTACT CENTRAL LEADER AND SHALL BE UNIFORMLY WELL SHAPED. ALL PLANT SIZES SHALL AVERAGE AT LEAST THE MIDDLE OF THE RANGE GIVEN IN THE PLANT LIST.
- THE CONTRACTOR SHALL VERIFY THE PLANT QUANTITIES PRIOR TO BIDDING AND ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT. THE CONTRACTOR SHALL FURNISH AND PLANT ALL PLANTS REQUIRED TO COMPLETE THE WORK SHOWN ON THE DRAWINGS. NO SUBSTITUTION SHALL BE MADE WITHOUT THE WRITTEN CONSENT OF THE OWNER OR REPRESENTATIVE.
- ALL AREAS DISTURBED BY CONSTRUCTION ACTIVITIES BUT NOT OTHERWISE PLANTED, PAVED, OR MULCHED SHALL BE SEEDED IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS FOR SEEDING.
- THE CONTRACTOR SHALL NOTIFY THE OWNER IN WRITING IF HE/SHE ENCOUNTERS SOIL DRAINAGE CONDITIONS THAT MAY BE DETRIMENTAL TO THE GROWTH OF THE PLANTS.
- ALL EXPOSED EARTH WITHIN LIMITS OF PLANTING BEDS SHALL BE MULCHED WITH SHREDDED HARDWOOD MULCH PER THE PLANTING DETAILS.
- DO NOT PLANT WITHIN THE PUBLIC WATER AND UTILITY EASEMENT.
- ALL TREES TO BRANCH SYMMETRICALLY AROUND CENTRAL LEADER. NO FORKED LEADER STOCK WILL BE ACCEPTED.
- ANY DAMAGE TO THE EXISTING UTILITIES, BUILDINGS, PAVING, CURB, AND WALLS, AND VEGETATION (NOT SO DESIGNATED FOR REMOVAL ON THESE PLANS) SHALL BE REPAIRED TO PREVIOUS CONDITION OR REPLACED BY THE CONTRACTOR AT HIS EXPENSE.
- ALL PLANTING PROCEDURES AND SPECIFICATIONS SHALL CONFORM TO THE LATEST EDITION OF "LANDSCAPE SPECIFICATION GUIDELINES FOR BALTIMORE-WASHINGTON METROPOLITAN AREA".



VICINITY MAP
SCALE: 1"=2000'



LEGEND

- PROPOSED DWELLING UNIT
- FRONT OF UNIT INDICATOR
- PROPOSED DRIVE

- EXISTING TOPOGRAPHY
- PROPOSED TOPOGRAPHY
- PROPOSED MICRO TOPOGRAPHY
- LIMITS OF DISTURBANCE
- FLOW PATH
- SOILS

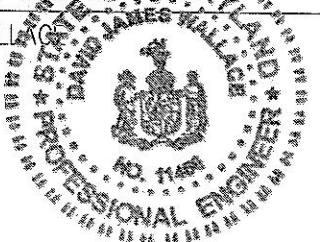
DPIE APPROVALS

ENGINEER'S CERTIFICATION

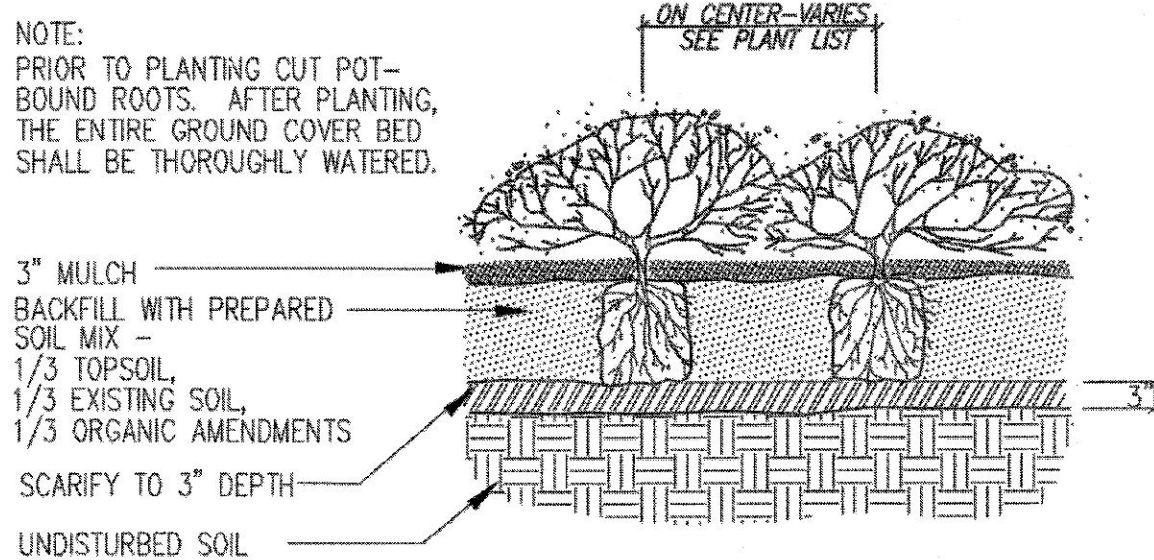
HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 11466, EXPIRATION DATE: May 28, 2019

04-06-2019
Date

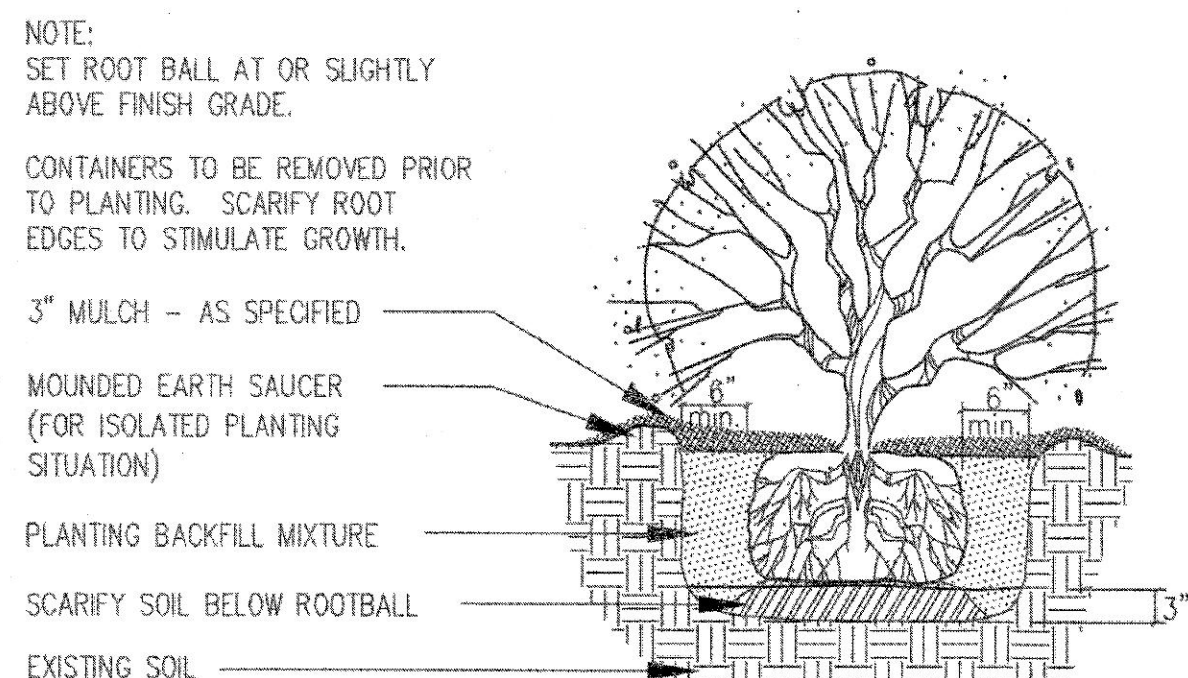
DAVID WALLACE
Professional Engineer



DETAIL GROUNDCOVER PLANTING



DETAIL SHRUB PLANTING



NTS

NTS

DPIE CASE#



443-784-7241
TALONISMYNAME@GMAIL.COM

REVISIONS

DESIGN ENGINEER
TALON A. LLOYD
264 MAGOTHY BLVD
PASADENA MD 21122
443-784-7241
UNDER THE
SUPERVISION
OF DAVID WALLACE, PE

Client:

WERRLEIN PROPERTIES
TAX ACCOUNT#
16-1816099

Project:

PROPOSED DWELLING
AT
5227
42nd
PLACE
16TH ELECTION DISTRICT
PG COUNTY, MARYLAND

Title: SITE
DEVELOPMENT
CONCEPT,
LANDSCAPING
AND SITE PLAN

ZONING R55
WSSC MAP 207NE03

Dsn. By: TAL
Dwn. By: TAL

Ckd. By: DW
Date: APR 2019

Scale: 1"=10'

Project No.: 2019033

SHEET

1

EXH. # 3
0-39-19



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: July 15, 2019

Submitted by: Jim Chandler

Submitting Department: Community & Economic Development

Item Type: Planning & Development

Agenda Section:

SUBJECT

DSP-99044-17: Miller's Ale House (15 minutes)

HCC-6-FY20

Recommendation:

I move the City Council authorize the Mayor to provide correspondence to the Maryland-National Capital Park & Planning Commission in support of Miller's Ale House Detailed Site Plan (DSP-99044-17), subject to the following conditions:

1. The applicant shall revise their DSP to include an outdoor seating area to the west of the pad site, eliminating the proposed landscape island at the south end of the parking lot and requiring the subsequent relocation of the proposed micro-bioretenention #1. Architectural renderings of the outdoor seating area shall be submitted to the City.
2. The applicant shall revise the DSP to include a prominent pedestrian plaza to the southwest of the building, along MD 410, to include ground lighting, landscaping, benches, and prominent artistic/sculptural elements. This revision should include the removal of the amenity wall adjacent to the proposed plaza. Renderings of the pedestrian plaza shall be submitted to the City.
3. The applicant shall revise their architectural design so the left (west) elevation matches the large windows currently present along the right (east) elevation of the building.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Miller_s_Ale_House_-_Memo_to_City_Council_-_7.15.2019.docx](#)

[Planning Committee Minutes - 06.18.2019 DRAFT.docx](#)

[DSP 99044-17.pdf](#)

[A-SOJ-DSP 99044-17.pdf](#)

[A-CRL-DSP 99044-17.pdf](#)

[TCP2-DSP 99044-17.pdf](#)

[MB1220679 - Section Perspective Render Board - 2019-07-01.pdf](#)

[Page from Detailed Site Plan.pdf](#)

Summary Background:

The Miller's Ale House pad site development is part of Parcel A-1 of Prince George's Plaza, located at 3430 East-West Highway Route 410. This site is north of East-West Highway and east of Toledo Road, and currently exists as a retail parking lot servicing patrons of the Mall at Prince George's. The south section of the site is adjacent to East-West highway and includes part of an amenity wall that runs along MD 410.

Through their detailed site plan, the applicant is proposing to build an 8,285 square feet freestanding restaurant (Miller's Ale House). The subject property is zoned as Mixed-Use-Infill, a zoning category which encourages density consistent with existing adjacent uses. The property is subject to the development standards prescribed in the 2016 Prince George's Plaza Transit District Overlay Zone and is in the Downtown Core Character Area.

Stormwater requirements for the proposed development will be met with two (2) micro-bioretenion facilities. The applicant is proposing to create a bioretention area south of the freestanding restaurant, between the building and MD 410. Another bioretention area is proposed within a landscape island at the south end of the parking lot, west of the freestanding restaurant.

The applicant is requesting four (4) modifications to the current Prince George's Plaza Transit District Development Plan (TDDP) standards. The most significant variance from the development standard is a request of an 80' setback, which is a significant deviation from the development standard's setback of 25'-35' from the curb. The applicant's infrastructure plan has been approved under the prior Stormwater Management regulations, therefore the applicant, per its Statement of Justification, would prefer to proceed with the a stormwater management facility along the south of the subject site, requiring a 80' setback from the curblin. The applicant has stated that relocation of the SWM facility may require proceeding under the newly enacted SWM regulations.

Prince George's County Department of Permits, Inspections & Enforcement (DPIE) DPIE, via M-NCPPC, has confirmed that applicant may relocate the stormwater facility location and remain 'grandfathered' under the prior SWM regulation.

Next Steps:

The M-NCPPC Planning Board is scheduled to conduct a hearing to consider DSP-99044-17 on Thursday, July 25, 2019.

Fiscal Impact:

N/A

City Administrator Comments:

The M-NCPPC Planning Board is scheduled to conduct a hearing to consider DSP-99044-17 on Thursday, July 25, 2019. Due to timing of the City Council meeting dates, the next City Council date will occur after the applicant's Planning Board hearing, therefore it is necessary for the City Council to adopt any recommendations to be conveyed to the Planning Board at its meeting on Monday, July 15, 2019.

Community Engagement:

The applicant presented to the Planning Committee on June 18, 2019. The Planning Committee primarily responded positively to the proposal with suggestions for improvement mirroring those outlined by the M-NCPPC, as found in the applicant's comments to M-NCPPC Subdivision and Development Review Committee (see attached document). Below is the recommendation voted on by the Committee:

- Provided that the applicant is agreeable to incorporating the revisions to the site plan as presented by the M-NCPPC, the Committee recommends the City Council approve the DSP amendment; Approved 6 – 0.

Minutes from the June 18, 2019 Planning Committee meeting are in draft form, have not been adopted, and are included as an attachment to this memorandum.

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: July 8, 2019

Re: Revised DSP-99044-17: Miller's Ale House and Statement of Justification

Attachments: Applicant's Comments to M-NCPPC Subdivision and Development Review Committee
Applicant's Revised Statement of Justification
Detailed Site Plan – DSP 99044-17
Planning Committee Minutes – June 2019
Prince George's TDDP – Relevant Sections

This memorandum will outline the information submitted to the City of Hyattsville for the Detailed Site Plan (DSP-99044-17) Miller's Ale House. The purpose of this memorandum is to provide the City Council with the applicant's proposed modifications and Staff recommendations.

DSP Application Summary

- Miller's Ale House is a proposed 8,285 square foot freestanding pad site restaurant at 3430 East-West Highway, on the Mall at Prince George's (MPG) site, northeast of the intersection of East-West Highway and Toledo Road.
- The applicant is requesting four (4) modifications to the current Prince George's Plaza Transit District Development Plan (TDDP) standards.
 - o Requested Modification 1: Southern setback for building to be 82.76 feet from East-West Highway (DSP-1).
Corresponding TDDP Standard: Buildings in the Downtown Core, along MD 410 (East West Highway), shall have a maximum Build-to Line (BTL) of 25' (pg. 211, TDDP).
 - o Requested Modification 2: The visually permeable ratio for the ground floor façade will be between 28.1 percent and 42.0 percent (pg. 5, SOJ).

Corresponding TDDP Standard: 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) (pg. 266, TDDP).

- o Requested Modification 3: The maximum fenestration height for the storefront vestibule will be 9'-8" due to the extents of the interior décor package and branding (pg. 6, SOJ).

Corresponding TDDP Standard: For downtown core mixed-use and nonresidential buildings, the minimum clear height of retail space and of storefront fenestration is 14 feet (p. 267, TDDP).

- o Requested Modification 4: The proposed freestanding restaurant will have metal awnings, as colored metal is characteristic of style, identification and branding for Miller Brewhouse Restaurants (pg. 7, SOJ).

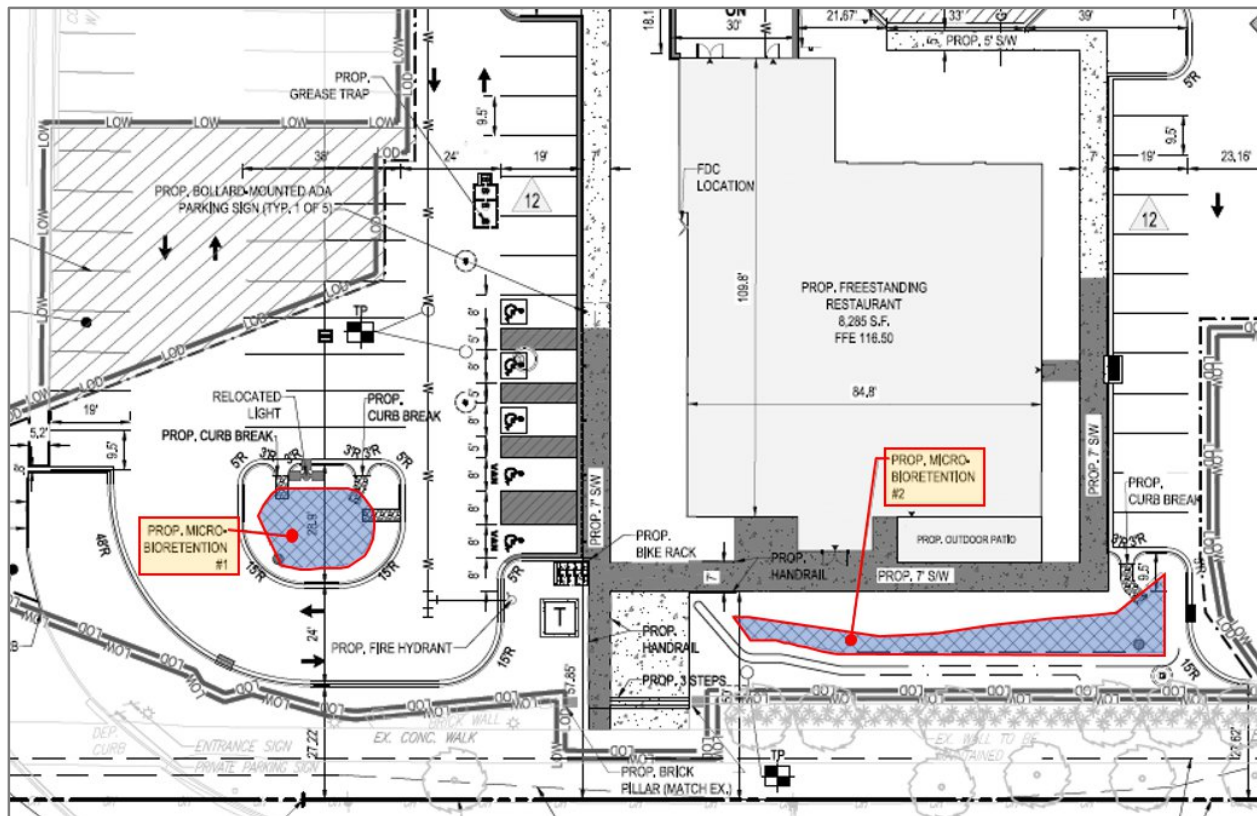
Corresponding TDDP Standard: Metal, plastic, and backlit awnings shall not be permitted (p. 256, TDDP).

- The applicant presented its Detailed Site Plan to the Planning Committee on Tuesday, June 18, 2019. The Planning Committee's recommendations are incorporated into this memorandum and the draft minutes of the meeting are included as an attachment.
- Staff is recommending support of DSP-99044-17 subject to conditions.
- Due to timing of the City Council meeting dates, the next City Council date will occur after the applicant's Planning Board hearing, therefore it is necessary for the City Council to adopt any recommendations to be conveyed to the Planning Board at its meeting on Thursday, July 25, 2019.

DSP Application Details

The Miller's Ale House pad site development is part of Parcel A-1 of Prince George's Plaza, located at 3430 East-West Highway Route 410. This site is north of East-West Highway and east of Toledo Road, and currently exists as a retail parking lot servicing patrons of the Mall at Prince George's. The south section of the site is adjacent to East-West highway and includes part of an amenity wall that runs along MD 410. Through their detailed site plan, the applicant is proposing to build an 8,285 square feet freestanding restaurant (Miller's Ale House). The subject property is zoned as Mixed-Use-Infill, a zoning category which encourages density consistent with existing adjacent uses. The property is subject to the development standards prescribed in the 2016 Prince George's Plaza Transit District Overlay Zone and is in the Downtown Core Character Area.

Stormwater requirements for the proposed development will be met with two (2) micro-bioretenion facilities. The applicant is proposing to create a bioretention area south of the freestanding restaurant, between the building and MD 410. Another bioretention area is proposed within a landscape island at the south end of the parking lot, west of the freestanding restaurant.



In the figure above, the applicant's proposed micro-bioretenction area #1 can be seen on the left, within the landscape island at the end of the parking row. Proposed micro-bioretenction area #2 is presented along the south frontage of the building, as seen on the right. The site plan depicted in this figure can be found within the detailed site plan, specifically DSP-6.

Both the front (south) elevation and rear (north) elevation of the building have a frontage of 85'-0". The right (east) elevation and left (west) elevation of the building have a frontage of 84'-4". Each of the four sides of the building have a proposed 28'-5" by 3'-2" internally illuminated channel letter 'Miller's Ale House' sign. Along the front (south facing) side of the restaurant, the applicant has proposed an outdoor patio approximately 10' x 35'.

Variance Requests

For this development, the applicant is requesting four (4) modifications to the 2016 Prince George's Plaza Transit District Development Plan (TDDP) standards. 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.

Planning Committee Review

The applicant presented to the Planning Committee on June 18, 2019. The Planning Committee primarily responded positively to the proposal with suggestions for improvement mirroring those outlined by the M-NCPPC, as found in the applicant's comments to M-NCPPC Subdivision and Development Review Committee (see attached document). Below is the recommendation voted on by the Committee:

- Provided that the applicant is agreeable to incorporating the revisions to the site plan as presented by the M-NCPPC, the Committee recommends the City Council approve the DSP amendment; Approved 6 – 0.

Minutes from the June 18, 2019 Planning Committee meeting are in draft form, have not been adopted, and are included as an attachment to this memorandum.

Staff Analysis and Recommendations

Staff is supportive of this detailed site plan, but we have major concerns with the applicant's proposed modifications, as they are inconsistent with and detrimental to the goals of the TDDP Standards. However, Staff is considerate of the applicant's constraints and have developed recommendations to alleviate these concerns. If the applicant maintains that it is physically and operationally infeasible to conform to the TDDP BTL standards, Staff recommends City Council require the applicant commit to significant mitigation and redesign.

It is the opinion of staff that the application shall be modified and/or conditions shall be required to address specific concerns outlined below:

1. Modification 1 – Building Setback: *"The applicant is proposing the building be set back approximately 80' +/- from the MD 410 curb. The right-of-way line for the subject property is approximately 13' off of the MD 410 curb"* (SOJ, pg. 3). According to the DSP, the pad site proposed setback on the south side of the building is 82.76' (pg. 1, DSP).

The applicant states the location of the building is necessitated by existing infrastructure (sidewalk, streetlights, amenity wall, landscaping, and storm drainpipes) and stormwater constraints (runoff from the primary mall structure draining towards the development site requires proper placement of bio-retention area; the applicant stormwater concept plan has been approved by Prince George's County and construction has already commenced). *"The applicant asserts the building cannot be situated in conformance with the Standards without major negative and costly implications to the site infrastructure"* (pg. 4, SOJ).

The applicant believes the intent of the Standards (enhanced connectivity between the building and streetscape) can be substantially satisfied by including the following elements to the proposed site: addition of a patio element; removal of a portion of the amenity wall running along MD 410; and landscaping treatments.

Recommendation:

If the applicant requires the pad site maintain a setback of 80' from East-West Highway (MD 410) due to the location of the Stormwater management facility, Staff recommends the adoption of the following revisions and/or conditions to DSP-99044-17:

- The applicant shall revise the application to include the addition of a large outdoor seating area to the west of the building. This will require the elimination, or relocation, of the landscape island at the south end of the parking lot and the subsequent relocation of the proposed micro-bioretenion #1. It is Staff's recommendation that the proposed micro-retention area will be repositioned as a linear facility north of the outdoor seating patio.

- Vehicular traffic and parking shall be designated to the north and east of the building while pedestrian traffic shall be concentrated to the south and west of the building. Staff notes that the size and placement of the outdoor patio currently proposed in the DSP is inadequate in offsetting the 80' setback.
- The applicant shall revise the application to include the addition of a strong pedestrian plaza to the southwest of the building, along MD 410, to include ground lighting, landscaping, benches, and prominent artistic/sculptural elements. This plaza will exist south of the outdoor seating area and will require the removal of the amenity wall adjacent to the proposed plaza.

It is of staff opinion that these measures will be convenient and appealing to pedestrians, lend itself to a vibrant and accessible downtown area, and provide connectivity between the building and the streetscape. These additions will create more frontage for the restaurant along East West Highway and expand the restaurant's seating capacity. This scenario will allow the applicant to keep the proposed building setback as is and comply with their approved stormwater plan while also activating the streetscape.

As explicitly expressed in the TDDP, the downtown core is the Transit District's central activity hub, with development "framing lively walkable streets," with new buildings in the parking lot at the Mall helping to "reposition MD 410 (East West Highway) from a local commuter route to a true Main Street" (TDDP, pg. 70). Having the proposed pad site significantly setback from MD 410 is expressly incompatible with and detrimental to the goals of the TDDP. With the applicant requesting a setback more than 55' beyond the authorized maximum outlined in the TDDP, Staff believes these measures are necessary to uphold the vision of the Hyattsville's Downtown Core.

2. Modification 2 – Façade Permeability: *"The visually permeable ratio for the ground floor façade varies depending upon the façade between 28.1% up to 42.0%, and the applicant herein requests Modification No. 2 to the Standards. The Restaurant is a design that encompasses its marketing concept for its brewer concept"* (SOJ, pg. 5). The applicant believes the intent of the Standards, specifically the enhancement of connectivity between the building and streetscape, can be substantially satisfied by including the following additions to the proposed site: significant open dining area and an open patio area; an enlarged viewshed; and transoms to the typical windows.

Recommendation: Staff recommends the City Council accepts the proposed modification contingent on the applicant revising their architectural design to enlarge the windows along the left (west) elevation. Staff recommends the applicant revise their design so the windows on the left (west) side of the building mirror the large roll-up style windows on the right (east) side of the building. Currently, the size of the windows presented on the left (west) elevation are insufficient in size. By placing large roll-up windows on the left elevation, this will allow the applicant to utilize more transparent materials without having to alter the front façade of the restaurant as well as create a direct pathway from the restaurant to the outdoor patio area recommended by staff. It will both increase the visually permeable area of the façade and further activate the streetscape.

3. Modification 3 – Fenestration Height: *"The ceiling in the vestibule is restricted due to the entry canopy structure; hence the Applicant herein requests Modification No. 3 to the Standards. The maximum fenestration height for that portion of the building is 9'-8" due to the extents of the interior décor package and branding. Raising the heads of the windows to comply with the minimum height*

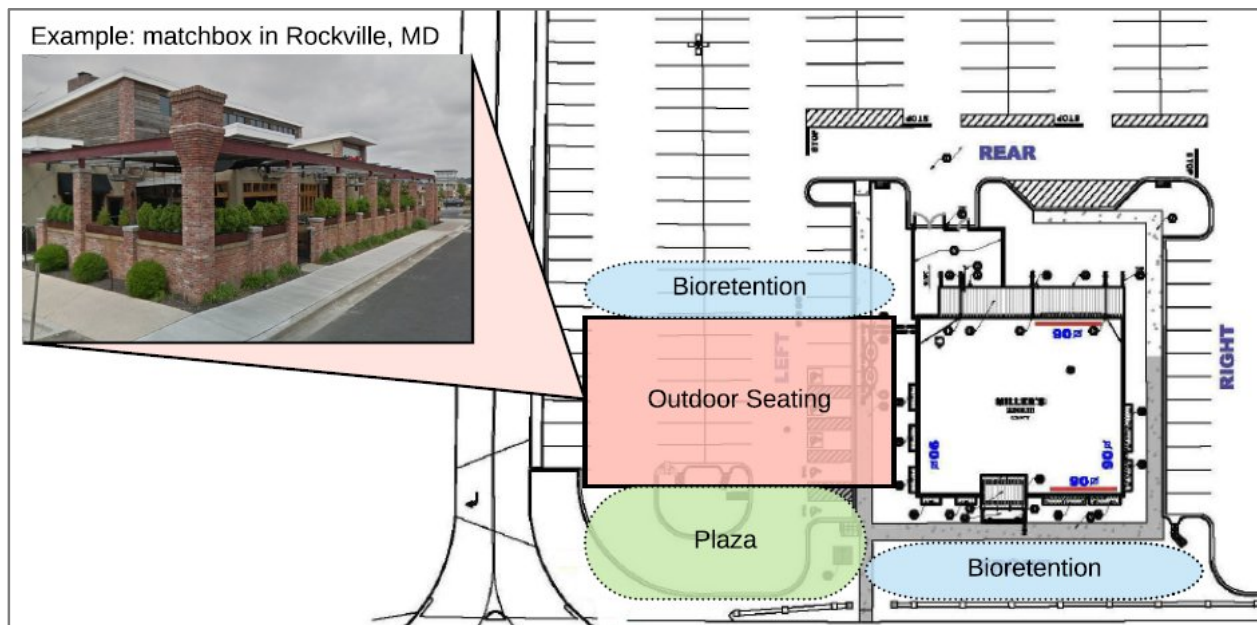
would result in the mechanical and structural systems being easily visible through the windows” (SOJ, pg. 6).

The applicant believes the intent of the Standards can be substantially satisfied by including the following additions to the proposed site: outdoor patio area; high ceilings (+/- 17'-5") in the dining areas of the restaurant; and architectural pilasters on all façades.

Recommendation: Staff recommends the City Council approve this request contingent on the applicant's acceptance of the Staff's proposed additions, specifically an outdoor seating patio on the left (west) elevation of the restaurant, pedestrian plaza area, and large roll-up style windows on both the left (west) and right (east) elevations of the building. Staff believes these proposed additions will satisfy the intent of the Standards, allowing for a modification to the fenestration height.

4. Modification 4 – Awning Materials: *“The proposed freestanding restaurant has metal awnings, and the colored metal is characteristic of style, identification and branding for Miller Brewhouse Restaurants. As such the Applicant herein requests Modification No. 4 to the Standards. The amount of metal awning is a small percentage of the building material and is designed to highlight and accent the building identification”* (SOJ, pg. 7).

Recommendation: Staff recommends City Council approve the applicant's proposed modification, as metal awnings are consistent with the branding of the franchised restaurant. Staff's recommendation is premised on the assumption the applicant will conduct regular maintenance of awnings (e.g. repair dents, rust prevention, etc.).



The figure above shows an estimated layout of Staff's proposed measures. Outdoor seating is to the west of the building, seen in red, with a graphic inset showcasing a local example of outdoor restaurant seating. The pedestrian plaza, seen in green, is directly south of the outdoor seating, along MD 410. Stormwater mitigation can be seen in blue, with micro-bioretention area #2 remaining south of the restaurant and micro-bioretention area #1 repositioned as a linear facility north of the outdoor seating patio.

City Council Action

The M-NCPPC Planning Board is scheduled to conduct a hearing to consider DSP-99044-17 on Thursday, July 25, 2019. Due to timing of the City Council meeting dates, the next City Council date will occur after the applicant's Planning Board hearing, therefore it is necessary for the City Council to adopt any recommendations to be conveyed to the Planning Board at its meeting on Monday, July 15, 2019.

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 in support of Miller's Ale House Detailed Site Plan (DSP-99044-17), subject to the following conditions:

1. The applicant shall revise their DSP to include an outdoor seating area to the west of the pad site, eliminating the proposed landscape island at the south end of the parking lot and requiring the subsequent relocation of the proposed micro-bioretenention #1. Architectural renderings of the outdoor seating area shall be submitted to the City.
2. The applicant shall revise the DSP to include a strong pedestrian plaza to the southwest of the building, along MD 410, to include ground lighting, landscaping, benches, and prominent artistic/sculptural elements. This revision should include the removal of the amenity wall adjacent to the proposed plaza. Renderings of the pedestrian plaza shall be submitted to the City.
3. The applicant shall revise their architectural design so the left (west) elevation matches the large windows currently present along the right (east) elevation of the building."

CITY OF HYATTSVILLE
PLANNING COMMITTEE AGENDA
JUNE 18, 2019

1. Introduction of Committee & Guests Members (7:30 PM)
 - Maureen Foster, Chair
 - Will Maxwell, Committee Member
 - Todd Dengel, Committee Member
 - David Marshall, Committee Member
 - Jonathan Mueller, Committee Member
 - Nkosi Yearwood, Committee Member
 - Kate Powers, City Planner
 - Jim Chandler, Staff Liaison
 - Andre Gingles, Attorney for the Applicant, Gingles, LLC
 - Mark Gambill, VP of Development, Pennsylvania Real Estate Investment Trust
 - Nick Speach, Bohler Engineering
 - Joe Daniels
 - John Lender
 - John Sheridan
2. Miller's Ale House Development: Detailed Site Plan
 - Presentation
 - o Andre Gingles, Attorney for the Applicant, Gingles, LLC
 - o Mark Gambill, VP of Development, PREIT
 - Project Background
 - o John Sheridan:
 1. Miller's Ale House is a family-oriented business with 100 restaurants nationwide;
 2. An east coast chain with 60 establishments in Florida and growing.
 - o Andre Gingles:
 1. Proposed location of restaurant is along East-West Highway;
 2. Site is subject to Prince George's TDDP Development Standards;
 3. Applicant is requesting variances to the Development Standards:
 - a. Proposed building setback is approximately 80' from ROW
 - i. Development standard authorizes a 25' maximum
 - ii. Infrastructure DSP
 - o Nick Speach:
 1. Building is strategically located within context of surrounding development;
 2. Aim to deliver tenant quickly;
 3. Acknowledges development standards:

- a. With new stormwater standards effective May 2019, the applicant is grandfathered into previous standards.
- b. Site limited by existing constraints:
 - i. Existing brick wall and landscaping along MD 410
 - ii. Sidewalk along frontage of the Mall
 - iii. Storm drain pipes that would need to be relocated if pad site setback is altered
 - iv. Stormwater from existing surface lot drains toward site. Grade is towards front of building; this requires stormwater bio-retention be oriented in front of the building, along the south side.

o A. Gingles:

1. Met with M-NCPPC to discuss design issues and revisions to mitigate impacts. Applicant will address concerns through the following revisions:
 - a. Modify Statement of Justification (SOJ), specifically incorporating additional language to capture extent of modifications;
 - b. Expand pedestrian access from southern end of the site by creating a large opening in the amenity wall, approximately 20';
 - c. Include patio with outdoor seating, which will cause building to appear closer to the sidewalk/streetscape;
 - d. Modify architecture of the building to create architectural interest;
 - e. Remove freestanding signage;
 - f. Include additional landscaping.

- Clarifying Questions

o Todd Dengel:

1. Is it the applicant's intention to have their stormwater mitigation plan be grandfathered under previous regulations, as stormwater regulations were modified in May 2019?
 - a. N. Speech: Regulations for this pad site are different than the stormwater regulations for adjacent pad sites.
 - b. A. Gingles: The Mall redevelopment in the future will bring buildings closer to the street.

o Jonathan Mueller:

1. What are the next steps for the applicant?
 - a. A. Gingles: The applicant will provide DSP revisions to staff and complete the discussed revisions to the SOJ by COB on Thursday, June 20th. The applicant will seek approval from Miller's Ale House on architectural changes.

o Will Maxwell:

1. In terms of the patio recommended by the County, it will not be placed in the bio-retention area.

- a. A. Gingles: Correct
 - 2. Will there be inclusion of bicycle racks on the site?
 - a. A. Gingles: Bicycle racks are required per the TDDP.
- o David Marshall:
 - 1. Will the patio roof be stationary or retractable?
 - a. J. Lender: The proposed patio will include a permanent steel canopy.
 - 2. Is there signage on three of the four sides of the building? Where will the freestanding sign be placed?
 - a. A. Gingles: Applicant concurs with M-NCPPC staff regarding removal of freestanding sign from the application.
 - 3. Are roll-up doors facing the front or side of the building?
 - a. J. Lender: Roll-up doors will be placed on the front and one side of the building.
 - 4. The existing amenity wall runs the entire span of the Mall frontage. A 20' wall opening seems large.
 - a. A. Gingles: Create an opening of 20' will create a plaza effect. There have been discussions on whether the wall in its entirety should be removed.
 - b. N. Speech: The entire opening will lead to a concrete walkway.
 - 5. What is the difference between the Oliver Garden setback and Miller's Ale House's proposed setback?
 - a. N. Speech: 50'
- o Nkosi Yearwood:
 - 1. In terms of mitigation, will the applicant be providing both storm water quality and quantity measures?
 - a. N. Sheet: Yes, both storm water quality and quantity will be treated on-site.
- o Will Maxwell:
 - 1. Will the proposed plaza be connected to mall at all, or just the restaurant?
 - a. A. Gingles: Just the restaurant
- Comments and Committee Recommendations to the City Council
 - o Nkosi Yearwood: How long-term is the lease? What are the agreements with the other MPG pad sites along MD 410?
 - 1. Mark Gambill: For MPG's pad sites, there is a ground lease of 15-years, up to 30-years. Outback Steakhouse signed their lease in 2002 and Oliver Garden signed theirs in 2004.
 - o D. Marshall: What is the color scheme of the façade? As it is proposed, the building needs additional artwork. The current tan color scheme is bland. Prefers to reduce the proposed 20' opening in the brick wall. No issue with the setbacks being requested. How many more pad sites does the Mall have?

1. Mark Gambill: Miller's Ale House is the last feasible pad site available at MPG along East-West Highway. The existing pepco line heavily influences pad site location, as well as parking capacity of the Mall.
 - o Will Maxwell: Agrees the proposed building needs more color and/or architectural accents. Does not support the incorporation of a freestanding sign. Recommends extending the sidewalk to the entrance of the Mall.
 1. A. Gingles: The applicant envisions this development as an eventual extension of the adjacent WMATA Prince George's Metro property.
 - o Jonathan Mueller: If the applicant is willing to support the revisions proffered by M-NCPPC, recommends the City Council's support for the amended application.
 - o Todd Dengel: Appreciates the applicant's intent, specifically concerning the well-shaded and landscaped entrance.
 - o Maureen Foster: 20' opening creates a sense of place with an active space with seating. Riverdale Park is a good model for a project successfully incorporating artistic elements.
 - o Recommendation: Provided that the applicant is agreeable to incorporating the revisions to the site plan as presented by the M-NCPPC, the Committee recommends the City Council approve the DSP amendment; Approved 6-0.
 - o N. Yearwood: What is the long-term vision for the Mall?
 1. M. Gambill: Redevelopment along Belcrest Road, potential to bring additional big box stores to Mall, considering on-site residential opportunities.
3. Committee Business
 - Motion to approve the minutes for the May 21, 2019 meeting
 - Motion passes; Approved 6-0
4. Development Update
 - Dewey Property – M-NCPPC Subdivision & Development Review Committee
 - o Dewey Property PPS was approved by City Council on June 3, 2019
 - o City Council had question regarding the Committee's recommended tree mitigation requirements (10 to 1 replacement). The Committee's recommendation did not align with the County landscape standards. The applicant maintained that they could accommodate 65 trees onsite, while the Committee requested 100. The applicant's proposed tree mitigation meets the County's landscape requirements.
 - o In terms of the proposed Stormwater facility, slope limits the kind and type of tree that can be planted. Much of the mitigation will be limited to on-street and tree boxes, as the applicant does not know if the conditions can accommodate additional on-site trees.
 - o The Dewey Property is on the agenda for the M-NCPPC Planning Board meeting next Thursday, July 27, 2019.
 - o Curb-to-curb, streets will be dedicated publicly while sidewalks and tree boxes will be maintained privately (DPW does not maintain trees on private development).

- o The applicant could not accommodate both a tree box and bike lane along roadway. The city expressed a preference for tree boxes.
- 4017 Hamilton Street – Upcoming demolition by DelMarva Site Development
 - o Demolition will commence July 1, 2019. Demo will be by-hand, due to the presence of reinforced steel rebar. They will use as much stone for fill as possible. All steel and rebar will be trucked off-site while grinding of stone will be on-site. The lower lot present on the site will be a staging area for demolition.
 - o There is a large enough setback present that the City does not have any significant concerns and no street will be closed.
 - o Rodent Abatement (spraying) will likely occur 10 days out.
- Armory Apartments – Historic preservation mitigation discussion
 - o Applicant is required to sign a mitigation plan with the Maryland Historical Trust, which will include additional historic landmarks on-site and minor architectural modifications.
 - o In order to take over the parking lot area, UIP was obligated to agree to these historical Armory improvements, which has delayed DSP package
 - o Staff believes their application will be received early fall 2019.
- M-NCPPC Multi-gen Community Center – Possible location, Prince George's Plaza
 - o M-NCPPC will soon be conducting a study, analyzing three potential regional sites for a Multi-gen Community Center.
 - o One of these potential sites is in Prince George's Plaza. However, M-NCPPC has concerns about the geometry of the site, as it is narrow and may not be able to accommodate the square footage required for the project.
 - o Staff speculates this project will not be funded until 2026/2027.
- Hamilton Street and Ager Road Commercial Properties
 - o Queens Chapel Town Center has applied for a Commercial Façade Investment grant from the City for \$50,000. The proposed project includes cleaning up awnings and signage for all existing tenants.
 - o Staff is not aware of any other redevelopment besides Riverfront.
 - o UIP purchased property by Ager Road/Metro Station; however, nothing is eminent. The underlying zoning the area is townhouse, which means any other proposed use by UIP would require re-zoning. They may want to wait for an updated West Hyattsville TDDP before developing.
- Site selection for schools
 - o The City has an entire committee designated to reviewing site selection.
 - o Prince George's County Public Schools (PGCPS) is evaluating all sites.
 - o RFP is open through July for builders to bid on construction. Builders have through August to view sites and make offers to County.
 - o This process will be utilizing a Public-Private Partnership (P3) model, where a developer will build six replicas of the same school within a 24-month period.
 - o Developer and school building sites will be made public once they are selected.
- Federalist Pig
 - o Applied for Commercial Façade Investment grant funding

o Staff believes their application will be received in September 2019.

5. Adjourn (9:15 PM)

DRAFT

STANDARD DRAWING LEGEND		
FOR ENTIRE PLAN SET (NOT TO SCALE)		
EXISTING NOTE	TYPICAL PROPERTY TEXT	PROPOSED NOTE
---	ONSITE PROPERTY LINE / R.O.W. LINE	---
---	NEIGHBORING PROPERTY LINE / INTERIOR PARCEL LINE	---
---	EASEMENT LINE	---
---	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-----	CONTOUR LINE	-----190----- -----187-----
-----69-----	SPOT ELEVATIONS	-----190----- -----187----- FC 516.09 TC 516.03 BC 515.55
TC 516.4 OR 516.4		
SAN	SANITARY LABEL	SAN
SL	STORM LABEL	SL
SL	SANITARY SEWER LATERAL	SL
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
HY	HYDRANT	HY
S	SANITARY MANHOLE	S
D	STORM MANHOLE	D
WM	WATER METER	WM
WV	WATER VALVE	WV
□	GAS VALVE	□
⊗	GAS METER	⊗
▽	TYPICAL END SECTION	▽
▽	HEADWALL OR ENDWALL	▽
⊙	YARD INLET	⊙
⊙	CURB INLET	⊙
○	CLEAN OUT	○
E	ELECTRIC MANHOLE	E
T	TELEPHONE MANHOLE	T
EB	ELECTRIC BOX	EB
EP	ELECTRIC PEDESTAL	EP
▽	MONITORING WELL	▽
⊕	TEST PIT	⊕
⊕	BENCHMARK	⊕
⊕	BORING	⊕
GENERAL NOTE: IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THIS PROJECT. WORK SCOPE PRIOR TO THE INITIATION OF CONSTRUCTION. SHOULD THE CONTRACTOR FIND A CONFLICT WITH THE DOCUMENTS RELATIVE TO THE SPECIFICATIONS OR APPLICABLE CODES, IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE PROJECT ENGINEER OF RECORD IN WRITING PRIOR TO THE START OF CONSTRUCTION. FAILURE BY THE CONTRACTOR TO NOTIFY THE PROJECT ENGINEER SHALL CONSTITUTE ACCEPTANCE OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF THE WORK AS DEFINED BY THE DRAWINGS AND IN FULL CONFORMANCE WITH ALL LOCAL, STATE AND FEDERAL CODES.		

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	RW	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	TBA	TO BE ABANDONED
DOM	DOMESTIC	TC	TOP OF CURB
ELEC	ELECTRIC	TELE	TELEPHONE
ELEV	ELEVATION	TPF	TREE PROTECTION FENCE
EP	EDGE OF PAVEMENT	TW	TOP OF WALL
ES	EDGE OF SHOULDER	TYP	TYPICAL
EW	END WALL	UG	UNDERGROUND
EX	EXISTING	UP	UTILITY POLE
FES	FLARED END SECTION	W	WIDE
FF	FINISHED FLOOR	WL	WATER LINE
FH	FIRE HYDRANT	WM	WATER METER
FG	FINISHED GRADE	±	PLUS OR MINUS
G	GRADE	°	DEGREE
GF	GARAGE FLOOR (AT DOOR)	Ø	DIAMETER
GH	GRADE HIGHER SIDE OF WALL	#	NUMBER
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		
LVS	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		

SHEET INDEX	
SHEET TITLE	SHEET NUMBER
COVER SHEET	DSP-1
APPROVALS SHEET	DSP-2
APPROVALS SHEET	DSP-3
OVERALL SITE PLAN	DSP-4
EXISTING CONDITIONS/DEMOLITION PLAN	DSP-5
SITE PLAN	DSP-6
GRADING AND UTILITY PLAN	DSP-7
LANDSCAPE PLAN	DSP-8
LANDSCAPE NOTES AND DETAILS	DSP-9
SITE DETAILS	DSP-10
DRAINAGE AREA MAP PLAN	DSP-11
LIGHTING PLAN / PHOTOMETRIC STUDY	DSP-12
LIGHTING NOTES AND DETAILS	DSP-13 - DSP-14
SIGN NOTES AND DETAILS	DSP-15
ELEVATIONS	DSP-16
COLOR ELEVATIONS	DSP-17

DETAILED SITE PLAN

DSP# 99044-17

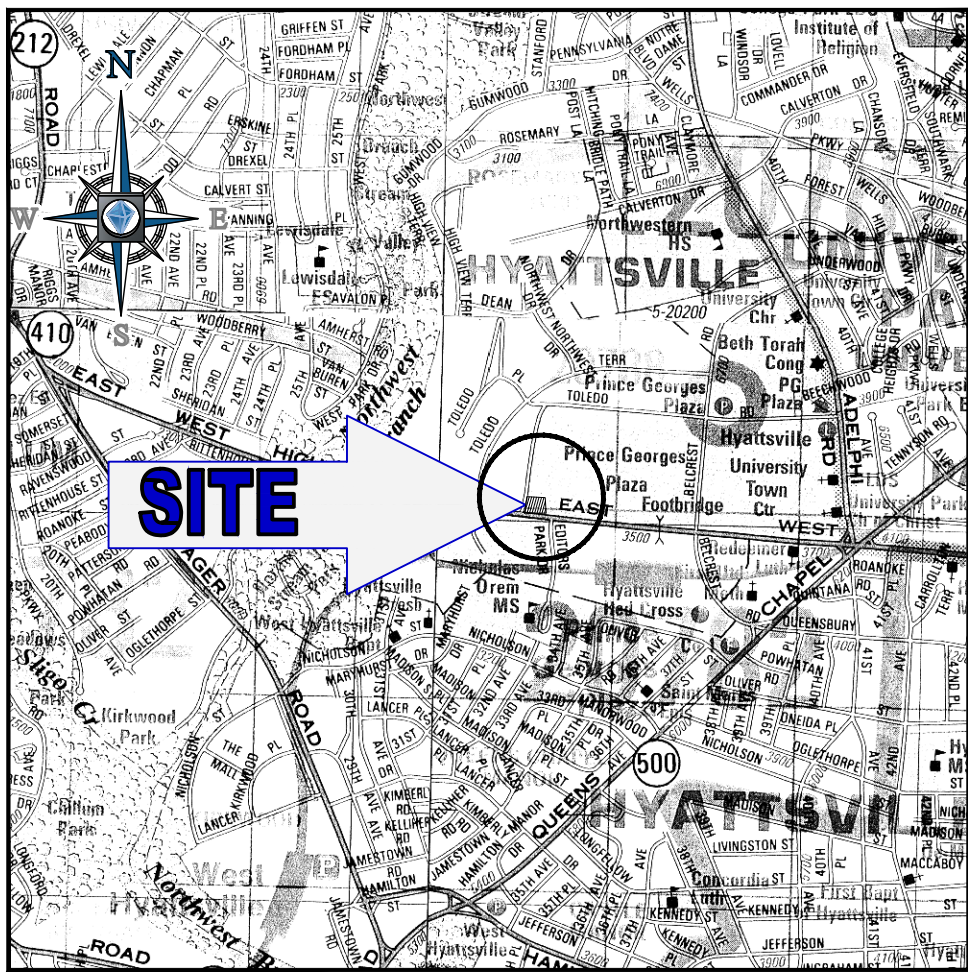
FOR

MALL AT PRINCE GEORGE'S MILLER'S ALE HOUSE

FREESTANDING RESTAURANT

LOCATION OF SITE

3430 EAST WEST HIGHWAY RTE 410,
PRINCE GEORGE'S COUNTY,
HYATTSVILLE, MD 20782
17TH ELECTION DISTRICT,
TAX MAP 41, GRID F2, PARCEL A-1



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

OWNER
PR PRINCE GEORGE'S PLAZA, LLC
CONTACT: MARK GAMBILL
200 SOUTH BROAD STREET
PHILADELPHIA, PA 19102
PHONE: (215) 875-3587

APPLICANT
MILLER'S ALE HOUSE, INC.
5750 MAJOR BLVD, SUITE 400
ORLANDO, FLORIDA 32819
CONTACT: SHANE FEEMSTER



16701 MELFORD BLVD , SUITE 310
BOWIE, MARYLAND 20715

Phone: (301) 809-4500
Fax: (301) 809-4501

MD@BohlerEng.com

CONTACT: NICHOLAS B. SPEACH, P.E.

REFERENCES

BOUNDARY & TOPOGRAPHIC/ALTA SURVEY:
BOHLER ENGINEERING
"EAST-WEST HIGHWAY, MD RTE. 410
PART OF PARCEL A-1, PRINCE GEORGE'S PLAZA
PLAT BOOK 186 PAGE 9 CHILLUM (17TH) ELECTION DISTRICT
PRINCE GEORGE'S COUNTY, MARYLAND"
PROJECT NO.: SB116502
DATED: 10/11/11

SOILS REPORT:
NRCS
"CUSTOM SOIL RESOURCE REPORT FOR PRINCE GEORGE'S
COUNTY MARYLAND"
DATED: 02/21/17

SITE DEVELOPMENT CONCEPT PLAN:
BOHLER ENGINEERING
"SITE DEVELOPMENT CONCEPT PLAN FOR MALL AT PRINCE
GEORGE'S FREESTANDING RESTAURANT"
CASE NO.: 10794-2017-00
PROJECT NO.: MB1220677
DATED: 08/03/17

DETAILED SITE PLAN:
BOHLER ENGINEERING
"DETAILED SITE PLAN FOR MALL AT PRINCE GEORGE'S PAD
SITE AND INFRASTRUCTURE FOR FUTURE FREESTANDING
RESTAURANT"
CASE NO.: DSP-99044-14
PROJECT NO.: MB1220677
APPROVED: 06/11/18

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):
16676973

CONTACT INFORMATION:
FIBERLIGHT/SUNBELT TELECO
COMCAST-UTILIQUEST
LEVEL3 COMMUNICATION
MCI
PEPCO/DCJ UTILITY LOCATING
QWEST GOVERNMENT SERVICES
VERIZON
WASHINGTON GAS-UTILIQUEST
WSSC-PINPOINT UG

PHONE NUMBER
(727) 596-1500
(410) 536-0070
(877) 366-8344
(800) 289-3427
(800) 634-4385
(703) 387-9152
(410) 536-0070
(301) 210-0355
(301) 888-6803

STANDARD NOTES:

- THIS PLAN IS BASED ON AN ALTA/ACSM TITLE SURVEY BY:
BOHLER ENGINEERING
"EAST-WEST HIGHWAY, MD RTE. 410
PART OF PARCEL A-1, PRINCE GEORGE'S PLAZA
PLAT BOOK 186 PAGE 9 CHILLUM (17TH) ELECTION DISTRICT PRINCE GEORGE'S COUNTY, MARYLAND"
PROJECT NO.: SB116502
DATED: 10/11/11
 - OWNER: PR PRINCE GEORGE'S PLAZA LLC
SUBDIVISION: PRINCE GEORGE'S PLAZA - RSB PAR A
200 SOUTH BROAD STREET, PHILADELPHIA, PA 19102
CONTACT: MARK GAMBILL
PHONE: (215) 875-3587
 - APPLICANT: MILLER'S ALE HOUSE, INC.
5750 MAJOR BLVD, SUITE 400
ORLANDO, FLORIDA 32819
CONTACT: SHANE FEEMSTER
 - PROJECT NAME: MALL AT PRINCE GEORGE'S - FREESTANDING RESTAURANT PAD
SITE DATA:
LOTS:
PARCELS: A-1
OUTLOTS: 0
OUTPARCELS: 0
TAX MAP: 041 GRID F2
WSSC GRID: 208NE03
PLAT REFERENCE NO.: 17186009
 - ZONING: M-U-I (MIXED USED INFILL) - 51.03 AC
TOTAL = 51.03 AC
- | ZONING ORDINANCE PROVISIONS: | REQUIRED | PROVIDED |
|------------------------------|----------|----------|
| A. MINIMUM LOT SETBACKS | | |
| BUILDING SETBACKS | | |
| NORTH | 0' | 1007.23' |
| SOUTH | 28' | 82.76' |
| EAST | 0' | 1648.15' |
| WEST | 0' | 231.51' |
- EXISTING USE: RETAIL PARKING LOT
PROPOSED USE: RESTAURANT
 - PARTIAL PROPERTY BOUNDARY BY BOHLER ENGINEERING.
 - STORMWATER REQUIREMENTS FOR THE PROPOSED DEVELOPMENT WILL BE MET WITH TWO (2)
MICRO-BIORETENTION FACILITIES.

PRINCE GEORGE'S COUNTY GENERAL NOTES:

- SUBDIVISION NAME: PRINCE GEORGE'S PLAZA - RSB PAR A (ZONED: M-U-I)
- TOTAL ACREAGE: 51.03 AC (ZONED: M-U-I)
- EXISTING ZONE: M-U-I
- PROPOSED USE OF PROPERTY: RESTAURANT
- NUMBER OF LOT, PARCELS, OUTLOTS & OUTPARCELS: PARCEL A-1, M-U-I (MIXED USED INFILL)
- NO DWELLING UNITS PROPOSED
- PROPOSED GROSS FLOOR AREA = 8,285 SF
- 200 FOOT MAP REFERENCE (WSSC): 208 NE 03
- TAX MAP NUMBER AND GRID: MAP 041, GRID F2
- WATER / SEWER DESIGNATION (EXISTING): CATEGORY 3
- WATER / SEWER DESIGNATION (PROPOSED): CATEGORY 3
- STORMWATER MANAGEMENT CONCEPT NUMBER: 10794-2017-00.
- 10' PUBLIC UTILITY EASEMENTS EXIST ALONG ALL RIGHTS-OF-WAY.
- MANDATORY PARK DEDICATION NOT REQUIRED FOR THIS PROJECT.
- THERE ARE NO KNOWN CEMETERIES ON OR CONTIGUOUS TO THE PROPERTY.
- THERE ARE NO KNOWN HISTORIC SITES ON OR IN THE VICINITY OF THE PROPERTY.
- THERE ARE NO KNOWN WETLANDS OR STREAMS ON THE PROPERTY.
- THE PROPERTY IS NOT WITHIN A 100 YR FLOODPLAIN. FEMA FIRM# 245208 0025C 6/18/1987
- THE PROPERTY IS NOT WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THE PROPERTY IS NOT WITHIN AN AVIATION POLICY AREA (APA).
- AN AUTOMATIC FIRE SUPPRESSING SYSTEM SHALL BE PROVIDED IN ALL NEW BUILDINGS PROPOSED ON PARCEL A-1 (M-U-I ZONE) UNLESS THE PRINCE GEORGE'S COUNTY FIRE/EMS DEPARTMENT DETERMINES THAT AN ALTERNATIVE METHOD OF FIRE SUPPRESSION IS APPROPRIATE.
- TOPOGRAPHY PREPARED BY BOHLER ENGINEERING.
- APPLICANT: MILLER'S ALE HOUSE, INC.
- OWNER: PR PRINCE GEORGE'S PLAZA, LLC

SIGN REQUIREMENTS			
BUILDING MOUNTED SIGNAGE			
QUANTITY	TYPE	BASE DIMENSIONS	TOTAL SIGN AREA
4	"MILLER'S ALE HOUSE"	N/A	4(90 SF) = 360 SF
TOTAL			392 SF

BUILDING MOUNTED SIGNAGE NOTE: PER PRINCE GEORGE'S PLAZA TDDPTDOZA CHAPTER 6, PAGE 250 - A HORIZONTAL WALL SIGN CAN HAVE A MAXIMUM SIGN HEIGHT OF 36" AND A MINIMUM WALL ELEVATION ON 10'.

BOHLER ENGINEERING

SITE DEVELOPMENT CONCEPT PLAN
LAND SURVEYING
SUSTAINABLE DESIGN
PROGRAM MANAGEMENT
PERMITTING SERVICES
TRANSPORTATION SERVICES

NORTHERN VIRGINIA
PHILADELPHIA, PA
BALTIMORE, MD
SOUTH EASTERN, PA
REHOBOTH BEACH, DE
NEW YORK, NY
NEW JERSEY
SOUTH CAROLINA
SOUTH MARYLAND

UPSTATE NEW YORK
BALTIMORE, MD
NEW YORK, NY
NEW JERSEY

REVISIONS			
REV	DATE	COMMENT	BY
1	04/03/19	PER MNCPPC COMMENTS	AJH

DO NOT DISTURB

THE FOLLOWING STATES REQUIRE NOTIFICATION BY EXISTING DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN THE STATE: IN VIRGINIA, MARYLAND, THE DISTRICT OF COLUMBIA, NORTH CAROLINA AND DELAWARE CALL 811 (WV 1-800-246-4648) (PA 1-800-242-1776) (DC 1-800-267-7777) (VA 1-800-552-7071) (MD 1-800-257-7777) (DE 1-800-262-8659)

NOT APPROVED FOR CONSTRUCTION

PROJECT No.: MB1220679
DRAWN BY: AJH
CHECKED BY: NBS
DATE: 02/18/19
SCALE: AS SHOWN
CAD I.D.: SD1

PROJECT: DETAILED SITE PLAN

FOR MILLER'S ALE HOUSE, INC.

LOCATION OF SITE
3430 EAST WEST HIGHWAY RTE 410,
PRINCE GEORGE'S COUNTY,
HYATTSVILLE, MD 20782
17TH ELECTION DISTRICT,
TAX MAP 41, GRID F2, PARCEL A-1

BOHLER ENGINEERING

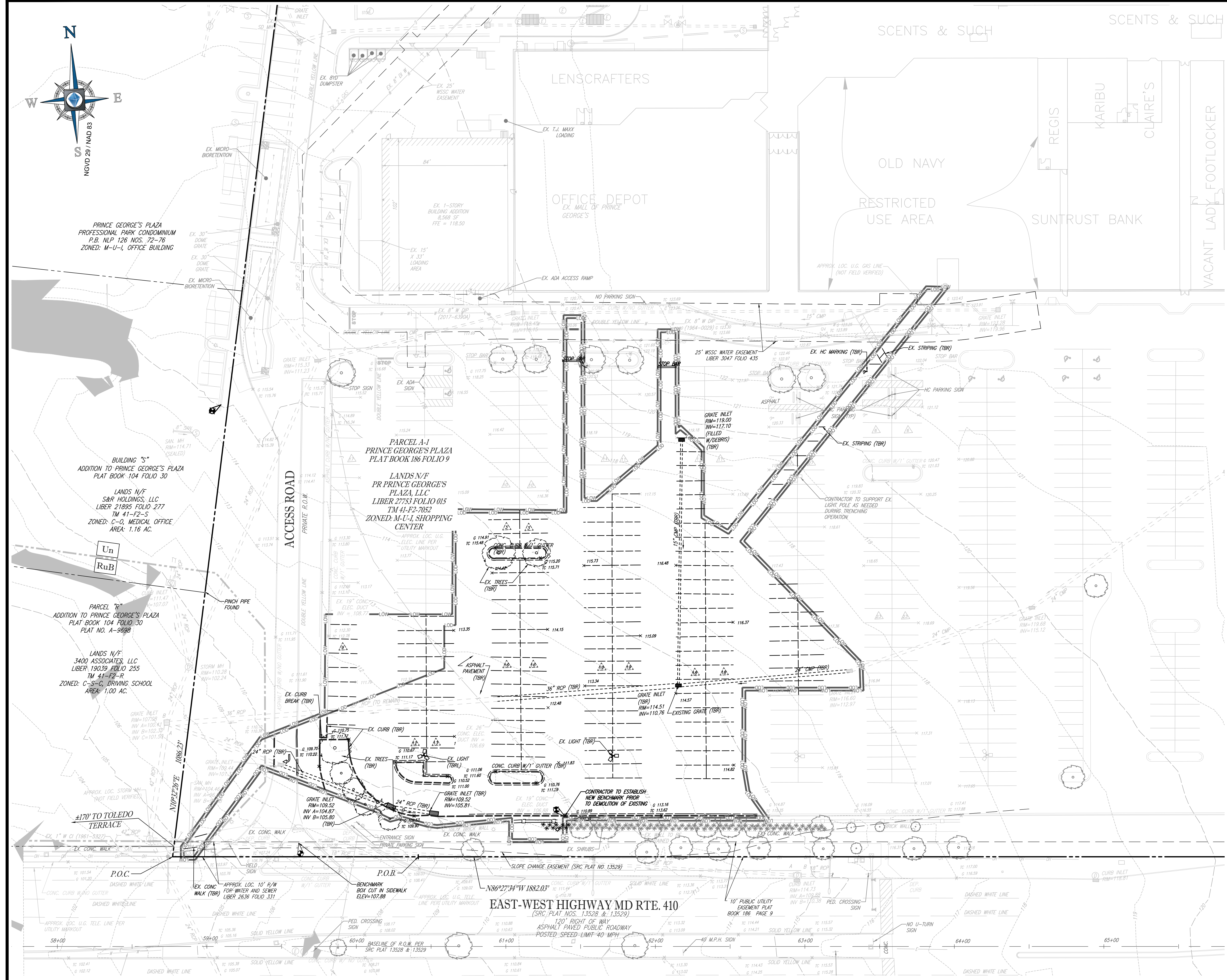
16701 MELFORD BLVD., SUITE 310
BOWIE, MARYLAND 20715
Phone: (301) 809-4500
Fax: (301) 809-4501
MD@BohlerEng.com

NICHOLAS B. SPEACH

PROFESSIONAL ENGINEER
EXPIRATION DATE: 6/14/21

SHEET TITLE: COVER SHEET

SHEET NUMBER: DSP - 1



- SURVEY NOTES:**
1. THE PROPERTY IS PART OF PARCEL A-1, PRINCE GEORGE'S PLAZA, AS RECORDED IN PLAT BOOK 186, FOLIO 9, BEING PART OF THE LANDS OF PR PRINCE GEORGE'S PLAZA, LLC RECORDED IN LIBER 27753 FOLIO 15, ALL AMONG THE LAND RECORDS OF PRINCE GEORGE'S COUNTY, MARYLAND AND WITH A TAX REFERENCE OF 41 F2 7052.1.
 2. AREA = N/A
 3. LOCATION OF ALL UNDERGROUND UTILITIES ARE APPROXIMATE. SOURCE INFORMATION FROM PLANS AND MARKINGS HAS BEEN COMBINED WITH OBSERVED EVIDENCE OF UTILITIES TO DEVELOP A VIEW OF THOSE UNDERGROUND UTILITIES. HOWEVER, LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY AND RELIABLY DEPICTED. WHERE ADDITIONAL OR MORE DETAILED INFORMATION IS REQUIRED, THE CLIENT IS ADVISED THAT EXCAVATION MAY BE NECESSARY.
 4. THIS SURVEY WAS PERFORMED IN THE FIELD UTILIZING THE REFERENCE MATERIAL AS LISTED HEREON AND DEPICTS BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS THEREON, ON DECEMBER 29, 2016, BY BOHLER ENGINEERING.
 5. THIS PROPERTY MAY BE SUBJECT TO RESTRICTIONS, COVENANTS AND/OR EASEMENTS, WRITTEN OR IMPLIED. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.
 6. THE EXISTENCE OF UNDERGROUND STORAGE TANKS, IF ANY, WAS NOT KNOWN AT THE TIME OF THE FIELD SURVEY; HOWEVER, NO PHYSICAL INDICATIONS OF SUCH WERE FOUND AT THE TIME OF THE FIELD INSPECTION OF THIS SITE.
 7. ELEVATIONS ARE BASED ON NGVD 29 DATUM PER WSSC BM # 19943 WITH A PUBLISHED ELEVATION OF 89.9 FEET

BOHLER ENGINEERING

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Bowie, Maryland 20715
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PROFESSIONAL ENGINEER
NICHOLAS E. SPEACH
License No. 40265, EXPIRATION DATE 6/14/21

REVISIONS			
REV	DATE	COMMENT	BY
1	04/03/19	PER MNCPPC COMMENTS	AJH

NOT APPROVED FOR CONSTRUCTION

PROJECT No.: MB1220679
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DETAILED SITE PLAN

FOR
MILLER'S ALE HOUSE, INC.

LOCATION OF SITE
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NICHOLAS E. SPEACH

PROFESSIONAL ENGINEER
License No. 40265, EXPIRATION DATE 6/14/21

EXISTING CONDITIONS/DEMOLITION PLAN

SHEET NUMBER:
DSP - 5

LEGEND

LIMITS OF WORK	— LOW — HIGH —
LIMITS OF DISTURBANCE	— LOD — LOD —
EX. TREE TRUNK AND CANOPY	
STEEP SLOPES 15% - 25%	
STEEP SLOPES >25%	

THIS BLOCK IS FOR OFFICIAL USE ONLY
OR LABEL CERTIFIED THAT THIS PLAN MEETS CONDITIONS OF FINAL APPROVAL BY THE PLANNING BOARD, ITS DESIGNER OR THE DISTRICT COUNCIL.

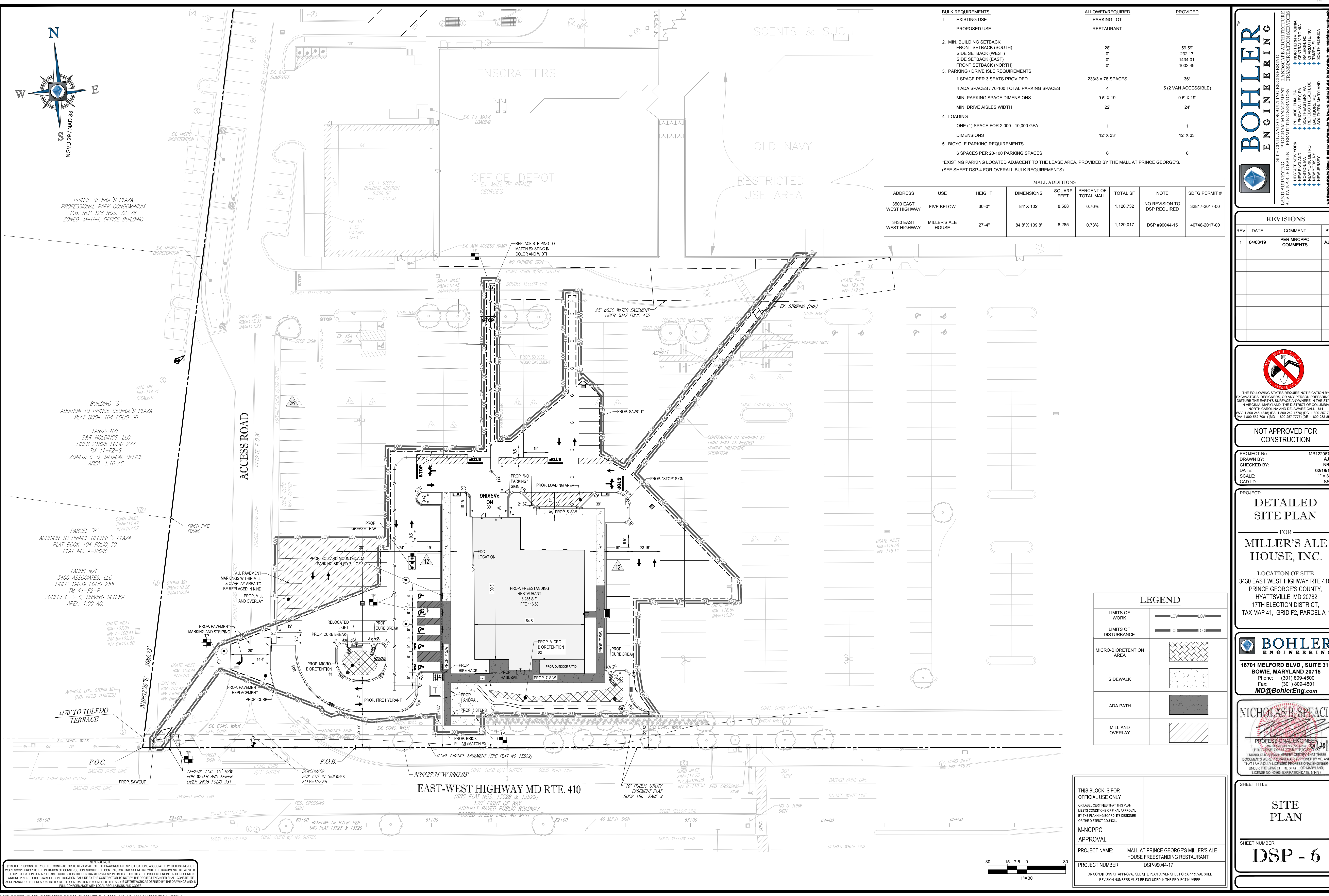
M-NCPCC APPROVAL

PROJECT NAME: MALL AT PRINCE GEORGE'S MILLER'S ALE HOUSE FREESTANDING RESTAURANT

PROJECT NUMBER: DSP-99044-17

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

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THIS PROJECT. WORK SCOPE PRIOR TO THE START OF CONSTRUCTION, SHOULD THE CONTRACTOR FIND A CONFLICT WITH THE DOCUMENTS RELATIVE TO THE SPECIFICATIONS OR APPLICABLE CODES. IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE PROJECT ENGINEER OF RECORD IN WRITING PRIOR TO THE START OF CONSTRUCTION. FAILURE BY THE CONTRACTOR TO NOTIFY THE PROJECT ENGINEER SHALL CONSTITUTE ACCEPTANCE OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF THE WORK AS DEFINED BY THE DRAWINGS AND IN FULL CONFORMANCE WITH ALL LOCAL, STATE AND FEDERAL CODES.



BULK REQUIREMENTS:		ALLOWED/REQUIRED	PROVIDED
1.	EXISTING USE:	PARKING LOT	
	PROPOSED USE:	RESTAURANT	
2.	MIN. BUILDING SETBACK		
	FRONT SETBACK (SOUTH)	28'	59.59'
	SIDE SETBACK (WEST)	0'	232.17'
	SIDE SETBACK (EAST)	0'	1434.01'
	FRONT SETBACK (NORTH)	0'	1002.49'
3.	PARKING / DRIVE ISLE REQUIREMENTS		
	1 SPACE PER 3 SEATS PROVIDED	233/3 = 78 SPACES	36"
	4 ADA SPACES / 76-100 TOTAL PARKING SPACES	4	5 (2 VAN ACCESSIBLE)
	MIN. PARKING SPACE DIMENSIONS	9.5' X 19'	9.5' X 19'
	MIN. DRIVE AISLES WIDTH	22'	24'
4.	LOADING		
	ONE (1) SPACE FOR 2,000 - 10,000 GFA	1	1
	DIMENSIONS	12' X 33'	12' X 33'
5.	BICYCLE PARKING REQUIREMENTS		
	6 SPACES PER 20-100 PARKING SPACES	6	6
*EXISTING PARKING LOCATED ADJACENT TO THE LEASE AREA, PROVIDED BY THE MALL AT PRINCE GEORGE'S. (SEE SHEET DSP-4 FOR OVERALL BULK REQUIREMENTS)			

MALL ADDITIONS							
ADDRESS	USE	HEIGHT	DIMENSIONS	SQUARE FEET	PERCENT OF TOTAL MALL	TOTAL SF	NOTE
3500 EAST WEST HIGHWAY	FIVE BELOW	30'-0"	84' X 102'	8,568	0.76%	1,120,732	NO REVISION TO DSP REQUIRED
3430 EAST WEST HIGHWAY	MILLER'S ALE HOUSE	27'-4"	84.8' X 109.8'	8,285	0.73%	1,129,017	DSP #99044-15
							40748-2017-00

LEGEND	
LIMITS OF WORK	— LOW — HIGH —
LIMITS OF DISTURBANCE	— LOD — LOD —
MICRO-BIORETENTION AREA	[Pattern]
SIDEWALK	[Pattern]
ADA PATH	[Pattern]
MILL AND OVERLAY	[Pattern]

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M-NCPPC APPROVAL	
PROJECT NAME:	MALL AT PRINCE GEORGE'S MILLER'S ALE HOUSE FREESTANDING RESTAURANT
PROJECT NUMBER:	DSP-99044-17
FOR CONDITIONS OF APPROVAL SEE SITE PLAN COVER SHEET OR APPROVAL SHEET REVISION NUMBERS MUST BE INCLUDED IN THE PROJECT NUMBER	

BOHLER ENGINEERING

SITE PLANNING, LANDSCAPE ARCHITECTURE, LAND SURVEYING, PROGRAM MANAGEMENT, SUSTAINABLE DESIGN, PERMITTING SERVICES

NORTHERN VIRGINIA
PHILADELPHIA, PA
BALTIMORE, MD
REHOBOTH BEACH, DE
NEW YORK, NY
NEW JERSEY
SOUTHERN MARYLAND
CHARLOTTE, NC
RALEIGH, NC
SOUTH FLORIDA

REVISIONS			
REV	DATE	COMMENT	BY
1	04/03/19	PER MNCPPC COMMENTS	AJH

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NOT APPROVED FOR CONSTRUCTION

PROJECT No.: MB1220679
DRAWN BY: AJH
CHECKED BY: NBS
DATE: 02/18/19
SCALE: 1" = 30'
CAD I.D.: SS1

PROJECT: DETAILED SITE PLAN

FOR MILLER'S ALE HOUSE, INC.

LOCATION OF SITE
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PRINCE GEORGE'S COUNTY,
HYATTSVILLE, MD 20782
17TH ELECTION DISTRICT,
TAX MAP 41, GRID F2, PARCEL A-1

BOHLER ENGINEERING

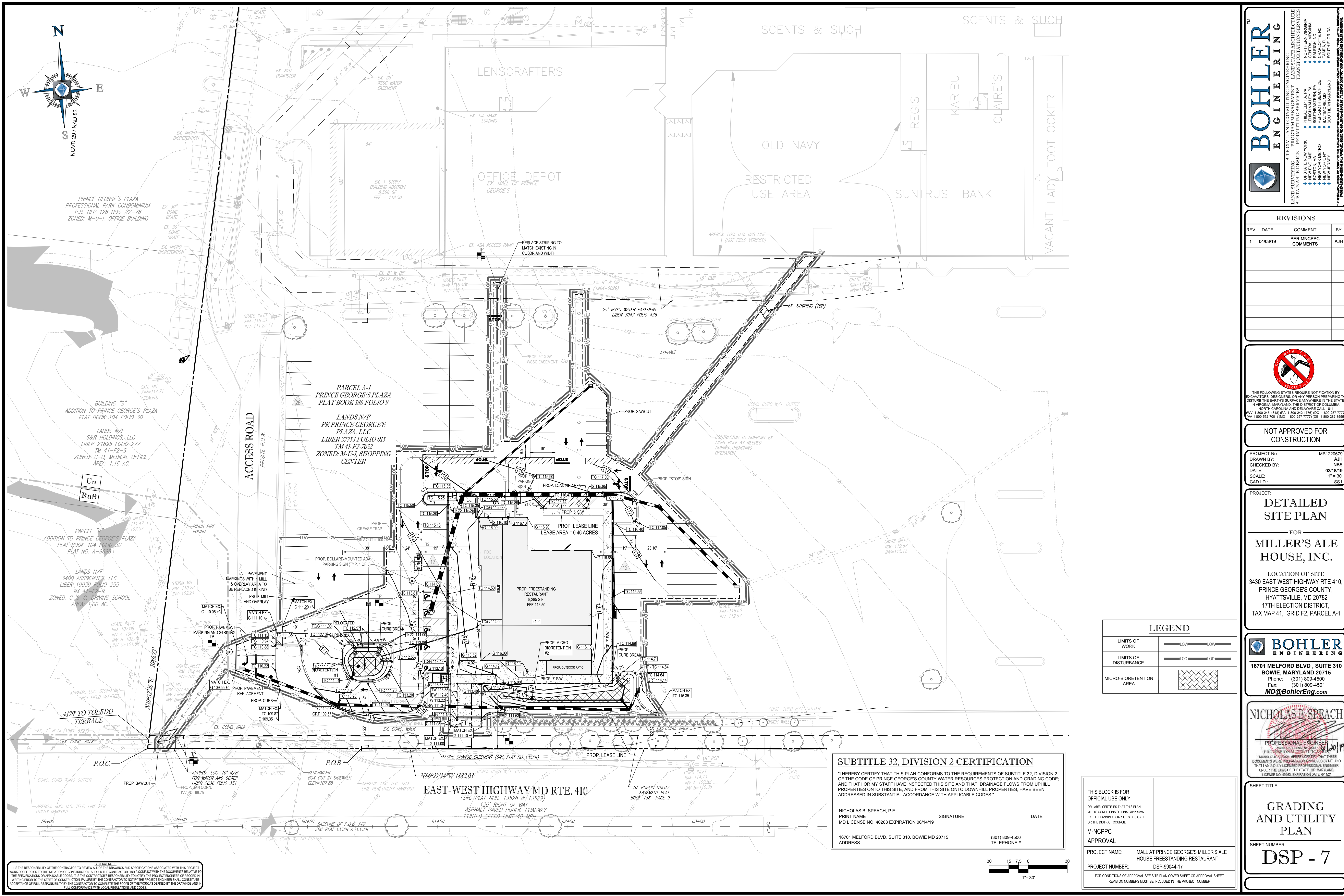
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Fax: (301) 809-4501
MD@BohlerEng.com

NICHOLAS E. SPEECH
PROFESSIONAL ENGINEER
1 NICHOLAS E. SPEECH HEREBY CERTIFIES 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. 40265, EXPIRATION DATE 6/14/21.

SHEET TITLE: SITE PLAN

SHEET NUMBER: DSP - 6

GENERAL NOTE:
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BOHLER ENGINEERING

SITE DESIGN, GRADING, UTILITY, LANDSCAPE ARCHITECTURE, LAND SURVEYING, PROGRAM MANAGEMENT, TRANSPORTATION SERVICES, SUSTAINABLE DESIGN, PERMITTING SERVICES

PHILADELPHIA, PA
BALTIMORE, MD
NEW YORK, NY
NEW JERSEY
NORTH CAROLINA
FLORIDA
VIRGINIA
ARIZONA
CALIFORNIA
ILLINOIS
INDIANA
IOWA
KANSAS
MARYLAND
MASSACHUSETTS
MICHIGAN
MINNESOTA
MISSISSIPPI
MISSOURI
MONTANA
NEBRASKA
NEVADA
NEW HAMPSHIRE
NEW MEXICO
NEW YORK
NORTH CAROLINA
NORTH DAKOTA
OHIO
OKLAHOMA
OREGON
PENNSYLVANIA
RHODE ISLAND
SOUTH CAROLINA
SOUTH DAKOTA
Tennessee
Texas
Utah
Vermont
Virginia
Washington
West Virginia
Wisconsin
Wyoming

REVISIONS			
REV	DATE	COMMENT	BY
1	04/03/19	PER MNCPPC COMMENTS	AJH

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PROJECT: MB1220679
DRAWN BY: AJH
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Phone: (301) 809-4500
Fax: (301) 809-4501
MD@BohlerEng.com

NICHOLAS B. SPEACH

PROFESSIONAL ENGINEER
NICHOLAS B. SPEACH, P.E. 06/14/19
I, NICHOLAS B. SPEACH, P.E., HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. LICENSE NO. 40263, EXPIRATION DATE 06/14/21.

GRADING AND UTILITY PLAN

SHEET NUMBER:
DSP - 7

SUBTITLE 32, DIVISION 2 CERTIFICATION

"I HEREBY CERTIFY THAT THIS PLAN CONFORMS TO THE REQUIREMENTS OF SUBTITLE 32, DIVISION 2 OF THE CODE OF PRINCE GEORGE'S COUNTY, WATER RESOURCES PROTECTION AND GRADING CODE; AND THAT I OR MY STAFF HAVE INSPECTED THIS SITE AND THAT DRAINAGE FLOWS FROM UPHILL PROPERTIES ONTO THIS SITE, AND FROM THIS SITE ONTO DOWNHILL PROPERTIES, HAVE BEEN ADDRESSED IN SUBSTANTIAL ACCORDANCE WITH APPLICABLE CODES."

NICHOLAS B. SPEACH, P.E.
PRINT NAME
MD LICENSE NO. 40263 EXPIRATION 06/14/19
16701 Melford Blvd., Suite 310, Bowie MD 20715
Address

SIGNATURE
DATE
(301) 809-4500
TELEPHONE #

THIS BLOCK IS FOR OFFICIAL USE ONLY

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

M-NCPPC APPROVAL

PROJECT NAME: MALL AT PRINCE GEORGE'S MILLER'S ALE HOUSE FREESTANDING RESTAURANT
PROJECT NUMBER: DSP-99044-17

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

GENERAL NOTE:
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LANDSCAPE SPECIFICATIONS

1. SCOPE OF WORK:

THE LANDSCAPE CONTRACTOR SHALL BE REQUIRED TO PERFORM ALL CLEARING, FINISHED GRADING, SOIL PREPARATION, PERMANENT SEEDING OR SODDING, PLANTING AND MULCHING INCLUDING ALL LABOR, MATERIALS, TOOLS AND EQUIPMENT NECESSARY FOR THE COMPLETION OF THIS PROJECT, UNLESS OTHERWISE CONTRACTED BY THE GENERAL CONTRACTOR.

2. MATERIALS

- A. GENERAL - ALL HARDSCAPE MATERIALS SHALL MEET OR EXCEED SPECIFICATIONS AS OUTLINED IN THE STATE DEPARTMENT OF TRANSPORTATION'S SPECIFICATIONS.
- B. TOPSOIL - NATURAL, FRIABLE, LOAMY SILT SOIL HAVING AN ORGANIC CONTENT NOT LESS THAN 5%, A PH RANGE BETWEEN 4.5-7.0. IT SHALL BE FREE OF DEBRIS, ROCKS LARGER THAN ONE INCH (1"), WOOD, ROOTS, VEGETABLE MATTER AND CLAY CLODS.

- C. LAWN - ALL DISTURBED AREAS ARE TO BE TREATED WITH A MINIMUM SIX INCH (6") THICK LAYER OF TOPSOIL, OR AS DIRECTED BY THE LOCAL ORDINANCE OR CLIENT, AND SEEDING SHALL BE ACCORDANCE WITH THE PERMANENT STABILIZATION METHODS INDICATED WITHIN THE SEEDING, EROSION AND SEDIMENT CONTROL NOTES.
1. LAWN SEED MIXTURE SHALL BE FRESH, CLEAN NEW CROP SEED.
2. SOD SHALL BE STRONGLY ROOTED, WEED AND DISEASE/PEST FREE WITH A UNIFORM THICKNESS.
3. SOD INSTALLED ON SLOPES GREATER THAN 4:1 SHALL BE PEGGED TO HOLD SOD IN PLACE.

- D. MULCH - THE MULCH AROUND THE PERIMETER OF THE BUILDING SHALL BE A 3" LAYER OF DOUBLE SHREDDED BLACK CEDAR MULCH ONLY. ALL OTHER AREAS SHALL BE MULCHED WITH A 3" LAYER OF DOUBLE SHREDDED DARK BROWN HARDWOOD BARK MULCH, UNLESS OTHERWISE STATED ON THE LANDSCAPE PLAN.

E. FERTILIZER

1. FERTILIZER SHALL BE DELIVERED TO THE SITE MIXED AS SPECIFIED IN THE ORIGINAL UNOPENED STANDARD BAGS SHOWING WEIGHT, ANALYSIS AND NAME OF MANUFACTURER. FERTILIZER SHALL BE STORED IN A WEATHERPROOF PLACE SO THAT IT CAN BE KEPT DRY PRIOR TO USE.
2. FOR THE PURPOSE OF BIDDING, ASSUME THAT FERTILIZER SHALL BE 10% NITROGEN, 6% PHOSPHORUS AND 4% POTASSIUM BY WEIGHT. A FERTILIZER SHOULD NOT BE SELECTED WITHOUT A SOIL TEST PERFORMED BY A CERTIFIED SOIL LABORATORY.

F. PLANT MATERIAL

1. ALL PLANTS SHALL IN ALL CASES CONFORM TO THE REQUIREMENTS OF THE "AMERICAN STANDARD FOR NURSERY STOCK" (ANSI Z60.1), LATEST EDITION, AS PUBLISHED BY THE AMERICAN NURSERY & LANDSCAPE ASSOCIATION.
2. IN ALL CASES, BOTANICAL NAMES SHALL TAKE PRECEDENCE OVER COMMON NAMES FOR ANY AND ALL PLANT MATERIAL.
3. PLANTS SHALL BE LEGIBLY TAGGED WITH THE PROPER NAME AND SIZE. TAGS ARE TO REMAIN ON AT LEAST ONE PLANT OF EACH SPECIES FOR VERIFICATION PURPOSES DURING THE FINAL INSPECTION.
4. TREES WITH ABRASION OF THE BARK, SUN SCALDS, DISFIGURATION OR FRESH CUTS OF LIMBS OVER 1/2", WHICH HAVE NOT BEEN COMPLETELY CALLED, SHALL BE REJECTED. PLANTS SHALL NOT BE BOUND WITH WIRE OR ROPE AT ANY TIME SO AS TO DAMAGE THE BARK OR BREAK BRANCHES.
5. ALL PLANTS SHALL BE TYPICAL OF THEIR SPECIES OR VARIETY AND SHALL HAVE A NORMAL HABIT OF GROWTH, WELL DEVELOPED BRANCHES, DENSELY FOLIATED, VIGOROUS ROOT SYSTEMS AND BE FREE OF DISEASE, INSECTS, PESTS, EGGS OR LARVAE.
6. CALIPER MEASUREMENTS OF NURSERY GROWN TREES SHALL BE TAKEN AT A POINT ON THE TRUNK SIX INCHES (6") ABOVE THE NATURAL GRADE FOR TREES UP TO AND INCLUDING A FOUR INCH (4") CALIPER SIZE. IF THE CALIPER AT SIX INCHES (6") ABOVE THE GROUND EXCEEDS FOUR INCHES (4") IN CALIPER, THE CALIPER SHOULD BE MEASURED AT A POINT 12" ABOVE THE NATURAL GRADE.
7. SHRUBS SHALL BE MEASURED TO THE AVERAGE HEIGHT OR SPREAD OF THE SHRUB, AND NOT TO THE LONGEST BRANCH.
8. TREES AND SHRUBS SHALL BE HANDLED WITH CARE BY THE ROOT BALL.

3. GENERAL WORK PROCEDURES

- A. CONTRACTOR TO UTILIZE WORKMANLIKE INDUSTRY STANDARDS IN PERFORMING ALL LANDSCAPE CONSTRUCTION. THE SITE IS TO BE LEFT IN A CLEAN STATE AT THE END OF EACH WORKDAY. ALL DEBRIS, MATERIALS AND TOOLS SHALL BE PROPERLY STORED, STOCKPILED OR DISPOSED OF.
- B. WASTE MATERIALS AND DEBRIS SHALL BE COMPLETELY DISPOSED OF AT THE CONTRACTOR'S EXPENSE. DEBRIS SHALL NOT BE BURIED, INCLUDING ORGANIC MATERIALS, BUT SHALL BE REMOVED COMPLETELY FROM THE SITE.

4. SITE PREPARATIONS

- A. BEFORE AND DURING PRELIMINARY GRADING AND FINISHED GRADING, ALL WEEDS AND GRASSES SHALL BE DUG OUT BY THE ROOTS AND DISPOSED OF IN ACCORDANCE WITH GENERAL WORK PROCEDURES OUTLINED HEREIN.
- B. ALL EXISTING TREES TO REMAIN SHALL BE PRUNED TO REMOVE ANY DAMAGED BRANCHES. THE ENTIRE LIMB OF ANY DAMAGED BRANCH SHALL BE CUT OFF AT THE TRUNK. CONTRACTOR SHALL ENSURE THAT CUTS ARE SMOOTH AND STRAIGHT. ANY EXPOSED ROOTS SHALL BE CUT BACK WITH CLEAN, SHARP TOOLS AND TOPSOIL SHALL BE PLACED AROUND THE REMAINDER OF THE ROOTS. EXISTING TREES SHALL BE MONITORED ON A REGULAR BASIS FOR ADDITIONAL ROOT OR BRANCH DAMAGE AS A RESULT OF CONSTRUCTION. ROOTS SHALL NOT BE LEFT EXPOSED FOR MORE THAN ONE (1) DAY. CONTRACTOR SHALL WATER EXISTING TREES AS NEEDED TO PREVENT SHOCK OR DECLINE.
- C. CONTRACTOR SHALL ARRANGE TO HAVE A UTILITY STAKE-OUT TO LOCATE ALL UNDERGROUND UTILITIES PRIOR TO INSTALLATION OF ANY LANDSCAPE MATERIAL. UTILITY COMPANIES SHALL BE CONTACTED THREE (3) DAYS PRIOR TO THE BEGINNING OF WORK.

5. TREE PROTECTION

- A. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES TO REMAIN. A TREE PROTECTION ZONE SHALL BE ESTABLISHED AT THE DRIP LINE OR 15 FEET FROM THE TRUNK OR AT THE LIMIT OF CONSTRUCTION DISTURBANCE, WHICHEVER IS GREATER. LOCAL STANDARDS THAT MAY REQUIRE A MORE STRICT TREE PROTECTION ZONE SHALL BE HONORED.
- B. A FORTY-EIGHT INCH (48") HIGH WOODEN SNOW FENCE OR ORANGE COLORED HIGH-DENSITY "VISI-FENCE" OR APPROVED EQUAL, MOUNTED ON STEEL POSTS SHALL BE PLACED ALONG THE BOUNDARY OF THE TREE PROTECTION ZONE. POSTS SHALL BE LOCATED AT A MAXIMUM OF EIGHT FEET (8') ON CENTER OR AS INDICATED WITHIN THE TREE PROTECTION DETAIL.
- C. WHEN THE TREE PROTECTION FENCING HAS BEEN INSTALLED, IT SHALL BE INSPECTED BY THE APPROVING AGENCY PRIOR TO DEMOLITION, GRADING, TREE CLEARING OR ANY OTHER CONSTRUCTION. THE FENCING ALONG THE TREE PROTECTION ZONE SHALL BE REGULARLY INSPECTED BY THE LANDSCAPE CONTRACTOR AND MAINTAINED UNTIL ALL CONSTRUCTION ACTIVITY HAS BEEN COMPLETED.
- D. AT NO TIME SHALL MACHINERY, DEBRIS, FALLEN TREES OR OTHER MATERIALS BE PLACED, STOCKPILED OR LEFT STANDING IN THE TREE PROTECTION ZONE.

6. SOIL MODIFICATIONS

- A. CONTRACTOR SHALL ATTAIN A SOIL TEST FOR ALL AREAS OF THE SITE PRIOR TO CONDUCTING ANY PLANTING. SOIL TESTS SHALL BE PERFORMED BY A CERTIFIED SOIL LABORATORY.
- B. LANDSCAPE CONTRACTOR SHALL REPORT ANY SOIL OR DRAINAGE CONDITIONS CONSIDERED DETRIMENTAL TO THE GROWTH OF PLANT MATERIAL. SOIL MODIFICATIONS, AS SPECIFIED HEREIN, MAY NEED TO BE CONDUCTED BY THE LANDSCAPE CONTRACTOR DEPENDING ON SITE CONDITIONS.
- C. THE FOLLOWING AMENDMENTS AND QUANTITIES ARE APPROXIMATE AND ARE FOR BIDDING PURPOSES ONLY. COMPOSITION OF AMENDMENTS SHOULD BE REVISED DEPENDING ON THE OUTCOME OF A TOPSOIL ANALYSIS PERFORMED BY A CERTIFIED SOIL LABORATORY.
1. TO INCREASE A SANDY SOIL'S ABILITY TO RETAIN WATER AND NUTRIENTS, THOROUGHLY TILL ORGANIC MATTER INTO THE TOP 6-12" USE COMPOSTED BARK, COMPOSTED LEAF MULCH OR PEAT MOSS. ALL PRODUCTS SHOULD BE COMPOSTED TO A DARK COLOR AND BE FREE OF PIECES WITH IDENTIFIABLE LEAF OR WOOD STRUCTURE. AVOID MATERIAL WITH A PH HIGHER THAN 7.5.
2. TO INCREASE DRAINAGE, MODIFY HEAVY CLAY OR SILT (MORE THAN 40% CLAY OR SILT) BY ADDING COMPOSTED PINE BARK (UP TO 30% BY VOLUME) AND/OR AGRICULTURAL GYPSUM. COARSE SAND MAY BE USED IF ENOUGH IS ADDED TO BRING THE SAND CONTENT TO MORE THAN 80% OF THE TOTAL MIX. SUBSURFACE DRAINAGE LINES MAY NEED TO BE ADDED TO INCREASE DRAINAGE.
3. MODIFY EXTREMELY SANDY SOILS (MORE THAN 85%) BY ADDING ORGANIC MATTER AND/OR DRY, SHREDDED CLAY LOAM UP TO 30% OF THE TOTAL MIX.

7. FINISHED GRADING

- A. UNLESS OTHERWISE CONTRACTED, THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION OF TOPSOIL AND THE ESTABLISHMENT OF FINE-GRADING WITHIN THE DISTURBANCE AREA OF THE SITE.
- B. LANDSCAPE CONTRACTOR SHALL VERIFY THAT SUBGRADE FOR INSTALLATION OF TOPSOIL HAS BEEN ESTABLISHED. THE SUBGRADE OF THE SITE MUST MEET THE FINISHED GRADE LESS THE REQUIRED TOPSOIL THICKNESS (1"s).
- C. ALL LAWN AND PLANTING AREAS SHALL BE GRADED TO A SMOOTH, EVEN AND UNIFORM PLANE WITH NO ABRUPT CHANGE OF SURFACE AS DEPICTED WITHIN THIS SET OF CONSTRUCTION PLANS, UNLESS OTHERWISE DIRECTED BY THE PROJECT ENGINEER OR LANDSCAPE ARCHITECT.
- D. ALL PLANTING AREAS SHALL BE GRADED AND MAINTAINED TO ALLOW FREE FLOW OF SURFACE WATER IN AND AROUND THE PLANTING BEDS. STANDING WATER SHALL NOT BE PERMITTED IN PLANTING BEDS.

8. TOPSOILING

- A. CONTRACTOR SHALL PROVIDE A SIX INCH (6") THICK MINIMUM LAYER OF TOPSOIL, OR AS DIRECTED BY THE LOCAL ORDINANCE OR CLIENT, IN ALL PLANTING AREAS. TOPSOIL SHOULD BE SPREAD OVER A PREPARED SURFACE IN A UNIFORM LAYER TO ACHIEVE THE DESIRED COMPACTED THICKNESS.
- B. ON-SITE TOPSOIL MAY BE USED TO SUPPLEMENT THE TOTAL AMOUNT REQUIRED. TOPSOIL FROM THE SITE MAY BE REJECTED IF IT HAS NOT BEEN PROPERLY REMOVED, STORED AND PROTECTED PRIOR TO CONSTRUCTION.
- C. CONTRACTOR SHALL FURNISH TO THE APPROVING AGENCY AN ANALYSIS OF BOTH IMPORTED AND ON-SITE TOPSOIL TO BE UTILIZED IN ALL PLANTING AREAS. THE PH AND NUTRIENT LEVELS MAY NEED TO BE ADJUSTED THROUGH SOIL MODIFICATIONS AS NEEDED TO ACHIEVE THE REQUIRED LEVELS AS SPECIFIED IN THE MATERIALS SECTION ABOVE.
- D. ALL PLANTING AND LAWN AREAS ARE TO BE CULTIVATED TO A DEPTH OF SIX INCHES (6"). ALL DEBRIS EXPOSED FROM EXCAVATION AND CULTIVATION SHALL BE DISPOSED OF IN ACCORDANCE WITH GENERAL WORK PROCEDURES SECTION ABOVE. THE FOLLOWING SHALL BE TILLED INTO THE TOP FOUR INCHES (4") IN TWO DIRECTIONS (QUANTITIES BASED ON A 1,000 SQUARE FOOT AREA):
1. 1. 20 POUNDS "GROW POWER" OR APPROVED EQUAL
2. 20 POUNDS NITRO-FORM (COMPOST) 38-0-0 BLUE CHIP
- E. THE SPREADING OF TOPSOIL SHALL NOT BE CONDUCTED UNDER MUDDY OR FROZEN CONDITIONS.

GENERAL NOTE:
IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THIS PROJECT. WORK SHOWN PRIOR TO THE INITIATION OF CONSTRUCTION, SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE PROJECT ENGINEER'S RECORD IN WRITING PRIOR TO THE START OF CONSTRUCTION. FAILURE BY THE CONTRACTOR TO VERIFY THE PROJECT ENGINEER'S RECORD SHALL CONSTITUTE ACCEPTANCE OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF THE WORK AS DEFINED BY THE DRAWINGS AND IN FULL CONFORMANCE WITH LOCAL, STATE AND FEDERAL CODES.

9. PLANTING

- A. INsofar AS IT IS FEASIBLE, PLANT MATERIAL SHALL BE PLANTED ON THE DAY OF DELIVERY. IN THE EVENT THAT THIS IS NOT POSSIBLE, LANDSCAPE CONTRACTOR SHALL PROTECT UNINSTALLED PLANT MATERIAL. PLANTS SHALL NOT REMAIN UNPLANTED FOR LONGER THAN A THREE DAY PERIOD AFTER DELIVERY. PLANTS THAT WILL NOT BE PLANTED FOR A PERIOD OF TIME GREATER THAN THREE DAYS SHALL BE HEALED IN WITH TOPSOIL OR MULCH TO HELP PRESERVE ROOT MOISTURE.
- B. PLANTING OPERATIONS SHALL BE PERFORMED DURING PERIODS WITHIN THE PLANTING SEASON WHEN WEATHER AND SOIL CONDITIONS ARE SUITABLE AND IN ACCORDANCE WITH ACCEPTED LOCAL PRACTICE. PLANTS SHALL NOT BE INSTALLED IN TOPSOIL THAT IS IN A MUDDY OR FROZEN CONDITION.
- C. ANY INJURED ROOTS OR BRANCHES SHALL BE PRUNED TO MAKE CLEAN-CUT ENDS PRIOR TO PLANTING UTILIZING CLEAN, SHARP TOOLS. ONLY INJURED OR DISEASED BRANCHING SHALL BE REMOVED.
- D. ALL PLANTING CONTAINERS AND NON-BIODEGRADABLE MATERIALS SHALL BE REMOVED FROM ROOT BALLS DURING PLANTING. NATURAL FIBER BURLAP MUST BE CUT FROM AROUND THE TRUNK OF THE TREE AND FOLDED DOWN AGAINST THE ROOT BALL PRIOR TO BACKFILLING.
- E. POSITION TREES AND SHRUBS AT THEIR INTENDED LOCATIONS AS PER THE PLANS AND SECURE THE APPROVAL OF THE LANDSCAPE ARCHITECT PRIOR TO EXCAVATING PITS, MAKING NECESSARY ADJUSTMENTS AS DIRECTED.
- F. PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY, THE PROPOSED LANDSCAPE, AS SHOWN ON THE APPROVED LANDSCAPE PLAN, MUST BE INSTALLED, INSPECTED AND APPROVED BY THE APPROVING AGENCY. THE APPROVING AGENCY SHALL TAKE INTO ACCOUNT SEASONAL CONSIDERATIONS IN THIS REGARD AS FOLLOWS. THE PLANTING OF TREES, SHRUBS, VINES OR GROUND COVER SHALL OCCUR ONLY DURING THE FOLLOWING PLANTING SEASONS:
- 1.1. PLANTS: MARCH 15 TO DECEMBER 15
- 1.2. LAWN: MARCH 15 TO JUNE 15 OR SEPT. 1 TO DECEMBER 1
- G. PLANTINGS REQUIRED FOR A CERTIFICATE OF OCCUPANCY SHALL BE PROVIDED DURING THE NEXT APPROPRIATE SEASON AT THE MUNICIPALITY'S DISCRETION. CONTRACTOR SHOULD CONTACT APPROVING AGENCY FOR POTENTIAL SUBSTITUTIONS.
- H. FURTHERMORE, THE FOLLOWING TREE VARIETIES ARE UNUSUALLY SUSCEPTIBLE TO WINTER DAMAGE. WITH TRANSPLANT SHOCK AND THE SEASONAL LACK OF NITROGEN AVAILABILITY, THE RISK OF PLANT DEATH IS GREATLY INCREASED. IT IS NOT RECOMMENDED THAT THESE SPECIES BE PLANTED DURING THE FALL PLANTING SEASON:
- ACER RUBRUM PLATANUS X ACERIFOLIA
BETULA VARIETIES POPULUS VARIETIES
CARPINUS VARIETIES PRUNUS VARIETIES
CORYLUS VARIETIES QUERCUS VARIETIES
KOELREUTERIA QUERCUS VARIETIES
LIQUIDAMBER STYRACIFLUA TILIA TOMENTOSA
LIRIODENDRON TULIPFERA ZELKOVA VARIETIES

- I. PLANTING PITS SHALL BE DUG WITH LEVEL BOTTOMS, WITH THE WIDTH TWICE THE DIAMETER OF ROOT BALL. THE ROOT BALL SHALL REST ON UNDISTURBED GRADE. EACH PLANT PIT SHALL BE BACKFILLED IN LAYERS WITH THE FOLLOWING PREPARED SOIL MIXED THOROUGHLY:
- 1 PART PEAT MOSS
• 1 PART COMPOSTED COW MANURE BY VOLUME
• 3 PARTS TOPSOIL BY VOLUME
- 21 GRAMS AGRIFORM PLANTING TABLETS (OR APPROVED EQUAL) AS FOLLOWS:
A) 2 TABLETS PER 1 GALLON PLANT
B) 3 TABLETS PER 5 GALLON PLANT
C) 4 TABLETS PER 15 GALLON PLANT
D) LARGER PLANTS: 2 TABLETS PER 1/2" CALIPER OF TRUNK
- J. FILL PREPARED SOIL AROUND BALL OF PLANT HALF-WAY AND INSERT PLANT TABLETS. COMPLETE BACKFILL AND WATER THOROUGHLY.
- K. ALL PLANTS SHALL BE PLANTED SO THAT THE TOP OF THE ROOT BALL, THE POINT AT WHICH THE ROOT FLARE BEGINS, IS SET AT GROUND LEVEL AND IN THE CENTER OF THE PIT. NO SOIL IS TO BE PLACED DIRECTLY ON TOP OF THE ROOT BALL.
- L. ALL PROPOSED TREES DIRECTLY ADJACENT TO WALKWAYS OR DRIVEWAYS SHALL BE PRUNED AND MAINTAINED TO A MINIMUM BRANCHING HEIGHT OF 7' FROM GRADE.
- M. GROUND COVER AREAS SHALL RECEIVE A 1/2" LAYER OF HUMUS RAKED INTO THE TOP 1" OF PREPARED SOIL PRIOR TO PLANTING. ALL GROUND COVER AREAS SHALL BE WEEDED AND TREATED WITH A PRE-EMERGENT CHEMICAL AS PER MANUFACTURER'S RECOMMENDATION.
- N. NO PLANT, EXCEPT GROUND COVERS, GRASSES OR VINES, SHALL BE PLANTED LESS THAN TWO FEET (2') FROM EXISTING STRUCTURES AND SIDEWALKS.
- O. ALL PLANTING AREAS AND PLANTING PITS SHALL BE MULCHED AS SPECIFIED HEREIN TO FILL THE ENTIRE BED AREA OR SAUCER. NO MULCH IS TO TOUCH THE TRUNK OF THE TREE OR SHRUB.
- P. ALL PLANTING AREAS SHALL BE WATERED IMMEDIATELY UPON INSTALLATION IN ACCORDANCE WITH THE WATERING SPECIFICATIONS AS LISTED HEREIN.

10. TRANSPLANTING (WHEN REQUIRED)

- A. ALL TRANSPLANTS SHALL BE DUG WITH INTACT ROOT BALLS CAPABLE OF SUSTAINING THE PLANT.
- B. IF PLANTS ARE TO BE STOCKPILED BEFORE REPLANTING, THEY SHALL BE HEALED IN WITH MULCH OR SOIL, ADEQUATELY WATERED AND PROTECTED FROM EXTREME HEAT, SUN AND WIND.
- C. PLANTS SHALL NOT BE DUG FOR TRANSPLANTING BETWEEN APRIL 10 AND JUNE 30.
- D. UPON REPLANTING, BACKFILL SOIL SHALL BE AMENDED WITH FERTILIZER AND ROOT GROWTH HORMONE.
- E. TRANSPLANTS SHALL BE GUARANTEED FOR THE LENGTH OF THE GUARANTEE PERIOD SPECIFIED HEREIN.
- F. IF TRANSPLANTS DIE, SHRUBS AND TREES LESS THAN SIX INCHES (6") DBH SHALL BE REPLACED IN KIND. TREES GREATER THAN SIX INCHES (6") DBH MAY BE REQUIRED TO BE REPLACED IN ACCORDANCE WITH THE MUNICIPALITY'S TREE REPLACEMENT GUIDELINES.

11. WATERING

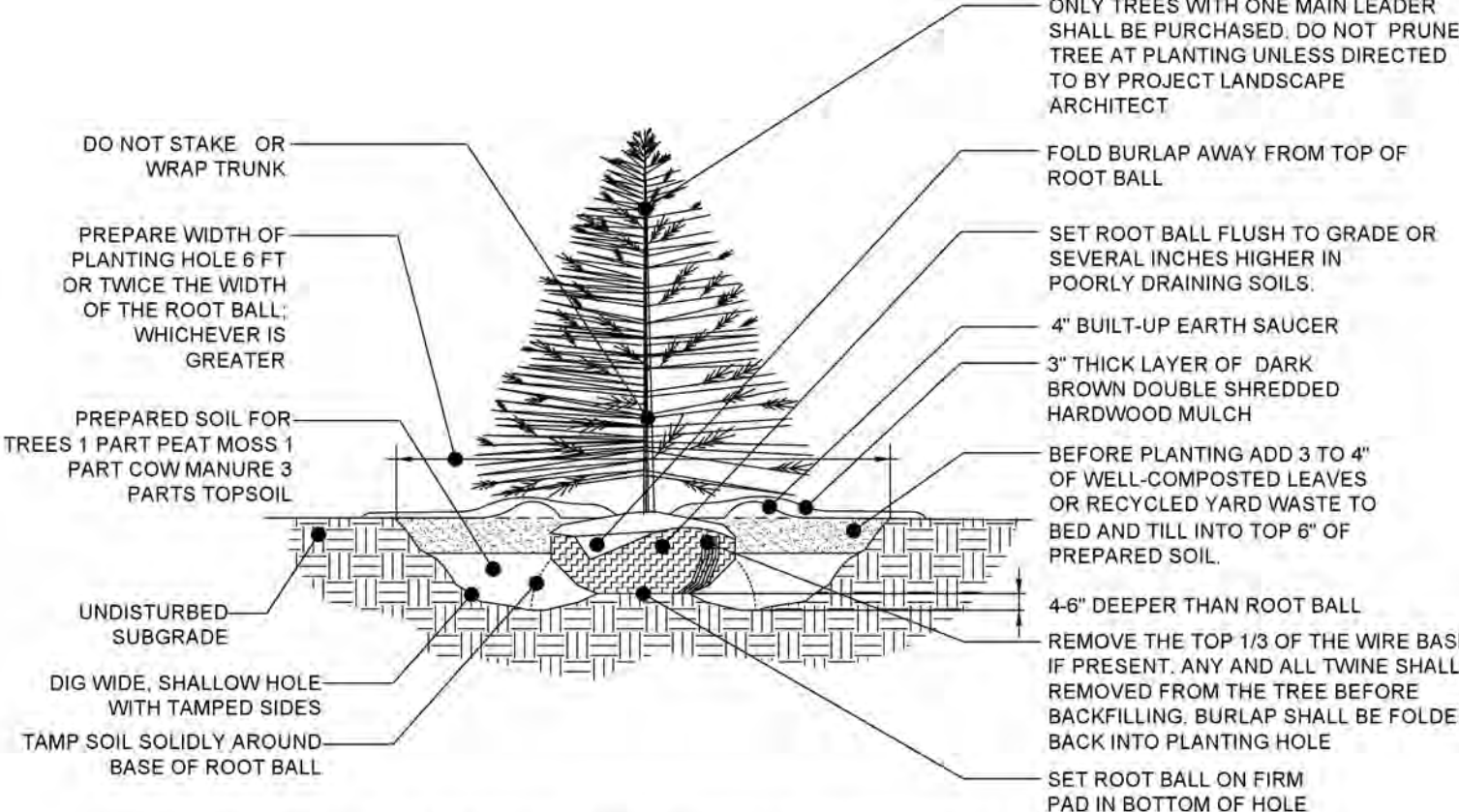
- A. NEW PLANTINGS OR LAWN AREAS SHALL BE ADEQUATELY IRRIGATED BEGINNING IMMEDIATELY AFTER PLANTING. WATER SHALL BE APPLIED TO EACH TREE AND SHRUB IN SUCH MANNER AS NOT TO DISTURB BACKFILL AND TO THE EXTENT THAT ALL MATERIALS IN THE PLANTING HOLE ARE THOROUGHLY SATURATED. WATERING SHALL CONTINUE AT LEAST UNTIL PLANTS ARE ESTABLISHED.
- B. SITE OWNER SHALL PROVIDE WATER IF AVAILABLE ON SITE AT TIME OF PLANTING. IF WATER IS NOT AVAILABLE ON SITE, CONTRACTOR SHALL SUPPLY ALL NECESSARY WATER. THE USE OF WATERING BAGS IS RECOMMENDED FOR ALL NEWLY PLANTED TREES.
- C. IF AN IRRIGATION SYSTEM HAS BEEN INSTALLED ON THE SITE, IT SHALL BE USED TO WATER PROPOSED PLANT MATERIAL, BUT ANY FAILURE OF THE SYSTEM DOES NOT ELIMINATE THE CONTRACTOR'S RESPONSIBILITY OF MAINTAINING THE DESIRED MOISTURE LEVEL FOR VIGOROUS, HEALTHY GROWTH.

12. GUARANTEE

- A. THE LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL PLANTS FOR A PERIOD OF ONE (1) YEAR FROM APPROVAL OF LANDSCAPE INSTALLATION BY THE APPROVING AGENCY. CONTRACTOR SHALL SUPPLY THE OWNER WITH A MAINTENANCE BOND FOR TEN PERCENT (10%) OF THE VALUE OF THE LANDSCAPE INSTALLATION WHICH WILL BE RELEASED AT THE CONCLUSION OF THE GUARANTEE PERIOD AND WHEN A FINAL INSPECTION HAS BEEN COMPLETED AND APPROVED BY THE OWNER OR AUTHORIZED REPRESENTATIVE.
- B. ANY DEAD OR DYING PLANT MATERIAL SHALL BE REPLACED FOR THE LENGTH OF THE GUARANTEE PERIOD. REPLACEMENT OF PLANT MATERIAL SHALL BE CONDUCTED AT THE FIRST SUCCEEDING PLANTING SEASON. ANY DEBRIS SHALL BE DISPOSED OF OFF-SITE, WITHOUT EXCEPTION.
- C. TREES AND SHRUBS SHALL BE MAINTAINED BY THE CONTRACTOR DURING CONSTRUCTION AND THROUGHOUT THE 90 DAY MAINTENANCE PERIOD AS SPECIFIED HEREIN. CULTIVATION, WEEDING, WATERING AND THE PREVENTATIVE TREATMENTS SHALL BE PERFORMED AS NECESSARY TO KEEP PLANT MATERIAL IN GOOD CONDITION AND FREE OF INSECTS AND DISEASE.
- D. LAWNS SHALL BE MAINTAINED THROUGH WATERING, FERTILIZING, WEEDING, MOWING, TRIMMING AND OTHER OPERATIONS SUCH AS ROLLING. REGARDING AND REPLANTING AS REQUIRED TO ESTABLISH A SMOOTH, ACCEPTABLE LAWN, FREE OF ERODED OR BARE AREAS.

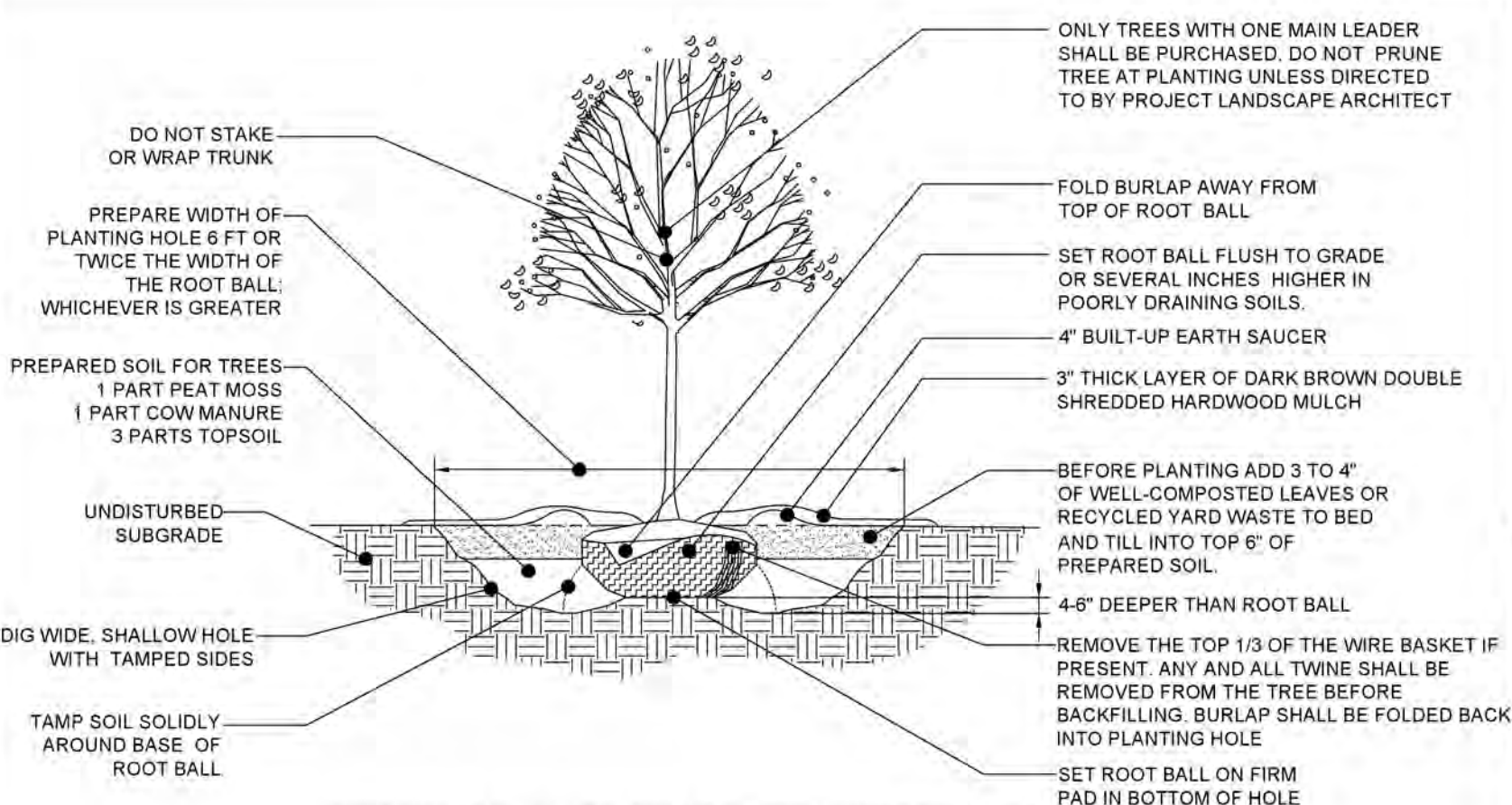
13. CLEANUP

- A. UPON THE COMPLETION OF ALL LANDSCAPE INSTALLATION AND BEFORE THE FINAL ACCEPTANCE, THE CONTRACTOR SHALL REMOVE ALL UNUSED MATERIALS, EQUIPMENT AND DEBRIS FROM THE SITE. ALL PAVED AREAS ARE TO BE CLEANED.
- B. THE SITE SHALL BE CLEANED AND LEFT IN A NEAT AND ACCEPTABLE CONDITION AS APPROVED BY THE OWNER OR AUTHORIZED REPRESENTATIVE.



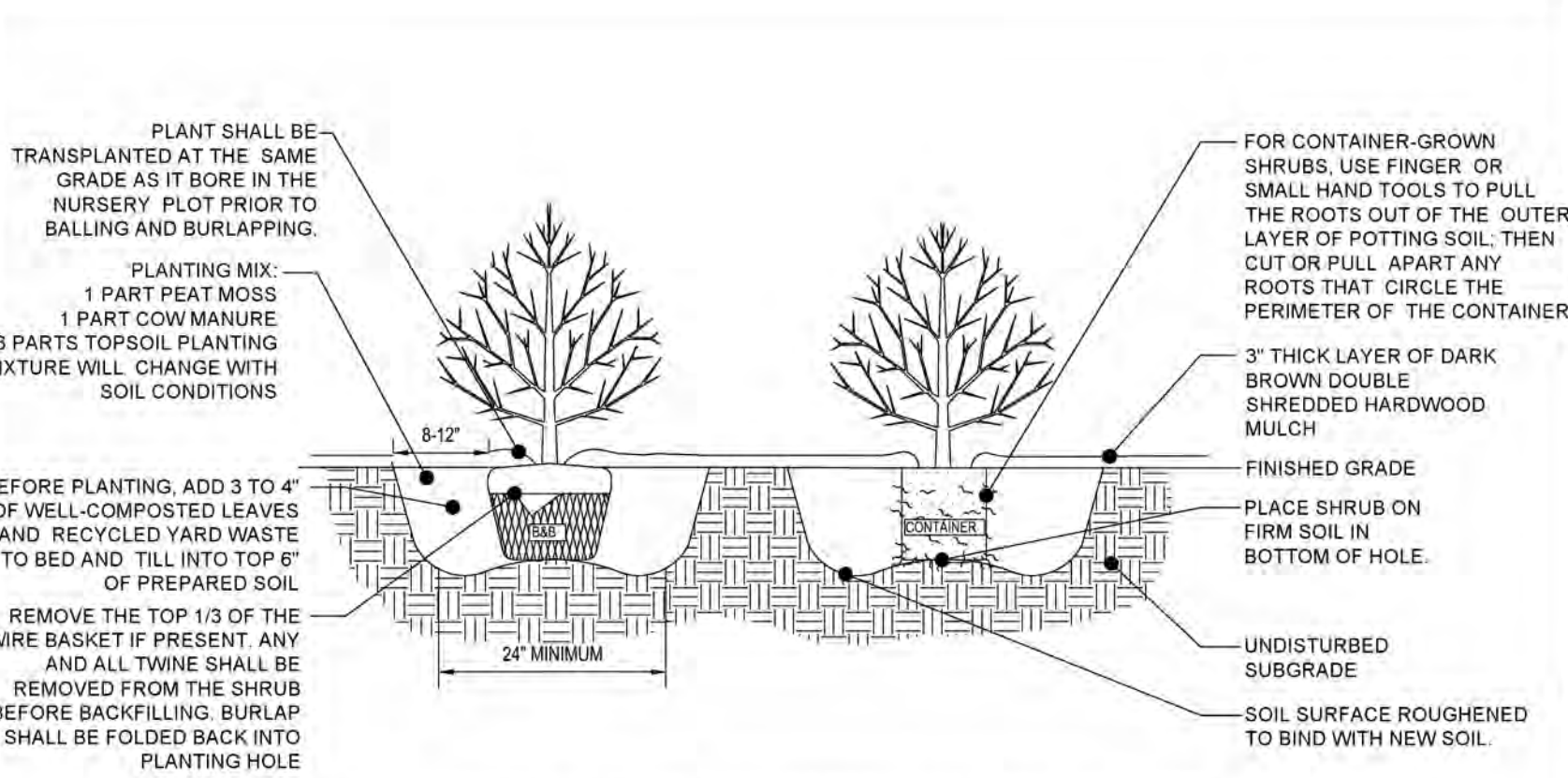
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EVERGREEN TREE PLANTING DETAIL

NOT TO SCALE



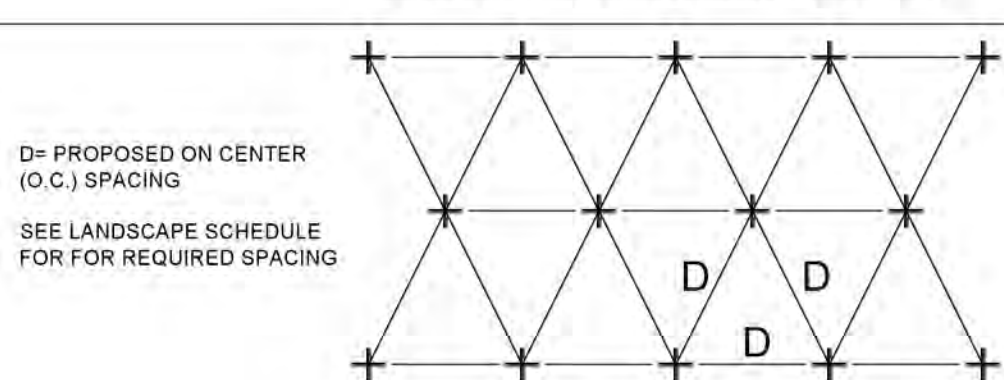
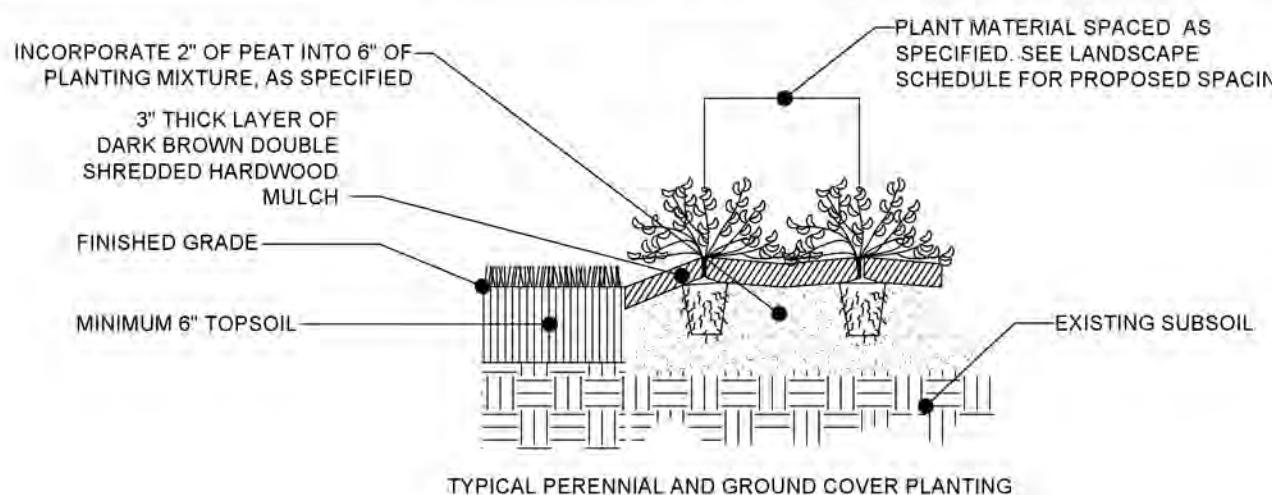
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DECIDUOUS TREE PLANTING DETAIL

NOT TO SCALE



REFERENCE: ARCHITECTURAL GRAPHIC STANDARDS 1998 CUMULATIVE SUPPLEMENT
DECIDUOUS AND EVERGREEN SHRUB PLANTING DETAIL

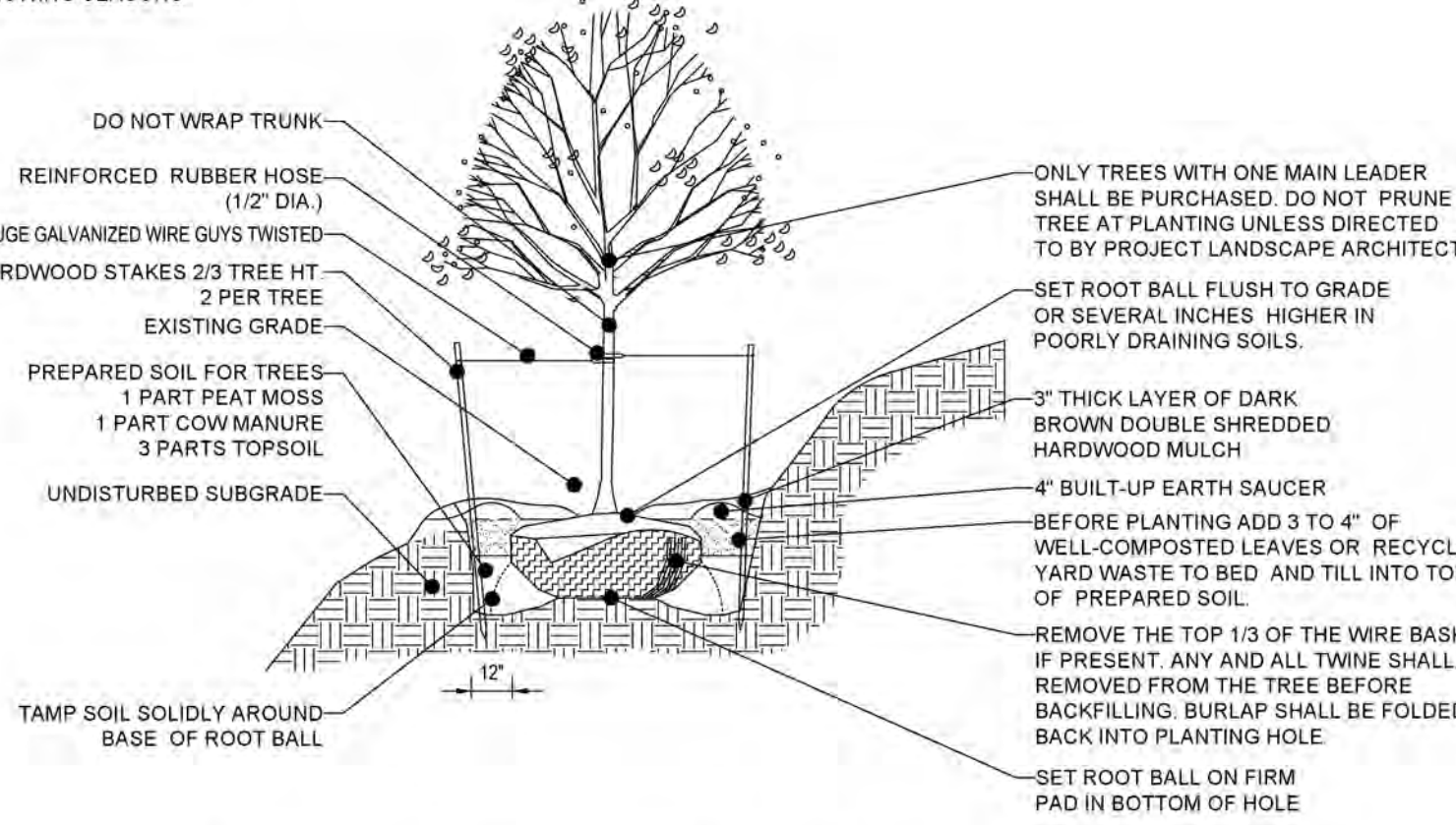
NOT TO SCALE



PERENNIAL/GROUND COVER PLANTING DETAIL

NOT TO SCALE

NOTE: TREE STAKING TO BE REMOVED AFTER 2 GROWING SEASONS



TREE PLANTING ON SLOPE DETAIL

NOT TO SCALE

SEEDING SPECIFICATIONS

1. PRIOR TO SEEDING, AREA IS TO BE TOPSOILED, FINE GRADED, AND RAKED OF ALL DEBRIS LARGER THAN 2" DIAMETER.
2. PRIOR TO SEEDING, CONSULT MANUFACTURER'S RECOMMENDATIONS AND INSTRUCTIONS.
3. SEEDING RATES:
- | SEEDING RATES | 1/2 LB/1,000 SQ FT |
|-----------------------|----------------------|
| PERENNIAL RYEGRASS | 1 LB/1,000 SQ FT |
| KENTUCKY BLUEGRASS | 1 1/2 LB/1,000 SQ FT |
| RED FESCUE | 1 1/2 LB/1,000 SQ FT |
| SPREADING FESCUE | 1 1/2 LB/1,000 SQ FT |
| FERTILIZER (20-10-10) | 90 LB/1,000 SQ FT |
4. GERMINATION RATES WILL VARY AS TO TIME OF YEAR FOR SOWING. CONTRACTOR TO IRRIGATE SEEDED AREA UNTIL AN ACCEPTABLE STAND OF COVER IS ESTABLISHED BY OWNER.

OWNER MAINTENANCE RESPONSIBILITIES

UPON OWNER'S (OR OWNER CONTRACTOR'S) COMPLETION OF LANDSCAPING WORK, THE OWNER IS FULLY RESPONSIBLE FOR ALL FUTURE MAINTENANCE, CARE, UPKEEP, WATERING, AND TRIMMING OF ALL INSTALLED VEGETATION, PLANTS, TREE, BUSHES, SHRUBS, GRASSES, GRASS, ORNAMENTAL PLANTS AND FLOWERS, FLOWERS, GROUND COVER, AND LANDSCAPING, INCLUDING ALL LANDSCAPE ISLANDS AND AREAS ADJACENT OR PART OF THE LANDSCAPED AREAS. THIS RESPONSIBILITY INCLUDES, BUT IS NOT LIMITED TO, THE FOLLOWING:

- TREES ADJACENT TO WALKWAYS AND AREAS OF PEDESTRIAN TRAFFIC MUST BE MAINTAINED TO ASSURE THAT ANY BRANCHES MUST BE LIMBED UP TO A CLEARANCE HEIGHT OF 7 FT. (FROM ALL PEDESTRIAN SURFACES) OR PRUNED BACK TO AVOID ANY INTERFERENCE WITH THE TYPICAL PATH OF TRAVEL.
- TREES WITHIN VEHICULAR SIGHT LINES, AS ILLUSTRATED ON THE LANDSCAPE PLAN, ARE TO BE TRIMMED TO A CLEARANCE HEIGHT OF 7 FT. (FROM ALL PAVED, TRAVELED SURFACES), OR AS OTHERWISE INDICATED ON THE PLANS.
- VEGETATIVE GROUND COVER, SHRUBS AND ORNAMENTAL PLANTS AND GRASSES MUST BE TRIMMED SO THAT NO PORTION OF THE PLANT EXCEEDS 30 INCHES ABOVE GRADE (OF ALL PAVED, TRAVEL SURFACES) ALONG AND WITHIN THE SIGHT LINES OF PARKING LOTS AND INGRESS-EGRESS WAYS.
- FALLEN PLANT FLOWERS, FRUIT, SEEDS AND DEBRIS DROPPINGS ARE TO BE REMOVED IMMEDIATELY FROM VEHICULAR AND PEDESTRIAN TRAFFIC AREAS TO PREVENT TRIPPING, SLIPPING OR ANY OTHER HAZARDS.

THESE REQUIREMENTS DO NOT AFFECT THE PLANT LIFE GUARANTEES THE LANDSCAPE CONTRACTOR IS REQUIRED TO PROVIDE.

THIS BLOCK IS FOR OFFICIAL USE ONLY

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

M-NCPPC APPROVAL

PROJECT NAME: MALL AT PRINCE GEORGE'S MILLER'S ALE HOUSE FREESTANDING RESTAURANT

PROJECT NUMBER: DSP-99044-17

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

BOHLER ENGINEERING

SITE AND LANDSCAPE ARCHITECTS

LAND SURVEYING PROGRAM MANAGEMENT LANDSCAPE ARCHITECTURE SERVICES

PHILADELPHIA, PA
NORTHERN VIRGINIA
WASHINGTON, DC
BALTIMORE, MD
REHOBOTH BEACH, DE
NEW YORK, NY
NEW JERSEY
SOUTH FLORIDA

UPSTATE NEW YORK
BOSTON, MA
NEW YORK, NY
NEW JERSEY
SOUTH FLORIDA

FOR INFORMATION, DESIGN AND CONSTRUCTION OF THIS PLAN, THE OWNER HAS AGREED TO HOLD BOHLER ENGINEERING, INC. HARMLESS FROM ANY AND ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, THAT MAY BE ASSERTED OR INCURRED BY ANY PARTY IN CONNECTION WITH THIS PROJECT.

REVISIONS				
REV	DATE	COMMENT	BY	
1	04/03/19	PER MNCPPC COMMENTS	AJH	

NOT APPROVED FOR CONSTRUCTION

PROJECT No.: MB1220679

DRAWN BY: AJH

CHECKED BY: NBS

DATE: 02/18/19

SCALE: 1" = 30'

CAD 1 D: LSP-1

PROJECT:

DETAILED SITE PLAN

FOR

MILLER'S ALE HOUSE, INC.

LOCATION OF SITE

3430 EAST WEST HIGHWAY RTE 410,
PRINCE GEORGE'S COUNTY,
HYATTSVILLE, MD 20782
17TH ELECTION DISTRICT,
TAX MAP 41, GRID F2, PARCEL A-1

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

PROFESSIONAL SEAL

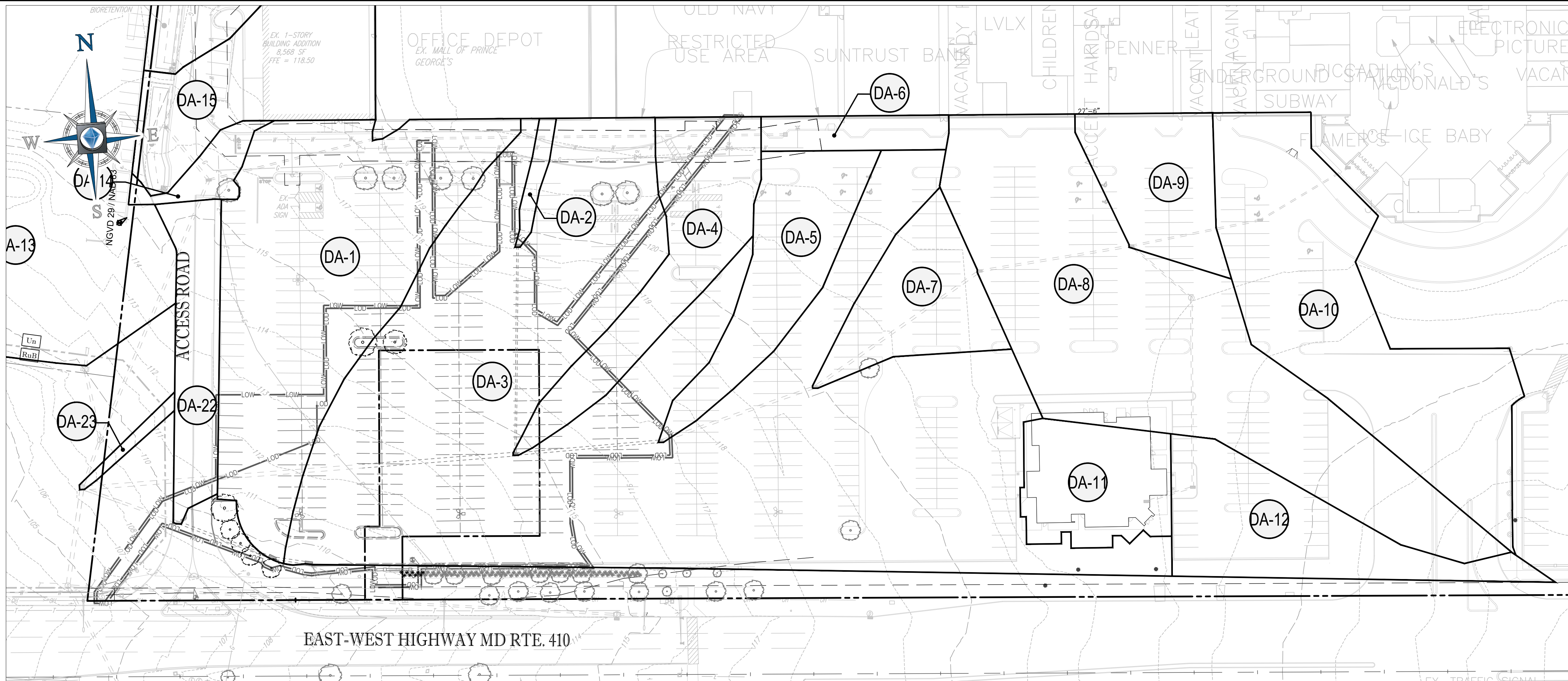
I, E.R. McWILLIAMS, DO HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY ME, AND THAT I AM A LICENSED PROFESSIONAL ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND. LICENSE NO. 3697, EXPIRATION DATE: 09/20/20

SHEET TITLE:

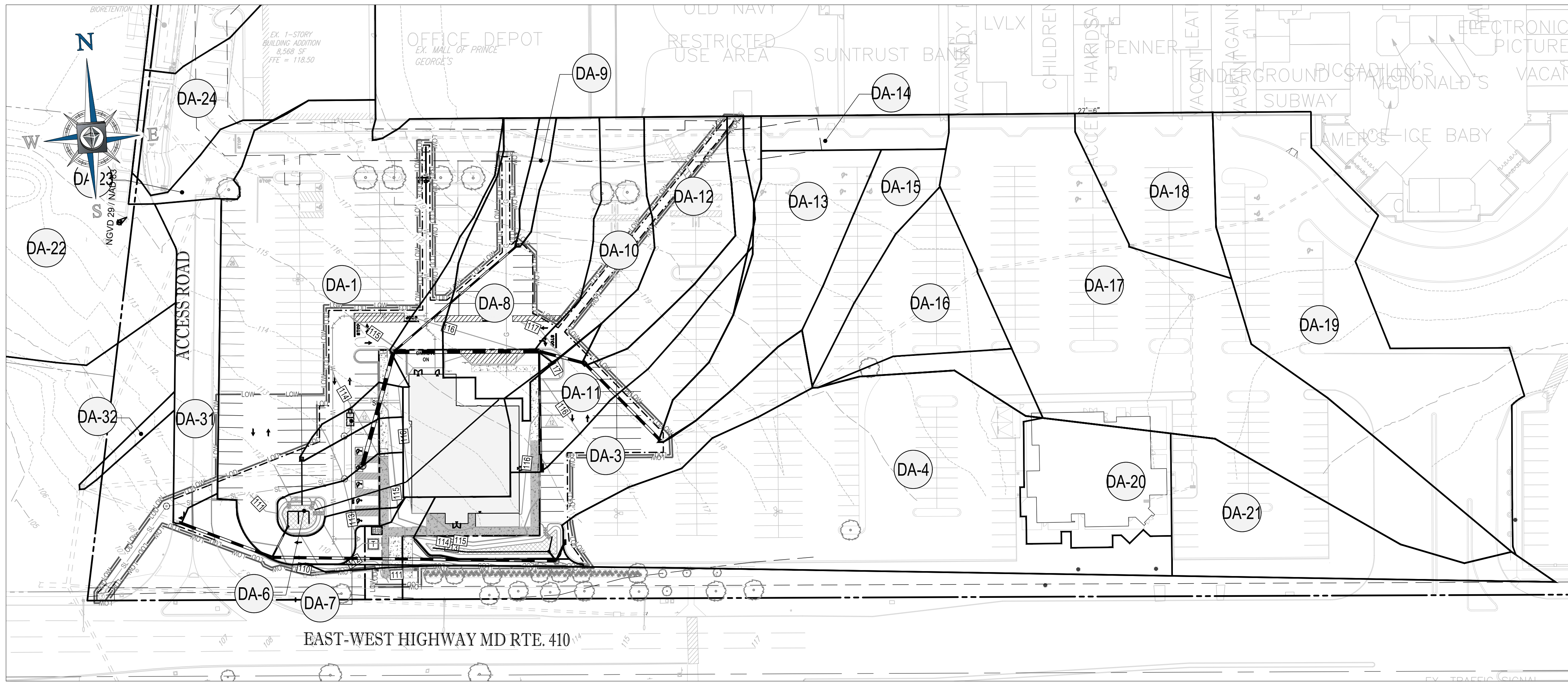
LANDSCAPE NOTES AND DETAILS

SHEET NUMBER:

DSP - 9



EXISTING DRAINAGE AREA MAP



PROPOSED DRAINAGE AREA MAP

GENERAL NOTE:
IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THIS PROJECT. WORK SCOPE PRIOR TO THE INITIATION OF CONSTRUCTION. SHOULD THE CONTRACTOR FIND A CONFLICT WITH THE DOCUMENTS RELATIVE TO THE SPECIFICATIONS OR APPLICABLE CODES, IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE PROJECT ENGINEER OF RECORD IN WRITING PRIOR TO THE START OF CONSTRUCTION. FAILURE BY THE CONTRACTOR TO NOTIFY THE PROJECT ENGINEER SHALL CONSTITUTE ACCEPTANCE OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF THE WORK AS DEFINED BY THE DRAWINGS AND IN FULL CONFORMANCE WITH LOCAL, STATE AND FEDERAL CODES.

LEGEND:

PROPOSED DRAINAGE DIVIDES

EXISTING DRAINAGE DIVIDES

DRAINAGE LABELS

DA-X

EXISTING DRAINAGE SUMMARY

DA	AREA (AC)
DA-A	2.69
DA-B	4.36
TOTAL	7.05

PROPOSED DRAINAGE SUMMARY

DA	AREA (AC)
DA-A	3.17
DA-B	3.87
TOTAL	7.04

BOHLER ENGINEERING

SITE DESIGN, CONSTRUCTION, AND MAINTENANCE
LAND SURVEYING, DESIGN, PROGRAM MANAGEMENT, PERMITTING SERVICES
SUSTAINABLE DESIGN, TRANSPORTATION SERVICES

PHILADELPHIA, PA
BALTIMORE, MD
NEW YORK, NY
REHOBOTH BEACH, DE
CHARLOTTE, NC
NORTHERN VIRGINIA
RALEIGH, NC
SOUTH CAROLINA
SOUTH FLORIDA

REVISIONS

REV	DATE	COMMENT	BY
1	04/03/19	PER MNCPPC COMMENTS	AJH

NOT APPROVED FOR CONSTRUCTION

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, NORTH CAROLINA AND DELAWARE CALL 811 (WV 1-800-246-4848) (PA 1-800-242-1779) (DC 1-800-267-7777) (VA 1-800-552-7071) (MD 1-800-257-7777) (DE 1-800-282-8559)

NOT APPROVED FOR CONSTRUCTION

PROJECT No.: MB1220679
DRAWN BY: AJH
CHECKED BY: NBS
DATE: 02/18/19
SCALE: 1" = 50'
CAD I.D.: DA1

DETAILED SITE PLAN

FOR
MILLER'S ALE HOUSE, INC.

LOCATION OF SITE
3430 EAST WEST HIGHWAY RTE 410,
PRINCE GEORGE'S COUNTY,
HYATTSVILLE, MD 20782
17TH ELECTION DISTRICT,
TAX MAP 41, GRID F2, PARCEL A-1

BOHLER ENGINEERING

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

NICHOLAS E. SPEACH

PROFESSIONAL ENGINEER
MARYLAND LICENSE NO. 40263
EXPIRATION DATE: 6/14/21

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

M-NCPPC APPROVAL

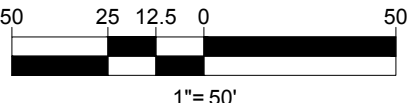
PROJECT NAME: MALL AT PRINCE GEORGE'S MILLER'S ALE HOUSE FREESTANDING RESTAURANT

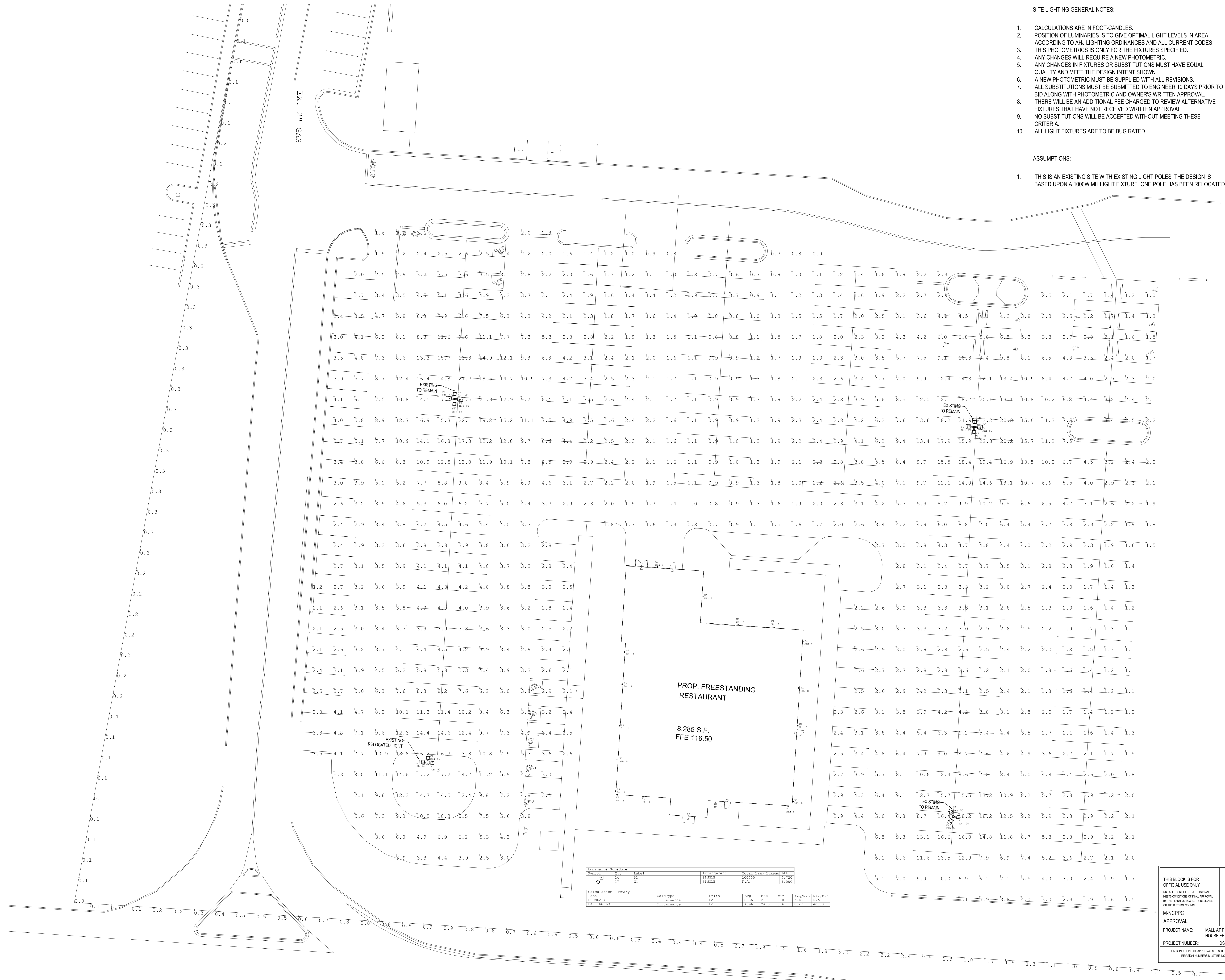
PROJECT NUMBER: DSP-99044-17

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

SHEET TITLE:
DRAINAGE AREA MAP PLAN

SHEET NUMBER:
DSP - 11





- SITE LIGHTING GENERAL NOTES:**
1. CALCULATIONS ARE IN FOOT-CANDLES.
 2. POSITION OF LUMINARIES IS TO GIVE OPTIMAL LIGHT LEVELS IN AREA ACCORDING TO AHJ LIGHTING ORDINANCES AND ALL CURRENT CODES.
 3. THIS PHOTOMETRICS IS ONLY FOR THE FIXTURES SPECIFIED.
 4. ANY CHANGES WILL REQUIRE A NEW PHOTOMETRIC.
 5. ANY CHANGES IN FIXTURES OR SUBSTITUTIONS MUST HAVE EQUAL QUALITY AND MEET THE DESIGN INTENT SHOWN.
 6. A NEW PHOTOMETRIC MUST BE SUPPLIED WITH ALL REVISIONS.
 7. ALL SUBSTITUTIONS MUST BE SUBMITTED TO ENGINEER 10 DAYS PRIOR TO BID ALONG WITH PHOTOMETRIC AND OWNER'S WRITTEN APPROVAL.
 8. THERE WILL BE AN ADDITIONAL FEE CHARGED TO REVIEW ALTERNATIVE FIXTURES THAT HAVE NOT RECEIVED WRITTEN APPROVAL.
 9. NO SUBSTITUTIONS WILL BE ACCEPTED WITHOUT MEETING THESE CRITERIA.
 10. ALL LIGHT FIXTURES ARE TO BE BUG RATED.

- ASSUMPTIONS:**
1. THIS IS AN EXISTING SITE WITH EXISTING LIGHT POLES. THE DESIGN IS BASED UPON A 1000W MH LIGHT FIXTURE. ONE POLE HAS BEEN RELOCATED.

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Orlando, FL 32814
P (407) 661-9100
F (407) 661-9101
www.c-p.com
Florida Corporate Counsel #A-100826



CLIENT NAME
Miller's Ale House, Inc.
5700 West Lake N. Hwy 400
Orlando, Florida 32818
c/o Mr. Shane Fearnster

PROJECT NAME
Miller's Ale House
2330 East West Highway
Hyattsville, MD 20782



PROJECT NO.	218077
DATE	1/26/2018
DRAWN	LL
CHECKED	JPM

DSP-12

THIS BLOCK IS FOR OFFICIAL USE ONLY

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

M-NCPPC APPROVAL

PROJECT NAME: MALL AT PRINCE GEORGE'S MILLER'S ALE HOUSE FREESTANDING RESTAURANT

PROJECT NUMBER: DSP-99044-17

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

DATE: 04/10/19

LIGHTING  ELYSIUM.

REVISION:

618 CORPORATE WAY • UNIT 1 • VALLEY COTTAGE NY • 800-574-1802 • LIGHTINGELYSIUM.COM

DATE: 04/10/19 LIGHTING ELYSIUM. REVISION: 0

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DATE: 04/10/19 LIGHTING  ELYSIUM. REVISION: C

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PROJECT:

**DETAILED
SITE PLAN**

— FOR —

**MILLER'S ALE
HOUSE, INC.**

LOCATION OF SITE
3430 EAST WEST HIGHWAY RTE 410,
PRINCE GEORGE'S COUNTY,
HYATTSVILLE, MD 20782
17TH ELECTION DISTRICT,
TAX MAP 41, GRID F2, PARCEL A-1

NICHOLAS B. SPEACH
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: 6/14/21

SHEET TITLE:

LIGHTING NOTES AND DETAILS

SHEET NUMBER:

DSP - 13

GENERAL NOTE:
IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THIS PROJECT WORK SCOPE PRIOR TO THE INITIATION OF CONSTRUCTION. SHOULD THE CONTRACTOR FIND A CONFLICT WITH THE DOCUMENTS RELATIVE TO THE SPECIFICATIONS OR APPLICABLE CODES, IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE PROJECT ENGINEER OF RECORD IN WRITING PRIOR TO THE START OF CONSTRUCTION. FAILURE BY THE CONTRACTOR TO NOTIFY THE PROJECT ENGINEER SHALL CONSTITUTE ACCEPTANCE OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF THE WORK AS DEFINED BY THE DRAWINGS AND IN FULL CONFORMANCE WITH LOCAL REGULATIONS AND CODES.

PROJECT: MAH — HYATTSVILLE, MD
CATALOG #: 9246AZ / 9536BK

TYPE: **xs3**

NOTES: REFER TO SCHEDULE FOR ADDITIONAL INFORMATION AND SPECIFICATION DETAILS

2 Light Outdoor Wall Cylinder - AZ
9246AZ (Architecture Bronze)

Project Name	
Location	
Type	
Comments	
Ordering Information	
Product ID	9246AZ
Finish	Architecture Bronze
Available Finishes	AZ, BA, WH
Dimensions	
Height from center of Wall	9.50"
Weight	2.40 LBS
Specifications	
Material	Aluminum
Electrical	
Voltage	120V
Qualifications	
Quality Rated	Demg
Warranty	www.kichler.com/warranty
Primary Lamping	
Light Source	Incandescent
Lamp Included	Not Included
Number of Light/EtDs	2
Max or Nominal Watt	120W
Socket Type	Medium
Lamp Type	BR40

Dimensions

Height	15.00"
Width	6.00"

Alternate Lamps

Lamp Included	Bulb Listing	Light Source	Max Voltage/Range	Bulb Product ID	Dimming
No	Hygro	CFL	93-100V		

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KICHLER

PROJECT: MAH — HYATTSVILLE, MD
CATALOG #: 9246AZ / 9536BK

TYPE: **xs3**

NOTES: REFER TO SCHEDULE FOR ADDITIONAL INFORMATION AND SPECIFICATION DETAILS

Accessory Lens BK
9536BK (Black (Painted))

Project Name	
Location	
Type	
Comments	
Ordering Information	
Product ID	9536BK
Finish	Black (Painted)
Specifications	
Material	Aluminum
Class Description	Clear Tempered
Qualifications	
Quality Rated	Not Required
Warranty	www.kichler.com/warranty
Primary Lamping	
Lamp Included	Not Included

Dimensions

Height	0.75"
Width	6.00"

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KICHLER

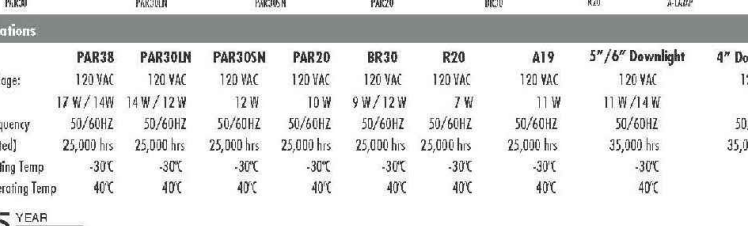
PROJECT: MAH — HYATTSVILLE, MD
CATALOG #: 9246AZ / 9536BK

TYPE: **xs3**

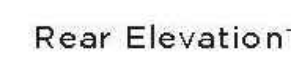
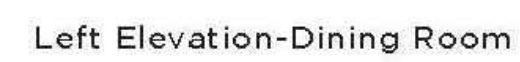
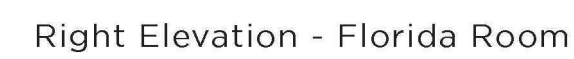
NOTES: REFER TO SCHEDULE FOR ADDITIONAL INFORMATION AND SPECIFICATION DETAILS

LED Dimmable High CRI Specifications

LED 20 000 hours average rated life, 120lm/W

Applications																				
Ideal for all durable applications and areas where high lumen output is desired.																				
• Warehouse and 120° beamhead lighting • Dock and loading lights • Outdoor lighting for perimeter fence from 10m distance • Street lighting • Tunnel and Low Voltage • Railway Work area and Signs																				
																				
Features			Benefits																	
Dimmable, Corrosion and IP67			Up to 100,000 hours of trouble-free use with maintenance-free, extremely high lumen output illumination from 10m distance																	
High beam energy that projects effectively			Heat sink operation																	
Long life			Maximum replacement and maintenance cost																	
Smooth, even visible lighting			Seamlessly blends with lighting applications																	
Simple, easy installation			Can be used for lighting flying with an airplane																	
Up to 100,000 hours of trouble-free use with maintenance-free, extremely high lumen output illumination from 10m distance			Can be used anywhere that standard LED lighting can be used																	
Better resistant			Low failure rate for all LED products																	
																				
Specifications																				
Light fixture type	PAR38	PAR38RN	PAR38RN	PAR38	BR30	R20	A19	5.6" Ovalhead	4" Ovalhead											
Light Power	130W/100	130W/100	130W/100	130W/100	130W/100	130W/100	130W/100	130W/100	130W/100	130W/100	130W/100									
Light Beam	180°/120°	180°/120°	120°	120°	180°/120°	180°/120°	180°	180°/120°	180°/120°	180°/120°	180°									
Light Color Temperature	2700K/3000K	2700K/3000K	3000K	3000K	3000K/4000K	3000K/4000K	3000K	3000K/4000K	3000K/4000K	3000K/4000K	3000K									
Light Beam Angle	270°/180°	270°/180°	120°	120°	180°/120°	180°/120°	180°	180°/120°	180°/120°	180°/120°	180°									
Maximum Suspend Length	30"	30"	30"	30"	30"	30"	30"	30"	30"	30"	30"									
Maximum Suspend Weight	30"	30"	30"	30"	30"	30"	30"	30"	30"	30"	30"									
Notes	*Dimmable (100% Dimmable)																			
																				

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(VA 1-800-552-7001) (MD 1-800-257-7777) (DE 1-800-282-8

NOT APPROVED FOR
CONSTRUCTION

PROJECT No.:	MB122067
DRAWN BY:	AJ
CHECKED BY:	NB
DATE:	02/08/1
SCALE:	AS NOTE
CAD I.D.:	SD

PROJECT:

DETAILED
SITE PLAN

— FOR —

MILLER'S ALE
HOUSE, INC.

LOCATION OF SITE
3430 EAST WEST HIGHWAY RTE 410
PRINCE GEORGE'S COUNTY,
HYATTSVILLE, MD 20782
17TH ELECTION DISTRICT,
TAX MAP 41, GRID F2, PARCEL A-1



16701 MELFORD BLVD , SUITE 311
BOWIE, MARYLAND 20715
 Phone: (301) 809-4500
 Fax: (301) 809-4501
MD@BohlerEng.com

NICHOLAS B. SPEACH

PROFESSIONAL ENGINEER
 MARYLAND LICENSE NO. 40263
 PROFESSIONAL CERTIFICATE NO. 6/2021
 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: 6/14/21

SHEET TITLE:

ELEVATIONS

SHEET NUMBER:
DSP - 16

THIS BLOCK IS FOR
OFFICIAL USE ONLY

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:	MALL AT PRINCE GEORGE'S MILLER'S ALE
---------------	--------------------------------------

PROJECT NUMBER:	DSP-99044-17
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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

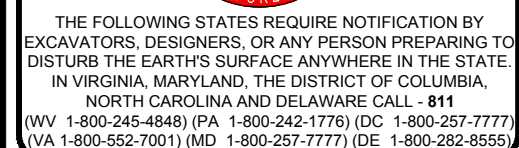


Miller's Ale House | Hyattsville, MD | June 20, 2019 2



Miller's Ale House | Hyattsville, MD | June 20, 2019 | 3

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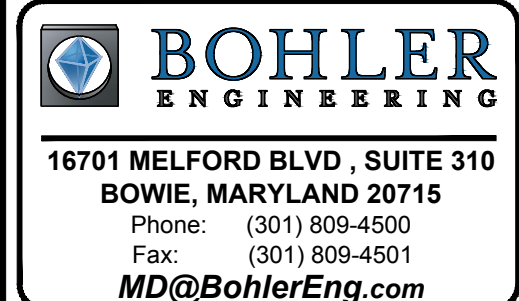
NOT APPROVED FOR
CONSTRUCTION

PROJECT No.:	MB1220679
DRAWN BY:	AJH
CHECKED BY:	NBS
DATE:	02/03/19
SCALE:	AS NOTED
CAD I.D.:	SD1

PROJECT:
DETAILED
SITE PLAN

— FOR —
MILLER'S ALE
HOUSE, INC.

LOCATION OF SITE
3430 EAST WEST HIGHWAY RTE 410,
PRINCE GEORGE'S COUNTY,
HYATTSVILLE, MD 20782
17TH ELECTION DISTRICT,
TAX MAP 41, GRID F2, PARCEL A-1



NICHOLAS B. SPEACH

PROFESSIONAL ENGINEER
MARYLAND LICENSE NO. 20023

6/20/19

I, NICHOLAS B. SPEACH, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 40283. EXPIRATION DATE: 6/14/21.

SHEET TITLE:

COLOR ELEVATIONS

SHEET NUMBER:

DSP - 17

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BY THE PLANNING BOARD, ITS DESIGNEE
OR THE DISTRICT COUNCIL.

M-NCPPC
APPROVAL

PROJECT NAME:	MALL AT PRINCE GEORGE'S MILLER'S ALE
---------------	--------------------------------------

PROJECT NUMBER:	DSP-99044-17
-----------------	--------------

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

MALL AT PRINCE GEORGE'S
Miller's Ale House Freestanding Restaurant

APPLICATION OF
PR PRINCE GEORGE'S PLAZA LLC FOR A
PLANNING BOARD REVIEW OF A
DETAILED SITE PLAN
DSP-99044-15

STATEMENT OF JUSTIFICATION
June 20, 2019

OWNER:

PR Prince George's Plaza LLC
200 South Broad Street, Third Floor
Philadelphia, Pennsylvania 19102
Contact: Mark Gambill
t: 215.875.0472

APPLICANT:

Miller's Ale House, Inc.
5750 Major Blvd. Suite 400
Orlando, Florida 32819
Contact: Shane Feemster
t: 469-559-6400

CIVIL ENGINEER:

Bohler Engineering
16701 Melford Boulevard, Suite 310
Bowie, Maryland 20715
Contact: Nicholas Speach, P.E.
t: 301.809.4500

ATTORNEY:

Gingles, LLC
14401 Sweitzer Lane, Suite 570
Laurel, Maryland 20707
Contact: Andre J. Gingles, Esq.
t: 240.280.1203

I. INTRODUCTION

Miller's Ale House, Inc. (hereinafter the "Applicant"), hereby submits this amendment to the Detailed Site Plan (hereinafter "DSP") in order to revise DSP-99044-14 for the Mall at Prince George's, consistent with the criteria established in §27-548.08 of the Prince George's County (hereinafter "County") Zoning Ordinance. The Mall at Prince George's ("Mall") consists of 51.03 acres of property in the M-U-I Transit District Overlay Zone (hereinafter the "TDOZ").

The purpose of this application is to request an amendment to DSP-99044 for the construction of a 8,285-square foot eating and drinking establishment. Chapter 6 of the Prince George's Plaza Transit District Development Plan (the "TDDP") expresses that new pad site development within an integrated shopping center requires approval of a DSP in conformance with the standards of the TDOZ. Inasmuch as there is an existing DSP applicable to the Mall Property, the Zoning Ordinance permits an Applicant to pursue revisions on previously approved DSP applications.

The Mall was originally developed in the late 1950s. Since the 1950s, over ten (10) DSP amendments have been approved for Mall at Prince George's, including DSP-99044-01 for the addition of a new anchor tenant store and the addition of two tenants at the rear of the shopping center; DSP-99044-02 for the renovation of the rear of the shopping center to include new paving and additional green space; DSP-99044-03 to allow two-way traffic in an existing drive aisle that was originally one-way traffic only; DSP-99044-04 for the addition of a 7,686 square foot restaurant pad site (Olive Garden); DSP-99044-05 for the modification of the rear elevation on the east side of the mall to accommodate new tenants and to improve 19 parking spaces; DSP-99044-06 for the addition of a 6,574 square foot restaurant pad site (Famous Dave's – never constructed); DSP-99044-07 for the construction of a restaurant pad site (Chick-fil-A – never constructed); DSP-99044-08 for a minor addition to the Mall to accommodate TJ Maxx; DSP-99044-10 for the addition of a 6,722 square foot restaurant pad site (Outback Steakhouse); DSP-99044-12 for the addition of building signage that did not conform to the TDDP; DSP-99044-13 for the addition of a 8,568 square foot addition for new tenant space on the west end of the existing mall; and DSP-99044-14 for the construction of a pad site and associated infrastructure to support the future eating and drinking establishment. There is no previously approved Conceptual Site Plan, and the Zoning Ordinance (§27-548.08) negates the conformance requirement, if one existed, for DSPs in a Transit District.

II. APPLICATION DATA

- A. Location: Located northeast of the intersection of East West Highway and Toledo Road.
- B. Tax Map/Grid: Map 41, Grid F-2.
- C. Frontage: East-West Highway
- D. Election District: 17

- E. Council manic District: 2
- F. Acreage: 51.03
- G. Existing Zoning: M-U-I – Mixed Use Infill
- H. Master Plan & SMA: The Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment.
- I. General Plan: Plan 2035, the Approved General Plan designates the property within one of the "Regional Transit Districts."
- J. Proposed Use: Freestanding Restaurant

III. CRITERIA FOR APPROVAL OF A DETAILED SITE PLAN

The Applicant respectfully requests that the Planning Board approve this amendment to the DSP application. As described below, this application complies with the approval requirements outlined in §27-548.08(c) of the Zoning Ordinance.

Section 27-548.08 (c) Required Findings.

- (1) In addition to the findings required by §27-276(b) for approval of a Conceptual Site Plan ("CSP") in the T-D-O Zone, the Planning Board shall find that the Transit District Site Plan is consistent with, and reflects the guidelines and criteria for development contained in, the Transit District Development Plan. In this instance, the General Standards and Downtown Core Standards of the Transit District Development Plan are applicable to the proposed development.
- (2) The findings required by §27-285(b) shall not apply to the T-D-O Zone. Instead, the following findings shall be made by the Planning Board when approving a DSP in the T-D-O Zone:
 - (A) The Transit District Site Plan is in strict conformance with any mandatory requirements of the Transit District Development Plan;

Comment: Generally, the proposed freestanding restaurant, as shown on the DSP, is in conformance with most of the mandatory requirements of the TDDP as outlined below with the three requested modifications to the Standards. No alleys, street lights, or residential are proposed with this project. A "plaza area" is proposed and discussed in detail under Modification No. 1. Tree Canopy Coverage requirements are satisfied within the lease area of the pad site, and the proposed freestanding restaurant, which is not an accessory use, is in conformance with this standard as a single-story building with a maximum height of 27.33 feet, and no lot coverage or green area requirements are applicable to the Downtown Core

development.

- i. The street network shall define blocks of up to 500 linear feet on each side. Each side of a block shall not be more than 500 linear feet from right-of-way to right-of-way. For all new redevelopment on existing block frontages of greater than 500 linear feet, a perpendicular A Street or B Street (or, in the Downtown Core, a Pedestrian Street) shall be constructed at no greater than a 500-foot interval from the nearest existing or proposed street. A block shall be divided by an A, B, or Pedestrian Street, or a Promenade, to allow a pedestrian or vehicular connection from the front of the block to the rear of the block. Alleys or service drives, where necessary, shall be included within blocks and shall not divide one block from another.

Comment: The pad site area proposes no new street within the existing area that will eventually become multiple blocks at such time as redevelopment occurs on the east side of the new building. The pad site is a portion of a previously existing parking lot for which pedestrian and vehicular connections already exist throughout that area. Nevertheless, the proposed development—inclusive of the interior lease lines—is within a distance of Toledo Road (to the west), so that a block of less than 500 feet is created as established by the plan per the Standards.

- ii. The minimum BTL /frontage depth for the proposed development is determined by Tables 42-43 and Figures 9-23—which would require placement of the building not further than 25' from curb.

Comment: The building does not conform with these Standards and the Applicant herein requests Modification No. 1 to the Standards. The Applicant is proposing the building be set back approximately 80' +/- from the MD 410 curb. The right-of-way line for the subject property is approximately 13' off of the MD 410 curb. The location of the building is necessitated by the following factors:

- **An existing sidewalk runs along the entire frontage, within the Mall property;**
- **Behind the sidewalk are street lights, an amenity wall and landscaping, all part of a consistent streetscape which would require substantial removal to adhere to the Standards;**
- **The primary Mall structure and its parking drains southwesterly from the Mall to the Md. 410, which causes runoff to flow towards development site;**
- **SWM regulations changed earlier this decade, and now the water from the parking lot and our LOD needs to be treated. Such requirements were not in place for the other two restaurants which also exist along MD 410;**

- The current SWM requirements make the proper placement the bio-retention area to the front of the proposed building;
- Storm drain pipes run through the parking lot, which need to be re-routed around the building. Some go to the back of the building, but some have to go in the front, which again, pushes the building back;
- The technical SWM plan has been approved already, so any changes to the building location would require changes to the plans—which could be significant; and,
- Construction has commenced on some of the items in the SWM plans, so potential changes could require pipes to be pulled out of the ground or deem certain structures unusable.

The Applicant asserts the building cannot be situated in conformance with the Standards without major negative and costly implications to the site infrastructure, part of which would have a substantial ripple impact on the existing Mall development—as noted above. However, the intent of the Standards can be substantially satisfied by some specific site and building modifications to enhance connectivity of the building/use to the street (MD 410). These include:

1. Adding a patio element to the eastern elevation of the building that fronts on MD 410. The open activity will help the building connect more visually to MD 410. The eastern elevation already has outdoor seating—with roll up doors—and the patio addition greatly enhances the connection.
2. A portion of the amenity wall running along MD 410 will be removed to create a plaza/pedestrian area that activates a stronger connection between MD 410 and the building. This is envisioned to be used by patrons, the community and potential Metro pedestrians and could include an art element and pedestrian furniture for users.
3. Landscaping treatments will be enhanced as part of the plaza/pedestrian connection.

Modification to these Standards will benefit the existing and proposed development by creating new connectivity/enhanced connectivity (the plaza area) between the Mall and MD 410. The property owner is a long-term holder of the asset (the Mall). The redevelopment of the MD 410 frontage can occur more consistent with the Standards when the market allows for vertical mixed-use on MD 410 as substitution/ redevelopment of the single-story development along that alignment. This interim development does not substantially impair what will ultimately be a phased implementation of the TDDP on the Mall property. Essentially, the addition of the restaurant—if the modification is allowed—will provide a new venue to the Mall, further attract patrons to the area, and potentially

enhance Metro ridership.

iii. BUILDING ENTRANCES

Primary entrances shall be located at the front façade of the buildings. If a building fronts on both A and B Streets, Pedestrian Street, or Promenade, its primary entry shall be located on the A Street.

Service entrances shall be at the rear of the building. As well, the building should have articulation that provides visual interest and reduces perceived massing.

Comment: The building fronts MD 410 in compliance with the Standards. No changes are proposed within MD 410 right-of-way ("ROW"), and the ROW is not impacted by this application. MD 410 ROW improvements were provided as part of DSP 99044-14, and no new off-street parking access or driveways are proposed. The parking shown is existing spaces that are being restriped/reconfigured. The building has several items of articulation—proposed in the Standards—including an entry tower, transoms over public access points, and pilasters on the sides and rear of the building where blank wall surfaces are present. Building massing leverages several techniques to break down the overall building form. The stone tower anchors the building while also signifying entry to the guests. Flanking the tower, there are two different building masses with different height parapets that break down the volume of overall structure. These appointments allows the building to leverage texture and form to create architectural visual interest. Miller's Ale House proposes use of several elevated finishes, e.g. stone at the tower and water table to provide building texture and Nichiha wood panels to elevate architectural expression and building uniqueness.

- iv. Building Façades at the ground level facing MD 410 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).

Comment: The visually permeable ratio for the ground floor façade varies depending upon the façade between 28.1% up to 42.0%, and the Applicant herein requests Modification No. 2 to the Standards. The Restaurant is a design that encompasses its marketing concept for its brewer concept. Part of the Standards requirement is premised on an openness for pedestrian activity and interest. However, the intent of the Standards can be substantially satisfied by some specific site and building modifications to enhance connectivity of the building/use to the street (MD 410). These include:

1. The restaurant has included a significant open dining area and has also added an open patio area creating enhanced visual openness into the use.

2. The enlarged viewshed—into and outwardly from the use—results in an enhanced activation of street pedestrian connectivity.
3. Adding transoms to the typical windows to elongate the window expression on the main façade.

The enhanced out-door dining will be visually interesting in much the same manner that permeable material helps attract interest. The modification to these Standards allows for new connectivity/enhanced connectivity at that location. Moreover, the modification does not substantially impair what will ultimately be a phased implementation of the TDDP on the Mall property. Essentially, the addition of the restaurant—if the modification is allowed—will provide a new venue to the Mall, further attract patrons, and provide a higher degree of "street interest".

- v. 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, and the minimum clear height of retail space and of storefront fenestration is 14 feet.

Comment: The proposed building is on the same lot (parcel) as the Mall, and therefore meets the Standards requirement. However, there is no ceiling in the dining areas of the restaurant, hence the bottom of the roof deck at +/- 17'-5" AFF complies with the 14'-0" minimum floor-to-ceiling height. The ceiling in the vestibule is restricted due to the entry canopy structure; hence the Applicant herein requests Modification No. 3 to the Standards. The maximum fenestration height for that portion of the building is 9'-8" due to the extents of the interior décor package and branding. Raising the heads of the windows to comply with the minimum height would result in the mechanical and structural systems being easily visible through the windows. The intent of the Standards can be substantially satisfied by:

1. The building modifications of the patio addition—which can be visualized from the pedestrian pathways.
2. The opens area that has height helps create the similar impact of permeable area with interior height.
3. Architectural pilasters to create height and verticality on all façades.

Collectively, these additions provide and further enhance the benefit expressed for Modification No. 2.

- vi. New Off-Street Parking is not permitted.

Comment: The off-street parking will be a reconstruction of a surface parking lot legally existing on July 19, 2016, and is therefore permitted. There is one loading space proposed

in the rear of the building which is in conformance with the Standards. Parking that is provided exceeds the Standards ratio but is in conformance with the parking ration applicable to when the Mall was developed.

- vii. Street Trees, Street Lights, Tree Canopy Coverage, Site Screening and Frontage design are governed by the Standards.

Comment: Street trees, both existing and proposed along MD 410, are located within the Tree and Furnishing Zone. Shade trees also proposed along the rear of the building. Size and spacing of shade trees are in conformance with the Standards. There are no proposed street lights. The pedestrian sidewalk along MD 410 is lit with pedestrian scale fixtures spaced 40'-50' on center. MD 410 right-of-way improvements were provided as part of DSP 99044-14. Tree canopy coverage and screening requirements conform to the Standards as shown on the enclosed Landscape Plan.

- viii. Signage shall conform to the Standards.

Comment: The signage package put together by the tenant's vendor utilizes wall mounted signage and complies with the Standards and no free-standing signs are proposed. The TDDP requirements for wall signs state that vertical wall signs may not exceed a maximum dimension of 36 inches by twice the business frontage width. The restaurant proposes vertical wall signs with a height of 33 inches and the width does not exceed two times the building frontage of 85 feet.

- ix. The Standards for Architectural Elements do not permit metal, plastic and backlit awnings.

Comment: The proposed freestanding restaurant has metal awnings, and the colored metal is characteristic of style, identification and branding for Miller Brewhouse Restaurants. As such, the Applicant herein requests Modification No. 4 to the Standards. The amount of metal awning is a small percentage of the building material and is designed to highlight and accent the building identification. Its limited use and placement on the new structure does not impede future development, and its use is primarily part of the Applicant's branding and identification. The awning design is otherwise in conformance with the guidelines for awnings in the TDDP. No balconies are proposed. The TDOZ Architectural Standards also state buildings are encouraged to be built with "green" building materials that meet the following criteria: produced locally or salvaged; recycled and/or recyclable; rapidly renewable; durable; containing a low embodied energy; manufactured in a less environmentally hazardous or toxic manner; for wood, certified in accordance with the Forest Stewardship Guidelines for environmentally responsible forest management; for refrigerants and fire suppression devices, not containing CFCs or Halon gas. The proposed freestanding restaurant will use building materials in conformance with these criteria as much as possible.

- (B) The Transit District Site Plan is consistent with, and reflects the guidelines and criteria for development contained in, the Transit District Development Plan;

Comment: The TDDP and companion Standards recognized the Mall property might continue to exist and include additional development over time even as potential redevelopment might occur. The new restaurant conforms to many Standards with the proposed freestanding restaurant, with the primary Standards modification being the location of the building.

- (C) The Transit District Site Plan meets all of the requirements of the Transit District Overlay Zone, and applicable regulations of the underlying zones, unless an amendment to the applicable requirement or regulation has been approved;

Comment: Four modifications to the Standards are proposed as part of the DSP, and incorporated into this Statement of Justification.

- (D) 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 Transit District Overlay Zone;

Comment: With the proposed modifications to the Standards, the proposed DSP will be adequate to meet the purposes of the Transit District Overlay Zone.

- (E) Each structure and use, in the manner proposed, is compatible with other structures and uses in the Transit District, and with existing and proposed adjacent development;

Comment: The proposed use is compatible and reflective of other uses on the Mall property and adjacent thereto.

- (F) Requests for reductions from the total minimum required parking spaces for Transit District Overlay Zones pursuant to §27-548.09.02 meet the stated location criteria and are accompanied by a signed Memorandum of Understanding between a car sharing corporation or company and the applicant.

Comment: The TDOZ has a maximum allowed parking requirement. Therefore, a reduction in parking does not require a Memorandum of Understanding between a car sharing corporation or company and the applicant.

- (G) The applicant may ask the Planning Board to apply development standards which differ from mandatory requirements in the Transit District Development Plan, unless the plan provides otherwise. The Board may amend any mandatory requirements except building height restrictions and parking standards, requirements which may be amended by the District Council under

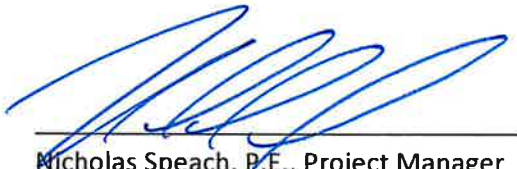
procedures in Part 10A, Division 1. The Board may amend parking provisions concerning the dimensions, layout, or design of parking spaces or parking lots.

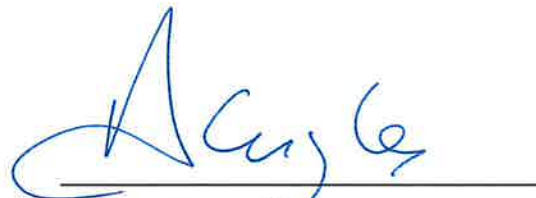
Comment: The modifications to Standards requested the Applicant are of the type the Board can consider and approve.

IV. CONCLUSION

The proposed amendment to the DSP, inclusive of the requested modifications to the Standards, will permit the construction of a freestanding restaurant and associated parking, stormwater management, and utilities. This proposed freestanding restaurant will contribute to the diversity of the tenants in the Mall at Prince George's and will make good use of currently unused parking area. The Applicant is confident that this application meets the purposes of a DSP as outlined in §27-548.08 and respectfully requests their approval.

Respectfully submitted,



Nicholas Speech, P.E., Project Manager
Bohler Engineering VA LLC

André J. Gingles, Esq.
Gingles, LLC



June 20, 2019
Via Hand Delivery

M-NCPPC
Development Review Division
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

Attn: Andrew Bishop

Re: Detailed Site Plan – DSP-99044-17
Mall at Prince George's
Miller's Ale House
3500 East West Highway
Hyattsville, Prince George's Co., MD
BEPC #MB1220679

Dear Mr. Bishop:

In regard to the above referenced project and pursuant to comments dated June 20, 2019, please find the following point-by-point responses for your review:

General Comments:

Comment 1: Bring building closer to street. The required set back is 20-25 feet by the TDDP. The proposed 80-foot setback with stormwater in between the building and the street is not acceptable. (The adjacent Olive Garden appears to be 25-feet from the sidewalk and 40-feet from the right-of-way.)

Response 1: As discussed in our meeting with staff, there are multiple constraints that require the building to be placed as originally designed. Additional patio space and outdoor dining have been provided to address the pedestrian activation of the site. The details and justification for this is noted in the revised Statement of Justification that has been provided for your review.

Comment 2: Create a more elaborate and inviting plaza at entrance to restaurant to encourage pedestrian traffic.

Response 2: An updated plaza has been added to the front of the building, along with an outdoor seating patio to encourage pedestrian traffic.

Comment 3: Include outdoor dining option along MD 410, it appears that the windows on this side of the building are designed to resemble roll up doors and could accommodate this type of site element.

Response 3: An outdoor patio has been added per your request.

Comment 4: The SOJ and the TDDP standard matrix provided are not consistent and should be revised does not address the applications need for an amendment and should be revised.

Response 4: The Statement of Justification has been updated and submitted for your review.

Comment 5: Remove the free-standing sign on MD 410, it is not consistent with any other establishments in the mall, no other use includes its own free-standing sign. If the building is moved closer to the street its visibility will be improved.

Response 5: The freestanding sign has been removed.



Comment 6: Remove the proposed lease line from the site plan.

Response 6: **The lease line has been removed from the site plan.**

Comment 7: Provide a signage schedule indicating the total cumulative amount of signage and type proposed building mounted signage included in this DSP.

Response 7: **A signage schedule is shown on the Cover Sheet of the DSP.**

Comment 8: Use higher quality building materials and improve architectural fenestration of the building facade. Examples include: Use of less EFIS; Providing stone on the water table of the building; or introduction of vertical banding on the building facade to provide interest.

Response 8: **The elevations have been updated based on our meeting.**

Comment 9: Propose additional landscaping around the base of the building to provide interest, the plan does not propose much.

Response 9: **Additional landscaping has been added around the patio area per your request.**

Comment 10: Illustrative site plan needed for PowerPoint presentation.

Response 10: **An illustrative plan is being prepared and will be sent prior to the presentation.**

Comment 11: Photometric.

Response 11: **A photometric plan is included on Sheet DSP-12.**

Comment 12: Possible wall removal.

Response 12: **A section of the wall is being removed to accommodate the new plaza area.**

Comment 13: Revise the mall additions table on sheet 6 and the calculations in the general notes on sheet 4 so that the total proposed square footage reflects the square footage of the building being proposed (8,285sf).

Response 13: **The square footage has been updated per your request.**

Comment 14: Revise the general notes on sheet 4 to include reference to the site's record plat, VJ 186-9.

Response 14: **A note has been added referencing the plat.**

Comment 15: Clean up bearings and distances – hard to read.

Response 15: **The bearings and distances are based on an existing plan and cannot be updated.**

Please find enclosed the following materials for your review:

- One (1) copy of the Detailed Site Plan, prepared by Bohler Engineering, dated August 9, 2017, revised June 20, 2019.
- One (1) copy of the Statement of Justification, prepared by Gingles, LLC, dated June 20, 2019.
- One (1) copy of the Tree Conservation Plan, Type II, approved on November 10, 2003.
- One (1) CD containing PDFs above.



BOHLER
ENGINEERING

DSP-99044-17
Mall at Prince George's Miller's Ale House
Hyattsville, MD
BEPC #MB1220679
June 20, 2019
Page 3 of 3

Should you have any questions or require additional information, please do not hesitate to contact this office at (301) 809-4500.

Sincerely,
Bohler Engineering VA, LLC

Nicholas B. Speech P.E.

cc: Shane Feenster, MAH
File

NS/kd
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PLANT SCHEDULE - PROPOSED (PHASES II AND III ONLY)						
KEY	QUANTITY	COMMON NAME	BOTANICAL NAME	SIZE	ROOT	COMMENT
SHADE TREES						
PA	71	LONDON PLANE TREE	PLATANUS ACERIFOLIA 'BLOODGOOD'	3.5 -4" CAL.	B & B	
UP	24	CHINESE ELM	ULMUS PARVIFOLIA	3.5 -4" CAL.	B & B	FOR PLAZA AREAS
AR	60	RED MAPLE	ACER RUBRUM 'OCTOBER GLORY'	2.5"-3" CAL.	B & B	
ZS	86	ZELKOVA	ZELKOVA SERRATA 'GREEN VASE'	2.5"-3" CAL.	B & B	
L.S	5	SWEETGUM	LIQUIDAMBAR STRYACIFLUA	2.5"-3" CAL.	B & B	
ORNAMENTAL AND EVERGREEN TREES						
CK	20	KOUSA DOGWOOD	CORNUS KOUSA 'MILKY WAY'	1"-1 1/2" CAL.	B & B	
LI	10	CRAPE MYRTLE	LAGERSTROEMIA INDICA 'NATCHEZ'	7"-9" MULTI-STEM	B & B	
IN	16	NELLIE STEVENS HOLLY	ILEX X 'NELLIE R. STEVENS'	6"-8"	B & B	
PY	3	PRUNUS YEDOENSIS	YOSHINO CHERRY	1"-1 1/2" CAL.	B & B	
SHRUBS/ ORNAMENTAL GRASSES						
BT	35	BERBERIS THUNBERGI 'CRIMSON PYGMY'	CRIMSON PYGMY BARBERY	18"-24" HIGH	CONT.	
BD	6	BUDDLEIA DAVIDI 'EMPIRE BLUE'	BUTTERFLY BUSH	18"-24" HIGH	CONT.	
IC		ILEX CRENATA 'HELLER'	HELLER HOLLY	18"-24" HIGH	CONT.	
JC	55	JUNIPERUS CHINENSIS 'PLUMOSA'	PLUMOSA COMPACT CHINESE JUNIPER	18"-24" HIGH	CONT.	
GROUND COVER/ PERENNIALS						
ICS	0	ILEX CRENATA 'STEEDS'	STEEDS HOLLY	24"-36" HIGH	CONT.	
CP	12	CHAEMACYPARIS PISIFERA FILIFERA	JAPANESE FALSECYPRESS	18"-24" HIGH	CONT.	
PL	230	PRUNUS LAUROCEASUS 'OTTO LUYKEN'	OTTO LUYKEN CHERRY LAUREL	18"-24" HIGH	CONT.	
RM	0	MEIDLAND ROSE	ROSA BONICA 'MEIDOMONAC'	18"-24" HIGH	CONT.	
TB	40	WEeping ENGLISH YEW	TAXUS BACCATA 'REPANDENS'	18"-24" HIGH	CONT.	
SJ	39	SPIRAEA JAPONICA 'LITTLE PRINCESS'	LITTLE PRINCESS SPIREA	18"-24" HIGH	CONT.	
JC	2	JUNIPERUS CHINENSIS 'ROBUSTA GREEN'	ROBUSTA GREEN UPRIGHT JUNIPER	24"-36" HIGH	CONT.	
GROUND COVER/ PERENNIALS						
LM	100	LIRIOPE MUSCARI 'BIG BLUE'	LILYTURF	1 GAL.	CONT.	

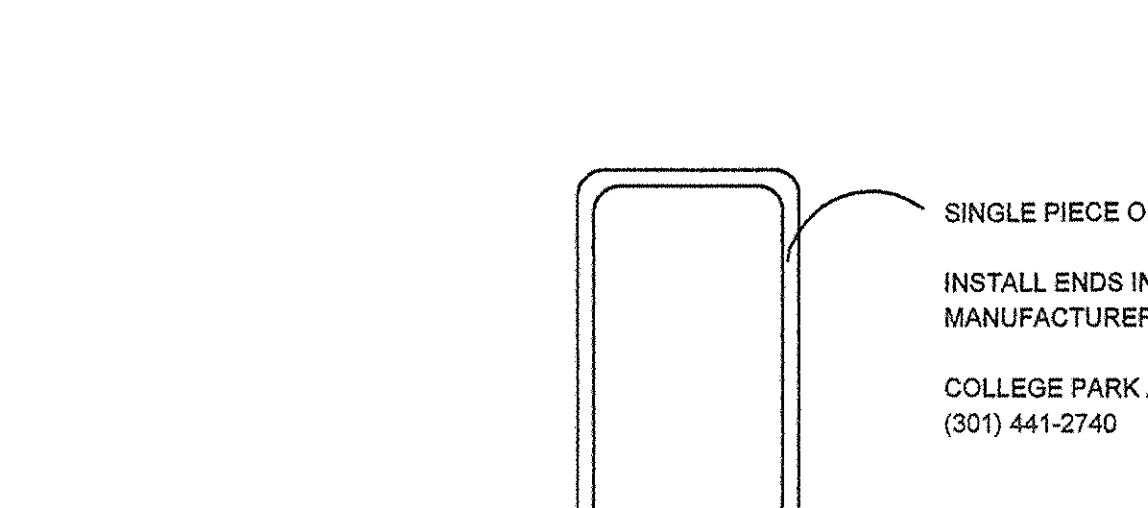
- NOTES:
- ANY CHANGE IN THE TYPE, SIZE, AND QUANTITY OF PLANT MATERIAL BY THE LANDSCAPE CONTRACTOR MUST BE APPROVED BY THE LANDSCAPE ARCHITECT. PRIOR TO INSTALLATION, A WRITTEN REQUEST FOR PLANT SUBSTITUTION SHALL BE MADE AND APPROVED BY THE MNC&PC PRIOR TO ANY PLANT SUBSTITUTIONS BEING MADE.
 - WOODLAND CONSERVATION MANDATORY REQUIREMENT FOR 10% AFFORESTATION PER S33 IS BEING PROVIDED OFF-SITE.
 - ALL STREET TREES SHALL BE LIMBED UP TO A MINIMUM 6' ABOVE GRADE.
 - AS ORNAMENTAL TREES LOCATED IN INTERIOR LANDSCAPED AREAS DIE THEY SHALL BE REPLACED BY SHADE TREES.
 - PLANT COUNT TOTALS PROVIDED FOR CONVENIENCE OF CONTRACTOR ONLY. INSTALL ALL PLANTS AS SHOWN ON PLAN VIEW.

AREA A LANDSCAPE MANUAL SCHEDULE SECTION 4.7 BUFFERYARDS NORTHERN PROPERTY LINE

- USE CATEGORY OF PROPOSED DEVELOPMENT: SHOPPING CENTER
 - IMPACT OF PROPOSED DEVELOPMENT: H
 - USE CATEGORY OF ADJOINING DEVELOPMENT: APARTMENTS - RESIDENTIAL
 - IMPACT OF ADJOINING DEVELOPMENT: N/A
 - MINIMUM REQUIRED BUFFERYARD (A,B,C OR D): D
 - MINIMUM BUILDING SETBACK: 50'
 - MINIMUM WIDTH OF LANDSCAPED YARD: 40'
 - LINEAR FEET OF BUFFER STRIP REQUIRED ALONG PROPERTY LINE AND RIGHT-OF-WAY: 1757
 - Percentage of required bufferyard occupied by existing woodlands: 0
 - SIX FOOT FENCE, WALL OR FIVE FOOT BERM PROVIDED IN BUFFERYARD NO
 - TOTAL NUMBER OF PLANT UNITS REQUIRED IN BUFFER STRIP: 281 (60 FU PER 100 L.F.)
 - NUMBER OF PLANTS PROVIDED: 260 existing shrubs
 - TOTAL NUMBER OF PLANT UNITS PROVIDED IN BUFFER STRIP: 260
- NOTE: THERE IS AN EXISTING 3 1/2' WOODEN FENCE ALONG THE NORTHERN PROPERTY LINE. DGS APPLICATION #330 DATED SEPTEMBER 7, 1988 WAS APPROVED FOR A DEPARTURE FROM SECTION 27-564 (A)(3)(d) TO REDUCE THE 6' HEIGHT REQUIREMENT FOR PARKING LOT SCREENING ALONG THE NORTHERN PROPERTY LINE TO 3 1/2'.
- ALTERNATIVE COMPLIANCE WAS DENIED (AC-99055). A DEPARTURE (DGS-550) IS BEING REQUESTED TO MAINTAIN THE EXISTING SITUATION ALONG THE NORTHERN PROPERTY LINE.

AREA C TRANSIT DISTRICT DEVELOPMENT PLAN SUBAREA II EAST-WEST HIGHWAY FRONTAGE

- LANDSCAPE STRIP REQUIRED, SUBAREA II: PL STATES THAT A 40-FOOT PEDESTRIAN ZONE SHALL BE PROVIDED ALONG EAST-WEST HIGHWAY. THE APPLICANT IS REQUESTING AN AMENDMENT TO P710 TO ALLOW A 20' LANDSCAPE STRIP AND TO COMPLETE THE STREETSCAPE IMPROVEMENTS IN PHASES SEE TP0000AND TS900444.
- LANDSCAPE MANUAL SCHEDULE - PHASE I PARKING LOT LANDSCAPE STRIP SECTION 4.3.A
- LINEAR FEET OF STREET FRONTAGE OF PARKING LOT: 616'
 - OPTION SELECTED: 4 (3' HIGH BRICK SCREEN WALL PROVIDED)
 - NUMBER OF PLANTS REQUIRED: 18 SHADE TREES 0 SHRUBS
 - NUMBER OF PLANTS PROVIDED: 28 SHADE TREES 28 SHRUBS 5 ORNAMENTAL TREES
- LANDSCAPE MANUAL SCHEDULE - PHASE II PARKING LOT LANDSCAPE STRIP SECTION 4.3.A
- LINEAR FEET OF STREET FRONTAGE OF PARKING LOT: 220'
 - OPTION SELECTED: 4 (3' HIGH BRICK SCREEN WALL PROVIDED)
 - NUMBER OF PLANTS REQUIRED: 5 SHADE TREES 0 SHRUBS
 - NUMBER OF PLANTS PROVIDED: 5 SHADE TREES 32 SHRUBS 3 ORNAMENTAL TREES



1 L5 INVERTED "U" BIKE RACK DETAIL (TYP.)

NTS



8-6-01

AREA B TRANSIT DISTRICT DEVELOPMENT PLAN SUBAREA II BELCREST ROAD FRONTAGE

- LANDSCAPE STRIP REQUIRED, SUBAREA II: STREET TREE PLANTING HAS BEEN COMPLETED PER TODP FIGURE 9. SEE TP0000AND TS990444.
- LANDSCAPE MANUAL SCHEDULE - PHASE I PARKING LOT LANDSCAPE STRIP SECTION 4.3.A
- LINEAR FEET OF STREET FRONTAGE OF PARKING LOT: 0
 - OPTION SELECTED: N/A
 - NUMBER OF PLANTS REQUIRED: 0 SHADE TREES 0 SHRUBS
 - NUMBER OF PLANTS PROVIDED: 0 SHADE TREES 0 SHRUBS

- LANDSCAPE MANUAL SCHEDULE - PHASE II PARKING LOT LANDSCAPE STRIP SECTION 4.3.A
- LINEAR FEET OF STREET FRONTAGE OF PARKING LOT: 978
 - OPTION SELECTED: 1
 - NUMBER OF PLANTS REQUIRED: 28 SHADE TREES 280 SHRUBS
 - NUMBER OF PLANTS PROVIDED: 32 SHADE TREES 278 SHRUBS (including 20 existing shrubs on north-east and south-east corners of strip) 3' HIGH SCREENING WALLS PROVIDED

LANDSCAPE MANUAL SCHEDULE - PHASE I PARKING AREA INTERIOR PLANTING

- AREA OF PARKING COMPOUND: 92,332 SF
- INTERIOR PLANTING AREA REQUIRED: 8% or 7,387 SF
- INTERIOR PLANTING AREA PROVIDED: 10.8% or 9,970 SF
- NUMBER OF SHADE TREES REQUIRED: 33
- NUMBER OF SHADE TREES PROVIDED: 33

LANDSCAPE MANUAL SCHEDULE - PHASE II PARKING AREA INTERIOR PLANTING

- AREA OF PARKING COMPOUND: 213,023 SF
- INTERIOR PLANTING AREA REQUIRED: 10% or 21,302 SF
- INTERIOR PLANTING AREA PROVIDED: 13% or 27,715 SF
- NUMBER OF SHADE TREES REQUIRED: 92
- NUMBER OF SHADE TREES PROVIDED: 109

- LANDSCAPE MANUAL SCHEDULE - PHASE II PARKING AREA INTERIOR PLANTING
- AREA OF PARKING COMPOUND: 213,023 SF
 - INTERIOR PLANTING AREA REQUIRED: 10% or 21,302 SF
 - INTERIOR PLANTING AREA PROVIDED: 13% or 27,715 SF
 - NUMBER OF SHADE TREES REQUIRED: 92
 - NUMBER OF SHADE TREES PROVIDED: 109

- LANDSCAPE MANUAL SCHEDULE - PHASE II PARKING AREA INTERIOR PLANTING
- AREA OF PARKING COMPOUND: 213,023 SF
 - INTERIOR PLANTING AREA REQUIRED: 10% or 21,302 SF
 - INTERIOR PLANTING AREA PROVIDED: 13% or 27,715 SF
 - NUMBER OF SHADE TREES REQUIRED: 92
 - NUMBER OF SHADE TREES PROVIDED: 109

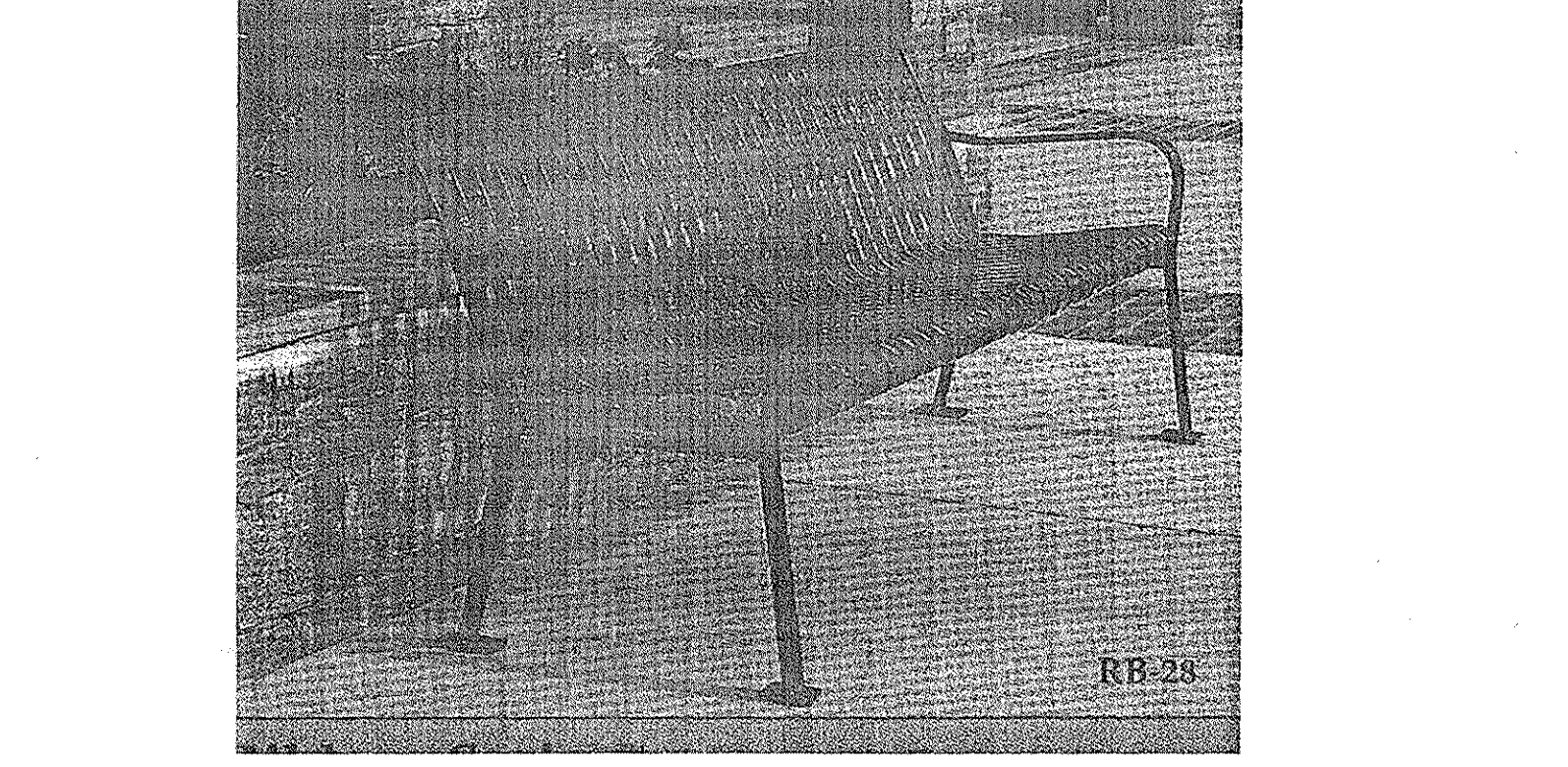
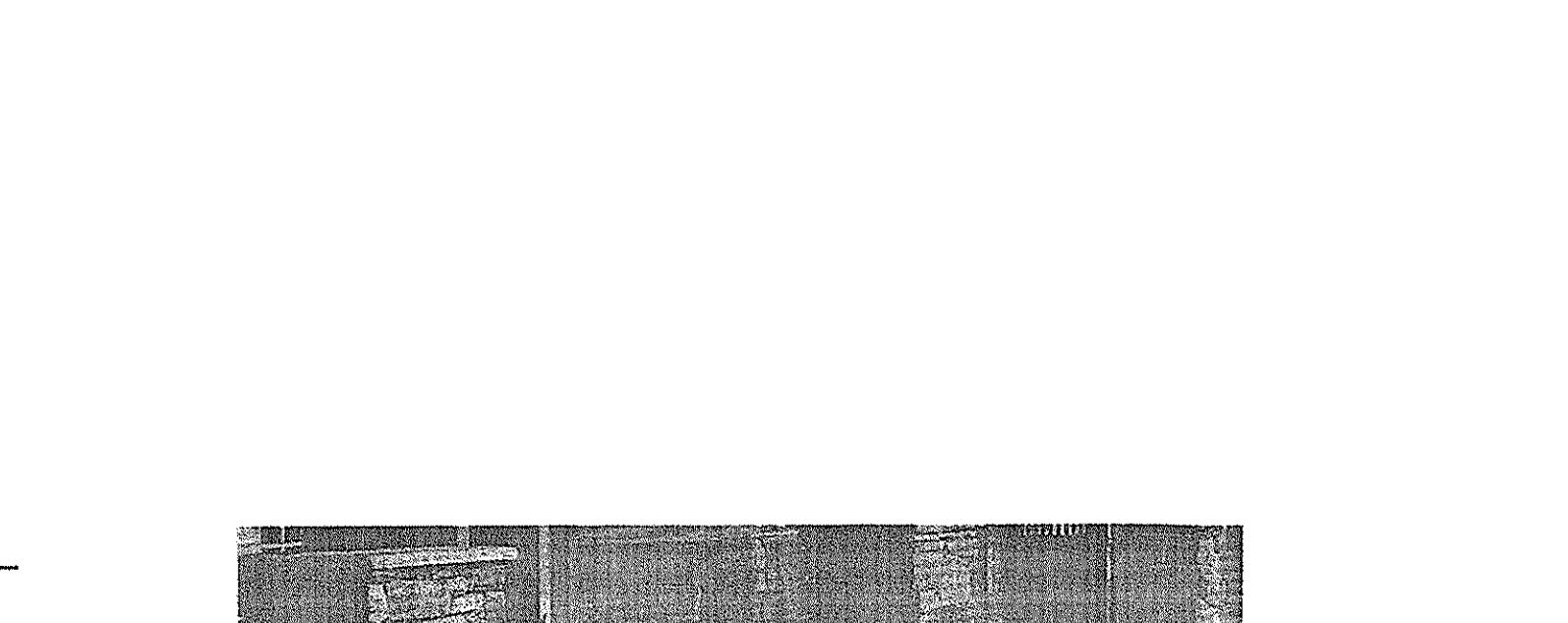
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PLANT SCHEDULE - PROPOSED (PHASE I ONLY)

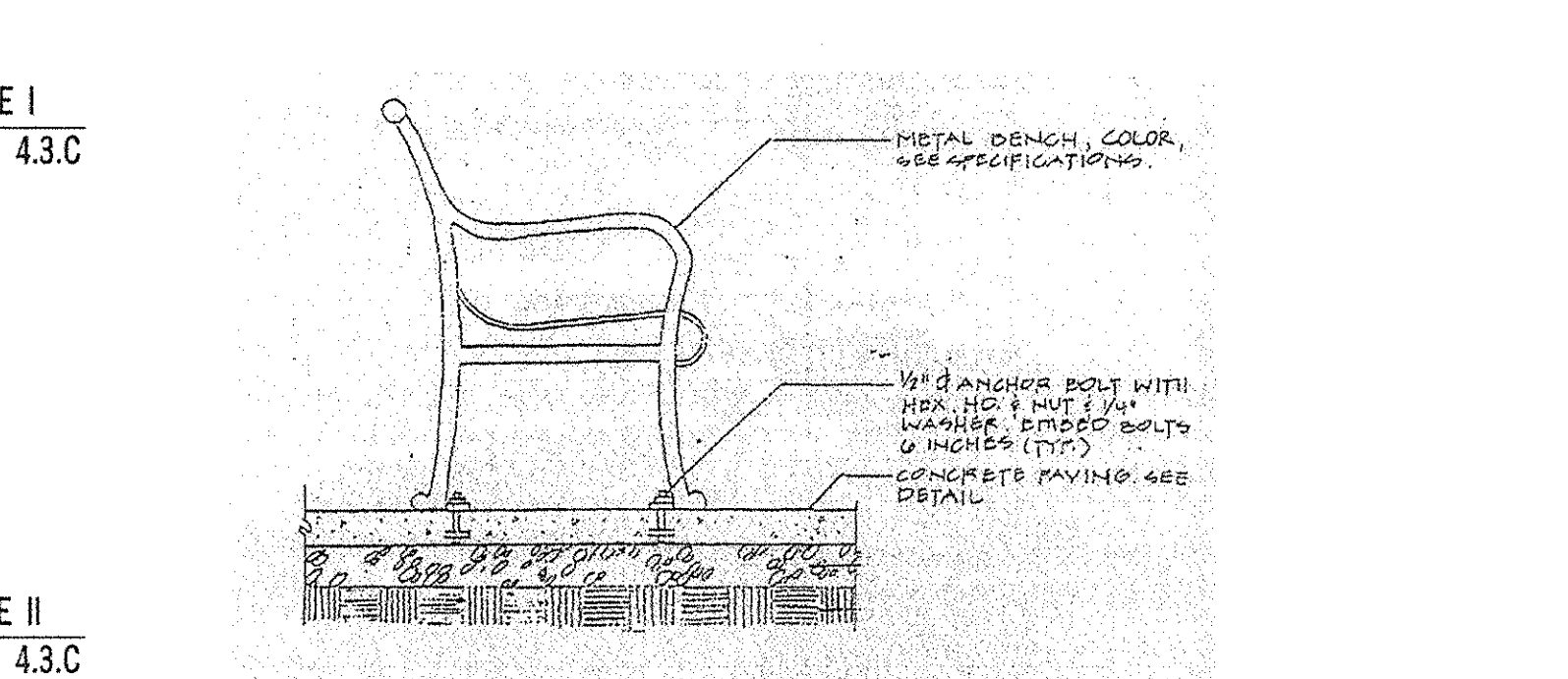
KEY	QUANTITY	COMMON NAME	BOTANICAL NAME	SIZE	ROOT
SHADE TREES					
PA	25	LONDON PLANE TREE	PLATANUS ACERIFOLIA 'BLOODGOOD'	3.5 -4" CAL.	B & B
AR	8	RED MAPLE	ACER RUBRUM 'OCTOBER GLORY'	2.5"-3" CAL.	B & B
ZS	3	ZELKOVA	ZELKOVA SERRATA 'GREEN VASE'	2.5"-3" CAL.	B & B
ORNAMENTAL AND EVERGREEN TREES					
LI	2	CRAPE MYRTLE	LAGERSTROEMIA INDICA 'NATCHEZ'	8"-10" MULTI-STEM	B & B
PY	6	PRUNUS YEDOENSIS	YOSHINO CHERRY	2.5"-3" CAL.	B & B
SHRUBS/ ORNAMENTAL GRASSES					
CA	24	FEATHER REED GRASS	CAULMASTROSTIS ACUTIFLORA 'KARL FOSTERSTEE'	18"-24" HIGH	CONT.
ICS	2	ILEX CRENATA 'STEEDS'	STEEDS HOLLY	24"-36" HIGH	CONT.
RM	6	MEIDLAND ROSE	ROSA BONICA 'MEIDOMONAC'	18"-24" HIGH	CONT.
GROUND COVER/ PERENNIALS					
LM	400	LIRIOPE MUSCARI 'BIG BLUE'	LILYTURF	1 GAL.	CONT.
SA	40	AUTUMN JOY SEDUM	SEDUM 'AUTUMN JOY'	1 GAL.	CONT.

- CA 24 FEATHER REED GRASS CAULMASTROSTIS ACUTIFLORA 'KARL FOSTERSTEE' 18"-24" HIGH CONT.
- ICS 2 ILEX CRENATA 'STEEDS' STEEDS HOLLY 24"-36" HIGH CONT.
- RM 6 MEIDLAND ROSE ROSA BONICA 'MEIDOMONAC' 18"-24" HIGH CONT.

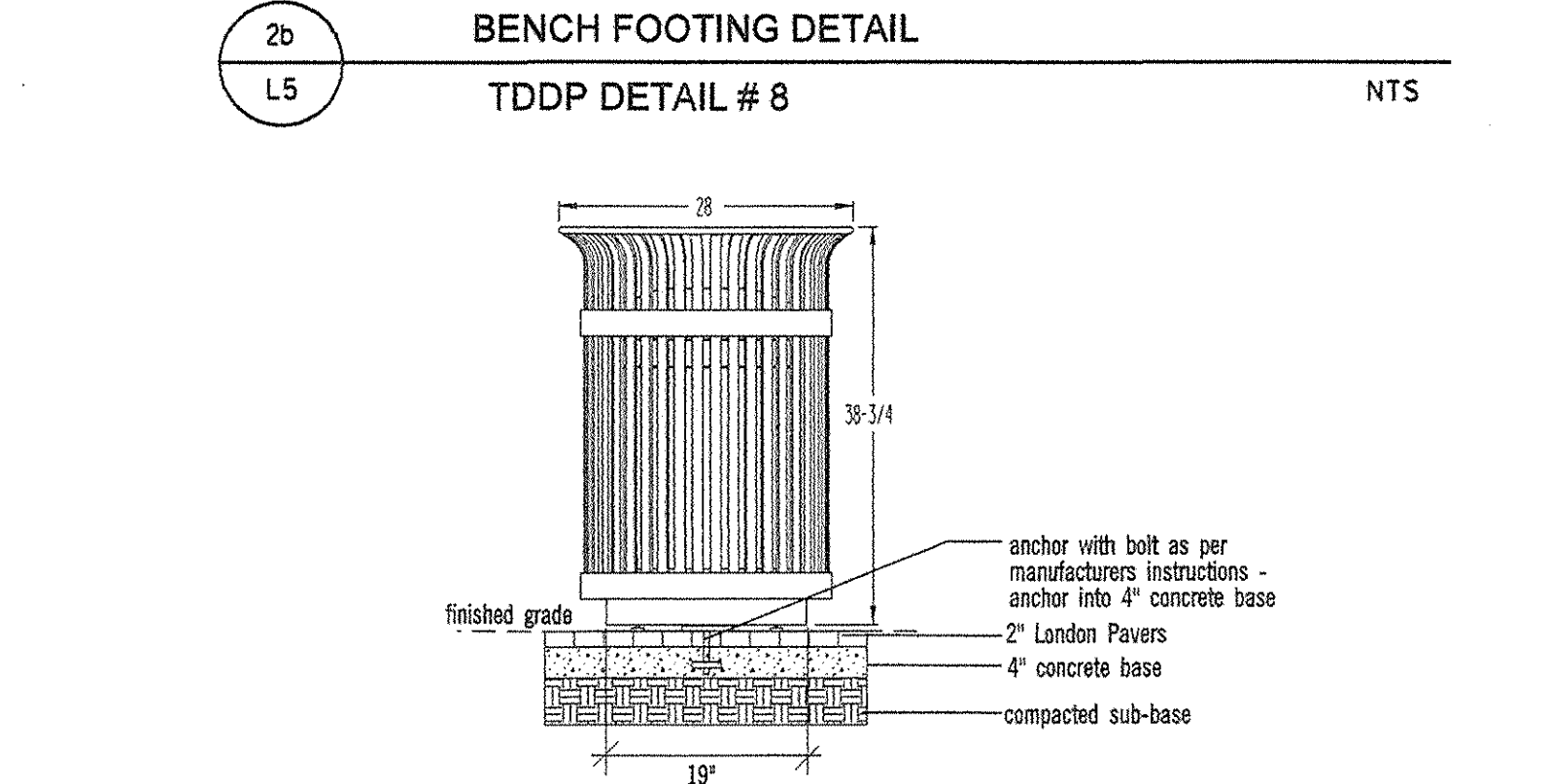
- LM 400 LIRIOPE MUSCARI 'BIG BLUE' LILYTURF 1 GAL. CONT.
- SA 40 AUTUMN JOY SEDUM SEDUM 'AUTUMN JOY' 1 GAL. CONT.



2a L5 BENCH (TYP.) VICTOR STANLEY MODEL RB-28 NTS



2b L5 BENCH FOOTING DETAIL TDDP DETAIL # 8 NTS



3 L2 TRASH RECEPTACLE FOOTING DETAIL (TYP.) VICTOR STANLEY MODEL S-424 NTS

No.	REVISION	DATE	BY
1	REVISED DETAILS PER COUNTY COMMENTS	11/10/00	JAK
2	REVISED FOR REFERRAL DISTRIBUTION	12/18/00	JAK
3	REVISED PLANT SCHEDULE	3/20/01	JAK
6	REVISED FOR SIGNATURE APPROVAL	8/7/01	JAK

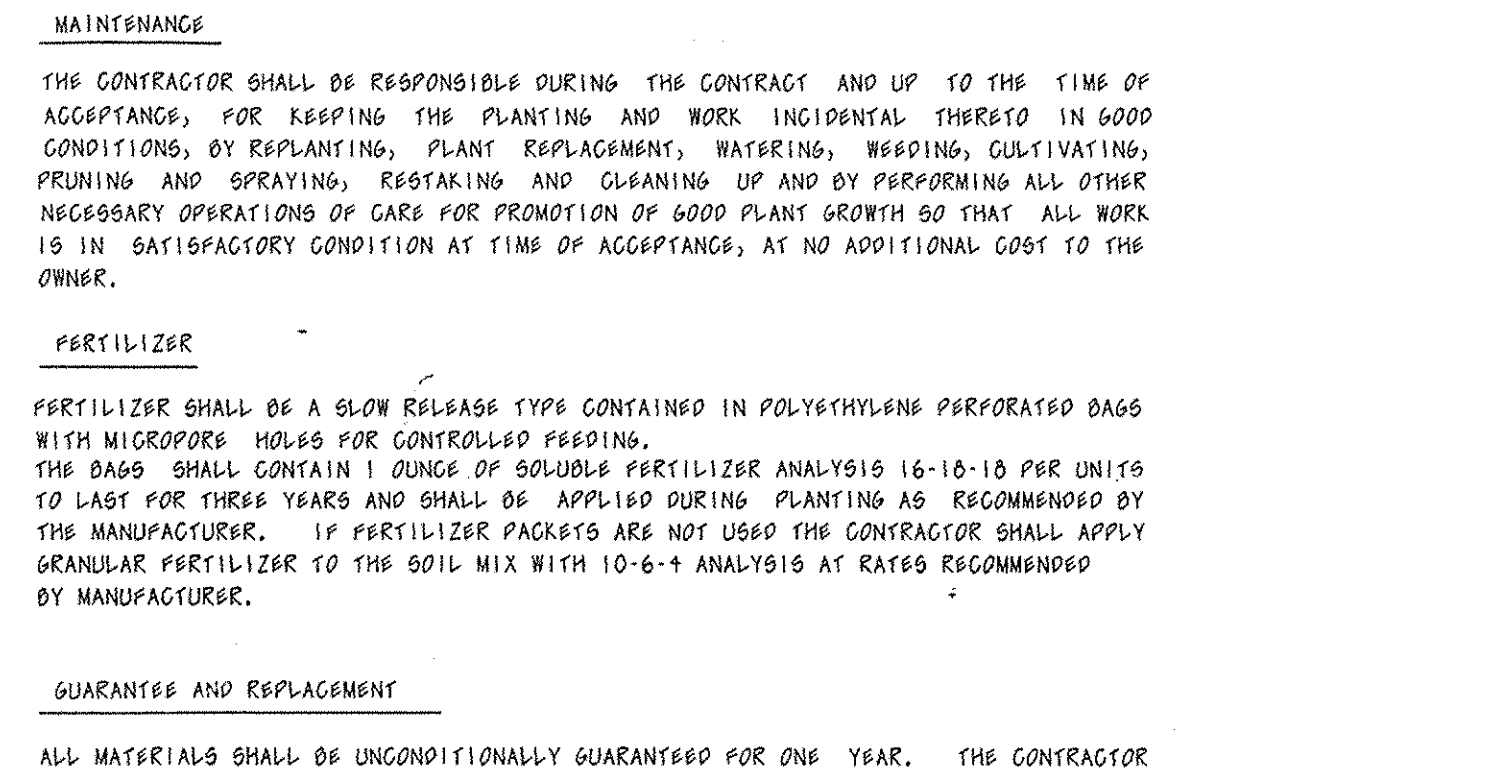
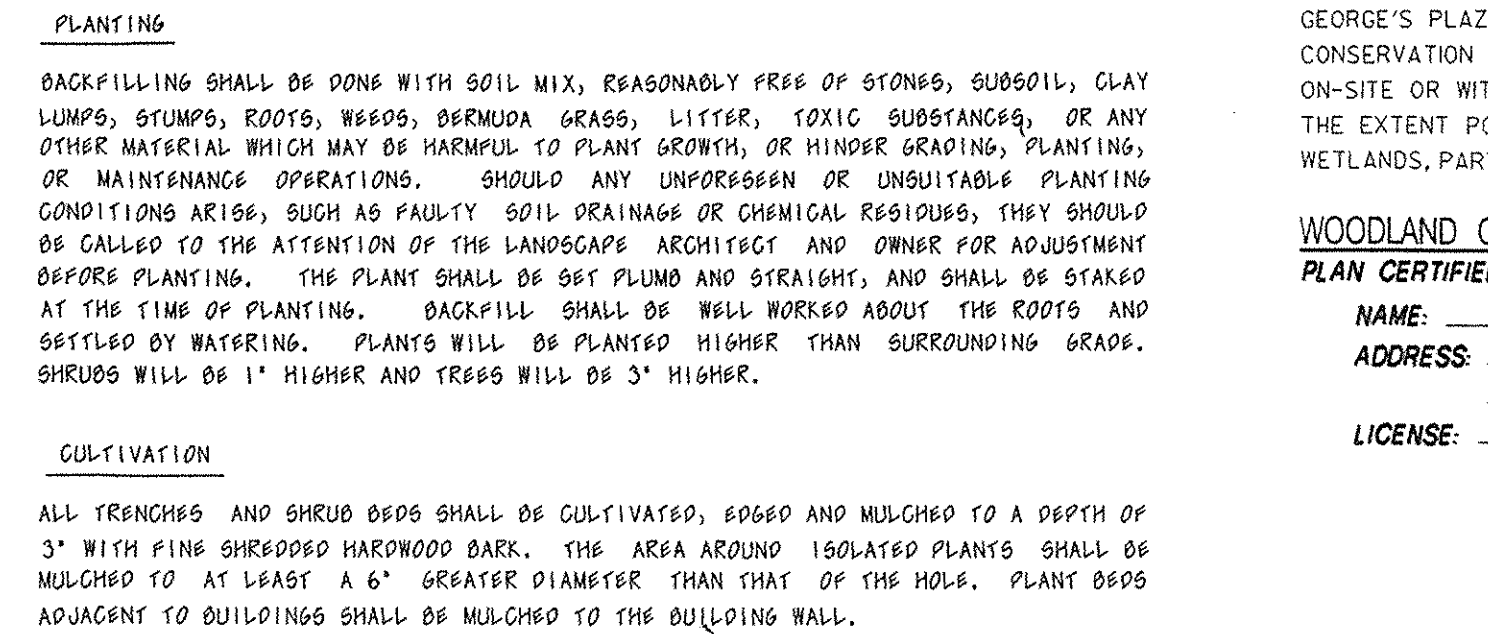
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PLANT SCHEDULE - PROPOSED (PHASE I ONLY)

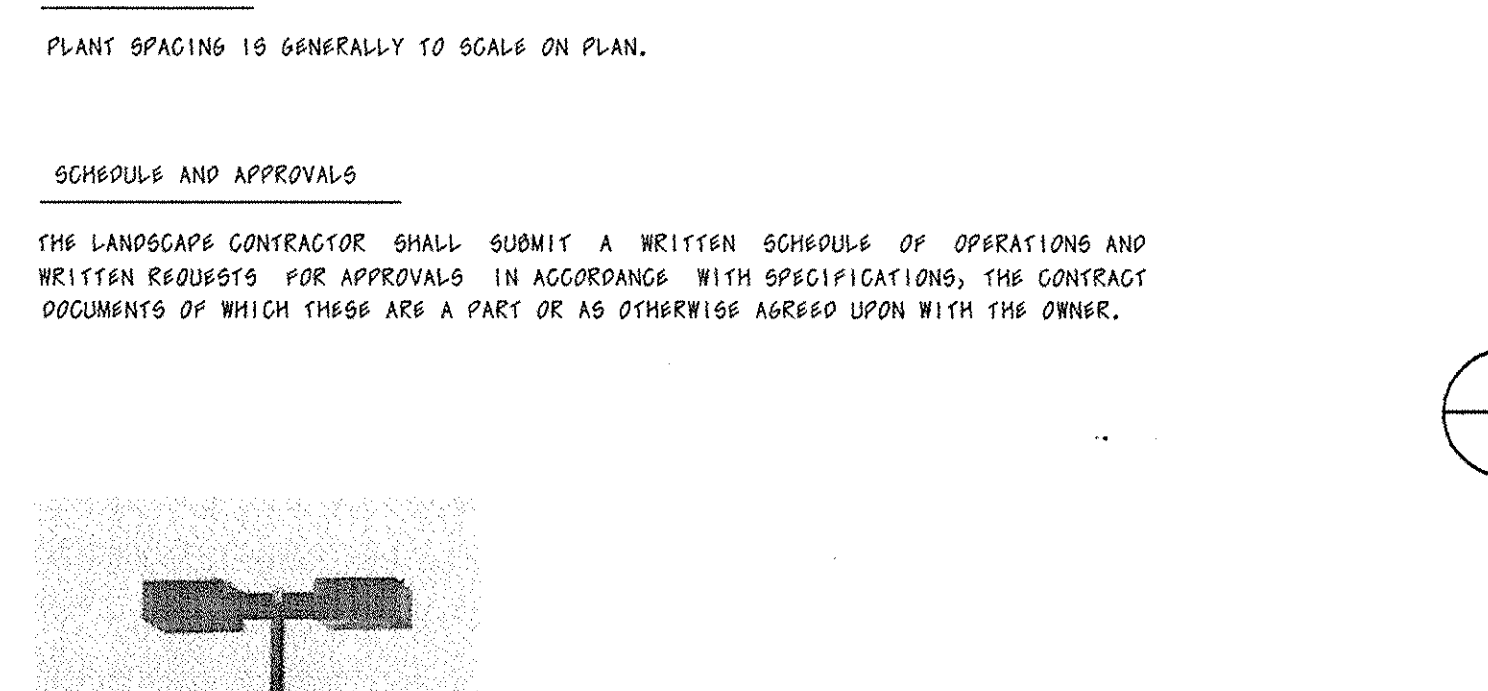
KEY	QUANTITY	COMMON NAME	BOTANICAL NAME	SIZE	ROOT
SHADE TREES					
PA	25	LONDON PLANE TREE	PLATANUS ACERIFOLIA 'BLOODGOOD'	3.5 -4" CAL.	B & B
AR	8	RED MAPLE	ACER RUBRUM 'OCTOBER GLORY'	2.5"-3" CAL.	B & B
ZS	3	ZELKOVA	ZELKOVA SERRATA 'GREEN VASE'	2.5"-3" CAL.	B & B
ORNAMENTAL AND EVERGREEN TREES					
LI	2	CRAPE MYRTLE	LAGERSTROEMIA INDICA 'NATCHEZ'	8"-10" MULTI-STEM	B & B
PY	6	PRUNUS YEDOENSIS	YOSHINO CHERRY	2.5"-3" CAL.	B & B
SHRUBS/ ORNAMENTAL GRASSES					
CA	24	FEATHER REED GRASS	CAULMASTROSTIS ACUTIFLORA 'KARL FOSTERSTEE'	18"-24" HIGH	CONT.
ICS	2	ILEX CRENATA 'STEEDS'	STEEDS HOLLY	24"-36" HIGH	CONT.
RM	6	MEIDLAND ROSE	ROSA BONICA 'MEIDOMONAC'	18"-24" HIGH	CONT.
GROUND COVER/ PERENNIALS					
LM	400	LIRIOPE MUSCARI 'BIG BLUE'	LILYTURF	1 GAL.	CONT.
SA	40	AUTUMN JOY SEDUM	SEDUM 'AUTUMN JOY'	1 GAL.	CONT.

- CA 24 FEATHER REED GRASS CAULMASTROSTIS ACUTIFLORA 'KARL FOSTERSTEE' 18"-24" HIGH CONT.
- ICS 2 ILEX CRENATA 'STEEDS' STEEDS HOLLY 24"-36" HIGH CONT.
- RM 6 MEIDLAND ROSE ROSA BONICA 'MEIDOMONAC' 18"-24" HIGH CONT.

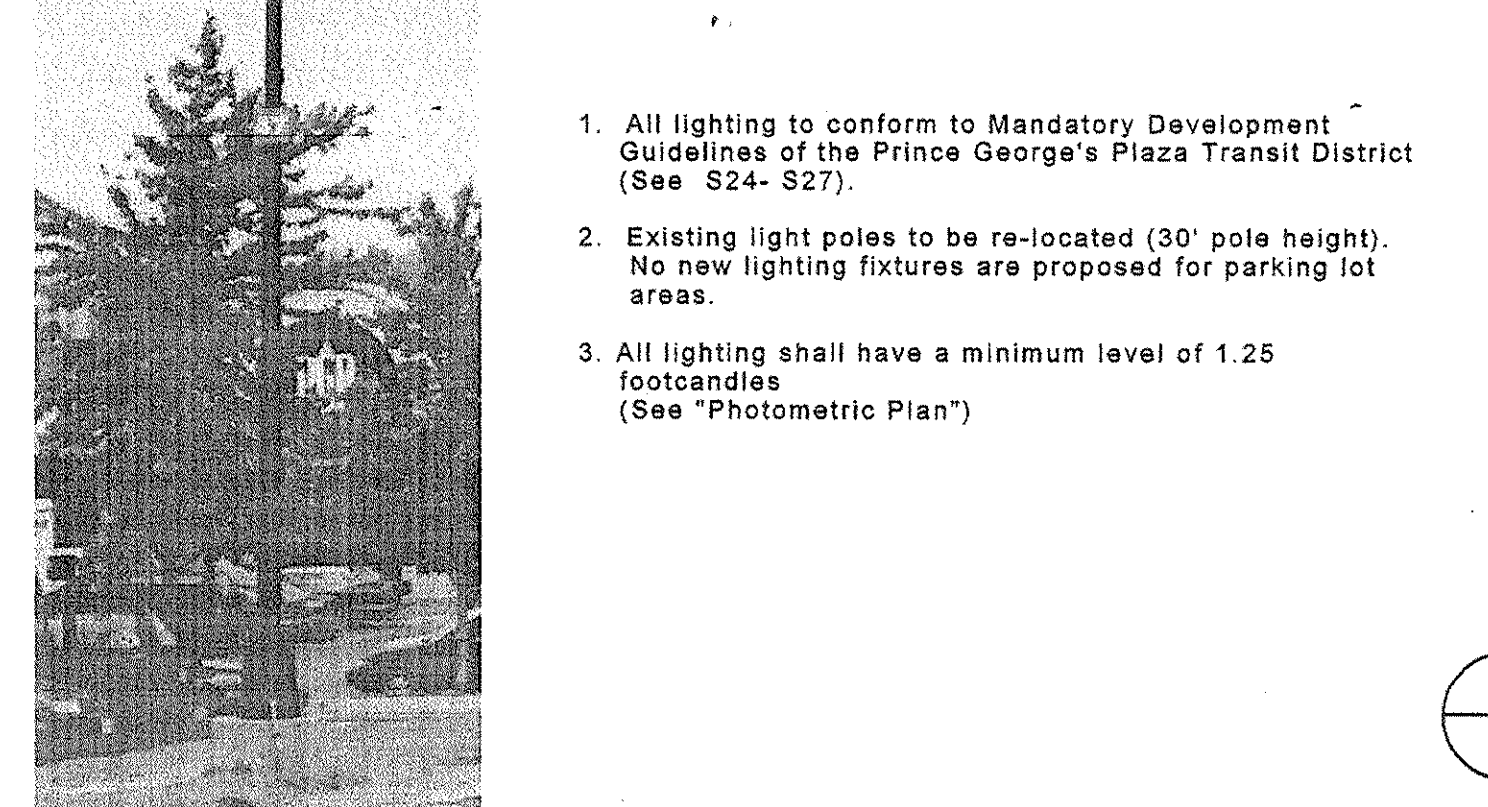
- LM 400 LIRIOPE MUSCARI 'BIG BLUE' LILYTURF 1 GAL. CONT.
- SA 40 AUTUMN JOY SEDUM SEDUM 'AUTUMN JOY' 1 GAL. CONT.



2a L5 BENCH (TYP.) VICTOR STANLEY MODEL RB-28 NTS



2b L5 BENCH FOOTING DETAIL TDDP DETAIL # 8 NTS



3 L2 TRASH RECEPTACLE FOOTING DETAIL (TYP.) VICTOR STANLEY MODEL S-424 NTS

No.	REVISION	DATE	BY
1	REVISED DETAILS PER COUNTY COMMENTS	11/10/00	JAK
2	REVISED FOR REFERRAL DISTRIBUTION	12/18/00	JAK
3	REVISED PLANT SCHEDULE	3/20/01	JAK
6	REVISED FOR SIGNATURE APPROVAL	8/7/01	JAK

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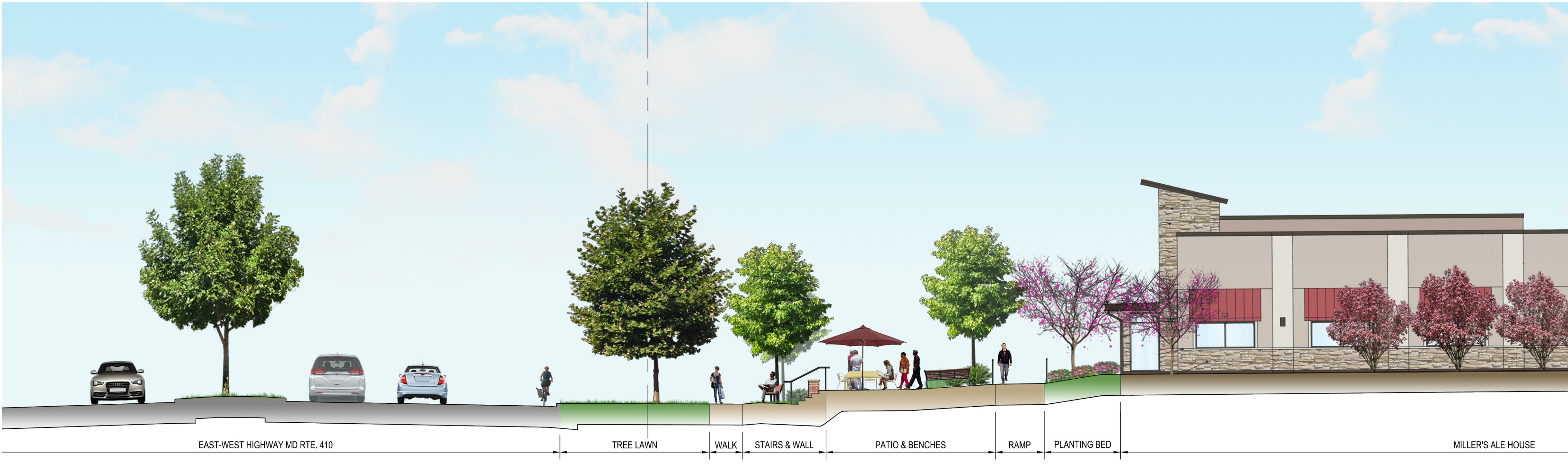
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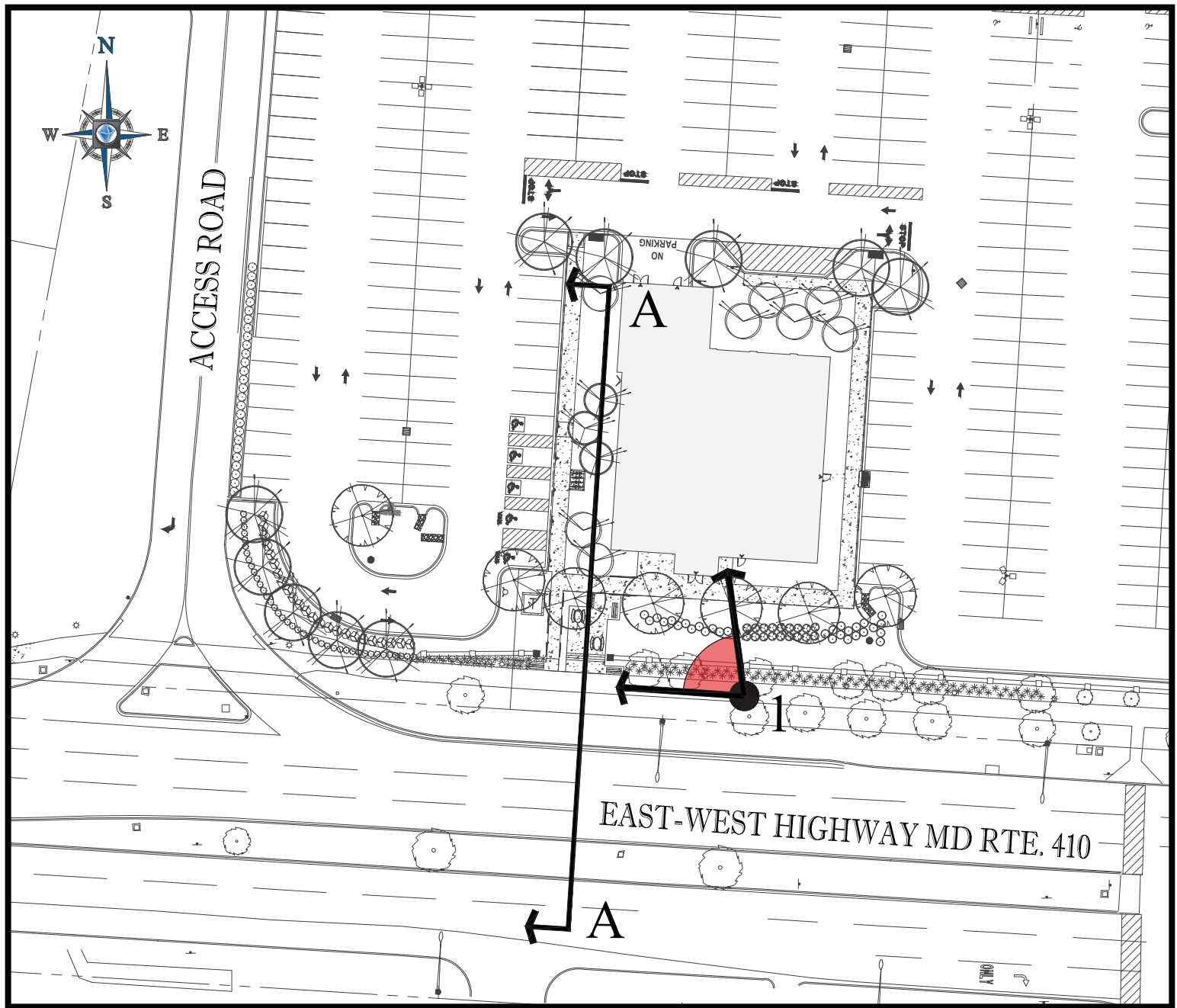
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PERSPECTIVE 1
LOOKING NORTHWEST ON EAST-WEST HIGHWAY



SECTION A-A'
LOOKING WEST ON EAST-WEST HIGHWAY



KEY MAP





Note: Staff reports can be accessed at <http://mncppc.iqm2.com/Citizens/Default.aspx>.

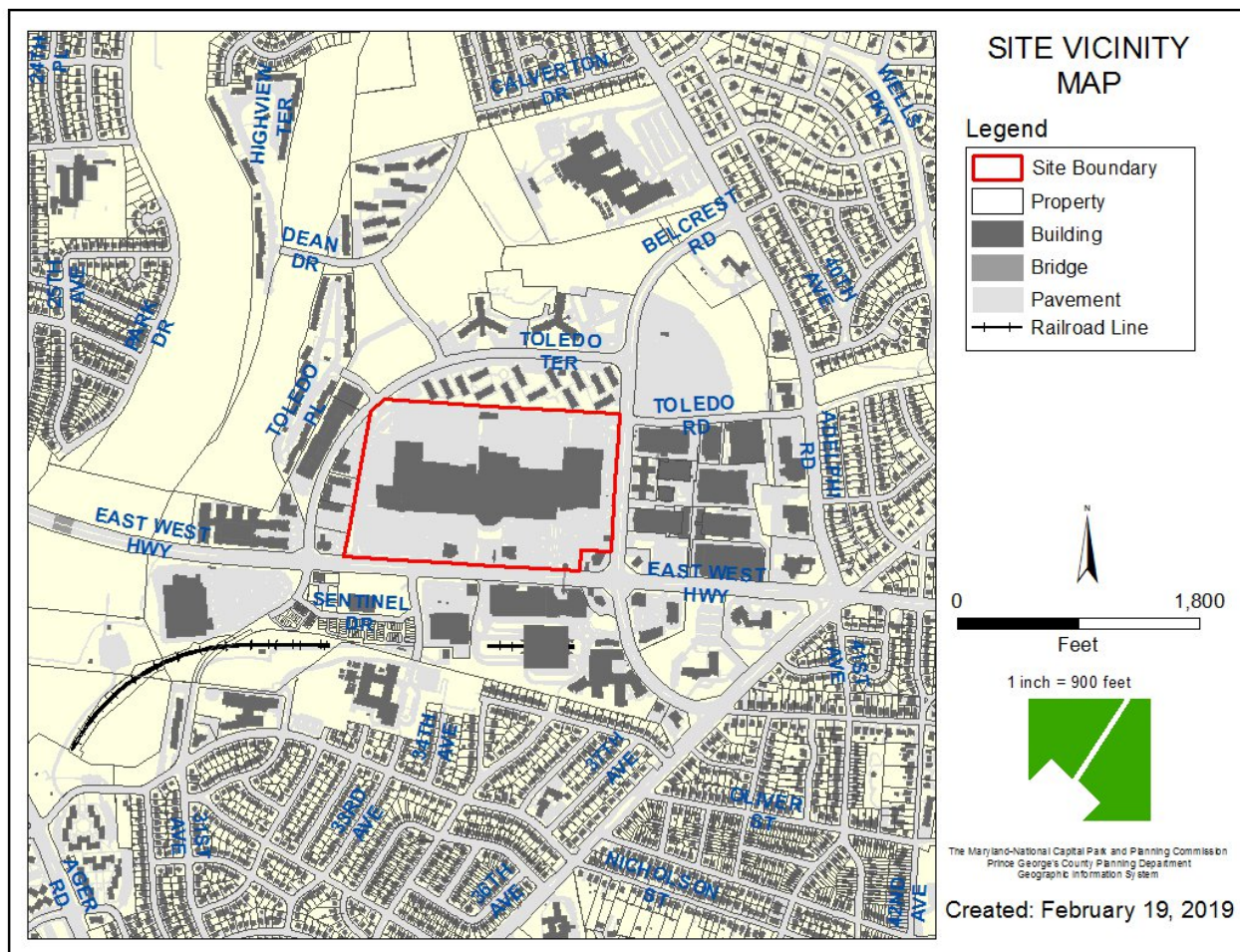
Detailed Site Plan

DSP-99044-17

Application	General Data	
Project Name: Mall at Prince George's Plaza - Miller's Ale House Location: In the northwest quadrant of the intersection of MD 410 (East West Highway) and Belcrest Road, approximately 1,600 feet west of the intersection of MD 410 and MD 500 (Queens Chapel Road). Applicant/Address: Miller's Ale House, Inc. 5750 Major Boulevard, Suite 400 Orlando, FL 32818	Planning Board Hearing Date:	07/25/19
	Staff Report Date:	07/11/19
	Date Accepted:	05/30/19
	Planning Board Action Limit:	09/08/19
	Plan Acreage:	51.03
	Zone:	M-U-I/T-D-O
	Dwelling Units:	N/A
	Gross Floor Area:	8,285 sq. ft.
	Planning Area:	68
	Council District:	02
	Election District	17
	Municipality:	Hyattsville
	200-Scale Base Map:	208NE03

Purpose of Application	Notice Dates	
Construction of an 8,285-square-foot freestanding eating and drinking establishment on a pad site.	Informational Mailing:	02/25/19
	Acceptance Mailing:	05/30/19
	Sign Posting Deadline:	06/25/19

Staff Recommendation		Staff Reviewer: N. Andrew Bishop Phone Number: 301-952-4897 Email: Andrew.Bishop@ppd.mncppc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		



THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-99044-17
Mall at Prince George's Plaza - Miller's Ale House

The Urban Design staff has reviewed the application for the subject property and presents the following evaluation and findings leading to a recommendation of APPROVAL with conditions, as described in the Recommendation section of this report.

EVALUATION

The amendment to a detailed site plan was reviewed and evaluated for conformance with the following criteria:

- a. The requirements of the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zone*;
- b. The requirements of the Prince George's County Zoning Ordinance in the Mixed Use-Infill (M-U-I) and Transit District Overlay (T-D-O) Zones;
- c. The requirements of Preliminary Plan of Subdivision 4-97084;
- d. The requirements of Detailed Site Plan DSP-99044, and its amendments;
- e. The requirements of the 2010 *Prince George's County Landscape Manual*;
- f. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- g. The requirements of the Prince George's County Tree Canopy Coverage Ordinance; and,
- h. Referral comments.

FINDINGS

Based upon the evaluation and analysis of the subject application, the Urban Design staff recommends the following findings:

1. **Request:** The subject application is for approval of an amendment to a detailed site plan (DSP) for the construction of an 8,285-square-foot, freestanding eating and drinking establishment at The Mall at Prince George's Plaza, and a request to amend the transit district standards.

2. **Development Data Summary:**

Zone Use(s)	EXISTING M-U-I/T-D-O Integrated Shopping Center	PROPOSED M-U-I/T-D-O Integrated Shopping Center/ Eating and drinking establishment without drive through
Acreage	51.03	51.03
Building Square Footage/GFA	0	0
Total Square Footage/GFA	1,120,732	1,129,017

Parking

	MAX. PERMITTED	PROPOSED
Prince George's Plaza – 1,129,017 sq. ft. (Preferred Ratio of <4.35 spaces/1,000 sq. ft.)*	4,911*	3,347

Note: *The existing parking lot on the site was approved under previous DSPs that were subject to the 1998 *Prince George's Plaza Approved Transit District Development Plan for the Transit District Overlay Zone*, which included the specified maximum parking ratio. The subject DSP amendment proposes only the removal of parking spaces, adding stormwater management facilities, and landscaping, and is therefore exempt from the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zone* standards, per Exemption E3 on page 198.

	REQUIRED	PROPOSED
Loading Spaces for 995,758 gross leasable area (GLA) (3 per 100,000 GLA + 1 each additional 100,000 GLA)	12	27**

Note: **One new loading space is proposed for the eating and drinking establishment.

3. **Location:** The subject property is located in Council District 2 and Planning Area 68. More specifically, the project is located in the northwest quadrant of the intersection of MD 410 (East West Highway) and Belcrest Road, approximately 1,600 feet west of the intersection of MD 410 and MD 500 (Queens Chapel Road), within the property known as the Mall at Prince George's.
4. **Surrounding Uses:** The entire Mall at Prince George's site is bounded to the south by MD 410, to the north by multifamily apartments in the Mixed Use–Infill (M-U-I) Zone, to the west by commercial office space in the M-U-I Zone, and to the east by Belcrest Road. Surrounding the property are a variety of retail and multifamily uses in the M-U-I, Multifamily High Density Residential, Mixed Use–Transportation Oriented, and Multifamily Medium Density Residential Zones.
5. **Previous Approvals:** The original existing development on the site was an enclosed shopping mall that was developed in the late 1950s. The 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zone* (Prince George's Plaza TDDP and

TDOZ) retained the property in the M-U-I and Transit District Overlay (T-D-O) Zones. DSP-99044 and companion cases Primary Amendment TP-00001 and Secondary Amendment TS-99044A were originally approved in 2001. The property was also the subject of a Departure from Sign Design Standards (DSDS-440), approved in December 1991, and Departure from Design Standards DDS-515 was reviewed and approved by the Prince George's County District Council on July 10, 2001.

The original DSP-99044 was designed for Phase I of the redevelopment of the mall, and included the renovation of an existing pad site as Outback Steakhouse, a portion of the streetscape improvements along MD 410 in front of Outback Steakhouse, and redesign of the area around the east end of the shopping center.

DSP-99044-01 was for the purpose of constructing a new anchor store (Target) and the addition of two tenants at the rear of the shopping center. The Prince George's County Planning Board granted a further amendment to Standard S8 in 2003, in conjunction with approval of DSP-99044-01 in 2003.

DSP-99044-02 was for the purpose of renovating the rear (north side) of the shopping mall to improve access into the center, repaving, and incorporating additional green area, and was approved by the Planning Director in 2003.

DSP-99044-03 was to allow two-way traffic in an existing drive aisle that was previously utilized for one-way traffic for loading purposes and was approved by the Planning Director in 2005.

DSP-99044-04 was for the purpose of adding a restaurant pad site (Olive Garden) of 7,685 square feet and was approved by the Planning Board on June 21, 2005.

DSP-99044-05 was for modification of the rear elevation on the east end of the structure to accommodate new tenants and to remove 19 parking spaces, and was approved by the Planning Director in 2006.

DSP-99044-06 was for the purpose of constructing a pad site for a sit-down restaurant (Famous Dave's) of 6,574 square feet, and was approved by the Planning Board on September 11, 2008, but the restaurant was never constructed.

DSP-99044-07 was for the purpose for constructing a Chick-fil-A fast-food restaurant on Parcel A-1 and was approved by the Planning Board on October 3, 2013. The approved Chick-fil-A fast-food restaurant was appealed to the District Council on April 14, 2014. The District Council approved the use but disapproved the drive-through service and the fast-food restaurant was never constructed.

DSP-99044-08 was for the purpose of adding a retail store, T.J. Maxx, including signage, to an existing tenant site, and was approved by the Planning Director in 2013.

DSP-99044-10 was for the purpose of exterior renovations to Outback Steakhouse and changes to the entrance, and was approved by the Planning Director in 2015.

DSP-99044-12 was for the purpose of amending the building-mounted signage criteria of the Prince George's Plaza TDDP and TDOZ, to allow two 6.5-foot, building-mounted, internally-lit, channel letter signs. It was approved by the Planning Board on May 4, 2017.

DSP-99044-13 was for the purpose of constructing a building addition within the 15 percent threshold allowed by the TDDP. It was withdrawn and proceeded through the permit process.

DSP-99044-14 was for approval of an infrastructure-only DSP for construction of a pad site for a future 7,718-square-foot freestanding restaurant, which is the subject site of the current application. It was approved by the Planning Board on December 14, 2017 (PGCPB Resolution No. 17-154). In the approval of the infrastructure-only DSP, the applicant was notified that future amendments would be subject to any relevant standards of the TDDP for construction of the freestanding restaurant, which is the subject of this application.

DSP-99044-15 was for the purpose of amending the building-mounted signage criteria of the TDDP, to allow a 6.5-foot, building-mounted, internally-lit, channel letter sign for one new retail location, and was approved by the Planning Board on December 14, 2017.

6. **Design Features:** This application proposes construction of an 8,285-square-foot, freestanding eating and drinking establishment, without drive through, on a pad site at The Mall at Prince George's, that is not in conformance with the TDDP standards. The site is currently improved with a mall, which includes multiple retail stores and two freestanding restaurants. The site can be accessed from multiple locations; the main vehicular entrance at the center of the site off MD 410; a western access drive off MD 410; multiple entrances off Belcrest Road on the east; and an entrance off Toledo Terrace in the northwest corner. The existing parking compound fully encircles the mall.

The proposed eating and drinking establishment is located within the existing parking compound on the southwestern side of the site, near the western access drive off MD 410. The building is set back approximately 80 feet from MD 410 in violation of the TDDP standards and requires an amendment. The setback and freestanding nature of the proposed eating and drinking establishment, with parking surrounding the building, is characteristic of suburban design and does not reflect the more compact Main Street character envisioned in the TDDP, which would include a consistent frontage of stores and cafés lining MD 410, as discussed in detail in Finding 7 below.

The structure will front on MD 410 and proposes a nonconforming 350-square-foot outdoor patio on the eastern portion of the building, which is set back 65 feet from the roadway. The site furnishings, details, and specifications for this space were not provided on the submitted DSP. Therefore, if approved as submitted, a condition has been included in the Recommendation section of this report requiring the applicant to provide these details. Approximately 25 feet of the existing brick landscape wall that runs along the MD 410 frontage of the site is being removed, to allow for construction of a 5-foot-wide handicap-accessible ramp, and a 20-foot-wide staircase that leads to the entrance of the building, and will provide access to the facility for pedestrians from the sidewalk along MD 410.

Architecture

The proposed one-story, square building proposes a generally flat roof, which varies in height from approximately 21 to 27 feet. The façade of the building is composed of a combination of stone veneer, glass windows, dark brown and red metal trim and awnings, wood paneling, and two brown shades of exterior insulation finishing systems (EIFS). The building is finished in natural colors and proposes a high-profile roof near the main entrance to the building. The entrance vestibule projects from the building and is accented by stone veneer, which is proposed along the base of all sides of the building. The main entrance includes double glass doors with a metal trellis and building-mounted lighting proposed above the building entry.

Commercial-grade, glass, roll-up doors are proposed on the eastern portion of the southern elevation, with wood paneling shown along the roofline. The roll-up doors open to the partially covered patio, which includes a steel colonnade. Sliding glass doors are shown on the western portion of the elevation and provide balanced fenestration. The sliding glass doors and roll-up doors are accented by metal awnings, which provide architectural interest and are the subject of an amendment to the TDDP architectural standards.

The eastern elevation faces the existing parking compound and main entrance to the mall. The glass roll-up doors and wood paneling are repeated on the southern portion of this elevation, and stone veneer is proposed along the water table of the building. Metal awnings are shown over the doors, and vertical pilasters are proposed in a complimentary color on the northern portion of the eastern elevation to break up the building's mass.

The western elevation faces the existing access drive to the mall and proposes stone veneer at the base of the building and vertical pilasters across the building face. Metal awnings are proposed above three smaller windows on the building face.

The northern elevation, which functions as the service side, faces the mall and the existing parking compound and is not visible from the street. This elevation continues the same building materials, as proposed on the other elevations of the building, and shows a balanced composition of stone, EIFS, and vertical pilasters in a complimentary color to break up the building's mass.

Staff notes that the architectural elevations provided with the DSP do not show a scale, and do not include dimensions. Therefore, the applicant shall revise the architectural elevations to provide a scaled drawing with dimensions showing the building height. Conditions have been included herein requiring these revisions.

Lighting

The proposed pole-mounted lighting in the parking area, near the building and throughout the site, was found to be acceptable with DSP-99044-14. The pole-mounted lighting is not proposed to change with this application. However, it is noted that additional building-mounted lighting is shown on the building elevations to accent the building and the entrance. Details of the building-mounted lighting proposed on the elevations and above the building entrance have been provided, as required. Staff notes that these lights are low profile and do not create architectural interest or are reflective of the architectural quality and style that the TDDP is trying to create. Therefore, staff recommends that the building-mounted lights be revised to a style and character that visually relay the interest of the site (and use) and to complement the recent façade improvements at the Mall at Prince George's Plaza. These lights shall be consistent with the TDDP standards and include a full cutoff. Conditions have been included in the Recommendation section of this report requiring that the applicant provide revised building-mounted lighting prior to certification.

Signage

Three identical building-mounted signs are proposed with this DSP and are shown on all sides of the building, except the west. Each sign is located at a consistent height of approximately 17 feet above the sidewalk. The signs are generally placed above the windows on the building face and line up with the edge of the window. Each sign measures approximately 90 square feet and states the tenant's name.

A diagram referenced in the TDDP shows that the maximum allowed building-mounted sign height is 36 inches, or 3 feet. The signs proposed with this application are 38 inches in height. Therefore, a condition has been included in the Recommendation section of this report requiring that the applicant reduce the sign's height to the maximum dimension of 36 inches, as allowed by the TDDP.

Two additional signs are located on the southern building elevation and appear to be menu boards or display boards for advertisements, such as daily specials. Details have not been provided with this application and are required. Therefore, a condition has been included in the Recommendation section of this report requiring the applicant to provide details showing the materials and specifications for this additional signage prior to certification. No freestanding signage is being proposed with this application.

COMPLIANCE WITH EVALUATION CRITERIA

7. **2016 Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zone**—This development includes an 8,285-square-foot building and the associated pedestrian and vehicular circulation for a freestanding eating and drinking establishment, excluding drive-through service. The subject site is located within the Downtown Core Character Area of the TDDP. The downtown core is the transit district's central activity hub, with a mix of residential, retail, and office development framing lively walkable streets. These pedestrian-friendly streets are envisioned to be lined with cafés and stores, which draw commuters between the Prince George's Plaza Metro Station and the Mall at Prince George's, activating the streetscape. The parking lot at the mall is envisioned to be developed with new buildings, such as the one proposed with this application, and help reposition MD 410 from a local commuter route to a true Main Street. The TDDP uses urban design standards to implement the plan's vision for the Downtown Core Character Area, and the applicable standards have been evaluated as a part of the DSP process.

The submitted application and justification materials indicate the applicant's desire to deviate from a number of transit district standards to accommodate the development as proposed on the subject property. Per Section 27-548.08(c)(3) of the Prince George's County Zoning Ordinance, these alternate standards may be approved if they can be found to benefit the proposed development and the transit district and not substantially impair implementation of the TDDP. These alternate standard requests, along with other standards, warrant discussion, as follows (all page numbers reference the TDDP):

- a. **Streets and Frontage, Frontage Zones (page 208)**

The building is required by the TDDP to be placed no further than 25 feet from the back of the curb along MD 410, and the applicant is proposing the building with a setback of approximately 80 feet. They state that an existing sidewalk, streetlights, seatwall, and landscaping runs along the entire frontage of the site, which creates a consistent streetscape along MD 410. This existing condition would need to be substantially removed or altered to adhere to this standard.

In addition, the applicant states that the building is placed on the site in its current location to allow space for the required stormwater facilities, which have been mostly placed between the building and the sidewalk. The proposed stormwater facilities have received technical approval from the Prince George's County Department of Permitting, Inspections, and Enforcement (DPIE) and construction has commenced on some of the

related improvements, so any changes to the building location would require potential changes to the stormwater facilities. The applicant claims that in designing the site, the required setback cannot be met and the location of the building cannot be moved without major negative cost implications, which would impact the development. Therefore, the applicant is unable to strictly adhere to the frontage requirement and requests an amendment to this standard.

The TDDP provides a clear vision for the future transformation of MD 410 from an auto-dominated roadway into a vibrant, pedestrian- and bike-friendly environment, complete with cafés, outdoor dining and street furniture, store frontage, and a consistent building face to activate the streetscape.

The requested amendment to the maximum 25-foot build-to line to allow an 80-foot setback perpetuates suburban typologies and is inconsistent with the strategies and one of the main purposes of the TDDP, to transform MD 410. Further, the proposed setback is inconsistent with the vision for the downtown core, which includes the mall parking lot being fully redeveloped with new buildings that help reposition MD 410 from a local commuter route to a true Main Street (page 70). For these reasons, the requested amendment does not benefit the proposed development and the transit district and substantially impairs the TDDP.

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. The applicant must demonstrate that any requested modification to allow a departure from the maximum 25-foot build-to line will be effectively mitigated by installing design features that will ensure an inviting pedestrian experience.

During this review, staff requested that the applicant relocate the building and/or include additional elements to activate the streetscape and mitigate the layout's deficiency, with regard to the required building setback from MD 410. However, the applicant did not revise the site plan sufficiently, but rather added a slightly widened sidewalk with some furnishings, and a small outdoor dining area adjacent to the front of the building. In addition, staff followed up with DPIE and, in an email dated July 3, 2019 (Snyder to Bishop), incorporated herein by reference, the district engineer indicated that the applicant will be able to move the building forward and relocate the front micro-bioretenement facility to the left and right sides. In addition, the email indicated that such a revision would be considered minor, the application would be grandfathered from the recently revised stormwater management (SWM) requirements, and the redesign of the site's layout should not require a site development concept plan revision.

Therefore, as a result of DPIE's email noting that the site layout can be revised without revising the applicant's stormwater concept, staff created an exhibit that provides an alternative building location, which is closer to meeting the TDDP standard. Strict conformance to the maximum 25-foot build-to-line would place the proposed building within the existing sidewalk, which runs along and within the front of the entire mall property. This existing sidewalk serves as a pedestrian through-access to the Metro station for users throughout the transit district. Staff's recommended revised site layout preserves the location of the existing sidewalk, avoiding an awkward jog, and moves the building five feet behind it to accommodate the door swing of the building without impeding pedestrian traffic. The revised plan moves the building 35 feet behind the curb of MD 410 and recommends program elements, design features, and site furnishings that

would comply with the TDDP standards and activate the streetscape without requiring unreasonable cost or deviating substantially from the utility of the proposed development for its intended use.

The applicant should create a design adjacent to MD 410 to activate the streetscape consistent with the TDDP standards. Design solutions should include site furnishings, architectural treatments, designed stormwater techniques, enhanced lighting, textures, patterns, and art to enhance the streetscape. These design alternatives will help create an attractive pedestrian experience and enhance the streetscape along MD 410, as envisioned by the TDDP. Therefore, conditions have been included in the Recommendation section of this report requiring the relocation of the building to maintain the existing sidewalk and create a consistent frontage along the mall property, and relocation of the outdoor dining area to the eastern and western sides of the building. If the plan is amended, as conditioned, to activate the streetscape, staff recommends **approval** of an amendment to allow a maximum 35-foot build-to-line because it will benefit the proposed development and transit district and will not substantially impair the implementation of the TDDP.

b. **Architectural Elements, Awnings (page 256)**

The TDDP does not permit metal, plastic, and backlit awnings as building elements. The application is proposing colored metal awnings and the applicant states that these are characteristic of the style, identification, and branding for the eating and drinking establishment. Staff notes that the amount of metal awning is a small percentage of the total building material proposed and is designed to highlight and provide articulation to the building façades. Given the limited number of metal awnings proposed and the applicant's justification, the requested amendment will benefit the proposed development and transit district and will not substantially impair the implementation of the TDDP. Staff recommends **approval** of this amendment request.

c. **Downtown Core Standards, Intent: Downtown Core Fenestration (page 266)**

The TDDP requires that façades at the ground level facing A Streets, such as MD 410, be visually permeable (clear glass windows, doors); at a minimum, 50 percent of the ground floor façade shall consist of transparent materials (glass).

The applicant has requested an amendment to this standard to allow for less than the required amount of glass and open fenestration on the façade and proposes visual permeability facing the street varying from 28 to 42 percent. The applicant states that the proposed open dining area created by the roll-up door and the open patio create visual openness and visual interest to enhance the streetscape. Staff agrees that this does improve the viewshed during certain times of the year, but believes that this standard can easily be met through alternative design solutions, such as enlarging or providing additional roll-up doors and through expansion of the patio area, as conditioned. For these reasons, staff recommends **disapproval** of this amendment request.

d. **Downtown Core Standards, Intent: Downtown Core Mixed-Use and Nonresidential Buildings (page 267)**

The TDDP requires the minimum clear height of retail space and of storefront fenestration to be 14 feet.

The applicant has requested an amendment to this standard to allow for less than the required height of the storefront fenestration and is proposing a minimum height of approximately 10 feet at the entrance and roll-up doors on the building. The applicant

states that raising the heads of the windows to comply with the minimum height would result in mechanical and structural systems being visible through the windows, and has included the outdoor patio and architectural pilasters on the sides of the building to create height. Given the applicant's justification, the requested amendment will benefit the proposed development and transit district and will not substantially impair implementation of the TDDP. Staff recommends **approval** of this amendment request.

8. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the M-U-I and T-D-O Zones of the Zoning Ordinance:
- a. The proposed eating and drinking establishment, excluding drive-through service, is permitted in the M-U-I Zone within the Prince George's Plaza TDDP.
 - b. Section 27-546.19(c), Site Plans for Mixed Uses, of the Zoning Ordinance requires that:

(c) A Detailed Site Plan may not be approved unless the owner shows:

- 1. **The site plan meets all approval requirements in Part 3, Division 9;**
- 2. **All proposed uses meet applicable development standards approved with the Master Plan, Sector Plan, Transit District Development Plan, or other applicable plan;**

The site plan, as conditioned, represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use, and meets the development standards of the Prince George's Plaza TDDP, except for those alternative standards as discussed in Finding 7 above.

- 3. **Proposed uses on the property will be compatible with one another;**
- 4. **Proposed uses will be compatible with existing or approved future development on adjacent properties and an applicable Transit or Development District; and**

The application proposes an eating and drinking establishment on a pad site within the existing shopping center site. The proposed use will be compatible with the other commercial uses on the north side of MD 410 and the new residential uses on the south side of MD 410.

- 5. **Compatibility standards and practices set forth below will be followed, or the owner shows why they should not be applied:**
 - (A) **Proposed buildings should be compatible in size, height, and massing to buildings on adjacent properties;**
 - (B) **Primary façades and entries should face adjacent streets or public walkways and be connected by on-site walkways, so pedestrians may avoid crossing parking lots and driveways;**

- (C) **Site design should minimize glare, light, and other visual intrusions into and impacts on yards, open areas, and building façades on adjacent properties;**
- (D) **Building materials and color should be similar to materials and color on adjacent properties and in the surrounding neighborhoods, or building design should incorporate scaling, architectural detailing, or similar techniques to enhance compatibility;**
- (E) **Outdoor storage areas and mechanical equipment should be located and screened to minimize visibility from adjacent properties and public streets;**
- (F) **Signs should conform to applicable Development District Standards or to those in Part 12, unless the owner shows that its proposed signage program meets goals and objectives in applicable plans; and**
- (G) **The owner or operator should minimize adverse impacts on adjacent properties and the surrounding neighborhood by appropriate setting of:**
 - (i) **Hours of operation or deliveries;**
 - (ii) **Location of activities with potential adverse impacts;**
 - (iii) **Location and use of trash receptacles;**
 - (iv) **Location of loading and delivery spaces;**
 - (v) **Light intensity and hours of illumination; and**
 - (vi) **Location and use of outdoor vending machines.**

The applicable T-D-O Zone has multiple compatibility standards and guidelines regarding building placement, orientation, design, lighting, outdoor storage, and signage. The proposed development is consistent with all applicable T-D-O Zone standards, except for those amended as discussed in Finding 7 above. The subject site is currently used as a surface parking lot for the shopping center. The proposed building is compatible in size and height with the existing buildings on the property and the primary façade faces the street. The site design minimizes visual intrusion onto adjacent properties and the signs will conform to the TDDP standards, if revised as conditioned. The location of loading and trash is appropriate to minimize adverse impacts on adjacent properties.

- c. Pursuant to Section 27-548.08(c)(2), the following findings shall be made by the Planning Board when approving a DSP in the T-D-O Zone:

- (A) **The Transit District Site Plan is in strict conformance with any mandatory requirements of the Transit District Development Plan;**

The DSP requests construction of a freestanding eating and drinking establishment, and proposes four amendments to the design standards, which differ from the TDDP. However, if revised as conditioned in this technical staff report, these amendments will not substantially impair implementation of the TDDP and will benefit the proposed development and transit district.

(B) The Transit District Site Plan is consistent with, and reflects the guidelines and criteria for development contained in, the Transit District Development Plan;

The DSP is generally consistent with the TDDP and proposes development that is consistent with the mall property. It is noted that the subject site is currently being used for parking and the subject application, if approved as conditioned, will reduce the number of parking spaces, encourage metro ridership, reduce the burden on the surrounding road network, and encourage redevelopment of this area and, thereby conforms with the purposes of the TDDP.

(C) The Transit District Site Plan meets all of the requirements of the Transit District Overlay Zone, and applicable regulations of the underlying zones, unless an amendment to the applicable requirement or regulation has been approved;

The subject DSP has been reviewed for conformance with all the requirements and applicable regulations of the underlying zone, which are the M-U-I Zone and T D-O Zone standards, except four amendments that staff has recommended for approval. Staff concludes that the DSP meets the requirements of the T-D-O and M-U-I Zones.

(D) 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 Transit District Overlay Zone;

Site features, with respect to landscaping and vehicular circulation systems, were approved with DSP-99044-14, and the minor adjustments to these features proposed in this application will not substantially change that finding. The signage and building designs proposed with this application are high quality and adequate to meet the purposes of the T-D-O Zone. However, the building location, open spaces, and pedestrian system have been found to be inadequate to meet the purposes of the T-D-O Zone. Therefore, conditions have been included in the Recommendation section of this report requiring redesign of the frontage along MD 410.

(E) Each structure and use, in the manner proposed, is compatible with other structures and uses in the Transit District, and with existing and proposed adjacent development; and

The DSP proposes a building that is compatible with the other adjacent eating and drinking establishments and the overall integrated shopping center uses. It's approval will allow opportunities for outdoor dining and enhancement of

the streetscape, if approved as conditioned, and be a catalyst for future development and redevelopment along MD 410.

- (F) **Requests for reductions from the total minimum required parking spaces for Transit District Overlay Zones pursuant to Section 27-548.09.02 of the Zoning Ordinance, meets the stated location criteria and are accompanied by a signed Memorandum of Understanding between a car sharing corporation or company and the applicant.**

The T-D-O Zone has a maximum allowed parking requirement, and the reduction in parking by constructing the eating and drinking establishment meets the parking-related requirements and does not require a Memorandum of Understanding.

9. **Preliminary Plan of Subdivision 4-97084:** The property is the subject of Preliminary Plan of Subdivision (PPS) 4-97084, which was approved by the Planning Board on January 8, 1998 (PGCPB Resolution No. 97-355), subject to four conditions. The following conditions are applicable to the review of this DSP:

1. **There shall be no additional direct access to MD 410 or Belcrest Road from either parcel within the subdivision.**

The DSP does not show any direct access to MD 410 or Belcrest Road from the proposed eating and drinking establishment.

3. **The following note shall be placed on the Preliminary Plat prior to signature approval and on the Final Plat:**

This subdivision conforms to the requirements of the 1991 Adopted and Approved Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone (TDOZ). Its approval in no way precludes the ultimate realization of the current TDOZ vision for this property: an eight-story community landmark hotel. This subdivision is solely for the purpose of refinancing and is not to be used as justification for any amendment to the TDOZ. This note is not to be construed as a use restriction on this property.

The note stated in Condition 3 was included in the record plat as plat note 1. The 1991 TDDP established a development capacity for this site, which would have been the capacity generally established with the PPS. Conformance to the requirements of the 1991 TDDP for the purpose of PPS conformance, and the 2016 Prince George's Plaza TDDP has been reviewed and is adequate.

4. **The following note shall be placed on the Final Plat of Subdivision:**

"Any additional physical development on this property shall require Detailed Site Plan approval."

The property was recorded in Plat Book VJ 186-9 on April 2, 1999. The record plat contains a note reflecting Condition 4. The applicant has submitted this revised DSP for the subject property, in part to address the requirement of Condition 4 above.

The condition for the DSP with the PPS was based on a finding that reiterated the existing zoning requirement for DSPs and was not independently required by the Planning Board pursuant to Subtitle 24. Subsequent to approval of the PPS, the zoning changed and therefore the independent requirement for a DSP by a condition of the PPS is no longer valid, based on the findings contained in the resolution of approval of the PPS. The site is subject to a DSP based on the T-D-O Zone, and not by condition of the PPS.

10. **Detailed Site Plan DSP-99044 and its amendments:** DSP-99044 was approved for construction of the Prince George's Plaza Shopping Center on April 12, 2001 (PGCPB Resolution No. 1-77). The site plan was subsequently revised 15 times. None of the approvals have any conditions that are applicable to the review of this DSP.
11. **2010 Prince George's County Landscape Manual:** Per page 190 of the Prince George's Plaza TDDP, the TDDP standards replace the comparable standards in the 2010 *Prince George's County Landscape Manual* (Landscape Manual). For standards not covered in the TDDP, the Landscaper Manual shall serve as the requirement, unless explicitly stated otherwise.

The proposed development is subject to Section 4.2, Requirements for Landscape Strips along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements, of the Landscape Manual. The subject DSP does not substantially change the findings of conformance made for the subject development with the previous relevant approval, DSP-99044-14. The landscaping proposed with this DSP revises some of the placement and quantities.

The plant schedule has been revised to indicate the quantity and species of landscaping, but some of the landscape schedules showing conformance to the Landscape Manual have not been revised to reflect the additional landscaping that is proposed with this application. Therefore, a condition has been included in this report requiring the applicant to revise the landscape schedules as appropriate, to reflect the newly proposed plant material.

It should be noted that the prior approval included a condition that required the applicant to submit a Certificate of Landscape Maintenance, in accordance with Section 1.7, to indicate that the required landscaping on-site has been provided or replaced prior to approval of use and occupancy permits for the freestanding restaurant, and this condition is still applicable to the subject application.

12. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The proposal is not subject to the requirements of the Woodland and Wildlife Habitat Conservation Ordinance because it will not affect the previously approved Type II Tree Conservation Plan, TCPH-100-00.
13. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage on projects that proposed more than 5,000 square feet of disturbance. The subject DSP provides the appropriate schedule demonstrating conformance to this requirement by the provision of a minimum of 10 percent of the subject site in proposed plantings.

14. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows, and are incorporated herein by reference:

- a. **Historic Preservation**—In a memorandum dated June 12, 2019 (Stabler to Bishop), the Historic Preservation Section noted that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject property is low. A Phase I archeology survey is not recommended on the subject property, and this application will not impact any historic sites, historic resources, or known archeological sites.
- b. **Community Planning**—In a memorandum dated June 27, 2017 (Sams to Bishop), the Community Planning Division offered an in-depth discussion of the DSP's conformance with the TDDP that has been incorporated into Finding 7 above. It was noted that the 2016 *Approved Prince George's Plaza Transit District Overlay Zoning Map Amendment* reclassified the subject property into the M-U-I Zone, while retaining it within the superimposed T-D-O Zone. In addition, an analysis was provided relative to the Plan Prince George's 2035 Approved General Plan.
- c. **Transportation Planning**—In a memorandum dated June 19, 2019 (Masog to Bishop), the Transportation Planning Section noted that there were no specific transportation requirements related to the prior approvals, and determined that this plan is acceptable and meets the finding required for a DSP, as described in the Zoning Ordinance.

Access and circulation are acceptable. MD 410 is a master plan arterial facility. Adequate right-of-way has been previously dedicated or deeded, no further dedication is required of this site. Two other master plan roadways abut the overall site, but are not adjacent to the pad site. Belcrest Road is a master plan collector roadway with a proposed width of 100 feet. Toledo Terrace is a master plan commercial roadway with a proposed width of 70 feet. In both cases, the current right-of-way widths are adequate, and no additional dedication is required of this site.

Given the long history of the development of the site, a discussion of the history and the associated trip cap for the Mall at Prince George's site was provided, and summarized, as follows:

PPS 4-97084 was approved pursuant to the 1992 *Approved and Adopted Transit District Development Plan for the Prince George's Plaza Transit District Overlay Zone*. The traffic analysis within this document (page 118) was based on uses generating 190 AM and 300 PM additional peak-hour trips for the mall site. For purposes of understanding what was considered when the Planning Board approved PPS 4-97084, the staff believes that the 190 AM and 300 PM additional peak-hour trips constitutes a trip cap for the overall site.

When the 1992 TDDP and the last traffic analysis were done, based on a review of plans and aerial photography, it is believed that 960,757 square feet existed on the site. That amount of retail space would generate 506 AM and 2,319 PM peak-hour trips. With the additional development that was analyzed for the 1992 TDDP added to the existing development in 1992, the Transportation Planning staff determined that the trip quantities

of 696 AM and 2,619 PM peak-hour trips constitute the trip cap for the entire Mall at Prince George's site.

Over time, approximately 68,065 square feet were razed, and an additional 228,040 square feet were constructed. These numbers are approximate and are developed by comparing the current plans for the subject site, less the proposed eating and drinking establishment. It appears that site plan boundaries have consistently included both Parcels A-1 and A-2, and it is believed that both banks near the intersection of MD 410 and Belcrest Road are included in all development quantities shown on the plans.

It is determined that the site, as it exists today, is developed with 1,120,732 square feet. That amount of retail space would generate 570 AM and 2,599 PM peak-hour trips. There appears to be no outstanding, valid, approved development that is unbuilt and would need to be counted. DSP-99044-07 approved an eating and drinking establishment (Chick-fil-A) of 5,105 square feet near the southwestern corner of the site that has never been built, but the current proposal for the site subsumes most of the area proposed to be developed by that plan.

With the addition of the square footage proposed by this plan, the approval would be for 1,129,017 square feet. That amount of retail space would generate 573 AM and 2,613 PM peak-hour trips. Therefore, it is believed that the development proposed by this site plan is within the presumed trip cap of 596 AM and 2,619 PM peak-hour trips approved by PPS 4-97084.

Under the trip rates in use today, it appears that a total of 1,132,600 square feet, or an additional 3,583 square feet, can be approved within the overall Mall at Prince George's site under the trip cap.

- d. **Subdivision Review**—In a memorandum dated June 21, 2019 (Davis to Bishop), the Subdivision and Zoning Section offered an analysis of the DSP's conformance with the PPS conditions, which are incorporated into Finding 9 above. The subdivision issues have either been addressed through revisions to the plans or through conditions included in the Recommendation section of this report.
- e. **Trails**—In a memorandum dated June 21, 2019 (Shaffer to Bishop), the trails coordinator analyzed the DSP for conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the TDDP in addition to the previous conditions of approval. The streetscape along MD 410 was constructed consistent with Condition 5 of DSP-99044. It appears to comply with the tree and furnishing zone and sidewalk clear zone required in Table 42 of the TDDP. One sidewalk connection is provided from the public right-of-way along MD 410 and the building entrance. A plaza/patio area has been added to the plans, which integrates the building with the streetscape along MD 410, consistent with Condition 5 of DSP-99044. Bike parking is indicated on the DSP, consistent with Strategy TM8.4 of the TDDP. Handicap-accessible ramps, crosswalk markings, and signalization have been provided across MD 410 at Editor's Park Drive, consistent with Strategy TM4.4 of the TDDP. The trail issues have been addressed and no conditions of approval were proposed.
- f. **Permit Review**—In a memorandum dated June 12, 2019 (Larman to Bishop), the Permit Review Section provided comments that have either been addressed through revisions to the plans or through conditions included in the Recommendation section of this report.

- g. **Environmental Planning**—In a memorandum dated June 19, 2019 (Juba to Bishop), the Environmental Planning Section noted that a Natural Resources Inventory Equivalency Letter (NRI-080-12-01) has been issued for the site, and that TCPII-100-00 was approved on August 7, 2001. The DSP demonstrates that the proposed development will not result in any significant changes to the limits of disturbance of the previously approved TCPII-100-00 or create any additional impacts to any regulated environmental features. In addition, it was noted that the site has an approved SWM Concept Plan (10794-2017-00) that is valid until April 17, 2020. The Environmental Planning Section recommends approval of the application, with no conditions, and no revision to the TCPII is required.
- h. **Prince George's County Fire/EMS Department**—At the time of the writing of this technical staff report, the Fire/EMS Department did not offer comments on the subject application.
- i. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated June 20, 2019 (Giles to Bishop), DPIE offered numerous comments on the subject application that have been provided to the applicant. These comments will be addressed through DPIE's separate permitting process.
- j. **Prince George's County Police Department**—At the time of the writing of this technical staff report, the Police Department did not offer comments on the subject application.
- k. **Prince George's County Health Department**—At the time of the writing of this technical staff report, the Health Department did not offer comments on the subject application.
- l. **Maryland State Highway Association (SHA)**—In an email dated June 05, 2019 (Woodruffe to Bishop), SHA indicated that they have no comments or objections for the subject application.
- m. **City of Hyattsville**—At the time of the writing of this technical staff report, the City of Hyattsville has not offered comments on the subject application. The application will be heard at the City Council meeting on July 15, 2019, and a city representative will provide comments at the Planning Board hearing.

RECOMMENDATION

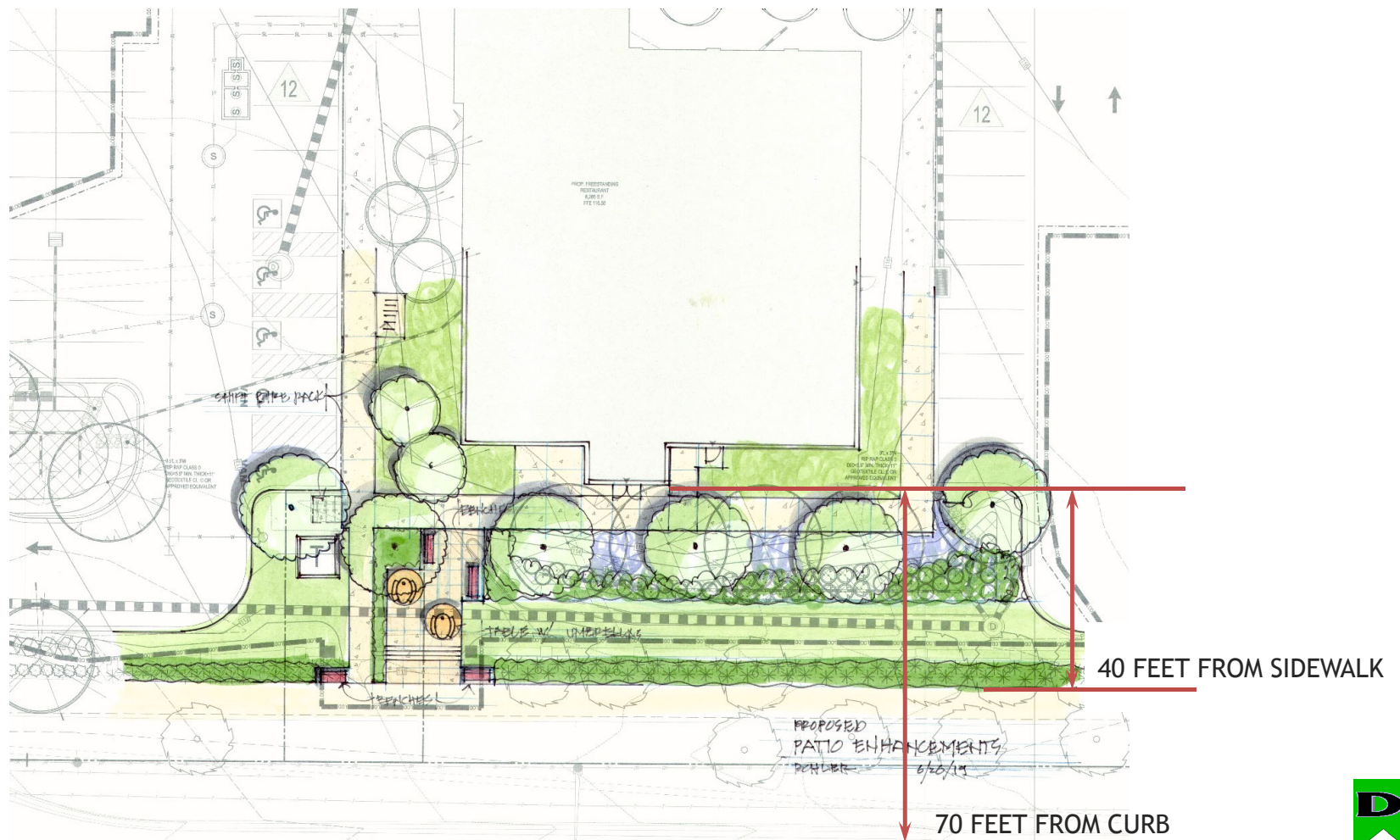
Based upon the foregoing evaluation, analysis, and findings, the Urban Design staff recommends that the Planning Board adopt the findings of this report and:

- A. **APPROVE** the alternative development standard of the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zone* for:
 - 1. **Streets and Frontage, Frontage Zones** (page 208): To permit an increase in the maximum build-to line to 35 feet from the back of curb of MD 410 (East West Highway), and relocate the building to five feet from the north side of the existing sidewalk, subject to conditions requiring frontage improvements.

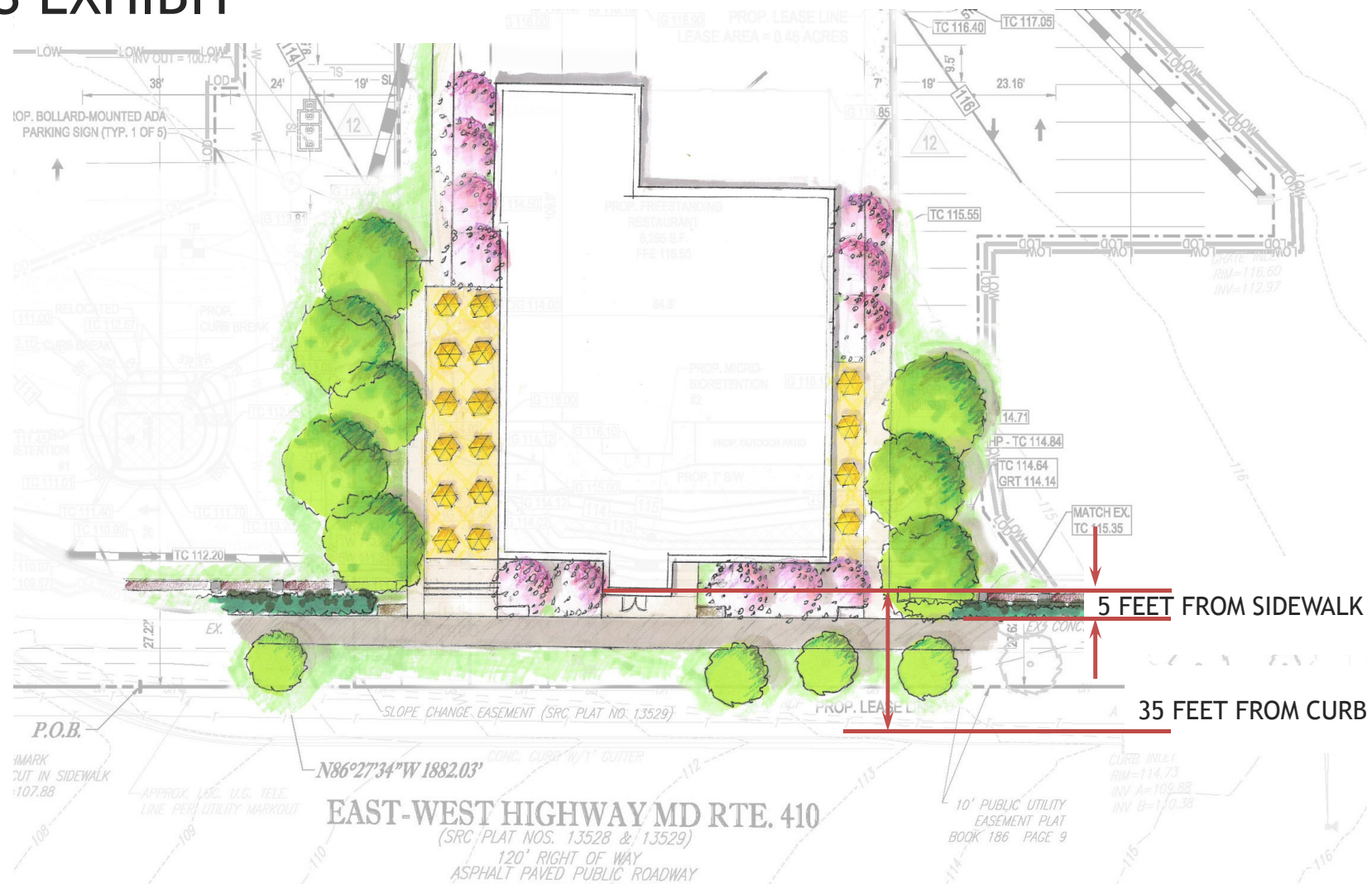
2. **Architectural Elements, Awnings** (page 256): To allow the use of metal awnings on the building.
 3. **Downtown Core Standards, Intent: Downtown Core Mixed-Use and Nonresidential Buildings** (page 267): To allow a reduced minimum clear height of retail space and storefront fenestration of only 10 feet.
- B. DISAPPROVE the alternative development standard of the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zone* for:
1. **Downtown Core Standards, Intent: Downtown Core Fenestration** (page 266): To allow less than 50 percent of the ground floor façade facing MD 410 (East West Highway) to be transparent materials (glass).
- C. APPROVE Detailed Site Plan DSP-99044-17 for the Mall at Prince George's Plaza – Miller's Ale House, subject to the following conditions:
1. Prior to certification, the detailed site plan (DSP) shall be revised, or additional information shall be provided, as follows:
 - a. Update the Mall Additions table on Sheet 6 and the calculations in the general notes on Sheet 4, so that the total square footage reflects the accurate square footage of the proposed restaurant building.
 - b. Revise the general notes on Sheet 4 to include reference to the site's record plat, VJ 186-9.
 - c. Revise the overall site plan (Sheet 4) so that the bearings and distances and the 10-foot-wide public utility easement are clear and legible, in accordance with the record plat.
 - d. Revise the architectural elevations to provide:
 - (1) Alternative building-mounted lighting to accent the building's architecture and compliment the surrounding site and uses.
 - (2) A scaled drawing with dimensions showing the building height.
 - (3) A minimum of 50 percent of the façade facing MD 410 (East West Highway) to consist of transparent materials (glass).
 - e. Reduce the proposed sign dimension to conform with the maximum height of 36 inches allowed by the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zone*.
 - f. Provide details and specification for the menu boards shown on the southern building elevation.
 - g. Revise the site plan to clarify that the proposed 8,285-square-foot eating and drinking establishment is included in the parking and loading schedule.

- h. Revise the site plan to label the height of the proposed restaurant on the building layout.
- i. Provide the site furnishings, details, and specifications for the outdoor seating/dining area.
- j. Revise the landscape schedules to show conformance to the 2010 *Prince George's County Landscape Manual*, as appropriate, to account for the newly proposed plant material.
- k. Revise the site plan, to be reviewed and approved by the Urban Design Section, as designee of the Prince George's County Planning Board, in accordance with staff's exhibit, to include the following elements:
 - (1) Move the entire building a maximum of 35 feet from the back of the curb of MD 410 (East West Highway).
 - (2) Relocate the stormwater facilities to the southeast and southwest of the building and adjust the proposed parking layout, as necessary.
 - (3) Remove the existing brick wall along the entire length of the building's frontage on MD 410 (East West Highway).
 - (4) Relocate the outdoor seating/dining area, adjacent to the east and/or west sides of the building, and use architectural elements, such as a pergola or wall to define the space.
 - (5) Provide site furnishings, with details and specifications, along the building's frontage on MD 410 (East West Highway) to improve the pedestrian experience and streetscape.
 - (6) Introduce a gateway feature at the intersection of the access drive and MD 410 (East West Highway), west of the building.

APPLICANT'S SUPPORTING EXHIBIT



STAFF'S EXHIBIT





Hyattsville City Council Agenda Item Report

Meeting Date: July 15, 2019

Submitted by: Jim Chandler

Submitting Department: Community & Economic Development

Item Type: Memorandum of Understanding

Agenda Section:

SUBJECT

Armory Apartments – Maryland Historical Trust MOU (10 minutes)

HCC-5-FY20

Recommendation:

I move the City Council authorize the City Administrator to execute a Memorandum of Understanding with the Maryland Historical Trust and Urban Investment Partners for the purpose of detailing specific mitigation requirements for the Armory Apartments project, to be located along the 5300 block of Baltimore Avenue, Hyattsville.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Memo_-_Armory_Apartments_MHT_MOU_-_July_2019.docx](#)

[Hyattsville_MOA_draft_7.9.19_MHT_Final_Draft.docx](#)

Summary Background:

In 2018, the City of Hyattsville sponsored a Maryland Department of Housing & Community Development demolition grant from Urban Investment Partners (UIP).

Maryland DHCD awarded the Armory Apartments project a \$250,000 from the newly created National Capital Strategic Economic Development Fund (NCSEDF). The NCSEDF requires mitigation of sites which may be adversely affected by adjacent development. The Armory Apartments is adjacent to the former Maryland State Armory, a designated historic site, which includes a historic easement.

The mitigation required by will include salvaging of materials, revisions to exterior treatments, incorporation of interpretive signage, interior historic displays and review consultations. MHT has developed the attached memorandum which specifies the required mitigation plan, which has been incorporated into the attached memorandum of understanding, which requires signature by all parties. MHT and Urban Investment Partners (UIP) have verbally consented to the required mitigation.

Next Steps:

The MOU will be signed by all parties and an executed copy of the MOU will be provided to the City.

Fiscal Impact:

N/A

City Administrator Comments:

Recommend Support

Community Engagement:

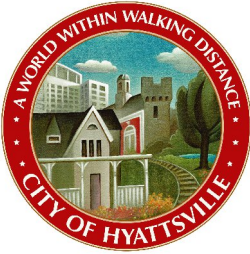
Maryland Historic Trust has reviewed the project, has met with City Staff and representatives from local historic preservation organizations, the Hyattsville Preservation Association, Anacostia Trails Heritage Area (ATHA) and the Prince George's County Historic Preservation Commission to assess the impacts of the Armory Apartments project.

Strategic Goals:

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

Legal Review Required?

Complete



Memo

To: Mayor and Council
Tracey Nicholson, City Administrator

From: Jim Chandler, Director of Community & Economic Development, Assistant City Administrator

CC: Kate Powers, City Planner

Date: July 10, 2019

Re: Armory Apartments Maryland Historical Trust MOU

The purpose of this memorandum is to provide the Mayor, Council and City Administrator with summary of the Memorandum of Understanding (MOU) required by State of Maryland for grant funding provided through the National Capital Strategic Economic Development Fund (NCSEDF) to support Urban Investment Partner's (UIP) Armory Apartments project.

- In 2018, the City of Hyattsville sponsored a Maryland DHCD demolition grant from Urban Investment Partners (UIP).
- Maryland DHCD awarded the Armory Apartments project a \$250,000 from the newly created National Capital Strategic Economic Development Fund (NCSEDF).
- The NCSEDF requires mitigation of sites which may be adversely affected by adjacent development. The Armory Apartments is adjacent to the former Maryland State Armory, a designated historic site, which includes a historic easement.
- Maryland Historic Trust has reviewed the project, has met with City Staff and representatives from local historic preservation organizations, the Hyattsville Preservation Association, Anacostia Trails Heritage Area (ATHA) and the Prince George's County Historic Preservation Commission to assess the impacts of the Armory Apartments project.
- The mitigation required by will include salvaging of materials, revisions to exterior treatments, incorporation of interpretive signage, interior historic displays and review consultations.
- MHT has developed the attached memorandum which specifies the required mitigation plan, which has been incorporated into the attached memorandum of understanding, which requires signature by all parties.
- MHT and Urban Investment Partners (UIP) have verbally consented to the required mitigation.

**MEMORANDUM OF AGREEMENT
AMONG
THE MARYLAND DEPARTMENT OF HOUSING AND COMMUNITY
DEVELOPMENT,
THE MARYLAND HISTORICAL TRUST,
AND
THE CITY OF HYATTSVILLE
REGARDING
HYATTSVILLE ARMORY APARTMENTS
HYATTSVILLE, MARYLAND**

WHEREAS, the City of Hyattsville proposes to use a Fiscal Year 2019 National Capital Strategic Economic Development Fund grant (the Grant) provided by the Maryland Department of Housing and Community Development (DHCD) to fund the demolition and site clearance of approximately 1.8 acres in the 5300 block of Baltimore Avenue and the construction of a mixed-use development on the vacant parcels of land (the Undertaking) in Hyattsville, Maryland (identified in Exhibit A with a black dashed line); and

WHEREAS, Urban Investment Partners (UIP) is the property owner that is carrying out the Undertaking and will be a sub-recipient of the Grant; and

WHEREAS, pursuant to the Maryland Historical Trust Act of 1985, State Finance and Procurement Article §§ 5A-325 and 5A-326 of the Annotated Code of Maryland (the Act), as amended, DHCD has consulted with the Maryland Historical Trust (MHT) regarding the identification of historic properties in the vicinity of the Undertaking; the expected effects of the Undertaking on historic properties; and ways to avoid, reduce, and mitigate adverse effects to historic properties; and

WHEREAS, DHCD has determined the Area of Potential Effect (APE) for the Undertaking consists of the Hyattsville Historic District (PG:68-10) which is listed in the National Register of Historic Places; and

WHEREAS, DHCD, in consultation with MHT, has determined that 5 of the 7 buildings on the Site that are proposed for demolition are contributing elements to the historic district and therefore the Undertaking will have an adverse effect on the historic district and buildings that contribute to the significance of the district; and

WHEREAS, UIP has demonstrated that the five contributing structures cannot be incorporated into the design of the proposed new development due to the buildings' condition, integrity, size and location on the Site; and

WHEREAS, The MHT holds a perpetual historic preservation easement (the Easement) on the Hyattsville Armory located at 5340 Baltimore Avenue (identified in Exhibit A with a yellow line) which will be impacted by the Undertaking; and

WHEREAS, DHCD has consulted with the City of Hyattsville regarding the adverse effects of the Undertaking on historic properties and has taken its comments into account during the decision to proceed with the Undertaking and has invited the City of Hyattsville as a Signatory party to this Agreement; and

WHEREAS, DHCD has consulted with UIP regarding the effects of the Undertaking on historic properties, and it has responsibilities for implementing stipulations under this Agreement and it has been invited to sign this Agreement as an Invited Signatory; and

WHEREAS, DHCD has consulted with the Anacostia Trails Heritage Area, Crossover Church, the Hyattsville Preservation Association, the Maryland National Capital Parks and Planning Commission and Preservation Maryland regarding the effects of the Undertaking on historic properties; and

WHEREAS, the City of Hyattsville has solicited comments of the public, nearby property owners and other potentially-interested parties, and have taken their comments into account during project planning and the decision to proceed with the Undertaking; and

WHEREAS, the MHT agrees that the fulfillment of the terms of this Agreement will satisfy the responsibilities of any other Maryland state agency under the requirements of the Act for the components of the project Undertaking and redevelopment that require licensing, permitting, and/or funding from Maryland state agencies; and

WHEREAS, the Signatories agree to execute this Agreement in counterparts with a separate signature page for each Signatory. The exchange of copies of this Agreement and of signature pages by facsimile or by electronic transmission shall constitute effective execution and delivery of this Agreement to the parties and may be used for all purposes. Signatures of the parties transmitted by facsimile or electronic transmission shall be deemed to be their original signatures for all purposes;

WHEREAS, this Agreement stipulates the measures that the Signatories to this Agreement agree to carry out in order to mitigate the adverse effects of the Undertaking:

NOW, THEREFORE, the Signatories agree that the Undertaking shall be carried out in accordance with the following stipulations in order to take into account the effects of the Undertaking on historic properties.

STIPULATIONS

DHCD shall ensure the following measures are carried out:

1. Minimization:

A. West Alley Side

- i. UIP will add X vegetative panels along the garage façade to minimize the visual impact on adjacent properties.
- ii. UIP will ensure that the garage door murals are maintained and replaced as necessary to ensure an attractive and clean exterior appearance.

2. Easement Design Review:

- A. UIP must work with Crossover church to submit landscaping plans to the MHT Easement Committee for review and approval by the Director of MHT per the terms of the Easement.
- B. The Undertaking must comply with any and all conditions imposed by the Easement. The landscaping improvements on the Easement property may commence once approval has been obtained.

3. Mitigation:

- A. Exterior Interpretive Signage: UIP shall develop and install two permanent interpretative exhibits to be located in the public plazas that highlight the historical significance of the Hyattsville Armory and the historic district.
- B. Architectural Salvage: Prior to initiating demolition for the Undertaking, UIP shall salvage the following architectural elements as feasible:
 - i. Architectural elements of the historic limestone façades of 5310-5314 Baltimore Avenue and 5324 Baltimore Avenue including the fluted pilasters and the center pediments with keystones and brackets.
 - ii. The Blue Bird Taxi sign shall be salvaged.
 - iii. These salvaged features shall be incorporated into common spaces of the Hyattsville Armory Apartments to the greatest extent possible.
- C. Interior Historical Displays: UIP shall display X historical images of Hyattsville in common spaces of the Hyattsville Armory Apartments building such as the lobby, fitness room, and/or art gallery.
- D. Resident Brochures: UIP shall produce brochures for new tenants that highlight the history of Hyattsville and will incorporate this information into a page on their website.
- E. UIP shall submit schematic plans for the exterior interpretive signage, interior historical displays, webpage, and resident brochures to DHCD and MHT showing the proposed locations, design, content, and schedule for installation by January 1, 2020 for comment.
 - i. If MHT makes comments regarding the appropriateness of the interpretive elements, UIP shall respond to MHT's comments and revise the designs to incorporate comments as necessary.
 - ii. UIP shall submit the final design plans for the interpretive elements including all photographic content, to DHCD and MHT to ensure that the design intent of the schematic design was carried out.
 - iii. UIP will provide DHCD and MHT with photographs of the completed installations and a copy of the final brochure.
- F. Documentation: Prior to demolition, DHCD shall document 4320 Hamilton Street, 5306 Baltimore Avenue, 5310-5314 Baltimore Avenue, and 5324-2326 Baltimore Avenue with

Maryland Inventory of Historic Property Addendum Forms (MIHP addenda) and photographs.

- i. The completed MIHP addenda shall conform to the MHT's *Standards and Guidelines for Architectural and Historical Investigations in Maryland* (Standards and Guidelines) and related submittal requirements. The black and white photographs should be sufficient to portray the resource's elevations, architectural details and their contexts, in order to provide an accurate record of the resources and their settings. The photography shall meet either MHT's traditional black and white photo requirements or its digital photo guidelines.
- ii. DHCD will ensure that MHT is provided with the required final MIHP addenda photo documentation for a thirty (30) day review period.
- iii. If MHT does not respond within the specified review period, MHT's acceptance is presumed.

G.

4. **Demolition:** UIP may proceed with the demolition of the Site without further coordination with MHT upon execution of this Agreement and execution of Stipulations 3.B. and 3.F.
5. **Amendments:** If a change occurs in the Undertaking that creates new circumstances that must be addressed, if any of the Signatories determines that it cannot fulfill the terms of this Agreement or otherwise deems it necessary to seek an amendment to this Agreement or if the Signatories agree for any other reason, this Agreement may be amended through consultation with other Signatories. Any amendment to this Agreement shall be in writing and only be effective upon the concurrence in writing of all Signatories.
6. **Dispute Resolution:** Should any signatory of this Agreement object to any actions carried out pursuant to this Agreement or any actions which are not being carried out as required by this Agreement, all of the Signatories will consult to resolve the dispute. If the dispute cannot be resolved, the Director of MHT and the Secretary of DHCD will consult and identify a resolution in accordance with the requirements of the Act and in consideration of the conditions of the Undertaking. All other requirements of this Agreement which are not the subject of the dispute will remain unchanged.
7. **Termination:** Any signatory to this Agreement may terminate it, for cause, by providing thirty (30) days' notice to other parties, provided that the parties will consult during the period prior to termination to seek agreement on amendments or other actions that would avoid termination. In the event of termination, the Director of MHT and the Secretary of the DHCD will consult in accordance with Stipulation 6 of this Agreement to determine if any additional actions are necessary to comply with the Act.
8. **Duration:** This Agreement shall be null and void if its terms are not carried out within three (3) years from the date of the last signature, unless the Signatories agree in writing to an extension for carrying out its terms.

Execution of this Agreement and implementation of its terms evidences that the requirements of the Act have been met for the Undertaking.

**MEMORANDUM OF AGREEMENT
AMONG
THE MARYLAND DEPARTMENT OF HOUSING AND COMMUNITY
DEVELOPMENT,
THE MARYLAND HISTORICAL TRUST,
AND
THE CITY OF HYATTSVILLE
REGARDING
HYATTSVILLE ARMORY APARTMENTS**

**THE MARYLAND DEPARTMENT OF HOUSING AND COMMUNITY
DEVELOPMENT**

BY: _____ DATE: _____
Kenneth C. Holt
Secretary
Maryland Department of Housing and Community Development

Approved as to form and legal sufficiency
this ____ day of _____, 20____.

Assistant Attorney General

**MEMORANDUM OF AGREEMENT
AMONG
THE MARYLAND DEPARTMENT OF HOUSING AND COMMUNITY
DEVELOPMENT,
THE MARYLAND HISTORICAL TRUST,
AND
THE CITY OF HYATTSVILLE
REGARDING
HYATTSVILLE ARMORY APARTMENTS**

MARYLAND HISTORICAL TRUST

BY: _____ DATE: _____
Elizabeth Hughes
Director, Maryland Historical Trust
State Historic Preservation Officer

**MEMORANDUM OF AGREEMENT
AMONG
THE MARYLAND DEPARTMENT OF HOUSING AND COMMUNITY
DEVELOPMENT,
THE MARYLAND HISTORICAL TRUST,
AND
THE CITY OF HYATTSVILLE
REGARDING
HYATTSVILLE ARMORY APARTMENTS**

THE CITY OF HYATTSVILLE

BY: _____ DATE: _____
Tracey Douglas
City Administrator
City of Hyattsville

BY: _____ DATE: _____
James Chandler
Assistant City Administrator
Director, Community & Economic Development
City of Hyattsville

**MEMORANDUM OF AGREEMENT
AMONG
THE MARYLAND DEPARTMENT OF HOUSING AND COMMUNITY
DEVELOPMENT,
THE MARYLAND HISTORICAL TRUST,
AND
THE CITY OF HYATTSVILLE
REGARDING
HYATTSVILLE ARMORY APARTMENTS**

URBAN INVESTMENT PARTNERS

BY: _____ DATE: _____
Brook Katzen
Senior Vice President of Development
Urban Investment Partners



Hyattsville City Council Agenda Item Report

Meeting Date: July 15, 2019
Submitted by: Ron Brooks
Submitting Department: Finance
Item Type: Budget
Agenda Section:

SUBJECT

General Fund Budget Stabilization Fund (15 minutes)

HCC-3-FY20

Recommendation:

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Hyattsville Stabilization Fund_Item Packet.pdf](#)

[General_Fund_Budget_Stabilization_Fund \(1\).docx](#)

Summary Background:

In February 2019 Council identified the creation of a stabilization fund as an FY20 budget priority and authorized the City Treasurer in collaboration with the City Attorney to develop a draft Hyattsville Budget Stabilization Fund ordinance for review and approval. The draft includes objectives, procedures, recommended budgetary funding requirements and recommendations on the annual contributions to the Budget Stabilization Fund.

The draft ordinance is scheduled for discussion and possible action on the August 5th meeting, but before that happens the administration is now submitting a policy document for Council to review, discuss, ask questions and provide input prior to drafting the ordinance.

Next Steps:

The City Attorney will draft the Budget Stabilization Fund ordinance for the August or September Council meeting.

Fiscal Impact:

Establish a new fund account to transfer between 10% to 15% of the unassigned fund balance of the general fund that will provide stability and improve long-term fiscal health and help manage budget uncertainties during volatile economics cycles.

City Administrator Comments:

See summary above.

Community Engagement:

N/A

Strategic Goals:

Goal 1 – Ensure Transparent and Accessible Governance

Legal Review Required?

Complete



Hyattsville City Council Agenda Item Report

Meeting Date: February 4, 2019
Submitted by: Laura Reams
Submitting Department: Legislative
Item Type: Ordinance
Agenda Section:

SUBJECT

FY20 Budget Priority: Hyattsville Stabilization Fund (10 minutes)

HCC-247-FY19

Recommendation:

I move that the Mayor and Council authorize the City Treasurer in collaboration with the City Attorney, to develop a draft Hyattsville Budget Stabilization Fund ordinance for review and approval by the Hyattsville Council, covering but not limited to the following areas:

- Recommendations on a City policy that identifies the objectives of the Budget Stabilization Fund.
- Recommended council and administrative protocols that define the procedures to be used to access stabilization funds.
- Recommendations on budgetary funding requirements for long term non-capital projects.
- Recommendations on the annual contribution to the Budget Stabilization Fund by percentage and amount.

Sponsor(s):

Solomon

Co-Sponsor(s):

N/A

ATTACHMENTS

[New York Consolidated Laws, General Municipal Law - GMU §6-E | NY State Senate.pdf](#)

[What is a stabilization fund and how may it be used?.pdf](#)

Summary Background:

For the purpose of mitigating the economic impact of financial downturns and unforeseen losses in major funding sources, cities and towns across the country have adopted the practice of developing some form of a "rainy day" fund. This fund demonstrates the City's good faith effort to maintain long term economic viability for our tax payers and financial institutional stakeholders.

Next Steps:

The Council held an initial discussion on this item on January 22. Council directed the item to come back for approval so the City Attorney and Treasurer could begin to draft an ordinance. Council will review the draft ordinance on a future agenda.

Fiscal Impact:

TBD

City Administrator Comments:

Recommend Support. Staff will coordinate on funding levels and present a recommendation to the Mayor and Council for consideration.

Community Engagement:

To be included in upcoming council budget discussions.

Strategic Goals:

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

Legal Review Required?

Pending

PREV	NEXT
SECTION 6-D	SECTION 6-F
Repair Reserve Funds For Municipal Corporations, School Districts, District Corporations And Improvement Districts (/Legislation/Laws/GMU/6-D/)	Snow And Ice Removal And Road Repair Reserve Funds For Municipal Corporations (/Legislation/Laws/GMU/6-F/)

Section 6-E

Contingency and tax stabilization reserve fund for municipal corporations
General Municipal (GMU)

SHARE



Contingency and tax stabilization reserve fund for municipal corporations. 1. As used in this section:

- a. "Annual budget" means the annual budget or estimate, as finally adopted, of a municipal corporation which is required by law to adopt an annual budget or estimate of the expenditures to be made for a fiscal year for the general support or for the expenses of the government of such municipal corporation during such fiscal year.
- b. "Base year" means the most recent fiscal year for which an annual report has been filed with the state comptroller pursuant to section thirty of this chapter.
- c. "Chief executive officer" means a chief executive officer as defined

in paragraph five-a of section 2.00 of the local finance law.

d. "Chief fiscal officer" means a chief fiscal officer as defined in paragraph five of section 2.00 of the local finance law.

e. "Eligible portion of the annual budget" means:

(1) in the case of a contingency and tax stabilization reserve fund established for a county, city, village or fire district, the general fund portion of the annual budget;

(2) in the case of a contingency and tax stabilization reserve fund established for a town, the town-wide general fund and highway fund portions of the annual budget; and

(3) in the case of a contingency and tax stabilization reserve fund established for the part of a town outside any villages, the general fund and highway fund portions of the annual budget for such part of the town.

f. "Estimated revenue" means revenue from a specific source which is expected to be received during a fiscal year and which is included in the annual budget as finally adopted for that fiscal year.

g. "Governing board" means a governing board as defined in section two of this chapter and, in the case of a fire district, shall mean the board of fire commissioners.

h. "Municipal corporation" means a municipal corporation as defined in section two of this chapter and shall also include a fire

district.

i. "Public emergency" means an epidemic, conflagration, riot, storm, flood or other sudden, unforeseen or unexpected occurrence or condition which requires the immediate expenditure of moneys to protect the public health, safety or welfare of the inhabitants of the municipal corporation.

j. "Tentative budget" means the tentative budget prepared pursuant to section three hundred fifty-four of the county law, section one hundred six of the town law or section 5-504 of the village law, the statement of expenditures prepared pursuant to section one hundred eighty-one of the town law, or similar document prepared pursuant to general, special or local law.

k. "Unanticipated expenditure" means an expenditure for a specific purpose for which there is no or insufficient appropriation or which will cause an appropriation to be insufficient that is necessitated by a change in federal or state laws, rules or regulations, a court order, judgement or decree, a public emergency, or an industry-wide price, rate or premium increase, which takes effect or occurs after final adoption of the annual budget and which could not have been reasonably anticipated prior to final adoption of the annual budget.

l. "Unanticipated revenue loss" means estimated revenue which is rendered unreceivable because of a change in federal or state laws, rules or regulations, a court order, judgement or decree, or other circumstance, which takes effect or occurs after final adoption of the annual budget and which could not have been reasonably anticipated prior to final adoption of the annual budget.

m. "Unappropriated unreserved fund balance" means the difference between the total assets for a fund and the total liabilities, deferred revenues, encumbered appropriations, amounts appropriated for the ensuing fiscal year's budget, and amounts reserved for stated purposes pursuant to law, including reserve funds established pursuant to the general municipal law for the fund, as determined through application of the system of accounts prescribed by the state comptroller pursuant to section thirty-six of this chapter.

n. "Voting strength" means the aggregate number of votes which all the members of the governing board are entitled to cast.

2. The governing board of any municipal corporation, by resolution subject to a permissive referendum, may establish a contingency and tax stabilization reserve fund for the municipal corporation and, in the case of a town, also for the part of the town outside any villages. Such permissive referendum shall be governed by:

a. in the case of a county, sections one hundred one through one hundred three of the county law;

b. in the case of a city, sections twenty-four through twenty-six of the municipal home rule law;

c. in the case of a town or the part of a town outside any villages, article seven of the town law;

d. in the case of a village, article nine of the village law; and

e. in the case of a fire district, subdivision four of section six-g of this article.

3. There may be paid into the contingency and tax stabilization reserve fund such amounts as may be provided therefor by budgetary appropriation, unappropriated unreserved fund balance in the eligible portion of the annual budget, and such revenues as are not required by law to be paid into any other fund or account; provided, however, that no amount may be appropriated for payment into a contingency and tax stabilization reserve fund which would cause the balance of the fund to exceed ten percent of the eligible portion of the annual budget for the fiscal year for which the appropriation would be made.

4. a. The moneys in a contingency and tax stabilization reserve fund may be expended only pursuant to an appropriation for a purpose authorized by this subdivision. Except as provided in paragraph e of this subdivision, such an appropriation shall be made only upon the recommendation of the chief executive officer and the adoption of a resolution appropriating the recommended amount by at least two-thirds of the voting strength of the governing board.

b. The moneys in a contingency and tax stabilization reserve fund may be used to finance an unanticipated revenue loss chargeable to the eligible portion of the annual budget, subject to the following limitations:

(1) the maximum amount of moneys in the fund that may be used to finance an unanticipated revenue loss shall equal either the amount of the revenue actually received for the base year or the amount of

the estimated revenue for the current fiscal year, whichever is less, minus the amount of the revenue actually received for the current fiscal year; and

(2) the moneys in the fund may be used only to finance that portion of the unanticipated revenue loss which, as a matter of law, cannot be financed with amounts available in any other account or fund.

c. The moneys in a contingency and tax stabilization reserve fund may be used to finance an unanticipated expenditure chargeable to the eligible portion of the annual budget, subject to the following limitations:

(1) the maximum amount of moneys in the fund that may be used to finance an unanticipated expenditure shall equal the sum of the amount of the unanticipated expenditure and the amount appropriated for that purpose for the current fiscal year minus either the amount appropriated for that purpose for the current fiscal year or the actual expenditure for the same purpose in the base year, whichever is greater; and

(2) the moneys in the fund may be used only to finance that portion of an unanticipated expenditure which, as a matter of law, cannot be financed with amounts available in any other account or fund.

d. The moneys in the contingency and tax stabilization reserve fund may be used to lessen or prevent any projected increase in excess of two and one-half percent in the amount of the real property tax levy needed to finance the eligible portion of the annual budget for the next succeeding fiscal year. The maximum amount of moneys in the

fund that may be used for this purpose shall equal the difference between the projected amount of such real property tax levy and one hundred two and one-half percent of the amount of the real property tax levy needed to finance the eligible portion of the annual budget for the current fiscal year.

e. When preparing the tentative budget of a municipal corporation, if the current balance of a contingency and tax stabilization reserve fund, as shown by the statement of the chief fiscal officer required by subdivision six of this section, exceeds ten percent of the eligible portion of the annual budget for the current fiscal year, such excess shall be used to reduce the amount of real property taxes needed to finance the eligible portion of the annual budget for the next succeeding fiscal year.

5. The moneys in the contingency and tax stabilization reserve fund shall be deposited in one or more of the banks or trust companies designated, in the manner provided by law, as depositories of the funds of such municipal corporation. The governing board, or the chief fiscal officer having custody of such money of such municipal corporation, if the governing board shall delegate such duty to him, may invest the moneys in such fund in obligations specified in section eleven of this article. Any interest earned or capital gain realized on the money so deposited or invested shall accrue to and become part of such fund.

6. The chief fiscal officer shall account for the contingency and tax stabilization reserve fund separate and apart from all other funds of the municipal corporation. Such accounting shall show: the source, date and amount of each sum paid into the fund; the interest earned

by such fund; capital gains or losses resulting from the sale of investments of the fund; the order, source thereof, date and amount of each appropriation from this fund; the assets of the fund, indicating cash balance and a schedule of investments. Not later than sixty days after the start of each fiscal year and at such times as may be required by the governing board, the chief fiscal officer shall furnish to the governing board a detailed report of the operation and condition of the fund during the preceding fiscal year which shall include a statement of receipts and disbursements, and a statement of the balance of the fund as of the last day of such preceding fiscal year and such other dates as may be specified by the governing board. Not later than thirty days prior to the last date provided by law for the filing of the tentative budget, the chief fiscal officer shall furnish to the officer or body responsible for preparing the tentative budget a statement of the current balance of the fund.

7. The members of the governing board are hereby declared trustees of the moneys in the contingency and tax stabilization reserve fund and shall be subject to all duties and responsibilities imposed by law on trustees, and such duties and responsibilities may be enforced by the municipal corporation or by any board, commission, agency, officer or taxpayer thereof.

8. Any officer of a municipal corporation shall be guilty of a misdemeanor if he or she willfully and knowingly causes the municipal corporation to:

a. Appropriate moneys from the contingency and tax stabilization reserve fund for any purpose not authorized by this section.

b. Expend any money from the contingency and tax stabilization reserve fund for a purpose other than that for which it was appropriated. The provisions of this subdivision shall be considered to be in addition to any other penalties provided by law.

* 4. Moneys in such fund shall be deposited and secured in the manner provided by section ten of this article. The moneys in such fund so deposited shall be kept in a separate bank account. The governing board or the chief fiscal officer of such municipality, if the governing board shall delegate such duty to him, may invest the moneys in such fund in the manner provided in section eleven of this article. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of such fund. Such board or officer shall incur no personal liability on account of any investment made pursuant to the provisions of this section.

* NB sb. 4 amended by Ch. 708/92, § 3 is to former section 6-E - repealed Ch. 655/92

[PREV](#)

[SECTION 6-D](#)

[Repair Reserve Funds For Municipal Corporations, School Districts, District Corporations And Improvement Districts \(/Legislation/Laws/GMU/6-D/\)](#)

[NEXT](#)

[SECTION 6-F](#)

[Snow And Ice Removal And Road Repair Reserve Funds For Municipal Corporations \(/Legislation/Laws/GMU/6-F/\)](#)



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[Home](#) > What is a stabilization fund and how may it be used?

What is a stabilization fund and how may it be used?

A stabilization fund is a mechanism for setting aside money either for unforeseen needs or for capital projects, according to the Division of Local Services. Such a fund is intended to equalize the effect of capital expenditures over time and to provide a "rainy day" fund. A community may appropriate up to ten percent of the previous year's tax levy into the fund, so long as the fund balance does not exceed ten percent of the community's equalized valuation. A majority vote by the community's legislative body (Town Meeting or city or town council) is required to appropriate funds into the stabilization fund. Two-thirds of the community's legislative body must vote to appropriate money out of the fund. Until fiscal 1992, stabilization funds could be used only to finance capital expenditures for which a community could borrow. Currently, the funds may be used for "any lawful municipal purpose," enabling communities to use the funds for general operating expenses if needed. **(From the Massachusetts Municipal Association)**

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Source URL: <https://www.town.plympton.ma.us/finance-committee/faq/what-is-a-stabilization-fund-and-how-may-it-be-used>

General Fund Budget Stabilization Fund - Overview

Objectives

- To provide stability and improve long-term fiscal health and manage budget uncertainties.
- To maintain continued delivery of City services during volatile economic cycles.
- To address extreme emergency situations.
- Supplement temporary shortfalls in major General Fund Revenues.
- To be limited and the last funding source considered to address General Fund operations and Capital Improvement needs.
- The Budget Stabilization Fund is subject to annual appropriations and must be established by ordinance and adhere to certain legal criteria including Sections C5-4, C5-5, C5-6, C5-7, C5-8, C5-9 and C5-10 of the Hyattsville Charter.

Annual Contributions and Transfers in/out of the Budget Stabilization Fund

- The initial contribution is a transfer-in ranging from 10% to 15% of the unassigned fund balance of the general fund as certified in the most recent but not past due Independent Auditor's Report and Financial Statements.
- The annual contributions of transfers-in will continue until the fund balance is \$3.5 million which is the preferred cap for this fund.
- Once the cap is achieved, if the fund balance is below the cap at the end of each fiscal year, it will be replenished from the unassigned fund balance (as available) of the general fund. This will be done upon certification and completion of the Independent Auditor's Report and Financial Statements for that fiscal year.
- Transfers-out to other funds to off-set temporary shortfalls in revenues or other funding sources can be authorized to support activities in those funds.

Budgetary Requirements to Access Funding for General Fund or Capital Purposes

- The administration must identify the purpose to be funded.
- Explain why the stated purpose cannot be funded within the annual budget approval of estimated revenues and expenditures.
- Identify how the stated purpose addresses the objectives of the stabilization fund.
- Identify other funding sources for the stated purpose that reduces the impact to the stabilization fund.

Procedures to Access Budget Stabilization Fund

- After budget requirements are met all requests must be submitted in writing to the City Administrator and Treasurer for approval.
- Upon approval, submit the request to the City Clerk to be placed on the Council agenda for discussion and final approval.
- Final adoption by City Council is required per Section C5-6 of the Hyattsville Charter and Code.



Hyattsville City Council Agenda Item Report

Meeting Date: July 15, 2019
Submitted by: Laura Reams
Submitting Department: City Clerk
Item Type: Community Notices
Agenda Section:

SUBJECT

Main City Calendar: July 16 - August 5, 2019

HCC-450-FY19

Recommendation:

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Main City Calendar_Jul 16-Aug 5 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: July 16 – August 5, 2019

Weekly Program Offerings

Ageless Grace Senior Exercise Classes

Wednesdays and Fridays, 10:00 AM @ City Municipal Building

Teen Center

Every Friday, 6:30 PM @ Magruder Park

Community Yoga

Sundays, 5:00 PM - 6:00 PM @ Second Floor Prangley Room of the City Building

Movin' with the Mayor

Wednesdays, July 10 - August 28, 2019, 5:00 PM - 6:00 PM @ City Building

City Calendar: July 15 – Aug 5, 2019

Fall Sports Field Permit Meeting

July 16, 2019, 7:30 PM @ The City Building, Multipurpose Room

Planning Committee Meeting

July 16, 2019, 7:30 PM @ The City Building, Prangley Room

Shakespeare in the Park: Much Ado About Nothing

July 17, 2019, 7:30 PM @ Magruder Park (3911 Hamilton Street)

Coffee with a Cop

July 18, 2019, 8:00 AM - 10:00 AM @ Kahvie

Summer Jam & Police Open House

July 19, 2019, 6:30 PM - 8:30 PM @ The City Building

Invasive Plant Removals

July 20, 2019, 10:00 AM - 2:00 PM @ Magruder Park

Call-A-Bus Grocery Trips

July 22, 2019, 9:00 AM - 11:30 AM @ Citywide

July 29, 2019, 9:00 AM - 11:30 AM @ Citywide

Our Call-A-Bus takes seniors and those with disabilities to grocery stores located in the City. The bus picks up at Friendship Arms and by appointment for community residents. To make an appointment, please call (301) 985-5000 by 2 p.m. the day before the trip.

Hyattsville Corridor Community Meeting

July 24, 2019, 6:00 PM - 7:30 PM @ The City Building, Prangley Room

Education Advisory Committee Meeting

July 25, 2019, 6:30 PM @ The City Building, Prangley Room

Sunset Movie Series

July 26, 2019, 8:30 PM @ Heurich Park

Council Meeting

Main City Calendar: July 16 – August 5, 2019

August 5, 8:00 PM @ City Building, 3rd Floor Council Chambers