

City Council of Hyattsville, Maryland

AGENDA

City Council Regular Meeting

Monday, May 14, 2018

8:00 PM



Council Chambers

Hyattsville Municipal Building

4310 Gallatin Street, 3rd Floor

Hyattsville, MD 20781

(301) 985-5000 www.hyattsville.org

CITY COUNCIL

[Mayor Candace B. Hollingsworth](#)

[Edouard Haba, Council President, Ward 4](#)

[Kevin Ward, Council Vice President, Ward 1](#)

[Bart Lawrence, Ward 1](#)

[Robert S. Croslin, Ward 2](#)

[Shani N. Warner, Ward 2](#)

[Carrianna Suiter, Ward 3](#)

[Thomas Wright, Ward 3](#)

[Paula J. Perry, Ward 4](#)

[Joseph Solomon, Ward 5](#)

[Erica Spell, Ward 5](#)

ADMINISTRATION

Tracey E. Nicholson, 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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[Instagram](#)



[Vimeo](#)

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-344-FY18

I move that the Mayor and Council approve the Public Hearing Minutes of April 16, 2018.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[April 16 PH minutes.docx](#)

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

6. **Presentations (8:20 p.m. - 8:45 p.m.)**

6.a) City Administrator Update: Development Notifications and City Election Code (5 minutes)

HCC-338-FY18

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

6.b) FY-2017 Audit Update (5 minutes)

HCC-104-FY18

N/A

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

6.c) DSP-18003: Landy Property - Infrastructure Only (15 minutes)

HCC-334-FY18

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Landy Property Infrastructure DSP - HyattsvillePresentation-051418.pptx](#)

[Landy Infrastructure DSP Presentation Memo - FINAL.docx](#)

7. **Consent Items (8:45 p.m. - 8:50 p.m.)**

**7.a) FY18 Budget Amendment: Transfer of Funds for Replacement of Patrol Bicycles
HCC-339-FY18**

I move that the Mayor and Council amend the FY18 General Fund budget to authorize the transfer of \$6,276 within the Police Operating Budget for the purchase of six (6) new patrol bicycles from Arrow Bicycle.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

**7.b) Acceptance of Petition - Magruder Pointe Development
HCC-341-FY18**

I move that the Mayor and Council accept a petition received May 7, 2018, from the resident group Save Our Sustainable Hyattsville regarding the proposed Magruder Pointe Development.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Magruder Pointe Development Petition SOS.pdf](#)

**7.c) Proclamation of National Public Works Week
HCC-343-FY18**

I move that the Mayor and Council proclaim the week of May 20 through May 26, 2018, to be Public Works Week in the City of Hyattsville.

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[National Public Works Week 2018.pdf](#)

**7.d) Letter of Support: Art Works Now
HCC-347-FY18**

I move the City Council authorize the Mayor to provide a letter in support of Art Works Now grant request for \$10,000 to the Prince George's County Redevelopment Authority and the Phillip L. Graham Fund, for the purpose of acquiring shade structures to cover portions of the outdoor play space, located at 4800 Rhode Island Avenue, Hyattsville.

Lead Sponsor: Executive Committee

Co-Sponsor(s): N/A

[AW YARD.pdf](#)

8. Discussion Items (8:50 p.m. - 10:25 p.m.)

**8.a) Hyattsville Ordinance 2018-02: State Mandated Changes to Ethics Code (10 minutes)
HCC-333-FY18**

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[HO 2018-02 Ethics Ordinance Revisions 5.9.18.docx](#)

[2018 Ethics changes.pdf](#)

8.b) Hyattsville Ordinance 2018-03: Ch. 84 Parks and Recreational Facilities - Modification (10 minutes)

HCC-38-FY18

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Ordinance 2018-03 Park Hours 5.9.18 \(Ch. 84\).docx](#)

8.c) Amendment to Chapter 114, Article IV: Residential Parking Zones (45 minutes)

HCC-348-FY18

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Ordinance 2018 Residential Parking \(Ch. 114\) 5-8-2018.pdf](#)

[MM Re Ordinance 2018 Residential Parking \(Ch. 114\) 5-7-2018 Comments.pdf](#)

8.d) DSP-12062: 3599 East West Highway (15 minutes)

HCC-336-FY18

Discussion Only

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[3599 East West Discussion Memo](#)

[NSR Properties Site Plan.pdf](#)

[Planning Committee Minutes - 04.17.2018.doc](#)

8.e) PPS 4-17025: Hyatt View (15 minutes)

HCC-337-FY18

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Statement of Justification](#)

[Variance Request](#)

[Site Plan](#)

[Discussion Memo- Oglethorpe Units.docx](#)

9. Council Dialogue

10. Community Notices and Meetings

10.a) City Calendar: May 15 - May 21, 2018

HCC-342-FY18

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s):

[Main City Calendar May 15 - May 21 2018.docx](#)

11. Motion to Close

11.a) Motion to Close

NOTE: The Council will not return to open session.

HCC-340-FY18

I move that the Mayor and Council close the Council Meeting of May 14, 2018 in order to discuss personnel matters and also to consider the acquisition of real property.

This session will be closed under the authority of the Annotated Code of Maryland State Government General Provisions Article Section 3-305(b) (1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals and Section 3-305(b) (3) to consider the acquisition of real property for a public purpose and matters directly related to the acquisition.

Lead Sponsor: Hollingsworth

Co-Sponsor(s): N/A



Hyattsville City Council Agenda Item Report

Meeting Date: May 14, 2018
Submitted by: Nicola Konigkramer
Submitting Department: City Clerk
Item Type: Legislative
Agenda Section: Approval of the Minutes

SUBJECT

Approval of the Minutes

HCC-344-FY18

Recommendation:

I move that the Mayor and Council approve the Public Hearing Minutes of April 16, 2018.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[April 16 PH_minutes.docx](#)

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



PUBLIC HEARING OF THE CITY COUNCIL, HYATTSVILLE MD

APRIL 16, 2018

Present: Candace Hollingsworth, Mayor
Edouard Haba, W4 (Council Pres.
Kevin Ward, W1 (Council VP), arrived at 7:35 p.m.
Bart Lawrence, W1
Robert Croslin, W2, arrived at 7:37 p.m.
Shani Warner, W2
Carrianna Suiter, W3
Thomas Wright, W3
Paula Perry, W4
Joseph A Solomon, W5
Erica Spell, W5

Absent: None

Also present were the following City staff members:

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

Notice of Public Hearing

The City of Hyattsville Mayor & Council conducted a Public Hearing on Monday, April 16, 2018 at 7:30 p.m. (prior to the City Council Council Meeting). The purpose of the Public Hearing was to allow for residents to comment on the proposed Fiscal Year 2018 Real Property Tax Rate of \$0.63 per \$100 of assessed value.

1) [Call to Order](#)

Mayor Hollingsworth called the Public Hearing to order at 7:32 p.m. and read the Notice of the Public Hearing.

2) [Public Comment \(7:30 p.m.\)](#)

Stuart Eisenberg, a Ward 1 resident and Executive Director of the Hyattsville Community Development Corporation, addressed the Council to state his support of the proposed tax rate. He thanked the Council for keeping the rate steady and noted that although the rate remained steady the City may receive additional revenue due to increased property assessments.

David Marshall, a Ward 2 resident, asked if scenarios showing how different tax rates would impact revenues had been prepared for review, as done in previous years. Treasurer Brooks said that information had not been prepared this year. Mr. Marshall then echoed Mr. Eisenberg's earlier comment in support of the tax rate and added that he did not see the Council wasting any funds.

3) [Action Items](#)

3.a [Fiscal Year 2019 Real Property Tax Rate](#)
[I move that the Mayor and Council set the City of Hyattsville's Real Property Tax Rate for Fiscal Year 2019 at \\$0.63 per \\$100.00 of assessed value.](#)



PUBLIC HEARING OF THE CITY COUNCIL, HYATTSVILLE MD

APRIL 16, 2018

[Cover Page](#) 

[2018 Constant Yield Certification.pdf](#) 

[2018 CYTR Hyattsville Notice.pdf](#) 

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

4) [Motion to Adjourn](#)

The Public Hearing adjourned at 7:38 p.m.

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



Hyattsville City Council Agenda Item Report

Meeting Date: May 14, 2018

Submitted by: Laura Reams

Submitting Department: Administration

Item Type: Report

Agenda Section: Presentations (8:20 p.m. - 8:45 p.m.)

SUBJECT

City Administrator Update: Development Notifications and City Election Code (5 minutes)

HCC-338-FY18

Recommendation:

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

Summary Background:

City Administrator Nicholson will provide a brief update to the Mayor, Council, and Residents on the resident notification process for development proposals and updates to the City's Election Code.

Next Steps:

N/A

Fiscal Impact:

N/A

City Administrator Comments:

This item is to provide updates on issues raised during the May 7, Council meeting.

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: May 14, 2018

Submitted by: Ron Brooks

Submitting Department: Finance

Item Type: Audit

Agenda Section: Presentations (8:20 p.m. - 8:45 p.m.)

SUBJECT

FY-2017 Audit Update (5 minutes)

HCC-104-FY18

Recommendation:

N/A

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

Summary Background:

- * The FY-2017 audit continues to progress. We are in the beginning stages of reviewing transactions related to all accounts receivables.
- * The new GASB announcements are being considered for implementation prior to closeout of FY-2017.

Next Steps:

Continue to work through the audit until completion.

Fiscal Impact:

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

City Administrator Comments:

See summary 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: May 14, 2018

Submitted by: Katie Gerbes

Submitting Department: Community & Economic Development

Item Type: Presentation

Agenda Section: Presentations (8:20 p.m. - 8:45 p.m.)

SUBJECT

DSP-18003: Landy Property - Infrastructure Only (15 minutes)

HCC-334-FY18

Recommendation:

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Landy Property Infrastructure DSP - HyattsvillePresentation-051418.pptx](#)

[Landy Infrastructure_DSP_Presentation_Memo_-_FINAL.docx](#)

Summary Background:

In April 2018, the Preliminary Plan of Subdivision for the Landy property was approved by the Prince George's County Planning Board. The applicant is now coming back to the City Council to present their infrastructure only Detailed Site Plan for the project. The architecture component for the DSP will be a separate application, likely coming in Fall 2018.

Next Steps:

The DSP application will be presented to the Planning Committee on May 15, 2018, and is currently scheduled to come before the City Council on the "Action" Agenda on June 4, 2018.

Fiscal Impact:

N/A

City Administrator Comments:

Presentation Only

Community Engagement:

This is the first presentation to the community of this application. The application is scheduled to be presented to and discussed by the Planning Committee at their meeting on May 15, 2018.

Strategic Goals:

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

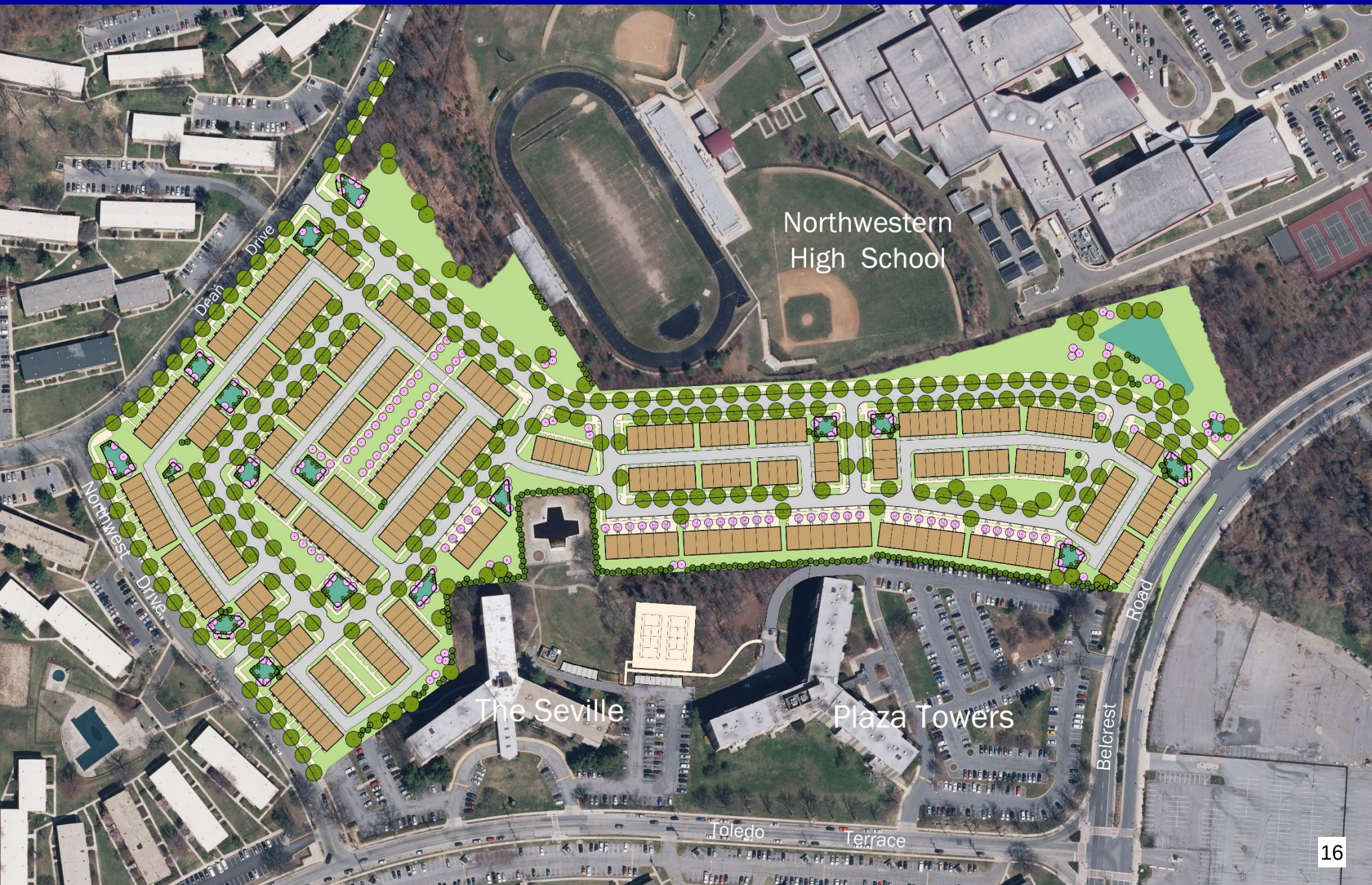
Legal Review Required?

N/A

The Landy Property

Project Team

- Owner: Marvin R. Blumberg Company
- Owner's Representative: Mark Ferguson
- Civil Engineer: Soltesz, LLC
- Traffic Engineer: Lenhart Traffic Consulting, Inc.
- Geotechnical Engineer: Geotech Engineers, Inc.
- Utilities Consultant: Richter & Associates
- Land Use Counsel: Chris Hatcher



Northwestern
High School

The Seville

Plaza Towers

Toledo

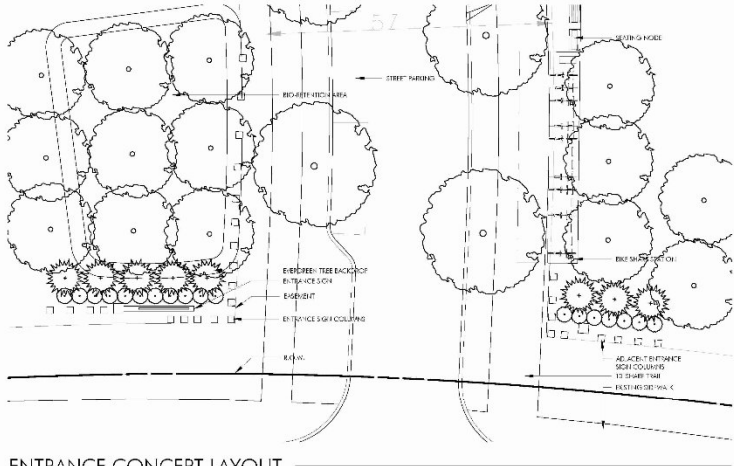
Terrace

Belcrest
Road





ENTRANCE CONCEPT



ENTRANCE CONCEPT LAYOUT
SCALE: 1" = 10'-0"









Questions?

Contact: Chris Hatcher
CLHatcher@lerchearly.com



Memo

To: Mayor and City Council

CC: Tracey Nicholson, City Administrator

From: Jim Chandler, Assistant City Administrator and Director, Community & Economic Development
Katie Gerbes, Community Planner

Date: May 8, 2018

Re: DSP-18003: Landy Property (Infrastructure Only)

The purpose of this memorandum is to provide the City Council with information submitted to the City of Hyattsville by the Marvin Blumberg Company regarding the 'Infrastructure Only' Detailed Site Plan (DSP-18003) for the Landy property development project.

Project Summary

The Landy property is a 33-acre parcel of undeveloped land north of Toledo Terrance and immediately south of Northwestern High School. On February 20, 2018, the City Council voted to support the Preliminary Plan of Subdivision application associated with the site. The Prince George's County Planning Board approved the PPS application on March 29, 2018, enabling the sub-division of the property to construct 341-fee-simple townhomes.

The applicant is prepared to begin work on the Detailed Site Plan (DSP) for the property. Due to the scale of the development, the applicant has opted to separate the DSP into two parts: infrastructure and architecture. The DSP before the City Council on May 14th is limited to the infrastructure components. The applicant plans to submit the architecture DSP in the latter half of 2018.

Next Steps

The application will be discussed by the Planning Committee at their May 15, 2018 meeting. The proposal will come back to the City Council for both "Discussion" and "Action" on June 4, 2018.



Hyattsville City Council Agenda Item Report

Meeting Date: May 14, 2018

Submitted by: Amal Awad

Submitting Department: Police Department

Item Type: Budget

Agenda Section: Consent Items (8:45 p.m. - 8:50 p.m.)

SUBJECT

FY18 Budget Amendment: Transfer of Funds for Replacement of Patrol Bicycles

HCC-339-FY18

Recommendation:

I move that the Mayor and Council amend the FY18 General Fund budget to authorize the transfer of \$6,276 within the Police Operating Budget for the purchase of six (6) new patrol bicycles from Arrow Bicycle.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

Summary Background:

In 2017, the Department began updating the fleet of patrol bicycles to create a more efficient bicycle patrol experience for officers and save money on maintenance costs. The Department purchased and replaced four (4) bicycles which have been used during routine patrols as well as City events. The feedback from both citizens and officers has been positive thus far.

An updated fleet would allow for more officers to conduct bicycle patrols while also presenting a professional image. Purchasing the bicycles from a local bicycle shop would not only invest money back into the community, but also save on maintenance fees as most local bicycle shops offer free tune-up services with the purchase of a new bicycle during the first year.

With continued residential and commercial development throughout the City, conducting bicycle patrols will provide an excellent opportunity to engage the community and conduct police activities in high-density areas. The purchase of six (6) new patrol bicycles would facilitate our ability to provide police bicycle patrol services throughout the City more efficiently.

Next Steps:

Purchase according to the City's procurement policy and approval of the City Treasurer.

Fiscal Impact:

\$6,276

City Administrator Comments:

This is a new expenditure. Recommend Approval

Community Engagement:

Patrol officers conduct bicycle patrols throughout the City, particularly during the warmer months. These patrols have been well-received by the community particularly during community events and routine patrols of walkways, trail ways, etc..

Strategic Goals:

Goal 3 – Promote a Safe and Vibrant Community

Legal Review Required?

N/A



Hyattsville City Council Agenda Item Report

Meeting Date: May 14, 2018

Submitted by: Nicola Konigkramer

Submitting Department: City Clerk

Item Type: Legislative

Agenda Section: Consent Items (8:45 p.m. - 8:50 p.m.)

SUBJECT

Acceptance of Petition - Magruder Pointe Development

HCC-341-FY18

Recommendation:

I move that the Mayor and Council accept a petition received May 7, 2018, from the resident group Save Our Sustainable Hyattsville regarding the proposed Magruder Pointe Development.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Magruder Pointe Development Petition_SOS.pdf](#)

Summary Background:

Please see the attached petition.

Next Steps:

N/A

Fiscal Impact:

N/A

City Administrator Comments:

Recommend Approval

Community Engagement:

N/A

Strategic Goals:

Goal 1 – Ensure Transparent and Accessible Governance

Legal Review Required?

N/A

Save Our Sustainable Hyattsville

Recipient: Candace Hollingsworth, Rushern Baker, Tracey Nicholson, Jim Chandler,
Hyattsville City Council, Deni L. Taveras

Letter: Greetings,

Stop the Proposed Magruder Pointe Redevelopment NOW!

Signatures

Name	Location	Date
Danny Schaible	Mount Rainier, MD	2018-03-12
Jennifer Linn	Hyattsville, DC	2018-03-13
Nina Faye	Washington, DC	2018-03-13
Irene Marsh	Hyattsville, MD	2018-03-13
marialis zmuda	hyattsville, MD	2018-03-13
Christy Regenhardt	Hyattsville, MD	2018-03-13
Yohannes Bennehoff	Hyattsville, MD	2018-03-13
Diane Elliott	Riverdale, MD	2018-03-13
Leigh Ann Sham	Hyattsville, MD	2018-03-13
DWIGHT HOLMES	Riverdale Park, MD	2018-03-13
Shannon Wyss	HYATTSVILLE, MD	2018-03-13
Jeanette Prevots	Hyattsville, MD	2018-03-13
Elizabeth Odongo	Silver Spring, MD	2018-03-13
Lisa Davidson	Hyattsville, MD	2018-03-13
Chris Davidson	Hyattsville, MD	2018-03-13
brian fitzpatrick	Washington, DC	2018-03-13
Daniel Muth	Hyattsville, MD	2018-03-13
Maureen Vosmek	Hyattsville, MD	2018-03-13
Lisa Sutton	Hyattsville, MD	2018-03-13
James Menasian	Hyattsville, MD	2018-03-13

Name	Location	Date
Jill Konek	Hyattsville, MD	2018-03-13
Tigran Ananian	Silver Spring, MD	2018-03-13
Lee Cain	Dumfries, VA	2018-03-13
Kevin Blackerby	Washington, DC	2018-03-13
Marisa Johnson	Washington, MD	2018-03-13
Charlotte Oman	Washington, DC	2018-03-13
Abby Wilkerson	Riverdale, MD	2018-03-13
Diana Gough	Hyattsville, MD	2018-03-13
Jessica Atends	Hyattsville, MD	2018-03-13
Jason Riggs	Hyattsville, MD	2018-03-13
Talia Guzman-Gonzalez	Hyattsville, MD	2018-03-13
Jozef Przygodzki	Hyattsville, MD	2018-03-13
Charles Simmons	Hyattsville, MD	2018-03-13
Peter Daniels	Hyattsville, MD	2018-03-13
yaritza Rosales	US	2018-03-13
John Rapoza	US	2018-03-13
Sylvia Cuesta	US	2018-03-13
Mary Ellsworth	Hyattsville, MD	2018-03-13
Amanda Eisen	Hyattsville, MD	2018-03-13
Jaime Bagley	Riverdale, MD	2018-03-13
Maureen Roulit	Hyattsville, MD	2018-03-13
Valerie Fenton	hyattsville, MD	2018-03-13

Name	Location	Date
Sarah Eisen	Hyattsville, MD	2018-03-13
Janaina Stanley	Washington, DC	2018-03-13
Laura Usher	Hyattsville, MD	2018-03-13
Melanie Robins	Hyattsville, MD	2018-03-13
Sophia Gebreab	US	2018-03-13
Sara Washington	US	2018-03-13
Kevin Saxon	Hyattsville, MD	2018-03-13
Madison Nosalik	US	2018-03-13
Laura Felix	US	2018-03-13
Cathy Hollis	US	2018-03-13
Manasa Tilakraj	US	2018-03-13
Jennie Russell	Hollywood, FL	2018-03-13
John Vosmek	Hyattsville, MD	2018-03-13
Jeff ODeil	Hyattsville, MD	2018-03-13
NANCY DIMAIO	Hyattsville, MD	2018-03-13
Lucy Moore	Washington, MD	2018-03-13
Cliff Mayo	Hyattsville, MD	2018-03-13
Nadia Mosher	Hyattsville, MD	2018-03-13
Aiimee Condayan	Hyattsville, MD	2018-03-13
Robert Brown	Brentwood, MD	2018-03-13
Jamila Larson	Hyattsville, MD	2018-03-13
Tim Davis	Hyattsville, MD	2018-03-13

Name	Location	Date
Heidy Siguenza	Hyattsville, MD	2018-03-13
John Mitchell	Accokeek, MD	2018-03-13
Anton Veigas	Hyattsville, MD	2018-03-13
William Schenck	Hyattsville, MD	2018-03-13
Jen Sanderson	Hyattsville, MD	2018-03-13
Hope Johnson	Hyattsville, MD	2018-03-13
Noelle Boughanmi	Hyattsville, MD	2018-03-13
Mary Wheatley	Hyattsville, MD	2018-03-13
Lauren Kelly	Hyattsville, MD	2018-03-13
Joshau Calvin	Hyattsville, MD	2018-03-13
Paul Hrusa	Hyattsville, MD	2018-03-13
Mike Adams	Hyattsville, MD	2018-03-13
Michael Sevenser	Riverdale, MD	2018-03-13
catarina correia	riverdale, MD	2018-03-13
C Schooley	Hyattsville, MD	2018-03-13
Ranetta Hardin	Hyattsville, MD	2018-03-13
Candace Gingrich	Hyattsville, MD	2018-03-13
Brielle Welzer	Hyattsville, MD	2018-03-13
Ellen Simmons	Hyattsville, MD	2018-03-13
CHRIS MILITELLO	Hyattsville, MD	2018-03-13
Loire Przygodzki	Washington, DC	2018-03-13
Rishi Das	Hyattsville, MD	2018-03-13

Name	Location	Date
Taryn Okuma	Hyattsville, MD	2018-03-13
Julia Crooks	College Park, MD	2018-03-13
cheryl spence	Hyattsville, MD	2018-03-13
Catherine Turner	University Park, MD	2018-03-13
Patricia Lee	Hyattsville, MD	2018-03-13
Justine Christianson	Silver Spring, MD	2018-03-13
Dale Crowell	Hyattsville, MD	2018-03-13
Amanda Das	Hyattsville, MD	2018-03-13
Lauren Vulcanovic	Hyattsville, MD	2018-03-13
Kate Sellar	Hyattsville, MD	2018-03-13
Kristen wares	Washington, DC	2018-03-13
Justin Cline	Hyattsville, MD	2018-03-13
Milan Vulcanovic	Hyattsville, MD	2018-03-13
Beth Porter	Baltimore, MD	2018-03-13
Pamela Odell	Silver Spring, MD	2018-03-13
Nicole Lucier	University Park, MD	2018-03-13
Dylan Hunter	Hyattsville, MD	2018-03-13
Audrey Engdahl	Hyattsville, MD	2018-03-13
Benjamin Large	Hyattsville, MD	2018-03-13
Linda Mattingly	Brentwood, MD	2018-03-13
Carl Nielsen	Hyattsville, MD	2018-03-13
Sandra Grauschopf	College Park, MD	2018-03-13

Name	Location	Date
Andrew Payton	Hyattsville, MD	2018-03-13
Meredith Muth	Hyattsville, MD	2018-03-13
Mark Graham	Hyattsville, MD	2018-03-13
Janine Wilson	Hyattsville, MD	2018-03-13
Michael Fuhrer	Hyattsville, MD	2018-03-13
Lakeisha Epps	Washington, DC	2018-03-13
Liz Ousley	Mt. Airy, MD	2018-03-13
Margaret Burgoyne	Philadelphia, PA	2018-03-13
kitty hawks	Rochester, NY	2018-03-13
Eileen Baird	Hyattsville, MD	2018-03-13
Nicole Entwistle	Takoma Park, MD	2018-03-13
Andrew Carter	Hyattsville, MD	2018-03-13
Thomas Smith	Hyattsville, MD	2018-03-13
Lynn Murphy	Montgomery Village, MD	2018-03-13
Karen Butler	Owings, MD	2018-03-13
Lucinda Schaible	Riverdale, MD	2018-03-13
Josef Jackson	Vienna, VA	2018-03-13
Barbara Carter	Eugene, OR	2018-03-13
Molly McFarland	Hyattsville, MD	2018-03-13
Sonora Munks	Hyattsville, MD	2018-03-13
Nancy Collins	Washington, DC	2018-03-13
Mary Konek	Tarentum, PA	2018-03-14

Name	Location	Date
Sharon Coady	Bushnell, FL	2018-03-14
kate davison	Hyattsville, MD	2018-03-14
Chanel Sharp	hyattsville, MD	2018-03-14
Daniel M Firova	Laredo, TX	2018-03-14
Lara Oerter	Hyattsville, MD	2018-03-14
Christine Williams	Hyattsville, MD	2018-03-14
Katie Ablard	Hyattsville, MD	2018-03-14
Laua Guzman	Hyattsville, MD	2018-03-14
Beatriz Gonzalez	Lajas, PR	2018-03-14
Kate Kaufman	Mount Rainier, MD	2018-03-14
David Edgardo Artreches Sierra	Cidra, US	2018-03-14
William Merrick	Hidalgo, Mexico	2018-03-14
Colin Riggs	Hyattsville, MD	2018-03-14
Emily Palus	Hyattsville, MD	2018-03-14
Garth Rockcastle	Baltimore, MD	2018-03-14
Courtney Sulak	US	2018-03-14
Mikell Jackson	US	2018-03-14
Jared Smith	Chandler, AZ	2018-03-14
Katie Galloway	riverdale, MD	2018-03-14
Deborah Wren	Washington, DC	2018-03-14
Ana Gonzalez	Arecibo, PR	2018-03-14

Name	Location	Date
Vivian Hoffmann	Mount Rainier, MD	2018-03-14
Thomas Behrens	US	2018-03-14
Alexandria Marder	Hyattsville, MD	2018-03-14
Mark Wamaling	Hyattsville, MD	2018-03-14
Katie Crammer	Hyattsville, MD	2018-03-14
Christine Hinojosa	Hyattsville, MD	2018-03-14
Tabatha Beck	Hyattsville, MD	2018-03-14
Sarah Emrys	Hyattsville, MD	2018-03-14
Daemin Jeon	germantown, MD	2018-03-14
Evelin Letarte	College Park, MD	2018-03-14
Mindy Destro	Dublin, CA	2018-03-14
Stel La	Motiong, Philippines	2018-03-14
Ryan Orkus	Hyattsville, MD	2018-03-14
Jason Swift	Halethorpe, MD	2018-03-14
Greg Smith	Hyattsville, MD	2018-03-14
araceli meza	Mexico	2018-03-14
Joshua Truby	Hyattsville, MD	2018-03-14
Kayleigh Munch	Hyattsville, MD	2018-03-14
Bernadette McAuliffe	Hyattsville, MD	2018-03-14
Heather McAndrews	Hyattsville, MD	2018-03-14
Daniel Tchoumbe	Washington, DC	2018-03-14
Miranda Goodson	Hyattsville, MD	2018-03-14

Name	Location	Date
Bridgette Comanda	Hyattsville, MD	2018-03-14
Linda Velázquez	San Juan, US	2018-03-14
Connie Whelan	Portland, OR	2018-03-14
Jennifer Hanna	Hyattsville, MD	2018-03-14
Lucia Linn	Seattle, WA	2018-03-14
Nicholas Udu-gama	Washington, DC	2018-03-14
Zebunissa Bradley	Suitland, MD	2018-03-14
Pedro Urquilla	Hyattsville, MD	2018-03-14
Jayne Hirst	Fries, VA	2018-03-14
Donna Peremes	Hyattsville, MD	2018-03-14
Helen Butt	HYATTSVILLE, MD	2018-03-14
Melvyn DeCruise	Hyattsville, MD	2018-03-14
S. Finley	Hyattsville, MD	2018-03-14
Jennifer Bar er	Washington, DC	2018-03-14
Phyllis Heller	Bethesda, MD	2018-03-14
Veronica urquilla	Hyattsville, MD	2018-03-14
Alexander Thiemann	Riverdale, MD	2018-03-14
Córrie Pond	Hyattsville, MD	2018-03-14
Sol Kwon	Hyattsville, MD	2018-03-14
Charles Bailey	Bowie, MD	2018-03-14
Jeannette Soon-Ludes	Hyattsville, MD	2018-03-15
Dani Sibley	Hyattsville, MD	2018-03-15

Name	Location	Date
Heather Djunaidy	Hyattsville, MD	2018-03-15
Aimee King	Fort Lauderdale, FL	2018-03-15
Cathy Anderton	Hyattsville, MD	2018-03-15
Linda Elliott	Edgewater, MD	2018-03-15
Sheri M	Hyattsville, MD	2018-03-15
Jeanne Centofanti	Hyattsville, MD	2018-03-15
William Jenney	Hyattsville, MD	2018-03-15
Vanessa Berben	Hyattsville, MD	2018-03-15
Julie Huynh	US	2018-03-15
Nathan Cordova	US	2018-03-15
kathleen o'hara	seattle, WA	2018-03-15
Marguerite Link	Pittsburgh, PA	2018-03-15
Cheryl James	Hyattsville, MD	2018-03-15
Kathleen O'Hearn	Bethesda, MD	2018-03-15
Steven Welzer	East Windsor, NJ	2018-03-15
Grimauldi Khadgar	Bowie, MD	2018-03-15
Judith echevarria	Toa baja, PR	2018-03-15
Catherine Currie	Hyattsville, OH	2018-03-15
Jeff Malcolm	Hyattsville, MD	2018-03-15
Rachell Cain	Hyattsville, MD	2018-03-15
Angela Gaspar	Hyattsville, MD	2018-03-15
Robert Oerter	Hyattsville, MD	2018-03-16

Name	Location	Date
nathan santry	Hyattsville, MD	2018-03-16
Mary Williams	Brentwood, TN	2018-03-16
Kari Ardalan	Washington, DC	2018-03-16
Aida Soto	Deerfield Beach, FL	2018-03-16
David DeRosa	Mt Rainier, MD	2018-03-16
Arlene Maree	Columbia, MD	2018-03-16
erin antognoli	Germantown, MD	2018-03-16
Corinne Rothblum	Dakar, Senegal	2018-03-16
Fawaya Mohammed	Hyattsville, MD	2018-03-17
David Cernikovsky	Hyattsville, MD	2018-03-17
ashley aguiler	hyattsville, MD	2018-03-17
Chantal Ross	Washington, DC	2018-03-17
Shannon Michael	College Park, MD	2018-03-17
Erinn James	Silver Spring, MD	2018-03-17
Rhode Hernandez Lopez	Hyattsville, MD	2018-03-17
Kara Grace Hibler	Annapolis, MD	2018-03-17
Edward Contreras	Hyattsville, MD	2018-03-18
Amber Singh	US	2018-03-18
Monique Bailey	US	2018-03-18
Megan Drake	US	2018-03-18
Carly Bishop	US	2018-03-18
Shanti Sharon Norris	Hyattsville, MD	2018-03-18

Name	Location	Date
Jason LaGarde	Silver Spring, MD	2018-03-18
Thomas Minner	Mount Rainier, MD	2018-03-18
Brian Mays	Hyattsville, MD	2018-03-18
Tyrese Robinson	Washington, MD	2018-03-18
Ellen King-Rodgers	Sarasota, MT	2018-03-18
Lawrence Watson	Hyattsville, MD	2018-03-18
Ruby Sabina	Hyattsville, MD	2018-03-18
jane wechsler	New York, US	2018-03-18
Kathleen Osore	Hyattsville, MD	2018-03-18
Rebecca Heck	White Lake, MI	2018-03-18
Anthony Kochis	Mount Rainier, MD	2018-03-18
Stephen Shaff	Hyattsville, MD	2018-03-18
Pamela Blumgart	Hyattsville, MD	2018-03-18
Tim Davis	Washington, DC	2018-03-18
Sarah Harper	Hyattsville, MD	2018-03-18
Tara Susman-Pena	Hyattsville, MD	2018-03-18
Racquel Tyce	Riverdale, MD	2018-03-18
Herb Hille	Hyattsville, MD	2018-03-18
Amity Pope	Chicago, IL	2018-03-18
Victoria Boucher	Hyattsville, MD	2018-03-18
David Hassin	Oakland, CA	2018-03-19
Ben Stutzman	Mt. Rainier, MD	2018-03-19

Name	Location	Date
Judith R. Lehman	Brooklyn, NY	2018-03-19
Sherry Wilder	Hyattsville, MD	2018-03-19
Judy Rollins	Washington, DC	2018-03-19
Paul Dolinsky	Washington, DC	2018-03-19
Nina Krajewski	US	2018-03-19
melvin chase	Hyattsville, MD	2018-03-19
Katherine Coleman Johnson	Mount Rainier, MD	2018-03-19
ophelia baxter	Mount Rainier, MD	2018-03-19
Peter Jurmala	Sundbyberg, Sweden	2018-03-19
Lindsay Cheyne	Hyattsville, MD	2018-03-19
Jackie Zajac	Washington, MD	2018-03-19
richard hoppe	Washington, DC	2018-03-19
Elizabeth Gunzel	Washington, MD	2018-03-19
Katie Geffken	Hyattsville, MD	2018-03-19
jenny wesberry	hyattsville, MD	2018-03-19
Nathan Cederoth	Mount Rainier, MD	2018-03-19
Charles Smith	District Heights, MD	2018-03-19
Heather Schrader	Hyattsville, MD	2018-03-19
Brent Schrader	Hyattsville, MD	2018-03-19
David Hiles	Hyattsville, MD	2018-03-20
Tim Maurer	US	2018-03-20
Francesca Sagastume	US	2018-03-20

Name	Location	Date
Carmel Mahan	Odenton, MD	2018-03-20
John Clark	Brentwood, MD	2018-03-20
Sharon Hensley	Churchton, MD	2018-03-20
Claudia Ferguson	Washington, DC	2018-03-20
Karl David Reinhardt	Las Vegas, NV	2018-03-20
samantha smith	Leicester, England, UK	2018-03-20
Leland Cheyne	Hyattsville, MD	2018-03-20
Jocelyn Murray	Washington, DC	2018-03-20
Christine Blackerby	Hyattsville, MD	2018-03-20
Andra Damron	Hyattsville, MD	2018-03-20
Elizabeth Welch	Hyattsville, MD	2018-03-20
Heather Holleman	Hyattsville, MD	2018-03-20
nabulungi akinshegun	hyattsville, MD	2018-03-20
THERESA Sharpsteen	Battle Creek, MI	2018-03-21
Matthew Moomau	Brandywine, MD	2018-03-21
Teresa Rogovsky	Mount Rainier, MD	2018-03-21
Gretchen Imahori	Hyattsville, MD	2018-03-21
Andrea Faller	Hyattsville, MD	2018-03-21
Michael Demos	Brooklyn, NY	2018-03-22
Jennifer Kaleba	Hyattsville, MD	2018-03-22
Atalante Shay	Severn, MD	2018-03-22
Mary Sibley	Hyattsville, MD	2018-03-22

Name	Location	Date
Sawa Kamara	Takoma Park, MD	2018-03-22
Melinda Parkhurst	Hyattsville, MD	2018-03-22
Michael Cestello	Greensburg, PA	2018-03-23
Karma foley	Hyattsville, MD	2018-03-23
Marcel Prevots	Hyattsville, MD	2018-03-24
Leandros Hain	Hyattsville, MD	2018-03-25
Melissa Jackson	Hyattsville, MD	2018-03-25
Greta Gallone	US	2018-03-25
Stephanie Jarvais	Hyattsville, MD	2018-03-25
Alex Miller	Hyattsville, MD	2018-03-26
Michelle Boyd	US	2018-03-26
Kevin Mackey	US	2018-03-27
Jonathan Boyne	US	2018-03-31
Alexis Duran	US	2018-04-01
Robert Babiak	US	2018-04-01
Mateo Vanholland	US	2018-04-03
Edward Johnson	Hyattsville, MD	2018-04-03
Shane Owens	Hyattsville, MD	2018-04-06
Rebecca Preddie	Hyattsville, MD	2018-04-06
Brittany Chow	US	2018-04-07
Daniel Corr	NEW HAVEN, CT	2018-04-08
Sara Delvillano	Bowie, MD	2018-04-08

Name	Location	Date
Jean Cantu	Woodbridge, VA	2018-04-08
Heather Roymans	Hyattsville, MD	2018-04-08
Arica Duhrkoop-Galas	Eugene, OR	2018-04-09
Olivia Smarr	Hyattsville, MD	2018-04-09
Kimberly Schmidt	Hyattsville, MD	2018-04-10
Roshelle Henderson	Washington, DC	2018-04-10
Nakia Henderson	Hyattsville, MD	2018-04-10
Bria Gregory	Hyattsville, MD	2018-04-10
Cheryl Waller	Washington, DC	2018-04-10
Tywanna Wright	Brentwood, MD	2018-04-10
Kimberly Myers	Washington, DC	2018-04-11
Tina Beedle	US	2018-04-11
ALFIE BARTLEY	HYATTSVILLE, MD	2018-04-11
Zach M	US	2018-04-11
Lizbeth Gonzalez	US	2018-04-11
Rachel Leimkuhl	US	2018-04-11
Daniel Moreno-Holt	Hyattsville, MD	2018-04-11
Ian Preddie	Silver Spring, MD	2018-04-11
Julia Stadler	Hyattsville, MD	2018-04-11
Andrea Moreno	Washington, DC	2018-04-11
Alina Ianeva	US	2018-04-12
Marisol Irizarry	US	2018-04-12

Name	Location	Date
Chris Scholl	Neptune, NJ	2018-04-12
Melanie Mueller	Hyattsville, MD	2018-04-12
Leah Wolf	Hyattsville, MD	2018-04-12
sara bendoraitis	hyattsville, MD	2018-04-12
Nancy Meyer	Hyattsville, MD	2018-04-12
Edward Porter	Hyattsville, MD	2018-04-13
frank ragni	US	2018-04-13
Deborah Van Camp	Hyattsville, MD	2018-04-13
Elizabeth Buenning	Hyattsville, MD	2018-04-15
Millard Smith	Hyattsville, MD	2018-04-16
Eileen Baird	Hyattsville, MD	2018-04-16
Melissa Miller	Hyattsville, MD	2018-04-16
Bonnie Magness-Gardiner	Hyattsville, MD	2018-04-16
Randy Fletcher	Hyattsville, MD	2018-04-16
Janel Brennan	Hyattsville, MD	2018-04-16
Pablo Hernandez	Hyattsville, MD	2018-04-16
Rita Rosas	Hyattsville, MD	2018-04-16
Nina Trevino	US	2018-04-16
Lesley M	Hyattsville, MD	2018-04-17
Koassi Apenou	US	2018-04-17
Clara Osorio	US	2018-04-17
Thomas Brooks	US	2018-04-17

Name	Location	Date
Alexis Benitez-Martinez	US	2018-04-17
Patrick Halloran	Hyattsville, MD	2018-04-17
Harry P. Davis	Knoxville, TN	2018-04-17
Kristyn Pelaez	US	2018-04-18
Ally Chao	US	2018-04-18
Dennis Tyler	US	2018-04-18
Jose gonsales	Hyattsville, MD	2018-04-20
Emma Argueta	Hyattsville, MD	2018-04-20
Colin Brown	Myrtle Beach, US	2018-04-20
Jennifer Bosworth	Hyattsville, MD	2018-04-20
Riccardo Casalini	Hyattsville, MD	2018-04-20
Ceola Loan	Hyattsville, MD	2018-04-22
Irma Guillen	Hyattsville, MD	2018-04-23
David Martinez	US	2018-04-24
Suzie Talbert	Hyattsville, MD	2018-04-25
Mariah Santiago	US	2018-04-25
Peter Loan	Hyattsville, MD	2018-04-25
TRACY FAILLE	US	2018-04-25
Sandra Rodriguez	Hyattsville, MD	2018-04-27
MARY GRAHAM	Hyattsville, MD	2018-04-28
Susan Carlson	HYattsville, MD	2018-04-28
Denise Miceli	Tampa, FL	2018-04-28

Name	Location	Date
Mark Jackson	Blythewood, SC	2018-04-28
Leslie Hale	Hyattsville, MD	2018-04-28
Keith Betts	East Moline, IL	2018-04-29
William Parkhurst	Hyattsville, MD	2018-04-30
Michael Cooper	Seattle, WA	2018-04-30
James Topolski	US	2018-04-30
Neyda Sanchez	US	2018-04-30
Gretchen Brodtman	Hyattsville, MD	2018-05-01
Adam Watson	Hyattsville, MD	2018-05-01
Megan Miller	Washington, DC	2018-05-01
Michael Klein	Bethesda, MD	2018-05-01
Loretta Allain	US	2018-05-01
Per Bernstein	Riverdale, MD	2018-05-02
Sam Williams	Hyattsville, MD	2018-05-02
Daisy Miller	Hyattsville, MD	2018-05-02
Jaime Garay	Hyattsville, MD	2018-05-02
Bailey Snyder	US	2018-05-02
G.R. Poston	US	2018-05-02
chris hornyak	Austin, TX	2018-05-02
Vanessa Nassif	US	2018-05-04



Hyattsville City Council Agenda Item Report

Meeting Date: May 14, 2018

Submitted by: Nicola Konigkramer

Submitting Department: Community Services

Item Type: Proclamation

Agenda Section: Consent Items (8:45 p.m. - 8:50 p.m.)

SUBJECT

Proclamation of National Public Works Week

HCC-343-FY18

Recommendation:

I move that the Mayor and Council proclaim the week of May 20 through May 26, 2018, to be Public Works Week in the City of Hyattsville.

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[National Public Works Week 2018.pdf](#)

Summary Background:

The week of May 20 through May 26, 2018, is National Public Works Week.

Next Steps:

Proclaim the week of May 20 through May 26, 2018, to be Public Works Week in the City of Hyattsville.

Fiscal Impact:

N/A

City Administrator Comments:

Recommend Support

Community Engagement:

Promotion of Public Works Week has been planned.

Strategic Goals:

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

Legal Review Required?

N/A



**PROCLAMATION DECLARING MAY 20 THROUGH MAY 26, 2018
TO BE NATIONAL PUBLIC WORKS WEEK**

This proclamation declares the week of May 20 through May 26, 2018, to be National Public Works Week in the City of Hyattsville to recognize the vital services of public works professionals and indispensable influence on our way of life.

WHEREAS, Public Works crews create the backbone of our community, ensuring that vital services are provided and infrastructure maintained;

WHEREAS, Public Works personnel are charged with some of the most daunting tasks in any community, be it snow removal or yard waste collection following a storm event, or collecting solid waste after busy holiday weeks;

WHEREAS, the City of Hyattsville is fortunate to have a team of dedicated Public Works professionals, each of whom directly impacts the quality of life for our residents on a daily basis;

WHEREAS, this week is intended to recognize and thank our Public Works personnel for their contributions to our community's well-being;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the City of Hyattsville, do hereby recognize May 20 through May 26, 2018, as National Public Works Week, and formally express our appreciation for the daily efforts of each member of our Public Works team.

Candace B. Hollingsworth
Mayor
City of Hyattsville

May 14, 2018



Hyattsville City Council Agenda Item Report

Meeting Date: May 14, 2018

Submitted by: Jim Chandler

Submitting Department: Community & Economic Development

Item Type: Planning & Development

Agenda Section: Consent Items (8:45 p.m. - 8:50 p.m.)

SUBJECT

Letter of Support: Art Works Now

HCC-347-FY18

Recommendation:

I move the City Council authorize the Mayor to provide a letter in support of Art Works Now grant request for \$10,000 to the Prince George's County Redevelopment Authority and the Phillip L. Graham Fund, for the purpose of acquiring shade structures to cover portions of the outdoor play space, located at 4800 Rhode Island Avenue, Hyattsville.

Sponsor(s):

Executive Committee

Co-Sponsor(s):

N/A

ATTACHMENTS

[AW_YARD.pdf](#)

Summary Background:

Art Works Now has requested letter of support from the City Council for a shade structure over their play space.

The shade structure will serve two (2) functions. It will provides sun safety for young artist/campers and it will add a new and attractive feature to their facility. Art Works Now is applying for a Community Impact Grant from the Redevelopment Authority. The deadline for the grant application is May 18, 2018.

Next Steps:

No additional action is required by the City Council

Fiscal Impact:

N/A

City Administrator Comments:

Recommend Support

Community Engagement:

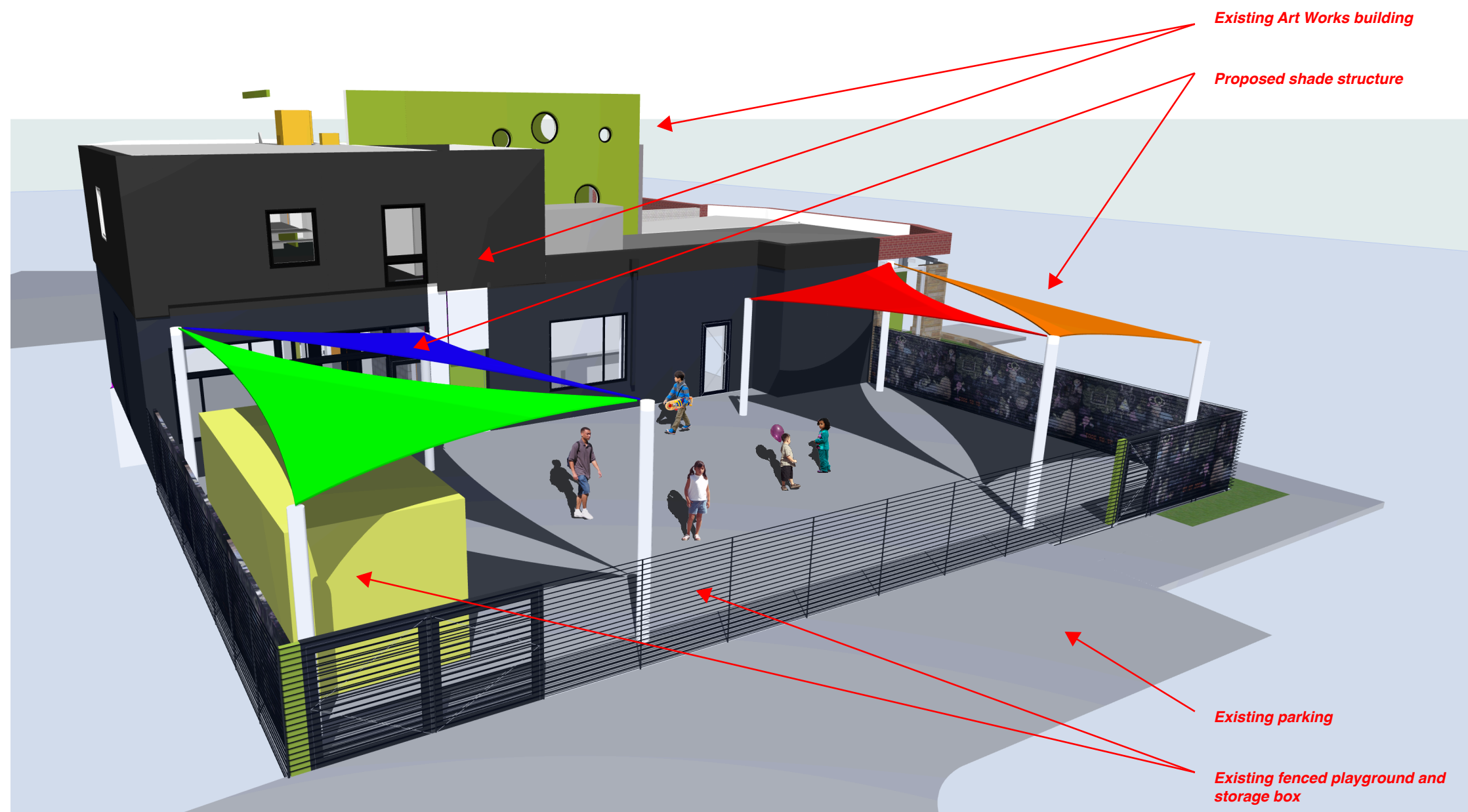
Community Sustainability Plan Goal #4: Build Upon Cultural Diversity & Arts through Programming & Events
Hyattsville is home to an incredibly diverse population, and should continue to embrace this diversity. Effective art initiatives can showcase diversity in the City.

Strategic Goals:

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

Legal Review Required?

N/A





Hyattsville City Council Agenda Item Report

Meeting Date: May 14, 2018

Submitted by: Laura Reams

Submitting Department: City Clerk

Item Type: Ordinance

Agenda Section: Discussion Items (8:50 p.m. - 10:25 p.m.)

SUBJECT

Hyattsville Ordinance 2018-02: State Mandated Changes to Ethics Code (10 minutes)

HCC-333-FY18

Recommendation:

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[HO 2018-02 Ethics Ordinance Revisions 5.9.18.docx](#)

[2018 Ethics changes.pdf](#)

Summary Background:

Effective December 2017, the State legislature adopted changes to the Ethics Law applying to local governments. The City Attorney drafted revisions to the City's Code for review and adoption by Council. Please see attached summary of changes.

Next Steps:

Discussion - May 14

1st Reading - May 21

2nd Reading/Adoption - June 4

Fiscal Impact:

N/A

City Administrator Comments:

Recommend Support

Community Engagement:

Adopted ordinances are posted on the City's website.

Strategic Goals:

Goal 1 – Ensure Transparent and Accessible Governance

Legal Review Required?

Complete

**CITY OF HYATTSVILLE
ORDINANCE 2018-02**

An Ordinance whereby the City of Hyattsville amends its ethics provisions to conform to recent updates to State law as to financial reporting and conflicts of interest.

WHEREAS, Maryland Code, §§ 5-801, et seq., of the General Provisions Article requires municipal corporations to enact ethics laws and requires that the State Ethics Commission approve all municipal ethics ordinances; and

WHEREAS, the Maryland General Assembly enacted House Bill 879 during the 2017 legislative session, which added new laws to the Maryland Public Ethics Law and requires local governments to incorporate certain changes into their respective ethics ordinances; and

WHEREAS, the Council finds it necessary and in the public interest to amend Chapter 10 of the City of Hyattsville Code to comply with the State-mandated ethics code requirements.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hyattsville in regular session assembled that Chapter 10 is hereby amended as follows:

§ 10-6. Conflicts of interest and prohibitions.

* * *

B. Unless otherwise permitted by Commission regulation or opinion or in the exercise of an administrative or ministerial duty that does not affect the disposition or decision of the matter at issue, an official or employee may not participate on behalf of the City in:

* * *

5. A former regulated lobbyist who is or becomes subject to this chapter as an employee or official, other than an elected official or an appointed official, may not participate in a case, contract, or other specific matter as an employee or official, other than an elected official or appointed official, for one calendar year after the termination of the registration of the former

1 regulated lobbyist if the former regulated lobbyist previously assisted or represented another
2 party for compensation in the matter.

3 ~~65.~~ All persons subject to this chapter shall file a statement with the Commission disclosing
4 any interest or employment, the holding of which would require disqualification from
5 participation pursuant to § 10-6 of this chapter, as soon as possible and at least seven (7) days
6 before such matter is scheduled to occur.

7 * * *

8 D. Post-employment limitations and restrictions.

9 * * *

10 2. ~~Until the conclusion of twelve months after the elected official leaves office, a former~~
11 ~~member of the City~~ A former elected official may not assist or represent another party for
12 compensation in a matter that is subject of legislative action for one calendar year after the
13 elected official leaves office.

14 F. Use of prestige of office

15 1. i. An official or employee may not intentionally use the prestige of office or public
16 position for:

17 a. For the private gain of that official or employee or the private gain of another; or

18 b. To influence, except as part of the official duties of the official or employee or
19 as a usual and customary constituent service without additional compensation, the
20 award of a state or local contract to a specific person.

21 ii. An official may not directly or indirectly initiate a solicitation for a person to retain
22 the compensated services of a particular regulated lobbyist or lobbying firm.

2. This subsection does not prohibit the performance of usual and customary constituent services by an elected local official without additional compensation.

3. i. An official, other than an elected official, or employee may not use public resources or the title of the official or employee to solicit a contribution as that term is defined in the Election Law Article.

ii. An elected official may not use public resources to solicit a contribution as that term is defined in the Election Law Article.

* * *

§ 10-9. Filing of financial disclosure statement.

* * *

C. The Commission or office designated by the Commission shall maintain all financial disclosure statements filed under this section. Financial disclosure statements shall be made available during normal office hours for examination and copying by the public subject to reasonable fees and administrative procedures established by the Commission.

* * *

3. For statements filed after January 1, 2019, the Commission or the office designated by the Commission may not provide public access to an individual's home address that the individual has designated as the individual's home address.

4. The Commission or the office designated by the Commission shall make financial disclosure statements or a summary thereof available online. The Commission or the office designated by the Commission shall take appropriate measures to mitigate the risk of identify theft. Those steps may include posting online a redacted version of the financial disclosure statement or posting a summary of the financial disclosure statement that is

iii. For a statement filed on or after January 1, 2019, if the individual's spouse is a lobbyist regulated by the City of Hyattsville, the individual shall disclose the entity that has engaged the spouse for lobbying purposes.

* * *

AND BE IT FURTHER ORDAINED that if any provision of this Ordinance or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other applications of the Ordinance which can be given effect without the invalid provision or applications, and to this end, all the provisions of this Ordinance are hereby declared to be severable;

AND BE IT FURTHER ORDAINED that this Ordinance shall take effect twenty (20) days from the date of its adoption;

AND BE IT FURTHER ORDAINED that a fair summary of this ordinance shall forthwith be published twice in a newspaper having general circulation in the City and otherwise be made available to the public.

INTRODUCED by the City Council of the City of Hyattsville, Maryland, at a regular public meeting on May 14, 2018.

ADOPTED by the City Council of the City of Hyattsville, Maryland, at a regular public meeting on _____, 2018.

Adopted:

Attest:

Laura Reams, City Clerk

Candace B. Hollingsworth, Mayor

- 1 indicate deletions
- 2 Underline indicates additions
- 3 Asterisks * * * Indicate matter retained in existing law but omitted herein
- 4 Effective Date: (Insert)
- 5

Changes that **must** be adopted for local government compliance with the requirements of Subtitle 8 of the Public Ethics Law or COMAR 19A.04.:

1. 5-504(d)(2). Precludes Governor, Lieutenant Governor, AG, Comptroller, Treasurer or a Member of the General Assembly from lobbying (legislative matters) for one calendar year after leaving office. *Needs to be added to the conflict of interest section covering local elected officials.*
2. 5-606(a)(3). Effective January 1, 2019, Commission may not provide public access to the portion of a financial disclosure statement that includes an individual's home address as identified by the individual (i.e. the Commission must redact the information before making it publicly available). Applies to all statements, whether posted on the Internet or viewable only in the Office. *Home addresses should be redacted from public disclosure. Local employees and elected officials don't have to worry about the public being able to see their home address on their filings submitted after January 1, 2019.*

Changes that **must** be adopted for local government compliance with the requirements of Subtitle 8 of the Public Ethics Law or COMAR 19A.04. for those local governments with **lobbying provisions**:

1. 5-501(a-1). Adds new subsection prohibiting former lobbyists who become a public official or State employee (i.e. take job with the State) from participating in a case, contract or other specific matter for 1 calendar year after terminating their registrations if they previously assisted or represented another party in the matter (a "reverse" post-employment restriction for lobbyists). Does not apply to uncompensated or minimally compensated (less than 25% of grade 16) board/commission members or elected officials. *ONLY FOR JURISDICTIONS WITH LOBBYING PROVISIONS. Needs to be added the conflict of interest provisions to cover employees compensated over a certain amount.*
2. 5-607(i). Adds another category to Schedule H – for a statement filed on or after January 1, 2019, if the filer's spouse is a regulated lobbyist, must disclose the entity that has engaged the spouse to lobby. *ONLY FOR JURISDICTIONS WITH LOBBYING PROVISIONS. Requires spouses of lobbyists to disclose the entities that engage the lobbyist spouse on their annual disclosure filings.*

Changes that **may** be adopted if the local government chooses:

1. 5-101(t). Removes "exchange-traded funds" from the definition of "interest". An ETF is a diversified collection of assets (like a mutual fund) that trades on an exchange (like a stock). *Now, as is the case with mutual funds, financial disclosure filers will no longer have to disclose interests they hold in ETFs.*
2. 5-506. Adds three specific circumstances that constitute violation of the prestige of office provision (influencing the award of a State or local contract to a specific person; initiating a solicitation for a person to retain the compensated services of a particular lobbyist or firm; using public resources or title to solicit a political contribution regulated in accordance with the Election Law Article). In the last situation, employees and public officials may not use title or public resources, State officials may not use public

resources. *The State Ethics Commission has already interpreted these kinds of actions to be in violation of the prestige of office provision. Local governments are able to include these specific circumstances in their law if they would like or any other for clarifying purposes.*

3. 5-607(g). Changes the Schedule F disclosure (indebtedness to entities doing business with the State) to indebtedness to entities doing business with or regulated by the individual's governmental unit. *Instead of disclosing all indebtedness to entities doing business with the local government, only debts with entities doing business with the specific governmental unit must be disclosed by filers.*
4. 5-606(a)(2). Effective January 1, 2019, Ethics Commission must provide Internet access, through an online registration program, to financial disclosure statements submitted by State officials, candidates for office as State officials, and Secretaries of a principal department of the Executive Branch. *Local governments can now decide to put the local disclosure forms online for public viewing.*
5. 5-704. Codifies disclosure requirements for lobbyists who serve on State boards and commissions. Also codifies a requirement for such a lobbyist who is disqualified from participating in a specific matter to file a statement of recusal with the board or commission. *ONLY FOR JURISDICTIONS WITH LOBBYING PROVISIONS. Requires lobbyists who serve on local boards to submit disclosure forms that mirror the forms for local elected officials.*



Hyattsville City Council Agenda Item Report

Meeting Date: May 14, 2018

Submitted by: Laura Reams

Submitting Department: City Clerk

Item Type: Ordinance

Agenda Section: Discussion Items (8:50 p.m. - 10:25 p.m.)

SUBJECT

Hyattsville Ordinance 2018-03: Ch. 84 Parks and Recreational Facilities - Modification (10 minutes)

HCC-38-FY18

Recommendation:

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Ordinance 2018-03 Park Hours 5.9.18 \(Ch. 84\).docx](#)

Summary Background:

The motion, approved by Council on February 20, 2018, detailed the below changes to the ordinance. The City Attorney drafted the ordinance in consultation with the Directors of Community Services and Public Works.

- a) Modify the hours of operation for parks to the hours between 5:00 a.m. and 11:00 p.m,
- b) Indicate that the hours of operation for individual parks may vary,
- c) Require posting of hours of operation in public view,
- d) Modify reference to "Parks and Recreation Committee" to "Health, Wellness, and Recreation Committee",
- e) Striking the second full sentence of §84-2,
- f) Modifying "Director of Parks and Recreation" to "Director of Community Services",
- g) Change any references to "his" or "her" to "their,"
- h) Modify section §84-7 and §84-8 with recommendation from the Director of Community Services or their designee,
- i) Striking the last full sentence of section §84-18, and
- j) Striking the last full sentence of section §84-20.

This modification will formally allow for expanded use of the park and its unenclosed amenities as may be supported by lighting or other public safety improvements. This modification makes minor changes to language, updates the role of the committee, and updates certain sections pertaining to the use of the parks and issuance of permits for consistency with practice.

Next Steps:

Discussion - May 14

1st Reading - May 21

2nd Reading/Adoption - June 4

Fiscal Impact:

TBD

City Administrator Comments:

In addition to the above modifications, the staff completed an extensive review of the policy for additional updating. Some recommended modifications included:

Striking all text currently in Section 84-7 and replacing with the following:

"Permits for recreational facilities including sports fields and picnic pavilions shall be issued in accordance with an administrative policy determined by the City Administrator or designee."

We have not yet finalized the policy, but will update it based on our current practices:

Pavilions are available for entire day rentals only. The large pavilion can be permitted by all MNCPPC residents at a cost of \$175. City residents get preference on the small pavilion, which costs \$125. (Decision on deposit is pending.)

Sports fields will be permitted as available, to sports teams/leagues that participate in a mandatory meeting prior to each sports season. The City will make every effort to provide field time to all teams, but cannot guarantee availability. Use of the fields is free. Lighting costs \$50 per hour.

Community Engagement:

Publish and advertise the updated policy

Strategic Goals:

Goal 3 – Promote a Safe and Vibrant Community

Legal Review Required?

Pending

**CITY OF HYATTSVILLE
ORDINANCE 2018-03**

An Ordinance whereby the City of Hyattsville amends Chapter 84 of the Hyattsville Code to change the hours during which public parks are open; remove references to the former Department of Parks and Recreation; remove certain express requirements regarding permits and fees for recreational facilities and the use of parks for certain activities, and relegate the regulation thereof to the City Administrator; repeal the prohibition on children with contagious diseases or skin infections from using parks; and-remove references to the Parks and Recreation Committee.

WHEREAS, Local Government Article § 5-202(1), (2) & (5) of the Maryland Code grants to municipalities the power to adopt ordinances to assure the good government of the municipality, to protect and preserve the municipality's rights, property and privileges, and to protect the health, comfort, and convenience of the residents of the municipality; and

WHEREAS, Local Government Article § 5-216 of the Maryland Code grants municipalities the power to maintain any park, garden, playground, or recreational facility that the municipality determines is for the benefit of the health and welfare of the municipality and its residents; and

WHEREAS, § C3-1 of Article III of the City Charter grants to the City Council the power to pass all such ordinances, resolutions and laws not contrary to the Constitution and laws of the State of Maryland or this Charter as it may deem necessary for the good government of the City in order to promote health, safety, comfort, convenience, welfare and happiness of the residents of the City and visitors thereto and sojourners therein; and

WHEREAS, § C3-2(33) of Article III of the City Charter grants to the City Council the power to establish and maintain public parks, gardens, playgrounds and other recreational facilities and programs to promote the health, welfare and enjoyment of the inhabitants of the City; and

WHEREAS, it is the sense of the Mayor and Council that expanding the hours during which public parks may be used and permitting the hours of parks to be adjusted by the City Administrator would benefit the community's health, comfort, convenience, welfare and happiness; and

WHEREAS, it is the sense of the Mayor and Council that regulation of permits and fees for recreational facilities and the use of City parks for certain activities would be more efficient, effective, and flexible if regulated via policies issued by the Town Administrator; and

WHEREAS, it is the sense of the Mayor and Council that prohibiting children with contagious diseases or skin infections from using public parks is unnecessary and said prohibition should be removed; and

WHEREAS, Chapter 84 contains outdated references to entities that no longer exist and may change from time to time.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hyattsville
in regular session assembled that Chapter 84 is hereby amended as follows:

* * *

~~§ 84-2. Responsibilities of Parks and Recreation Committee.~~

~~The Parks and Recreation Committee shall make recommendations to the City Council for improvements to parks and recreation and shall carry out orders and directions of the City Council respecting same. Such Committee shall see that the parks and recreation budget is sufficient for improvements and maintenance and that the provisions thereof are properly carried out. Such Committee shall also see that the provisions of this chapter are complied with.~~

§ 84-45. Use of parks by residents and nonresidents of City; fees. [Amended 9-21-87 by No. 9-87 and 4-19-93 by HB No. 2-93]

* * *

~~B. Fees charged for the use of the pavilion area within Magruder Park shall be set by resolution of the City Council who may exempt charitable or non-profit organizations from this fee. The City Administrator or their designee shall establish by administrative policy reasonable fees for the use of pavilion areas within parks to offset the costs of the use and maintenance of the pavilion, but in no case shall the fee be greater than \$300.~~

§ 84-56. Hours of operation. [Amended 9-20-71; 3-3-75]

A. The parks shall be open for general use by the public ~~between the hours of sunrise and sunset~~ during the hours posted at each park, except where the use of any part thereof has been granted to a person or group of persons pursuant to a permit issued therefor by the Director of Parks and Recreation Community Services.

B. The City Administrator or their designee shall establish the hours during which each park is open to the public for general use, which may vary between parks, but in no case shall the hours be earlier than 5:00 a.m. or later than 11:00 p.m.~~It shall be unlawful for any person to enter within the parks between the hours of sunset and 12:00 midnight, with or without a vehicle, without a permit to do so.~~

C. The hours during which each park is open for public use shall be posted in a conspicuous place at or near one or more entrances to the park or in another reasonable place where posting near an entrance is not feasible or impractical.

C. D. It shall be unlawful for any person to enter upon or remain within the parks between outside
of the posted hours of 12:00 midnight without a permit to do so.

§ 84-67. Application and issuance of permits. [Amended 3-3-75]

Permits for recreational facilities including sports fields and picnic pavilions shall be issued in accordance with an administrative policy determined by the City Administrator or their designee.

~~A. Upon application thereof, the Director of Parks and Recreation shall issue a permit to any persons or organization for the exclusive use of any one of the areas designated for such purposes for a period not exceeding two (2) hours twice a week, provided that no other application has theretofore been received by the Director of Parks and Recreation for the use of such area at the same time. Any group of persons or any organization or church society may secure the exclusive use of two~~

~~(2) areas in the parks for a period not exceeding six (6) hours, once each calendar year. Nothing herein contained shall prevent any such group of persons, organizations or church societies from securing a permit for the use of one (1) area for two hour periods at other times during the year when a permit has not been previously issued for the same time. Whenever a group of persons, organization or church society shall hold a permit for the exclusive use of two (2) areas in the parks as herein before provided, the remainder of the parks may be used by the general public in accordance with this chapter. [Amended 12-19-83 by HB No. 15-83]~~

~~B. Whenever the Director of Parks and Recreation shall receive an application for the use of any area in the parks for which a permit has previously been issued, the Director of Parks and Recreation shall advise the applicant of the outstanding permit and shall refuse the application for the succeeding permit for that particular area.~~

~~C. The Director of Parks and Recreation shall consider first all requests of applications for the use of Area Nos. 12, 13, 14, 15, and 16 in William Pickney Magruder Park for league games, and permits shall be issued by the Director of Parks and Recreation, and the calendar of William~~

Pickney Magruder Park activities shall show that the dates are closed for the time when such league games are to be played. [Amended 12-19-83 by HB No. 15-83]

~~D. All permits issued for any area are subject to revocation at any time if, in the opinion of the Director or Chairman of the Parks and Recreation Committee, the weather is unfavorable or the condition of the area is such as not to be usable.~~

~~§ 84-8. Determination of controversies as to priority of permits. [Amended 3-3-75]~~

~~In a controversy concerning the priority of permits issued as provided in §84-7 or the right to use any area in the parks and in the case of a difference of opinion arising between various persons respecting the use of any such area, the Director of Parks and Recreation shall be notified to settle the dispute, and his ruling shall be final.~~

~~§ 84-9. Use of parks for baseball or softball restricted. [Amended 9-20-71]~~

~~No person shall use any part of William Pickney Magruder Park for baseball or softball, except Area Nos. 12, 13 and 14, and no person shall bat at any ball except on the diamond. The City Administrator or their designee may issue administrative policies regulating the use of parks for baseball or softball.~~

~~§ 84-710. Operation and parking of vehicles.~~

* * *

~~§ 84-811. Conduct warranting removal from park; revocation of permit. [Amended 3-3-75]~~

~~In any park, any person who shall cause any unnecessary damage to City property or shall engage in any boisterous conduct or use any vulgar or profane language or be disorderly in any manner or who shall fail to exhibit a permit for the use of a particular area in a park whenever requested shall be subject to immediate removal from the park. Any person or group of persons who shall so conduct himself or themselves as to warrant immediate removal from the park shall not be entitled~~

to a permit to use any part of the parks at any time in the future, and, if permits have already been issued for future use of the parks by such person or group of persons, the same shall be revoked without notice by the Director of ~~Parks and Recreation~~ Community Services.

§ 84-~~9~~12. Conduct of spectators at games held in parks.

* * *

§ 84-~~10~~3. Sale of articles and/or merchandise for personal gain prohibited; exceptions.

* * *

§ 84-~~11~~4. Soliciting prohibited.

* * *

§ 84-~~12~~5. Washing, waxing or other vehicle maintenance prohibited in or near parks.

* * *

§ 84-~~13~~6. Carrying of firearms prohibited; exception.

* * *

§ 84-~~14~~7. Maintenance of open fires restricted.

* * *

§ 84-~~15~~8. Young children to be accompanied by adult; ~~other restrictions~~.

No child less than six (6) years old shall be permitted in the parks unless accompanied by a parent or some responsible person. ~~No child with a contagious disease or skin infection shall be permitted in the parks.~~

§ 84-~~16~~9. Running at large of dogs and other animals prohibited.

* * *

§ 84-~~17~~20. Special permit required for use of alcoholic beverages. [Amended 3-3-75]

1 No whiskey, beer, wine, spirituous or malt liquor or any intoxicating drink of any kind shall be
2 kept, carried or consumed at any time within the confines of the parks except by special permit.

3 ~~The Parks and Recreation Committee shall review all special permits before approval is granted.~~

4 **§ 84-~~18~~21. Use of glass beverage containers prohibited. [Added 10-20-75]**

5 * * *

6 **§ 84-~~19~~22. Violations and penalties. [Added 11-3-80 by HB No. 21-80; Amended 8-2-82 by**
7 **HB No. 14-82]**

8 Violations of §§84-~~13~~6 and 84-~~17~~20 of this chapter shall be punishable as a misdemeanor. All
9 other violations of this chapter, with the exception of §84-~~7~~10, shall be punishable as a municipal
10 infraction as provided in Chapter 20 of this Code. The fine for any single initial violation shall be
11 twenty dollars (\$20.00), and the fine for each repeat of that offense shall be forty dollars (\$40.00).

12 **AND BE IT FURTHER ORDAINED** that if any provision of this Ordinance or the
13 application thereof to any person or circumstance is held invalid for any reason, such invalidity
14 shall not affect the other provisions or any other applications of the Ordinance which can be given
15 effect without the invalid provision or applications, and to this end, all the provisions of this
16 Ordinance are hereby declared to be severable;

17 **AND BE IT FURTHER ORDAINED** that this Ordinance shall take effect twenty (20)
18 days from the date of its adoption;

19 **AND BE IT FURTHER ORDAINED** that a fair summary of this ordinance shall
20 forthwith be published twice in a newspaper having general circulation in the City and otherwise
21 be made available to the public.

22 **INTRODUCED** by the City Council of the City of Hyattsville, Maryland, at a regular
23 public meeting on May 14, 2018.

1 **ADOPTED** by the City Council of the City of Hyattsville, Maryland, at a regular public
2 meeting on _____, 2018.

Adopted: _____

Attest:

Laura Reams, City Clerk

Candace B. Hollingsworth, Mayor

3

4 { } indicate deletions

5 Underline indicates additions

6 Asterisks * * * Indicate matter retained in existing law but omitted herein

7 Effective Date: (Insert)

8



Hyattsville City Council Agenda Item Report

Meeting Date: May 14, 2018

Submitted by: Jim Chandler

Submitting Department: Community & Economic Development

Item Type: Ordinance

Agenda Section: Discussion Items (8:50 p.m. - 10:25 p.m.)

SUBJECT

Amendment to Chapter 114, Article IV: Residential Parking Zones (45 minutes)

HCC-348-FY18

Recommendation:

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Ordinance 2018 Residential Parking \(Ch. 114\) 5-8-2018.pdf](#)

[MM Re Ordinance 2018 Residential Parking \(Ch. 114\) 5-7-2018 Comments.pdf](#)

Summary Background:

In accordance with Motion HCC-99-FY18, the City Attorney has drafted, in consultation with City staff, an ordinance amending Article IV, Residential Permit Parking Zones in the City of Hyattsville Charter and Code.

Next Steps:

The City Council shall provide its comments and requested revisions to enable the ordinance to be considered for adoption on, or before, July 16, 2018. Staff anticipates the revised ordinance would take effect in February/March 2019 and be phased in over a 3-month period.

Fiscal Impact:

N/A

City Administrator Comments:

For initial review. The new program will be thoroughly communicated and thoughtfully implemented.

Community Engagement:

The City's Ad Hoc Residential Parking Zone Committee previously provided its comments to the City Council for consideration and incorporation into the revised ordinance.

Strategic Goals:

Goal 3 – Promote a Safe and Vibrant Community

Legal Review Required?

Complete

**CITY OF HYATTSVILLE
ORDINANCE 2018-____**

**An Ordinance whereby the City of Hyattsville amends Chapter
114 to refine the City's residential parking permit system.**

WHEREAS, Local Government Article § 5-202(1), (2) & (5) of the Maryland Code grants to municipalities the power to adopt ordinances to assure the good government of the municipality, to protect and preserve the municipality's rights, property and privileges, and to protect the health, comfort, and convenience of the residents of the municipality; and

WHEREAS, it is the sense of the Mayor and Council that the demand and availability of parking in certain City residential neighborhoods remains a perpetual problem; and

WHEREAS, it is the sense of the Mayor and Council that the City's existing residential parking permit system needs to be revised to better serve the parking needs in neighborhoods throughout the City; and

WHEREAS, on January 19, 2016, the Mayor and Council established a Residential Parking Zone Ad Hoc Committee to review the City's current program by exploring gaps in service, needs, and best practices; and to develop recommendations for modifying the program in order to better serve parking needs in neighborhoods throughout the City; and

WHEREAS, on September 29, 2016, the Residential Parking Zone Ad Hoc Committee issued recommendations to the City Council; and

WHEREAS, the Mayor and Council deem it in the best interest of the City and its residential communities and beneficial to the community's health, comfort, convenience, welfare and happiness to implement some of the changes to the City's residential parking system.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hyattsville in regular session assembled that Chapter 114 is hereby amended as follows:

ARTICLE IV

Residential Permit Parking Zones

§ 114-18. Time limit for leaving vehicles unattended.

No automobile or vehicle of any description shall be left unattended upon any street or public space in the city for a continuous period longer than forty-eight (48) hours, unless the City grants an exemption pursuant to § 114-321 ~~HD~~ of this Chapter.

~~§ 114-27. Purpose and Legislative Findings.~~

~~A. The City Council of the City of Hyattsville is enacting this Article IV in order to:~~

~~(1) Reduce hazardous traffic conditions resulting from nonresidents and residents competing with residents to park their vehicles in certain residential districts;~~

~~(2) Protect the residents of those residential districts from unreasonable burdens in gaining access to their residences;~~

~~(3) Preserve the character of those districts as residential districts;~~

~~(4) Encourage the use of public transportation;~~

~~(5) Promote efficiency in maintaining streets in those residential districts in a clean and safe condition;~~

~~(6) Preserve the value of the property in those residential districts;~~

~~(7) Promote traffic safety and the safety of children and other pedestrians in those residential districts;~~

~~(8) Prevent dangers arising from the blocking of fire lanes, hydrants and other facilities that emergency vehicles require, both in reaching victims and in transporting them to hospitals;~~

~~(9) Facilitate the movement of traffic in the event of accidents and other disasters; and~~

1 ~~(10) To promote the peace, comfort, convenience, and welfare of all inhabitants of the City.~~

2 ~~B. General Findings. The City Council finds that the continued vitality of the City depends on~~
3 ~~the preservation of safe, healthy, and attractive neighborhoods and other residential areas. The~~
4 ~~Council further finds that one factor that threatens the safety, health and attractiveness of the~~
5 ~~City's neighborhoods is the availability of parking in certain neighborhoods. The number of~~
6 ~~motor vehicles attempting to park in those areas often exceeds the number of available parking~~
7 ~~spaces. A preferential parking system for residents in designated neighborhoods will help to~~
8 ~~reduce the burden of those neighborhoods and, thus, promote the general welfare of the City.~~

9 ~~C. Specific Findings. The Council makes the following specific legislative findings in support~~
10 ~~of preferential residential parking to illustrate the compelling need for the enactment of this~~
11 ~~Article IV. The Council intends the findings as illustrations only and not the only available~~
12 ~~factual examples supporting adoption of the Article IV:~~

13 ~~(1) The maintenance of the attractiveness and livability of the City's neighborhoods and~~
14 ~~other residential areas will enhance the safety, health and welfare of the City's residents;~~

15 ~~(2) On a daily basis a large number of City residents who own motor vehicles must park~~
16 ~~those vehicles in or near their residences;~~

17 ~~(3) Certain neighborhoods and other areas of the City do not have sufficient on or off-street~~
18 ~~parking to accommodate the convenient parking of residents' motor vehicles;~~

19 ~~(4) The influx of motor vehicles from nonresidents that compete for the limited available~~
20 ~~parking in those areas further burdens the residents of those areas;~~

21 ~~(5) The City has certain parking "attractors," including parks, etc. that further aggravate~~
22 ~~the residents' parking problems;~~

23 ~~(6) Unnecessary vehicle miles, air and noise pollution, and the inconvenience of not finding~~

1 ~~parking caused by the conditions above create unacceptable hardships for the~~
2 ~~neighborhoods' residents;~~

3 ~~(7) If the City allows those adverse conditions to continue unchecked, those adverse~~
4 ~~conditions will contribute to the decline of the living conditions in the neighborhoods and~~
5 ~~the attractiveness of residing within the City, resulting in injury to the general public~~
6 ~~welfare; and~~

7 ~~(8) A system of preferential residential parking as enacted by this Article IV will serve to~~
8 ~~promote the health, safety, and welfare of all of the City's residents by reducing~~
9 ~~unnecessary motor vehicle travel and air and noise pollution, improving the attractiveness~~
10 ~~of living in the City's neighborhoods, and encouraging the use of public mass transit~~
11 ~~facilities available now and in the future. The Article IV also will serve the public welfare~~
12 ~~by ensuring a more stable and valuable property tax base, in order to generate the revenues~~
13 ~~necessary to provide essential public services.~~

14 **§ 114-287. Definitions. [Amended on 3-27-11 by HO-2011-01]**

15 For the purposes of this Article IV, the following words shall have the meanings respectively
16 ascribed to them in this Section, except where the context clearly indicates a different meaning:

17 **A. City Administrator** means the City Administrator or ~~his/her~~their designee.

18 ~~**B. Commuter Vehicle** means a motor vehicle, other than a resident vehicle as defined below,~~
19 ~~parked in a residential area in which it is not registered.~~

20 ~~**C. Curbside Parking Space** means twenty (20) linear feet of curb, exclusive of those~~
21 ~~portions of the curb where parking, apart from the provisions of this Article IV, is not presently~~
22 ~~permitted. means any portion of a public street adjacent to a minimum of twenty (20) linear~~
23 ~~feet of curb where a vehicle could park or remain standing without significantly obstructing~~

1 the flow of traffic, except where parking or standing would be prohibited by State law or this
2 Code, other than this Article IV.

3 C. **Guest Permit** means a single-use permit issued by the City to a resident which authorizes
4 a guest of the resident of a specific residential parking permit area to park a vehicle in that
5 residential parking permit area for a limited time during a parking permit term without
6 violating this Article IV.

7 D. **Motor Vehicle** means an automobile, truck, recreation vehicle, motorcycle, or other motor-
8 driven or self-propelled form of transportation, except for vehicles exceeding a certain size,
9 weight, and/or carrying capacity that may be prohibited from parking on any public street.

10 E. **Parking Permit Term** means the period of time, defined §114-28 of this Article, during
11 which parking permits issued pursuant to this Article IV for a particular residential parking
12 permit area for that period may be valid.

13 ~~EF.~~ **Resident** means an ~~adult~~individual who lives or resides in a structure approved for
14 residential occupancy, ~~and can demonstrate exclusive right to occupancy of this residence, and~~
15 uses this residence as their primary dwelling.

16 ~~F. **Resident Vehicle** means a motor vehicle parked in a residential area in which it is registered~~
17 ~~and is validly registered with the State of Maryland Department of Motor Vehicles.~~

18 G. **Residential District** means a contiguous or nearly contiguous area open to the public
19 containing streets and highways and parking spaces for the public, all primarily abutted by
20 residential property or residential and non-commercial property (such as schools, parks,
21 churches, hospitals and nursing homes).

22 H. **Residence** means a dwelling unit.

1 I. **Residential Parking Permit** means a permit issued by the City to a resident for a particular
2 vehicle which authorizes the vehicle to be parked in a specific residential parking permit area
3 during a parking permit term without violating this Article IV.

4 HJ. **Residential Parking Permit Area** means a residential district where curbside parking on
5 public streets and highways is limited to not more than ~~two (2)~~thirty (30) consecutive
6 hoursminutes per day, unless the vehicle properly displays a parking permit authorized by this
7 Article IV.

8 K. **Residential Parking Permit Holder** means a resident/applicant to whom the City has
9 issued a residential parking permit to be used on a vehicle that the resident/applicant owns or
10 principally operates.

11 L. **Special Parking Permit** means a parking permit issued to a caregiver or other person who
12 cannot satisfy the requirements for a residential parking permit but can demonstrate reasonably
13 necessity or hardship justifying the issuance of multi-use permit.

14 JM. **Vehicle** means any mobile unit whether or not it is self-propelled and designed to travel
15 on the public roads.

16 **§ 114-298. Designation/Withdrawal of Designation of Residential Parking Permit Areas.**
17 **[Amended 4-21-14 by HO 2014-04]**

18 A. Minimum size.

19 (a) A residential parking permit area shall be, at minimum:

20 (1) one or both sides of the entire length of a street;

21 (2) one or both sides of a street between two intersections or between an intersection

22 and the dead-end termination of the street;

1 (3) one or both sides of less than an entire residential street, but at least 100 contiguous
2 feet; or

3 (4) the entirety of a cul-de-sac.

4 (b) The City retains all authority and discretion to create, extend, reduce, reconfigure,
5 consolidate or terminate any residential parking permit areas.

6 B. Notice & Hearing.

7 (a) In order for the City Council to determine whether a residential district, or any portion
8 thereof as described in subsection A, shall be designated, or shall continue to be designated,
9 as a residential parking permit area, the City Administrator shall conduct, upon the City
10 Administrator's initiative or upon a petition signed by a majority of the residents in the
11 district, or the portion thereof, a public hearing prior to such designation and prior to the
12 withdrawal of such designation.

13 (b) A notification shall be prominently posted and/or ~~shall be~~ mailed to every residence in
14 the proposed or existing residential parking permit area.

15 (c) During ~~such a~~ public hearing held pursuant to this Section, any interested person shall
16 be entitled to appear, to be heard, and to submit a written statement for the record.

17 BC. Survey.

18 To enable the City Council to determine whether a residential district, or portion thereof, shall
19 be designated, or shall continue to be designated, as a residential parking permit area, the City
20 Administrator shall conduct a block-by-block parking survey of the proposed, or existing,
21 residential parking permit area.

1 ~~ED~~. Criteria.

2 In determining whether an area may be a residential parking permit area, and whether
3 conditions are to be imposed, the City Administrator shall consider factors including but not
4 limited to the following:

5 (1) The extent that legal on-street parking spaces are occupied by vehicles during the period
6 proposed for parking restrictions;

7 (2) The extent that vehicles parking in the area during the period proposed for parking
8 restrictions are commuter vehicles;

9 (3) The extent that residents cannot obtain adequate curbside parking adjacent to or near
10 their residences because of widespread use of available curbside parking spaces by others;

11 ~~(4) The effect on the safety of the residents from intensive vehicle parking~~The number of
12 off-street parking spaces available to residences in the area;

13 ~~(5) The extent of air and noise pollution, hazardous conditions, and deterioration of the~~
14 ~~residential environment as a result of traffic congestion and insufficient parking in the area;~~

15 ~~(6)~~5 The extent that the designation of a residential parking permit area would be likely to
16 reduce traffic congestion and any other problems referred to above;

17 ~~(7)~~6 The extent and need for parking by the general public in the residential district; and

18 ~~(8) The desire of the residents in the proposed, or existing, residential parking permit area~~
19 ~~for the institution of a residential parking permit system and the willingness of those~~
20 ~~residents to bear the costs incidental to the issuance of parking permits authorized by this~~
21 ~~Article IV; and~~

(97) The extent that no reasonable alternative is feasible or practicable that would reduce parking problems and any other problems referred to above without unduly impacting surrounding residential areas.

~~D~~E. Designation/Withdrawal Process.

(1) Within ~~fifteen (15)~~thirty (30) calendar days following the close of the public hearing, the City Administrator shall recommend by written report to the City Council, based on the record of the public hearing and the results of the survey, whether to designate the residential district or portion thereof under consideration as a residential parking permit area or whether to withdraw the designation of an existing residential parking permit area.

The report also shall demonstrate that the City Administrator, in making the recommendation, has taken into account the criteria enumerated above. The report shall recommend the number of permits to be issued to each residential parking permit area as a whole and the number of permits to be issued to each address in the district residential parking permit area.

(2) Within thirty (30) calendar days following its receipt of the report, unless the City Council shall vote otherwise, the City Administrator's recommendations shall be effective as to the residential parking permit area.

(3) Nothing in this section shall limit the authority of the City Council over residential parking permit areas.

(4) The City Council or the City Administrator may limit the number of permits issued to all the addresses in a particular residential parking permit area to accomplish the purpose and intent of this Article.

1 FF. Number of Permits Per Residence.

2 (1) The City Administrator or their designee shall determine the total number of residential
3 parking permits that may be issued per residence within a residential parking permit area,
4 taking into consideration the total number of residences and parking spaces, both on-street
5 and off-street, within the particular area.

6 (2) In making its determination, the City Administrator or their designee shall reduce the
7 total number of permits that may be issued in an area by approximately 10% to
8 accommodate guest parking.

9 (3) The number of residential parking permits per residence in a residential parking permit
10 area shall be no less than one (1) or no more than four (4), except in specific cases where
11 the number of permits available to a particular residence may be adjusted pursuant to
12 paragraphs (4) and/or (5) of this Subsection.

13 (4) If the demand for permits in a residential parking permit area is likely to exceed the
14 total number of off-street parking spaces, the City Administrator or their designee may
15 reduce the number of residential parking permits available to residences with off-street
16 parking up to the total number of off-street parking spaces at each particular residence.

17 (5) Upon a showing of reasonable necessity or hardship, the total number of residential
18 parking permits that may be issued to a particular residence may be increased at the
19 discretion of the City Administrator or their designee who shall take into consideration the
20 nature of the person's particular circumstances and the potential impact on the affected
21 residential parking permit area.

1 (6) Any special exception granted under this Subsection shall expire with the permit issued
2 unless the person for which the exception was granted demonstrates that a reasonable
3 necessity or hardship continues to exist.

4 G. Duration of Parking Permits.

5 (1) All residential parking permit areas shall operate on two (2) year terms, during which
6 permits issued pursuant to this Article IV for the particular term remain valid.

7 (2) Upon the expiration of a two-year term for a particular residential parking permit area,
8 all permits issued pursuant to this Article IV for that term and area also expire and become
9 immediately invalid, and the next two (2) year term begins.

10 (3) The City Administrator or their designee shall establish a month and year for each
11 residential parking permit area upon which the first term for that area shall commence, and
12 the beginning of that term, and every subsequent term for that area, shall be on the first day
13 of that month.

14 (4) Upon the commencement of the first term as set forth in paragraph (3) of this
15 Subsection, all permits issued for the particular area pursuant to this Article IV prior to that
16 date, other than those issued and designated for the first term or addressed in § 114-33 of
17 this Article IV, shall immediately become void and invalid.

18 (5) Until the first term of a residential parking permit area commences as set forth in
19 paragraph (3), the existing provisions of this Article IV governing that residential parking
20 permit area prior to [EFFECTIVE DATE OF THIS ORDINANCE] shall remain in effect.

21 (6) Parking permits issued for the term immediately following the current term may be
22 issued prior to the expiration of the current term, and such permits shall become valid and
23 may be used up to 30 calendar days prior to the expiration of the current term.

1 H. Posting of Residential Parking Permit Area.

2 (1) ~~Immediately~~Within 60 calendar days following the effective date of the City's
3 designation or withdrawal of designations, but before any parking restrictions go into effect
4 and/or any enforcement takes place, appropriate parking signs shall be erected or moved
5 in the designated area.

6 (2) ~~The~~Residential parking permit area signs shall ~~indicate~~ prominently display the
7 following information:

8 (a) the number of the residential parking area;

9 (b) the enabling ordinance;

10 (c) the days and/or hours of enforcement; and

11 (d) that curbside parking on public streets in the designated area is prohibited unless
12 the vehicle properly displays a parking permit authorized by this Article IV.

13 FI. Notice to Residents of Designation of Residential Parking Permit Area.

14 Following the effective date of the designation, the City Administrator shall provide to every
15 residence within the designated residential parking permit area a Notice of Designation that
16 shall inform the residents in the designated area of:

17 (1) The existence, exact location, and numerical designation of the residential parking
18 permit area;

19 (2) The parking restrictions applicable to all vehicles in curbside parking spaces along
20 public streets and highways in the designated area that do not properly display a parking
21 permit authorized by this Article IV; and

22 (3) The procedures to obtain a residential or ~~temporary~~guest parking permits.

1 ~~GJ.~~ Withdrawal of Designation.

2 (1) Following City action to withdraw the designation of an existing residential parking
3 permit area, the City Administrator shall provide to every residence within the existing
4 residential parking permit area a notice of the Council's withdrawal of the designation.
5 Said notice shall specify the effective date of the withdrawal of the designation.

6 (2) The effective date of the withdrawal of the designation of an existing residential parking
7 permit area shall ordinarily be thirty (30) days following the date of the City's action to
8 withdraw the designation.

9 ~~H. Temporary Designation/Withdrawal of Designation.~~

10 ~~Notwithstanding any other provision of this Article IV, the City Administrator may either~~
11 ~~establish or temporarily withdraw the designation of all or part of a residential parking permit~~
12 ~~area or areas on a trial basis for a period not to exceed one hundred twenty (120) days.~~

13 **§ 114-3029. Issuance & Transfer of Residential Parking Permits.**

14 A. ~~Issuance~~Application.

15 (1) ~~An Application for Residential Parking Permit.~~ The applicant is to provide at a
16 minimum the following information for each motor vehicle to receive a residential parking
17 permit:

18 (a) The name and residential address of the owner of the vehicle;

19 (b) The name, residential address, and driver's license number of the principal operator
20 of the vehicle;

21 (c) The make, model, license plate number and vehicle identification number of the
22 vehicle;

23 (d) The number of off-street parking spaces at the applicant's residence; and

(~~de~~) The ~~name, address and~~ signature of the applicant for the residential parking permit.

(2) The applicant shall demonstrate proof of residency in the particular ~~zone~~area and verification of the resident being the principal driver of the vehicle in a manner determined by the City Administrator, which may include but is not limited to utility bills, lease, driver's license, title, etc.

(3) The applicant for, and holder of, the residential parking permit shall be the owner or principal operator of the vehicle receiving the parking permit.

(4) Subject to the limitations outlined in this Article IV, upon the applicant's ~~payment of a ten dollar (\$10.00) residential parking permit fee,~~ submission of a completed and validated residential parking permit application, and fulfillment of all applicable provisions of this Article IV controlling issuance, or transfer of residential parking permits, the applicant may receive one or more ~~(1)~~-residential parking permits as set forth in § 114-28 for the motor vehicle(s) described in the application. ~~The residential parking permit shall be securely affixed to the inside of the vehicle at a location directed by the City Administrator and shall display the permit number and numerical designation of the residential parking permit area.~~

B. ~~Other~~ Requirements.

~~(1)~~No residential parking permit shall be issued ~~to~~for a vehicle unless:

(1) ~~whose~~its principal operator ~~does not~~ resides on a residential street within the designated residential parking permit area;

(2) it displays valid license plates; and

(3) it is registered in the State of Maryland.

~~(2) The applicant for, and holder of, the residential parking permit shall be the owner or principal operator of the vehicle receiving the parking permit.~~

1 ~~(3) A motor vehicle shall be issued a residential parking permit only if it displays valid~~
2 ~~license plates that are allowed to those residing in Maryland under Maryland law.~~

3 ~~(4) No residential parking permit shall be issued for any motor vehicle for which a citation~~
4 ~~issued by the City remains unpaid. Upon notice to the resident of an unpaid citation that is~~
5 ~~legally due, the City may revoke the permit.~~

6 C. Exceptions for Active Military and Students.

7 (1) The Supervisor of the Office of Code and Parking Compliance shall waive the
8 requirement of Subsection B(3) of this Section for active duty military personnel and
9 current students.

10 (2) An applicant may appeal the denial of a request for a waiver under this Subsection, in
11 writing, to the City Administrator or their designee.

12 D. Issuance of Permits for Vehicles with Unpaid Citations Prohibited.

13 Notwithstanding any other provision in this Article IV, no residential parking permit shall be
14 issued for any vehicle for which a fully-adjudicated citation issued by the City remains unpaid
15 or to any person while a citation for any fully-adjudicated violation of this Article IV remains
16 unpaid.

17 E. Transfer.

18 ~~Upon the holder's payment of a ten dollar (\$10.00) residential parking permit transfer fee,~~
19 ~~submission of complete and validated residential parking permit application, fulfillment of all~~
20 ~~applicable provisions of this Article IV controlling issuance, renewal, or transfer of residential~~
21 ~~parking permits, and surrender of the existing residential parking permit, the holder shall~~
22 ~~receive a new residential parking permit to be transferred to another qualifying vehicle.~~

1 ~~D. Replacement.~~

2 ~~Upon the holder's payment of a ten dollar (\$10.00) residential parking permit replacement fee,~~
3 ~~verification of the holder's prior submission of a completed and validated residential parking~~
4 ~~permit application, fulfillment of all applicable provisions of this Article IV controlling~~
5 ~~issuance, renewal, or transfer of residential parking permits, and affirmation that the holder's~~
6 ~~permit was lost, stolen, or destroyed, the holder shall receive a new residential parking permit.~~
7 ~~The lost, stolen or destroyed permit shall be considered void, and any use of a voided permit~~
8 ~~is prohibited.~~

9 **§ 114-310. Temporary Guest Permits. [Amended on 3-27-11 by HO-2011-01]**

10 A. Issuance of Guest Permits.

11 (1) A resident or owner of rental property on a residential street within a residential parking
12 permit area may apply for, and receive, guest parking permit booklets containing fifty (50)
13 1-day guest permits and one (1) 5-day guest permit.

14 (2) Each residence within a residential parking permit area is limited to two booklets of
15 guest permits for every two (2) year term set forth in § 114-28, one booklet issued during
16 the first half of the term and one booklet issued during the second half of the term.

17 (3) Notwithstanding any other provision in this subsection, residents may apply for:

18 (a) one additional booklet of guest permits; and/or

19 (b) an additional five (5) 1-day guest permits for special events, which shall be
20 pre-dated for the day on which the event is to occur.

21 B. Application

22 (1) A person may, but is not required to, apply for guest permits in the same application
23 for a residential parking permit.

1 (2) A person need not apply for or possess a residential parking permit to apply for guest
2 parking permits, however, each applicant for guest permits must provide, at minimum, the
3 following:

4 (a) name and residential address of the applicant;

5 (b) proof of residency in the particular residential parking permit area, which may
6 include but is not limited to utility bills, lease, driver's license;

7 (c) the number of off-street parking spaces at the applicant's residence;

8 (d) the permit numbers of any residential parking permits that have been issued to
9 persons living or residing in that residence for the current or next parking permit
10 term for that parking permit area; and

11 (e) the signature of the applicant.

12 C. Use of Guest Permits.

13 (1) Each guest permit can only be used once, and before any guest permit may be used, the
14 date and time that the permit will become effective must be recorded in the appropriate
15 place on the permit.

16 (2) 1-day guest permits, when used, remain valid for twenty-four (24) hours; 5-day guest
17 permits, when used, remain valid for one hundred twenty (120) hours.

18 (3) Guest permits, regardless of the denomination, may not be used more than three
19 consecutive times on a single vehicle.

20 (4) No person shall:

21 (a) sell guest permits or otherwise receive compensation for their use; or

1 (b) use or give away guest permits for commercial parking unless they were issued or
2 authorized by the City for commercial property use pursuant to § 114-33 of this
3 Article IV.

4 ~~A. Issuance of Temporary Permits.~~

5 ~~Upon application of any resident of a residential parking permit area and upon good cause~~
6 ~~being shown, the City Administrator may issue a temporary parking permit to the resident for~~
7 ~~a vehicle which otherwise may legally park on the applicable street, with such temporary~~
8 ~~parking permit limited to that particular parking permit area and subject to conditions and~~
9 ~~limits reasonably imposed by the City Administrator for a fee of one dollar (\$1.00) per permit.~~

10 ~~Upon application and showing of good cause, the City Administrator may also issue to a~~
11 ~~resident an unlimited number of temporary permits for a period of no more than twenty four~~
12 ~~(24) hours for a fee of one dollar (\$1.00) per permit. Such unlimited twenty four (24) hour~~
13 ~~permits may be issued no more than once in any six (6) month period for any address. For the~~
14 ~~purposes of this Article IV, the resident shall be the holder of and responsible for the use and~~
15 ~~misuse of temporary parking permits issued to the resident.~~

16 ~~B. Display of Visitor Parking Permits.~~

17 ~~(1) All temporary parking permits shall be displayed on or about the front windshield of~~
18 ~~the vehicle so as to be easily visible from outside the vehicle. Such parking permits shall~~
19 ~~contain display the permit number and the numerical designation of the residential parking~~
20 ~~permit area.~~

1 **§ 114-31. Special Permits.**

2 A. Issuance of Special Permits.

3 (1) The Supervisor of the Office of Code and Parking Compliance may issue a special
4 permit to:

5 (a) an onsite caregiver;

6 (b) a person who regularly or frequently provides childcare;

7 (c) an owner of a rental residential property or landlord;

8 (d) registered members of a homeowner's association, neighborhood watch
9 organization, or other similar community organization that regularly meets in a
10 residential parking permit area;

11 (e) any other person upon a showing of reasonable necessity or hardship.

12 (2) The Supervisor of the Office of Code and Parking Compliance and/or the City
13 Administrator or the City Administrator's designee may establish reasonable restrictions
14 and limitations on the use of special permits, including, but not limited to, the days and
15 times during which they may be used and the purposes for which they may be used.

16 B. Application. Each applicant for a special permit must provide, at minimum, the following:

17 (1) name and residential address of the applicant;

18 (2) name and address of the business that employs the applicant, if any;

19 (3) the address of the residence where the special permit is to be used and the name of the
20 resident or owner of that residence;

21 (4) supporting documentation demonstrating the need for a special permit, which may
22 include, but is not limited to:

1 (a) a signed letter from the resident, or legal guardian of the resident, for whom the
2 caretaker or other similar services are to be rendered;

3 (b) a contract for caretaker or similar services;

4 (c) a lease demonstrating landlord status;

5 (d) a signed statement from an officer of an organization describing the active
6 membership for which the permits are to be used and generally describing the purpose
7 of the gathering for which the permits are requested; or

8 (e) a signed statement from the applicant otherwise explaining why a special permit is
9 needed if other documentation cannot be obtained;

10 (5) a description of when the permits are to be used; and

11 (6) the signature of the applicant.

12 C. Appeal. An applicant may appeal the denial of an application for a special permit or any
13 restrictions or limitations that are placed on a special permit, in writing, to the City
14 Administrator or their designee.

15 D. Use.

16 (1) Special permits shall not be used for any purpose other than the purpose for which they
17 were issued.

18 (2) The applicant to whom the parking permits were issued shall collect, keep, and maintain
19 all special parking permits when they are not in use.

20 **§ 114-32. Use of Parking Permits & Exemptions. [Amended on 3-27-11 by HO-2011-01]**

21 A. Parking permits may only be used in the residential parking permit area for which it was
22 issued.

23 B. Proper display of parking permits.

1 (1) All parking permits shall be securely affixed and/or located inside of the vehicle at as
2 directed by the Supervisor of the Office of Code and Parking Compliance and shall
3 properly display the permit number and numerical designation of the residential parking
4 permit area, and dates and times, if any.

5 (2) Permits that are improperly placed, partially or fully obstructed or obscured, or bear
6 writing or other markings that make the date, time, or location in which the permit is valid
7 illegible or ambiguous may be deemed invalid.

8 A.C. A parking permit shall not guarantee or reserve a parking space within a designated
9 residential parking permit area. A parking permit shall not authorize the standing or parking of
10 any vehicle in such places and during such times when the stopping, standing or parking of
11 vehicles is prohibited or set aside for specified types of vehicles, and shall not excuse the
12 observance of any traffic regulation.

13 ~~B. Whenever the holder of a parking permit, or the vehicle for which the parking permit was~~
14 ~~issued, no longer fulfills one or more of the applicable provisions of this Article IV controlling~~
15 ~~issuance, renewal or transfer of parking permits, the permit shall be deemed to have expired~~
16 ~~and the holder shall notify the City Administrator, who may then direct the holder to surrender~~
17 ~~the parking permit.~~

18 ~~C. Until its expiration, surrender or revocation, a parking permit shall remain valid for such~~
19 ~~time as the holder continues to reside within the designated residential parking permit area.~~

20 ~~D. A parking permit shall be valid only in the residential parking permit area for which it is~~
21 ~~issued.~~

22 ~~E. It shall be a violation of this Article IV for the holder of a parking permit to fail to surrender~~
23 ~~the permit when directed to do so.~~

1 ~~F. It shall be a violation of this Article IV for any person to represent in any fashion that a~~
2 ~~vehicle is entitled to a parking permit authorized by this Article IV when it is not so entitled.~~
3 ~~The display of a parking permit on a vehicle not entitled to such a parking permit shall~~
4 ~~constitute such a representation.~~

5 ~~G. It shall be a violation of this Article IV for any person to duplicate, or attempt to duplicate,~~
6 ~~by any means, a parking permit authorized by this Article IV. It also shall be a violation of this~~
7 ~~Article IV for any person to display on any vehicle such a duplicate parking permit.~~

8 ~~H~~D. Exemptions.

9 (1) It is not a violation of this Article IV for any person to park or leave standing a vehicle
10 in any residential permit parking area for up to 30 minutes without a permit.

11 (2) A permit is not required to park in any residential parking permit area during any posted
12 days and times when residential parking restrictions are not in effect, or during any
13 temporary period that may be established by the City during which parking restrictions
14 may be suspended, which shall in no case be longer than 72 hours.

15 (3) Whenever metered parking is in effect in any portion of a residential parking permit
16 area, the parking spaces controlled by meters shall be excepted from the provisions of this
17 Article IV so long as the control by meters continues.

18 (24) The provision of this Article IV shall not supersede the provisions of the City Code
19 and state laws relating to parking by persons with disabilities.

20 (35) The following vehicles are specifically exempted from the parking restrictions
21 imposed by this Article IV:

1 (a) A motor vehicle owned by or operated under contract to a utility when used in the
2 construction, operation, removal or repair of utility property or facilities or engaged in
3 authorized work in the designated residential parking permit area.

4 (b) A motor vehicle identified as owned by or operated under contract to a federal,
5 state, or local governmental agency and being used in the course of official government
6 business.

7 (c) An authorized emergency vehicle as defined by state law.

8 (46) The City Administrator may grant an exemption to the requirements of this Article IV
9 and to Section 114-18 of Article III to any person for a vehicle which may legally park in
10 the applicable area upon demonstration of unusual hardship or exigent circumstances
11 provided that the exemption will expire at the end of each calendar year unless the person
12 demonstrates that the unusual hardship or unusual or exigent circumstances continue.

13 **§ 114-33. Rental Properties.**

14 A. Within fourteen days (14) after the termination of a lease and tenancy, owners of rental
15 properties are required to:

16 (1) collect all residential parking permits from the former tenants and return them to the
17 Office of Code and Parking Compliance; or

18 (2) notify the Supervisor of the Office of Code and Parking Compliance, in writing, of the
19 termination and permit numbers of the former tenants, and also notify the former tenants
20 that their parking permits are no longer valid.

21 B. Failure to comply with Subsection A of this Section may result in the non-issuance of new
22 permits for that residence until the existing permits expire at the end of the current term.

1 C. Owners of rental properties are also expected to collect all unused guest parking permits
2 upon the termination of a lease and/or tenancy because, consistent with § 114-30, no additional
3 or replacement guest permits may be issued for any residence during a single term.

4 **§ 114-34. Commercial Properties.**

5 A. No person or entity shall receive or use any permits issued pursuant to this Article IV for
6 any for commercially zoned properties in any residential parking permit area.

7 B. Notwithstanding any other provision in this Article IV, residential parking permits and/or
8 guest parking permits may be issued in reasonable quantities, as determined by the Supervisor
9 of the Office of Code and Parking Compliance, for commercially zoned properties within a
10 residential parking permit area if the Supervisor determines that issuance of such permits
11 would not result in a significant adverse impact on the residents and other commercial
12 establishments in the area.

13 **§ 114-335. Regulations & Enforcement.**

14 The City Administrator is authorized to establish all written regulations and procedure necessary
15 to implement and enforce the provisions of this Article IV and collect all fees and fines. The
16 ~~regulations shall include a reasonable period prior to enforcement of the parking restrictions to~~
17 ~~allow for short visits or stops in such residential zones.~~

18 **§ 114-346. Restriction & Penalty. [amended 4-21-14 by HO 2014-04]**

19 A. Parking Violations.

20 (1) Except as set forth in § 114-32(D), it shall be unlawful for any person to park or leave
21 standing any motor vehicle for any length of time designated on the posted signs in a
22 designated residential permit parking zone, area without a valid permit for such zone.

1 ~~Unless otherwise provided, the penalty for each parking violation of this Article IV shall~~
2 ~~be a fine of up to one hundred fifty dollars (\$150.00).~~

3 (2) Unless otherwise provided, the penalty for a violation of this Subsection shall constitute
4 a parking violation punishable by a fine of up to fifty dollars (\$50.00).

5 B. Falsification and Misuse.

6 (1) It shall be unlawful to:

7 (a) knowingly provide any false information on an application for any permit under this
8 Article IV;

9 (b) use or misuse any permit issued under this Article IV for an improper or
10 unauthorized purpose;

11 (c) give any permit to another person for an improper or unauthorized purpose; or

12 (d) duplicate, or attempt to duplicate, by any means, a parking permit issued pursuant
13 to this Article IV or use, or attempt to use, any such counterfeit parking permit.

14 (2) Unless otherwise provided, the penalty for a violation of this Subsection shall constitute
15 a municipal infraction punishable by a fine of up to one hundred fifty dollars (\$150.00).

16 C. Failure to Surrender Revoked Permit and Other Violations.

17 (1) Failure to surrender a revoked residential parking permit when ordered to do so shall
18 constitute a separate municipal infraction punishable by a fine of up to one hundred dollars
19 (\$100.00).

20 (2) A violation of any other part of this Article IV that is not explicitly addressed in this
21 Section shall constitute a municipal infraction punishable by a fine of up to one hundred
22 dollars (\$100.00).

1 ~~B. It shall be a municipal infraction for any person to violate any provisions of this Article IV~~
2 ~~other than the parking provisions as outlined immediately above. The penalty shall be one~~
3 ~~hundred dollars (\$100.00). The penalty for any repeat violation within one (1) year shall be up~~
4 ~~to two hundred dollars (\$200.00).~~

5 ~~C. The falsification of any application for a permit, guest permit or temporary permit, the use~~
6 ~~of any permit, guest permit or the allowance of such unauthorized use by a permittee shall all~~
7 ~~constitute violations of this Article IV, punishable as a municipal infraction.~~

8 ~~D. The misuse of any permit, guest permit or temporary permit shall result in a parking citation~~
9 ~~of up to one hundred dollars (\$100.00). Misuse shall include the failure of the permittees to~~
10 ~~properly fill out or date any such permit, guest permit or temporary permit.~~

11 **§ 114-357. Revocation of Permit, Changes in Circumstances, Severability.**

12 A. In addition to the penalties provided above for violation of this Article IV the City
13 Administrator may revoke the residential parking permit of any person found to be in violation
14 of this Article IV or when an unpaid parking or motor vehicle citation issued by the City is
15 legally due, and, upon written notification thereof, the person shall promptly surrender such
16 permit to the Supervisor of the Office of Code and Parking Compliance or the City
17 Administrator. ~~Failure to surrender a revoked residential parking permit when requested to do~~
18 ~~so shall constitute a separate municipal infraction.~~

19 B. Changes in Circumstances Causing Ineligibility.

20 If, at any time, the holder of a residential or special parking permit or the vehicle for which a
21 residential or special parking permit was issued no longer satisfies one or more of the
22 applicable requirements of this Article IV controlling issuance of parking permits, including
23 any special circumstances, such as status as active military, current student, or caregiver:

(1) the parking permit issued immediately becomes invalid;

(2) the holder of the permit shall inform the Supervisor of the Office of Code and Parking

Compliance, in writing, of the change in circumstances; and

(3) the holder shall promptly surrender the permit to the Supervisor of the Office of Code

and Parking Compliance if requested to do so.

BC. Nothing in this Article IV shall be construed as authorizing a permittee to violate any traffic regulation, emergency or otherwise, duly promulgated by the City.

€D. Severability.

Severability is intended throughout and within the provisions of the Article IV. If any section, subsection, sentence, clause, phrase or portion of this Article IV is held to be invalid, or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Article IV.

DE. The parking districts in existence on September 20, 2004 shall remain in effect until they are modified or withdrawn pursuant to this Article.

ARTICLE V

Trucks and Commercial Vehicles

§ 114-368. Operation of heavy vehicles upon certain streets restricted.

* * *

~~§ 114-37. Reserved.~~

§ 114-389. Definitions.

* * *

§ 114-3940. Parking restrictions for vehicles on public rights-of-way.

§ 114-401. Parking restrictions for commercial vehicles on private property.

~~§ 114-41. Reserved.~~

§ 114-42. Petitions and Permits.

* * *

B. The City Administrator may grant either a temporary permit for a vehicle not meeting the requirements of this Article or one renewable permit, for vehicles prohibited by §114-401, but only after the City Administrator determines that the following criteria are met:

* * *

§ 114-43. Penalties.

* * *

B. A violation of §114-401 shall be a municipal infraction enforceable by Code compliance or the police, with the penalty being one hundred dollars (\$100.00) for a first offense and two hundred dollars (\$200.00) for each subsequent offense. Each day that a violation continues shall be a separate offense.

AND BE IT FURTHER ORDAINED that if any provision of this Ordinance or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other applications of the Ordinance which can be given effect without the invalid provision or applications, and to this end, all the provisions of this Ordinance are hereby declared to be severable;

AND BE IT FURTHER ORDAINED that this Ordinance shall take effect one hundred eighty (180) days from the date of its adoption;

AND BE IT FURTHER ORDAINED that a fair summary of this ordinance shall forthwith be published twice in a newspaper having general circulation in the City and otherwise be made available to the public.

INTRODUCED by the City Council of the City of Hyattsville, Maryland, at a regular public meeting on (INSERT DATE), 2018.

ADOPTED by the City Council of the City of Hyattsville, Maryland, at a regular public meeting on (INSERT DATE), 2018.

Adopted: _____

Attest:

Laura Reams, City Clerk

Candace B. Hollingsworth, Mayor

~~{}~~ indicate deletions

Underline indicates additions

Asterisks * * * Indicate matter retained in existing law but omitted herein

Effective Date: (Insert)

From: City Attorney

To: Director Economic and Community Development
Manager, Code Compliance

Date: May 9, 2018

Subj: 324-163 Chapter 114 Parking Revisions

MEMO

In order to assist the reader with understanding the revisions made to Chapter 114, I offer this informal memo. Please let me know if you have any questions.

ARTICLE III

Stopping, Standing and Parking

* * *

§ 114-18. Time limit for leaving vehicles unattended.

This section was edited to reflect changes in Article IV.

ARTICLE IV

Residential Permit Parking Zones

~~§ 114-27. Purpose and Legislative Findings.~~

Omitted this section because it was unnecessary and somewhat inapplicable now that the ordinance is being rewritten.

~~§ 114-28. Definitions.~~

* * *

~~B. Commuter Vehicle~~

I recommend striking this definition because it is only referenced once in the Article. Moreover, it is not necessary to distinguish between various uses of vehicles because § 114-35 operates to prohibit ALL vehicles that do not have a valid parking permit for that specific area, except under the circumstances provided in § 114-31(C).

EB. Curbside Parking Space

Proposed language to clarify this definition.

C. Guest Permit

Added this language to define the new type of permit.

* * *

E. Parking Permit Term

Added this language to explain the new parking permit “terms” (i.e., the cycles during which current permits are valid and old permits expire).

EF. Resident

I added the “primary dwelling” language to prevent the periodic overnight guest from attempting to claim residency to obtain a permit.

F. Resident Vehicle

Recommend striking this language for the same reason as “Commuter vehicle.”

* * *

I. Residential Parking Permit

Added this language to define the new type of permit.

IJ. Residential Parking Permit Area

Reduced “grace period” to 30 minutes.

K. Residential Parking Permit Holder

Added this language to describe who is a “holder.”

L. Special Parking Permit

Added this language to define the new type of permit.

* * *

§ 114-298. Designation/Withdrawal of Designation of Residential Parking Permit Areas.

A. Minimum size.

I added section (A) and its subparagraphs to help clarify what “portion thereof” of a residential district means. It may be overkill, but it makes it explicitly clear what a “portion thereof” means.

D. Criteria.

* * *

~~(8)~~

Omitted this language because new parking system does not have fee structure.

* * *

F. Number of Permits Per Residence.

This whole subsection is new and establishes the number of parking permits per residence.

G. Duration of Parking Permits.

This whole subsection is new. Paragraph (1) establishes the two-year terms (or cycles) for parking permits. Paragraph (2) expires and invalidates old permits when a new term begins. Paragraphs (3) and (4) are sort of the “genesis” provisions which establish when terms/cycles begin and end, and they invalidate all parking permits from the previous system upon the commencement of this new system in a new parking permit area. Paragraph (5) was added as a clarification that

make it explicitly clear that all aspects of the “old system” remain in effect until the first day of the first term of a new RPZ term. Paragraph (6) is a provision that permits the City to begin handing out permits for the *next* term *before* the next term begins and makes them valid 30 days prior to the beginning of the upcoming term so that residents have a bit of overlap of the cycles to install their new sticker at their leisure without having to stand next to their cars and replace their stickers at the precise stroke of midnight or else risk getting a ticket for displaying the wrong permit (e.g., it would be permissible for the City to issue January 2020/2021 stickers in, for example, August 2019, and it would be permissible for a resident to remove from their vehicle their January 2018-2019 sticker and affix a January 2020-2021 sticker on December 10, 2019).

H. Posting of Residential Parking Permit Area.

I added language to paragraph (1) to ensure that, at the very least, no parking restrictions will be enforced until the proper signage is in place

* * *

§ 114-3029. Issuance & Transfer of Residential Parking Permits.

A. Issuance Application.

* * *

(4)

I moved language from this paragraph regarding where and how to affix a permit to the “Use” section, which I think makes more sense.

* * *

D. Issuance of Permits for Vehicles with Unpaid Citations Prohibited.

I added the “adjudicated” language to this section so that people who are challenging a citation can still get a permit. I also expanded the section to cover not just vehicle citations, but

also any citation issued to a person for violating this Article. Thus, if a person provides false information on their application, or is directed to return a permit but refuses, or misuses guest permits, and is then fined for the violation, it seems sensible that they would also be precluded from receiving new permits.

* * *

§ 114-310. ~~Temporary~~ Guest Permits. [Amended on 3-27-11 by HO-2011-01]

I intentionally placed the guest permits provisions in its own section, complete with an “issuance”, “use”, and “application”, subsections to complement the previous section, which addresses strictly residential permits. The purpose of this was to permit residents who do not personally own vehicles (who walk, or use public transit, or are disabled, etc.), but still would like to receive guest permits for visitors to obtain guest permits.

I envision a single application form that has four checkboxes:

I am applying for (check one):

☐ Residential parking permit only

☐ Residential parking permit and guest permits

☐ Guest permits only

☐ Special permit only

The applicant will then check the box that is applicable. If they check box 1 or 2, they fill out the whole form (i.e., Make/model of vehicle etc.). If they check box 3 for guest permits only, they just have to fill out part of the form (i.e., name, address, and proof of residency or ownership, etc.).

Thus, residents can automatically get guest permits at the same time as their residential parking permits. This just adds another option for those who do not own a car. For the purposes of tracking people with guest permits only, it is possible to just track them via street address, which

is likely how the quantity of residential parking permits issued to each residence will have be tracked anyway. Another potential way to track these folks is to simply issue a person who requests only guest permits a Residential Parking Permit number without an actual permit, i.e., do everything exactly the same as you would with a residential parking permit, but simply withhold the resident sticker/hangtag/etc. and just give them the guest booklets and a copy of their number.

A. Issuance of Guest Permits.

* * *

(3)

I adjusted this section to allow residents to get more guest permits. Subsection A(3) was written intentionally vague to permit discretion regarding the issuance of a third booklet.

B. Application

I added this subsection to help clarify the operation of the ordinance and to complement the prior section regarding the application requirements for a residential parking permit.

* * *

~~B. Display of Visitor Parking Permits~~

I omitted the old language and consolidated this provision into a single rule in the “Use of parking permits” section, § 114-32(B), which makes the Article uniform and more accessible.

§ 114-31. Special Permits.

I added this third category of permits to address all the “special” circumstances where people are not “residents” as defined by this Article but may nevertheless need the equivalent of a residential parking permit. I envision that these permits might be cardboard/cardstock or something similar to a guest permit.

For example, the president of a HOA might apply for 4 permits so that the secretary, treasurer, and two board members can park at the president's residence for a HOA meeting that occurs on the first Tuesday of every month. The president would hand out the permits on the day of the meeting and, like guest permits, the HOA members could put them on their dashboard when they arrive. The permits might be limited to the first Tuesday of every month, which would coincide with the stated purpose.

Landlords, for example, might be issued a special permit that is valid for the applicant's choice of a limited number of days of the week. So, the landlord might choose Fridays and Sundays, and the permit would be valid on only those days. Or they could be unlimited.

Caregivers might be granted a permit that is valid all day during weekdays. Part of the special permit application for a caregiver might include a statement from the parent stating that they work from 6:00 a.m. to 2:00 p.m. Monday through Thursday, and therefore, they need a permit for the grandmother's car for those days from 5:00 a.m. to 3:00 p.m.

A. Issuance of Special Permits.

(1)

These are the categories that were discussed. This list, of course, can be adjusted, and it also includes paragraph (e) which is a catchall for unusual cases.

* * *

B. Application.

Again, as with residential parking permits and guest permits, this section also has a complementary "application" section.

* * *

D. Use.

* * *

(2)

This provision is targeted at groups, particularly HOAs and such. The caregiver is likely to be the applicant, and therefore, the caregiver will just keep the special permit until it expires or “changes in circumstances” require the caregiver to surrender it. However, for groups that might have multiple special permits and have changing membership, like an HOA or a community watch organization, the City probably does not want to have to deal with special permits scattered around, getting lost, and disappearing. Therefore, whomever applies for the permits, like the HOA president, will be responsible for them and will be required to keep and maintain the permits. Thus, after the HOA meeting is over, the board members will have to return them to the president. Hopefully this will reduce temptation to abuse special permits and fewer issues with lost permits or former members refusing to return them, etc.

§ 114-32. Use of Parking Permits & Exemptions. [Amended on 3-27-11 by HO-2011-01]

* * *

B. Proper display of parking permits.

This new language is a consolidation of old rules. It applies to all classes of permit. It basically requires users to place or affix whatever permit they have in the appropriate location as directed by the City. The new language further makes it a violation to attempt manipulate a permit, like blocking the zone number or writing two dates on a guest permit

* * *

H.D. Exemptions.

(1)

I moved this section from the “penalty” section and placed it within this “exemptions” section to neatly consolidate all of the exemptions into one section. The “parking violation” offense in the “penalty” section just points to this entire category of exemptions as all of the exceptions to the rule that a valid parking permit is needed.

(2)

I added this paragraph for two reasons: First § 114-28(G)(2)(c) indicates that RPZ signs will indicate “the days and/or hours of enforcement.” Accordingly, this provision complements the implication that there may be days and times (such as certain holidays or between the hours of 9:00 a.m. and 2:00 p.m. Monday through Friday) during which parking may be unrestricted.

Second, there was mention of certain special occasions (i.e., funerals) during which the City may want to suspend enforcement. This provision permits suspension of the rules for such special events.

* * *

§ 114-33. Rental Properties.

This section places the responsibility of rental property owners to collect permits from former tenants.

§ 114-34. Commercial Properties.

A.

This subsection prohibits the use of residential parking permits at commercial properties within a parking permit area.

B.

This subsection permits the Parking Compliance Supervisor to determine whether a limited quantity of permits may be issued to businesses in certain areas where it would not significantly impact the residential area.

* * *

§ 114-346. Restriction & Penalty. [amended 4-21-14 by HO 2014-04]

A. Parking Violations.

This subsection sets forth the prohibition and penalty for committing a parking violation (e.g., parking with an invalid permit). The initial clause of paragraph (1), “Except as set forth in § 114-32(D),” refers to ALL of the “exceptions” set forth in that section, and this language was added in large part to clarify that it is not a violation to park in a RPZ when the signs in the area indicate parking restrictions are not in effect, when parking meters are in effect, etc.

* * *

B. Falsification and Misuse.

Most (if not all) of the non-parking related offenses, misusing permits and lying on an application, things of that nature, are combined in this section.

C. Failure to Surrender Revoked Permit and Other Violations.

This is sort of a catchall offense section.

* * *

§ 114-357. Revocation of Permit, Changes in Circumstances, Severability.

* * *

B. Changes in Circumstances Causing Ineligibility.

This section invalidates permits that are contingent of special factors, such as being a student, if the condition no longer applies (e.g., the college student graduates), and it requires the permit to be returned.

* * *

AND BE IT FURTHER ORDAINED that this Ordinance shall take effect one hundred eighty (180) days from the date of its adoption;

[NOTE: Effective date was increased to 180 days, however, this may not be necessary because § 114-28 already includes language that should allow the new system to begin in a rolling manner, one residential parking permit area at a time.]

* * *



Hyattsville City Council Agenda Item Report

Meeting Date: May 14, 2018

Submitted by: Katie Gerbes

Submitting Department: Community & Economic Development

Item Type: Planning & Development

Agenda Section: Discussion Items (8:50 p.m. - 10:25 p.m.)

SUBJECT

DSP-12062: 3599 East West Highway (15 minutes)

HCC-336-FY18

Recommendation:

Discussion Only

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[3599_East_West_Discussion_Memo](#)

[NSR Properties Site Plan.pdf](#)

[Planning Committee Minutes - 04.17.2018.doc](#)

Summary Background:

The subject property is located at 3599 East West Highway, at the southwestern intersection of East West Highway (MD 410) and Belcrest Road and operates as a Sunoco gas station. NSR Properties, the property owner, is proposing to redesign the site, expand the number of gas pumps, demolish the existing convenience store, and build a new two-story commercial/office building on the southern end of the site. Additional project details can be found in the attached memo.

Next Steps:

The application is scheduled on the "Action" agenda on June 4, 2018.

Fiscal Impact:

N/A

City Administrator Comments:

For discussion

Community Engagement:

This application was first presented to the community at the April 2, 2018 City Council meeting. It was discussed by the Planning Committee on April 17, 2018. There is currently a live page on the Speak Up HVL website where residents may share their comments on the plan. The Speak Up page will be live until June 3, 2018.

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
Katie Gerbes, Community Planner

Date: May 7, 2018

Re: DSP-12062: 3599 East West Highway, Hyattsville

Attachments: 3599 East West Highway Site Plan
Planning Committee Minutes 04.17.18

The purpose of this memorandum is to provide the City Council with a summary of the Detailed Site Plan (DSP) application DSP-12062, for the redevelopment of 3599 East West Highway, Hyattsville.

Project Summary

- The applicant is proposing the addition four additional service bays and eight gas pumps, for a total of 16 gas pumps, and the construction of a new convenience store/management office at 3599 East West Highway;
- The property is located within the “Downtown Core” character area of the Prince George’s Plaza Transit District Overlay Zone;
- The property is required to go through the Detailed Site Plan (DSP) process as it is a certified non-conforming use and all major improvements to non-conforming properties to be approved via a DSP;
- Staff concerns at this point are primarily concerned with traffic impacts, the pedestrian-oriented design and accessibility of the site, stormwater management and the inclusion of artwork into the site;
- At this time staff are not recommending a position for the Council to take on the application, as the referral and its associated documents have not been received. Staff will provide a recommendation to the City Council before the Council is asked to take action on the proposals.

Project Details

The subject property is located at 3599 East West Highway, at the southwestern intersection of East West Highway (MD 410) and Belcrest Road. The site currently operates as a Sunoco gas station. The property is zoned M-U-I (mixed-use-infill) and lies within “downtown core” character area of the Prince George’s Plaza Transit District Overlay Zone (TDOZ). The property owner is proposing to redesign the site, expanding the number of gas pumps, demolishing the existing convenience store, and building a new two-story commercial/office building on the southern end of the site.

The site currently has four (4) gas bays, allowing for eight (8) pumps. The applicant proposes to double the number of bays, allowing for a total of 16 pumps on site. The applicant also plans to demolish the existing convenience store, which is in the center of the site, and rebuild it along the southern edge of the property. The new store building is proposed as 9,580 sq.ft. (4,790 sq.ft. footprint) two-story structure, with the convenience store occupying the first floor, and second floor offices for the owner’s management company. 17 parking spaces are proposed for the site, as compared to the current 10 spaces. The applicant also plans to retain the current ATM on site, but will be relocating it so that it has walk up access only.

The proposed building footprint is beneath the square footage threshold required for a detailed site plan approval, however the current use, a gas station, is a certified non-conforming use within the Prince George’s Plaza TDDP. Because of the application for a continuance of the non-conforming use (CNU), this application is required to secure approval through a detailed site plan process.

Variance Requests

The applicant will be requesting two variations from the TDOZ standards for this project.

The first variation request is the distance from the ‘build-to’ lines. The TDOZ states that the build to line on East West Highway is 25 feet and the build to line on Belcrest Road is 33 feet. The applicant is requesting a variance of 0.6 feet from East West Highway and 10 feet from Belcrest Road. The reasoning for this variance is to accommodate the turning radii and circulation pattern of gasoline trucks that need to visit the site on a regular basis.

The second variance sought pertains to frontage. The TDDP requires connection of buildings to create a solid frontage along the main roads in the district. Functionally, it is not possible for a gas station to connect to the adjacent building, as the adjacent parcel to the west is existing and owned by a different property owner, secondly the proposed building cannot be physically connected to the structures covering the proposed gas servicing bays.

Based on the information currently available, staff is likely to recommend support of both variance requests.

Planning Committee Review

The applicant met with the Planning Committee on April 17, 2018 to present and discuss the development application. Committee members were generally supportive of the project, but voted on several recommendations the City Council could consider in making their decision on this application. Recommendations unanimously approved by the Planning Committee include:

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

During the meeting, there was some uncertainty from the applicant on the number of parking spaces that are provided on the site. Although not a recommendation, the Planning Committee asked staff to confirm the number of spaces. Staff have confirmed with the applicant that the number of spaces to be provided will be 17.

Meeting minutes from the April 17th meeting are attached to this document.

Staff Comments and Recommendations

It should be noted that this use – a gas station - is inconsistent with the goals and priorities of the Prince George’s Plaza Transit District Development Plan and ordinarily would not be permitted in this location. The gas station in question was constructed in the 1960s, prior to the TDDP and current zoning. As a result, the site is a certified non-conforming use. If the site were permitted by right, changes of this nature and size would not be required to go through a detailed site plan process. It is because the site is a certified non-conforming use that this detailed site plan process is being utilized.

As of May 8, 2018, staff have not yet received a full referral for the application from M-NCPPC. As a result, staff are missing some documents critical to our review, and without such documents, staff is not comfortable making a recommendation whether or not to support the project. We anticipate that we will have the full referral and its associated documents in the next two weeks, at which point recommendations will be submitted to the City Council for consideration.

At this time, staff have a few concerns about the plan as proposed. We share the opinion with members of the Planning Committee that the site is not pedestrian friendly and its walkability should be enhanced through this process.

Staff have some concerns about traffic impacts on the site. With the increased capacity of the site, staff would like to see a traffic analysis performed that projects vehicle counts into and out of the site. We believe it would benefit both the applicant and agencies to see how turning movements and circulation throughout the site would be altered by the removal of one curb cut. Removal of at least one curb cut on the property to enhance walkability and limit the interaction between pedestrians and vehicles. The site currently has four curb cuts – two on East West Highway and two on Belcrest Road. We recommend the applicant amend the site plan to reflect the southernmost curb cut on Belcrest Road be eliminated, as the removal of that cut will have the smallest impact on the circulation of the site.

Staff does believe that the reorientation of the site is an improvement over current conditions and will enhance the site. In its current location, the convenience market is in the center of the property, which inhibits both pedestrian and vehicle movement throughout the site. Parking will also be better organized through this revised orientation, as spaces will be clearly denoted, whereas the current condition has vehicles parking arbitrarily on the site.

Given the new orientation of the building and its prominent location within the Prince George’s Plaza Transit District, staff agree with the Planning Committee recommendation of incorporating some sort of

artwork into the site. Staff do not feel the need to prescribe the type or location of artwork, but believe that it should somehow be a component of the site.

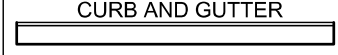
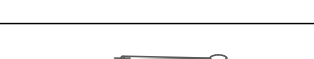
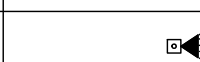
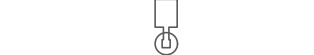
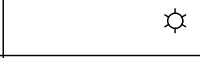
Through this DSP, the applicant will be required to manage 100% of the stormwater on site, as is consistent for all redevelopments of sites initially developed before the introduction of stormwater management regulations. Stormwater management plans will be reviewed and approved by the Department of Environment before the plan gets its full approvals. Staff understand that the stormwater issue will be properly addressed, but would like to see the stormwater plans during their review of the project.

At this point, we are not advising the City Council on a position until the City has received additional information. Staff will review the referral documents as soon as they are provided and will update the City Council with a recommendation before the application returns to the Council on June 4th.

Next Steps

This project will be on the “Discussion” agenda for the City Council at the May 14, 2018 Council meeting. Staff are still waiting for a formal referral on the project from M-NCPPC. Until staff have had an opportunity to review the referral documents, it will not come before the City Council for “Action.” Staff are estimating that the Council will likely see the application on the “Action” agenda at the June 4, 2018 Council meeting. The Planning Board date for the project has yet to be scheduled.

FOR ENTIRE PLAN SET
(NOT TO SCALE)

		CURB AND GUTTER
	CONCRETE CURB & GUTTER	 
	UTILITY POLE WITH LIGHT	
	POLE LIGHT	
	TRAFFIC LIGHT	
	UTILITY POLE	
	TYPICAL LIGHT	
	ACORN LIGHT	
	TYPICAL SIGN	
	PARKING COUNTS	

	SANITARY LABEL	
	STORM LABEL	
	SANITARY SEWER LATERAL	
	UNDERGROUND WATER LINE	
	UNDERGROUND ELECTRIC LINE	
	UNDERGROUND GAS LINE	
	OVERHEAD WIRE	
	UNDERGROUND TELEPHONE LINE	
	UNDERGROUND CABLE LINE	

	GAS METER	
	TYPICAL END SECTION	
	HEADWALL OR ENDWALL	
	YARD INLET	
	CURB INLET	
	CLEAN OUT	
	ELECTRIC MANHOLE	
	TELEPHONE MANHOLE	
	ELECTRIC BOX	
	ELECTRIC PEDESTAL	

FOR ENTIRE PLAN SET

GR	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
L/S	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

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



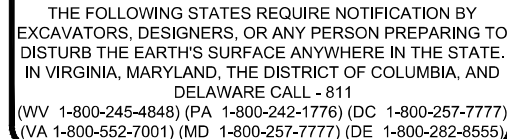
CONTACT: NICHOLAS SPEACH, P.E.

1. THIS PLAN IS BASED ON AN ALTA/ACSM TITLE SURVEY BY:

10. THE SITE IS NOT LOCATED WITHIN A 100-YEAR FLOODPLAIN PER FEMA FLOODPLAIN MAP 24033C0129E, EFFECTIVE SEPTEMBER 16, 2010.
11. THIS SITE DOES NOT DISCHARGE INTO A TIER II WATERSHED.
12. NO AVIATION POLICY AREAS EXIST ON OR IN VICINITY OF THE PROPERTY.
13. NO CEMETERIES ARE KNOWN TO EXIST ON THE PROPERTY.
14. THE PROPERTY IS NOT WITHIN A HISTORIC PROPERTY.
15. THE PROPERTY IS NOT WITHIN THE CRITICAL AREA.
16. THERE ARE NO STEAMS OR WETLANDS LOCATED ON THE SITE.
17. THE SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA OVERLAY.
18. SITE TO BE SERVICED WITH PUBLIC WATER AND SEWER. EXISTING AND PROPOSED WATER/SEWER DESIGNATIONS: W3 / S3
19. TOPOGRAPHY PROVIDED BY DOCUMENTS FROM NOTE 1 ABOVE.
20. COMPANION APPLICATIONS:
SDCP: #2296-2018

10. THE SITE IS NOT LOCATED WITHIN A 100-YEAR FLOODPLAIN PER FE MAP 24033C0129E, EFFECTIVE SEPTEMBER 16, 2016.
11. THIS SITE DOES NOT DISCHARGE INTO A TIER II WATERSHED.
12. NO AVIATION POLICY AREAS EXIST ON OR IN VICINITY OF THE PROPERTY.
13. NO CEMETERIES ARE KNOWN TO EXIST ON THE PROPERTY.
14. THE PROPERTY IS NOT WITHIN A HISTORIC PROPERTY.
15. THE PROPERTY IS NOT WITHIN THE CRITICAL AREA.
16. THERE ARE NO STEAMS OR WETLANDS LOCATED ON THE SITE.
17. THE SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA OVERLAY.
18. SITE TO BE SERVICED WITH PUBLIC WATER AND SEWER. EXISTING AND PROPOSED WATER/SEWER DESIGNATIONS: W3 / S3
19. TOPOGRAPHY PROVIDED BY DOCUMENTS FROM NOTE 1 ABOVE.
20. COMPANION APPLICATIONS:
SDCP #2296-2018

- ◆ WOODLAND CONSERVATION LETTER OF EXEMPTION:
BOHLER ENGINEERING, LLC
APPROVAL DATE: 01/05/2018
- ◆ NRI EQUIVALENCY LETTER:
BOHLER ENGINEERING, LLC
APPROVAL DATE: 01/05/2018
- ◆ SITE DEVELOPMENT CONCEPT PLAN:
BOHLER ENGINEERING, LLC
"SITE DEVELOPMENT CONCEPT PLAN FOR NSR PETRO
SERVICES"
DATED: 01/19/2018
- ◆ GEO-TECHNICAL REPORT

[illegible]

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

FOR
NSR PROPERTIES,
LLC

 **BOHLER**
ENGINEERING

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

Phone: (301) 809-4500
Fax: (301) 809-4501

MD@BohlerEng.com

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: 6/14/2019

SHEET NUMBER:

1

PRIOR TO STARTING ANY DEMOLITION CONTRACTOR IS RESPONSIBLE FOR TO:

- A. ENSURING THAT COPIES OF ALL APPLICABLE PERMITS AND APPROVALS ARE MAINTAINED ON-SITE AND AVAILABLE FOR REVIEW.
- B. INSTALLING THE REQUIRED SOIL EROSION AND SEDIMENT CONTROL AND/OR TREE PROTECTION MEASURES PRIOR TO SITE DISTURBANCE.
- C. LOCATING (VERTICALLY AND HORIZONTALLY) ALL UTILITIES AND SERVICES, INCLUDING, BUT NOT LIMITED TO GAS, WATER, ELECTRIC, SANITARY AND STORM SEWER, TELEPHONE, CABLE, FIBER OPTIC CABLE, ETC. WITHIN THE LIMITS OF DISTURBANCE. THE CONTRACTOR SHALL USE AND COMPLY WITH THE REQUIREMENTS OF THE APPLICABLE UTILITY LOCATION AND NO DAMAGE TO LOCATE AS THE UNDERGROUND UTILITIES.
- D. PROTECTING AND MAINTAINING IN OPERATION, ALL ACTIVE SYSTEMS THAT ARE NOT BEING REMOVED DURING ALL DEMOLITION ACTIVITIES.
- E. FAMILIARIZING THE SUBJECTS WITH THE APPLICABLE UTILITY SERVICE PROVIDER. THE CONTRACTOR SHALL COORDINATION REGARDING UTILITY DEMOLITION REQUIRED FOR THE PROJECT, AND THE CONTRACTOR SHALL PROVIDE THE OWNER WRITTEN NOTIFICATION THAT THE EXISTING UTILITIES AND SERVICES HAVE BEEN TERMINATED AND ABANDONED IN ACCORDANCE WITH JURISDICTION AND UTILITY COMPANY REQUIREMENTS.
- F. COORDINATION WITH UTILITY COMPANIES REGARDING WORKING "OFF-PEAK" HOURS OR ON WEEKENDS AS MAY BE REQUIRED TO MINIMIZE THE IMPACT ON THE AFFECTED PARTIES.
- G. A COMPLETE INSPECTION FOR CONTAMINANTS BY A LICENSED ENVIRONMENTAL TESTING AGENCY OF ALL EXISTING AND REMAINING STRUCTURES AND SOILS TO BE REMOVED TO BE COMPLETED IN ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL ENVIRONMENTAL REGULATIONS. ANY/ALL CONTAMINANTS SHALL BE REMOVED AND DISPOSED OF BY A FEDERALLY LICENSED CONTRACTOR. IN ACCORDANCE WITH FEDERAL, STATE, AND LOCAL REGULATIONS, THE CONTRACTOR TO COORDINATE WITH THE OWNER'S ENVIRONMENTAL ENGINEER PRIOR TO DEMOLITION OF ANY STRUCTURE AND NO DEMOLITION SHALL BE PERFORMED UNTIL OWNERS ENVIRONMENTAL CONSULTANT CONFIRMS ALL BUILDINGS AND STRUCTURES ARE FREE OF ASBESTOS-CONTAINING MATERIALS AND OTHER REGULATED WASTE MATERIALS.

2. CONTRACTOR SHALL PROVIDE TRAFFIC CONTROL AND GENERALLY ACCEPTED SAFE PRACTICES IN CONFORMANCE WITH THE CURRENT "MANUAL ON UNIFORM TRAFFIC CONTROL", AS WELL AS FEDERAL, STATE, AND LOCAL REGULATIONS WHEN DEMOLITION RELATED ACTIVITIES IMPACT ROADWAYS OR ROADWAY RIGHTS-OF-WAY. CONTRACTOR IS RESPONSIBLE FOR PERMIT.
3. CONDUCT DEMOLITION ACTIVITIES IN SUCH A MANNER TO ENSURE MINIMUM INTERFERENCE WITH ROADS, STREETS, SIDEWALKS, AND OTHER ADJACENT FACILITIES. STREET CLOSURE PERMITS MUST BE OBTAINED FROM THE APPROPRIATE GOVERNMENTAL AUTHORITY.
4. DEMOLITION ACTIVITIES AND EQUIPMENT SHALL NOT USE AREAS OUTSIDE THE DEFINED PROPERTY LINE WITHOUT WRITTEN PERMISSION OF THE APPLICABLE PROPERTY OWNER, AND/OR APPROPRIATE GOVERNMENT AGENCY.
5. USE DUST CONTROL MEASURES TO LIMIT AIRBORNE DUST AND DIRT RESUSPENSION AND SCATTERING IN THE AIR IN ACCORDANCE WITH FEDERAL, STATE, AND/OR LOCAL STANDARDS. AFTER THE DEMOLITION IS COMPLETED, ADJACENT STRUCTURES AND IMPROVEMENTS SHALL BE CLEANED OF ALL DUST AND DEBRIS CAUSED BY THE DEMOLITION OPERATIONS. THE CONTRACTOR IS RESPONSIBLE FOR RETURNING ALL ADJACENT AREAS TO THEIR "PRE-DEMOLITION" CONDITION.
6. CONTRACTOR IS RESPONSIBLE TO SAFEGUARD SITE AS NECESSARY TO PERFORM THE DEMOLITION IN SUCH A MANNER AS TO PREVENT THE ENTRY OF UNAUTHORIZED PERSONS AT ANY TIME.
7. THIS DEMOLITION PLAN IS INTENDED TO IDENTIFY THOSE EXISTING ITEMS/CONDITIONS THAT ARE TO BE REMOVED. IT IS NOT INTENDED TO PROVIDE DIRECTION OTHER THAN THAT THAT ALL "MEANS AND METHODS" ARE TO BE IN ACCORDANCE WITH THE DEMOLITION PLAN AND THE APPLICABLE PERMIT REQUIREMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL OSHA AND OTHER SAFETY PRECAUTIONS NECESSARY TO PROVIDE A SAFE WORK SITE.
8. DEBRIS SHALL NOT BE BURIED ON THE SUBJECT SITE. ALL DEMOLITION WASTES AND DEBRIS (SOLID-WASTE) SHALL BE DISPOSED OF IN ACCORDANCE WITH ALL TOWN, COUNTY, STATE, AND FEDERAL LAWS AND APPLICABLE CODES. IN-ORGANIC AND NON-METALLIC DEMOLISHED MATERIAL MAY BE RE-USED ON SITE FOR FILL COMPRISING THAT IT HAS BEEN REDUCED TO A GRANULAR SIZE SUITABLE FOR COMPACTION (PASSING A #2 1/2" OR SMALLER SIEVE). MATERIAL SIZE (AS REDUCED) TO BE IN ACCORDANCE WITH ALL TOWN, COUNTY, STATE AND FEDERAL LAWS AND APPLICABLE CODES.
9. RE-MEDIATE SITE OF ASBESTOS AND COORDINATE OPERATIONS WITH OWNER'S ENVIRONMENTAL CONSULTANT FOLLOWING CONSULTANT'S SPECIFICATIONS. CONTRACTOR SHALL FILE THE MDE AND EPA ASBESTOS NOTIFICATION 10 BUSINESS DAYS PRIOR TO STARTING ASBESTOS ABATEMENT WORK.
10. CONTRACTOR WILL AND IN OBTAINING THE DEMOLITION PERMIT, TO INCLUDE BEST INSPECTION.
11. EXISTING WET UTILITIES ARE TO BE REMOVED/CAPPED/ABANDONED IN ACCORDANCE WITH ALL JURISDICTIONAL REQUIREMENTS. IN RESPECT ALL REQUIRED WET PERMITTING, CONTRACTOR WILL AND THE OWNER WITH DRY UTILITY DISCONNECTS TO INCLUDE COMMUNICATIONS, POWER AND GAS.
12. ALL DEMOLITION ACTIVITIES ARE TO BE PERFORMED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS AS WELL AS ALL FEDERAL, STATE AND LOCAL REGULATIONS AND TO COMPLY WITH LOCAL CODES AND GOVERNANCES, ANY DISCREPANCIES OR DEVIATIONS SHALL BE IDENTIFIED BY THE CONTRACTOR TO BOHLER ENGINEERING IN WRITING FOR REGULATION PRIOR TO INITIATION OF SITE ACTIVITY.
13. BOHLER ENGINEERING IS NOT RESPONSIBLE FOR JOB SITE SAFETY OR SUPERVISION. CONTRACTOR IS TO PROCEED WITH THE DEMOLITION IN A SYSTEMATIC AND SAFE MANNER, FOLLOWING ALL THE OSHA REQUIREMENTS, TO ENSURE PUBLIC AND CONTRACTOR SAFETY.
14. THE CONTRACTOR SHALL PROVIDE ALL THE "MEANS AND METHODS" NECESSARY TO PREVENT MOVEMENT, SETTLEMENT, OR COLLAPSE OF EXISTING STRUCTURES, AND ANY OTHER IMPROVEMENTS THAT ARE REMAINING ON-SITE OR OFF-SITE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRS OF DAMAGE TO ALL ITEMS THAT ARE TO BE REPAVED AS A RESULT OF HIS ACTIVITIES. ALL REPAIRS SHALL USE NEW MATERIAL. THE REPAIRS SHALL RESTORE THE ITEM TO THE PRE-DEMOLITION CONDITION.
15. IN THE ABSENCE OF SPECIFICATIONS, THE CONTRACTOR SHALL PERFORM EARTH MOVEMENT ACTIVITIES, DEMOLITION AND REMOVAL OF ALL FOUNDATION WALLS, FOOTINGS, AND OTHER MATERIALS WITHIN THE LIMITS OF DISTURBANCE.
16. EXPLOSIVES SHALL NOT BE USED WITHOUT PRIOR WRITTEN CONSENT OF BOTH THE OWNER AND APPLICABLE GOVERNMENTAL AUTHORITIES. ALL THE REQUIRED PERMITS AND EXPLOSIVE CONTROL MEASURES THAT ARE REQUIRED BY THE FEDERAL, STATE, AND LOCAL GOVERNMENTS SHALL BE IN PLACE PRIOR TO STARTING AN EXPLOSIVE PROGRAM. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT AREAS AND FOR ALL INSPECTION AND SEISMIC VIBRATION TESTING THAT IS REQUIRED TO MONITOR THE EFFECTS ON ALL LOCAL STRUCTURES.



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, AND DELAWARE CALL - 811

PROJECT No.:	MB172062
DRAWN BY:	TJM
CHECKED BY:	NBS
DATE:	03/01/18
SCALE:	1" = 20'
CAD I.D.:	EX0

SITE PLAN
— FOR —
NSR PROPERTIES,
LLC

 **BOHLER**
ENGINEERING

16701 MELFORD BLVD , SUITE 310
BOWIE, MARYLAND 20715

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

PROFESSIONAL ENGINEER
MARYLAND LICENSE No. 410283

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.

J. LICENSE NO. 410283, EXPIRATION DATE: 5/14/2019.

2





BOHLER

ENGINEERING

SITE CIVIL AND CONSTRUCTING ENGINEERING

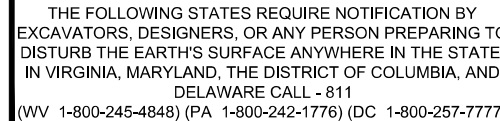
LAND SURVEYING DESIGN

CONSULTING SERVICES

TRANSPORTATION SERVICES

- ◆ UPLSTATE NEW YORK
- ◆ NEW ENGLAND
- ◆ NEW YORK, NY
- ◆ NEW YORK METRO
- ◆ NORTH HAVEN, CT

- ◆ SOUTHERN NEW JERSEY
- ◆ PHILADELPHIA, PA
- ◆ PITTSBURGH, PA
- ◆ LEHIGH VALLEY, PA
- ◆ GREENSBORO, NC
- ◆ RICHMOND BEACH, DE
- ◆ WASHINGTON, DC
- ◆ BALTIMORE, MD
- ◆ SOUTHERN MARYLAND & ATLANTA GA
- ◆ FLORIDA
- ◆ SOUTH FLORIDA
- ◆ DALLAS, TX
- ◆ CHARLOTTE, NC

[illegible]

NOT APPROVED FOR
CONSTRUCTION

PROJECT No.:	MB172062
DRAWN BY:	TJM
CHECKED BY:	NBS
DATE:	03/01/18
SCALE:	1" = 20'
CAD I.D.:	SS0

PROJECT:

SITE PLAN
— FOR —
NSR PROPERTIES,
LLC

LOCATION OF SITE
3599 EAST-WEST HIGHWAY
HYATTSVILLE, MARYLAND
PRINCE GEORGE'S COUNTY
TM42, GRID A2



N. B. SPEACH

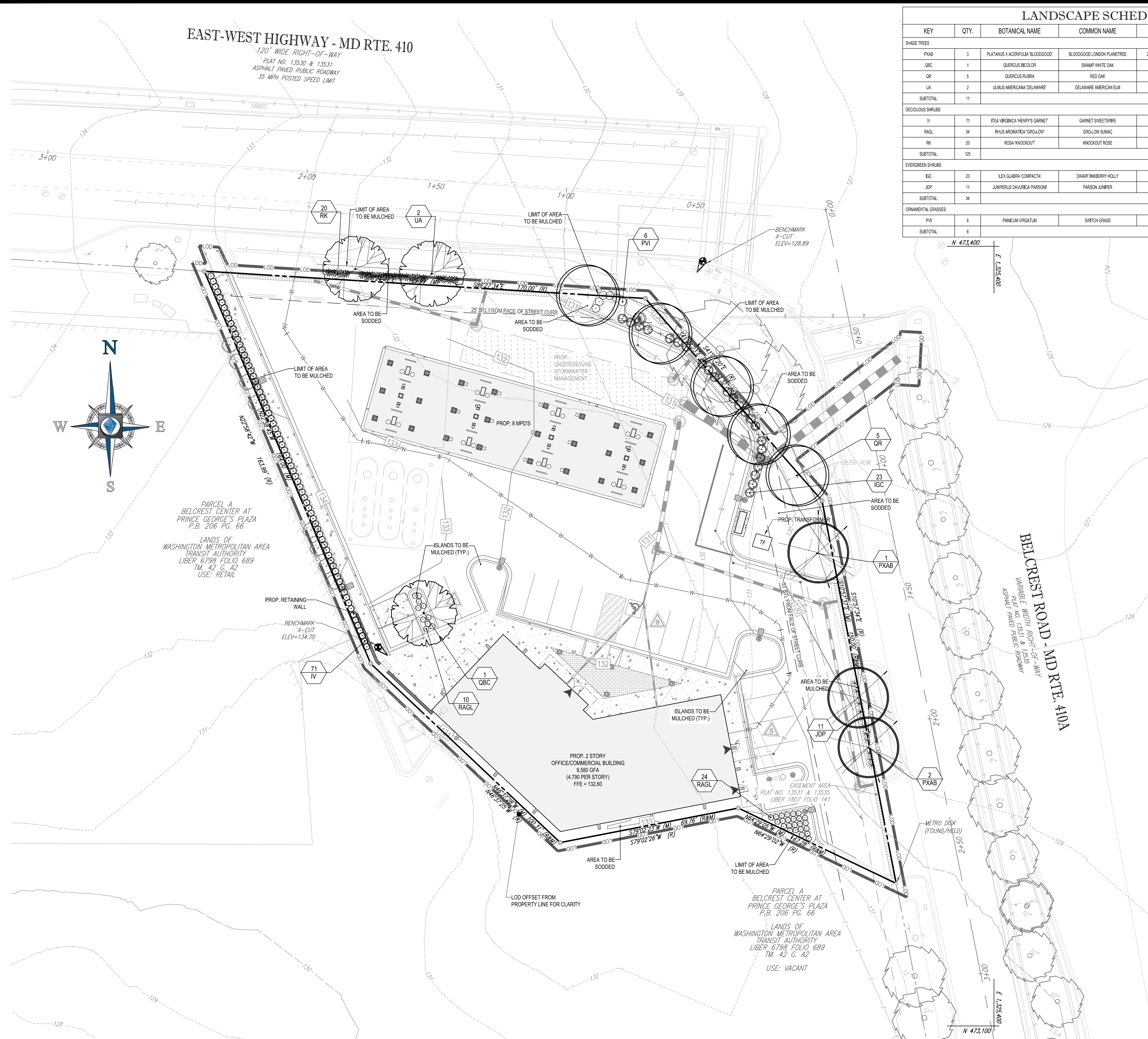
PROFESSIONAL ENGINEER
MARYLAND LICENSE No. 41283
PROFESSIONAL CERTIFICATION
I, NICHOLAS B. SPEACH, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 41283. EXPIRATION DATE: 6/14/2019

SHEET TITLE:

SITE
PLAN

SHEET NUMBER: _____

3



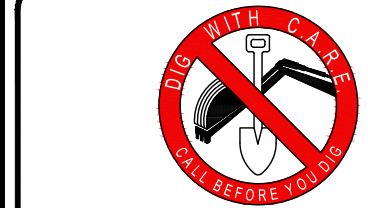
LANDSCAPE SCHEDULE						
KEY	QTY.	BOTANICAL NAME	COMMON NAME	CAL.	CONT.	NATIVE
SHADE TREES						
PIAB	3	PLATANUS X ACER FOJA 'BLOODGOOD'	BLOODGOOD LONDON PLANETREE	2 1/2" CAL. / 13-14'	B+B	NON-NATIVE
QBC	1	QUERCUS BRICOLOR	SHARP WHITE OAK	2 1/2" CAL.	B+B	NATIVE
QR	5	QUERCUS RUBRA	RED OAK	2 1/2" CAL.	B+B	NATIVE
UA	2	ULMUS AMERICANA 'DELANWARE'	DELANWARE AMERICAN ELM	2 1/2" CAL.	B+B	NATIVE
SUBTOTAL: 11						
DECIDUOUS SHRUBS						
IV	71	ITEA VIRGINICA 'HENRY'S GARNET'	GARNET SHEETSPIRE	24-30"	#5 CAN	NATIVE
RAGL	34	RHUS ARAMATICA 'GROLOW'	GROLOW SUNAC	12-18"	CONTAINER	NATIVE
RK	20	ROSA 'KNOCKOUT'	KNOCKOUT ROSE	18-24"	#5 CAN	NON-NATIVE
SUBTOTAL: 125						
EVERGREEN SHRUBS						
ICC	23	'ILEX GLABRA COMPACTA'	DWARF IMBERRY HOLLY	24-30"	#5 CAN	NATIVE
JDP	11	JUNIPERUS DAURICA 'PARSON'	PARSON JUNIPER	15-18" SPED.	#5 CAN	NON-NATIVE
SUBTOTAL: 34						
ORNAMENTAL GRASSES						
PVI	6	PANICUM VIRGATUM	SWITCH GRASS	2 GAL.	CONTAINER	NATIVE
SUBTOTAL: 6						

SECTION 4.9 SUSTAINABLE LANDSCAPING REQUIREMENT	
1. PERCENTAGE OF PLANT MATERIAL REQUIRED IN EACH CATEGORY:	
REQUIRED	PROVIDED
SHADE TREES: 11 x 50% = 6 ORNAMENTAL TREES: 0 x 50% = 0 EVERGREEN TREES: 0 x 30% = 0 SHRUBS: 159 x 30% = 48	SHADE TREES: 8 (73% NATIVE) ORNAMENTAL TREES: N/A EVERGREEN TREES: N/A SHRUBS: 128 (81% NATIVE)
2. ARE INVASIVE SPECIES PROPOSED	NO
3. ARE EXISTING INVASIVE SPECIES ON-SITE IN AREAS THAT ARE TO REMAIN UNDISTURBED	NO
4. IF "YES" IS CHECKED IN NUMBERS 2 OR 3, IS A NOTE INCLUDED ON THE PLAN REQUIRING REMOVAL OF INVASIVE SPECIES PRIOR TO CERTIFICATION IN ACCORDANCE WITH SECTION 1.5, CERTIFICATION OF INSTALLATION OF PLANT MATERIALS	N/A
5. ARE TREES PROPOSED TO BE PLANTED ON SLOPES GREATER THAN 3:1	NO
PARKING AND LOADING SURFACE PARKING FACILITIES	
1 TREE PER 24 SPACES REQUIRED	
1. NUMBER OF SPACES PROVIDED	16 SPACES
2. TREES REQUIRED	16 / 24 = .7 1 TREE REQUIRED
3. TREES PROVIDED	1 TREES
*F INDICATES PLANT MATERIAL UTILIZED TO FULFILL REQUIREMENT	

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

REVISIONS

REV	DATE	COMMENT	BY



THE FOLLOWING STATES REQUIRE NOTIFICATION BY EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN THE STATE: IN VIRGINIA, MARYLAND, THE DISTRICT OF COLUMBIA, AND DELAWARE CALL: 811 (WV 1-800-346-4848) (PA 1-800-242-1776) (DC 1-800-287-7777) (VA 1-800-552-7071) (MD 1-800-257-7777) (DE 1-800-262-4669)

NOT APPROVED FOR CONSTRUCTION

PROJECT No.: MB172002
DRAWN BY: JCW
CHECKED BY: ERM
DATE: 3/1/18
SCALE: AS SHOWN
CAD I.D.: LPD

PROJECT

SITE PLAN FOR NSR PROPERTIES, LLC

LOCATION OF SITE
3599 EAST-WEST HIGHWAY
HYATTSVILLE, MARYLAND
PRINCE GEORGE'S COUNTY
TM42, GRID A2



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

E.R. McWILLIAMS

REGISTERED LANDSCAPE ARCHITECT
MARYLAND LICENSE NO. 3697
PROFESSIONAL CERTIFICATION
I, E.R. McWILLIAMS, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND. LICENSE NO. 3697 EXPIRATION DATE: 9/20/19

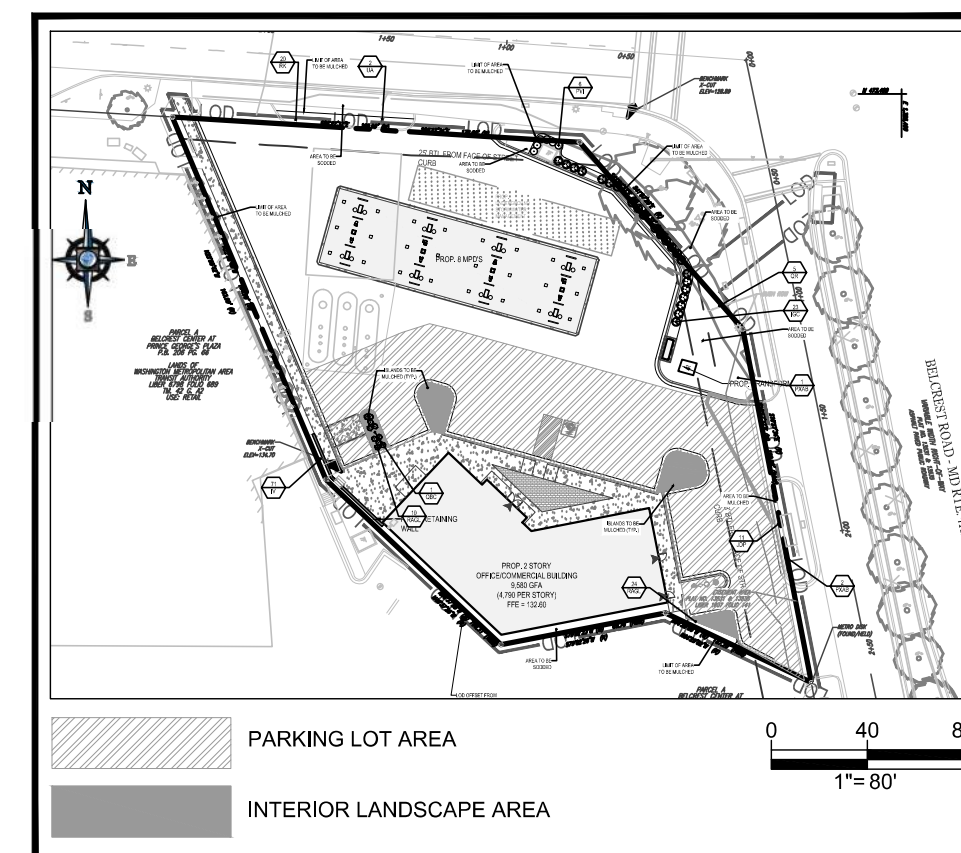
SHEET TITLE:

LANDSCAPE PLAN

SHEET NUMBER:

4

PARKING AREA CALCULATIONS



PROJECT:

PG PLAZA
SUNOCO

NSR PETROLEUM
3599 EAST-WEST HIGHWAY
HYATTSVILLE
PRINCE GEORGE'S COUNTY,
MARYLAND 20782

DEVELOPER:

CONSULTANTS:

PROFESSIONAL SEAL:

ISSUED: DATE:
SUBMISSION MARCH 08, 2018

NO. REVISION: DATE:

DESIGNED/DRAWN BY: JA / BJ
REVIEWED/APPROVED BY: BJ
PROJECT NO: 2018-002
SCALE: AS NOTED

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SHEET TITLE:

BUILDING
CONCEPTUAL
EXTERIOR
ELEVATIONS

SHEET NUMBER:

KEYED NOTES: EXTERIOR FINISH MATERIALS

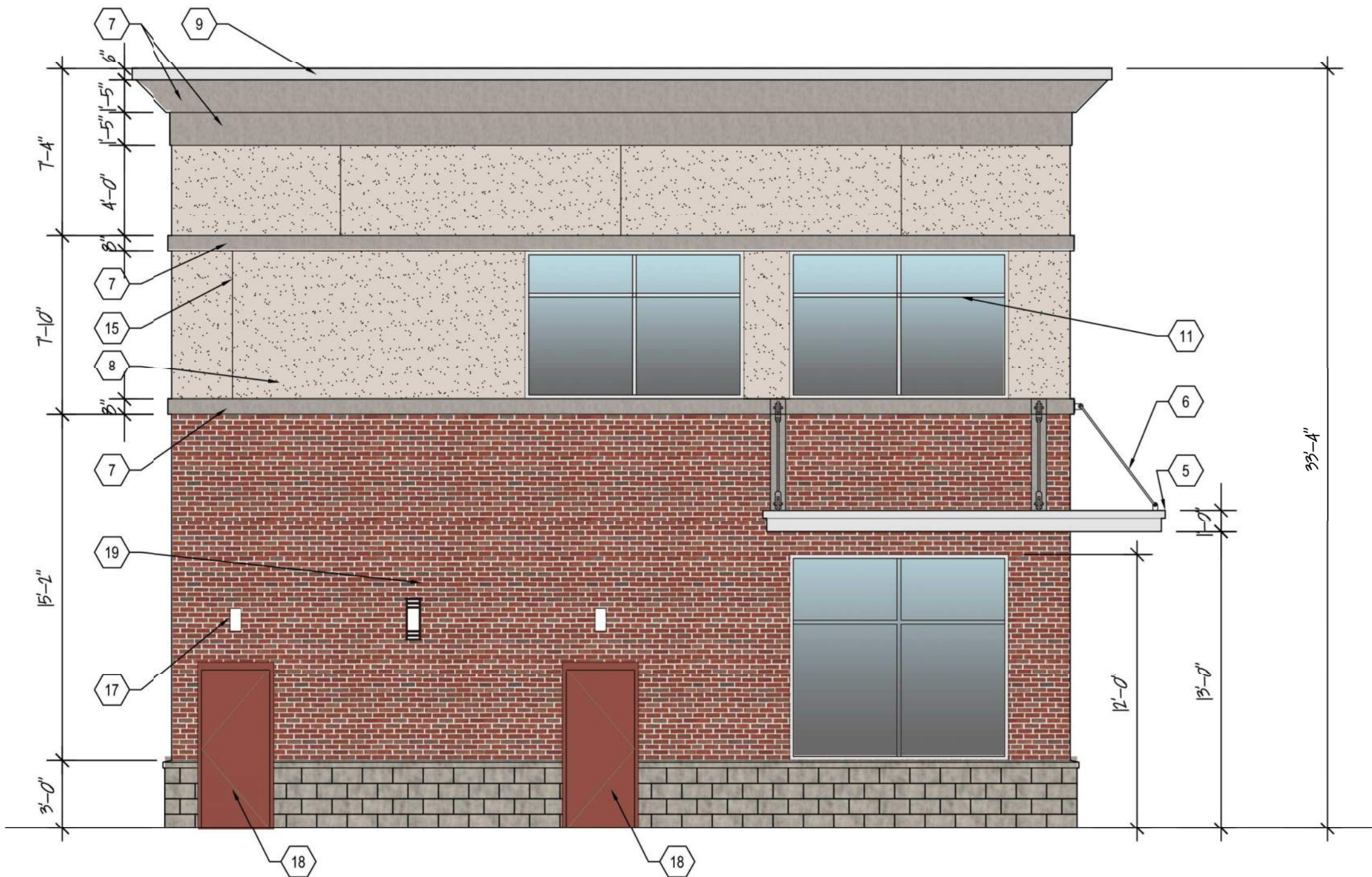
- 1 CMU: ARRISCRAFT, RENAISSANCE "DRIFTWOOD" CHISELED FINISH
- 2 CMU: ARRISCRAFT, RENAISSANCE "DRIFTWOOD" SMOOTH FINISH
- 3 BRICK VENEER: REDLAND BRICK / CUSHWA; #237 'CAMBRIDGE' STANDARD MODULAR
- 4 STOREFRONT FRAME - CLEAR ANODIZED W/ CLEAR GLAZING
- 5 STEEL CANOPY (PAINTED TO MATCH CLEAR ANODIZED ALUMINUM)
- 6 STEEL CANOPY SUPPORT ROD (PAINTED TO MATCH CLEAR ANODIZED ALUMINUM)
- 7 EXTERIOR INSULATED FINISH SYSTEM (EIFS) #1: SANDBLAST FINISH (COLOR TO MATCH #1 VASONRY)
- 8 EXTERIOR INSULATED FINISH SYSTEM (EIFS) #2: SANDBLAST FINISH (DRYVIT #104 DOVER SKY - TO BE CONFIRMED IN FIELD)
- 9 PREFINISHED 2-PIECE ALUMINUM COPING SYSTEM: PERMASNAP, COLOR 'CLEAR ANODIZED'
- 10 SIGNAGE (TBC)
- 11 STOREFRONT DOORS & WINDOWS - CLEAR ANODIZED ALUMINUM. GLAZING - CLEAR
- 12 METAL CLADDING SYSTEM; PAC-CLAD: CLEAR ANODIZED ALUMINUM (BRAKE METAL)
- 13 SIGNAGE - BY SUB-TENANT (TBD)
- 14 METAL ROOFING / FASCIA SYSTEM; PAC-CLAD: CLEAR ANODIZED ALUMINUM
- 15 EIFS #2: SANDBLAST FINISH (DRYVIT #104 DOVER SKY - "V" GROOVE)
- 16 CEMENTITIOUS SIDING; JAMES HARDI, PAINTED TO MATCH #8 COLOR.
- 17 LIGHT FIXTURE, UTILITY - EGRESS (WALL MOUNTED)
- 18 METAL DOOR & FRAME (PAINTED TO MATCH BRICK VENEER COLOR #3)
- 19 LIGHT FIXTURE, DECORATIVE (WALL MOUNTED)
- 20 NOT USED
- 30 CANOPY COLUMN METAL WRAP: COLOR - SUNOCO 'MORNING FOG GRAY'
- 31 MULTI-PRODUCT FUEL DISPENSER
- 32 PIPE BOLLARD (PAINTED SUNOCO 'GRAY')
- 33 'SUNOCO' LOCO GRAPHIC, NASCAR / FLAG GRAPHIC APPLIED TO METAL CANOPY FASCIA
- 34 NOT USED



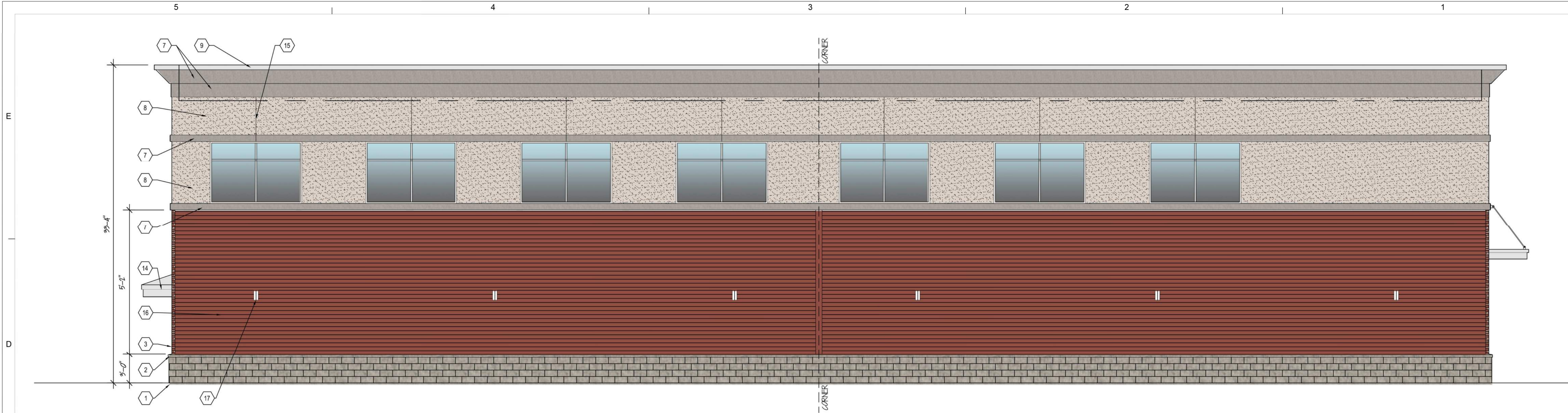
1 BUILDING FRONT ELEVATION CONCEPT
SCALE: 3/16" = 1'-0"



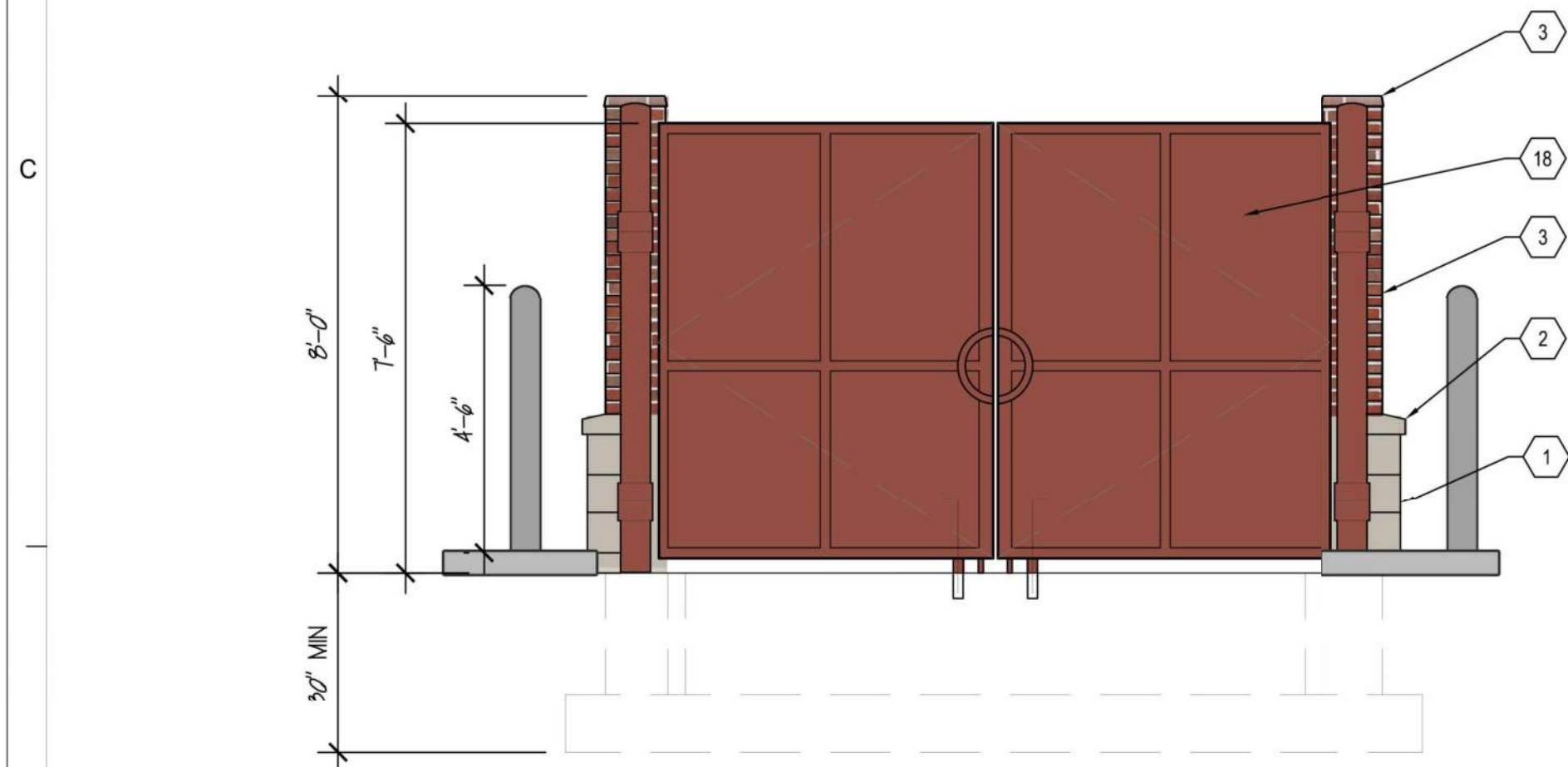
2 BUILDING RIGHT SIDE ELEVATION CONCEPT
SCALE: 3/16" = 1'-0"



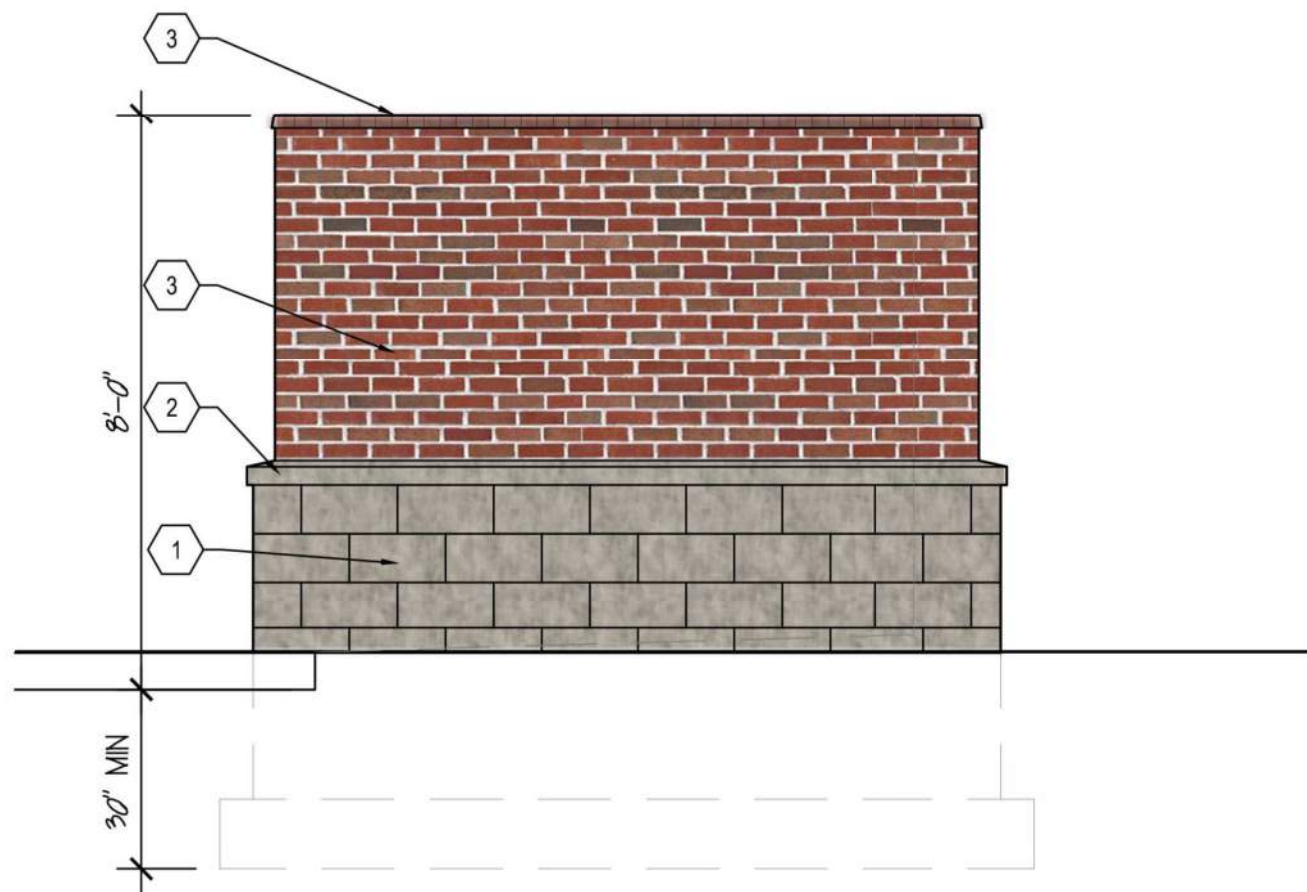
3 BUILDING LEFT SIDE ELEVATION CONCEPT
SCALE: 3/16" = 1'-0"



1 REAR BUILDING ELEVATION CONCEPT
SCALE: NOT TO SCALE



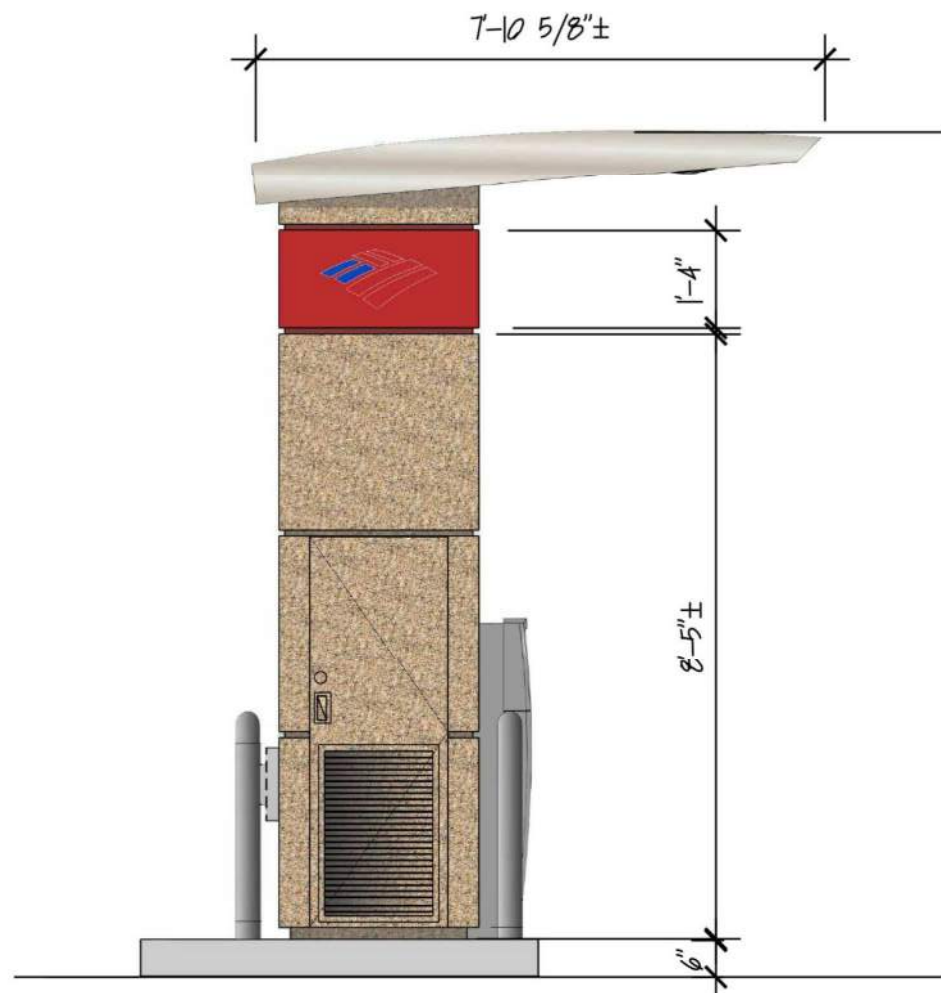
2 TRASH ENCLOSURE FRONT ELEVATION CONCEPT
SCALE: 3/8" = 1'-0"



3 TRASH ENCLOSURE RIGHT SIDE ELEVATION CONCEPT
SCALE: 3/8" = 1'-0"



4 ATM FRONT ELEVATION CONCEPT
SCALE: 3/8" = 1'-0" (STONE AGGREGATE PANEL W/ METAL ROOF - PER BANK OF AMERICA STANDARD DETAILS)



5 ATM LEFT SIDE ELEVATION CONCEPT
SCALE: 3/8" = 1'-0" (STONE AGGREGATE PANEL W/ METAL ROOF - PER BANK OF AMERICA STANDARD DETAILS)

KEYED NOTES: EXTERIOR FINISH MATERIALS

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- 31 MULTI-PRODUCT FUEL DISPENSER
- 22 PIPE BOLLARD (PAINTED SUNOCO 'GRAY')
- 33 'SUNOCO' LOGO GRAPHIC, NASCAR / FLAG GRAPHIC APPLIED TO METAL CANOPY FASCIA
- 34 NOT USED

DunningGroup

a professional limited liability company

14420 Albemarle Point Place, Suite 230
Chantilly, Virginia 20151

703.378.7991 703.378.7994 (fax)

www.dunningarchitects.com

PROJECT:

PG PLAZA
SUNOCO

NSR PETROLEUM
3599 EAST-WEST HIGHWAY
HYATTSVILLE
PRINCE GEORGE'S COUNTY,
MARYLAND 20782

DEVELOPER:

CONSULTANTS:

PROFESSIONAL SEAL:

ISSUED: DATE:
SUBMISSION MARCH 08, 2018

NO. REVISION: DATE:

DESIGNED/DRAWN BY: JA / BJ
REVIEWED/APPROVED BY: BJ
PROJECT NO: 2018-002
SCALE: AS NOTED

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SHEET TITLE:

BUILDING / TRASH
ENCLOSURE & ATM
CONCEPTUAL
ELEVATIONS

SHEET NUMBER:

DunningGroup

a professional limited liability company

14420 Albemarle Point Place, Suite 230
Chantilly, Virginia 20151

703.378.7991 703.378.7994 (fax)

www.dunningarchitects.com

PROJECT:

PG PLAZA SUNOCO

NSR PETROLEUM
3599 EAST-WEST HIGHWAY
HYATTSVILLE
PRINCE GEORGE'S COUNTY,
MARYLAND 20782

DEVELOPER:

CONSULTANTS:

PROFESSIONAL SEAL:

ISSUED: DATE:

SUBMISSION MARCH 08, 2018

NO. REVISION: DATE:

DESIGNED/DRAWN BY: JA / BJ
REVIEWED/APPROVED BY: BJ
PROJECT NO: 2018-002
SCALE: AS NOTED

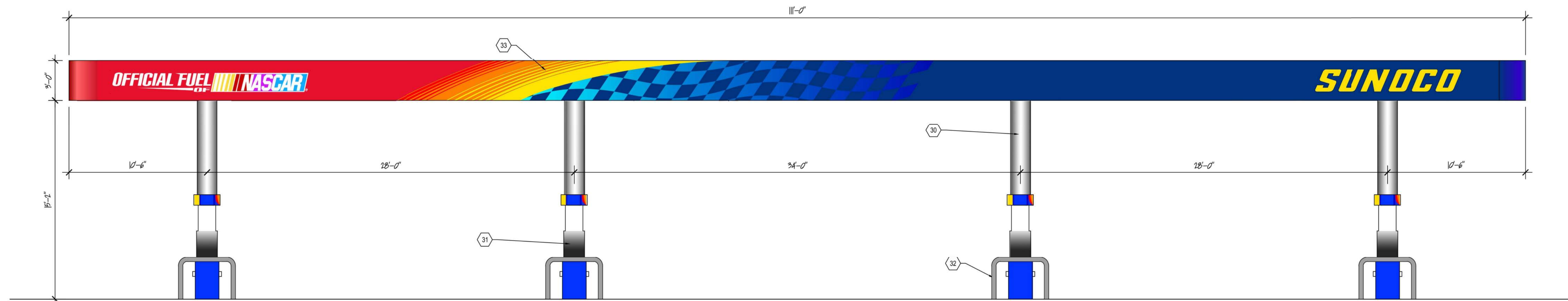
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SHEET TITLE:

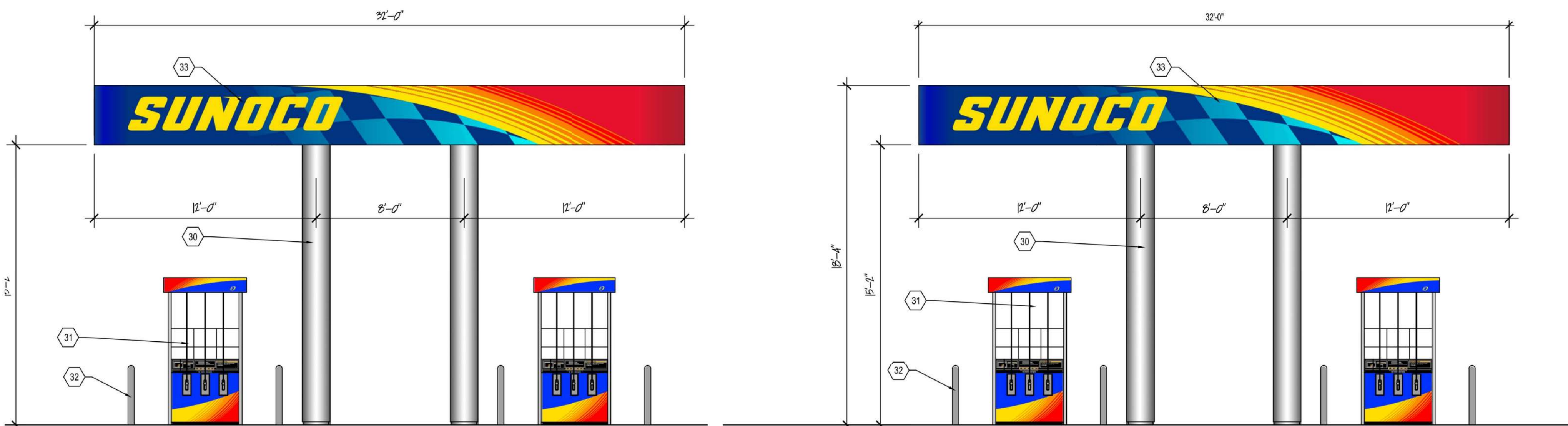
GAS PUMP CANOPY CONCEPTUAL ELEVATIONS

SHEET NUMBER:

7



1 NORTH CANOPY ELEVATION CONCEPT
SCALE: 1/4" = 1'-0"



2 EAST CANOPY ELEVATION CONCEPT
SCALE: 1/4" = 1'-0"

3 WEST CANOPY ELEVATION CONCEPT
SCALE: 1/4" = 1'-0"

KEYED NOTES: EXTERIOR FINISH MATERIALS

- 1 CMU: ARRISCRAFT, RENAISSANCE "DRIFTWOOD" CHISELED FINISH
- 2 CMU: ARRISCRAFT, RENAISSANCE "DRIFTWOOD" SMOOTH FINISH
- 3 BRICK VENEER: REDLAND BRICK / CUSHWA; #237 'CAMBRIDGE' STANDARD MODULAR
- 4 STOREFRONT: FRAME - CLEAR ANODIZED W/ CLEAR GLAZING
- 5 STEEL CANOPY (PAINTED TO MATCH CLEAR ANODIZED ALUMINUM)
- 6 STEEL CANOPY SUPPORT ROD (PAINTED TO MATCH CLEAR ANODIZED ALUMINUM)
- 7 EXTERIOR INSULATED FINISH SYSTEM (EIFS) #1: SANDBLAST FINISH (COLOR TO MATCH #1 MASONRY)
- 8 EXTERIOR INSULATED FINISH SYSTEM (EIFS) #2: SANDBLAST FINISH (DRYVIT #104 DOVER SKY - TO BE CONFIRMED IN FIELD)
- 9 PREFINISHED 2-PIECE ALUMINUM COPING SYSTEM: PERMASNAP, COLOR 'CLEAR ANODIZED'
- 10 SIGNAGE (TBD)
- 11 STOREFRONT: DOORS & WINDOWS - CLEAR ANODIZED ALUMINUM. GLAZING - CLEAR
- 12 METAL CLADDING SYSTEM; PAC-CLAD: CLEAR ANODIZED ALUMINUM (BRAKE METAL)
- 13 SIGNAGE - BY SUB-TENANT (TBD)
- 14 METAL ROOFING / FASCIA SYSTEM; PAC-CLAD: CLEAR ANODIZED ALUMINUM
- 15 EIFS #2: SANDBLAST FINISH (DRYVIT #104 DOVER SKY - "V" GROOVE)
- 16 CEMENTITIOUS SIDING; JAMES HARDI, PAINTED TO MATCH #8 COLOR.
- 17 LIGHT FIXTURE, UTILITY - EGRESS (WALL MOUNTED)
- 18 METAL DOOR & FRAME (PAINTED TO MATCH BRICK VENEER COLOR #3)
- 19 LIGHT FIXTURE, DECORATIVE (WALL MOUNTED)
- 20 NOT USED
- 30 CANOPY COLUMN METAL WRAP: COLOR - SUNOCO 'MORNING FOG GRAY'
- 31 MULTI-PRODUCT FUEL DISPENSER
- 32 PIPE BOLLARD (PAINTED SUNOCO 'GRAY')
- 33 'SUNOCO' LOGO GRAPHIC, NASCAR / FLAG GRAPHIC APPLIED TO METAL CANOPY FASCIA
- 34 NOT USED



4 SOUTH CANOPY ELEVATION CONCEPT
SCALE: 1/4" = 1'-0"

CITY OF HYATTSVILLE
PLANNING COMMITTEE MINUTES
APRIL 17, 2018

1. Introduction of Committee & Guests Members (7:32 PM)
 - David Marshall
 - Jonathan Mueller
 - Maureen Foster
 - Wil Maxwell
 - Todd Dengel
 - Katie Gerbes
 - Jim Chandler
 - Tom Wright
 - Yohannes Bennehoff
 - Dan Lynch, McNamee Hosea
 - Matt Gordon, Linowes and Blocker
 - Emmanuel Isong, Mama's Care
2. Committee Business (7:34 PM)
 - Adoption of Minutes from March 2018
 - i. Approved unanimously with edits.
3. Mama's Care Congregate Living Facility: DSP-17054 (7:39 PM)
 - Matt Gordon, Linowes and Blocher
 - Property is located at 4111 East West Highway
 - Currently exists as a congregate living facility with 8 beds. In 2012, underwent addition to add 6 more beds to the facility, for a total of 14 allowable residents.
 - Typically, wouldn't need to go through a DSP, but in this case M-NCPPC is requiring a DSP
 - Only changes to property is the restriping of parking spaces; all other physical changes have already been made.
 - DM: Currently have four parking spaces, and you plan to keep the same amount of spaces?
 - i. Under the zoning ordinance, the requirement is 1 space per 4 residents, so we can keep the same amount of spaces even with the increased occupancy.
 - ii. DM: So where to visitors go to park?
 1. They mostly park on the street.
 - TD: Currently there are 8 beds, you are looking for 14 and the expansion was done in 2012 to accommodate the 14? Has it met all of the relevant codes?

- i. Will have to go through the state to get their updated license, but the fire department has already inspected since the addition of the additional bedrooms and approved it.
 - DM: I have no issue with the project expect for parking. I don't know how many houses are on the block?
 - i. MF: There is only one other house on the block, it is weird
 - ii. DM: My concern would be about visitors parking on the street preventing residents from parking at their homes, but that doesn't seem to be an issue.
 - MF: Motion to support the project
 - i. 4 in favor, 1 abstention
4. 3599 East West Highway: DSP-12062 (7:50 PM)
- Dan Lynch, McNamee Hosea
 - Property is the gas station located at the intersection of East West Highway and Belcrest Road
 - Proposing to tear down all structures on the site, add 8 filling stations and a new convenience store with second floor offices.
 - Need to go through detailed site plan to show conformance with the Prince George's Plaza TDDP
 - Property has been a gas station since 1961 with the only change being the 1979 addition of the convenience kiosk to the property.
 - Will be retaining existing access to site and not doing any work within the right-of-way
 - Will be introducing new landscaping strips along the road frontages
 - Building will be two-story with three different façade elements
 - Requesting two amendments: The build to lines along Belcrest Road and East West Highway
 - i. Build to Lines:
 - 1. Need 0.6 feet further set back on East West Highway to accommodate truck circulation
 - 2. 10-foot amendment on Belcrest
 - ii. Connecting buildings:
 - 1. TDDP calls for connecting the buildings to create a solid frontage, but that is not possible with a gas station as vehicles need to get in and out of the site
 - TD: You said overall operation, besides the gas station and convenient store, but what other operations will be there?
 - i. Office space for the "corporate office" of the business owners
 - TD: Are you making any lighting changes, such as changing to LED?
 - i. Will be providing onsite lighting that conforms with the TDDP; not sure if it is LED or not. I do not have the specifications for that lighting at this time.
 - TD: Are there any landscape requirements for any stormwater runoff?

- i. Have received site plan approval from Maryland Department of Environment
- WM: Are the stairs that are on the back of the property remaining?
 - i. I think so, but I will check on that and get back to Jim
- WM: Is the parking sufficient for both the gas station and the office use above?
 - i. TDDP tries to limit parking spaces this close to Metro. We can provide up to 22 spaces and we are providing 17 on site.
 - ii. MF: Can you show me how we get to 17?
 - iii. In recounting, counts 16 spaces. Will confirm that number and relay to staff.
- JM: How many parking spaces exist currently?
 - i. 10.
- JM: Have you dropped the plan for the car wash that came to us a while ago?
 - i. Yes.
- DM: I am not getting the same amount of spaces that you are. I am seeing these triangles between the spaces, but they seem to be the buffers between handicapped spaces.
 - i. They are not,
- DM: At the Council meeting, you stated that the office space is for the owner's business, not to lease to other tenants. Is that correct?
 - i. Yes.
- DM: The staircase at the back of the property that allows people to get to and from the Metro is important. It needs to remain to give those folks access. IF you don't make a space for them, they will create their own space.
- DM: Can you talk about why the dumpsters are located where they are?
 - i. We felt it was the best location given the access aisles available on the rest of the site.
- DM: There was a question about LED lights and the City wants to see things that are as energy efficient as possible. If you can incorporate that, that would be a good thing to do.
 - i. Lighting will be LED.
- DM: Still concerned about the number of parking spaces and the lack of gaps/aisles for handicapped spaces.
 - i. The ADA space is in the middle and here is the buffer area. We are only required to provide one space.
- JM: You are doubling the number of gas pumps?
 - i. Correct.
- TD: Is this location the headquarters for a franchise of Sunoco? Will it be consistent with other sites?
 - i. It will be Sunoco brand along with the A Plus market store that is consistent with Sunoco franchise.
 - ii. TD: If there is a chance for anything new, there is a change for new opportunities. I would recommend that you take the opportunity to reflect on all of the things we talked about: LED, maybe EV charging, stormwater runoff. This station is an epicenter of sorts, so there is an

opportunity to enhance the space that creates it as a flagship and hope you take that into consideration.

- iii. MF: This is the opportunity to incorporate native species.
- MF: I would like to see the incorporation of a different building material other than efface, which is essentially Styrofoam and not very durable.
- MF: This is a great opportunity to make this station a flagship. There have been others nearby closing as a result of the Purple Line, I think.
 - i. That is correct, this will soon be the only one on this side of East West Highway
- DM: Are there any plantings going in along the back of the building? It could be a great tagging wall.
 - i. No plantings.
 - ii. DM: Approximately how long is that wall?
 - iii. DM: Is there anything behind the wall or is that where the roadway to Metro goes in?
 - It backs up to the vacant parcel that is owned by Metro.
 - iv. DM: I would suggest that maybe you talk to the City or someone about putting a piece of artwork along that wall to detract from those who may want to tag it.
- DM: On your building in general because of where it is at, there is an opportunity to put something on the front of the building that is significant to the City. That would be a nice piece of neon or an icon, and could be more attractive than a regular convenient store.
- TD: As part of the TDDP, this area is poised for pedestrian use. To take it a step further for pedestrian, is there talk about removing one of the vehicle curb cuts to allow for better pedestrian use?
- DM: You currently have 3 access points?
 - i. 4.
 - ii. DM: This plan retains all of those?
 - Yes.
- TD: Is this a non-conforming use?
 - i. Yes, certified nonconforming use, so it is maintaining its use as a gas stations, but needs to get improvements approved through the detailed site plan process.
- WM: I echo the comments about art on that back wall.
- CC: I agree with Todd's comments about the curb cuts. 4 seems excessive and not consistent with the TDDP. It seems like you could eliminate the curb cuts on East West or eliminate one on East West and one on Belcrest.
- DM: Where is the kiosk to be located? Is it drive up or walk up?
 - i. Walk up.
- DM: I understand you need the two curb cuts on East West Highway, but could you live without one of the curb cuts on Belcrest Road?
 - i. Will have to do some engineering about the turning radius and see if that is feasible.
- TD: Have you thought about electric charging?
 - i. We are not proposing it as part of this station.

- ii. I have not seen too many gas stations that are proposing EV charging stations and am not sure how well it would practically work here.
- CC: What is the little peninsula in the top corner?
 - i. It is associated with stormwater.
- MF: One thing I heard is that people are pleased that the lighting is going to be LED and consistent with the TDDP. Recommendations could go further into no efface, better plantings and otherwise turning this station into more of a flagship. There is concern about stormwater runoff.
 - i. We will be compliant with the current standards, which is almost 100% of runoff.
 - ii. TD: There is a strong marketing opportunity in focusing on the environmental impact of the station and how it fits into the aesthetic of the building.
- MF: I think I heard agreement that there be a recommendation about doing something to that rear wall to make it interesting or artistic in some way. "Some form of attractive feature"
 - i. Approved unanimously.
- JM: Is there any environmental issues that need to be addressed with the gas tanks underneath, etc.?
 - i. These would be issue with a complete raise and rebuild. In redoing this site, they will be putting in new tanks and making significant upgrades to the site to make it more environmentally planning. We're bringing the site up to date and into this century.
- MF: There was a recommendation about removing one curb cut on Belcrest.
 - i. JM: I don't want to be second guessing how your operations work and recommend something against the functionality or if it becomes too tight. I want to look at the possibilities.
 - ii. MF: What if the recommendation read "consider reducing the number of curb cuts and enhancing pedestrian access and safety on the site."
 - Because some of the entrances are close to the light at the intersection, people prefer to use different curb cuts to come in and out of the property.
 - Approved unanimously.
 - DM: When the proposal was for the car wash, it was proposed to eliminate one of the curb cuts. You are now saying that it is not feasible, so these two plans contradict themselves.
 - I don't know what that layout was, but from a circulation standpoint of the site, the trucks will come in through East West Highway and out through Belcrest. Closing the Belcrest curb cut may interfere with the functionality of some of the parking spaces, but it may be possible.
- MF: Need a clarification on the number of parking spaces given to Jim/Katie.
 - i. Agreed unanimously.
- MF: We like seeing that the staircase is staying as it is important for access to Metro.

- Can I get clarification? You mentioned native species, is that the improvement you would like with the landscaping?
 - i. MF: Yes, that is one of many options.
- DM: We are not trying to burden you with extras, but we want to see ways to improve the site and make it representative of the community and what we want. This is to give you this information, so you don't get in the middle of the process and start hearing these things. I think we all want to see this development.
 - i. We appreciate that, it is not my first rodeo. We will do what we can to address concerns raised.

5. Open Meetings Act Debriefing (8:40 PM)

- Let the record show that Jonathan and Wil were both at the Open Meetings Act Training.
- MF: For those who took it, how are we doing as a committee?
 - i. JC: We're doing really good. A few golden rules:
 1. Can't have conversations via email about topics germane to the committee
 2. We cannot conduct a meeting without a quorum. If we lose a quorum, we must end the meeting. If you plan on being absent, please let the chair know in advance so we can determine if the meeting needs to be cancelled or not. There could be issues with the timeline of development projects if a meeting gets cancelled and therefore cannot get planning committee recommendations first.
 3. Chair can entertain public comment at their discretion, but it is not mandatory. Open meetings give the public the opportunity to view, not to participate.
 4. Ensuring the agenda is published in an adequate amount of time. We're pretty good about it
 5. If committee wants specific updates about specific projects, we should state it on the agenda. We cannot get too deep into the weeds of a specific project at length. If something is specifically requested, we should list it under development updates.
- DM: What constitutes a quorum?
 - i. 51%. In our committee's case, we need 5 members present.
- Another thing that could be an issue is consistent absenteeism if it affects the ability to reach a quorum. Please continue to let staff know if you will be absent
- MF: I will send a note out this week to everyone about attendance and reminding them to give staff notice if they will not be here.

6. Development Updates (8:54 PM)

- Riverfront at West Hyattsville architectural DSP will come back in May or June to the Planning Committee.
- Council had Discussion on Werrlein last night. Council will likely have one more day of discussion and then take action on May 21.

- i. Lots of public speakers, some in favor, some against.
 - ii. If there are any substantive changes to their subdivision package, we will bring it back to the Committee. If there is not is not, we will continue with the committee's prior comments.
- DM: Any mall updates?
 - i. Ulta is open, the pad site has probably gone away. &Pizza just signed a lease to be in the mall food strip area.
 - ii. TD: Is the proposed teen club supposed to go over there?
 - 1. In UTC, not the mall. Unlikely this committee will be involved in that unless the Council explicitly directs the body to do it.
- DM: What is up with the Marche property? Are they done?
 - i. Mostly done, but looking to put up some exterior shades of some sort.
- DM: Last night the developer on Route 1 mentioned a cost of \$100 million. Does that sound right?
 - i. Yes. They are still working on the detailed site plan to see what the retail/unit mix looks like. Will probably come to the Planning Committee in the fall.
- Hyatt Park:
 - i. Final concept plan delivered to City from NDC. Will be presented at the City Council meeting tomorrow. Tomorrow will also start the window where the plan will be posted on the Speak Up site. Comments will be accepted until May 1.
 - ii. Staff will begin electrical plan and sourcing materials in the upcoming weeks. Hoping to start building at the end of summer and complete the process before the end of the calendar year.
- TD: Did the Streetsense TESST building go under contract?
 - i. Yes. Cannot say who yet, but they will hope to renovate and occupy it in the near future.
- TD: Is the Demmer's building under contract?
 - i. Not to our knowledge.
- TD: Is the property along Route 1 across from UIP still under contract? Can you talk about it?
 - i. Yes, under contract. No cannot talk about it.
 - ii. TD: Does this impact the parking garage site?
 - 1. Yes and no.
- MF: What is happening with the building on Route 1 that is falling down?
 - i. It is under contract, but they are having difficulty finding one of the lien holders and they need to demonstrate that they have made contact with all lien holders to move forward.
- MF: What about the former Mi Patio site? It seems awfully vacant.
 - i. They recently contacted us and may be using our Commercial Façade Improvement program this year.
- MF: What is the status of the closed synagogue on Adelphi Road?
 - i. M-NCPPC is in the process of selecting the next multigenerational site in the county. It is one of the four sites they are considering, which will be determined by the next County Executive. They are also going through

the process of finding a new director for recreation, so until that is settled, a site will not be selected.

- DM: Harvey Maisel's property at Queen's Chapel Town Center – is there any redevelopment happening there?
 - i. Nothing yet. If it redevelops, it will not be by them. Their portfolio is about holding on to properties. I imagine that will change in the upcoming years as the market changes and they might sell.
- JM: On Hamilton and Queen's Chapel the crosswalk is always torn up.
 - i. The county is aware of it and their strategy is to replace the popped up pavers with asphalt in a piecemeal fashion.
 - ii. WM: there are no pavers left, the crosswalks are all asphalt now.

7. Adjourn (9:19 PM)

* Times listed are estimates and may vary.



Hyattsville City Council Agenda Item Report

Meeting Date: May 14, 2018

Submitted by: Katie Gerbes

Submitting Department: Community & Economic Development

Item Type: Planning & Development

Agenda Section: Discussion Items (8:50 p.m. - 10:25 p.m.)

SUBJECT

PPS 4-17025: Hyatt View (15 minutes)

HCC-337-FY18

Recommendation:

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

N/A

ATTACHMENTS

[Statement of Justification](#)

[Variance Request](#)

[Site Plan](#)

[Discussion Memo- Oglethorpe Units.docx](#)

Summary Background:

The proposed development is located at the southeast corner of 44th Avenue and Oglethorpe Street. The property currently consists of one single-family detached home. The applicant is proposing the construction of eight (8) fee-simple townhouses on the site. See attached memo for additional project details.

Next Steps:

This application will come before the City Council on the "Action" agenda on May 21, 2018.

Fiscal Impact:

N/A

City Administrator Comments:

For Discussion

Community Engagement:

This proposal was first presented to the community at the May 7, 2018 City Council meeting. The application will be presented and discussed by the Planning Committee on May 15, 2018. Additionally, the City will assist with community notification and a page on the Speak Up HVL website has been created for residents to leave their comments on the project.

Strategic Goals:

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

Legal Review Required?

N/A

Statement of Justification

Proposed 8 Town house lots, "Hyatt View"
5809-5811 44th St. Hyattsville, MD
February 20, 2018

Presented to:

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

Prepared by:

RBC LLC
Alan Rahimi, Owner
P.O. Box 60677
Potomac, MD 20859
301-704-6465

Background:

The subject property located at 5809 and 5811 44th St. in Hyattsville, MD is within the newly revitalized downtown area of Hyattsville. Property at current state is comprised of a single-family house that was built in 1921 and has been used as residence. Property has no significant or historical value that would encourage restoration.

Property is surrounded by commercial offices on Baltimore Ave., residential buildings across the street and Dematha High School a block away.

Significant revitalization of the downtown Hyattsville has been concentrated along Baltimore Ave. for commercial businesses. Town house and condominiums make up the residential part in streets on either side of Baltimore Ave.

Commercial businesses take the most advantage by having frontage at Baltimore Ave. for visibility and customer access. There are very few businesses on side streets.

Current Conditions:

The 2004 approved sector plan for Gateway Art District maintained the property in the Commercial Office (C-O) Zone and superimposed a Development District Overlay (DDO), placing it in the Town Center Character Area. According to the DDO, the underlying zone allows for Town Houses.

There are several commercial offices adjacent to this property on Baltimore Ave. which have been vacant for some time, indicating that demand for commercial offices are very low. Examples are the offices next to car rental agency and doctor office behind the property on Baltimore Ave.

One block down there is a recent development comprising of several hundred townhouses, condominiums and rental apartments on both side of Baltimore Ave. The existing housing units in the area are in high

demand and resales are strong every year. Demand for housing is on the rise with more people moving out of Washington DC to surrounding communities in Maryland looking for more affordable housing. Real Estate market has been particularly strong in Hyattsville and surrounding area. A new complex of housing units and super market was just opened up last year a mile up the road in Riverdale.

Best Use of the Land:

To evaluate the current state of real estate needs in the city, a meeting was arranged with the city planner, director and council member serving the area. Proposed subdivision was presented during the meeting and inputs welcomed. All city officials in attendance were in agreement with the need for more housing in that location instead of commercial offices based on current trends and uses of existing parcels.

Development decision was based on current market demands for commercial offices or residential units. Commercial offices and businesses in downtown Hyattsville are getting more established and heavily rely on local residences to support them. Additional customers will help them even more. Given the current real estate market with high demands for housing, it is desirable to offer more housing units that are affordable and meet the needs of the community and current buyers. Townhouses are very appropriate dwelling unit for this location as they will be consistent with character of the surrounding areas and promote the urban living style.

Proposed town houses will be 16'x40', which is 3' longer than existing houses nearby. They will have 4 levels with garage at the basement level and three more stories on top. Street access will be at first level to Oglethorpe St. They will have a more classic look with Mansard roof design, high-end finishes and materials for the front elevations like brick, stone and or stucco. Inside there will be four levels of finished spaces that provide maximum utilization of the land and amenities that are needed and desired by the current buyers.

The proposed development provides two parking spots (1.5 per unit is required) that will satisfy the parking needs of the residents.

Development proposes an alley in the back with one car garage in the lower level of the house and another parking spot on driveway outside the house.

The proposed town houses will provide walking distance access to shops and restaurants nearby and will reduce the need for automobiles to access such facilities. Thus, reducing traffic and improving quality of life.

Approach in Meeting the Requirements:

The proposed subdivision is designed in accordance with the requirements of Development District Standards (DDS) for the applicable requirements under Town Center (TC) character area marked with an "X". A compliance table has been generated to enumerate the requirements and demonstrates compliance in site plan.

The Permit and Site Plan review process on page 139 of the "Gateway Art District" does not necessitate generation of Detailed Site Plan when the requirements of District Development Standards are met. The proposed development is in full compliance with the stated requirements and seeks to take the path of permit process accordingly.

According to the Gateway Art District sector plan Development District Standards (DDS) for the Town Center (TC) character area lists the applicable requirements to the location for this subdivision starting at page 146. Several of the listed requirements under TC are not applicable to this project. The applicable requirements for TC character area were met point by point which made up the character and shape of this project and influenced parameters for site and architectural plan developments.

The configuration and design of subdivision was shaped in most part by the following requirements in the DDS.

1. Build to line for residential uses of +/- 15'. We propose about 8' of front yard.

2. All buildings shall be built out to minimum of 80% of site frontage. We propose 8- 16' wide townhouse units to meet the minimum frontage.
3. Designing front and end wall elevations that are made of substantial materials and don't look plain. See architectural design schematics.
4. Provide access and parking in rear alley. An alley was designed for rear loading and access.
5. 1.5 parking spaces required but designed for two parking spaces per unit.
6. 6' tall privacy fence in rear.
7. Planting shade trees at rate of one per 5000 sq. ft. (Landscape manual is not applicable in the DDS)
8. Building will be less than 45' high.

Summary:

The current and projected future needs for real estate in downtown Hyattsville area, indicates more demand for higher density residential units like townhouse compared to low demand commercial offices.

Officials in City of Hyattsville and council members have reviewed this project and they have demonstrated support for it as well. They appreciate the idea of more people in the community supporting the existing businesses and increasing the revenue source to do bigger and better things for the city.

Adding more housing units means increasing foot traffic for the businesses on Baltimore Ave. which are in need of more customers to generate revenue and to thrive.

This project will complement the new character of the down town Hyattsville and will transform the bland, old and uninteresting looking house at corner of Oglethorpe and 44th St. to a new and vibrant town house community that will be source of additional life and energy to City of Hyattsville.

Request for a variation to reduce Public Utility Easement width

PRELIMINARY PLAN 4-17025

HAYATT VIEW

ALAN RAHIMI (APPLICANT)

Property Information & Proposed Use

The subject property is known as P/o Lot 18 & Lot 19, having an area of 0.2744 acres. The property is located in a fully developed area with mix uses, single family houses, multifamily and commercial. The proposed development is in compliance with the current zoning, C-O, and the Hyattsville Art District Overlay Zone DDO and the general characteristic of the neighborhood. An eight lots townhouse subdivision is being proposed. In so doing, a variation request is also filed as per section 24-113 in accordance to comply with Section 24-122(a) where the ten feet wide Public Utility Easement cannot fully be provided.

Current Conditions & Background

The proposed development is proposed to be in full compliance with the Art District Overlay Zone and its requirement, and in order to do so, the width of the public utility easements along both streets, Oglethorpe Street and 44th Ave, is being reduced to 5' instead of 10'. This site is on a fully developed streets in terms of right of way, curb & gutter, sidewalk and utilities. All utility lines are in place, electric, phone, cable etc. There are no future plans for widening the roads and therefore, the proposed 5' easement is more than adequate to provide any future utility work that might occur.

Pursuant to Section 24-113, variation may be granted where certain conditions are met as stated below:

1. The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property.

The granting of the variation will have no negative impact to public safety, welfare and health. The area is almost fully developed with all utilities in place as it currently exists. Road improvement and/or widening is not anticipated in the foreseen future. Furthermore, the proposed development will provide for an additional five feet for any possible future utility use. Accordingly, the granting of the variation will not jeopardize public health and welfare.

2. The conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties.

This property as stated above has unique circumstance in which road widening is not going to take place, utilities are currently present within the existing right of ways along both streets, and located in a fully developed area, therefore, a full ten feet easement is not warranted. The granting of the variation is therefore based on the specific circumstances of the subject property and the granting of this variation request does not confer any special privilege or treatment to the applicant that will be denied to others. The applicant is not requesting a special privilege, rather attempting to develop the property in accordance with the current zoning regulations and standards.

3. The variation does not constitute a violation of any other applicable law, ordinance, or regulation.

The applicant is seeking to comply with all the applicable regulations. As stated above, the subject property has unique conditions, i.e., size and location that the variation request is based upon. The granting of this request in no way will cause, create and/or constitute a violation of any other law, ordinance, and regulations. The proposed development of the subject property is in full compliance with the underlying zoning and subdivision regulations.

4. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out.

The subject property is situated on the corner of Oglethorpe St. and 44th Ave. with a small area of 11,954 sf., and is rectangular in shape with aspect ratio of 2 to 1. The site area is very small and any additional area designated for easements will further diminish any potential development opportunities. The full implementation of the public utility easement as required on both streets will substantially reduce the development area envelope available on site, rendering the site unsuitable for development. The general character of the area is such that some structures are in close proximities to the right of way lines where very small areas are designated for utility easement, if any. The applicant on the other hand is providing five feet along all right of ways for any possible future utility installation. Therefore, given the shape of the property and its location, the full 10' public utility easements running alongside both streets as required by code will cause a significant hardship to the applicant by denying him a good portion of the land that otherwise could be utilized.

5. In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where multifamily dwellings are proposed, the Planning Board may approve a variation if the applicant proposes and demonstrates that, in addition to the criteria in [Section 24-113](#)(a), above, the percentage of dwelling units accessible to the physically handicapped and aged will be increased above the minimum number of units required by Subtitle 4 of the Prince George's County Code

This is not applicable.

Summary/Conclusion of Request

Based on the above, this request does meet the requirements for the granting of the variation as stated in the subdivision regulations Section 24-113, and denial of said request will be a significant hardship to the applicant.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Z. Shalabi', with a long horizontal flourish extending to the right.

Ziyad Shalabi, P.E.,
Engineer for Applicant

STANDARDS	REQUIRED	PROVIDED
Build-to-line Standards Table(1)		
Density	Not Specified	30Unit/Ac
Min. Lot Area	Not Specified	1280 SF
(5) All buildings shall be built out to a minimum of 80 percent of the site frontage.	110.3'	128'
(29) Buildings on corner lots should not have blank exterior walls at the pedestrian level.	See Arch. Drawings	
Access and Circulation		
Intent		
(2) Sidewalks a minimum of five feet in width shall connect to dwelling entrances, parking, recreational facilities, auxiliary buildings, recycling, and dumpster areas	5'	5'
(3) Sidewalks shall not be made of asphalt.	Not Asphalt	Concrete
(5) There shall be a maximum of two access driveways per lot or parcel from a public street to parking.	Max. Access (2)	1
(6) Access to parking and the rear of the lot or parcel shall be located on a side street or alley and shall be a maximum of 18 feet wide.	Max. 18' Alley	18'Wide

Parking and Loading		
Intent		
(2) Parking for a residential Units	1.5 Min.-3.5 Max	2/Unit
Siting and Access		
Intent		
(4) Parking between sidewalk or street and the building	None	None
Fencing, Walls, Screening, and Buffering		
Intent		
(1) Non-Opaque walls and fences, Max. Height	6'Max	6'
(2,3) Fence Material to be used		Wood
Landscaping		
Intent		
(2) Shade trees, Min (2½-3")	1 per 5000Sf GSA	3
Building Design		
Intent		
(40) The maximum height	45'	<45'
Streetscape		
Intent		
(4) All streets shall have a sidewalk on both sides wherever possible	Yes	Yes
(6) Street trees min. (2½- to 3")	Yes	Yes

LEGEND

EXISTING CONTOUR	100
PROPERTY LINE	
R/W BASE LINE	
EXISTING DRAIN PIPE	
EXISTING TREE LINE	
LIMIT OF GRAVEL/MAC AREA	
OVERHEAD ELECTRIC WIRE	E E
SOIL TYPE	UrcD
ALLEYWAY AREA	
CONCRETE SIDEWALK/DRIVEWAY	

UTILITY NOTE

ALL UTILITY ADJUSTMENT AND/OR RELOCATION ,i.e., ELECTRIC POLES, FIRE HYDRENT, etc., SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR/DEVELOPER/ BUILDER TO BE DONE DURING CONSTRUCTION.

* Stabilization practices on all projects must be in accordance with the requirements of COMAR 26.17.1.08 G regulations by January 9, 2013, regardless of when an erosion and sediment control plan was approved.

- Following initial soil disturbance or re-disturbance, permanent or temporary stabilization must be completed within:
- Three (3) calendar days as to the surface of all perimeter dikes, swales, ditches, perimeter slopes, and all slopes steeper than 3 horizontal to 1 vertical (3:1); and
 - Seven (7) calendar days as to all other disturbed or graded areas on the project site not under active grading.

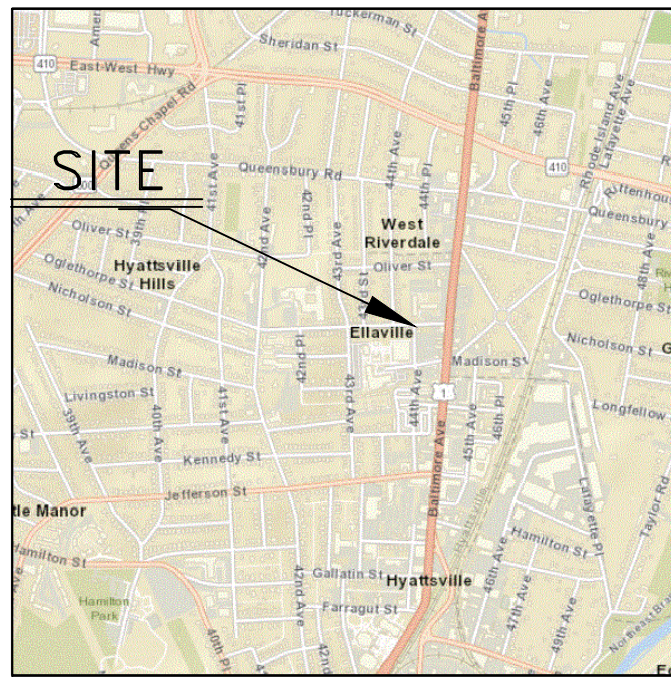
PROFESSIONAL CERTIFICATION

I 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. 20444, Expiration Date: 9/6/18.

CERTIFICATE OF COMPLIANCE

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 THIS SITE ONTO DOWNHILL PROPERTIES HAVE BEEN ADDRESSED IN SUBSTANTIAL ACCORDANCE WITH APPLICABLE CODES.

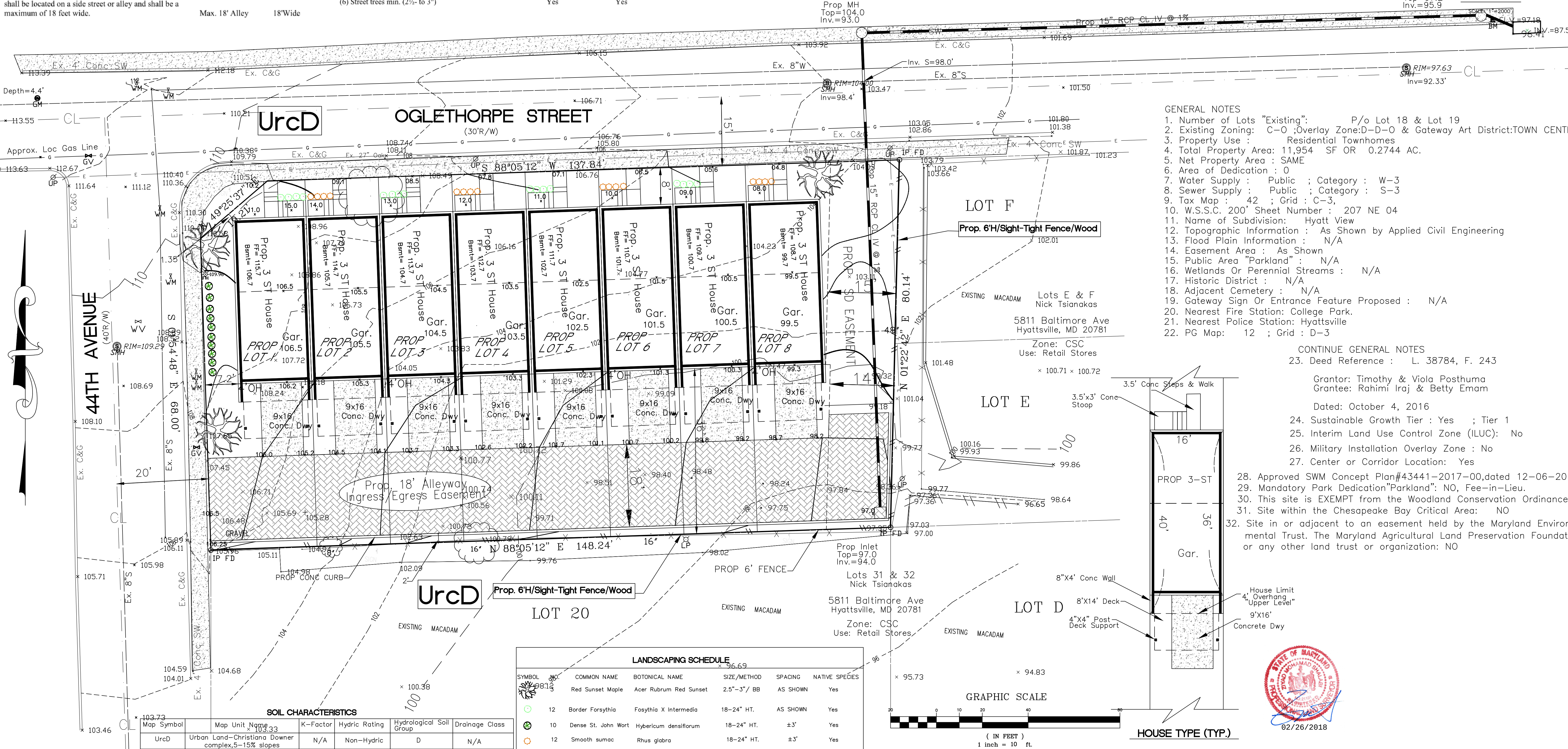
TOTAL AREA BEING DISTURBED= 0.27 AC



Prop MH
Top=97.2
Inv.=95.9

VICINITY MAP

Prop MH
Top=97.2
Inv.=95.9



GENERAL NOTES

- Number of Lots "Existing": P/o Lot 18 & Lot 19
- Existing Zoning: C-O ;Overlay Zone:D-D-O & Gateway Art District:TOWN CENTER
- Property Use : Residential Townhomes
- Total Property Area: 11,954 SF OR 0.2744 AC.
- Net Property Area : SAME
- Area of Dedication : 0
- Water Supply : Public ; Category : W-3
- Sewer Supply : Public ; Category : S-3
- Tax Map : 42 ; Grid : C-3,
- W.S.S.C. 200' Sheet Number : 207 NE 04
- Name of Subdivision: Hyatt View
- Topographic Information : As Shown by Applied Civil Engineering
- Flood Plain Information : N/A
- Easement Area : As Shown
- Public Area "Parkland" : N/A
- Wetlands Or Perennial Streams : N/A
- Historic District : N/A
- Adjacent Cemetery : N/A
- Gateway Sign Or Entrance Feature Proposed : N/A
- Nearest Fire Station: College Park.
- Nearest Police Station: Hyattsville
- PG Map: 12 ; Grid : D-3

CONTINUE GENERAL NOTES

- Deed Reference : L. 38784, F. 243

Grantor: Timothy & Viola Posthuma
Grantee: Rahimi Iraj & Betty Emam

Dated: October 4, 2016

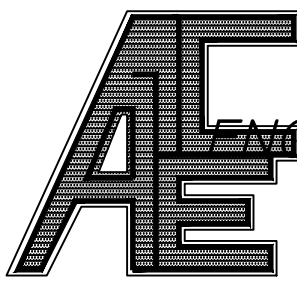
- Sustainable Growth Tier : Yes ; Tier 1
- Interim Land Use Control Zone (ILUC) : No
- Military Installation Overlay Zone : No
- Center or Corridor Location: Yes

- Approved SWM Concept Plan#43441-2017-00,dated 12-06-2017.
- Mandatory Park Dedication"Parkland": NO, Fee-in-Lieu.
- This site is EXEMPT from the Woodland Conservation Ordinance.
- Site within the Chesapeake Bay Critical Area: NO
- Site in or adjacent to an easement held by the Maryland Environmental Trust. The Maryland Agricultural Land Preservation Foundation, or any other land trust or organization: NO



DESIGNED: ZMS	DATE: Feb. 2017	DATE	BY
DRAWN: ZMS	DATE: Feb. 2017		
CHECKED: DATE:			
APPROVED: DATE:			

REVISIONS



APPLIED CIVIL ENGINEERING INC.

ENGINEERING * PLANNING * SURVEYING * LAND DEVELOPMENT
& PERMIT PROCESSING
9470 ANNAPOLIS ROAD, SUITE 414
LANHAM, MARYLAND 20706
TEL. (301) 459-5932

OWNER/APPLICANT/DEVELOPER

Alan Rahimi
P.O.Box 60667
Potomac, MD 20859
301-704-6465

SITE DEVELOPMENT AND LANDSCAPING PLAN

5809 & 5811 44th Avenue
P/O Lot 18 & Lot 19

HYATT VIEW

Hyattsville (16, th) Election District
Prince George's County, Maryland

SCALE: 1" = 10' CONTRACT No.: 17-02 SHEET 1 OF 1



Memo

To: Mayor and City Council

CC: Tracey Nicholson, City Administrator

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

Date: May 8, 2018

Re: PPS 4-17025: Hyatt View

Attachments: Site Plan
Statement of Justification
Variance Request

The purpose of this memorandum is to provide the Mayor and members of the City Council with background information on PPS 4-17025, a preliminary plan of subdivision application for the Hyatt View development, proposed to be located at the corner of 44th Avenue and Oglethorpe Street, Hyattsville.

Project Summary

- The development proposes the construction of 8 townhouses at the southeast corner of Oglethorpe Street and 44th Avenue;
- The property is located in the “Town Center” character area of the Gateway Arts District Development Overlay Zone;
- The construction of the townhomes is permitted “by-right,” so this development will only come to the City for a preliminary plan of subdivision, not a detailed site plan;
- Staff concerns include the quantity and size of units on the .27-acre site; the private alley access to the units; the location of sanitation services and the lack of on-site visitor parking;
- The City staff is not recommending a position for the Council consideration at this time as the Planning Committee has not yet heard the case. The Staff will provide a recommendation to the City Council before the Council is asked to take action on the proposals.

Project Details

The proposed development is located at the southeast corner of 44th Avenue and Oglethorpe Street. The property currently consists of one single-family detached home. The applicant is proposing the construction of eight (8) fee-simple townhouses on the site. The property is zoned C-O (commercial office) and lies within the Gateway Arts District Development District Overlay Zone (DDOZ). Within the DDOZ, the property falls into the “town center” character area. The total area of the subject site is 0.27 acres.

The applicant is proposing eight (8) townhouse lots on the site. As proposed, the townhouses will be 16-feet wide, face Oglethorpe Street and vehicular access via a private alley on the southern edge of the site. The alley would connect to the street grid via the existing curb cut at 44th Avenue. The townhouses will have a rear loaded, one car garage with a 16-foot pad to park an additional car off the alley. There is no guest parking provided within the development. The applicant will be handling all stormwater on site, as is consistent with Prince George’s County and State of Maryland laws.

This proposal is unique in that it only requires a preliminary plan of subdivision and not a detailed site plan because it is below the threshold triggers. Typically, developments in the City are required to go through both processes. If the preliminary plan of subdivision is approved, the applicant will move directly to permitting and build out through the Department of Permits, Inspections and Enforcement (DPIE).

Variance Requests

The applicant is seeking one (1) variance for the project. The requested variance is for a five-foot public utility easement because the public utilities on the site fit within a five-feet. The current standard is 10 feet. A 10-foot easement would push back the build-to line for the townhouses, further complicating the tight geometry of the site. The requested variance would align the frontage with the existing street frontage, therefore it is likely that staff will recommend support of this variance request.

Planning Committee Review and Staff Recommendations

The applicant is scheduled to present to the Planning Committee at their May 15, 2018 meeting. After their review and input, the staff will provide suggested recommendations to the Council during the May 21st Council meeting.

Staff Recommendations

The staff has several initial thoughts and significant concerns with the Preliminary Plan of Subdivision application.

The alley or “driveway” that will be servicing the homes dead ends at the end of the property, which can cause circulation issues, as cars will have to completely turn around to exit the community. Typically, alleys have two curb cuts, allowing for traffic to circulate in one direction throughout the alleyway. In addition, the ingress and egress issues do not meet the requirements necessary to be dedicated to the City. As a result, the alley will be privately owned and managed by the homeowner’s association. This could pose problems from both a management and financial perspective, for a homeowner’s association of just eight (8) property dwellings to maintain and eventually replace the alley.

It is the desire of both the applicant and staff that sanitation services be provided through the City of Hyattsville. The property has public roadways on two of its four corners, making local trash services a

possibility. The complicating factor, in this case, is where the trash bins will be located to be serviced. Bins must be along Oglethorpe Street or 44th Avenue to be in the public right-of-way. The City Code reads that trashcans may not be permanently stored before the build-to line of the property. Residents may not be willing to tote their trash and recycling bins from the rear to the front of the house on a weekly basis to put them out on Oglethorpe Street. The Staff has discussed the option of a concrete pad along 44th Avenue for bins. The applicant will provide the City with an exhibit of where a publicly dedicated pad could be located.

Parking is also a concern with this application. The applicant is meeting the Gateway Arts District Sector Plan requirements of 1.5 parking spaces per dwelling unit by providing two parking spaces per unit, however there is no visitor parking accommodated on site. The property is located within Residential Parking Permit Zone 2, however there is limited capacity along 44th for on-street parking.

Finally, reducing the number of sub-divided parcels on the property could be an option. The site is small, and eight townhomes could be tight. Reducing and possibly enlarging the number of units and garage pads for additional parking may be an option.

Next Steps

This application will be presented to, and discussed by, the Planning Committee at their May 15, 2018 meeting and will come back to the City Council on the “Action” agenda on May 21st. The Planning Board hearing is currently scheduled for June 7th.



Hyattsville City Council Agenda Item Report

Meeting Date: May 14, 2018

Submitted by: Nicola Konigkramer

Submitting Department: City Clerk

Item Type: Community Notices

Agenda Section: Community Notices and Meetings

SUBJECT

City Calendar: May 15 - May 21, 2018

HCC-342-FY18

Recommendation:

Sponsor(s):

At the Request of the City Administrator

Co-Sponsor(s):

ATTACHMENTS

[Main City Calendar_May 15 - May 21 2018.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: May 15 – May 21, 2018

Weekly Program Offerings

Ageless Grace Senior Exercise Classes

Wednesdays and Fridays, 10:00 AM @ City Municipal Building

Creative Minds

Tuesdays and Thursdays, 10:00 AM @ Magruder Park Recreation Center

Senior Art Class

Tuesdays, 10:30 AM – 12:30 PM @ Art Works Now

The City is offering free senior art classes in partnership with Art Works Now. Seating is limited, and registration is required.

Call-A-Bus Grocery Trips

Our Call-a-Bus takes seniors and residents with disabilities to grocery stores located in the City of Hyattsville each week. Call (301) 985-5000 to join a trip or add yourself to our Call-A-Bus calendar mailing list.

City Calendar: May 15 – May 21, 2018

Ethics Commission Meeting

May 15, 7:00 PM @ City Municipal Building, 3rd Floor Council Chambers

Planning Committee Meeting

May 15, 7:30 PM – 9:30 PM @ City Municipal Building, 2nd Floor Prangley Room

Seniors On The Go: Wonderfully Made4U

May 17, All Day @ Wonderfully Made4You

Spend an afternoon creating your own masterpiece with step-by-step guidance from talented local artists. Lunch and refreshments are included. The cost is \$25 in person at the City Municipal Building. Registration is open April 16th – 30th.

Bike to Work Day

May 18, 6:00 AM – 9:00 AM @ Magruder Park

Micro Farmer's Market

May 18, 4:00 PM – 8:00 PM @ City Municipal Building

Summer Jam

May 18, 6:30 PM – 8:30 PM @ City Municipal Building

Historic Hyattsville House Tour

May 20, 1:00 PM – 3:00 PM @ City-Wide

Hyattsville City Council Meeting

May 21, 8:00 PM – 10:00 PM @ City Municipal Building, 3rd Floor Council Chambers



Hyattsville City Council Agenda Item Report

Meeting Date: May 14, 2018

Submitted by: Laura Reams

Submitting Department: Community & Economic Development

Item Type: Legislative

Agenda Section: Motion to Close

SUBJECT

Motion to Close

NOTE: The Council will not return to open session.

HCC-340-FY18

Recommendation:

I move that the Mayor and Council close the Council Meeting of May 14, 2018 in order to discuss personnel matters and also to consider the acquisition of real property.

This session will be closed under the authority of the Annotated Code of Maryland State Government General Provisions Article Section 3-305(b) (1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals and Section 3-305(b) (3) to consider the acquisition of real property for a public purpose and matters directly related to the acquisition.

Sponsor(s):

Hollingsworth

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:

N/A

Legal Review Required?

Complete.