# City Council of Hyattsville, Maryland

# AGENDA
# City Council Regular Meeting
# Tuesday, February 18, 2020
# 8:00 PM

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

CITY COUNCIL

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

ADMINISTRATION

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



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**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.

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

Twitter Facebook 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-221-FY20**
I move that the Mayor and Council approve the Council Meeting Minutes of March 4 and March 18, 2019, the Public Hearing of March 18, 2019, and the Council Meeting of February 3, 2020.
**Lead Sponsor:** At the Request of the City Administrator
**Co-Sponsor(s):** N/A
Cover Page: Approval of the Minutes

Minutes_Feb 3 2020 FINAL.pdf

Minutes_March 4 2019 CM_FINAL.docx

Minutes_March 18 2019 PH_FINAL.docx

Minutes_March 18 2019 CM_FINAL.docx

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

**6. City Administrator Update (8:20 p.m. - 8:30 p.m.)**

**7. Presentations (8:30 p.m. - 9:00 p.m.)**

**7.a) Dewey Property - Parcel 5: Detailed Site Plan (DSP) 19050 (15 minutes)**
**HCC-222-FY20**
**Lead Sponsor:** At the Request of the City Administrator
**Co-Sponsor(s):** N/A
Cover Page: Dewey Property - Parcel 5: Detailed Site Plan (DSP) 19050 (15 minutes)

Memo - DSP-19050 - Dewey Parcel 5 - Presentation and Discussion.docx

Presentation_DSP_19050.pdf

**7.b) Sacred Heart Home Redevelopment Project Update (15 minutes)**
**HCC-198-FY20**
**Lead Sponsor:** At the Request of the City Administrator
**Co-Sponsor(s):** N/A
Cover Page: Sacred Heart Home Redevelopment Project Update (15 minutes)

**8. Appointments (9:00 p.m. - 9:05 p.m.)**

**8.a) Appointment to the Hyattsville Environment Committee**
**HCC-219-FY20**
I move that the Mayor and Council appoint Jared Messinger (Ward 1) to the Hyattsville Environment Committee for a term of 2 years to expire on February 18, 2022.
**Lead Sponsor:** Simasek
**Co-Sponsor(s):** Schaible
Cover Page: Appointment to the Hyattsville Environment Committee

HEC Application_Messinger_W1_redacted.pdf

**9. Consent Items (9:00 p.m. - 9:05 p.m.)**

**9.a) Allocate Ward 3 Funds in Support of Kirwan Commission Community Engagement Meeting**
**HCC-207-FY20**
I move that the Mayor and Council authorize the expenditure of $200 in Ward 3 funds in support of a community meeting to update the community on the status of the recommendations of the Kirwan Commission, and next steps. The funds may be used to cover costs associated with providing childcare, refreshments, and printing materials.

**Lead Sponsor:** Suiter
**Co-Sponsor(s):** Simasek
Cover Page: Allocate Ward 3 Funds in Support of Kirwan Commission Community Engagement Meeting

**9.b) Adirondack Tree Experts - Contract Amendment**
**HCC-208-FY20**
I move that the Mayor and Council authorize the City Administrator to approve an increase in an amount not to exceed $25,000 to the current contract with Adirondack Tree Expert for tree work in the City.
**Lead Sponsor:** At the Request of the City Administrator
**Co-Sponsor(s):** N/A
Cover Page: Adirondack Tree Experts - Contract Amendment

**9.c) Zoning Variance Request (V-170-19): 5225 42nd Place, Hyattsville**

**HCC-211-FY20**
I move that the City Council authorize the Mayor to send correspondence to the Prince George's County Board of Zoning Appeals stating the City's support for variance request V-170-19, requests of 567 square feet net lot area, 3.34 feet front building line width, 12 feet front yard depth, and 10% net lot coverage, to permit a validation of existing conditions and allow the applicant obtain a building permit for the proposed construction of a driveway at the subject property at 5225 42nd Place, Hyattsville.
**Lead Sponsor:** At the Request of the City Administrator
**Co-Sponsor(s):** N/A
Cover Page: Zoning Variance Request (V-170-19): 5225 42nd Place, Hyattsville

Memo - V-170-19.docx

Application V-170-19.pdf

Site Plan V-170-19.pdf

**9.d) FY20 Budget Appropriation: MNCPPC Grant for Recreation Activities**
**HCC-220-FY20**
I move that the Mayor & Council amend the FY20 Special Revenues Funds Budget to accept and appropriate the grant award in the amount of $19,000 from the Maryland National Capital Park and Planning Commission and authorize the City Administrator to sign the contract, upon the review and approval by the City Attorney for legal sufficiency.
**Lead Sponsor:** At the Request of the City Administrator
**Co-Sponsor(s):** N/A
Cover Page: FY20 Budget Appropriation: MNCPPC Grant for Recreation Activities

**9.e) FY20 Grant Award & Budget Amendment: Accept 2020 Census Grant Award and Amend the FY20 Special Revenues Funds Budget**
**HCC-213-FY20**
I move that the Mayor and Council accept the 2020 Census Grant award and amend the FY20 Special Revenues Funds Budget to appropriate an amount not to exceed $19,000 to support the City of Hyattsville's efforts in facilitating the accurate counting of the population and the collection of basic demographic and housing information and to fund the activities exclusively for outreach efforts that focus on promoting and facilitating responses to the 2020 Census as required in Exhibit A of the grant agreement.
**Lead Sponsor:** At the Request of the City Administrator
**Co-Sponsor(s):** N/A
Cover Page: FY20 Grant Award & Budget Amendment: Accept 2020 Census Grant Award and Amend the FY20 Special Revenues Funds Budget

2020 CENSUS GRANT PROGRAM AGREEMENT (1).pdf

**10. Action Items (9:05 p.m. - 10:30 p.m.)**

**10.a) Magruder Pointe PPS-4-18001-: Correspondence to M-NCPPC Legal Counsel (10 minutes)**
**HCC-210-FY20**
I move the Mayor and Council authorize the City Attorney to prepare and submit a correspondence to the Maryland-National Capital Park & Planning Commission requesting a postponement of the applicant's public hearing and advising the Commission that until the Conceptual Site Plan (CSP) for both the upper and lower parcels, which is the subject of a petition for judicial review, is approved and certified, the applicant cannot proceed with a Preliminary Plan of Subdivision (PPS) for the Magruder Pointe development project.
**Lead Sponsor:** At the Request of the City Administrator
**Co-Sponsor(s):**
Cover Page: Magruder Pointe PPS-4-18001-: Correspondence to M-NCPPC Legal Counsel (10 minutes)

**10.b) Magruder Pointe Development – Preliminary Plan of Subdivision 4-18001: Communication to the Chairman and Counsel (45 minutes)**
**HCC-227-FY20**
I move the Mayor and Council authorize the City Attorney to send correspondence to Maryland-National Capital Park & Planning Chairman Elizabeth Hewlett and legal counsel advising that the Conceptual Site Plan for the Magruder Pointe project includes the subject parcel within application PPS 4-18001 and that the entirety of the CSP is the subject of a petition for judicial review and requesting the public hearing be postponed until judicial review has concluded.
**Lead Sponsor:** At the Request of the City Administrator
**Co-Sponsor(s):** N/A
Cover Page: Magruder Pointe Development – Preliminary Plan of Subdivision 4-18001: Communication to the Chairman and Counsel (45 minutes)

**10.c) 5600 Ager Road: Amendment to the West Hyattsville TDDP Table of Uses: CSP-19009-001 and DSP-19053-001 (15 minutes)**

**HCC-212-FY20**
I move the City Council authorize the Mayor to send correspondence to the Maryland-National Capital Park & Planning Commission regarding CSP-19009-001 and DSP-19053-001, a request to amend the West Hyattsville TDDP Table of Uses: CSP-19009-001 and DSP-19053-001. The correspondence shall state the City's concerns regarding the long-term use and its alignment with the City's Sustainability Plan, transit-oriented development and West Hyattsville Transit District Development Plan. The correspondence shall also request that the Planning Board limit the permitted uses of the site to the following:
1. Eating or drinking establishment without drive-thru uses;
2. Food or beverage goods preparation on the premises of a food and beverage store;
3. Barber/hair salon and beauty shop;
4. Hardware store, clothing, dry goods;
5. Banks, savings and loan association or other savings and lending institutions;
6. Offices;

7. Pet grooming shop;

A use of 'Repair shop' shall be limited to small electronics and/or appliances ans shall be limited to approval through a 'Special Permit'.
**Lead Sponsor:** At the Request of the City Administrator
**Co-Sponsor(s):** N/A
Cover Page: 5600 Ager Road: Amendment to the West Hyattsville TDDP Table of Uses: CSP-19009-001 and DSP-19053-001 (15 minutes)

Memo - DSP-19053 - 5600 Ager Road.docx

A-SOJ-CSP-19009.pdf

CSP-19009-001.pdf

DSP-19053-001.pdf

**10.d) Letter to Board of License Commissions: Transfer of Class B+ License from Lee's Liquors and Restaurant to Hyattsville Fine Wine & Spirits (15 minutes)**
**HCC-224-FY20**
I move the City Council authorize the Mayor to send a letter to the Prince George's County Board of License Commissioners acknowledging the applicant's revisions to its Application for Transfer of Location of Class B+, BWL License and Special Sunday Off-Sale Permit for Lee's Liquors and Restaurant, 2903 Hamilton Street, Hyattsville Restaurant LLC to Liquor Hut, 5350 Queens Chapel Road, Hyattsville.

The letter shall state the City remains concerned that the applicant has not made adequate progress regarding public safety, specifically violations of Maryland Law, such as public intoxication, assaults in the first and second degree and disorderly conduct, in-part due to the applicant's lack of proactive management and inability to responsibly manage point of sale.

It is the City's opinion that the following modifications and/or conditions are still necessary and appropriate and necessary for the applicant to amend its application, or for the Board of License Commissioners to conditions as requirements of this application.
1. Owners will commit to becoming a more involved in community;
2. The applicant shall comply with site design standards consistent with both the West Hyattsville Transit District Development and Crime Prevention Through Environmental Design (CPTED);
3: The applicant shall cooperate with the City of Hyattsville Police Department regarding loitering;
4. The applicant shall hire off-duty City of Hyattsville police officers to enforce Maryland State Law;
5. The applicant shall modify the hours of operation as follows: Monday - Saturday, 10 AM - 12 AM and, pending approval, Sunday, 10 AM - 11 PM. The applicant may be permitted to

receive inventory between the hours of 8 AM - 10 AM, but may not be permitted to conduct sales prior to 10 AM.
**Lead Sponsor:** Hollingsworth
**Co-Sponsor(s):** Solomon, Spell
Cover Page: Letter to Board of License Commissions: Transfer of Class B+ License from Lee's Liquors and Restaurant to Hyattsville Fine Wine & Spirits (15 minutes)

Letter from BLC re Liquor Hut.pdf

Liquor Hut Application - date stamped.pdf

Report Hamilton Street Area 162020 Mayor and Council (1).pdf

Hyattsville Fine Wine & Spirits_response letter.PDF

**11. Discussion Items (10:30 p.m. - 11:00 p.m.)**

**11.a) Dewey Property - Parcel 5: Detailed Site Plan (DSP) 19050: Discussion Item (15 minutes)**
**HCC-223-FY20**
**Lead Sponsor:** At the Request of the City Administrator
**Co-Sponsor(s):** N/A
Cover Page: Dewey Property - Parcel 5: Detailed Site Plan (DSP) 19050: Discussion Item (15 minutes)

Memo - DSP-19050 - Dewey Parcel 5 - Presentation and Discussion.docx

1_CIVP-DSP-19050.pdf

2_A-SOJ-DSP-19050.pdf

3_A-SOJ-DDS-660.pdf

4_ARCH_Plan-DSP-19050.pdf

5_BPIS_DSP-19050.pdf

6_Recreational Facilities.pdf

7_UTC Parking Memo 11-05-2019.pdf

8_Illustrative Renderings.pdf

9_Relevant_TDDP_pages.pdf

**11.b) Backyard Chicken Act (15 minutes)**
**HCC-226-FY20**

I move that the Mayor and Council direct the City Attorney to draft an ordinance amending Chapter 52 of the Hyattsville Charter and Code to amend section §52-10 by striking the inclusion of "domestic fowl", and "poultry and game birds" from the list of prohibited animals. Roosters will remain on the list of prohibited animals in the Code.
**Lead Sponsor:** Schaible
**Co-Sponsor(s):** N/A
Cover Page: Backyard Chicken Act (15 minutes)

**12. Council Dialogue (11:00 p.m. - 11:10 p.m.)**

**13. Community Notices and Meetings**

**14. Motion to Adjourn**

# Hyattsville City Council Agenda Item Report

Meeting Date: February 18, 2020
Submitted by: Laura Reams
Submitting Department: City Clerk
Item Type: Legislative
Agenda Section:

**SUBJECT**
Approval of the Minutes

**HCC-221-FY20**

**Recommendation:**
I move that the Mayor and Council approve the Council Meeting Minutes of March 4 and March 18, 2019, the Public Hearing of March 18, 2019, and the Council Meeting of February 3, 2020.

**Sponsor(s):**
At the Request of the City Administrator

**Co-Sponsor(s):**
N/A

ATTACHMENTS

Minutes_Feb 3 2020 FINAL.pdf

Minutes_March 4 2019 CM_FINAL.docx

Minutes_March 18 2019 PH_FINAL.docx

Minutes_March 18 2019 CM_FINAL.docx

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

**Next Steps:**
Upon approval, approved minutes will be posted on the City's website.

**Fiscal Impact:**
N/A

**City Administrator Comments:**
N/A

**Community Engagement:**
N/A

**Strategic Goals:**
Goal 1 - Ensure Transparent and Accessible Governance

**Legal Review Required?**
N/A

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

Absent: None

Also present were the following City staff members:
Tracey E. Douglas, City Administrator
Jim Chandler, Assistant City Administrator
Ron Brooks, City Treasurer
Chief Amal Awad, City of Hyattsville Police Department
Laura Reams, City Clerk
Sean Corcoran, Deputy City Clerk
Deputy Chief Scott Dunklee, City of Hyattsville Police Department
Lieutenant Zach Nemser, City of Hyattsville Police Department

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

**Mayor Candace Hollingsworth** called the meeting to order at 7:07 p.m.

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

**3) Approval of Agenda**

**Amendment to the Agenda**

**1. AMEND** Motion to Close #HCC-202-FY20 as follows:

I move that the Mayor and Council close the Council Meeting of February 3, 2020 to consult with staff to discuss confidential commercial or financial information related to a proposed development in the City.

The reason for closing the meeting under this exception is to protect the City's bargaining position and to maintain legally required confidentiality in regard to commercial and/or financial information.

This session will be closed under the authority of the Annotated Code of Maryland State Government General Provisions Article Section 3-305(b) (13) to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter - specifically Maryland Code, § 4-335 of the General Provisions Article (protecting from disclosure confidential commercial information).

| | |
|---|---|
| **RESULT:** | **APPROVED, AS AMENDED [UNANIMOUS]** |
| **MOVER:** | Ward |
| **SECONDER:** | Solomon |
| **AYES:** | Hollingsworth, Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Haba, Peabody, Solomon, Spell Wolf |

**4) Approval of the Minutes**

**4.a) Approval of the Minutes**
**HCC-204-FY20**
**Lead Sponsor:** At the Request of the City Administrator
**Co-Sponsor(s):** N/A
Cover Page: Approval of the Minutes
Minutes_Jan 21 2020 FINAL.docx

I move that the Mayor and Council approve the Council Meeting Minutes of January 21, 2020.

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|---|---|
| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Ward |
| **SECONDER:** | Croslin |
| **AYES:** | Hollingsworth, Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Haba, Peabody, Solomon, Spell Wolf |

**5) Motion to Close (7:10 p.m.)**

**5.a) Motion to Close (60-90 minutes)**
**HCC-202-FY20**
**Lead Sponsor:** At the Request of the City Administrator
**Co-Sponsor(s):** N/A
Cover Page: Motion to Close (60-90 minutes)

I move that the Mayor and Council close the Council Meeting of February 3, 2020 to consult with staff to discuss confidential commercial or financial information related to a proposed development in the City.

The reason for closing the meeting under this exception is to protect the City's bargaining position and to maintain legally required confidentiality in regard to commercial and/or financial information.

This session will be closed under the authority of the Annotated Code of Maryland State Government General Provisions Article Section 3-305(b) (13) to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter - specifically Maryland Code, § 4-335 of the General Provisions Article (protecting from disclosure confidential commercial information).

| | |
|---|---|
| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Ward |
| **SECONDER:** | Solomon |
| **AYES:** | Hollingsworth, Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Haba, Peabody, Solomon, Spell Wolf |

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

A closed session of the Council of the City of Hyattsville was held at 7:07 p.m. on Monday, February 3, 2020, in the City of Hyattsville Municipal Building, Third Floor Council Chambers.

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

The authority under which the session was closed was the Annotated Code of Maryland State Government General Provisions Article Section Section 3-305(b) (13) to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter - specifically Maryland Code, § 4-335 of the General Provisions Article (protecting from disclosure confidential commercial information).

Topics Discussed: UIP Tax Credit Application

Action Taken: None

The Council returned to open session on a motion made by **Ward 4 Councilmember Edouard Haba**, seconded by **Council President Kevin Ward** and approved unanimously by the Body at 8:38 p.m.

**6) Public Comment (8:30 p.m. – 8:40 p.m.) Limit 2 minutes per speaker**

Ward 5 resident, Cliff Mayo, addressed the Mayor and Council in opposition of the Magruder Pointe proposal stating that discussions of approval of the project should not take place while litigation was pending.

Ward 1 resident, Greg Smith, addressed the Mayor and Council in opposition of the Magruder Pointe proposal stating many concerns with the developers and the manner in which the project was being carried out. Mr. Smith echoed the comments of Mr. Mayo stating that discussions of approval of the project should not take place while litigation was pending.

Ward 2 resident, David Marshall, addressed the Mayor and Council expressing support for the Magruder Pointe project. Mr. Marshall questioned the need of the third floor renovation on the consent agenda inquiring as to the reason any renovation would take place when decisions regarding the building's future were not determined. He sought clarity regarding the Education Enrichment Grant and asked why Rogers Heights Elementary was included. **Ward 1 Councilmember Bart Lawrence** addressed Mr. Marshall's concerns about the inclusion of Rogers Heights Elementary explaining that a small number of students from the City of Hyattsville are bounded into the school and therefore sent the grant application.

**7) City Administrator Update (8:40 p.m. - 8:50 p.m.)**

City Administrator Tracey Douglas addressed the Mayor and Council with updates regarding City events and news announcing that the Maryland delegation introduced a bill in support of community aggregation that would allow residents better leverage in negotiating renewable energy costs. Ms. Douglas cited the new wayfinding signs that had been recently installed throughout the City and it was a successful measure which was identified in a previous traffic study. She reported that a passenger van became defunct and halted transportation services for Teen Center tutoring and mentoring program participants and that the City was likely to start researching new vehicles as a replacement.

City Administrator Douglas closed her update by introducing the 2019 City of Hyattsville employee of the year, Saarah Abdul Rauf. Ms. Douglas recognized Ms. Abdul Rauf's many accomplishments and provided a summary of projects created and their effects on the community. **Mayor Hollingsworth** provided a brief summary of the origin of the award and its history and thanked Saarah for her invaluable work.

**8) Presentations (8:50 p.m. - 8:55 p.m.)**

**8.a) Treasurer's Update**
**HCC-203-FY20**
**Lead Sponsor:** At the Request of the City Administrator
**Co-Sponsor(s):** N/A
Cover Page: Treasurer's Update

City Treasurer Ron Brooks provided updates to the FY18 and FY19 audits stating that the FY18 audit had been completed and once signed by the auditors it can be filed. Mr. Brooks noted new requirements regarding the audits stating that they would warrant more work and may delay completion slightly, but he was confident that everything was on schedule and would be completed in the coming months.

**9) Proclamations (8:55 p.m. - 9:00 p.m.)**

**9.a) Proclamation Celebrating February 2020 as Black History Month in the City of Hyattsville**
**HCC-200-FY20**
**Lead Sponsor:** At the Request of the City Administrator
**Co-Sponsor(s):** N/A

Cover Page: Proclamation Celebrating February 2020 as Black History Month in the City of Hyattsville
Black History Month 2020.docx

I move that the Mayor and Council adopt a proclamation recognizing February 2020 as Black History Month in the City of Hyattsville.

| | |
|---|---|
| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Ward |
| **SECONDER:** | Lawrence |
| **AYES:** | Hollingsworth, Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Haba, Peabody, Solomon, Spell Wolf |

**10) Consent Items (9:00 pm. - 9:05 p.m.)**

**10.a) Renovation of 3rd Floor Center Office and Prangley Room (Furnishings) – City Administration Building**
**HCC-199-FY20**
**Lead Sponsor:** At the Request of the City Administrator
**Co-Sponsor(s):** N/A

Cover Page: Renovation of 3rd Floor Center Office and Prangley Room (Furnishings) - City Administration Building
Center Office Reno.pdf
Center Office Reno 2.pdf
Rider_Clause_Final_08262016_MAPT4.pdf
Global Bungee Tables 30 Inch 011520.pdf

I move that the Mayor and Council authorize the City Administrator to enter into an agreement to purchase furniture for the 3rd Floor Center Office and Prangley Room of the Municipal Building, and authorize an expenditure not to exceed $36,000 to Douron for furniture purchases through the Mid Atlantic Purchasing Team (MAPT) Contract, of which the City is a member.

**10.b) Disbursement of FY20 Education Enrichment Grant Funds**
**HCC-201-FY20**
**Lead Sponsor:** At the Request of the City Administrator
**Co-Sponsor(s):** N/A

Cover Page: Disbursement of FY20 Education Enrichment Grant Funds
Grant Letter.docx
HVL EAC 2020 Grants.xlsx
FY20 Recommended Education Enrichment Grant Applications_Redacted.pdf

I move that the Mayor and Council authorize the expenditure of $9,500 to support the grant proposals recommended from the Education Advisory Committee and listed in the attached memo for the dissemination of the FY20 Education Enrichment Grants.

| | |
|---|---|
| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Ward |
| **SECONDER:** | Peabody |
| **AYES:** | Hollingsworth, Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Haba, Peabody, Solomon, Spell Wolf |

**11) Discussion Items (9:05 p.m. - 9:35 p.m.)**

**11.a) Magruder Pointe Development – Preliminary Plan of Subdivision (Parcel A1 - Upper Lot Only) (30 minutes)**
**HCC-197-FY20**
**Lead Sponsor:** At the Request of the City Administrator
**Co-Sponsor(s):** N/A

Cover Page: Magruder Pointe Development – Preliminary Plan of Subdivision (Parcel A1 - Upper Lot Only) (30 minutes)
Magruder Pointe Presentation .pptx
CSP-18002 - Magruder Pointe - City of Hyattsville 3.5.2019.pdf
1. PPS-4-18001_001-003.pdf
2. SOJ-PPS-4-18001.pdf
3. SOJ-PPS-4-18001_PUE_Exhibit.pdf
4. Applicant's Presentation_Magruder Pointe Presentation.pdf
5. CSP-18002 - Magruder Pointe - City of Hyattsville 3.5.2019.pdf
6. CSP-18002 Planning Board Resolution 18-74 - Highlighted.pdf
Memo - PPS 4-18001 - Magruder Pointe - Recommendations

Assistant City Administrator Jim Chandler introduced the discussion item and provided a brief summary stating that a timeline for the project and development standards that were applicable to the site were included in the documentation provided to the Council. Mr. Chandler cited a request for variance from the applicant relating to the easement of the property. City Planner Kate Powers took lead of the discussion to provide greater detail about the project and the requested variance. Ms. Powers stated that they recommend approval of the variance under the contingency that Potomac Electric Power Company (PEPCO) determined that the site would not require any further dedication. She stated that the Planning Committee requested that Council give close attention to stormwater mitigation.

Assistant City Administrator Chandler added that minutes from the meeting in which these recommendations were agreed upon would be supplied to Council as they become available and provided more detail about the project stating that three lots were identified as being too small and relayed further recommendations.

City Planner Powers provided the Mayor and Council with details of the intended townhomes for the site citing one lot, in particular, that staff recommend as open space due to its limiting position. She expressed the need for overhead lighting over the alleyways and reiterated recommendations regarding the variance request.

Mr. Chandler addressed stormwater mitigation explaining the requirements for mitigation and communications with State and County entities and their regulations. He explained that in a plan of subdivision the applicant is required to dedicate land, pay a fee in lieu, or make improvements to recreational amenities and referenced a bridge in Magruder Park in need of renovation that staff would recommend be upgraded by the applicant to satisfy the requirement. Mr. Chandler conveyed the next steps of the process and points of interest in the impending schedule.

**Councilmember Lawrence** asked what the minimum size for a townhouse lot was to which Mr. Chandler described the regulations and qualifications for lots under various authorities stating that it was very vague. The Councilmember inquired further regarding lot sizes and the difference between those for townhomes and single-family detached homes and then asked the attorney for Werrlein Developers to come forward to field questions from Council.

**Councilmember Lawrence** stated that he was unable to identify any benefit of a homeowners association (HOA) for those who live in single-family detached homes as they would be charged for maintenance of areas with no direct effect to their property. Attorney for Werrlein Developers, Norman Rivera, responded that HOAs were required by the County for any area containing green space and the services for residents varied greatly.

**Councilmember Lawrence** asked Mr. Rivera why his client would submit an application with the knowledge that at least 4 lots were not up to regulation to which Mr. Rivera responded that it was not an irregular occurrence and that the code only requires that they ask for regulations to be met but it is up to the code enforcement entities to approve it.

**Ward 2 Councilmember Danny Schaible** requested clarity as to whether elements of the transportation study were taken into consideration when addressing the upper lot of the project to which Assistant City Administrator Chandler responded that the items from the study were not applicable to the upper lot. **Councilmember Schaible** recalled that the transportation study recommended that a section of the road pertinent to the project provide parking on both sides and stated that the Werrlein project requests changing the road from one way to two to which Mr. Chandler responded that in was not possible in that specific area, but that the transportation study recommendation applies to larger areas and would likely not be applicable to the area in question.

**Councilmember Schaible** posed questions to Mr. Rivera inquiring as to whether the land that was contracted to be sold back to the City was included in their density ceiling calculation to which Mr. Rivera responded that was the case from an overall standpoint. **Councilmember Schaible** opposed the action and Mr. Rivera acknowledged his disapproval and averred that they were conducting business in accordance with all laws and regulations.

**Councilmember Schaible** asked whether the plan intends to mitigate stormwater by directing it toward the parcel of land that was contracted to be sold back to the City to which Mr. Rivera replied that some would be, but it was intrinsic to the plan as a whole. Mr. Chandler interjected that no detail about the stormwater direction was provided to the City in the proposal.

**Mayor Hollingsworth** remarked that she understood the difficulties and challenging dynamics that Mr. Rivera had been presented with over the prior two (2) years in association with the project, but voiced her disapproval for the manner in which the Council's questions were being answered as bothered and dismissive and urged the attorney to uphold a standard of decorum that matched that which was required of City of Hyattsville officials.

**Councilmember Lawrence** confirmed that each townhome would have a two (2)-car garage and expressed concerns regarding parking availability and density. He reiterated his displeasure for the requirement of an HOA for residents who would not see any benefits.

**Mayor Hollingsworth** announced the next steps and future meetings that would take place pertaining to Magruder Pointe.

City Administrator Douglas explained the options available to Council regarding the opposition or option to delay the process if they so chose.

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

**13) Community Notices and Meetings**

**13.a) Main City Calendar: February 4 - 18, 2020**
**HCC-205-FY20**
**Lead Sponsor:** At the Request of the City Administrator
**Co-Sponsor(s):** N/A
Cover Page: Main City Calendar: February 4 - 18, 2020
Main City Calendar_Feb 4-Feb 18.docx

**14) Motion to Adjourn**

| | |
|---|---|
| **RESULT:** | **APPROVED [UNANIMOUS]** |
| **MOVER:** | Croslin |
| **SECONDER:** | Suiter |
| **AYES:** | Hollingsworth, Ward, Suiter, Lawrence, Croslin, Schaible, Simasek, Haba, Peabody, Solomon, Spell Wolf |

The meeting adjourned at 10:09 p.m.

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

Absent: Kevin Ward, W1 (Council VP)

Also present were the following City staff members:
Tracey E. Douglas, City Administrator
Jim Chandler, Assistant City Administrator (departed at 9:43 p.m.)
Ron Brooks, City Treasurer (departed at 10:00 p.m.)
Vivian Snellman, Director of Human Resources (departed at 10:00 p.m.)
Laura Reams, City Clerk

1) Call to Order and Council Roll Call

Mayor Candace Hollingsworth called the meeting to order at 8:01 p.m.

2) Pledge of Allegiance to the Flag

3) Approval of Agenda

Amendment to the Agenda

1. ADD City Administrator Update to the Presentation Agenda after the Audit Update.

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

4) Approval of the Minutes

4.a) Approval of the Minutes
HCC-299-FY19
Lead Sponsor: At the Request of the City Administrator
Co-Sponsor(s): N/A

Cover Page
Feb 4 2019 PH_Minutes.pdf

I move that the Mayor and Council approve the Council Meeting Minutes for the Public Hearing of February 4, 2019.

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

## 6) Presentations (8:20 p.m. - 8:35 p.m.)

6.a) FY17 & FY18 Audit Update (5 minutes)
HCC-282-FY19
Lead Sponsor: At the Request of the City Administrator
Co-Sponsor(s): N/A
Cover Page

City Treasurer Ron Brooks presented an update of the FY17 and FY18 audits. Mr. Brooks reported that the FY17 audit was ready for review and comments before distribution and that the FY18 audit was in the document verification stage and would move on to the accounts payable and accounts receivable stage with completion estimated for April 2019.

6.b) City Administrator Update (5 minutes)
Lead Sponsor: At the Request of the City Administrator
Co-Sponsor(s): N/A

City Administrator Tracey Douglas presented an update of events and items of interest within the City citing the implementation of the See, Click, Fix application that would provide residents with a direct line of communication with City officials to resolve issues of City maintenance or resident safety. Ms. Douglas also recognized the work that had been conducted between City staff and Girl Scout Troop 6899 to create a presentation on “visionary women”.

Mayor Hollingsworth announced that due to technical difficulties the live stream for the Council Meeting would not be available.

6.c) Mapping Racism Presentation (10 minutes)
HCC-285-FY19
Lead Sponsor: At the Request of the City Administrator
Co-Sponsor(s): N/A
Cover Page

Executive Director of the Hyattsville Community Development Corporation, Stuart Eisenberg presented details pertaining to the Mapping Racism project; an arts and humanities project designed to highlight the history of restrictive racial covenants on properties located in Hyattsville. Mr. Eisenberg provided information about the restrictive deed covenants stating that homeowners were ignorant of the details and ramification of signing a mortgage document and explained that the program's intent was to help homeowners identify these covenants. Mr. Eisenberg described the project and announced upcoming events and referenced a segregation ordinance from 1913 adopted by Hyattsville and provided extensive history regarding the issue.

Ward 3 Councilmember Thomas Wright thanked Mr. Eisenberg for the presentation and asked whether a mechanism existed that would allow for the removal of the covenants to which the Executive Director responded that removal was the ultimate goal, but with the resources available and legal procedures it could take them a very long time.

Ward 2 Councilmember Shani Warner expressed the importance of Mr. Eisenberg's work and asked how he planned on communicating his message and research to the public to which Mr. Eisenberg answered that they would hold community forums and exhibitions, distribute materials, and he noted that he had personally been involved with several renovation projects that had a segregationist component in the deed. When asked to elaborate on Magruder Park and its history, Mr. Eisenberg explained that William Magruder helped to develop a number organizations including the Maryland National Capital Park and Planning and owned more land than any other resident of Prince George's County which allowed him to contribute money and resources as he saw fit resulting in a great number of discriminatory policies.

Ward 2 Councilmember Robert Croslin referenced the name Zantzinger and stated that he was responsible for ownership and creation of his deed. Zatzinger's son assaulted a bar worker who later died and received almost no penalty because of the same types of covenants within the deeds. He stated that the story was the basis for the song "The Lonesome Death of Hattie Carroll" by Bob Dylan.

Ward 5 Councilmember Erica Spell raised questions concerning outreach to other organizations with efforts in this area and residents to which Mr. Eisenberg replied that there were seven (7) other organizations he was aware of conducting similar research and explained that, once available, the tool for identifying homes with biased covenants would be a self-driven resource, open to the public, that will be linked to GIS maps.

Ward 5 Councilmember Joseph Solomon requested clarity regarding a timeline and the method in which outreach would be conducted to which Mr. Eisenberg stated that they are researching between 5000 and 9000 title searches and there was a great deal of work to be completed. He added that social media would be the primary source for community outreach.

Ward 3 Councilmember Carrianna Suiter asked if local residents could volunteer their time to aid in the cause to which Mr. Eisenberg responded that it was encouraged, but some training was necessary.

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

Mayor Hollingsworth announced that an opportunity for public comment would provided before moving on to the consent agenda.

Ward 1 resident, Greg Smith, addressed the Mayor and Council requesting that City Council submit a letter to the Planning Board in opposition to any change in land zoning for Magruder Pointe and identified several items he felt were problems with the process.

7) Consent Items (8:35 p.m. - 8:40 p.m.)

7.a) Proclamation Celebrating March 2019 as Women's History Month in the City of Hyattsville
HCC-284-FY19
Lead Sponsor: At the Request of the City Administrator
Co-Sponsor(s): N/A
Cover Page
Women's History Month 2019.docx

I move that the Mayor and Council proclaim March 2019 to be Women's History Month in the City of Hyattsville.

7.b) Surplus of City Solid Waste Vehicle
HCC-286-FY19
Lead Sponsor: At the Request of the City Administrator
Co-Sponsor(s): N/A
Cover Page

I move that the Mayor and Council approve the sale of Solid Waste Vehicle #63 from the Department of Public Works at public auction, all proceeds from the sale will be posted to General Fund Revenues.

7.c) Revision to Educational Facilities Task Force Worksheet
HCC-287-FY19
Lead Sponsor: Lawrence
Co-Sponsor(s): Hollingsworth, Ward
Cover Page
Education_Facilities_Task_Force_Worksheet_REVISED.docx

I move that the Mayor and Council amend the committee worksheet for the Educational Facilities Task Force to increase the membership from nine (9) to eleven (11).

7.d) NZI Contract for Installation of Concrete Pad at 38th Avenue Park
HCC-288-FY19
Lead Sponsor: At the Request of the City Administrator
Co-Sponsor(s): N/A

Cover Page
NFC Photo 1.jpg
NFC Photo 2.jpg
Hyattsville_Proposal 38th Ave Playground NFC Concrete Slab.pdf

I move that the Mayor and Council authorize the City Administrator to utilize the existing Prince George's County contract with NZI Construction for the purpose of installing a concrete pad for the Fitness Court at 38th Avenue Park, in an amount not to exceed $12,000. This contract has been reviewed and approved by the City Attorney for legal sufficiency.

7.e) Playground Specialists Contract for Installation of Fitness Court Equipment at 38th Avenue Park
HCC-289-FY19
Lead Sponsor: At the Request of the City Administrator
Co-Sponsor(s): N/A

Cover Page
NFC Grant Memo (1) (1) (Tracey Nicholson).docx
NFC Photo 1.jpg
NFC Photo 2.jpg
Playground Spec Fitness Court Install Proposal _18988A.pdf

I move that the Mayor and Council authorize the City Administrator to enter into a contract with Playground Specialists for the purpose of installing the equipment for the Fitness Court at 38th Avenue Park, in an amount not to exceed $22,000 upon the review and approval by the City Attorney for legal sufficiency.

7.f) Cancel Budget Work Session of March 13, 2019
HCC-290-FY19
Lead Sponsor: At the Request of the City Administrator
Co-Sponsor(s): N/A

Cover Page
Calendar of Budget Presentations_FY20_revised.docx

I move that the Mayor and Council cancel the Council Budget Work Session scheduled for Wednesday, March 13, 2019. The introduction of the FY-2020 budget will be scheduled for Wednesday, March 18, 2019.

7.g) Reappointment to the Education Advisory Committee
HCC-292-FY19
Lead Sponsor: Spell
Co-Sponsor(s): N/A

Cover Page
Committee Application_EAC_Cynthia Totten W4.pdf

I move that the Mayor and Council reappoint Cynthia Totten (Ward 4) to the Education Advisory Committee for a term of two (2) years to expire on March 4, 2021.

7.h) Appointment to the Health, Wellness, and Recreation Advisory Committee
HCC-293-FY19
Lead Sponsor: Solomon
Co-Sponsor(s): Suiter

Cover Page
Committee Application_HWRAC_Stephenie Brooks-Maynard W1.pdf

I move that the Mayor and Council appoint Stephenie Brooks-Maynard (Ward 1) to the Health, Wellness, and Recreation Advisory Committee for a term of two (2) years to expire on March 4, 2021.

7.i) Appointments to the Ethics Commission
HCC-294-FY19
Lead Sponsor: Hollingsworth
Co-Sponsor(s): N/A

Cover Page
Committee Application_Ethics_Chris Currie W1.pdf
Committee Application_Ethics_Kayleigh Kulp W1.pdf

I move that the Mayor and Council reappoint Chris Currie (Ward 1) and appoint Kayleigh Kulp (Ward 1) to the Ethics Commission for a term of three (3) years to expire on March 4, 2022.

7.j) Appointments to the Educational Facilities Task Force
HCC-296-FY19
Lead Sponsor: Hollingsworth
Co-Sponsor(s): N/A

Cover Page
Committee Application_EFTF_Stuart Eisenberg W1.pdf
Committee Application_EFTF_Jacob Lappi W1.pdf
Committee Application_EFTF_Cristian Mendoza W1.pdf
Committee Application_EFTF_Daniel Muth W1.pdf
Committee Application_EFTF_Kat Schooley W1.pdf
Committee Application_EFTF_Marc Tartaro W1.pdf
Committee Application_EFTF_Daniel Broder W2.pdf
Committee Application_EFTF_John Imahori W2.pdf
Committee Application_EFTF_Colleen Martucci W2.pdf
Committee Application_EFTF_Patrick Paschall W3.pdf

I move that the Mayor and Council appoint Stuart Eisenberg (Ward 1), Jacob Lappi (Ward 1), Cristian Mendoza (Ward 1), Daniel Muth (Ward 1), Kat Schooley (Ward 1), Marc Tartaro (Ward 1), Daniel Broder (Ward 2), John Imahori (Ward 2), Colleen Martucci (Ward 2) and Patrick Paschall (Ward 3) to the Educational Facilities Task Force for a term of two (2) years to expire on March 4, 2021.

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

## 8) Action Items (8:40 p.m. - 9:25 p.m.)

### 8.a) Hyattsville Resolution 2019-01: Landy Property Annexation

HCC-291-FY19
Lead Sponsor: At the Request of the City Administrator
Co-Sponsor(s): N/A

Cover Page
Memo - Landy Property Annexation - Discussion 2.19.2019.docx
Landy Annexation Resolution 2019-01_030419 adoption.docx
Resolution Exhibit A - Description.pdf
Resolution Exhibit B.pdf
Annexation Plan - Landy Annexation - November 28 2018.doc

I move that the Mayor and Council introduce and adopt Hyattsville Annexation Resolution 2019-01, a resolution of the City Council of Hyattsville, Maryland enlarging the corporate boundaries of the City of Hyattsville by annexing land contiguous to and adjoining the existing corporate area of the City of Hyattsville, to wit, the area bounded on the west and south by Northwest Drive, on the west and north by Dean Drive, on the north by Northwestern High School, on the east by Belcrest Road, and on the south by the real property owned by condominium regimes abutting the northern side of Toledo Terrace, with the land to be annexed consisting of 14.9683 acres of land in the Chillum (17th) Assessment District, Prince George's County, Maryland (INTRODUCTION AND ADOPTION).

Assistant City Administrator Jim Chandler provided next steps in the process of annexation and confirmed that no further discussion was required to move forward on the project.

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

### 8.b) FY19 Budget Amendment: Institutional Support for Mapping Racism Project (5 minutes)

HCC-279-FY19
Lead Sponsor: Hollingsworth
Co-Sponsor(s): Ward, Croslin, Suiter, Lawrence

Cover Page

I move that the Mayor and Council amend the FY19 budget to include $7,500 for an institutional partnership with the Hyattsville CDC in support of its "Mapping Racism" project.

Mayor Hollingsworth provided summary on the project and the requested support from Council proclaiming the project's importance to the City.

Council President Haba asked whether the City would be able to fund the motion to which City Administrator Tracey Douglas and City Treasurer Ron Brooks explained that minor amendments would be made to move funds from one source to another, but the City was prepared to move forward without issue.

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

8.c) CSP-18002 - Magruder Pointe (20 minutes)
HCC-283-FY19
Lead Sponsor: At the Request of the City Administrator
Co-Sponsor(s): N/A

Discussion of M-NCPPC Technical Staff Report to consider proposed 'Action', TBD
Cover Page
Memo - Order of Remand - Magruder Pointe CSP.docx
M-NCPPC Planning Board Staff Report
CSP-18002 Remand Order.pdf
Magruder Pointe_Floyd_091118.pdf
Letter to PB, Signed.pdf

Assistant City Administrator Jim Chandler introduced the item and provided summary and background stating that they are mostly operating from the City Council's previous position and described details on the proposed R55 use. Mr. Chandler reported that staff had provided a series of statements reflective of the Council's position and provided a detailed history about R55 and its usage. Mr. Chandler deferred to Mayor Hollingsworth who read sections two (2) and three (3) of the staff report for the benefit of Hyattsville residents.

Ward 1 Councilmember Bart Lawrence inquired as to whether R10 buildings would be included in the plan to which Mr. Chandler responded that they would not because they do not align with the character of the project and speaks to the recommended density.

Councilmember Croslin cited the multiple owners of the area and asked whether there was any discussion about purchasing the adjacent land that was privately owned to which Mayor Hollingsworth recalled that there were talks with Park and Planning but it was decided that the price was not feasible. Mr. Chandler explained the logistics and regulations regarding Park and

Planning stating that the item would have to be included in their strategic plan in order to be acted upon.

Councilmember Lawrence expressed support for the language in item 2 and when he considered the language for item D, it contrasted with the original language from 2004 allowing zoning for double the amount of detached homes. He urged Council to maintain the zoning and stated it was not what residents wanted.

Councilmember Croslin stated that he would like to see the parking lot remain open space but identified that the parcel was owned and the City did not have authority and that he saw no incentive for the owner to maintain the lot or any structure within.

Councilmember Lawrence expressed his concern for setting a dangerous precedent that allows for property negligence.

Councilmember Wright stated that Werrlein was the applicant and not the current owner and noted that all plans were conditional on the sale of the property. He expressed that he felt any conversations dealing with an opinion of the current owner should be omitted from discussion and recalled earlier conversations among Council pertained to R55 standard housing and announced to his peers that the meeting was an opportunity to provide opinions and suggestions on the aspects of R55.

Assistant City Administrator Jim Chandler confirmed that after the discussion that evening there would not be another opportunity to take any action or make comments. Councilmember Wright addressed details of the process in discussion with Mr. Chandler and determined that the original application was no longer in consideration, the table of uses would not be an issue of conversation, and the item would move to the planning board and will include a focus on R55, density, and several other issues. Councilmember Wright expressed support for keeping as much open space as possible and would be in favor of contesting the decision of the Planning Board.

Mayor Hollingsworth recognized Council's content with item two (2) and requested consensus regarding what language and position would be included in the letter.

Councilmember Croslin disagreed with Councilmember Wright and expressed concern about the departure of the developer from the project which would result in dealings with the private owner.

Councilmember Warner reiterated that, despite complicated procedural issues, nothing had changed from the City's perspective and the consensus of residents was a preference to keep the space open unless there was a true public purpose for the land. She sought further clarity regarding item three (3) to which Mr. Chandler explained that there were many issues between what the City wanted to accomplish and what standards were required which caused the City to use R55 standards to satisfy the needs of all parties.

Council President Haba stated that there were three (3) positions from the public perspective: support, support of public space, and opposition of a school being built. He identified the school board's position that they were not in support of a school being built on the grounds. Council President Haba raised questions about the inclusion of townhomes on the upper lot to which Mr. Chandler confirmed that the upper portion consisted mainly of detached housing.

Mayor Hollingsworth commented that it was a mix of townhomes and single-family homes to which Mr. Chandler elaborated that similar issues would be resolved at subdivision. Regarding density; he continued that R55 had an average density of 4.2 acres and a maximum density of 6.7 acres. He stated that the applicant was exercising the maximum allowed for detached housing and were requesting 9 units per acre for townhomes.

Council President Haba expressed his support for particular sections and subsections of the plan, but felt Council did not have a strong position regarding open space and suggested trying to collaborate with the developer and increase the 1.8 acres in question.

Councilmember Wright sought clarity regarding item three (3) citing that the County required a detailed site plan and he did not believe that was a requirement with previous development plans to which Mr. Chandler explained that it would be a requirement but that the plan had not reached the phase in which it would be mandated. He stated that this would communicate the standard that would be applied at the detailed site plan level.

Councilmember Solomon inquired as to how Council could make open space a priority to which Mr. Chandler answered that the Commission would need to adopt the site in its strategic plan that would be ratified by the Board and sites within the strategic plan would be eligible. Mr. Chandler relayed to Council that he would find out if there was a time period in which sites could be proposed.

Mayor Hollingsworth informed colleagues and staff that conversations with Maryland Delegate Gaines had occurred and she would act as a willing partner for making the development a priority of the State delegation.

Councilmember Solomon sought assurance that the City was taking proactive steps and raised questions regarding the staff report stating that the letter seemed to take a position of strong favor of R55 and when reading the City's response he felt that Council was not making a strong enough argument in opposition. He noted that it should be clearly stated in the purchase agreement that it is not an endorsement of the project and taking a position of not expanding the park was contradictory.

Mayor Hollingsworth addressed the previous comments from Council and identified areas of the plan with which she was comfortable including in a letter to the appropriate entities with the integration of Councilmember Solomon's suggestions. Councilmember Lawrence voiced his agreement with the suggestions and comments of his colleagues and mad a motion stating: I move that the Mayor and Council authorize the Mayor to write a letter to Maryland National Capital Park and Planning Commission (MNCPPC) regarding CSP-18002 and that the letter should

express the intent of items 2 and 3 with the changes provided by Councilmember Solomon who seconded the motion.

Councilmember Warner noted earlier statements regarding open zoning stating that it was likely to be lost if Council did not state their opposition. Council President Haba stated that he would be delighted to see the space remain open and that the City should purchase the land.

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| RESULT: | APPROVED [7 - 2] |
| MOVER: | Lawrence |
| SECONDER: | Solomon |
| AYES: | Hollingsworth, Lawrence, Warner, Suiter, Wright, Solomon, Spell |
| NAYS: | Haba, Croslin |
| ABSENT: | Ward |

8.d) Triennial Compensation Study (10 minutes)
HCC-280-FY19
Lead Sponsor: Hollingsworth
Co-Sponsor(s): Ward, Suiter, Lawrence
Cover Page

I move that the Mayor and Council direct the City Administrator (or their designee) to complete a compensation study to analyze the salary and benefits for municipal employees. This study should benchmark the City of Hyattsville's salary and total compensation provided to public employees against that of similarly sized and resourced municipalities/agencies. The study should be conducted not less than triennially. The results of the study and recommendations to Council should be shared within sixty (60) days of finalization. I further move that the funds for solicitation and completion of the compensation study be included in each affected budget.

Mayor Hollings worth relayed that the item was intended to formalize expectations around compensation studies.

Councilmember Warner shared her experience that she had seen many Hyattsville City employees transfer to other organizations seeking higher wages and stressed the importance of retaining employees and maintaining institutional expertise. She stated that to the extent that pay and benefits could be regularized to promote retaining qualified and talented staff, she would express her support.

Councilmember Wright inquired as to the Police Department's inclusion to which Director of Human Resources, Vivian Snellman, responded that the study included the organization as a whole and City Administrator Douglas confirmed that a study regarding the Police department had been underway for some time.

Councilmember Solomon expressed his support for the item and requested a history on guidance for supporting recommendations on a compensation study to which Director Snellman responded that the last full study took place in 2014 and the City aligned with Council direction to be equal to or slightly below market, but employee benefits for critical positions were exceptional.

Councilmember Solomon assessed that compensation for City employees at an equal or below market was not effective and asked whether there was any data or analysis regarding steps that could be taken to attract a strong, young, workforce to which Ms. Snellman replied that the City's voluntary turnover is below national averages. Mayor Hollingsworth added that earlier studies were more affirming and few adjustments were made in response. She stated that Council did act on budgetary recommendations made in a study conducted in 2014.

Councilmember Spell asked whether Human Resources was working with the City Treasurer to find a way to move above market and whether it was something that could be accomplished in the budget year to which City Administrator Douglas answered that they were exploring ideas to ensure that the City was competitive, but the primary goal was to balance the budget and that an analysis of the results of the study would be investigated and recommendations would be provided to accomplish above market compensation for City staff. Councilmember Spell echoed her inquiry regarding a timeline and Mayor Hollingsworth explained that the motion was not attached to the study that was currently in process.

Councilmember Suiter expressed her pleasure with the addressing of the item citing a skilled and helpful staff worthy of adequate compensation. She asked if the study underway provide data associated with turnover rates to which Director Snellman answered that some questions spoke directly to retention programs and employee turnover.

Mayor Hollingsworth expressed her interest in seeing data related to employees of the Department of Public Works.

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

9) Discussion Items (9:25 p.m. - 9:45 p.m.)

9.a) Authorizing the City Administrator to initiate necessary actions to advise the Hyattsville City Council on options to change the name of William Pinkney Magruder Park (20 minutes)
HCC-278-FY19
Lead Sponsor: Solomon
Co-Sponsor: Croslin, Spell, Wright, Haba, Ward, Suiter
Cover Page

I move that the Mayor & Council authorize the City Administrator to take the following actions to advise the Hyattsville City Council on the feasibility of, and make recommendations to the Hyattsville City Council based on community feedback related to, a name change of William Pinkney Magruder Park (herein referred to as Magruder Park):

1.) Authorize City Attorney to investigate the feasibility of changing the name of Magruder Park without reverting ownership of the park back to the Magruder Family and/or Estate. The City Administrator and/or City Attorney will be required to report back their findings to the City Council no later than 120 days after passage of this motion. In the event additional research time is required, they may request an extension from the City Council. Additionally, the City Attorney should advise the City Council on the possibility of updating the park deed to exclude the offensive language as defined in the motion summary background details. The City Administrator and/or City Attorney shall present its findings to the City Council for further authorization of any subsequent or related legal action.

2.) If the City is capable of changing the name of Magruder Park without reverting ownership, and in the absence of additional recommendations from the City Council on either the public input process or the related or subsequent legal actions- Authorize the City Administrator to initiate a community-wide name search for no less than 90 ninety days and no more than 120 days. The purpose of the search will be to advise Hyattsville residents on the pending name change and solicit feedback from the community. All Hyattsville residents, community-based organizations, and Council Advisory Committees should be permitted and advised of their option to participate. The City Administrator shall present the administrative search plan to the City Council ahead of initiating the search process.

3.) Require the City Administrator to present at least the top 10 name-change suggestions to the City Council for final discussion and action no more than 30 days after the community suggestion period has ended.

Councilmember Joseph Solomon introduced the motion to take necessary steps to change the name of Magruder Park and a plan for community outreach.

Councilmember Warner expressed the importance of the issue for the community and stated that it was a serious item for Council's consideration but could not offer her full support until more information and facts were gathered. She urged colleagues to work together to develop a position on the matter and stated her preference for a unanimous decision. She noted the restrictive covenants, but did not feel as though there was a complete understanding of who William Magruder was. Councilmember Warner recognized the difficulty in procedure for changing a name on a municipal park and encouraged finding solid ground on which they would use to recommend changing the name as well as an understanding of costs, legality, and other logistics involved.

Mayor Hollingsworth offered comments regarding the measure expressing her appreciation for the honest comments conveyed by Councilmember Warner and contemplated the ways in which history is memorialized among communities. She paid recognition to efforts such as the Mapping Racism Project which aids in retelling the history of Hyattsville and folklore but agreed that more information was needed to accurately give a history in the context of patterns, migration, and gentrification. She speculated that with self-education among Council she believed that it would be helpful to accurately form a position and take steps to improve the park.

Mayor Hollingsworth opined that the issue should be approached by both a legal standpoint and by the process of community engagement. She expressed concern that there were too many dependencies within the second part of the language to allow her to fully support the motion.

Council President Haba observed that all comments were similar in stating how the work should be organized and the motion addresses the comments in proposing a phased, sequenced approach and suggested conducting the research to continue to next steps. He added that when considering a dual approach they must consider that if one approach shows that changing the name was not feasible the motion, in essence, is defunct.

Mayor Hollingsworth disagreed with Council President Haba's statement about the motion being discarded if one of the phases is deemed infeasible and directed her comments to more closely parallel Councilmember Warner's thoughts that there is significance to a unanimous position and that a focus should be on educating colleagues and residents.

Council President Haba questioned Councilmember Warner as to what issues she saw with the approach to which she explained that the process should be thorough and collaborative and that a unanimous position of understanding should be established as a primary focus and only then should the body move forward to another phase. She stated that divisiveness was evident throughout the country and it was an opportunity to move forward correctly with deliberative discussion and researched opinions; she wanted to see where the information leads before making any decisions.

Mayor Hollingsworth agreed with the logic of the prior comments and stressed to Council that the Body should lead and shape the process every step of the way and the issued should be treated meticulously.

Councilmember Solomon clarified points on the motion stating that the motion was designed to provide Council with input at every step and that planning was a specific step in the language. Regarding action 1, he stated that the language was designed to move forward with the conviction that the name of the park should be changed and the motion allows Council and staff to explore the procedure in which that is accomplished. He continued that it was very important to inform the community of the Council's intent and also to provide information to assist staff in the process for which they would be creating the framework. Councilmember Solomon expressed his opinion of the measure and its importance and urged his colleagues to take immediate action and felt that a unanimous decision was not necessary.

Councilmember Croslin expressed his appreciation for the effort put into the motion and stated that the motion could be amended if it returned before Council for a vote. He relayed that there was significant resident interest in the measure, and he was not opposed to dividing the item into two parts.

Councilmember Wright stated that notwithstanding the removal of items 2 and 3 to save the spirit of 1 he wondered if there was an opportunity to modify language that inferred that the City Council would be allowed a period of time to act on some of the included options.

Councilmember Warner reiterated the gravity of the measure and its importance and the manner in which she believed it should be addressed. She stated that she didn't want to be locked into anything at this point only to change in the following several weeks and felt that it should be a comprehensive, detailed process by Council.

Councilmember Wright cited the importance of developing framework for following step in the case that the item was determined to be worth pursuing in which case they would have predetermined language for continuance of the process.

Councilmember Warner encouraged her colleagues to take action on the item stating that it was the appropriate time. She reiterated that she wanted a conversation to take place that was respectful of the community and the Council and wanted to make sure that an issue of such sensitivity had a careful process.

Councilmember Lawrence thanked the sponsors and cosponsors of the motion and provided insight as to his though process stating that he agreed with Councilmember Wright that language should be developed to compel the Body to progress, but still held reluctancies with the second part of the process explaining that the contingencies that could result from the legal review were not adequately accounted for and the naming process could prove chaotic. He stated that if a name change were to take place, there should be there should be collective education associated.

Councilmember Solomon recalled the Hyattsville Preservation Association's letter of support that suggested incorporating some sort of artifact that would speak to the history and purpose of the name change. He appreciated Councilmember Wright's effort to reach a middle ground and was open to compromise if a middle ground could be established, but explained that he did not want the second step lost reminding Council that the language did not bind them in any way.

Mayor Hollingsworth commented that her concerns about the process had nothing to do with a belief of whether the name should be changed and stressed that reaching a consensus is being respectful of the public process. She stated that an important benefit to the process is that it prompted a public conversation and expressed the need for drafting a motion that is transparent. The Mayor requested that Councilmember Solomon continue to shepherd the motion and incorporating feedback and expressed her preference that the ownership of the motion not be placed upon City staff. Mayor Hollingsworth was in support of segmenting the motion into separate phases.

Councilmember Solomon expressed his appreciation for Council's willingness to take on difficult issues and the Body has demonstrated where its values lie. He referenced the words of Dr. Martin Luther King Jr. describing the "fierce urgency of now" and cautioned not to become to lost in the details of process while still attempting to agree on a middle ground.

Council President Haba considered time constraints and suggested a motion that stated to: authorize the City Administrator to initiate a community-wide name search for no less than 90 ninety days and no more than 120 to strike the day limit and other minor modifications.

Councilmember Suiter inquired as to whether a process existed that the City could exercise that is typically used for similar instances that would be appropriate for their purposes to which City Administrator Douglas stated that she did not believe a process had been stablished and suggested collaboration with other communities and collecting resident feedback to develop and provide recommendations.

Mayor Hollingsworth stated that Council could decide when it chose to interject its opinion but expressed concern that Council was not allowing themselves to do so. She expressed her discontent for "in the absence of" language and identified that haven't proscribed any process and the language puts much of the responsibility on the City Administrator to move the process forward.

Councilmember Solomon disagreed with the Mayor's assessment and reinforced that he believed the motion provided for several opportunities for Council input and that it should be viewed as a framework with contingencies.

Cyclical discussion continued and Councilmember Wright concluded that a decision would have to be made at a later date.

Councilmember Solomon thanked colleagues for the discussion and honest feedback.

## 10) Council Dialogue

Councilmember Solomon stated that the work of the City Council gets amplified in many ways and referenced voting motions and body cam reform expressing his appreciation for working with Council to tackle issues. He announced that he would be providing testimony on the DREAM Act and body cam reform legislation before the Maryland delegation the following day.

Councilmember Warner announced that she would not be seeking another term as a member of the Council. She encouraged residents to run for City office.

Councilmember Lawrence made a motion to designate his self and Councilmember Solomon as Council liaisons to the Education Facilities Task force that was seconded by Councilmember Croslin and adopted unanimously.

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

Councilmember Wright announce that he would not be seeking a second term as a member of City Council.

11) Community Notices and Meetings
HCC-298-FY19
Lead Sponsor: At the Request of the City Administrator
Co-Sponsor(s): N/A
Cover Page
Main City Calendar_Mar 5 - Mar 18 2019.docx

12) Motion to Adjourn

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

The meeting adjourned at 11:27 p.m.

APPROVED 2/14/20

ATTEST:

Laura Reams, City Clerk

# PUBLIC HEARING OF THE CITY COUNCIL, HYATTSVILLE MD

MARCH 18, 2019

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

Absent: None

Also present were the following City staff members:

Tracey E. Douglas, City Administrator
Jim Chandler, Assistant City Administrator
Ron Brooks, City Treasurer
Chief Amal Awad, City of Hyattsville Police Department
Lesley Riddle, Director of Public Works
Vivian Snellman, Director of Human Resources
Laura Reams, City Clerk
Nicola Konigkramer, Deputy City Clerk

Notice of Public Hearing

The City of Hyattsville Mayor and Council will conduct a Public Hearing on Monday, March 18, 2019 at 7:30 p.m. (prior to the City Council Meeting). The purpose of the Public Hearing is to allow for residents to comment on a Revitalization Tax Credit application submitted by Urban Investment Partners for Hyattsville Town One LLC for a 4.39-acre site along the west side of US Route One (Baltimore Avenue).

The City of Hyattsville's Revitalization Tax Credit Program provides real property tax incentives to encourage development within specific revitalization districts within the City. The credit may be in the form of a rebate of taxes or a decreased tax rate at the City's discretion. Per §108-4 Revitalization Tax Credit section of the City Code, upon acceptance of an application, the City Council is required to hold a public hearing to consider the application.

The Public Hearing will be held at the City Municipal Building, 4310 Gallatin Street, in the third floor Council Chambers. The Public Hearing will be broadcast live on Comcast Channel 71, Verizon Channel 12 and online at www.hyattsville.org/meetings.

Please note the Council Meeting of March 18, 2019 will begin immediately at the close of the Public Hearing.

If you are unable to attend the hearing, comments may be directed to cityclerk@hyattsville.org or speakuphvl.com/meetings.

## 1) Call to Order

Mayor Candace Hollingsworth called the meeting to order at 7:33 p.m.

## 2) Introduction and Background Information

2.a) Public Hearing – Revitalization Tax Credit Application submitted by Urban Investment Partners (UIP)
HCC-314-FY19
Lead Sponsor: At the Request of the City Administrator
Co-Sponsor(s): N/A

Cover Page
Memo - UIP- RTC Application - Public Hearing.docx

Assistant City Administrator Jim Chandler introduced the Revitalization Tax Credit Application submitted by UIP and explained the process for reviewing the application stating the intent to provide Council with factors and details and assess whether the applicant had demonstrated a gap and to what extent. Mr. Chandler provided the specifications of the property and stated that the improvements exceeded the minimum requirements for the Gateway Arts District. He added that the applicant had also submitted an application to Prince George's County requesting tax relief to resolve an operating gap for the first ten (10) years of the project. Assistant City Administrator Chandler relayed his expectation to receive a report which would be transmitted to the City Council for review and staff would then provide a recommendation to either approve with a specific amount or not approve. Mr. Chandler introduced Mr. Katzen and Ms. Marone with UIP who were present to answer questions and stated that a full financial picture was unclear which would make some questions temporarily unanswerable.

Mayor Hollingsworth inquired as to the cost of connecting utilities involved with the project underground to which Mr. Katzen answered that the estimate lied somewhere between $2.5M and $3.5M. He continued that the method of utility connection was not required by regulation or code but was a logical addition that made sense with construction in the area. Mr. Katzen explained that the cost was a bit higher than the conventional method because utility lines would have to be buried on both sides of Route 1 as opposed to being exclusive to the east side.

Mayor Hollingsworth requested details regarding the annual tax estimate to be paid by UIP to which Mr. Chandler responded that the projection would be made as part of a financial assessment which would also include a sum of residential units and their respective purposes and a more accurate estimate would be available in the next phase of the plan. Mr. Katzen stated that total real estate tax burden was $2M.

Mayor Hollingsworth asked how much UIP was requesting from the County in tax relief to which Mr. Katzen replied that there was discussion about a $5M - $6M tax abatement and that the County provides a five (5) year revitalization tax credit program that UIP was requesting to extend

to 10 years in an attempt to bring the commercial and residential abatement amounts closer in sum.

When asked if UIP historically maintained projects after completion Mr. Katzen stated that the company kept the property indefinitely, staging the site to eventually be resold, but retaining ownership well after construction. He explained that the analysis of tax burdens and return requirements showed that financial feasibility of the project was falling short of the returns investors would prefer. Mr. Katzen stated that UIP were requesting about $3M from the City and about $6M from the County to achieve adequate funding that would provide an intriguing investment for capital entities.

Assistant City Administrator Jim Chandler elaborated that the City had not had extensive experience with this type of application and that much of the decision for the method in which the tax credit would be distributed was determined by the City Treasurer. He stated that previously a project would establish some stabilization before deciding how to distribute the tax credit and that it was also dependent on the City's prior obligations.

Mr. Katzen reiterated UIP's determination to make the project beneficial to all parties and recalled that the company estimated $5.5M to $7.5M for items the company felt had a strong public benefit and therefore did not want to marginalize and explained that reasoning justified seeking public assistance.

Ward 3 Councilmember Thomas Wright asked whether the burden of the cost of the project had been considered in the budget proposal to which City Treasurer Ron Brooks responded in the negative.

Council President Edouard Haba inquired as to whether affordable housing units were to be incorporated into the building plan to which Mr. Katzen replied that extensive analysis had been conducted and the City's affordable housing rates were comparable to Washington, DC. He detailed the way in which construction costs and cost per square foot of real estate are assessed and applied in theory to a project such as the one in question and UIP had concluded that affordable housing units created more financial infeasibility with a project that was already struggling to attract institutional capital markets.

Mayor Hollingsworth conveyed that while the answer was not pleasing it was beneficial to Council to engage in the type of discussion that could serve as educational or instructional. She sought clarity regarding how the planning process could include consideration for affordable housing in a way that would be favorable to all involved to which Mr. Katzen responded that transparency and access to information is vital at the beginning stages of a land purchase because, at that time, the land value and projected profit of a project can be determined under established guidelines.

Ward 5 Councilmember Joseph Solomon acknowledged Mr. Katzen's explanation of the elements necessary for a successful development investment and stated that while affordable housing was not considered in the original plan, public assistance was also not considered. He reasoned that

with funding adjustments revisited that including affordable housing in the project could also be entertained.

Ward 3 Councilmember Carrianna Suiter expressed her appreciation for the discussion and asked whether hiring withing the community would be considered to which Mr. Katzen replied in the affirmative and added that affordable housing is defined in several ways and UIP generally pursued projects that are positioned 10-15% below the area's submarket that provided housing at manageable rates, in locations accessible to metropolitan areas and commerce that hold tenants for long periods of time.

Mayor Hollingsworth clarified that when discussing affordable housing it should not be in comparison to Washington, DC, rather, it should be gauged by a resident's ability to downsize their home or move within the City with financial ease or similarity. She stated that the City had always strived to provide affordable living whether it be aided by tax incentives or other initiatives.

Councilmember Solomon asked whether affordable housing had been discussed between UIP and Prince George's County to which Mr. Katzen answered that positive discussions had taken place and County representatives are supportive of the project but had the understanding that incorporating affordable housing would cancel out the benefit from a tax abatement.

Councilmember Wright echoed the comments of Mayor Hollingsworth and expressed concern that what was considered affordable when compared to the market is not necessarily realistically affordable.

Mayor Hollingsworth expressed that she was eager to see a financial analysis and any follow up questions would be directed to Assistant City Administrator Chandler.

3) Public Comment (7:45 p.m. - 7:55 p.m.) Limit 2 minutes per speaker

4) Motion to Adjourn

Mayor Hollingsworth adjourned the public hearing at 8:09 p.m.

APPROVED 2/14/20

ATTEST:

Laura Reams, City Clerk

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

Absent: None

Also present were the following City staff members:
Tracey E. Douglas, City Administrator
Jim Chandler, Assistant City Administrator
Chief Amal Awad, City of Hyattsville Police Department
Lesley Riddle, Director of Public Works
Vivian Snellman, Director of Human Resources
Laura Reams, City Clerk
Nicola Konigkramer, Deputy City Clerk

## 1) Call to Order and Council Roll Call

Mayor Candace Hollingsworth called the meeting to order at 8:15 p.m.

## 2) Pledge of Allegiance to the Flag

Mayor Hollingsworth requested a moment of silence in recognition of the victims of the Christchurch Mosque shooting in New Zealand.

## 3) Approval of Agenda

Amendments to the Agenda

1) ADD Motion # HCC-320-FY19, Prince George's County Zoning Variance – V-2-19 – 5709 40th Place to the Consent agenda.

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

(1) An exception to the requirement of a 25-foot front yard depth;
(2) A variance of three (3) feet front yard depth variance.

2) ADD Councilmember Suiter as a Co-Sponsor to HCC-317-FY19: Letter of Support for Maryland House Bill 173 – Job Creation Tax Credit (JCTC) from January 31, 2020 to January 1, 2027 and as a Co-Sponsor to HCC-303-FY19: Re-appointment to the Health, Wellness, and Recreation Advisory Committee.

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

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

Ward 5 Councilmember Joseph Solomon expressed his sympathy for the victim of a shooting incident in the City a week prior and noted his appreciation for the efforts of the Prince George's County and City of Hyattsville Police Departments to apprehend the individual responsible. He stated that the incident was tragic and while the Police Departments cannot prevent every incident from happening he commended their work and the confidence and security they provide to residents.

5) Presentations (8:20 p.m. - 8:35 p.m.)

5.a) Introduction of the Draft Budget for Fiscal Year 2020 (15 minutes)
HCC-312-FY19
Lead Sponsor: At the Request of the City Administrator
Co-Sponsor(s): N/A
Cover Page

City Administrator Tracey Douglas read excerpts of a memo that updated the Mayor and Council on the status of the City's budget. Ms. Douglas acknowledged the staff department heads and the City Treasurer, Ron Brooks, for their contributions in balancing the budget for the first time in several years. She explained that presentations from the departments would provide further details regarding the contents of the memo.

City Treasurer Ron Brooks highlighted areas of interest for the Mayor and Council stating that the property tax revenue estimate was approximately $13.6M, a 4.8% increase over the year to date. He continued that the assessed value of the City had increased by 3.9% from the previous fiscal year and provided statistics regarding other revenue sources. Mr. Brooks noted that through research and analysis the City was able to decrease expenditures by about 5.5% and expressed his satisfaction with being able to present a balanced budget for the first time.

Mayor Hollingsworth commended the efforts of all staff and stated that the City staff and administration had consistently demonstrated a sound budget process that has shown the City continually functioning under budget while providing adequate and efficient services and resources to residents.

6) Consent Items (8:35 p.m. - 8:40 p.m.)

6.a) Proclamation Celebrating March 19, 2019, as Women in Public Office Day in the City of Hyattsville
HCC-310-FY19
Lead Sponsor: At the Request of the City Administrator
Co-Sponsor(s): N/A
Cover Page
Women in Public Office Day 2019.docx

I move that the Mayor and Council proclaim March 19, 2019, to be Women in Public Office Day in the City of Hyattsville.

6.b) Appointments to the Hyattsville Environment Committee
HCC-305-FY19
Lead Sponsor: Wright
Co-Sponsor(s): Solomon, Lawrence
Cover Page
Committee Application_HEC_Megan Haidet W1.pdf
Committee Application_HEC_Patrice Woods W3.pdf

I move that the Mayor and Council reappoint Megan Haidet (Ward 1) and appoint Patrice Woods (Ward 3) to the Hyattsville Environment Committee for a term of 2 years to expire on March 18, 2021.

6.c) Reappointment to the Health, Wellness, and Recreation Advisory Committee
HCC-304-FY19
Lead Sponsor: Solomon
Co-Sponsor(s): Lawrence, Suiter
Cover Page
Committee Application_HWRAC_Don Burger W1.pdf

I move that the Mayor and Council reappoint Don Burger (Ward 1) to the Health, Wellness, and Recreation Advisory Committee for a term of two (2) years to expire on March 18, 2021.

6.d) DPW New Facility Construction - WSSC Construction Services Fee
HCC-303-FY19
Lead Sponsor: At the Request of the City Administrator
Co-Sponsor(s): N/A
Cover Page
DA6330A17 City of Hyattsville OCL.pdf

I move that the Mayor and Council authorize an expenditure of $13,548 to the Washington Suburban Sanitary Commission (WSSC) for the Construction Services Fee for the installation of a water and sewer main on Arundel Place to service the new DPW Facility Construction.

6.e) FY19 Budget Amendment: Police Training at the National Museum of African American History and Culture
HCC-302-FY19
Lead Sponsor: At the Request of the City Administrator
Co-Sponsor(s): N/A

Cover Page
NAAMH&C Tour Agreement with Hyattsville PD.docx

I move that the Mayor and Council amend the FY19 General Fund Budget to authorize the transfer of $15,000 within the Police Operating Budget from Command Professional Development to Patrol Overtime to cover overtime expenses for training at the National Museum of African American History and Culture (NMAAH&C).

6.f) Bicycle and Pedestrian Wayfinding Sign Purchase
HCC-311-FY19
Lead Sponsor: At the Request of the City Administrator
Co-Sponsor(s): N/A

Cover Page

I move that the Mayor and Council authorize the expenditure of not to exceed $35,000 for the purchase of Bicycle and Pedestrian Wayfinding signs and kiosks from VH Sign in Upper Marlboro, MD.

6.g) Holiday Decorations
HCC-309-FY19
Lead Sponsor: At the Request of the City Administrator
Co-Sponsor(s): N/A

Cover Page
Holiday Deco Quote March12-19.docx

I move that the Mayor and Council approve the purchase of Holiday Decorations for City Corridors from Rileigh's Outdoor Décor at a cost NTE $65,000.

6.h) Letter of Support for Maryland House Bill 173 - Job Creation Tax Credit Sunset Extension
HCC-317-FY19
Lead Sponsor: Hollingsworth
Co-Sponsor(s): Warner, Solomon, Lawrence, Wright, Spell, Suiter

Cover Page
HB173 JCTC Sunset Extension - One Pager Final.pdf
Maryland-2019-HB173-Introduced.pdf
HB 173_JCTC_Support.docx

I move the Council authorize the Mayor to send correspondence to the City's State of Maryland delegation, requesting their support of Maryland House Bill 173, the Job Creation Tax Credit Sunset Extension, legislation which extends the sunset for the Job Creation Tax Credit (JCTC) from January 31, 2020 to January 1, 2027.

6.i) Prince George's County Zoning Variance - V-2-19 - 5709 40th Place, Hyattsville
HCC-320-FY19
Lead Sponsor: At the Request of the City Administrator
Co-Sponsor(s): N/A

Cover Page
Memo - V-2-19 - 5709 40th Place.docx
New Doc 2019-03-05 13.43.13 (2).pdf
Variance Packet 40th Pl.pdf

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

(1) An exception to the requirement of a 25-foot front yard depth;
(2) A variance of three (3) feet front yard depth variance.

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

## 7) Action Items (8:40 p.m. - 9:00 p.m.)

7.a) Authorizing the City Administrator to initiate necessary actions to advise the Hyattsville City Council on options to change the name of William Pinkney Magruder Park (20 minutes)
HCC-278-FY19
Sponsor: Solomon
Co-Sponsor(s): Croslin, Spell, Wright, Haba, Ward, Suiter, Hollingsworth, Lawrence, Warner

Cover Page

I move that the Mayor and Council take the following actions to determine the feasibility of a name change of William Pinkney Magruder Park (hereafter referred to as Magruder Park):

a) Authorize the City Attorney to investigate the feasibility of and legal requirements for changing the name of Magruder Park without reverting ownership of the land back to the Magruder Family and/or Estate. The City Administrator and/or City Attorney will be required to report back their findings to the City Council within 120 days of passage of this motion. In the event additional research time is required, the City Administrator may request an extension from the City Council.

b) Authorize the City Attorney to investigate the feasibility of and legal requirements for updating the deed to exclude the offensive language as defined in the motion summary background details and effectively remove any restrictions on use of the public amenity that would be considered discriminatory as defined by the Hyattsville Human Rights Act. The City Administrator and/or City Attorney will be required to present its findings to the City Council

within 120 days of passage of this motion. In the event additional research time is required, the City Administrator may request an extension from the City Council.

The City Administrator shall provide the City Council, in all regular status updates, the progress related to this research effort, including (but not be limited too) legal expenses (total expenses on this effort should be reported and council should be advised when and if these expenses reach $10,000.00), partnership efforts, and any additional actions required by the Council to support investigating this matter.

Upon receipt of the work product resulting from parts a) and b) of this motion, the City Council shall devise an action plan to address the community implications associated with the property's history and the City's relationship with the donor (and/or his Estate). The action plan shall include measures the Council deems appropriate, as well as the supporting process, timeline, and community outreach and engagement. The City Administrator shall assist the City Council in this effort by preparing recommendations based on the tools available to the City of Hyattsville, Hyattsville historical precedent, models used by other governments or quasi government entities, and any recommended best practices.

Mayor Hollingsworth cited some of the language in the motion stating that the last sentence of the motion should be removed to be consistent with the actions taken regarding the measure.

Ward 3 Councilmember Thomas Wright recalled that he initially requested the removal because the Body did not want to take action until the legal ramifications were assessed to which Mayor Hollingsworth stated that she was content with leaving the language unedited, but wanted to demonstrate transparency about her concerns about the cited language being contentious. She conveyed that she would rather have recommendations be the responsibility of the Council and not the City staff.

Councilmember Solomon explained that it was not the intent to place the City responsible for making decisions for Council and it was important that there was an understanding of what options were available for developing a process.

Council President Haba recollected specific changes to the language that were implemented and stating his acceptance of the motion as it stood.

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

## 8) Discussion Items (9:00 p.m. - 9:25 p.m.)

### 8.a) Community Sustainability Fund (15 minutes)

HCC-41-FY18
Lead Sponsor: Hollingsworth
Co-Sponsor(s): N/A
Cover Page

I move that the Mayor and Council direct the City Treasurer to establish a Community Sustainability Fund to support projects that advance the goals of the City of Hyattsville's adopted Community Sustainability Plan. Funds shall be deposited into the fund annually based on the following formula:

0.6*(# of Units Developed x Per Unit Impact Fee Realized)
Funds deposited into this fund should be allocated according to the following schedule:
40% Affordable Housing
40% Schools and Public Education
20% Transportation

The Mayor and Council shall authorize all expenses from the fund.

Mayor Hollingsworth stated that funding already existed in the operational and capital budgets to fund the items explaining that the fund is separated to allot a certain amount for affordable housing, schools, public education, and transportation.

Councilmember Solomon expressed his appreciation for the motion and stated that he generally supported it but suggested bringing in a programs expert to assist staff and Council with a plan regarding investments into new programs and adequate uses of funding given the excess revenue.

Councilmember Wright inquired as to which budget they would see the fund reflected to which City Administrator Douglas responded that it was not included in the current budget because the fund was designed to match impact fees. She stated that the current impact fees were being used on public safety and they would be able to move forward when they were apprised of the sum of the incoming impact fees. Mayor Hollingsworth added that she would prefer the motion be retroactive to apply impact fees received.

Ward 5 Councilmember Erica Spell asked what the previous impact fees were to which City Treasurer Brooks recalled that the last time the issue was discussed it was approximately $245K or $40K a year.

Mayor Hollingsworth provided details regarding impact fees stating that fees are assessed for school facilities and public safety and cited County legislation that provides a 25% return of the surcharges to the City if they had a dedicated law enforcement agency. She continued that the County had collected the fees since 2007 but had not returned any of the money and the Council passed legislation directing the City Treasurer to request the funding annually, prorated in order to collect what was owed.

Councilmember Haba speculated that the City was approaching a situation in which they no longer controlled education reiterating that the City was contributing money over which they ultimately had no control.

Mayor Hollingsworth responded that Council President Haba's concerns were valid as the City did not have any jurisdiction over public education and that the intent of drafting the motion would be to solicit recommendations from Committees that could make the grant program stronger by working directly with school leaders to establish what additional resources could be provided to schools outside of their respective budgets to enable sought after achievements.

Councilmember Wright agreed with the Mayor's comments stating that even if the City did not have direct control over public education and schools, the City was demonstrating that it was an entity willing to make an investment and that would hopefully provide incentive for those who have authority to take action.

8.b) Establishing a Complete Count Committee for Census 2020 (10 minutes)
HCC-315-FY19
Lead Sponsor: Hollingsworth
Co-Sponsor(s): Croslin, Ward
Cover Page

I move that the Mayor and Council establish a Complete Count Committee for the purposes of increasing participation in the 2020 Census. The committee will identify opportunities to effectively engage residents, particularly in areas of the city identified as "Hard to Count" as indicated in the Hard to Count 2020 map. Members of the committee (up to 15) will be appointed by the Mayor and Council and shall be responsible for organizing all efforts related to this goal with support, as necessary, of City staff. The Mayor shall be an ex-officio member of the Complete Count Committee and will serve as a liaison to City staff via the City Administrator.

I further move that the Mayor and Council allocate $10,000 in the FY20 budget to support expenses (communications, events, recruitment, etc.) related to this effort.

Mayor Hollingsworth provided a summary of the census efforts and its purpose stating that the 2020 census would commence that April and recalled that the preparation for the previous census was lacking. She said that the "hard-to-count" sections of the City were abundant and the role of the Complete Count Committee was to engage the public and encourage residents to complete the survey. She implored members of the Council to actively recruit for Committee members citing that the previous Committee was not designed or equipped to do a significant amount of community outreach and speculated that outreach was likely to be a 12 to 16 month process.

Mayor Hollingsworth stated that the language was drafted to designate the Mayor as a liaison to the Committee to coordinate with City staff and City administration on the method in which work should be allocated and the existing fund balance would cover the cost of advertising and community events to promote the process.

Councilmember Solomon expressed concerns with the incoming Census stating that a presentation given at the previous meeting did not provide a guarantee that questions regarding

citizenship would not be included and did not guarantee that information would not be shared; he stressed that it was paramount that residents be protected. He questioned the proposed amount of $10K and wanted clarity regarding the level of effort and intentions for the funds that would justify the amount allotted.

Ward 3 Councilmember Carrianna Suiter shared a differing perspective stating that she was pleased to see the item on the agenda. She expressed the importance of a subsequent redistricting that would result from the Census and felt that any efforts made to ensure participation were a good use of time and funds.

Mayor Hollingsworth responded to the concerns of Councilmember Solomon stating that the rationale behind financially supporting the federal effort lied with the fact that funding decisions would be made regarding the City's population and that Hyattsville had a high risk of being undercounted. She explained that specific areas such as sections of the City west of Queens Chapel Road have little to no participation and the decisions made from the 2020 census will not be revisited for another 10 years. The Mayor stated that a strong Census turnout was vital for redistricting and energy and financial resources.

Councilmember Spell concurred with the Mayor's comments and relayed the importance of being able to lead the communication effort.

Council President Haba stated his intentions to likely serve as a liaison to the Committee and added that the City valued each and every one of its residents just as each resident was allowed to cast a ballot in City elections regardless of any characteristics outside of being a member of the community.

9) Council Dialogue (9:25 p.m. - 9:35 p.m.)

Councilmember Solomon provided updates on upcoming meetings and events in the City.

Council President Haba referenced the tragic incident that occurred in Christchurch, New Zealand and encouraged colleagues to be reminded that the dialogue and actions of public officials matters and that it was important to convey strong ethics and set examples. He expressed his disdain for the incident that transpired and offered his condolences for all involved.

Council Vice President Kevin Ward referenced the action item that was passed and stated that it was important and positive that Council was able to deliberate and have a productive conversation where opinions could be expressed freely. He stated that he felt the Council had put forth good work regarding the item and was confident that sound deliberation among colleagues would continue.

10) Community Notices and Meetings

10.a) City Calendar: March 19 – April 1, 2019
HCC-307-FY19
Lead Sponsor: At the Request of the City Administrator
Co-Sponsor(s): N/A
Cover Page
Main City Calendar_Mar 19 - Apr 1 2019.docx

11) Motion to Close (9:35 p.m. - 9:55 p.m.)

11.a) Motion to Close (20 minutes)
NOTE: The Council will not return to open session.
HCC-313-FY19
Lead Sponsor: At the Request of the City Administrator
Co-Sponsor(s): N/A
Cover Page

I move that the Mayor and Council close the Council Meeting of March 18, 2019, to consider the acquisition of real property, discuss contract negotiations, and discuss confidential commercial or financial information related to a proposed development in the City. The reason for closing the meeting under these exceptions is to protect the City's bargaining position and to maintain legally required confidentiality in regard to commercial and/or financial information.

This session will be closed under the authority of the Annotated Code of Maryland State Government General Provisions Article Section 3-305(b) (3) to consider the acquisition of real property for a public purpose and matters directly related to the acquisition; 3-305(b) (13) to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter - specifically Maryland Code, § 4-335 of the General Provisions Article (protecting from disclosure confidential commercial information); and 3-305(b) (14) Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

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

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

A closed session of the Council of the City of Hyattsville was held at 9:31 p.m. on Monday, March 18, 2019 in the City of Hyattsville Municipal Building, Third Floor Council Chambers.

In addition to the City Council, the following staff members were present: Tracey E. Dougals, City Administrator; Jim Chandler, Assistant City Administrator; Chief Amal Awad, City of Hyattsville Police Department; Jake Rollow, Director of Community Services; Nicola Konigkramer, Deputy City Clerk; and Ron Brooks, City Treasurer.

The authority under which the session was closed was the Annotated Code of Maryland State Government General Provisions Article Section 3-305(b) (3) to consider the acquisition of real property for a public purpose and matters directly related to the acquisition; 3-305(b) (13) to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter - specifically Maryland Code, § 4-335 of the General Provisions Article (protecting from disclosure confidential commercial information); and 3-305(b) (14) Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

Topics Discussed: Acquisition of a property to be used as the new Teen and Mentoring Center; possible construction of a parking garage.

Action Taken: The Mayor and City Council voted to enter negotiations for the purchase of a building for the Teen and Mentoring Center. Council President Haba was not present for the vote.
*Moved by: Lawrence*
*Seconded by: Croslin*
*I move that the Mayor and Council authorize the City Administrator to negotiate the purchase of 5812 40th Avenue at a cost not to exceed $525,000.*

The closed session ended at 10:50 p.m. on a motion made by Councilmember Croslin and seconded by Ward 1 Councilmember Bart Lawrence.

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

# Hyattsville City Council Agenda Item Report

Meeting Date: February 18, 2020
Submitted by: Jim Chandler
Submitting Department: Community & Economic Development
Item Type: Planning & Development
Agenda Section:

**SUBJECT**
Dewey Property - Parcel 5: Detailed Site Plan (DSP) 19050 (15 minutes)

**HCC-222-FY20**

**Recommendation:**

**Sponsor(s):**
At the Request of the City Administrator

**Co-Sponsor(s):**
N/A

ATTACHMENTS

Memo - DSP-19050 - Dewey Parcel 5 - Presentation and Discussion.docx

Presentation_DSP_19050.pdf

**Summary Background:**
The Dewey Property is located in the northeastern quadrant of Belcrest Road and Toledo Road and is within the "Downtown Core" character area of the Prince George's Plaza Transit District Overlay Zone.

The property is subdivided into 5 parcels. The applicant intends for two of the parcels be used for multifamily residential buildings (Parcel 1 and Parcel 5), two of the parcels be used for townhouses (Parcel 2 and Parcel 3), and the final parcel to be used as a stormwater management facility operated by the County (Parcel 4).

A single parcel, Parcel 5, is the subject of DSP-19050. It is 3.32 acres and fronts Toledo Road. The applicant is proposing the development of a five-story mixed use building consisting of 340 multifamily units and 1,258 square feet of retail space. The applicant is requesting a departure from Section 27-558 of the Prince George's County Zoning Ordinance by proposing the inclusion of 9' x 18' universal sized parking spaces within the parking garage structure, rather than the required 9.5' x 19'.

**Next Steps:**
This item is scheduled for discussion during the meeting of February 18th and will come back to the City Council for consideration of action on Monday, March 2, 2020.

**Fiscal Impact:**
N/A

**City Administrator Comments:**
N/A

**Community Engagement:**
The applicant is scheduled to present to the Planning Committee on Tuesday, March 25th at 7:30 PM.

**Strategic Goals:**
Goal 2 – Ensure the Long-Term Economic Viability of the City

**Legal Review Required?**
N/A

City of Hyattsville

# Memo

To: Mayor and City Council

From: Kate Powers, City Planner

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

Date: February 13, 2020

Re: Dewey East Development – Detailed Site Plan (DSP-19050) Presentation and Discussion

Attachments: CIVP-DSP-19050
A-SOJ-DSP-19050
A-SOJ-DDS-660
ARCH_Plan-DSP-19050
BPIS_DSP-19050
Recreational Facilities
UTC Parking Memo 11-05-2019
Illustrative Renderings

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The purpose of this memorandum is to provide the City Council with a summary of the detailed site plan (DSP) application for the Dewey (Parcel 5) development as well as City Staff recommendations.

Project Summary

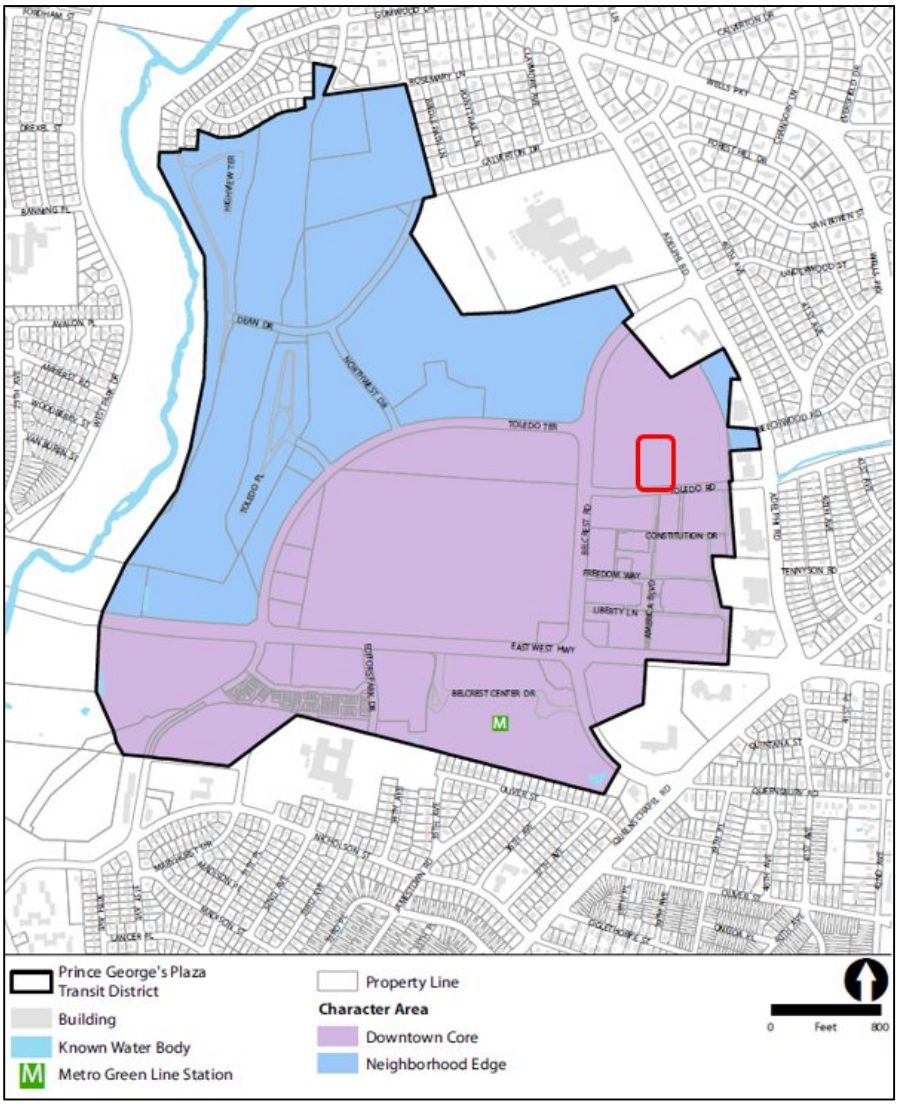
- The Dewey Property is located in the northeastern quadrant of Belcrest Road and Toledo Road and is within the "Downtown Core" character area of the Prince George's Plaza Transit District Overlay Zone.
- The property is subdivided into 5 parcels. The applicant intends for two of the parcels be used for multifamily residential buildings (Parcel 1 and Parcel 5), two of the parcels be used for townhouses (Parcel 2 and Parcel 3), and the final parcel to be used as a stormwater management facility operated by the County (Parcel 4).
- A single parcel, Parcel 5, is the subject of DSP-19050. It is 3.32 acres and fronts Toledo Road.
- The applicant is proposing the development of a five-story mixed use building consisting of 321 multifamily units and 1,258 square feet of retail space.

- The applicant is requesting a departure from Section 27-558 of the Prince George's County Zoning Ordinance by proposing the inclusion of 9' x 18' universal sized parking spaces within the parking garage structure, rather than the required 9.5' x 19'.

Project Details

The Dewey Property is a total of 21.16 acres and located north of Toledo Road, east of Belcrest Road, and west of Adelphi Road. This application (DSP-19050) is specific to Parcel 5 within the larger Dewey Property; Parcel 5 consists of 3.32 acres along Toledo Road and is intended to be part of the first phase of the development for the property. Parcel 5 is located in the Downtown Core Land Use Character Area as designated by the *Prince George's Plaza 2016 Approved Transit District Development Plan* (TDDP). The Downtown Core is the Transit District's central activity hub, with a mix of residential, retail, and office development framing lively walkable streets (TDDP, pg. 70). The general location of the proposed development can be seen circled in red in Exhibit 1. The Character Areas map can be found on page 71 of the TDDP.

Exhibit 1



The applicant is proposing the construction of a five-story mixed use building consisting of 321 multifamily dwelling units and 1,258 square feet of ground floor commercial retail. Structured parking will be provided in a garage which will contain 334 spaces. Approximately two parking spaces per floor will have accompanying electric vehicle charging stations. The commercial space will front Toledo Road and the residential entrance will front "Public Road B."

The existing property is made up of two distinct attributes. The first attribute is a surface parking lot constructed in the 1960s. The second attribute is a linear environmental feature associated with Wells Run, which extends from the northwest corner of the site to the southeast corner.

The development of the subject property will eliminate the surface parking located north of Toledo Road. The spaces currently being leased to Metro III from this surface lot will be relocated into an existing parking garage located on the south side of Toledo Road.

The environmental feature has been identified by the TDDP as the location of a regional stormwater management facility. The ownership of this parcel will be transferred to the Prince George's County Department of Environmental Resources (DER), who will operate and manage the site.

Prior Approvals

The property has been the subject of two separate preliminary plans of subdivision applications due to division of ownership. The first preliminary plan (PPS 4-18022) was approved by the Prince George's County Planning Board on June 27, 2019. The second preliminary plan (PPS 4-19033) was approved by the Prince George's County Planning Board on December 12, 2019.

Parking Analysis

The current surface parking lot supporting the adjacent Metro 3 office building will be eliminated due to this development, a shared parking analysis was prepared by Lenhart Traffic Consulting Inc. dated November 5, 2019. A memo outlining the results of their analysis can be found attached. There are currently, 4,845 parking space existing, both north and south of Toledo Road. There are 1,503 parking spaces currently located on the subject property. If removed, 3,342 total parking spaces will continue to exist south of Toledo Road. The analysis concluded that 2,334 parking spaces are needed to service peak parking demand. Based on this analysis, there will continue to be a surplus of 1,008 spaces with the removal of the existing surface parking lot on the subject property.

Architecture

The proposed development is a five-story mixed use building, that is primarily residential in nature. The leasing office, considered the primary entrance to the multifamily building, is located approximately 250 feet north of Toledo Road, along Public Road B. The entrance to the retail space is located east of the corner of Toledo Road and Public Road B, fronting on Toledo Road. The TDDP designates Toledo Road as a Downtown Core A Street and states that primary entrances to new buildings be located on A Streets (TDDP, pg. 265).

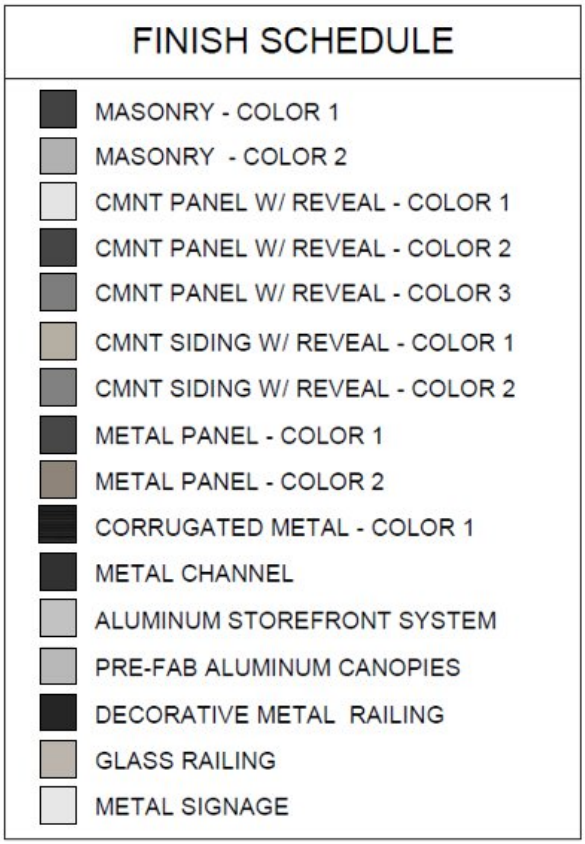
In terms of building materials, the development will employ a combination of masonry, corrugated metal, cementitious siding and panels, as well as metal panels, railings, and signage. A more granular breakdown of the materials used on each side of the building can be found in Table 1. The developer is proposing a

neutral color palette for the building. Exhibit 2 showcases the finish schedule and the color associated with each finish in the architectural plans.

Table 1

| | Toledo Road | New Road | North Elevation | East Elevation |
|---|---|---|---|---|
| Metal Panel | 32% | 30% | - | 7% |
| Masonry | 3% | 7% | 5% | 3% |
| Corrugated Metal | 12% | 12% | - | 5% |
| Cementitious Siding | 11% | 12% | 49% | 55% |
| Cementitious Panel | 42% | 39% | 46% | 27% |

Exhibit 2




<u>Departure from Design Standards (DDS-660)</u>

The applicant is proposing a departure from the design standards, specifically the inclusion of 9' x 18' universal sized parking spaces within the parking garage structure rather than the 9.5' x 19' spaces typically required by the Zoning Ordinance. This is a departure from Section 27-558 of the Prince George's County Zoning Ordinance. Requirements of Section 27-558 can be found in Table 2, where the relevant design standard is highlighted in yellow.

Table 2

| Type of Space | Minimum Size (in Feet) |
|---|---|
| *Standard car spaces:* | |
| Parallel | 22 by 8 |
| Nonparallel | 19 by 9 1/2 |
| *Compact car spaces:* | |
| Parallel | 19 by 7 |
| Nonparallel | 16 1/2 by 8 |
| Spaces for boat ramps (to accommodate length of, and maneuvering space for, both car and boat) | 40 by 12 |

The applicant argues that a departure from the standards allows the proposed parking garage to function more efficiently than providing a mixture of standard size parking spaces and compact spaces, as well as ensures a better circulation of vehicles. The proposed mix use development is providing a total of 334 parking spaces, all measuring 18' x 9' (except for the required handicapped spaces).

Requested Modifications

- Requesting 50' additional block length, from the 500' standard, on the west side of parcel 2 fronting Belcrest Road.
- Requesting transformer for the building be permitted above-ground.
- Requesting an extension from the required build-to line of 25' for 39% of the building fronting Toledo Road.
- Requesting an extension from the required build-to line of 20' for 7% of the building fronting the new "B" street running parallel to Belcrest Road.
- Requesting 4' extension from the required build-to line of 25' for the stoops present along Toledo Road.
- Requesting the retail space have a storefront fenestration height of 10' as opposed to the required 14'.
- Requesting an extension from the required build-to line for the proposed retail space.
- Requesting the building's service entrance front Public Road B as opposed to the rear of the building which will be obstructed by the proposed greenway.
- Requesting the entrance of the apartment building front Public Road B as opposed to a Downtown Core "A" Street (Toledo Road).

Bicycle and Pedestrian Impact Statement (BPIS)

The applicant submitted a BPIS at the time of preliminary subdivision, where on- and off-site facilities proposed by the applicant were evaluated by Planning Department staff. BPIS measures associated with this application are as follows:

- 925 linear feet sidewalk removal and sidewalk replacement along the east side of Adelphi Road.
- Upgrade pedestrian push button assembly on both sides of the southern leg of the intersection of Toledo Road and Adelphi Road.
- Installation of five "A" sidewalk ramps along Adelphi Road.
- Installation of "B" sidewalk ramp on the southeast corner of the intersection of Toledo Road and Adelphi Road.
- Installation of a crosswalk and stop bar across Toledo Road at its intersection with Adelphi Road.

<u>Recommendations</u>

Departure from Design Standards (DDS-660)

City Staff recommends support of the applicant's request for a departure from the design standards. Staff does not anticipate any configuration or circulation issues in association with their request for 9' x 18' universal sized parking spaces within the proposed parking garage structure.

Recommended Responses to Requested Modifications

- *Requesting 50' additional block length, from the 500' standard, on the west side of parcel 2 fronting Belcrest Road.*
    - The block length extension requested by the applicant is adjacent to Parcel 2, as opposed to Parcel 5 which is the subject of this application. The applicant is including this modification as part of this DSP because the block length of Parcel 2 depends, in part, on the location of Public Roads A and B. This modification will also be included in the applicant's next DSP which will focus on Parcels 1, 2, and 3. City Staff will further address this modification at the time of the applicant's next DSP which will include the development of Parcel 2.

- *Requesting transformer for the building be permitted above-ground.*
    - City Staff recommends all transformers associated with this development be installed subgrade. There are adequate design alternatives available to the developer to accommodate subgrade transformers. Subgrade transformers are more secure and visually appealing than above-grade transformers.

- *Requesting an extension from the required build-to line of 25' for 39% of the building fronting Toledo Road.*
- *Requesting an extension from the required build-to line of 20' for 7% of the building fronting the new "B" street running parallel to Belcrest Road.*
- *Requesting 4' extension from the required build-to line of 25' for the stoops present along Toledo Road.*
    - The applicant has informed M-NCPPC and City Staff that they will develop and submit an exhibit which provides more detail on the exact extension measurements they are requesting. City Staff will further address this modification before the Council's next meeting on March 2, 2020.

- *Requesting the retail space have a storefront fenestration height of 10' as opposed to the required 14'.*
    - Within their Statement of Justification, the applicant informed City Staff that the retail portion of this development has been designed to emphasize a two-story aesthetic; however, the internal clear height is 10'. TDDP Standards requires a minimum clear height and storefront fenestration of 14' in retail spaces within the Downtown Core (TDDP, pg. 267). City Staff recommends the applicant create the height of the retail space in compliance with the TDDP. The higher, open storefront will foster a better connection between the retail space and the pedestrian streetscape, accomodate a more diverse selection of tenets, and allow for better light and visibility into the retail location.

- *Requesting an extension from the required build-to line for the proposed retail space.*
    - Within their Statement of Justification, the applicant expressed their desire to build the retail location further from the road than the surrounding aspects of the building, beyond the required build-to line. The applicant believes this will create a focal point for the retail space. City Staff recommends the retail location be built level with the adjacent, attached building. If the retail location is built inset from the surrounding building, City Staff is concerned that the retail space will become concealed. It may become overshadowed as the retail location resides adjacent to the protruding section of the building on the corner of Toledo Road and Public Road B. City Staff suggests distinct color or signage be used for the retail space to make it a focal point, as opposed to having it be an inset of the larger building.

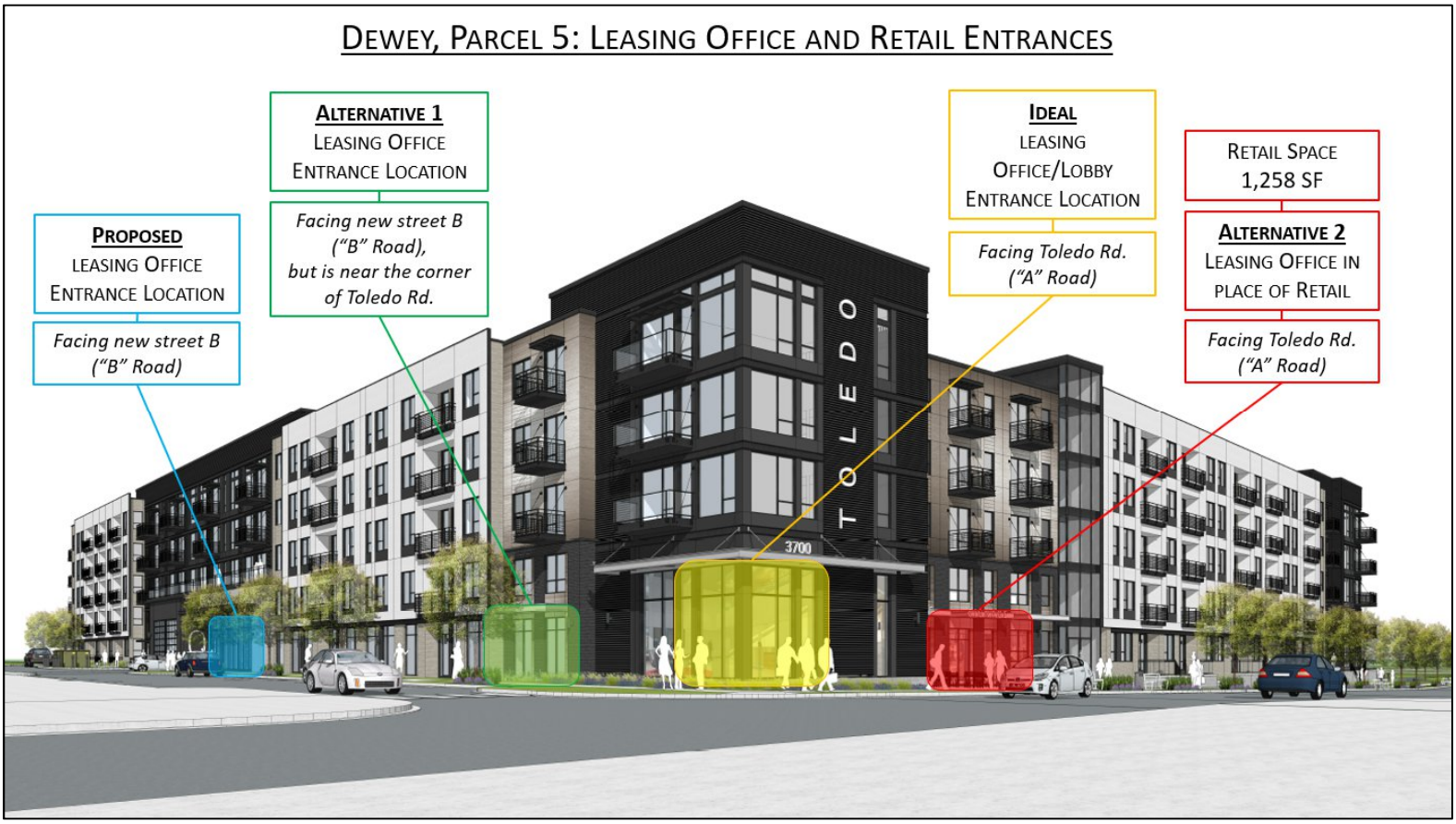
- *Requesting the building's service entrance front Public Road B as opposed to the rear of the building which will be obstructed by the proposed greenway.*
    - As there is no vehicular access at the rear of the building, City Staff recommends the approval of this modification contingent on the dedication of service space for loading and deliveries within the building's garage.

- Requesting the entrance of the apartment building front Public Road B as opposed to an "A" Street (Toledo Road).
    - According to the TDDP, if a building fronts on both A and B streets, Pedestrian Street, or Promenade, its primary entry shall be located on the A Street (TDDP, pg. 210). This development fronts both Toledo Road and Public Road B. As Toledo Road is a Downtown Core A Street, the primary entrance (leasing office entrance) of the proposed mixed-use building should front Toledo Road as opposed to Public Road B (TDDP, pg. 265). The applicant's proposed location for the entrance of the leasing office can be seen in blue on Exhibit 3.
    - City Staff recommends the leasing office and lobby entrance front Toledo Road, on the corner of Public Road B. This location can be seen in yellow on Exhibit 3. Having the leasing office entrance front Toledo Road will best activate the streetscape and help avoid confusion for visitors.
    - If infeasible, City Staff is agreeable to an alternative location for the leasing office entrance, specifically the space adjacent to the corner of Toledo Road and Public Road B,

fronting Public Road B. This location is circled in green on Exhibit 3. Though this alternative entrance location does not front an A Street, is does orient the entrance towards the corner, as required within the TDDP. The TDDP states, "all street-defining buildings on corners should orient main entrances towards the corner" (TDDP, pg. 267).

- City Staff is also amenable to a second alternative location, specifically moving the leasing office to the currently proposed retail space. This proposed location is circled in red on Exhibit 3. In this instance, the applicant would request the removal of the commercial element from the development and the leasing office would go in its place. Under this scenario, the applicant would no longer need to request a modification to the fenestration height, as the space would no longer be commercial in nature. A lower fenestration height would enable the applicant to retain the residential units on the second floor above.

Exhibit 3

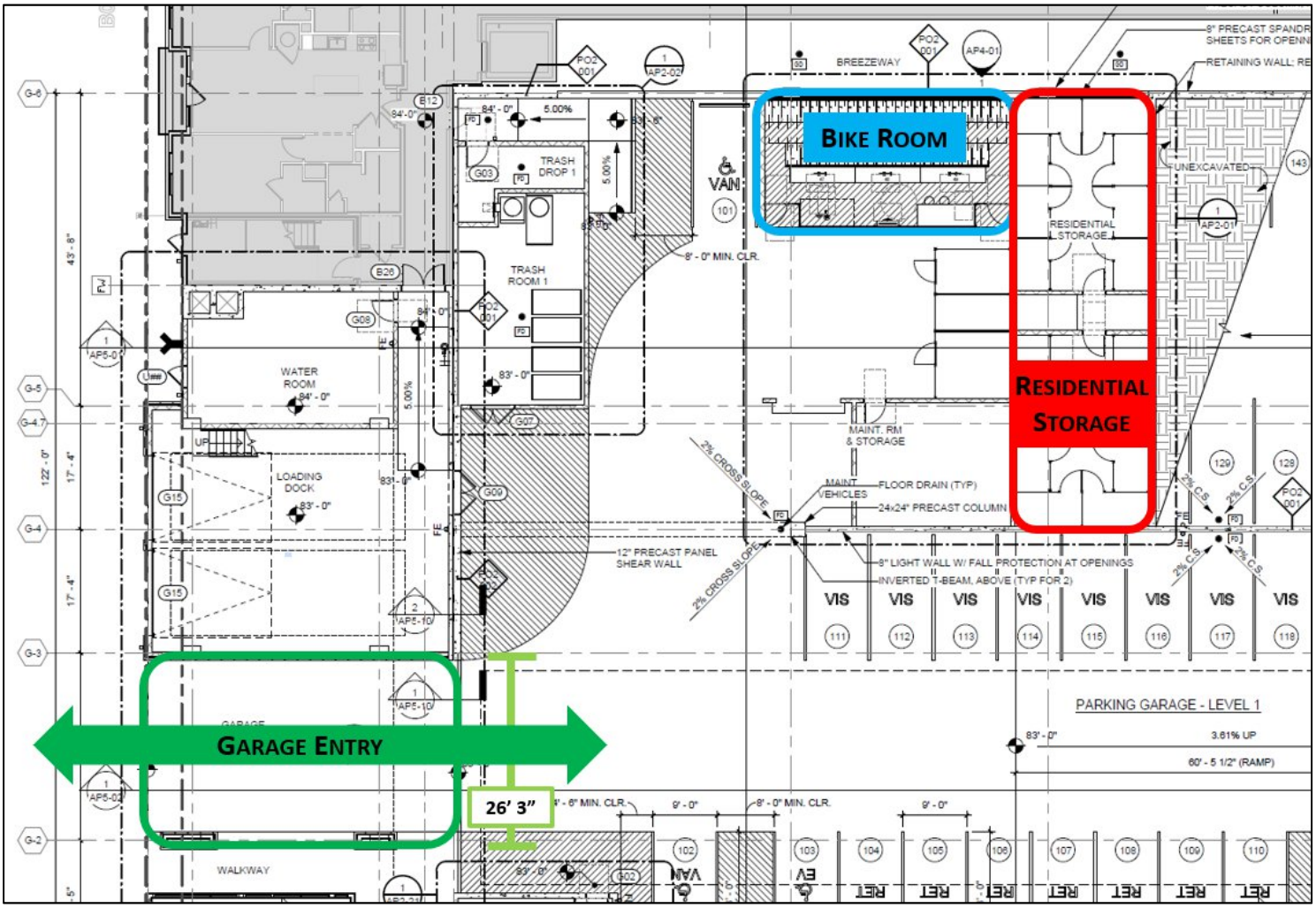



Vehicle and Bicycle Transportation Recommendations

City Staff recommends the establishment of a dedicated delivery and service area within the proposed garage rather than have vehicles utilize Public Road B for deliveries. Having dedicated space within the garage will allow greater availability of street parking for non-delivery vehicles.

In order to further promote bicycle use in the City, City Staff recommends at least two (2) inverted-U shaped bike racks be installed in front of the leasing office and at least two (2) inverted-U shaped bike racks be installed in front of the retail space. To ensure the building has adequate bicycle parking capacity for its residents, City Staff recommends a 1:1 ratio of bicycle parking spaces to vehicle parking spaces. This area within the garage should be dedicated to bicycle storage solely, and not used for any other storage purposes. Exhibit 4 demonstrates the applicant's proposed bicycle storage configuration and capacity within the structured garage.

Exhibit 4




Aesthetic Recommendations

City Staff recommends the applicant employ a more diverse and visually appealing color palette for the architecture of the building. In addition, City Staff recommends the incorporation of an art installation in a publicly visual location on or near the proposed building. This art installation can be integrated into a functional piece of the development, be affixed to the building via removal panels, and/or include mural, sculptural, or mosaic elements. City Staff believes a more colorful architectural palette and the

incorporation of public art will promote placemaking, further activate the streetscape, and create an overall better development product.

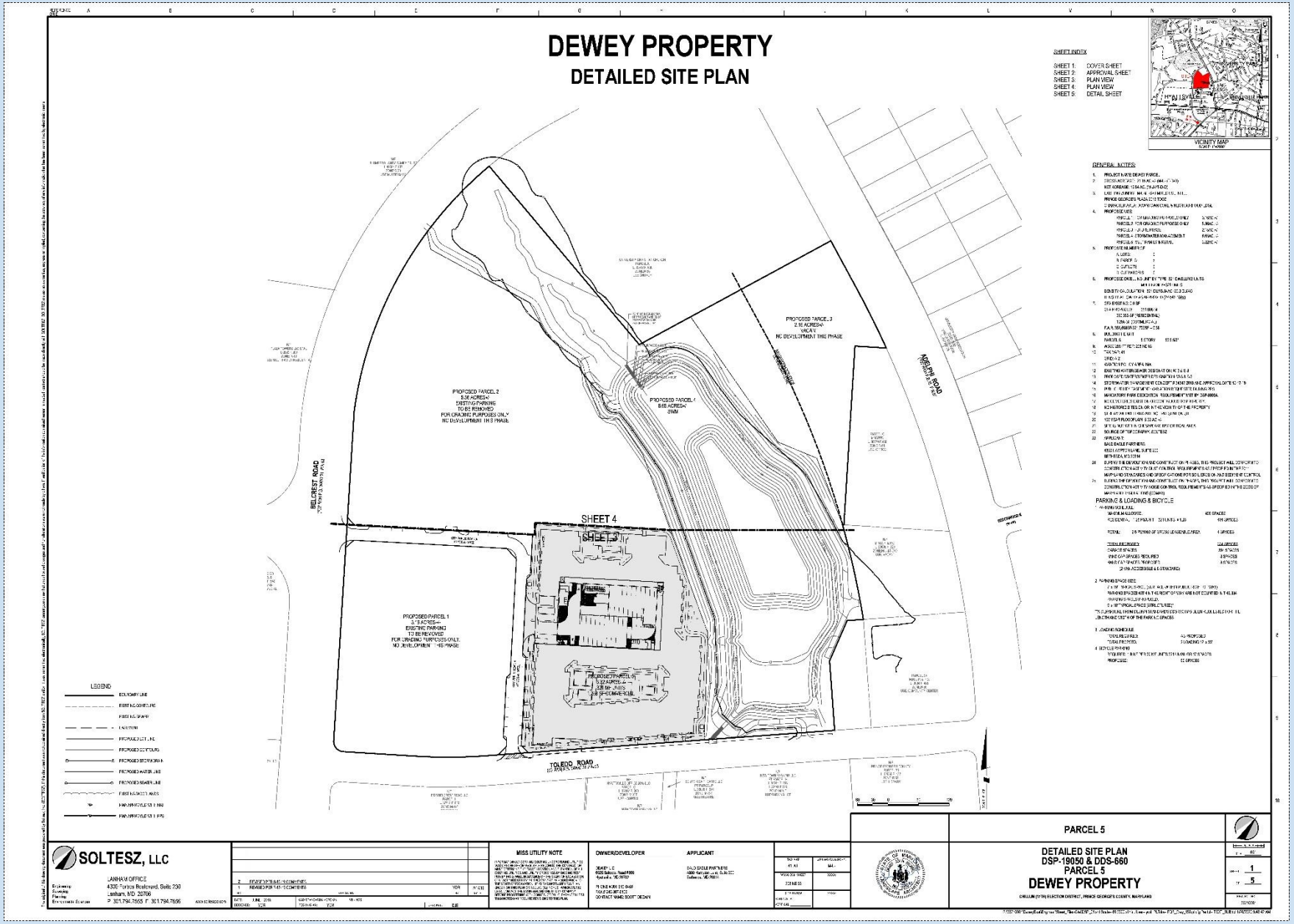
Next Steps

This application was reviewed by the M-NCPPC Subdivision and Development Review Committee on February 7, 2020.

The City Council will hear a presentation from the applicant and discuss DSP-19050 on Tuesday, February 18, 2020.

The applicant is scheduled to present to the Hyattsville Planning Committee at 7:30 PM on Tuesday, February 25, 2020.

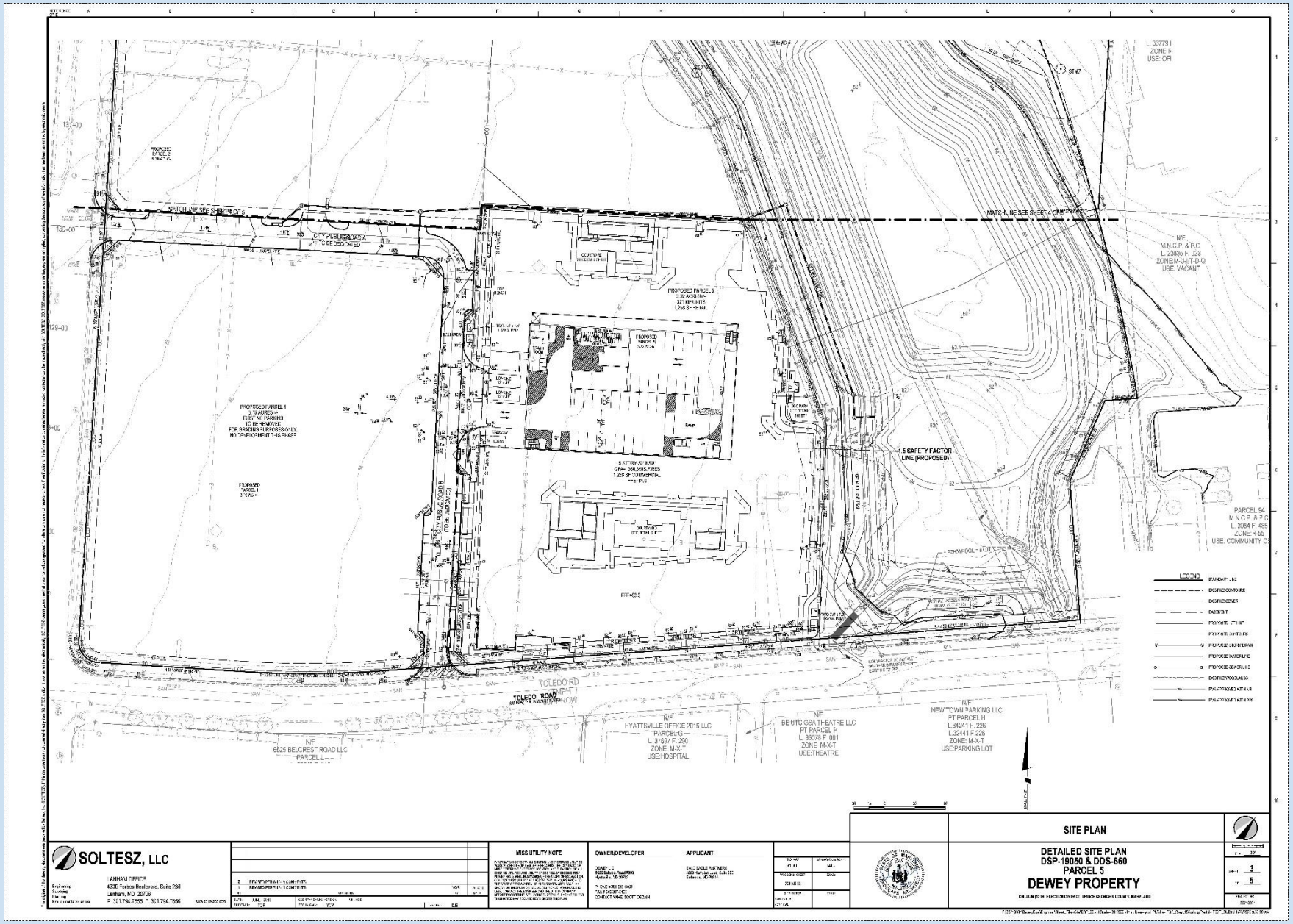
The City Council is scheduled to act on DSP-19050 at its meeting on March 2, 2020.





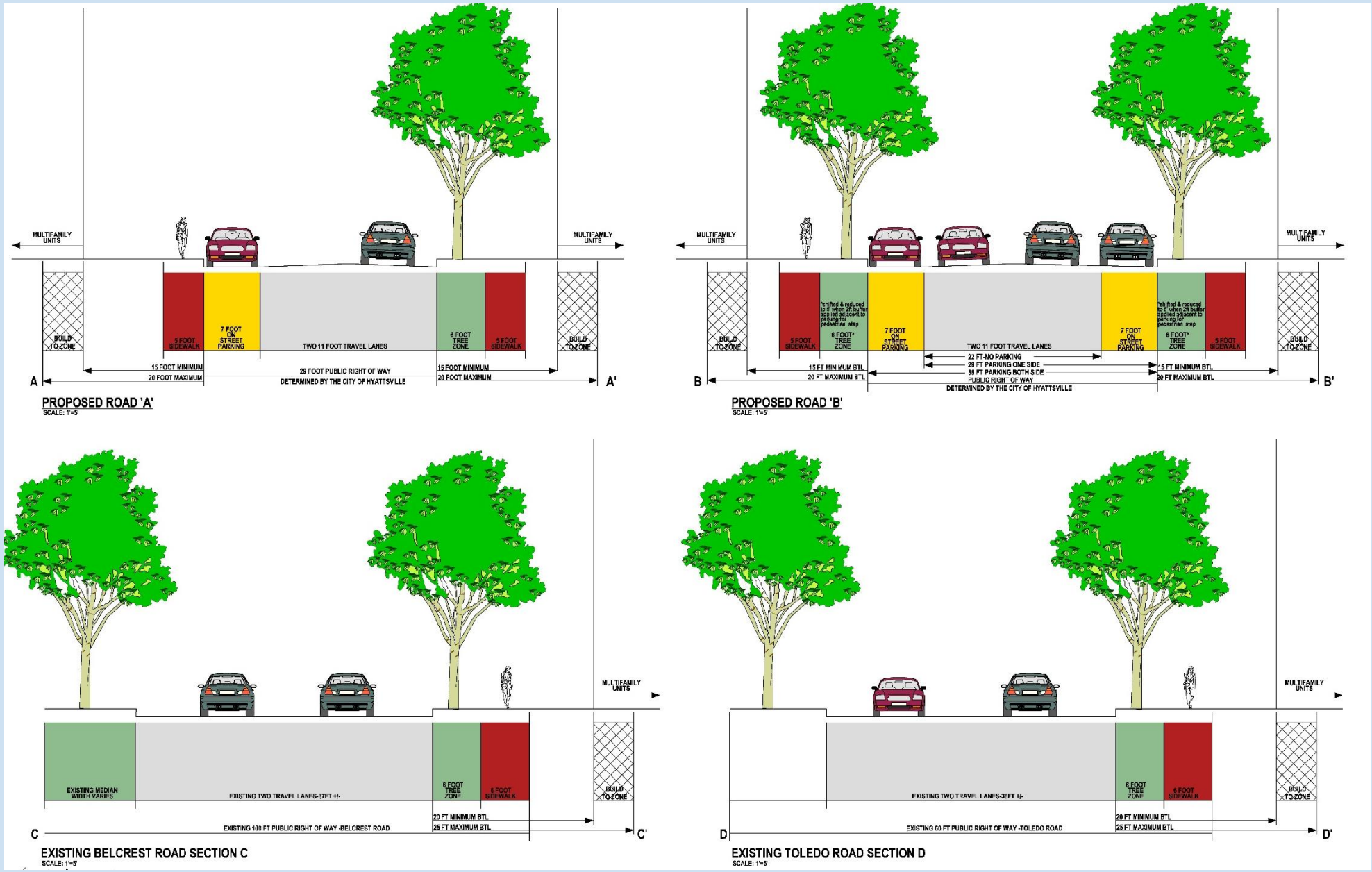

# Detailed Site Plan-Dewey Property-Parcel 5

# DSP-19050






**Detailed Site Plan-Dewey Property-Parcel 5** **DSP-19050**






**Street Sections-Dewey Property-Parcel 5**

**DSP-19050**

**Perspective View-Parcel 5**

**DSP-19050**

**Perspective View-Parcel 5**

**DSP-19050**

# South Elevation -Parcel 5

DSP-19050

**West Elevation -Parcel 5**

**DSP-19050**

2 NORTH ELEVATION 2
1/8" = 1'-0"

CM1 CORRUGATED METAL - COLOR 1
MC METAL CHANNEL
SF ALUMINUM STOREFRONT SYSTEM
ALC PREFAB ALUMINUM CANOPIES
ALR DECORATIVE METAL RAILING
GLR GLASS RAILING
SG METAL SIGNAGE

**MATERIAL AREAS - NORTH ELEVATION**
Masonry – 5%
Cementitious Siding – 40%
Cementitious Panel – 46%

**FENESTRATION AREAS - NORTH ELEVATION**
Window & Storefront – 27%

1 NORTH ELEVATION 1
1/8" = 1'-0"

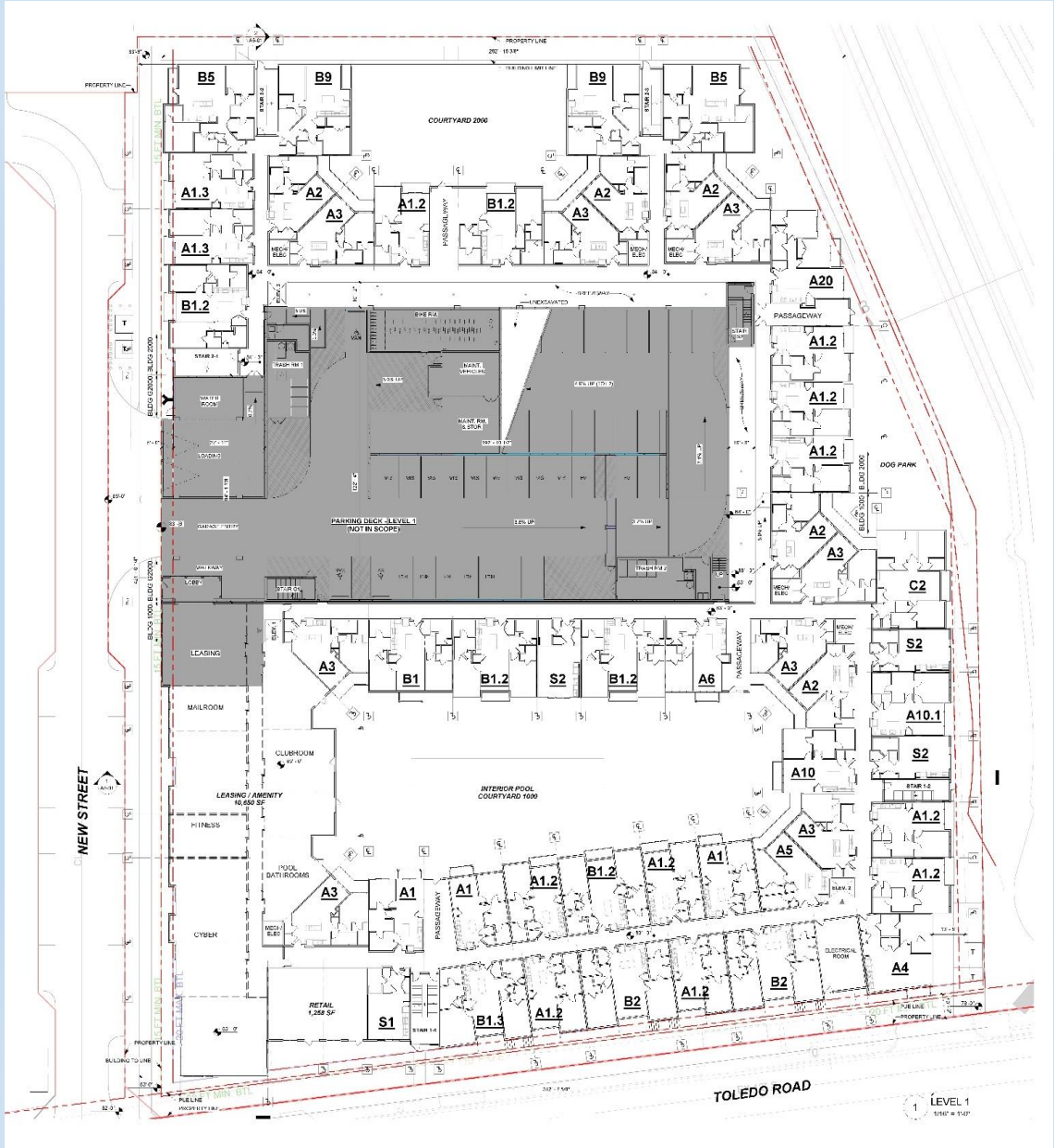


# North Elevation -Parcel 5

DSP-19050

**East Elevation -Parcel 5**

**DSP-19050**






# Ground Floor Plan -Parcel 5

DSP-19050

**LOBBY/ LEASING ENTRANCE & PARKING ENTRY ON NEW STREET**



**Building Signage -Parcel 5**

**DSP-19050**

**CORNER OF TOLEDO RD. & NEW STREET**



**Building Signage -Parcel 5**

**DSP-19050**

# COURTYARD 1000 | CONCEPTS

## Concept Design

### Exterior Club Space

1 | **Lawn Panel**
artificial turf, cornhole, movable seating

2 | **Fire Pit**
enhanced paving, round fire pit, sofa seating, wood bench, landscape buffer

3 | **Outdoor Grill**
2 grills, low bar seating, beer trough

4 | **Dining / Gaming Terrace**
enhanced paving, cafe tables, 2 foosball tables, festoon lights

5 | **Flexible Seating**
along building face

### Pool Terrace

6 | **Pool Entry**
to be coordinated with architect

7 | **Pool**
1,550 SF including sun shelf
65' x 20'

8 | **Pool Seating**
26 chaise lounges
7 chaise lounges on sun shelf
6 conversation sets (12 chairs)

9 | **Buffer**
landscape
decorative screening

### Cozy Courtyard

10 | **Lawn Panel**
artificial turf, movable seating

11 | **Grill Terrace**
1 grill
enhanced paving
cafe tables

12 | **Reading Nook**
decorative screen
landscape buffer
wooden benches

13 | **Buffer**
landscape
decorative screen

**TOLEDO ROAD** ▪ HYATTSVILLE, MARYLAND
PN 2019059 | 10.11.2019 | FAIRFIELD RESIDENTIAL COMPANY

NOTE: The renderings provided here are conceptual in nature, and reflect the general character and intent. Modifications and variations may occur as drawings progress through final design and engineering.

LandDesign.



**Recreation Facilities –Courtyard 1000**

**DSP-19050**

# COURTYARD 1000 | FURNISHINGS

**TOLEDO ROAD** ▪ HYATTSVILLE, MARYLAND

PN 2019059 | 10.11.2019 | FAIRFIELD RESIDENTIAL COMPANY

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LandDesign.



**Recreation Facilities –Courtyard 1000**

**DSP-19050**

# COURTYARD 2000 | CONCEPTS

## Concept Design

### Garden Courtyard

1 | **Lawn Panel**
artificial turf, lawn games, movable seating

2 | **Bocce Court**
artificial turf, festoon lights
fence/wall location to be extended outward

3 | **Fire Place**
focal element, sofa seating, coffee table, wood bench/hearth framing fire place

4 | **Tree Grove**
bonded aggregate paving, paver stepping stones, movable seating, hammock seating

5 | **Outdoor Grill**
1 grill, low bar seating, cafe tables, enhanced paving

6 | **Courtyard Entry and Egress**

7 | **Courtyard Enclosure**
tbd with Client
proposed pushing wall outwards to maximize programming

8 | **Buffer**
landscape

**TOLEDO ROAD** ▪ HYATTSVILLE, MARYLAND

PN 2019059 | 10.11.2019 | FAIRFIELD RESIDENTIAL COMPANY

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LandDesign.



**Recreation Facilities –Courtyard 2000**

**DSP-19050**

# COURTYARD 2000 | FURNISHINGS

**TOLEDO ROAD** ▪ HYATTSVILLE, MARYLAND

PN 2019059 | 10.11.2019 | FAIRFIELD RESIDENTIAL COMPANY

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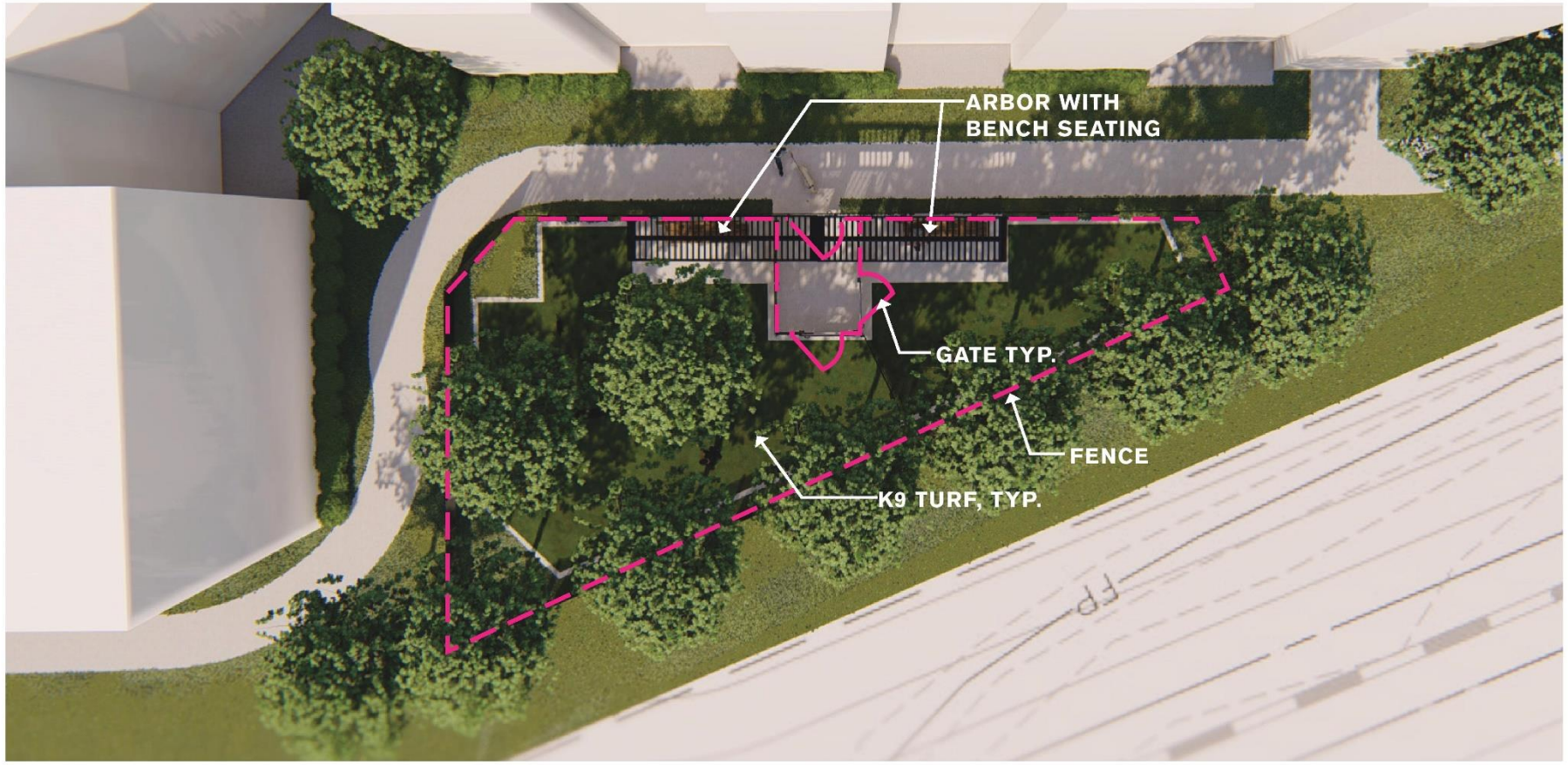
LandDesign.



**Recreation Facilities –Courtyard 2000**

**DSP-19050**

# DOG PARK




**TOLEDO ROAD** ▪ HYATTSVILLE, MARYLAND

PN 2019059 | 10.11.2019 | FAIRFIELD RESIDENTIAL COMPANY

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LandDesign.



**Recreation Facilities –Dog Park**

**DSP-19050**

# Hyattsville City Council Agenda Item Report

Meeting Date: February 18, 2020
Submitted by: Jim Chandler
Submitting Department: Community & Economic Development
Item Type: Planning & Development
Agenda Section:

**SUBJECT**
Sacred Heart Home Redevelopment Project Update (15 minutes)

**HCC-198-FY20**

**Recommendation:**

**Sponsor(s):**
At the Request of the City Administrator

**Co-Sponsor(s):**
N/A

ATTACHMENTS

**Summary Background:**
At the City Council's request, the Lawrence Taub, land-use attorney for the Sacred Heart Home, 5805 Queens Chapel Road, Hyattsville, is providing the City Council with a brief oral update of its redevelopment plans and project schedule

**Next Steps:**
N/A

**Fiscal Impact:**
N/A

**City Administrator Comments:**
Presentation Only

**Community Engagement:**
The purpose of this update is to provide the City Council and residents with an understanding of the project schedule.

**Strategic Goals:**
Goal 2 – Ensure the Long-Term Economic Viability of the City

**Legal Review Required?**
N/A

# Hyattsville City Council Agenda Item Report

Meeting Date: February 18, 2020
Submitted by: Laura Reams
Submitting Department: City Clerk
Item Type: Appointment
Agenda Section:

**SUBJECT**
Appointment to the Hyattsville Environment Committee

**HCC-219-FY20**

**Recommendation:**
I move that the Mayor and Council appoint Jared Messinger (Ward 1) to the Hyattsville Environment Committee for a term of 2 years to expire on February 18, 2022.

**Sponsor(s):**
Simasek

**Co-Sponsor(s):**
Schaible

ATTACHMENTS
HEC Application_Messinger_W1_redacted.pdf

**Summary Background:**
Please see attached application.

**Next Steps:**
The staff liaison for HEC Committee will reach out to the appointee to invite them to attend the next meeting.

**Fiscal Impact:**
N/A

**City Administrator Comments:**
Recommend Support

**Community Engagement:**
Agendas for the HEC Meetings are posted on the City's website. Meetings are open to the public and all are encouraged to attend.

**Strategic Goals:**
Goal 1 - Ensure Transparent and Accessible Governance
Action 1.1 - Provide Information and Opportunities for Resident Participation in Civic Endeavors.

**Legal Review Required?**
N/A

# Board, Committee and Commission Application

## Profile

Jared
First Name

Messinger
Last Name

[redacted]
Email Address

[redacted]
Street Address

[redacted]
Suite or Apt

[redacted]
City

[redacted]
State

[redacted]
Postal Code

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

*

- [x] Ward 1

[redacted]
Primary Phone

[redacted]
Alternate Phone

### Which Boards would you like to apply for?

Hyattsville Environment Committee: Submitted

### Referred By:

83

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

---

4907 42nd Place Hyattsville, MD 20781 Dear Hyattsville Environment Committee: Since moving to Hyattsville in May 2019, I've come to love the community and neighborhood, particularly the City's parks and public spaces. My morning walk with my dog along the Northwest Branch Trail and into Macgruder Park is a highlight of my day. The parks are litter free, the trails well-maintained, and the equipment is accessible and safe. I am applying to the vacancy on the Environment Committee to support the Committee's role in maintaining these great public spaces, and in their broader mission of providing the Council with recommendations on parks usage, waste reduction, and sustainable practices. I am passionate about sustainability, love the outdoors, and am an advocate for accessible and inclusive public spaces, and I believe having a voice on this Committee could contribute greatly to the City of Hyattsville's progress in this area. My experience and education make me an excellent candidate for this role. My current full-time position is a Program Manager with the World Resources Institute (www.wri.org) – one of the world's leading research institutions on environment and development issues. There, I provide day-to-day management of a large team supporting the restoration of degraded forests and farmland around the globe. Often, this restoration takes the form of increasing the number of native trees in a landscape, as well as protecting the existing forests and native species from further degradation. The tools and knowledge I've gained over the past 5.5 years in this role can be applied right here at home – protecting our existing green spaces and ensuring the right trees are planted in the right place in our city. The recommendations I make in this role would be supported by an extensive formal education, as I hold a Master of Public Administration (MPA) in Environmental Policy from Columbia University, and a Bachelor of Science in Forestry and Natural Resource Conservation from Virginia Tech. Now, more than ever, the world needs urgent, bold and sustainable solutions to our climate crises. And while many of those solutions will happen at the state, federal and international level, they must start right here at home. I'd like to take my knowledge of this topic and apply it in my city by joining the Environment Committee. I am happy to answer any questions, or to provide my CV or references upon request. Kind regards, Jared Messinger

# Hyattsville City Council Agenda Item Report

Meeting Date: February 18, 2020
Submitted by: Carrianna Suiter, W3 (Council VP)
Submitting Department: City Clerk
Item Type: Budget
Agenda Section:

**SUBJECT**
Allocate Ward 3 Funds in Support of Kirwan Commission Community Engagement Meeting

**HCC-207-FY20**

**Recommendation:**
I move that the Mayor and Council authorize the expenditure of $200 in Ward 3 funds in support of a community meeting to update the community on the status of the recommendations of the Kirwan Commission, and next steps. The funds may be used to cover costs associated with providing childcare, refreshments, and printing materials.

**Sponsor(s):**
Suiter

**Co-Sponsor(s):**
Simasek

ATTACHMENTS

**Summary Background:**
The Kirwan Commission on Innovation and Excellence in Education is a multi-year initiative to research and develop major funding and policy reforms to improve the quality of Maryland's public education system. This meeting will be held to update the community on the status of the recommendations of the report, and offer the opportunity for residents to hear from members of the delegation and school board regarding next steps and how the community can help support the work of the Commission.

**Next Steps:**
Allocate up to $200 in Ward 3 funds to be used to cover costs associated with providing childcare, refreshments, and printing materials in support of this community meeting.

**Fiscal Impact:**
$200

**City Administrator Comments:**
Funding available. Recommend Support

**Community Engagement:**
The organizers of this meeting will advertise the meeting to the community and engage the Education Advisory Committee.

**Strategic Goals:**
Goal 1 – Ensure Transparent and Accessible Governance

**Legal Review Required?**
N/A

# Hyattsville City Council Agenda Item Report

Meeting Date: February 18, 2020
Submitted by: Lesley Riddle
Submitting Department: Public Works
Item Type: Contract
Agenda Section:

**SUBJECT**
Adirondack Tree Experts - Contract Amendment

**HCC-208-FY20**

**Recommendation:**
I move that the Mayor and Council authorize the City Administrator to approve an increase in an amount not to exceed $25,000 to the current contract with Adirondack Tree Expert for tree work in the City.

**Sponsor(s):**
At the Request of the City Administrator

**Co-Sponsor(s):**
N/A

ATTACHMENTS

**Summary Background:**
The City has numerous dead and dying trees that are creating hazardous conditions on streets and within the City Right of Way. The current contract for tree removal and pruning will not support the work required at this time. We are requesting an increase to Adirondack Tree Experts current contract from $150,000.00 to $175,000.00 so that we can accomplish additional tree work. The funds are available within current FY20 Parks Operating Budget appropriations.

**Next Steps:**
With Council approval we will schedule the tree work.

**Fiscal Impact:**
The $25,000 is available within current FY20 Parks Operating Budget approrpriations.

**City Administrator Comments:**
Recommend Support

**Community Engagement:**
Outreach to residents that are within the surrounding and impacted areas.

**Strategic Goals:**
Goal 3 – Promote a Safe and Vibrant Community

**Legal Review Required?**
Complete

# Hyattsville City Council Agenda Item Report

Meeting Date: February 18, 2020
Submitted by: Jim Chandler
Submitting Department: Community & Economic Development
Item Type: Planning & Development
Agenda Section:

**SUBJECT**
Zoning Variance Request (V-170-19): 5225 42nd Place, Hyattsville

**HCC-211-FY20**

**Recommendation:**
I move that the City Council authorize the Mayor to send correspondence to the Prince George's County Board of Zoning Appeals stating the City's support for variance request V-170-19, requests of 567 square feet net lot area, 3.34 feet front building line width, 12 feet front yard depth, and 10% net lot coverage, to permit a validation of existing conditions and allow the applicant obtain a building permit for the proposed construction of a driveway at the subject property at 5225 42nd Place, Hyattsville.

**Sponsor(s):**
At the Request of the City Administrator

**Co-Sponsor(s):**
N/A

ATTACHMENTS

Memo - V-170-19.docx

Application V-170-19.pdf

Site Plan V-170-19.pdf

**Summary Background:**
The applicant, Barbara Brewer, has applied to the Prince George's County Board of Zoning Appeals for a zoning variance to validate existing conditions (lot size, lot coverage, lot width building, and front yard) and obtain a building permit for a proposed construction of a driveway on R-55 zoned property.

Specific violations of the Zoning Ordinance are outlined below:

- Section 27-442(b)(Table I) prescribes that each lot shall have a minimum net lot area of 5,000 square feet.
- Section 27-442(d)(Table III) prescribes that each lot shall have a minimum width of 50 feet measured along the front building line.
- Section 27-442(e)(Table IV) prescribes that each lot shall have a front yard at least 25 feet in depth.
- Section 27-442(c)(Table II) prescribes that not more than 30% of the net lot area shall be covered by buildings and off-street parking.

The applicant is requesting variances of 567 square feet net lot area, 3.34 feet front building line width, 12 feet front yard depth, and 10% net lot coverage are requested.



**Next Steps:**

No additional action by the City Council is required.

**Fiscal Impact:**
N/A

**City Administrator Comments:**
Staff recommends the City Council support the applicant's variance requests of 567 square feet net lot area, 3.34 feet front building line width, 12 feet front yard depth, and 10% net lot coverage, as they are all related to the pre-existing condition of the property.

There is no feasible way for the applicant to add square footage to the lot, move the existing building to meet the front building line width or front yard depth, or reduce the lot coverage created by the existing house and garage to meet the standard.

**Community Engagement:**
The subject property has been posted, per the requirements of the Board of Zoning Appeals. A public hearing by the BZA regarding this variance request is scheduled for 6:00 PM on Wednesday, February 19, 2020.

**Strategic Goals:**
Goal 3 – Promote a Safe and Vibrant Community

**Legal Review Required?**
N/A

City of Hyattsville

# Memo

| | |
|---|---|
| To: | Jim Chandler, Assistant City Administrator and Director, Community & Economic Development |
| From: | Kate Powers, City Planner |
| CC: | Tracey Nicholson, City Administrator |
| Date: | February 12, 2020 |
| Re: | Zoning Variance Request V-170-19 – 5225 42nd Place, Hyattsville |
| Attachments: | Application for Variance (Appeal No. V-170-19)<br>City of Hyattsville Variance Policy |

---

The purpose of this memorandum is to provide the Director of Community & Economic Development with a briefing on the Zoning Variance request V-170-19, for the property located at 42nd Place Street, Hyattsville 20781.

Summary of Variance Conditions:
The applicant, Barbara Brewer, has applied to the Prince George's County Board of Zoning Appeals for a zoning variance to validate existing conditions (lot size, lot coverage, lot width building, and front yard) and obtain a building permit for a proposed construction of a driveway on R-55 zoned property. Specific violations of the Zoning Ordinance are outlined below:

- Section 27-442(b)(Table I) prescribes that each lot shall have a minimum net lot area of 5,000 square feet.
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- Section 27-442(e)(Table IV) prescribes that each lot shall have a front yard at least 25 feet in depth.
- Section 27-442(c)(Table II) prescribes that not more than 30% of the net lot area shall be covered by buildings and off-street parking.

Variances of 567 square feet net lot area, 3.34 feet front building line width, 12 feet front yard depth, and 10% net lot coverage are requested.

The property resides in a R-55 (One-Family Detached Residential) Property Zone. It is within the Gateway Arts Development District Overlay and part of the Traditional Residential Neighborhood Character Area. The subject property contains a 1 ½ story residence with a basement as well as a storage garage in the rear.

Recommendation:
Staff recommends the City Council support the applicant's variance requests of 567 square feet net lot area, 3.34 feet front building line width, 12 feet front yard depth, and 10% net lot coverage, as they are all related to the pre-existing condition of the property.

There is no feasible way for the applicant to add square footage to the lot, move the existing building to meet the front building line width or front yard depth, or reduce the lot coverage created by the existing house and garage to meet the standard.

# THE PRINCE GEORGE'S COUNTY GOVERNMENT

BOARD OF ZONING APPEALS BOARD OF ADMINISTRATIVE APPEALS
COUNTY ADMINISTRATION BUILDING, UPPER MARLBORO, MARYLAND 20772
TELEPHONE (301) 952-3220

## *NOTICE OF HEARING*

Date: February 4, 2020

Petitioner: Barbara Brewer

Appeal No.: V-170-19

Hearing Date: WEDNESDAY, FEBRUARY 19, 2020, AT 6:00 P.M. **EVENING**

Place: Zoning Hearing Room #L-205
County Administration Building, Upper Marlboro, Md.

Appeal has been made to this Board for permission to validate existing conditions (lot size, lot coverage, Lot width-Building, and front yard) and obtain a building permit for a proposed construction of a driveway on R-55 Zooned (One-Family Detached Residential) property known as P/O of Lots 1 & 2, Block E, Wine & Johnson's 2nd Addition to Hyattsville, being 5225 42nd place, Hyattsville, Prince George's County, Maryland, contrary to the requirements of the Zoning Ordinance.

The specific violation resides in the fact that Zoning Ordinance Section 27-442(b)(Table I) prescribes that each lot shall have a minimum net lot area of 5000 square feet. Section 27-442(d)(Table III) prescribes that each lot shall have a minimum width of 50 feet measured along the front building line. Section 27-442(e)(Table IV) prescribes that each lot shall have a front yard at least 25 feet in depth. Section 27-442(c)(Table II) prescribes that not more than 30% of the net lot area shall be covered by buildings and off-street parking. Variances of 567 square feet net lot area, 3.34 feet front building line width, 12 feet front yard depth and 10% net lot coverage are requested.

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

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

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

BOARD OF ZONING APPEALS

By: Barbara J. Stone
Barbara J. Stone
Administrator

cc: Petitioner
Adjoining Property Owners
Park and Planning Commission
City of Hyattsville
Werrlein Properties, LLC

**(USE BLACK INK ONLY)**

**PLEASE READ ALL INSTRUCTIONS BEFORE FILLING OUT APPLICATION**

93

RECEIVED
DEC 18 2019
BOARD OF APPEALS

Received Stamp

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

BOARD of APPEALS
Zoning and Administrative

# APPLICATION FOR A VARIANCE

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

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

**Owner(s) of Property** (AS SHOWN ON DEED) Barbara Brewer

Address of Owner(s) 5225 42nd Place

City Hyattsville State MD Zip Code 20781

Telephone Number (home) 301-927-2679 (cell) 202-705-1828 (work) 202-705-1828

E-mail address: Schiffke@msn.com

**Location of Property involved:**

Street Address 5225 42nd Place

City Hyattsville MD, 20781

Lot(s) 1+2 Block E Parcel ___

Subdivision Name Line + Johnson's 2nd Addition to Hyattsville

**Professional Service:**

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

Name: Werrlein Properties, LLC MHIC#(13514) Phone Number: (443) 510-1274

Address: 922 Defense Hwy, Annapolis, MD 21401 Email Address: Karl@werrleinproperties.com

**Attorney representing applicant: (If applicable)**

Name: None Phone Number: ___

Address: ___ Email Address: ___

**Association Name(s) & Address(es) (Homeowners/Citizens/Civic and/or Community):**

Name: none

Address: _____

**Municipality** (Incorporated City/Town)

Name Hyattsville

**What will be or has been constructed on the property which has required a variance?** Proposed driveway (40x10)

**Has a Violation Notice / Stop Work Order /Correction Notice been issued to the Property Owner regarding this property?**

No X Yes _____ Date Issued: _____ Violation Notice No. # _____

Inspector's Name: _____

**Do you need the services of a foreign language interpreter at your hearing?** ($30.00 fee required)

Yes ____ No X Foreign Language: _____

Signature of Owner/Attorney

Barbara Brewer

Printed Name

**IMPORTANT:**

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

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

V-1 10-14



# LOT COVERAGE WORKSHEET

NET LOT SIZE 4,600 SQUARE FEET

30 % LOT COVERAGE ALLOWED 1,380 SQUARE FEET

| STRUCTURE/PARKING | MEASUREMENTS | SQUARE FOOTAGE |
|---|---|---|
| HOUSE | 24.25 x 35.9 | 871 |
| GARAGE/CARPORT | 19 x 20.20 | 383.8 |
| DRIVEWAY | 10 x 40 | 400 |
| PORCH/SUNROOM | 8 x 24.25 | 194 |
| SHED(S) | | |
| ADDITION(S) | | |
| OTHER: | | |

TOTAL LOT COVERAGE 1,849

TOTAL % NET LOT COVERAGE 40 %

TOTAL % OVER NET LOT COVERAGE 10 % ( 469 S.F.)

# THE PRINCE GEORGE'S COUNTY GOVERNMEN

BOARD OF ZONING APPEALS BOARD OF ADMINISTRATIVE APPEALS
COUNTY ADMINISTRATION BUILDING, UPPER MARLBORO, MARYLAND 20772
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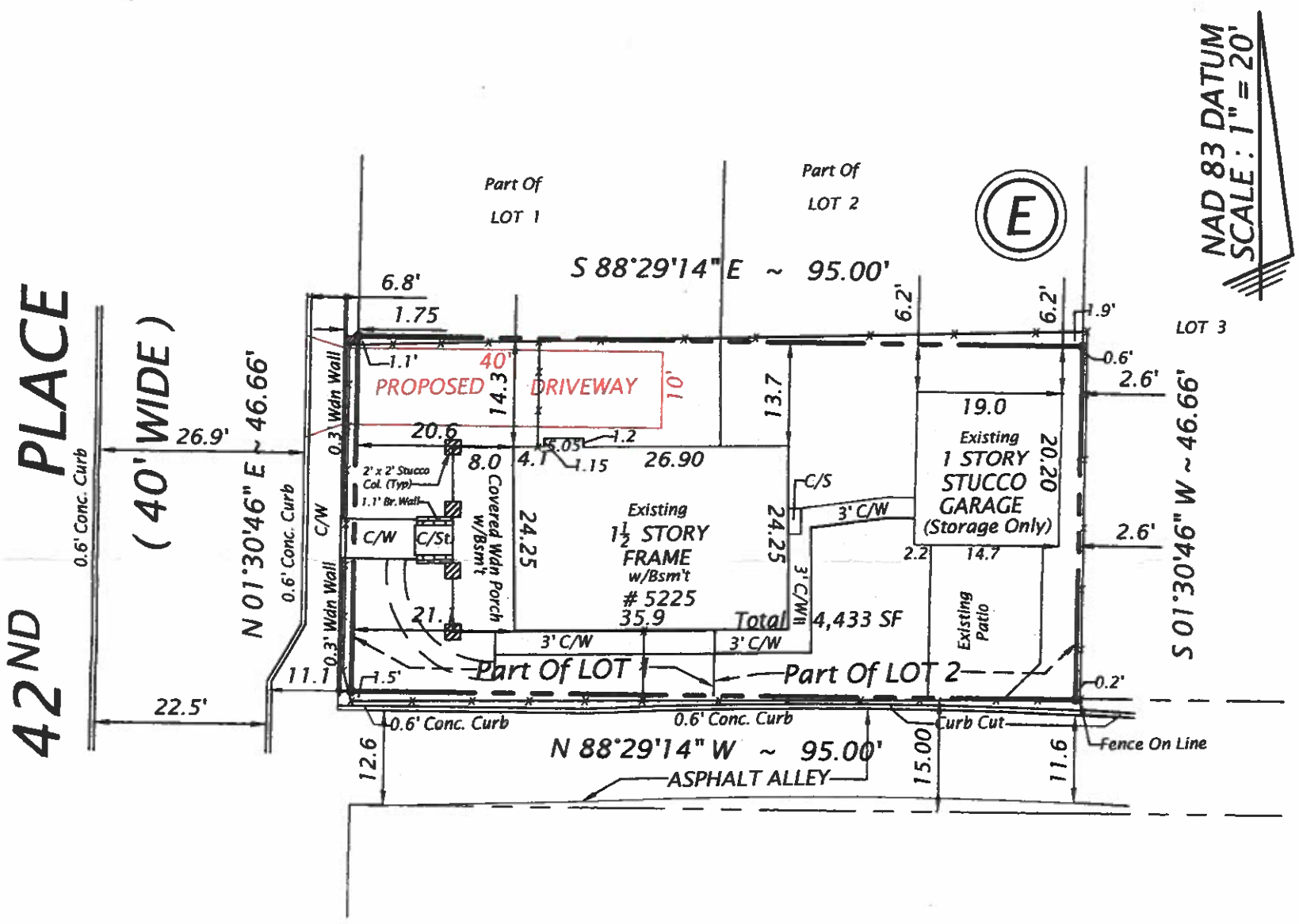
BOARD OF ZONING APPEALS

By: Barbara J. Stone
Barbara J. Stone
Administrator

cc: Petitioner
Adjoining Property Owners
Park and Planning Commission
City of Hyattsville
Werrlein Properties, LLC

LOCATION DRAWING

# PARTS OF LOT 1 & 2
## BLOCK "E"
WINE & JOHNSON'S
2ND ADDITION TO
# HYATTSVILLE
PLAT BOOK "A" @ PLAT NO. 20A
16TH ELECTION DISTRICT
PRINCE GEORGE'S COUNTY, MD.




## LOT COVERAGE CALCULATIONS

Existing House 24.25' x 35.9' = 871 SF
Existing Porch 8' x 24.25' = 194 SF
Existing Garage 19' x 20.2' = 384 SF
Proposed Driveway = 400 SF
TOTAL = 1,849 SF ÷ 4,433 SF
= 41.71%

The property shown hereon is not within Zone A-Special Flood Hazard Area per F.E.M.A. Flood Insurance Rate Maps.

## SURVEYOR'S CERTIFICATES :

I hereby certify that the position of the existing improvements on the above described property has been established by a field survey and that unless otherwise shown, there are no visible encroachments, if any.

This location drawing is not to be relied for establishing boundary lines.

DATE : 12th December 2019 W. L. M

I hereby certify that I have carefully surveyed the property as shown by this plat and Permanent Survey Markers are in place as shown.

DATE: 12th December 2019 W. L. M

STATE OF MARYLAND
WILLIAM LAWRENCE MEEKINS JR.
NO. 10833
REGISTERED
PROFESSIONAL LAND SURVEYOR

NOTE : Location drawing do not include setting Permanent Survey Markers at property corners.
NO TITLE REPORT FURNISHED
PLAT SUBJECT TO RESTRICTIONS & EASEMENTS OF RECORD OR OTHERWISE.

W. L. MEEKINS, INC.
3101 RITCHIE ROAD
FORESTVILLE, MD 20747
TEL : 301-736-6387 / 7115
email : info@meekins.net
web : www.meekins.net
REGISTRATIONS
MD # 10833
DCLS # 900860

# Hyattsville City Council Agenda Item Report

Meeting Date: February 18, 2020
Submitted by: Laura Reams
Submitting Department: Community Services
Item Type: Grant
Agenda Section:

**SUBJECT**
FY20 Budget Appropriation: MNCPPC Grant for Recreation Activities

**HCC-220-FY20**

**Recommendation:**
I move that the Mayor & Council amend the FY20 Special Revenues Funds Budget to accept and appropriate the grant award in the amount of $19,000 from the Maryland National Capital Park and Planning Commission and authorize the City Administrator to sign the contract, upon the review and approval by the City Attorney for legal sufficiency.

**Sponsor(s):**
At the Request of the City Administrator

**Co-Sponsor(s):**
N/A

ATTACHMENTS

**Summary Background:**
The City receives this grant annually from the Maryland-National Capital Park and Planning Commission in order to support recreation programming. Please note that this item is a budget amendment and requires 8 affirmative votes for approval.

**Next Steps:**
Follow up with MNCPPC and receive funds.

**Fiscal Impact:**
$19,000 - Budget Amendment

**City Administrator Comments:**
Recommend Support

**Community Engagement:**
NA

**Strategic Goals:**
Goal 2 - Ensure the Long-Term Economic Viability of the City

**Legal Review Required?**
N/A

# Hyattsville City Council Agenda Item Report

Meeting Date: February 18, 2020
Submitted by: Ron Brooks
Submitting Department: Finance
Item Type: Grant
Agenda Section:

**SUBJECT**
FY20 Grant Award & Budget Amendment: Accept 2020 Census Grant Award and Amend the FY20 Special Revenues Funds Budget

**HCC-213-FY20**

**Recommendation:**
I move that the Mayor and Council accept the 2020 Census Grant award and amend the FY20 Special Revenues Funds Budget to appropriate an amount not to exceed $19,000 to support the City of Hyattsville's efforts in facilitating the accurate counting of the population and the collection of basic demographic and housing information and to fund the activities exclusively for outreach efforts that focus on promoting and facilitating responses to the 2020 Census as required in Exhibit A of the grant agreement.

**Sponsor(s):**
At the Request of the City Administrator

**Co-Sponsor(s):**
N/A

ATTACHMENTS
2020 CENSUS GRANT PROGRAM AGREEMENT (1).pdf

**Summary Background:**
In the State of Maryland FY20 Budget Bill the Maryland Department of Planning received $5 million in general fund appropriations to implement Chapter 18 of the 2018 Laws of Maryland that established the 2020 Census Grant Program. The purpose of the program is to provide appropriation-funded grants to Maryland local governments and nonprofit organizations to support activities in providing the accurate counting of the population of the State and its local jurisdictions and the collection of basic demographic and housing information and to carry out the activities exclusively for outreach efforts that focus on promoting and facilitating responses to the 2020 Census as required in the grant agreement.

**Next Steps:**
Appropriate the funds to begin implementing the 2020 Census Program as set forth within the guidelines of the grant agreement.

**Fiscal Impact:**
Budget amendment increase of $19,000 in the Special Revenues Funds.

**City Administrator Comments:**
Recommend Support. See summary above.



**Community Engagement:**

The Hyattsville Complete Count Committee will engage the community on the 2020 Census.

**Strategic Goals:**
Goal 1 – Ensure Transparent and Accessible Governance

**Legal Review Required?**
Pending

# 2020 CENSUS GRANT PROGRAM

## GRANT AGREEMENT

This Grant Agreement (this "**Agreement**") is entered into as of the Effective Date (defined in Section 1.b), by and between the Maryland Department of Planning, a principal department of the State of Maryland ("**MDP**" or "**Planning**"), acting in coordination with, and as authorized by, the 2020 Census Grant Program Panel (the "**Grant Panel**"), and City of Hyattsville, a local government organized and existing under the laws of the State of Maryland with its principal office located at 4310 Gallatin Street, Hyattsville, MD 20781 (the "**Grantee**").

## RECITALS

1. As included in the Fiscal Year 2020 Budget Bill for the State of Maryland (the "**State**"), MDP received a $5,000,000 general fund appropriation in Fiscal Year 2020 (the "**Appropriation**") to implement Chapter 18 of the 2018 Laws of Maryland (the "**Act**"), enacted on April 5, 2018 and effective June 1, 2018, establishing the 2020 Census Grant Program (the "**Program**"). The purpose of the Program is to provide Appropriation-funded grants to Maryland local governments and nonprofit organizations to support during the 2020 Census the accurate counting of the population of the State and its local jurisdictions and the collection of basic demographic and housing information.

2. In reliance upon the information and the representations contained in Grantee's proposal dated December 27, 2019 (the "**Grant Application**"), the Secretary of Planning has determined that the project proposed in the Grant Application is consistent with the provisions of the Act. Based on this determination, the Secretary has awarded a Program grant to Grantee for the project on terms and conditions set forth in this Agreement. Accept as is revised or altered by the terms of this Agreement, the Grant Application is incorporated by reference into this Agreement and made a substantive part hereof.

3. The Program grant will be expended by Grantee in conformity with the requirements and provisions of the Act and the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, MDP and Grantee agree as follows:

**1. <u>Grant and Project Terms</u>.**

a. <u>Grant Purpose.</u> The purpose of this Agreement is to provide the Grantee with funds in an amount not to exceed $19,000.00 (nineteen thousand dollars) (the "**Grant**") to carry out the activities set forth and described in **<u>Exhibit A – Project Requirements</u>** of this Agreement (the "**Project**"). Grantee shall use the Grant only for the activities authorized in **<u>Exhibit A- Scope of Work</u>** (the

"**Scope of Work**"), and shall operate the Project in accordance with the Act and the terms and conditions of this Agreement.

b. Grant Term. This Agreement is effective as of the date it is executed by MDP on behalf of the Grant Panel (the "**Effective Date**"), and unless sooner terminated pursuant to the terms of this Agreement, or by the mutual consent of Grantee and MDP, shall terminate on the Termination Date set forth in **Exhibit A-Timetable** (the "**Project Timetable**").

c. Project Timetable. Grantee may commence the Project on the Project Commencement Date identified in the Project Timetable, and shall diligently pursue completion of the Project by the Project Completion Date identified in Project Timetable.

d. Extensions. At its discretion, MDP may extend any date set forth in the Project Timetable, provided that the Grantee demonstrates to MDP's satisfaction that the circumstances warrant such extension. An extension may be offered by MDP in writing or by email, and shall be deemed to be accepted by Grantee if Grantee fails to refuse the extension in writing or by email within ten (10) calendar days from the date the extension is offered.

2. **Project Monitor.** The staff member identified in Section 14.a of this Agreement shall serve as the project monitor for this Project (the "**Project Monitor**").

3. **Grant Documents.**

The following documents shall be executed in connection with the Grant, which documents shall be satisfactory in form and substance to MDP:

a. This Agreement;

b. An Assurance of Compliance (**Attachment 1**); and

c. Any other document or instrument that may be required by MDP.

4. **Expenditure of Grant Proceeds.**

All Grant funds shall be expended on or before the Project Completion Date.

a. Grantee shall expend the Grant in accordance with the Project Budget. Any change to the allocation of funds as authorized in the Project Budget must have prior written approval from the Project Monitor.

b. Grantee shall not use any portion of the Grant to fund, disperse to, pay, or otherwise finance any 2020 Census-related activities undertaken by any other entity that was awarded a grant under the Program.

c. Grantee may incur Project expenses commencing on the Project Commencement Date. All costs incurred by Grantee before the Project Commencement Date are incurred voluntarily at Grantee's risk and upon its own credit and expense. Grantee's rights to be reimbursed with Grant proceeds shall be governed by the provisions of this Agreement.

d. If the Project is completed for an amount less than that reflected in the Project Budget, the amount of the Grant may be reduced and Grantee shall return all unexpended Grant proceeds to MDP.

e. MDP must approve changes to the Project Budget as set forth in Section 4.a. above, the Scope of Work, the Project Timetable, or any other term of this Agreement.

f. THE GRANTEE SHALL NOT USE ANY PORTION OF THE GRANT TO ENGAGE IN, OR TO ASSIST OR CAUSE OTHERS TO ENGAGE IN, POLITICAL ACTIVITIES, INCLUDING, WITHOUT LIMITATION, USING THE GRANT: (I) FOR THE PURPOSE OR INTENT OF INFLUENCING, INTERFERING WITH, OR AFFECTING THE RESULT OF AN ELECTION OR NOMINATION FOR PUBLIC OFFICE; OR (II) TO DIRECTLY OR INDIRECTLY CONTRIBUTE ANYTHING OF VALUE TO A POLITICAL PARTY, CANDIDATE FOR PUBLIC OFFICE, OR ANY OTHER ENTITY, COMMITTEE, ORGANIZATION, AGENCY OR PERSON FOR POLITICAL PURPOSES. GRANTEE AND ANY AGENTS OF GRANTEE SHALL NOT, WHILE UNDERTAKING THE PROJECT, ENGAGE IN, OR ENGAGE IN ANY CONDUCT THAT COULD REASONABLY BE PERCEIVED AS ENGAGING IN, ANY SUCH POLITICAL ACTIVITIES. NOTWITHSTANDING SECTION 7 OF THIS AGREEMENT, ANY CONDUCT THAT FAILS TO COMPLY WITH THIS PROVISION SHALL BE AN ACT OF DEFAULT AND CAUSE FOR (I) IMMEDIATE TERMINATION OF THIS AGREEMENT AND (II) RECOUPMENT BY MDP OF ALL GRANT FUNDS DISPERSED TO GRANTEE PRIOR TO TERMINATION.

5. **Requirements.**

a. On or before the Project Commencement Date, Grantee shall obtain all applicable certifications, licenses, permits, and approvals useful or necessary to operate the Project, and shall maintain the same through the Termination Date.

b. During the term of the Agreement, all work performed in connection with the Project is subject to inspection and approval by MDP or its authorized agents.

**6. Disbursement of Grant Proceeds.**

a. Provided that Grantee is not in default under this Agreement, MDP shall disburse the Grant in two (2) disbursements to Grantee as the Project progresses, based upon requests for disbursement submitted by Grantee to the Project Monitor (a "**Request for Disbursement**"). The final ten (10%) percent of the Grant will be retained by MDP until satisfaction of the conditions set forth in sub clause (d) below (the "**Final Disbursement**"). All Requests for Disbursement shall be satisfactory

to MDP and include such information and documentation in form and content as may be required or requested by MDP. MDP may withhold a disbursement for failure to comply with its requirements or requests.

b. MDP will not disburse the Grant until Grantee has satisfied all applicable conditions set forth in the Program Guidelines, which are incorporated by reference into this Agreement.

c. Requests for Disbursement will be processed within approximately forty-five (45) days from MDP's receipt of the request. The Requests for Disbursement shall not exceed the eligible costs incurred and approved by MDP.

d. The Final Disbursement will be disbursed to Grantee in accordance with a request for final disbursement upon:

(i) Grantee's completion of the Project to the satisfaction of MDP;

(ii) Grantee's submission of a Project Completion Report (as defined in Section 9) on or before the Project Completion Report Due Date set forth in Project Timetable, in a form acceptable to MDP, which includes information evaluating the effectiveness of the Project; and

(iii) Grantee's submission of final documentation of the Grant, satisfactory in form and content to MDP.

e. All Requests for Disbursement shall be submitted by electronic mail to the Project Monitor. Grantee shall provide additional supporting documentation as MDP may require from time to time.

f. MDP may withhold disbursement of Grant funds if at any time MDP determines in its sole discretion that Grantee is in default under this Agreement.

7. **Default and Remedies.**

a. A default under this Agreement shall occur if:

(i) Grantee fails to comply with any of the covenants, agreements, or certifications made by the Grantee in this Agreement;

(ii) At any time any representation or warranty made by Grantee in connection with the Grant, the Agreement, or the Grant Application shall be inaccurate or incorrect in any manner;

(iii) Grantee knowingly makes or causes to be made any material misstatement of fact, including an understatement or overstatement of financial condition, in a statement or report required

under the Agreement, the Grant Application, for a Request for Disbursement, or affecting the Grant in general;

(iv) The Grant funds are not spent in accordance with the terms of this Agreement;

(v) Grantee is in default under any other agreement related to the Project which, in MDP's sole discretion, may have an adverse material impact on the Project;

(vi) At any time during the period of the Grant, there is pending or ongoing litigation with respect to Grantee's performance of any duties or obligations in connection with the Project or the Grant which may jeopardize or adversely affect this Agreement or the Project in MDP's judgement;

(vii) Grantee is not performing or completing the Project in accordance with the terms of this Agreement, or in a manner satisfactory to MDP; or

(viii) Grantee has not expended the Grant funds necessary to complete the Project by the Project Completion Date.

b. MDP shall give Grantee written notice of default, and Grantee shall have thirty (30) days from the date of such notice to cure the default.

c. Upon the occurrence of a default that continues beyond the 30-day cure period, MDP may:

(i) Reduce the amount of the Grant or withhold payment of Grantee's next requested disbursement of the Grant;

(ii) Demand repayment of the Grant from Grantee in whole, or in part; or

(iii) Terminate this Agreement by written notice to Grantee.

d. In the event of MDP's termination of the Agreement:

(i) Grantee's authority to request a disbursement shall cease and Grantee shall have no right, title, or interest in or to any of the Grant funds not disbursed;

(ii) MDP may exercise any or all of its rights under this Agreement contemporaneously with any or all of its remedies, and all of such rights shall survive the termination of this Agreement;

(iii) In addition to the rights and remedies contained in this Agreement, MDP may at any time proceed to protect and enforce all rights available to MDP by suit in equity, action at law, or

by any other appropriate proceedings, which rights and remedies shall survive the termination of this Agreement; and

(iv) The occurrence of Grantee's bankruptcy, insolvency, or the dissolution or liquidation of Grantee's business organization or assets shall be an event of default under this Agreement, and MDP shall have the right to terminate this Agreement immediately.

**8. Records and Reports.**

a. Grantee and any subgrantees, contractors, or subcontractors of Grantee shall maintain accurate books, accounts, and records in a form acceptable to MDP of all transactions relating to the receipt and expenditure of the Grant for the Project. All of these books, accounts, and records shall be open to the inspection of MDP's representatives or other agencies of the State during reasonable working hours before, during, or after the period of time during which the Grant proceeds are expended. Grantee shall make its administrative offices and personnel, whether full-time, part-time, consultants, or volunteers, available to MDP upon request.

b. Books, accounts, and records of contractors and subcontractors shall be maintained and made available to MDP for inspection for up to five (5) years after either the date of Grantee's final expenditure of Grant funds or the termination of this Agreement, whichever is later.

c. Grantee shall provide MDP with a project completion report (the "**Project Completion Report**"), in the form provided by MDP and further described in **Exhibit A – Reports**. The Project Completion Report is due by the Project Completion Report Due Date identified in the Project Timetable.

d. Upon MDP's request, Grantee shall provide MDP with copies of any audits performed on Grantee's records by any other entity.

e. In addition to the requirements set forth above, Grantee shall provide MDP with such additional records, reports, and other documentation as may be required by MDP.

**9. General and Special Covenants.**

a. The Grantee and/or its agents are responsible for complying with all federal, State, and local laws applicable to the Project. This responsibility may include, but is not limited to, compliance with local zoning, building, and public safety codes, review by local historic preservation commissions, and federal and State licensing, permitting, and environmental requirements.

b. TO THE EXTENT NOT PROHIBITED BY APPLICABLE LAW WHICH CANNOT BE WAIVED, AND IN CONSIDERATION FOR THE GRANT PROVIDED UNDER THIS AGREEMENT, GRANTEE IRREVOCABLY WAIVES ITS RIGHTS TO A TRIAL BY JURY IN ANY ACTION OR PROCEEDING BASED UPON, ARISING OUT OF, RELATING TO OR IN

ANY WAY CONNECTED WITH THIS AGREEMENT. THIS WAIVER IS KNOWINGLY, INTENTIONALLY, AND VOLUNTARILY MADE BY THE GRANTEE. AT ANY TIME AFTER AN EVENT OF DEFAULT UNDER THIS AGREEMENT, THE GRANTEE HEREBY AUTHORIZES AND EMPOWERS ANY ATTORNEY OR CLERK OF ANY COURT OF RECORD WITHIN THE STATE OF MARYLAND TO APPEAR FOR GRANTEE IN ANY COURT OF THE STATE OF MARYLAND IN ONE OR MORE PROCEEDINGS OR BEFORE ANY CLERK THEREOF, AND CONFESS JUDGMENT AGAINST THE GRANTEE WITHOUT PRIOR NOTICE OR OPPORTUNITY FOR PRIOR HEARING, IN FAVOR OF MDP FOR AN AMOUNT EQUAL TO THE GRANT (OR THE DISBURSED PORTION OF THE GRANT IF NOT FULLY DISBURSED), PLUS ALL OTHER AMOUNTS DUE AND PAYABLE BY THE GRANTEE AS SET FORTH HEREIN, COSTS OF SUIT, AND REASONABLE ATTORNEYS' FEES.

c. Grantee is expressly prohibited from supplanting the Grant funding. Existing funds for the Project activities may not be displaced by the Grant funds and reallocated for Grantee's other organizational expenses. The Grant funds must be used to supplement Grantee's existing federal, State, local, or non-public funds for Project activities. If a question of supplanting arises, Grantee will be required to substantiate that the reduction in federal, State, local or non-public resources occurred for reasons other than the receipt or expected receipt of the Grant funds.

d. With respect to all Project related (i) public events such as press releases, interviews, ground breaking ceremonies, dedications, media events; and (ii) materials such as programs, videos and/or slide/tape productions, installation of exhibits, signage, and any other materials which are developed with the assistance of the Grant:

(i) Grantee shall notify MDP in a timely manner of any public events relating to the Project, and shall provide MDP an opportunity to participate in the event, at MDP's discretion.

(ii) Grantee, subgrantees, and any consultant hired by Grantee shall, unless exempted from this requirement by the Project Monitor, include on or in any printed materials or online content created in connection with the Project (i) the Maryland 2020 Census logo which can be accessed and downloaded in multiple formats at https://planning.maryland.gov/MSDC/Pages/census/census-grant-2020.aspx and (ii) an acknowledgment of State support with the following content:

*This Project has been financed in part with State funds from Maryland's 2020 Census Grant Program. Project content or opinions do not necessarily reflect the views or policies of the State of Maryland or any of its instrumentalities.*

**10. Grantee's Certifications.**

By executing the Agreement, Grantee certifies to MDP that:

a. If applicable, Grantee is duly organized and validly existing under the laws of Maryland, or is duly qualified to do business in Maryland, and has all requisite power and authority to enter into and carry out the transactions contemplated by this Agreement;

b. This Agreement has been duly authorized, executed, and delivered by Grantee in such manner and form as to comply with all applicable laws to make this Agreement the valid and legally binding act and agreement of Grantee;

c. The representations, statements, and other matters contained in the Agreement and the Grant Application are and remain true and complete in all material respects;

d. If applicable, Grantee has obtained, or has reasonable assurances that it will obtain, all federal, State, and local government approvals, permits, and reviews which may be required for the Project;

e. None of Grantee's assignees, designees, agents, members, officers, employees, consultants, or members of its governing body, or any local governmental authority exercising jurisdiction over the Project, and no other public official who exercises or has exercised any functions or responsibilities with respect to the Project during such person's tenure, or who is in a position to participate in a decision-making process or gain inside information with regard to the Project, has or shall have any interest, direct or indirect, in any contract or subcontract or the proceeds thereof, for any work or any activity to be performed in connection with the Project, or receive any benefit therefrom, that is part of the Project at any time during or after such person's tenure. No officer, director, or member of Grantee will personally benefit from the Grant or the Project; and

f. Grantee has not been, nor currently is, the subject of an investigation by any federal, State, or local governmental entity for alleged criminal or civil violations of laws or regulations enforced by these entities.

**11. <u>Nondiscrimination Provisions; Equal Opportunity Compliance</u>.**

a. Grantee may not discriminate, and certifies that it prohibits discrimination in leasing or otherwise providing dwelling or public accommodations or in any other aspect of the development, administration, or operation of the Project, or in any aspect of employment by the Grantee or contractor of the Project, on the basis of:

(i) age or sex (except with respect to residents in elderly projects or when age or sex constitutes a bona fide occupational qualification), or

(ii) race, color, creed, political or religious opinion or affiliation, national origin, sex, sexual orientation, marital status, or physical or mental handicap of a qualified handicapped individual.

b. Grantee shall comply with the requirements and provisions of MDP's Assurance of Compliance (attached to this Agreement as Attachment 1).

c. Grantee shall comply with all applicable federal, State, and local laws and departmental policies and programs regarding discrimination and equal opportunity in employment, housing, and credit practices including:

(i) Titles VI and VII of the Civil Rights Act of 1964, as amended;

(ii) Title VIII of the Civil Rights Act of 1968, as amended;

(iii) The Governor's Code of Fair Practices, as amended; and

(iv) The State of Maryland's Minority Business Enterprise Program, as amended, if Grantee does not have its own minority business participation program which is acceptable to MDP.

(v) Upon MDP's request, Grantee will submit to MDP information relating to its operations, with regard to political or religious opinion or affiliation, sexual orientation, marital status, physical or mental handicap, race, color, creed, sex, age, or national origin on a form to be prescribed by MDP.

(vi) Governor's Executive Order 01.01.1989.18 regarding a drug-and alcohol-free workplace and any regulations promulgated thereunder.

**12. Indemnification.**

Grantee releases MDP and the State from, agrees that MDP and the State shall not have any liability for, and agrees to protect, indemnify, and hold the State Units harmless from and against any and all liabilities, suits, actions, claims, demands, losses, expenses, and costs of every kind and nature incurred by, or asserted or imposed against MDP or the State as a result of or in connection with the Project. All monies expended by the State as a result of such liabilities, suits, actions, claims, demands, and costs incurred in enforcing the Agreement, including reasonable attorney's fees, together with interest at a rate not to exceed the maximum interest rate permitted by law, shall constitute an indebtedness of Grantee and shall be immediately and without notice due and payable by Grantee to MDP. This Section shall survive the term of this Agreement.

**13. Insurance.**

a. Grantee shall obtain general commercial liability, comprehensive public liability, workers' compensation, and other business insurance coverages useful or necessary to carry out the Project, as may be required by MDP, and in the form and amounts required by MDP. If requested by MDP, Grantee must submit evidence of such insurance to the Project Monitor.

b. Insurance coverages shall be provided by a company that is registered with the Maryland Insurance Agency and authorized to transact business in the State.

c. To the extent applicable, insurance coverage shall be in force prior to the Project Commencement Date and shall contain terms and coverages satisfactory to MDP. Upon request, Grantee shall name the State as an additional insured under the liability or other business insurance policies.

d. If Grantee is a local government, the insurance requirements contained herein may be satisfied through evidence of a self-insurance program satisfactory to MDP.

**14. Notices.**

All notices, requests, approvals, and consents of any kind made pursuant to this Agreement shall be in writing and may be made by electronic mail. Any such communication, unless otherwise specified, shall be deemed effective as of the date it is either mailed, postage prepaid, or e-mailed, addressed as follows:

a. Communications to MDP shall be sent to:

Maryland Historical Trust
100 Community Place
Crownsville MD 21032
Attn: Sabrina Roundtree, Assistant Grants Manager
(w) 410 697-9622
Email: sabrina.roundtree@maryland.gov

or to such other person as may be designated by MDP.

b. Communications to Grantee shall be mailed to:

Ms. Tracey Douglas
City Administrator, City of Hyattsville
4310 Gallatin Street
Hyattsville, MD 20781

or to such other person as may be designated by Grantee.

**15. Further Assurances and Corrective Instruments.** Grantee agrees that it will, from time to time, execute and deliver, or cause to be delivered, such amendments hereto and such further instruments as may be required by MDP to comply with any existing or future State regulations, directives, policies, procedures, and other requirements, or to further the general purposes of this Agreement.

16. **Amendment.** MDP must approve all changes to the Scope of Work, the Project Budget (except as provided in Section 4.a), the Project Timetable, or any other term of this Agreement. Except as provided in Section 1.d. of the Agreement, this Agreement or any part hereof, may be amended from time to time only by a written instrument executed by both of the parties.

17. **Assignment.** This Agreement may not be assigned without MDP's prior written approval.

18. **Severability.** The invalidity of any section, subsection, clause, or provision of this Agreement shall not affect the validity of the remaining sections, subsections, clauses, or provisions hereof.

19. **Entire Agreement.** This Agreement constitutes the entire agreement between the parties and supersedes all prior oral and written agreements between the parties hereto with respect to the Grant.

20. **Pre-Existing Regulations.** In accordance with the provisions of Section 11-206 of the State Finance and Procurement Article, Annotated Code of Maryland, the regulations set forth in Title 21 of the Code of Maryland Regulations (COMAR Title 21) in effect on the Effective Date of this Agreement are applicable to this Agreement.

21. **Governing Law.** This Agreement shall be construed, interpreted, and enforced in accordance with the laws of the State of Maryland (the "**State**").

22. **Costs.** Grantee shall bear all costs incident to the Grant including, without limitation, fees for permits. licenses, insurance, and Grantee's attorneys' fees, if any.

23. **Acceptance.** Grantee's acceptance of this Agreement shall constitute Grantee's unconditional agreement to comply with the terms and provisions herein, and shall be indicated by signing this Agreement in the place provided below and returning it to MDP to the attention of the Project Monitor.

24. **No Warranty or Representation.** All acts, including any failure to act, relating to the Project, by any agent, representative or designee of the State are performed solely for the benefit of the State to assure the proper expenditure of the Grant and are not for the benefit of any other person.

25. **Voluntary Termination.** MDP and Grantee shall have the right to terminate this Agreement for any reason upon thirty (30) days written notice to the other party. In the event of voluntary termination by MDP, Grantee's authority to request disbursements shall cease and Grantee shall have no right, title or interest in or to any of the Grant funds not yet disbursed to Grantee. At the time of termination, Grantee shall return to MDP any funds disbursed to Grantee but not yet expended by Grantee as authorized by this Agreement.

**WITNESS** the hands and seals of MDP and the Grantee, as of the Effective Date.

**ATTEST/WITNESS:**

_____
(Signature)

**CITY OF HYATTSVILLE**

By: _____(SEAL)
Name: _____
Title: _____

**WITNESS:**

_____
(Signature)

**MARYLAND DEPARTMENT OF PLANNING**

By: _____
Name: _____
Title: _____

_____
Date of Execution on behalf of MDP
(Effective Date)

Approved for form and legal sufficiency
this _____ day of _____, 20___

_____
Assistant Attorney General

Attachments:

| | |
|---|---|
| Exhibit A | Project Requirements |
| Attachment 1 | Assurance of Compliance |

**WITNESS** the hands and seals of MDP and the Grantee, as of the Effective Date.

**ATTEST/WITNESS:**

_____
(Signature)

**CITY OF HYATTSVILLE**

By: _____(SEAL)
Name: _____
Title: _____

**WITNESS:**

_____
(Signature)

**MARYLAND DEPARTMENT OF PLANNING**

By: _____
Name: _____
Title: _____

_____
Date of Execution on behalf of MDP
(Effective Date)

Approved for form and legal sufficiency
this _____ day of _____, 20___

_____
Assistant Attorney General

Attachments:

| | |
|---|---|
| Exhibit A | Project Requirements |
| Attachment 1 | Assurance of Compliance |

# EXHIBIT A

## PROJECT REQUIREMENTS

### SCOPE OF WORK

Grant funds provided under this Grant Agreement to Grantee shall be used exclusively for outreach efforts that focus on promoting and facilitating responses to the 2020 Census, including for: staff support; design and production of logo, printed materials, t-shirts, signage, and social media; advertising; postage; purchase of mobile devices; and Census promotional meetings and events including, as related to such meetings and events, supplies, refreshments, and give-aways.

### PROJECT TIMETABLE

| | |
|---|---|
| **1/1/2020** | **"PROJECT COMMENCEMENT DATE"** – Date on which eligible Grant funded work on the Project may commence with expectations of reimbursement pursuant to the terms of this Agreement. |
| **6/1/2020** | **"PROJECT COMPLETION DATE":** All work items detailed in **Exhibit A** completed. If applicable, Grantee must submit final Project Deliverables to Project Monitor for review and approval. All Project expenses to be reimbursed by Grant funds must be incurred. |
| **8/1/2020** | **"PROJECT COMPLETION REPORT DUE DATE"; FINAL DISBURSEMENT REQUEST; "TERMINATION DATE":** Grantee must submit to Project Monitor the Project Completion Report (as described in **Exhibit A - Reports**), including satisfactory Project Deliverables, if applicable, as well as all required financial documentation, with a completed Request for Final Disbursement. Failure to submit the Project Completion Report may result in the forfeiture and/or recapture of Grant funds. |

### DISBURSEMENT SCHEDULE

Provided that the Grantee is not in default under the Agreement, MDP shall disburse Grant funds on a reimbursement basis pursuant to Section 6 of the Agreement, upon approval by MDP of a complete Request for Disbursement submitted by email to the Project Monitor, or as otherwise directed by the Project Monitor. All Request for Disbursement forms shall be acceptable in form and content to MDP.

1. First Disbursement: 90% of the Grant will be disbursed to the Grantee in a timely manner after execution of this Agreement.

2. Final Disbursement: The remaining 10% of the Grant plus any undisbursed amount will be disbursed to the Grantee upon Grantee's submittal of:

   a. satisfactory Final Project Deliverables as may be required under the Agreement;

   b. a Project Completion Report satisfactory in form and content to MDP; and

   c. a completed Request for Final Disbursement that includes: (i) an accounting of total actual expenditures of the Grant funds to date; and (ii) any further information and documentation requested by MDP.

**REPORTS**

1. Either MDP or Grantee may request and hold joint meetings for the purpose of reviewing the progress and conduct of the Project.

2. Should the Grantee at any time determine that the Project will not meet established goals within the Project Timetable, the Grantee shall immediately forward a written report to or call for a special meeting with the Project Monitor to determine what actions need to be taken.

3. Grantee shall submit the Project Completion Report electronically to the Project Monitor, or as otherwise directed by the Project Monitor, by the Project Completion Report Due Date set forth in the Project Timetable. The Project Completion Report must be approved by MDP prior to the release of the Final Disbursement of Grant funds. The Project Completion Report is intended to provide a record and capsule summary of the programs and/or projects accomplished during the Grant term. Incomplete reports will be returned, and Grant funds withheld, until all requested corrections are made. The Project Completion Report shall contain the following information:

   a. One (1) copy of the Project Completion Report with all Project Deliverables, if applicable; and

   b. A Request for Final Disbursement in form acceptable to MDP with all required or requested information and documentation to support expenditures of all Grant funds and Grantee's Contribution.

# ATTACHMENT 1

## ASSURANCE OF COMPLIANCE WITH EEO, CIVIL RIGHTS, AND DRUG AND ALCOHOL-FREE WORKPLACE REQUIREMENTS

City of Hyattsville (hereinafter called "**Grantee**"), having its principal address at 4310 Gallatin Street, Hyattsville, MD 20781,

HEREBY AGREES THAT IT WILL COMPLY WITH:

A. Executive Order 11246, as amended; Title VI of the Civil Rights Act of 1964, as amended (78 Stat. 252; 42 U.S.C. §§2000d et seq.); Title V, Section 504 of the Rehabilitation Act of 1973, as amended (87 Stat. 394; 29 U.S.C. §794); the Age Discrimination Act of 1975 (89 Stat. 728; 42 U.S.C. §§6101 et seq.) (collectively, the "**Acts**"), to the end that, in accordance with the Acts, no person in the United States shall, on the grounds of race, color, sexual orientation, national origin, disabilities, religion, age or sex be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance. Section 504 of the Rehabilitation Act of 1973, as amended, requires that no qualified disabled individual is solely, by reason of disability, excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity receiving Federal financial assistance. Guidelines for the implementation of Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973, as amended shall be carried out in accordance with relevant Department of the Interior regulations published in 43 CFR 17 and the instructions specified in Chapter 10 of the Historic Preservation Fund Grants Manual.

B. Title VII of the Civil Rights Act of 1964, as amended, to the end that, in accordance with Title VII of that Act, it shall be an unlawful employment practice for an employer:

1. to fail or refuse to hire or to discharge any individual, or otherwise discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, sexual orientation, national origin, disabilities, religion, age or sex; or

2. to limit, segregate, or classify its employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee because of such individual's race, color, sexual orientation, national origin, disabilities, religion, age or sex;

C. Title VIII of the Civil Rights Act of 1968, as amended, to the end that, it is the policy of the United States to provide, within constitutional limitations, for fair housing throughout the United States;

D. State of Maryland Governor's Code of Fair Employment Practices, as amended.

E. Title 20 of the State Government Article of the Annotated Code of Maryland, as amended, which establishes the Commission on Civil Rights and prohibits discrimination in public accommodations, employment and residential housing practices;

F. State of Maryland Executive Order 01.01.1989.18 relating to drug-free and alcohol-free workplaces for non-State entities, promulgated November 28, 1989;

G. The State Policy on Equal Opportunity in receiving employment (Md. Code Ann., State Gov't Article § 20-602 (2014)), to the end that MDP shall not knowingly approve grants of financial or technical assistance to recipients who are engaged in discriminatory employment practices;

H. If the Grant is over $200,000 and for a construction project, any State of Maryland Minority Business Enterprise Program which establishes a program to provide opportunities for minority contractors and vendors to participate in this Program; and the minority business enterprise plan submitted by or on behalf of Grantee as approved by the Department of Planning's Equal Opportunity Officer;

I. To the extent applicable, with local, State and federal laws regarding accessibility, including the Architectural Barriers Act of 1968, as amended (42 U.S.C. 4151 et seq.), and Section 502 of the Rehabilitation Act of 1973 as amended, (29 U.S.C. 792)., (87 Stat. 394; 29 U.S.C. §794), which require that buildings designed, constructed, or altered with Federal assistance be made accessible to the physically disabled. These Acts also require that public conveyances procured with Federal assistance be readily accessible to, and usable by, physically disabled persons. Minimum accessibility standards for facilities are contained in "Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Disabled" published by the American National Standards Institute (41 CFR 101-19.6, Appendix A). As well, grantees may follow the standards contained in the Americans with Disabilities Act Accessibility Guidelines (28 CFR 36, Appendix A). These provisions are applicable to building or facilities owned or occupied by grantees/subgrantees which are intended to be accessible to the general public and which receive NMHA grant assistance (Refer to 36 CFR 1150, 1190, and the Historic Preservation Fund Grants Manual);

J. Federal Executive Order 11246 — Equal Employment Opportunity, which appear at 30 FR 12319, 12935, 3 CFR, 1964-1965 Comp., p.339, unless otherwise noted;

K. With all other State and federal laws and regulations prohibiting discrimination on the grounds of race, color, religion, ancestry or national origin, sex, age, marital status, sexual orientation, gender identity, or disability.

GRANTEE HEREBY GIVES ASSURANCE THAT it will immediately take any measures necessary to effectuate this agreement.

THIS ASSURANCE is given this ____ day of _____, 20__, in consideration of and for the purpose of obtaining, and shall continue for the period of, State financial or technical assistance extended after the date hereof to or on behalf of Grantee by MDP. Grantee recognizes and agrees that such State financial or technical assistance will be extended in reliance on the representations and agreements made in this Assurance. This Assurance is binding on Grantee, its successors, transferees, and assignees. Grantee further warrants that the person or persons whose signatures appear below are authorized to sign this Assurance on behalf of Grantee.

WITNESS:

_____
(Signature)

GRANTEE: CITY OF HYATTSVILLE

By:_____

Name:_____

Title:_____

GRANTEE HEREBY GIVES ASSURANCE THAT it will immediately take any measures necessary to effectuate this agreement.

THIS ASSURANCE is given this ____ day of _____, 20__, in consideration of and for the purpose of obtaining, and shall continue for the period of, State financial or technical assistance extended after the date hereof to or on behalf of Grantee by MDP. Grantee recognizes and agrees that such State financial or technical assistance will be extended in reliance on the representations and agreements made in this Assurance. This Assurance is binding on Grantee, its successors, transferees, and assignees. Grantee further warrants that the person or persons whose signatures appear below are authorized to sign this Assurance on behalf of Grantee.

WITNESS:

_____
(Signature)

GRANTEE: CITY OF HYATTSVILLE

By:_____

Name:_____

Title:_____

# FY2020 CENSUS GRANT: REQUEST FOR DISBURSEMENT

| GRANTEE - FEDERAL ID NUMBER (F.E.I.N.) | # DISBURSEMENTS RECEIVED TO DATE | AMOUNT REQUESTED THIS DISBURSEMENT | DATE OF DISBURSEMENT REQUEST |
|---|---|---|---|
| 52-6000797 | 0 | $17,100.00 | |

| NAME AND ADDRESS OF GRANTEE | NAME, E-MAIL, AND TELEPHONE NUMBER OF GRANTEE CONTACT |
|---|---|
| City of Hyattsville<br>4310 Gallatin Street<br>Hyattsville MD 20781 | Ms. Tracey Douglas<br>City Administrator, City of Hyattsville<br>tnicholsondouglas@hyattsville.org<br>301-985-5000 |

| | USE OF FUNDS (Provide a detailed list of your expenditures to date - add more lines as needed) | GRANT FUNDS EXPENDED TO DATE | GRANTEE REQUIRED CONTRIBUTION EXPENDED TO DATE* | | TOTAL EXPENDITURES |
|---|---|---|---|---|---|
| | | | CASH | IN-KIND | |
| 1 | | | | | |
| 2 | | | | | |
| 3 | | | | | |
| 4 | | | | | |
| 5 | | | | | |
| 6 | | | | | |
| 7 | | | | | |
| 8 | | | | | |
| | TOTAL: | $ | $ | $ | $ |

N/A - FOR FIRST DISBURSEMENT REQUEST - ONLY

*Grantee agrees to provide funding in an amount not less than the amount of the Grant.

## CERTIFICATION

I certify that this request for disbursement is made in accordance with the terms and conditions of the Grant Agreement with the Maryland Department of Planning, and the amount requested is correct. Furthermore, I certify that the representations, certifications, and other matters contained in the Grant Agreement dated _____ are and remain true and complete in all material respects as of the date of this request for disbursement.

Authorized Signature | Title | Date

| STATE USE ONLY | | | | | |
|---|---|---|---|---|---|
| | Date Received | Amount Approved | Payment Reviewed By | Payment Approved By | PCA Code |
| | | | | | CCN 03 |
| | | | Assistant Grants Manager, MHT | Fiscal Manager, MHT | |

# Hyattsville City Council Agenda Item Report

Meeting Date: February 18, 2020
Submitted by: Jim Chandler
Submitting Department: Community & Economic Development
Item Type: Planning & Development
Agenda Section:

**SUBJECT**
Magruder Pointe PPS-4-18001-: Correspondence to M-NCPPC Legal Counsel (10 minutes)

**HCC-210-FY20**

**Recommendation:**
I move the Mayor and Council authorize the City Attorney to prepare and submit a correspondence to the Maryland-National Capital Park & Planning Commission requesting a postponement of the applicant's public hearing and advising the Commission that until the Conceptual Site Plan (CSP) for both the upper and lower parcels, which is the subject of a petition for judicial review, is approved and certified, the applicant cannot proceed with a Preliminary Plan of Subdivision (PPS) for the Magruder Pointe development project.

**Sponsor(s):**
At the Request of the City Administrator

**Co-Sponsor(s):**

ATTACHMENTS

**Summary Background:**
The City of Hyattsville has filed for Judicial Review of the final decision and Order of the County Council of Prince George's County, Sitting as the District Council in the case of CSP-18002, Werrlein WSSC, LLC.

**Next Steps:**
No additional action is required.

**Fiscal Impact:**
N/A

**City Administrator Comments:**
Recommend approval.

**Community Engagement:**
N/A

**Strategic Goals:**
Goal 2 – Ensure the Long-Term Economic Viability of the City

**Legal Review Required?**
Complete

# Hyattsville City Council Agenda Item Report

Meeting Date: February 18, 2020
Submitted by: Jim Chandler
Submitting Department: Administration
Item Type: Planning & Development
Agenda Section:

**SUBJECT**
Magruder Pointe Development – Preliminary Plan of Subdivision 4-18001: Communication to the Chairman and Counsel (45 minutes)

**HCC-227-FY20**

**Recommendation:**
I move the Mayor and Council authorize the City Attorney to send correspondence to Maryland-National Capital Park & Planning Chairman Elizabeth Hewlett and legal counsel advising that the Conceptual Site Plan for the Magruder Pointe project includes the subject parcel within application PPS 4-18001 and that the entirety of the CSP is the subject of a petition for judicial review and requesting the public hearing be postponed until judicial review has concluded.

**Sponsor(s):**
At the Request of the City Administrator

**Co-Sponsor(s):**
N/A

ATTACHMENTS

**Summary Background:**
Conceptual Site Plan 18002, the parent case for PPS 4-18001, is the subject of judicial review and may require additional review or a new CSP application.

**Next Steps:**
No additional action is required.

**Fiscal Impact:**
N/A

**City Administrator Comments:**
For discussion

**Community Engagement:**
N/A

**Strategic Goals:**
Goal 1 – Ensure Transparent and Accessible Governance

**Legal Review Required?**
Complete

# Hyattsville City Council Agenda Item Report

Meeting Date: February 18, 2020
Submitted by: Jim Chandler
Submitting Department: Community & Economic Development
Item Type: Planning & Development
Agenda Section:

**SUBJECT**
5600 Ager Road: Amendment to the West Hyattsville TDDP Table of Uses: CSP-19009-001 and DSP-19053-001 (15 minutes)

**HCC-212-FY20**

**Recommendation:**
I move the City Council authorize the Mayor to send correspondence to the Maryland-National Capital Park & Planning Commission regarding CSP-19009-001 and DSP-19053-001, a request to amend the West Hyattsville TDDP Table of Uses: CSP-19009-001 and DSP-19053-001. The correspondence shall state the City's concerns regarding the long-term use and its alignment with the City's Sustainability Plan, transit-oriented development and West Hyattsville Transit District Development Plan. The correspondence shall also request that the Planning Board limit the permitted uses of the site to the following:

1. Eating or drinking establishment without drive-thru uses;
2. Food or beverage goods preparation on the premises of a food and beverage store;
3. Barber/hair salon and beauty shop;
4. Hardware store, clothing, dry goods;
5. Banks, savings and loan association or other savings and lending institutions;
6. Offices;
7. Pet grooming shop;

A use of 'Repair shop' shall be limited to small electronics and/or appliances ans shall be limited to approval through a 'Special Permit'.

**Sponsor(s):**
At the Request of the City Administrator

**Co-Sponsor(s):**
N/A

ATTACHMENTS

Memo - DSP-19053 - 5600 Ager Road.docx

A-SOJ-CSP-19009.pdf

CSP-19009-001.pdf

DSP-19053-001.pdf

**Summary Background:**
The subject property, 5600 Ager Road, is approximately 0.319 acres, located 900 feet northeast of the West Hyattsville Metro Station, and is zoned M-X-T (Mixed-Use Transportation-Oriented).

At this time, the applicant, Urban Investment Partners, dba Hyattsville West One, LLC, is not proposing to redevelop the site, but will reuse the existing vacant commercial building and site.

The applicant is proposing to amend the Table of Uses contained in the 2006 Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment for the West Hyattsville Transit District Overlay Zone (TDDP) in order to permit a wider array of commercial uses in the existing building.

Land-use cases where a 'non-compliant' or 'non-conforming' use is requested are referred through Detailed Site Plan (DSP) applications to the Planning Board in cases when (1) the applicant cannot adequately establish continuous use or does not fully cover daily operations during non-conformance period without lapse of more than 180 consecutive calendar days. In this case, the property has been vacant for a period of at least five (5) years and the applicant is not challenging, or disputing, the non-conformance period.

**Next Steps:**
No additional action is required.

**Fiscal Impact:**
N/A

**City Administrator Comments:**
The M-NCPPC referral date for the subject application is February 24, 2020. Any action taken on the application at the February 18, 2020 City Council meeting will be communicated to Park and Planning before this date.

**Community Engagement:**
The M-NCPPC Planning Board is scheduled to conduct a public hearing on Thursday, March 26, 2020 to consider these applications.

**Strategic Goals:**
Goal 2 – Ensure the Long-Term Economic Viability of the City

**Legal Review Required?**
N/A

City of Hyattsville

# Memo

To: Mayor and City Council

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

Date: February 12, 2020

Re: 5600 Ager Road – Conceptual Site Plan (CSP-19009) & Detailed Site Plan (DSP-19050)

Attachments: A-SOJ-CSP-19009
CSP-19009-001
DSP-19053-001

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The purpose of this memorandum is to provide the City Council a summary of the conceptual site plan (CSP) and detailed site plan (DSP) application for 5600 Ager Road and provide City Staff recommendations.

Project Summary

- The subject property, 5600 Ager Road, is approximately 0.319 acres, located 900 feet northeast of the West Hyattsville Metro Station, and is zoned M-X-T (Mixed-Use Transportation-Oriented).
- At this time, the applicant, Urban Investment Partners, dba Hyattsville West One, LLC, is not proposing to redevelop the site, but will reuse the existing vacant commercial building and site.
- The applicant is proposing to amend the Table of Uses contained in the *2006 Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment for the West Hyattsville Transit District Overlay Zone* (TDDP) in order to permit a wider array of commercial uses in the existing building.

Project Details

The subject property, 5600 Ager Road, is located on the west side of Ager Road and is generally surrounded by undeveloped green space. The property currently contains a 1,134 square foot vacant building and associated surface parking.

The southern border of the property abuts the bus drop-off/pick-up location for the West Hyattsville Metro Station and is approximately 900 feet northeast of the West Hyattsville Metro Station. The West Hyattsville TDDP permits subject property to proceed by-right with construction of a Townhouse 2-4

stories, per the Preferred Land Use Category. The abutting property to the north will be the site of the Riverfront at West Hyattsville Metro development, which is proposed to include single-family attached units, multifamily residential development, and commercial space.

The CSP and DSP do not propose any changes to the subject property. The applicant is requesting an amendment to the Table of Uses to allow for a wider array of use options that could be implemented into a future development proposal. The applicant argues that the amendment to the Table of Uses will accommodate more commercial opportunities and reactivate the subject property.

Land-use cases where a 'non-compliant' or 'non-conforming' use is requested are referred through Detailed Site Plan (DSP) applications to the Planning Board in cases when (1) the applicant cannot adequately establish continuous use or does not fully cover daily operations during non-conformance period without lapse of more than 180 consecutive calendar days. In this case, the property has been vacant for a period of at least five (5) years and the applicant is not challenging, or disputing, the non-conformance period.

Proposed Amendment to Table of Uses

The applicant is requesting an amendment to the TDDP Table of Uses to permit the following uses on the subject property:

1. Eating or drinking establishment;
2. Food or beverage goods preparation on the premises of a food and beverage store;
3. Barber/hair salon and beauty shop;
4. Hardware store, clothing, dry goods;
5. Banks, savings and loan association or other savings and lending institutions;
6. Car and/or truck rental;
7. Car sales;
8. Offices;
9. Pet grooming shop;
10. Repair shop.

Planning Committee

Due to the timing of the application, this item was not referred to the Planning Committee in advance of the City Council's discussion of this item.

Recommendations

As the property is within walking distance of the West Hyattsville Metro Station, City Staff recommends only pedestrian-oriented and transit-supportive uses be permitted at the subject property.

Staff recommends the City Council raise specific concerns regarding uses that do not support walkability or transit-oriented goals, specifically:

- Use #1: *Eating or drinking establishment* shall explicitly exclude drive-thru use.
- Use #6: *Car and/or truck rental*
- Use #7: *Car sales*.

Staff furthermore requests the use of 'Repair Shop' be limited to small electronics and appliances and to be granted approval through 'Special Permit'.

This application was reviewed by the M-NCPPC Subdivision and Development Review Committee on February 7, 2020. Issues identified at SDRC were specific to compatibility with transit-oriented uses.

Next Steps

The M-NCPPC referral date for the subject application is February 24, 2020. Any action taken on the application at the February 18, 2020 City Council meeting will be communicated to Park and Planning before this date.

## I. INTRODUCTION

Hyattsville West One, LLC (hereinafter the "**Applicant**") by and through its attorneys, Lerch, Early, and Brewer, Chartered, submits this Conceptual Site Plan (hereinafter the "**CSP**") and Detailed Site Plan (hereinafter the "**DSP**") Justification Statement (hereinafter the "**Statement**") to demonstrate that amending the Table of Uses of the July 2006 *Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment for the West Hyattsville Transit District Overlay Zone* (hereinafter the "**TDDP**") on the subject property is in compliance with the applicable provisions of Subtitle 27 of the Prince George's County Code (hereinafter the "**Zoning Ordinance**"), the TDDP, and other applicable review requirements and criteria. The subject property consists of approximately 0.319 acres located at 5600 Ager Road, Hyattsville Maryland 20782 (hereinafter the "**Property**"). The Property is currently in the M-X-T/T-D-O zone and is subject to the recommendations of the TDDP.

As described in detail herein and reflected on the CSP and DSP, the Applicant proposes to amend the Table of Uses contained in the TDDP in order to permit a wider array of commercial uses in the existing building. At this time, the Applicant is not proposing to redevelop the site; the Applicant merely wishes to use the existing structure in a commercial capacity. Accordingly, the Applicant respectfully requests District Council approval of the subject CSP and DSP.

## II. PROPERTY DATA

| | |
|---|---|
| *Location:* | 5600 Ager Road, Hyattsville, Maryland 20782. |
| *Tax Map #:* | 41-E4. |
| *Frontage:* | Ager Road.<br>Jamestown Road.[1] |

[1] According to pgatlas.com, an extension of Jamestown Road has been dedicated for public use, but it has not yet been constructed.

| | |
|---|---|
| *Election District:* | 17. |
| *Legislative District:* | 47A. |
| *Councilmanic District:* | 2. |
| *Acreage:* | ± 0.319 acres. |
| *Zoning:* | M-X-T/T-D-O. |
| *Subdivision:* | Maryland City Centre. |
| *Existing Water Company:* | W-3. |
| *Existing Sewer Company:* | S-3. |
| *Historic:* | N/A. |
| *Master Plan:* | 2006 Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment for the West Hyattsville Transit District Overlay Zone. |
| *General Plan:* | Plan Prince George's 2035. |

## III. EXISTING CONDITIONS AND SURROUNDING AREA

The Property is currently improved with a ±1,134 square foot building and associated surface parking. Temporary clothing donation bins are also provided at the perimeter of the site. The Property is located along the west side of Ager Road and is generally surrounded by undeveloped green area that is also zoned M-X-T/T-D-O.[2] The southern frontage of the Property currently abuts the bus drop off/pick-up location for the West Hyattsville Metro Station, however this is subject to change

[2] This green area abutting the Property to the west and to the north is the site of the West Hyattsville Commons/Riverfront at West Hyattsville Metro project (CSP-05006/DSP 16029, PPS-15020), which has yet to be constructed.

if/when the planned extension of Jamestown Road is constructed.[3] The properties that confront the Property to the east across Ager Road are zoned R-T (Townhouse). The Property is in close proximity to the West Hyattsville Metro Station, which is approximately 900 feet to the southwest.

## IV. 2006 APPROVED TRANSIT DISTRICT DEVELOPMENT PLAN AND TRANSIT DISTRICT OVERLAY ZONING MAP AMENDMENT FOR THE WEST HYATTSIVLLE TRANSIT DISTRICT ZONE

The Property is within the area covered by the TDDP – the guiding planning document that supplements and/or modifies the development regulations associated with the underlying M-X-T Zone. The TDDP provides various goals and objectives to achieve transit-oriented development within the West Hyattsville Transit District Overlay Zone (the "TDOZ"). The TDDP is organized into three neighborhood character areas: (1) Hamilton Square, (2) North Park, and (3) Queenstown. The Property is located within the Hamilton Square neighborhood, which is envisioned as "the most active of the three neighborhoods." Centrally located within the TDDP area, it will contain the most diverse development mix – several types of residential units, office space, and stores." (*See* TDDP, pg. 10). The TDDP places the Property in the Townhouse: 2-4 stories Preferred Land Use Category.

The applicability section of the TDDP states that all new development must comply with the TDDP standards in the site plan review process. Since the subject CSP and DSP propose no new development, they are not required to meet the TDDP standards at this time. In regards to conformance with the TDDP, the Applicant offers the analysis contained in Section VI.A.i.2.A of this Statement.

## V. PROPOSED AMENDMENT TO TABLE OF USES

The Applicant has reviewed the list of commercial uses permitted on the Property pursuant to the TDDP. The list of permitted uses is exceptionally narrow,

[3] *Supra,* Fn. 1

especially with respect to retail uses.[4] In order to use the existing structure on the Property for a substantial commercial purpose, the list of permitted uses outlined in the Table of Uses needs to be amended. (*See* TDDP, pgs. 41-47). A list of potential uses that the Applicant would like to be permitted on the Property include:

- Eating or drinking establishment;
- Food or beverage goods preparation on the premises of a food and beverage store;
- Barber/hair salon and beauty shop;
- Hardware store, clothing, dry goods;
- Banks, savings and loan association or other savings and lending institution;
- Car and/or truck rental;
- Car sales;
- Offices;
- Pet grooming shop;
- Repair shop;

The Applicant seeks to amend the TDDP Table of Uses to permit the above referenced uses (collectively referred to as "**Proposed Uses**") on the Property.

## VI. ANALYSIS

### A. Zoning Ordinance Conformance

The purpose of the subject CSP and DSP applications is to amend the Table of Uses contained in the TDDP. Pursuant to the applicable provisions of the Zoning Ordinance, the Applicant offers the following analysis:

#### i. Sec. 27-547(d) – Uses permitted.

> *(d) At least two (2) of the following three (3) categories shall be included on the Conceptual Site Plan and ultimately present in every development in the M-X-T Zone. In a Transit District Overlay Zone, a Conceptual Site Plan may include only one of the following categories, provided that, in conjunction with an existing use on abutting property in the M-X-T Zone, the requirement for*

[4] The only Retail/Commercial use type currently permitted on the Property is: "Seasonal decorations and sales as a temporary use, in accordance with Sections 27-260 and 27-261." (*See* Master Plan, pgs. 42-43).

*two (2) out of the three (3) categories is fulfilled. The Site Plan shall show the location of the existing use and the way that it will be integrated in terms of access and design with the proposed development. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purposes of the zone:*

*(1) Retail businesses;*
*(2) Office, research, or industrial uses;*
*(3) Dwellings, hotel, or motel.*

Comment: The subject CSP/DSP application requests to amend the Table of Uses in the TDDP. While the Property is zoned M-X-T/T-D-O, the Applicant is not proposing any "development" that would implicate the purposes of this provision. Notably, the Zoning Ordinance defines "development" as "any activity that materially affects the condition or use of dry land, land under water, or any structure." (*See* Section 27-107(a)(66.1)). The requested amendment to the TDDP Table of Uses does not "materially" affect the condition or use of the Property. The Applicant's request is merely a prospective change; it amends the Table of Uses to allow a wider array of use options – *i.e.*, commercial opportunities – that could implemented into a future development proposal.

The Proposed Uses are also consistent with the vision outlined in the TDDP. (*See* TDDP, Chapter 3, titled "Vision: TOD in the West Hyattsville TDOZ). Hamilton Square is to be "the most active" of the three neighborhoods and "will contain the most diverse development mix." (pg. 10). When considering other pending residential development in the surrounding area, the Proposed Uses are appropriate. If the Property is ever redeveloped, the Applicant desires an opportunity to implement a market-responsive commercial use that helps to achieve the "diverse development mix" desired for the Hamilton Square neighborhood.

Furthermore, while the Applicant's proposed amendment may involve only one of the three categories listed under this provision (*i.e.,* retail businesses), the abutting

property to the north will be the site Riverfront at West Hyattsville Metro development – a mixed-use development that will provide single-family attached and multifamily residential, and 10,000 square feet of gross floor area for commercial development.[5] Thus, the purposes of the M-X-T/T-D-O zone, and specifically this provision, will inevitably be fulfilled.

ii. **Sec. 27-548.09.01(b) – Amendment of Approved Transit District Overlay Zone.**

> *(1) A property owner may ask the District Council, but not the Planning Board, to change the boundaries of the T-D-O Zone, a property's underlying zone, the list of allowed uses, building height restrictions, or parking standards in the Transit District Development Plan. The Planning Board may amend parking provisions concerning the dimensions, layout, or design of parking spaces or parking lots.*

Comment: The Applicant respectfully requests that the District Council approve this CSP and DSP application to change the list of allowed uses on the Property.

> *(2) The owner's application shall include:*
>
> *(A) A statement showing that the proposed development conforms with the purposes and recommendations for the Transit District, as stated in the Transit District Development Plan; and*

Comment: The CSP and DSP substantially conform with the objectives of the West Hyattsville TDDP. The goal of the TDDP is to provide a clear and predictable path for transit-oriented development (TOD)[6] within the TDOZ by:

- *Locating homes, jobs, and shopping closer to transit services;*

---

[5] *Supra,* Fn. 2.

[6] The *Plan Prince George's 2035 Approved General Plan* describes TOD as walkable, transit-rich mixed-use communities that provide alternatives to owning a car. (pg. 148).

Sub-Comment: The Property is located within 1,000 feet of the West Hyattsville Metro Station. Amending the Table of Uses to accommodate more commercial opportunities will offer residents and visitors of the West Hyattsville community increased access to retail choices, create more job opportunities, stimulate economic activity, and encourage additional commercial and residential development within close proximity to the metro.

- *Locating the mix of critical land uses (living/working/shopping) in closer proximity to one another; and*

Sub-Comment: This CSP and DSP do not propose any changes to the Property; the sole purpose is to amend the Table of Uses contained in the TDDP. As mentioned above, the requested amendment will allow the Property to support a broader range of commercial uses. This will result in a better mix of retail choices within Hamilton Square, which is intended to be the "most active" of the three West Hyattsville neighborhoods. Unlocking the commercial potential of the Property may facilitate additional mixed-use projects in close proximity to the Metro station.

- *Establish land use/transit linkages that make it easier to use transit (rail and bus).*

Sub-Comment: As stated above, the Property is in close proximity to the West Hyattsville Metro Station, which makes it easily accessible from the trains and buses en route to and from the metro station.

Additionally, as stated on Page 4 of the TDDP, "the main purpose of [the TDDP] is to maximize the public benefits from the West Hyattsville Metro Station. The [TDDP] sets out primary goals emphasizing the neighborhood, environment, transportation, and low-impact development (LID):

- *Promote TOD near the Metro Station and create a sense of place consistent with the neighborhood character areas.*

Sub-Comment: Amending the Table of Uses to broaden the spectrum of commercial opportunities on the Property will stimulate activity and create a stronger sense of place that is consistent with the TDDP's vision for the Hamilton Square neighborhood character area. Unlocking the Property's commercial potential will help Hamilton Square become the "most active of the three [TDDP] neighborhoods."

- *Ensure that all new development or redevelopment in the transit district is pedestrian-oriented.*

Sub-Comment: At this time, the Applicant is not proposing any new development or redevelopment to the Property.

- *Restore, protect, and enhance the environment by protecting environmentally sensitive areas, minimizing impacts of development, and expanding recreational opportunities and trail and bikeway connections.*

Sub-Comment: The Applicant is not proposing any new development or redevelopment that would cause any adverse environmental impacts. The site is already developed with an existing structure.

- *Maximize residential development opportunities within walking distance of the Metro Station.*

Sub-Comment: Allowing more commercial opportunities on the subject Property will enhance the viability and attractiveness of the surrounding area, which could in turn attract developers to pursue more residential opportunities on surrounding sites that are within ¼ mile of the Metro Station. New commercial uses have the potential to incentivize complementary residential development and ultimately transform this area of West Hyattsville into a self-sufficient, transit-oriented community.

Furthermore, the specific purposes of the TDOZ are outlined under Section 27-548.03 of the Zoning Ordinance. The Applicant believes that amending Tables of Uses under the TDDP complies with these purposes as follows:

- *No. 1 – To enhance the development opportunities in the vicinity of transit stations;*

Sub-Comment: Permitting the Proposed Uses on the Property will enhance development opportunities in the vicinity of the West Hyattsville Metro Station. New commercial uses will activate the surrounding transit-oriented area and incentivize complementary development that does not currently exist.

- *No. 2 – To promote the use of transit facilities;*

Sub-Comment: The Property is located within 1,000 feet of the West Hyattsville Station. Furthermore, the site is located between major Maryland and Washington D.C. employment centers and which are accessible via the Metro transit system (e.g., College Park and Farragut North). Broadening the scope of commercial uses allowed on the Property, which is within such a short distance of this Metro station, will promote use of the transit system by residents and future patrons.

- *No. 3 – To increase the return on investment in a transit system and improve local tax revenues;*

Sub-Comment: Amending the Table of Uses will increase commercial opportunities and incentivize investment activity around the West Hyattsville Metro Station. The Applicant's Proposed Uses, such as an eating or drinking establishment, will help generate greater tax revenues for Prince George's County.

- *No. 4 – To create a process which coordinates public policy decisions, supports regional and local growth and development strategies;*

Sub-Comment: The Applicant's proposed amendment to the Table of Uses requires approval from the District Council. This process coordinate public policy decisions with the local growth and development strategies outlined in the TDDP.

- *No. 5 – To create a process which overcomes deficiencies in ordinary planning processes and removes obstacles not addressed in those processes;*

Sub-Comment: The TDOZ allows flexibility in the development process through the use of amendments to the TDDP. In this case, amending the Table of Uses under the TDDP through the CSP or DSP process will overcome deficiencies in the M-X-T/T-D-O Zone that severely restrict the uses permitted on the Property.

- *No. 6 – To minimize the costs of extending or expanding public services and facilities, by encouraging appropriate development in the vicinity of transit stations;*

Sub-Comment: Increasing the variety of commercial uses within close proximity to the West Hyattsville Metro Station gives residents (and West Hyattsville community visitors) the opportunity to patronize an accessible location and will lessen the commute to other retail establishments located further away. This change will not increase the cost of public services.

- *No. 7 – To provide mechanisms to assist in financing public and private costs associated with development;*

Sub-Comment: This purpose is not applicable; public financing is not proposed as part of this application.

- *No. 8 – To provide for convenient and efficient pedestrian and vehicular access to Metro Stations;*

Sub-Comment: Given that there is no development proposed with this CSP/DSP application, there will be no impact on pedestrian and vehicular access to the West Hyattsville Metro Station.

- *No. 9 – To attract an appropriate mix of land uses;*

Sub-Comment: The Applicant is proposing to amend the Table of Uses under the TDDP to grant more opportunities to the customer base of the West Hyattsville community. The underlying purpose of this CSP/DSP application is to broaden the Table of Uses, not only to provide greater commercial flexibility on the Property, but to incentivize future TOD.

- *No. 10 – To encourage uses which complement and enhance the character of the area;*

Sub-Comment: The vision statement of the TDDP, page 7, encourages "high quality, compact development that will create the economic base of new ships and stores that will enhance the quality of life for everyone in Hyattsville and its immediate neighbors." The existing Table of Uses places the subject Property at a competitive disadvantage. It restricts many common, yet essential commercial options for the community, such as eating or drinking establishments, clothing stores, or banks. The Proposed Uses aim to maximize the Property's transit-oriented location and attract a more diverse group of retail tenants that will enliven the Hamilton Square neighborhood character area, until broader redevelopment purposes are considered.

- *No. 11 – To insure* [sic.] *that developments within the Transit District possess a desirable urban design relationship with one another, the Metro Station, and adjoining areas; and*

Sub-Comment: The Applicant is not proposing any new development at this time. Amending the Table of Uses contained in the TDDP will allow a greater mix of uses on the Property. Allowing more commercial

opportunities to the Townhouses: 2-4 stories category will facilitate a relationship that, pursuant to the Preferred Land Use Plan of the TDDP, page 14, is compatible with the other categories that are within 1,000 feet of the metro station.

- *No. 12 – To provide flexibility in the design and layout of buildings and structures, and to promote a coordinated and integrated development scheme.*

Sub-Comment: This specific purpose is not applicable, as no new development is proposed with the subject CSP and DSP.

*(B) A Detailed Site Plan or Conceptual Site Plan, in accordance with Part 3, Division 9.*

Comment: The Applicant is submitting a CSP and DSP in accordance with part 3, Division 9.

*(3) Filing and review of the application shall follow the site plan review procedures in Part 3, Division 9, except as modified in this Section. The Technical Staff shall review and submit a report on the application. When an amendment application proposes to enlarge the boundaries of the Transit District Overlay Zone by five (5) or more acres, the Technical Staff shall also provide an Adequate Public Facilities report as defined in Subtitle 24 of the County Code as part of the development review process for proposed development of the subject property. The Planning Board shall hold a public hearing and submit a recommendation to the District Council. Before final action the Council may remand the application to the Planning Board for review of specific issues.*

Comment: The Applicant is filing all necessary materials to facilitate the proper review of the subject CSP and DSP applications.

*(4) An application may be amended at any time. A request to amend an application shall be filed and reviewed in accordance with Section 27-145.*

Comment: In the event that it is necessary for the Applicant to amend the subject CSP/DSP application, the Applicant will submitted the request in accordance with Section 27-145.

> *(5) The District Council may approve, approve with conditions, or disapprove any amendment requested by a property owner under this Section. In approving an application and site plan, the District Council shall find that the proposed development conforms with the purposes and recommendations for the Transit Development District, as stated in the Transit District Development Plan, and meets applicable site plan requirements.*

Comment: The Applicant respectfully requests that the District Council approve the proposed amendment to the Table of Uses under the TDDP. Additionally, as discussed in great detail above, the Applicant has provided information to permit the District Council to find that the proposed amendment conforms with the purposes and recommendations for the TDOZ, as stated in the TDDP.

> *(6) If a Conceptual Site Plan is approved with an application, the owner may not obtain permits without an approved Detailed Site Plan.*

Comment: In accordance with this provision, the Applicant is submitting a DSP for approval.

**iii. Sec. 27-546(d) – Site Plans.**

> *(1) The proposed development is in conformance with the purposes and other provisions of this Division;*

Comment: There is no development proposed with the subject CSP or DSP applications, as the proposed changes to the Table of Uses will only permit increased commercial uses on the Property. All Proposed Uses for which approval is recommended would be consistent with the purposes and other provisions of Division 2, Part 10 (Mixed Use Zones) of the Zoning Ordinance.

*(2) For property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, the proposed development is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;*

Comment: This provision is not applicable; the Property was zoned MXT before October 1, 2006.

*(3) The proposed development has an outward orientation which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;*

Comment: There is no development proposed with the subject CSP or DSP, as the proposed changes to the Table of Uses will only permit increased commercial uses on the Property.

*(4) The proposed development is compatible with existing and proposed development in the vicinity;*

Comment: There is no development proposed with the subject CSP/DSP application. Additionally, the Property is currently improved with an existing building. This provision is therefore not applicable.

*(5) The mix of uses, arrangement and design of buildings and other improvements, and provision of public amenities reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability;*

Comment: The mix of uses within the ¼ radius of the West Hyattsville Metro Station (*See* TDDP, Map 14, pg. 36) will be enhanced by expanding the commercial uses permitted on the Property, and better enable the West Hyattsville community to sustain an independent environment of continuing quality and sustainability. By unlocking the commercial potential of the Property, other retail tenants that otherwise might not be interested will consider the metro station area as a viable

opportunity. The proposed amendment is consistent with the intentions of TOD, as defined in the General Plan[7], and the objectives of the TDDP.

> *(6) If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases;*

Comment: This provision is not applicable to this CSP/DSP application. No additional development is proposed at this time, and therefore no proposed staging.

> *(7) The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development;*

Comment: The Property is located within 1,000 feet of the West Hyattsville Metro Station. Accordingly, the potential for a well-integrated pedestrian system is a realistic possibility, from which the Proposed Uses can capitalize.

> *(8) On the Detailed Site Plan, in areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other amenities, such as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial); and*

Comment: This provision is not applicable to the subject CSP/DSP application. The Applicant is requesting an amendment to the Table of Uses under the TDDP. There is no development or redevelopment proposed at this time; and as such there are no areas proposed for pedestrian activities or gathering places.

> *(9) On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current*

[7] *Supra,* Fn. 4.

*State Consolidated Transportation Program, will be provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club), or are incorporated in an approved public facilities financing and implementation program, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.*

Comment: The subject CSP does not propose any new development on the subject Property and therefore, presents no new transportation demands or requirements. This provision is therefore not applicable to this application.

*(10) On the Detailed Site Plan, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last, the development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or to be provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club).*

Comment: This provision is not applicable. The Applicant is not proposing new development that would require additional public facilities.

*(11) On a property or parcel zoned E-I-A or M-X-T and containing a minimum of two hundred fifty (250) acres, a Mixed-Use Planned Community including a combination of residential, employment, commercial and institutional uses may be approved in accordance with the provisions set forth in this Section and Section 27-548.*

Comment: This provision is not applicable. The Property contains less than 250 acres.

iv. **Sec. 27-274 – Design Guidelines.**

*(a) The Conceptual Site Plan shall be designed in accordance with the following guidelines:*

*(1)* . . .

***

Comment: This provision is not applicable to the subject CSP/DSP application that seeks to amend the Table of Uses in the TDDP. As discussed above in Section VI.A.i of this Statement, the Applicant is not pursuing a development (as defined by the Zoning Ordinance) of the Property at this time. Accordingly, the CSP Design Guidelines under Section 27-274 are not implicated and do not need to be considered for purposes of this application.

v. **Sec. 27-276(b) – Required Findings for Conceptual Site Plans.**

Given the limited nature of this CSP/DSP application and the fact that no development of the Property is proposed, an analysis of each provision under Sec. 27-276(b) of the Zoning Ordinance is not necessary. As required by Sec. 27-276(b)(1) of the Zoning Ordinance, the CSP will, if approved in accordance with proposed conditions and limitations on proposed uses, represent a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. All other findings required for CSP approval are not applicable or relevant to this application that requests an amendment to the Table of Uses.[8]

vi. **Sec. 27-285(b) – Required Findings for Detailed Site Plans**

[8] The regulated environmental features on the subject Property will not be impacted by this CSP/DSP application.

Given the limited nature of this CSP/DSP application and the fact that no development of the Property is proposed, an analysis of each provision under Sec. 27-285(b) of the Zoning Ordinance is not necessary. As required by Sec. 27-285(b)(1) of the Zoning Ordinance, the DSP will, if approved in accordance with proposed conditions and limitations on proposed uses, represent a reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. All other findings required for DSP approval are not applicable or relevant to this application that requests an amendment to the Table of Uses.

## VII. CONCLUSION

The Applicant respectfully requests that the Planning Board recommend approval of this CSP/DSP application to amend the Table of Uses. The Proposed Uses are consistent with existing development in the area, and align with the purposes and recommendations outlined in the TDDP. At this time, the Applicant is not proposing a redevelopment of the Property; the Applicant only seeks District Council approval to permit the Proposed Uses in the existing commercial structure. The above analysis and submitted plans establish that the subject applications satisfy the required findings under the Zoning Ordinance and all other applicable criteria.

Respectfully submitted,

Lerch, Early & Brewer, Chtd.

By: _____

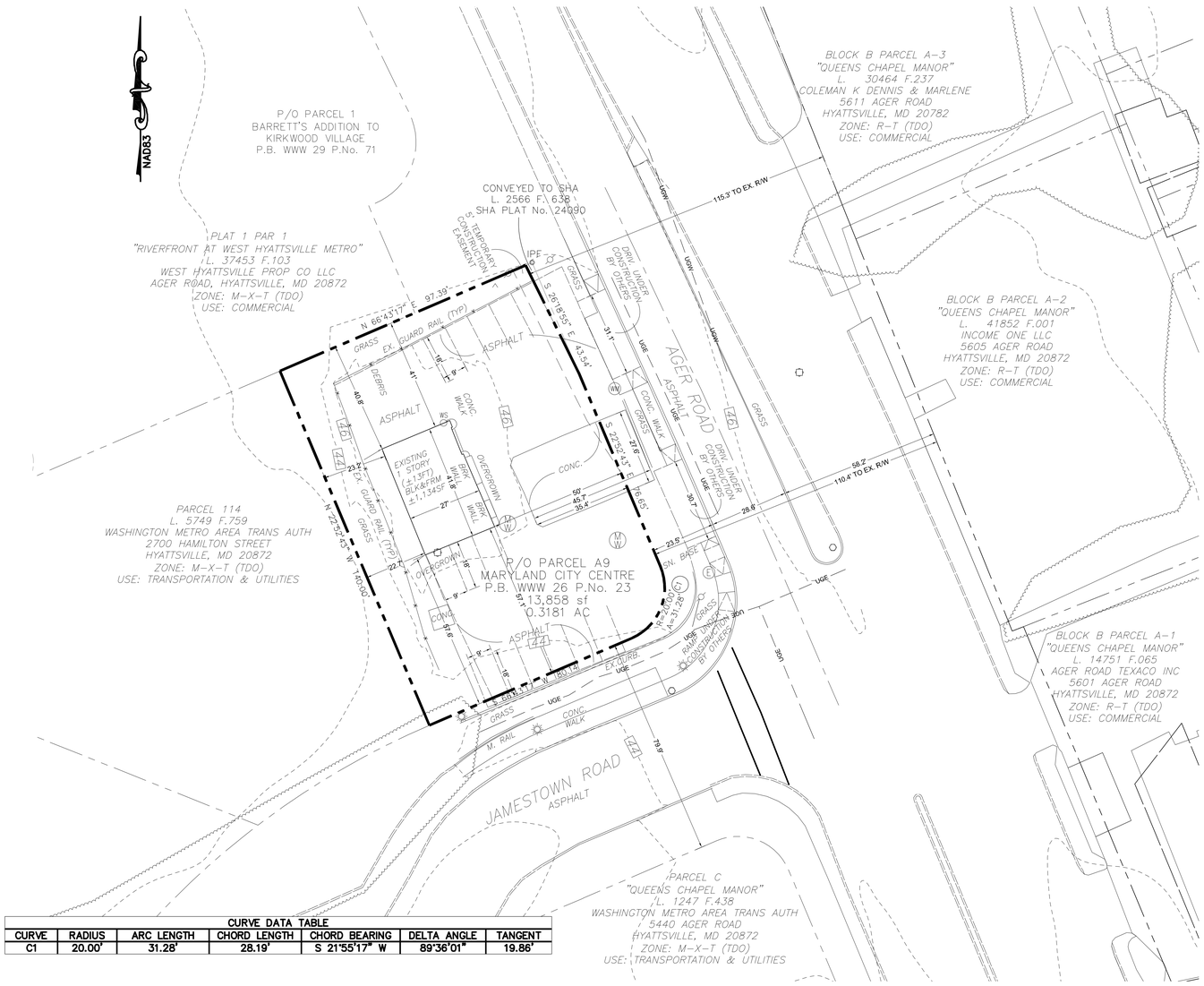
Christopher L. Hatcher, Esq.
Christopher S. Cohen, Esq.
7600 Wisconsin Avenue, Suite 700
Bethesda, Maryland 20841
(301) 986-1300
Attorneys for Applicant

# 5600 AGER ROAD

## CONCEPTUAL SITE PLAN - 19009

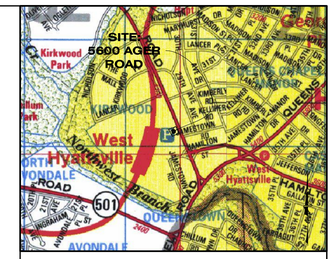
### LEGEND

- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- EXISTING BOUNDARY
- EXISTING ADJACENT PROPERTY
- EXISTING BUILDING
- EXISTING INTERIOR PROPERTY LINES
- EXISTING TREE LINE
- EXISTING HEDGEROW
- EXISTING STORM DRAIN
- EXISTING CURB
- EXISTING EDGE OF PAVEMENT
- EXISTING SIDEWALK
- EXISTING GAS LINE
- EXISTING OVERHEAD UTILITY
- EXISTING UNDERGR. TELE.
- EXISTING SIGNIFICANT TREES >24" DBH
- EXISTING SPECIMEN TREES
- EXISTING STEEP SLOPES (15% OR GREATER)
- EXISTING WATER
- EXISTING SANITARY SEWER
- EXISTING SANITARY SEWER EASEMENT
- EXISTING WATER EASEMENT
- OH ROOF/BUILDING OVERHANG
- PROPERTY CORNER SYMBOL
- GMP GAS MARKER POST
- COMMUNICATIONS HANDHOLE
- FHH
- WV WATER VALVE
- WM WATER METER
- WATER MANHOLE
- FIRE HYDRANT
- GAS METER
- GAS MANHOLE
- GAS VALVE
- TELEPHONE JUNCTION BOX
- STORM DRAIN MANHOLE
- POWER POLE
- GUY WIRE
- ELECTRIC MANHOLE
- ELECTRIC TRANSFORMER
- SANITARY MANHOLE
- TELEPHONE MANHOLE OR PEDESTAL
- BOLLARD
- CLEANOUT
- INLET STORM INLET GRATE
- BRL BUILDING RESTRICTION LINE
- IRV IRRIGATION CONTROL
- LIGHT POLE
- TRAFFIC SIGN




| CURVE DATA TABLE | | | | | | |
|---|---|---|---|---|---|---|
| CURVE | RADIUS | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE | TANGENT |
| C1 | 20.00' | 31.28' | 28.19' | S 21°55'17" W | 89°36'01" | 19.86' |

NOTE
FOR LOCATION OF UTILITIES CALL
8-1-1 OR 1-800-257-7777
OR LOG ON TO
www.call811.com
http://www.missutility.net
48 HOURS IN ADVANCE OF ANY WORK
IN THIS VICINITY
INFORMATION CONCERNING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS BUT THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF THE MAINS BY DIGGING TEST PITS BY HAND AT ALL UTILITY CROSSINGS WELL IN ADVANCE OF THE START OF EXCAVATION.




VICINITY MAP
SCALE: 1" = 2000'

Vicinity Map © ADC - Kappa Map Group LLC/GIS Integrated Solutions LLC 2014

PRINCE GEORGE'S COUNTY
ROAD ATLAS
MAP 5409 GRID F-5

### SHEET INDEX

1. PLAN SHEETS
2. APPROVAL SHEET

### SITE STATISTICS

| | |
|---|---|
| GROSS TRACT AREA | 0.3181 AC |
| EXISTING 100-YEAR FLOODPLAIN | 0.00 AC |
| NET TRACT AREA | 0.3181 AC |
| EXISTING WOODLAND IN THE FLOODPLAIN | 0.00 AC |
| EXISTING WOODLAND NET TRACT | 0.00 AC |
| EXISTING WOODLAND TOTAL | 0.00 AC |
| EXISTING PMA | 0.00 AC |
| REGULATED STREAMS (LINEAR FEET OF CENTERLINE) | 0.00 LF |

**General Information Table**

| Layer Category | Layer Name | Value |
|---|---|---|
| Zone | Zoning (Zone) | M-X-T |
| Zone | Aviation Policy Area (APA) [2] | N/A |
| Administrative | Tax Grid (TMG) | 41-E4 |
| Administrative | WSSC Grid (Sheet 20) | 207NE02 |
| Administrative | Planning Area (Plan Area) | 68 |
| Administrative | Election District (ED) | 17 |
| Administrative | Councilmanic District (CD) | 2 |
| Administrative | General Plan 2035 ESA | 16 |
| Administrative | Traffic Analysis Zone (COG) (TAZ-COG) | 968 |
| Administrative | PG Traffic Analysis Zone (TAZ-PG) | 731 |

*[2] If the site is within the APA, enter the name of the airport. If the site is not within the APA, enter "N/A"*

### GENERAL NOTES

1. THIS CONCEPTUAL SITE PLAN IS FOR THE SOLE PURPOSE OF AMENDING THE TABLE OF USES CONTAINED IN THE TRANSIT DISTRICT DEVELOPMENT PLAN AND TRANSIT DISTRICT OVERLAY ZONING MAP AMENDMENT FOR WEST HYATTSVILLE TRANSIT DISTRICT OVERLAY ZONE. NO NEW CONSTRUCTION OR DISTURBANCE IS PROPOSED AT THIS TIME.
2. SUBDIVISION NAME: MARYLAND CITY CENTER
3. TOTAL ACREAGE:
   GROSS PROPERTY ACREAGE: 0.3181 AC
   NET ACREAGE: 0.3181 ACRES
   TOTAL DISTURBED AREA: 0.00 AC
4. EXISTING ZONING:M-X-T; MIXED USE TRANSPORTATION ORIENTED
   OVERLAY ZONE: T-D-O: TRANSIT DISTRICT OVERLAY
5. PROPOSED USE OF PROPERTY:
   ***AMENDMENT TO THE PERMITTED USE TABLE TO INCLUDE ADDITIONAL COMMERCIAL USES ON THE PROPERTY.***
6. EXISTING NUMBER OF LOTS/ PARCELS/ OUTLOTS AND OUTPARCELS:
   CENTRE PARCEL A9 EX 90 SQ FT AT FR
7. GROSS FLOOR AREA OF EXISTING AND PROPOSED: N/A
8. 200 FOOT MAP REFERENCE NUMBER (WSSC): 207NE02
9. TAX MAP NUMBER AND GRID: 41-E4
10. AVIATION POLICY AREA: N/A
11. EXISTING WATER/SEWER DESIGNATION: W-3 AND S-3
12. PROPOSED WATER/SEWER DESIGNATION: W-3 AND S-3
13. STORMWATER MANAGEMENT CONCEPT NUMBER: N/A
14. 10-FOOT PUBLIC UTILITY EASEMENT ALONG ALL PUBLIC RIGHT OF WAY UNLESS OTHERWISE MODIFIED SHOWN.
15. MANDATORY PARK DEDICATION: N/A
16. CEMETERIES ON OR CONTIGUOUS TO THE SITE: NO
17. HISTORIC SITES ON OR IN THE VICINITY OF THE PROPERTY: NO
18. THERE ARE NO KNOWN ARCHEOLOGICAL SITES LOCATED ON THE SUBJECT PROPERTY.
19. STREAMS AND WETLANDS: NO
20. 100-YEAR FLOODPLAIN: NO.
21. CHESAPEAKE BAY CRITICAL AREA OVERLAY:NO
22. SOURCE OF TOPOGRAPHY: DEWBERRY ENGINEERS INC. 2019. ADAJCENT PROPERTY INFORMATION AND TOPOGRAPHY UPDATED PER AVAILABLE PRINCE GEORGE'S COUNTY GIS INFORMATION, 09/11/2019.
    *MAJOR CONTOUR INTERVAL: 2'*
    *MINOR CONTOUR INTERVAL: 10*
23. BOUNDARY SURVEY BY: DEWBERRY ENGINEERS INC. 2019
24. OWNER/ APPLICANT:
    *HYATTSVILLE WEST ONE LLC.*
    *140 Q ST*
    *WASHINGTON, DC 20002*
25. THE LIST OF POTENTIAL USES THAT THE APPLICANT WOULD LIKE TO BE PERMITTED ON THE PROPERTY INCLUDE:
    *- EATING OR DRINKING ESTABLISHMENT*
    *- FOOD OR BEVERAGE GOODS PREPARATION ON THE PREMISES OF A FOOD AND BEVERAGE STORE*
    *- BARBER/ HAIR SALON AND BEAUTY SHOP*
    *- HARDWARE STORE, CLOTHING, DRY GOODS*
    *- BANKS, SAVINGS AND LOAN ASSOCIATION OR OTHER SAVINGS AND LENDING INSTITUTION*
    *- CAR AND/OR TRUCK RENTAL*
    *- CAR SALES*
    *- OFFICES*
    *- PER GROOMING SHOP*
    *- REPAIR SHOP*

NOTE:
THIS PLAN IS FOR ENTITLEMENT PURPOSES ONLY AND SHALL NOT BE USED FOR CONSTRUCTION..

SWM DEVICES AND LOCATIONS SHOWN ON THIS PLAN ARE SUBJECT TO CHANGE. PLEASE REFER TO THE APPROVED STORM DRAIN AND PAVING PLANS AS WELL AS THE APPROVED SWM PLANS FOR FINAL DESIGN.

**NOT FOR CONSTRUCTION**

FOR OFFICIAL USE ONLY
QR label certifies that this plan meets conditions of final approval by the Planning Board, its designee or the District Council.

M-NCPPC
APPROVAL

PROJECT NAME:5600 AGER ROAD

PROJECT NUMBER: **CSP-19009**

For Conditions of Approval see Site Plan Cover Sheet or Approval Sheet
Amendment numbers must be included in the Project Number


Dewberry

Dewberry Engineers Inc.
4601 FORBES BOULEVARD
SUITE 300
LANHAM, MD 20706
301.731.5551
301.731.0188 (FAX)
www.dewberry.com


APPLICANT
HYATTSVILLE WEST ONE, LLC
140 Q STREET NE
WASHINGTON DC, 20002

CONTACT
MARIACHIARA "MERI" BARONI
202-684-7839
mbaroni@uipllc.com

5600 AGER ROAD
DETAILED SITE PLAN
CSP-19009
PRINCE GEORGE'S COUNTY, MD
17TH ELECTION DISTRICT

TAX MAP 41 GRID E4
200' MAP REFERENCE 207NE02

SEAL
Professional Certification. I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional landscape architect under the laws of the State of Maryland, License No. 1102, Expiration Date: 08/03/2020

Kevin D. Mack
Digitally signed by Kevin D. Mack
Date: 2020.01.14 16:36:17 -05'00'

SCALE
0 20' 40'
SCALE: 1"=20'

| No. | DATE | BY | Description |
|---|---|---|---|
| | | | |

REVISIONS

DRAWN BY PN
CHECKED BY RM
APPROVED BY KM
DATE SEPTEMBER 2019

TITLE

EXISTING CONDITIONS PLAN
CSP-19009

DEWBERRY JOB NO. 50117361

PLAN SHEET

SHEET NO. 1 OF 2

333

# 5600 AGER ROAD

## DETAILED SITE PLAN -19053

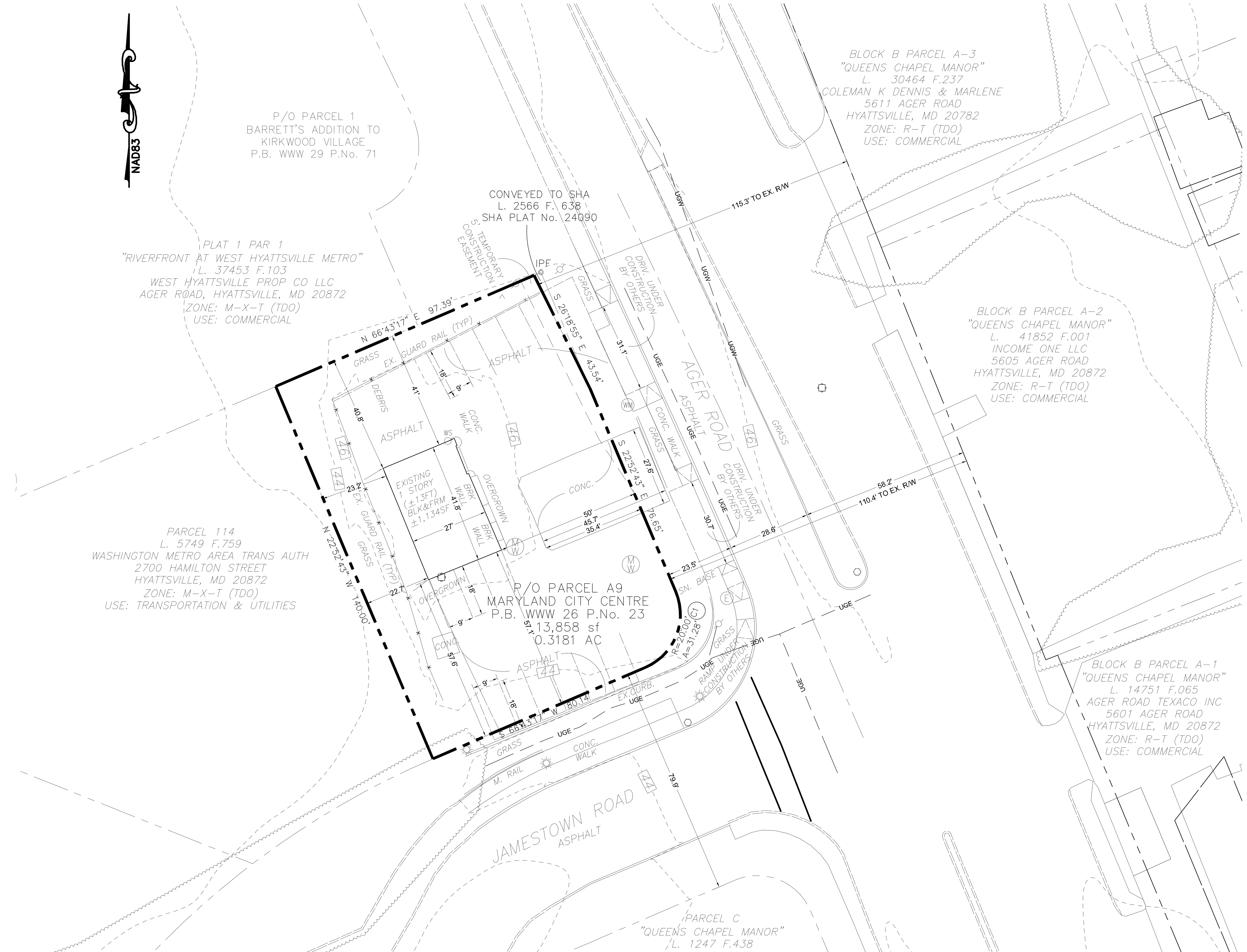
### LEGEND

- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- EXISTING BOUNDARY
- EXISTING ADJACENT PROPERTY
- EXISTING BUILDING
- EXISTING INTERIOR PROPERTY LINES
- EXISTING TREE LINE
- EXISTING HEDGEROW
- EXISTING STORM DRAIN
- EXISTING CURB
- EXISTING EDGE OF PAVEMENT
- EXISTING SIDEWALK
- EXISTING GAS LINE
- EXISTING OVERHEAD UTILITY
- EXSITING UNDERGR. TELE.
- EXISTING SIGNIFICANT TREES >24" DBH (#5, 30" BLACK OAK)
- EXISTING SPECIMEN TREES (20" OAK)
- EXISTING STEEP SLOPES (15% OR GREATER)
- EXISTING WATER
- EXISTING SANITARY SEWER
- EXISTING SANITARY SEWER EASEMENT
- EXISTING WATER EASEMENT
- OH. ROOF/BUILDING OVERHANG
- PROPERTY CORNER SYMBOL
- GMP GAS MARKER POST
- COMMUNICATIONS HANDHOLE
- FHH
- WV WATER VALVE
- WM WATER METER
- W WATER MANHOLE
- FIRE HYDRANT
- GAS METER
- GAS MANHOLE
- GV GAS VALVE
- TELEPHONE JUNCTION BOX
- STORM DRAIN MANHOLE
- POWER POLE
- GUY WIRE
- ELECTRIC MANHOLE
- ELECTRIC TRANSFORMER
- SANITARY MANHOLE
- TELEPHONE MANHOLE OR PEDESTAL
- BOLLARD
- CLEANOUT
- INLET STORM INLET GRATE
- BRL BUILDING RESTRICTION LINE
- IRV IRRIGATION CONTROL
- LIGHT POLE
- TRAFFIC SIGN

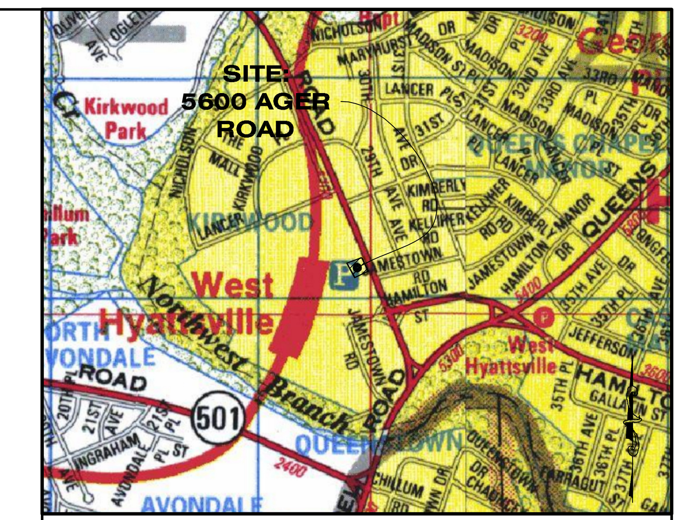
### Tree Canopy Coverage Schedule for Sec. 25-128

| | | | |
|---|---|---|---|
| **Project Name:** | **TCP2#:** | **DRD Case #:** | **Area (acres)** |
| 5600 AGER ROAD | **TCP2-001-2017** | | |
| **Site Calculations:** | **Zone 1:** | M-X-T | 0.32 |
| | **Zone 2:** | | |
| | **Zone 3:** | | |
| | **Zone 4:** | | |
| | **Total Acres:** | | 0.32 |
| **Total Acres (gross acres)** | **% of TCC required** | **TCC Required (Acres)** | **TCC Required in (SF)** |
| 0.32 | **10.0%** | 0.03 | 1386 |
| A. TOTAL ON-SITE WC PROVIDED (acres) = | **0.00** | acres | 0 |
| B. TOTAL AREA EXISTING TREES (non-WC acres) = | **0.00** | acres | 0 |
| C. TOTAL SQUARE FOOTAGE IN LANDSCAPE TREES = | | | 1400 |
| D. TOTAL TREE CANOPY COVERAGE PROVIDED = | | | 1400 |
| E. TOTAL SQUARE FOOTAGE REQUIRED = | | | 1386 |
| | | | Requirement Satisfied |

| Credit Categories for Landscape Trees | TCC Credit per Tree Based on Size at Planting (SF) | Number of Trees | TCC Credit (SF) |
|---|---|---|---|
| Deciduous - **columnar** shade tree (50 ' or less height) | **2 -1/2 - 3" = 65** | | 0 |
| | **3 - 3 1/2" = 75** | | 0 |
| Deciduous - **ornamental** tree (20' or less height with equal spread). Minimum planting size 7 - 9 ' in height | **1-1/2 - 1-3/4" = 75** | | 0 |
| | **2 - 2 1/2" = 100** | | 0 |
| | **2 -1/2 - 3" = 110** | | 0 |
| Deciduous - **minor shade** tree (25-50' height with equal spread or greater). Minimum planting size 8-10' in height | **2 -1/2 - 3" = 160** | | 0 |
| | **3 - 3 1/2" = 175** | | 0 |
| Deciduous - **major shade** tree (50' and greater ht. with spread equal to or greater than ht) Minimum planting size 12 to 14' in height | **2 -1/2 - 3" = 225** | | 0 |
| | **3 - 3 1/2" = 250** | | 0 |
| Evergreen - **columnar** tree (less than 30' height with spread less than 15') | **6 - 8' = 40** | | 0 |
| | **8 - 10' = 50** | | 0 |
| | **10 - 12' = 75** | | 0 |
| Evergreen - **small tree** (30-40' height with spread of 15-20') | **6 - 8' = 75** | | 0 |
| | **8 - 10' = 100** | | 0 |
| | **10 - 12' = 125** | | 0 |
| Evergreen - **medium tree** (40-50' height with spread of 20-30') | **6 - 8' = 125** | | 0 |
| | **8 - 10' = 150** | | 0 |
| | **10 - 12' = 175** | 8 | 1400 |
| Evergreen - **large tree** (50' height or greater with spread of over 30') | **6 - 8' = 150** | | 0 |
| | **8 - 10' = 200** | | 0 |
| | **10 - 12' = 250** | | 0 |
| TOTAL NUMBER OF TREES/TCC CREDIT (SF) | | 8 | 1400 |
| (Manually enter information/figures into shaded areas) | | | |
| **Prepared by** | | **Date** | |




| CURVE DATA TABLE | | | | | | |
|---|---|---|---|---|---|---|
| CURVE | RADIUS | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE | TANGENT |
| C1 | 20.00' | 31.28' | 28.19' | S 21°55'17" W | 89°36'01" | 19.86' |




VICINITY MAP
SCALE: 1" = 2000'

Vicinity Map © ADC - Kappa Map Group LLC/GIS Integrated Solutions LLC 2014

PRINCE GEORGE'S COUNTY
ROAD ATLAS
MAP 5409 GRID F-5

### SHEET INDEX

1. PLAN SHEET
2. APPROVAL SHEET

### SITE STATISTICS

| | |
|---|---|
| GROSS TRACT AREA | 0.3181 AC |
| EXISTING 100-YEAR FLOODPLAIN | 0.00 AC |
| NET TRACT AREA | 0.3181 AC |
| EXISTING WOODLAND IN THE FLOODPLAIN | 0.00 AC |
| EXISTING WOODLAND NET TRACT | 0.00 AC |
| EXISTING WOODLAND TOTAL | 0.00 AC |
| EXISTING PMA | 0.00 AC |
| REGULATED STREAMS (LINEAR FEET OF CENTERLINE) | 0.00 LF |

| General Information Table | | |
|---|---|---|
| **Layer Category** | **Layer Name** | **Value** |
| Zone | Zoning (Zone) | M-X-T |
| Zone | Aviation Policy Area (APA) [1] | N/A |
| Administrative | Tax Grid (TMG) | 41-E4 |
| Administrative | WSSC Grid (Sheet 20) | 207NE02 |
| Administrative | Planning Area (Plan Area) | 68 |
| Administrative | Election District (ED) | 17 |
| Administrative | Councilmanic District (CD) | 2 |
| Administrative | General Plan 2035 ESA | 16 |
| Administrative | Traffic Analysis Zone (COG) (TAZ-COG) | 968 |
| Administrative | PG Traffic Analysis Zone (TAZ-PG) | 731 |

[1] If the site is within the APA, enter the name of the airport. If the site is not within the APA, enter "N/A"

### GENERAL NOTES

1. THIS DETAILED SITE PLAN IS FOR THE SOLE PURPOSE OF AMENDING THE TABLE OF USES CONTAINED IN THE TRANSIT DISTRICT DEVELOPMENT PLAN AND TRANSIT DISTRICT OVERLAY ZONING MAP AMENDMENT FOR WEST HYATTSVILLE TRANSIT DISTRICT OVERLAY ZONE. NO NEW CONSTRUCTION OR DISTURBANCE IS PROPOSED AT THIS TIME.
2. SUBDIVISION NAME: MARYLAND CITY CENTER
3. TOTAL ACREAGE:
   GROSS PROPERTY ACREAGE: 0.3181 AC
   NET ACREAGE: 0.3181 ACRES
   TOTAL DISTURBED AREA: 0.00 AC
4. EXISTING ZONING:M-X-T; MIXED USE TRANSPORTATION ORIENTED
   OVERLAY ZONE: T-D-O; TRANSIT DISTRICT OVERLAY
5. PROPOSED USE OF PROPERTY:
   ***AMENDMENT TO THE PERMITTED USE TABLE TO INCLUDE ADDITIONAL COMMERCIAL USES ON THE PROPERTY.***
6. EXISTING NUMBER OF LOTS/ PARCELS/ OUTLOTS AND OUTPARCELS:
   CENTRE PARCEL A9 EX 90 SQ FT AT FR
7. GROSS FLOOR AREA OF EXISTING AND PROPOSED: N/A
8. 200 FOOT MAP REFERENCE NUMBER (WSSC): 207NE02
9. TAX MAP NUMBER AND GRID: 41-E4
10. AVIATION POLICY AREA: N/A
11. EXISTING WATER/SEWER DESIGNATION: W-3 AND S-3
12. PROPOSED WATER/SEWER DESIGNATION: W-3 AND S-3
13. STORMWATER MANAGEMENT CONCEPT NUMBER: N/A
14. 10-FOOT PUBLIC UTILITY EASEMENT ALONG ALL PUBLIC RIGHT OF WAY UNLESS OTHERWISE MODIFIED SHOWN.
15. MANDATORY PARK DEDICATION: N/A
16. CEMETERIES ON OR CONTIGUOUS TO THE SITE: NO
17. HISTORIC SITES ON OR IN THE VICINITY OF THE PROPERTY: NO
18. THERE ARE NO KNOWN ARCHEOLOGICAL SITES LOCATED ON THE SUBJECT PROPERTY.
19. STREAMS AND WETLANDS: NO
20. 100-YEAR FLOODPLAIN: NO.
21. CHESAPEAKE BAY CRITICAL AREA OVERLAY:NO
22. SOURCE OF TOPOGRAPHY: DEWBERRY ENGINEERS INC. 2019. ADAJCENT PROPERTY INFORMATION AND TOPOGRAPHY UPDATED PER AVAILABLE PRINCE GEORGE'S COUNTY GIS INFORMATION, 09/11/2019.
   *MAJOR CONTOUR INTERVAL: 2'*
   *MINOR CONTOUR INTERVAL: 10*
23. BOUNDARY SURVEY BY: DEWBERRY ENGINEERS INC. 2019
24. OWNER/ APPLICANT:
   *HYATTSVILLE WEST ONE LLC.*
   *140 Q ST*
   *WASHINGTON, DC 20002*
25. THE LIST OF POTENTIAL USES THAT THE APPLICANT WOULD LIKE TO BE PERMITTED ON THE PROPERTY INCLUDE:
   - *EATING OR DRINKING ESTABLISHMENT*
   - *FOOD OR BEVERAGE GOODS PREPARATION ON THE PREMISES OF A FOOD AND BEVERAGE STORE*
   - *BARBER/ HAIR SALON AND BEAUTY SHOP*
   - *HARDWARE STORE, CLOTHING, DRY GOODS*
   - *BANKS, SAVINGS AND LOAN ASSOCIATION OR OTHER SAVINGS AND LENDING INSTITUTION*
   - *CAR AND/OR TRUCK RENTAL*
   - *CAR SALES*
   - *OFFICES*
   - *PER GROOMING SHOP*
   - *REPAIR SHOP*

NOTE
FOR LOCATION OF UTILITIES CALL
8-1-1 OR 1-800-257-7777
OR LOG ON TO
www.call811.com
http://www.missutility.net
48 HOURS IN ADVANCE OF ANY WORK IN THIS VICINITY
INFORMATION CONCERNING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS BUT THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF THE MAINS BY DIGGING TEST PITS BY HAND AT ALL UTILITY CROSSINGS WELL IN ADVANCE OF THE START OF EXCAVATION.

NOTE:
THIS PLAN IS FOR ENTITLEMENT PURPOSES ONLY AND SHALL NOT BE USED FOR CONSTRUCTION..

SWM DEVICES AND LOCATIONS SHOWN ON THIS PLAN ARE SUBJECT TO CHANGE. PLEASE REFER TO THE APPROVED STORM DRAIN AND PAVING PLANS AS WELL AS THE APPROVED SWM PLANS FOR FINAL DESIGN.

**NOT FOR CONSTRUCTION**

FOR OFFICIAL USE ONLY
QR label certifies that this plan meets conditions of final approval by the Planning Board, its designee or the District Council.

M-NCPPC
APPROVAL

PROJECT NAME:5600 AGER ROAD
PROJECT NUMBER: **DSP-19053**
For Conditions of Approval see Site Plan Cover Sheet or Approval Sheet
Amendment numbers must be included in the Project Number


**Dewberry®**

Dewberry Engineers Inc.
4601 FORBES BOULEVARD
SUITE 300
LANHAM, MD 20706
301.731.5551
301.731.0188 (FAX)
www.dewberry.com

APPLICANT
HYATTSVILLE WEST ONE, LLC
140 Q STREET NE
WASHINGTON DC, 20002

CONTACT
MARIACHIARA "MERI" BARONI
202-684-7839
mbaroni@uipllc.com


5600 AGER ROAD
DETAILED SITE PLAN
DSP-19053
PRINCE GEORGE'S COUNTY, MD
17TH ELECTION DISTRICT
TAX MAP 41 GRID E4
200' MAP REFERENCE 207NE02

SEAL
Professional Certification. I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional landscape architect under the laws of the State of Maryland, License No. 1102, Expiration Date: 08/03/2020

Kevin D. Mack
Digitally signed by Kevin D. Mack
Date: 2020.01.13 14:34:14 -05'00'

SCALE
0 20' 40'
SCALE: 1"=20'

| No. | DATE | BY | Description |
|---|---|---|---|

REVISIONS

DRAWN BY PN
CHECKED BY MB
APPROVED BY RM
DATE SEPTEMBER 2019

TITLE
EXISTING CONDITIONS PLAN
DSP-19053

DEWBERRY JOB NO. 50117361

PLAN SHEET

SHEET NO. 1 OF 2

Q:\50117361 - 5600 Ager Rd\CAD\Civil\MNCPPC\Site Plan\DSP-PLAN-7361.dwg, COVER, 1/13/2020 1:45:22 PM, pnicholas, PDF995

# Hyattsville City Council Agenda Item Report

Meeting Date: February 18, 2020
Submitted by: Jim Chandler
Submitting Department: Community & Economic Development
Item Type: Planning & Development
Agenda Section:

**SUBJECT**
Letter to Board of License Commissions: Transfer of Class B+ License from Lee's Liquors and Restaurant to Hyattsville Fine Wine & Spirits (15 minutes)

**HCC-224-FY20**

**Recommendation:**
I move the City Council authorize the Mayor to send a letter to the Prince George's County Board of License Commissioners acknowledging the applicant's revisions to its Application for Transfer of Location of Class B+, BWL License and Special Sunday Off-Sale Permit for Lee's Liquors and Restaurant, 2903 Hamilton Street, Hyattsville Restaurant LLC to Liquor Hut, 5350 Queens Chapel Road, Hyattsville.

The letter shall state the City remains concerned that the applicant has not made adequate progress regarding public safety, specifically violations of Maryland Law, such as public intoxication, assaults in the first and second degree and disorderly conduct, in-part due to the applicant's lack of proactive management and inability to responsibly manage point of sale.

It is the City's opinion that the following modifications and/or conditions are still necessary and appropriate and necessary for the applicant to amend its application, or for the Board of License Commissioners to conditions as requirements of this application.
1. Owners will commit to becoming a more involved in community;
2. The applicant shall comply with site design standards consistent with both the West Hyattsville Transit District Development and Crime Prevention Through
   Environmental Design (CPTED);
3: The applicant shall cooperate with the City of Hyattsville Police Department regarding loitering;
4. The applicant shall hire off-duty City of Hyattsville police officers to enforce Maryland State Law;
5. The applicant shall modify the hours of operation as follows: Monday - Saturday, 10 AM - 12 AM and, pending approval, Sunday, 10 AM - 11 PM. The applicant may be permitted to receive inventory between the hours of 8 AM - 10 AM, but may not be permitted to conduct sales prior to 10 AM.

**Sponsor(s):**
Hollingsworth

**Co-Sponsor(s):**
Solomon, Spell

ATTACHMENTS
Letter from BLC re Liquor Hut.pdf

Liquor Hut Application - date stamped.pdf

Report Hamilton Street Area 162020 Mayor and Council (1).pdf

Hyattsville Fine Wine & Spirits_response letter.PDF

**Summary Background:**
The owner and operators of Lee's Liquor and Restaurant have requested to transfer its existing Class B+ Beer Wine and Liquor (BWL) license to a new site, Hyattsville Fine Wine & Spirits, 5350 Queens Chapel Road, Hyattsville. The Board of License Commissioners has approved the conversion of the existing Class B+ license to a Class A license, effective upon renewal of the license in March 2020. The Class A license is limited the sale to off site consumption, Monday - Saturday only. The applicant is requesting a Special Permit for Sunday sales.

**Next Steps:**
The Board of License Commissioners is scheduled to consider this application at its public hearing at 10:00 AM on Tuesday, February 25, 2020.

**Fiscal Impact:**
N/A

**City Administrator Comments:**
City Staff, including the City's Police Department, have reviewed the application and recommend the City Council require the applicant to amend its application to address concerns related to public safety, site and operational controls. The City's Police Department has provided a detailed memorandum regarding calls for service from the applicant's existing operation at 2903 Hamilton Street. Adequate steps should be taken to satisfy the public safety and loitering concerns previously identified by surrounding businesses and residents and outlined in the Police Department memo.

**Community Engagement:**
N/A

**Strategic Goals:**
Goal 3 – Promote a Safe and Vibrant Community

**Legal Review Required?**
N/A

150

# PRINCE GEORGE'S COUNTY GOVERNMENT

## BOARD OF LICENSE COMMISSIONERS

Angela D. Alsobrooks
County Executive

January 28, 2020

Robert Kim, Esquire
6411 Ivy Lane
Suite 200
Greenbelt, Maryland 20770

RE: t/a Liquor Hutt (Lee's Restaurant)
Class B+, Beer, Wine and Liquor

Dear Mr. Kim:

During the Administrative Voting Session on January 28, 2020, the Board of License Commissioners met regarding the above referenced matter.

The Commissioners reviewed your letter dated January 22, 2020 regarding a request to continue the hearing scheduled for January 28, 2020 to February 25, 2020 and amend the application on file to reflect the following changes; change the trade name of the business to Hyattsville Fine Wine & Spirits and change the proposed hours of operation from 7:00 a.m. to 12:00 a.m. Monday through Saturday to 8:00 a.m. to 12:00 a.m. Monday through Saturday. The Board granted approval to the request. Upon the advertisement fee of $250 the hearing for the transfer of location application will be scheduled.

Should you require any additional information, please feel free to contact our office.

Sincerely,

Terence Sheppard
Director

9200 Basil Court, Room 420, Largo, Maryland 20774
(301) 583-9980

McNamee Hosea
Attorneys & Advisors

McNamee Hosea
6411 Ivy Lane, Suite 200 O 301.441.2420
Greenbelt, Maryland 20770 F 301.982.9450

mhlawyers.com

ROBERT J. KIM, PRINCIPAL
rkim@mhlawyers.com
Direct Dial: Ext. 219

Admitted In
Maryland and
District of Columbia

November 21, 2019

***HAND DELIVERED***

Daphne Turpin Forbes, Chairwoman
Board of License Commissioners
9200 Basil Court, Room 420
Largo, Maryland 20774

Re: Application for Transfer/Transfer of Location of Class B+, BWL License
and Special Sunday Off-Sale Permit ("License")
Lee's Liquors and Restaurant, LLC t/a Lee's Restaurant
to Liquor Hut, LLC t/a Liquor Hut
From: 2903 Hamilton Street, Hyattsville, Maryland 20782
To: 5350 Queens Chapel Road, Hyattsville, Maryland 20782 ("Premises")
Our File No. 11526-0001

Dear Chairwoman Forbes:

This office represents Liquor Hut, LLC t/a Liquor Hut, the applicant for transfer of a Class B+, BWL license and Special Sunday Off-Sale Permit. Although the entities are different, the individual licensee will remain unchanged. In connection with the application for transfer of the License and transfer of location, enclosed for filing are the following:

1. Completed Application for Transfer/Transfer of Location of the License along with the completed Affidavits for the applicants;
2. Completed Personal Information Sheet for each of the applicants; and
3. Two (2) money orders totaling $500.00 payable to "Prince George's County" as the application fee.

Also enclosed are copies of the required identification documents for the 2 applicants for Board's review and verification. Since the new relocation space will require significant renovation, the interior layout is not yet available. The interior layout will be submitted as soon as the layout is available.

It is my understanding that the hearing on this Application will be scheduled for Tuesday, January 28, 2020 at 10:00 a.m. Thank you for your continued courtesies and cooperation.

Very truly yours,

Robert J. Kim

Enclosures

**STATE OF MARYLAND**
**RETAIL ALCOHOLIC BEVERAGE**
**LICENSE APPLICATION**
**BOARD OF LICENSE COMMISSIONERS**
**9200 BASIL COURT, SUITE 420**
**LARGO, MARYLAND 20774**
**301-583-9980**
http://bolc.mypgc.us

| THIS APPLICATION IS FOR: | | |
|---|---|---|
| New License | Fee: $700.00 | |
| Transfer of License | Fee: $500.00 | ✓ |
| Transfer of Location | Fee: $500.00 | ✓ |

PAYMENT: Payment must accompany application in the form of a Cashier's Check, Certified Check or Money Order payable to Prince George's County. **CASH WILL NOT BE ACCEPTED.**

| TYPE AND CLASS OF LICENSE | | | | |
|---|---|---|---|---|
| **CLASS OF LICENSE** | A | B + ✓ | C | D |
| **TYPE OF LICENSE** | BEER | BEER AND WINE | BEER, WINE & LIQUOR ✓ | |
| | BH | BLX | OTHER: Sunday Off Sale Permit | |

Application is hereby made by the undersigned under the provisions of Section 26-1401 of the Alcoholic Beverage Article of the Annotated Code of Maryland, for an alcoholic beverage license. The applicant(s) submit and certifies to the following as required.

| INFORMATION REGARDING THE APPLICANT(S) | | | | |
|---|---|---|---|---|
| **Name of Applicant** | **Title of Applicant** | **Home Address of Licensee** | **Telephone Number** | **Status Verification** |
| Ajay Sharma | Member-Manager | 1629 Angel Wing Drive | 301-802-6377 | |
| | | Silver Spring, MD 20904 | | |
| Amit Bharat | Member | 8102 Ryan Way | 240-353-4441 | |
| | | Greenbelt, MD 20770 | | |

| BUSINESS NAME AND ADDRESS | | | |
|---|---|---|---|
| **Trade Name** | Liquor Hut | | |
| **Corporation/LLC** | Liquor Hut, LLC | | |
| **Address, City, Zip** | 5350 Queens Chapel Road, Hyattsville, MD 20782 | | |
| **Telephone Number** | 301-559-4900 | **Department ID #** | W20067526 |

| OFFICIAL USE ONLY | | | |
|---|---|---|---|
| **Attorney** | | **Date Filed** | |
| **Address** | | **Hearing Date** | |
| **Phone Number** | | **Board Action** | |
| Accepted: | Reviewed: | Issued: | |

## DESCRIPTION OF THE PREMISES

| | | | |
|---|---|---|---|
| Describe the premises to be covered under the license. If only part of the building is desired as the premises, a definitive description must be given: | Free standing building consisting of 2,945 SF located at intersection of Hamilton Street and Queens Chapel Road | | |
| Is the building located within one thousand feet (1,000) of a school? | No | If yes, Explain | |
| Is the building located within five hundred feet (500) of a Place of Worship? | No | If yes, Explain | |
| Is the premises zoned for sale of alcoholic beverages? | Yes | If no, Explain | |
| Is the building complete? | Yes | If "no" when will be the building be complete? | Renovation required |

## MODE OF OPERATION

| | | | | | |
|---|---|---|---|---|---|
| **Describe the Mode of Operation** | Proposed upscale retail, beer, wine and liquor store with Maryland lottery and related services. | | | | |
| **Is the business to be conducted under this license tied in any manner to a franchise agreement, chain store operation or supermarket?** | | | No | | |
| **Seating Capacity** | None | **Is there a bar?** | No | **Does the licensed premises have a drive -in window?** | No |
| **Will entertainment be presented to the public?** | No | **If yes, you must be approved for a Special Entertainment Permit or a Family Entertainment Permit, prior to providing or allowing entertainment on the licensed premises.** | | | |
| **Square footage on sale** | None | **Square footage off sale** | 2,945 | | |

## HOURS OF OPERATION

| | Opening Time | Closing Time |
|---|---|---|
| **Monday** | 7:00 AM | 12:00 AM |
| **Tuesday** | 7:00 AM | 12:00 AM |
| **Wednesday** | 7:00 AM | 12:00 AM |
| **Thursday** | 7:00 AM | 12:00 AM |
| **Friday** | 7:00 AM | 12:00 AM |
| **Saturday** | 7:00 AM | 12:00 AM |
| **Sunday** | 7:00 AM if approved | 12:00 AM |

## VERIFY THE FOLLOWING DOCUMENTS ARE INCLUDED WITH APPLICATION OR THAT THE BUSINESS IS EXEMPT

| | | | |
|---|---|---|---|
| ✔ | Application to this point is fully completed, signed and notarized by applicants | ✔ | Stock Ownership Affidavit fully completed, signed and notarized by applicants (if applicable) |
| ✔ | Transfer of Location/Assignment of License Statement signed and notarized by previous licensees (if applicable) | ✔ | Landlord Statement fully completed, signed and notarized by Property Owner |
| ✔ | Personal Information Sheet for each financially interested person | ✔ | Affidavit to be completed by each applicant/stockholder |
| | Designated Agent Form for each applicant/stockholder that is not a Maryland resident (if applicable) | ✔ | Layout of the business |
| ✔ | Application Fee in the form of a cashier's check or money order | | |

PROVIDE COPY(ies) OF ANY AND ALL AGREEMENTS/CONTRACTS relative to the operation of the business to be conducted under the alcoholic beverage license (inclusive of managerial agreements, sale contract and any agreement, which place the alcoholic beverage license as security, collateral, etc.

## APPLICANT(S) OFFICIAL DECLARATION

I/We the applicant(s) and/or stockholder do hereby make oath that the statements made on this application are true and accurate. And further that I/we understand that fraudulent statements made on this application shall be considered perjury.

Signature Ajay Sharma

Signature Amit Bharat

Signature

Signature

**STATE OF MARYLAND** Prince George's **SS:**

I hereby certify that on this 11th day of November, 2019, personally appeared Ajay Sharma and made oath of having personal knowledge of the above statement and that they are true and correct.

WITNESS my hand and official seal.

My Commission expires 12-2-2019

Notary Public

**STATE OF MARYLAND** Prince George's **SS:**

I hereby certify that on this 11th day of November, 2019, personally appeared Amit Bharat and made oath of having personal knowledge of the above statement and that they are true and correct.

WITNESS my hand and official seal.

My Commission expires 12-2-2019

Notary Public

SUZANNE R. ENGLER
Notary Public-Maryland
Anne Arundel County
My Commission Expires
December 02, 2019

## STOCK OWNERSHIP AFFIDAVIT – For Corporations and Limited Liability Companies

We the applicants, do hereby make oath that those members listed below is/are an officer/member of the Corporation/LLC, that they are the owner of a percentage of interest in the business, that the stock/interest has been issued, is recorded in the books and records of the Corporation/LLC and represents a proportionate share of the total equity and assets and net worth of the corporation and that there exists no collateral agreements, promises, restrictions, or commitments, regarding the change of ownership of the stock or future endorsements, assignment, transfer, pledge or change of ownership of aforesaid stock.

**LIST ALL OTHER CORPORATE OFFICERS/MEMBERS WHO ARE NOT APPLICANTS**

1. Signature of Applicant Ajay Sharma
2. Signature of Applicant Amit Bharat
3. Signature of Applicant
4. Signature of Applicant

SUZANNE R. ENGLER
Notary Public-Maryland
Anne Arundel County
My Commission Expires
December 02, 2019

**STATE OF MARYLAND** Prince George's **SS:**

I hereby certify that on this 11th day of November, 2019, personally appeared Ajay Sharma and made oath of having personal knowledge of the above statement and that they are true and correct.

WITNESS my hand and official seal.

My Commission expires 12-2-2019

Notary Public

**STATE OF MARYLAND** Prince George's **SS:**

I hereby certify that on this 11th day of November, 2019, personally appeared Amit Bharat and made oath of having personal knowledge of the above statement and that they are true and correct.

WITNESS my hand and official seal.

My Commission expires 12-2-2019

Notary Public

SUZANNE R. ENGLER
Notary Public-Maryland
Anne Arundel County
My Commission Expires
December 02, 2019

## TRANSFER OF LOCATION AND/OR ASSIGNMENT OF LICENSE

| | |
|---|---|
| Transfer of location and/or transfer of assignment from: | Ajay Sharma, Member-Manager, Lee's Liquors and Restaurant, LLC, 2903 Hamilton Street, Hyattsville, Maryland 20782 |
| Has the Bulks Sales Permit been applied for from the Comptroller? | To be filed |

I, We Ajay Sharma, Member-Manager, of t/a Lee's Restaurant and Liquors; Lee's Liquors and Restaurant, LLC do hereby make oath in due form of law that (I)(We) have fully complied with all provisions of law and all regulations during the time that the Class B+, BWL, Sunday Off license has been in effect, and that no indictments or complaints are pending against (me)(us) or any of (my)(our) employees in any court in the United States Federal or any State, or before the Board of License Commissioners, and that (I)(We) do hereby consent to the transfer of said license to Ajay Sharma, Member-Manager and Amit Bharat, Member, Liquor Hut, LLC t/a Liquor Hut, 5350 Queens Chapel Road, Hyattsville, Maryland 20782

Names of Transferee(s)

Ajay Sharma

Transferor(s) Transferor(s)

Transferor(s) Transferor(s)

STATE OF MARYLAND Prince George's SS:

I hereby certify that on this 14th day of November, 2019, personally appeared and made oath of having personal knowledge of the above statement and that they are true and correct.

WITNESS my hand and official seal.

My Commission expires 12-2-2019

Suzanne R. Engler
Notary Public

SUZANNE R. ENGLER
Notary Public-Maryland
Anne Arundel County
My Commission Expires
December 02, 2019

STATE OF MARYLAND _____ SS:

I hereby certify that on this _____ day of _____, _____, personally appeared and made oath of having personal knowledge of the above statement and that they are true and correct.

WITNESS my hand and official seal.

My Commission expires _____

Notary Public

## STATEMENT OF THE OWNER OF THE REAL PROPERTY

**STATEMENT OF OWNER OF THE REAL PROPERTY:** As required by Section 4-109 of the Alcoholic Beverage Article of the Annotated Code of Maryland

I (WE), HERBY CERTIFY, That I am (we are) the owner(s) of the real property known as t/a Liquor Hut located at 5350 Queens Chapel Road, Hyattsville, MD 20782. I hereby agree to the issuance of an alcoholic beverage license and further authorize the State Comptroller, its duly authorized deputies, inspectors and clerks, the Board of License Commissioners, it's duly authorized agents and employees and any peace officers of Prince George's County to inspect and search, without warrant, the premises upon which the business is conducted, and any and all parts of the building in which said business it to be conducted at any and all hours.

Coopersmith Maryland Properties, LLC

Owner _____ c/o Borger Management, Inc. Phone 202-898-1880
Signature print/name

Address 1111 14th Street, N.W., Suite 200, Washington, D.C. 20005

Owner _____ Phone _____
Signature print/name

Address _____

THIS CERTIFIES, That on the __ , , before the subscriber a Notary Public of the State of Maryland, personally appeared _____ and made oath in due form of law that the information herein is true.

My Commission Expires: _____

Notary Public

## TRANSFER OF LOCATION AND/OR ASSIGNMENT OF LICENSE

| | |
|---|---|
| Transfer of location and/or transfer of assignment from: | Ajay Sharma, Member-Manager, Lee's Liquors and Restaurant, LLC, 2903 Hamilton Street, Hyattsville, Maryland 20782 |
| Has the Bulks Sales Permit been applied for from the Comptroller? | To be filed |

I, We Ajay Sharma, Member-Manager, of t/a Lee's Restaurant and Liquors; Lee's Liquors and Restaurant, LLC do hereby make oath in due form of law that (I)(We) have fully complied with all provisions of law and all regulations during the time that the Class B+. BWL. Sunday Off license has been in effect, and that no indictments or complaints are pending against (me)(us) or any of (my)(our) employees in any court in the United States Federal or any State, or before the Board of License Commissioners, and that (I)(We) do hereby consent to the transfer of said license to Ajay Sharma, Member-Manager and Amit Bharat, Member, Liquor Hut, LLC t/a Liquor Hut, 5350 Queens Chapel Road, Hyattsville, Maryland 20782

Names of Transferee(s)

Ajay Sharma

Transferor(s) Transferor(s)

Transferor(s) Transferor(s)

STATE OF MARYLAND Prince George's SS:

I hereby certify that on this 14th day of November, 2019, personally appeared and made oath of having personal knowledge of the above statement and that they are true and correct.

WITNESS my hand and official seal.

My Commission expires 12-2-2019

Suzanne R. Engler
Notary Public

SUZANNE R. ENGLER
Notary Public-Maryland
Anne Arundel County
My Commission Expires
December 02, 2019

STATE OF MARYLAND _____ SS:

I hereby certify that on this _____ day of _____, personally appeared and made oath of having personal knowledge of the above statement and that they are true and correct.

WITNESS my hand and official seal.

My Commission expires _____

Notary Public

## STATEMENT OF THE OWNER OF THE REAL PROPERTY

**STATEMENT OF OWNER OF THE REAL PROPERTY:** As required by Section 4-109 of the Alcoholic Beverage Article of the Annotated Code of Maryland

I (WE), HERBY CERTIFY, That I am (we are) the owner(s) of the real property known as t/a Liquor Hut located at 5350 Queens Chapel Road, Hyattsville, MD 20782. I hereby agree to the issuance of an alcoholic beverage license and further authorize the State Comptroller, its duly authorized deputies, inspectors and clerks, the Board of License Commissioners, it's duly authorized agents and employees and any peace officers of Prince George's County to inspect and search, without warrant, the premises upon which the business is conducted, and any and all parts of the building in which said business it to be conducted at any and all hours.

Owner Tara Mansare agent for (Signature) c/o Borger Management, Inc. (print/name) Phone 202-898-1880

Address 1111 14th Street, N.W., Suite 200, Washington, D.C. 20005

Owner _____ (Signature) _____ (print/name) Phone _____

Address _____

THIS CERTIFIES, That on the 18th of November, 2019, before the subscriber a Notary Public of the State of Maryland, personally appeared Tara Mansare and made oath in due form of law that the information herein is true.

My Commission Expires: 3/31/2023

Notary Public

**Candace B. Hollingsworth**
Mayor

**Tracey Nicholson-Douglas**
City Administrator

**Date:** January 4, 2020

**To:** Mayor and Council

**From:** Deputy Chief Scott Dunklee

**Through:** Chief of Police Amal Awad

**Reference:** Calls for Services at/around 2903 Hamilton Street

## Executive Summary

A review of arrests and calls for service data for the last three years in the Hamilton Street area clearly shows that this area is an excessive burden to the city and police department resources. 18% of all the department's arrests and 10% of our calls for service emanate from this relatively small area. The police department has been attempting to reduce the calls in this area and improve the quality of life issues with the use of the Community Police Problem solving model "S.A.R.A," Scaning-Analysis-Response-Assessment. This ongoing project shows that arrests have dropped, but our CFS (calls for service) have increased. We are going to recommend the Community Action Team look deeper into the statistics to help the police department restructure our response.

## Report

I was requested to review the CFS in and around the address of 2903 Hamilton Street. The Police Department's current Computer-Aided Dispatch (CAD) system and Records Management System (RMS) came online on October 25, 2016. Our research and records reflected in this report start on that date through December 31, 2019.

The area that was researched includes the "triangle" area encompassed by the 2900, 3000, and 3100 Blocks of Hamilton Street, the 5300 and 5400 blocks of Ager Road, and the 5300 block of Queens Chapel Road.

Two broad categories were queried in this geographical area. Arrests and CFS. Arrests were divided into four areas, Warrants, Criminal Citations, On-View, and Driving Under the Influence (DUI).

The second category is CFS. CFS are listed by call type; the dispatcher determines this.



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In addition to the search of the "triangle" area described above, the exact address of 2903 Hamilton Street was searched to specifically see what calls were strictly associated with that address.

Arrest data in the "triangle."

Total Arrests Hamilton Street triangle – Hamilton Street, Queens Chapel Rd, and Ager Rd

| | Warrants | Criminal Citations | On-View | DUI | Totals |
|---|---|---|---|---|---|
| **2016** | 5 | 12 | 1 | 0 | 18 |
| **2017** | 27 | 30 | 59 | 13 | 129 |
| **2018** | 26 | 87 | 36 | 1 | 150 |
| **2019** | 31 | 35 | 25 | 2 | 93 |
| | 89 | 164 | 121 | 16 | 390 |

Arrests with the exact address of 2903 Hamilton Street

| | Warrants | Criminal Citations | On-View | DUI | Totals |
|---|---|---|---|---|---|
| **2016** | 0 | 0 | 0 | 0 | 0 |
| **2017** | 2 | 2 | 6 | 0 | 10 |
| **2018** | 4 | 4 | 3 | 0 | 11 |
| **2019** | 2 | 1 | 0 | 1 | 4 |
| | 8 | 7 | 9 | 1 | 25 |

The arrests made in this small geographical triangle represents almost 18% of the arrests made in the city in 2018.

The data for alcohol-related CFS and arrest is not readily available. It is certain from interviews with officers that most of our CFS anecdotally have alcohol/drugs as a contributing factor.

The alcohol citation data that is available reveals that between 2017 to 2019 that 103 citations were issues for alcohol related offenses in the "triangle". Our records indicate that 107 were issued citywide.

The total CFS in the "triangle" average is 2612 (not including 2016) of the approximately 25,000 CFS the department responds to each year. This represents 10% of all the calls responded to across the city.

| | CFS |
|---|---|
| **2016** | 462 |
| **2017** | 2513 |
| **2018** | 2524 |
| **2019** | 2801 |
| | 8300 |

An examination of the calls that were received from the exact address of Lee's Restaurant from October 2016 to December 31, 2019, reveals the following breakdown.

| **CFS at 2903 Hamilton St. from Oct 2016 to December 2019** | |
|---|---|
| 911 DISCONNECT | 5 |
| ACCIDENT | 9 |
| ADDED INFORMATION | 2 |
| ARMED PERSON | 7 |
| ASSAULT | 12 |
| ASSIST | 8 |
| Assist the Fire Dept | 8 |
| CDS COMPLAINT | 3 |
| CHECK WELFARE | 12 |
| DISORDERLY | 39 |
| DWI DRIVER | 4 |
| FIGHT | 27 |
| FOOT PATROL | 6 |
| FOUND | 1 |
| HIT AND RUN | 11 |
| INJURED PERSON | 10 |
| LOITERING COMPLAINT | 24 |
| LOST PROPERTY | 2 |
| MISC POLICE INCIDENT | 7 |
| PREMISE CHECK | 24 |
| PROPERTY DAMAGE | 5 |
| REPORTED CIT ROBBERY | 1 |
| SHOPLIFTING | 2 |
| SUBJECT STOP | 53 |
| SUICIDE | 1 |
| SUSPICIOUS AUTO | 113 |
| T - Traffic Stop | 50 |
| 911 DISCONNECT | 5 |
| ACCIDENT | 9 |
| ADDED INFORMATION | 2 |
| ARMED PERSON | 7 |
| ASSAULT | 12 |
| ASSIST | 8 |
| ASSIST FIRE EMS | 8 |
| CDS COMPLAINT | 3 |
| CHECK WELFARE | 12 |
| DISORDERLY | 39 |

Clearly, this area needs resources from the city, with many other agencies assisting. Even with the non-stop efforts by the police department over the last many years, we cannot "enforce" our way out the problem.

As stated in the executive summary, when staffing permits, we are going to redouble our efforts with the S.A.R.A model to identify specific causality, then identify the proper resources to address these underlining issues.



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Greenbelt, Maryland 20770 F 301.982.9450

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January 17, 2020

***By E-Mail and First Class Mail (CHollingsworth@hyattsville.org)***

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

Re: Proposed amendments to the Application for transfer of location
For Lee's Liquors and Restaurant, LLC t/a Lee's Restaurant to Liquor Hut, LLC
MH File No: 11526-0001

Dear Mayor Hollingsworth:

Thank you for taking the time to speak with Messrs. Sharma and Mr. Bharat (hereinafter "Licensees") and me regarding the above referenced application for transfer of location. As you know, the Licensees are proposing to open an upscale craft beer, fine wine and liquor store to be located at 5350 Queens Chapel Road, Hyattsville, Maryland 20782. During our meeting, you noted several areas of concern that are addressed at length herein.

- **Business Trade Name:** In conjunction with the proposed plan to open an *upscale* craft beer, fine wine and liquor store, the Licensees understand how the previously proposed tradename, "Liquor Hut" may contradict with the business plan as proposed as well as the development of Ward 5 as planned by the County. After discussions and consideration, the Licensees propose to amend the trade name to "Hyattsville Fine Wine & Spirits."

- **Hours of Operation:** The current hours of operation for Lee's Restaurant are 7:00 am to 2:00 am. The proposed hours for Hyattsville Fine Wine & Spirits are currently 7:00 am to 12:00 am/midnight. Once relocated, the store will be closed Sundays (until Hyattsville Fine Wine & Spirits can obtain a Special Sunday Off-Sale Permit). The Licensees believes the proposed hours were necessary for Hyattsville Fine Wine & Spirits to be competitive with surrounding establishments. However, based upon the comments from the City of Hyattsville, the Licensees propose new hours of operation from 8:00 am to 12:00 am, Monday through Saturday. Since one of City of Hyattsville's concerns was the traffic of commuters in the morning, we believe that opening at 8 am will reduce any impact on morning commuters accessing the Metro.

- **Crime Prevention/Security**: Hyattsville Fine Wine & Spirits will cooperate with and assist the Hyattsville Police Department in all efforts to monitor for loitering and prevent criminal activity in the area. In the design and construction of the new store, Licensees will work with Hyattsville Police regarding their environmental design to increase visibility and lighting in the area surrounding the store. Furthermore, the new location situated in the middle of the parking lot will make it easier for the Licensees and police to monitor for loitering and other

criminal activity. Licensee currently employ a private security company to monitor activity inside Lee's Restaurant, and will continue to employ this private security at the Hyattsville Fine Wine & Spirits and retain the services of off duty police officers from the Hyattsville Police Department to increase security presence.

- **Comply with County Development Plans:** Hyattsville Fine Wine & Spirits will comply with all City and County Community Development Plans when making improvements to the property.

- **Community Involvement:** As mentioned at the meeting, Lee's Restaurant is a staple in the Hyattsville community. Hyattsville Fine Wine & Spirits will increase its community involvement and become a more active business partner with the City of Hyattsville and its citizens.

As business owners in the City of Hyattsville for nearly fifteen (15) years, Messrs. Sharma and Bharat are committed to improving and serving members of the community. Hyattsville Fine Wine & Spirits will make available to the members of the community, a diverse selection of craft beers, fine wines and liquor. The Licensees are aware of the County's plans to develop Ward 5 and want to work in partnership with the City and County to ensure and enhance the quality of life in the City of Hyattsville. We are open to additional suggestions/recommendations from the City of Hyattsville.

Thank you for your continued courtesies and cooperation. Please review and contact me with any additional questions or comments.

Very truly yours,

Tyler Y. Cumbo

cc: Joseph Solomon, Council Member Ward 5 (jsolomon@hyattsville.org)
Tracy E. Douglas, City Administrator (tdouglas@hyattsville.org)
James Chandler, Assistant City Administrator (jchandler@hyattsville.org)

# Hyattsville City Council Agenda Item Report

Meeting Date: February 18, 2020
Submitted by: Jim Chandler
Submitting Department: Community & Economic Development
Item Type: Planning & Development
Agenda Section:

**SUBJECT**
Dewey Property - Parcel 5: Detailed Site Plan (DSP) 19050: Discussion Item (15 minutes)

**HCC-223-FY20**

**Recommendation:**

**Sponsor(s):**
At the Request of the City Administrator

**Co-Sponsor(s):**
N/A

ATTACHMENTS

Memo - DSP-19050 - Dewey Parcel 5 - Presentation and Discussion.docx

1_CIVP-DSP-19050.pdf

2_A-SOJ-DSP-19050.pdf

3_A-SOJ-DDS-660.pdf

4_ARCH_Plan-DSP-19050.pdf

5_BPIS_DSP-19050.pdf

6_Recreational Facilities.pdf

7_UTC Parking Memo 11-05-2019.pdf

8_Illustrative Renderings.pdf

9_Relevant_TDDP_pages.pdf

**Summary Background:**
The Dewey Property is a total of 21.16 acres and located north of Toledo Road, east of Belcrest Road, and west of Adelphi Road. This application (DSP-19050) is specific to Parcel 5 within the larger Dewey Property; Parcel 5 consists of 3.32 acres along Toledo Road and is intended to be part of the first phase of the development for the property. The applicant is proposing the construction of a five-story mixed use building consisting of 321 multifamily dwelling units and 1,258 square feet of ground floor commercial retail. Structured parking will be provided in a garage which will contain 334 spaces. The commercial space will front Toledo Road and the residential entrance will front the new "B" street to be developed.

The applicant is proposing a departure from the design standards, specifically the inclusion of 9' x 18' universal sized parking spaces within the parking garage structure rather than the 9.5' x 19' spaces typically required by the Zoning Ordinance. This is a departure from Section 27-558 of the Prince George's County Zoning Ordinance and modification of the following standards:

- Requesting 50' additional block length, from the 500' standard, on the west side of parcel 2 fronting Belcrest Road.
- Requesting transformer for the building be permitted above-ground.
- Requesting an extension from the required build-to line of 25' for 39% of the building fronting Toledo Road.
- Requesting an extension from the required build-to line of 20' for 7% of the building fronting the new "B" street running parallel to Belcrest Road.
- Requesting 4' extension from the required build-to line of 25' for the stoops present along Toledo Road.
- Requesting the retail space have a storefront fenestration height of 10' as opposed to the required 14'.
- Requesting an extension from the required build-to line for the proposed retail space.
- Requesting the building's service entrance front Public Road B as opposed to the rear of the building which will be obstructed by the proposed greenway.
- Requesting the entrance of the apartment building front Public Road B as opposed to a Downtown Core "A" Street (Toledo Road).

**Next Steps:**
This item is scheduled for action at the meeting on Monday, March 2, 2020.

**Fiscal Impact:**
N/A

**City Administrator Comments:**
City Staff comments are included on pages 6-10 of the attached memorandum.

**Community Engagement:**
The applicant is scheduled to present to the Hyattsville Planning Committee at 7:30 PM on Tuesday, February 25, 2020.

**Strategic Goals:**
Goal 2 – Ensure the Long-Term Economic Viability of the City

**Legal Review Required?**
N/A

City of Hyattsville

# Memo

To: Mayor and City Council

From: Kate Powers, City Planner

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

Date: February 13, 2020

Re: Dewey East Development – Detailed Site Plan (DSP-19050) Presentation and Discussion

Attachments: CIVP-DSP-19050
A-SOJ-DSP-19050
A-SOJ-DDS-660
ARCH_Plan-DSP-19050
BPIS_DSP-19050
Recreational Facilities
UTC Parking Memo 11-05-2019
Illustrative Renderings

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The purpose of this memorandum is to provide the City Council with a summary of the detailed site plan (DSP) application for the Dewey (Parcel 5) development as well as City Staff recommendations.

Project Summary

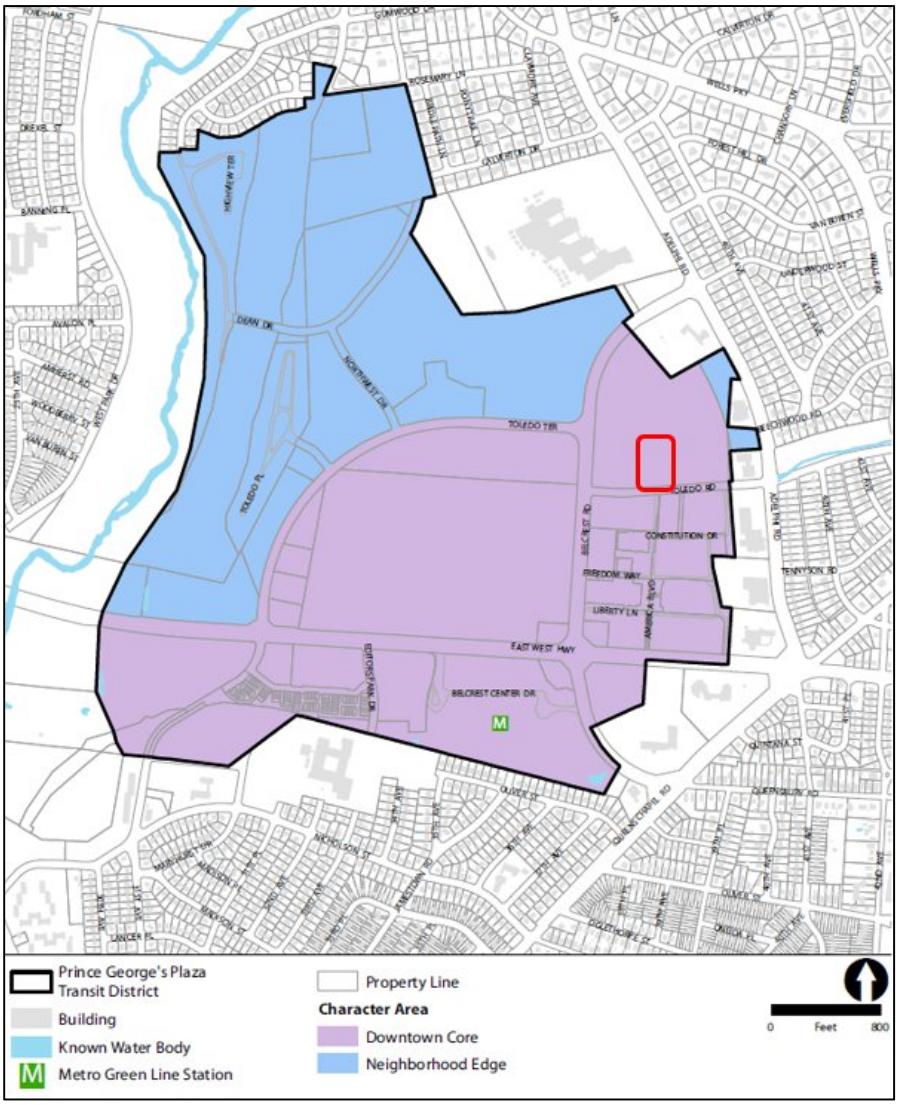
- The Dewey Property is located in the northeastern quadrant of Belcrest Road and Toledo Road and is within the "Downtown Core" character area of the Prince George's Plaza Transit District Overlay Zone.
- The property is subdivided into 5 parcels. The applicant intends for two of the parcels be used for multifamily residential buildings (Parcel 1 and Parcel 5), two of the parcels be used for townhouses (Parcel 2 and Parcel 3), and the final parcel to be used as a stormwater management facility operated by the County (Parcel 4).
- A single parcel, Parcel 5, is the subject of DSP-19050. It is 3.32 acres and fronts Toledo Road.
- The applicant is proposing the development of a five-story mixed use building consisting of 321 multifamily units and 1,258 square feet of retail space.

- The applicant is requesting a departure from Section 27-558 of the Prince George's County Zoning Ordinance by proposing the inclusion of 9' x 18' universal sized parking spaces within the parking garage structure, rather than the required 9.5' x 19'.

Project Details

The Dewey Property is a total of 21.16 acres and located north of Toledo Road, east of Belcrest Road, and west of Adelphi Road. This application (DSP-19050) is specific to Parcel 5 within the larger Dewey Property; Parcel 5 consists of 3.32 acres along Toledo Road and is intended to be part of the first phase of the development for the property. Parcel 5 is located in the Downtown Core Land Use Character Area as designated by the *Prince George's Plaza 2016 Approved Transit District Development Plan* (TDDP). The Downtown Core is the Transit District's central activity hub, with a mix of residential, retail, and office development framing lively walkable streets (TDDP, pg. 70). The general location of the proposed development can be seen circled in red in Exhibit 1. The Character Areas map can be found on page 71 of the TDDP.

Exhibit 1



The applicant is proposing the construction of a five-story mixed use building consisting of 321 multifamily dwelling units and 1,258 square feet of ground floor commercial retail. Structured parking will be provided in a garage which will contain 334 spaces. Approximately two parking spaces per floor will have accompanying electric vehicle charging stations. The commercial space will front Toledo Road and the residential entrance will front "Public Road B."

The existing property is made up of two distinct attributes. The first attribute is a surface parking lot constructed in the 1960s. The second attribute is a linear environmental feature associated with Wells Run, which extends from the northwest corner of the site to the southeast corner.

The development of the subject property will eliminate the surface parking located north of Toledo Road. The spaces currently being leased to Metro III from this surface lot will be relocated into an existing parking garage located on the south side of Toledo Road.

The environmental feature has been identified by the TDDP as the location of a regional stormwater management facility. The ownership of this parcel will be transferred to the Prince George's County Department of Environmental Resources (DER), who will operate and manage the site.

Prior Approvals

The property has been the subject of two separate preliminary plans of subdivision applications due to division of ownership. The first preliminary plan (PPS 4-18022) was approved by the Prince George's County Planning Board on June 27, 2019. The second preliminary plan (PPS 4-19033) was approved by the Prince George's County Planning Board on December 12, 2019.

Parking Analysis

The current surface parking lot supporting the adjacent Metro 3 office building will be eliminated due to this development, a shared parking analysis was prepared by Lenhart Traffic Consulting Inc. dated November 5, 2019. A memo outlining the results of their analysis can be found attached. There are currently, 4,845 parking space existing, both north and south of Toledo Road. There are 1,503 parking spaces currently located on the subject property. If removed, 3,342 total parking spaces will continue to exist south of Toledo Road. The analysis concluded that 2,334 parking spaces are needed to service peak parking demand. Based on this analysis, there will continue to be a surplus of 1,008 spaces with the removal of the existing surface parking lot on the subject property.

Architecture

The proposed development is a five-story mixed use building, that is primarily residential in nature. The leasing office, considered the primary entrance to the multifamily building, is located approximately 250 feet north of Toledo Road, along Public Road B. The entrance to the retail space is located east of the corner of Toledo Road and Public Road B, fronting on Toledo Road. The TDDP designates Toledo Road as a Downtown Core A Street and states that primary entrances to new buildings be located on A Streets (TDDP, pg. 265).

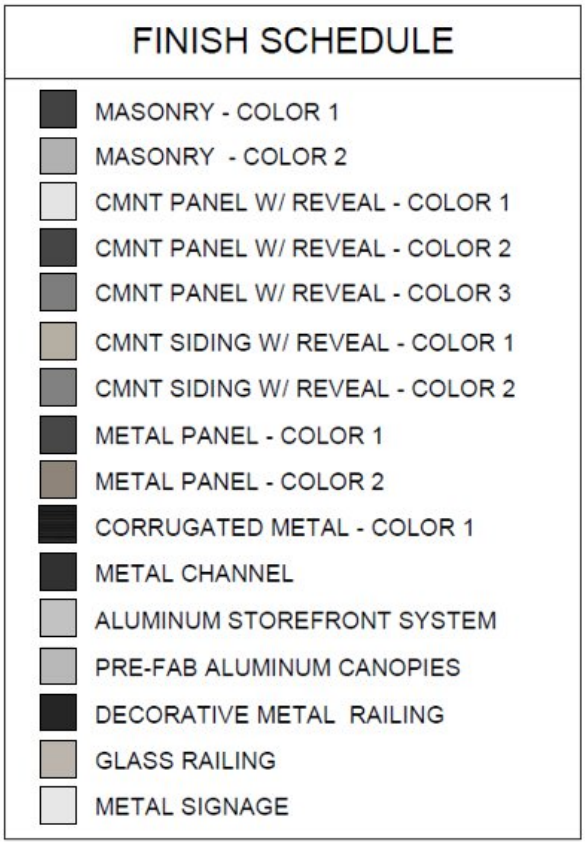
In terms of building materials, the development will employ a combination of masonry, corrugated metal, cementitious siding and panels, as well as metal panels, railings, and signage. A more granular breakdown of the materials used on each side of the building can be found in Table 1. The developer is proposing a

neutral color palette for the building. Exhibit 2 showcases the finish schedule and the color associated with each finish in the architectural plans.

Table 1

| | Toledo Road | New Road | North Elevation | East Elevation |
|---|---|---|---|---|
| Metal Panel | 32% | 30% | - | 7% |
| Masonry | 3% | 7% | 5% | 3% |
| Corrugated Metal | 12% | 12% | - | 5% |
| Cementitious Siding | 11% | 12% | 49% | 55% |
| Cementitious Panel | 42% | 39% | 46% | 27% |

Exhibit 2




<u>Departure from Design Standards (DDS-660)</u>

The applicant is proposing a departure from the design standards, specifically the inclusion of 9' x 18' universal sized parking spaces within the parking garage structure rather than the 9.5' x 19' spaces typically required by the Zoning Ordinance. This is a departure from Section 27-558 of the Prince George's County Zoning Ordinance. Requirements of Section 27-558 can be found in Table 2, where the relevant design standard is highlighted in yellow.

Table 2

| Type of Space | Minimum Size (in Feet) |
|---|---|
| *Standard car spaces:* | |
| Parallel | 22 by 8 |
| Nonparallel | 19 by 9 1/2 |
| *Compact car spaces:* | |
| Parallel | 19 by 7 |
| Nonparallel | 16 1/2 by 8 |
| Spaces for boat ramps (to accommodate length of, and maneuvering space for, both car and boat) | 40 by 12 |

The applicant argues that a departure from the standards allows the proposed parking garage to function more efficiently than providing a mixture of standard size parking spaces and compact spaces, as well as ensures a better circulation of vehicles. The proposed mix use development is providing a total of 334 parking spaces, all measuring 18' x 9' (except for the required handicapped spaces).

Requested Modifications

- Requesting 50' additional block length, from the 500' standard, on the west side of parcel 2 fronting Belcrest Road.
- Requesting transformer for the building be permitted above-ground.
- Requesting an extension from the required build-to line of 25' for 39% of the building fronting Toledo Road.
- Requesting an extension from the required build-to line of 20' for 7% of the building fronting the new "B" street running parallel to Belcrest Road.
- Requesting 4' extension from the required build-to line of 25' for the stoops present along Toledo Road.
- Requesting the retail space have a storefront fenestration height of 10' as opposed to the required 14'.
- Requesting an extension from the required build-to line for the proposed retail space.
- Requesting the building's service entrance front Public Road B as opposed to the rear of the building which will be obstructed by the proposed greenway.
- Requesting the entrance of the apartment building front Public Road B as opposed to a Downtown Core "A" Street (Toledo Road).

Bicycle and Pedestrian Impact Statement (BPIS)

The applicant submitted a BPIS at the time of preliminary subdivision, where on- and off-site facilities proposed by the applicant were evaluated by Planning Department staff. BPIS measures associated with this application are as follows:

- 925 linear feet sidewalk removal and sidewalk replacement along the east side of Adelphi Road.
- Upgrade pedestrian push button assembly on both sides of the southern leg of the intersection of Toledo Road and Adelphi Road.
- Installation of five "A" sidewalk ramps along Adelphi Road.
- Installation of "B" sidewalk ramp on the southeast corner of the intersection of Toledo Road and Adelphi Road.
- Installation of a crosswalk and stop bar across Toledo Road at its intersection with Adelphi Road.

<u>Recommendations</u>

Departure from Design Standards (DDS-660)

City Staff recommends support of the applicant's request for a departure from the design standards. Staff does not anticipate any configuration or circulation issues in association with their request for 9' x 18' universal sized parking spaces within the proposed parking garage structure.

Recommended Responses to Requested Modifications

- *Requesting 50' additional block length, from the 500' standard, on the west side of parcel 2 fronting Belcrest Road.*
    - The block length extension requested by the applicant is adjacent to Parcel 2, as opposed to Parcel 5 which is the subject of this application. The applicant is including this modification as part of this DSP because the block length of Parcel 2 depends, in part, on the location of Public Roads A and B. This modification will also be included in the applicant's next DSP which will focus on Parcels 1, 2, and 3. City Staff will further address this modification at the time of the applicant's next DSP which will include the development of Parcel 2.

- *Requesting transformer for the building be permitted above-ground.*
    - City Staff recommends all transformers associated with this development be installed subgrade. There are adequate design alternatives available to the developer to accommodate subgrade transformers. Subgrade transformers are more secure and visually appealing than above-grade transformers.

- *Requesting an extension from the required build-to line of 25' for 39% of the building fronting Toledo Road.*
- *Requesting an extension from the required build-to line of 20' for 7% of the building fronting the new "B" street running parallel to Belcrest Road.*
- *Requesting 4' extension from the required build-to line of 25' for the stoops present along Toledo Road.*
    - The applicant has informed M-NCPPC and City Staff that they will develop and submit an exhibit which provides more detail on the exact extension measurements they are requesting. City Staff will further address this modification before the Council's next meeting on March 2, 2020.

- *Requesting the retail space have a storefront fenestration height of 10' as opposed to the required 14'.*
    - Within their Statement of Justification, the applicant informed City Staff that the retail portion of this development has been designed to emphasize a two-story aesthetic; however, the internal clear height is 10'. TDDP Standards requires a minimum clear height and storefront fenestration of 14' in retail spaces within the Downtown Core (TDDP, pg. 267). City Staff recommends the applicant create the height of the retail space in compliance with the TDDP. The higher, open storefront will foster a better connection between the retail space and the pedestrian streetscape, accomodate a more diverse selection of tenets, and allow for better light and visibility into the retail location.

- *Requesting an extension from the required build-to line for the proposed retail space.*
    - Within their Statement of Justification, the applicant expressed their desire to build the retail location further from the road than the surrounding aspects of the building, beyond the required build-to line. The applicant believes this will create a focal point for the retail space. City Staff recommends the retail location be built level with the adjacent, attached building. If the retail location is built inset from the surrounding building, City Staff is concerned that the retail space will become concealed. It may become overshadowed as the retail location resides adjacent to the protruding section of the building on the corner of Toledo Road and Public Road B. City Staff suggests distinct color or signage be used for the retail space to make it a focal point, as opposed to having it be an inset of the larger building.

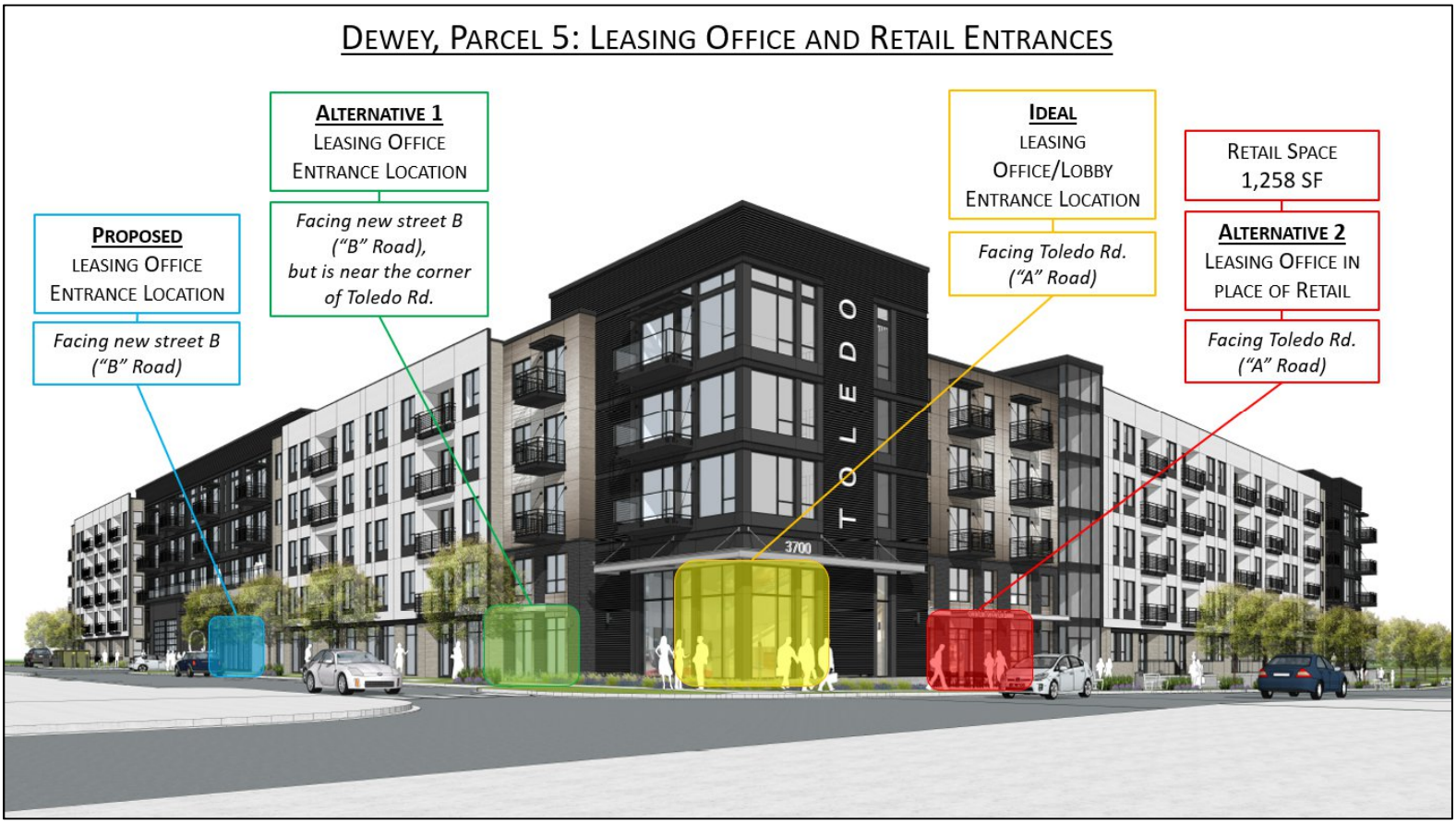
- *Requesting the building's service entrance front Public Road B as opposed to the rear of the building which will be obstructed by the proposed greenway.*
    - As there is no vehicular access at the rear of the building, City Staff recommends the approval of this modification contingent on the dedication of service space for loading and deliveries within the building's garage.

- Requesting the entrance of the apartment building front Public Road B as opposed to an "A" Street (Toledo Road).
    - According to the TDDP, if a building fronts on both A and B streets, Pedestrian Street, or Promenade, its primary entry shall be located on the A Street (TDDP, pg. 210). This development fronts both Toledo Road and Public Road B. As Toledo Road is a Downtown Core A Street, the primary entrance (leasing office entrance) of the proposed mixed-use building should front Toledo Road as opposed to Public Road B (TDDP, pg. 265). The applicant's proposed location for the entrance of the leasing office can be seen in blue on Exhibit 3.
    - City Staff recommends the leasing office and lobby entrance front Toledo Road, on the corner of Public Road B. This location can be seen in yellow on Exhibit 3. Having the leasing office entrance front Toledo Road will best activate the streetscape and help avoid confusion for visitors.
    - If infeasible, City Staff is agreeable to an alternative location for the leasing office entrance, specifically the space adjacent to the corner of Toledo Road and Public Road B,

fronting Public Road B. This location is circled in green on Exhibit 3. Though this alternative entrance location does not front an A Street, is does orient the entrance towards the corner, as required within the TDDP. The TDDP states, "all street-defining buildings on corners should orient main entrances towards the corner" (TDDP, pg. 267).

- City Staff is also amenable to a second alternative location, specifically moving the leasing office to the currently proposed retail space. This proposed location is circled in red on Exhibit 3. In this instance, the applicant would request the removal of the commercial element from the development and the leasing office would go in its place. Under this scenario, the applicant would no longer need to request a modification to the fenestration height, as the space would no longer be commercial in nature. A lower fenestration height would enable the applicant to retain the residential units on the second floor above.

Exhibit 3

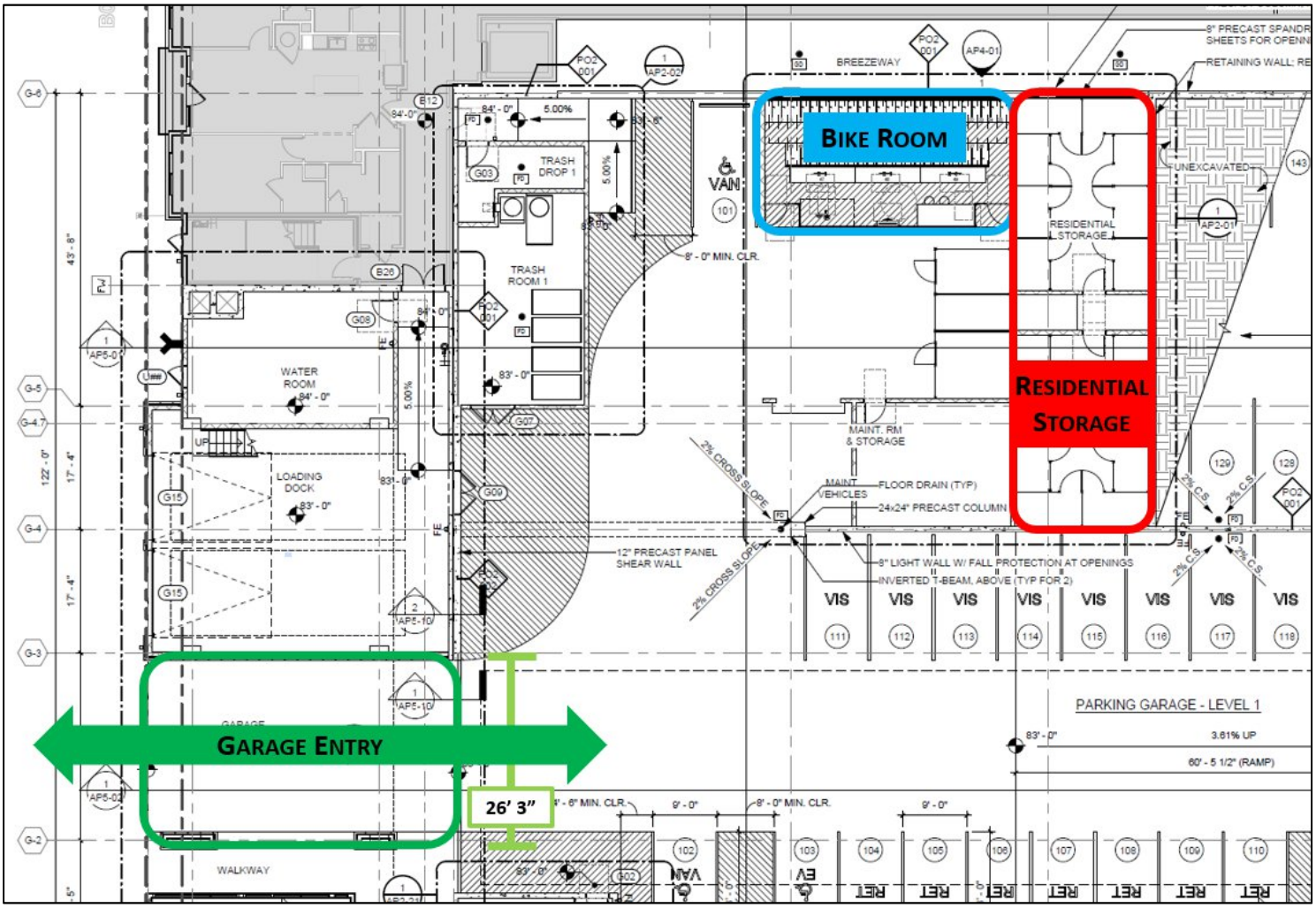



Vehicle and Bicycle Transportation Recommendations

City Staff recommends the establishment of a dedicated delivery and service area within the proposed garage rather than have vehicles utilize Public Road B for deliveries. Having dedicated space within the garage will allow greater availability of street parking for non-delivery vehicles.

In order to further promote bicycle use in the City, City Staff recommends at least two (2) inverted-U shaped bike racks be installed in front of the leasing office and at least two (2) inverted-U shaped bike racks be installed in front of the retail space. To ensure the building has adequate bicycle parking capacity for its residents, City Staff recommends a 1:1 ratio of bicycle parking spaces to vehicle parking spaces. This area within the garage should be dedicated to bicycle storage solely, and not used for any other storage purposes. Exhibit 4 demonstrates the applicant's proposed bicycle storage configuration and capacity within the structured garage.

Exhibit 4




Aesthetic Recommendations

City Staff recommends the applicant employ a more diverse and visually appealing color palette for the architecture of the building. In addition, City Staff recommends the incorporation of an art installation in a publicly visual location on or near the proposed building. This art installation can be integrated into a functional piece of the development, be affixed to the building via removal panels, and/or include mural, sculptural, or mosaic elements. City Staff believes a more colorful architectural palette and the

incorporation of public art will promote placemaking, further activate the streetscape, and create an overall better development product.

Next Steps

This application was reviewed by the M-NCPPC Subdivision and Development Review Committee on February 7, 2020.

The City Council will hear a presentation from the applicant and discuss DSP-19050 on Tuesday, February 18, 2020.

The applicant is scheduled to present to the Hyattsville Planning Committee at 7:30 PM on Tuesday, February 25, 2020.

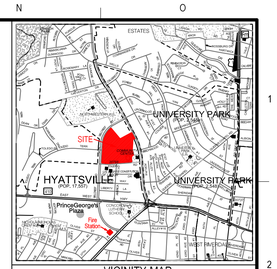
The City Council is scheduled to act on DSP-19050 at its meeting on March 2, 2020.

# DEWEY PROPERTY

## DETAILED SITE PLAN

SHEET INDEX


SHEET 1: COVER SHEET
SHEET 2: APPROVAL SHEET
SHEET 3: PLAN VIEW
SHEET 4: PLAN VIEW
SHEET 5: DETAIL SHEET


VICINITY MAP
SCALE: 1"=2000'

LEGEND

- BOUNDARY LINE
- EXISTING CONTOURS
- EXISTING SEWER
- EASEMENT
- PROPOSED LOT LINE
- PROPOSED CONTOURS
- PROPOSED STORM DRAIN
- PROPOSED WATER LINE
- PROPOSED SEWER LINE
- EXISTING WOODLANDS
- PMA — PMA APPROVED WITH NRI
- PMA — PMA APPROVED WITH PPS

GENERAL NOTES:

1. PROJECT NAME: DEWEY PARCEL
2. GROSS ACREAGE: 21.16 AC.+/- (M-U-I/IT-D-O)
   NET ACREAGE: 15.84 AC. (M-U-I/IT-D-O)
3. EXISTING ZONING: M-U-I/IT-D-O MIXED USE INFILL
   PRINCE GEORGE'S PLAZA 2016 TDOZ
   CHARACTER AREA: DOWNTOWN CORE & NEIGHBORHOOD EDGE
4. PROPOSED USE:
   - PARCEL 1: FOR GRADING PURPOSES ONLY 3.16AC.+/-
   - PARCEL 2: FOR GRADING PURPOSES ONLY 5.36AC.+/-
   - PARCEL 3: FUTURE PHASE 2.15AC.+/-
   - PARCEL 4: STORMWATER MANAGEMENT 6.65AC.+/-
   - PARCEL 5: MULTIFAMILY & RETAIL 3.32AC.+/-
5. PROPOSED NUMBER OF
   - A. LOTS: 0
   - B. PARCELS: 5
   - C. OUTLOTS: 0
   - D. OUTPARCELS: 0
6. PROPOSED DWELLING UNIT BY TYPE: 321 DWELLING UNITS
   MULTIFAMILY=321 UNITS
   DENSITY CALCULATION: 321 DU/15.84AC=20.3 DU/AC
   DENSITY ALLOWED: AS APPROVED (27-546.18(b))
7. GFA EXISTING: 0.0 SF
   GFA PROPOSED: 351,608 SF
   350,350 SF (RESIDENTIAL)
   1,258 SF (COMMERCIAL)
   F.A.R. 351,608SF/521,729SF = 0.38
8. BUILDING HEIGHT
   PARCEL 5: 5 STORY 52'8 5/8"
9. WSSC 200 FT REF: 208 NE 03
10. TAX MAP: 41
    GRID: A-2
11. AVIATION POLICY AREA: N/A
12. EXISTING WATER/SEWER DESIGNATION: W-3 & S-3
13. PROPOSED WATER/SEWER DESIGNATION: W-3 & S-3
14. STORMWATER MANAGEMENT CONCEPT # 34347-2018 AND APPROVAL DATE:10-17-19
15. PUBLIC UTILITY EASEMENT: VARIATION REQUESTED DURING PPS
16. MANDATORY PARK DEDICATION: REQUIREMENT MET BY CSP-00024.
17. NO CEMETERIES EXIST ON OR CONTIGUOUS TO PROPERTY.
18. NO HISTORIC SITES ON OR IN THE VICINITY OF THE PROPERTY.
19. STREAM AND WETLAND ARE NOT PRESENT ON SITE.
20. 100 YEAR FLOODPLAIN: 5.32 AC.+/-
21. SITE IS NOT WITHIN CHESAPEAKE BAY CRITICAL AREA
22. SOURCE OF TOPOGRAPHY: SOLTESZ
23. APPLICANT:
    BALD EAGLE PARTNERS
    4800 HAMPTON LANE, SUITE 200
    BETHESDA, MD 20814
24. DURING THE DEMOLITION AND CONSTRUCTION PHASES, THIS PROJECT WILL CONFORM TO CONSTRUCTION ACTIVITY DUST CONTROL REQUIREMENTS AS SPECIFIED IN THE 2011 MARYLAND STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL
25. DURING THE DEMOLITION AND CONSTRUCTION PHASES, THIS PROJECT WILL CONFORM TO CONSTRUCTION ACTIVITY NOISE CONTROL REQUIREMENTS AS SPECIFIED IN THE CODE OF MARYLAND REGULATIONS (COMAR).

PARKING & LOADING & BICYCLE

1. PARKING SCHEDULE:

| | | |
|---|---|---|
| MAXIMUM ALLOWED: | | 405 SPACES |
| RESIDENTIAL -1.25 PS/UNIT | 321 UNITS x 1.25 | 401 SPACES |
| RETAIL: | 2.5 PS/1000 SF GROSS LEASEABLE AREA | 4 SPACES |
| TOTAL PROPOSED: | | 334 SPACES |
| GARAGE SPACES: | | 334 SPACES |
| HANDICAP SPACES REQUIRED: | | 8 SPACES |
| HANDICAP SPACES PROPOSED: | | 8 SPACES |
| (2 VAN ACCESSIBLE & 6 STANDARD) | | |

2. PARKING SPACE SIZE:
   - 7' x 19' TYPICAL SPACE (SURFACE-WITHIN PUBLIC RIGHT OF WAY)
   - PARKING SPACES WITHIN THE RIGHT OF WAY ARE NOT COUNTED IN THE 334 PARKING SPACES PROPOSED.
   - 9' x 18' TYPICAL SPACE (STRUCTURED)*

**A DEPARTURE FROM DESIGN STANDARDS DDS-660 HAS BEEN REQUESTED FOR THE LENGTH AND WIDTH OF THE PARKING SPACES

3. LOADING SCHEDULE:
   - TOTAL REQUIRED: AS PROPOSED
   - TOTAL PROPSED: 2 LOADING 12' x 33'
4. BICYCLE PARKING
   - REQUIRED: 1 BIKE PER 20 MF UNITS:321 UN/20 OR 17 SPACES
   - PROPOSED: 50 SPACES

PARCEL 5

DETAILED SITE PLAN
DSP-19050 & DDS-660
PARCEL 5

DEWEY PROPERTY

CHILLUM (17TH) ELECTION DISTRICT, PRINCE GEORGE'S COUNTY, MARYLAND

1" = 60'

SHEET 1 OF 5

PROJECT NO. 36710001


SOLTESZ, LLC
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|---|---|---|---|
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| 1 | REVISED PER 7-17-19 COMMENTS | YOR | 7/17/19 |

DATE: JUNE, 2019 CAD STANDARDS VERSION: V8 - NCS
DESIGNED: YOR TECHNICIAN: YOR CHECKED: DJB

MISS UTILITY NOTE

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OWNER/DEVELOPER

DEWEY L C
6525 Belcrest Road #300
Hyattsville, MD 20782

PHONE # 301-915-0460
FAX # 240-387-6109
CONTACT NAME: SCOTT DECAIN

APPLICANT

BALD EAGLE PARTNERS
4800 Hampton Lane, Suite 200
Bethesda, MD 20814

| | |
|---|---|
| TAX MAP 41, A1 | ZONING CATEGORY: M-U-I |
| WSSC 200' SHEET 208 NE 03 | XXXX: |
| SITE DATUM HORIZONTAL: VERTICAL: | XXXX: |

STATE OF MARYLAND — DAVID JOHN BOND — LANDSCAPE ARCHITECT — NO. 2342


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| WSSC 200' SHEET 208 NE 03 | XXXX: |
| SITE DATUM HORIZONTAL:_____ VERTICAL:_____ | XXXX: |

STATE OF MARYLAND — DAVID JOHN SOLTESZ — NO. 3250 — LANDSCAPE ARCHITECT

**APPROVAL SHEET**

# DETAILED SITE PLAN
# DSP-19050 & DDS-660
# PARCEL 5
# DEWEY PROPERTY

**CHILLUM (17TH) ELECTION DISTRICT, PRINCE GEORGE'S COUNTY, MARYLAND**

ONE INCH — 1" = 60'

SHEET 2 OF 5

PROJECT NO. 36710001



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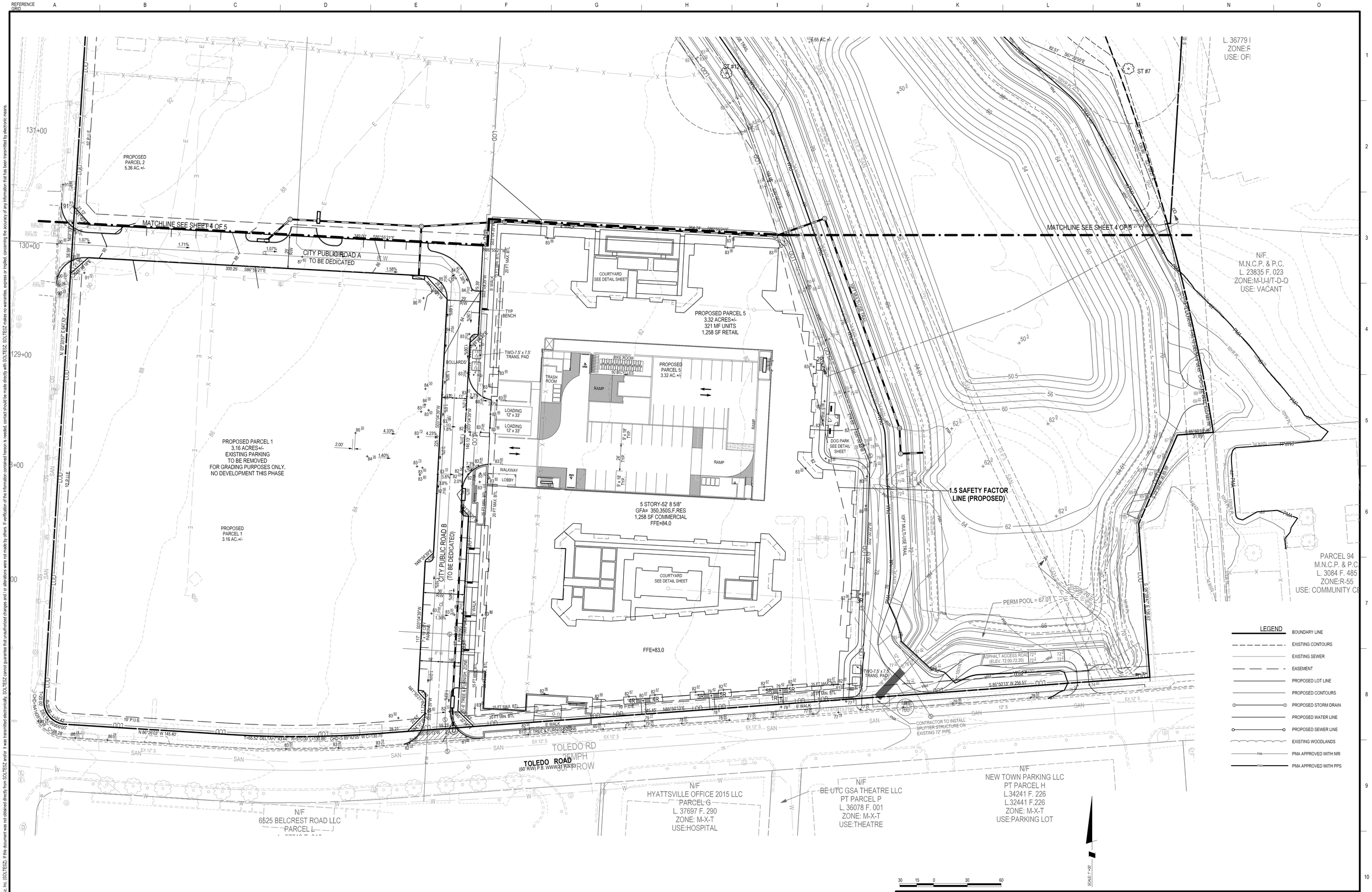


## SITE PLAN

# DETAILED SITE PLAN
# DSP-19050 & DDS-660
# PARCEL 5
# DEWEY PROPERTY

CHILLUM (17TH) ELECTION DISTRICT, PRINCE GEORGE'S COUNTY, MARYLAND

1" = 30'

SHEET 3 OF 5

PROJECT NO. 36710001


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| 1 | REVISED PER 7-17-19 COMMENTS | YOR | 7/17/19 |

DATE: JUNE, 2019 | CAD STANDARDS VERSION: V8 - NCS
DESIGNED: YOR | TECHNICIAN: YOR | CHECKED: DJB

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FAX # 240-387-5109
CONTACT NAME: SCOTT DECAIN

**APPLICANT**

BALD EAGLE PARTNERS
4800 Hampton Lane, Suite 200
Bethesda, MD 20814

| TAX MAP | ZONING CATEGORY: |
|---|---|
| 41, A1 | M-U-I |
| WSSC 200' SHEET | XXXX: |
| 208 NE 03 | |
| SITE DATUM HORIZONTAL: | XXXX: |
| VERTICAL: | |

STATE OF MARYLAND — DAVID JOHN BOGER — No. 2202-40 — LANDSCAPE ARCHITECT


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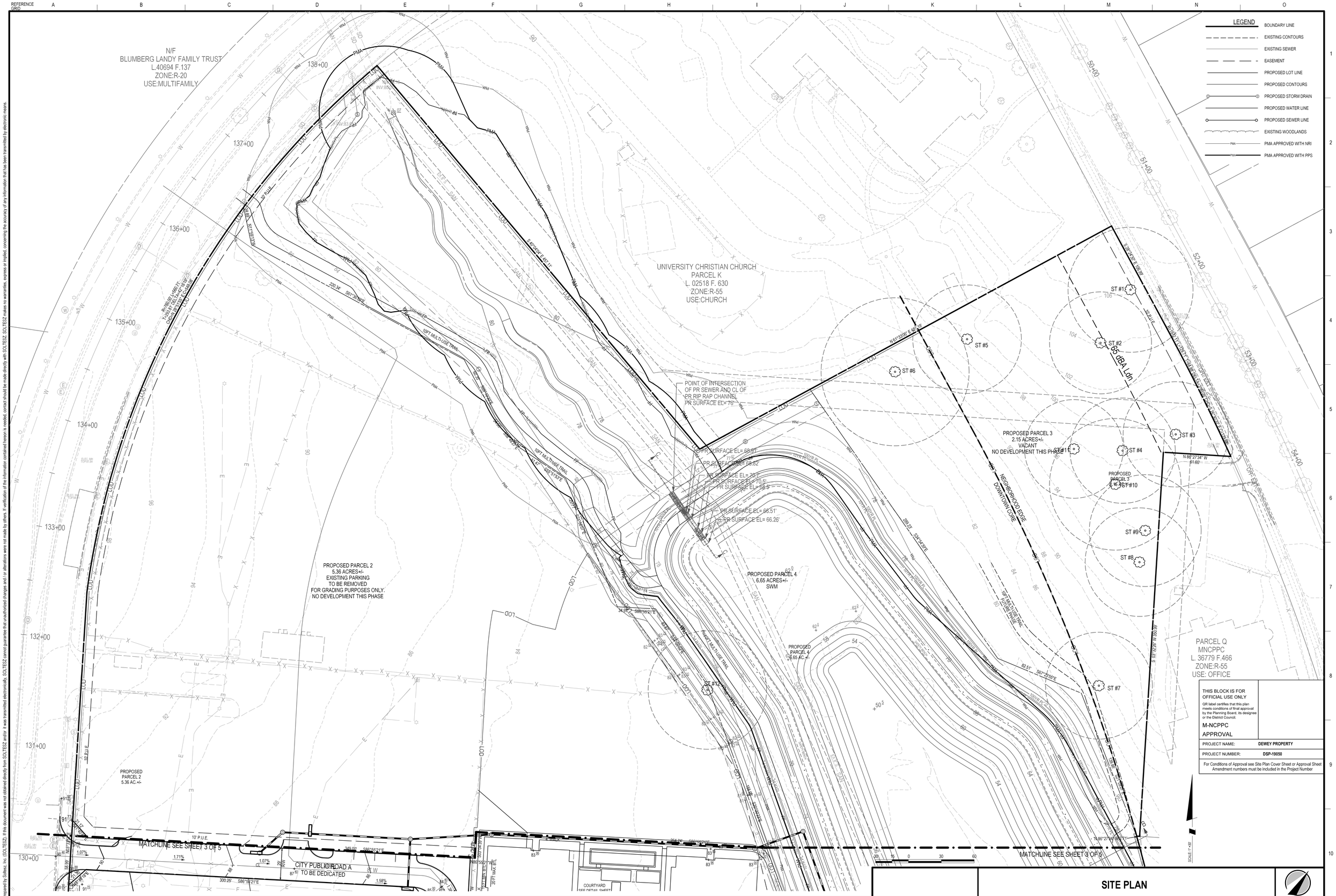


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QR label certifies that this plan meets conditions of final approval by the Planning Board, its designee or the District Council.

M-NCPPC APPROVAL

| | |
|---|---|
| PROJECT NAME: | DEWEY PROPERTY |
| PROJECT NUMBER: | DSP-19050 |

For Conditions of Approval see Site Plan Cover Sheet or Approval Sheet. Amendment numbers must be included in the Project Number


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DESIGNED: YOR | TECHNICIAN: YOR | CHECKED: DJB

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**OWNER/DEVELOPER**

DEWEY L C
6525 Belcrest Road #300
Hyattsville, MD 20782

PHONE # 301-915-0460
FAX # 240-387-6109
CONTACT NAME: SCOTT DECAIN

**APPLICANT**

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Bethesda, MD 20814

| | |
|---|---|
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| WSSC 200' SHEET 208 NE 03 | XXXX: |
| SITE DATUM HORIZONTAL: VERTICAL: | XXXX: |

STATE OF MARYLAND — DAVID JOHN BOND — NO. 22350 — LANDSCAPE ARCHITECT

# SITE PLAN

# DETAILED SITE PLAN
# DSP-19050 & DDS-660
# PARCEL 5
# DEWEY PROPERTY

**CHILLUM (17TH) ELECTION DISTRICT, PRINCE GEORGE'S COUNTY, MARYLAND**

1" = 30'

SHEET 4 OF 5

PROJECT NO. 36710001


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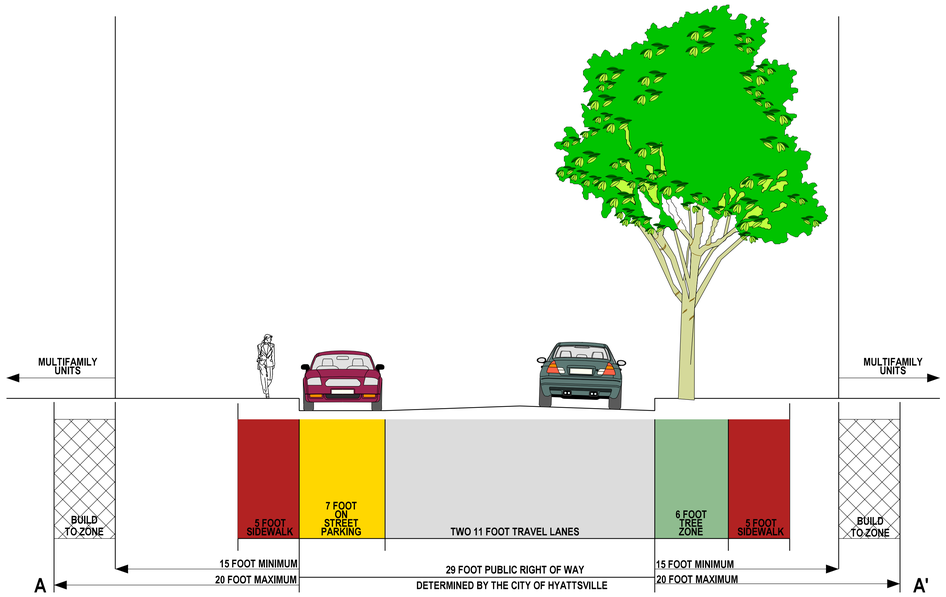
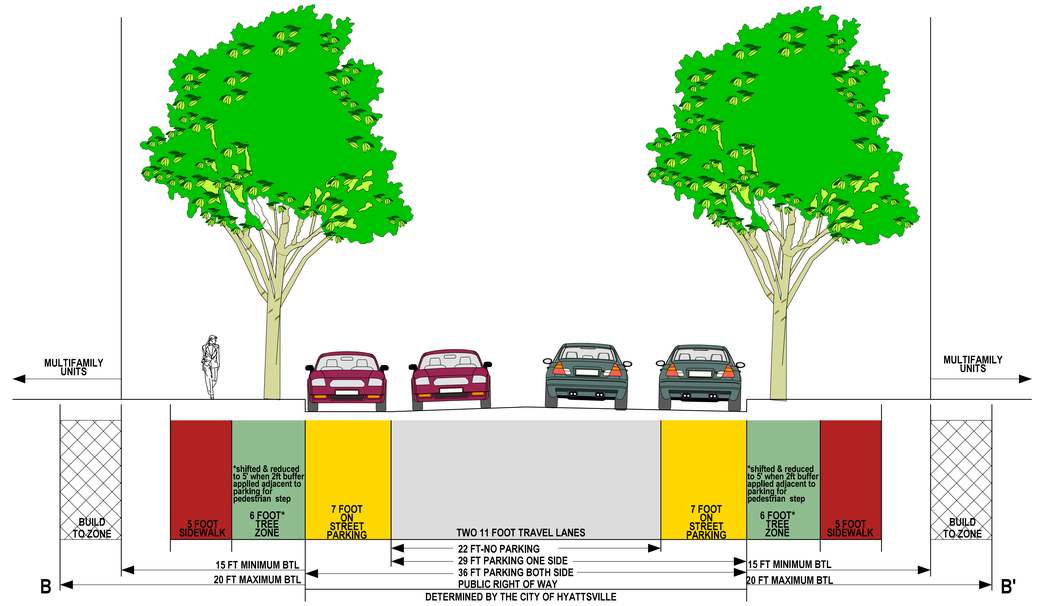
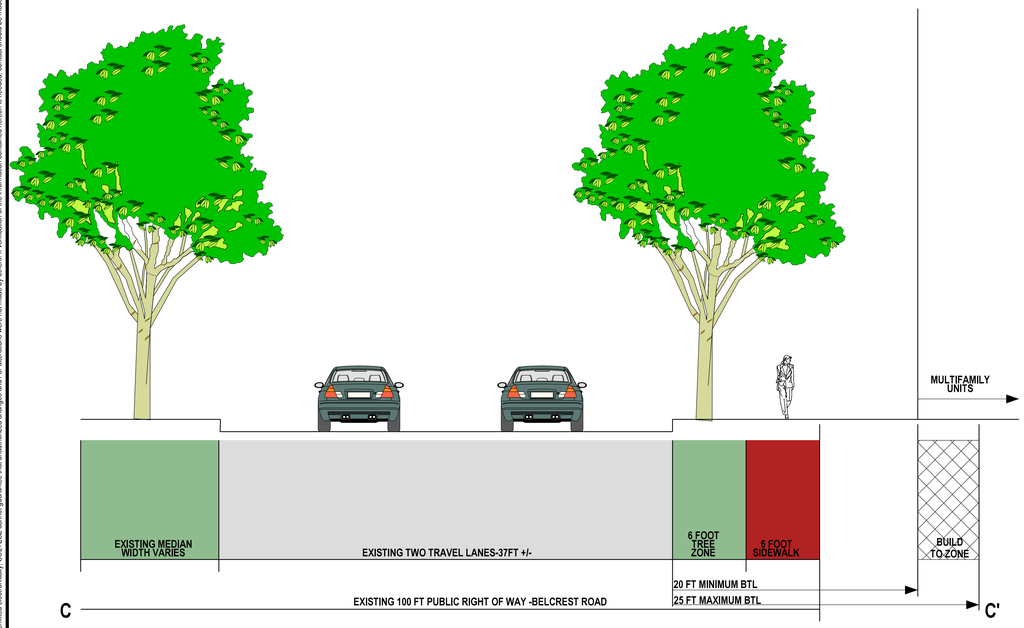


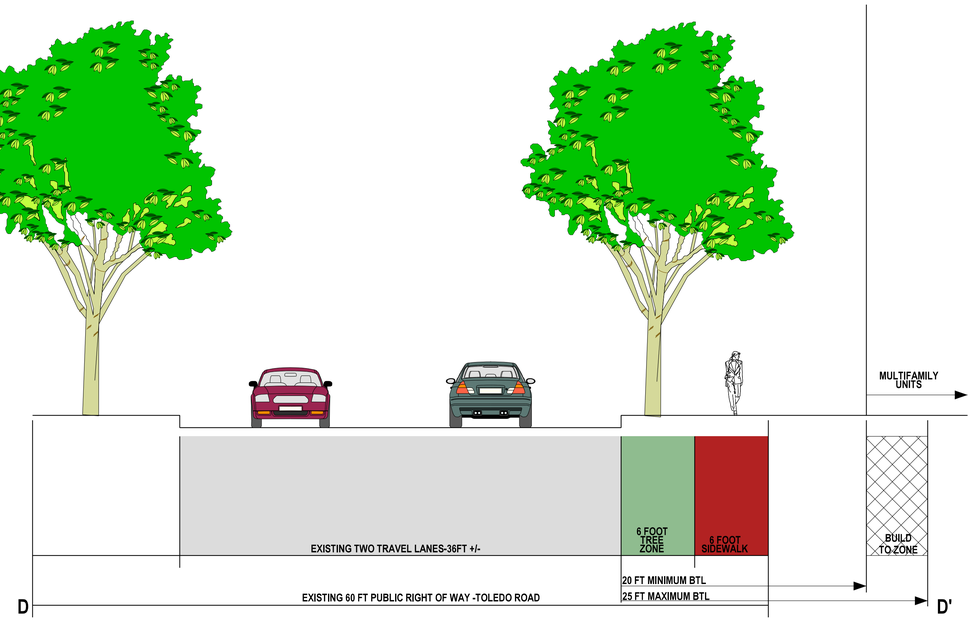

## PROPOSED ROAD 'A'
SCALE: 1'=5'



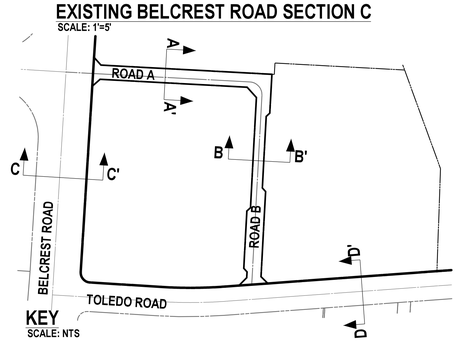

## PROPOSED ROAD 'B'
SCALE: 1'=5'




## EXISTING BELCREST ROAD SECTION C
SCALE: 1'=5'




## EXISTING TOLEDO ROAD SECTION D
SCALE: 1'=5'




## KEY
SCALE: NTS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### OWNER/DEVELOPER

DEWEY L C
6525 Belcrest Road #300
Hyattsville, MD 20782

PHONE # 301-915-0460
FAX # 240-387-6109
CONTACT NAME: SCOTT DECAIN

### APPLICANT

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| TAX MAP | ZONING CATEGORY: |
|---|---|
| 41, A1 | M-U-I |
| WSSC 200' SHEET | XXXX: |
| 208 NE 03 | |
| SITE DATUM | XXXX: |
| HORIZONTAL: | |
| VERTICAL: | |

STATE OF MARYLAND — DAVID JOHN BOND — NO. 2350 — LANDSCAPE ARCHITECT

## DETAILS/SECTIONS

# DETAILED SITE PLAN
# DSP-19050 & DDS-660
# PARCEL 5
# DEWEY PROPERTY

CHILLUM (17TH) ELECTION DISTRICT, PRINCE GEORGE'S COUNTY, MARYLAND

1" = 5'

SHEET 5 OF 5

PROJECT NO. 36710001


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# STATEMENT OF JUSTIFICATION
# DEWEY PROPERTY FAIRFIELD RESIDENTIAL
# DSP-19050
# 12/30/2019


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## 1.0 INTRODUCTION/OVERVIEW

The Applicants, FF Realty IV, LLC and Bald Eagle Partners are pleased to present Detailed Site Plan Application DSP-19050. The property which is the subject of this application is owned by BE UTC Dewey, LLC and Dewey, L.C. The proposed development consists of five proposed parcels of land which are part of a land assemblage consisting of 21.16 acres of land which is zoned M-U-I/T-D-O. The property is located with the Prince George's Plaza Transit District Overlay Zone. The specific parcel which is proposed for development pursuant to this application consists of 3.32 acres. Set forth below is a description of the property, a summary of the development proposal, the development history of the subject property, an analysis of the Transit District Development Standards set forth in the Prince George's Plaza Transit District Development Plan ("TDDP") applicable to the property and how the property conforms with each standard. In the event an amendment to an applicable standard is required, a justification for such amendment from the TDDP Development Standards is provided.

## 2.0 DESCRIPTION OF PROPERTY

As indicated above, the property which is the subject of DSP-19050 contains approximately 21.16 acres of land and consists of five proposed parcels. The property is the subject of two separate preliminary plans of subdivision. The first, Preliminary Plan 4-18022 was approved by the Prince George's County Planning Board on June 27, 2019 pursuant to Prince George's County Planning Board Resolution PGCPB No. 19-82(C). This preliminary plan included 17.29 acres of the property included in this Detailed Site Plan Application. The second Preliminary Plan of Subdivision, 4-19033, was approved by the Prince George's County Planning Board on December 12, 2019 pursuant to Prince George's County Planning Board Resolution PGCPB No. 19-129.

The property comprising the subject property includes Parcel A, depicted on a plat of subdivision recorded among the Land Records of Prince George's County at Plat Book 59 Plat No. 11 and Parcel 67, Tax Map 42. Two separate preliminary plans of subdivision were filed because Parcel A was divided into separate ownerships through a foreclosure several years ago. The applicant has been attempting to consolidate the separate ownerships but was unable to do so prior to the filing of preliminary plan 4-18022. Now that preliminary plan 4-19033 has

been approved, the entire land area will be developed as a coordinated project pursuant to this Detailed Site Plan.

The property is located in the northeast quadrant of Belcrest Road and Toledo Road, within the municipal limits of the City of Hyattsville. Toledo Road forms the southern boundary of the property while Belcrest Road forms the western boundary of the property. Parcel 67 also has frontage on Adelphi Road to the east. The property is dominated by two features. The first is a surface parking lot which was constructed in the 1960's. While initially provided to supply parking to federal office buildings constructed on the parcel to the south, use of the property for parking has diminished as structured parking has been constructed south of Toledo Road and as the area has transitioned to a more transit-oriented development. The second feature is linear environmental feature associated with Wells Run, which extends from the northwest corner of the site to the southeast corner. This environmental feature is significant as it is identified by the TDDP as the location of a regional stormwater management facility which will benefit the entire transit district. The property is currently not improved with any buildings.

## 3.0 SUMMARY OF DEVELOPMENT PROPOSAL

The Applicant proposes to remove the existing surface parking lot and replace it with a predominantly residential development consisting of multifamily dwellings and condominiums designed to function as two over two townhouse units. The first phase of the development is included in this application and includes 321 multifamily dwelling units and 1,258 square feet of ground floor commercial on 3.32 acres as well as the infrastructure required to support these uses. Structured parking will be provided in a garage which will contain 334 spaces. The portion of the property proposed to be developed is located at the corner of Toledo Road and a new street to be constructed consistent with Preliminary Plan 4-18022 and the TDDP.

To minimize curb cuts on Toledo Road, the parking garage and loading areas will be accessed from the new street to be constructed. The residential lobby will also front on the new street, while the commercial space will front on and access Toledo Road. The building has been designed to activate the Downtown Core A Street, Toledo Road and enhance the pedestrian experience. The two-story amenity fitness facility has been

located at the corner to complement the retail location which will be accessed along Toledo Road. This orientation will help ensure that the corner is active after hours and provides a vibrant façade in the evenings. The leasing office is purposefully located closer to the garage entrance for two reasons. First, the leasing office is intended to accommodate visitors and prospective renters and it is important to be as proximate as possible to the parking. Second, locating the leasing office on Toledo Road would be detrimental to the above stated design and project goals due to it being staffed and operating only during limited hours of the day, leaving it unoccupied and dark outside of operation hours and undermining the goal of creating a livelier streetscape and facade.

## 4.0 SUMMARY OF DEVELOPMENT HISTORY

As noted above, the property is currently developed with a surface parking lot, which has historically been used by existing buildings located south of Toledo Road. Development of these buildings began in the early to mid-1960's. By the mid-1970's, three office buildings had been constructed that were occupied by federal tenants. Federal Building I contained 259,746 sf, Federal Building II contained 358,611 sf and Federal Building III contained 393,853 sf. At the time these buildings were constructed, the parking requirements were substantially higher than they are now. For example, general offices required 1 parking space for each 200 square feet of space—which would have required over 5,000 parking spaces. As a result, the owner filed for three parking waivers. For Federal Building I, a waiver was approved to only require 550 parking spaces. This waiver was approved in 1966 by Resolution No. 709-1966. For Federal Building II, a waiver was approved to only require 849 parking spaces. This waiver was approved in 1968 by Resolution No. 593-1969. Finally, for Federal Building III, a waiver was approved for the location of the spaces, not the number of spaces. Between the construction of the first two buildings and the last building, a change in the code did not permit the parking as far from the building as would exist on north side of Toledo Road. As a result, a waiver was approved to allow parking on the north side of Toledo Road on the Subject Property. This waiver was approved in 1970 pursuant to Resolution No. 636-1970.

At the time, and for over twenty-five years thereafter, the area was not served by mass transit and no structured parking existed. As a result, the office buildings were served by the

massive surface parking lots that dominated both the area to the south of Toledo Road as well as the Subject Property. In fact, a total of 1503 surface parking spaces still exist on the Subject Property, occupying approximately 11.5 acres of land. These spaces will be removed by the proposed development of the Subject Property, which will be addressed in greater detail below.

In 1987, a site plan was approved for Greenwood School, which was a daycare center to be located in Federal Building III. The DSP is referenced as SP-87076. Since parking for Federal Building III was on the Dewey Property, the site plan included all of the land on both sides of Toledo Road. The site plan approved as part of DSP-87076 essentially was used as the operative site plan until around 2001.

In 1992, in anticipation of the opening of the Prince George's Plaza Metro Station, Prince George's County adopted the Prince George's Plaza Transit District Development Plan (TDDP) and approved a Transit District Overlay Zone (TDOZ). The zoning of the land on both the north and south sides of Toledo Road was changed to the M-X-T zone (with the exception of the environmental area which was zoned O-S). In 1998, the TDOZ and TDDP were reenacted. In the 1998 TDDP, the Subject Property was identified as Subarea 2 in the TDDP and the land on the south side of Toledo Road was identified as Subarea 3. Being zoned M-X-T, any additional development of the land required approval of a Conceptual Site Plan. It is significant to note that the TDDP discouraged surface parking spaces and placed maximum surface parking ratios in an attempt to reduce or limit the number of surface parking spaces provided in the TDDP boundaries. These new parking ratios reduced the number of required parking spaces need to serve the existing and proposed development within the transit district.

In 2001, Conceptual Site Plan CSP-00024 was filed. Both Subarea 2 and 3, consisting of 47.7 acres, were included in the CSP. The CSP notes that at that time there were 1,237,000 existing square feet of commercial and 3,506 surface parking spaces, which counted the surface parking on the Subject Property. The CSP proposed additional development of 1,931,500 square feet to be constructed site wide. On the Dewey Property, the CSP proposed 600-1200 residential units with structured parking, and 150,000-400,000 sf of office with structured parking. The CSP shows that in addition to the exiting 3,506 surface parking spaces, an additional 4,000 structured parking

spaces would be constructed, for a total of 7,506 spaces to serve the entire development. In anticipation that additional development would require the loss of existing surface parking, the CSP was approved subject to Condition 15, which provides as follows:

> For each Detailed Site Plan, the applicant, his heirs, successors, and/or assigns shall submit a parking demand analysis which reflects appropriate reduction for shared parking between existing and proposed uses.

Over a period of several years, as the property on the south side of Toledo Road (now known as University Town Center) was proposed for additional development, Detailed Site Plans were filed to obtain approval for such additional development. In conformance with Condition 15 of the CSP which required a parking analysis be provided at the time of DSP, the Detailed Site Plans provided a parking chart which documented the number of surface parking spaces removed from the property, the number of structured parking spaces proposed or constructed, and the number of parking spaces required under the regulations applicable at that time. These calculations did not assume parking reductions based on shared usage, as anticipated by Condition 15, but they did demonstrate that a sufficient number of parking spaces were provided to serve the existing and proposed uses.

Beginning in 2013, as part of DSP-05084/02, a more detailed parking analysis was required to be provided. This parking analysis was prepared in accordance with Section 27-583, which states that in the M-X-T zone, "the number of off-street loading spaces required in the M-X-T Zone are to be calculated by the applicant and submitted to the Planning Board for approval at the time of Detailed Site Plan approval. Prior to approval, the applicant shall submit the methodology, assumptions, and data used in performing the calculations." In that application, the Planning Board Resolution (PGCPB No. 13-118) contained a summary of the approvals which had occurred from 2001 to 2013, as follows:

> Prior to the approval of the TDDP, three office buildings consisting of 1,237,000 GSF and 3,506 surface parking spaces existed on Subareas 2 and 3. Since the approval of the TDDP, the following development plans have been approved:

The conceptual site plan (CSP-00024) has been approved which allows a mixed-use development with a "main street" theme, and will allow additional 1,931,500 GSF of office, retail and residential development and a total of 4,000 additional structure parking spaces.

On April 25, 2002, the Prince George's County Planning Board approved the preliminary plan of subdivision (4-01092).

DSP-01002 approval is for construction of a 195,350 GSF office building and a parking garage with 1,565 structure parking spaces.

DSP-03037 approval is for construction of a five-story underground parking garage containing 1,167 structure parking spaces.

DSP-03037/01 approval is for the construction of a 16-story residential student housing building with 240 units. This building is also under construction.

DSP-03037/02 approval is for construction of additional 112 residential condominium units and 28,000 GSF of commercial retail space.

DSP-05041 approval is for construction of a 93,100 GSF movie theater complex, 34,903GSF commercial retail, and 58,886 GSF commercial office spaces.

DSP-05084 approval is for construction of 176 residential condominium units, 66,751 GSF of commercial retail and a parking garage with 660 structure parking spaces.

This summary of development approvals demonstrates that while additional development was proposed, a substantial increase in parking was also provided. Detailed Site Plan DSP-05084/02 proposed the construction of a Safeway grocery store, which included rooftop parking. The parking analysis was prepared by Lenhart Traffic Consulting, Inc. and was conducted using parking demand models from the Institute for Traffic Engineers (ITE) Parking Generation Manual, 4th Edition (2010). Based upon that analysis, a total of 4,845 parking spaces (including the surface parking spaces on the Subject Property) were available to served all of the uses. Based on the analysis, a total of 4,681

parking spaces were required. This analysis was accepted and approved with the Detailed Site Plan.

In 2016, Prince George's County adopted a new TDDP for Prince George's Plaza. This new TDDP had a substantial impact on the Subject Property. First, it rezoned the Subject Property from the M-X-T and O-S zones to the M-U-I zone. This is significant in that the M-U-I zone, unlike the M-X-T zone, does not require approval of a Conceptual Site Plan. Regarding the validity of the previously approved CSP, the TDDP provides as follows:

> "Pursuant to Section 27-548.08(c)(2), a Detailed Site Plan does not have to conform to a previously approved Conceptual Site Plan. Accordingly, Conceptual Site Plans approved prior to July 19, 2016 have no bearing on the approval of a DSP for development in the Transit District. Regardless of previous Conceptual Site Plan approval, all DSP's shall strictly conform to the current Transit District Standards."

The second major impact the TDDP has is that it modified the standards for parking. Relevant to this application, the following standards were adopted (P. 258):

- There is no minimum number or ratio of off-street parking spaces for any development within the Transit District.

- The maximum number of off-street parking spaces permitted for nonresidential and residential development is specified in the table of maximum parking ratios on the following page.

- All applicants, other than those proposing single-family dwelling units, shall demonstrate the extent to which their proposed development reduces the total number of surface parking spaces within the Transit District.

In 2017, a Detailed Site Plan was filed for Parcel R in the University Town Center referenced as DSP-17005. The purpose of this application was to convert an existing office building with 434,000 square feet to a 311 unit multifamily residential building. The land comprising the University Town Center south of Toledo Road was retained in the M-X-T zone and the requirement to provide a shared parking analysis pursuant to

Section 27-583 of the Zoning Ordinance was still applicable. An updated shared parking analysis was again prepared by Lenhart Traffic Consulting, Inc. using the Institute for Transportation Engineers (ITE) Parking Generation Manual, 4th Edition (2010). Based upon the updated analysis, a total of only 3705 parking spaces were required at peak demand, while 4,845 parking spaces were available. This analysis was once again accepted and approved with the Detailed Site Plan.

It should be noted that although the Subject Property had been rezoned to the M-U-I zone and was no longer subject to the CSP, the parking analysis submitted with DSP-17005 still included the surface parking on the property as being available to serve the University Town Center development. However, at the time of this approval, a Ground Lease was in effect which leased parking spaces on the Dewey Property to the owner of Metro III. This Ground Lease is recorded among the Land Records of Prince George's County at Liber 37353 folio 395.

As stated above, the development of the Subject Property will eliminate the surface parking located north of Toledo Road. In fact, the TDDP Standard cited previously requires the Applicant to demonstrate that its development proposal eliminates surface parking. In order to eliminate this surface parking, the spaces currently being leased to Metro III will be relocated into an existing parking garage located on the south side of Toledo Road. This relocation is in accordance with the specific provisions of the Ground Lease referenced above. Since the TDDP no longer requires a minimum number of parking, the amount of parking on the south side of Toledo Terrace cannot be less than required by the TDDP. Further, since the Subject Property is no longer subject to the condition requiring a parking analysis, one is not technically required. Nonetheless, the Applicant has commissioned a shared parking analysis to demonstrate that there is sufficient parking on the south side of Toledo Road within the University Town Center satisfy the parking needs of the existing uses.

Attached hereto is a shared parking analysis prepared by Lenhart Traffic Consulting, Inc dated November 5, 2020. The shared parking analysis was prepared using the Institute for Traffic Engineers (ITE) Parking Generation Manual, 5th Edition (2019), consistent with the prior analyses. This is the most recent edition of the Parking Generation Manual and supersedes the 2010 edition previously used. Based upon this analysis, if the 1503 parking spaces currently located on the Subject

Property are removed, a total of 3,342 parking spaces will continue to exist on the south side of Toledo Road. The current mix of uses generate a peak parking demand of 2,334 parking spaces, indicating that a surplus of 1,008 spaces will exist even without the use of the surface parking on the north side of Toledo Road. Therefore, the Applicant submits that with the redevelopment of the Subject Property as proposed, and the elimination of the surface parking lot, sufficient parking will continue to exist to support the existing development within the University Town Center.

## 5.0 CONFORMANCE WITH GENERAL PURPOSES OF DETAILED SITE PLANS

The general and specific purposes of Detailed Site Plan (DSP) are contained in §27-281(b) and (c) of the Zoning Ordinance, and are expressed as follows:

**(b) General purposes.**

**(1) The general purposes of Detailed Site Plans are:**

**(A) To provide for development in accordance with the principles for the orderly, planned, efficient, and economical development contained in the General Plan, Master Plan or other approved plans;**

**(B) To help fulfill the purposes of the zone in which the land is located;**

**(C) To provide for development in accordance with the site design guidelines established in this Division; and**

**(D) To provide approval procedures that are easy to understand and consistent for all types of Detailed Site Plans.**

COMMENT: The 2016 Prince George's Plaza TDDP rezoned the Subject Property to the M-U-I Zone to encourage redevelopment. Standards for such redevelopment were established in the form of the Transit District Development Standards. The Applicant proposes to redevelop the Subject Property substantially in conformance with the standards of the TDDP. The General Plan, Plan 2035, designates three Regional Transit Districts in the County. Prince George's Plaza is one of them. The proposed development adds additional density within easy walking distance of the Metro Station, provides an urban street edge on the north side of Toledo Terrace and improves the pedestrian experience. Upon full development of the Subject Property, the TDDP's streetscape recommendations will be implemented on a substantial

length of Toledo Road, Belcrest Road and Adelphi Road. Through BPIS requirements, off site sidewalks will be improved to meet ADA standards as well.

In addition, the Detailed Site Plan also seeks to implement key recommendations of the TDDP. One recommendation is the construction of street sections to provide additional interparcel connectivity and establish smaller block sizes. Map 17 on Page 85 of the TDDP recommends that Toledo Terrace be extended to the east into the Subject Property, and then intersect with a north/south road extended from Toledo Road. The proposed Detailed Site Plan implements that recommendation. The TDDP also identifies the need to provide a regional stormwater management facility to address long standing issues. Much of the existing development was constructed without any quality or quantity stormwater management controls. The future redevelopment of these sites is impacted by the need to provide 100-year quantity controls, which not only increases the cost of construction and reduces developable area close to the Metro. The site identified in the TDDP for this facility is the environmental feature that extends through the property. The Applicant is working with Prince George's County to provide the facility as envisioned by the TDDP which will assist in growth elsewhere in the transit district. The creation of a regional stormwater facility also allows for the creation of the greenway envisioned by the TDDP, and the establishment of a trail connection.

Finally, the TDDP notes that much of the focus for future development is to eliminate surface parking, which only exacerbates stormwater runoff. The proposed development will replace surface parking spaces with mixed use development served by structured parking. As a result, the proposed DSP will provide for orderly development in accordance with the principles of the TDDP.

## 6.0 CONFORMANCE WITH PURPOSES OF THE M-U-I ZONE.

Paragraph (b)(1)(B) of Section 27-282 expresses that a DSP proposal needs to "…help fulfill the purposes of the zone in which the land is located." As previously noted, the Property is within the M-U-I Zone, with purposes outlined in Section 27-546.15 (a) and (b):

**(a) The general purpose of the M-U-I Zone is to permit, where recommended in applicable plans or requested by a municipality, a mix of residential and commercial uses as infill development in areas which are already substantially developed. The M-U-I Zone may be approved on properties which adjoin developed properties or otherwise meet plan recommendations and which have overlay zone regulations requiring site plan review, or on property owned by a municipality which requests the zone.**

**(b) The specific purposes of the M-U-I Zone are:**

**(1) To implement recommendations in approved Master Plans, Sector Plans, or other applicable plans by encouraging residential or commercial infill development in areas where most properties are already developed;**

**(2) To simplify review procedures for residential, commercial, and mixed residential and commercial development in established communities;**

**(3) To encourage innovation in the planning and design of infill development;**

**(4) To allow flexibility in the process of reviewing infill development;**

**(5) To promote smart growth principles by encouraging efficient use of land and public facilities and services;**

**(6) To create community environments enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses; and**

**(7) To permit redevelopment, particularly in areas requiring revitalization, of property owned by a municipality.**

COMMENT: The proposed development conforms with both the general and specific purposes of the M-U-I zone in that the Subject Property is in an area which is already substantially developed. In fact, the Subject Property is developed with a surface parking lot and is proposed for redevelopment consistent with the recommendations of the TDDP, as summarized above. The TDDP placed the property in the M-U-I zone to encourage the type of redevelopment proposed. The project implements many of the recommendations of the TDDP, enhances the overall environment by

creating an attractive, pedestrian scale streetscape, introduces an inviting greenway and pedestrian connections, and adds population near a major transit stop.

## 7.0 CONFORMANCE WITH SPECIFIC PURPOSES OF THE DETAILED SITE PLAN

Sec. 27-281 (c) lists the specific purposes of a detailed site plan. There are four specific purposes listed, each of which is addressed below:

**Sec. 27-281 (c) (1)(A): To show the specific location and delineation of buildings and structures, parking facilities, streets, green areas, and other physical features and land uses proposed for the site.**

COMMENT: The submitted Detailed Site Plan demonstrates the location of the commercial retail and the residential uses proposed for the Subject Property. The proximity of the uses and access points will help create functional relationships with both the uses on the property as well as the surrounding uses and help create appropriate pedestrian circulation along Toledo Road and the new north/south street leading to Toledo Terrace extended.

**Sec. 27-281 (c)(1)(B): To show specific grading, planting, sediment control, tree preservation, and storm water management features proposed for the site.**

COMMENT: The submitted DSP included in this DSP application shows the specific grading and landscape planting areas proposed for the site. A stormwater management concept 34347-2018-0 has been approved for the site. The DSP provides an illustration of how the buildings, parking and other features are proposed to be constructed.

**Sec. 27-281 (c)(1)(C): To locate and describe the specific recreation facilities proposed, architectural form of buildings, and street furniture (such as lamps, signs, and benches) proposed for the site.**

COMMENT: The submitted architectural elevation as well as the DSP included in this application demonstrates the specific

recreation facilities and building form. Street furnishings are also detailed on the DSP.

The building will be urban in form. The building is proposed to be constructed as close to the existing roadways as possible. The northern and eastern edges of the property front on the proposed greenway, which will provide a natural environment contrasting with the more urban environment on the southern and western sides of the building, all in close proximity to the Metro Station.

**Sec. 27-281 (b)(1)(D): To describe any maintenance agreements, covenants, or construction contract documents that are necessary to assure that the Plan is implemented in accordance with the requirements of this Subtitle.**

The submitted DSP, Landscape Plan, and Architectural Elevations demonstrate the necessary infrastructure and building form to be implemented.

## 8.0 CONFORMANCE WITH ZONING ORDINANCE SECTION 27-546.18

Section 27-546.18 sets forth certain regulations applicable to development in the M-U-I Zone. Specifically, the section provides as follows:

**(a) Except as provided in Subsection (b), the regulations governing location, setbacks, size, height, lot size, density, and other dimensional requirements in the M-U-I Zone are as follows:**

1. **R-18 Zone regulations apply to all uses in Section 27-441(b)(3), Miscellaneous;**

COMMENT: Does not apply.

2. **R-18 Zone regulations apply to all uses in Section 27-441(b)(6), Residential/Lodging, except hotels and motels;**

COMMENT: Does not apply.

3. **C-S-C Zone regulations apply to hotels and motels and all other uses; and**

COMMENT: Does not apply.

**4. Multifamily residential densities up to forty-eight (48) units per acre are permitted**

COMMENT: Does not apply.

**(b) Where an owner proposes a mix of residential and commercial uses on a single lot or parcel in the M-U-I Zone, the site plan as approved shall set out the regulations to be followed. The approved regulations may reduce parking requirements by thirty percent (30%), where evidence shows that proposed parking will be adequate, notwithstanding provisions in Part 11. (CB-10-2001; CB-42-2003)**

COMMENT: Since the owner is proposing a mix of residential and commercial uses in this Detailed Site Plan, the site plan shall set out the regulations to be followed, consistent with the development regulations set forth in the TDDP.

## 9.0 CONFORMANCE WITH THE TRANSIT DISTRICT DEVELOPMENT ZONE STANDARDS OF THE PRINCE GEORGE'S PLAZA TDDP AND REQUEST FOR WAIVERS

The Prince George's Plaza TDDP sets forth the Transit District Standards in Chapter 6, encompassing pages 188-274. Attached hereto is a Compliance Matrix which lists all of the applicable standards and addresses conformance with the standard. As noted in the TDDP, these standards replace many of the development regulations in the underlying zones. The intent is to create a one-stop shop reference that clearly describes the process, standards and guidelines governing the approval of development applications in the Transit District.

The design team has addressed conformance with each of the applicable design standards. The analysis of conformance with the Transit District Standards indicates that modifications are required to several of the TDDP design standards. Where the proposed Detailed Site Plan does not conform with a specific standard, a modification to that standard is requested. Modifications of the Transit District Standards are permitted through the process described in Section 27-548.08(c)(3) of the Zoning Ordinance:

> "The applicant may ask the Planning Board to apply development standards which differ from mandatory

requirements in the Transit District Development Plan, unless the plan provides otherwise. The Board may amend any mandatory requirements except building height restrictions and parking standards, requirements which may be amended by the District Council under procedures in Part 10A, Division 1. The Board may amend parking provisions concerning the dimensions, layout, or design of parking spaces or parking lots."

In approving the Transit District Site Plan, the Planning Board shall find that the mandatory requirements, as amended, will benefit the proposed development and the Transit District and will not substantially impair implementation of the Transit District Development Plan, and the Board shall then find that the site plan meets all mandatory requirements which apply. The modifications of the Transit District Standards requested by the Applicant are addressed below.

**9.1 STREETS AND FRONTAGE/BLOCKS (p. 208)**

The TDDP seeks to establish a street network that defines blocks of up to 500 feet from right of way to right of way. Where redevelopment on existing block frontages of greater than 500 feet occurs, a perpendicular A Street or B street shall be constructed.

The proposed Detailed Site Plan largely conforms with this Standard, with one minor exception. Currently, the property frontage on Toledo Road is approximately 1000 feet. The north/south road extending from Toledo Road creates a block length that conforms to this Standard. The frontage of Parcel 5 along Toledo Road is 355 feet while the frontage of Parcel 1 on Toledo Road is 450 feet. Along Road B, the frontage is 360 feet, while the frontage on Road A (the extension of Toledo Terrace) is 435 feet. On Adelphi Road, the extension of Toledo Terrace establishes a block length along the western boundary of Parcel 1 of 405 feet. The length of Parcel 2 on Belcrest Road, however, is 550 feet measured from the northern right of way line of Road A to the center line of the private road which provides access at the north end of the parcel. This minor amendment to the Standard is justified because the location of the extension of Toledo Terrace is fixed. The intent of the Standard is achieved by the dedication of Road A and Road B, ensuring block lengths consistent with the TDDP. For these reasons, the requested modification of the block length Standard proposed in this

instance will benefit both the development and the Transit District and will not substantially impair implementation of the TDDP.

## 9.2 STREETS AND FRONAGE/FRONTAGE ZONES (p. 208)

The TDDP sets forth requirements for streets and street frontages. One of the standards states:

- On A Streets, B Streets, Pedestrian Streets, or Promenades, no new public utilities, including, but not limited to, transmission or distribution lines and mechanical equipment, are permitted above-ground.

A new B street is proposed along the west side of the building extending from Toledo Road. A transformer is required to be placed to serve the building. To the extent that this transformer is considered "mechanical equipment" prohibited by this standard, an amendment is requested.

According to "Downtown Core B Street Standards on page 266, "Delivery services, loading, dumpsters, parking facility (surface and structured) entrances, and above-ground utilities servicing buildings fronting on A Streets or Pedestrian Streets shall be located on B Streets or Alleys." (Emphasis Supplied) Road B is a Downtown Core "B" street. In addition, on page 208, under "Streets and Frontage, Frontage Zones", the TDDP states that "no new public utilities, including but not limited to, transmission or distribution lines and mechanical equipment are permitted above ground." (Emphasis Supplied) There is either a conflict between the language on page 266 which allows above ground utilities and page 208 which prohibits it, or there is a distinction between public versus private utilities. We believe that a fair reading of the Development Standards is that above ground private utility facilities are permitted. The transformers are not a public utility. The transformers are private, only serve the building on Parcel 5, and are not part of a public distribution line. Also, on page 248 of the TDDP, there is a requirement to screen "all mechanical equipment and meters…." This is another indication that above ground private utilities are permitted (provided they are screened). We have included a landscape screen for the transformers. In addition, Pepco requires vehicular accessibility to serve the transformer. Since the norther and eastern sides of the building have no vehicular access, and Toledo Road is an "A" street, the transformer cannot be placed along these sides of the building.

If the transformers are considered public, placing them in underground vaults would require four times as much space and be prohibitively expensive. The building must be able to satisfy the requirements of the public utilities and the code to provide electrical service. As a result, the requested modification of the standard proposed in this instance will benefit both the development and the Transit District and will not substantially impair implementation of the TDDP.

## 9.3 STREETS AND FRONTAGES/BUILD-TO LINES AND ZONES/ARTICULATION (p. 209-210)

The TDDP establishes build-to lines that create a minimum and maximum distance a building can be from the face of the curb. As in many similar circumstances, the existence of PUE's impacts the location where buildings can be constructed. There are four standards which the proposed development cannot conform to and which require an amendment:

- Table 42: Minimum/maximum build-to line from Toledo Road is 20'/25'.
- Table 43: Minimum/maximum build-to line from new B Street is 15'/20'.
- Primary entrances shall be located at the front façade of the buildings. If a building fronts on both A and B Streets, Pedestrian Street, or Promenade, its primary entry shall be located on the A Street.
- Service entrances shall be at the rear of the building.

The minimum build to line is 20 feet on Toledo Road and the maximum is 25 feet. The minimum/maximum build to lines on the new "B" Street are 15 feet and 20 feet. The building does not extend closer to the curb on either street than the standard. However, 39% of the building front is more than 25 feet from the face of curb of Toledo Road, and 7% of the building is behind the 20' Max BTL along new "B" Street. The building façade is within the minimum and maximum allowances required by the Development District Standards except for the retail area along the Downtown Core A street. The retail location along the Downtown Core A portion of the site was pulled away from the

build to line to help emphasize the public space/retail. This portion of the building is located visually with the intersection of Toledo Road and America Boulevard. Stepping this façade back a couple of feet creates a focal point, and ties into the retail elements along America Boulevard. In addition, the stepped back public space along Toledo Road encourages a livelier streetscape. Finally, along Toledo Road, stoops have been provided for unit entry points to enhance the pedestrian atmosphere along the street. These projections occur from the building façade against the maximum build to line to a public utility easement running along Toledo Road 4 feet from the maximum build to line. These variations in the building front cause a small percentage of the façade to exceed the maximum built-to line distance. In this instance, the applicant submits that providing architectural variation is more important than strict conformance to the standard, given the limitation caused by the PUE.

The proposed retail space fronts on Toledo Road, and the main entrance to the retail is on Toledo Road. However, the residential entrance is located on the new "B" street. If it is determined that the entrance to the residential lobby is a primary entrance, an amendment to this standard is required. The applicant submits that locating the residential lobby on the new "B" street assists in activating the street and provides additional architectural interest. Locating the retail entrance on the A street conforms to the intent of the TDDP.

Finally, service entrances are to be at the rear of the building. However, the rear of the building fronts on the greenway containing the stormwater management pond. Therefore, the rear of the building is not accessible. Thus, the entrance to the parking garage and the service entrance are from the new "B" street.

For the reasons cited above, the requested modifications of the standards proposed in this instance will benefit both the development and the Transit District and will not substantially impair implementation of the TDDP.

## 9.4 BUILDING AND HEIGHT/LOTS AND BUILDING PLACEMENT (p. 235)

The TDDP states that where a building abuts multiple classes of streets, it shall face and front onto the highest level of the street. In this case, the building fronts on a Toledo Road and on a new "B" street. The building actually does face and front on Toledo Road, but access to the residential lobby is on the new "B" street, while access to the retail is on Toledo Road. Priority was given to providing access to the retail on the higher classification roadway. If this is considered to be a technical violation of the standard, an amendment is requested. The Applicant submits that the spirit and intent of the standard is achieved in this instance, but priority is given to providing access to the commercial on the primary street. As a result, the requested modification of the standard proposed in this instance will benefit both the development and the Transit District and will not substantially impair implementation of the TDDP.

## 9.5 PARKING AND LOADING/LOADING (p. 263)

As noted above, the service areas are located in the garage off of the new "B" street, but are segregated from general parking and other utilities within the garage. The reason they are not located in the main garage is that the larger height requirements of moving vehicles will cause issues with the structural design complicating an efficient layout. Additionally, as garage entry passes under the residential, increasing entry height will impact on egress corridors within the building. Finally, relocating the loading deeper in the garage will be detrimental to the project.

The reason this amendment is being requested is because the loading is not located the rear of the building. They are not located in the rear of the building because the greenway restricts access to the rear. The TDDP states that loading spaces may only be located in the rear of a building. Due to the limitations of accessing the rear, an amendment is requested. In this instance, the greenway to the rear of the building is a unique feature and an amenity to the project. Extending a driveway to access a loading space and service area, even if feasible, would detract from this. Given the TDDP's

encouragement to create the greenway, the applicant submits that the requested modification of the standard proposed in this instance will benefit both the development and the Transit District and will not substantially impair implementation of the TDDP and that the design of the loading spaces within the building is appropriate.

**9.6 DOWNTOWN CORE STANDARDS (p. 265-269)**

There are several standards which are applicable to development in the Downtown Core. The standards applicable to the Downtown Core are largely complied with as it relates to the proposed development. For example, no accessory structures are proposed, primary facades face the A Street (Toledo Road), primary entrances face the A Streets and no service or loading is proposed on the A Streets. There are also standards which are applicable to Downtown Core Mixed Use and Nonresidential Buildings. The TDDP states that the minimum clear height of retail space and of storefront fenestration is 14 feet. The applicant is proposing a 10-foot clear height. All major amenity spaces such as fitness, clubroom, leasing, etc. within the residential building will be two-story spaces. The Downtown Core Mixed-Use and Nonresidential Buildings standards note a minimum clear height for retail and fenestration to be 14 feet. The façade along Toledo Road at the retail portion has been designed to emphasize a two-story aesthetic to express the visual intent of a larger retail space with tin the structure. The inner retail space is small in square footage and will be provided with a 10-foot clear height. Given the relatively small area of retail space, the applicant submits that this amendment will benefit both the development and the Transit District and will not substantially impair implementation of the TDDP.

In addition, Figure 27 shows standards for Downtown Core Multistory commercial, residential and institutional buildings. Assuming that these standards apply to the proposed building on Parcel 5 (e.g. the 14′ clear height addressed above), the proposed building largely complies. For example, buildings are required to occupy 80% of A Street frontage and 60% of side street frontage. Parcel 5 satisfies this requirement on both Toledo Road and Public Road A. Also, Figure 27 notes that any buildings wider than 50 feet shall be designed to be seen as a

series of building fronts no wider than 50 feet each. On Toledo Road, the building is approximately 317 feet wide. The building has been designed to break up the façade as required.

1 OVERALL BUILDING SOUTH ELEVATION

As a result, it is our understanding that the building as designed conforms to this requirement and no amendment is required.

**10.0 CRITERIA FOR APPROVAL OF A DSP IN A TRANSIT DISTRICT OVERLAY ZONE.**

Section 27-548.08(c)(2) states that the findings required by Section 27-285(b) shall not apply to the T-D-O Zone. Instead, the following findings shall be made by the Planning Board when approving a Detailed Site Plan in the T-D-O Zone:

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

**COMMENT:** As noted in the attached Compliance Matrix, the Detailed Site Plan substantially complies with the TDDP, with the exception of the minor amendments addressed above, each of which, if approved, will benefit both the development and the Transit District and will not substantially impair implementation of the TDDP.

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

**COMMENT:** As stated earlier, the Detailed Site Plan, in addition to complying with the Transit District Standards, implements several recommendations of the TDDP with regard to street connections, implementing streetscape standards, reducing surface parking, providing a regional stormwater management facility and establishing a greenway network and pedestrian connection. Thus, this criterion is satisfied.

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

**COMMENT:** The Compliance Matrix reflects that the Detailed Site Plan meets all of the requirements of the TDDP, except for those where an amendment has been requested.

**(D) The location, size, and design of buildings, signs, other structures, open spaces, landscaping, pedestrian and vehicular circulation systems, and parking and loading areas maximize safety and efficiency, and are adequate to meet the purposes of the Transit District Overlay Zone;**

**COMMENT:** The Detailed Site Plan proposes a mixed-use building with structured parking that establishes a pedestrian friendly, urban streetscape on one of the major roadways in the TDOZ. The site has been laid out to maximize the efficiency of access, parking and loading without impeding traffic on the major road frontages in a manner that meets the purposes of the TDDP.

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

**COMMENT:** The proposed five story mixed use building will be compatible with the existing development across Toledo Road, which includes office buildings, parking garages and retail

space. It has also been designed to be compatible with and integrate with future development on the remainder of the site. Buildings of consistent height and scale are proposed which will create a well-planned pedestrian scale street as envisioned by the TDDP.

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

**COMMENT:** No reduction in the minimum number of parking spaces required by the TDDP is requested.

## 11.0 CONCLUSION

Based on the above, the Applicant submits that with the modifications requested, the proposed development conforms with the TDOZ's Transit District Standards. In addition, the proposed Detailed Site Plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. With the modifications requested, the proposed development conforms with the Transit District Standards.

Respectfully Submitted

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# DEWEY PROPERTY

## Prince George's Plaza TDOZ
## Transit District Standards Analysis
## Detailed Site Plan DSP-19050

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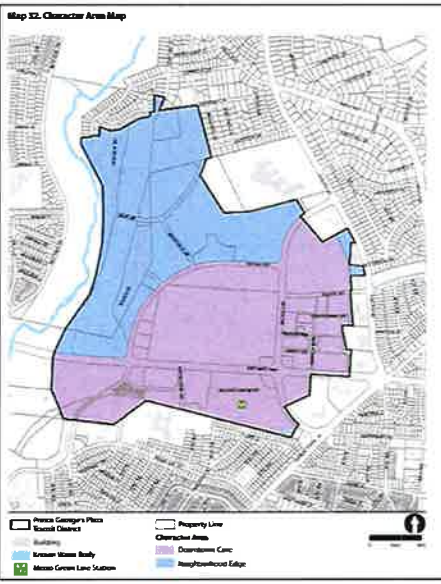
# Prince George's Plaza - Approved Transit District Development Plan – July 2016

## Chapter 6: Implementation Recommendations

| Item # | Section | Location in TDDP | Description | Applicant Comment | District Standards Analysis |
|---|---|---|---|---|---|
| 1 | | P. 202 |  | Parcels 1,2,4, and 5 are entirely within the Downtown Core. Parcel 3 is split between the Downtown Core and the Neighborhood Edge Character area with approximately 2/3rd of Parcel 3 in the Neighborhood Edge. | Complies |

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| 2 | Streets and Frontage/Streets | P. 207 | • A street hierarchy is established between primary and secondary streets. Building forms, entries and service functions are tailored to the specific role of each. All new and existing streets shall be classified as one of the following, in order of importance:<br>»A Streets<br>»B Streets<br>»Pedestrian Streets<br>»Promenades<br>»Alleys | The existing Roads of Belcrest, Toledo, & Adelphi Road are A streets and proposed street A & B are both classified as Downtown Core Street Type B. These are the only new streets being proposed and they establish a hierarchy | Complies |
| | | | • All new A and B Streets constructed within the City of Hyattsville shall be constructed to the City of Hyattsville's Street Design Standards. | Proposed streets A & B are being designed according to the design standards of the City of Hyattsville. Any variations to the standards for engineering purposes will be approved by the City. | Complies |
| | | | • All other new streets shall be constructed to the Transit District Standards; travel lanes may be constructed to less than 11 feet in width only with the written permission of the Director of the Department of Permitting, Inspections and Enforcement. | N/A no other types of streets are being proposed. | Complies |

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| | | | • Except where natural resource conservation, parkland, or vertical changes in grade that exceed the maximum grade permitted for construction of a road prevent connection to another street, forcing the creation of a dead-end, all streets shall terminate at other streets, forming a network. | Proposed Street A & B connect from Belcrest Road to Toledo Road and form a network. | Complies |
| | | | • Alleys or service drives, where necessary, shall be included within blocks and shall not divide one block from another. | The proposed alleys do not divide blocks | Complies |
| | | | • Medians shall be prohibited on all new private streets and are discouraged on all new public streets, except as needed to accommodate the Central Plaza recommended by Strategies TM3.2 and HD4.3. | N/A no medians are being proposed. | Complies |
| | | | • Along private streets, crosswalks shall be provided at all intersections and shall use highly visible markings and/or decorative alternative paving material. | N/A, no private streets are proposed as part of this DSP | Complies |
| | | | • Along private streets, all signalized intersections with bike lanes, cycle tracks, or any type of bicycle facility as part of the road design shall include bike boxes that allow bicyclists to proceed on green ahead of motorized vehicles. | N/A | Complies |
| | | | • Each end of all crosswalks within the Transit District shall have a dedicated curb ramp. | Dedicated curb ramps will be at the end of all crosswalks | Complies |

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| 3 | Streets and Frontage/Blocks | P. 208 | • The street network shall define blocks of up to 500 linear feet on each side. Each side of a block shall not be more than 500 linear feet from right-of-way to right-of-way.<br><br>• For all new redevelopment on existing block frontages of greater than 500 linear feet, a perpendicular A Street or B Street (or, in the Downtown Core, a Pedestrian Street) shall be constructed at no greater than a 500-foot interval from the nearest existing or proposed street. | Road A is 360 lf, Road B is 435 lf, frontage along Parcel 5 and Toledo is 355 lf, frontage along Parcel 1 and Toledo is 330 lf, and frontage along Parcel 1 and Belcrest is 405lf. Parcel 3 has 235' frontage on Adelphi<br><br>The length of Parcel 2 along Belcrest is 567ft from the northern right of way to the center of the private road. | Complies<br><br>Amendment required |
| | | | • A block shall be divided by an A, B, or Pedestrian Street, or a Promenade, to allow a pedestrian or vehicular connection from the front of the block to the rear of the block.<br><br>• Alleys or service drives, where necessary, shall be included within blocks and shall not divide one block from another. | B streets and existing Belcrest Road, Adelphi Road and Toledo Road establish the blocks on this project.<br><br>N/A | Complies |

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| 4 | Streets and Frontage/Frontage Zones | P. 208 | • All existing and proposed A, B, and Pedestrian Streets shall have sidewalks on both sides constructed to the frontage standards prescribed in this plan. At a minimum, all sidewalks shall have a Sidewalk Clear Zone and a Tree and Furnishing Zone. Provision of Buffer Zones, Residential Frontage Zones, or Retail Zones is optional, as needed.<br><br>• Where Retail Zones are provided, they shall be located as follows:<br><br>» Retail Zone 1: Adjacent to the building.<br><br>» Retail Zone 2: If necessary to meet eating and drinking establishment seating needs, adjacent to, or integrated with, the Tree and Furnishing Zone. | 5 ft walks and 6 ft tree and furnishing zones have been provided. In addition, 4ft-9ft residential frontage zones are provided as part of this DSP.<br><br>N/A<br><br>N/A<br><br>N/A | Complies |
| | | | • Tables 42 and 43 contain dimensional standards for frontage zones and new private streets. The Total Frontage Depth Requirements referenced in the text and identified in Table 44 and Figures 9-24 (see pages 213-230) reflect the minimum amount of frontage required for each street. The maximum amount of frontage permitted is equivalent to this minimum, plus 5 feet in the Downtown Core and the minimum plus 10 feet in the Neighborhood Edge. | 5 ft walks, 6 ft tree and furnishing zone, and a 4ft-9ft residential frontage zone have been provided. In addition, a 15ft minimum and 20 ft maximum build to line has been established for the 2 new 'B' streets. | Complies |

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| | | | • Individually, the Buffer Zone, Retail Zone, and Residential Zones have no dimensional requirements. Their dimensions will be governed by the amount of each zone needed to support the proposed development and the total amount of required frontage. (See Tables 42 and 43 on pages 211-212.)<br><br>• The Sidewalk Clear Zones and Tree and Furnishing Zones shall be consistent along a block. | A 4ft-9ft Residential Buffer Zone has been established with the 5ft walks and 6ft Tree and Furnishing zone. These 3 items fit within the 15 ft minimum and 20 ft maximum build to lines.<br><br>Both zones are consistent along the block | Complies |
| | | | • Primary building entrances or exits shall not open directly into a parking lot, onto a driveway (where permitted), side street, alley, loading dock, or other vehicle cartway.<br><br>• On A Streets, B Streets, Pedestrian Streets, or Promenades, no new public utilities, including, but not limited to, transmission or distribution lines and mechanical equipment, are permitted above-ground. | Primary building entrance will be located on a "B Street". Parking and Loading for the Building will also be located on the new "B Street".<br><br>No building entrances or exits are opening directly to parking lots or driveways. Garage Stair 1 opens to a designated walkway.<br><br>Transformers are proposed above ground outside the public right of way on a "B Street". If transformers are considered mechanical equipment, an amendment is required. | Parcel 5 Complies<br><br>Amendment Required. |

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| 5 | Streets and Frontage/Build-To Lines and Zones | P. 209 | • The minimum BTL shall be established at the rear of the frontage zones (except for promenades).<br><br>• The total frontage depth requirement in Tables 42- 43 and Figures 9-23 shall represent the distance between the street curb and BTL.<br><br>• The maximum BTL shall be 5 feet further from the curb in the Downtown Core, and 10 feet further from the curb in the Neighborhood Edge, than the minimum BTL.<br><br>• The area between the minimum and maximum BTL shall be the BTZ. | 39% of the building front is more than 25 feet from the face of curb of Toledo Road, and 7% of the building is behind the 20' Max BTL along new "B" Street. | Amendment required |
| 6 | Streets and Frontage/Build-to Lines and Zones/Building Entrances | P. 210 | • Primary entrances shall be located at the front façade of the buildings. If a building fronts on both A and B Streets, Pedestrian Street, or Promenade, its primary entry shall be located on the A Street.<br><br>• Service entrances shall be at the rear of the building. | Primary building entrance will be located on a "B Street". Service entrances (parking entry and loading) will be located on the new "B Street". The entry will be treated accordingly to enhance pedestrian access.<br><br>Service entrances are located on Proposed Street B. The rear of the building is not accessible due to the stormwater management pond | Amendment Required<br><br>Amendment Required |

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| 7 | Streets and Frontage/Build-to Lines and Zones/Articulation | P. 210 | • Unless otherwise stated in the Transit District Standards, bays, balconies, cornices, and blade signs may only encroach across the build-to line for up to 25 percent of the building frontage.<br><br>• For multifamily residential buildings, bays, balconies, cornices, and shading devices shall not encroach across the build-to line beyond 10 feet. | Not proposing anything that encroaches across the BTL<br><br>Not proposing anything that encroaches across the BTL | Complies<br><br>Complies |
| | | | • Porches and stoops may only encroach beyond the BTL within the Residential Frontage Zone for a maximum of nine feet. | Stoops area behind the 10' PUE and do not encroach on the BTL. | Complies |

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| | | | • To provide visual interest and to reduce the perceived massing and scale of buildings, building architecture shall incorporate at least three of the following design elements:<br><br>» Colonnades<br>» Gables<br>» Hip roofs<br>» Towers<br>» Dormers<br>» Archways<br>» Covered entries<br>» Repetitive window openings<br>» Arched and corbelled parapets<br>» Cornices<br>» Transoms<br>» Other design elements deemed appropriate by the Planning Board. | Corner tower, covered entries, repetitive window openings and transoms will be provided along Toledo Road and "B Street" for architectural interest. | Complies |

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| | | P. 211 | **Table 42. Downtown Core (DC) and Neighborhood Edge (NE) Frontage/Build-To Zone Standards: Existing Public Streets** | Providing 6ft walks and 6ft Tree and Furnishing zones for Belcrest & Toledo | Complies |

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

* West side Belcrest Road frontage zone integrates a 10' off-street cycle track (see Chapter 3).
***Small furniture or benches are encouraged in the retail zone.

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| | | P. 212 | **Table 43. Downtown Core and Neighborhood Edge Frontage/Build-To Zone Standards: New Streets** | Providing 5ft walks and 6ft Tree and Furnishing zone. On-street parking is being provided except where utilities are being proposed and on the south side of Road 'A' per PPS approval. | Complies |

| | DOWNTOWN CORE | | | | NEIGHBORHOOD EDGE | |
|---|---|---|---|---|---|---|
| CONTEXT | A Street | B Street | Pedestrian Street | Promenade | A Street | B Street |
| Building Orientation (Entrance location) | Front | Front, side | Front, side | Front, side | Front | Front |
| **Minimum Frontage Zone Depth/ Build-To Line** | | | | | | |
| Tree and Furnishing Zone | 6' | 5' | 6' | n/a | 7' | 5' |
| Sidewalk Clear Zone | 6' | 5' | 6' | n/a | 8' | 5' |
| Retail, Residential, and/or Buffer Zones (Total) | Varies as needed | Varies as needed*** | Varies as needed | n/a | Varies as needed | Varies as needed |
| Total Frontage Minimum Depth Requirement/Minimum Build-To Line | 20' | 15' | 18' | 40' | 18' | 13' |
| **Maximum Frontage Zone Depth/Build-To Line** | | | | | | |
| Total Frontage Maximum Depth Requirement/ Maximum Build-To Line | 25' | 20' | 23' | 45' | 28' | 23' |
| **Off-Street Parking** | | | | | | |
| Off-Street Parking Type Permitted | Structured | Any | None | None | Structured | Any |
| New Off-Street Parking Permitted on Side of Building | No | Yes | No | No | No | Yes |
| New Off-Street Parking Access | No | Yes | No | No | No | Yes |
| Driveways Permitted* | No | Yes | | | No | Yes |

*New streets constructed within the City of Hyattsville are subject to the City's Street Design Standards.
***Small furniture or benches are encouraged in the retail zone.

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**Table 44. Downtown Core and Neighborhood Edge Street Design Standards: New Streets**

| CONTEXT | DOWNTOWN CORE | | | | NEIGHBORHOOD EDGE | |
|---|---|---|---|---|---|---|
| | A Street | B Street | Pedestrian Street | Promenade | A Street | B Street |
| **Traveled Way*** | | | | | | |
| Number of Through Lanes** | 2, 11-Foot | 2, 11-Foot | 2, 12-Foot | N/A | 2, 11-Foot | 2, 11-Foot |
| On-Street Parking Width | 7' each side | 7' each side | N/A | N/A | 7' each side | 7' one-side |
| Bicycle Accommodation | "Share Road" Signs | "Share Road" Signs | "Share Road" Signs | N/A | "Share Road" Signs | "Share Road" Signs |
| Curb to Curb | 36' | 36' | 36' | N/A | 36' | 29' |
| **Intersections*** | | | | | | |
| Curb Extensions Required (with on-street parking) | Yes | Yes | N/A | N/A | Yes | Yes |
| Minimum Curb Return Radii (if extensions not used) | 10-15 ft. | 10-15 ft. | 10-15 ft. | 5-10 ft. | 10-15 ft. | 10-15 ft. |

*New streets constructed within the City of Hyattsville are subject to the City's Street Design Standards.
**Travel lanes may be constructed to less than 11 feet in width only with the written permission of the Director of the Department of Permitting, Inspections and Enforcement.

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<td>Providing two eleven foot through lanes, parking width of 7 ft. On-street parking is being provided except where utilities are being proposed and on the south side of Road 'A' per PPS approval.</td>
<td>Complies</td>
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<td>P. 215</td>
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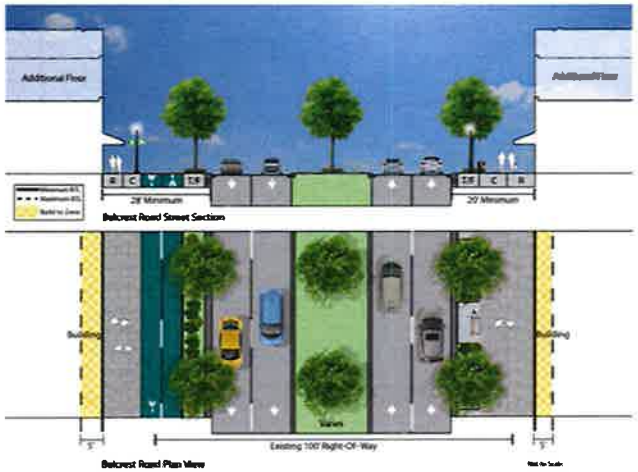
Figure 10. Belcrest Road (Toledo Terrace To Metro Entrance) Illustrative Street Section




</td>
<td>Providing 6ft walks and 6ft Tree zone with 20ft min BTL and 25 max BTL within the existing R/W</td>
<td>Complies</td>
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</table>

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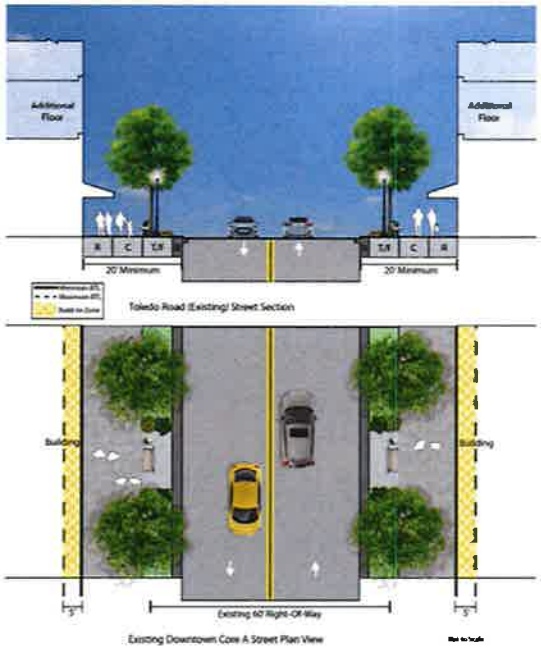
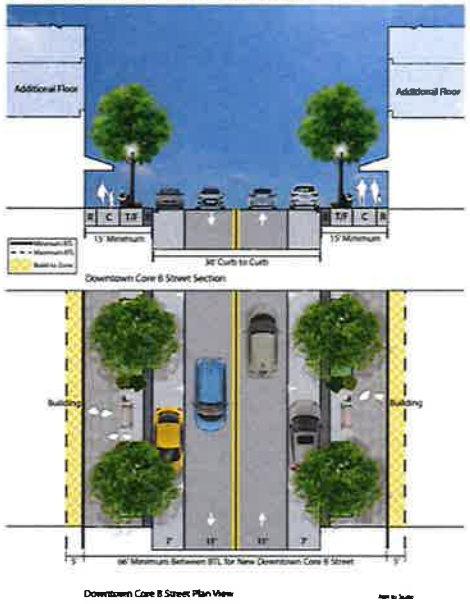
| | | P. 217 | Figure 12. Toledo Road (Existing) Illustrative Street Section   | Providing 6ft walks and 6ft Tree zone with 20ft min BTL and 25 max BTL within the existing R/W | Complies |
| | | P. 221 | Figure 16. New Downtown Core B Street Illustrative Street Section   | Providing two eleven foot through lanes, parking width of 7 ft. On-street parking is being provided except where utilities are being proposed and on the south side of Road 'A' per PPS approval. Providing 5ft walks, 6ft Tree Zone with 15 min BTL and 20ft max BTL | Complies |

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| | | P. 222 | **Figure 17. Downtown Core B Street Frontage Standards**<br> <br>**Frontage Element Required Depth**<br>Total Frontage Minimum (Maximum) Depth: 15 (20) ft. (A)<br>Residential/Retail/Buffer Zone (As Needed): Varies (B)<br>Sidewalk Clear Zone (Required): 5 ft. min. (C)<br>Tree and Furnishing Zone (Required): 5 ft. min. (D)<br>Buffer Zone (Optional): Varies (E) | Providing 5ft walks, 6ft Tree Zone with 15 min BTL and 20ft max BTL | Complies |
| | | P. 228 | **Figure 22. Northwest Drive, Dean Drive, Adelphi Road and New Neighborhood Edge A Streets Frontage Standards**<br> <br>**Frontage Element Required Depth**<br>Total Frontage Minimum (Maximum) Depth: 18 (28) ft. (A)<br>Retail/Residential Zone (As Needed): Varies (B)<br>Sidewalk Clear Zone (Required): 8 ft. min. (C)<br>Tree and Furnishing Zone (Required): 7 ft. min. (D)<br>Except where necessary to accommodate a public utility easement or residential driveway, no Residential Zone shall exceed 10 feet in width. Residential Zones may only be expanded beyond 10 feet to the extent necessary to accommodate a public utility easement or residential driveway. | Not part of this DSP submission for Parcel 5 | N/A |

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| 8 | Streets and Frontage/Alleys | P. 231 | • Alleys in the Downtown Core shall have a Sidewalk Clear Zone; the Sidewalk Clear Zone shall be a minimum of four feet wide and a maximum of eight feet wide.<br><br>• In the Neighborhood Edge only, residential driveways are permitted on Alleys. | Not part of DSP submission for Parcel 5 | N/A |
| 9 | Streets and Frontage/Tree and Furnishing Zones | P. 232 | STREET TREES<br><br>• Street trees shall be located within the Tree and Furnishing Zone; additional trees may be provided within the Retail or Residential Zones, as appropriate.<br><br>• Shade trees two and one-half to three-inch caliper in size, shall be planted along each street with spacing of not greater than 40 feet on center, excluding driveway openings. Spacing allowances may be made, where necessary, to accommodate curb cuts, fire hydrants, and other infrastructure elements.<br><br>• Ornamental trees, seven to nine feet in height, may only be used to meet the requirements of this section where overhead wires prohibit the planting of shade trees. | Providing 2.5 inch caliper street/shade trees within the Tree Zone at a spacing not greater than 40ft. No ornamental trees used. | Complies |
| | | P. 233 | TREE BOXES<br><br>• Tree grates are prohibited. | None Proposed | Complies |

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| 10 | Streets and Frontage/Street Lights | P. 234 | • All pedestrian rights-of-way—including sidewalks, trails, paths, and pathways from building entrances and exits to the sidewalk—shall be continuously lit.<br><br>• Street lights shall either be pedestrian-scale fixtures or a combination of a street light and a pedestrian fixture. Pedestrian lights shall be no higher than 14 feet. Existing street lights shall not be counted toward this requirement unless they include pedestrian-scale fixtures that meet this standard. | Pedestrian scale light fixtures have been provided for all walks around the building. Proposed light fixtures are 14 ft tall | Complies |
| | | | • Street lights installed along MD 410 (East West Highway) and Belcrest Road shall use PEPCO's Teardrop or equivalent style from PEPCO's most recent Street Light Catalog.<br><br>• All other streets in the Transit District shall use PEPCO's Acorn or equivalent style from PEPCO's most recent Street Light Catalog. | Will propose teardrop fixtures within the public right of way for Parcels 1,2, & 3<br><br>Provided | Complies |
| | | | • Cobra fixtures and high pressure sodium fixtures shall not be permitted.<br><br>• Street light fixtures shall be spaced a maximum of 40 feet apart in the Downtown Core.<br><br>• Street light fixtures shall be spaced a maximum of 50 feet apart in the Neighborhood Edge, and may be placed in a staggered arrangement. | LED lighting proposed and are spaced at a minimum of 40 feet apart along the proposed new roads.<br><br>N/A | Complies |

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| 11 | Bulk and Height/Lots and Building Placement | P. 235 | • Each new lot shall abut an A, B, or Pedestrian Street to permit, at a minimum, emergency vehicle access.<br><br>• When a building abuts multiple classes of a street, it shall face and front onto the highest level of the street. For example, if a building abuts an A Street and a B Street, that building shall front onto the A Street. | Parcel 45 abuts Toledo Road (Type A) and Road B (Type B)<br><br>The retail entrance faces Toledo Road while the residential entrance faces Road B | Complies<br><br>Amendment required |
| 12 | Bulk and Height/Density and Building Height/Maximum Building Heights | P. 236 | For the purposes of this TDDP, building height shall be measured in number of stories above the ground-level public entrance at the highest elevation. Differences in topography may permit ground-level entrances at lower elevations; these stories shall be considered basement or subgrade floors and shall not count against the story maximum. For example, a building may front on side A at street level; an entrance on side B may be two floors below the entrance on side A. The height of the building would be measured in stories from side A. | Per TDDP, the maximum building height permitted is 16 stories.<br><br>The proposed building is 5-stories (55'0") to top of roof with an average parapet height of 3'-0". Parapet at corner of Toledo Road and new "B Street" will be higher (6'-0") to accentuate the corner element. | |
| | | | • When a mezzanine is present, the mezzanine shall be counted as an additional story.<br><br>• Habitable space in roof and attic areas with a sloping roof shall not be counted as a story.<br><br>• Any portion of the building below the ground level shall not count as a story.<br><br>• Raised basements shall not exceed one-half of a story in height above grade along the build-to line. | Not applicable | |

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| | | P. 237 | Map 34. Maximum Building Heights<br> <br> | Parcel 5 5 stories | Complies |
| | | P. 240 | STEPBACKS AND TRANSITIONS<br><br>• All buildings or portions of buildings, within 250 feet of the northern boundary of the Oliver Street right-of-way shall be a maximum of six stories.<br><br>• All buildings or portions of buildings, within 500 feet of the western boundary of the Adelphi Road right-of-way shall be a maximum of four stories. | N/A<br><br>Not part of this DSP submission for Parcel 5 | N/A<br><br>N/A |

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| 13 | Site Elements/Placemaking and Open Spaces | P. 244 | Privately owned and/or operated open spaces within the Downtown Core that abut a street or frontage zone shall be accessible to the public through a public use easement or other mechanism. | No privately owned or operated opens spaces are proposed that abut a street or frontage zone as part of this DSP. | Complies |
| 14 | Site Elements/Tree Canopy Coverage | P. 247 | Section 25-127(b)(1)(I) of the County Code states that "properties subject to tree canopy coverage requirements contained in an approved Transit District Overlay (T-D-O) Zone or a Development District Overlay (D-D-O) Zone are exempt from the tree canopy coverage requirements contained in this Division." Pursuant to this section, the tree canopy coverage requirements for the Prince George's Plaza Transit District Overlay Zone shall be met through the provision of street, on-site, and other trees preserved by a property owner or provided to comply with other Transit District Standards and guidelines. | The site conforms with the TDDP requirements through the provision of street, on-site and other trees as per the Transit District Standards. | Complies |
| 15 | Site Elements/Screening | p. 248 | • Screening materials shall consist of evergreen trees and shrubs, walls, or fences.<br><br>• Loading areas consisting of off-street loading spaces, loading docks, and service or maintenance areas shall be screened so as to not be visible from an A Street or single-family residential dwelling units.<br><br>• All mechanical equipment and meters shall be screened to prevent excessive noise and visual impacts on surrounding properties. | None are proposed or required<br><br>Two loading spaces have been provided on-site and screened from the street<br><br>All mechanical equipment, transformers and meters will be screened from visual impacts | N/A<br><br>Complies<br><br>Complies |

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| 16 | Site Elements/Walls, Fences and Gates | P. 248 | The following are permitted:<br><br>» Fences and gates, up to a height of 40 inches, to delineate outdoor seating areas within the retail zone for eating and drinking establishments.<br><br>» Walls, fences, and/or gates where expressly permitted by this TDDP for screening purposes.<br><br>» Walls required for the retention of earth, support of a structure, or architectural façade of a structure.<br><br>» Only in the R-20 and R-80 zones, fences enclosing all or a portion of a rear yard and garden walls; such walls shall not occur forward of the rear of a primary building | None being proposed | Complies |
| | | | The following are prohibited:<br><br>» Chain link fencing, barbed wire, wire mesh, corrugated metal or fiberglass, split fencing, sheet metal, and paneled materials.<br><br>» Except where expressly permitted by this TDDP, all other walls, fences, and gates abutting pedestrian or vehicular rights-of-way in the Neighborhood Edge or located anywhere in the Downtown Core. | None being proposed | Complies |

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| 17 | Architectural Elements/Signage/ General | P. 249 | • All attached or projecting signs are permitted to be placed horizontally or vertically.<br><br>• Attached signs shall consist of three types: wall signs, window signs, and digital signs, as defined in this section.<br><br>• Projecting signs shall consist of four types: blade signs, awning signs, high-rise building identification signs, and vertical corner signs. | Refer to Sheet A4.6 for signage information | Complies |
| | | | The following signs are not permitted in the Transit District:<br><br>• Signs not expressly identified in this chapter.<br><br>• Signs that obstruct any opening intended to provide ingress or egress for any building or structure.<br><br>• Signs that obstruct the view of traffic control devices.<br><br>• Signs that, because of their shape, color, or wording, may be confused with any traffic control device (placed by a public authority), or may mislead motorists. | None proposed | Complies |
| | | P. 250 | ATTACHED SIGNS | | |

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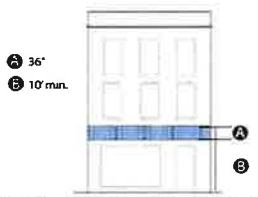
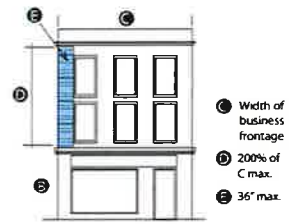
| | | | *Wall Signs*<br><br>• Signs shall be rectangular and oriented horizontally or vertically.<br><br>• Vertical wall signs may not exceed a maximum dimension of 36 inches by twice the business' frontage width.<br><br>• The bottom of a wall sign shall not be installed less than 10 feet above the sidewalk.<br><br>• A wall sign with digital or electronic content is a Digital Screen (see page 252).<br><br>  <br><br>Diagram of minimum horizontal wall sign elevation and maximum sign height.<br><br>  <br><br>Diagram of maximum vertical wall sign dimension. | The project will be providing vertical signage with approximate dimensions 3'-0" x 30'-0.<br><br>The bottom of the sign will NOT be installed below 10' above the sidewalk<br><br>There will be no digital or electronic signage for this building | Complies<br><br>Complies<br><br>Complies |

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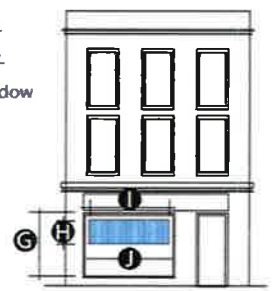
| | | | *Window Signs*<br><br>• The window sign is comprised of paint, gold leaf, or vinyl applied directly to the glass.<br><br>• Window signs shall not be mounted on opaque signboards.<br><br>• The height of any window sign is limited to one-third the height of the glass in the sash where the sign is installed, excluding muntins.<br><br>• The width of any window sign is limited to 90 percent of the width of the glass in the sash where the sign is installed.<br><br>• Signs may not be affixed with tape or other temporary means to the exterior nor to the interior of the glass surfaces.<br><br>G Height of window<br>H 1/3 of G max.<br>I 90% of J max.<br>J Width of window<br>  <br>Diagram of window sign dimension. | N/A | |

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| | | | *Digital Screens*<br><br>Digital screens are signs composed of a television-like screen that displays full-motion images and messages through the digital manipulation of light. Digital screens are permitted in the Downtown Core, subject to the following regulations:<br><br>• Digital screens must be flush with the building façade, architecturally integrated into the building onto which it is affixed, and oriented toward the pedestrian and not passing motorists.<br><br>• Digital screens shall be oriented to publicly accessible open space of at least 0.1 acre in area.<br><br>• Digital screens may not exceed 1,600 square feet per building.<br><br>• Digital screens are prohibited above 60 feet from the ground and may not be below 10 feet above the surface of the nearby sidewalk, plaza, or other walkway. | N/A | |
| | | P. 252 | PROJECTING SIGNS | | |

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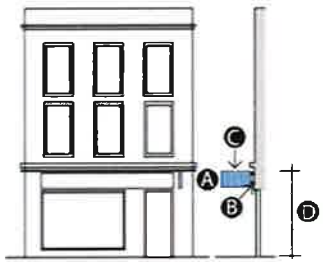
| | | | *Blade Signs*<br><br>• The top of the blade sign shall be between 10 feet and 12 feet above the sidewalk.<br><br>• The blade sign shall be 36 inches tall maximum.<br><br>• Blade signs shall be no more than 48 inches wide or project more than 60 inches from the wall. No blade sign shall exceed 6 square feet.<br><br>• Brackets or other suspension devices shall match the architectural style of the building and shall not be computed as part of the allowable size of the sign.<br><br>A 36" max.<br>B 60" max.<br>C 48" max.<br>D 10'–12'<br>  <br>Diagram of blade sign dimension. | N/A | |

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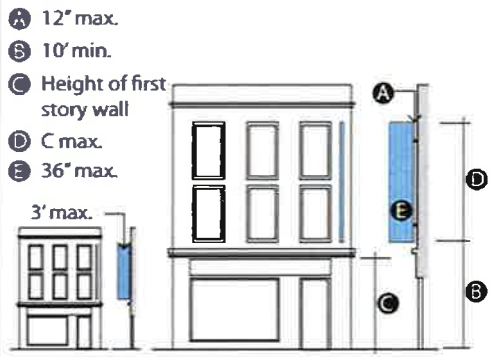
| | | | *Vertical Corner Signs*<br><br>• Vertical corner signs are permitted only at the corners of blocks. They may project perpendicularly from one side of the building or at a 45-degree angle to the corner.<br><br>• Vertical corner signs shall be mounted a minimum of 10 feet in height from the sidewalk, measured to the bottom of the sign. The height of the sign shall not exceed the first-story wall height.<br><br>• Vertical corner signs shall be mounted 12 inches maximum away from the exterior wall of the building and shall be a maximum of 3 feet wide.<br><br>  <br><br>Diagram of vertical corner sign dimension. | N/A | |

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| | | | *Awning Signs*<br><br>• Signage may only be painted either on the fringe of an awning or in the center of the body of the awning.<br><br>• Awning signs shall be painted directly on the canvas.<br><br>• Back lit awnings are prohibited.<br><br> <br><br>Vertical corner sign precedent. | N/A | |

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| | | P. 254 | HIGH RISE BUILDING IDENTIFICATION SIGNS<br><br>• Up to two high-rise building identification signs are permitted per building. If two such signs are installed, they should be placed on two separate sides of the building structure.<br><br>• High-rise building identification signs shall only be permitted on buildings 16 stories tall or greater.<br><br>• The maximum area for high-rise building identification signs is five square feet for every 1,000 square feet of gross floor area of the building, provided, however, that in no event may the total sign area for high-rise building identification signs exceed 800 square feet per building.<br><br>• Such signs shall be placed upon the wall or parapet near the top of the tallest part of the building.<br><br>• Such signs may not extend above the roof line of any building except when placed upon a parapet, in which case the sign may not extend above the parapet wall. | N/A | |

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| | | P. 254 | MONUMENT SIGNS<br><br>Monument signs are permitted, subject to the following regulations:<br><br>• Monument signs are only permitted on sites with at least 150,000 square feet of building area and a public or private plaza at least 0.1 acres in area.<br><br>• Only one monument sign is permitted per building.<br><br>• Monument signs must be located in either the Tree and Furnishing Zone, the Retail Zone, or the Residential Zone and shall not be located within five feet of any public right-of-way.<br><br>• Monument signs shall not exceed 30 feet in height, shall not exceed 300 feet square in area, and shall not be obstructed by landscaping.<br><br>• Monument signs may only display on-site directory and identification material. | N/A | |
| 18 | Architectural Elements/ Awnings | P. 256 | Metal, plastic and backlit awnings shall not be permitted. | N/A | |
| 19 | Architectural Elements/ Balconies | P.256 | All balconies, including the addition of balconies to an existing structure, are permitted in the Transit District. | N/A | |

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| 20 | Parking and Loading/Intent | P. 258 | • There is no minimum number or ratio of off-street parking spaces for any development within the Transit District. | No minimum applied | Complies |
| | | | • The maximum number of off-street parking spaces permitted for nonresidential and residential development is specified in the table of maximum parking ratios on the following page. For the purposes of this table, the type of development refers to its description in the table of uses. | Maximum spaces allowed is 405 spaces. 321 spaces provided for residential and 4 spaces for retail | Complies |
| | | | • On-street parking shall be required on all new private A and B Streets constructed pursuant to this TDDP and is encouraged on all County and municipal A and B Streets. | On-street parking is provided except where utilities conflict. In addition, no parking is proposed on the south side of Road A per the PPS | Complies |
| | | | • On-street parking in Alleys shall be prohibited. | None proposed | N/A |

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| | | | Development may only be permitted to exceed the maximum parking ratios if all of the following criteria are met:<br><br>» Additional parking spaces may only be provided in the form of structured parking.<br><br>» The amount of additional structured parking spaces permitted beyond the maximum parking ratios established above shall not exceed the minimum number of off-street parking spaces ordinarily required for the specified use or mix of uses by Section 27-568(a) of the Zoning Ordinance.<br><br>» All parking spaces built in excess of the allowed maximum parking ratios shall be provided as shared and/or public parking and shall be offered at the same cost as to any other project occupants or tenants.<br><br>» Applicants desiring to exceed the maximum parking ratios shall provide a comprehensive transportation demand management strategy and program including incentives for nonautomobile travel, the proposed design of any parking structure to meet additional parking demand, implementation timing and phasing, and financial assurances. | N/A | |

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| | | | • The maximum number of off-street parking spaces permitted for each nonresidential, noncommercial, nonindustrial land use type that is otherwise not specified or covered by the maximum parking ratios shall be equal to 60 percent of the minimum number of off-street parking spaces ordinarily required for the specified use or mix of uses by Section 27-568(a) of the Zoning Ordinance. | | N/A |
| | | | • At no point shall the total number of off-street surface parking spaces within the Transit District exceed 10,500. For the purposes of this standard, the following shall apply:<br><br>1. The total number of off-street parking spaces in the Transit District on July 19, 2016, pursuant to the inventory developed for this TDDP is 10,332.<br><br>2. The total number of parking spaces subsequently approved for construction or elimination will be recorded by the Planning Department as development applications are approved.<br><br>3. Permitted parking spaces on recorded single-family residential lots shall not count toward this total. | 26 on-street parking space are proposed on the new public roads | Complies |

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<tr><th>Character Area</th><th>Residential Development</th><th>Commercial/ Industrial Development</th></tr>
<tr><td>Downtown Core</td><td>1.25 spaces per dwelling unit</td><td>2.5 spaces per 1,000 square feet of gross leasable area</td></tr>
<tr><td>Neighborhood Edge (multifamily)</td><td>1.5 spaces per dwelling unit</td><td>N/A</td></tr>
<tr><td>Neighborhood Edge (single-family)</td><td>2.0 spaces per dwelling unit</td><td>N/A</td></tr>
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<td>Complies</td>
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<td>• All applicants, other than those proposing solely single-family dwelling units, shall demonstrate the extent to which their proposed development reduces the total number of surface parking spaces within the Transit District.<br><br>• All new structured parking facilities shall include secure bicycle parking. One bicycle parking space shall be provided for every 10,000 square feet of building area for office, retail, hospitality, and other commercial, public, and institutional uses. One bicycle parking space shall be required for every 20 units for multifamily residential development. These bicycle parking requirements are cumulative for mixed-use development, and both open and covered bicycle parking areas may be provided, as appropriate.</td>
<td>The existing surface parking lot will be removed.<br><br>17 bicycle spaces are required and 50 bicycle spaces are proposed.</td>
<td>Complies<br><br>Complies</td>
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| | | | •Parking may be located on- or off-site within one-quarter mile walk of the development site. When off-site parking is used to meet any parking needs, the applicant shall provide a site plan and narrative statement demonstrating that parking is provided off-site and that pedestrian facilities necessary to serve the walk from the parking facility to the building will be constructed prior to the opening of the parking facility. | | N/A |
| | | | •Carpool and vanpool parking spaces shall be required at a minimum ratio of one reserved high occupancy vehicle space per every 100 regular parking spaces for any development including in excess of 50,000 square feet of office use. Free or reduced parking costs for authorized carpools and vanpools are encouraged. | 4 carshare spaces will be provided. The total number of parking spaces is 325 | Complies |

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| | | | • Restriping of surface parking facilities that result in an addition of general purpose parking spaces is prohibited. | | N/A |
| | | | • On-street parking shall be required on all new private A and B Streets constructed pursuant to this TDDP and is encouraged on all County and municipal A and B Streets. | The proposed A and B Streets will be municipal streets. On-street parking is provided in accordance with standards approved by the City of Hyattsville. | Complies |
| | | | • On-street parking in Alleys shall be prohibited. | | Complies |
| | | | • On-street parking spaces on private streets shall not count toward off-street parking requirements. | | Complies |
| | | | • All parking for buildings that front on Adelphi Road shall not be visible from Adelphi Road. | | N/A |

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| 21 | Parking and Loading/Surface Parking | P. 260 | GENERAL<br><br>• Off-street surface parking is prohibited except where at least one of the following conditions apply:<br><br>» The surface parking was legally existing on July 19, 2016.<br><br>» The surface parking is permitted subject to a valid DSP approved prior to July 19, 2016.<br><br>» The surface parking will be located on land that was in legal use as a surface off-street parking lot or a building on July 19, 2016.<br><br>» The off-street surface parking will be provided through alteration or reconstruction of a surface parking lot legally existing on July 19, 2016.<br><br>» The surface parking lot will be constructed by a public or quasi-public agency to provide access to a public facility.<br><br>» The Planning Board may permit reconstruction of a surface parking lot where the applicant will remove an equivalent square footage of existing impervious surface and create an equivalent or greater square footage of unpaved or pervious space. | N/A | N/A |

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| | | | Notwithstanding the above, construction of a surface parking lot shall not expand the area of impervious surface on any property in the Transit District as it existed on July 19, 2016. | | N/A |
| | | P. 260 | SURFACE PARKING FACILITIES<br><br>• Surface parking lots not legally existing on July 19, 2016 shall not front on any street.<br><br>• Surface parking lots not legally existing on July 19, 2016 shall not have entrances from or exits onto existing or proposed A Streets.<br><br>• Parking facilities and entrances shall be located on B Streets or Alleys. | | N/A |
| | | | • New surface parking lots may enter from or exit into existing surface parking lots, such as at The Mall at Prince Georges.<br><br>•A minimum of one pedestrian walkway shall be provided for every four head-to-head parking rows.<br><br>• All new surface parking lots shall be screened from streets by buildings, landscaping, or any other cover that mitigates the view of the parking lot from the street. | | N/A |

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| | | | • On B Streets or Alleys, up to two surface parking entrances shall be permitted per block, however entrances shall be separated by 100 linear feet.<br><br>• A curb or wheel stop shall be provided for all parking spaces abutting planting or pedestrian areas to protect those areas from overhanging by parked vehicles. | | N/A |
| | | | • Surface parking lots shall be landscaped with a minimum of one tree per 24 spaces and a minimum of one landscape island for every 12 spaces.<br><br>• Every other row of parking shall include a landscaped median for the entire length of a parking bay.<br><br>• The median shall be planted with large shade trees approximately every 40 feet. | | N/A |

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| 22 | Parking and Loading/ Structured Parking | P. 261 | • A structured parking garage shall not front onto MD 410 (East West Highway) or Belcrest Road at ground level.<br><br>• On-site, off-street parking for buildings located along MD 410 (East West Highway) or Belcrest Road shall be located behind, below, or above those buildings.<br><br>• Vehicular entrances to, and exits from, parking structures shall not be located on A Streets.<br><br>• Where otherwise permitted, parking garages that front directly on a street shall be provided with architectural treatment, liner uses and buildings, murals, landscape or any other screening techniques in order to screen the garage from the street.<br><br>• Internal elements such as pipes, fans, and lighting shall be concealed from public view. Where possible, ramping should be internalized. | Complies<br><br>N/A<br><br>Complies<br><br>Complies<br><br>Complies | Complies<br><br>N/A<br><br>Complies<br><br>Complies<br><br>Complies |
| 23 | Parking and Loading/ Underground Parking | P. 263 | Vehicular entrances to, and exits from, underground parking structures shall not be located on A Streets. A maximum of two garage entrances shall be permitted per block on B Streets or Alleys. | N/A | |

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| 24 | Parking and Loading/Loading | P. 263 | • There is no required minimum number of offstreet loading spaces in the Transit District.<br><br>• The required number of off-street loading spaces shall be determined at the time of DSP.<br><br>• Off-street loading spaces may only be located in the rear of buildings. | Parcel 1 is surrounded on all 4 sides by frontage roads. The loading is located off of Road B | Complies<br><br>Complies<br><br>Amendment required |
| 25 | Transportation Adequacy/General | P. 263 | Within the Prince George's Plaza Transit District, properties are required to demonstrate that the transportation facilities (limited to only signalized and/or unsignalized intersections) will be adequate to serve the proposed development for any preliminary plan, and any DSP if prior adequacy findings are more than six years old.<br><br>The adequate public facilities (APF) finding must follow and conform to the procedures and methodologies outlined in the most recent edition of the Planning Board's Transportation Review Guidelines, Part 1, unless as specified in this section. Within the Prince George's Plaza Transit District, the transportation facilities adequacy standard shall be LOS E for individual critical intersections | A transportation analysis was reviewed and approved with the Preliminary Plan of Subdivision. | Complies |

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| 26 | Downtown Core Standards/Intent | P. 265 | DOWNTOWN CORE GENERAL<br><br>• Accessory buildings are not permitted within the Downtown Core. Accessory, subordinate, and service uses should be housed within the main building or attached parking structure.<br><br>• There are no lot coverage or minimum green area requirements for development within the Downtown Core. | | N/A<br><br>Complies |
| | | | DOWNTOWN CORE BLOCKS<br><br>Primary façades shall face A Streets, Pedestrian Streets, or Promenades. | The primary façade faces and fronts on Belcrest Road, a Downtown Core A Street | Complies |
| | | | DOWNTOWN CORE A STREET<br><br>•The following streets existing in the Downtown Core on July 19, 2016, are to be considered A Streets:<br><br>» MD 410 (East West Highway)<br><br>» Belcrest Road<br><br>» Toledo Terrace<br><br>» America Boulevard<br><br>» Toledo Road | This site fronts on Belcrest Road and Toledo Road | Complies |

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| | | | •Primary entrances to new buildings shall be located on A Streets.<br><br>• No service area or loading dock shall be permitted adjacent to any street unless enclosed such that all sides appear as a primary façade similar to the primary façade of the main building, including design, detail, finished material, and landscaping. | | |
| | | P. 266 | DOWNTOWN CORE B STREET<br><br>Streets existing in the Downtown Core on July 19, 2016 not identified as A Streets are to be considered B Streets.<br><br>• Delivery services, loading, dumpsters, parking facility (surface and structured) entrances, and above-ground utilities servicing buildings fronting on A Streets or Pedestrian Streets shall be located on B Streets or Alleys. | | N/A |

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| | | | DOWNTOWN CORE PEDESTRIAN STREETS AND PROMENDADE<br><br>• Access to a Promenade shall be limited to bicycles and pedestrians. Vehicular access is prohibited on promenades, except emergency and service vehicles, and other temporary access as permitted by DPW&T or the City of Hyattsville, as applicable.<br><br>• Service and loading entrances are not permitted on Pedestrian Streets or Promenades. | | N/A |
| | | | DOWNTOWN CORE FENESTRATION<br><br>• Façades at the ground level facing A Streets, Pedestrian, Promenade, or fronting an open space shall be visually permeable (clear glass windows, doors, etc.); at a minimum, 50 percent of the ground floor façade shall consist of transparent materials (glass).<br><br>• Tinted or mirrored glass, or glass blocks are not permitted. | 50% of the ground floor façade consists of transparent materials | Complies |

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| | | | DOWNTOWN CORE MIXED-USE AND NONRESIDENTIAL BUILDINGS<br><br>• All buildings on abutting lots within the Downtown Core shall be attached at the sides, except where separated by a street (as defined by this TDDP), plaza, or public open space.<br><br>• The minimum clear height of retail space and of storefront fenestration is 14 feet.<br><br>• Retail awnings may encroach across the BTL for a maximum of six feet. Marquees, fixed canopies, and all other permitted overhead entry features may encroach beyond the BTL for more than six feet maximum but may not project beyond the Tree and Furnishing Zone. | The height of the retail space is 10'-0" | Amendment Required |
| | | P. 269 | **Figure 27. Downtown Core Multistory: Commercial, Residential, Institutional Standards**<br><br>**Building Placement**<br>Build-to Line Regulated by Street Section<br>BTL Defined by a Building<br>Front (Primary Street): 80% minimum A Street, Pedestrian Street, or Promenade<br>60% minimum B Street<br>Side: 80% minimum<br>Side (Side Street): 100% maximum A Street, Pedestrian Street, or Promenade<br>60% minimum B Street<br>Zones Permitted: M-U-I/M-X-T<br>**Miscellaneous**<br>1. A building form with a chamfered corner is allowed only on corner lots and only if a corner entry is provided.<br>2. No planting strips allowed between sidewalk and building unless specified on proposed street sections.<br>3. In front and side yards where buildings do not meet the build-to-line, only public open spaces, plazas, or seating for eating and drinking establishments are permitted.<br><br>**Building Form**<br>Height: See Density and Building Height section. (A)<br>Ground Floor Ceiling: 14' minimum clearance. (B)<br>**Miscellaneous**<br>4. Any buildings wider than 50' shall be designed to look seen as a series of building fronts no wider than 50' each.<br>5. Loading docks, overheadoors, and other service entries shall not be located on A Streets, Pedestrian Streets, or Promenades.<br><br>**Figure 28. Downtown Core: Townhomes and Two-Family Attached Standards**<br><br>**Building Placement**<br>Build-to Line Regulated by Roadway Section<br>BTL Defined by a Building<br>Front: 30% minimum<br>Side Street: 40% minimum<br>M-X-T*: R-18, R-20<br>*Pursuant to Footnote "d" on page 273.<br><br>**Building Form**<br>Height: See Density and Building Height section.<br>**Miscellaneous**<br>1. Primary entrance shall be located along the front facade.<br><br> <br>Example of mixed-use development framing the street. | Complies except for height of retail space, per above. | Complies |

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| 27 | Neighborhood Edge/General | P. 270 | • There are no lot coverage requirements for development within the Neighborhood Edge.<br><br>• Except in the T-D-O/R-80 Zone, where dwelling units must be detached, there are no side or rear setbacks within the Neighborhood Edge. Structures may be built to the side or rear property line.<br><br>• Residential driveways are permitted in Alleys and B Streets shall not exceed 18 feet in length. Frontloaded garages are permitted only for dwelling units 22 feet wide or greater. | Parcel 5 is not part of the Neighborhood Edge | N/A |
| 28 | Neighborhood Edge/A Street | P. 271 | The following streets existing on July 19, 2016 are considered Neighborhood A Streets:<br><br>• Northwest Drive<br>• Dean Drive<br>• Highview Terrace<br>• Adelphi Road<br><br>• Entrances into private off-street parking facilities are not permitted, except along Adelphi Road.<br><br>• New surface parking lots are not permitted.<br><br>• Residential driveways are not permitted. | Parcel 5 is not part of the Neighborhood Edge | N/A |

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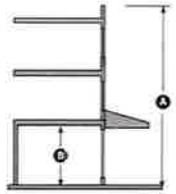
| | | P. 272 | **Figure 29. Neighborhood Edge: Multifamily Standards**<br>**Building Placement**<br>Build-to-Line Regulated by Street Section<br>BTL Defined by a Building<br>Front: 80% minimum<br>Side Street: 40% minimum<br>Zones Permitted: R-18<br>**Building Form**<br>Height: See Density and Building Height section. (A)<br>Ground Floor Ceiling: If lobby provided, 14' minimum clearance. (B)<br>**Miscellaneous**<br>1. Primary entrance shall be located along the front façade.<br>2. Loading docks, overhead doors, and other service entries shall not be located on Northwest Drive, Dean Drive or Neighborhood A Streets.<br>  <br>**Figure 30. Neighborhood Edge: Townhomes and Two-Family Attached Standards**<br>**Building Placement**<br>Build-to Line Regulated by Street Section<br>BTL Defined by a Building<br>Front: 80% minimum<br>Side Street: 40% minimum<br>Zones Permitted: R-18, R-20<br>**Building Form**<br>Height: See Density and Building Height section.<br>**Miscellaneous**<br>1. Primary entrance shall be located along the front façade.<br>**Figure 31. Neighborhood Edge: Single-Family Detached Residential**<br>**Building Placement**<br>Build-to Line Regulated by Street Section<br>BTL Defined by a Building<br>Front: 50% minimum<br>Side Street: 30% minimum<br>Zone Permitted: R-8a<br>**Minimum Lot Dimensions**<br>Lot Width: 26' minimum<br>Lot Depth: 100' minimum<br>**Building Form**<br>Height: See Density and Building Height section.<br>**Miscellaneous**<br>1. Primary entrance shall be located along the front façade | Parcel 5 is not part of the Neighborhood Edge | N/A |
| 29 | Neighborhood Edge/B Street | P. 273 | • Streets existing in the Neighborhood Edge on July 19, 2016, not identified as A Streets are to be considered B Streets.<br><br>• Private off-street parking facilities shall front onto B Streets, provided there is appropriate screening consisting of an architectural façade composed of concrete, masonry, screening materials, or sustainable features such as green walls. | Parcel 5 is not part of the Neighborhood Edge | N/A |

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| 30 | Neighborhood Edge/Landscape Standards | p. 274 | MULTIFAMILY DWELLINGS<br><br>• Multifamily projects shall plant a minimum of one major shade tree per 1,600 square feet.<br><br>• An existing shade tree, except for invasive species, exceeding two and one-half inches diameter at breast height (dbh) located anywhere on the site, except in the floodplain, may be counted on a one-to-one basis for up to 100 percent of the shade tree requirement on that site, provided that the size (dbh), genus, condition, and location of each tree to be counted toward the fulfillment of this requirement is shown on the landscape plan. The landscape plan must also demonstrate that a minimum of 70 percent of the critical root zone of such trees will remain undisturbed. | Parcel 5 is not part of the Neighborhood Edge | N/A |

**STATEMENT OF JUSTIFICATION**
**DEPARTURE FROM DESIGN STANDARDS DDS-660**

The Applicant, Bald Eagle Partners has filed Detailed Site Plan Application DSP-19050 for the construction of a mixed use project on 3.32 acres located in the Prince George's Plaza Transit District Overlay Zone. The property which is the subject of the application is zoned M-U-I/T-D-O. The development is proposed to include a structured parking garage to meet the parking needs of the proposed development. The applicant proposes to include 9' X 18' universal sized parking spaces rather than the 9.5' X 19' spaces typically required by the Zoning Ordinance. While Section 27-548.08(c0(3) provides that "The Board may amend parking provisions concerning the dimensions, layout, or design of parking spaces or parking lots." As part of a DSP in the M-X-T zone, the parking spaces sizes are not addressed in the TDDP. As a result, this Departure from Design Standards if filed to request the proposed modification.

Set forth below is a description of the property, a summary of the development proposal, and a justification to support the requested departure.

## DESCRIPTION OF PROPERTY

As indicated above, the property which is the subject of DDS-660 is included in DSP-19050, which contains approximately 21.16 acres of land and consists of five parcels. The property is the subject of two separate preliminary plans of subdivision. The first, Preliminary Plan 4-18022 was approved by the Prince George's County Planning Board on June 27, 2019 pursuant to Prince George's County Planning Board Resolution PGCPB No. 19-82. This preliminary plan included 17.29 acres of the property included in this Detailed Site Plan Application. The second Preliminary Plan of Subdivision, 4-19033, is being processed concurrent with this application.

The property included in the DSP includes Parcel A, depicted on a plat of subdivision recorded among the Land Records of Prince George's County at Plat Book 59 Plat No. 11 and Parcel 67, Tax Map 42. Two separate preliminary plans of subdivision were filed because Parcel A was divided into separate ownerships through a foreclosure several years ago. The applicant has been attempting to consolidate the separate ownerships but was unable to do so prior to the filing of preliminary plan 4-18022. Upon approval of preliminary plan 4-

19033, the entire land area will be developed as a coordinated project pursuant to the Detailed Site Plan.

## SUMMARY OF DEVELOPMENT PROPOSAL

The Applicant proposes to remove the existing surface parking lot and replace it with a predominantly residential development consisting of multifamily dwellings and condominiums designed to function as two over two townhouse units. The first phase of the development is included in this application and includes dwelling units and 1,258 square feet of ground floor commercial on 3.32 acres. Structured parking will be provided in a garage which will contain 334 spaces. The number of parking spaces provided conforms to the TDDP requirements.

In this case, the applicant desires to provide a universal size parking space of 9 feet X 18 feet. Utilizing a universal size parking space allows the proposed garage to function more efficiently than providing a mixture of standard size parking spaces and compact spaces and ensures a better circulation of vehicles. This proposal to provide all required parking spaces at one-half a foot narrower and one foot shorter than the normal standard necessitates a departure from Section 27-558 of the Prince George’s County Zoning Ordinance.

## SUMMARY OF REQUIRED DEPARTURE

As stated above, the regulations governing the design of off-street parking and loading spaces is set forth in Part 11 of the Prince George's County Zoning Ordinance. Section 27-558(a) governs the size of parking spaces. This Section provides that nonparallel standard car spaces shall measure 19' x 9½', but permits up to one-third of the required spaces to be compact car spaces measuring 8' x 16½'. As noted above, the proposed mixed use development is providing a total of 334 parking spaces, all measuring 18' x 9' (except for the required handicapped spaces). No compact car spaces are proposed.

## CRITERIA FOR APPROVAL

As indicated above, the Planning Board is authorized to grant departures from the parking and loading space requirements in accordance with Section 27-239.01. Section 27-39.01(b)(9)(A) sets forth the following findings the Planning Board must make in order to grant a departure:

**(i) The purposes of this Subtitle will be equally well or better served by the applicant's proposal;**

The purposes of Part 11 of the Zoning Ordinance addressing Parking and Loading are found in Section 27-550. For parking, the primary purpose is to ensure that all buildings and uses

provide off street parking which is "...sufficient to serve the parking and loading needs of all persons associated with the buildings and uses." The applicant submits that the purposes of the parking and loading regulations will be equally well or better served by the proposed site plan.

The applicant submits that the proposed use and site plan are also in harmony with the purpose of the Zoning Ordinance. Section 102(a) of the Zoning Ordinance lists the purposes of the Zoning Ordinance.

***(1) To protect and promote the health, safety, morals, comfort, convenience and welfare of the present and future inhabitants of the County;***

**COMMENT:** The proposed development will assist in implementing several recommendations of the TDDP and add population in close proximity to a major Metro station. The building will be designed and constructed in accordance with all applicable regulations, ensuring that the health, safety, and welfare of the present and future inhabitants of the County are protected. Permitting universal parking space sizes will not impact any of these factors.

***(2) To implement the General Plan, Area Master Plans, and Functional Master Plans;***

***COMMENT:*** Conformance with the TDDP Plan is addressed in conjunction with the approval of the Detailed Site Plan which is

filed concurrently with this application. The provision of universal parking space sizes has no impact on the implementation of the General Plan or TDDP.

***(3) To promote the conservation, creation and expansion of communities that will be developed with adequate public facilities and services;***

***COMMENT:*** Adequate public facilities has been addressed as part of the preliminary plan of subdivision and DSP approved for the property. The provision of universal parking space sizes has not impact on adequate public facilities and services.

***(4) To guide the orderly growth and development of the County, while recognizing the needs of agriculture, housing, industry and business;***

**COMMENT:** The Applicant has addressed how the proposed development implements several recommendations of the TDDP in its Statement of Justification in the DSP. The property is zoned M-U-I and the approval processes required for this use ensure orderly growth and development is considered.

***(5) To provide for adequate light, air, and privacy;***

**COMMENT:** All of these issues will be addressed as part of the companion Detailed Site Plan.

***(6) To promote the most beneficial relationship between the uses of land and buildings and protect landowners from the adverse impacts of adjoining development;***

**COMMENT:** Providing adequate off-street parking allows the applicant to ensure that the most beneficial relationship between the proposed use and the existing community be provided. Larger parking spaces would reduce the efficiency of the design

of the parking structure. The departure requested achieves the balance of an efficient parking layout and provision of adequate parking.

***(7) To protect the County from fire, flood, panic and other dangers;***

**COMMENT:** *All of these issues will be addressed as part of the companion Detailed Site Plan and the departure has no impact on these issues.*

***(8) To provide sound, sanitary housing in a suitable and healthy living environment within the economic reach of all County residents;***

**COMMENT:** The proposed use will provide housing in a transit oriented environment consistent with the recommendations of the TDDP.

***(9) To encourage economic development activities that provide desirable employment and a broad, protected tax base;***

**COMMENT:** The proposed development will replace a surface parking lot, consistent with one of the goals of the TDDP and will also increase the tax base of the County.

***(10) To prevent overcrowding of the land;***

***COMMENT:*** The proposed use will abut a substantial greenway recommended by the TDDP. Universal size parking spaces will assist in ensuring the lot will not be overcrowded.

***(11) To lessen the danger and congestion of traffic on the streets, and to insure the continued usefulness of all elements of the transportation system for their planned functions;***

**COMMENT:** The proposed use will have sufficient parking spaces and access to the site will be provided to allow convenient access to the parking garage. This will ensure congestion on the street will not occur.

***(12) To insure the social and economic stability of all parts of the County;***

***COMMENT:*** Enhancing an existing transit center will contribute to improving the social and economic stability of the County.

***(13) To protect against undue noise, and air and water pollution, and to encourage the preservation of valleys, steep slopes, lands of natural beauty, dense forests, scenic vistas and other similar features;***

**COMMENT:** The departure does not impact these matters, but they will be addressed as part of the companion DSP.

***(14) To provide open space to protect scenic beauty and natural features of the County, as well as provide recreational space; and***

**COMMENT:** These matters are not impacted by the proposal to provide universal sized parking spaces.

***(15) To protect and conserve the agricultural industry and natural resources.***

**COMMENT:** The proposed use will have no negative impact on the agricultural industry or natural resources.

**(ii) The departure is the minimum necessary, given the specific circumstances of the request;**

The departure from Section 27-558(a) sought by the applicant for its proposed 9' x 18' parking spaces is the minimum necessary given the specific circumstances of this request. The departure from the required standard car size is necessary to maximize the efficiency of the parking garage and provide the requisite number of parking spaces for the proposed use.

**(iii) The departure is necessary in order to alleviate circumstances which are unique to this site or prevalent in areas of the County developed prior to November 29, 1949;**

This criterion is inapplicable to this application.

**(iv) The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood;**

The applicant is proposing that all parking spaces, with the exception of the spaces provided for the physically handicapped, be 9' x 18'. Section 27-558(a) requires that standard nonparallel parking spaces measure 9½' x 19' while

nonparallel compact car spaces must be 16½' x 8'. The difference between the required standard car space measurement and the 9' x 18' space the applicant is proposing is insignificant in light of the fact that there will be no compact car spaces.

Moreover, the off-street parking proposed by the applicant is adequate to serve the needs of all persons associated with the building or use. The use of a universal sized parking space has become the more common standard in modern zoning ordinances. In the proposed zoning ordinance rewrite, the standard parking space size will be 9 feet by 18 feet. This creates a more efficient and functional parking layout within the garage and will serve the purposes of the subtitle equally well.

The applicant submits that the requested departure will not impair the visual, functional or environmental quality or integrity of the site or of the surrounding neighborhood. The Urban Land Institute ("ULI") has evaluated the efficiency of providing parking stalls of different sizes and concluded that a single parking space works better in practice. ULI offers the following reasons why parking stalls of differing dimensions do not work in practice:

1. At the time the small-vehicle-only parking space was introduced, the mix of automobiles consisted of very

large and very small vehicles; therefore, the small-vehicle space was largely self-enforcing.

2. Vehicle manufacturers have since down-sized many large passenger cars; light trucks, vans, and sport utility vehicles have become more popular; and, more recently, certain models have been up-sized, which leads to confusion as to what is and what is not a small vehicle.

3. If a small-vehicle space is available in a convenient location in a parking facility, many drivers of intermediate or even larger vehicles will park in the small vehicle spaces, thus impeding traffic flow and compromising safety within the facility.

4. When large vehicles park in small vehicle spaces, they frequently encroach into the adjacent parking space such that a domino effect occurs down the row and eventually renders a parking space unusable

5. If small vehicle spaces are placed at inconvenient locations, small-vehicle drivers may park in standard sized spaces, forcing later-arriving large vehicles into inadequate and inconvenient small-vehicle spaces.

As a result of the above factors, ULI concludes:

> "Due to the convergence of vehicle sizes, small-vehicle-only parking spaces are no longer a rational parking design alternative. In addition, light trucks, vans, and sport utility vehicles are an increasingly important factor in parking design geometrics. Sales of small vehicles dropped significantly in the 1980's as the American passenger vehicle underwent a general, slow upsizing. Therefore, a rational approach to parking space and module sizing can and does support moderate module dimensions for one-size-fits-all designs".

This is likely the same rationale that led the Council to adopt universal parking space sizes in the new Zoning Ordinance. Eliminating the smaller compact car

spaces improves the functional integrity of the site and allows the applicant to provide the number of spaces required to serve the use.

## CONCLUSION

Based on all the foregoing reasons, the applicant respectfully requests that the Planning Board grant the requested departure.

Respectfully submitted,

Thomas H. Haller
Attorney for Applicant
GIBBS and HALLER
1300 Caraway Court, Suite 102
Largo, Maryland 20774
301-306-0033

2 SOUTH ELEVATION 2
1/8" = 1'-0"

1 SOUTH ELEVATION 1
1/8" = 1'-0"

## FINISH SCHEDULE

| | |
|---|---|
| BR1 | MASONRY - COLOR 1 |
| MU | MASONRY - COLOR 2 |
| CP1 | CMNT PANEL W/ REVEAL - COLOR 1 |
| CP2 | CMNT PANEL W/ REVEAL - COLOR 2 |
| CP3 | CMNT PANEL W/ REVEAL - COLOR 3 |
| CS1 | CMNT SIDING W/ REVEAL - COLOR 1 |
| CS2 | CMNT SIDING W/ REVEAL - COLOR 2 |
| MP1 | METAL PANEL - COLOR 1 |
| MP2 | METAL PANEL - COLOR 2 |
| CM1 | CORRUGATED METAL - COLOR 1 |
| MC | METAL CHANNEL |
| SF | ALUMINUM STOREFRONT SYSTEM |
| ALC | PRE-FAB ALUMINUM CANOPIES |
| ALR | DECORATIVE METAL RAILING |
| GLR | GLASS RAILING |
| SG | METAL SIGNAGE |

**MATERIAL AREAS - TOLEDO ROAD**

Metal Panel = 32%

Masonry = 3%

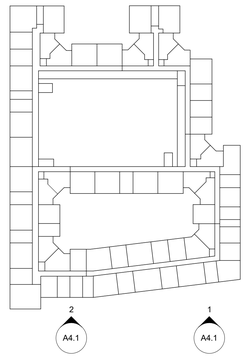
Corrugated Metal = 12%

Cementitious Siding = 11%

Cementitious Panel = 42%

**FENESTRATION AREAS - TOLEDO ROAD**

Window & Storefront = 35%




KEYPLAN

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8200 GREENSBORO DRIVE, SUITE 650 , MCLEAN, VA. 22102
PHONE: 571.253.6950
dwelldesignstudio.com

# TOLEDO ROAD

3756 TOLEDO ROAD,
HYATTSVILLE MD, 20782

A DEVELOPMENT FOR:
FAIRFIELD RESIDENTIAL

ISSUE

| DATE | DESCRIPTION | INCLUDED |
|---|---|---|
| 07/29/2019 | PRICING PACKAGE | |
| 08/01/2019 | SCHEMATIC DESIGN SUBMISSION | |

REVISION

| DATE | DESCRIPTION | REV |
|---|---|---|

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LICENSE NUMBER: 12345
EXPIRATION DATE: 11/19/2019

SEAL:

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ELEVATIONS

SCHEMATIC DESIGN PACKAGE

JOB NUMBER: 193801

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| Author | Checker |

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## FINISH SCHEDULE

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|---|---|
| BR1 | MASONRY - COLOR 1 |
| MU | MASONRY - COLOR 2 |
| CP1 | CMNT PANEL W/ REVEAL - COLOR 1 |
| CP2 | CMNT PANEL W/ REVEAL - COLOR 2 |
| CP3 | CMNT PANEL W/ REVEAL - COLOR 3 |
| CS1 | CMNT SIDING W/ REVEAL - COLOR 1 |
| CS2 | CMNT SIDING W/ REVEAL - COLOR 2 |
| MP1 | METAL PANEL - COLOR 1 |
| MP2 | METAL PANEL - COLOR 2 |
| CM1 | CORRUGATED METAL - COLOR 1 |
| MC | METAL CHANNEL |
| SF | ALUMINUM STOREFRONT SYSTEM |
| ALC | PRE-FAB ALUMINUM CANOPIES |
| ALR | DECORATIVE METAL RAILING |
| GLR | GLASS RAILING |
| SG | METAL SIGNAGE |

**MATERIAL AREAS - NEW ROAD**

Metal Panel = 30%

Masonry = 7%

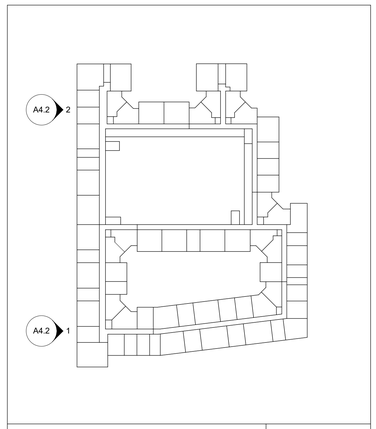
Corrugated Metal = 12%

Cementitious Siding = 12%

Cementitious Panel = 39%

**FENESTRATION AREAS - NEW ROAD**

Window & Storefront = 26%




KEYPLAN

2 WEST ELEVATION 2
1/8" = 1'-0"

1 WEST ELEVATION 1
1/8" = 1'-0"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# TOLEDO ROAD

3756 TOLEDO ROAD,
HYATTSVILLE MD, 20782

A DEVELOPMENT FOR:

FAIRFIELD RESIDENTIAL

ISSUE

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2 NORTH ELEVATION 2
1/8" = 1'-0"

## FINISH SCHEDULE

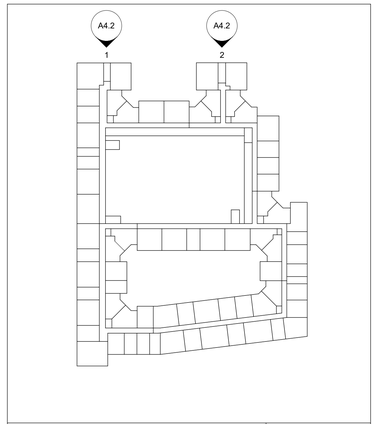
| | |
|---|---|
| BR1 | MASONRY - COLOR 1 |
| MU | MASONRY - COLOR 2 |
| CP1 | CMNT PANEL W/ REVEAL - COLOR 1 |
| CP2 | CMNT PANEL W/ REVEAL - COLOR 2 |
| CP3 | CMNT PANEL W/ REVEAL - COLOR 3 |
| CS1 | CMNT SIDING W/ REVEAL - COLOR 1 |
| CS2 | CMNT SIDING W/ REVEAL - COLOR 2 |
| MP1 | METAL PANEL - COLOR 1 |
| MP2 | METAL PANEL - COLOR 2 |
| CM1 | CORRUGATED METAL - COLOR 1 |
| MC | METAL CHANNEL |
| SF | ALUMINUM STOREFRONT SYSTEM |
| ALC | PRE-FAB ALUMINUM CANOPIES |
| ALR | DECORATIVE METAL RAILING |
| GLR | GLASS RAILING |
| SG | METAL SIGNAGE |

**MATERIAL AREAS - NORTH ELEVATION**

Masonry = 5%
Cementitious Siding = 49%
Cementitious Panel = 46%

**FENESTRATION AREAS - NORTH ELEVATION**

Window & Storefront = 27%




KEYPLAN

1 NORTH ELEVATION 1
1/8" = 1'-0"

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# TOLEDO ROAD

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**MATERIAL AREAS - EAST ELEVATION**

Metal Panel = 7%

Masonry = 3%

Corrugated Metal = 5%

Cementitious Siding = 55%

Cementitious Panel = 27%

**FENESTRATION AREAS - EAST ELEVATION**

Window & Storefront = 61%

## FINISH SCHEDULE

| | |
|---|---|
| BR1 | MASONRY - COLOR 1 |
| MU | MASONRY - COLOR 2 |
| CP1 | CMNT PANEL W/ REVEAL - COLOR 1 |
| CP2 | CMNT PANEL W/ REVEAL - COLOR 2 |
| CP3 | CMNT PANEL W/ REVEAL - COLOR 3 |
| CS1 | CMNT SIDING W/ REVEAL - COLOR 1 |
| CS2 | CMNT SIDING W/ REVEAL - COLOR 2 |
| MP1 | METAL PANEL - COLOR 1 |
| MP2 | METAL PANEL - COLOR 2 |
| CM1 | CORRUGATED METAL - COLOR 1 |
| MC | METAL CHANNEL |
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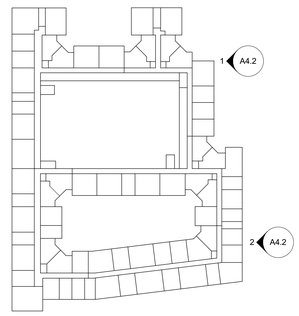
| ALC | PRE-FAB ALUMINUM CANOPIES |
| ALR | DECORATIVE METAL RAILING |
| GLR | GLASS RAILING |
| SG | METAL SIGNAGE |




KEYPLAN

2 EAST ELEVATION 2

1/8" = 1'-0"

1 EAST ELEVATION 1

1/8" = 1'-0"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**MATERIAL AREAS - COURTYARD 2 TYP. ELEVATION 2**

Cementitious Siding = 85%

Cementitious Panel = 15%

**FENESTRATION AREAS - COURTYARD 2 TYP. ELEVATION 2**

Window & Storefront = 31%

4 COURTYARD 2 TYP. ELEVATION 2
1/8" = 1'-0"

**MATERIAL AREAS - COURTYARD 2 TYP. ELEVATION 1**

Masonry = 3%

Cementitious Siding = 49%

Cementitious Panel = 48%

**FENESTRATION AREAS - COURTYARD 2 TYP. ELEVATION 1**

Window & Storefront = 37%

3 COURTYARD 2 TYP. ELEVATION 1
1/8" = 1'-0"

## FINISH SCHEDULE

| | |
|---|---|
| BR1 | MASONRY - COLOR 1 |
| MU | MASONRY - COLOR 2 |
| CP1 | CMNT PANEL W/ REVEAL - COLOR 1 |
| CP2 | CMNT PANEL W/ REVEAL - COLOR 2 |
| CP3 | CMNT PANEL W/ REVEAL - COLOR 3 |
| CS1 | CMNT SIDING W/ REVEAL - COLOR 1 |
| CS2 | CMNT SIDING W/ REVEAL - COLOR 2 |
| MP1 | METAL PANEL - COLOR 1 |
| MP2 | METAL PANEL - COLOR 2 |
| CM1 | CORRUGATED METAL - COLOR 1 |
| MC | METAL CHANNEL |
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| ALR | DECORATIVE METAL RAILING |
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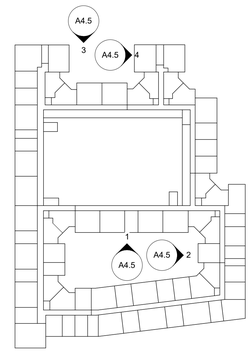
| SG | METAL SIGNAGE |




KEYPLAN

**MATERIAL AREAS - COURTYARD 1 TYP. ELEVATION 2**

Cementitious Siding = 82%

Cementitious Panel = 18%

**FENESTRATION AREAS - COURTYARD 1 TYP. ELEVATION 2**

Window & Storefront = 40%

2 COURTYARD 1 TYP. ELEVATION 2
1/8" = 1'-0"

**MATERIAL AREAS - COURTYARD 1 TYP. ELEVATION 2**

Masonry = 1%

Cementitious Siding = 61%

Cementitious Panel = 38%

**FENESTRATION AREAS - COURTYARD 1 TYP. ELEVATION 2**

Window & Storefront = 37%

1 COURTYARD 1 TYP. ELEVATION 1
1/8" = 1'-0"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# TOLEDO ROAD

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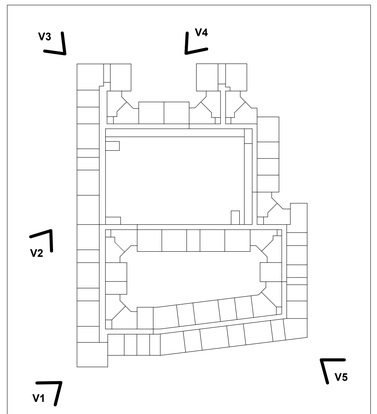
V1 - CORNER OF TOLEDO RD. & NEW STREET

V2 - LEASING LOBBY ENTRANCE & PARKING ENTRY

V4 - VIEW OF NORTH COURTYARD

V3 - NW CORNER VIEW ON NEW STREET

V5 - SE CORNER VIEW @ TOLEDO RD.




KEYPLAN

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## OVERALL BUILDING PLAN - LEVEL 1

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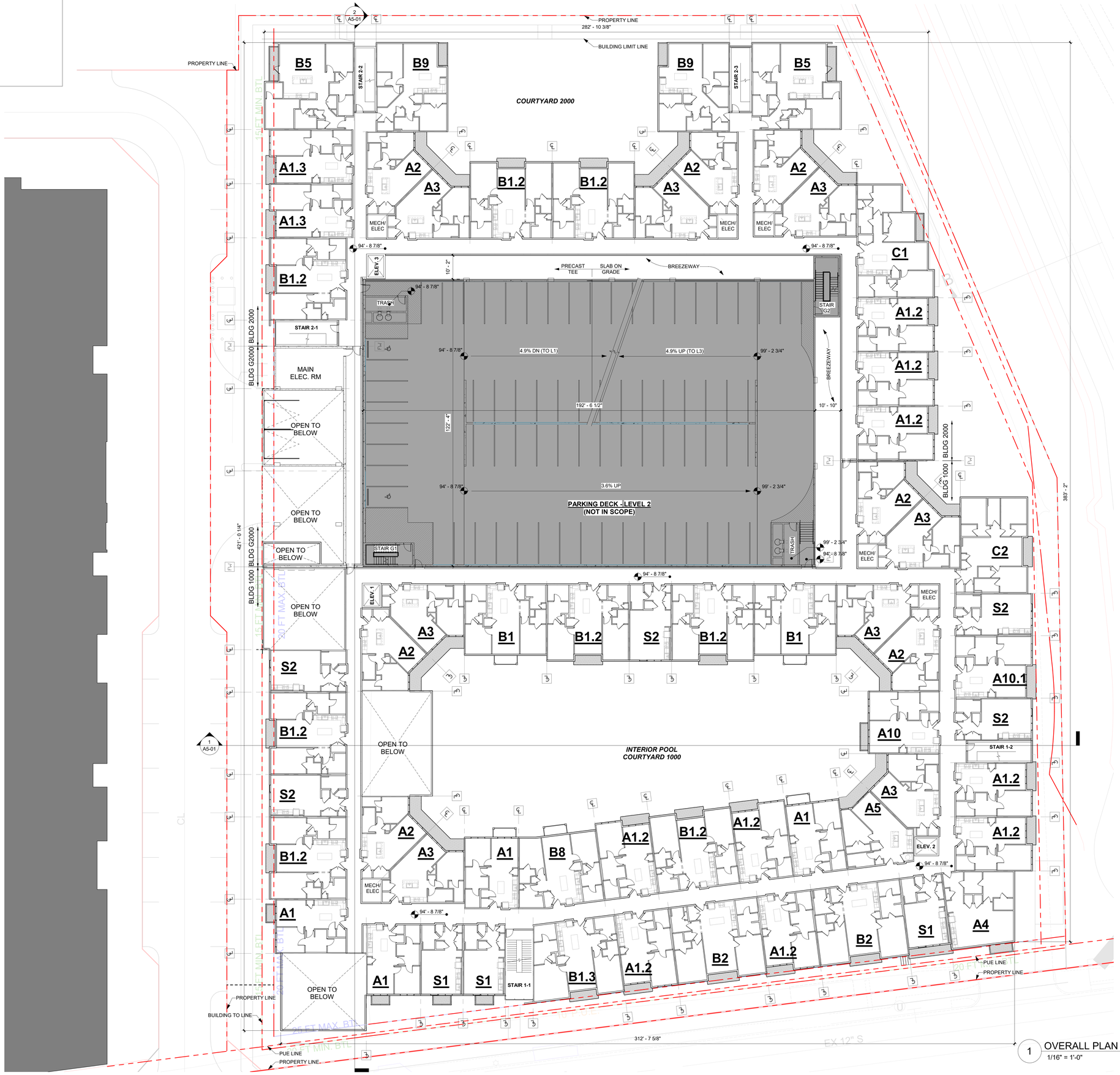


1 OVERALL PLAN - LEVEL 2
1/16" = 1'-0"

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## OVERALL BUILDING PLAN - LEVEL 2

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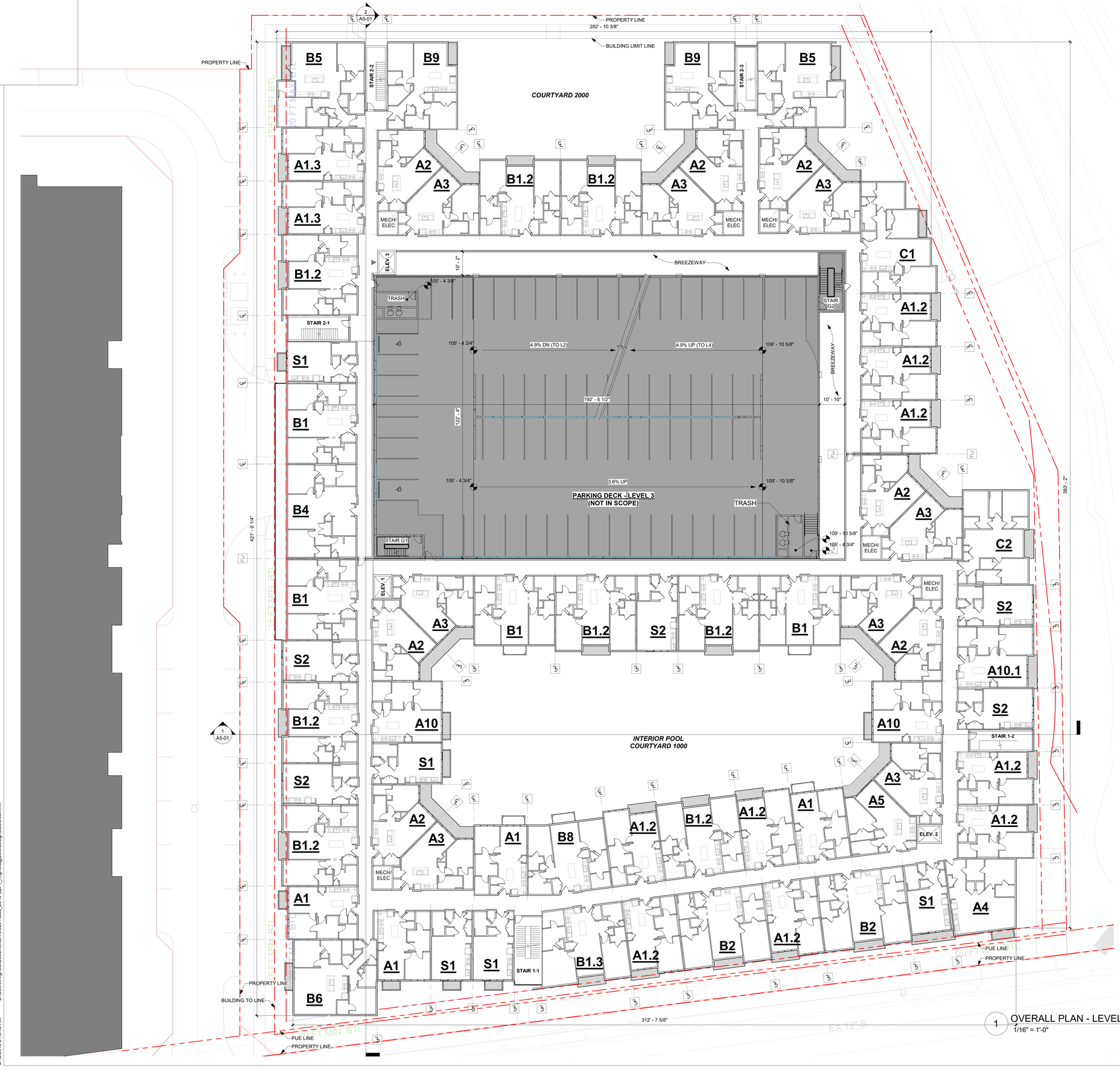


1 OVERALL PLAN - LEVEL 3
1/16" = 1'-0"

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## OVERALL BUILDING PLAN - LEVEL 3

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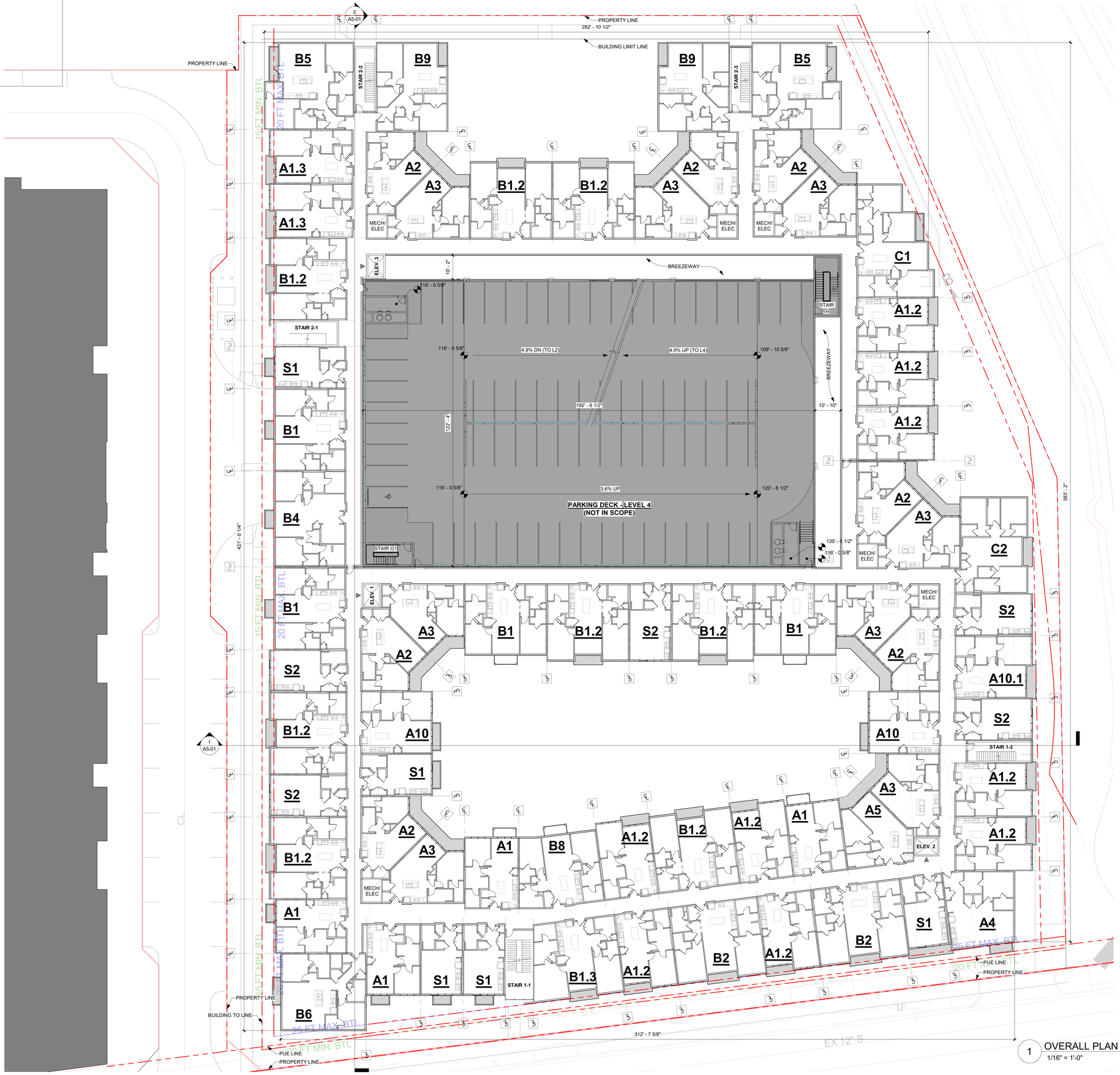


1 OVERALL PLAN - LEVEL 4
1/16" = 1'-0"


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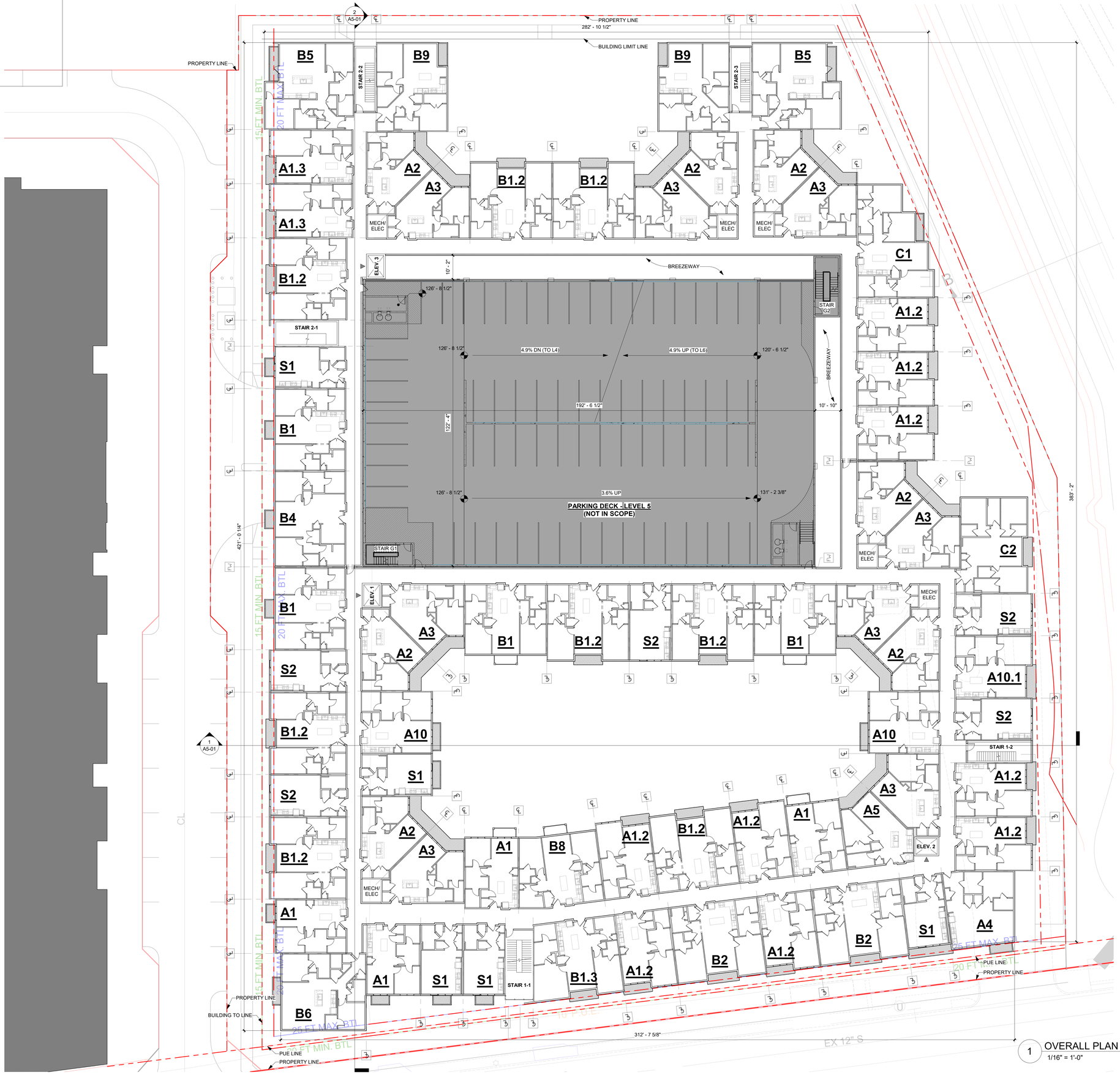


1 OVERALL PLAN - LEVEL 5
1/16" = 1'-0"


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# TOLEDO ROAD

3756 TOLEDO ROAD,
HYATTSVILLE MD, 20782

A DEVELOPMENT FOR:
FAIRFIELD RESIDENTIAL

ISSUE

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SHEET NAME:

OVERALL BUILDING PLAN - LEVEL 5

SCHEMATIC DESIGN PACKAGE

JOB NUMBER: 193801

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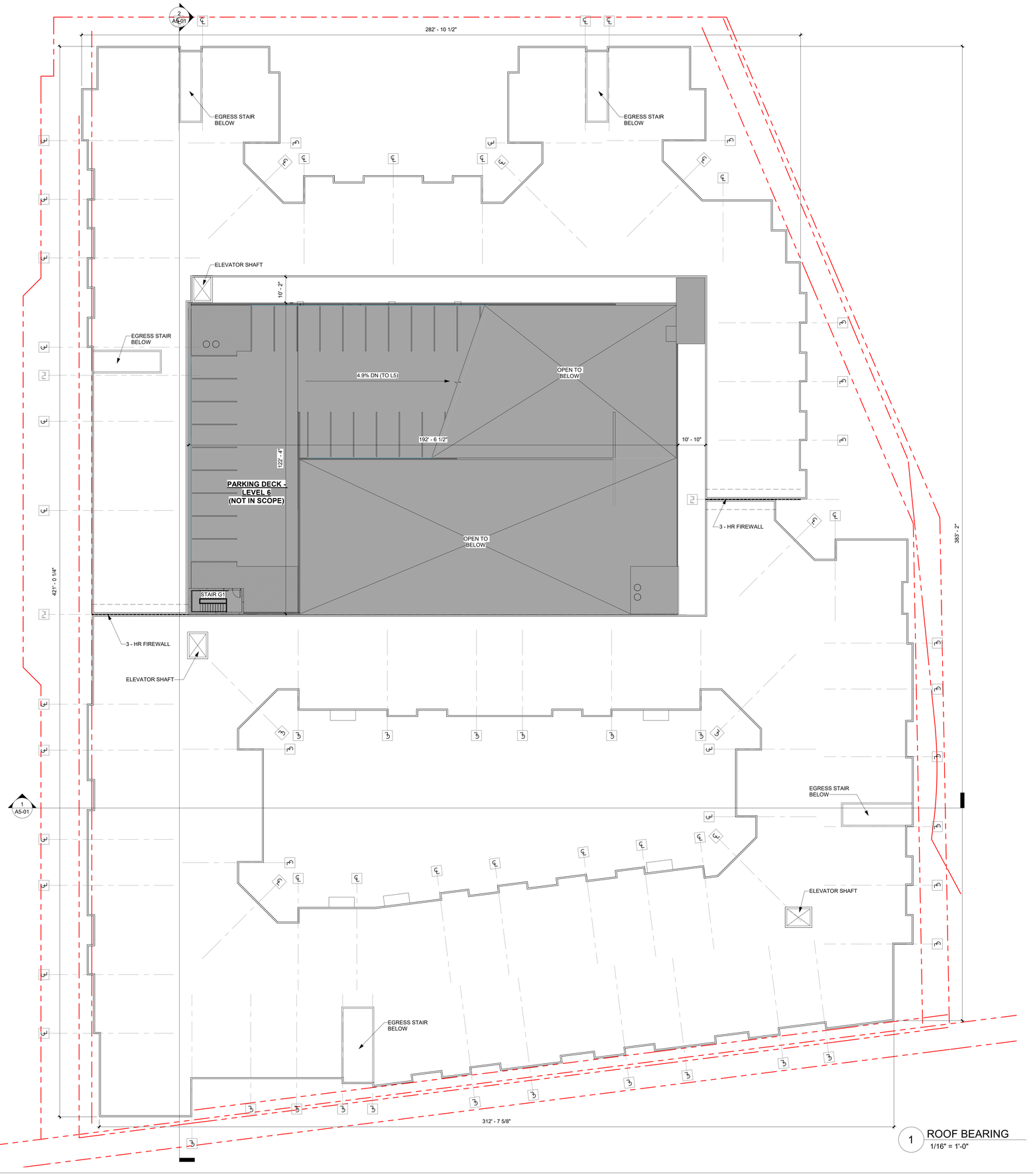


1 ROOF BEARING
1/16" = 1'-0"

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SHEET NAME:

## OVERALL BUILDING PLAN - ROOF

SCHEMATIC DESIGN PACKAGE

JOB NUMBER: 193801

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## BICYCLE AND PARKING SPACE COUNT

**VEHICLE PARKING PER DWELLING UNIT (NO MINIMUM, 1.25/UNIT MAXIMUM):**
(321) UNITS x 1.0/UNIT = (321) RESIDENTIAL PARKING SPACES REQUIRED
(310) STANDARD PARKING SPACES + (8) HC SPACES + (2) EV SPACES + (7) VISITOR SPACES = (327) RESIDENTIAL PARKING SPACES PROVIDED

**COMPACT VEHICLE PARKING (UP TO 1/3 OF ALL PARKING):**
(334) PARKING SPACES x 33.33% = (112) COMPACT SPACES ALLOWED
(0) COMPACT SPACES TOTAL PROVIDED

**ACCESSIBLE VEHICLE PARKING (301-400 UNITS = 8 SPACES):**
(321) UNITS = (6) HC SPACES PLUS (2) HC VAN SPACES = (8) ACCESSIBLE SPACES PROVIDED

**ELECTRIC VEHICLE (EV) PARKING (BY REQUEST):**
CLIENT REQUESTS (2) EV PARKING SPACES
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**VISITOR / FUTURE TENANT PARKING (BY REQUEST):**
(9) VISITOR PARKING SPACES PROVIDED

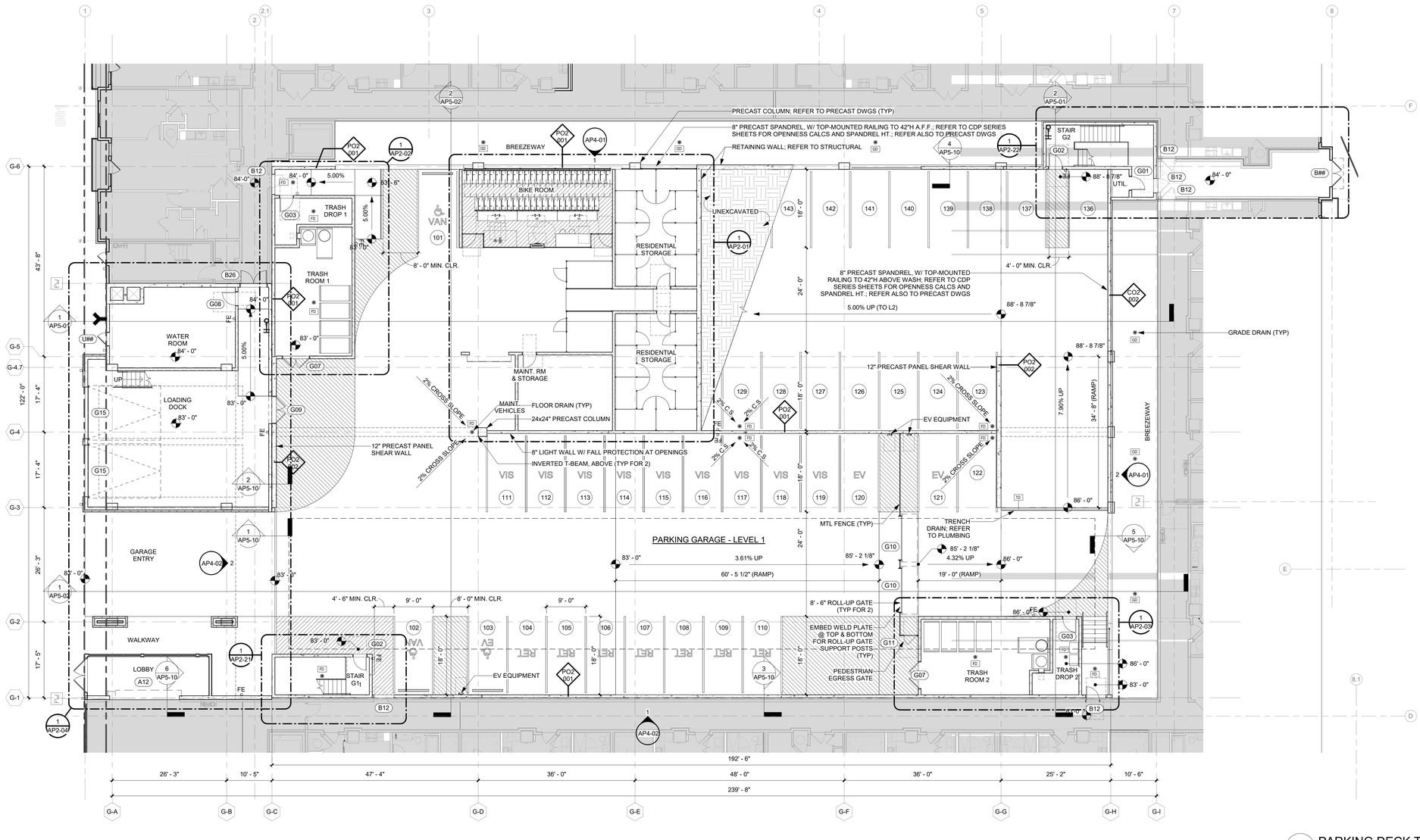
**RETAIL PARKING (2.5 SPACES FOR EVERY 1,000 SF OF RETAIL):**
<2,000 SF OF RETAIL = (5) RETAIL PARKING SPACES REQUIRED
(5) RETAIL PARKING SPACES PROVIDED

**BICYCLE PARKING (1 BICYCLE PER EVERY 20 UNITS):**
(321) UNITS / 20 = (17) BICYCLE SPACES REQUIRED; (50) BICYCLE SPACES PROVIDED, BY REQUEST

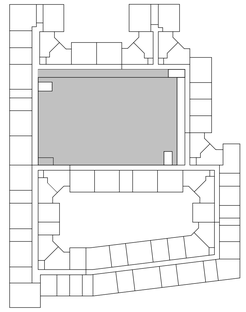
| LEVEL | BIKES | STANDARD | COMPACT | HC*** | HC VAN | EV** | VISITOR | RETAIL | LEVEL TOTALS* |
|---|---|---|---|---|---|---|---|---|---|
| PARKING LEVEL 1 | 49 | 30 | 0 | 1 | 2 | 2 | 9 | 7 | **51** |
| PARKING LEVEL 2 | 0 | 66 | 0 | 2 | 0 | 0 | 0 | 0 | **68** |
| PARKING LEVEL 3 | 0 | 66 | 0 | 2 | 0 | 0 | 0 | 0 | **68** |
| PARKING LEVEL 4 | 0 | 67 | 0 | 1 | 0 | 0 | 0 | 0 | **68** |
| PARKING LEVEL 5 | 0 | 68 | 0 | 0 | 0 | 0 | 0 | 0 | **68** |
| PARKING LEVEL 6 | 0 | 11 | 0 | 0 | 0 | 0 | 0 | 0 | **11** |
| **TYPE TOTALS** | **49** | **308** | **0** | **6** | **2** | **2** | **9** | **7** | **334** |

NOTES:

* TOTALS DO NOT INCLUDE BICYCLES
** (1) EV SPACE IS AVAILABLE TO RESIDENTS ONLY AND (1) EV SPACE IS AVAILABLE TO VISITORS & RETAIL GUESTS
*** (1) HC SPACE ON LEVEL 1 IS EV COMPATABLE




1 PARKING DECK TIER 1
3/32" = 1'-0"



KEYPLAN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# TOLEDO ROAD

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PARKING DECK - TIER 1

PROGRESS SET

JOB NUMBER: 193801

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## BICYCLE AND PARKING SPACE COUNT

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(9) VISITOR PARKING SPACES PROVIDED

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|---|---|---|---|---|---|---|---|---|---|
| PARKING LEVEL 1 | 49 | 30 | 0 | 1 | 2 | 2 | 9 | 7 | **51** |
| PARKING LEVEL 2 | 0 | 66 | 0 | 2 | 0 | 0 | 0 | 0 | **68** |
| PARKING LEVEL 3 | 0 | 66 | 0 | 2 | 0 | 0 | 0 | 0 | **68** |
| PARKING LEVEL 4 | 0 | 67 | 0 | 1 | 0 | 0 | 0 | 0 | **68** |
| PARKING LEVEL 5 | 0 | 68 | 0 | 0 | 0 | 0 | 0 | 0 | **68** |
| PARKING LEVEL 6 | 0 | 11 | 0 | 0 | 0 | 0 | 0 | 0 | **11** |
| **TYPE TOTALS** | **49** | **308** | **0** | **6** | **2** | **2** | **9** | **7** | **334** |

NOTES:

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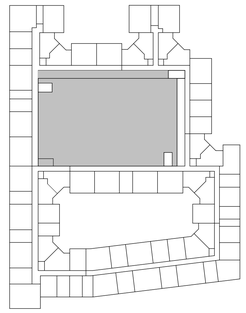
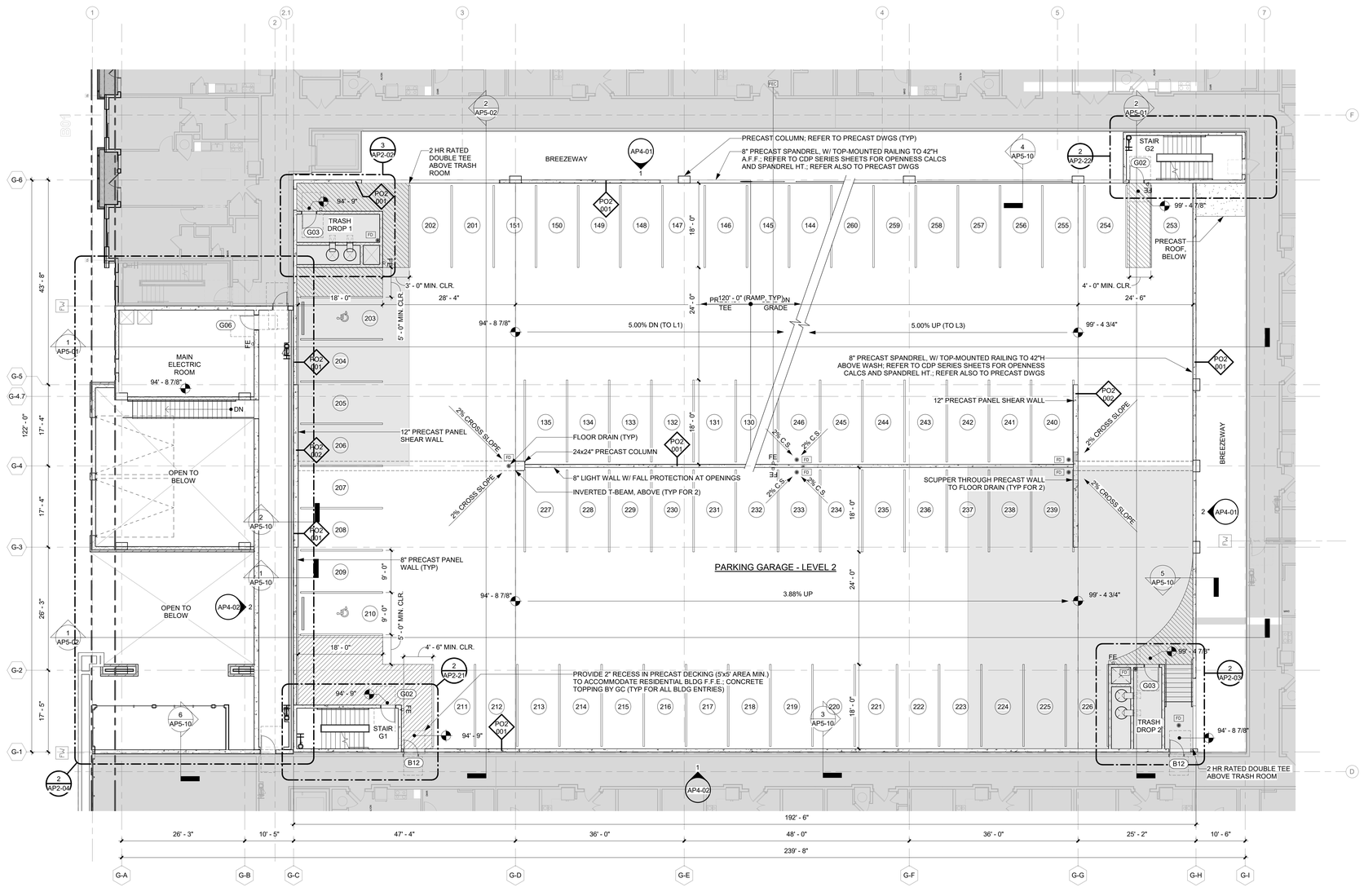


KEYPLAN




1 PARKING DECK TIER 2
3/32" = 1'-0"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3756 TOLEDO ROAD,
HYATTSVILLE MD, 20782

A DEVELOPMENT FOR:
FAIRFIELD RESIDENTIAL

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SHEET NAME:
PARKING DECK - TIER 2

PROGRESS SET

JOB NUMBER: 193801

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## BICYCLE AND PARKING SPACE COUNT

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|---|---|---|---|---|---|---|---|---|---|
| PARKING LEVEL 1 | 49 | 30 | 0 | 1 | 2 | 2 | 9 | 7 | **51** |
| PARKING LEVEL 2 | 0 | 66 | 0 | 2 | 0 | 0 | 0 | 0 | **68** |
| PARKING LEVEL 3 | 0 | 66 | 0 | 2 | 0 | 0 | 0 | 0 | **68** |
| PARKING LEVEL 4 | 0 | 67 | 0 | 1 | 0 | 0 | 0 | 0 | **68** |
| PARKING LEVEL 5 | 0 | 68 | 0 | 0 | 0 | 0 | 0 | 0 | **68** |
| PARKING LEVEL 6 | 0 | 11 | 0 | 0 | 0 | 0 | 0 | 0 | **11** |
| **TYPE TOTALS** | **49** | **308** | **0** | **6** | **2** | **2** | **9** | **7** | **334** |

NOTES:

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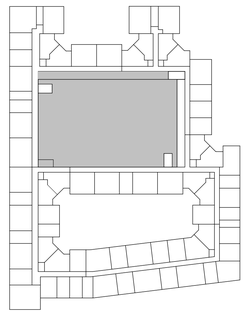

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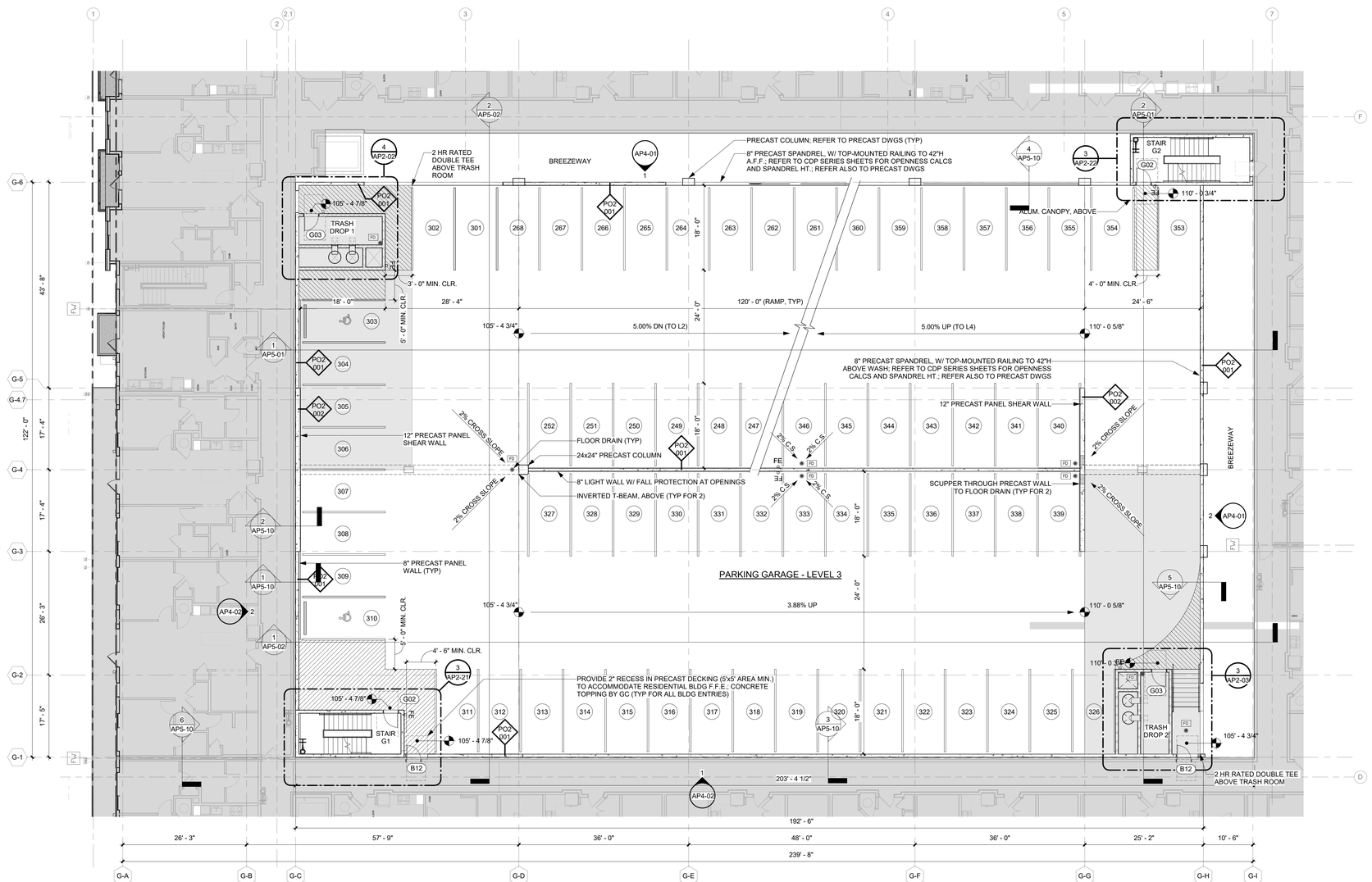


1 PARKING DECK TIER 3
3/32" = 1'-0"


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# TOLEDO ROAD

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HYATTSVILLE MD, 20782

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SHEET NAME:
PARKING DECK - TIER 3

PROGRESS SET

JOB NUMBER: 193801

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## BICYCLE AND PARKING SPACE COUNT

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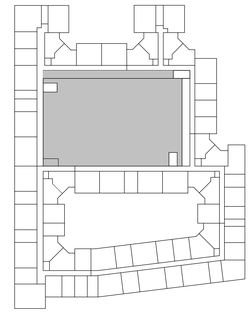
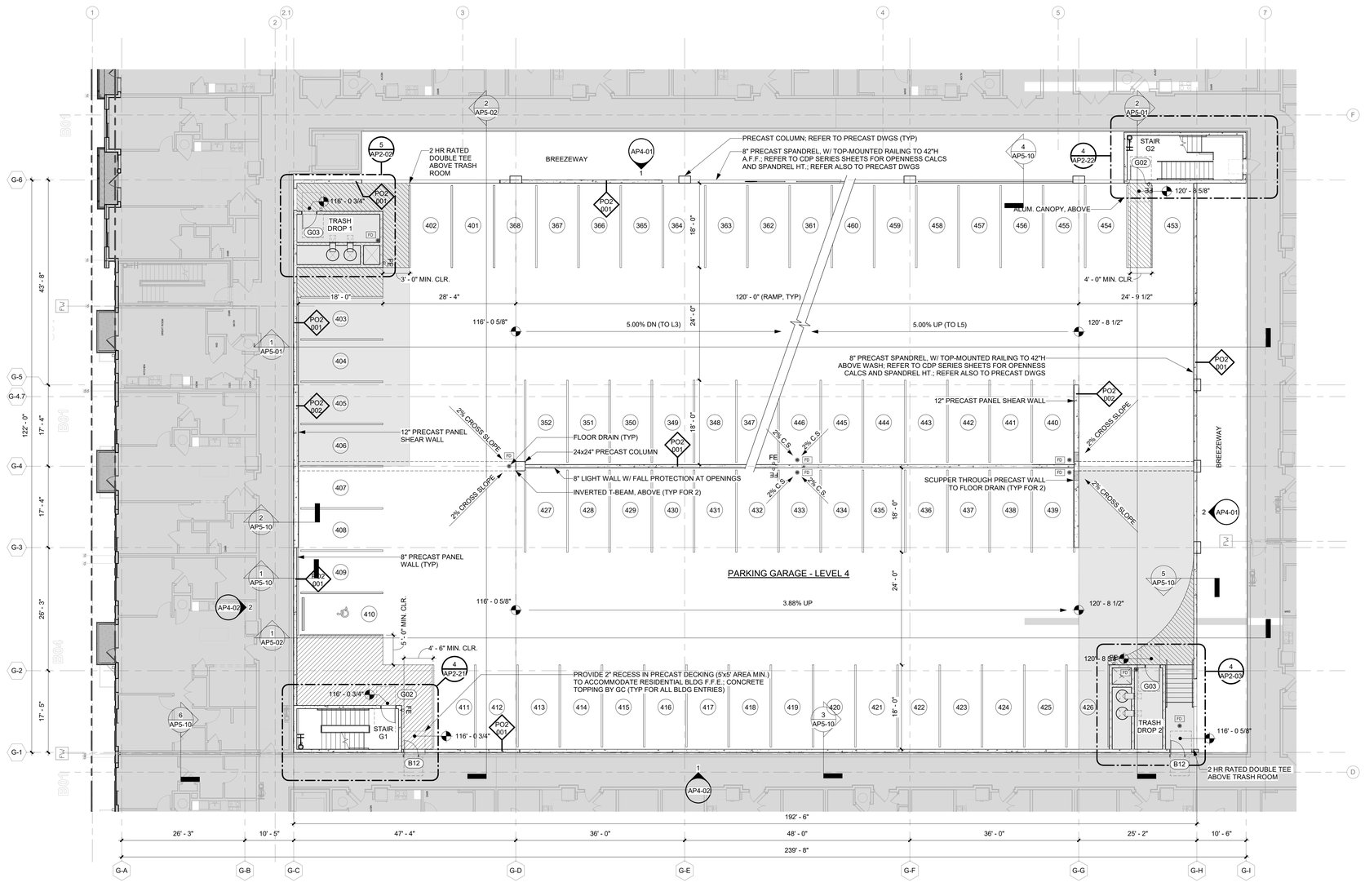


KEYPLAN




1 PARKING DECK TIER 4
3/32" = 1'-0"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SHEET NAME:
PARKING DECK - TIER 4

PROGRESS SET

JOB NUMBER: 193801

| DRAWN BY | CHECKED BY |
|---|---|
| Author | Checker |

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## BICYCLE AND PARKING SPACE COUNT

**VEHICLE PARKING PER DWELLING UNIT (NO MINIMUM, 1.25/UNIT MAXIMUM):**
(321) UNITS x 1.0/UNIT = (321) RESIDENTIAL PARKING SPACES REQUIRED
(310) STANDARD PARKING SPACES + (8) HC SPACES + (2) EV SPACES + (7) VISITOR SPACES = (327) RESIDENTIAL PARKING SPACES PROVIDED

**COMPACT VEHICLE PARKING (UP TO 1/3 OF ALL PARKING):**
(334) PARKING SPACES x 33.33% = (112) COMPACT SPACES ALLOWED
(0) COMPACT SPACES TOTAL PROVIDED

**ACCESSIBLE VEHICLE PARKING (301-400 UNITS = 8 SPACES):**
(321) UNITS = (6) HC SPACES PLUS (2) HC VAN SPACES = (8) ACCESSIBLE SPACES PROVIDED

**ELECTRIC VEHICLE (EV) PARKING (BY REQUEST):**
CLIENT REQUESTS (2) EV PARKING SPACES
(2) STANDARD EV + (1) HC EV = (3) EV SPACES PROVIDED

**VISITOR / FUTURE TENANT PARKING (BY REQUEST):**
(9) VISITOR PARKING SPACES PROVIDED

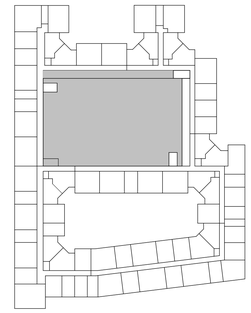
**RETAIL PARKING (2.5 SPACES FOR EVERY 1,000 SF OF RETAIL):**
<2,000 SF OF RETAIL = (5) RETAIL PARKING SPACES REQUIRED
(5) RETAIL PARKING SPACES PROVIDED

**BICYCLE PARKING (1 BICYCLE PER EVERY 20 UNITS):**
(321) UNITS / 20 = (17) BICYCLE SPACES REQUIRED; (50) BICYCLE SPACES PROVIDED, BY REQUEST

| LEVEL | BIKES | STANDARD | COMPACT | HC*** | HC VAN | EV** | VISITOR | RETAIL | LEVEL TOTALS* |
|---|---|---|---|---|---|---|---|---|---|
| PARKING LEVEL 1 | 49 | 30 | 0 | 1 | 2 | 2 | 9 | 7 | **51** |
| PARKING LEVEL 2 | 0 | 66 | 0 | 2 | 0 | 0 | 0 | 0 | **68** |
| PARKING LEVEL 3 | 0 | 66 | 0 | 2 | 0 | 0 | 0 | 0 | **68** |
| PARKING LEVEL 4 | 0 | 67 | 0 | 1 | 0 | 0 | 0 | 0 | **68** |
| PARKING LEVEL 5 | 0 | 68 | 0 | 0 | 0 | 0 | 0 | 0 | **68** |
| PARKING LEVEL 6 | 0 | 11 | 0 | 0 | 0 | 0 | 0 | 0 | **11** |
| **TYPE TOTALS** | **49** | **308** | **0** | **6** | **2** | **2** | **9** | **7** | **334** |

NOTES:

* TOTALS DO NOT INCLUDE BICYCLES
** (1) EV SPACE IS AVAILABLE TO RESIDENTS ONLY AND (1) EV SPACE IS AVAILABLE TO VISITORS & RETAIL GUESTS
*** (1) HC SPACE ON LEVEL 1 IS EV COMPATABLE



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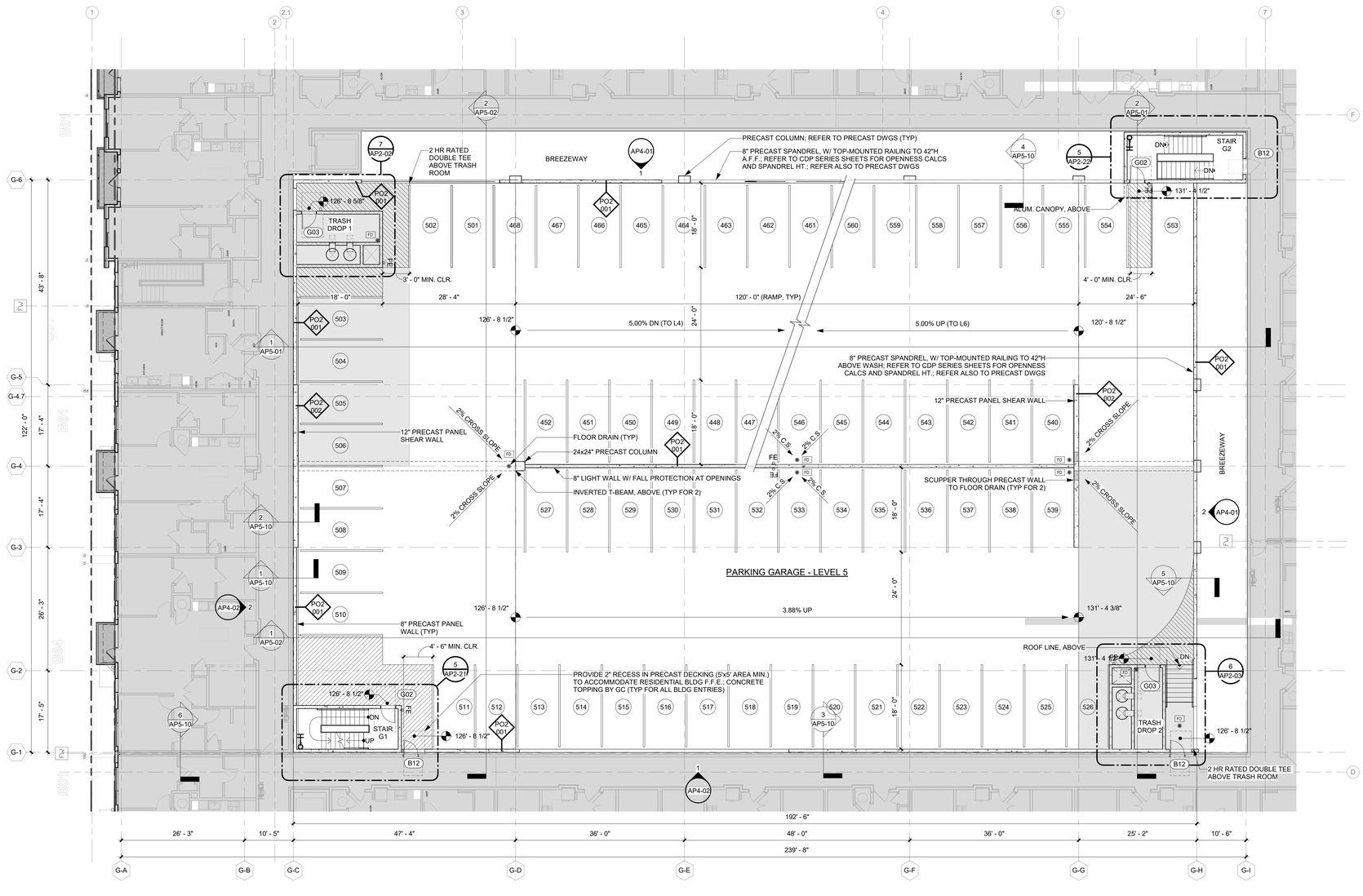


1 PARKING DECK TIER 5
3/32" = 1'-0"


dwell design studio
8200 GREENSBORO DRIVE, SUITE 650 , MCLEAN, VA. 22102
PHONE: 571.253.6950
dwelldesignstudio.com


# TOLEDO ROAD

3756 TOLEDO ROAD,
HYATTSVILLE MD, 20782

A DEVELOPMENT FOR:
FAIRFIELD RESIDENTIAL

ISSUE

| DATE | DESCRIPTION | INCLUDED |
|---|---|---|
| 07/29/2019 | PRICING PACKAGE | |
| 08/01/2019 | SCHEMATIC DESIGN SUBMISSION | |

REVISION

| DATE | DESCRIPTION | REV |
|---|---|---|

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SHEET NAME:
PARKING DECK - TIER 5

PROGRESS SET

JOB NUMBER: 193801

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## BICYCLE AND PARKING SPACE COUNT

**VEHICLE PARKING PER DWELLING UNIT (NO MINIMUM, 1.25/UNIT MAXIMUM):**
(321) UNITS x 1.0/UNIT = (321) RESIDENTIAL PARKING SPACES REQUIRED
(310) STANDARD PARKING SPACES + (8) HC SPACES + (2) EV SPACES + (7) VISITOR SPACES = (327) RESIDENTIAL PARKING SPACES PROVIDED

**COMPACT VEHICLE PARKING (UP TO 1/3 OF ALL PARKING):**
(334) PARKING SPACES x 33.33% = (112) COMPACT SPACES ALLOWED
(0) COMPACT SPACES TOTAL PROVIDED

**ACCESSIBLE VEHICLE PARKING (301-400 UNITS = 8 SPACES):**
(321) UNITS = (6) HC SPACES PLUS (2) HC VAN SPACES = (8) ACCESSIBLE SPACES PROVIDED

**ELECTRIC VEHICLE (EV) PARKING (BY REQUEST):**
CLIENT REQUESTS (2) EV PARKING SPACES
(2) STANDARD EV + (1) HC EV = (3) EV SPACES PROVIDED

**VISITOR / FUTURE TENANT PARKING (BY REQUEST):**
(9) VISITOR PARKING SPACES PROVIDED

**RETAIL PARKING (2.5 SPACES FOR EVERY 1,000 SF OF RETAIL):**
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(5) RETAIL PARKING SPACES PROVIDED

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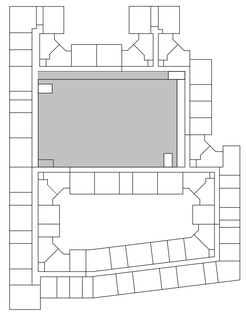
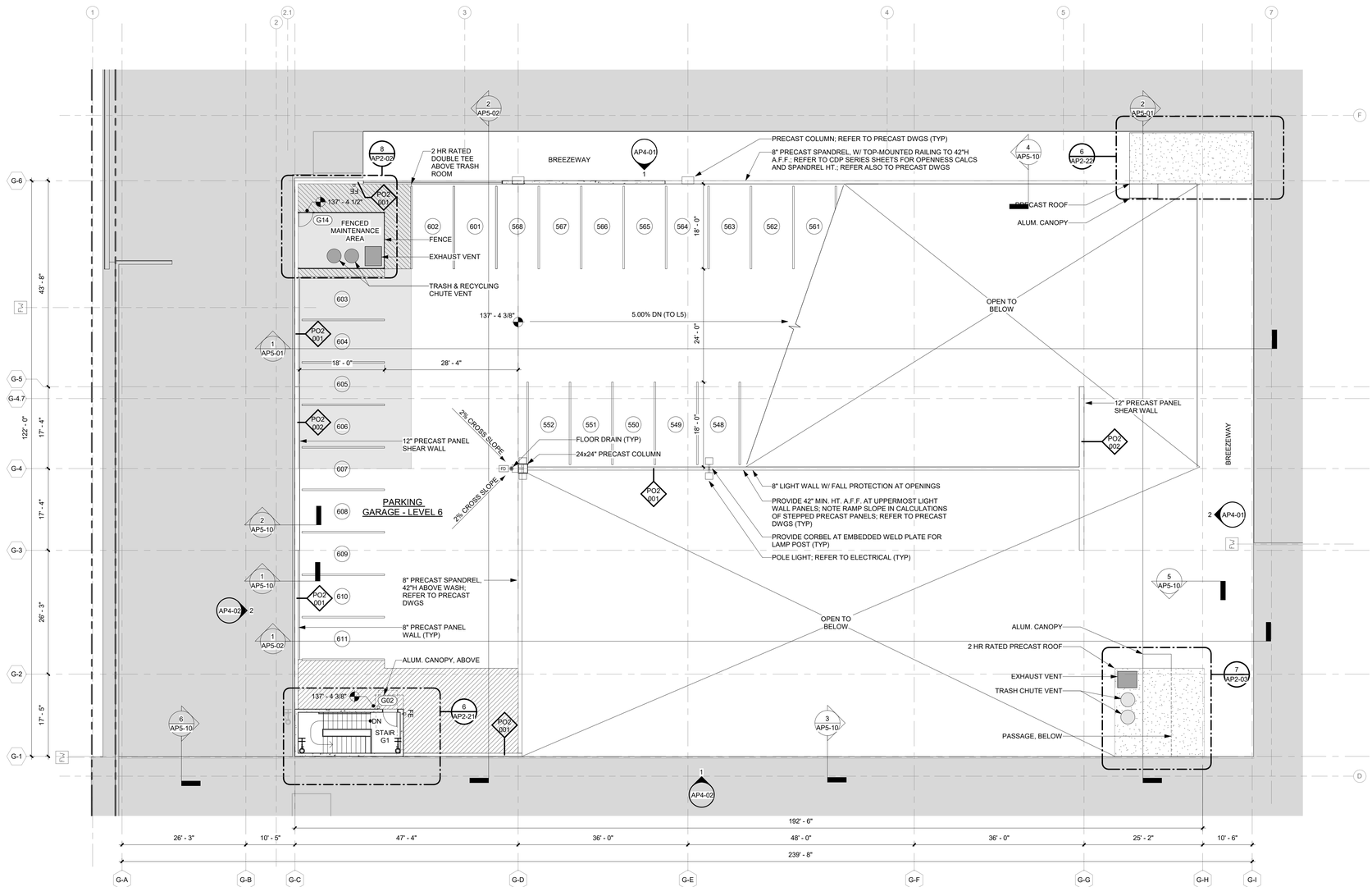
| LEVEL | BIKES | STANDARD | COMPACT | HC*** | HC VAN | EV** | VISITOR | RETAIL | LEVEL TOTALS* |
|---|---|---|---|---|---|---|---|---|---|
| PARKING LEVEL 1 | 49 | 30 | 0 | 1 | 2 | 2 | 9 | 7 | **51** |
| PARKING LEVEL 2 | 0 | 66 | 0 | 2 | 0 | 0 | 0 | 0 | **68** |
| PARKING LEVEL 3 | 0 | 66 | 0 | 2 | 0 | 0 | 0 | 0 | **68** |
| PARKING LEVEL 4 | 0 | 67 | 0 | 1 | 0 | 0 | 0 | 0 | **68** |
| PARKING LEVEL 5 | 0 | 68 | 0 | 0 | 0 | 0 | 0 | 0 | **68** |
| PARKING LEVEL 6 | 0 | 11 | 0 | 0 | 0 | 0 | 0 | 0 | **11** |
| **TYPE TOTALS** | **49** | **308** | **0** | **6** | **2** | **2** | **9** | **7** | **334** |

NOTES:

* TOTALS DO NOT INCLUDE BICYCLES
** (1) EV SPACE IS AVAILABLE TO RESIDENTS ONLY AND (1) EV SPACE IS AVAILABLE TO VISITORS & RETAIL GUESTS
*** (1) HC SPACE ON LEVEL 1 IS EV COMPATABLE



KEYPLAN




1 PARKING DECK TIER 6
3/32" = 1'-0"

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TOLEDO ROAD
3756 TOLEDO ROAD,
HYATTSVILLE MD, 20782

A DEVELOPMENT FOR:
FAIRFIELD RESIDENTIAL

ISSUE

| DATE | DESCRIPTION | INCLUDED |
|---|---|---|
| 07/29/2019 | PRICING PACKAGE | |
| 08/01/2019 | SCHEMATIC DESIGN SUBMISSION | |

REVISION

| DATE | DESCRIPTION | REV |
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SHEET NAME:
PARKING DECK - TIER 6

PROGRESS SET

JOB NUMBER: 193801

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## BICYCLE AND PARKING SPACE COUNT

**VEHICLE PARKING PER DWELLING UNIT (NO MINIMUM, 1.25/UNIT MAXIMUM):**
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|---|---|---|---|---|---|---|---|---|---|
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| PARKING LEVEL 2 | 0 | 66 | 0 | 2 | 0 | 0 | 0 | 0 | **68** |
| PARKING LEVEL 3 | 0 | 66 | 0 | 2 | 0 | 0 | 0 | 0 | **68** |
| PARKING LEVEL 4 | 0 | 67 | 0 | 1 | 0 | 0 | 0 | 0 | **68** |
| PARKING LEVEL 5 | 0 | 68 | 0 | 0 | 0 | 0 | 0 | 0 | **68** |
| PARKING LEVEL 6 | 0 | 11 | 0 | 0 | 0 | 0 | 0 | 0 | **11** |
| **TYPE TOTALS** | **49** | **308** | **0** | **6** | **2** | **2** | **9** | **7** | **334** |

NOTES:

* TOTALS DO NOT INCLUDE BICYCLES
** (1) EV SPACE IS AVAILABLE TO RESIDENTS ONLY AND (1) EV SPACE IS AVAILABLE TO VISITORS & RETAIL GUESTS
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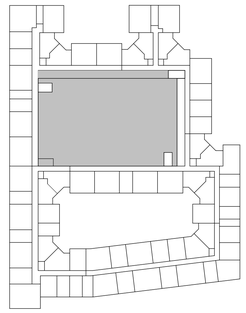
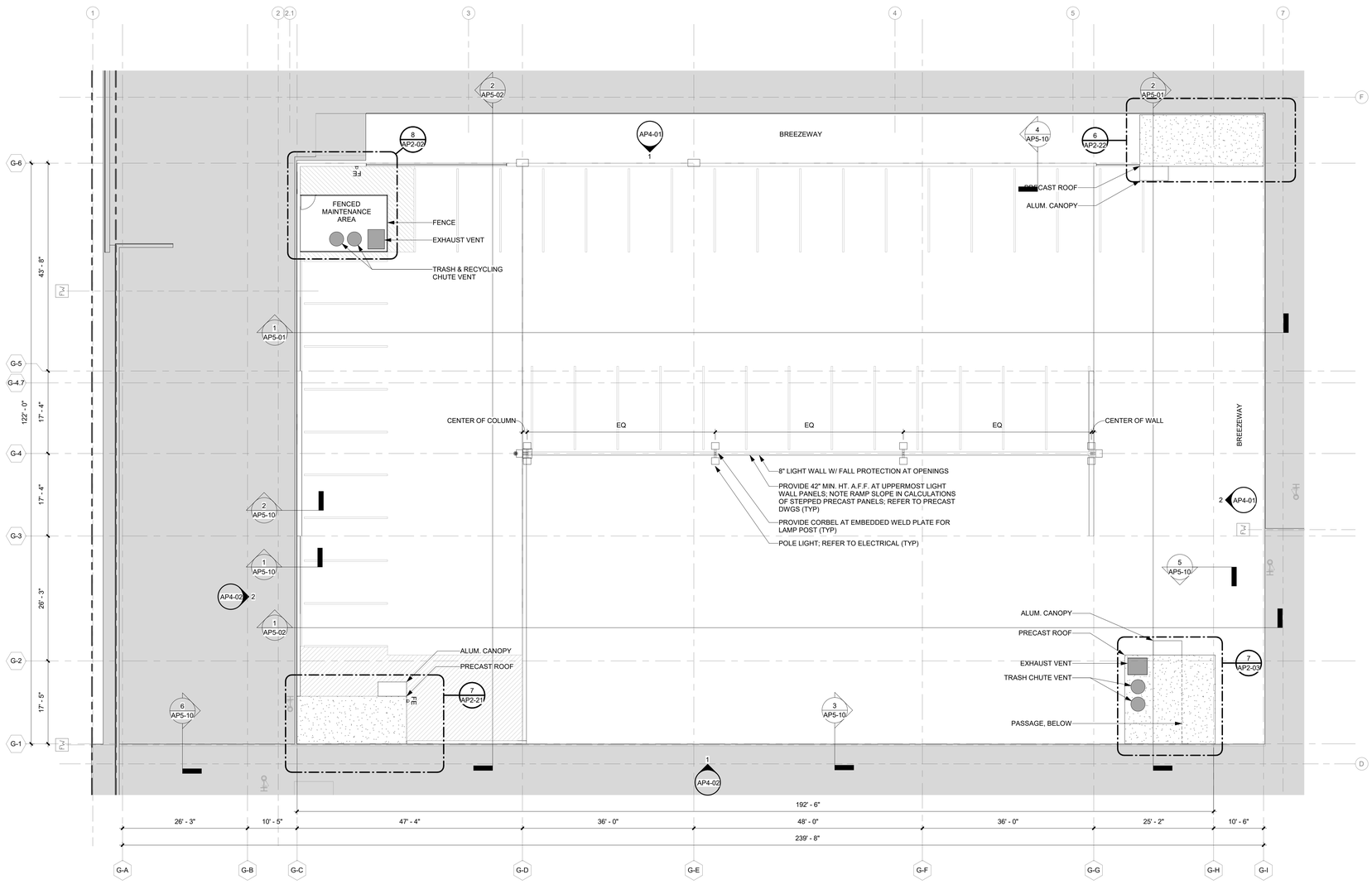


KEYPLAN




1 PARKING DECK ROOF
3/32" = 1'-0"


dwell design studio
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PHONE: 571.253.6950
dwelldesignstudio.com


# TOLEDO ROAD

3756 TOLEDO ROAD,
HYATTSVILLE MD, 20782

A DEVELOPMENT FOR:
FAIRFIELD RESIDENTIAL

ISSUE

| DATE | DESCRIPTION | INCLUDED |
|---|---|---|
| 07/29/2019 | PRICING PACKAGE | |
| 06/01/2019 | SCHEMATIC DESIGN SUBMISSION | |

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| DATE | DESCRIPTION | REV |
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SHEET NAME:
PARKING DECK - ROOF

PROGRESS SET

JOB NUMBER: 193801

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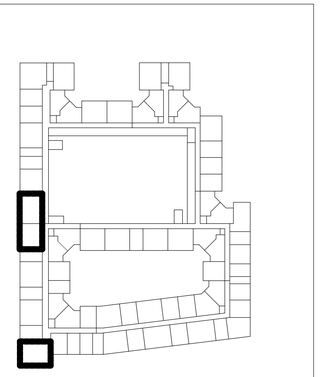
2 BUILDING SIGNAGE VIEWS
1/8" = 1'-0"

**LOBBY/ LEASING ENTRANCE & PARKING ENTRY ON NEW STREET**

**CORNER OF TOLEDO RD. & NEW STREET**

1 BUILDING SIGNAGE ELEVATIONS
1/8" = 1'-0"



KEYPLAN

**SIGNAGE GENERAL NOTES:**

- PER PRINCE GEORGE'S PLAZA TRANSIT DISTRICT DEVELOPMENT PLAN WALL SIGNAGE REQUIREMENTS:
  - SIGNAGE PROVIDED IS RECTANGULAR AND ORIENTED HORIZONTALLY AND VERTICALLY
  - VERTICAL SIGNAGE IS 3'-0" IN WIDTH X 30' - 0" IN HEIGHT
  - NO SIGNAGE SHALL BE INSTALLED BELOW 10'-0" ABOVE A SIDEWALK
  - NO DIGITAL OR ELECTRONIC SIGNAGE TO BE PROVIDED

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PHONE: 571.253.6950
dwelldesignstudio.com

# TOLEDO ROAD

3756 TOLEDO ROAD,
HYATTSVILLE MD, 20782

A DEVELOPMENT FOR:
FAIRFIELD RESIDENTIAL

ISSUE

| DATE | DESCRIPTION | INCLUDED |
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| 08/01/2019 | SCHEMATIC DESIGN SUBMISSION | |

REVISION

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SHEET NAME:
BUILDING SIGNAGE

PROGRESS SET

JOB NUMBER: 193801

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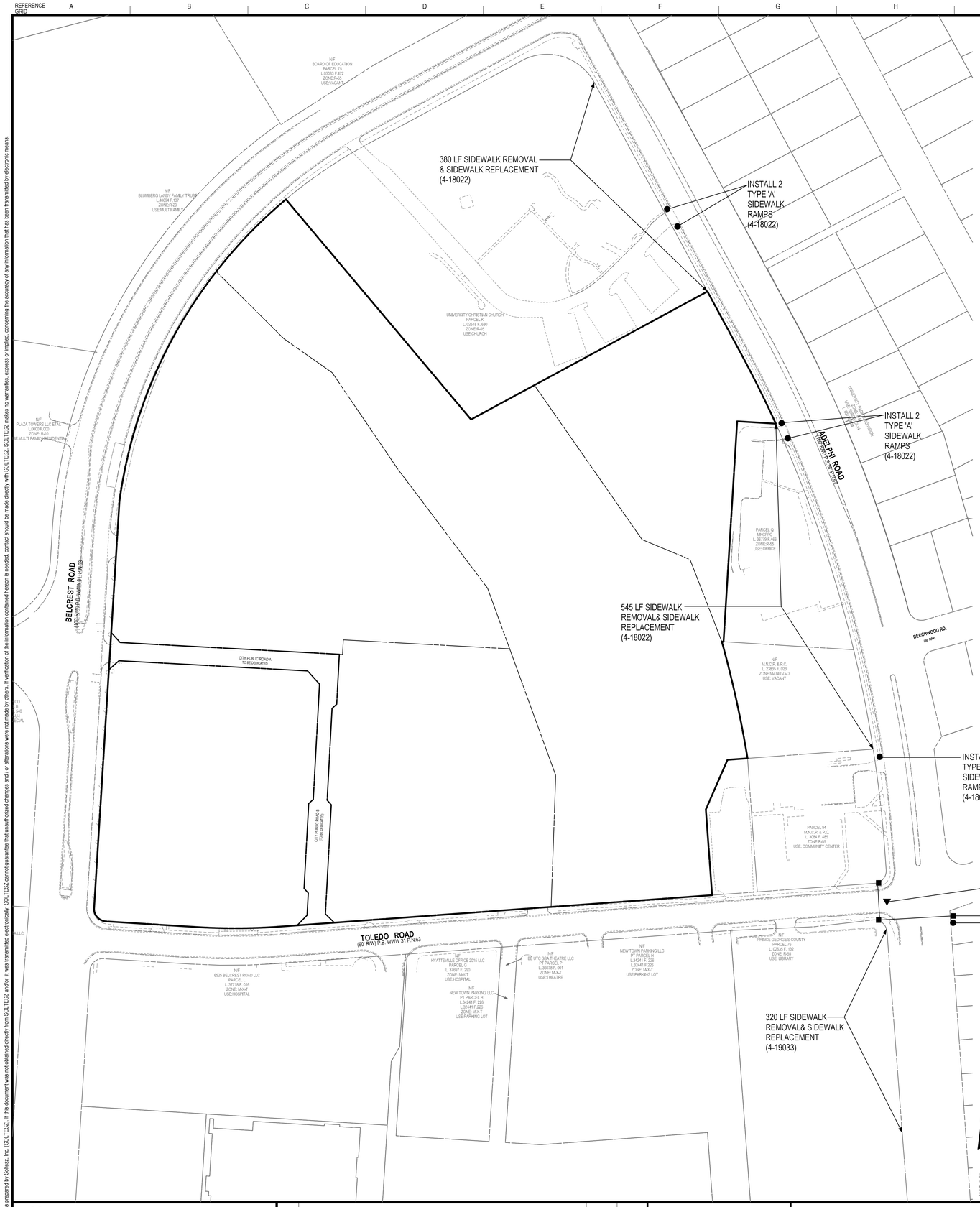
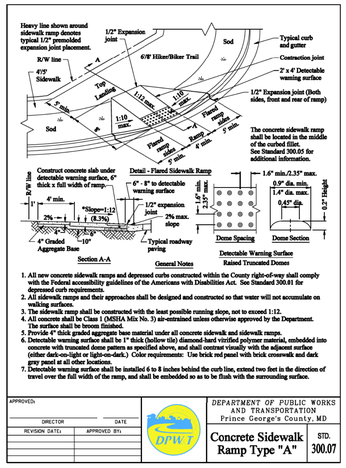



4-18022 REQUIREMENTS

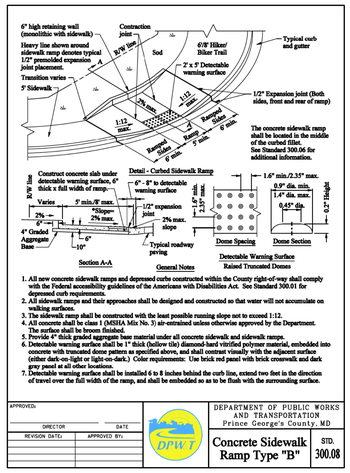
925 LF SIDEWALK REMOVAL
925 SIDEWALK REPLACEMENT

PROJECT NAME: Dewey DSP-19050 & 4-18022
BPIS CONSTRUCTION COST ESTIMATE

Soltesz
4300 Forbes Boulevard, Suite 230
Lanham, Maryland 20706
(301) 794-7555
DATE:9/27/2019

| DESCRIPTION | UNIT | QTY | UN. PRICE | TOTAL |
|---|---|---|---|---|
| SIDEWALK REMOVAL | | | | |
| Removal of Existing Sidewalk | CY | 68.5 | $140 | $ 9,590.00 |
| SIDEWALK INSTALLATION | | | | |
| 5- Inch Concrete Sidewalk | SF | 4625 | $15 | $ 69,375.00 |
| Concrete Sidewalk Ramp Type "A" | Ea | 5 | $600 | $ 3,000.00 |
| SUBTOTAL ALL WORK IN R/W | | | | $ 81,965.00 |
| SEDIMENT CONTROL & MAINT. OF TRAFFIC | | | | |
| Mobilization | LS | 1 | $10,000.00 | $ 10,000.00 |
| Excavation | Ea | 1 | $8,500 | $8,500.00 |
| Stabilization | Ea | 1 | $7,500 | $7,500 |
| Rough Sediment Control (10%All Work in R/W) | LS | 1 | | $ 8,196.50 |
| Maintenance of Traffic (10% of work in R/W) | LS | 1 | | $ 8,196.50 |
| ENGINEERING ESTIMATE FOR CONSTRUCTION WITHIN R/W | | | | $ 124,358.00 |
| Street Construction Fee (10% of Cost) | | | | $ 12,435.80 |
| **Total BPIS Estimate** | | | | **$ 136,793.80** |

Quantities contained hereon are estimates only and should not be relied upon as precise.
Unit costs used herein are based either on information provided to SOLTESZ by the client or from the best available industry data.




PROJECT NAME: Dewey DSP-19050&01 & 4-19033
BPIS CONSTRUCTION COST ESTIMATE

Soltesz
4300 Forbes Boulevard, Suite 230
Lanham, Maryland 20706
(301) 794-7555
DATE:9/27/2019

| DESCRIPTION | UNIT | QTY | UN. PRICE | TOTAL |
|---|---|---|---|---|
| SIDEWALK REMOVAL | | | | |
| Removal of Existing Sidewalk | CY | 23.7 | $140 | $ 3,318.00 |
| SIDEWALK INSTALLATION | | | | |
| 5- Inch Concrete Sidewalk | SF | 1600 | $15 | $ 24,000.00 |
| Concrete Sidewalk Ramp Type B | Ea | 1 | $ 850.00 | $ 850.00 |
| SEDIMENT CONTROL & MAINT. OF TRAFFIC | | | | |
| Mobilization | LS | 1 | $10,000.00 | $ 10,000.00 |
| Excavation | Ea | 1 | $8,500 | $8,500.00 |
| Stabilization | Ea | 1 | $7,500 | $7,500 |
| Pedestrian Facility Improvements | | | | |
| 5 Foot Pedestal Pole | Ea | 4 | $ 2,800.00 | $ 11,200.00 |
| Monolithic Conc. Median-Standard | LF | 10 | $ 50.00 | $ 500.00 |
| Concrete Signal Foundation | Cy | 2 | $ 1,100.00 | $ 2,200.0 |
| Pedestrian Pushbutton Assembly & Ped Sign R-10-3e | Ea | 4 | $ 1,000.00 | $ 4,000.00 |
| Controller by Campbell(model WiAPC) | Ea | 1 | $ 5,400.00 | $ 5,400.00 |
| Bare Copper Stranded Ground Wire (No. 6 AWG) | Lf | 100 | $ 2.50 | $ 250.00 |
| 2 Conductor Electrical Cable (No 14 AWG)(JMSA 20-1 ) | Lf | 100 | $ 2.50 | $ 250.00 |
| Remove, Salvage, & Dispose Ex. Traffic Signal Eqipment | Ea | 1 | $ 1,000.00 | $ 1,000.00 |
| Thermoplastic Crosswalk, 12" | Lf | 170 | $ 5.00 | $ 850.00 |
| Thermoplastic Crossbar, 24" | Lf | 50 | $ 6.00 | $ 300.00 |
| ENGINEERING ESTIMATE FOR CONSTRUCTION WITHIN R/W | | | | $ 80,118.00 |
| Street Construction Fee (10% of Cost) | | | | $ 8,011.80 |
| Rough Sediment Control (10%All Work in R/W) | LS | 1 | | $ 8,011.80 |
| Maintenance of Traffic (10% of work in R/W) | LS | 1 | | $ 8,011.80 |
| **Total BPIS Estimate** | | | | **$ 104,153.40** |

Quantities contained hereon are estimates only and should not be relied upon as precise.
Unit costs used herein are based either on information provided to SOLTESZ by the client or from the best available industry data.

4-19033 REQUIREMENTS

1) 320 LF SIDEWALK REMOVAL
2) 320 SIDEWALK REPLACEMENT
3) UPGRADE PEDESTRIAN PUSHBUTTON ASSEMBLY.
4) CONCRETE RAMP B
5) COSSWALK AND STOP BAR

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**SOLTESZ, LLC**
Engineering
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Planning
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LANHAM OFFICE
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Lanham, MD 20706
P. 301.794.7555 F. 301.794.7656
www.solteszco.com

| NO. | REVISIONS | BY | DATE |
|---|---|---|---|

DATE: SEPT 2019 | CAD STANDARDS VERSION: V8 - NCS
DESIGNED: DJB | TECHNICIAN: DJB | CHECKED: DJB

**MISS UTILITY NOTE**

INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITY CROSSINGS BY DIGGING TEST PITS BY HAND. WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT "MISS UTILITY" AT 1-800-257-7777, 48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHICHEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

**OWNER/DEVELOPER/APPLICANT**

DEWEY L C
6525 Belcrest Road #300
Hyattsville, MD 20782

PHONE # 301-915-0460
FAX # 240-387-6109
CONTACT NAME: SCOTT DECAIN

MAP ____ GRID ____

| TAX MAP | ZONING CATEGORY: |
|---|---|
| 41, A1 | M-U-I |
| WSSC 200' SHEET | XXXX: |
| 208 NE 03 | |
| SITE DATUM HORIZONTAL: ____ VERTICAL: ____ | XXXX: |

# BPIS EXHIBIT
# DEWEY PROPERTY
CHILLUM (17TH) ELECTION DISTRICT, PRINCE GEORGE'S COUNTY, MARYLAND

1" = 60'

SHEET 1 OF 1

PROJECT NO. 36710001



P:\36710001\Exhibits\DSP\BPIS_01.sht Scale= 70.0000 sf / in. User= DBickel PLTdrv= PDF_Grey_150.pltcfg Pentbl= TEXT_SUB.tbl 10/1/2019 9:26:43 AM

| | | SF | Building Cost |
|---|---|---|---|
| Item 1 | Resort Style Pool | | |
| | Swimming Pool | | $180,000 |
| | Cabana | | $70,000 |
| | Grilling Area | | $5,000 |
| | Pool Deck | | $50,000 |
| | Pool Furniture | | |

| | | |
|---|---|---|
| Subtotal | | |
| Contingency and Bonds | | |
| **Total Recreational Facilities Cost Estimate** | | |

| Furniture, Fixtures & Equipment | Total |
|---|---|
| | $180,000 |
| | $70,000 |
| | $5,000 |
| | $50,000 |
| $40,000 | $40,000 |

| | |
|---|---|
| | $345,000 |
| 10% | $34,500 |
| | **$379,500** |

## Concept Design

### Exterior Club Space

**1 | Lawn Panel**
artificial turf, cornhole, movable seating

**2 | Fire Pit**
enhanced paving, round fire pit, sofa seating, wood bench, landscape buffer

**3 | Outdoor Grill**
2 grills, low bar seating, beer trough

**4 | Dining / Gaming Terrace**
enhanced paving, cafe tables,
2 foosball tables, festoon lights

**5 | Flexible Seating**
along building face

### Pool Terrace

**6 | Pool Entry**
to be coordinated with architect

**7 | Pool**
1,550 SF including sun shelf
65' x 20'

**8 | Pool Seating**
26 chaise lounges
7 chaise lounges on sun shelf
6 conversation sets (12 chairs)

**9 | Buffer**
landscape
decorative screening

### Cozy Courtyard

**10 | Lawn Panel**
artificial turf, movable seating

**11 | Grill Terrace**
1 grill
enhanced paving
cafe tables

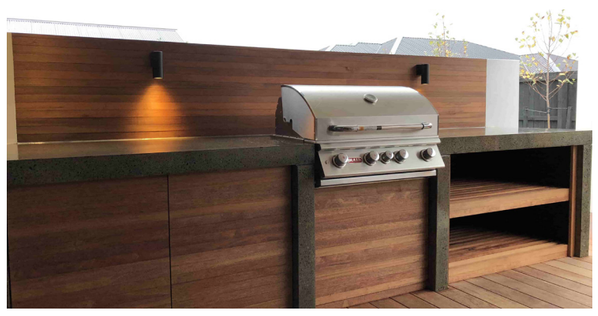
**12 | Reading Nook**
decorative screen
landscape buffer
wooden benches

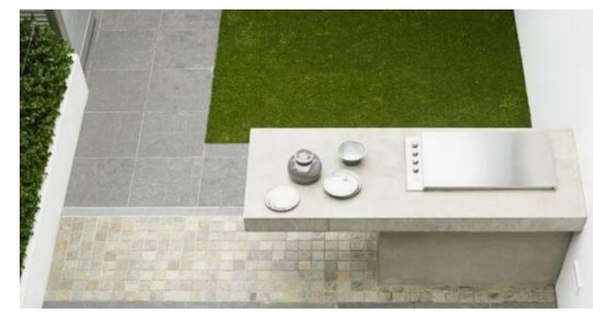
**13 | Buffer**
landscape
decorative screen



NOTE: The renderings provided here are conceptual in nature, and reflect the general character and intent. Modifications and variations may occur as drawings progress through final design and engineering.

# COURTYARD 1000 | CONSTRAINTS





**TOLEDO ROAD** ▪ HYATTSVILLE, MARYLAND

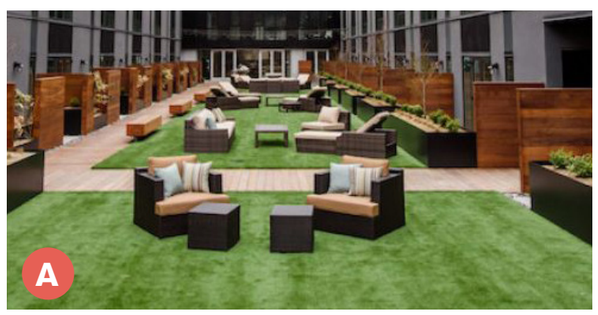
PN 2019059 | 10.11.2019 | FAIRFIELD RESIDENTIAL COMPANY

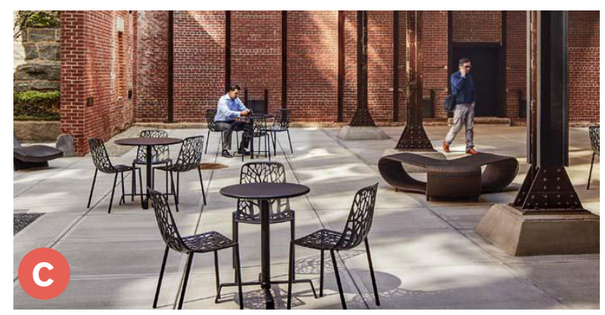
NOTE: The renderings provided here are conceptual in nature, and reflect the general character and intent. Modifications and variations may occur as drawings progress through final design and engineering.

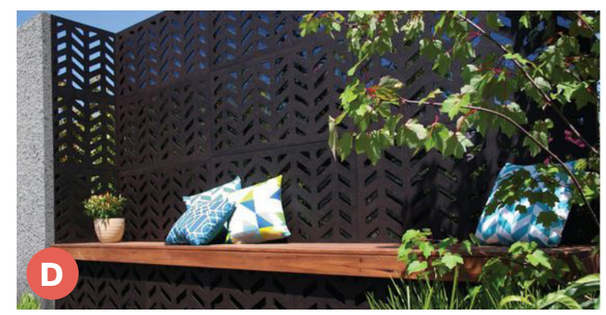


LandDesign.

# COURTYARD 1000 | FURNISHINGS






**TOLEDO ROAD** ▪ HYATTSVILLE, MARYLAND

PN 2019059 | 10.11.2019 | FAIRFIELD RESIDENTIAL COMPANY

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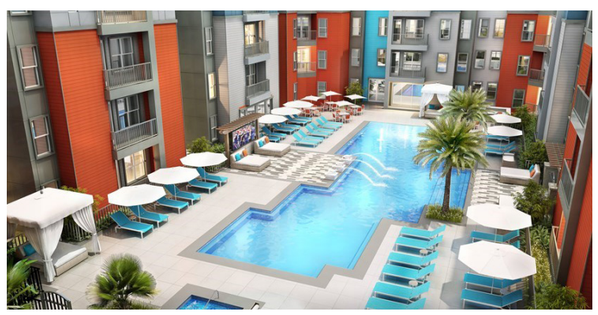
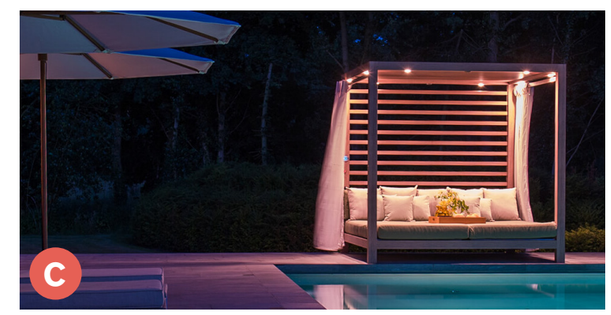
LandDesign.

# COURTYARD 1000 | POOL






**TOLEDO ROAD** ▪ HYATTSVILLE, MARYLAND

PN 2019059 | 10.11.2019 | FAIRFIELD RESIDENTIAL COMPANY

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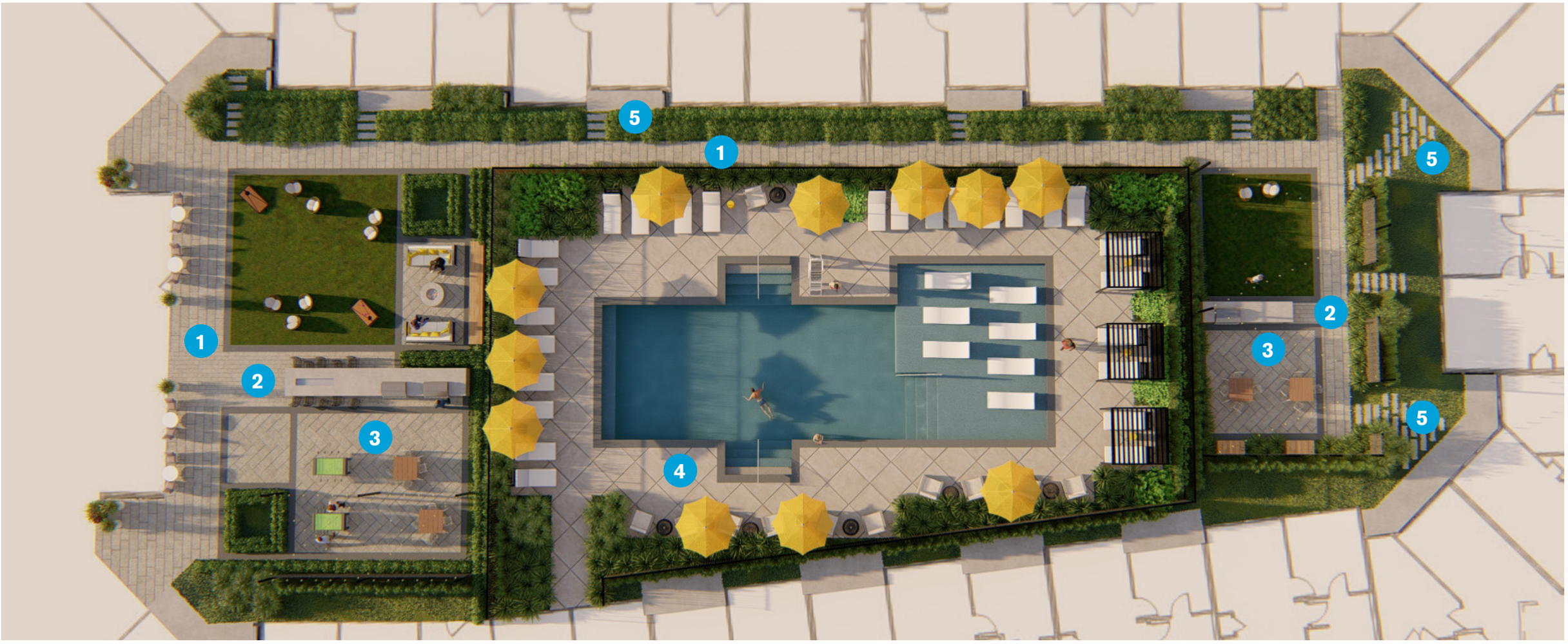
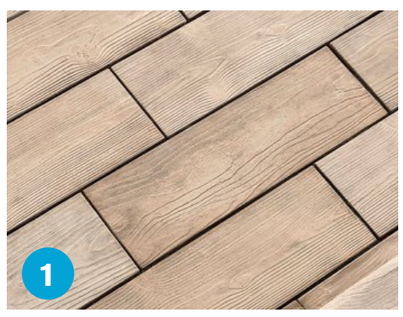
LandDesign.

# COURTYARD 1000 | PAVING



**TOLEDO ROAD** ▪ HYATTSVILLE, MARYLAND

PN 2019059 | 10.11.2019 | FAIRFIELD RESIDENTIAL COMPANY

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LandDesign.

## Concept Design

### Garden Courtyard

**1 | Lawn Panel**
artificial turf, lawn games, movable seating

**2 | Bocce Court**
artificial turf, festoon lights
fence/wall location to be extended outward

**3 | Fire Place**
focal element, sofa seating, coffee table, wood bench/hearth framing fire place

**4 | Tree Grove**
bonded aggregate paving, paver stepping stones, movable seating, hammock seating

**5 | Outdoor Grill**
1 grill, low bar seating, cafe tables, enhanced paving

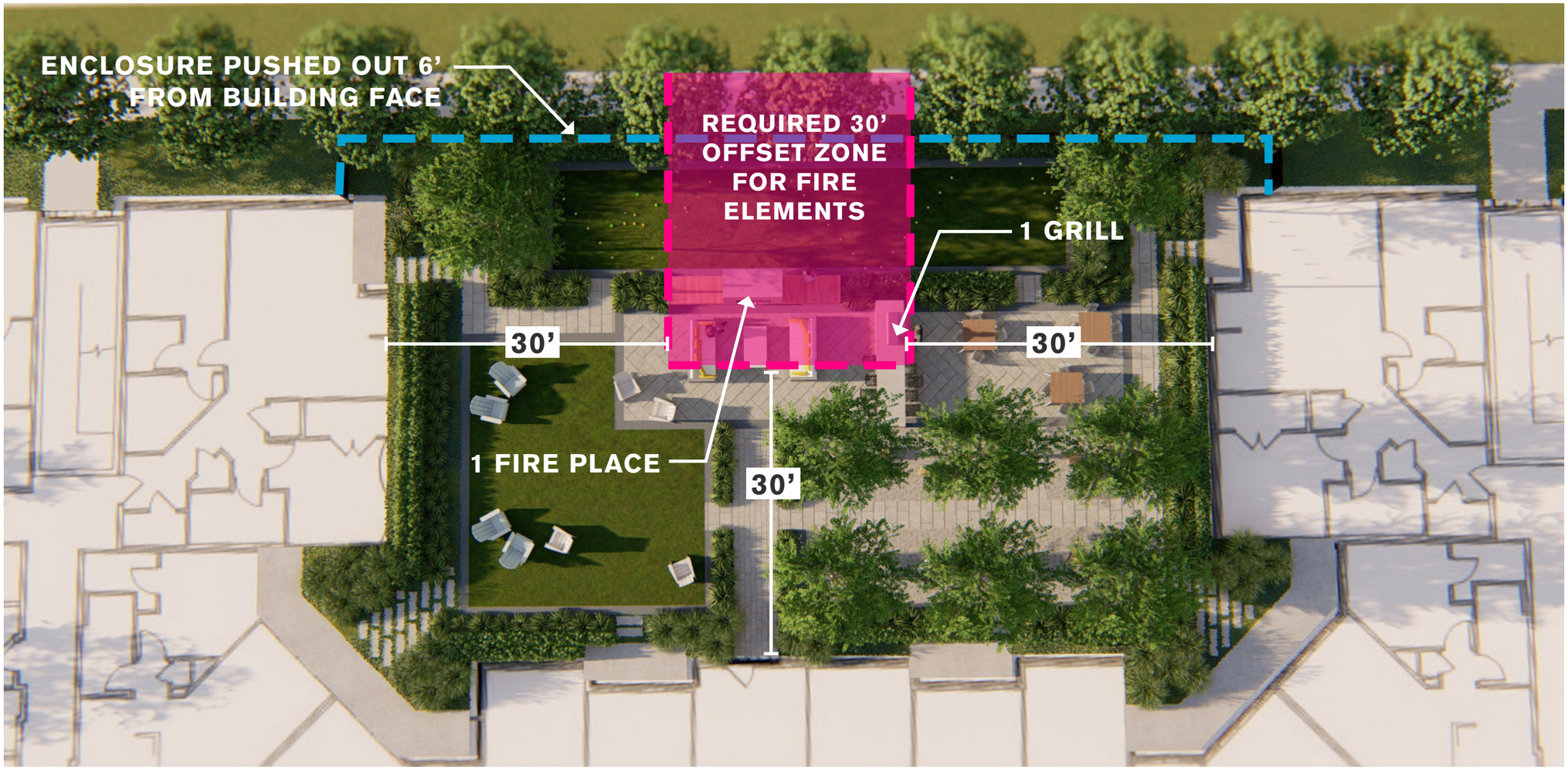
**6 | Courtyard Entry and Egress**

**7 | Courtyard Enclosure**
tbd with Client
proposed pushing wall outwards to maximize programming

**8 | Buffer**
landscape

NOTE: The renderings provided here are conceptual in nature, and reflect the general character and intent. Modifications and variations may occur as drawings progress through final design and engineering.

# COURTYARD 2000 | CONSTRAINTS



**TOLEDO ROAD** ▪ HYATTSVILLE, MARYLAND

PN 2019059 | 10.11.2019 | FAIRFIELD RESIDENTIAL COMPANY

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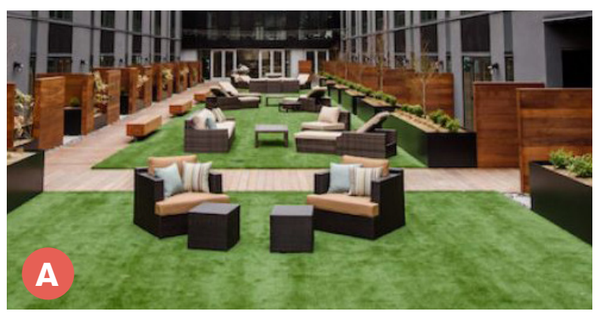
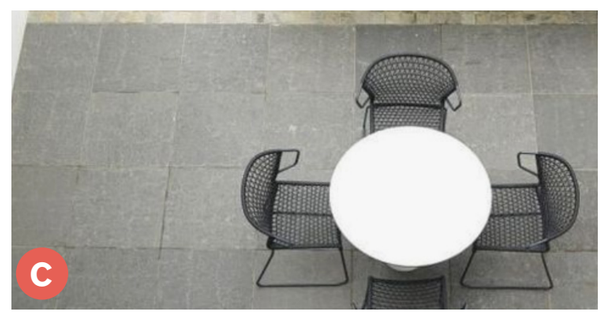
# COURTYARD 2000 | FURNISHINGS





**TOLEDO ROAD** ▪ HYATTSVILLE, MARYLAND

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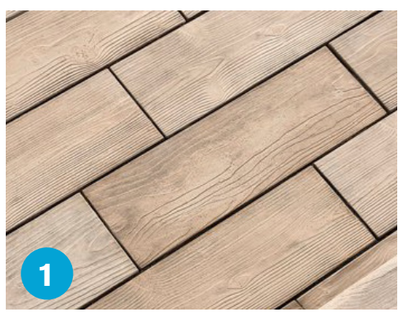
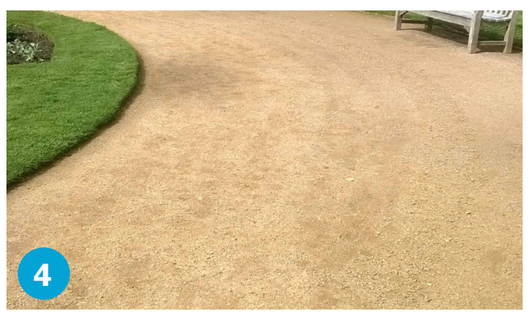
# COURTYARD 2000 | PAVING





**TOLEDO ROAD** ▪ HYATTSVILLE, MARYLAND

PN 2019059 | 10.11.2019 | FAIRFIELD RESIDENTIAL COMPANY

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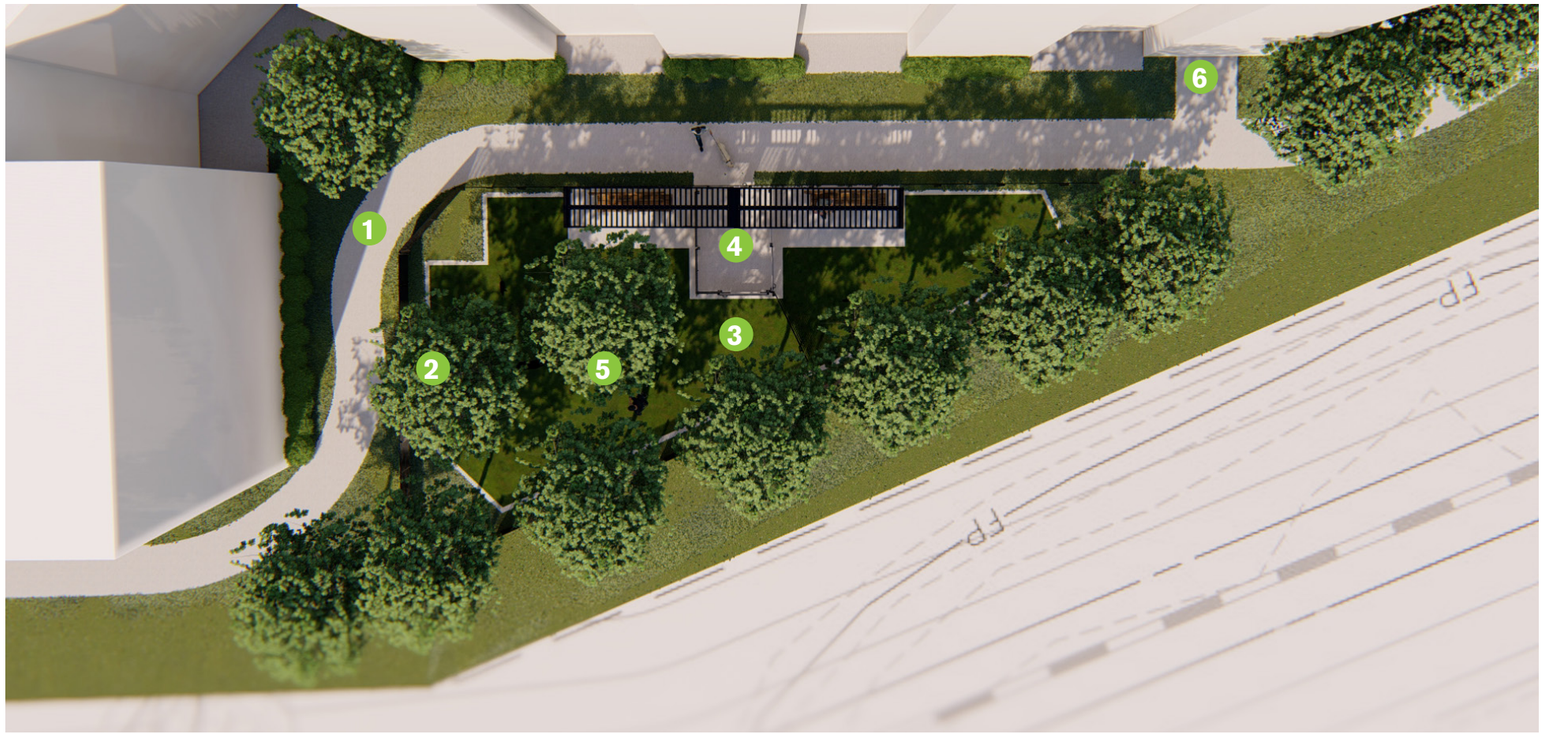
# DOG PARK

## Updated Concept




## Features

1 | 5' Pathway

2 | Lush Park-like Setting

3 | K-9 Turf (potential)

4 | Double-Gate Access Entries

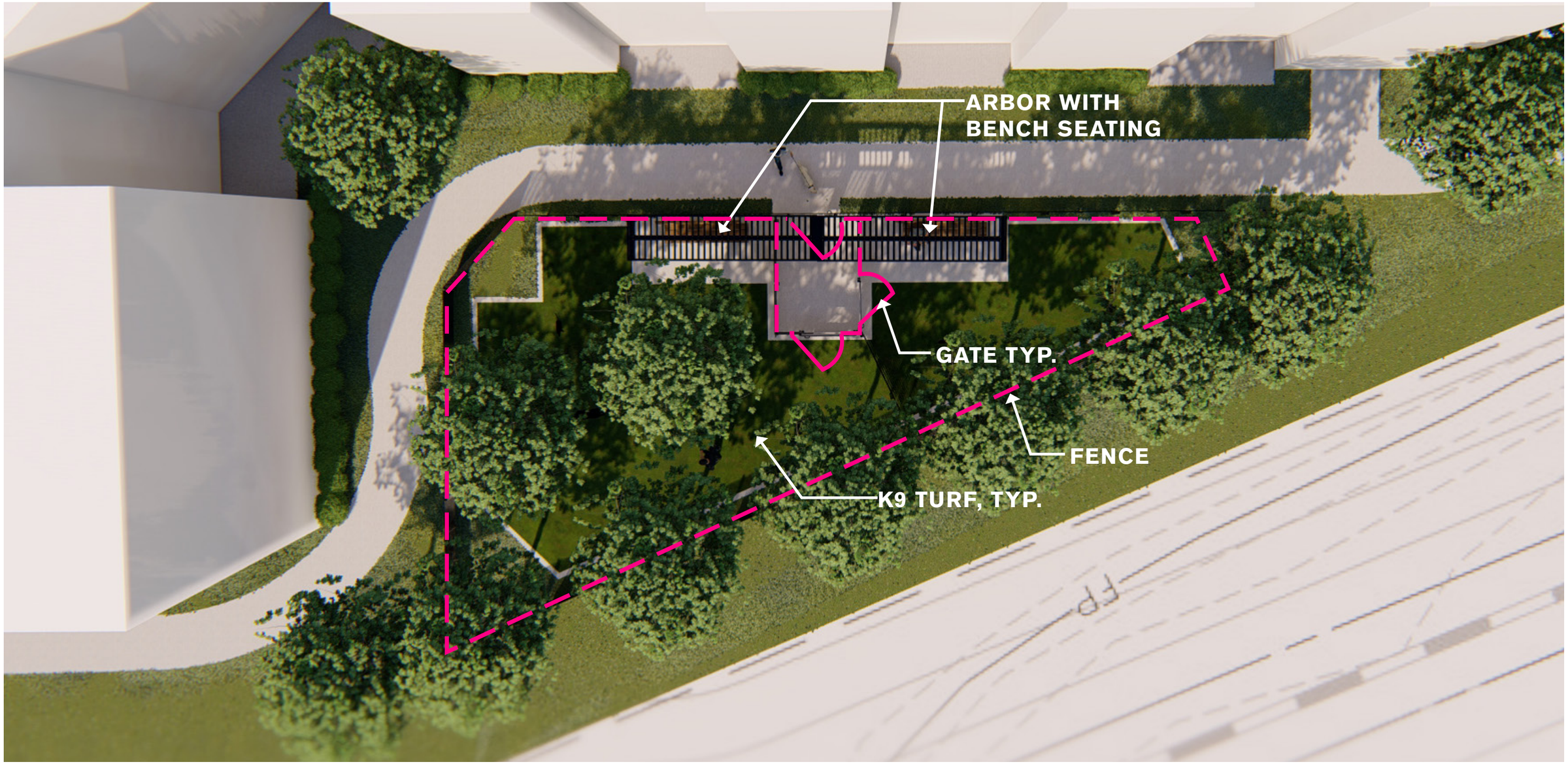
5 | Opportunity to provide berming and agility courses within dog park spaces

6 | Building Access



NOTE: The renderings provided here are conceptual in nature, and reflect the general character and intent. Modifications and variations may occur as drawings progress through final design and engineering.

# DOG PARK






NOTE: The renderings provided here are conceptual in nature, and reflect the general character and intent. Modifications and variations may occur as drawings progress through final design and engineering.

# DOG PARK

**TOLEDO ROAD** ▪ HYATTSVILLE, MARYLAND

PN 2019059 | 10.11.2019 | FAIRFIELD RESIDENTIAL COMPANY

NOTE: The renderings provided here are conceptual in nature, and reflect the general character and intent. Modifications and variations may occur as drawings progress through final design and engineering.

LandDesign.

# Lenhart Traffic Consulting, Inc.

Transportation Planning & Traffic Engineering

**Memorandum:** ***Date:*** **November 5, 2019**

TO: M-NCPPC
Room 4150
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

FROM: Mike Lenhart

RE: University Town Center – Updated Parking Analysis

The purpose of this memorandum is to provide a parking analysis to support the development of the Dewey Property located adjacent to the University Town Center. The property is currently developed with a surface parking lot that is currently utilized for Metro III of the University Town Center. It should be noted that the surface parking lot contains approximately 1,503 spaces, of which approximately 450 spaces are currently closed off and inaccessible,

This parking analysis was prepared in consideration of, and as an update to the 2013 parking study that was prepared in support of the development on Parcel S (left column below), and the 2017 parking update that was conducted in support of the Parcel R conversion (right column below). The details of this 2019 update are shown on the following pages.

| **Office – Parcel S (Sept. 25, 2013 Analysis)** | | **Office – Parcel R Conversion (June 5, 2017 Analysis)** | |
|---|---|---|---|
| Metro I | 330,400 SF | Metro I | 330,400 SF |
| Metro II | 427,000 SF | Remove Metro II Office | 0 SF |
| Metro III | 494,000 SF | Metro III | 494,000 SF |
| Metro IV | 195,350 SF | Metro IV | 195,350 SF |
| America Blvd | 58,886 SF | America Blvd | 58,886 SF |
| Parcel S Office | 16,741 SF | Parcel S Office | 16,741 SF |
| **Total Office** | **1,522,377 SF** | **Total Office** | **1,095,377 SF** |
| **Retail – Original (Sept. 25, 2013 Analysis)** | | **Retail - Revised** | |
| Independence One | 28,000 SF | Independence One | 28,000 SF |
| America Blvd | 34,903 SF | America Blvd | 34,903 SF |
| Theater at America Blvd | 93,100 SF | Theater at America Blvd | 93,100 SF |
| Parcel S Retail | 68,783 SF | Parcel S Retail | 68,783 SF |
| **Total Retail** | **224,786 SF** | **Total Retail** | **224,786 SF** |
| **Residential – Original (Sept. 25, 2013)** | | **Residential - Revised** | |
| Independence One | 112 Units | Independence One | 112 Units |
| Residential Tower | 910 Units | Residential Tower | 910 Beds |
| Metro II | 0 SF | Metro II Residential | 339 Units |
| **Total Residential** | **1022 Units** | **Total Residential** | **1361 Units** |



Lenhart Traffic Consulting, Inc.
645 Baltimore Annapolis Blvd, Suite 214
Severna Park, MD 21108

Phone (410) 216-3333
Fax (443) 782-2288
email: mlenhart@lenharttraffic.com

Parking Spaces

The total number of existing parking spaces was calculated as follows based on the 2013 and 2017 parking calculations on DSP-05084/02.

| | |
|---|---|
| Existing surface spaces as of last submittals:<br>DSP 05041, America Blvd Theater, Retail & Office | 2,151 Spaces |
| Existing structure at Metro IV | +1,455 Spaces |
| Existing underground garage | +1,167 Spaces |
| Parcel S parking structure | +289 Spaces |
| Less surface parking removed for Parcel S | -312 Spaces |
| **Original Total (from September 25, 2013 Memo)** | **4,750 Spaces** |
| Plus Parcel R parking structure | +95 Spaces |
| **Revised Total with Parcel R** | **4,845 Spaces** |

The 2019 updated shared parking analysis shown on Exhibit 1 has been conducted using parking demand models from the Institute for Transportation Engineers (ITE) Parking Generation Manual, 5th Edition (released in January of 2019) which now includes dense multi-use urban demand models to better assess parking demand in this mixed-use urban setting, particularly with the close proximity of the transit station (< ½ Mile).

- Exhibit 1 is the new updated spreadsheet and the highlights are as follows:
  - The new ITE Manual added new land uses that more accurately reflect the parking requirements of hte existing uses and their proximity to transit. They added "Dense Multi-Use Urban" land uses for retail, office, and residential. They also added residential uses within ½ mile of transit.
  - The residential uses have been separated into residential units (# units) and the student housing towers (# beds). ITE added parking in terms of the number of beds and this would be more reasonable to evaluate the towers in terms of beds rather than units given the student housing nature of the facility.
  - The maximum parking demand is 2,334 spaces based on the attached ITE analysis.
  - Current spaces are 4,845 based on the last analysis.
  - Removal of 1,503 spaces on the Dewey property would yield a parking supply of 3,342 spaces.
  - There would be a surplus of 1,008 spaces without the Dewey surface lot.



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Conclusion

Prior parking models conducted in 2013 and 2017 have been updated using new ITE Parking Generation models that were released in January of 2019 and are much more reflective of this dense urban mixed-use setting. The analysis shows that the removal of the 1,503 surface parking spaces on the Dewey property would result in a total parking supply of 3,342 parking spaces for University Town Center, and the projected parking mixed-use demand requires only 2,334 parking spaces; therefore, the University Town Center will continue to be adequately parked with the removal of the 1,503 surface spaces on Dewey property.

If you have any questions regarding this matter, please do not hesitate to contact me at the number below.

Thanks,
Mike



Lenhart Traffic Consulting, Inc.
645 Baltimore Annapolis Blvd, Suite 214
Severna Park, MD 21108

Phone (410) 216-3333
Fax (443) 782-2288
email: mlenhart@lenharttraffic.com

# EXHIBIT1

## *University Town Center (Updated July 2019)*

### SHARED PARKING ANALYSIS - UPDATED

### WEEKDAY PEAK HOURLY DEMAND

## Land Use

| | Density | |
|---|---|---|
| Office = | 1,095,377 | sq. ft. |
| Residential = | 451 | units |
| Residential Towers = | 910 | beds |
| Retail = | 224,786 | sq. ft. |

## Peak Parking Demand:

| | | |
|---|---|---|
| Peak Parking Demand for Office (per ITE) = | P = 1.44 x (ksf) + 47.42 = | 1,625 |
| Peak Parking Demand for Residential (per ITE) = | P = 0.65 x (#Units) + 6.12 = | 299 |
| Peak Parking Demand for Residential Towers (per ITE) = | P = 0.35 x (#Beds) = | 319 |
| Peak Parking Demand for Retail (per ITE) = | Ln (P) = 0.94 Ln (ksf) + 1.26 = | 573 |

**Weekday**

| Time of Day | Residential % | Residential Demand | Office % | Office Demand | Retail. % | Retail Demand | Residential Towers % | Residential Towers Demand | Total Demand | Supplied | Surplus |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 5:00 AM | 100% | 299 | ***0%*** | 0 | ***2%*** | 11 | ***100%*** | 319 | 310 | 4845 | 4535 |
| 6:00 AM | 94% | 281 | ***10%*** | 163 | ***4%*** | 23 | ***94%*** | 300 | 467 | 4845 | 4378 |
| 7:00 AM | 83% | 248 | 26% | 423 | ***5%*** | 29 | ***83%*** | 265 | 700 | 4845 | 4145 |
| 8:00 AM | 71% | 212 | 65% | 1056 | 15% | 86 | ***71%*** | 226 | 1354 | 4845 | 3491 |
| 9:00 AM | 61% | 182 | 95% | 1544 | 32% | 183 | ***61%*** | 195 | 1909 | 4845 | 2936 |
| 10:00 AM | 55% | 164 | 100% | 1625 | 54% | 309 | ***55%*** | 175 | 2098 | 4845 | 2747 |
| 11:00 AM | 54% | 161 | 100% | 1625 | 71% | 407 | ***54%*** | 172 | 2193 | 4845 | 2652 |
| 12:00 PM | 53% | 158 | 99% | 1609 | 99% | 567 | ***53%*** | 169 | 2334 | 4845 | 2511 |
| 1:00 PM | 50% | 150 | 99% | 1609 | 100% | 573 | ***50%*** | 160 | 2332 | 4845 | 2513 |
| 2:00 PM | 49% | 147 | 97% | 1576 | 90% | 516 | ***49%*** | 156 | 2239 | 4845 | 2606 |
| 3:00 PM | 49% | 147 | 94% | 1528 | 83% | 476 | ***49%*** | 156 | 2151 | 4845 | 2694 |
| 4:00 PM | 50% | 150 | 90% | 1463 | 81% | 464 | ***50%*** | 160 | 2077 | 4845 | 2768 |
| 5:00 PM | 58% | 173 | 56% | 910 | 84% | 481 | ***58%*** | 185 | 1564 | 4845 | 3281 |
| 6:00 PM | 64% | 191 | 20% | 325 | 86% | 493 | ***64%*** | 204 | 1009 | 4845 | 3836 |
| 7:00 PM | 67% | 200 | 11% | 179 | 80% | 458 | ***67%*** | 214 | 837 | 4845 | 4008 |
| 8:00 PM | 70% | 209 | ***10%*** | 163 | 63% | 361 | ***70%*** | 223 | 733 | 4845 | 4112 |
| 9:00 PM | 76% | 227 | ***10%*** | 163 | 42% | 241 | ***76%*** | 242 | 631 | 4845 | 4214 |
| 10:00 PM | 83% | 248 | ***5%*** | 81 | 15% | 86 | ***83%*** | 265 | 415 | 4845 | 4430 |
| 11:00 PM | 90% | 269 | ***0%*** | 0 | ***10%*** | 57 | ***90%*** | 287 | 326 | 4845 | 4519 |
| 12:00 AM | 93% | 278 | ***0%*** | 0 | ***5%*** | 29 | ***93%*** | 297 | 307 | 4845 | 4538 |

| | | |
|---|---|---|
| Maximum Weekday Hourly Demand = | 2,334 | Spaces |
| Current Spaces Supplied = | 4,845 | Spaces (Obtained from 6/5/2017 Parking Analysis for Parcel R Conversion) |
| Surface Spaces on Dewey to be Eliminated = | 1,503 | Spaces |
| Parking Supply without Dewey Surface Spaces = | 3,342 | Spaces |
| Parking Surplus without Dewey Surface Spaces = | 1,008 | Spaces |

NOTE:
1. Parking Generation and Hourly diurnal time-of-day rates are obtained from the ITE Parking Generation Manual, 5th Edition (2019)
2. ITE did not provide some hourly data. Percentages in ***bold italics*** indicate estimated values.
3. Peak Parking for Residential based on Dense Multi-Use Peak Parking within 1/2 mile of transit.
4. Peak Parking for retail based on Non-Friday Non-December Dense Multi-Use Urban Peak Parking Demand Formula
5. Peak Parking for office based on Dense Multi-Use Urban Peak Parking Demand Formula

# Land Use: 221 Multifamily Housing (Mid-Rise)

### Description

Mid-rise multifamily housing includes apartments, townhouses, and condominiums located within the same building with at least three other dwelling units and with between three and 10 levels (floors) of residence. Multifamily housing (low-rise) (Land Use 220), multifamily housing (high-rise) (Land Use 222), and affordable housing (Land Use 223) are related land uses.

### Time of Day Distribution for Parking Demand

The following table presents a time-of-day distribution of parking demand on a weekday (one general urban/suburban study site), a Saturday (two general urban/suburban study sites), and a Sunday (one dense multi-use urban study site).

| | Percent of Peak Parking Demand | | |
|---|---|---|---|
| Hour Beginning | Weekday | Saturday | Sunday |
| 12:00–4:00 a.m. | 100 | 100 | 100 |
| 5:00 a.m. | 94 | 99 | – |
| 6:00 a.m. | 83 | 97 | – |
| 7:00 a.m. | 71 | 95 | – |
| 8:00 a.m. | 61 | 88 | – |
| 9:00 a.m. | 55 | 83 | – |
| 10:00 a.m. | 54 | 75 | – |
| 11:00 a.m. | 53 | 71 | – |
| 12:00 p.m. | 50 | 68 | – |
| 1:00 p.m. | 49 | 66 | 33 |
| 2:00 p.m. | 49 | 70 | 40 |
| 3:00 p.m. | 50 | 69 | 27 |
| 4:00 p.m. | 58 | 72 | 13 |
| 5:00 p.m. | 64 | 74 | 33 |
| 6:00 p.m. | 67 | 74 | 60 |
| 7:00 p.m. | 70 | 73 | 67 |
| 8:00 p.m. | 76 | 75 | 47 |
| 9:00 p.m. | 83 | 78 | 53 |
| 10:00 p.m. | 90 | 82 | 73 |
| 11:00 p.m. | 93 | 88 | 93 |

### Additional Data

In prior editions of *Parking Generation*, the mid-rise multifamily housing sites were further divided into rental and condominium categories. An investigation of parking demand data found no clear differences in parking demand between the rental and condominium sites within the ITE database. As more data are compiled for future editions, this land use classification can be reinvestigated.

The average parking supply ratios for the study sites with parking supply information are shown in the table below.

| | | Parking Supply Ratio | |
|---|---|---|---|
| **Setting** | **Proximity to Rail Transit** | **Per Dwelling Unit** | **Per Bedroom** |
| Center City Core | Within ½ mile of rail transit | 1.1 (15 sites) | 1.0 (12 sites) |
| Dense Multi-Use Urban | Within ½ mile of rail transit | 1.2 (39 sites) | 0.9 (34 sites) |
| | Not within ½ mile of rail transit | 1.2 (65 sites) | 0.8 (56 sites) |
| General Urban/ Suburban | Within ½ mile of rail transit | 1.5 (25 sites) | 0.8 (12 sites) |
| | Not within ½ mile of rail transit | 1.7 (62 sites) | 1.0 (39 sites) |

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in California, Colorado, District of Columbia, Maryland, Massachusetts, New Jersey, New York, Oregon, Virginia, Washington, and Wisconsin.

*It is expected that the number of bedrooms and number of residents are likely correlated to the parking demand generated by a residential site. Parking studies of multifamily housing should attempt to obtain information on occupancy rate and on the mix of residential unit sizes (i.e., number of units by number of bedrooms at the site complex). Future parking studies should also indicate the number of levels contained in the residential building.*

### Source Numbers

21, 209, 247, 255, 277, 401, 402, 419, 505, 512, 522, 533, 535, 536, 537, 538, 545, 546, 547, 575, 576, 577, 579, 580, 581, 583, 584, 585, 587

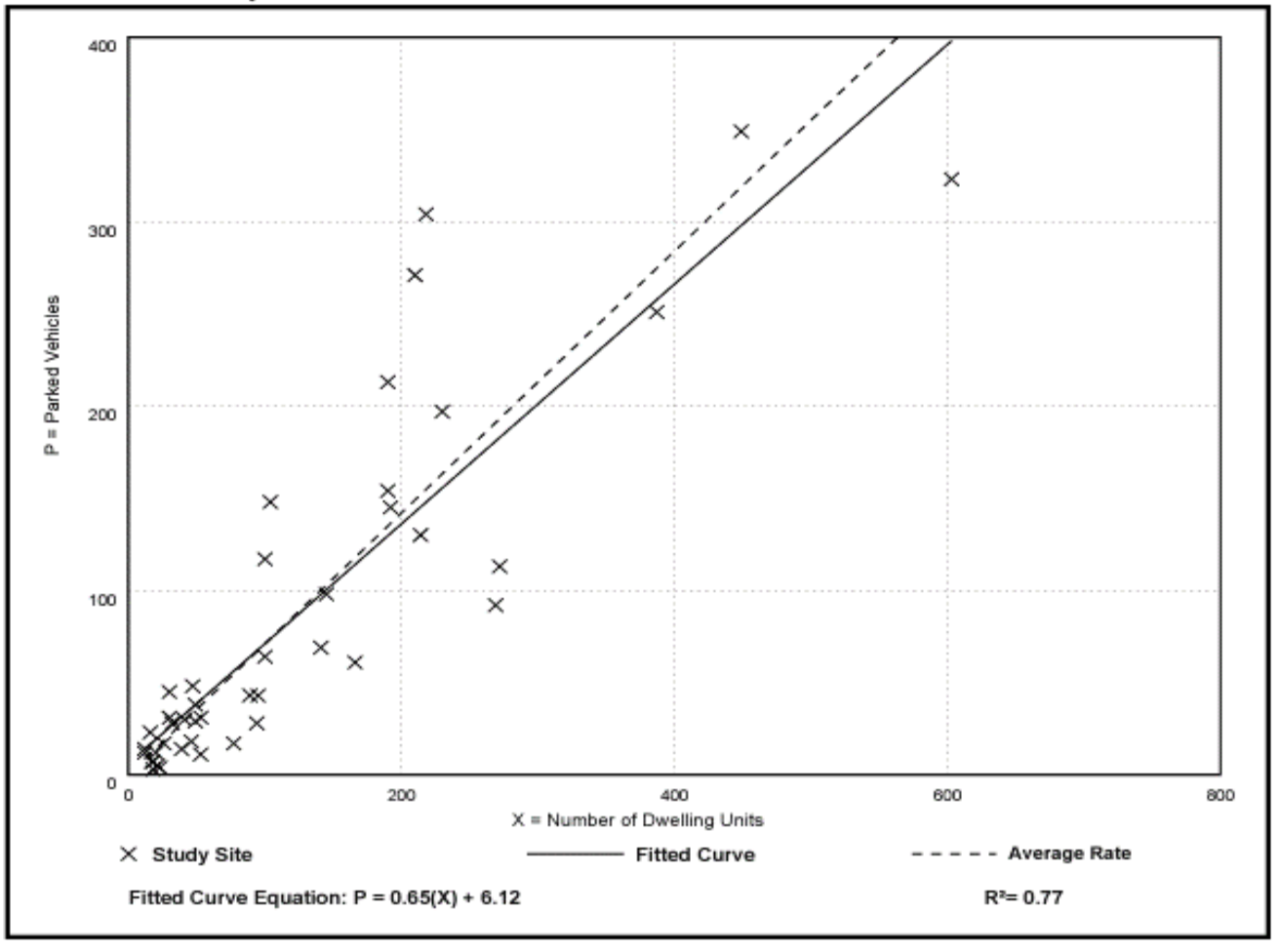
# Multifamily Housing (Mid-Rise)
# (221)

**Peak Period Parking Demand vs: Dwelling Units**
**On a: Weekday (Monday - Friday)**
**Setting/Location: Dense Multi-Use Urban (< 1/2 mile to rail transit)**
Peak Period of Parking Demand: 10:00 p.m. - 5:00 a.m.
Number of Studies: 43
Avg. Num. of Dwelling Units: 121

## Peak Period Parking Demand per Dwelling Unit

| Average Rate | Range of Rates | 33rd / 85th Percentile | 95% Confidence Interval | Standard Deviation (Coeff. of Variation) |
|---|---|---|---|---|
| 0.71 | 0.17 - 1.50 | 0.47 / 1.17 | 0.61 - 0.81 | 0.32 ( 45% ) |

## Data Plot and Equation



# Land Use: 222 Multifamily Housing (High-Rise)

### Description

High-rise multifamily housing includes apartments and condominiums that have more than 10 levels (floors) of residence. They are likely to have one or more elevators. Multifamily housing (low-rise) (Land Use 220), multifamily housing (mid-rise) (Land Use 221), and affordable housing (Land Use 223) are related land uses.

### Additional Data

In prior editions of *Parking Generation*, the high-rise multifamily housing sites were further divided into rental and condominium categories. An investigation of parking demand data found no clear differences in parking demand patterns between the rental and condominium sites within the ITE database. As more data are compiled for future editions, this land use classification can be reinvestigated.

The average parking supply ratios for the study sites with parking supply information are shown in the table below.

| | | Parking Supply Ratio | |
|---|---|---|---|
| **Setting** | **Proximity to Rail Transit** | **Per Dwelling Unit** | **Per Bedroom** |
| Center City Core | Within ½ mile of rail transit | 0.7 (14 sites) | 0.6 (13 sites) |
| Dense Multi-Use Urban | Within ½ mile of rail transit | 0.6 (6 sites) | 0.5 (6 sites) |
| | Not within ½ mile of rail transit | 0.6 (1 site) | 0.3 (1 site) |
| General Urban/ Suburban | Within ½ mile of rail transit | Not Available | Not Available |
| | Not within ½ mile of rail transit | 1.2 (6 sites) | 0.9 (1 site) |

The sites were surveyed in the 1980s, the 2000s, and the 2010s in District of Columbia, Tennessee, and Virginia.

*It is expected that the number of bedrooms and number of residents are likely correlated to the parking demand generated by a residential site. Parking studies of multifamily housing should attempt to obtain information on occupancy rate and on the mix of residential unit sizes (i.e., number of units by number of bedrooms at the site complex). Future parking studies should also indicate the number of levels contained in the residential building.*

### Source Numbers

71, 402, 583

# Multifamily Housing (High Rise)
# (222)

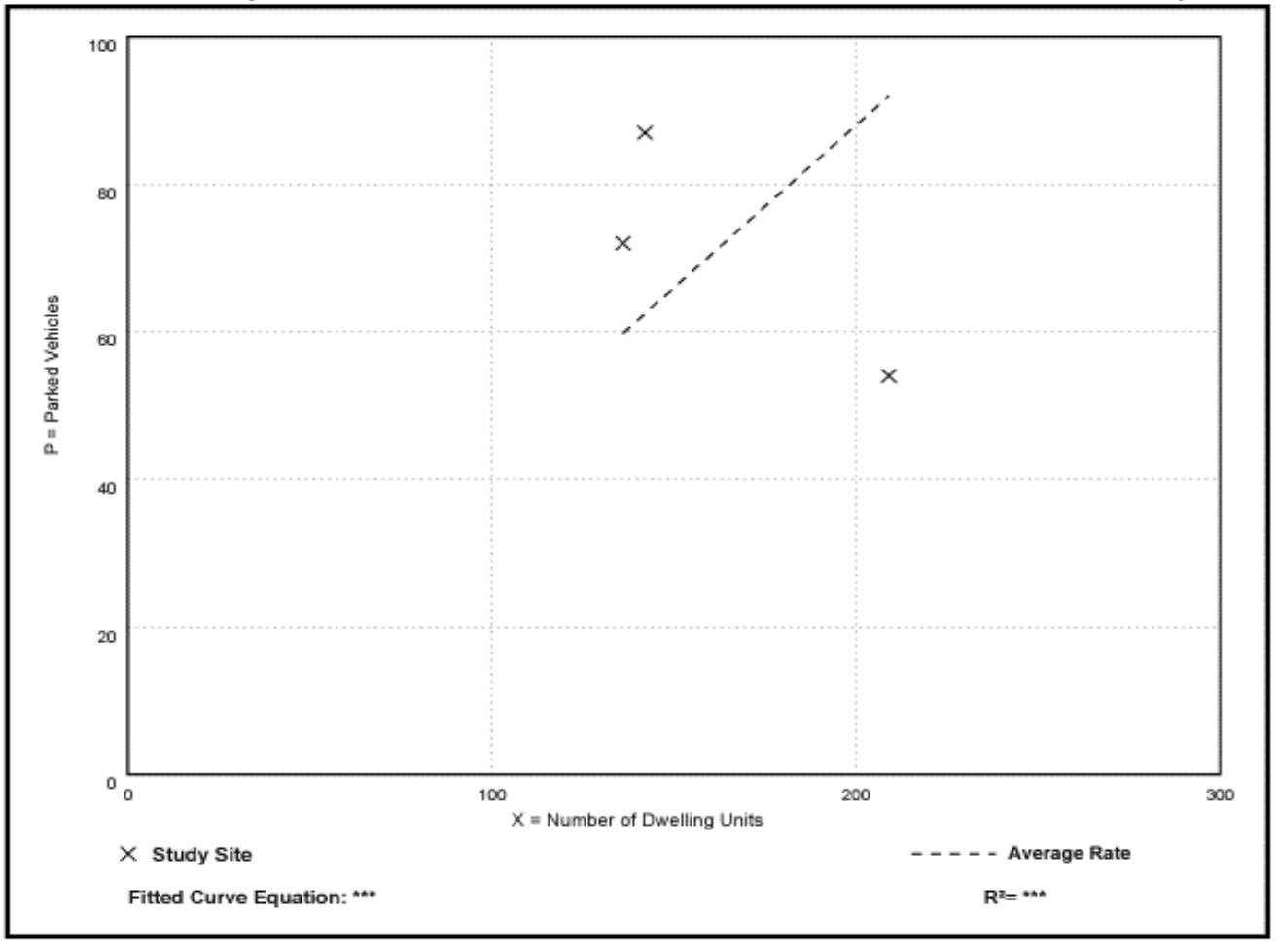
**Peak Period Parking Demand vs: Dwelling Units**
**On a: Weekday (Monday - Friday)**
**Setting/Location: Dense Multi-Use Urban (< 1/2 mile to rail transit)**
Peak Period of Parking Demand: 10:00 p.m. - 5:00 a.m.
Number of Studies: 3
Avg. Num. of Dwelling Units: 162

## Peak Period Parking Demand per Dwelling Unit

| Average Rate | Range of Rates | 33rd / 85th Percentile | 95% Confidence Interval | Standard Deviation (Coeff. of Variation) |
|---|---|---|---|---|
| 0.44 | 0.26 - 0.61 | 0.35 / 0.61 | *** | 0.19 ( 43% ) |

## Data Plot and Equation

***Caution – Small Sample Size***



# Multifamily Housing (High Rise)
# (222)

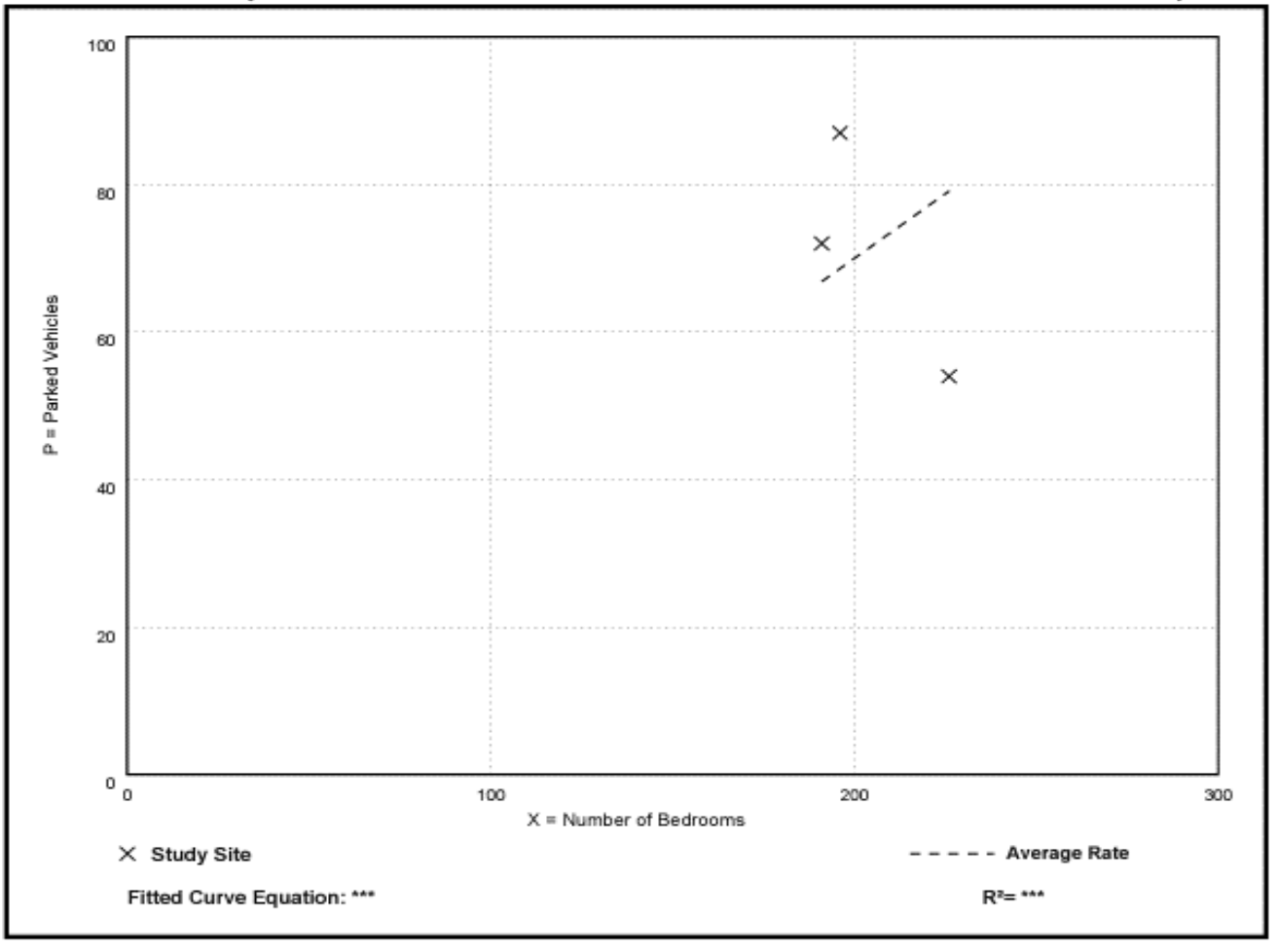
**Peak Period Parking Demand vs: Bedrooms**
**On a: Weekday (Monday - Friday)**
**Setting/Location: Dense Multi-Use Urban (< 1/2 mile to rail transit)**
Peak Period of Parking Demand: 10:00 p.m. - 5:00 a.m.
Number of Studies: 3
Avg. Num. of Bedrooms: 204

## Peak Period Parking Demand per Bedroom

| Average Rate | Range of Rates | 33rd / 85th Percentile | 95% Confidence Interval | Standard Deviation (Coeff. of Variation) |
|---|---|---|---|---|
| 0.35 | 0.24 - 0.44 | 0.28 / 0.44 | *** | 0.11 ( 31% ) |

## Data Plot and Equation

***Caution – Small Sample Size***



# Land Use: 710 General Office Building

### Description

A general office building houses multiple tenants. It is a location where affairs of businesses, commercial or industrial organizations, or professional persons or firms are conducted. An office building or buildings may contain a mixture of tenants including professional services, insurance companies, investment brokers, and tenant services, such as a bank or savings and loan institution, a restaurant, or cafeteria and service retail facilities. A general office building with a gross floor area of 5,000 square feet or less is classified as a small office building (Land Use 712). Corporate headquarters building (Land Use 714), single tenant office building (Land Use 715), medical-dental office building (Land Use 720), office park (Land Use 750), and research and development center (Land Use 760) are additional related uses.

If information is known about individual buildings, it is suggested that the general office building category be used rather than office parks when estimating parking generation for one or more office buildings in a single development. The office park category is more general and should be used when a breakdown of individual or different uses is not known. If the general office building category is used and if additional buildings, such as banks, restaurants, or retail stores are included in the development, the development should be treated as a multiuse project. On the other hand, if the office park category is used, internal trips are already reflected in the data and do not need to be considered.

When the buildings are interrelated (defined by shared parking facilities or the ability to easily walk between buildings) or house one tenant, it is suggested that the total area or employment of all the buildings be used for calculating parking generation. When the individual buildings are isolated and not related to one another, it is suggested that parking generation be calculated for each building separately and then summed.

### Time of Day Distribution for Parking Demand

The following table presents a time-of-day distribution of parking demand on a weekday at 30 study sites in a general urban/suburban setting and two study sites in a dense multi-use urban setting.

| | Percent of Weekday Peak Parking Demand | |
|---|---|---|
| Hour Beginning | General Urban/Suburban | Dense Multi–Use Urban |
| 12:00–4:00 a.m. | – | – |
| 5:00 a.m. | – | – |
| 6:00 a.m. | – | – |
| 7:00 a.m. | 13 | 26 |
| 8:00 a.m. | 48 | 65 |
| 9:00 a.m. | 88 | 95 |
| 10:00 a.m. | 100 | 100 |
| 11:00 a.m. | 100 | 100 |
| 12:00 p.m. | 85 | 99 |
| 1:00 p.m. | 84 | 99 |
| 2:00 p.m. | 93 | 97 |
| 3:00 p.m. | 94 | 94 |
| 4:00 p.m. | 85 | 90 |
| 5:00 p.m. | 56 | – |
| 6:00 p.m. | 20 | – |
| 7:00 p.m. | 11 | – |
| 8:00 p.m. | – | – |
| 9:00 p.m. | – | – |
| 10:00 p.m. | – | – |
| 11:00 p.m. | – | – |

### Additional Data

The average parking supply ratios for the study sites with parking supply information are as follows:

- 2.9 spaces per 1,000 square feet GFA in a dense multi-use urban setting that is not within ½ mile of rail transit (seven sites)
- 3.3 spaces per 1,000 square feet GFA (73 sites) and 1.2 spaces per employee (20 sites) in a general urban/suburban setting that is not within ½ mile of rail transit
- 3.0 spaces per 1,000 square feet GFA (seven sites) and 0.8 spaces per employee (two sites) in a general urban/suburban setting that is within ½ mile of rail transit

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in Arizona, California, Colorado, Connecticut, Georgia, Illinois, Massachusetts, Minnesota, Montana, New Jersey, New York, Oklahoma, Oregon, Pennsylvania, Texas, Utah, and Washington.

### Source Numbers

21, 22, 47, 122, 124, 142, 172, 201, 202, 205, 211, 215, 216, 217, 227, 239, 241, 243, 276, 295, 399, 400, 425, 431, 433, 436, 438, 440, 516, 531, 540, 551, 555, 556, 557, 571, 572, 588

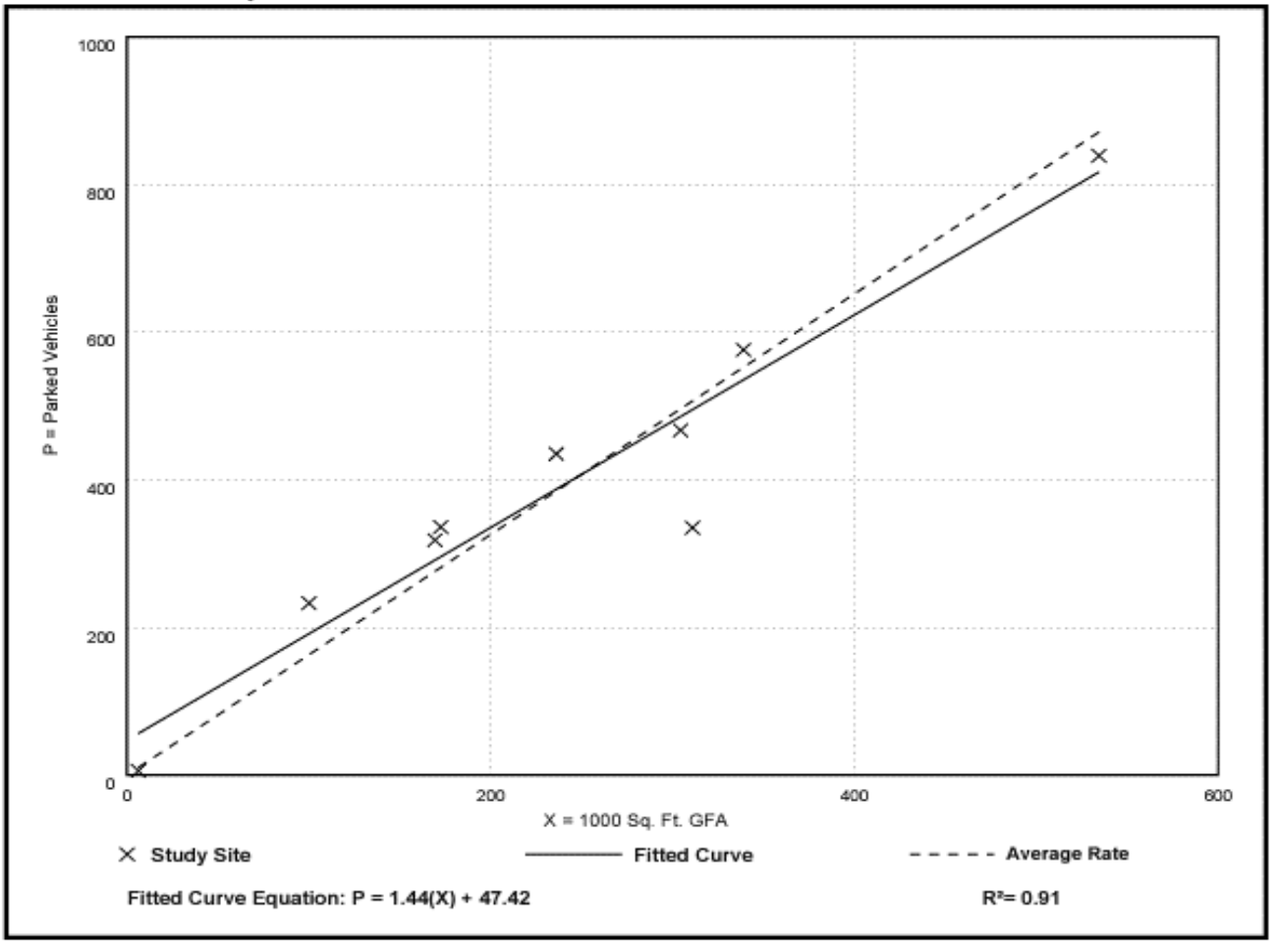
# General Office Building
# (710)

**Peak Period Parking Demand vs: 1000 Sq. Ft. GFA**
**On a: Weekday (Monday - Friday)**
**Setting/Location: Dense Multi-Use Urban**
Peak Period of Parking Demand: 9:00 a.m. - 4:00 p.m.
Number of Studies: 9
Avg. 1000 Sq. Ft. GFA: 241

## Peak Period Parking Demand per 1000 Sq. Ft. GFA

| Average Rate | Range of Rates | 33rd / 85th Percentile | 95% Confidence Interval | Standard Deviation (Coeff. of Variation) |
|---|---|---|---|---|
| 1.63 | 0.97 - 2.33 | 1.55 / 2.14 | *** | 0.32 ( 20% ) |

## Data Plot and Equation



# Land Use: 820 Shopping Center

### Description

A shopping center is an integrated group of commercial establishments that is planned, developed, owned, and managed as a unit. A shopping center's composition is related to its market area in terms of size, location, and type of store. A shopping center also provides on-site parking facilities sufficient to serve its own parking demands.

### Time of Day Distribution for Parking Demand

The following table presents a time-of-day distribution of parking demand **during the month of December** on a weekday (seven study sites), a Friday (eight study sites), and a Saturday (19 study sites).

| | Percent of Peak Parking Demand during December | | |
|---|---|---|---|
| Hour Beginning | Weekday | Friday | Saturday |
| 12:00–4:00 a.m. | – | – | – |
| 5:00 a.m. | – | – | – |
| 6:00 a.m. | – | – | – |
| 7:00 a.m. | – | – | – |
| 8:00 a.m. | – | – | – |
| 9:00 a.m. | – | – | – |
| 10:00 a.m. | – | 74 | – |
| 11:00 a.m. | – | 87 | 85 |
| 12:00 p.m. | 77 | 97 | 97 |
| 1:00 p.m. | 100 | 100 | 98 |
| 2:00 p.m. | 98 | 92 | 100 |
| 3:00 p.m. | 90 | 85 | 97 |
| 4:00 p.m. | 76 | 84 | 88 |
| 5:00 p.m. | 82 | 78 | 77 |
| 6:00 p.m. | 89 | 75 | 64 |
| 7:00 p.m. | 90 | 63 | – |
| 8:00 p.m. | 84 | – | – |
| 9:00 p.m. | – | – | – |
| 10:00 p.m. | – | – | – |
| 11:00 p.m. | – | – | – |

The following table presents a time-of-day distribution of parking demand **during a non-December month** on a weekday (18 study sites), a Friday (seven study sites), and a Saturday (13 study sites).

| | Percent of Non–December Peak Parking Demand | | |
|---|---|---|---|
| Hour Beginning | Weekday | Friday | Saturday |
| 12:00–4:00 a.m. | – | – | – |
| 5:00 a.m. | – | – | – |
| 6:00 a.m. | – | – | – |
| 7:00 a.m. | – | – | – |
| 8:00 a.m. | 15 | 32 | 27 |
| 9:00 a.m. | 32 | 50 | 46 |
| 10:00 a.m. | 54 | 67 | 67 |
| 11:00 a.m. | 71 | 80 | 85 |
| 12:00 p.m. | 99 | 100 | 95 |
| 1:00 p.m. | 100 | 98 | 100 |
| 2:00 p.m. | 90 | 90 | 98 |
| 3:00 p.m. | 83 | 78 | 92 |
| 4:00 p.m. | 81 | 81 | 86 |
| 5:00 p.m. | 84 | 86 | 79 |
| 6:00 p.m. | 86 | 84 | 71 |
| 7:00 p.m. | 80 | 79 | 69 |
| 8:00 p.m. | 63 | 70 | 60 |
| 9:00 p.m. | 42 | – | 51 |
| 10:00 p.m. | 15 | – | 38 |
| 11:00 p.m. | – | – | – |

### Additional Data

The parking demand database includes data from strip, neighborhood, community, town center, and regional shopping centers. Some of the centers contain non-merchandising facilities, such as office buildings, movie theaters, restaurants, post offices, banks, health clubs, and recreational facilities.

Many shopping centers, in addition to the integrated unit of shops in one building or enclosed around a mall, include outparcels (peripheral buildings or pads located on the perimeter of the center adjacent to the streets and major access points). These buildings are typically drive-in banks, retail stores, restaurants, or small offices. Although the data herein do not indicate which of the centers studied included peripheral buildings, it can be assumed that some of the data show their effect.

The parking demand data plots and analysis are based on the total gross leasable area (GLA) of the center. In cases of smaller centers without an enclosed mall or peripheral buildings, the GLA could be the same as the gross floor area (GFA) of the center.

The average parking supply ratios for the study sites with parking supply information are the following:

- 5.1 spaces per 1,000 square feet GFA (137 sites) in a general urban/suburban setting
- 4.7 spaces per 1,000 square feet GFA (five sites) in a dense multi-use urban setting

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in Alabama, Alberta (CAN), Arizona, California, Colorado, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, North Carolina, New Jersey, New York, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Virginia, and Washington.

*Future data submissions should attempt to provide information on the composition of each study site (types and number of stores, restaurants, or other tenants within the shopping center).*

### Source Numbers

3, 18, 21, 32, 39, 47, 87, 88, 89, 103, 142, 145, 152, 153, 154, 174, 175, 176, 179, 202, 203, 204, 205, 209, 215, 219, 224, 241, 265, 274, 313, 314, 315, 431, 432, 433, 436, 438, 441, 511, 525, 527, 531, 533, 542, 556, 558, 565

# Shopping Center - Non-December
# (820)

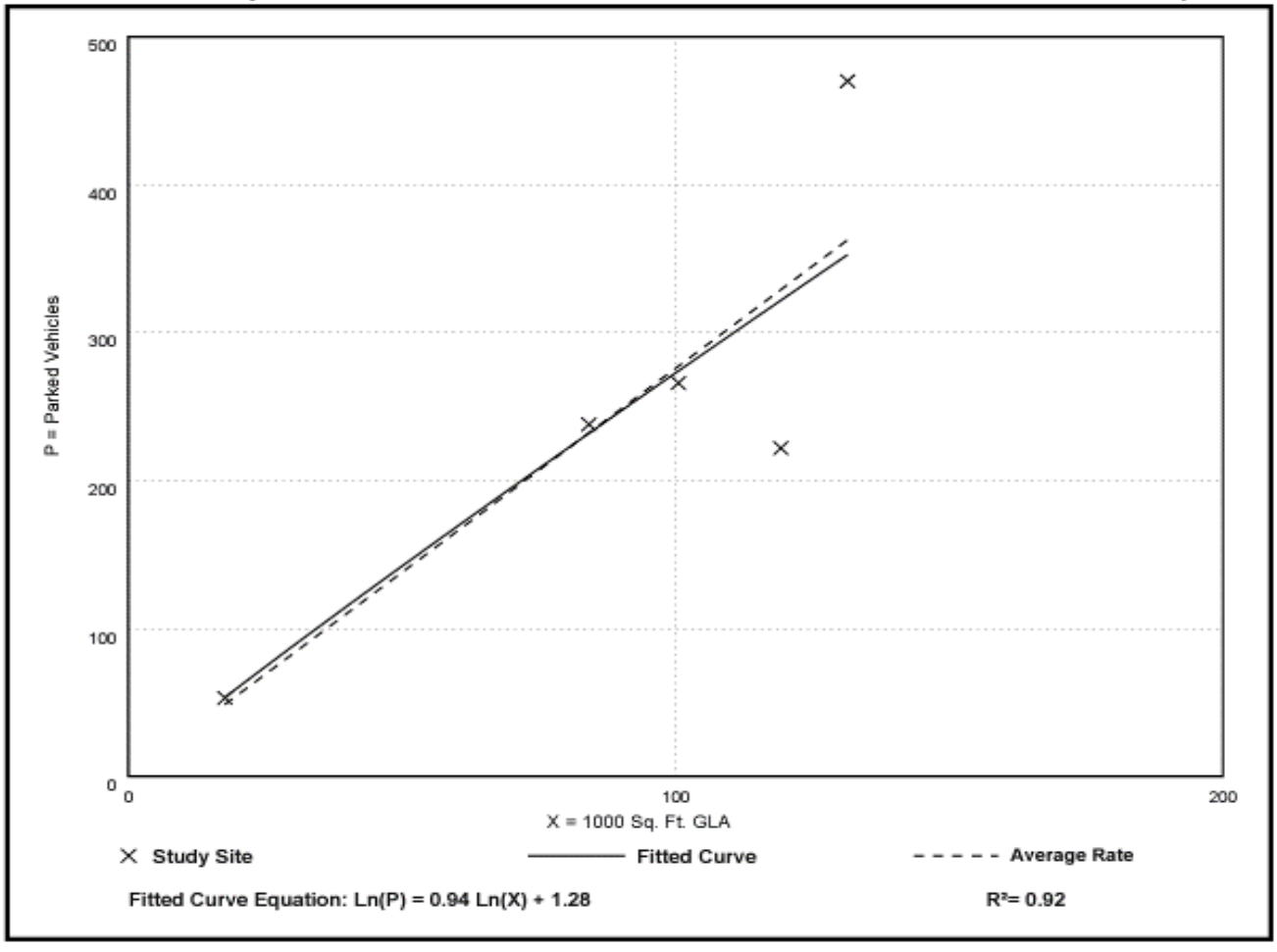
**Peak Period Parking Demand vs: 1000 Sq. Ft. GLA**
**On a: Weekday (Monday - Thursday)**
**Setting/Location: Dense Multi-Use Urban**
Peak Period of Parking Demand: 12:00 - 6:00 p.m.
Number of Studies: 5
Avg. 1000 Sq. Ft. GLA: 91

## Peak Period Parking Demand per 1000 Sq. Ft. GLA

| Average Rate | Range of Rates | 33rd / 85th Percentile | 95% Confidence Interval | Standard Deviation (Coeff. of Variation) |
|---|---|---|---|---|
| 2.76 | 1.86 - 3.58 | 2.63 / 3.58 | *** | 0.72 ( 26% ) |

## Data Plot and Equation

***Caution – Small Sample Size***



6' TREE/FURN ZONE | 6' SIDEWALK CLEAR ZONE | 10' PUBLIC UTILITY EASEMENT

20' FRONTAGE MINIMUM

# **TOLEDO ROAD** AT RESIDENTIAL UNITS

NOTE: Architecture shown for references purposes only. See architecture renderings for accurate depictions of architectural elements and treatments.

## **TOLEDO ROAD** HYATTSVILLE, MD ▪ PEDESTRIAN REALM

PN 2019059 | 02.12.2020 | FAIRFIELD RESIDENTIAL

LandDesign.

6' TREE/FURN ZONE | 6' SIDEWALK CLEAR ZONE | 10' PUBLIC UTILITY EASEMENT

VARIES; RETAIL, RESIDENTIAL, AND/OR BUFFER ZONE

20' FRONTAGE MINIMUM

# **TOLEDO ROAD** AT CORNER RETAIL

NOTE: Architecture shown for references purposes only. See architecture renderings for accurate depictions of architectural elements and treatments.

## **TOLEDO ROAD** HYATTSVILLE, MD ▪ PEDESTRIAN REALM

PN 2019059 | 02.12.2020 | FAIRFIELD RESIDENTIAL

LandDesign.

10' PUBLIC UTILITY EASEMENT

6' SIDEWALK CLEAR ZONE

6' TREE/FURN ZONE

VARIES; RETAIL, RESIDENTIAL, AND/OR BUFFER ZONE

20' FRONTAGE MINIMUM

# **TOLEDO ROAD** AT CORNER RETAIL

NOTE: Architecture shown for references purposes only. See architecture renderings for accurate depictions of architectural elements and treatments.

## **TOLEDO ROAD** HYATTSVILLE, MD ▪ PEDESTRIAN REALM

PN 2019059 | 02.12.2020 | FAIRFIELD RESIDENTIAL

LandDesign.

5' TREE AND FURNISHING ZONE | 5' SIDEWALK CLEAR ZONE | VARIES; RETAIL, RESIDENTIAL, AND/OR BUFFER ZONE

15' FRONTAGE MINIMUM

# CITY PUBLIC ROAD B STREETSCAPE

NOTE: Architecture shown for references purposes only. See architecture renderings for accurate depictions of architectural elements and treatments.

## TOLEDO ROAD HYATTSVILLE, MD ▪ PEDESTRIAN REALM

PN 2019059 | 02.12.2020 | FAIRFIELD RESIDENTIAL

LandDesign.

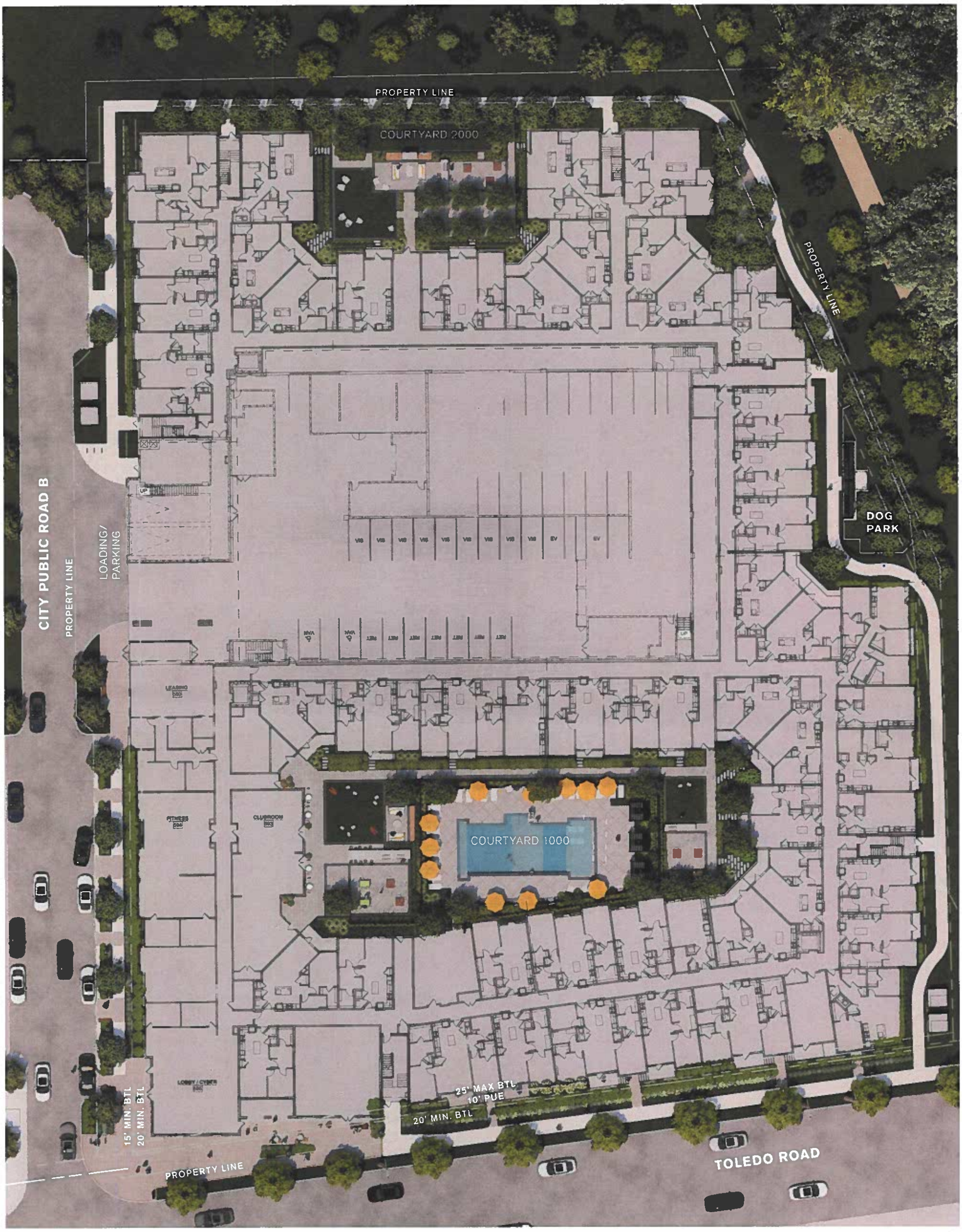
## TOLEDO ROAD + CITY PUBLIC ROAD B AT CORNER RETAIL

NOTE: Architecture shown for references purposes only. See architecture renderings for accurate depictions of architectural elements and treatments.

**TOLEDO ROAD** HYATTSVILLE, MD • PEDESTRIAN REALM

PN 2019059 | 02.12.2020 | FAIRFIELD RESIDENTIAL

LandDesign.




SCALE 1"=40'

20' 0 20' 40' 80'

# PLAN RENDERING

**TOLEDO ROAD** HYATTSVILLE, MD ▪ PEDESTRIAN REALM

PN 2019059 | 02.12.2020 | FAIRFIELD RESIDENTIAL

LandDesign.

$25.00

# PRINCE GEORGE'S PLAZA

## APPROVED Transit District Development Plan
and Transit District Overlay Zoning Map Amendment

The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
www.pgplanning.org

July 2016

## **Land Use** | Vision

A vibrant new integrated and compact mixed-use Regional Transit District for Prince George's County with a variety of housing, employment, retail, and entertainment choices.

## **Land Use** | Goals

- A mix of land uses that complement each other, help to create and support an attractive and vibrant public realm, and are within convenient walking distance of each other and public transit.
- Sufficient capacity to help meet the County's Growth Management Goals of 50 percent of new dwelling units and new jobs within Regional Transit Districts.
- The accommodation of the anticipated amount and mix of development through a significant redevelopment of the Transit District.

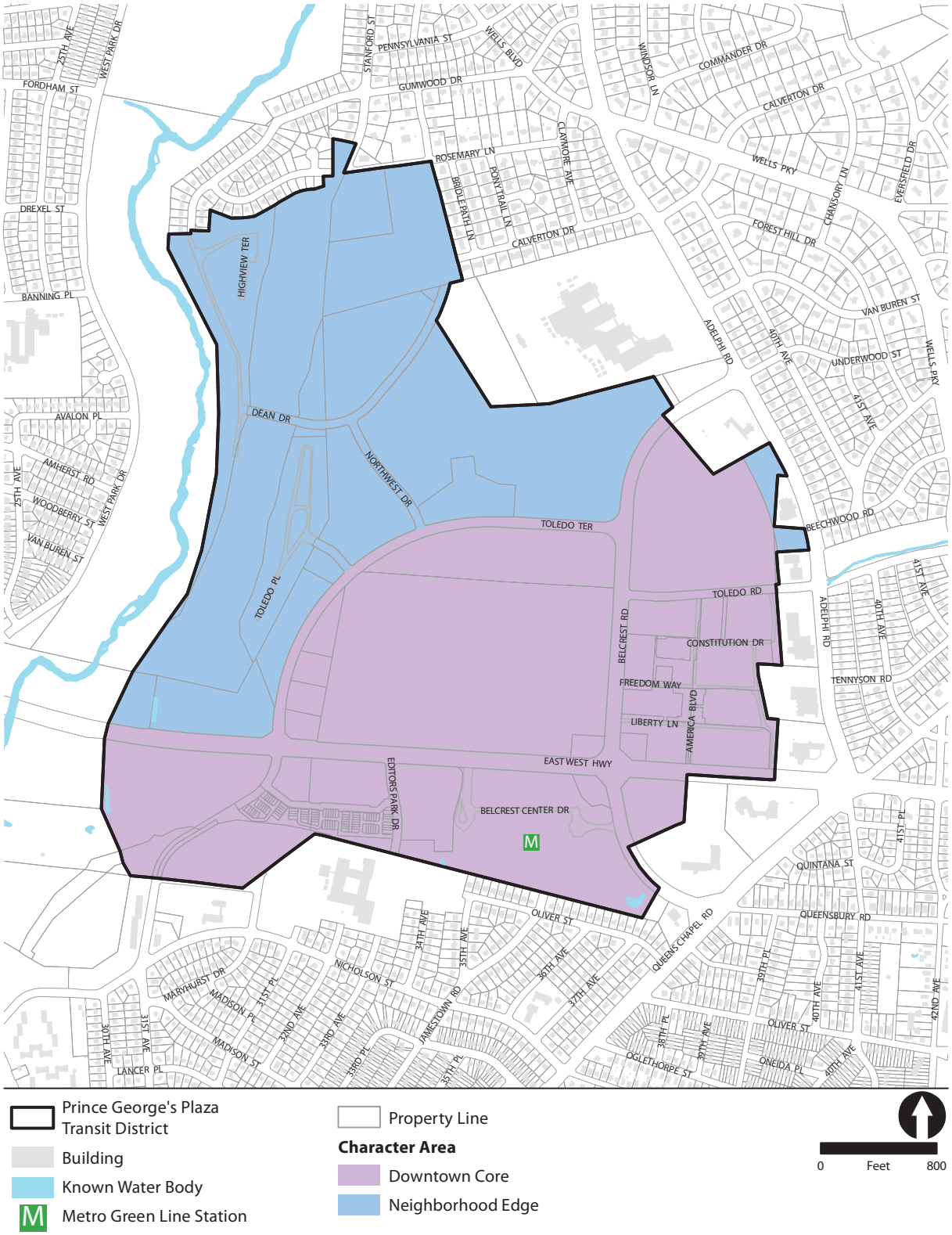
## **Land Use** | Character Areas

The Transit District envisions two distinct but interconnected neighborhoods that capitalize on the area's transit network, recreational amenities, and retail draw and enhance its environmental setting and historic resources. Each neighborhood contributes to the gradual transformation of what is currently an auto-oriented landscape into a regionally competitive, walkable, transit-oriented center, or, perhaps more simply put, a great urban place.

The **Downtown Core** is the Transit District's central activity hub, with a mix of residential, retail, and office development framing lively walkable streets. A new skyline announces the downtown to visitors while the iconic pedestrian bridge, a link to the past, serves as a canvas for area artists. Green spaces and plazas invite farmers markets, outdoor movie nights, and pickup games. New pedestrian-friendly streets lined with cafés and stores draw commuters between the Prince George's Plaza Metro Station and the Mall at Prince Georges. The parking lot at the Mall is developed with new buildings that help reposition MD 410 (East West Highway) from a local commuter route to a true Main Street. New street life, wayfinding signage, and programming integrate rejuvenated spaces on either side of MD 410 (East West Highway) and Belcrest Road into an exciting, desirable, trend-setting regional destination.

The **Neighborhood Edge** is a residential area that transitions the intensity and vibrancy of the Downtown Core to surrounding established residential neighborhoods. A mix of housing types—including townhouses and single-family detached homes—broadens the Transit District's appeal to current and future residents. Wide tree-lined sidewalks, parks, and public open spaces, including a new greenway, connect residents to schools, public facilities, the Northwest Stream Valley Park, and other amenities.

**Map 14. Character Areas**



## **Streets and Frontage** | Build-to Lines and Zones | *Building Entrances*

### Standards

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

## **Streets and Frontage** | Build-to Lines and Zones | *Articulation*

### Standards

- Unless otherwise stated in the Transit District Standards, bays, balconies, cornices, and blade signs may only encroach across the build-to line for up to 25 percent of the building frontage.
- For multifamily residential buildings, bays, balconies, cornices, and shading devices shall not encroach across the build-to line beyond 10 feet.
- Porches and stoops may only encroach beyond the BTL within the Residential Frontage Zone for a maximum of nine feet.
- To provide visual interest and to reduce the perceived massing and scale of buildings, building architecture shall incorporate at least three of the following design elements:
  - » Colonnades
  - » Gables
  - » Hip roofs
  - » Towers
  - » Dormers
  - » Archways
  - » Covered entries
  - » Repetitive window openings
  - » Arched and corbelled parapets
  - » Cornices
  - » Transoms
  - » Other design elements deemed appropriate by the Planning Board.

### Guidelines

- Architectural treatment is recommended at the expression line to provide a shadow line, pattern, or texture effect. The treatment may be molding, projection, material change, or architectural element that serves to separate the lower story from the upper stories of the building façade at that location.
- Roof lines, parapets, and building heights should be architecturally articulated, diverse in design form, and varied in height with adequately scaled and proportioned architectural cornices and applied treatments that complement the building's design.
- Upper-story wall treatment should be coordinated and complement the design of the lower-story façade.
- Along primary building façades facing streets, façade articulation should average a minimum of 50 feet.
- Blank walls should be avoided because they disrupt the street pattern and make an uninviting pedestrian experience; however, if necessary, blank walls should not be more than 10 to 20 feet wide.
- Building corners should be articulated.

# Downtown Core Standards | Intent

To create a compact, walkable, mixed-use regional destination whose built environment promotes a sense of place and includes multimodal transportation access, lively streetscapes, and active public spaces.

## DOWNTOWN CORE GENERAL

### Standards

- Accessory buildings are not permitted within the Downtown Core. Accessory, subordinate, and service uses should be housed within the main building or attached parking structure.
- There are no lot coverage or minimum green area requirements for development within the Downtown Core.

### Guideline

- On private streets in the Downtown Core, all pedestrian crosswalks should be a minimum of 12 feet wide.
- All public utilities should be placed underground, above-ground in alleys, or otherwise behind structures.

## DOWNTOWN CORE BLOCKS

### Standard

Primary façades shall face A Streets, Pedestrian Streets, or Promenades.

### Guidelines

- Buildings should occupy the perimeter of a block.
- Blocks should range in size from 200 to 400 linear feet on each side.

## DOWNTOWN CORE A STREET

### Standards

- The following streets existing in the Downtown Core on July 19, 2016, are to be considered A Streets:
  - » MD 410 (East West Highway)
  - » Belcrest Road
  - » Toledo Terrace
  - » America Boulevard
  - » Toledo Road
- Primary entrances to new buildings shall be located on A Streets.
- No service area or loading dock shall be permitted adjacent to any street unless enclosed such that all sides appear as a primary façade similar to the primary façade of the main building, including design, detail, finished material, and landscaping.

## DOWNTOWN CORE B STREET

### Standard

Streets existing in the Downtown Core on July 19, 2016 not identified as A Streets are to be considered B Streets.

- Delivery services, loading, dumpsters, parking facility (surface and structured) entrances, and above-ground utilities servicing buildings fronting on A Streets or Pedestrian Streets shall be located on B Streets or Alleys.

### Guideline

Secondary building entrances may be located on these streets.

## DOWNTOWN CORE PEDESTRIAN STREETS AND PROMENADE

### Standards

- Access to a Promenade shall be limited to bicycles and pedestrians. Vehicular access is prohibited on promenades, except emergency and service vehicles, and other temporary access as permitted by DPW&T or the City of Hyattsville, as applicable.
- Service and loading entrances are not permitted on Pedestrian Streets or Promenades.

## DOWNTOWN CORE FENESTRATION

### Standards

- Façades at the ground level facing A Streets, Pedestrian, Promenade, or fronting an open space shall be visually permeable (clear glass windows, doors, etc.); at a minimum, 50 percent of the ground floor façade shall consist of transparent materials (glass).
- Tinted or mirrored glass, or glass blocks are not permitted.

### Guideline

- Fenestration should be a minimum of 70 percent of first-floor façades along A Streets. On B Streets where retail is the first floor use, the minimum percentage should be 60 percent of the ground floor façade.

# Hyattsville City Council Agenda Item Report

Meeting Date: February 18, 2020
Submitted by: Danny Schaible
Submitting Department: Legislative
Item Type: Ordinance
Agenda Section:

**SUBJECT**
Backyard Chicken Act (15 minutes)

**HCC-226-FY20**

**Recommendation:**
I move that the Mayor and Council direct the City Attorney to draft an ordinance amending Chapter 52 of the Hyattsville Charter and Code to amend section §52-10 by striking the inclusion of "domestic fowl", and "poultry and game birds" from the list of prohibited animals. Roosters will remain on the list of prohibited animals in the Code.

**Sponsor(s):**
Schaible

**Co-Sponsor(s):**
N/A

ATTACHMENTS

**Summary Background:**
This modification will eliminate the City prohibition on raising chickens in Hyattsville. Chicken raising is an enjoyable recreational activity that provides a healthy food source, high-quality fertilizer, fosters community building, and, with proper regulations, does not result in unsanitary or noisy conditions. Many jurisdictions allow responsible chicken raising, including our neighbors in Anne Arundel, Baltimore, Howard, and Montgomery Counties, and nearby municipalities like Annapolis, Baltimore, and Rockville.

NOTE: The Prince George's County Ordinance that restricts raising chickens, Section 27-441, will remain in effect, so raising chickens in Hyattsville will remain prohibited by County Ordinance.

**Next Steps:**
The City Attorney and Director of Community and Economic Development will draft the ordinance for discussion and action by the Mayor and Council.

If the motion passes, Hyattsville will write a letter to the Prince George's County Council, informing them of the change to our municipal code, and requesting that Section 27-441 be modified to allow for responsible chicken raising within Prince George's County. The City should tie this request to the recent County Code change to support urban farming within Prince George's County.

**An initial discussion was held on January 21, 2020.

**Fiscal Impact:**
None



**City Administrator Comments:**

The Community & Economic Development staff met with Councilman Schaible to discuss the intent of the motion. The elimination of the “domestic fowl”, and “poultry and game birds' language will result in the City Code Compliance staff no longer enforcing this as a City violation. Incidents may still be referred to Prince George's County Department of Permits, Licensing and Inspections (DPIE) and it would be incumbent upon Prince George's County to enforce any “domestic fowl”, and “poultry and game birds' violations of County Code if the County does not agree to a modification.

**Community Engagement:**
The draft ordinance will be scheduled for Council discussion/action at a future Council Meeting.

**Strategic Goals:**
Goal 3 – Promote a Safe and Vibrant Community

**Legal Review Required?**
Pending

# 5600 AGER ROAD

## DETAILED SITE PLAN -19053

### LEGEND

EXISTING MAJOR CONTOUR
EXISTING MINOR CONTOUR
EXISTING BOUNDARY
EXISTING ADJACENT PROPERTY
EXISTING BUILDING
EXISTING INTERIOR PROPERTY LINES
EXISTING TREE LINE
EXISTING HEDGEROW
EXISTING STORM DRAIN
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EXISTING EDGE OF PAVEMENT
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EXISTING SIGNIFICANT TREES >24" DBH
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EXISTING STEEP SLOPES (15% OR GREATER)
EXISTING WATER
EXISTING SANITARY SEWER
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EXISTING WATER EASEMENT

OH. ROOF/BUILDING OVERHANG
PROPERTY CORNER SYMBOL
GMP GAS MARKER POST
COMMUNICATIONS HANDHOLE
FHH
WV WATER VALVE
WATER METER
WATER MANHOLE
FIRE HYDRANT
GAS METER
GAS MANHOLE
GAS VALVE
TELEPHONE JUNCTION BOX
STORM DRAIN MANHOLE
POWER POLE
GUY WIRE
ELECTRIC MANHOLE
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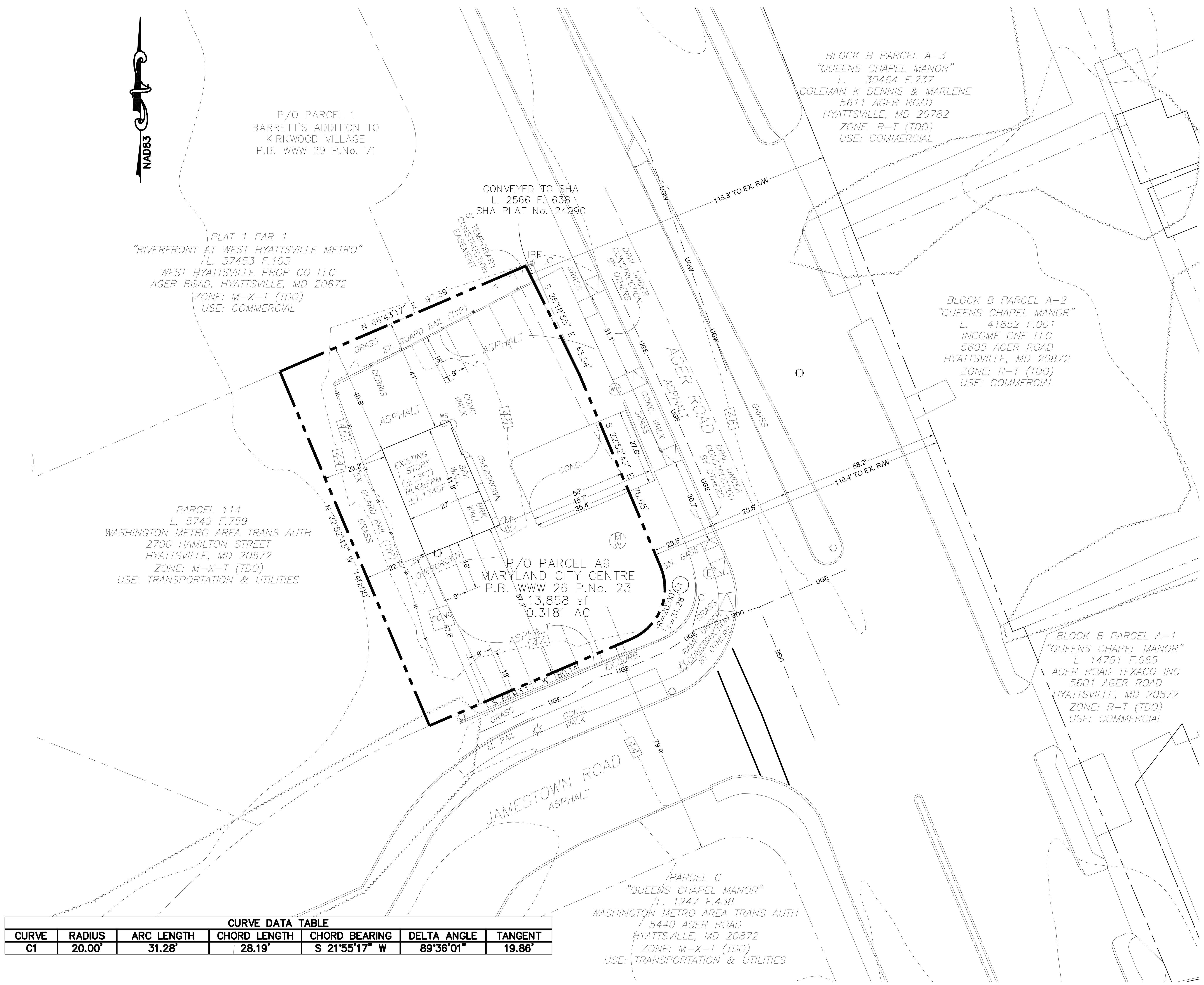
TELEPHONE MANHOLE OR PEDESTAL
BOLLARD
CLEANOUT
INLET STORM INLET GRATE
BRL BUILDING RESTRICTION LINE
IRV IRRIGATION CONTROL
LIGHT POLE
TRAFFIC SIGN

### Tree Canopy Coverage Schedule for Sec. 25-128

| Project Name: | TCP2#: | DRD Case #: | Area (acres) |
|---|---|---|---|
| 5600 AGER ROAD | TCP2-001-2017 | | |
| Site Calculations: | Zone 1: | M-X-T | 0.32 |
| | Zone 2: | | |
| | Zone 3: | | |
| | Zone 4: | | |
| | Total Acres: | | 0.32 |
| Total Acres (gross acres) | % of TCC required | TCC Required (Acres) | TCC Required in (SF) |
| 0.32 | 10.0% | 0.03 | 1386 |
| A. TOTAL ON-SITE WC PROVIDED (acres) = | 0.00 | acres | 0 |
| B. TOTAL AREA EXISTING TREES (non-WC acres) = | 0.00 | acres | 0 |
| C. TOTAL SQUARE FOOTAGE IN LANDSCAPE TREES = | | | 1400 |
| D. TOTAL TREE CANOPY COVERAGE PROVIDED = | | | 1400 |
| E. TOTAL SQUARE FOOTAGE REQUIRED = | | | 1386 |
| | | | Requirement Satisfied |

| Credit Categories for Landscape Trees | TCC Credit per Tree Based on Size at Planting (SF) | Number of Trees | TCC Credit (SF) |
|---|---|---|---|
| Deciduous - **columnar** shade tree (50 ' or less height) | **2 -1/2 - 3" = 65** | | 0 |
| | **3 - 3 1/2" = 75** | | 0 |
| Deciduous - **ornamental** tree (20' or less height with equal spread). Minimum planting size 7 - 9 ' in height | **1-1/2 - 1-3/4" = 75** | | 0 |
| | **2 - 2 1/2" = 100** | | 0 |
| | **2 -1/2 - 3" = 110** | | 0 |
| Deciduous - **minor shade** tree (25-50' height with equal spread or greater). Minimum planting size 8-10' in height | **2 -1/2 - 3" = 160** | | 0 |
| | **3 - 3 1/2" = 175** | | 0 |
| Deciduous - **major shade** tree (50' and greater ht. with spread equal to or greater than ht) Minimum planting size 12 to 14' in height | **2 -1/2 - 3" = 225** | | 0 |
| | **3 - 3 1/2" = 250** | | 0 |
| Evergreen - **columnar** tree (less than 30' height with spread less than 15') | **6 - 8' = 40** | | 0 |
| | **8 - 10' = 50** | | 0 |
| | **10 - 12' = 75** | | 0 |
| Evergreen - **small tree** (30-40' height with spread of 15-20') | **6 - 8' = 75** | | 0 |
| | **8 - 10' = 100** | | 0 |
| | **10 - 12' = 125** | | 0 |
| Evergreen - **medium tree** (40-50' height with spread of 20-30') | **6 - 8' = 125** | | 0 |
| | **8 - 10' = 150** | | 0 |
| | **10 - 12' = 175** | 8 | 1400 |
| Evergreen - **large tree** (50' height or greater with spread of over 30') | **6 - 8' = 150** | | 0 |
| | **8 - 10' = 200** | | 0 |
| | **10 - 12' = 250** | | 0 |
| TOTAL NUMBER OF TREES/TCC CREDIT (SF) | | 8 | 1400 |
| (Manually enter information/figures into shaded areas) | | | |
| **Prepared by** | | **Date** | |



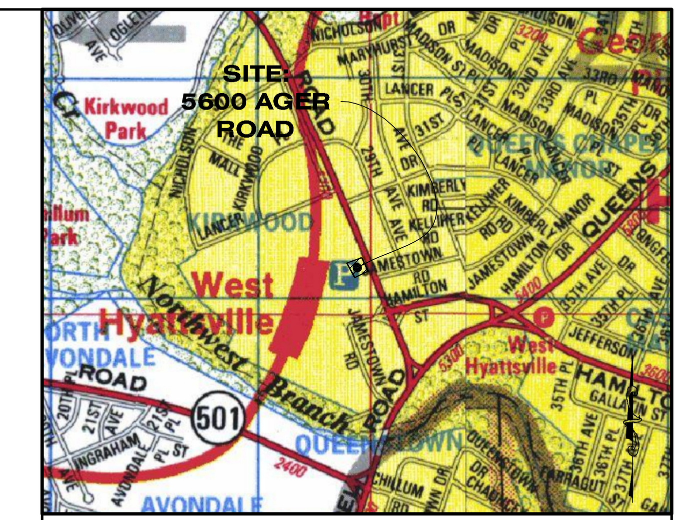

**CURVE DATA TABLE**

| CURVE | RADIUS | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE | TANGENT |
|---|---|---|---|---|---|---|
| C1 | 20.00' | 31.28' | 28.19' | S 21°55'17" W | 89°36'01" | 19.86' |

NOTE

FOR LOCATION OF UTILITIES CALL 8-1-1 OR 1-800-257-7777 OR LOG ON TO www.call811.com http://www.missutility.net 48 HOURS IN ADVANCE OF ANY WORK IN THIS VICINITY

INFORMATION CONCERNING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS BUT THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF THE MAINS BY DIGGING TEST PITS BY HAND AT ALL UTILITY CROSSINGS WELL IN ADVANCE OF THE START OF EXCAVATION.




VICINITY MAP
SCALE: 1" = 2000'

Vicinity Map © ADC - Kappa Map Group LLC/GIS Integrated Solutions LLC 2014

PRINCE GEORGE'S COUNTY ROAD ATLAS MAP 5409 GRID F-5

### SHEET INDEX

1. PLAN SHEET
2. APPROVAL SHEET

### SITE STATISTICS

| | |
|---|---|
| GROSS TRACT AREA | 0.3181 AC |
| EXISTING 100-YEAR FLOODPLAIN | 0.00 AC |
| NET TRACT AREA | 0.3181 AC |
| EXISTING WOODLAND IN THE FLOODPLAIN | 0.00 AC |
| EXISTING WOODLAND NET TRACT | 0.00 AC |
| EXISTING WOODLAND TOTAL | 0.00 AC |
| EXISTING PMA | 0.00 AC |
| REGULATED STREAMS (LINEAR FEET OF CENTERLINE) | 0.00 LF |

**General Information Table**

| Layer Category | Layer Name | Value |
|---|---|---|
| Zone | Zoning (Zone) | M-X-T |
| Zone | Aviation Policy Area (APA) [1] | N/A |
| Administrative | Tax Grid (TMG) | 41-E4 |
| Administrative | WSSC Grid (Sheet 20) | 207NE02 |
| Administrative | Planning Area (Plan Area) | 68 |
| Administrative | Election District (ED) | 17 |
| Administrative | Councilmanic District (CD) | 2 |
| Administrative | General Plan 2035 ESA | 16 |
| Administrative | Traffic Analysis Zone (COG) (TAZ-COG) | 968 |
| Administrative | PG Traffic Analysis Zone (TAZ-PG) | 731 |

[1] *If the site is within the APA, enter the name of the airport. If the site is not within the APA, enter "N/A"*

### GENERAL NOTES

1. THIS DETAILED SITE PLAN IS FOR THE SOLE PURPOSE OF AMENDING THE TABLE OF USES CONTAINED IN THE TRANSIT DISTRICT DEVELOPMENT PLAN AND TRANSIT DISTRICT OVERLAY ZONING MAP AMENDMENT FOR WEST HYATTSVILLE TRANSIT DISTRICT OVERLAY ZONE. NO NEW CONSTRUCTION OR DISTURBANCE IS PROPOSED AT THIS TIME.
2. SUBDIVISION NAME: MARYLAND CITY CENTER
3. TOTAL ACREAGE:
   GROSS PROPERTY ACREAGE: 0.3181 AC
   NET ACREAGE: 0.3181 ACRES
   TOTAL DISTURBED AREA: 0.00 AC
4. EXISTING ZONING:M-X-T; MIXED USE TRANSPORTATION ORIENTED
   OVERLAY ZONE: T-D-O; TRANSIT DISTRICT OVERLAY
5. PROPOSED USE OF PROPERTY:
   ***AMENDMENT TO THE PERMITTED USE TABLE TO INCLUDE ADDITIONAL COMMERCIAL USES ON THE PROPERTY.***
6. EXISTING NUMBER OF LOTS/ PARCELS/ OUTLOTS AND OUTPARCELS:
   CENTRE PARCEL A9 EX 90 SQ FT AT FR
7. GROSS FLOOR AREA OF EXISTING AND PROPOSED: N/A
8. 200 FOOT MAP REFERENCE NUMBER (WSSC): 207NE02
9. TAX MAP NUMBER AND GRID: 41-E4
10. AVIATION POLICY AREA: N/A
11. EXISTING WATER/SEWER DESIGNATION: W-3 AND S-3
12. PROPOSED WATER/SEWER DESIGNATION: W-3 AND S-3
13. STORMWATER MANAGEMENT CONCEPT NUMBER: N/A
14. 10-FOOT PUBLIC UTILITY EASEMENT ALONG ALL PUBLIC RIGHT OF WAY UNLESS OTHERWISE MODIFIED SHOWN.
15. MANDATORY PARK DEDICATION: N/A
16. CEMETERIES ON OR CONTIGUOUS TO THE SITE: NO
17. HISTORIC SITES ON OR IN THE VICINITY OF THE PROPERTY: NO
18. THERE ARE NO KNOWN ARCHEOLOGICAL SITES LOCATED ON THE SUBJECT PROPERTY.
19. STREAMS AND WETLANDS: NO
20. 100-YEAR FLOODPLAIN: NO.
21. CHESAPEAKE BAY CRITICAL AREA OVERLAY:NO
22. SOURCE OF TOPOGRAPHY: DEWBERRY ENGINEERS INC. 2019. ADAJCENT PROPERTY INFORMATION AND TOPOGRAPHY UPDATED PER AVAILABLE PRINCE GEORGE'S COUNTY GIS INFORMATION, 09/11/2019.
   *MAJOR CONTOUR INTERVAL: 2'*
   *MINOR CONTOUR INTERVAL: 10*
23. BOUNDARY SURVEY BY: DEWBERRY ENGINEERS INC. 2019
24. OWNER/ APPLICANT:
   *HYATTSVILLE WEST ONE LLC.*
   *140 Q ST*
   *WASHINGTON, DC 20002*
25. THE LIST OF POTENTIAL USES THAT THE APPLICANT WOULD LIKE TO BE PERMITTED ON THE PROPERTY INCLUDE:
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   *- REPAIR SHOP*

NOTE:
THIS PLAN IS FOR ENTITLEMENT PURPOSES ONLY AND SHALL NOT BE USED FOR CONSTRUCTION..

SWM DEVICES AND LOCATIONS SHOWN ON THIS PLAN ARE SUBJECT TO CHANGE. PLEASE REFER TO THE APPROVED STORM DRAIN AND PAVING PLANS AS WELL AS THE APPROVED SWM PLANS FOR FINAL DESIGN.

**NOT FOR CONSTRUCTION**

FOR OFFICIAL USE ONLY
QR label certifies that this plan meets conditions of final approval by the Planning Board, its designee or the District Council.

M-NCPPC APPROVAL

PROJECT NAME:5600 AGER ROAD
PROJECT NUMBER: **DSP-19053**

For Conditions of Approval see Site Plan Cover Sheet or Approval Sheet
Amendment numbers must be included in the Project Number

Dewberry®

Dewberry Engineers Inc.
4601 FORBES BOULEVARD
SUITE 300
LANHAM, MD 20706
301.731.5551
301.731.0188 (FAX)
www.dewberry.com

APPLICANT
HYATTSVILLE WEST ONE, LLC
140 Q STREET NE
WASHINGTON DC, 20002

CONTACT
MARIACHIARA "MERI" BARONI
202-684-7839
mbaroni@uipllc.com

5600 AGER ROAD
DETAILED SITE PLAN
DSP-19053
PRINCE GEORGE'S COUNTY, MD
17TH ELECTION DISTRICT
TAX MAP 41 GRID E4
200' MAP REFERENCE 207NE02

SEAL
Professional Certification. I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional landscape architect under the laws of the State of Maryland, License No. 1102 , Expiration Date: 08/03/2020

Kevin D. Mack — Digitally signed by Kevin D. Mack Date: 2020.01.13 14:34:14 -05'00'

SCALE
0 20' 40'
SCALE: 1"=20'

| No. | DATE | BY | Description |
|---|---|---|---|

REVISIONS

DRAWN BY PN
CHECKED BY MB
APPROVED BY RM
DATE SEPTEMBER 2019

TITLE
EXISTING CONDITIONS PLAN
DSP-19053

DEWBERRY JOB NO. 50117361

PLAN SHEET

SHEET NO. 1 OF 2

Q:\50117361 - 5600 Ager Rd\CAD\Civil\MNCPPC\Site Plan\DSP-PLAN-7361.dwg, COVER, 1/13/2020 1:45:22 PM, pnicholas, PDF995

# 5600 AGER ROAD

## CONCEPTUAL SITE PLAN - 19009

### LEGEND

- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- EXISTING BOUNDARY
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- COMMUNICATIONS HANDHOLE
- FHH
- WV WATER VALVE
- WM WATER METER
- WATER MANHOLE
- FIRE HYDRANT
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- ELECTRIC TRANSFORMER
- SANITARY MANHOLE
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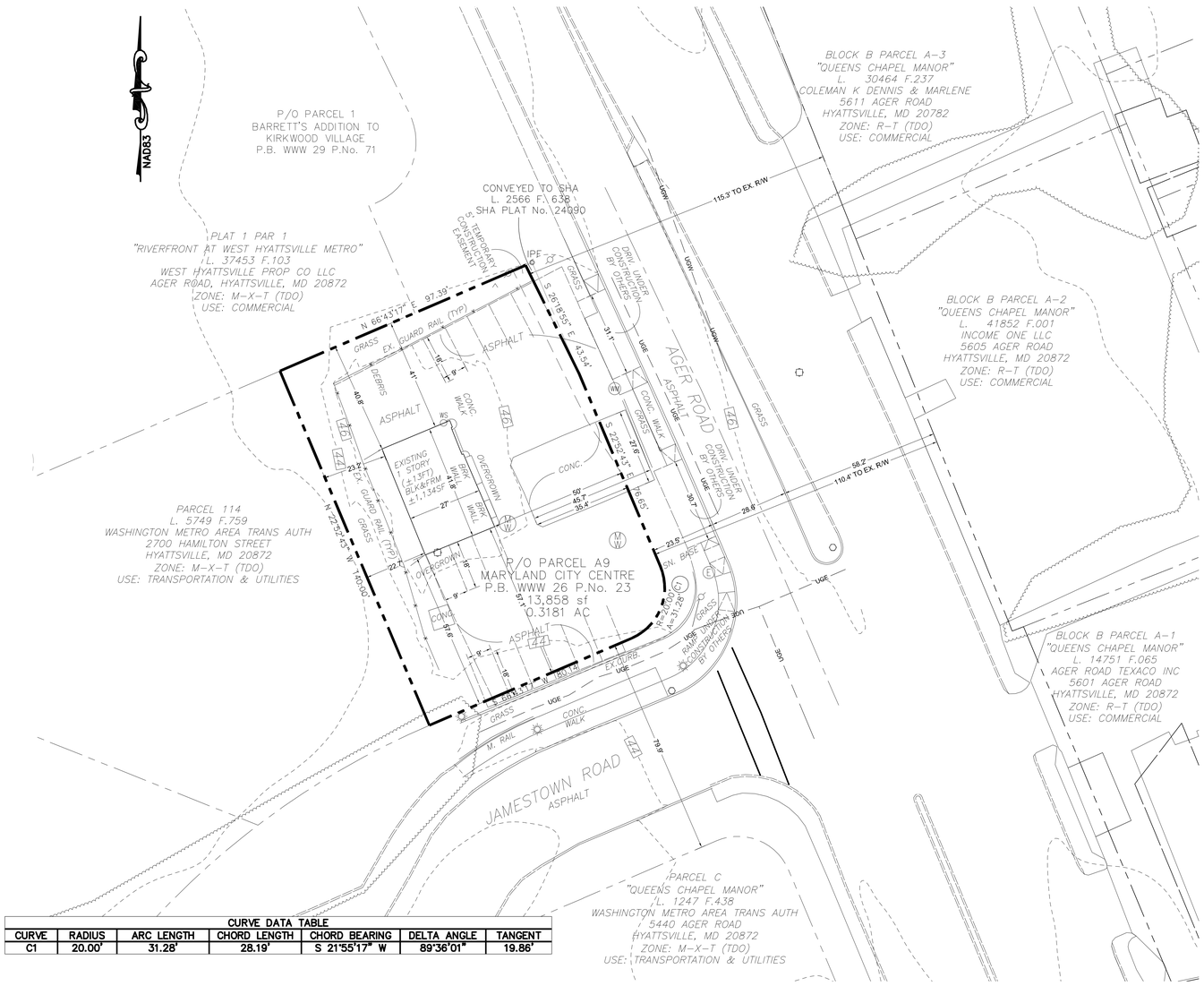
- CLEANOUT
- INLET STORM INLET GRATE
- BRL BUILDING RESTRICTION LINE
- IRV IRRIGATION CONTROL
- LIGHT POLE
- TRAFFIC SIGN

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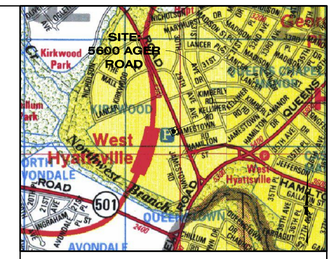


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PRINCE GEORGE'S COUNTY
ROAD ATLAS
MAP 5409 GRID F-5

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    *- REPAIR SHOP*

NOTE:
THIS PLAN IS FOR ENTITLEMENT PURPOSES ONLY AND SHALL NOT BE USED FOR CONSTRUCTION..

SWM DEVICES AND LOCATIONS SHOWN ON THIS PLAN ARE SUBJECT TO CHANGE. PLEASE REFER TO THE APPROVED STORM DRAIN AND PAVING PLANS AS WELL AS THE APPROVED SWM PLANS FOR FINAL DESIGN.

**NOT FOR CONSTRUCTION**

FOR OFFICIAL USE ONLY
QR label certifies that this plan meets conditions of final approval by the Planning Board, its designee or the District Council.

M-NCPPC
APPROVAL

PROJECT NAME:5600 AGER ROAD

PROJECT NUMBER: **CSP-19009**

For Conditions of Approval see Site Plan Cover Sheet or Approval Sheet
Amendment numbers must be included in the Project Number


Dewberry

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5600 AGER ROAD
DETAILED SITE PLAN
CSP-19009
PRINCE GEORGE'S COUNTY, MD
17TH ELECTION DISTRICT

TAX MAP 41 GRID E4
200' MAP REFERENCE 207NE02

SEAL
Professional Certification. I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional landscape architect under the laws of the State of Maryland, License No. 1102, Expiration Date: 08/03/2020

Kevin D. Mack
Digitally signed by Kevin D. Mack
Date: 2020.01.14 16:36:17 -05'00'

SCALE
0 20' 40'
SCALE: 1"=20'

| No. | DATE | BY | Description |
|---|---|---|---|
| | | | |

REVISIONS

DRAWN BY PN
CHECKED BY RM
APPROVED BY KM
DATE SEPTEMBER 2019

TITLE

EXISTING CONDITIONS PLAN
CSP-19009

DEWBERRY JOB NO. 50117361

PLAN SHEET

SHEET NO. 1 OF 2