

City of Hyattsville

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



Agenda Regular Meeting

Register in advance for this webinar:

https://zoom.us/webinar/register/WN_B1XDTQ-TQUevsLgRj_aB2A

Tuesday, February 16, 2021

7:00 PM

Virtual

City Council

Kevin Ward, Interim Mayor, 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 Wolf, Ward 5

ADMINISTRATION

Tracey E. Douglas, City Administrator

Laura Reams, City Clerk, 301-985-5009, cityclerk@hyattsville.org

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

AGENDA/PACKET: The Agenda/Packet is available for review at the Hyattsville Municipal Building and online at www.hyattsville.org prior to 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 DISABILITY 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.

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 publicly 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 MEETING 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 (Verizon) daily at 7:00 a.m., 1 p.m., and 8 p.m. Meetings are also able for replay online at www.hyattsville.org/meetings.

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

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

Meeting Notice:

As we continue to take precautions due to the COVID-19 (Coronavirus) pandemic, the Hyattsville City Council will hold its meeting on Tuesday, February 16, 2021 remotely via video conference. The Council meeting will be conducted entirely remotely; there will be no in-person meeting attendance.

The meeting will be broadcast live on cable television channel 71 (Comcast), channel 12 (Verizon), and available via live stream at www.hyattsville.org/meetings.

PUBLIC PARTICIPATION:

Public comment may be made using the e-comment feature at www.hyattsville.org/meetings or by emailing cityclerk@hyattsville.org. All electronic comments must be submitted by 5 PM on February 16, 2021. Comments received will be read by City staff during the public comment portion of the meeting.

Members of the public who wish to attend the virtual Council meeting must register in advance using the link below.

https://zoom.us/webinar/register/WN_B1XDTQ-TQUevsLgRj_aB2A

1. Call to Order and Council Roll Call**2. Pledge of Allegiance to the Flag****3. Moment of Silence****4. Approval of Agenda****5. Approval of the Minutes****5.a) Approval of the Minutes**[HCC-218-FY21](#)

I move that the Mayor and Council approve the minutes of the Public Hearing and Council meeting of January 19, 2021 and the Council meeting of February 1, 2021.

Sponsors: City Administrator

Attachments: [Minutes Jan 19, 2021 PH FINAL](#)

[Minutes Jan 19, 2021 CM FINAL](#)

[Minutes Feb 1 FINAL](#)

6. Public Comment (7:10 p.m. – 7:20 p.m.) Complete Speaker Card, Limit 2 minutes per speaker**7. City Administrator Update (7:20 p.m. - 7:30 p.m.)****8. Presentations (7:30 p.m. - 7:50 p.m.)**

8.a) Landy Development Phase II Presentation [HCC-220-FY21](#)

Presentation Only

Sponsors: City Administrator

Department: Community & Economic Development

Attachments: [Landy Phase 2 - Presentation Memo JC1](#)
[Landy Property Phase 2 - Updated City Presentation\(3982182.1\) JC2](#)
[Landy Property Phase 2 SOJ JC3](#)

9. Proclamations (7:50 p.m. - 7:55 p.m.)**9.a) Proclamation in Support of the Mayors' Monarch Pledge** [HCC-224-FY21](#)

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

Sponsors: City Administrator

Department: Public Works

Attachments: [Mayor's Monarch Pledge 2021](#)

10. Consent Items (7:55 p.m. - 8:00 p.m.)**10.a) Hyattsville COVID-19 Restaurant Relief** [HCC-233-FY21](#)

I move that the Mayor and Council amend the Fiscal Year 2021 (FY21) Special Revenue Funds Budget and re-appropriate \$66,000 of the remaining \$74,000 originally allocated to Employ Prince George's from the Hyattsville Pandemic Relief fund to support regionally and locally owned full-service restaurants, distilleries, breweries, and wineries/meaderies in the City of Hyattsville. This funding will provide \$2,000 to each qualifying restaurant to be used towards rent, utilities, Personal Protective Equipment (PPE), takeout supplies, and other pandemic related overhead. These funds should be allocated by April 30, 2021.

Sponsors: Suiter, Lawrence, Simasek, Spell Wolf and Ward

Attachments: [Hyattsville COVID-19 Restaurant Relief Suiter](#)

10.b) Memorandum of Understanding Between Prince George’s County and the City of Hyattsville [HCC-217-FY21](#)

I move that the Mayor and Council amend the Fiscal Year 2021 (FY21) Special Revenues Funds in the amount of \$40,000 for the Maryland Criminal Intelligence Network (MCIN) grant. I further move the Mayor and Council authorize the City Administrator to enter into an Memorandum of Understanding (MOU) between Prince George’s County Police Department and the Hyattsville City Police Department for FY21, upon the review and approval by the City Attorney for legal sufficiency.

Sponsors: City Administrator

Department: Police Department

Attachments: [MOU PD](#)

11. Action Items (8:00 p.m. - 8:20 p.m.)

11.a) DSP-20013: St. Joseph’s House [HCC-219-FY21](#)

I move the City Council authorize the Mayor to provide correspondence to the Maryland-National Capital Park & Planning Commission (MNCPPC) in support of Detailed Site Plan (DSP) 20013 and the issuance of a Special Permit to permit the operation of a Family Day Care facility on the property.

Sponsors: City Administrator

Department: Community & Economic Development

Attachments: [Memo - St. Joseph's House](#)
[Letter from Applicant - DSP-20013](#)
[A-SOJ-DSP20013](#)

11.b) Purchase of BolaWrap Devices and Cartridges [HCC-214-FY21](#)

I move that the Mayor and Council authorize the expenditure in the amount of \$12,039 to East Coast Tactical for the purchase of 10 BolaWrap devices and 90 cartridges to be divided between each squad and our Emergency Response Team. The funding source for this purchase is the speed camera special revenue fund.

I further move that, upon procurement, the Hyattsville City Police Department move swiftly to adequately train and staff members of each squad and the Emergency Response Team on the appropriate use and deployment of the BolaWrap Device.

Sponsors: Solomon, Ward, Spell Wolf, Simasek, Schaible, Peabody and Haba

Department: Police Department

Attachments: [BolaWrap Pictures](#)

12. Discussion Items (8:20 p.m. - 9:50 p.m.)**12.a) FY22 Budget Initiative: Community Emergency Response Team (CERT) [HCC-221-FY21](#)**

FOR DISCUSSION:

I move that the Mayor and Council include \$20,000 in the Fiscal Year 2022 (FY22) budget to establish a Community Emergency Response Team.

Sponsors: Ward

Department: Legislative

Attachments: [FY22 Budget Initiative - CERT - Ward, Kevin](#)

12.b) FY22 Budget Initiative: Hyattsville Property Tax Credit Review and Assessment [HCC-222-FY21](#)

FOR DISCUSSION:

I move that the Mayor and Council authorize expenditures of up to \$10,000.00 in the Fiscal Year 2022 (FY22) budget to provide for necessary legal review and technical support to formulate recommendations for revisions to existing Municipal Property Tax Credits, including revisions to Municipal tax credit programs authorized under Maryland Code, Tax-Property § 9-104 (“Homeowner’s Property Tax Credit”) and Maryland Code, Tax-Property § 9-105 (“Homestead Tax Credit”).

Sponsors: Schaible

Department: Legislative

Attachments: [Hyattsville Property Tax Credit Review and Assessment Motion DS1](#)
[Hyattsville Ordinance 2008-07 Homeowners Property Tax Credit Program DS2](#)
[State of MD Property Section 9-104 DS4](#)
[State of MD Property Section 9-105 DS5](#)

12.c) FY22 Budget Initiative: HCPD Mental Wellness Check-in Program [HCC-223-FY21](#)

FOR DISCUSSION:

I move the Mayor and Council include in the Fiscal Year 2022 (FY22) budget an expenditure of up to \$50,000 to support a universal quarterly mental health check-in program for officers and dispatchers.

Sponsors: Peabody

Attachments: [HCPD Mental Wellness Check-In Program - FY22 Budget Proposal DP1](#)

12.d) FY22 Budget Initiative: Memorial Bench Program[HCC-225-FY21](#)

FOR DISCUSSION:

I move that the Mayor and Council include \$30,000 in the Fiscal Year 2022 (FY22) budget for a cost sharing project to install memorial benches the in the City.

Sponsors: Croslin

Department: Legislative

Attachments: [Croslin_Memorial Bench Program](#)

12.e) FY22 Budget Initiative: Race and Equity Coordinator/Advisor[HCC-226-FY21](#)

FOR DISCUSSION:

I move the Mayor and Council authorize the establishment of a Racial, Equity, Diversity, and Inclusion Coordinator/Advisor position and allocate \$60,000 in the Fiscal Year 2022 (FY22) budget to support this effort. Staff shall investigate the possibility of full-time, part-time, or contract position in addition to cost sharing the position with neighboring municipalities.

Sponsors: Croslin

Department: Legislative

Attachments: [Croslin_Diversity Advisor Motion](#)

12.f) FY22 Budget Initiative: Hyattsville COVID Sanitization Support[HCC-227-FY21](#)

FOR DISCUSSION:

I move that Mayor and Council include funding in the amount of \$15,000 in the Fiscal Year 2022 (FY22) budget for the Department of Public Works to purchase, install, and maintain six (6) mobile hand-washing and sanitization stations for deployment within Hyattsville Business Corridors.

Sponsors: Solomon

Department: Legislative

Attachments: [Council Motion Solomon Sanitizing_Final](#)

12.g) FY22 Budget Initiative: Hyattsville COVID Mural [HCC-230-FY21](#)

FOR DISCUSSION:

I move the Mayor and Council allocate \$25,000 in the Fiscal Year (FY22) budget for the commission, design, and installation of a Hyattsville COVID Memorial Mural. The location of the mural should be determined in consultation with City staff.

Sponsors: Solomon

Department: Legislative

Attachments: [Council Motion Form Solomon Mural Final](#)

12.h) FY22 Budget Initiative: COVID Support for Hyattsville Non-Profits [HCC-231-FY21](#)

FOR DISCUSSION:

I move that Mayor and Council authorize the City Administrator to provide reimbursements to non-profit organizations located in the City of Hyattsville who have expended resources on COVID support for Hyattsville residents.

Sponsors: Solomon

Department: Legislative

Attachments: [Council Motion Form Solomon Nonprofit Covid Fund](#)

12.i) Updating Scope of Pandemic Relief Fund Designed for Artists [HCC-232-FY21](#)

FOR DISCUSSION:

I move that the Mayor and Council update the eligibility for applicants to the Hyattsville COVID-19 Pandemic Relief Fund Grants for working artists to include barbers, cosmetologists, pet groomers, and tattoo artists licensed by the State of Maryland and currently working in a business registered within in the corporate limits of the City of Hyattsville. I further move that the maximum award for Working Artist applicants be adjusted to \$500 per award.

Sponsors: Solomon, Spell Wolf, Simasek, Haba, Peabody and Suiter

Department: Legislative

Attachments: [Motion to Expand Working Artist Fund](#)

13. Council Dialogue (9:50 p.m. - 10:00 p.m.)**14. Community Notices and Meetings**

14.a) Main City Calendar February 17 - March 1, 2021

[HCC-234-FY21](#)

N/A

Sponsors: City Administrator

Attachments: [Main City Calendar Feb 17 - Mar 1 2021 FINAL](#)

15. Motion to Adjourn



City of Hyattsville

Hyattsville Municipal Bldg
4310 Gallatin Street, 3rd Flr
Hyattsville, MD 20781
(301) 985-5000
www.hyattsville.org

Agenda Item Report

File #: HCC-218-FY21

2/16/2021

5.a)

Submitted by: Sean Corcoran
Submitting Department: City Clerk
Agenda Section: Approval of the Minutes

Item Title:
Approval of the Minutes

Suggested Action:

I move that the Mayor and Council approve the minutes of the Public Hearing and Council meeting of January 19, 2021 and the Council meeting of February 1, 2021.

Summary Background:

Action summaries for Council meetings are posted to the City website within 48 hours of the meeting. 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:

Recommend approval.

Community Engagement:

Minutes are posted to the City website.

Strategic Goals:

Goal 1 - Ensure Transparent and Accessible Governance

Legal Review Required?

N/A



**REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
TUESDAY, JANUARY 19, 2021 7:00 PM**

Kevin Ward, W1, Interim Mayor
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:
Laura Reams, City Clerk

Notice of Public Hearing

The City of Hyattsville Mayor and Council will conduct a Public Hearing on Tuesday, January 19, 2021 at 7:00 p.m. (prior to the City Council Meeting).

The purpose of the Public Hearing is to allow residents to comment on the proposed Charter Amendment Resolution 2021-01. The Charter Amendment Resolution is intended to adjust the close of candidate registration for City elections from the last Friday in March to the second Friday in March. This change is necessary to accommodate the time required to print and mail Vote-by-Mail ballots to all registered voters. Candidate registration will be open for six (6) weeks prior to the closing deadline.

It is anticipated that the Council will adopt the Resolution during the Council Meeting of January 19, 2021. Due to the COVID-19 pandemic, the Public Hearing will be held virtually over Zoom. Residents may register to attend the meeting at www.hyattsville-md.legistar.com. The Public Hearing will be broadcast live on Comcast Channel 71, Verizon Channel 12 and online at www.hyattsville-md.legistar.com. If you are unable to attend the hearing, comments may be directed to cityclerk@hyattsville.org.

Register at the link below:

https://zoom.us/webinar/register/WN_JMyz4IKVSD28j5Mk8Li6lw

1. Call to Order

Interim Mayor Kevin Ward called the public hearing to order at 7:11 p.m.

2. Discussion

Public Hearing: Hyattsville Charter Amendment Resolution 2021-01: Close of Candidate Registration

[HCC-191-FY21](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
TUESDAY, JANUARY 19, 2021 7:00 PM

[Charter Sec 4-8 Changing Candidate Registration Time 1.4.20](#) [Sec. 8-7, Ordinance Changing Candidate Registration Date 1.4.20](#)

For discussion and public input.

City Clerk Laura Reams presented Council with a brief summary and background of the item stating that in preparation for the 2021 all Vote-by-Mail election many adjustments to the Charter and Code were required including changes to the dates regarding candidate registration and detailed some results and benefits.

Ms. Reams noted that the next steps would be adoption of the measure and candidate registration was expected to be open from February 1, 2021 to March 12, 2021.

3. Public Comment

There were no public comments.

4. Adjournment

The public hearing adjourned at 7:17 p.m.

ATTEST:
February 16, 2021

A handwritten signature in blue ink, appearing to be "Laura Reams", written over a horizontal line.

Laura Reams, City Clerk

A handwritten signature in blue ink, appearing to be "Sean Corcoran", written over a horizontal line.

Sean Corcoran, Deputy City Clerk



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD TUESDAY, JANUARY 19, 2021 7:30 PM

Kevin Ward, W1, Interim Mayor
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 Douglas, City Administrator
Jim Chandler, Assistant City Administrator
Ron Brooks, City Treasurer
Laura Reams, City Clerk
Deputy Chief Scott Dunklee, City of Hyattsville Police Department
Cheri Everhart, Recreation, Programs, and Events Manager
Gary Bullis, Parking Enforcement Manager
Marci LeFevre, Age-Friendly Program Lead
Kate Powers, City Planner

Meeting Notice:

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The meeting will be broadcast live on cable television channel 71 (Comcast), channel 12 (Verizon), and available via live stream at www.hyattsville.org/meetings.

PUBLIC PARTICIPATION:

Public comment may be made using the e-comment feature at www.hyattsville.org/meetings or by emailing cityclerk@hyattsville.org. All electronic comments must be submitted by 5:30 PM on January 19, 2021. Comments received will be read by City staff during the public comment portion of the meeting.

Members of the public who wish to attend the virtual Council meeting must register in advance using the link below.

https://zoom.us/webinar/register/WN_BjN6KRILTFmNT5Aoket4yQ

1. Call to Order and Council Roll Call

Interim Mayor Kevin Ward called the meeting to order at 7:32 p.m.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
TUESDAY, JANUARY 19, 2021 7:30 PM

2. Pledge of Allegiance to the Flag

3. Approval of Agenda

AMENDMENT

ADD a moment of silence for the passing of Dr. John Moylan, Principal Emeritus of DeMatha High School and Maryland Senator President Mike Miller.

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

4. Approval of the Minutes

4.a) Approval of the Minutes

[HCC-200-FY21](#)

Sponsor: At the request of the City Administrator

Co-Sponsor(s): N/A

[Minutes Dec 21, 2020 CM FINAL](#)

I move that the Mayor and Council approve the minutes of the Council Meeting of December 21, 2020.

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

5. Public Comment (7:40 p.m. – 7:50 p.m.) Limit 2 minutes per speaker

City Clerk Laura Reams read the public comments submitted electronically.

Ward 3 resident Chuck Perry addressed the Mayor and Council in support of item 8.b), Memorandum of Understanding (MOU) with Prince George’s County (PGC) for Replacement of the Traffic Signal at Adelphi Road and Wells Boulevard opining that it had been an issue in need of resolution for a long time.



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Mr. Perry submitted a second comment regarding item 9.f) authorizing letter to the Maryland State General Assembly (MDGA) regarding the attack on the U.S. Capitol on January 6, 2021 in which he expressed displeasure with the current processes of police departments in general, a need for police reform, and suspicion of officers abetting and enabling an insurrection.

Mr. Perry submitted a third comment regarding item 10.a), purchase of BolaWrap Devices and Cartridges, stating that police officers should not be primary responders to incidents involving individuals under mental distress and expressed support for defunding.

6. City Administrator Update (7:50 p.m. - 8:00 p.m.)

City Administrator Tracey Douglas addressed the Mayor and Council with an update regarding news and events in the City citing the inauguration of the new President of the United States the following day and reporting that security had been increased due to the event and Hyattsville's close proximity to Washington, D.C. but assured that no specific threat was apparent and the increase in security was a practice of vigilance and diligence.

Ms. Douglas announced the departure of Community Planner with the Department of Community and Economic Development, Lillian Lamptey, who was moving on to be a Community Planner and Development Specialist with the U.S. Department of Housing and Urban Development (HUD) and the hiring of James Jimmy to the Hyattsville Police Department.

Administrator Douglas reported that COVID-19 infection rates were very high in the area and relayed that food and diaper distribution would continue. Ms. Douglas noted that volunteers had served nearly 40K meals and would be receiving 20K diapers for distribution the following month.

Ms. Douglas relayed that phases 1A, B, and C of COVID-19 vaccine distribution were expected in January with phases 2 and 3 the following February and that the City had one (1) vaccination site but was working with Doctor's Hospital and Kaiser Permanente to establish a second and potentially a third. She added that individuals from outside the County and Country were attempting to receive the vaccine under false pretenses.

Ms. Douglas reported that work on the new Department of Public Works (DPW) facility was nearing completion and would likely be inhabitable by the end of February. She expressed appreciation for the completion of the bioretention facility in the nearby City park that would allow for community gardens and fresh fruits and vegetable for residents.

She referenced the construction of the waiting area on the first floor of the Municipal Building that would provide a reception area for residents to be completed in March and noted a previous delay to the Capital Improvement Projects (CIP) for streets and sidewalks in West Hyattsville and University Park Wells Boulevard. Ms. Douglas stated that the CIP for the two (2) sites was to reconvene after staff were able to reassess budget priorities.



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Administrator Douglas provided detail regarding the construction of the new Police and Public Safety Headquarters stating that the design was being finalized and it would be followed by a request for proposal (RFP) process, contractor selection and negotiation, and construction completed in the summer of 2022. Ms. Douglas supplemented that community engagement opportunities would be abundant.

Ms. Douglas cited the Dr. Martin Luther King Jr. National Day of Service in which the City would work with the Capital Area Food Bank providing services and resources to the community. She added that she was appreciative to give back to the Capital Area Food Bank as they had been instrumental in Hyattsville’s food distribution efforts.

Ms. Douglas brought attention to the facility dog, Nola, who was providing calm companionship to those recovering from emergency situations. She stated that Nola was involved in many activities and programming in the City and had garnered inquiries from several other Departments about the process in which one could acquire a service dog.

Ward 2 Councilmember Danny Schaible expressed concerns regarding the distribution of information from the City regarding the COVID-19 vaccine stating that the website was not intuitive and requested that clarity be provided to which City Administrator Douglas replied that staff were aware of the challenges detailing other aspects that had led to the confusion and assured that the issues would be addressed.

7. Proclamations (8:00 p.m. - 8:05 p.m.)

7.a) Proclamation Honoring Candace B. Hollingsworth
[HCC-192-FY21](#)

Sponsor: At the request of the City Administrator

Co-Sponsor(s): N/A

[CM 0119 Honoring Candace Hollingsworth](#)

I move that the interim Mayor and Council adopt a proclamation honoring Candace B. Hollingsworth for her years of service and dedication to the City of Hyattsville as Councilmember and Mayor.

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



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
TUESDAY, JANUARY 19, 2021 7:30 PM

8. Consent Items (8:05 p.m. - 8:10 p.m.)

8.a) Comcate Inc. Licensing Agreement

[HCC-189-FY21](#)

Sponsor: At the request of the City Administrator

Co-Sponsor(s): N/A

[Memo - Comcate Inc Services Agreement - 2021](#)

I move the City Council authorize the City Administrator to execute a one (1) year extension of services agreement with Comcate Inc., 144 Linden Street, Oakland, CA 94607, at a cost not to exceed \$13,344.66, upon the legal review of the City Attorney.

8.b) Memorandum of Understanding with Prince George’s County for Replacement of the Traffic Signal at Adelphi Road and Wells Boulevard

[HCC-190-FY21](#)

Sponsor: At the request of the City Administrator

Co-Sponsor(s): N/A

[Hyattsville MoU](#)

I move that the Mayor and Council authorize the City Administrator to execute a memorandum of understanding (MOU) with Prince George’s County for the replacement of the traffic signal at Adelphi Road and Wells Boulevard and authorize an expenditure not to exceed \$125,000.00 for the City’s portion of the costs.

8.c) Letter of Support for Prince George’s Board of Education Climate Change Action Plan (CCAP) and Committing Prince George’s County Public Schools to 100% Clean Energy

[HCC-202-FY21](#)

Sponsor: Schaible

Co-Sponsor(s): Suiter, Solomon, Simasek

[Supporting Doc CCAP Resolution Schaible](#)

I move that the Council authorize Interim Mayor Ward to send a letter of support to the Prince George’s County Board of Education entitled “Support of Adoption of a Resolution Committing to 100% Clean Energy Schools and Implementation of a Focus Workgroup” prior to the Board of Education’s vote on February 11, 2021.

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



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
TUESDAY, JANUARY 19, 2021 7:30 PM

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

9.a) Hyattsville Charter Amendment Resolution 2021-01: Close of Candidate Registration (Introduction & Adoption)

[HCC-193-FY21](#)

Sponsor: At the request of the City Administrator

Co-Sponsor(s): N/A

[Charter Sec 4-8 Changing Candidate Registration Time 1.4.20](#)

I move that the Mayor and Council adopt Hyattsville Charter Amendment Resolution 2021-01, a Resolution amending Article IV of the City of Hyattsville’s Charter to alter the last day candidates for office may register for an election (INTRODUCTION & ADOPTION).

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

9.b) Hyattsville Ordinance 2021-01: Close of Candidate Registration (Introduction)

[HCC-194-FY21](#)

Sponsor: At the request of the City Administrator

Co-Sponsor(s): N/A

[Charter Sec 4-8 Changing Candidate Registration Time 1.4.20](#)

I move that the Mayor and Council introduce Hyattsville Ordinance 2021-01, an ordinance whereby the City Council amends Chapter 8 of the Hyattsville Code to change the day by which candidates for office are required to register as candidates (INTRODUCTION).

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

9.c) FY21 Budget Amendment: City Election 2021

[HCC-195-FY21](#)

Sponsor: At the request of the City Administrator

Co-Sponsor(s): N/A

[Memo for Election 2021 Budget Amendment](#)



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
TUESDAY, JANUARY 19, 2021 7:30 PM

I move that the Mayor and Council authorize an FY21 budget amendment in the amount of \$45,000 for the Board of Elections budget to be appropriated as follows: \$4,000 Ads & Notices, \$25,500 Equipment Rental, \$9,750 Postage, \$3,000 Contracted Services and \$2,750 for miscellaneous expenses.

Councilmember Schaible expressed concern with the cost associated with including an “I voted” sticker with the mailings for the 2021 election stating that he believed it to be excessive to which City Clerk Laura Reams responded that including a sticker was not a simple process and was, indeed, a supplemental cost noting that staff were currently in negotiations to lower the price or come to some agreement to have them included. **Councilmember Schaible** reiterated that he did not think it was a necessity and to consider excluding the insert if the cost could not be augmented.

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

9.d) Award of Contract for Mail Vendor - Election 2021
[HCC-196-FY21](#)

Sponsor: At the request of the City Administrator

Co-Sponsor(s): N/A

[Memo for Recommendation Fort Orange Press](#)

I move that the Mayor and Council authorize the City Administrator to enter into an agreement with Fort Orange Press for the printing and mailing of ballot packets and ballots for the May 2021 City Election at a cost not to exceed \$31,000. The agreement will be effective upon the review and approval by the City Attorney.

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

9.e) Resolution 2021-01, Condemning the Actions of the Individuals Responsible for the Events which Took Place at the United States Capitol on January 6, 2021.

[HCC-199-FY21](#)

Sponsor: Solomon

Co-Sponsor(s): Ward, Suiter

[1.12.21 Resolution regarding January 6, 2021 Capitol FINAL](#)



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I move the Mayor and Council adopt Hyattsville Resolution 2021-01, a Resolution condemning the actions of the individuals responsible for the events which took place at the United States Capitol on January 6, 2021.

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

9.f) Authorizing letter to the Maryland State General Assembly regarding the attack on the U.S. Capitol on January 6, 2021

[HCC-203-FY21](#)

Sponsor: Solomon

Co-Sponsor(s): Spell Wolf, Simasek, Peabody, Ward, Suiter

I move the Mayor and Council authorize Interim Mayor Kevin Ward to send a letter to the Maryland State General Assembly regarding the attack on the U.S. Capitol on January 6, 2021. The letter shall communicate the following items:

- Calls on MGA to provide legislative action to empower the MD AG and State’s Attorneys greater capacity to protect Maryland communities from domestic terror. Any additional powers granted to the MD Attorney General or State’s Attorneys should be crafted in a manner that fosters trust within Black, LatinX, Indigenous, and LGBTQ populations, rather than increasing the surveillance and over-policing of such populations.
- Requests A commission/task force to plan greater coordination between State resources and local agencies in responding to the threat of domestic terror within Maryland municipalities. This includes an analysis of the actions on Jan 6 and the development of a detailed response and coordination plan.
- Requests A commission to determine the extent and pervasiveness of biased or extremist views held by law enforcement officers within the State of Maryland and provide recommendations on corrective actions.
- A commitment to great public awareness and data sharing through reports and analysis on the current status of the threat of domestic terrorism in the State of Maryland.

Ward 1 Councilmember Bart Lawrence expressed concerns regarding the process with which the motion was developed explaining that he had only been allowed a short time for review and had reservations about the possibility of providing an uninformed or ill-informed correspondence to State counterparts. He further detailed concern regarding policing powers applied disproportionately on communities and the lack of clarity regarding the responsibilities of a formed commission.

Ward 5 Councilmember Joseph Solomon described that the attempted insurrection at the Capitol on January 6, 2021 caused him concern and frustration and that he believed there was an urgency to act by passing a resolution reiterating the City’s commitment to democratic values and



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acknowledging that Hyattsville would require assistance from the State to move toward changes that established the area's position in regard to the state of the Country.

Councilmember Solomon continued that many surrounding area police departments were on alert in the case that the events transgressed into Washington, D.C. suburbs and that the window to submit actionable items to the State delegation would close before the following City Council meeting. He stated that he believed the item listed bullet points from which the motion could build upon and it was important to request the State create a task force to implement changes with regard to domestic terrorism.

City Administrator Tracey Douglas noted that no police representation was present at the meeting to offer comments as all members of the Police Department were working double shifts and overtime. Ms. Douglas stated that the vetting process for City police officers was thorough and stringent with coordination with State police departments and the Department of Homeland Security in an effort to identify any potential concerns before approving employment.

Councilmember Lawrence stated that **Councilmember Solomon's** remarks raised more questions, and he would have liked to ask questions of the Deputy Chief of Police and reiterated disappointment with the method in which the item was brought to his attention. He noted that the City attorney had the opportunity to review the letter and expressed the importance of giving further consideration and review from the entire Body as the issues brought forth in the letter were of great importance.

Ward 2 Councilmember Robert Croslin contributed that he was supportive of the content of the letter and appreciative of its intention but agreed with **Councilmember Lawrence** that further investigation into the actions of the State would be wise and additional attention should be given to the matter in general before finalizing and submitting such a letter.

Ward 4 Councilmember Daniel Peabody expressed support for the contents of the letter and sought clarity as to whether edits would be implemented before submission to which **Interim Mayor Ward**, with confirmation from City Clerk Reams, stated that there was flexibility to make changes to the letter after receiving comments and recommendations from the entire Council. He asked the group if there was support for tabling the motion until further review could be conducted.

Councilmember Solomon expressed opposition to tabling the motion and **Interim Mayor Ward** sought clarification from other members of the Body that their preference was to hold discussions with State representatives, police officials, and the City attorney to receive information to ensure that the letter was objectively informed and did not imply any assumptions.

Councilmember Peabody expressed support for the motion including the caveat that Council should have the opportunity to provide comment before the final version is submitted to which **Councilmember Solomon** responded that no amendment to the motion would be necessary to allow for review and recommendations.



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Ward 4 Councilmember Edouard Haba expressed support for the submission of the letter to State officials stating that a prompt response should be provided and that the motion was not prescriptive, thereby allowing the Delegation to choose what items to act upon.

Ward 3 Councilmember Ben Simasek stated that he shared some of the concerns of his colleagues noting that after the events of September 11, 2001 legislation was hastily enacted that resulted in unsound regulations that compromised the privacy of citizens and noted that he agreed with the intent of the letter to show support but reiterated that some concerns remained.

Ward 5 Councilmember Erica Spell Wolf recognized the final bullet point in the motion which referenced improved data sharing and identification of the extent of domestic terrorism stating that she agreed that the motion was not prescriptive and expressed support for the last bullet point specifically.

Councilmember Lawrence disagreed that the language was not prescriptive and reiterated his concern with the presentation offering an amendment to table the motion which was seconded by **Councilmember Croslin**.

Councilmember Solomon argued that the motion was not prescriptive supporting approval of the legislation and stating that Council would have the opportunity to have their questions answered before the letter was submitted. He reiterated that the associated actions moved swiftly due to the limited time offered for actionable legislation considered by the State to which **Councilmember Lawrence** reiterated that he was not made aware of the letter until the previous Friday, after the letter had been written. He added that he was unaware of a time in which the Body voted on a letter to be sent when the later still awaited input from Council.

Council Vice President Carrianna Suiter proposed providing two (2) weeks with which to review the letter allowing for edits, comments, and recommendations before sending to the State Delegation.

Interim Mayor Ward announced the motion to table, which was met with requests for clarification of what, exactly, the amendment would allow.

Councilmember Schaible requested that legal review be included during the two (2) weeks and to ensure the City attorney had ample time to review and adequately assess the content of the letter.

Councilmember Solomon acknowledged that Council held concerns and questions that went unanswered explaining that questions could still be answered before submission and that legal review had already taken place. He expressed his opposition to delaying for weeks as he expected the opportunity would cease in a matter of days.

Councilmember Peabody agreed with **Councilmember Solomon** citing the limited time for action and the completed legal review.



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Interim Mayor Ward confirmed that the amendment to be voted upon was to allow for two (2) weeks of review, with the attention of the City attorney, followed by a vote to send at the next City Council meeting.

The amendment failed with five (5) ayes and five (5) nays.

Councilmember Lawrence proposed another motion to amend the language of the first bullet point in the original motion to foster trust with minority populations which was seconded by **Councilmember Croslin** and approved unanimously.

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

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

10.a) Purchase of BolaWrap Devices and Cartridges

[HCC-197-FY21](#)

Sponsor: Solomon

Co-Sponsor(s): Ward, Spell Wolf, Simasek, Schaible, Peabody, Haba

[BolaWrap 1 \(002\)](#)

[Bolawrap2 \(002\)](#)

[BolaWrap Pictures](#)

I move that the Mayor and Council authorize the expenditure in the amount of \$12,039 to East Coast Tactical for the purchase of 10 BolaWrap devices and 90 cartridges to be divided between each squad and our Emergency Response Team. The funding source for this purchase is the speed camera special revenue fund.

I further move that, upon procurement, the Hyattsville City Police Department move swiftly to adequately train and staff members of each squad and the Emergency Response Team on the appropriate use and deployment of the BolaWrap Device.

Councilmember Solomon introduced the item thanking the co-sponsors and stating that he conferred with the police department about what non-lethal means could be explored in bringing individuals into custody as well as other improvements that could be made. He expressed his gratitude for the police department and the resources that they researched and recommended noting there were many other areas in which the department was investigating to improve overall operations.

City Administrator Tracey Douglas supplemented that staff had done extensive research and that the technology was being introduced to an increasing number of local departments as an alternative to tasers.



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Interim Mayor Ward asked if the item had been included in the police budget and inquired as to what other means of non-lethal containment were entertained to which Ms. Douglas responded that it was not included in the Fiscal Year 2021 (FY21) police budget and stated that she could not answer specifically about what other options had been considered, but that Deputy Chief Scott Dunklee would provide that information to Council.

Councilmember Croslin expressed support for the implementation of BolaWrap technology stating that he was thankful that alternative means and resources were being considered.

Councilmember Lawrence explained that he was appreciative of the intention of the item but questioned the efficacy of the technology stating that it had not been properly tested and results were still unproven. He recalled the shooting incident of September 2019 in which several non-lethal weapons were deployed in an attempt to subdue a suspect that concluded with a fatality and averred that if the motion were to be voted upon that evening, he would not be in support.

Councilmember Solomon retorted that additional tools did exist stating that multiple Councilmembers had been conducting research and holding meetings to address several policing issues while there were also options being weighed with regard to the inclusion of crisis professionals and services. He cited documentation that showed that the devices were being used in over 200 police stations throughout the country and that it was imperative that training hold a priority in the initiative.

Councilmember Haba expressed support for the purchase of the devices rationalizing that increasing the amount of non-lethal tools at the department's disposal only increased non-lethal options and that the motion did not exclude an investment into providing mental health services.

Councilmember Croslin relayed the benefit of having a representative from the police department provide further detail as to the devices potential to which Ms. Douglas apologized that she was unaware that most of the police department would be unavailable to field questions describing the features and detailing the function of the restraining device. She stated that the items had been researched for approximately eight (8) to 10 months noting that some officers had already become familiar with the devices and had received training.

Councilmember Croslin sought clarity regarding how the device was deployed and whether it could be effective on an individual in motion to which no pertinent information was provided.

Councilmember Schaible opined that it was not an adequate substitute for a well-staffed crisis intervention team but supported the purchase with the intention of further searches for alternative non-lethal resources. He noted that it would still be a more attractive alternative to tasers which have been identified as a cause of fatality in some cases.

Interim Mayor Ward agreed that perspective from the police department would be beneficial requesting that they provide commentary to which Ms. Douglas replied that she was certain they would be amenable and confirmed that staff were simultaneously developing a mental health and awareness initiative in addition to other steps taken to improve the safety and toolkit of the department.



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10.b) Recommended Revisions to City Committee Procedures

[HCC-198-FY21](#)

Sponsor: At the request of the City Administrator

Co-Sponsor(s): N/A

[Committees Presentation 019120](#)

[City of Hyattsville Handbook for Committees FINAL](#)

[Appendix A - Committee Descriptions and Worksheets](#)

For discussion.

City Clerk Laura Reams introduced the item providing a summary and overview of City Committees including membership statistics and growth over the past six (6) years. Ms. Reams explained that the City Committees Handbook was developed with the intention of providing a clear, user-friendly, set of instructions and best practices for potential Committee members and described that some of the newly implemented requirements included regulation of the appointment and re-appointment schedule, the requirement of any prospective member to attend at least one (1) meeting of their chosen Committee, and a required meeting, virtual or in-person, with Council and/or staff liaisons to allow for any questions or discussion.

Ms. Reams continued that members would only be allowed to serve on two (2) committees concurrently and Chair only one (1) at a time as well as only allowing for Chairs to serve in that capacity for two (2) consecutive terms to provide the opportunity for engagement from other community members. She noted that all members of any committee would be required to attend at least 50% of meetings unless otherwise subjecting themselves to review by Council liaison and possible replacement as well as annual reports pertaining to the actions, challenges, and goals of each committee.

City Clerk Reams expressed that she was eager to hear feedback and recommended adopting the new procedures, proceeding with the proposed appointment schedule, and begin the coordination with residents, staff liaisons, and Council liaisons to schedule meetings with committee candidates. She stated that after feedback was received, necessary changes or recommendations would be included in the handbook and the final version would be presented to Council later in the year.

Councilmember Spell Wolf thanked the City Clerk for the presentation expressing her excitement for the measure and relaying that she was supportive of more interaction with residents and that a meet-and-greet event of some sort was a very good idea.

Councilmember Peabody expressed his gratitude for the item and the commitment to improving the process asking if the 50% attendance threshold should be revised to a shorter time period than one (1) year or an increase of attendance frequency to 75% or a similarly aggressive approach. He asked if there was any method with which to assure diversity among the Committees.



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Councilmember Solomon expressed concern with the interview process and the annual reports stating that he was supportive of an informal meet-and-greet session as to not deter anyone from applying and suggested a preparation period with assistance from liaisons to present their annual report.

Councilmember Simasek expressed an appreciation for the suggestions that would increase interaction between residents and elected officials as well as promoting diversity among members adding that the task of producing an annual report could be intimidating and burdensome and suggested ways in which the reporting requirement could be less stressful.

Councilmember Schaible highlighted the importance of Committees and their contributions but acknowledged the issues with an interview process and challenges with maintaining attendance levels. He was supportive of a meet-and-greet in place of an interview and suggested the annual report be one (1) page to make the responsible parties aware of its brevity thereby lessening the extent of commitment and work rate.

Councilmember Croslin expressed his appreciation for the work put in by City Clerk Reams and her team and sought clarity regarding the terms of Committee Chairs to which Ms. Reams confirmed that the two (2) term threshold for the Chair of a Committee could be extended in certain situations.

Ms. Reams responded to the comments stating that some of the recommendations could be easily implemented and that adjustments could be made to the handbook to substitute the interview process and agreed to examine an attendance requirement of 60%.

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

Councilmember Croslin recalled the events of January 6, 2021 and expressed his condemnation and stated his assessment of the state of the country was incorrect. He expressed excitement regarding the inauguration of President-elect Biden the following day.

Councilmember Schaible echoed the sentiments relayed by **Councilmember Croslin**.

Councilmember Simasek recalled the words and actions of Dr. Martin Luther King, Jr. and mentioned the challenges to democracy and expressed hopefulness for the future with the institution of a new administration.

Councilmember Lawrence acknowledged his disdain for the events of January 6th, speculated about the direction in which the Council was moving, and reiterated his dissatisfaction with the way in which his questions went unanswered and asked that his colleagues be more considerate with the legislative process going forward.

Councilmember Solomon expressed his appreciation for the opportunity to work with **Councilmember Spell Wolf**, echoed the sentiments of his colleagues regarding what transpired on January 6th, and expressed anticipation in light of the following day's inauguration.



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Councilmember Spell Wolf read a message that was sent to her colleagues earlier the same day informing that she would not be seeking another term as City Councilmember. She sent her best wishes to colleagues, residents, staff, and the City of Hyattsville.

Interim Mayor Ward expressed his appreciation for **Councilmember Spell Wolf** and commented about the current events and the struggles and challenges facing communities, especially minority populations. He stated his hopefulness for the future and needed change.

12. Community Notices and Meetings

12.a) Main City Calendar January 20 - February 1, 2021

[HCC-201-FY21](#)

Sponsor: At the request of the City Administrator

Co-Sponsor(s): N/A

[Main City Calendar Jan 20 - Feb 1 2021 FINAL](#)

13. Motion to Adjourn

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

ATTEST:

February 16, 2021

Laura Reams, City Clerk

Sean Corcoran, Deputy City Clerk



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Kevin Ward, W1, Interim Mayor
Carrianna Suiter, W3, Council Vice President
Bart Lawrence, W1
Robert Croslin, W2
Danny Schaible, W2
Ben Simasek, W3
Daniel Peabody, W4
Joseph A. Solomon, W5
wolf Spell Wolf, W5

Absent: Edouard Haba, W4

Also present were the following City staff members:

Tracey Douglas, City Administrator
Jim Chandler, Assistant City Administrator
Ron Brooks, City Treasurer
Lesley Riddle, Director of the Department of Public Works
Laura Reams, City Clerk
Deputy Chief Scott Dunklee, City of Hyattsville Police Department
Cheri Everhart, Recreation, Programs, and Events Manager
Marci LeFevre, Age-Friendly Program Lead
Kate Powers, City Planner

Meeting Notice:

As we continue to take precautions due to the COVID-19 (Coronavirus) pandemic, the Hyattsville City Council will hold its meeting on Monday, February 1, 2021 remotely via video conference. The Council meeting will be conducted entirely remotely; there will be no in-person meeting attendance.

The meeting will be broadcast live on cable television channel 71 (Comcast), channel 12 (Verizon), and available via live stream at www.hyattsville.org/meetings.

PUBLIC PARTICIPATION:

Public comment may be made using the e-comment feature at www.hyattsville.org/meetings or by emailing cityclerk@hyattsville.org. All electronic comments must be submitted by 5:00 PM on February 1, 2021. Comments received will be read by City staff during the public comment portion of the meeting.

Members of the public who wish to attend the virtual Council meeting must register in advance using the link below.

https://zoom.us/webinar/register/WN_E_AGSNgESmeRf04xVmE2GA

1. Call to Order and Council Roll Call

Interim Mayor Kevin Ward called the meeting to order at 7:03 p.m.

2. Pledge of Allegiance to the Flag



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3. Approval of Agenda

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

4. Approval of the Minutes

4.a) Approval of the Minutes

[HCC-207-FY21](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Minutes Jan 4, 2021 CM FINAL](#)

I move that the Mayor and Council approve the Council Meeting Minutes of January 4, 2021.

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

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

City Clerk Laura Reams read the public comments that were submitted electronically.

Ward 3 resident Chuck Perry addressed the Mayor and Council expressing concern regarding the difference in funding allocated to educational grants and Police Department initiatives respectively stating that funding for law enforcement contributes to the incarceration of black males and perpetuation of white supremacy.

Corrie Pond addressed the Mayor and Council requesting action regarding traffic calming on the 3900 block of Jefferson Street stating that a study collected data that showed 345 speeding violations over a three (3) week period and thanked the Body for their attention to the matter.

Through virtual means via webinar resident Scott Wilson addressed the Mayor and Council with concerns regarding the construction of the new Hyattsville Middle School stating that the building should be built in the same location as the current school as the proposed site would block sunlight to nearby homes. Mr. Wilson continued that residents were not made aware of the details of the project in a timely manner and that the capacity of the school was too large for the land on which it was being built. He opined that all traffic should enter at the current entrance, the adjacent street needed to be widened, and that the City should maintain all of the perimeter streets surrounding the site.



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6. City Administrator Update (7:20 p.m. - 7:30 p.m.)

City Administrator Tracey Douglas provided the body with an update of events, news, and programming in the City reporting that COVID-19 infection rates were slowly subsiding while the City's testing site was able to provide approximately 200 tests each of the three (3) days a week of operation. Ms. Douglas noted that County Executives had authorized indoor dining at 50% capacity and the 10 o'clock closing requirement had been lifted.

She stated that the COVID-19 vaccine distribution was in Phase 1C and that several pharmacies would be able to distribute the vaccine. Ms. Douglas reported that Hyattsville would have a vaccine distribution site that was expected to be operational just before the following March at the First United Methodist Church. Administrator Douglas announced that a COVID-19 vaccination information hotline was being developed for residents without access to the internet.

Ms. Douglas relayed that food distribution would continue the next day and that 990 boxes were given out weekly and there were plans to combine the giveaway with the distribution of diapers for registered recipients. She segued into election news and transitioned the lead of the update to City Clerk Laura Reams.

Ms. Reams addressed the Mayor and Council with updates regarding the all Vote-by-Mail 2021 election scheduled for May 11, 2021 reporting that the Board of Supervisors of Elections and the Ethics Committee had been of great help in preparation for the election in review and revision of pertinent required documentation. She announced that candidate registration would close on March 12, ballots were expected to be mailed in early April, and provided further detail regarding voter deadlines, registration information, the voting process, and same day voter registration.

City Administrator Douglas took the opportunity to highlight and thank the City's Department of Public Works (DPW) who were navigating the challenges of inclement weather expressing her appreciation for clearing the roads of ice and snow and their thorough oversight for resident safety and able transportation.

7. Treasurer Update (7:30 p.m. - 7:40 p.m.)

City Treasurer Ron Brooks addressed the Mayor and Council with an update regarding the City's financial position reporting that the Fiscal Year 2019 (FY19) audit was approximately two (2) weeks away from approval while the FY20 audits had begun.

Treasurer Brooks recalled that during a previous report he noted that the City was underperforming with regard to personal property taxes, operating taxes, and income taxes but that City real estate taxes were stable with results above projections. Mr. Brooks postulated that income taxes were likely to fall short of expectations, but the City was maintaining an adequate general financial position given the challenges posed by the COVID-19 pandemic. Mr. Brooks noted that many projects had been delayed and would soon be reinstated as revenues were becoming realized and as capabilities became evident.



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8. Presentations (7:40 p.m. - 8:00 p.m.)

8.a) Educational Facilities Task Force

[HCC-209-FY21](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Presentation to Council 2-1-2021](#)

[PGCPS PPC Hyattsville](#)

[BlueprintSchools Hyattsville Townhall Jan 12 2021.amemded1.21.21 \(1\)](#)

Presentation Only

Chair of the Educational Facilities Task Force (EFTF), Daniel Muth, addressed the Mayor and Council with a presentation regarding resident feedback pertaining to the construction of the new Hyattsville Middle School (HMS).

Mr. Muth showed illustrative documents explaining that schools in the area, and furthermore throughout the County, were in dire need of improvement regarding student overcrowding, a severe lack of basic health and safety resources, and physical and structural conditions. Mr. Muth detailed that the current HMS had experienced a fire emergency from which they deduced that the school was absent a fire and evacuation system additionally noting drinking fountains infested with rodents and mold. He stated that the County had committed to delivering five (5) new middle schools and a pre-kindergarten facility in the area.

Mr. Muth elaborated that due to a historical lack of funding a new capital improvement staff investigated the conditions of local schools encouraged by resident advocates and groups such as the EFTF and HMS was identified as a substantial bottleneck. He stated that many methods for resolution were explored including the acquisition of land and other potential construction sites but the chosen site for the new HMS was one (1) of very few options.

Mr. Muth described that the new HMS would be a “double-stacked” school with a four (4) story side and showcased detailed intentions for open areas, arts and humanities facilities, a gymnasium, performance stage, and dining common area and provided detail about the individual classrooms.

He noted that there was resident concern about likely vehicle congestion at the entrances and exits, a lack of team sport field space which could service after school sports programming, and the placing of trash receptacles and their proximity to homes. Mr. Muth suggested the City seek partnerships to address the expansion of sports fields and the implementation of zero-waste regulations. He stated that the widening of Oliver Street would not increase traffic volume as it would be meant for specific delivery and waste vehicles and not intended as a through street.

Mr. Muth explained that residents would like a privacy fence to separate them from the site and elaborated about the placement of the school noting that the new HMS would uncover more homes from shade than it would cover, and most residents were content with the intended placement. He stated that every effort was made to consider the needs and preferences of all



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affected parties and explained the rationale behind the placement of the school stating that it would make for an easy construction, it could accommodate the aggressive timeline, and improves the environment for a vast majority of adjacent residents.

Ward 5 Councilmember Joseph Solomon thanked Mr. Muth and the EFTF for their research, review, and recommendations and inquired as to the general consensus of residents to which Mr. Muth replied that while there had yet to be a vote taken on the issue, a majority of residents with whom he had been in personal contact were supportive and excited about the project and would consider the Councilmember's suggestion to exercise tools, such as polls, to assess the opinion of the community with more detail.

Ward 1 Councilmember Bart Lawrence thanked Mr. Muth for the Task Force's efforts and sought clarity regarding the next meeting of the EFTF to which Mr. Muth responded that the next meeting was scheduled for February 18, 2021 and that all questions, concerns, and general input would be welcomed.

Ward 2 Councilmember Danny Schaible expressed concerns with the incorporation of synthetic turf of the sports field and questioned whether other materials could be considered to which Mr. Muth assessed that he would have to present the concern to the architects and builders for confirmation of what type of materials would be used noting that there had been improvements made to synthetic turf over the previous five (5) years and that many health concerns had been addressed.

Councilmember Schaible asked if Creative and Performing Arts (CPA) programming would be made available to 6th graders at the school to which Mr. Muth replied that the capacity was available but adequate staffing would need to be implemented.

Councilmember Schaible expressed concern regarding street parking for buses suggesting that consideration be made that the spaces also be used for cars associated with after school and weekend programming to which Mr. Muth replied that he was confident the parking spaces could be multipurposed and noted that some of the parking area could be reduced to make for better use of the parcel and implored that the asphalt be permeable to allow for stormwater mitigation.

Council Vice President Carrianna Suiter inquired as to the possible inclusion of electric vehicle charging stations to which Mr. Muth responded that there were several environmentally conscious items that many people would like to see incorporated and, given that the building was expected to exist for at least 30 years, the group and residents would aggressively advocate for as many clean energy items as possible.

Interim Mayor Ward thanked Mr. Muth for the presentation and reiterated the meeting and discussion scheduled for February 18 in which all were invited to participate.



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9. Proclamations (8:00 p.m. - 8:05 p.m.)

9.a) Proclamation Celebrating February 2021 as Black History Month in the City of Hyattsville
[HCC-206-FY21](#)

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

[CM 0201 Black History Month 2021](#)

I move that the Mayor and Council adopt a proclamation recognizing February 2021 as Black History Month in the City of Hyattsville.

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

10. Consent Items (8:05 p.m. - 8:10 p.m.)

10.a) Hyattsville Ordinance 2021-01: Close of Candidate Registration (Adoption)
[HCC-204-FY21](#)

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

[Sec. 8-7, Ordinance Changing Candidate Registration Date 1.4.20](#)

I move that the Mayor and Council adopt Hyattsville Ordinance 2021-01, an ordinance whereby the City Council amends Chapter 8 of the Hyattsville Code to change the day by which candidates for office are required to register as candidates (SECOND READING & ADOPTION).

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

10.b) Disbursement of FY21 Education Enrichment Grant Funds
[HCC-205-FY21](#)

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

- [Memo - EEGP 2021.01.26](#)
- [BARS Felegy Redacted](#)
- [Development Library University Park](#)
- [Distance Learning Rosa Parks Redacted](#)
- [Parent Workshops Rosa Parks](#)
- [KEMS HMS Redacted](#)
- [Little Mermaid NWH Redacted](#)



**REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
MONDAY, FEBRUARY 1, 2021 7:00 PM**

I move that the Mayor and Council authorize the expenditure of \$2,809.19 to support the grant proposals recommended from the Education Advisory Committee and listed in the attached memo for the dissemination of the FY21 Education Enrichment Grants.

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

**10.c) Schedule Public Hearing for Traffic Calming Petition - Oliver Street
[HCC-211-FY21](#)**

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

- [PetitionOliverStSpeedBump_Redacted](#)
- [20210113_TrafficCalming_4000Oliver](#)
- [Traffic Calming Flowchart](#)
- [114-8 Traffic Calming Devices](#)

I move that the City Council schedule a Public Hearing for Monday, March 1, 2021 at 6:30 PM, to consider public testimony regarding a Traffic Calming Petition submitted for the 3900 block of Oliver Street, located in Ward 3.

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

11. Discussion Items (8:10 p.m. - 8:40 p.m.)

**11.a) Hyattsville COVID-19 Restaurant Relief
[HCC-210-FY21](#)**

Sponsor: Suiter

Co-Sponsor(s): Lawrence, Simasek, Spell Wolf, Ward

- [Hyattsville COVID-19 Restaurant Relief_Suiter](#)

I move that the Mayor and Council amend the Fiscal Year 2021 (FY21) Special Revenue Funds Budget and re-appropriate \$66,000 of the remaining \$74,000 originally allocated to Employ Prince George’s from the Hyattsville Pandemic Relief fund to support regionally and locally owned full-service restaurants, distilleries, breweries, and wineries/meaderies in the City of Hyattsville. This funding will provide \$2,000 to each qualifying restaurant to be used towards rent, utilities, Personal Protective Equipment (PPE), takeout supplies, and other pandemic related overhead. These funds should be allocated by April 30, 2021.



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
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Council Vice President Suiter provided a summary and background of the item stating that there was a significant increase in cost when relying on ride share services to deliver food amid dining restrictions and she wanted to explore the possibility of reappropriating leftover funds from the COVID-19 Pandemic Relief Fund to assist with the operational needs for restaurants and other food and drink establishments.

Councilmember Schaible sought clarity regarding qualifying business to which **Council Vice President Suiter** responded that the focus would be on businesses demonstrating the most severe need such as indoor businesses, kiosks in the mall, and full-service restaurants that rely on indoor dining.

Councilmember Schaible asked if the allocation amounts were specifically intentional to which **Council Vice President Suiter** responded in the affirmative adding that they would be able to provide \$2K to each qualifying establishment.

Ward 3 Councilmember Ben Simasek sought clarity regarding the terms “regional” and “local” to which **Vice President Suiter** confirmed that the primary focus would be on non-franchise or chain restaurants but supplemented that some independent owners of franchises would be eligible.

11.b) Purchase of BolaWrap Devices and Cartridges

[HCC-214-FY21](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[BolaWrap Pictures](#)

I move that the Mayor and Council authorize the expenditure in the amount of \$12,039 to East Coast Tactical for the purchase of 10 BolaWrap devices and 90 cartridges to be divided between each squad and our Emergency Response Team. The funding source for this purchase is the speed camera special revenue fund.

I further move that, upon procurement, the Hyattsville City Police Department move swiftly to adequately train and staff members of each squad and the Emergency Response Team on the appropriate use and deployment of the BolaWrap Device.

Interim Chief of Police Scott Dunklee addressed the Mayor and Council with a summary of the device and its applications stating that the tool could be deployed to passively restrain an individual by non-lethal means wrapping a cord around extremities. He noted that it had been tested by members of the Department and presented a video featuring the device.

Interim Chief Dunklee reported that the device was being used in 365 police departments throughout the Country as well as in Maryland in Lanesburg, Fruitland, Landover Hills, and others. He stated that he did not know of any deployments from the local departments but opined that the device could be beneficial in future scenarios.

Councilmember Simasek requested detail as to the type of situation or suspect in which the device would apply to which Interim Chief Dunklee responded that it is applicable to specific



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD MONDAY, FEBRUARY 1, 2021 7:00 PM

situations in which the recipient would be relatively still. He continued that the intent would be to have two (2) officers trained and equipped from each squad and would be used sparingly when appropriate.

Councilmember Simasek requested elaboration regarding the associated cartridges to which the Interim Chief stated that many of the proposed cartridges would be used for training and that the Police Department would likely use only a few each year. He noted that law enforcement officers were improving their de-escalation skillset, but at times, other means would be necessary.

Councilmember Croslin raised questions regarding the results of the testing of the device by officers to which the Interim Chief explained that there were no painful effects and while one could receive an abrasion accidentally, the device was not capable of significant physical damage.

Councilmember Lawrence expressed reservations regarding the item stating that he did not approve of a marketing video from the manufacturer of the device as the basis to garner support for its use in the City and questioned the device's competence citing personal research conducted that highlighted that a Los Angeles, CA-based agency deployed the weapon several times with only one (1) successful result. He noted that the Police Department implemented multiple non-lethal tools during an incident in 2019 that still ended with a fatality and stated that he held skepticism with the performance of the device and did not approve of incurring the cost.

Interim Chief Dunklee responded that the Councilmember made very good points and he opined that the device would only be appropriate for specific situations. He added that the video shown included body camera footage from a Virginia Police Department.

12. **Council Dialogue (8:40 p.m. - 8:50 p.m.)**

Councilmember Solomon wished his colleague **Ward 4 Councilmember Edouard Haba** a happy birthday and a happy Black History Month to the community.

Ward 5 Councilmember Erica Spell Wolf wished residents a happy Black History Month and recognized the passing of entertainer Cicely Tyson.

Councilmember Lawrence thanked the City Committee members, specifically the work done regarding education enrichment grants, and wished **Councilmember Haba** a happy birthday.

Interim Mayor Ward wished all a happy Black History Month and concurred with the statements of **Councilmember Lawrence** and expressed appreciation for the efforts of City Committees.

Ward 2 Councilmember Robert Croslin wished **Councilmember Haba** a happy birthday and expressed his excitement for the construction of the new library on Adelphi Road.



**REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
MONDAY, FEBRUARY 1, 2021 7:00 PM**

13. Community Notices and Meetings

13.a) Main City Calendar February 2 - February 16, 2021

[HCC-208-FY21](#)

Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

[Main City Calendar Feb 2 - Feb 16 2021 FINAL](#)

14. Motion to Adjourn

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

The meeting adjourned at 8:39 p.m.

ATTEST:

February 16, 2021

Laura Reams, City Clerk

Sean Corcoran, Deputy City Clerk



City of Hyattsville

Hyattsville Municipal Bldg
4310 Gallatin Street, 3rd Flr
Hyattsville, MD 20781
(301) 985-5000
www.hyattsville.org

Agenda Item Report

File #: HCC-220-FY21

2/16/2021

8.a)

Submitted by: At the Request of the City Administrator
Submitting Department: Community & Economic Development
Agenda Section: Presentation

Item Title:
Landy Development Phase II Presentation

Suggested Action:
Presentation Only

Summary Background:
See attached memo and supporting documentation.

Next Steps:
This development application is scheduled for City Council discussion on Monday, March 1, 2021.

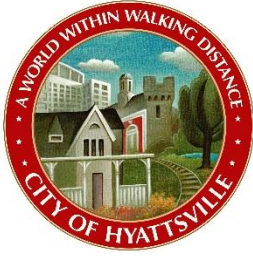
Fiscal Impact:
N/A

City Administrator Comments:
N/A

Community Engagement:
The applicant is scheduled to present to the Hyattsville Planning Committee at 7 PM on Tuesday, February 23, 2021.

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

Legal Review Required?
N/A



Memo

To: Mayor and City Council

CC: Tracey Nicholson, City Administrator

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

Date: February 16, 2021

Re: DSP-19020-01 (Landy Property Phase 2)

Attachments: Applicant Presentation
Draft SOJ

The purpose of this memorandum is to provide the City Council with a summary of the Detailed Site Plan (DSP) application for the second phase of the proposed townhouse community development on the Landy Property.

Project Summary

- The applicant is proposing the infrastructure for lotting pattern 200 townhouses in the second phase of the Landy Property Community.
- The property is located within the “Neighborhood Edge” character area of the Prince George’s Plaza Transit District Overlay Zone.
- The Phase 1 DSP for this project has previously been approved. Phase 2 of the project will occur west of Phase 1 and will share similar architecture.

Project Details

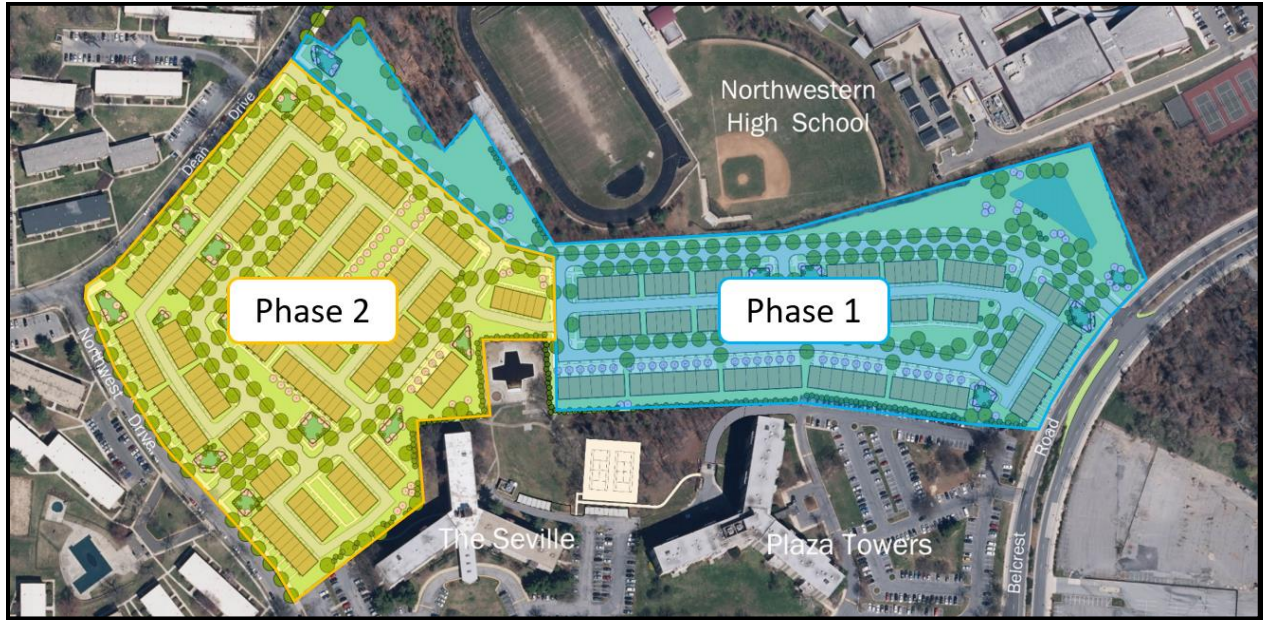
The subject property is approximately 24.58 acres and located in the northwest quadrant of the intersection of Toledo Terrace and Belcrest Road, north of the existing Plaza Towers and Seville multifamily buildings and south of Northwestern High School. The Landy Property is currently undeveloped and was recently annexed into the City of Hyattsville. The site is zoned R-20 (“One-Family Triple-Attached Residential”) and located within the “Neighborhood Edge” character area of the Prince George’s Plaza Transit District Overlay Zone.

In 2018, the applicant submitted DSP-18003 for approval of the infrastructure for Phase 1. On March 11, 2019, the District Council approved the Order of Approval for DSP-18003. The Planning Board approved the Resolution of Approval for DSP-18003 on November 8, 2019 subject to conditions.

Through DSP-19020-01, the applicant, Marvin R. Blumberg Company, is proposing the infrastructure for lotting pattern 200 townhouses in the second phase of the project through this DSP application.

The locations of Phase 1 and Phase 2 within the Landy Property can be seen in Figure 1, below.

Figure 1. Landy Property, Phase 1 and Phase 2



The additional townhouses in Phase 2 will carry forth the same architecture for the 131 previously approved townhouses in Phase 1. A rendering of the townhouse architecture can be seen in Figure 2, below.

Figure 2. Landy Property, Architectural Rendering



Next Steps

This project will be a presentation item on the agenda for the February 16, 2021 City Council meeting and will be seen by the Planning Committee at their meeting on February 23, 2021.

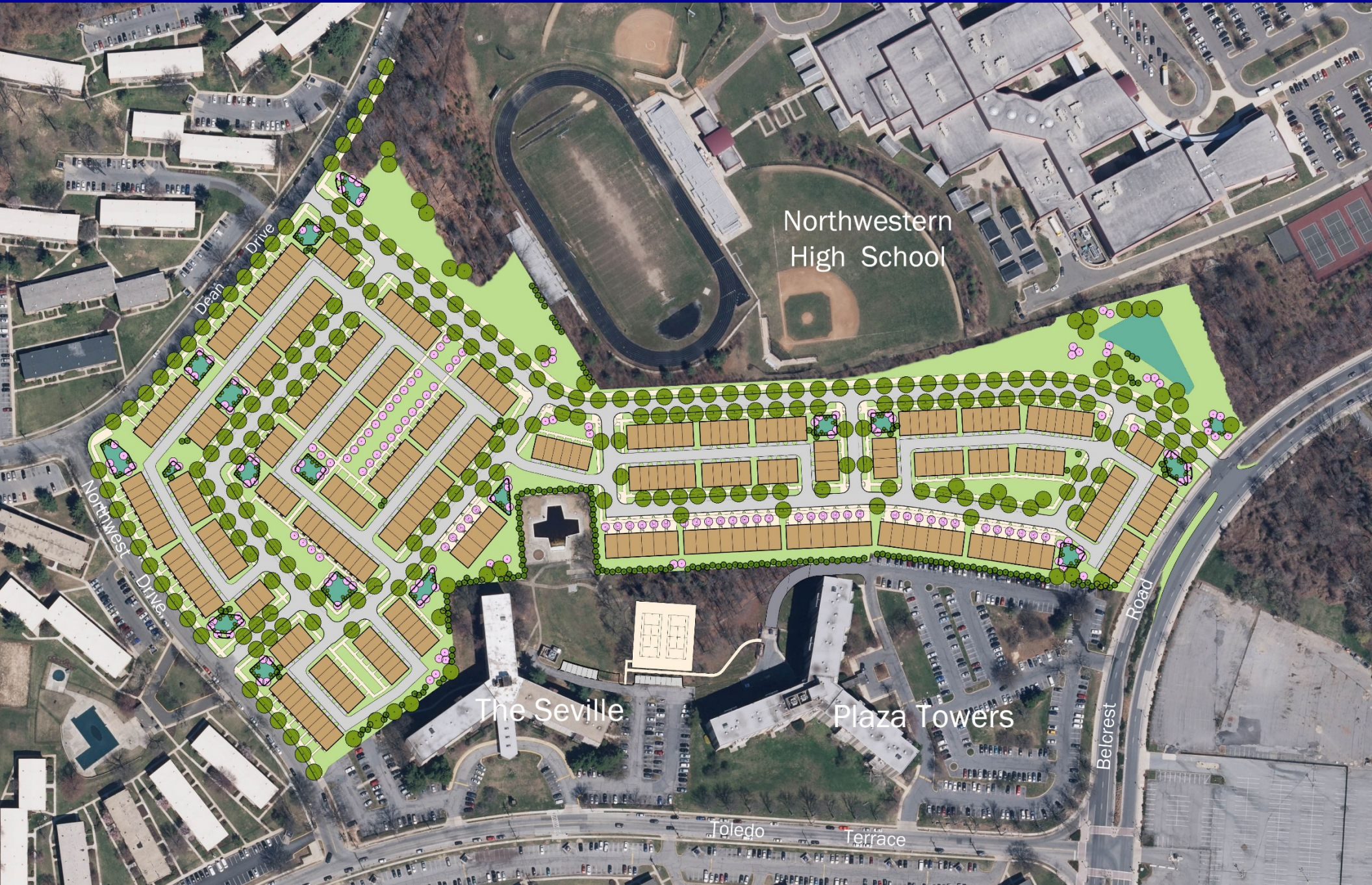
Council will likely see this project as a discussion item on the agenda for their March 1, 2021 meeting.

The Planning Board date for the project has not yet been scheduled.

The Landy Property

Project Team

- Owner: Blumberg Landy Family Trust
- Contract Purchaser: Stanley Martin Companies, LLC
- Civil Engineer: Soltesz, LLC
- Traffic Engineer: Lenhart Traffic Consulting, Inc.
- Geotechnical Engineer: Geotech Engineers, Inc.
- Land Use Counsel: Chris Hatcher
- Owner's Representative: Mark Ferguson



Northwestern
High School

The Seville

Plaza Towers

Dean Drive

Northwest Drive

Toledo Terrace

Belcrest Road

















DEAN DRIVE



NORTHWEST DRIVE

WEIRLY
PARCEL V



DEAN DRIVE

NORTHWEST DRIVE

-  GATEWAY (FULL BRICK)
-  HIGH VISIBILITY (1 LEVEL BRICK)



Questions?

Contact: Chris Hatcher
CLHatcher@lercheearly.com

I. INTRODUCTION

Stanley Martin Homes, LLC (the “**Applicant**”) by and through its attorneys, Lerch, Early & Brewer, Chartered, submits this Detailed Site Plan (“**DSP**”) Justification Statement to demonstrate that the proposed townhouse community on the subject property is in compliance with the applicable provisions of Subtitle 27 of the Prince George’s County Code (the “**Zoning Ordinance**”), *Prince George’s Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment* (the “**TDDP**”) and other applicable review requirements and criteria. The subject property consists of approximately 24.58 acres located on the northwest quadrant of the intersection of Toledo Terrace and Belcrest Road (the “**Property**”). The Property is currently zoned R-20 (One-Family Triple-Attached Residential) / T-D-O (Transit District Overlay) and is subject to the recommendations of the TDDP. The Property is located within the Prince George’s Plaza Downtown as designated by *Plan Prince George’s 2035 Approved General Plan* (the “**General Plan**”). Additionally, the Property is located within the municipal boundaries of the City of Hyattsville (the “**City**”).

As described in detail herein and shown on DSP-19020-01 the Applicant proposes the infrastructure for lotting pattern 200 townhouses in this second phase of the community. The townhouses proposed in this DSP will carry forth the same architecture for the 131 previously approved townhouses in the first phase to foster a transit-oriented residential community and further activate the Downtown and greater Transit District. The Applicant respectfully requests Planning Board approval of DSP-19020-01

II. PROPERTY DATA

<i>Location:</i>	Northwest Quadrant of the Intersection of Toledo Terrace and Belcrest Road.
<i>Tax Map #:</i>	42-A1. 41-F1.
<i>Frontage:</i>	Belcrest Road. Northwest Drive. Dean Drive.
<i>Election District:</i>	17.
<i>Legislative District:</i>	22.
<i>Councilmanic District:</i>	2.
<i>Acreage:</i>	±24.58 acres.
<i>Zoning:</i>	R-20/T-D-O.
<i>Planning Area:</i>	68.
<i>Subdivision:</i>	4-17007.
<i>Existing Water Category:</i>	W-3.
<i>Existing Sewer Category:</i>	S-3.
<i>Historic:</i>	N/A.
<i>Aviation Policy Area:</i>	N/A.
<i>Master Plan & SMA:</i>	<i>Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment.</i>
<i>General Plan:</i>	<i>Plan Prince George's 2035.</i>

III. LAND USE BACKGROUND

A. General Plan

The Property is located within the Prince George's Plaza Regional Transit District and "Downtown," both as designated by the General Plan. The General Plan envisions the Downtown as a place for residents "to live in safe, walkable healthy communities that supply a variety of high-quality housing options – ranging in price, density, and type." Additionally, the General Plan envisions the revitalization of existing neighborhoods through the promotion of "redevelopment around existing infrastructure and facilities to leverage public investment," and the strengthening of "older communities."

B. Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment

The Property is located within the Neighborhood Edge Character Area of the TDDP. The TDDP rezoned the Property from the R-10 (Multifamily High Density Residential) / T-D-O Zone to the R-20/T-D-O Zone.

C. Preliminary Plan of Subdivision: 4-17007

On March 29th, 2018, the Planning Board approved Preliminary Plan of Subdivision 4-17007 (the "PPS"), for the development of the Property with 331 townhouse lots and several parcels.

E. DSP-18003

On March 11th, 2019, the District Council approved infrastructure only DSP-18003 for the development of roads, on-street parking, stormwater management facilities, townhouse lots and open space, community gathering areas and recreation facilities for the first development phase of the entire Property. DSP-18003 also permitted the rough grading of the entire Property.

F. DSP-19020

On May 28th, 2020, the Planning Board approved umbrella architecture DSP-19020 for townhouse architecture on the Property and community signage for townhouses.

IV. EXISTING AREA / NEIGHBORHOOD

The Property is located at the northwest quadrant of the intersection of Toledo Terrace and Belcrest Road. Northwestern High School is located north of the Property. Belcrest Road is located east of the Property. South of the Property are the existing Plaza Towers and Seville multifamily buildings. West of the Property are Northwest Drive and Dean Drive. A multifamily building and planned attached single-family dwellings are located on the land across Northwest Drive. Older multifamily buildings exist on the land located across Dean Drive.

V. ANALYSIS

A. Compliance with Zoning Ordinance

1. §27-548.08 – Site Plan.

(c) Required findings.

(1) In addition to the findings required by Section 27-276(b) for approval of a Conceptual Site Plan in the T-D-O Zone, the Planning Board shall find that the Transit District Site Plan is consistent with, and reflects the guidelines and criteria for development contained in the Transit District Development Plan.

Comment: The townhouse community vision proposed in this DSP is consistent with the TDDP's overall purpose to create "a walkable, transit-oriented community within the Prince George's Plaza Transit District using a market-driven approach." The following guidelines and criteria for development support approval of this DSP:

Land Use

The DSP furthers the following Land Use policies:

- *LU1: Promote a pedestrian-friendly, transit-supportive development pattern in the Transit District.*
- *LU2: Create sufficient residential capacity to help meet the County's Growth Management Goal of 50 percent of new dwelling units within Regional Transit Districts.*
- *LU7: Limit nonresidential development in the Neighborhood Edge.*

Comment: The proposed second phase of the Landy Property development provides 200 additional units of high-quality housing in close proximity to the Prince George's Plaza Metro Station. Moreover, the DSP represents an exclusively residential development in the Neighborhood Edge that will support and complement the Transit District's Downtown Core. Additional housing at this location will contribute to a residential community that works synergistically with nearby amenities and commercial offerings to foster a pedestrian-friendly, transit-supportive, and accessible Downtown.

Economic Prosperity

This DSP furthers the following Economic Prosperity policies:

- *EP4: Diversify residential options to appeal to a range of current and future buyers and renters, including young professionals, first-time homebuyers, and seniors looking to age-in-place.*
- *EP5: Rebrand the Transit District and market it as an exciting, dynamic, and growing regional destination.*

Comment: With the addition of these 200 townhouses to the Transit District, the proposed community expands and diversifies the range of residential options for future homeowners and renters in the area. This DSP ensures that these new residential options are attractive and responsive to current market demand for a broad spectrum of prospective residents and households. Further, the high-quality residential product proposed in this DSP will help facilitate the rebranding of the Transit District as a burgeoning regional destination.

Transportation and Mobility

This DSP furthers the following Transportation and Mobility policies:

- *TM1: Incorporate street planning and design practices that allow Complete and Green Streets to facilitate the efficient movement of people throughout the Transit District while simultaneously serving as great public spaces.*
- *TM5: Minimize impervious surface areas and utilize Green Street strategies wherever possible and practical to reduce surface water runoff and improve its quality before releasing it into storm sewers and the watersheds into which they drain.*
- *TM7: Provide off-street bicycle and pedestrian connections between neighboring developments and surrounding communities wherever feasible. All connections should be continuously lit, patrolled regularly by police or other security personnel, and clearly visible by adjacent buildings. Connections through parks or school grounds that must be closed during the nighttime hours due to security and safety considerations should have alternative routes that are accessible 24 hours a day.*
- *TM10: Encourage the owners of key development opportunity sites to construct pedestrian streets to provide secondary access to new infill residential and commercial uses.*
- *TM17: Manage the supply of parking within the Transit District to provide convenient, safe, and affordable parking options.*

Comment: The TDDP envisions “a multimodal network [that] will provide residents, employees, shoppers, and visitors a variety of safe, easy to navigate, and inviting ways to access destinations within and outside the Transit District.” The proposed development and resulting residential community will integrate into the existing transportation infrastructure and utilize a series of new roads, alleys, sidewalks, and trails that will be pedestrian-friendly, increase multi-modal connectivity, and improve wayfinding within the Transit District.

Natural Environment

This DSP furthers the following Natural Environment policies:

- *NE4: Manage stormwater volumes through a combination of measures to reduce impacts on receiving streams and downstream properties.*
- *NE5: Address adverse impacts of transportation-related noise.*

Comment: The TDDP envisions a “built environment that preserves and complements the natural environment in which it is located” that ultimately establishes a “sustainable and resilient community.” This DSP includes several green building techniques that meet this overall vision and advance the policies identified above. These features aim to create a residential community that advances environmental compatibility, addresses current issues, and mitigates future adverse impacts in advance.

Housing and Neighborhoods

This DSP furthers the following Housing and Neighborhood policies:

- *HN1: Provide a variety of housing types and unit sizes, and neighborhoods to accommodate and meet the demands of existing and future residents in the Transit District.*
- *HN3: Minimize and mitigate adverse impacts of new and infill development on surrounding communities.*
- *HN4: Develop and promote a brand for the Transit District neighborhoods that highlights their unique features and enhances the Transit District’s competitiveness within the regional housing market.*
- *HN5: Promote sustainable, green neighborhoods and housing options.*
- *HN6: Promote home ownership opportunities.*

Comment: The Housing and Neighborhoods element of the TDDP envisions a “diverse community of housing opportunities and neighborhood characteristics” that meets housing preferences and will stimulate mixed-use development in the Transit District. The proposed townhouse community represents a major step forward in realizing this vision, as the 200 additional units will provide additional homeownership opportunities in the Transit District. In turn, the DSP serves as the

requisite foundation for appropriate infill development that welcomes hundreds of new households to activate the Downtown.

Community Heritage, Culture, and Design

This DSP furthers the following Community Heritage, Culture, and Design policies:

- *HD2: Create or preserve natural barriers and build transitions between the Transit District and surrounding residential communities.*
- *HD3: Redevelop the Transit District to the urban scale appropriate for a designated Regional Transit District.*
- *HD4: Create an active, interesting, enlivening, and dynamic public realm.*
- *HD5: Create significant urban design features at signature sites that establish a distinct identity of place, create symbolic gateways and significant points of interest, and contribute to the visual and architectural character of the Transit District.*
- *HD6: Create opportunities for artistic and cultural expression and events.*
- *HD7: Encourage a wide variety of modern signs, facilitating opportunities for property owners to utilize signage as an artistic expression as well as appropriate marketing and wayfinding.*
- *HD8: Limit regulation of architecture, encourage property owners to respond to market demands with visually appealing and cutting-edge architectural amenities.*

Comment: The Community Heritage, Culture, and Design element of the TDDP envisions “a memorable, walkable, vibrant, and welcoming regional urban destination.” The proposed townhouse community aligns with the type of development encouraged by this vision. Accordingly, the subject DSP will offer an aesthetic transition between the Downtown Core and Neighborhood Edge. The townhouse community proposed in this DSP will provide cutting-edge design features and amenities that will stamp the community with its own unique identity and stimulate visual interest. Public art will be integrated into the overall community to create additional opportunities for place-based branding in the Transit District.

Healthy Communities

This DSP furthers the following Healthy Communities policies:

- *HC1: Ensure that permitted land uses benefit the overall health and wellness of the community.*
- *HC2: Incorporate a health and wellness focus in the desired network of urban and natural park spaces.*

Comment: This DSP will encourage a healthy lifestyle by promoting walkability through multiple opportunities for pedestrian activity and community interaction, such as the provision of communal open spaces and recreational facilities.

Parks & Recreation

This DSP furthers the following Parks & Recreation policies:

- *PR1: Incorporate and design parks, open spaces, and recreational facilities throughout the Transit District to support health and wellness, create opportunities for social gatherings and public events, and foster a sense of place.*
- *PR3: Ensure the Transit District's park and open space network is connected to the pedestrian and bicyclist network emphasizing convenience, accessibility, and safety.*
- *PR4: Pursue innovative approaches to acquiring and maintaining public parks and open spaces in the Transit District.*

Comment: This DSP will incorporate open space and foster a community that is engaged with and connected to the larger Transit District. Additionally, the Applicant provided for the Master Plan shared-use trail to continue through the Property in the approval of the first phase of the Landy Property development.

(2) The findings required by Section 27-285(b) shall not apply to the T-D-O Zone. Instead, the following findings shall be made by the Planning Board when approving a Detailed Site Plan in the T-D-O Zone:

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

Comment: See Exhibit “A” for analysis of the Transit District Standards.

(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 previously discussed, this DSP advances several policies under the TDDP Land Use, Economic Prosperity, Transportation and Mobility, Natural Environment, Housing and Neighborhoods, Community Heritage, Culture, and Design, Healthy Communities, and Parks and Recreation Elements.

(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 Applicant incorporates its response provided in Section V. (A)(1) and Exhibit “A”.

(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 location, size, and architectural design previously approved is adequate to meet the purposes of the Transit District Overlay Zone, which “is intended to ensure that the development of land in the vicinity of Metro stations maximizes transit ridership, serves the economic and social goals of the area, and takes advantage of the unique development opportunities that mass transit provides.” Additionally, the DSP satisfies many of the specific purposes of the Transit District Overlay Zone, including, “to insure that developments within the Transit District possess a desirable urban design relationship with one another, the Metro

Station, and adjoining areas.” The DSP achieves this goal by incorporating design elements that will create a visually stimulating and attractive townhouse community that is desired in the Neighborhood Edge of the Transit District.

(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 development of 200 additional townhouses lots built with the previously approved architecture is compatible with the R-20/T-D-O Zone and other uses in the Transit District. The DSP is also compatible with the 131 previously approved townhouses on the Property, the adjacent Plaza Towers East multifamily building, and future residential development in the Downtown Core.

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

Comment: The Applicant is not requesting any reductions from the total minimum required parking spaces.

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

Comment: Please see Exhibit “A” for analysis of the Transit District Standards.

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.

Comment: 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.

2. §27-276 – Planning Board Procedures.

(b) Required Findings.

(1) The Planning Board may approve a Conceptual Site Plan if it finds that the Plan represents 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. If it cannot make this finding, the Planning Board may disapprove the Plan.

Comment: The subject DSP represents the most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs, and it does not detract substantially from the utility of the proposed development for its intended use.

(2) The Planning Board may approve a Conceptual Site Plan for a Mixed-Use Planned Community in the E-I-A or M-X-T Zone if it finds that the property and the Plan satisfy all criteria for M-X-T Zone approval in Part 3, Division 2; the Plan and proposed development meet the purposes and applicable requirements of the M-X-T Zone; the Plan meets all requirements stated in the definition of the use; and the Plan shows a reasonable alternative for satisfying, in a high-quality, well-integrated mixed-use community, all applicable site design guidelines.

Comment: This finding is not applicable to the subject DSP because this is not an application for a Mixed-Use Planned Community in the E-I-A or M-X-T Zone.

(3) The Planning Board may approve a Conceptual Site Plan for a Regional Urban Community in the M-X-T Zone if it finds that proposed development meets the purposes and applicable

requirements of the M-X-T Zone and the Plan meets all requirements stated in the definition of the use and Section 27-544 of this Code. For a property subject to the provisions of Section 27-544(f)(2)(l), the Planning Board or the District Council shall find that any guidelines established for a major employment use or center will not adversely affect the surrounding residential community. In making this finding, the Planning Board or District Council shall consider noise, height of the building, setbacks from surrounding properties, street frontages and sufficiency of green area.

Comment: This finding is not applicable to the subject DSP because this is not an application for a Regional Urban Community in the M-X-T Zone.

(4) The plan shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).

Comment: Consistent with Finding #14 in DSP-18003, regulated environmental features have been preserved or restored to the furthest extent possible.

VI. MASTER PLAN TDDP & TDOZ MANDATORY STANDARDS

Please see Exhibit "A" for analysis of the Transit District Standards.

VII. CONFORMANCE WITH PREVIOUS APPROVALS

A. PPS 4-17007

The Planning Board approved PPS 4-17007 for the Property on March 28th, 2018. The Resolution of Approval for 4-17007 was adopted by the Planning Board on April 26th, 2018. Below please find an analysis of relevant conditions of approval contained in the Resolution of Approval for PPS 4-17007:

(2) Total development within the subject property shall be limited to uses which generate no more than 325 AM and 402 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new determination of adequacy of transportation facilities.

Comment: The Planning Board found in DSP-18003 that this condition was satisfied. This DSP proposes the remaining 200 townhouse lots out of the approved 331 lots, with a layout that conforms to the PPS. Accordingly, the proposed development in this DSP is within the approved trip cap.

(3) With the exception of Parcel 1, the applicant and the applicant's heirs, successors, and/or assignees shall provide adequate private recreational facilities, in accordance with the standards outlined in the Park and Recreation Facilities Guidelines. With the exception of Parcel 1, at the time of detailed site plan, the type and siting of the facilities shall be determined, including appropriate triggers for construction.

Comment: The Planning Board found in DSP-18003 that this condition was satisfied. However, DSP-18003 did not specify the timing or triggers associated with satisfaction of a remaining \$15,357.00 recreational facilities obligation imposed by PPS 4-17007. 95.8% of the total recreational facilities required pursuant to the Resolution of Approval for PPS 4-17007 have been satisfied. The remaining \$15,357 obligation represents 4.2% of the total required recreational facilities for PPS 4-17007. No mention of specific triggers or timing for this remaining amount was included in the Resolution of Approval for the subsequent architecture DSP-19020. Accordingly, this DSP proposes construction of the required recreational facilities with the provision of multiple sets of benches, dog waste stations, and picnic areas throughout Phase 1 and Phase 2.

(6) With the exception of Parcel 1, prior to approval of any building permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that the following required adequate pedestrian and bikeway facilities, as designated below or as modified by DPW&T/DPIE/DPR, in accordance with Section 24-124.01 of the Subdivision Regulations, have (a) full financial assurances, (b) have been permitted for construction through the applicable operating agency's access permit process, and (c) have agreed-upon timetable for construction and completion with the appropriate operating agency:

- a. *Provide space for a bike share docking station (the vendor of the bike share must be approved by the Prince George's County Department of Public Works and Transportation (DPW&T) on the subject site to enable this form of transportation to be used by the future residents of the subject site. The conceptual location of the station should be indicated on the preliminary plan of subdivision and the final location of the docking station will be selected by the County and the applicant, based upon the requirements of the bike sharing system, and in a highly-visible, convenient, and well-lit location that is publicly accessible. The location requires at least four hours of solar exposure per day, year round. In the event an appropriate location cannot be located on-site that meets bike share sitting criteria, DPW&T will select another off-site location for the station based upon the requirements of the bike sharing system in the County, as close as possible to the subject site. The applicant shall allow DPW&T or its contractors/vendors access to the site to install, service, and maintain the bike share stations.*

Comment: The bike share docking station, approved by DSP-18003, is sited near the entrance of the proposed community.

- b. *The alignment and specifications of a trail or sidewalk connection from the subject site to Northwestern High School will be determined at the time of detailed site plan, if acceptable to both the applicant and the school.*

Comment: The Planning Board found in DSP-18003 that this condition was satisfied.

- (7) *With the exception of Parcel 1, at the time of DSP, the applicant shall provide an exhibit that illustrates the location, limits, and details of a trail/sidewalk connection to Northwestern High School. This exhibit shall show the location of the sidewalk or trail connection, include any associated Americans with Disabilities Act (ADA) improvements or pedestrian amenities, and provide appropriate details and specification for the improvements, consistent with Section 24-124.01(f) of the Subdivision Regulations. If it is determined at the time of DSP that alternative off-site improvements are appropriate, the applicant shall demonstrate that the substitute improvements shall comply with the facility types contained in Section 24-124.01(d), be within one-half mile walking or biking distance of the subject site, within the public right-of-way, and within the limits of the cost cap contained in Section 24-124.01(c).*

The Planning Board shall find that the substitute off-site improvements are consistent with the BPIS adequacy finding made at the time of PPS.

Comment: The Planning Board found in DSP-18003 that this condition was satisfied.

(8) With the exception of Parcel 1, prior to approval of the DSP, the applicant and the applicant's heirs, successors, and/or assignees shall submit Phase II and Phase III archaeological investigations as determined by the Maryland-National Capital Park and Planning Commission (M-NCPPC), Prince George's County Planning Department staff, as needed. The plan shall provide for the avoidances and preservation of the resources in place or shall provide for mitigating the adverse effect upon these resources. All investigations must be conducted by a qualified archaeologist and must follow The Standards and Guidelines for Archeological Investigations in Maryland and must be presented in a report following the same guidelines. The plan shall provide for:

- a. Evaluating the resources at the Phase II level, or*
- b. Avoiding and preserving the resource in place.*

Comment: The Planning Board found in DSP-18003 that this condition was satisfied.

(9) Depending upon the significance of the archaeological investigation findings (at Phase I, II, or III level), the applicant shall provide an interpretive sign for the property. The location and wording shall be subject to approval by the staff archeologist within the Historic Preservation Section prior to issuance of any building permits.

Comment: The Planning Board found in DSP-18003 that this condition was satisfied.

(10) If a Phase II and/or Phase III archeological evaluation or mitigation is necessary, the applicant shall provide a final report detailing the Phase II and/or Phase III investigations and ensure that all artifacts are curated at the Maryland Archeological Conservation Lab prior to any ground disturbance or the approval of any grading permits.

Comment: As noted in Planning Board Resolution No. 18-102, the Phase II final reports were submitted and accepted by the staff archeologist within the Historic Preservation Society on July 6, 2018. Accordingly, the Planning Board found in DSP-18003 that this condition was satisfied.

(12) Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan, TCP1-010-2017. The following note shall be placed on the Final Plat of Subdivision:

“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-008-17), or as modified by the Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George’s County Planning Department.”

Comment: The Planning Board approved a TCP2 along with DSP-18003. The above note has been incorporated into the Final Plat.

(13) Prior to issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:

“This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 Tree Conservation Plan, when approved.”

Comment: The Planning Board approved a TCP2 along with DSP-18003. The above note has been incorporated into the Final Plats.

(17) With the exception of Parcel 1, prior to approval of the DSP, a revised stormwater concept plan and letter based on the approved layout shall be submitted and correctly reflected on the TCP2 and the DSP.

Comment: The Planning Board found in DSP-18003 that this condition was satisfied.

(18) A substantial revision to the uses on the subject property that affects Subtitle 24 adequacy findings shall require approval of a new preliminary plan of subdivision prior to approval of any building permits.

Comment: The development proposed in the subject DSP is consistent with the development proposed in the Preliminary Plan of Subdivision. Thus, no substantial revision to the uses has been proposed that affects Subtitle 24 adequacy findings.

(19) Development of this site shall be in conformance with approved Stormwater Management Concept Plan 31834-2017 and any subsequent revisions.

Comment: The proposed development is in conformance with Stormwater Management Concept Plan 31834-2017 and its revisions.

(22) With the exception of Parcel 1, prior to issuance of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit or other suitable financial guarantee for the construction of recreational facilities. The recreational facilities to be required shall be determined with the review of the detailed site plan.

Comment: This DSP satisfies the remaining \$15,357.00 worth of recreational facilities obligation imposed by PGCPB No. 18-25 for PPS 4-17007.

B. DSP-18003

On March 11th, 2019, the District Council approved infrastructure only DSP-18003 for the development of roads, on-street parking, stormwater management facilities, open space, community gathering areas and recreation facilities for the first development phase for the entire Property. DSP-18003 also permitted the rough grading of the entire Property.

(2) Prior to the issuance of the first grading permit, copies of the recorded easement documents with the liber and folio shall be provided to the Environmental Planning Section, and the liber and folio of the recorded woodland conservation easement shall be added to the TCP2.

Comment: The Applicant recorded the requisite easement documents.

C. DSP-19020

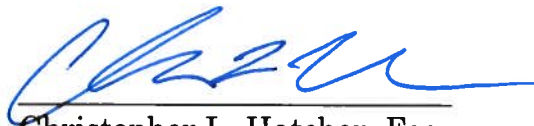
On May 28th, 2020, the Planning Board approved umbrella architecture DSP-19020 for three single-family attached (townhouse) models for the first phase of development on the Property, which are also proposed to be used for the lots covered by the subject DSP. None of the Conditions of Approval included in DSP-19020 are applicable to the subject application.

VIII. CONCLUSION

The Applicant respectfully requests the Planning Board grant approval of DSP-19020-01 for the proposed development. As discussed throughout this Statement, the proposed development meets a demand for high-quality, transit-supportive residential development within the TDDP. In sum, the subject DSP presents an important opportunity for the County and the City to leverage existing transit infrastructure, activate the Downtown Core, and make progress towards the County's Growth Policy. The above analysis and submitted plans establish that the subject DSP satisfies the required findings that the Planning Board must make to approve a DSP application in accordance with the Zoning Ordinance.

Respectfully submitted,
LERCH, EARLY & BREWER

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Exhibit A

Transit District Standards Conformance

The following analyzes the conformance of the proposed development to the Transit District Standards beginning on Page 201 of *The Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment* (hereafter "TDDP"). The prefatory provisions, including those addressing General Applicability & Administration and Exemptions, are noted but not discussed in detail.

Transit District Standards / Purpose

The purpose of the Transit District Standards is to shape the character of the built environment and fulfill the recommendations of the Prince George's Plaza Transit District Development Plan to create a walkable, mixed-use downtown. An essential component of any downtown is the public realm—streets, sidewalks, squares, and other open spaces—that creates the spine of a successful downtown, fosters community activity and provides a distinct sense of place (identity).

Comment: The proposed development for which the entire site's rough grading and the Phase 1 infrastructure was approved under DSP-18003, and for which the Phase 1 lots and architecture was approved under DSP-19020, was planned to conform closely to the Transit District Standards, in order to create a walkable residential community in the Neighborhood Edge character area of the Plan, which will support the mixed-use activities in the Downtown Core. The subject DSP for Phase 2 infrastructure and architecture will carry forward those same principles and the same architecture, and will (with very minor variations) keep the same lot, street and public facilities layout as shown on approved Preliminary Plan of Subdivision 4-17007.

Transit District Standards / Organization

The Transit District Standards are organized into three sections. The General Standards cover the entirety of the Transit District and govern all new development, and redevelopment located within its boundaries. They regulate the creation of a public realm, including streets, frontage zones, block size, building form, parking, and architecture. The Transit District consists of two distinct character areas: the Downtown Core and the Neighborhood Edge. Unique standards are provided for each. The

General Standards should be consulted first, followed by those for the Downtown Core or Neighborhood Edge

NOTE

The Transit District Standards consist of tables, cross-sections, and text. Graphics and tables containing standards are clearly labeled as “Standards.” Information found within tables labeled “Standards” represent mandatory requirements.

Dimensions identified in cross-sections of private streets to be constructed outside of the City of Hyattsville represent mandatory requirements. Dimensions identified in cross-sections of existing and proposed state, County, and municipal streets are illustrative in nature.

Comment: As noted above, the proposed development is located in the Neighborhood Edge character area. The applicable general standards are each discussed, following, as are the Neighborhood Edge-specific standards after.

Since the approval of DSP-18003 and DSP-19020, the area of the proposed townhouse development area has been fully annexed into the City of Hyattsville. As provided for under approved Detailed Site Plans DSP-18003 and DSP-19020 for Phase 1, all of the proposed streets and alleys in Phase 2 will be dedicated to public use, and will be designed and constructed to the City’s approved standards, namely the County’s newly-approved Urban Street Standards. The County’s Urban Street Standards closely conform to – but are not identical with – the street dimensions approved for Phase 1 under DSP-18003 and which are also proposed for the subject Phase 2.

Streets and Frontage / Streets

Standards

A street hierarchy is established between primary and secondary streets. Building form, 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:

A Streets

B Streets

Pedestrian Streets

Promenades

Alleys

All new A and B Streets constructed within the City of Hyattsville shall be constructed to the City of Hyattsville's Street Design Standards.

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.

Comment: The existing perimeter streets, Belcrest Road, Northwest Drive and Dean Drive, are all classified by this Plan as "A Streets," though only Northwest Drive and Dean Drive abut the development phase which is the subject of this Detailed Site Plan for Phase 2. The new streets proposed for the Phase 2 will be classified as "B Streets" for purposes of application of these Transit District Standards, but are classified as "Neighborhood Residential" streets or "Alleys" for application of the Urban Street Standards, just as they were in Phase 1.

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.

Comment: All proposed streets terminate at other streets to form a network, as intended by this Standard.

Alleys or service drives, where necessary, shall be included within blocks and shall not divide one block from another.

Comment: This standard is noted. Maximum block lengths are calculated from street to street; alleys are not considered in the application of that Standard.

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

Comment: No medians are proposed.

Along private streets, crosswalks shall be provided at all intersections and shall use highly visible markings and/or decorative alternative paving material.

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.

Comment: All proposed streets will be public.

Each end of all crosswalks within the Transit District shall have a dedicated curb ramp.

Comment: All proposed crosswalks will have dedicated curb ramps in accordance with Urban Street Standards 100.36 and 100.37.

Guidelines

Internal streets should provide access or connection, wherever possible, to adjacent properties within the Transit District.

Comment: Both adjacent properties (the Seville Condominiums and Northwestern High School) are developed, and do not provide for vehicular connection points to this second proposed phase of the development. The development's proposed main east-west street, Carnaby Street, will be extended west from Phase 1 through the right-of-way which has already been dedicated to connect to Dean Drive, generally along the Northwestern High School boundary.

Along public streets, crosswalks should be provided at all signalized intersections and should use highly visible markings and/or decorative alternative paving material.

Comment: No intersections of the new streets will be signalized.

Decorative paving that clearly defines an intersection of private streets is permitted.

Comment: All proposed streets will be public.

Promenades and Pedestrian Streets should only be constructed in the Downtown Core.

Comment: The proposed development is entirely in the Neighborhood Edge Character Area.

Streets and Frontage / Blocks

Standards

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.

Comment: The longest block proposed by the subject DSP will be 513'; this distance, however, only exceeds the 500' limit because of an area of private green space in front of a run of townhouses. Were the road which abuts the green space instead located in

the typical relationship to the lot fronts, the block would only be 448' long. Accordingly, a modification is requested from this provision.

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.

Comment: The existing frontage on Northwest Drive is 743' long, and will feature the construction of a new intersecting "B Street." The existing frontage on Dean Drive is 755' long, and will feature the construction of a new intersecting "B Street."

A block shall be divided by an A, B, or Pedestrian Street, or a Promenade, to allow a pedestrian or vehicular connection from the front of the block to the rear of the block.

Comment: The second phase of the proposed development contains a number of streets, all of which are provided with alleys to allow for multiple pedestrian and vehicular connections to the rear of the blocks.

Alleys or service drives, where necessary, shall be included within blocks and shall not divide one block from another.

Comment: This standard is (again) noted. Maximum block lengths are calculated from street to street; the alleys are considered to be interior to the proposed blocks.

Streets and Frontage / Frontage Zones

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.

Comment: All new streets are to be public, and are proposed to have sidewalks on both sides. The sidewalks will be constructed to the Urban Street Standards, which provide for a 6' Sidewalk Clear Zone (instead of 5', as provided by these TDDP Standards), and a 6' Tree and Furnishing Zone (instead of 5', as provided by these TDDP Standards). Northwest Drive and Dean Drive will be improved with sidewalks to conform to this Plan's intent.

Where Retail Zones are provided, they shall be located as follows:

- *Retail Zone 1: Adjacent to the building.*

- *Retail Zone 2: If necessary to meet eating and drinking establishment seating needs, adjacent to, or integrated with, the Tree and Furnishing Zone.*

Comment: Retail Zones are not proposed.

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.

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.)

Comment: All proposed new streets are to be publicly dedicated and maintained, and as such the dimensional standards do not apply within those rights-of-way.

The Sidewalk Clear Zones and Tree and Furnishing Zones shall be consistent along a block.

Comment: The Sidewalk Clear Zone and Tree & Furnishing Zone are all consistent along block lengths, except at intersections where the Tree and Furnishing Zone is expanded to contain the ends of the parking areas and protect the pedestrian crossings, as provided for in the Urban Street Standards.

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.

Comment: The primary entrances of all proposed buildings will be oriented to the streets to which the buildings face. There will be no primary entrances onto side streets or alleys.

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.

Comment: All proposed distribution lines will be below ground. Small transformers, distributed throughout the development, will be located above ground.

Streets and Frontage / Build-To Lines and Zones

Standards

The minimum BTL shall be established at the rear of the frontage zones (except for promenades).

The total frontage depth requirement in Tables 42- 43 and Figures 9-23 shall represent the distance between the street curb and BTL.

The maximum BTL shall be 5 feet further from the curb in the Downtown Core, and 10 feet further from the curb in the Neighborhood Edge, than the minimum BTL.

The area between the minimum and maximum BTL shall be the BTZ.

Comment: All of the proposed interior Streets are “B Streets” in the Neighborhood Edge. Table 43 provides that the minimum frontage zone depth/minimum build-to line on Neighborhood Edge B Streets is 13’ and the maximum frontage depth requirement/minimum build-to line is 23’. With the 10’ variation permitted, the buildings must be located between 13’ and 33’ from the curb line of a B Street to meet the standard. The minimum curb setback along the B Streets proposed is 18’. The maximum proposed curb setback along B streets is 26’-75’ and 48’-62’ in instances where green space is provided in front of units. Otherwise, the maximum proposed curb setback along B streets is 31’.

Table 42 provides that the minimum frontage zone depth/minimum build-to line on Northwest Drive and Dean Drive is 18’ and the maximum frontage depth requirement/minimum build-to line is 28’. With the 10’ variation permitted, the buildings must be located between 18’ and 38’ from the curb lines of Northwest Drive and Dean Drive to meet the standard. The minimum curb setback along Northwest Drive is 29’ and the maximum curb setback proposed is 42’. Setbacks along Dean Drive are a minimum of 36’ except where a curve in existing Dean Drive near its intersection with Northwest Drive pulls Dean Drive away from the southernmost six units from the typical 36.0’ to a maximum of 47’. A modification is requested from this provision.

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.

Comment: All primary entrances will be oriented to the streets to which the buildings face. There will be no primary entrances onto side streets or alleys, and the entrances to the buildings which will front on both Northwest and Dean Drives and interior streets will face Northwest and Dean Drives.

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*

Comment: Bays and cornices will not extend beyond the minimum BTLs provided for above.

Stoops will be provided, and will all be behind the minimum BTLs provided for above.

To provide visual interest, the proposed architecture incorporates dormers, covered entries, repetitive window openings, gables, bays, and precast lintels over windows and doors.

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.

Comment: The proposed architecture for Phase 2 will replicate the architecture already approved for the Property under DSP-19020. This architecture was previously described as:

“Feature[ing] material changes at projecting bays; covered entrances will also work to delineate building stories.

Roof lines are diverse, featuring gables and two variants of dormers (one with a single window and one with a double window).

The upper and lower stories of the proposed units are designed as a unified façade, as the proposed units each have single occupancy and single use.

2' offsets are provided between units to provide façade articulation.

No blank walls are proposed; all will be provided with at least five architectural features.

Streets and Frontage / Alleys

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.

In the Neighborhood Edge only, residential driveways are permitted on Alleys.

Comment: The proposed development is located in the Neighborhood Edge; as such, no Sidewalk Clear Zone is required nor is it proposed. Residential driveways will be provided on Alleys.

Streets and Frontage / Tree and Furnishing Zones

GENERAL

Guideline

All public or privately installed street furniture, including lights, benches, waste receptacles, mailboxes, newspaper boxes and bicycle racks, or similar elements should be consistent within a project and be placed at regular intervals within the Tree and Furnishing Zone.

Comment: The proposed public streetlights will be installed at regular intervals in accordance with the City and County's standards. Benches, waste receptacles, and picnic areas have been proposed on Homeowners' Association Open Space parcels in the Phase 1 and Phase 2 areas rather than in the Tree and Furnishing Zone.

STREET TREES

Standards

Street trees shall be located within the Tree and Furnishing Zone; additional trees may be provided within the Retail or Residential Zones, as appropriate.

Shade trees two and one-half to three-inch caliper in size, shall be planted along each street with spacing of not greater than 40 feet on center, excluding driveway openings. Spacing allowances may be made, where necessary, to accommodate curb cuts, fire hydrants, and other infrastructure elements.

Ornamental trees, seven to nine feet in height, may only be used to meet the requirements of this section where overhead wires prohibit the planting of shade trees.

Comment: The proposed street trees will be located in the Tree and Furnishing Zone as required by Urban Street Standard 600.21, including its allowances for curb cuts, fire hydrants, and other infrastructure elements. Street trees shall be shade trees and shall meet the plant size requirements of this Standard. Additional trees have also been provided along the perimeter of the existing swimming pool serving the adjacent apartment buildings and along the Seville boundary to extend the plantings approved in Phase 1.

Guidelines

Each street should use a consistent species pallet that supports the long-term health of the trees.

Street trees should be located a minimum 35 feet from the point of curvature of an intersection of two streets.

Street trees should be located a minimum 10 feet from the point of curvature of residential driveway entrances.

Street trees should be located a minimum 20 feet from the point of curvature of commercial driveway entrances.

Street trees should be located a minimum 15 feet from the center of street light poles.

Street trees should be located a minimum 10 feet from water meters.

Street trees should be located a minimum 10 feet from storm drain inlets, hydrants, or manholes.

Comment: The proposed street trees will be located as required by Urban Street Standard 600.21, which also includes the same requirements provided for in the above Guidelines.

TREE BOXES

Tree boxes are openings in the sidewalks for street trees.

Standard

Tree grates are prohibited.

Comment: The proposed street trees will be located as required by Urban Street Standard 600.21, which provides for their placement in a grassed strip in the tree and Furnishing Zone. No tree boxes or tree grates will be proposed.

Guidelines

If tree boxes are provided, all boxes along the length of a single block should be of the same type for a uniform appearance and the underground soil volumes should be connected. Uniform type around the entire length of a street within the Transit District, or around the entire perimeter of a plaza, square, or pocket park is preferable.

Tree boxes or pits may include additional landscaping. In addition to the tree, the tree box or pit may include flowering plants and shrubs. However, no plants with thorns or other sharp protrusions should be used, and these plants should be maintained below a height of 42 inches.

Tree box openings should be delineated from hard surfaces to prevent soil compaction.

Tree boxes adjacent to on-street parking areas should be spaced to provide adequate pedestrian access to other frontage zones.

Comment: The proposed street trees will be located as required by Urban Street Standard 600.21, which provides for their placement in a grassed strip in the tree and Furnishing Zone. No tree boxes or tree grates will be proposed.

Streets and Frontage / Street Lights

Standards

All pedestrian rights-of-way—including sidewalks, trails, paths, and pathways from building entrances and exits to the sidewalk—shall be continuously lit.

Comment: Streetlights will be installed at regular intervals along all of the proposed streets, in accordance with the City and County's standards, as illustrated for reference on the Detailed Site Plan.

Street lights shall either be pedestrian-scale fixtures or a combination of a street light and a pedestrian fixture. Pedestrian lights shall be no higher than 14 feet. Existing street lights shall not be counted toward this requirement unless they include pedestrian-scale fixtures that meet this standard.

Street lights installed along MD 410 (East West Highway) and Belcrest Road shall use PEPCO's Teardrop or equivalent style from PEPCO's most recent Street Light Catalog.

All other streets in the Transit District shall use PEPCO's Acorn or equivalent style from PEPCO's most recent Street Light Catalog.

Cobra fixtures and high pressure sodium fixtures shall not be permitted.

Comment: The proposed streetlights will be PEPCo's Acorn style, 14' in height, and will be LED light fixtures in accordance with PEPCo's new practice.

Street light fixtures shall be spaced a maximum of 40 feet apart in the Downtown Core.

Street light fixtures shall be spaced a maximum of 50 feet apart in the Neighborhood Edge, and may be placed in a staggered arrangement.

Comment: The proposed public streetlights will be installed at regular intervals in accordance with the City and County's standards, as illustrated for reference on the Detailed Site Plan.

Guidelines

Street light fixtures should allow for the hanging of banners and other amenities, including artwork, hanging flower baskets, etc.

Street light fixtures should include electric weather protectant receptacles.

Energy-efficient lighting should be used to conserve energy and reduce long-term cost.

Comment: As noted above, the proposed streetlights will be PEPCo's Acorn style, 14' in height, and will be energy-efficient LED light fixtures to conserve energy.

Bulk and Height / Intent

To create opportunities for walkable, mixed-use development that support the transformation of Prince George's Plaza into a Regional Transit District and reinforces the street and sidewalk as the focal points of activity.

Comment: The proposed development was planned to conform closely to the Transit District Standards in order to create a walkable, street-oriented residential community in the Neighborhood Edge character area of the Plan, which will support the mixed-use activities in the Regional Transit District.

Bulk and Height / Lots and Building Placement

Standards

Each new lot shall abut an A, B, or Pedestrian Street to permit, at a minimum, emergency vehicle access.

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.

Comment: Each proposed lot will abut existing Northwest Drive, Dean Drive or a new “B Street,” and will front on the higher level street when it abuts two streets of different classifications.

Guidelines

Buildings should occupy the perimeter of a block.

Buildings constructed on corner lots should not extend beyond the façade of other buildings on the block, to minimize sight distance impact

Comment: Buildings occupy the perimeter of each block.

Bulk and Height / Density and Building Height

These standards establish building height limits which will permit the density of development appropriate to a Downtown, and a context-sensitive transition to a scale compatible with surrounding neighborhoods. In keeping with best practices in transit-oriented development, the greatest height is established in the Downtown Core, along Belcrest Road and MD 410 (East West Highway).

A story is defined as “an interior space measured from one finished floor to the next finished floor or roof above.”

Section 27-548.06(a)(1) establishes that development within a Transit District shall not exceed the specified maximum residential density and any floor area ratio (FAR) requirements of the underlying zones. For ease of reference, the relevant density maximums are listed in the following table.

Pursuant to Section 27-548.06(b), this TDDP establishes the height regulations for the Transit District. The height regulations for buildings consist of five features:

1. *Single-story buildings.*
2. *Minimum first (ground) floor height.*
3. *Stepback and transition requirements (where applicable).*
4. *Height Maximums*
5. *Public amenity height bonuses.*

Table, Page 235:

Zone Maximum Permitted Density

R-20 16.33 dwelling units per acre

R-10 48 dwelling units per acre

Comment: The proposed density for the overall development approved by preliminary plan 4-17007 on the 24.47 net acres proposed for townhouse development is 13.53 units per acre.

Bulk and Height / Density and Building Height / Maximum Building Heights

As a new Regional Transit District, Prince George's Plaza will attract new residents, visitors, and workers and help sustain the existing population. This will, in turn, drive demand for new, modern, easily accessible public facilities. Much of the Transit District and surrounding community is built out, and construction of new public facilities will require coordination with property owners and stakeholders; innovative approaches to design, function, and colocation of facilities; and incentives to encourage provision of public facilities within the Transit District.

GENERAL

Standards

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.

When a mezzanine is present, the mezzanine shall be counted as an additional story.

Habitable space in roof and attic areas with a sloping roof shall not be counted as a story.

Any portion of the building below the ground level shall not count as a story.

Raised basements shall not exceed one-half of a story in height above grade along the build-to line.

Guideline

Corner towers, vertical bays, and other features should be utilized to give the appearance of a taller building height.

[Map 34. Maximum Building Heights]

4 Stories (R-20-zoned portion)

10 Stories (R-10-zoned portion)

Comment: Maximum building height proposed is three stories. A fourth level is proposed as an option in the units, but this fourth level would not be defined as a “story” under the Transit District Standards, as it would occur behind the sloping roof of the front facades.

SINGLE-STORY BUILDING HEIGHT AND FRONTAGE

Standards

Single-story buildings and single-story portions of multistory buildings are prohibited on corner lots in the Downtown Core.

Single-story buildings in the Downtown Core, or portions of multistory buildings consisting of a single story, shall have a façade of at least 20 feet in height measured from the average mean building grade at the front of the building to the top of the façade, with a minimum floor-to-ceiling height of 14 feet.

Comment: The subject property is located in the Neighborhood Edge.

Commercial, institutional, mixed-use, or multifamily residential buildings: the first (ground) floor shall be at least 20 feet high, with a floor to ceiling height of at least 14 feet.

Comment: Only single-family attached dwellings are proposed.

No accessory building within the Neighborhood Edge shall be taller than two stories.

Comment: No accessory buildings are proposed under this Detailed Site Plan.

The maximum height of all other buildings is regulated by the standards (on page 236).

Comment: Only single-family attached dwellings are proposed; these are limited to three stories as provided for on Map 24 and on Page 238 (and the definition of “story” on page 236).

STEPBACKS AND TRANSITIONS

Standards

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.

Comment: No portions of the subject property are located within 250 feet of the northern boundary of the Oliver Street right-of-way.

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.

Comment: The only portions of the subject property that are located within 500 feet of the western boundary of the Adelphi Road right-of-way are located in the undisturbed areas of stream buffer along the easternmost edge of the subject property in Phase 1.

Guidelines

All buildings should have step back of at least 10 feet above the fourth story and may have subsequent setbacks.

Comment: No buildings are proposed higher than three stories.

On sites or lots with multiple buildings, buildings closer to MD 410 (East West Highway) should be tallest, with building heights stepping down as they are sited closer to the adjacent community outside the Transit District. Buildings adjacent to the Transit District border should be the shortest buildings on a particular site or lot.

Comment: The buildings proposed will be of uniform visible height and number of stories, though they may vary in the number of occupiable levels: fourth levels are

provided as an option behind the roofs on the front facades, but these fourth levels do not count as “stories” under the Transit District Standards.

Bulk and Height / Density and Building Heights / Public Amenity Height Bonus Program

One way in which this TDDP can incentivize the construction of public facilities is through the provision of height bonuses. These bonuses effectively permit the construction of taller buildings in exchange for the provision of land, buildings, or building space for public facilities.

No height bonus shall be granted in the T-D-O/R-O-S, T-D-O/O-S, T-D-O/R-80, T-D-O/R-20, or T-D-O/R-18 Zones.

Comment: The subject site is located in the T-D-O/R-20 Zone, and as such, the public amenity height bonus program does not apply. And thus, the remainder of the provisions of this section of the Transit District Standards are not reproduced here.

Site Elements / Intent

To create an integrated system of safe environmentally-conscious and inviting spaces that encourage and facilitate active and passive uses, social interactions, and cultural events easily accessible via a short walk.

Site Elements / Placemaking and Open Spaces

Standard

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.

Comment: The subject property is located in the Neighborhood Edge.

Guidelines

Other privately owned and operated open spaces should be accessible to the public whenever feasible through a public use easement or other mechanism.

Comment: The non-lot, non-public street areas of the subject property will be open space that will be owned and maintained by a Homeowner’s Association, with the exception of the community park approved by DSP-18003; that park will be conveyed to the City of Hyattsville after the sale of the last lot in the overall development.

Open spaces should be designed in accordance with the Formula 2040 Park Typology and their associated characteristics.

Comment: An extended discussion of the conformance of the proposed open space components to the Formula 2040 Park Typology will follow. Park types present at the subject site include pocket /mini parks, commons/greens, greenways/linear parks, and streets.

Consideration should be given to providing open spaces for important events or programming including, but not limited to, fitness activities; passive and active uses; toddler and child urban playground; neighborhood and community parks; dog parks; open greens; and picnic areas.

Comment: The Homeowner's Association open spaces will accommodate most of the components listed above:

- The public shared-use trail which runs along the north side of Carnaby Street parcel will connect beyond the subject property with the trail networks in both Northeast and Northwest Branches, accommodating hiking and biking;
- Retained woodlands on the hill in the northeast corner of the site will be a dog-friendly area for passive recreation (and in the winter, active sledding in the event of snow!). This area will have access from a subsidiary path leading from the main shared-use path, and will feature a shaded seating area at the edge of the woods on the hillside (this area was approved under DSP-18003);
- A play structure will be provided for pre-teen children, and separate play equipment for preschoolers will be included as well, together with a shaded sitting area (this area was also approved under DSP-18003);
- An open green of approximately ¼ acre in area will be provided for unstructured play (this area was also approved under DSP-18003); and
- A picnic area will be provided (this area was also approved under DSP-18003).

Permeable materials are encouraged, wherever possible, to facilitate the growth of trees and vegetation, and the absorption and treatment of rainwater runoff.

Comment: Almost all of the Homeowner's Association open spaces will be permeable surfaces, with the exception of the path network.

Site Elements / Placemaking and Open Space

MURALS AND PUBLIC ART

Guidelines

Murals or works of public art are encouraged in the Transit District. Wherever possible, such displays should reflect the

aesthetic and cultural traditions of Hyattsville and Prince George's County, including their past, present, and future, and the environmental and geographic characteristics that make both the City and the County unique places.

Works of art, architectural enhancements and special landscape treatments should be located in areas where residents and visitors live, work, or congregate and should be highly visible and accessible.

Comment: The applicant is working with the Hyattsville Community Development towards the commissioning of public art at the entrance to the development in Phase 1.

COLOR

Guideline

The use of bright colors for trim and accent elements is encouraged.

Comment: These guidelines are noted.

Site Elements / Lighting

Guidelines

Exterior areas, rear entryways, public spaces, roads, crosswalks, sidewalks, pedestrian overpasses, and trails should be well-illuminated to ensure safety and improve visibility while minimizing light spillover to other properties.

Comment: Exterior lighting of the streets will be provided by streetlights in accordance with the City and County's standards. Alley lighting will be supplied by building-mounted lights.

Light fixtures should be placed so as to avoid conflicts with trees or other obstructions and should direct light to specific locations and away from adjoining properties. Consideration of security and pedestrian comfort should be prioritized by increasing illumination low to the ground in public parking lots, at building entrances, in public plazas and open spaces, and transit stops.

Comment: Streetlights will be located in accordance with the City and County's standards to avoid conflicts with trees and other obstructions. No public parking lots, building entrances, public plazas or transit stops are proposed as a part of the subject Detailed Site Plan

Site Elements / Green Infrastructure

Guidelines

To the maximum extent practicable, no private development should be permitted within the Primary Management Area.

Comment: As provided in Preliminary Plan of Subdivision 4-17007, impacts to the Primary Management area have been limited in accordance with the three-part analysis for Avoidance, Minimization and Mitigation provided for in the Environmental Technical Manual. Impacts to the area of existing 100-year floodplain in Phase 1 which were caused by an inadequate culvert under Belcrest Road were mitigated by the installation of flood control measures that relieved the culvert inadequacy. The extent of the Primary Management Area as defined by the limit of the 100-year floodplain after the installation of the flood control measures will not be impacted. No Primary Management Area will be impacted by the proposed Phase 2 development.

Environmentally sensitive stormwater management facilities customarily found in a city or urban area should be used where appropriate, including subsurface collection facilities under parking lots, to store and slowly infiltrate stormwater.

Comment: Microbioretention facilities, which are environmentally-sensitive facilities that provide for storage and (where soils are compatible, as they generally are here) infiltration of groundwater, are provided throughout the proposed development.

Site and street designs should avoid the use of unshielded roof, side, and parking lot lights, and include the use of full cut-off optic lighting systems that provide consistent lighting levels.

Comment: Streetlights will be PEPCo's Acorn standard cut-off fixtures, as specified in other standards, above.

Pervious paving is encouraged throughout the Transit District. Examples include:

- *Cast-pressed concrete paver block*
- *Grassed cellular plastic or concrete*
- *Stamped asphalt or concrete*
- *Pea gravel, washed stone, or paving blocks*
- *Wood or concrete paving block*

Comment: This guideline is noted; almost all of the hard surfaces proposed will be in public rights-of-way, in which pervious paving is not permitted.

Stormwater management measures should be integrated with bioswales, naturalistic green fingers, rain gardens, waterscapes

and other green and environmental site design practices that minimize stormwater runoff and increase the infiltration of rainwater into the ground.

Comment: As described above, the subject development will feature the use of microbioretention facilities, which are rain-garden-type facilities that meet the County's environmental site design requirements and provide for storage and infiltration of groundwater.

New development should be encouraged to adopt LEED-ND or similar sustainability standards, incorporating innovative solutions such as green buildings, reuse of gray water, reusable energy generation onsite, technologies that lower electricity consumption, as well as green and habitable roofs where appropriate (rooftops that building occupants can use for gardening, socializing, and sunning).

Comment: The proposed townhouses will feature a number of sustainable practices, including use of Energy Star-qualified appliances to reduce power consumption, low-flow toilets, sinks and showers to reduce water consumption, enhanced construction to reduce air infiltration, and the use of R-410A refrigerant in the air conditioning units to be more efficient and environmentally friendly.

Site Elements / Tree Canopy Coverage

Standard

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.

Comment: The subject application complies with the tree canopy coverage requirements. Compliance is summarized on the LP.

Site Elements / Screening

Standards

Screening materials shall consist of evergreen trees and shrubs, walls, or fences.

Loading areas consisting of off-street loading spaces, loading docks, and service or maintenance areas shall be screened so as to not be visible from an A Street or single-family residential dwelling units.

Comment: No loading areas or service or maintenance areas are proposed under this Detailed Site Plan.

All mechanical equipment and meters shall be screened to prevent excessive noise and visual impacts on surrounding properties.

Comment: Mechanical equipment will either be located in rear alleys, or will be located in the back yards of Lots 138-142 and screened by dividing fences. Gas meters will be located in the back yards of Lots 138-142, and will be screened by the dividing fences; gas meters on the front elevations of the rear-loaded garage units will be screened by shrub planting.

Guidelines

Screening options may include:

- *Six-foot-high, sight-tight, and/or green fences. » Architecturally decorative or green walls.*
- *Evergreen screens (height, spacing, and variety to be determined at the time of Detailed Site Plan based upon the size and location of the area to be screened).*

*All dumpsters; trash pads; trash and recycling collection; or storage areas should be carefully located and oriented on the site to be as inconspicuous as possible.**

**Blank walls should be avoided along pedestrian rights-of-way 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.*

Comment: No exterior dumpsters, trash pads, recycling or storage are proposed under this Detailed Site Plan. Trash toter alcoves are provided in the garages of each 16'-wide unit, and sufficient space exists in the garages of the wider units for toter storage.

Site Elements / Walls, Fences, and Gates

Standards

The following are permitted:

- *Fences and gates, up to a height of 40 inches, to delineate outdoor seating areas within the retail zone for eating and drinking establishments.*
- *Walls, fences, and/or gates where expressly permitted by this TDDP for screening purposes.*
- *Walls required for the retention of earth, support of a structure, or architectural façade of a structure.*
- *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.*

Comment: The subject property is located in the R-20 Zone and the Neighborhood Edge character area. The subject Detailed Site Plan proposes fences enclosing a portion of the rear yards of Lots 138-142 and along the (rear) property line with the Seville condominium.

The following are prohibited:

- *Chain link fencing, barbed wire, wire mesh, corrugated metal or fiberglass, split fencing, sheet metal, and paneled materials.*
- *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.*

Comment: No fence abutting pedestrian or vehicular rights-of-way are proposed.

Guideline

Fence type should be consistent along a block face.

Comment: The fence material will be uniform throughout the proposed development.

Architectural Elements / Intent

To create attractive and visually interesting buildings that enliven and reinforce streetscapes and public spaces while respecting existing development, including neighboring single-family residential neighborhoods.

Architectural Elements / Signage / General

Standards

All attached or projecting signs are permitted to be placed horizontally or vertically.

Attached signs shall consist of three types: wall signs, window signs, and digital signs, as defined in this section.

Projecting signs shall consist of four types: blade signs, awning signs, high-rise building identification signs, and vertical corner signs.

The following signs are not permitted in the Transit District:

- *Signs not expressly identified in this chapter.*
- *Signs that obstruct any opening intended to provide ingress or egress for any building or structure.*
- *Signs that obstruct the view of traffic control devices.*
- *Signs that, because of their shape, color, or wording, may be confused with any traffic control device (placed by a public authority), or may mislead motorists.*

Comment: Two monument signs, designed as approximately 3' wide brick columns with attached precast black metal are proposed by this DSP at the Northwest Drive and Dean Drive entrances of the proposed community.

SINGLE-FAMILY DETACHED HOME AND TOWNHOME DEVELOPMENT IDENTIFICATION

Standards

Maximum sign area per sign face shall be 24 square feet, not exceeding 4 feet in height.

Comment: The proposed signage complies with this standard.

Entranceway signs shall be separated from signs at other entranceways by at least 200 feet and from other on-site signs by at least 100 feet, such distance to be measured along the build-to line.

Comment: The proposed monument signage complies with this standard.

Guidelines

Signs should be located within 30 feet of an entranceway as follows:

Wall-mounted: one face may be provided on each side of the entranceway, mounted flat against the entranceway wall.

Comment: The proposed monument signage complies with this standard.

Ground-mounted development identification signs may be one of the following:

- *A single-faced sign*
- *A double-sided sign back-to-back*
- *A double-sided sign in a “V” configuration with a maximum 45-degree angle.*

Comment: The proposed monument signage is single-faced and complies with this standard.

Architectural Elements / Awnings

Comment: No awnings are proposed by the subject Detailed Site Plan.

Architectural Elements / Balconies

Standard

All balconies, including the addition of balconies to an existing structure, are permitted in the Transit District.

Comment: Balconies/decks are proposed on the rears of the proposed units in the same way as was approved under DSP-19020.

Architectural Elements / Sustainable Building Materials

Guideline

Buildings should be built with “green” building materials. Green materials should meet the following criteria: produced locally or salvaged; recycled and/or recyclable; rapidly renewable; durable; containing a low embodied energy; manufactured in a less environmentally hazardous or toxic manner; for wood, certified in accordance with the Forest Stewardship Guidelines for environmentally responsible forest management; for refrigerants and fire suppression devices, not containing CFCs or Halon gas. Common green materials include cement and wood fiber composite siding, cellulose insulation, glue-lam beams, and concrete with fly ash content.

Comment: As with the first phase, the proposed buildings will be built with a number of green materials: The concrete which will be used will contain fly ash, both to promote recycling, and to act as a curing retarder (which increases concrete strength); as noted above, the R-410A refrigerant which will be used is

non-CFC; recycled concrete is used throughout the construction process for sediment controls such as temporary driveways; engineered wood is used throughout the building construction, including TJI joists, glulam and parallam beams and OSB - these materials do not rely on mature lumber. Furthermore, material quantity and cut lists are provided to the framing trades to reduce waste of framing lumber (or its engineered equivalents). Finally, 50% or more of the installed carpet installed will be certified to meet NSF140; 50% or more of the installed resilient coloring installed will be certified to meet NSF332; 50% or more of the installed insulation will be certified to meet EcoLogo CCD-016; 50% or more of the installed interior wall covering installed will be certified to meet NSF 342; 50% or more of gypsum board installed will be certified to meet UL 100; and, 50% or more of tile installed will be certified to meet TCNA A138.1 specifications for sustainable ceramic tiles.

Parking and Loading / Intent

To promote a “park once” environment that enables people to conveniently park and access a variety of uses in a pedestrian-friendly environment where streetscapes are vibrant and active and not dominated by parking lots or garages and to encourage nonmotorized modes of travel to and within the Transit District.

Standards

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. For the purposes of this table, the type of development refers to its description in the table of uses.

[Table: Maximum Parking Ratios

Neighborhood Edge (Single Family Development) 2.0 spaces per dwelling unit.]

Comment: The subject Detailed Site Plan proposes the remaining 200 units of the 331 which were approved by Preliminary Plan of Subdivision 4-17007. The same three types of units which were approved in the first phase by DSP-19020 are proposed here: (1) Five 22'-wide, front-loaded garage units with two-car garages; (2) ninety-two 20'-wide, alley-loaded garage units with two-car garages; and, one-hundred and three 16'-wide, alley-loaded garage units. The 16'-wide units have options for either a single-car garage, or a two-car tandem-loaded garage.

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.

Comment: On-street parking will be provided on one or both sides of all proposed public streets which are a part of the subject Detailed Site Plan.

On-street parking in Alleys shall be prohibited.

Comment: Some on-street parking in the publicly-maintained alleys is proposed. Because the alleys are to be publicly maintained by the City of Hyattsville, however, the Applicant contends that no modification of this Standard is required.

Development may only be permitted to exceed the maximum parking ratios if all of the following criteria are met:

Additional parking spaces may only be provided in the form of structured parking.

[Standards following for structured parking limits and total permissible number of off-street parking spaces in the Transit District are not reproduced here.]

Comment: The subject Detailed Site Plan is not proposing any off-street parking spaces, as all off-street parking is located on single-family residential lots.¹

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.

Comment: The subject Detailed Site Plan proposes solely single-family dwellings.

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.

Comment: No structured parking facilities are proposed.

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

¹ See TDDP, Page 258. Permitted parking spaces on recorded single-family lots do not count towards additional off-street parking.

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.

Comment: No off-site parking will be required to satisfy the proposed development's parking needs.

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.

Comment: The proposed development will be for single-family attached dwellings; no office use will be proposed.

Restriping of surface parking facilities that result in an addition of general purpose parking spaces is prohibited.

Comment: No surface parking facilities currently exist within the limits of the subject Detailed Site Plan.

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.

Comment: On-street parking will be provided on one or both sides of all proposed public streets.

On-street parking in Alleys shall be prohibited.

Comment: Some on-street parking in the publicly-maintained alleys is proposed. Because the alleys are to be publicly maintained by the City of Hyattsville, however, the Applicant contends that no modification of this Standard is required.

On-street parking spaces on private streets shall not count toward off-street parking requirements.

Comment: This Standard is noted.

All parking for buildings that front on Adelphi Road shall not be visible from Adelphi Road.

Comment: No part of the subject property fronts on Adelphi Road.

Guidelines

Commercial parking facilities should leave at least 25 percent of their spaces available for hourly and daily rental by the general public.

Comment: No commercial parking facilities are proposed.

All parking spaces that are provided should be unbundled from the leasing and/or rental rates of associated development.

Comment: No rental facilities will be proposed: the subject development will be for fee-simple ownership.

Parking and Loading / Surface Parking

Parking and Loading / Structured Parking

Parking and Loading / Underground Parking

Parking and Loading / Loading

Comment: No surface or structured parking is proposed by the subject Detailed Site Plan; only streets are proposed, all of which will be public, and all of which will be furnished with on-street parking on one or both sides of the streets.

Transportation Adequacy / Genera

Standards

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.

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.

Comment: Preliminary Plan 4-17007 was accompanied by a Traffic Impact Study that indicated that public transportation facilities are adequate to serve the proposed development.

Determination of Intersections to Be Studied

The number of intersections that shall be included in the required adequacy analysis will be based on the total projected total weekday vehicle trips generated by the proposed development under consideration. Table 48 on page 295 shows the number of signalized and/or unsignalized intersections within the Transit District required to be included in the adequacy analysis. The Planning Director, in consultation with the County and/or appropriate municipality, may adjust the number of intersections required for analysis if he/she finds that special circumstances warrant a different number of intersections to be scoped for adequacy determination.

[Table: Maximum number of Intersections to be Studied:

*Proposed Vehicle Trips: 2,614 Maximum Number of
Intersections: 4]*

Comment: Preliminary Plan 4-17007 was accompanied by a Traffic Impact Study that indicated that studied four signalized intersections and two unsignalized intersections, as well as two site access points.

Required Improvements

For all the required intersections, the applicant shall demonstrate one of the following:

- 1. There will be adequate intersection level of service, as defined by Section 24-124(a), provided that the intersection(s) are fully built to the plan's ultimate configuration.*
- 2. Applicant is willing to fully fund and implement trip reduction program(s), deemed appropriate by the County DPW&T for a period of at least six years after the issuance of first occupancy permit that would alleviate any reported inadequacy as defined by the Transportation Review Guidelines.*
- 3. The applicant agrees to make a one-time Prince George's TDDP Transportation Mitigation Payment to the County and for each signalized intersection that is projected to operate above the acceptable LOS, provided the intersection(s) are fully built to the plan's recommended configurations.*

Comment: Preliminary Plan 4-17007 was accompanied by a Traffic Impact Study that indicated that the existing public transportation facilities are adequate to serve the proposed development.

Site access adequacy and needs shall be determined by the appropriate operating agency having jurisdiction over the roadway where the access point(s) are to be located.

Comment: Site Development Concept Plan 31834-2017-0 was reviewed by the Department of Permitting, Inspections and Enforcement on behalf of the City of Hyattsville for the configuration of the entrance points and for sight distance adequacy.

Calculation of TDDP Transportation Mitigation Payment

The required one-time transportation mitigation fee for each required signalized intersection that is operating above the minimum acceptable clear lane volume (CLV) of 1,600 vehicles per hour, or as modified by the Guidelines, to be paid to the County prior to issuance of any building permit shall be the smaller of one of the following:

- a. \$10,000 per unit of CLV over the Acceptable Value of 1,600 critical vehicle volume.*
- b. \$100 per projected daily weekday vehicle trip for the proposed development.*

Allocation of the Collected TDDP Transportation Mitigation Fees

On an annual basis, the Prince George's County Planning Board and/or the City of Hyattsville, can request that the County appropriate any portion or all of the collected funds to any transportation enhancement projects, excluding capacity enhancements to existing roads, within, and projected to serve, the Transit District

Comment: Preliminary Plan 4-17007 was accompanied by a Traffic Impact Study that indicated that the existing public transportation facilities are adequate to serve the proposed development.

Downtown Core Standards

DOWNTOWN CORE A STREET

Standards

The following streets existing in the Downtown Core on July 19, 2016, are to be considered A Streets:

- Belcrest Road*

[Belcrest Road only abuts Phase 1 of the subject development, which was approved under DSP-18003 and DSP-19020. The remainder of the standards applicable to this phase of the development and as such are not discussed here.]

Neighborhood Edge Standards / Intent

To create a walkable, moderate-density residential environment that serves to buffer nearby existing residential communities and open spaces from the more intense mix of uses in the Downtown Core.

Neighborhood Edge / General

Standards

There are no lot coverage requirements for development within the Neighborhood Edge.

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.

Comment: These Standards are noted.

Residential driveways are permitted in Alleys and B Streets shall not exceed 18 feet in length. Front-loaded garages are permitted only for dwelling units 22 feet wide or greater.

Comment: Residential driveways are only proposed to front on Alleys and on “B Streets.” The 5 front-loaded garage units which will be proposed for this phase will all be at least 22 feet wide; furthermore, no front-loaded garages will be located along the main east-west street, even though it is a “B Street.”

Guidelines

All single-family dwelling units should front onto an A or B Street.

Comment: As indicated above, proposed building entrances will front on the proposed “B Streets,” except where frontage on Northwest Drive or Dean Drive is instead available.

Primary entrances to single-family dwelling units should be located along the front façade

Comment: Each proposed building entrance will uniformly be located on each unit’s front façade.

On private streets in the Neighborhood Edge, all pedestrian crosswalks should be a minimum of eight feet wide

Comment: All proposed streets will be public.

All public utilities should be placed underground, above-ground in alleys, or otherwise behind structures.

Comment: All public utilities will be underground, except for electric transformers which will be generally above-ground in the alleys, or else behind structures

Neighborhood Edge / A Street

The following streets existing on July 19, 2016 are considered Neighborhood A Streets:

- *Northwest Drive*
- *Dean Drive*
- *Highview Terrace*
- *Adelphi Road*

Comment: This list is noted. Northwest Drive and Dean Drive abut the subject development.

Standards

Entrances into private off-street parking facilities are not permitted, except along Adelphi Road.

Comment: No private off-street parking facilities are proposed by the subject Detailed Site Plan.

New surface parking lots are not permitted.

Comment: No new surface parking lots are proposed by the subject Detailed Site Plan.

Residential driveways are not permitted.

Comment: No residential driveways will front on Northwest Drive or Dean Drive.

Guideline

Primary building entrances should be located on these streets.

Comment: Each proposed building entrance, will uniformly be located on each unit's front façade.

[Figure 30. Neighborhood Edge: Townhomes and Two-Family Attached Standards

Building Placement

Build-to Line Regulated by Street Section

BTL Defined by a Building

Front: 80% minimum

Side Street: 40% minimum

Zones Permitted: R-18, R-20

Building Form

Height: See Density and Building Height section.

1. *Primary entrance shall be located along the front façade.]*

Comment: As indicated above, proposed building entrances will uniformly be located on each unit's front façade.

Neighborhood Edge / B Street

Standards

Streets existing in the Neighborhood Edge on July 19, 2016, not identified as A Streets are to be considered B Streets.

Comment: All existing streets which abut the subject development are identified as "A Streets."

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.

Comment: No private off-street parking facilities are proposed by the subject Detailed Site Plan.

Guideline

Primary building entrances may be located on these streets.

Comment: As indicated above, proposed building entrances will front on the proposed "B Streets," except where frontage on Northwest Drive or Dean Drive is instead available.

Structured parking facility entrances are permitted.

Comment: No structured parking facilities are proposed by the subject Detailed Site Plan.

Alley, service, and loading entrances should be located along these streets.

Comment: All of the proposed alleys have been laid out to have their entrances on the proposed “B Streets.” In fact, the alleys have even been laid out so that no entrances will be located along the main east-west street, even though it will be a “B Street.”

Neighborhood Edge / Landscape Standards

All residential development in the Neighborhood Edge shall comply with the following standards.

Townhouses, One-Family Semi-Detached, Two-Family, and Three-Family Dwellings Arranged Horizontally

Standards

Plant a minimum of one and one-half major shade trees and one ornamental or evergreen tree every two dwelling units located on individual lots and/or common open space. Trees planted in the Street Tree and Furnishing Zone shall count toward this requirement.

Comment: The Landscape Plan proposes the planting in this second phase of 191 shade trees and 135 ornamental/ evergreen trees for an overall development total of 324 shade trees and 245 ornamental/ evergreen trees. For the 331 lots which are proposed in the total development, this standard requires the planting of 249 shade trees and 166 ornamental or evergreen trees.

An existing shade tree, except for an invasive species, exceeding two and one-half inches diameter at breast height (dbh) located in the common area or open space within 75 feet of a dwelling unit may be counted toward fulfillment of the requirement for a tree, 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 site and landscape plan must also demonstrate that a minimum of 70 percent of the critical root zone of such tree will remain undisturbed.

Comment: This provision is noted. Existing mature shade trees which are to be preserved as a part of TCP2-097-00-02 are either: (1) too far from proposed (Phase 2) dwellings to count towards meeting the requirement, or (2) sufficiently close to

dwelling units, but are located on adjacent property and not part of the Landy Property townhouse development's common area or open space.



City of Hyattsville

Hyattsville Municipal Bldg
4310 Gallatin Street, 3rd Flr
Hyattsville, MD 20781
(301) 985-5000
www.hyattsville.org

Agenda Item Report

File #: HCC-224-FY21

2/16/2021

9.a)

Submitted by: Hal Metzler
Submitting Department: Public Works
Agenda Section: Proclamation

Item Title:

Proclamation in Support of the Mayors' Monarch Pledge

Suggested Action:

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

Summary Background:

In 2019, based on the recommendation of the Hyattsville Environment Committee (HEC), the Mayor and Council accepted the "Mayors Monarch Pledge". This year, the National Wildlife Federation has changed their platform to require a re-commitment each year. The pledge affirms the City's commitment to increasing the wildlife habitat and public awareness for the monarch butterfly in support of our objectives for sustainable communities.

This initiative will help save the monarch butterfly, an iconic species whose populations have declined by 90% in the last 20 years. The pledge signifies that the City intends to meet a minimum of four (4) of the action items as listed in the attached documentation and work toward additional goals.

Next Steps:

The City will continue to maintain our current gardens with monarch food and nectar sources, uphold and enforce our "Hyattsville Sustainable Land and Building Management Practices Policy", maintain our no-mow areas and meadow planting at Melrose Park Trail, and continue to provide education to support the monarch butterfly. Partnering with the Hyattsville Horticultural Society on future seed swaps, plant sales, and community education will assist with these objectives and the City will continue to provide public education during our annual Arbor Day Celebration event.

Fiscal Impact:

N/A

City Administrator Comments:

Recommend Approval.

Community Engagement:

Planned outreach to residents and businesses to promote native and conservation landscapes.

Strategic Goals:

Goal 3 - Promote a Safe and Vibrant Community

Legal Review Required?

N/A

CITY OF HYATTSVILLE

PROCLAMATION

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

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

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

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

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

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

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

Kevin Ward

Interim Mayor, City of Hyattsville

February 16, 2021





City of Hyattsville

Hyattsville Municipal Bldg
4310 Gallatin Street, 3rd Flr
Hyattsville, MD 20781
(301) 985-5000
www.hyattsville.org

Agenda Item Report

File #: HCC-233-FY21

2/16/2021

10.a)

Submitted by: Carrianna Suiter
Submitting Department: Legislative
Agenda Section: Consent

Item Title:
Hyattsville COVID-19 Restaurant Relief

Suggested Action:

I move that the Mayor and Council amend the Fiscal Year 2021 (FY21) Special Revenue Funds Budget and re-appropriate \$66,000 of the remaining \$74,000 originally allocated to Employ Prince George's from the Hyattsville Pandemic Relief fund to support regionally and locally owned full-service restaurants, distilleries, breweries, and wineries/meaderies in the City of Hyattsville. This funding will provide \$2,000 to each qualifying restaurant to be used towards rent, utilities, Personal Protective Equipment (PPE), takeout supplies, and other pandemic related overhead. These funds should be allocated by April 30, 2021.

Summary Background:

In May of 2020, the Hyattsville City Council created a \$1 million-dollar COVID-19 Pandemic Relief Fund to reduce the impact of economic hardships arising from the COVID-19 pandemic. Of the \$1 million dollars that was appropriated to Employ Prince George's, \$74,000 remains. As restaurants have been unable to serve diners indoors in accordance with the Prince George's County ban on indoor dining (scheduled to be lifted 1/29/21), as outdoor dining is untenable for most diners in the winter months, and as food delivery apps take a significant portion of the cost to the consumer (typically 30% of each order price), our locally owned full-service restaurants are struggling. This \$2,000 in funding is intended to help those restaurants weather this latest hurdle.

Staff support will be required from Community and Economic Development and Communications for outreach and processing applications.

Council discussed this item on February 1, 2021.

Next Steps:

Council action.

Fiscal Impact:

Re-appropriation of \$66K

City Administrator Comments:

For Discussion

Community Engagement:

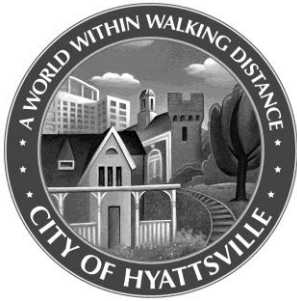
Outreach to eligible restaurants.

Strategic Goals:

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

Legal Review Required?

N/A



Council Agenda Form

MOTION #	DRAFT #
DATE SUBMITTED:	DATE TO GO BEFORE COUNCIL: LEAVE BLANK
SUBMITTED BY:	
DEPARTMENT: Legislative	

TITLE OF MOTION: Hyattsville Restaurant Relief
RECOMMENDATION: I move that the Mayor and Council amend the FY21 Special Revenue Funds Budget and re-appropriate \$60,000 of the remaining \$83,000 from the Hyattsville Pandemic Relief fund to support regionally and locally owned full-service restaurants in the City of Hyattsville. This funding will provide \$2,000 to each qualifying restaurant to be used towards rent, utilities, PPE, take out supplies, and other pandemic related overhead. These funds should be allocated by April 30, 2021.
SUMMARY BACKGROUND: In May of 2020 the Hyattsville City Council created a \$1 million-dollar COVID-19 Pandemic Relief Fund to reduce the impact of economic hardships arising from the COVID-19 pandemic. Of the \$1 million dollars, \$83,000 remains. As restaurants have been unable to serve diners indoors in accordance with the Prince George’s County ban on indoor dining (scheduled to be lifted 1/29/21), and outdoor dining is untenable for most diners in the winter months, and food delivery apps take a significant cut (typically 30%) cut of each order price, our locally owned full-service restaurants are struggling. This \$2,000 in funding is intended to help those restaurants weather this latest hurdle.
ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:
NEXT STEPS:
CITY ADMINISTRATOR / DEPARTMENT DIRECTOR COMMENT:
SUPPORTING DOCUMENTATION:
FISCAL IMPACT:
COMMUNITY ENGAGEMENT:
STRATEGIC GOALS AND ACTIONS:

LEGAL REVIEW REQUIRED?:

DRAFT



City of Hyattsville

Hyattsville Municipal Bldg
4310 Gallatin Street, 3rd Flr
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(301) 985-5000
www.hyattsville.org

Agenda Item Report

File #: HCC-217-FY21

2/16/2021

10.b)

Submitted by: Michelle Dunklee
Submitting Department: Police Department
Agenda Section: Consent

Item Title:

Memorandum of Understanding Between Prince George's County and the City of Hyattsville

Suggested Action:

I move that the Mayor and Council amend the Fiscal Year 2021 (FY21) Special Revenues Funds in the amount of \$40,000 for the Maryland Criminal Intelligence Network (MCIN) grant. I further move the Mayor and Council authorize the City Administrator to enter into an Memorandum of Understanding (MOU) between Prince George's County Police Department and the Hyattsville City Police Department for FY21, upon the review and approval by the City Attorney for legal sufficiency.

Summary Background:

The Prince George's County Police Department has been awarded a FY21 grant award from the Governor's Office of Crime Control and Prevention, MCIN-2021-0010 to investigate and conduct operations to combat gun trafficking, illegal gang activities, human trafficking, and firearm trafficking. Of the available funds, \$40,000.00 has been set aside for contractual services related to overtime expenses associated with this effort for the Hyattsville City Police Department.

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

Next Steps:

Approval.

Fiscal Impact:

\$40,000.00

City Administrator Comments:

Recommend Approval.

Community Engagement:

N/A

Strategic Goals:

Goal 3 - Promote a Safe and Vibrant Community

Legal Review Required?

Complete

**MEMORANDUM OF AGREEMENT
BETWEEN
PRINCE GEORGE'S COUNTY, MARYLAND,
AND
THE CITY OF HYATTSVILLE**

THIS MEMORANDUM OF AGREEMENT ("Agreement") is made this ___ day of 2020 by and among Prince George's County, Maryland, a body corporate and politic (hereinafter referred to as "the County"), on behalf of the Prince George's County Police Department (hereinafter referred to as "the Department"), and the City of Hyattsville, Maryland, (the "City") on behalf of the Hyattsville Police Department ("Policing Agency") (individually the, "Party" and collectively the "Parties").

RECITALS

WHEREAS, the PGCPD has been awarded a FY2021 Grant Award from the Governor's Office of Crime Control and Prevention, MCIN-2021-0010 (Maryland Criminal Intelligence Network) to investigate and conduct operations to combat gun trafficking, illegal gang activities, human trafficking, and firearm trafficking; and

WHEREAS, the FY2021 Grant Award identified above is to support contractual overtime agreements made with the Prince George's County Police Department and Hyattsville Police Department; and

WHEREAS, Hyattsville Police Department has in the past performed those activities approved by previous MCIN grants and is ready, willing and able to continue to perform such activities with the Department;

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

A. SCOPE OF SERVICES.

The Hyattsville Police Department is authorized to receive compensation for "MCIN Allied Law Enforcement Overtime". MCIN Allied Law Enforcement Overtime is defined as overtime that is necessary due to an arrest or investigation that requires an employee to work beyond his/her scheduled tour of duty while assigned to the MCIN grant and consistent with Attachment "A", MCIN Allied Law Enforcement - Overtime, attached hereto and incorporated by reference.

B. OBLIGATIONS OF THE PARTIES.

During the term of this Agreement the Parties shall perform such obligations which are set forth in Attachment A entitled "MCIN Allied Law Enforcement - Overtime" which is incorporated herein by reference.

C. TERM.

The term of this Agreement shall begin on July 1, 2020 and end on June 30, 2021, unless sooner terminated in accordance with this Agreement. The continuation of this Agreement beyond the end of the fiscal year in which it is executed, and any subsequent fiscal years during which this Agreement is in effect, shall be contingent upon the availability of funding for the applicable fiscal year.

D. TERMINATION FOR CONVENIENCE.

Any party may terminate this Agreement by giving to the other party written notification thereof at least thirty (30) days prior to termination. In the event of such termination and if the City is entitled to compensation of services already rendered, the City shall be compensated upon submission of an invoice in accordance with Section E hereof. The City shall not be entitled to anticipatory profits.

E. COMPENSATION/FUNDING.

1. COMPENSATION

The total amount of compensation to the Policing Agency under this Agreement shall be Forty Thousand Dollars (\$40,000.00) apportioned and disbursed at the completion of the approved activity and with the approval of County's Project Director. Lieutenant Ralph Parker, Commander, Gang Unit, shall be the County's Project Director under this Agreement and shall be the County's administrator and coordinator for this Project.

2. FUNDING

PGPD will serve as the fiscal agent and be responsible for the disbursement of all monies. The total amount of the funding to the Policing Agency shall not exceed \$40,000.00. Submission of appropriate paperwork, to include time sheets and overtime slips, verifying expenditures will be required before additional disbursements are made. Upon expenditure of all funds, a final reconciliation will also be required. Compensation is subject to the availability of continued funding. This paperwork needs to be submitted no later than July 10, 2021 to the Commander, Gang Unit as provided for in the Notice Provision of Section J herein.

F. DOCUMENTATION AND RECORD KEEPING.

The Policing Agency shall maintain documentation as necessary to prove that it is meeting its obligations under this Agreement and such other standards as apply. The Policing Agency shall maintain such documentation for a period of five (5) years after the termination of this Agreement.

G. INDEMNIFICATION.

Subject to any limitations imposed by law, the parties agree that each party shall be responsible for its own actions and omissions, pursuant to the performance of this Agreement, and no party shall hold

the other liable with respect to any matter not arising from the other party's actions or omissions. Furthermore, the liability of the parties shall be governed by the terms and provisions of the applicable Tort Claims Acts and relating provisions.

II. RIGHT TO TERMINATION

Failure to perform the tasks required in the Scope of Services contained herein shall result in nonpayment.

I. INDEPENDENT CONTRACTOR

The Hyattsville Police Department is an independent contractor and is not an agent or employee of the County. As such, the Hyattsville Police Department is not entitled to the benefits or rights of County employees as provided for under the Prince George's County Code, and any and all other benefits or rights granted to County employees.

J. NOTICE PROVISIONS

Notices shall be deemed sufficient when given by certified mail, return receipt requested to the following addresses, which may be revised by the parties by written notice:

For the County: Chief of Police
7600 Barlowe Road
Palmer Park, MD 20785

With copies to: County Attorney
Office of Law, Room 5121
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

For the City of Hyattsville: City Administrator
4310 Gallatin Street
Hyattsville, MD 20781

K. NON-DISCRIMINATION CLAUSE

The Policing Agency shall not discriminate in employment against any person based on religion, race, color, sex, national origin, handicap or sexual orientation.

L. GOVERNING LAW

This Agreement shall be governed by the laws of the State of Maryland and Prince George's County.

**Prince George's County, Maryland
Electronic Signature Agreement**

I, Tracey N-Douglas, (*insert name of individual*) by signing this agreement on this 24 day of September 2020, as an individual or as a person authorized to bind the entity identified herein below (the "Entity"), on behalf of myself/Entity agree to conduct transactions with Prince George's County, Maryland (the "County") by electronic means. I agree that an electronic signature of an authorized Prince George's County, Maryland representative is the legal equivalent of his/her manual signature on the agreement attached hereto (the "Agreement"). By signing the Agreement, I/Entity consent(s) to be legally bound by the Agreement's terms and conditions. I/Entity further agree that the County's use of computer software, a key pad, mouse or other device to select an item, button, icon or similar act/action, in accessing, reviewing, approving and/or signing the Agreement, constitutes his/her signature (hereafter referred to as "E-Signature"), acceptance and agreement as if actually signed by him/her in writing. I/Entity also agree(s) that no certification authority or other third party verification is necessary to validate the County's E-Signature and that the lack of such certification or third party verification will not in any way affect the enforceability of the County's E-Signature or any resulting contract between myself/Entity and the County.

City of Hyattsville
Name of Entity

By: Tracey Douglas
Print Name: Tracey Douglas
Title: City Administrator

Prince George's County, Maryland hereby agrees to conduct transactions with the above named Individual / Entity by electronic means in accordance with the terms set forth above and agreed to by Individual / Entity.

Prince George's County, Maryland

By: Mark A. Magaw
Mark A. Magaw (Jan 25, 2021 11:32 EST)
Print Name: Mark A. Magaw
Title: Deputy Chief Administrative Officer of
Public Safety and Homeland Security



IN WITNESS, WHEREOF, the parties hereto have caused this Agreement to be signed and executed as of the date set forth above.

PRINCE GEORGE'S COUNTY, MARYLAND

delicia Wells
delicia Wells (Jan 27, 2021 10:57 EST)
Witness

Mark A. Magaw
Mark A. Magaw (Jan 25, 2021 13:32 EST)
Mark A. Magaw
Deputy Chief Administrative Officer for
Public Safety and Homeland Security



CITY OF HYATTSVILLE, MARYLAND

[Signature]
Witness

[Signature] 29 Sep
City Administrator Date

[Signature]
Witness

Review and Approval Recommended
[Signature]
Hector Velez
Interim Chief of Police

Reviewed for Legal Sufficiency

Office of Law
Prince George's County, Maryland

From: Middleton, Steven B.
Sent: Wednesday, October 7, 2020 3:12 PM
To: Cooper, Gina R.
Subject: RE: Review and approval of FY21 MOA MCIN HYATTSVILLE OVERTIME \$40,000

Hello Gina, Risk Management finds the grant award as acceptable.

From: Cooper, Gina R. <GRCooper@co.pg.md.us>
Sent: Wednesday, October 07, 2020 1:55 PM
To: Middleton, Steven B. <SBMiddleton@co.pg.md.us>
Cc: Wiseman, Kimberly M. <KMWiseman@co.pg.md.us>; Boykin, Barbara B. <bbboykin@co.pg.md.us>
Subject: Review and approval of FY21 MOA MCIN HYATTSVILLE OVERTIME \$40,000

Good afternoon Mr. Middleton,

The Police Department has attached a copy of the FY21 MOA MCIN HYATTSVILLE OVERTIME \$40,000. The purpose of the MOA is for overtime worked to investigate and conduct operations to combat gun trafficking, illegal gang activities, human trafficking and firearm trafficking.

We are requesting that this document be reviewed and approved prior to eARC submission.

Thank you,

Gina

Sent from Mail for Windows 10

Wiseman, Kimberly M.

From: Missouri, Natalie O.
Sent: Tuesday, October 20, 2020 10:10 AM
To: Fair, Angela
Cc: Boykin, Barbara B.; Wiseman, Kimberly M.; Cooper, Gina R.
Subject: RE: Request for Office of Law Review and Approval for Legal Sufficiency - FY21 MOA MCIN Hyattsville \$40,000

Good Morning:

Per your request, we have reviewed the above mentioned document for legal sufficiency without revision. Please include a copy of this email and my name in the comments section when submitting the document for eARC.

Thank you,

Natalie O. Missouri

Associate County Attorney
Office of Law
1301 McCormick Drive, Suite 4100
Largo, Maryland 20774
(301) 952-4028
nomissouri@co.pg.md.us

From: Rice, Nicole Y. <NYRice@co.pg.md.us>
Sent: Friday, October 16, 2020 1:18 PM
To: Fair, Angela <AFair@co.pg.md.us>; Tranx-OOL <Tranx-OOL@co.pg.md.us>
Cc: Missouri, Natalie O. <NOMissouri@co.pg.md.us>
Subject: RE: Request for Office of Law Review and Approval for Legal Sufficiency - FY21 MOA MCIN Hyattsville \$40,000

Hello Ms. Fair,

This matter has been assigned to Associate County Attorney Natalie Missouri for review. You may expect a response to your request on or before 10/22/2020. If you have any questions or need to contact Ms. Missouri regarding this matter, she can be reached at (301) 952-5225.

Kindly,

Nicole Y. Rice

Administrative Aide IV for the Transactional Unit
Prince George's County Office of Law
Wayne K. Curry Administrative Building
1301 McCormick Drive, Suite 4100
Largo, MD 20774
301.952.5248 (o) / 301.952.3071 (f)

From: Fair, Angela <AFair@co.pg.md.us>

Sent: Wednesday, October 7, 2020 7:06 PM

To: Dixon, Sean G. <sgdixon@co.pg.md.us>; Rice, Nicole Y. <NYRice@co.pg.md.us>

Cc: Boykin, Barbara B. <bbboykin@co.pg.md.us>; Wiseman, Kimberly M. <KMWiseman@co.pg.md.us>; Cooper, Gina R. <GRCooper@co.pg.md.us>

Subject: Request for Office of Law Review and Approval for Legal Sufficiency - FY21 MOA MCIN Hyattsville \$40,000

Good evening,

The Police Department has attached a copy of the FY21 MOA between the Prince George's County Police Department and the City of Hyattsville in the amount of \$40,000. The purpose of the MOA is to provide overtime to investigate and conduct operations to combat gun trafficking, illegal gang activities, human trafficking and firearm trafficking.

We are requesting that this document be reviewed and approved for legal form and sufficiency, prior to eARC submission.

Please contact me at 301-516-5973 if you have any questions.

Sincerely,

Angela Fair, Comptroller
Prince George's County Police Department
8801 Police Plaza, 5th Floor
Upper Marlboro, Maryland 20772

301-516-5973

From: Fair, Angela
Sent: Friday, October 16, 2020 8:44 PM
To: Boykin, Barbara B.; Cooper, Gina R.; Wiseman, Kimberly M.
Subject: FW: Request for Office of Law Review and Approval for Legal Sufficiency - FY21 MOA MCIN Hyattsville \$40,000

From: Rice, Nicole Y. <NYRice@co.pg.md.us>
Sent: Friday, October 16, 2020 1:18 PM
To: Fair, Angela <AFair@co.pg.md.us>; Tranx-OOL <Tranx-OOL@co.pg.md.us>
Cc: Missouri, Natalie O. <NOMissouri@co.pg.md.us>
Subject: RE: Request for Office of Law Review and Approval for Legal Sufficiency - FY21 MOA MCIN Hyattsville \$40,000

Hello Ms. Fair,

This matter has been assigned to Associate County Attorney Natalie Missouri for review. You may expect a response to your request on or before 10/22/2020. If you have any questions or need to contact Ms. Missouri regarding this matter, she can be reached at [\(301\) 952-5225](tel:3019525225).

Kindly,

Nicole Y. Rice

Administrative Aide IV for the Transactional Unit
Prince George's County Office of Law
Wayne K. Curry Administrative Building
1301 McCormick Drive, Suite 4100
Largo, MD 20774
[301.952.5248](tel:3019525248) (o) / [301.952.3071](tel:3019523071) (f)

From: Fair, Angela <AFair@co.pg.md.us>
Sent: Wednesday, October 7, 2020 7:06 PM
To: Dixon, Sean G. <sgdixon@co.pg.md.us>; Rice, Nicole Y. <NYRice@co.pg.md.us>
Cc: Boykin, Barbara B. <bbboykin@co.pg.md.us>; Wiseman, Kimberly M. <KMWiseman@co.pg.md.us>; Cooper, Gina R. <GRCooper@co.pg.md.us>
Subject: Request for Office of Law Review and Approval for Legal Sufficiency - FY21 MOA MCIN Hyattsville \$40,000

Good evening,

The Police Department has attached a copy of the FY21 MOA between the Prince George's County Police Department and the City of Hyattsville in the amount of \$40,000. The purpose of the MOA is to

provide overtime to investigate and conduct operations to combat gun trafficking, illegal gang activities, human trafficking and firearm trafficking.

We are requesting that this document be reviewed and approved for legal form and sufficiency, prior to eARC submission.

Please contact me at 301-516-5973 if you have any questions.

Sincerely,

Angela Fair, Comptroller
Prince George's County Police Department
8801 Police Plaza, 5th Floor
Upper Marlboro, Maryland 20772

301-516-5973









MOA- The City of Hyattsville

Final Audit Report

2021-01-27

Created:	2021-01-25
By:	Nekesa Tucker (NJTucker@co.pg.md.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAaBKZ8RBzbJb6d5dgahC2kSu6T1cjL8U

"MOA- The City of Hyattsville" History

-  Document created by Nekesa Tucker (NJTucker@co.pg.md.us)
2021-01-25 - 4:23:01 PM GMT- IP address: 162.247.192.3
-  Document emailed to Mark A. Magaw (mamagaw@co.pg.md.us) for signature
2021-01-25 - 4:29:18 PM GMT
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2021-01-25 - 4:46:48 PM GMT- IP address: 174.244.218.118
-  Restricted visibility Document e-signed by Mark A. Magaw (mamagaw@co.pg.md.us)
Signature Date: 2021-01-25 - 6:32:20 PM GMT - Time Source: server- IP address: 162.247.192.3
-  Document emailed to delicia Wells (ddwells@co.pg.md.us) for signature
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2021-01-27 - 3:54:34 PM GMT- IP address: 104.47.65.254
-  Restricted visibility Document e-signed by delicia Wells (ddwells@co.pg.md.us)
Signature Date: 2021-01-27 - 3:57:05 PM GMT - Time Source: server- IP address: 96.241.163.72
-  Agreement completed.
2021-01-27 - 3:57:05 PM GMT



Regional Monitor
Fiscal Specialist:

Jones, Quentin
Lee, Dorothy

Governor's Office of Crime Control and Prevention

Budget Notice

Grant Award Number:	MCIN-2021-0010	
Sub-recipient:	Prince George's County, Maryland	
Project Title:	FY21 Prince George's County MCIN Coalition- Continuation	
Implementing Agency:	Prince George's County Police Department	
Award Period:	07/01/2020 - 06/30/2021	CFDA: STATE

Funding Summary	Grant Funds	100.0 %	\$434,016.00
	Cash Match	0.0 %	\$0.00
	In-Kind Match	0.0 %	\$0.00
	Total Project Funds		\$434,016.00

Personnel

Description of Position	Salary Type	Funding	Total Budget
Law Enforcement- Gun Violence Reduction	Overtime	Grant Funds	\$50,000.00
Law Enforcement- MCIN	Overtime	Grant Funds	\$120,000.00
MCIN Coordinator	Salary	Grant Funds	\$60,320.00
Personnel Total:			\$230,320.00

Contractual Services

Description	Funding	Quantity	Unit Cost	Total Budget
Allied Law Enforcement- Overtime	Grant Funds	1	\$40,000.00	\$40,000.00
MCIN Prosecutor- State's Attorney Office	Grant Funds	1	\$86,565.00	\$86,565.00
Contractual Services Total:				\$126,565.00

Other

Description	Funding	Quantity	Unit Cost	Total Budget
Cellebrite Premium	Grant Funds	1	\$75,148.00	\$75,148.00
Laptop	Grant Funds	1	\$1,983.00	\$1,983.00
Other Total:				\$77,131.00

Approved:

Governor's Office of Crime Control and Prevention Authorized Representative

Effective Date: 7/23/2020



City of Hyattsville

Hyattsville Municipal Bldg
4310 Gallatin Street, 3rd Flr
Hyattsville, MD 20781
(301) 985-5000
www.hyattsville.org

Agenda Item Report

File #: HCC-219-FY21

2/16/2021

11.a)

Submitted by: At the Request of the City Administrator
Submitting Department: Community & Economic Development
Agenda Section: Action

Item Title:

DSP-20013: St. Joseph's House

Suggested Action:

I move the City Council authorize the Mayor to provide correspondence to the Maryland-National Capital Park & Planning Commission (MNCPPC) in support of Detailed Site Plan (DSP) 20013 and the issuance of a Special Permit to permit the operation of a Family Day Care facility on the property.

Summary Background:

- The subject property is located at 4000 Oliver Street within the Traditional Residential Neighborhood Character Area of the Gateway Arts District and zoned R-55 ("Family Detached Residential").
- The owners of the property plan to operate a Family Day Care from the residence through their non-profit, St. Joseph's House. To accommodate their specific operations, the owners plan to construct a one-room addition to the south end (front) of the existing residence, increasing the gross floor area of the residence by approximately 432 SF.
- This type of improvement does not typically require the submission of a Detailed Site Plan. However, uses permitted with a Special Permit (in this case, a Family Day Care facility) require the approval of a DSP under County Code.
- The applicant is requesting the following:
 - Approval of the issuance of a Special Permit to permit the operation of a Family Day Care facility (8 children or less) on the property.
 - Approval of a Detailed Site Plan in connection with the approval of the Special Permit to allow a Family Day Care within a one-room addition to an existing single family detached dwelling.

Next Steps:

Any recommendations adopted by the City Council at the February 16, 2021 meeting will be conveyed to the Planning Board before the M-NCPPC hearing. No additional City Council action is required.

Fiscal Impact:

N/A

City Administrator Comments:

In staff's opinion, the proposed Family Day Care use is compatible with the existing zoning and Character Area of the property. St. Joseph's House provides a critical service to the area and its presence in Hyattsville is highly valuable.

The owner-operators of the subject property will both operate the Day Care Facility and occupy the residence, therefore staff has confidence that the owners will be sensitive to the needs of the existing neighborhood and be able to easily integrate into the community.

Staff anticipates that the new accessory use (Family Day Care) and one-room addition will not create any significant construction or operational concerns.

Community Engagement:

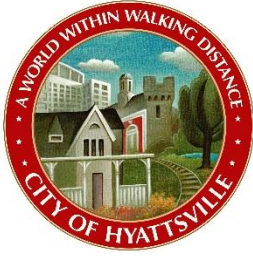
The M-NCPPC Planning Board is scheduled to conduct a hearing to consider DSP-20013 on Thursday, March 11, 2021.

Strategic Goals:

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

Legal Review Required?

N/A



Memo

To: Mayor and City Council

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

Date: February 16, 2021

Re: St. Joseph's House – Detailed Site Plan (DSP-20013)

Attachments: SOJ-DSP-20013
CIVP-DSP-20013_01
Letter from Applicant

The purpose of this memorandum is to provide the City Council with a summary of, and recommendations for, the detailed site plan (DSP) application for the St. Joseph's House Family Day Care at 4000 Oliver Street.

Project Summary

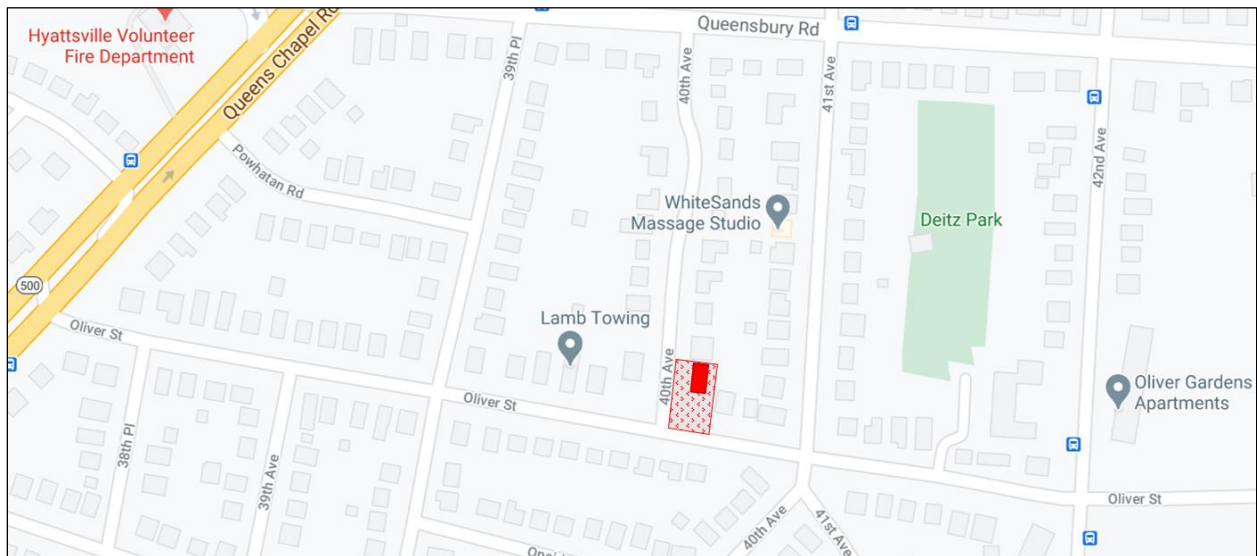
- The subject property is located at 4000 Oliver Street within the Traditional Residential Neighborhood Character Area of the Gateway Arts District and zoned R-55 ("Family Detached Residential").
- The owners of the Property plan to operate a Family Day Care from the residence through their non-profit, St. Joseph's House. To accommodate their specific operations, the owners plan to construct a one-room addition to the south end (front) of the existing residence, increasing the gross floor area of the residence by approximately 432 SF.
- This type of improvement does not typically require the submission of a Detailed Site Plan. However, uses permitted with a Special Permit (in this case, a Family Day Care facility) require the approval of a DSP under County Code.
- The applicant is requesting the following:
 - Approval of the issuance of a Special Permit to permit the operation of a Family Day Care facility (8 children or less) on the property.
 - Approval of a Detailed Site Plan in connection with the approval of the Special Permit to allow a Family Day Care within a one-room addition to an existing single family detached dwelling.

Existing Property Details

The Subject Property is a single family detached dwelling located at 4000 Oliver Street, on the northeast corner of the intersection of Oliver Street and 40th Avenue. The existing dwelling consists of a 2-story single family detached residence constructed in 1938 with a gross floor area of approximately 2,486 SF.

The Property is within the Traditional Residential Neighborhood Character Area of the Gateway Arts District and zoned R-55 ("Family Detached Residential"). The Property abuts single-family residential lots to both the north and the east. See Figure 1 for site location in red.

Figure 1. Site Location



Project Description

St. Joseph's House is a nonprofit serving children and teens with intellectual and developmental disabilities, offering home-based after-school care in addition to a ten-week summer program. The organization serves up to 8 children at a time and 20 each year. Through their programming, St. Joseph's House has served more than 55 families over the past 35 years.

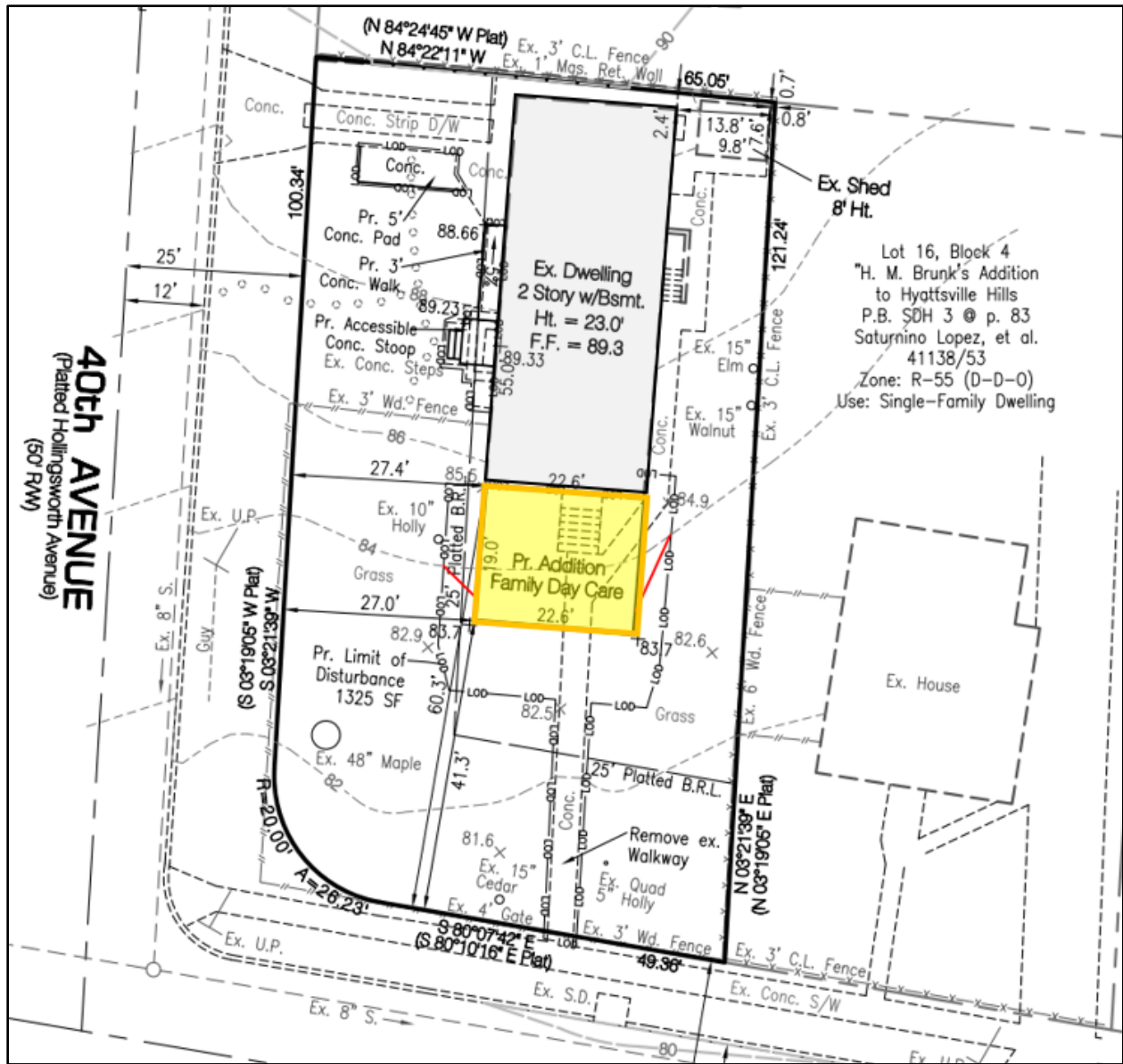
One of the owners of the Subject Property (Natalie LaHood) is the Executive Director of Operations for the non-profit. To accommodate the home-based operations of the Family Day Care, the owners (the LaHood Family) plan to construct a one-room addition to the south end (front) of the existing residence, increasing the gross floor area of the residence by approximately 432 SF.

In his letter to former Mayor Hollingsworth, Joe LaHood, one of the owners of the Property, noted,

"No daycares currently exist in Prince George's County specifically serving children with disabilities, and we are hoping to meet this great local need... We are hoping to move our family-run daycare program to our home in Hyattsville, where we may better meet the needs of an under-served population... In order to best meet the needs of our children in wheelchairs, we would require a one room addition to the house..."

The proposed one-room addition can be seen in yellow on Figure 2 below.

Figure 2. 4000 Oliver Street, Detailed Site Plan



Detailed Site Plan Requirement

The construction of a minor addition to a dwelling does not normally warrant the approval of a Detailed Site Plan. However, uses permitted with a Special Permit (in this case, a Family Day Care facility) require a Detailed Site Plan in accordance with Part 3, Division 9 of Subtitle 27 of the County Code. The proposed use of a Family Day Care is considered an accessory use to the existing single-family residence, which will be occupied by the owners and their family.

Additional Considerations

- Parking:** The Zoning Ordinance does not require off-street parking for the operation of a Family Day Care. The Property currently has one (1) parking space in the existing driveway which will be allocated for residential use only. Families will be able to park along either Oliver Street or 40th

Street to access the Property where on-street parking is permitted and access the Property via an existing concrete driveway off 40th Avenue Street.

- **Hours of Operation:** From his letter, Mr. LaHood states, *“All daycare would take place during normal business hours, and all children would depart the house by 5:30 pm at the latest.”*
- **Walkways:** The residence will be handicap accessible to and from the outside walkway and driveway. All walkways to and from the residence on the Property are adequately illuminated in keeping with other residences in the neighborhood.
- **Aesthetics:** The one-room addition will be consistent with the existing design and aesthetics of the residence located on the Property, taking into consideration the color, pattern, texture, and scale of the existing residence on the Property.
- **Construction:** The construction of the addition will not violate any applicable setback requirements and will not obstruct any views in any material respect from either the public streets or neighboring properties. Existing grading will not be modified to accommodate the construction of the one-room addition beyond the edges of the proposed addition. The existing slope of the Property is generally level.

Staff's Opinion

In Staff's opinion, the proposed Family Day Care use is compatible with the existing zoning and Character Area of the property. St. Joseph's House provides a critical service to the area and its presence in Hyattsville is highly valuable.

Because the owners of the Property will both operate the Day Care Facility and occupy the residence, Staff has confidence that the owners will be sensitive to the needs of the existing neighborhood and be able to easily integrate into the community.

Staff anticipates that the new accessory use (Family Day Care) and one-room addition will not cause any major construction or operational concerns.

Next Steps

The M-NCPPC Planning Board is scheduled to conduct a hearing to consider DSP-20013 on Thursday, March 11, 2021. Any recommendations adopted by the City Council at the February 16, 2021 meeting will be conveyed to the Planning Board before the M-NCPPC hearing.

Staff is recommending the City Council adopt the following motion:

“I move the City Council authorize the Mayor to provide correspondence to the Maryland-National Capital Park & Planning Commission in support of Detailed Site Plan 20013 and the issuance of a Special Permit to permit the operation of a Family Day Care facility on the property.”

3/12/2020

Mayor Candace B. Hollingsworth
4310 Gallatin St.
Hyattsville, MD 20781

Dear Mayor Candace B. Hollingsworth,

Re: Detailed Site Plan-20013 & Special Permit-200001 – Establishing a Home-based, Family Run Day care for under 8 children, named St. Joseph's House, a 501(c)3 nonprofit serving children with developmental disabilities

A detailed site plan for the above-referenced project will be submitted for review to the Development Review Division of The Maryland-National Capital Park and Planning Commission, M-NCPPC.

The address of the subject property is 4000 Oliver St. Hyattsville, MD 20782, which is located in the Traditional Residential Neighborhood Character Area of the Gateway Arts District in West Hyattsville.

The nature of review is to open a Family-Run, Home-based Daycare for children with intellectual and developmental disabilities, serving up to 8 children at a time and 20 in a given year. No daycares currently exist in Prince George's County specifically serving children with disabilities, and we are hoping to meet this great local need. Our daycare is a 501c3 nonprofit, licensed by the Maryland State Department of Education and currently operating in the Silver Spring neighborhood of Montgomery County. We have been serving children with intellectual and developmental disabilities in Montgomery County since 1983, providing after-school, summer, and daytime weekend respite care for a low cost. We currently serve over 20 families throughout the area, and have served over 60 since opening our doors. We are hoping to move our family-run daycare program to our home in Hyattsville, where we may better meet the needs of an under-served population. By providing this critical service, we hope to be able to help local families in difficult circumstances thrive, allowing parents to hold full-time jobs while their children enjoy a home-away-from-home environment. In order to best meet the needs of our children in wheelchairs, we would require a one room addition to the house as well. All daycare would take place during normal business hours, and all children would depart the house by 5:30 PM at the latest.

If you wish to become a Person of Record to this application, you may submit your request online at <http://www.pgplanning.org/1586/Become-a-Person-of-Record> or by written request to the Development Review Division of the M-NCPPC, 14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772. Please reference the Pre-Application Number and the Name of Project in your request. At this time no government agency has reviewed the application. After the application has been filed, you may contact the M-NCPPC at 301-952-3530.

IMPORTANT: This notice is your opportunity to interact with the applicant prior to the acceptance of the subject application. Once an application is accepted, it may be subject to mandatory action time frames that are established by law. Contacting the applicant as soon as possible after receiving this notice will help facilitate your ability to receive information and/or establish a time when the applicant may meet with you or your civic group to provide information and answer questions about the development proposed. Any concerns regarding an applicant's failure to provide information or engage in dialogue about the proposed development should be directed in writing to the same mailing address listed for becoming a party of record. Please be sure to include the application number with any such correspondence.

If you are interested in receiving more information about this application, reviewing a copy of a site plan, or meeting to discuss the project, you may contact Joe LaHood at 240-271-7751.

Sincerely,


Joe LaHood

**STATEMENT OF JUSTIFICATION FOR
DETAILED SITE PLAN AND SPECIAL PERMIT**

DSP-20013 & SP-200002

St. Joseph's House
4000 Oliver Street
Hyattsville, Maryland 20782

Requests:

- 1) Approval of a Detailed Site Plan (DSP) is requested pursuant to §27-548.25 of the County Code in connection with the approval of a Special Permit to allow a Family Day Care within a one-room addition to an existing single family detached dwelling located at 4000 Oliver Street, Hyattsville, Maryland (the "Property"). The Property is located in the R-55 Zone ("Family Detached Residential") and is situated within the Traditional Residential Neighborhood (TRN) Character Area in the Gateway Arts District Development District Overlay Zone.
- 2) Approval of the issuance of a Special Permit is requested pursuant to §27-239.02 of the County Code to permit the operation of a Family Day Care facility (8 children or less) on the Property.

Location and Description of Property:

The Property is a single family detached residence located at 4000 Oliver Street, Hyattsville, Maryland 20782, Tax Account Number: 16-1797851. The Property is zoned R-55 and is situated within the Traditional Residential Neighborhood (TRN) Character Area within the Gateway Area District Development District Overlay Zone.

The Property is a corner lot consisting of a land area of approximately 7,670 SF and is located at the northeast corner of the intersection of Oliver Street and 40th Avenue in a residential neighborhood known as "Hyattsville Hills." Existing improvements on the Property primarily consist of a 2-story single family detached residence constructed in 1938 which has a gross floor area of approximately 2,486 SF. The Property is serviced by both public water and sewer and is not located in either the 100-year floodplain or the Chesapeake Bay Critical Area.

The Property is abutted by two other single-family residential lots, both with the same zoning classifications as the Property.

Description of Proposed Use:

The proposed use of the Property is the operation of a Family Day Care (8 children) as an accessory use to the existing single-family dwelling in accordance with the zoning regulations of the County Code. Specifically, the planned Family Day Care will serve children with developmental disabilities. The owners of the Property (one of whom is also the Executive

Director of the operators of the Family Day Care) currently reside at the Property and intend to continue using the Property as their primary personal residence.

To further accommodate the operation of the Family Day Care, the LaHood family desires to construct a one-room addition to the south end (front) of the existing residence as illustrated on the DSP submitted for approval. This will increase the gross floor area of the existing residence by approximately 432 SF.

Required Findings:

Detailed Site Plan:

Pursuant to the requirement on page 167 of the Development District Standards of the *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District*, uses which are permitted with a special permit require the detailed site plan process in accordance with Part 3, Division 9 of Subtitle 27 of the County Code. However, the applicability section of the Development District Standards may exempt from site plan review or limit the review of specific types of development or areas of the Development District. For reasons set forth below, the design-related criteria set forth in the Development District Standards do not apply to this request.

Because the Property is (i) zoned R-55, (ii) located within the TRN Character Area, and (iii) located within the municipal limits of the City of Hyattsville, footnote 2 of the development standards provides that the development standards of the Gateway Arts District D-D-O Zone do not apply to this site. Note that it has been previously established that the development standards of the Gateway Arts District (i.e. those standards or guidelines addressing site and building design) are a subset of the Development District Standards contained in the March, 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District*. Thus, the Use Tables within the overall Development District Standards remain applicable to properties zoned R-55 in the TRN Character area in the City of Hyattsville, even though the site design-related development standards do not apply. Accordingly, the basic criteria for approval of a Detailed Site Plan found in §27-285(b) of the County Code are applicable to the Property, together the regulations of the R-55 Zone.

Lastly, it should be noted that conformance with the provisions of the Landscape Manual do not apply to this request because the proposed use of a Family Day Care is considered an accessory use to an existing single-family residence, additions to which are exempt pursuant to Section 1.1(e)(1).

Accordingly, pursuant to §27-285(b) of the County Code, the applicable site plan requirements for this Property are as follows:

- (1) The Planning Board may approve a Detailed Site Plan if it finds that the 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. If it cannot make these findings, the Planning Board may disapprove the Plan.

- (2) The Planning Board shall also find that the Detailed Site Plan is in general conformance with the approved Conceptual Site Plan (if one was required).
- (3) The Planning Board may approve a Detailed Site Plan for Infrastructure if it finds that the plan satisfies the site design guidelines as contained in §27-274 of the County Code, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge.
- (4) The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of §24-130(b)(5) of the County Code.

Special Permit:

Pursuant to §27-239.02(a)(6)(C), the required findings for the issuance of a Special Permit are as follows:

- (1) The site plan generally conforms with design guidelines in an approved Master Plan or other applicable plan; and
- (2) The site plan shows that the proposed use will not be incompatible with adjacent properties because of building or site design

Requests and Conformance to Required Findings for Each Request:

Detailed Site Plan:

The proposed Detailed Site Plan for the Property satisfies the basic criteria for approval of a Detailed Site Plan pursuant to §27-285(b). Those criteria are discussed as follows:

(1) The Planning Board may approve a Detailed Site Plan if it finds that the 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. If it cannot make these findings, the Planning Board may disapprove the Plan.

The site design guidelines applicable to the criterion above are found in §27-274(a). These are discussed following, *seriatim*:

- (1) General.*
 - (A) The Plan should promote the purposes of the Conceptual Site Plan.*

No Conceptual Site Plan is associated with the subject project.

(B) The applicant shall provide justification for, and demonstrate to the satisfaction of the Planning Board or District Council, as applicable, the reasons for noncompliance with any of the design guidelines for townhouses and three-family dwellings set forth in paragraph (11), below.

No townhouses or three-family dwellings are associated with the subject project.

(2) Parking, loading, and circulation.

(A) Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces should be located to provide convenient access to major destination points on the site. As a means of achieving these objectives, the following guidelines should be observed:

- (i) Parking lots should generally be provided to the rear or sides of structures;*
- (ii) Parking spaces should be located as near as possible to the uses they serve;*
- (iii) Parking aisles should be oriented to minimize the number of parking lanes crossed by pedestrians;*
- (iv) Large, uninterrupted expanses of pavement should be avoided or substantially mitigated by the location of green space and plant materials within the parking lot, in accordance with the Landscape Manual, particularly in parking areas serving townhouses;*
- (v) Special areas for van pool, car pool, and visitor parking should be located with convenient pedestrian access to buildings;*

The Zoning Ordinance does not require off-street parking for the operation of a Family Day Care. There are no parking lots, parking spaces or parking aisles in connection with this project, with the exception of one (1) parking space in the existing driveway which will be allocated for residential use only.

(B) Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians. To fulfill this goal, the following guidelines should be observed:

- (i) Loading docks should be oriented toward service roads and away from major streets or public view;*
- (ii) Loading areas should be clearly marked and should be separated from parking areas to the extent possible.*

There is no loading dock or loading space in connection with this project. As the Property is a residence, all deliveries of materials and supplies will be delivered directly to the entrance of the residence and stored therein.

(C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers. To fulfill this goal, the following guidelines should be observed:

- (i) *The location, number and design of driveway entrances to the site should minimize conflict with off-site traffic, should provide a safe transition into the parking lot, and should provide adequate acceleration and deceleration lanes, if necessary;*
- (ii) *Entrance drives should provide adequate space for queuing;*
- (iii) *Circulation patterns should be designed so that vehicular traffic may flow freely through the parking lot without encouraging higher speeds than can be safely accommodated;*
- (iv) *Parking areas should be designed to discourage their use as through-access drives;*
- (v) *Internal signs such as directional arrows, lane markings, and other roadway commands should be used to facilitate safe driving through the parking lot;*
- (vi) *Drive-through establishments should be designed with adequate space for queuing lanes that do not conflict with circulation traffic patterns or pedestrian access;*
- (vii) *Parcel pick-up areas should be coordinated with other on-site traffic flows;*
- (viii) *Pedestrian access should be provided into the site and through parking lots to the major destinations on the site;*
- (ix) *Pedestrian and vehicular circulation routes should generally be separated and clearly marked;*
- (x) *Crosswalks for pedestrians that span vehicular lanes should be identified by the use of signs, stripes on the pavement, change of paving material, or similar techniques;*
- (xi) *Barrier-free pathways to accommodate the handicapped should be provided.*

There will be no parking areas, drive-through areas or vehicular circulation areas associated with this project. Families will be able to park along either Oliver Street or 40th Street to access the Property where on-street parking is permitted, and access the Property via an existing concrete driveway off of 40th Avenue Street as shown on the DSP submitted for approval.

(3) *Lighting.*

(A) *For uses permitting nighttime activities, adequate illumination should be provided. Light fixtures should enhance the site's design character. To fulfill this goal, the following guidelines should be observed:*

- (i) *If the development is used at night, the luminosity, orientation, and location of exterior light fixtures should enhance user safety and minimize vehicular/pedestrian conflicts;*
- (ii) *Lighting should be used to illuminate important on-site elements such as entrances, pedestrian pathways, public spaces, and property addresses. Significant natural or built features may also be illuminated if appropriate to the site;*
- (iii) *The pattern of light pooling should be directed on-site;*
- (iv) *Light fixtures fulfilling similar functions should provide a consistent quality of light;*
- (v) *Light fixtures should be durable and compatible with the scale, architecture, and use of the site;*
- (vi) *If a variety of lighting fixtures is needed to serve different purposes on a site, related fixtures should be selected. The design and layout of the fixtures should provide visual continuity throughout the site.*

The operation of the Property will primarily be used as a family day care center during daytime hours. There are no specific lighting requirements for family day care as an accessory use in a R-55 Zone. As such, the Property will abide by any and all applicable laws, regulations and ordinances for ordinary residences in a R-55 zone. All walkways to and from the residence on the Property are adequately illuminated in keeping with other residences in the neighborhood.

(4) *Views.*

(A) *Site design techniques should be used to preserve, create, or emphasize scenic views from public areas.*

The proposed one-room addition will only expand the existing footprint of the residence by 432 square feet and will be in keeping with the existing design and aesthetics of the residence located on the Property. The construction of the addition will not violate any applicable setback requirements and will not obstruct any views in any material respect from either the public streets or neighboring properties.

(5) *Green area.*

(A) *On-site green area should be designed to complement other site activity areas and should be appropriate in size, shape, location, and design to fulfill its intended use. To fulfill this goal, the following guidelines should be observed:*

(i) *Green area should be easily accessible in order to maximize its utility and to simplify its maintenance;*

The entire green space will be existing lawn/yard area in keeping with adjacent properties in the neighborhood, as the subject Property is single-family residence. The DSP doesn't contemplate any change to the green area other than the minor expansion of the building footprint to accommodate the new addition and the removal of an existing concrete walkway from the house to the sidewalk adjacent to Oliver Street.

(ii) *Green area should link major site destinations such as buildings and parking areas;*

Not applicable for this Property.

(iii) *Green area should be well-defined and appropriately scaled to meet its intended use;*

The green areas generally extend from the residence to the perimeter lot line areas of the Property and are appropriate for the residential use.

(iv) *Green area designed for the use and enjoyment of pedestrians should be visible and accessible, and the location of seating should be protected from excessive sun, shade, wind, and noise;*

All green space is located on private residential property. There is no green area designated for the use and enjoyment of pedestrians generally, although the green area will be suitable for residential use and the intended use of operating a family day care.

(v) *Green area should be designed to define space, provide screening and privacy, and serve as a focal point;*

All green space is located on private residential property and will be designed and maintained in accordance with the applicable requirements set forth in the R-55 zone, including lot coverage restrictions.

(vi) *Green area should incorporate significant on-site natural features and woodland conservation requirements that enhance the physical and visual character of the site; and*

While there are no woodland conservation requirements connected with this site, nor any regulated environmental features, existing trees around the site's perimeter will be preserved to the extent practicable to preserve the Property's existing visual character.

(vii) *Green area should generally be accented by elements such as landscaping, pools, fountains, street furniture, and decorative paving.*

All green space is located on private residential property and will be maintained in accordance with the applicable requirements set forth in the R-55 zone, including limitations on lot coverage.

(B) The application shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130 (b)(5).

No regulated environmental features are associated with this project.

(6) *Site and streetscape amenities.*

(A) Site and streetscape amenities should contribute to an attractive, coordinated development and should enhance the use and enjoyment of the site. To fulfill this goal, the following guidelines should be observed:

(i) *The design of light fixtures, benches, trash receptacles, bicycle racks and other street furniture should be coordinated in order to enhance the visual unity of the site;*

No new light fixtures, benches or other street furniture are proposed. Trash receptacles will be kept inside the house and put out to the curb on designated trash collection days.

(ii) *The design of amenities should take into consideration the color, pattern, texture, and scale of structures on the site, and when known, structures on adjacent sites, and pedestrian areas;*

As discussed above, the design of the one-room addition takes into consideration the color, pattern, texture and scale of the existing residence on the Property.

(iii) Amenities should be clearly visible and accessible, and should not obstruct pedestrian circulation;

The Property has clear, visible and accessible walkway areas to and from the existing residence.

(iv) Amenities should be functional and should be constructed of durable, low maintenance materials;

As discussed above, no new street furniture or other exterior improvements are proposed.

(v) Amenities should be protected from vehicular intrusion with design elements that are integrated into the overall streetscape design, such as landscaping, curbs, and bollards;

Not applicable to this Property.

(vi) Amenities such as kiosks, planters, fountains, and public art should be used as focal points on a site; and

Not applicable to this Property.

(vii) Amenities should be included which accommodate the handicapped and should be appropriately scaled for user comfort.

The residence will be handicap accessible to and from the outside walkway and driveway.

(7) Grading.

(A) Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts. To fulfill this goal, the following guidelines should be observed:

(i) Slopes and berms visible from streets and other public areas should appear as naturalistic forms. Slope ratios and the length of slopes should be varied if necessary to increase visual interest and relate manmade landforms to the shape of the natural terrain;

Existing grading will not be modified to accommodate the construction of the one-room addition beyond the edges of the proposed addition. The existing slope of the Property is generally level.

(ii) Excessive grading of hilltops and slopes should be avoided where there are reasonable alternatives that will preserve a site's natural landforms;

Not a concern for this Property and not applicable.

(iii) Grading and other methods should be considered to buffer incompatible land uses from each other;

Not a concern for this Property and not applicable.

(iv) Where steep slopes cannot be avoided, plant materials of varying forms and densities should be arranged to soften the appearance of the slope; and

Not a concern for this Property and not applicable.

(v) Drainage devices should be located and designed so as to minimize the view from public areas.

Stormwater runoff will not be materially impacted by the improvements contemplated in the DSP, and the proposed improvements are exempt from requirements for stormwater management. As such, no modifications to drainage devices are proposed.

(8) Service areas.

(A) Service areas should be accessible, but unobtrusive. To fulfill this goal, the following guidelines should be observed:

(i) Service areas should be located away from primary roads, when possible;

Services areas are not required for this Property and not applicable.

(ii) Service areas should be located conveniently to all buildings served;

Services areas are not required for this Property and not applicable.

(iii) Service areas should be effectively screened or enclosed with materials compatible with the primary structure; and

Services areas are not required for this Property and not applicable.

(iv) Multiple building developments should be designed to form service courtyards which are devoted to parking and loading uses and are not visible from public view.

The project is not a multiple building development.

(9) Public spaces.

(A) A public space system should be provided to enhance a large-scale commercial, mixed-use, or multifamily development. To fulfill this goal, the following guidelines should be observed...

The Property is neither a large-scale, mixed-use, nor multi-family development.

(10) Architecture.

(A) When architectural considerations are referenced for review, the Conceptual Site Plan should include a statement as to how the architecture of the buildings will provide a variety of building forms, with a unified, harmonious use of materials and styles.

There have been no prior approvals connected with the Property requiring any architectural considerations. The architectural style of the building addition will be in style with the existing architecture of the existing residence.

(11) Townhouses and three-family dwellings.

As the subject site does not contain townhouses or three-family dwellings, the six provisions in this subsection are not applicable to the subject project.

As the foregoing responses indicate, the Detailed Site Plan for the Property represents a reasonable alternative for satisfying the design guidelines. The basic findings for approval of a Detailed Site Plan in §27-285(b) continue as follows:

(2) The Planning Board shall also find that the Detailed Site Plan is in general conformance with the approved Conceptual Site Plan (if one was required).

No Conceptual Site Plan is associated with this project.

(3) The Planning Board may approve a Detailed Site Plan for Infrastructure if it finds that the plan satisfies the site design guidelines as contained in Section 27-274, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge.

No Detailed Site Plan for Infrastructure is associated with this project.

(4) The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130 (b)(5).

No regulated environmental features are associated with this project.

Consequently, the Planning Board can find that all four of the criteria of §27-285(b) have been met.

Special Permit:

The project also satisfies the criteria for the issuance of a Special Permit pursuant to §27-239.02(a)(6)(C) of the County Code. Those criteria are discussed as follows:

(1) The site plan generally conforms with design guidelines in an approved Master Plan or other applicable plan; and

As explained above, the Property is not subject to the development standards of the Gateway Arts District D-D-O Zone. Such development standards are a subset of the Development District Standards contained in the March, 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District*. Pursuant to the foregoing, the site plan is designed to be in conformance with the applicable regulations set forth in the underlying zoning district (R-55) and otherwise complies with the site plan requirements set forth in §27-285(b) of the County Code.

(2) The site plan shows that the proposed use will not be incompatible with adjacent properties because of building or site design.

The construction of a 432 square foot addition to an existing residence as shown on the DSP submitted for approval will not be incompatible with adjacent properties because of building or site design. The minor addition will be in keeping with the architecture and aesthetics of the existing residence. No other major site modifications in connection with the accessory use of the Property as a Family Day Care are contemplated. As such, there will be no negative impact on the adjoining properties or the neighborhood of Hyattsville Hills as a whole.

Conclusion:

In summary, because (i) the proposed DSP for the Property satisfies the required findings criteria set forth in §27-548.25(b) of the County Code, and (ii) the Property satisfies the required findings set forth in §27-239.02 of the County Code for the issuance of a special permit to operate a family day care as an accessory use on the Property, the Planning Board is justified in granting approval for both the DSP and the issuance of a Special Permit for the Property.

Respectfully submitted,

Natalie A. Lahood, Executive Director
St. Joseph's House, Ltd.



City of Hyattsville

Hyattsville Municipal Bldg
4310 Gallatin Street, 3rd Flr
Hyattsville, MD 20781
(301) 985-5000
www.hyattsville.org

Agenda Item Report

File #: HCC-214-FY21

2/16/2021

11.b)

Submitted by: Michelle Dunklee
Submitting Department: Police Department
Agenda Section: Action

Item Title:

Purchase of BolaWrap Devices and Cartridges

Suggested Action:

I move that the Mayor and Council authorize the expenditure in the amount of \$12,039 to East Coast Tactical for the purchase of 10 BolaWrap devices and 90 cartridges to be divided between each squad and our Emergency Response Team. The funding source for this purchase is the speed camera special revenue fund.

I further move that, upon procurement, the Hyattsville City Police Department move swiftly to adequately train and staff members of each squad and the Emergency Response Team on the appropriate use and deployment of the BolaWrap Device.

Summary Background:

One of the most challenging duties our officers face is the apprehension of persons that are in a mental health crisis. We spend a great deal of training time learning de-escalation techniques like Integrating Communications, Assessment, and Tactics (ICAT). This past year, Chief Awad and Deputy Chief Dunklee attended a demonstration of the BolaWrap. It is designed to restrain someone without using force. Non-compliant subjects in mental crisis and drug impaired persons are often incapable of comprehending the commands of officers. The BolaWrap enables Police officers to restrain subjects safely and with very low risk of injury. The Police department would like to add the BolaWrap as another tool that our officers can use when appropriate for the situation.

The Police Department received two quotes for this item and East Coast Tactical was the lowest priced vendor.

Note - the item was initially discussed on 1/19.

Next Steps:

Approval from Mayor and Council.

Fiscal Impact:

\$12,039.00

City Administrator Comments:

Recommend Support. This less than lethal option will be a great asset to our department

Community Engagement:

N/A

Strategic Goals:

Goal 3 - Promote a Safe and Vibrant Community

Legal Review Required?

Complete





City of Hyattsville

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Agenda Item Report

File #: HCC-221-FY21

2/16/2021

12.a)

Submitted by: Sean Corcoran
Submitting Department: City Clerk
Agenda Section: Discussion

Item Title:

FY22 Budget Initiative: Community Emergency Response Team (CERT)

Suggested Action:

FOR DISCUSSION:

I move that the Mayor and Council include \$20,000 in the Fiscal Year 2022 (FY22) budget to establish a Community Emergency Response Team.

Summary Background:

The Community Emergency Response Team (CERT) is a team of volunteers who are organized and educated on disaster preparedness and trained in basic response skills. CERT teams, under the direction of local emergency responders, help provide critical support that can be relied upon during emergency situations. The CERT team augments a community's capabilities to prepare for, respond to, and recover from disasters. In addition to supporting first responders, CERT teams also help the community year-round by helping build emergency plans, conducting exercises with community partners and coordinating safety education. CERT teams can also support the City with food distribution programs and other community outreach needs.

Recommend an evaluation to determine the feasibility of establishing the Team as a Hyattsville program or in partnership with surrounding municipalities.

Next Steps:

Evaluate the requirements and establish program guidelines.

Fiscal Impact:

\$20,000 in FY22 to establish and implement the program.

City Administrator Comments:

For discussion.

Community Engagement:

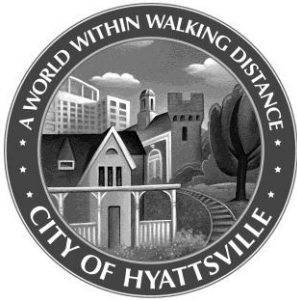
Upon program establishment, a communications strategy will be developed to recruit members and educate residents on the team and its functions.

Strategic Goals:

Goal 3 - Promote a Safe and Vibrant Community

Legal Review Required?

N/A



Council Agenda Form

MOTION #		DRAFT #
DATE SUBMITTED: 2 Feb 2021	DATE TO GO BEFORE COUNCIL: LEAVE BLANK	
SUBMITTED BY: Interim Mayor Kevin Ward		
CO-SPONSORS: N/A		
DEPARTMENT: Legislative		

TITLE OF MOTION: Budgetary: FY22 Budget Initiative: Community Emergency Response (CERT) Team
RECOMMENDATION: I move the Mayor and Council include \$20,000 in the FY22 budget to establish a Community Emergency Response Team.
<p>SUMMARY BACKGROUND:</p> <p>The Community Emergency Response Team (CERT) is a team of volunteers who are organized and educated on disaster preparedness and trained in basic response skills. CERT Teams under the direction of local emergency responders, help provide critical support that they can rely on during emergency situations. The CERT team augments a community's capabilities to prepare for, respond to, and recover from disasters. In addition to supporting first responders, CERT teams also help the community year-round by helping build emergency plans, conduct exercises with community partners and coordinate safety education. CERT teams can also support the City with food distribution programs and other community outreach needs.</p> <p>Recommend an evaluation to determine the feasibility of establishing the Team as a Hyattsville program or in partnership with surrounding municipalities.</p>
ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT: FY22 funding is needed to develop the CERT program. Minimal expenses may be needed for outreach, recruiting, training materials, supplies, equipment/uniforms and implementation.
NEXT STEPS: Evaluate the requirements and establish program guidelines.
CITY ADMINISTRATOR / DEPARTMENT DIRECTOR COMMENT:
SUPPORTING DOCUMENTATION:
FISCAL IMPACT: \$20,000 in year one to establish and implement the program.
COMMUNITY ENGAGEMENT:

Upon program establishment, a communications strategy will be developed to recruit members and educate residents on the team and its functions.

STRATEGIC GOALS AND ACTIONS:

Goal 3 - Promote a safe and vibrant community.

LEGAL REVIEW REQUIRED?:

DRAFT



City of Hyattsville

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Agenda Item Report

File #: HCC-222-FY21

2/16/2021

12.b)

Submitted by: Sean Corcoran
Submitting Department: City Clerk
Agenda Section: Discussion

Item Title:

FY22 Budget Initiative: Hyattsville Property Tax Credit Review and Assessment

Suggested Action:

FOR DISCUSSION:

I move that the Mayor and Council authorize expenditures of up to \$10,000.00 in the Fiscal Year 2022 (FY22) budget to provide for necessary legal review and technical support to formulate recommendations for revisions to existing Municipal Property Tax Credits, including revisions to Municipal tax credit programs authorized under Maryland Code, Tax-Property § 9-104 (“Homeowner’s Property Tax Credit”) and Maryland Code, Tax-Property § 9-105 (“Homestead Tax Credit”).

Summary Background:

In 2008, the Hyattsville City Council passed Ordinance 2008-07, which established the “Local Supplement to the State Homeowner’s Property Tax Credit”. This local tax credit, intended for low- and fixed- income homeowners, created a local tax credit valued at 15% of the State Homeowner’s Property Tax Credit for principal residences that have a maximum of \$350,000 in assessed value, if the household income is less than \$80,000 and the net worth of the household, excluding the principal residence, is less than \$200,000. In addition, this ordinance set the local Homestead Tax Credit percentage at 110%.

Housing affordability continues to be a hardship for many Hyattsville residents. While Ordinance 2008-07 was intended to reduce the property tax burden for low- and fixed-income homeowners, it is unclear how effective it has been. This proposed review will include revisiting Ordinance 2008-07 and providing necessary background and making recommendations regarding:

- How many Hyattsville residents currently receive the local Homeowner’s Property Tax Credit? How many Hyattsville residents are eligible for the benefit but fail to apply?
- Are the appraised value, income, and net worth requirements of the local Homeowner’s Property Tax Credit set at desired limits, and what would the municipal budget implications of changing these limits be?
- Should a lower percentage for the local Homestead Tax Credit be considered for low- and fixed-income Hyattsville residents, and what would the municipal budget implications of such an action be?

Next Steps:

Please see attached documentation.

Fiscal Impact:

TBD

City Administrator Comments:

For discussion.

Community Engagement:

TBD

Strategic Goals:

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

Legal Review Required?

Pending



Council Agenda Form

MOTION #	DRAFT #
DATE SUBMITTED: 2/3/2021	DATE TO GO BEFORE COUNCIL: LEAVE BLANK
SUBMITTED BY: D Schaible	
DEPARTMENT: Legislative	

TITLE OF MOTION: FY22 Budget Initiative: Hyattsville Property Tax Credit Review and Assessment

RECOMMENDATION:

I move that the Mayor and Council authorize expenditures of up to \$10,000.00 in the FY22 budget to provide for necessary legal review and technical support to formulate recommendations for revisions to existing Municipal Property Tax Credits, including revisions to Municipal tax credit programs authorized under Maryland Code, Tax-Property § 9-104 (“Homeowner’s Property Tax Credit”) and Maryland Code, Tax-Property § 9-105 (“Homestead Tax Credit”).

BACKGROUND:

In 2008, the Hyattsville City Council passed Ordinance 2008-07, which established the “Local Supplement to the State Homeowner’s Property Tax Credit”. This local tax credit, intended for low- and fixed- income homeowners, created a local tax credit valued at 15% of the State Homeowner’s Property Tax Credit for principal residences that have a maximum of \$350,000 in assessed value, if the household income is less than \$80,000 and the net worth of the household, excluding the principal residence, is less than \$200,000. In addition, this ordinance set the local Homestead Tax Credit percentage at 110%.

Housing affordability continues to be a hardship for many Hyattsville residents. While Ordinance 2008-07 was intended to reduce the property tax burden for low- and fixed-income homeowners, it is unclear how effective it has been. This proposed review will include revisiting Ordinance 2008-07 and providing necessary background and making recommendations regarding:

- How many Hyattsville residents currently receive the local Homeowner’s Property Tax Credit? How many Hyattsville residents are eligible for the benefit but fail to apply?
- Are the appraised value, income, and net worth requirements of the local Homeowner’s Property Tax Credit set at desired limits, and what would the municipal budget implications of changing these limits be?
- Should a lower percentage for the local Homestead Tax Credit be considered for low- and fixed-income Hyattsville residents, and what would the municipal budget implications of such an action be?

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

Hyattsville Treasurer Ron Brooks will be substantially involved in this effort and has agreed to help research this topic and collaborate with the Hyattsville City Council. Mr. Brooks’ efforts will include conducting research with the Maryland Department of Assessments and Taxation and the Maryland Office of the Comptroller, providing legal and technical review oversight for potential revisions to Ordinance 2008-07, and conducting bi-weekly meetings with interested City Council members to answer questions and provide progress updates.

CITY ADMINISTRATOR / DEPARTMENT DIRECTOR COMMENT: (must be approved by City Administrator):

Tracey Nicholson, City Administrator

STRATEGIC GOALS AND ACTIONS:

SUPPORTING DOCUMENTATION:

- City of Hyattsville Ordinance 2008-07
- Maryland Tax – Property Section 9-104
- Maryland Tax – Property Section 9-105

CURRENT YEAR BUDGET IMPACT: FY22

DRAFT

CITY OF HYATTSVILLE
ORDINANCE 2008-07

An Ordinance whereby the City Council extends the State Homeowner's Property Tax Credit for low and fixed income homeowners. The City credit shall be 15% of the State homeowners tax credit on a maximum of \$350,000.00 of the assessed value of the principal residence if the combined income of the household is less than \$80,000.00 and the net worth of the household, excluding the principal residence, is less than \$200,000.00.

WHEREAS, Section 9-215.1 of the Tax-Property Article of the Annotated Code of Maryland authorizes a municipality to grant a local supplement to the State Homeowner's Property Tax Credit Program; and

WHEREAS, the local supplement may equal a percentage not to exceed 50% of the State homeowner's property tax credit provided under Section 9-104 of the Tax Property Article of the Annotated Code of Maryland; and

WHEREAS, by this Ordinance, the City Council desires to adopt a local supplement to the State Homeowner's Property Tax Credit Program to provide tax relief against City property taxes for low-income and other homeowners who qualify for the state homeowner's property tax credit and set the amount of the local supplement at 15% of the state homeowner's property tax credit amount.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Hyattsville in regular session assembled that Chapter 108 of the Hyattsville City Code entitled "Taxation" be amended to add a Title, Article II "Tax Credits" to Chapter 108 and to add a new Section 108-3 entitled "Local Supplement to the State Homeowner's Property Tax Credit" as follows:

ARTICLE II

Tax Credits

§108-2. Homestead Property Tax Credit

A. Pursuant to 9-105(E) of the Tax-Property Article of the Annotated Code of Maryland, the Homestead Property Tax Credit percentage for the City of Hyattsville, effective for the taxable year beginning July 1, 1991, and subsequent years shall be 110%.

B. The Homestead Property Tax Credit program shall be implemented and administered by the Treasurer in accordance with the provisions of state law and rules and regulations established by the State Department of Assessments and Taxation.

§ 108-3 Local Supplement to the State Homeowners Property Tax Credit

A. Tax Credit. A homeowners property tax credit shall be allowed against the City property tax imposed on residential real property if the owner qualifies for the credit under this Article.

B. Definitions. Except as otherwise provided herein, the terms used in this Article shall have the same meaning as set forth in Section 9-104 of the Tax-Property Article of the Annotated Code of Maryland.

- (1) "Assessed value" means the adjusted value to which the property tax is applied.*
- (2) "Director" means the Treasurer for the City of Hyattsville or his or her designee.*
- (3) "Final Tax liability" means the tax liability for any property tax on the property of a dwelling less any property tax credit provided under Section 9-104 of the Tax-Property Article and any supplemental homeowners property tax credit provided under this section and any property tax credit provided by Prince George's County.*
- (4) "Section 9-104" means Section 9-104 of the Tax-Property Article of the Annotated Code of Maryland or any successor provision.*
- (5) "Taxable year" means July 1 to June 30, both inclusive, for which the City computes, imposes and collects real property tax.*
- (6) "Total Eligible City Real Property Tax" means the sum of all City real property tax rates used to calculate the property tax liability for a homeowner for a taxable year, excluding property tax rates in special taxing districts, and excluding City special assessments and charges, such as for stormwater, refuse and the like, or interest and penalties on overdue real property taxes, multiplied by the lesser of:
 - (1) \$350,000; or*
 - (2) the assessed value of the dwelling reduced by the amount of any assessment on which a City property tax credit is granted under Section 9-105; and reduced by any "save harmless" credit mandated under Section 9-101 of the Tax-Property Article of the Maryland Code.**

C. General.

- (1) The Director shall provide to eligible homeowners a City property tax credit as provided in this Article to supplement the State homeowners property tax credit granted under Section 9-104.*
- (2) Except as otherwise expressly stated in this section, all eligibility requirements, statutory definitions, restrictions, application or other procedures which apply to the credit granted under Section 9-104 of the Tax-Property Article also apply to the City homeowners property tax credit provided for in this Article.*

- (3) *A property tax credit under this section may not be granted to a homeowner whose combined net worth exceeds \$200,000 as of December 31st of the calendar year that precedes the year in which the homeowner applies for the property tax credit, or whose combined gross income exceeds \$80,000 in that same calendar year.*

D. Amount.

- (1) *A homeowners tax credit local supplement shall be allowed to eligible homeowners against the total City real property tax paid by the eligible homeowner for the taxable year in which the homeowners tax credit supplement is sought in the amount provided for herein.*
- (2) *The amount of the homeowners property tax credit is the Total Eligible City Real Property Tax on a dwelling less:*
 - (a) *the percentage of the combined gross income of the homeowner stated in 9-104(h)(2) or any amendment to that subsection, and*
 - (b) *15% of the State homeowners property tax credit granted under Section 9-104.*
- (3) *The property tax credit for home purchasers is the amount of the credit as calculated under paragraph (D)(2) immediately above multiplied by a fraction where the numerator of the fraction is the number of days in the taxable year that the home purchaser actually occupies or expects to actually occupy a dwelling in which the home purchaser has a legal interest, and the denominator is 365 days.*
- (4) *If a credit is granted under this section, a revised tax bill or a tax voucher may be used to adjust the final tax liability.*
- (5) *Notwithstanding the foregoing, the amount of the homeowners tax credit local supplement authorized by this Article shall not exceed the total City real property tax liability of the eligible homeowner for the taxable year in which the homeowners tax credit local supplement is sought.*

E. Administration.

The City Manager is responsible for the administration and management of the Homeowners Property Tax Credit program. The City Manager may take all actions necessary in furtherance of said responsibility including, but not limited to,

- (a) *establishing policies and procedures;*
- (b) *delegating responsibility to appropriate City departments, offices, and staff;*

(c) *entering into agreements with the State Department of Assessments and Taxation, Prince George's County, Maryland and other governmental entities or other persons or entities for the cooperation and/or maintenance of one or more aspects of the Homeowners Property Tax Credit program.*

F. Penalties for false and fraudulent information.

A person who knowingly submits a false or fraudulent application, or withholds information, to obtain tax credit under this section has committed a misdemeanor. In addition, the person must repay the City for all amounts credited and all accrued interest and penalties that would apply to those amounts as overdue taxes. The City may enforce this subsection by appropriate legal action. A person who violates this subsection is liable for all court costs and expenses of the City in any civil action brought by the City against the violator.

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

AND BE IT FURTHER ORDAINED that this Ordinance is an emergency ordinance and shall take effect immediately upon the date of adoption;

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

INTRODUCED by the City Council of the City of Hyattsville, Maryland, at a regular public meeting on July 21, 2008.

ADOPTED by the City Council of the City of Hyattsville, Maryland, at a regular public meeting as emergency legislation on September 8, 2008, and effective on the date of adoption.

Adopted: September 8, 2008

Attest: Douglas A. Barber
Douglas A. Barber
City Clerk

William F. Gardiner
William F. Gardiner
Mayor

Additions shown in italics.

[\(https://lp.findlaw.com/\)](https://lp.findlaw.com/)[FINDLAW \(HTTPS://LP.FINDLAW.COM/\)](https://lp.findlaw.com/) / [CODES \(HTTPS://CODES.FINDLAW.COM/\)](https://codes.findlaw.com/) /[MARYLAND \(HTTPS://CODES.FINDLAW.COM/MD/\)](https://codes.findlaw.com/md/) /[TAX-PROPERTY \(HTTPS://CODES.FINDLAW.COM/MD/TAX-PROPERTY/\)](https://codes.findlaw.com/md/tax-property/) / § 9-104

Maryland Code, Tax-Property § 9-104

Search Code of Maryland

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[« Prev \(https://codes.findlaw.com/md/tax-property/md-code-tax-prop-sect-9-103-1.html\)](https://codes.findlaw.com/md/tax-property/md-code-tax-prop-sect-9-103-1.html)[Next » \(https://codes.findlaw.com/md/tax-property/md-code-tax-prop-sect-9-105.html\)](https://codes.findlaw.com/md/tax-property/md-code-tax-prop-sect-9-105.html)

(a)(1) In this section the following words have the meanings indicated.

(2)(i) "Assets" include:

1. real property;
2. cash;
3. savings accounts;
4. stocks;
5. bonds; and
6. any other investment.

(ii) "Assets" do not include:

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1. the dwelling for which a property tax credit is sought under this section;
 2. the cash value of the life insurance policies on the life of the homeowner;
 3. the cash value of any qualified retirement savings plans or individual retirement accounts; or
 4. tangible personal property.
- (3) “Combined income” means the combined gross income of all individuals who actually reside in a dwelling except an individual who:
- (i) is a dependent of the homeowner under § 152 of the Internal Revenue Code (<https://1.next.westlaw.com/Link/Document/FullText?findType=L&originatingContext=document&transitionType=DocumentItem&pubNum=1012823&refType=LQ&originatingDoc=I83d4bc00818511e7aafe95cf571439a9&cite=26USCAS152>); or
 - (ii) pays a reasonable amount for rent or room and board.
- (4) “Current market value” means:
- (i) for residential property, the value as determined by the Department; and
 - (ii) for farmland, marshland, and woodland, the value under Title 8, Subtitle 2 of this article as determined by the Department.
- (5) “Disabled veteran” has the meaning stated in § 7-208(a) (<https://1.next.westlaw.com/Link/Document/FullText?findType=L&originatingContext=document&transitionType=DocumentItem&pubNum=1000033&refType=SP&originatingDoc=I83d50a20818511e7aafe95cf571439a9&cite=MDTPS7-208>) of this article.
- (6) “Dwelling” means:
- (i) for a homeowner who is not a home purchaser, a house that is:

1. used as the principal residence of a homeowner and the lot or curtilage on which the house is erected;

2. occupied by not more than 2 families; and
3. actually occupied or expected to be actually occupied by the homeowner for more than 6 months of a 12-month period, which actual or expected occupancy period shall include July 1 of the taxable year for which the property tax credit under this section is sought; or

(ii) for a homeowner who is a home purchaser, a house that is:

1. used as the principal residence of a homeowner and the lot or curtilage on which the house is erected;
2. occupied by not more than 2 families; and
3. actually occupied or expected to be actually occupied by the home purchaser for the remainder of the taxable year for which the property tax credit under this section is sought.

(7) "Final tax liability" means the tax liability for any property tax on the real property of a dwelling less any property tax credit provided under this section.

(8)(i) "Gross income" means the total income from all sources for the calendar year that immediately precedes the taxable year, whether or not the income is included in the definition of gross income for federal or State tax purposes.

(ii) "Gross income" includes:

1. any benefit under the Social Security Act ¹ or the Railroad Retirement Act; ²
2. the aggregate of gifts over \$300;
3. alimony;
4. support money;
5. any nontaxable strike benefit;
6. public assistance received in a cash grant;
7. a pension;

8. an annuity;
9. any unemployment insurance benefit;
10. any workers' compensation benefit;
11. the net income received from a business, rental, or other endeavor;
12. any withdrawal, payment, or distribution from an individual retirement account;
13. any withdrawal, payment, or distribution from any qualified retirement savings plan; and
14. any rent on the dwelling, including the rent from a room or apartment.

(iii) "Gross income" does not include:

1. any income tax refund received from the State or federal government; or
2. any loss from business, rental, or other endeavor.

(9)(i) "Homeowner" means an individual who:

1. on July 1 of the taxable year for which the tax credit is to be allowed:
 - A. actually resides in a dwelling in which the individual has a legal interest; or
 - B. under a court order or separation agreement, permits a spouse, a former spouse, or a child of the individual's family to reside without payment of rent in a dwelling in which the individual has a legal interest; or
2. A. is a home purchaser; and
B. actually resides in a dwelling in which the individual has a legal interest, whether or not the individual resides in the dwelling on July 1 of the taxable year for which the tax credit is sought.

(ii) “Homeowner” includes a beneficiary of a trust described in [42 U.S.C. § 1396p\(d\)\(4\)](#) (<https://1.next.westlaw.com/Link/Document/FullText?findType=L&originatingContext=document&transitionType=DocumentItem&pubNum=1000546&refType=SP&originatingDoc=I83d72d00818511e7aafe95cf571439a9&cite=42USCAS1396P>), or a trust established for the benefit of an individual with a disability by an individual other than the beneficiary and that is funded with assets that were never owned or controlled by the beneficiary, if, on July 1 of the taxable year for which the tax credit is to be allowed, the beneficiary of the trust is an individual who actually resides in the dwelling.

(10) “Home purchaser” means an individual who purchases a dwelling in the taxable year for which the tax credit under this section is sought.

(11) “Legal interest” includes an interest in a dwelling:

(i) as sole owner;

(ii) as a joint tenant;

(iii) as a tenant in common;

(iv) as a tenant by the entireties;

(v) through membership in a cooperative;

(vi) under a land installment contract, as defined in [§ 10-101 of the Real Property Article](#) (<https://1.next.westlaw.com/Link/Document/FullText?findType=L&originatingContext=document&transitionType=DocumentItem&pubNum=1000030&refType=LQ&originatingDoc=I83d7a230818511e7aafe95cf571439a9&cite=MDRPS10-101>);

(vii) as a holder of a life estate; or

(viii) under a continuing care contract for an independent living unit at a continuing care facility for the aged, which means a nontransferable agreement between a continuing care facility for the aged as defined in [§ 7-206](#) (<https://1.next.westlaw.com/Link/Document/FullText?findType=L&originatingContext=document&transitionType=DocumentItem&pubNum=1000033&refType=LQ&>

[originatingDoc=l83d7c940818511e7aafe95cf571439a9&](https://1.next.westlaw.com/Link/Document/FullText?findType=L&originatingDoc=l83d7c940818511e7aafe95cf571439a9&originatingContext=document&transitionType=DocumentItem&pubNum=1000033&refType=LQ&originatingDoc=l83d7c940818511e7aafe95cf571439a9&cite=MDTPS7-206)

[cite=MDTPS7-206](https://1.next.westlaw.com/Link/Document/FullText?findType=L&originatingDoc=l83d7c940818511e7aafe95cf571439a9&originatingContext=document&transitionType=DocumentItem&pubNum=1000033&refType=LQ&originatingDoc=l83d7c940818511e7aafe95cf571439a9&cite=MDTPS7-206)) of this article and an occupant of an independent living unit, which agreement provides that the occupant may reside in the unit until termination under the terms of the contract.

(12) “Net worth” means the sum of the current market value of all assets, less any outstanding liability.

(13) “Total real property tax” means the product of the sum of all property tax rates on real property, including special district tax rates, for the taxable year on a dwelling, multiplied by the lesser of:

(i) \$300,000; or

(ii) the assessed value of the dwelling reduced by the amount of any assessment on which a property tax credit is granted under § 9-105 (<https://1.next.westlaw.com/Link/Document/FullText?findType=L&originatingContext=document&transitionType=DocumentItem&pubNum=1000033&refType=LQ&originatingDoc=l83d81760818511e7aafe95cf571439a9&originatingDoc=l83d81760818511e7aafe95cf571439a9&cite=MDTPS9-105>) of this subtitle.

(b)(1) The homeowners' tax credit under this section is a State-funded program.

(2) It is the intent of the General Assembly that:

(i) the State shall appropriate sufficient funds to reimburse the full amount of tax credits granted under this section; and

(ii) the State, and not the local governments, shall bear the burden of any insufficiency of funds to fully reimburse the counties for property tax credits under this section.

(3) For any fiscal year, if State appropriations for reimbursement of tax credits under this section do not provide sufficient funds to fully reimburse the counties for tax credits granted under this section, the Governor shall include in the budget bill for the next fiscal year a deficiency appropriation to provide the additional funds to fully reimburse the counties.

(c) The Department shall adopt regulations to carry out this section.

(d)(1) Except as provided in subsection (e) of this section, the Department is responsible for the administrative duties that relate to the application and determination of eligibility for a property tax credit under this section.

(2) The Department may:

(i) make an agreement with a county collector for limited assistance with a part of the administrative duties; and

(ii) reimburse the county for the reasonable cost of the assistance provided.

(3) When an applicant for the property tax credit under this section resides in an independent living unit at a continuing care facility for the aged, the Department shall determine for the independent living unit:

(i) the lot size;

(ii) the assessed value of land and building; and

(iii) the total real property tax.

(e)(1) On or before May 1 of each year, the Department shall provide the Comptroller information identifying owners of residential properties with an assessed value not exceeding \$300,000 who, during the preceding 3 years, failed to claim the property tax credit under this section.

(2) The Comptroller shall:

(i) review the information provided in accordance with paragraph (1) of this subsection and information that the Comptroller maintains regarding filers of income tax returns;

(ii) identify the individuals who may be eligible for but failed to claim the property tax credit under this section; and

(iii) provide the Department the contact information of the individuals identified under item (ii) of this paragraph.

(3)(i) For income verification, the Comptroller shall:

1. cooperate with the Department in adopting a procedure to audit the application forms; and

2. notwithstanding § 13-202 of the Tax-General Article (<https://1.next.westlaw.com/Link/Document/FullText?findType=L&originatingContext=document&transitionType=DocumentItem&pubNum=1000510&refType=LQ&originatingDoc=183d94fe0818511e7aafe95cf571439a9&cite=MDTGS13-202>), supply the Department with additional information.

(ii) The Comptroller shall assist the Department in a postaudit of each application.

(4) On or before August 1 of each year, the Department shall contact each individual identified under paragraph (2) of this subsection by mail to inform the individual that the individual may be eligible for the property tax credit under this section and how to apply for the credit.

(f) A homeowner who meets the requirements of this section shall be granted the property tax credit under this section against the property tax imposed on the real property of the dwelling.

(g)(1) Except as provided in subsection (h) of this section, the property tax credit under this section is the total real property tax of a dwelling, less the percentage of the combined income of the homeowner that is described in paragraph (2) of this subsection.

(2) The percentage is:

- (i) 0% of the 1st \$8,000 of combined income;
- (ii) 4% of the next \$4,000 of combined income;
- (iii) 6.5% of the next \$4,000 of combined income; and
- (iv) 9% of the combined income over \$16,000.

(h) For home purchasers, the property tax credit is the amount of the credit as calculated under subsection (g) of this section multiplied by a fraction, where:

(1) the numerator of the fraction is the number of days in the fiscal year that the home purchaser actually occupies or expects to actually occupy a dwelling in which the home purchaser has a legal interest; and

(2) the denominator is 365 days.

(i) If a surviving spouse of a homeowner has not remarried and meets the qualifications except for age or disability, the property tax credit under this section is available to the unmarried surviving spouse.

(j)(1) A property tax credit under this section may not be granted to a homeowner whose combined net worth exceeds \$200,000 as of December 31 of the calendar year that precedes the year in which the homeowner applies for the property tax credit or whose combined gross income exceeds \$60,000 in that same calendar year.

(2) If a property tax credit under this section is less than \$1 in any taxable year, the credit may not be granted.

(3) A homeowner may claim a property tax credit under this section for only 1 dwelling.

(4) Except as provided in subsection (u) of this section, if a property tax credit is issued under this section, the credit or a voucher for a credit may be used only in the taxable year in which it was issued or the next succeeding taxable year. However, a homeowner whose dwelling is sold for taxes may receive the credit until the final decree under § 14-844 (<https://1.next.westlaw.com/Link/Document/FullText?findType=L&originatingContext=document&transitionType=DocumentItem&pubNum=1000033&refType=LQ&originatingDoc=l83da3a40818511e7aafe95cf571439a9&cite=MDTPS14-844>) of this article is entered.

(k) A homeowner may qualify for a property tax credit under this section if the homeowner does not actually reside in the dwelling for the required time period because of illness or need of special care even if the homeowner:

(1) rents the dwelling for less than 1 year; or

(2) rents the dwelling for more than 1 year to a member of the homeowner's immediate family.

(l)(1) Except as provided in subsections (m) and (u) of this section, on or before September 1 of the taxable year in which the property tax credit under this section is sought, a homeowner may apply to the Department for a property tax credit under this section. The

application shall be made on the form that the Department provides.

(2)(i) For good cause, the Department may accept an application after September 1 but on or before October 31 of the taxable year.

(ii) The Department shall notify the homeowner in writing of its acceptance or rejection of a late application.

(3) The homeowner shall state under oath that the facts in the application are true.

(4) To substantiate the application, the applicant may be required to provide a copy of an income tax return, or other evidence detailing gross income or net worth.

(m)(1) A home purchaser may apply to the Department for a property tax credit under this section after the execution of a contract of sale on the dwelling or settlement on the dwelling by filing an application on the form that the Department provides.

(2) The home purchaser shall state under oath that the facts in the application are true.

(3) To substantiate the application, the Department may require the applicant to provide a copy of an income tax return, or other evidence detailing gross income or net worth.

(4) If the home purchaser files an application for a credit under this section prior to settlement, the purchaser must file this application within 7 working days after the execution of a contract of sale.

(5) Upon receipt of an application prior to settlement, the Department:

(i) may further require the applicant to provide a copy of the executed sale agreement;

(ii) shall determine the amount, if any, of the credit for which the home purchaser is eligible under this section; and

(iii) shall notify the home purchaser in writing of its decision within 5 working days from receipt of the application.

(6) The Department shall adopt regulations governing the application for and granting of a credit before settlement as provided under this

section.

(7) On certification by the Department, the Comptroller shall pay to the home purchaser the property tax credit due under this section unless the credit was used to adjust the home purchaser's final tax liability paid at settlement under subsection (r) of this section.

(n) The Department shall notify an applicant in writing if the applicant is not eligible for the property tax credit under this section.

(o)(1) For any eligible application received before the May 1 that precedes the taxable year in which the property tax credit under this section is sought, the Department shall request the appropriate county collector to prepare a tax bill that reflects the final tax liability.

(2) If a homeowner presents the revised tax bill or a tax voucher with the tax bill to the county collector, the homeowner may make a single payment for the final tax liability.

(3) Except as provided in subsection (u) of this section, if a credit is granted for an eligible application received after May 1, property tax is not due on the property until 30 days after the revised tax bill is sent to the homeowner.

(4) If a municipal corporation or a special taxing district issues a tax bill separate from the county tax bill, the county may require the homeowner to submit:

- (i) the separate tax bill; or
- (ii) proof of payment of the separate tax bill.

(p) If a municipal corporation or a special taxing district issues a tax bill to a homeowner, the Department shall include the property tax rate of the municipal corporation or the special taxing district in calculating the property tax credit under this section and final tax liability.

(q)(1) Except for transfers between spouses, including a conveyance to a surviving spouse from the personal representative of a deceased spouse, if a homeowner transfers a dwelling that is subject to a property tax credit under this section, the property tax credit ends on the date that the property is transferred. The credit is not ended if the transfer is between spouses.

- (2) The total amount of the property tax credit under this section is included in determining the amount of property tax that is:
- (i) paid by the homeowner; and
 - (ii) adjusted at the time of settlement between the homeowner and the buyer.
- (3) The homeowner is credited for the part of the property tax credit under this section that the homeowner's period of ownership during the taxable year in which the transfer occurs bears to the entire taxable year. The buyer shall pay the remaining part of the property tax credit under this section to the county.
- (4) Any property tax credit under this section that is collected by a county from a buyer under this subsection shall be credited to the State less any cost incurred by any county or a municipal corporation.
- (r) The final tax liability of a home purchaser due at settlement shall be adjusted to reflect any credit certified by the Department.
- (s)(1) Each month or more frequently, if appropriate, each county collector shall submit a request to the Department for reimbursement for an amount equal to the property tax credits under this section and redeemed property tax credit vouchers paid under this section.
- (2) The request may not include the property tax credits for which the county or municipal corporation is responsible under § 9-101(g) (<https://1.next.westlaw.com/Link/Document/FullText?findType=L&originatingContext=document&transitionType=DocumentItem&pubNum=1000033&refType=SP&originatingDoc=183dc3610818511e7aafe95cf571439a9&cite=MDTPS9-101>) of this subtitle.
- (3) Within 5 working days after receipt of the request the Department shall certify to the Comptroller the amount of reimbursement due to each county.
- (4) Within 5 working days:
- (i) the Comptroller shall make the reimbursement to each county;
- or

(ii) the appropriate county collector may withhold an amount of State taxes sufficient to reimburse the county.

(t)(1) An eligible homeowner who has a continuing care contract for an independent living unit at a continuing care facility for the aged shall receive payment for the amount of the property tax credit under this section from the Comptroller upon certification by the Department. A credit granted to the homeowner under this subsection may not be assigned to the continuing care facility.

(2)(i) Notwithstanding the provisions of subsection (g) of this section, if a homeowner under this subsection is a disabled veteran, the homeowner may receive a credit for the total real property tax attributable to the independent living unit, up to the maximum credit authorized under this section.

(ii) A disabled veteran may apply for the credit under this subsection by providing the Department with the information required under subsection (l) of this section and § 7-208(d)

(<https://1.next.westlaw.com/Link/Document/FullText?findType=L&originatingContext=document&transitionType=DocumentItem&pubNum=1000033&refType=SP&originatingDoc=I83dcab40818511e7aafe95cf571439a9&cite=MDTPS7-208>) of this article.

(3) The surviving spouse of a disabled veteran may, upon application, continue to receive the credit provided under this subsection until the surviving spouse remarries.

(u)(1) Under the conditions set forth in this subsection, the Department may accept an application from a homeowner within 3 years after April 15 of the taxable year for which a credit is sought, if the homeowner:

(i) is at least 70 years old as of the taxable year for which a credit is sought; and

(ii) was eligible for the credit under this section for the taxable year for which the credit is sought.

(2) A homeowner may apply to the Department for a property tax credit under this section by filing an application on the form that the

Department provides.

(3) The homeowner shall state under oath that the facts in the application are true.

(4) To substantiate the application, the Department may require the homeowner to provide a copy of an income tax return, or other evidence detailing gross income or net worth.

(5) On certification by the Department, the Comptroller shall pay to the homeowner the property tax credit due under this section.

1 Aug. 14, 1935, ch. 531, 49 Stat. 620, codified at 42 U.S.C.A. § 301 et seq.

2 Pub.L. 93-445, Title I, Oct. 16, 1974, 88 Stat. 1305, codified at 45 U.S.C.A. § 231 et seq.

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Maryland Tax - Property Section 9-105

Article - Tax - Property

§ 9-105.

(a) (1) In this section the following words have the meanings indicated.

(2) (i) "Dwelling" means:

1. a house that is:

A. used as the principal residence of the homeowner; and

B. actually occupied or expected to be actually occupied by the homeowner for more than 6 months of a 12-month period beginning with the date of finality for the taxable year for which the property tax credit under this section is sought; and

2. the lot or curtilage on which the house is erected.

(ii) "Dwelling" includes:

1. a condominium unit that is occupied by an individual who has a legal interest in the condominium;

2. an apartment in a cooperative apartment corporation that is occupied by an individual who has a legal interest in the apartment; and

3. a part of real property used other than primarily for residential purposes, if the real property is used as a principal residence by an individual who has a legal interest in the real property.

(3) "Homeowner" means an individual who has a legal interest in a dwelling or who is an active member of an agricultural limited liability entity that has a legal interest in a dwelling.

(4) "Legal interest" means an interest in a dwelling:

(i) as a sole owner;

(ii) as a joint tenant;

(iii) as a tenant in common;

(iv) as a tenant by the entireties;

(v) through membership in a cooperative;

(vi) under a land installment contract, as defined in § 10-101 of the Real Property Article; or

(vii) as a holder of a life estate.

(5) "Taxable assessment" means the assessment on which the State, county, or municipal corporation property tax rate was imposed in the preceding taxable year, adjusted by the phased-in assessment increase resulting from a revaluation under § 8-104(c)(1)(iii) of this article, less the amount of any assessment on which a property tax credit under this section is authorized.

(6) "Agricultural limited liability entity" means a limited liability company or limited liability partnership that:

(i) owns real property that:

1. includes land receiving an agricultural use assessment under § 8-209 of this article; and

2. includes land used as a homesite that is part of or contiguous to a parcel described in item 1 of this item;

(ii) owns personal property used to operate the agricultural land; and

(iii) owns no other property.

(7) "Active member" means a member of a limited liability company or partner in a limited liability partnership who has or shares the authority to manage, control, and operate the limited liability company or limited liability partnership and who shares the assets and earnings of the limited liability company or limited liability partnership under an operating agreement under § 4A-402 of the Corporations and Associations Article or under a partnership agreement.

(b) If there is an increase in property assessment as calculated under this section, the State and the governing body of each county and of each municipal corporation shall grant a property tax credit under this section against the State, county, and municipal corporation property tax imposed on real property by the State, county, or municipal corporation.

(c) (1) If a dwelling is not used primarily for residential purposes, the Department shall apportion the total property assessment between the part of the dwelling that is used for residential purposes and the part of the dwelling that is not used for residential purposes.

(2) If a homeowner does not actually reside in a dwelling for the required time period because of illness or need of special care and is otherwise eligible for a property tax credit under this section, the homeowner may qualify for the property tax credit under this section.

(3) If a homeowner otherwise eligible for a credit under this section does not actually reside in a dwelling for the required time period because the dwelling is damaged due to an accident or natural disaster, the homeowner may continue to qualify for a credit under this section for the current taxable year and 2 succeeding taxable years even if the dwelling has been removed from the assessment roll in accordance with § 10-304 of this article.

(4) (i) For a homeowner who is an active member of an agricultural limited liability entity to qualify for the property tax credit under this section:

1. the dwelling must have been owned and occupied by the active member:
 - A. at the time of its transfer to the agricultural limited liability entity; or
 - B. if the agricultural limited liability entity is a limited liability company and the dwelling was originally transferred to the agricultural limited liability entity as part of a

conversion from a partnership under § 4A-211 of the Corporations and Associations Article, then at the time of its transfer to the former partnership; and

2. the agricultural limited liability entity and the active member who occupies the dwelling must file an application with the Department establishing initial eligibility for the credit on or before June 30 for the following taxable year and, at the request of the Department, must file an application in any future year to verify continued eligibility.

(ii) Failure to file a timely application may result in disqualification from the Homestead Tax Credit Program for the following taxable year.

(iii) The credit may only be granted to one dwelling owned by the agricultural limited liability entity.

(iv) Participation in the credit program as the active member of an agricultural limited liability entity disqualifies any other dwellings owned by the active member for the credit.

(d) (1) The Department shall authorize and the State, a county, or a municipal corporation shall grant a property tax credit under this section for a taxable year unless during the previous taxable year:

(i) the dwelling was transferred for consideration to new ownership;

(ii) the value of the dwelling was increased due to a change in the zoning classification of the dwelling initiated or requested by the homeowner or anyone having an interest in the property;

(iii) the use of the dwelling was changed substantially; or

(iv) the assessment of the dwelling was clearly erroneous due to an error in calculation or measurement of improvements on the real property.

(2) A homeowner must actually reside in the dwelling by July 1 of the taxable year for which the property tax credit under this section is to be allowed.

(3) A homeowner may claim a property tax credit under this section for only 1 dwelling.

(4) If a property tax credit under this section is less than \$1 in any taxable year, the tax credit may not be granted.

(5) (i) If the dwelling was transferred for consideration to new ownership on or after January 1 but before the beginning of the next taxable year and the property has not been transferred on the assessment rolls prior to the beginning of the next taxable year:

1. the new owner may submit a written application for the property tax credit under this section to the Department within 60 days after the date of the transfer; and

2. if the deed is recorded on or after July 1 of the next taxable year:

A. the applicant shall submit with the written application a copy of the executed deed evidencing the date of the transfer; and

B. if the applicant fails to submit a copy of the executed deed as required under item A of this item, the Department shall deny the application.

(ii) The date of the transfer under this paragraph is the effective date of the deed as described under § 3-201 of the Real Property Article.

(e) (1) For each taxable year, the property tax credit under this section is calculated by:

(i) multiplying the prior year's taxable assessment by the homestead credit percentage as provided under paragraph (2) of this subsection;

(ii) subtracting that amount from the current year's assessment; and

(iii) if the difference is a positive number, multiplying the difference by the applicable State, county, or municipal corporation property tax rate for the current year.

(2) For each taxable year, the homestead credit percentage under paragraph (1)(i) of this subsection is:

(i) for the State property tax, 110%;

(ii) for the county property tax:

1. the homestead credit percentage established by the county under paragraph (3) of this subsection; or

2. if the county has not set a percentage for the taxable year under paragraph (3) of this subsection or has not notified the Department as required under

paragraph (6) of this subsection, the homestead credit percentage in effect for the county for the preceding taxable year; and

(iii) for the municipal corporation property tax:

1. the homestead credit percentage established by the municipal corporation under paragraph (4) of this subsection; or

2. if the municipal corporation has not set a percentage under paragraph (4) of this subsection or has not notified the Department as required under paragraph (7) of this subsection, the homestead credit percentage for the taxable year for the county in which the property is located.

(3) Subject to paragraph (5) of this subsection, the Mayor and City Council of Baltimore City and the governing body of a county on or before November 15 of any year shall set, by law, the homestead credit percentage for the taxable year beginning the following July 1.

(4) Subject to paragraph (5) of this subsection, on or before November 25 of any year, the governing body of a municipal corporation may set or alter, by law, a homestead credit percentage for the taxable year beginning the following July 1 and any subsequent taxable year.

(5) The homestead credit percentage for any county or municipal corporation property tax:

(i) may not be less than 100% or exceed 110% for any taxable year; and

(ii) shall be expressed in increments of 1 percentage point.

(6) The Mayor and City Council of Baltimore City and the governing body of a county shall notify the Department of any action taken under paragraph (3) of this subsection on or before November 15 preceding the taxable year for which the action is taken.

(7) A municipal corporation shall notify the Department of any action taken under paragraph (4) of this subsection on or before November 25 preceding the taxable year for which the action is taken.

(f) The Department shall give notice of the possible property tax credit under this section.

(g) A homeowner who meets the requirements of this section shall be granted the property tax credit under this section against the State, county, and municipal corporation property tax imposed on the real property of the dwelling.

(h) The tax credit under this section shall be included on the homeowner's property tax bill.

(i) (1) When property that has received a credit under this section for the current taxable year includes improvements that are removed from the assessment roll under § 10-304 of this article because of damage due to an accident or a natural disaster:

(i) the full benefit of the property tax abatement under § 10-304 of this article may not be diminished by the amount of the credit;

(ii) the full benefit of that credit may not be diminished by the property tax abatement under § 10-304 of this article and shall be reflected in the assessment of the total property, including any new improvements, for the current taxable year; and

(iii) the property shall be eligible to receive a credit under this section for the current taxable year and the two succeeding taxable years regardless of the existence or condition of the dwelling.

(2) Neither the calculation of the abatement nor the assessment under this subsection shall include an assessment less than zero.

(j) The Department shall adopt rules and regulations to implement this section.

(k) The tax credit under this section shall be known as the homestead property tax credit.



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Agenda Item Report

File #: HCC-223-FY21

2/16/2021

12.c)

Submitted by: Sean Corcoran
Submitting Department: City Clerk
Agenda Section: Discussion

Item Title:

FY22 Budget Initiative: HCPD Mental Wellness Check-in Program

Suggested Action:

FOR DISCUSSION:

I move the Mayor and Council include in the Fiscal Year 2022 (FY22) budget an expenditure of up to \$50,000 to support a universal quarterly mental health check-in program for officers and dispatchers.

Summary Background:

The mental wellness of the officers and dispatchers of the Hyattsville City Police Department (HCPD) is of great importance to our community. The HCPD officers and dispatchers must make reasonable, safe, community-minded, and culturally sensitive decisions in the midst of emotionally charged and potentially dangerous situations every day. In order for these professionals to protect the safety and wellbeing of our residents, we must ensure that people in these important and powerful positions are emotionally well and mentally healthy.

The Mental Wellness Check-In Program is one component of a larger, overarching proposed HCPD Mental Health Program developed by the Department's Media Relations/Mental Health Programs Manager. With a projected start date in mid-February, the robust calendar of required and optional training and educational opportunities for officers and dispatchers begins with Mental Illness 101 and continues with, among other topics, autism awareness, Mental Health First Aid, and Crisis Intervention Team training. Twice-weekly meditation and wellness sessions are also in the proposed program.

FY 21/22 launches the first full year of programming, with most of the training and educational opportunities provided for free by local subject matter experts. A December survey created by the Mental Health Programs Manager revealed the need for some programming that requires funding from the City.

10 out of 12 dispatchers and 34 of the approximately 43 officers at HCPD completed the 14-question mental health survey. Key indicators regarding the need and desire for additional mental health training and support services were evident from the responses to several questions. Eighty-six percent (86%) of the participants said they feel it is their responsibility to report their concern if they thought a colleague might need mental health support, but fifty-two percent (52%) said they do not feel they have a way to do so without causing that colleague professional harm.

When asked if they thought it would be a positive or a negative if HCPD began requiring every officer and dispatcher to meet with a talk therapist once a quarter for a mental wellness check-in, sixty-one percent (61%) said they thought it was a positive idea and twenty-one percent (21%) said it did not matter to them either way. Only eight of the 44 participants said they saw it as a negative. In response to these and other survey answers, we are proposing the HCPD Mental Wellness Check-In Program.

Required for all HCPD officers and dispatchers, this program is designed to remove the stigma of choosing to see a therapist and guarantees HCPD personnel receive mental health support for free. The one-on-one, quarterly virtual meetings will be with contracted, racially diverse, licensed clinical psychologists who preferably have experience working with law enforcement personnel. This Mental Wellness Check-in Program would not be used for fitness-for-duty assessments. These confidential, 50-minute sessions would include clinical and psycho-educational coaching, and when needed, talk therapy. Discussions would only be reported if someone is deemed a danger to themselves or to others. If warranted, program psychologists will provide officers with vetted lists of mental health practitioners available through the City's health insurance plans and would follow-up to ensure the officer or dispatcher has made an appointment with a local practitioner. The quarterly check-in sessions would take place in September and December 2021, and March and June 2022.

Funding this component of the larger HCPD Mental Health Program will demonstrate the Hyattsville City Council hears and is responding to one of the most significant needs in our community today. This program directly supports the mental health of the city's first responders and creates a ripple effect that positively impacts their families and helps officers and dispatchers best engage residents in a positive and effective way that boosts community mental wellness overall.

Next Steps:

Inclusion in the FY22 budget for the City of Hyattsville.

Fiscal Impact:

\$50,000

City Administrator Comments:

For discussion.

Community Engagement:

N/A

Strategic Goals:

Goal 3 - Promote a Safe and Vibrant Community

Legal Review Required?

N/A



Council Agenda Form

MOTION #	DRAFT #
DATE SUBMITTED:	DATE TO GO BEFORE COUNCIL: LEAVE BLANK
SUBMITTED BY: Daniel Peabody	
CO-SPONSORS:	
DEPARTMENT: Legislative	

TITLE OF MOTION: FY22 Budget Initiative: HCPD Mental Wellness Check-In Program
<p>RECOMMENDATION: I move the Mayor and Council include in the FY22 budget an expenditure of up to \$50,000 to support a universal quarterly mental health check-in program for officers and dispatchers.</p>
<p>SUMMARY BACKGROUND: The mental wellness of the officers and dispatchers of the Hyattsville City Police Department is of great importance to our community. HCPD officers and dispatchers must make reasonable, safe, community-minded and culturally sensitive decisions in the midst of emotionally charged and potentially dangerous situations every day. In order for these professionals to protect the safety and wellbeing of our residents, we must ensure that people in these important and powerful positions are emotionally well and mentally healthy.</p> <p>The Mental Wellness Check-In Program is one component of a larger, overarching proposed HCPD Mental Health Program developed by the Department's Media Relations/Mental Health Programs Manager. With a projected start date in mid-February, the robust calendar of required and optional training and educational opportunities for officers and dispatchers begins with Mental Illness 101 and continues with, among other topics, autism awareness, Mental Health First Aid, and Crisis Intervention Team training. Twice-weekly meditation and wellness sessions are also in the proposed program.</p> <p>FY 21/22 launches the first full year of programming, with most of the training and educational opportunities provided for free by local subject matter experts. A December survey created by the Mental Health Programs Manager revealed the need for some programming that requires funding from the City.</p> <p>Ten out of 12 dispatchers and 34 of the approximately 43 officers at HCPD completed the 14-question mental health survey. Key indicators regarding the need and desire for additional mental health training and support services were evident from the responses to several questions. Eighty-six percent of the participants said they feel it is their responsibility to report their concern if they thought a colleague might need mental health support, but 52% said they do not feel they have a way to do so without causing that colleague professional harm.</p> <p>When asked if they thought it would be a positive or a negative if HCPD began requiring every</p>

officer and dispatcher to meet with a talk therapist once a quarter for a mental wellness check-in, 61% said they thought it was a positive idea and 21% said it did not matter to them either way. Only eight of the 44 participants said they saw it as a negative. In response to these and other survey answers, we are proposing the HCPD Mental Wellness Check-In Program.

Required for all HCPD officers and dispatchers, this program is designed to remove the stigma of *choosing* to see a therapist and guarantees HCPD personnel receive mental health support for free. The one-on-one, quarterly virtual meetings will be with contracted, racially diverse, licensed clinical psychologists who preferably have experience working with law enforcement personnel. *This Mental Wellness Check-in Program would not be used for fitness-for-duty assessments.* These confidential, 50-minute sessions would include clinical and psycho-educational coaching, and when needed, talk therapy. Discussions would only be reported if someone is deemed a danger to themselves or to others. If warranted, program psychologists will provide officers with vetted lists of mental health practitioners available through the City's health insurance plans, and would follow-up to ensure the officer or dispatcher has made an appointment with a local practitioner. The quarterly check-in sessions would take place in September and December 2021, and March and June 2022.

Funding this component of the larger HCPD Mental Health Program will demonstrate the Hyattsville City Council hears and is responding to one of the most significant needs in our community today. This program directly supports the mental health of the city's first responders and creates a ripple effect that positively impacts their families and helps officers and dispatchers best engage residents in a positive and effective way that boosts community mental wellness overall.

ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:

All activities to be coordinated and contracted by the HCPD Media Relations/Mental Health Programs Manager.

NEXT STEPS:

Inclusion in the FY22 budget for the City of Hyattsville.

CITY ADMINISTRATOR / DEPARTMENT DIRECTOR COMMENT:

SUPPORTING DOCUMENTATION:

HCPD Mental Health Program Proposal

FISCAL IMPACT:

\$50,000

COMMUNITY ENGAGEMENT:

N/A

STRATEGIC GOALS AND ACTIONS:

Goal 3 - Promote a Safe and Vibrant Community

LEGAL REVIEW REQUIRED?:

DRAFT



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Agenda Item Report

File #: HCC-225-FY21

2/16/2021

12.d)

Submitted by: Robert Croslin
Submitting Department: Legislative
Agenda Section: Discussion

Item Title:
FY22 Budget Initiative: Memorial Bench Program

Suggested Action:
FOR DISCUSSION:

I move that the Mayor and Council include \$30,000 in the Fiscal Year 2022 (FY22) budget for a cost sharing project to install memorial benches the in the City.

Summary Background:

Several years ago, a resident asked about the feasibility of creating a memorial bench program to honor longtime residents who have passed on. Since that time, our Public Works Director Lesley Riddle and her staff have been evaluating similar programs in surrounding communities and the costs associated with implementing the program. I think it is time to strongly consider making this program a reality. The bench program parameters, application form, bench type, and design need to be evaluated. The program would be implemented as a shared cost. The family of the deceased loved one would pay a portion of the cost for the bench and the standardized dedication mounted plaque. Completed benches could be placed in parks, at bus stops, and other areas in the City to keep the names of residents who have passed on, in our hearts and minds.

Next Steps:

DPW will oversee the administration of the program including application review, approval, bench and plaque design, placement, and installation.

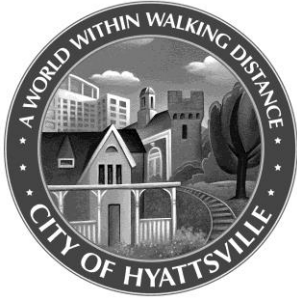
Fiscal Impact:
\$30K,

City Administrator Comments:
Cost sharing is estimated at a rate of 50% with a cost per bench of \$1,000.

Community Engagement:
TBD

Strategic Goals:
Goal 5 - Strengthen the City's Identity as a Diverse, Creative, and Welcoming Community

Legal Review Required?
N/A



Council Agenda Form

MOTION #	DRAFT #
DATE SUBMITTED: 2/2/2021	DATE TO GO BEFORE COUNCIL:
SUBMITTED BY: Robert Croslin	
DEPARTMENT: Public Works	

TITLE OF MOTION: FY22 Budget Initiative: Memorial Bench Program
RECOMMENDATION: I move the Mayor and Council include \$30,000 in the FY22 budget for a cost sharing project to install memorial benches the in the City.
BACKGROUND: Several years ago a resident asked about the feasibility of creating a memorial bench program to honor long-time residents who have passed on. Since that time, our Public Works Director Lesley Riddle and her staff have been evaluating similar programs in surrounding communities and the costs associated with implementing the program. I think it is time to strongly consider making this program a reality. The bench program parameters, application form, bench type and design need to be evaluated. The program would be implemented as a shared cost. The family of the deceased loved one would pay a portion of the cost for the bench and the standardized dedication mounted plaque. Completed benches could be placed in parks, at bus stops and other areas in the City to keep the names of residents who have passed on, in our hearts and minds.
ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT: DPW will oversee the administration of the program including application review, approval, bench and plaque design, placement and installation.
CITY ADMINISTRATOR / DEPARTMENT DIRECTOR COMMENT: (must be approved by City Administrator): Cost sharing is estimated at a rate of 50% with a cost per bench of \$1,000.
<hr style="width: 30%; margin-left: 0;"/> Tracey E. Nicholson, City Administrator
STRATEGIC GOALS AND ACTIONS: Goal 5 – Strengthen the City’s Identity as a Diverse, Creative, and Welcoming Community
SUPPORTING DOCUMENTATION:
CURRENT YEAR BUDGET IMPACT:



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Agenda Item Report

File #: HCC-226-FY21

2/16/2021

12.e)

Submitted by: Robert Croslin
Submitting Department: Legislative
Agenda Section: Discussion

Item Title:

FY22 Budget Initiative: Race and Equity Coordinator/Advisor

Suggested Action:

FOR DISCUSSION:

I move the Mayor and Council authorize the establishment of a Racial, Equity, Diversity, and Inclusion Coordinator/Advisor position and allocate \$60,000 in the Fiscal Year 2022 (FY22) budget to support this effort. Staff shall investigate the possibility of full-time, part-time, or contract position in addition to cost sharing the position with neighboring municipalities.

Summary Background:

Former Mayor Hollingsworth proposed, and the City Council established, a Race and Equity Task Force to study and advise the Council on the impact of legislation, policies, and programs on minorities residing in the City of Hyattsville and to develop an Equity Plan. This initial and important step can be greatly enhanced by hiring a specialist to advise and assist the Committee in drafting and developing the plan. The coordinator will identify opportunities to improve transparency, educate, and inform the community and staff through training, workshops, assisting with ethnic event programming, and outreach, reviewing practices, motions, and legislation to ensure equity and fairness. As our City and communities across the nation grapple with new and longstanding policies and practices that have resulted in unintended consequences against communities of color, this position can assist and advise the staff, community, and Council. This position is increasingly important to ensure we can identify and avoid disparities within City government and our community so I am therefore requesting an amount not to exceed (NTE) \$60,000 set aside for a Racial Equity and Diversity Coordinator contract or staff position.

Next Steps:

Council discussion.

Fiscal Impact:

\$60,000

City Administrator Comments:

An evaluation of available resources and costs will need to be performed. The staff will prepare a job description to evaluate the most cost effective way to implement and will reach out to neighboring municipalities to gauge interest in a shared resource/position.

Community Engagement:

TBD

Strategic Goals:

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

Legal Review Required?

N/A



Council Agenda Form

MOTION #	DRAFT #
DATE SUBMITTED:	DATE TO GO BEFORE COUNCIL:
SUBMITTED BY: Robert Croslin	
DEPARTMENT:	

TITLE OF MOTION: FY22 Budget Initiative: Race & Equity Coordinator/Advisor
<p>RECOMMENDATION: I move the Mayor and Council authorize the establishment of a Racial, Equity, Diversity & Inclusion Coordinator/Advisor position and allocate \$60,000 in the FY22 budget to support this effort. Staff shall investigate the possibility of Full-time, part-time or contract position in addition to cost sharing the position with neighboring municipalities.</p>
<p>BACKGROUND: Former Mayor Hollingsworth proposed, and the City Council established a Race and Equity committee to study and advise the council on the impact of legislation, policies, and programs on minorities residing in the City of Hyattsville and to develop an Equity Plan. This initial and important step can be greatly enhanced by hiring a specialist to advise and assist the Committee in drafting and developing the plan. The coordinator will identify opportunities to improve transparency, educate, and inform the community and staff thru training, workshops, assisting with ethnic event programming and outreach, reviewing practices, motions, and legislation to ensure equity and fairness. As our City and communities across the nation grapple with new and longstanding policies and practices that have resulted in unintended consequences against communities of color, this position can assist an advise the staff, community and Council. This position is increasingly important to ensure we can identify and avoid disparities within city government and our community so I am therefore requesting an amount NTE \$60,000 set aside for a Racial Equity and Diversity Coordinator contract or staff position.</p>
<p>ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT: \$60,000</p>
<p>CITY ADMINISTRATOR / DEPARTMENT DIRECTOR COMMENT: (must be approved by City Administrator): An evaluation of available resources and costs will need to be performed. The staff will prepare a job description to evaluate the most cost effective way to implement and will reach out to neighboring municipalities to gauge interest in a shared resource/position.</p> <p>_____</p> <p>Tracey E. Nicholson, City Administrator</p>
<p>STRATEGIC GOALS AND ACTIONS: To eliminate all unintended impacts on Hyattsville's minority communities.</p>
SUPPORTING DOCUMENTATION:
CURRENT YEAR BUDGET IMPACT:



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Agenda Item Report

File #: HCC-227-FY21

2/16/2021

12.f)

Submitted by: Joseph Solomon
Submitting Department: Legislative
Agenda Section: Discussion

Item Title:
FY22 Budget Initiative: Hyattsville COVID Sanitization Support

Suggested Action:
FOR DISCUSSION:

I move that Mayor and Council include funding in the amount of \$15,000 in the Fiscal Year 2022 (FY22) budget for the Department of Public Works to purchase, install, and maintain six (6) mobile hand-washing and sanitization stations for deployment within Hyattsville Business Corridors.

Summary Background:

Requesting the purchase of mobile hand washing stations and some foot operated hand-sanitizing stations to assist with stopping the spread of COVID especially amongst the homeless population. Suggested locations will be coordinated with the Department of Public Works (DPW), but currently include the Hamilton Street and Route One corridors.

Next Steps:

Research costs, types, and maintenance of available equipment. DPW, Financial and Legal Review required. DPW will work with County and State on utilization in public right of way where applicable. DPW will purchase, install, and maintain units. Upon approval, staff resources to implement would include Public Works for purchase, location, property owner coordination, installation, parts, supplies and maintenance.

Fiscal Impact:

\$15K

City Administrator Comments:

Staff will review existing and potential equipment type and make recommendations on location, property boundaries, and coordination required. Some coordination with business owners and County and State property lines may be required. Regular maintenance will be required for the upkeep of the units and will be done by Parks' staff. We anticipate some costs for parts and supplies-TBD.

Community Engagement:

TBD

Strategic Goals:

Goal 3 - Promote a Safe and Vibrant Community

Legal Review Required?

N/A



Council Agenda Form

MOTION #		DRAFT #	
DATE SUBMITTED:	DATE TO GO BEFORE COUNCIL: LEAVE BLANK		
SUBMITTED BY:			
CO-SPONSORS: SOLOMON			
DEPARTMENT: Legislative			

TITLE OF MOTION: FY22 Budget Initiative: Hyattsville COVID Sanitization Support
<p>RECOMMENDATION: I move that Mayor and Council include funding in the amount of \$15,000 in the FY22 budget for the Department of Public Works to purchase, install and maintain six (6) mobile hand-washing and sanitization stations for deployment within Hyattsville Business Corridors.</p>
<p>SUMMARY BACKGROUND: Requesting the purchase of mobile hand washing stations and some foot operated hand-sanitizing stations to assist with stopping the spread of COVID, especially amongst the homeless population. Suggested locations will be coordinated with DPW, but currently include the Hamilton Street and Route One corridors.</p>
<p>ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT: Public Works for purchase, location, property owner coordination, installation, parts, supplies and maintenance.</p>
<p>NEXT STEPS: Research costs, types, and maintenance of available equipment. DPW, Financial and Legal Review. required. DPW will work with County and State on utilization in public right of way where applicable. DPW will purchase, install, and maintain units.</p>
<p>CITY ADMINISTRATOR / DEPARTMENT DIRECTOR COMMENT: Staff will review existing and potential equipment type and make recommendations on location, property boundaries and coordination required. Some coordination with business owners, County and State property lines may be required. Regular maintenance will be required for the upkeep of the units and will be done by Parks staff. We anticipate some costs for parts and supplies—TBD.</p>

SUPPORTING DOCUMENTATION:

FISCAL IMPACT: TBD

COMMUNITY ENGAGEMENT:

STRATEGIC GOALS AND ACTIONS:

LEGAL REVIEW REQUIRED?:

DRAFT



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Agenda Item Report

File #: HCC-230-FY21

2/16/2021

12.g)

Submitted by: Joseph Solomon
Submitting Department: Legislative
Agenda Section: Discussion

Item Title:
FY22 Budget Initiative: Hyattsville COVID Mural

Suggested Action:
FOR DISCUSSION:

I move the Mayor and Council allocate \$25,000 in the Fiscal Year (FY22) budget for the commission, design, and installation of a Hyattsville COVID Memorial Mural. The location of the mural should be determined in consultation with City staff.

Summary Background:

The Hyattsville community has lost several longtime residents to COVID. This mural will celebrate their life and contributions using a Hyattsville local artist. The funding will support the design, production, and installation of the mural.

Next Steps:

Staff Review, financial Review, legal Review. Upon approval the City will issue a Request for Proposal (RFP) prioritizing local Hyattsville artists and all factors identified in the City's aim to support minority-owned, woman-owned, and veteran-owned small businesses. The City will work with the Hyattsville Health, Wellness, and Recreation Committee on artist selection and evaluation, as well as mural site selection.

Fiscal Impact:
\$25K

City Administrator Comments:
For discussion.

Community Engagement:
TBD

Strategic Goals:
Goal 5 - Strengthen the City's Identity as a Diverse, Creative, and Welcoming Community

Legal Review Required?
N/A



Council Agenda Form

MOTION #		DRAFT #
DATE SUBMITTED:	DATE TO GO BEFORE COUNCIL: LEAVE BLANK	
SUBMITTED BY: SOLOMON		
CO-SPONSORS:		
DEPARTMENT: Legislative		

TITLE OF MOTION: FY22 Budget Initiative: Hyattsville COVID Mural
<p>RECOMMENDATION: I move the Mayor and Council allocate \$25,000 in the FY22 Budget for the commission, design, and installation of a Hyattsville COVID Memorial Mural. The location of the mural should be determined in consultation with City staff.</p>
<p>SUMMARY BACKGROUND: The Hyattsville community has lost several longtime residents to COVID. This mural will celebrate their life and contributions using a Hyattsville local artist. The funding will support the design, production, and installation of the mural.</p>
ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:
<p>NEXT STEPS: Staff Review, Financial Review, Legal Review. Upon approval the City will issue an RFP prioritizing local Hyattsville Artist and all factors identified in the City's aim to support minority-owned, woman-owned, and veteran-owned small businesses. The City will work with the Hyattsville Health Wellness and Recreation Committee on Artist selection and evaluation, as well as mural site selection.</p>
CITY ADMINISTRATOR / DEPARTMENT DIRECTOR COMMENT:

SUPPORTING DOCUMENTATION:

FISCAL IMPACT: TBD

COMMUNITY ENGAGEMENT:

STRATEGIC GOALS AND ACTIONS:

LEGAL REVIEW REQUIRED?:

DRAFT



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Agenda Item Report

File #: HCC-231-FY21

2/16/2021

12.h)

Submitted by: Joseph Solomon
Submitting Department: Legislative
Agenda Section: Discussion

Item Title:

FY22 Budget Initiative: COVID Support for Hyattsville Non-Profits

Suggested Action:

FOR DISCUSSION:

I move that Mayor and Council authorize the City Administrator to provide reimbursements to non-profit organizations located in the City of Hyattsville who have expended resources on COVID support for Hyattsville residents.

Summary Background:

Several local non-profits have assisted Hyattsville residents during the pandemic. These non-profits have performed functions necessary to stabilize our community in ways the City of Hyattsville cannot. Continued support requires public funding.

Next Steps:

Establishing fund, determining acceptable funding limits, resolving legal hurdles of non-profit contributions. Financial review, legal review.

Fiscal Impact:

TBD

City Administrator Comments:

For discussion.

Community Engagement:

TBD

Strategic Goals:

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

Legal Review Required?

Pending



Council Agenda Form

MOTION #	DRAFT #
DATE SUBMITTED:	DATE TO GO BEFORE COUNCIL: LEAVE BLANK
SUBMITTED BY: SOLOMON	
CO-SPONSORS:	
DEPARTMENT: Legislative	

TITLE OF MOTION: FY22 Budget Initiative: COVID Support for Hyattsville Non-Profits
<p>RECOMMENDATION: I move that Mayor and Council authorize the City Administrator to provide reimbursements to Non-profit organizations located in the City of Hyattsville who have expended resources on COVID support for Hyattsville residents.</p>
<p>SUMMARY BACKGROUND: Several local non-profits have assisted Hyattsville residents during the pandemic. These non-profits have performed functions necessary to stabilize our community in ways the City of Hyattsville cannot. Continued support requires public funding.</p>
<p>ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT: Establishing fund, determine acceptable funding limits, resolving legal hurdles of non-profit contributions.</p>
<p>NEXT STEPS: Financial Review, Legal Review</p>
CITY ADMINISTRATOR / DEPARTMENT DIRECTOR COMMENT:
SUPPORTING DOCUMENTATION:
FISCAL IMPACT: TBD

COMMUNITY ENGAGEMENT:

STRATEGIC GOALS AND ACTIONS:

LEGAL REVIEW REQUIRED?:

DR



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Agenda Item Report

File #: HCC-232-FY21

2/16/2021

12.i)

Submitted by: Joseph Solomon
Submitting Department: Legislative
Agenda Section: Discussion

Item Title:

Updating Scope of Pandemic Relief Fund Designed for Artists

Suggested Action:

FOR DISCUSSION:

I move that the Mayor and Council update the eligibility for applicants to the Hyattsville COVID-19 Pandemic Relief Fund Grants for working artists to include barbers, cosmetologists, pet groomers, and tattoo artists licensed by the State of Maryland and currently working in a business registered within in the corporate limits of the City of Hyattsville. I further move that the maximum award for Working Artist applicants be adjusted to \$500 per award.

Summary Background:

The current definition of artists eligible for the Pandemic Relief Fund excludes certain categories of artistry. The Working Artists Fund contains 84K, this broader definition and award adjustment would allow 168 awards to licensed workers and small businesses impacted by COVID shutdowns and loss of foot traffic in Hyattsville business corridors.

Next Steps:

Discussion

Fiscal Impact:

TBD

City Administrator Comments:

For discussion.

Community Engagement:

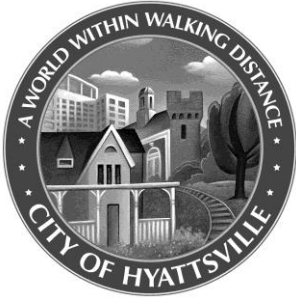
TBD.

Strategic Goals:

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

Legal Review Required?

Complete



Council Agenda Form

MOTION #		DRAFT #	
DATE SUBMITTED:	DATE TO GO BEFORE COUNCIL: LEAVE BLANK		
SUBMITTED BY: Solomon			
CO-SPONSORS: Spell-Wolf, Simasek, Haba, Peabody, Suiter			
DEPARTMENT: Legislative			

TITLE OF MOTION: Updating Scope Pandemic Relief Fund Designed for Artists
<p>RECOMMENDATION: I move that the Mayor and Council update the eligibility for applicants to the Hyattsville COVID-19 Pandemic Relief Fund Grants for Working Artists to include barbers, cosmetologists, pet groomers, and tattoo artists licensed by the State of Maryland and currently working in a business registered within in the corporate limits of the City of Hyattsville. I further move that the maximum award for Working Artist applicants be adjusted to \$500 per award.</p>
<p>SUMMARY BACKGROUND: The current definition of artists eligible for the Pandemic Relief fund excludes certain categories of artistry. The Working Artists fund contains 84K, this broader definition and award adjustment would allow 168 award recipients to licensed workers and small businesses impacted by COVID shutdowns and loss of foot traffic in Hyattsville business corridors.</p>
ANTICIPATED STAFF RESOURCES REQUIRED TO IMPLEMENT:
NEXT STEPS:
CITY ADMINISTRATOR / DEPARTMENT DIRECTOR COMMENT:

SUPPORTING DOCUMENTATION:

FISCAL IMPACT:

COMMUNITY ENGAGEMENT:

STRATEGIC GOALS AND ACTIONS:

LEGAL REVIEW REQUIRED?:

DR



City of Hyattsville

Hyattsville Municipal Bldg
4310 Gallatin Street, 3rd Flr
Hyattsville, MD 20781
(301) 985-5000
www.hyattsville.org

Agenda Item Report

File #: HCC-234-FY21

2/16/2021

14.a)

Submitted by: Sean Corcoran
Submitting Department: City Clerk
Agenda Section: Community Notices and Meetings

Item Title:
Main City Calendar February 17 - March 1, 2021

Suggested Action:
N/A

Summary Background:
N/A

Next Steps:
N/A

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

City Calendar: February 17 – March 1, 2021

City Council meetings will continue as scheduled and will be accessible to the public through web stream and cable. Public comment will be accepted electronically, and participants can join the virtual meeting after registration. For more information visit: hyattsville.org/meetings

Education Facilities Task Force Meeting

Thursday, February 18th, 7:00 PM (Virtual Meeting)

UMD Bilingual Career Advancement Information Session

Saturday, February 20th, 12:00 PM – 2:00 PM (Virtual Meeting)

Take your career to the next level with free academic planning, GED completion, college re-enrollment services, and more from the University of Maryland Educational Opportunity Center. Learn more about the resources available at this special information session for City of Hyattsville residents on Saturday, February 20, 12 – 1 p.m. in English and 1 – 2 p.m. in Spanish. Services are free for Prince George's County residents ages 19 and above. Please visit Hyattsville.org/calendar for more information.

Police and Public Safety Citizens' Advisory Committee

Saturday, February 20th, 5:00 PM (Virtual Meeting)

Diaper Distribution

Monday, February 22nd and Wednesday, February 24th, 9:00 AM – 1:00 PM (Magruder Park, 3911 Hamilton Street)

The City is partnering with the Greater DC Diaper Bank to distribute free baby diapers in size newborn to 6. Supplies are limited. Proof of the child's date of birth is also required at the time of pickup. Proof may include but is not limited to a birth certificate, insurance card, passport, immunization record, childcare bill or other document that includes child's name and date of birth. Please visit Hyattsville.org/calendar for more information.

Creative Minds at Home

Tuesday, February 23rd, 11:00 AM (Virtual)

Planning Committee Meeting

Tuesday, February 23rd, 7:00 PM (Virtual Meeting)

Race and Equity Task Force Meeting

Tuesday, February 23rd, 7:00 PM (Virtual Meeting)

Registration for Hybrid Spring Camp

Wednesday, February 24th

Spring camp will be held from Monday, March 29th through Friday, April 2nd. For more information, please visit Hyattsville.org/camp.

Code Compliance Advisory Committee Meeting

Wednesday, February 24th, 7:00 PM (Virtual Meeting)

Health, Wellness, and Recreation Advisory Committee Meeting

Thursday, February 25th, 7:00 PM (Virtual Meeting)

Age-Friendly Hyattsville Work Group Meeting

Friday, February 26th, 11:00AM (Virtual Meeting)

Bulk Trash Pop-Up Day

Saturday, February 27th, 10:00 AM – 2:00 PM (The City Municipal Building and Magruder Park)

Residents can drop off bulk trash items such as like bagged trash, furniture, empty lawn equipment, dry paint cans, and household goods at either location from 10 a.m. to 2 p.m., or until containers reach capacity. Unacceptable items include tires, electronics, hazardous materials (paint, gas, chemicals), and construction debris. Questions? Call (301) 985-5032.

Public Hearing

Monday, March 1st, 6:30 PM (Virtual Hearing)

The Public Hearing will be held to consider a traffic calming petition submitted for the 3900 block of Oliver Street, located in Wards 2 and 3.

City Council Meeting

Monday, March 1st, 7:00 PM (Virtual Meeting)

All events scheduled for March 2, 2021 and beyond may still be subject to cancellation due to the COVID-19 emergency. For updated details on meetings and events, visit hyattsville.org

The following weekly program offerings and City events are canceled through Monday, March 1, 2021.

- Ageless Grace Exercise Classes
- Community Yoga
- Senior Bus Trips
- Police Ride-Alongs
- Invasive Plant Removals
- Call-a-Bus Transportation Services

The following services will be suspended or limited through Tuesday, February 16, 2021.

- Notary and Fingerprint Services
- Licensing and Permitting

The following services and activities will continue as scheduled:

- Police patrols and emergency response
- Solid waste, recycling, and compost collections
- Parking enforcement
- Bulk trash pick-up will resume the first week in March and continue every other Wednesday thereafter. Residents must sign up in advance.

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