

# City of Hyattsville

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



## Agenda Regular Meeting

[https://us06web.zoom.us/webinar/register/WN\\_4AVXG-A8SOeX3b3pUrdUOg](https://us06web.zoom.us/webinar/register/WN_4AVXG-A8SOeX3b3pUrdUOg)

**Monday, November 20, 2023**

**7:00 PM**

**Virtual**

### **City Council**

**Robert S. Croslin, Mayor**  
**Joseph Solomon, Council President, Ward 5**  
**Joanne Waszczak, Council Vice President, Ward 1**  
**Sam Denes, Ward 1**  
**Danny Schaible, Ward 2**  
**Emily Strab, Ward 2**  
**Jimmy McClellan, Ward 3**  
**Kareem Redmond, Ward 3**  
**Edouard Haba, Ward 4**  
**Michelle Lee, Ward 4**  
**Rommel Sandino, Ward 5**

### **ADMINISTRATION**

**Tracey E. Douglas, City Administrator**  
**Laura Reams, City Clerk, 301-985-5009, [cityclerk@hyattsville.org](mailto: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](http://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 use the "Raise Hand" feature in the virtual meeting interface. Participants may also submit statements electronically using the eComment feature at [www.hyattsville.org/meetings](http://www.hyattsville.org/meetings) or via email to [cityclerk@hyattsville.org](mailto:cityclerk@hyattsville.org) no later than two (2) hours prior to the start of the meeting. Submitted electronic statements will be sent to Councilmembers prior to the meeting and will not be read aloud. All participants shall remain respectful in their contributions and associated functions of the virtual meeting interface are not intended for public dialogue or discussion.

**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](http://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](http://www.hyattsville.org/meetings).

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

**Meeting Notice:**

The Hyattsville City Council will hold its meeting on Monday, November 20, 2023 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](http://www.hyattsville.org/meetings).

**PUBLIC PARTICIPATION:**

If you wish to address the Council during the Public Comment period, please use the "Raise Hand" feature in the virtual meeting interface. Participants may also submit statements electronically using the eComment feature at [www.hyattsville.org/meetings](http://www.hyattsville.org/meetings) or via email to [cityclerk@hyattsville.org](mailto:cityclerk@hyattsville.org) no later than two (2) hours prior to the start of the meeting. Submitted electronic statements will be sent to Councilmembers prior to the meeting and included in the official meeting record. Electronically submitted statements will not be read aloud. All participants shall remain respectful in their contributions and associated functions of the virtual meeting interface are not intended for public dialogue or discussion.

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

[https://us06web.zoom.us/webinar/register/WN\\_4AVXG-A8SOeX3b3pUrdUOg](https://us06web.zoom.us/webinar/register/WN_4AVXG-A8SOeX3b3pUrdUOg)

- 1. Call to Order and Council Roll Call**
- 2. Pledge of Allegiance to the Flag**
- 3. Moment of Silence**
- 4. Approval of Agenda**
- 5. Public Comment (7:10 p.m. – 7:20 p.m.) Complete Speaker Card, Limit 2 minutes per speaker**
- 6. City Administrator Update (7:20 p.m - 7:40 p.m.)**
- 7. Presentations (7:40 p.m. - 8:00 p.m.)**

**7.a. Ager Road Townhomes Preliminary Plan of Subdivision 2023-030** [HCC-133-FY24](#)

Presentation only.

**Sponsors:** City Administrator

**Department:** Community & Economic Development

**Attachments:** [Presentation Memo - Ager Road Townhomes - PPS 2022-030](#)  
[Preliminary Plan of Subdivision 2023-030](#)  
[Statement of Justification](#)  
[Stormwater Management Concept Plan 46389-2022-01](#)  
[Concept Erosion and Sediment Control Plan 88-2023](#)

**8. Proclamations****8.a. Proclamation Recognizing December 1, 2023 as World AIDS Day in the City of Hyattsville** [HCC-136-FY24](#)

I move that the Mayor and Council recognize December 1, 2023 as World AIDS Day in the City of Hyattsville.

**Sponsors:** City Administrator

**Department:** City Clerk

**Attachments:** [CM 1120 World AIDS Day Proclamation](#)

**9. Appointments****9.a. Appointments to the Police and Public Safety Citizens' Advisory Committee** [HCC-130-FY24](#)

I move that the Mayor and Council approve the appointments of Bob Kantor (Ward 2) and Julia Dezeliski (Ward 1) to the Police and Public Safety Citizen's Advisory Committee for a term of two (2) years to expire on November 30, 2025.

**Sponsors:** Strab

**Department:** City Clerk

**Attachments:** [Julia Dezeiski, W1 Nov 2023 redac](#)  
[Bob Kantor, W2 Nov 2023 redac](#)

**10. Consent Items (8:00 p.m. - 8:05 p.m.)**

Items listed on the Consent Agenda are considered routine in nature, and are approved in one motion. There will be no separate discussion of these items unless the Mayor/Council request specific items be removed from the Consent agenda for separate action.



**10.a. Variance Request V-84-23 - 6414 Burlington Road, Hyattsville**[HCC-131-FY24](#)

I move the City Council authorize the Mayor to provide correspondence to the Prince George's County Board of Zoning Appeals in support of zoning variance application V-84-23, a request to permit a 200 square foot net lot area and 10-foot front building line width, a variance request of 1.3 feet left side yard width and 1.3 feet right side yard width, 15.9% net lot coverage and support for the applicant's use of pervious materials for the driveway structure for the subject property located at 4614 Burlington Road, Hyattsville.

**Sponsors:** City Administrator

**Department:** Community & Economic Development

**Attachments:** [Staff Memo - V-84-23](#)  
[Staff Memo - V-82-19](#)  
[V-84-23 Application](#)

**10.b. Special Exception request SPE-2023-01 7207 - Hitching Post Lane, Hyattsville  
(Espirales Montessori Bilingual Childcare Center)**[HCC-134-FY24](#)

I move the City Council authorize the Mayor to provide correspondence to the Prince George's County Planning Director in support special exception application SPE-2023-001, a request to allow a day care center for children in the RSF-95 zone at 7207 Hitching Post Lane, Hyattsville.

**Sponsors:** City Administrator

**Department:** Community & Economic Development

**Attachments:** [Memo - SPE-2023-001](#)  
[Statement of Justification](#)  
[SPE-2023-001 Site Plan](#)

**10.c. Procurement of OSCR360 Camera**[HCC-138-FY24](#)

I move that the Mayor and Council authorize an expenditure not to exceed \$15,865.00 for the purchase of an OSCR360 Camera from L-Tron Corporation.

**Sponsors:** City Administrator

**Department:** Police Department

**Attachments:** [OSCR](#)

**10.d. Procurement of Cellebrite**[HCC-139-FY24](#)

I move that Mayor and Council authorize the purchase of Cellebrite not to exceed the amount of \$15,745.00.

**Sponsors:** City Administrator

**Department:** Police Department

**Attachments:** [Cellebrite](#)

**10.e. HPD Contract with Community Advocates for Family and Youth (CAFY)**[HCC-140-FY24](#)

I move that the Mayor and Council authorize the City Administrator to enter into a contract with Community Advocates for Family and Youth (CAFY), upon the review and approval by the City Attorney for legal sufficiency.

**Sponsors:** City Administrator

**Department:** Police Department

**10.f. Installation of Pedestrian Safety Improvements on Nicholson Street**[HCC-141-FY24](#)

I move that the Mayor and Council authorize an expenditure not to exceed \$110,000 to NZI Construction for the construction and installation of pedestrian safety improvements on Nicholson Street from Ager Road to 31st Avenue, under their existing contract with the City. This project will be funded with CIP funds as approved in the FY24 budget.

**Sponsors:** City Administrator

**Department:** Public Works

**Attachments:** [Proposal Nicholson Street Improvement-Ager to 31st Ave](#)

**11. Action Items (8:05 p.m. - 8:20 p.m.)**

**11.a. Adoption of FY24 Legislative Agenda**[HCC-146-FY24](#)

I move that the Mayor and Council adopt the following legislative and bond bill priorities to be presented at a Joint District 22 Legislative Dinner on November 28, 2023.

Legislative Priorities:

- Affordable Housing
- Environmental Sustainability
- Grants/Programs for Recruitment & Retention of Police Officers
- Infrastructure & State Rd Improvements
- Juvenile Justice Reform
- Mental Health & Addiction Support
- Regional Economic Development & Growth

Bond Bill Priorities:

Communications & Technology for Public Safety Headquarters: Funding Request - \$2.0M

Stormwater Mitigation & Repairs at City Municipal Building: Funding Request - \$550K

Environmental Depot: Funding Request - \$650K

**Sponsors:** City Administrator

**Department:** City Clerk

**12. Discussion Items (8:20 p.m. - 9:05 p.m.)****12.a. ARPA Spending Plan Discussion**[HCC-144-FY24](#)

For discussion.

**Sponsors:** City Administrator

**Department:** Finance

**Attachments:** [Category Restricted Proposals November 2023](#)  
[ARPA Spending Plan Update Discussion #2 November 2023](#)  
[ARPA Projects Status Report Category Restricted Projects November 2023](#)  
[ARPA Projects Status Report Revenue Replacement Projects November 2023](#)  
[ARPA Projects Status Report All Projects November 2023](#)  
[Revenue Replacement Proposals November 2023](#)  
[Category Restricted Proposals November 2023](#)

**13. Council Dialogue (9:05 p.m. - 9:15 p.m.)****14. Motion to Adjourn**



# City of Hyattsville

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

## Agenda Item Report

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**File #:** HCC-133-FY24

11/20/2023

7.a.

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Submitted by: Holly Simmons

Submitting Department: Community & Economic Development

Agenda Section: Presentation

**Item Title:**

**Ager Road Townhomes Preliminary Plan of Subdivision 2023-030**

**Suggested Action:**

Presentation only.

**Summary Background:**

- The subject application proposes to subdivide 0.392 acres into 5 lots to accommodate five (5) single-family attached residential units (townhouses).
- Staff review is ongoing. This item is scheduled for Planning Committee on December 5, 2023, and will be on Council's agenda for Action on December 18, 2023.
- The application is a minor subdivision and will not have a Planning Board hearing. The final decision will be made by the Planning Director on or before January 23, 2024.
- As less than 10 townhouses are proposed, it is anticipated that the development will not require a Detailed Site Plan; however compliance with the applicable development standards, landscape manual, and tree canopy coverage ordinance will have to be demonstrated with this PPS.

The subject property is a 0.392-acre (17,077sf) parcel located approximately 200 feet south of the intersection of 29<sup>th</sup> Avenue and Ager Road at 5713/5715 Ager Road, Hyattsville (Figure 1). The site is currently undeveloped and occupied primarily by a mowed lawn.

The proposal contemplates the subdivision of two adjacent parcels to accommodate five (5) single-family attached dwelling lots along with two parcels (Parcel A and Parcel B) to be conveyed to a future homeowners association. Lots 1 through 5 are proposed to be 20' x 63'. Parcel A would contain open space area and landscape buffers. Parcel B is proposed to contain an 18-foot-wide private road/alley that would run behind the dwellings and serve as the only direct vehicular access to Ager Road (Figure 2). Dwellings will front on Ager Road, and no driveway access is proposed from the fronting street.

**Next Steps:**

This item will be scheduled for Action on the December 18 Council agenda.

**Fiscal Impact:**

N/A

**City Administrator Comments:**

For Presentation

**Community Engagement:**

The applicant will present to the Hyattsville Planning Committee on December 5, 2023. This item is tentatively scheduled to return for Action at City Council's December 18, 2023, meeting.

The final decision will be made by the Prince George's County Planning Director on or before January 23, 2024.

**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: Holly Simmons, Acting Director, Community & Economic Development

Date: November 9, 2023

Re: Ager Road Townhomes (Hok Subdivision) – Preliminary Plan of Subdivision 2023-030

Attachments: Preliminary Plan of Subdivision 2023-030  
Statement of Justification  
Prior approval: Stormwater Management Concept Plan 46389-2022-01  
Prior approval: Concept Erosion and Sediment Control Plan 88-2023

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The purpose of this memorandum is to provide the City Council with a summary of the preliminary plan of subdivision (PPS) application for the Ager Road Townhomes.

## Project Summary

- The subject application proposes to subdivide 0.392 acres into 5 lots to accommodate five (5) single-family attached residential units (townhouses).
- Staff review is ongoing. This item is scheduled for Planning Committee on December 5, 2023, and will be on Council's agenda for Action on December 18, 2023.
- The application is a minor subdivision and will not have a Planning Board hearing. The final decision will be made by the Planning Director on or before January 23, 2024.
- As less than 10 townhouses are proposed, it is anticipated that the development will not require a Detailed Site Plan; however compliance with the applicable development standards, landscape manual, and tree canopy coverage ordinance will have to be demonstrated with this PPS.

## Project Description

The subject property is a 0.392-acre (17,077sf) parcel located approximately 200 feet south of the intersection of 29<sup>th</sup> Avenue and Ager Road at 5713/5715 Ager Road, Hyattsville (Figure 1). The site is currently undeveloped and occupied primarily by a mowed lawn.



Figure 1. Subject site

The proposal contemplates the subdivision of two adjacent parcels to accommodate five (5) single-family attached dwelling lots along with two parcels (Parcel A and Parcel B) to be conveyed to a future homeowners association. Lots 1 through 5 are proposed to be 20' x 63'. Parcel A would contain open space area and landscape buffers. Parcel B is proposed to contain an 18-foot-wide private road/alley that would run behind the dwellings and serve as the only direct vehicular access to Ager Road (Figure 2). Dwellings will front on Ager Road, and no driveway access is proposed from the fronting street.

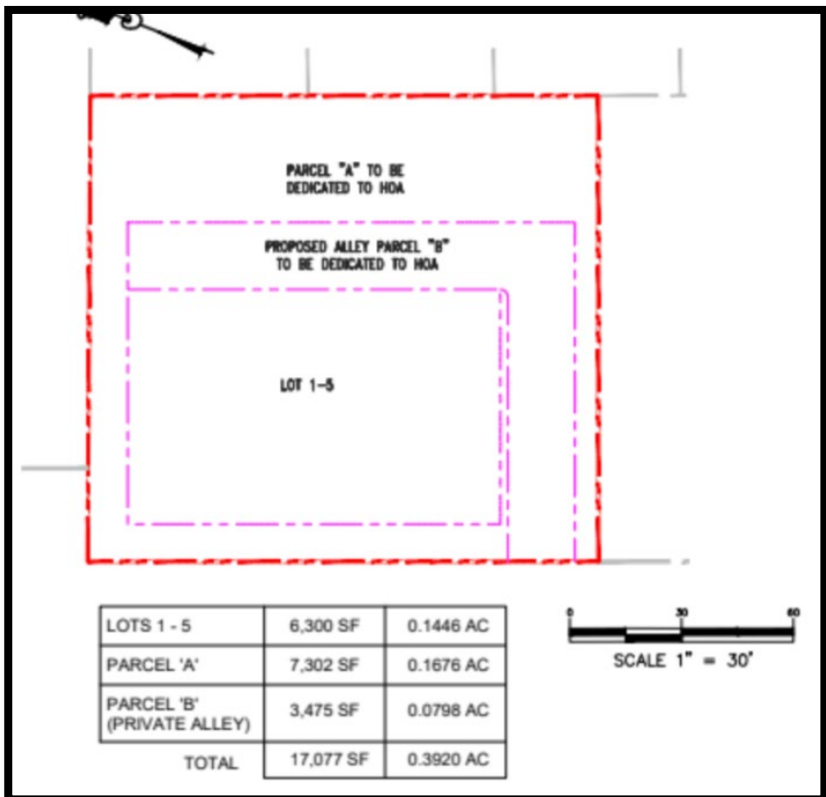


Figure 2. Lots 1-5, Parcels A and B

**Prior approvals**

Concept Erosion and Sediment Control Plan 88-2023 was approved on September 13, 2023, and Stormwater Management Concept Plan 46389-2022-01 was approved on August 22, 2023.

The proposal will treat for stormwater quantity and quality through on-site stormwater management devices and underground detention.

**Timeline**

The applicant's presentation to the City Council is scheduled for November 20, 2023. The applicant will present to the Hyattsville Planning Committee on December 5, 2023.

This item is tentatively scheduled to return for Action at City Council's December 18, 2023, meeting.

The application is a minor subdivision and will not have a Planning Board hearing. The final decision will be made by the Planning Director on or before January 23, 2024.



GENERAL NOTES:

- OWNER / DEED REFERENCE  
GAO, HOK S  
LIBER 22117, FOLIO 562, LOTS 7-8, BLOCK B  
PLAT: SDH3, P.54
- TAX MAP 41, GRID E3-E4
- WSSC 200 SHEET NO. 207NE02
- PURPOSE: TO SUBDIVIDE THE PROPERTY INTO FIVE (5) SINGLE-FAMILY ATTACHED DWELLINGS
- PRIOR APPROVALS: N/A
- GROSS SITE AREA: 0.392 AC. / TOTAL NET AREA: 0.392 AC.  
ZONE: RSF-A (RESIDENTIAL, SINGLE-FAMILY - ATTACHED)
- NET DEVELOPABLE AREA OUTSIDE PMA: 0.3920 ACRES
- 0.00 ACRES OF ENVIRONMENTAL REGULATED FEATURES
- 0.00 ACRES OF 100 YEAR FLOOD PLAIN, THE PROPERTY IS LOCATED IN ZONE X (AREAS OF MINIMAL FLOODING, PER MAP ENTITLED "FIRM, FLOOD INSURANCE RATE MAP, PRINCE GEORGE'S COUNTY, MARYLAND," COMMUNITY-PANEL NUMBER 24033C0160E, WITH A MAP EFFECTIVE DATE OF SEPTEMBER 16, 2016.
- TOTAL AREA CALCULATION IN SQUARE FEET (UNDER AN ACRE) OR ACRES:  
17,077 SF / 0.3920 AC.
- ACREAGE OF ROAD DEDICATION: 0.00 AC
- EXISTING ZONING/ USE: RSF-A (RESIDENTIAL, SINGLE-FAMILY ATTACHED)/ VACANT
- PROPOSED USE OF PROPERTY: SINGLE-FAMILY ATTACHED DWELLINGS
- BREAKDOWN OF PROPOSED DWELLING UNIT BY TYPE (RESIDENTIAL ONLY):  
FIVE (5) SINGLE-FAMILY ATTACHED DWELLINGS
- DENSITY CALCULATION (RESIDENTIAL ONLY):  
5 UNITS/0.386 ACRES = 12.95 DWELLING UNITS PER ACRE
- MINIMUM LOT SIZE REQUIRED BY ZONING ORDINANCE AND SUBDIVISION REGULATIONS (24-130): NO REQUIREMENT
- MINIMUM LOT WIDTH: 20 FEET  
MINIMUM LOT WIDTH AT THE FRONT STREET LINE: 16 FEET
- SUSTAINABLE GROWTH TIER: YES (TIER 1)
- MILITARY INSTALLATION OVERLAY ZONE: NO
- EXISTING AND PROPOSED GROSS FLOOR AREA (NON-RESIDENTIAL ONLY): N/A
- STORMWATER MANAGEMENT CONCEPT NUMBER: 46389-2022-0, APPROVED AUGUST 22, 2023
- WATER/SEWER CATEGORY DESIGNATION  
EXISTING  
WATER - W3, SEWER - S3  
PROPOSED  
WATER - W3, SEWER - S3
- METHOD OF SEWAGE DISPOSAL: PUBLIC SEWER
- AVIATION POLICY AREA: N/A
- MANDATORY PARK DEDICATION REQUIREMENT: FEE-IN-LIEU
- CEMETERIES ON OR CONTIGUOUS TO THE PROPERTY: NO
- HISTORIC SITES ON OR IN THE VICINITY OF THE PROPERTY: NO
- TYPE ONE CONSERVATION PLAN: NO
- WITHIN CHESAPEAKE BAY CRITICAL AREA: NO
- WETLANDS: NO
- STREAMS: NO
- SOILS BY SOIL TYPE AND SOURCE OF SOIL INFORMATION (IF NO NRI):  
EuB - ELSINBORO-URBAN LAND COMPLEX - HSG:B - WEB SOIL SURVEY
- IN OR ADJACENT TO AN EASEMENT HELD BY THE MARYLAND ENVIRONMENTAL TRUST, THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION, OR ANY LAND TRUST OR ORGANIZATION: NO
- THE SUBJECT PROPERTY IS ZONED RSF-A (RESIDENTIAL SINGLE-FAMILY ATTACHED), PER SECTION 27-1904(b) THE APPLICANT IS CHOOSING TO PROCEED UNDER THE CURRENT ZONING ORDINANCE AND SUBDIVISION REGULATIONS.

OWNER / DEVELOPER

HOK S. GAO  
5630 SOUTH 7TH ROAD  
ARLINGTON, VA 22204  
TEL: (703) 981-4759  
CONTACT: HOK S. GAO  
EMAIL: HOKTAX@YAHOO.COM

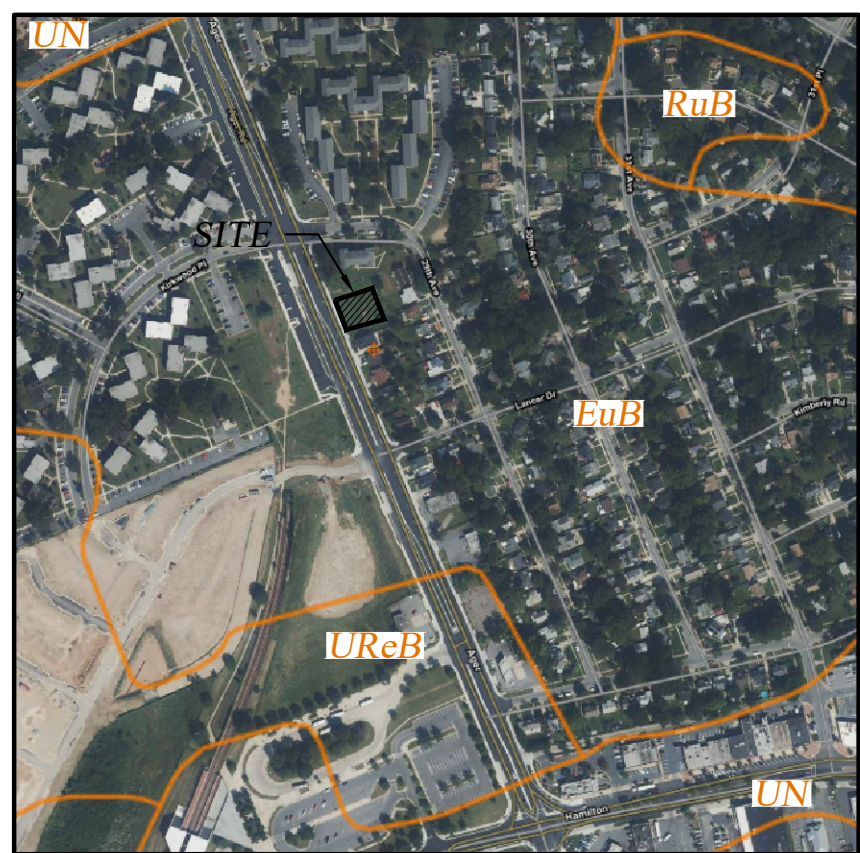
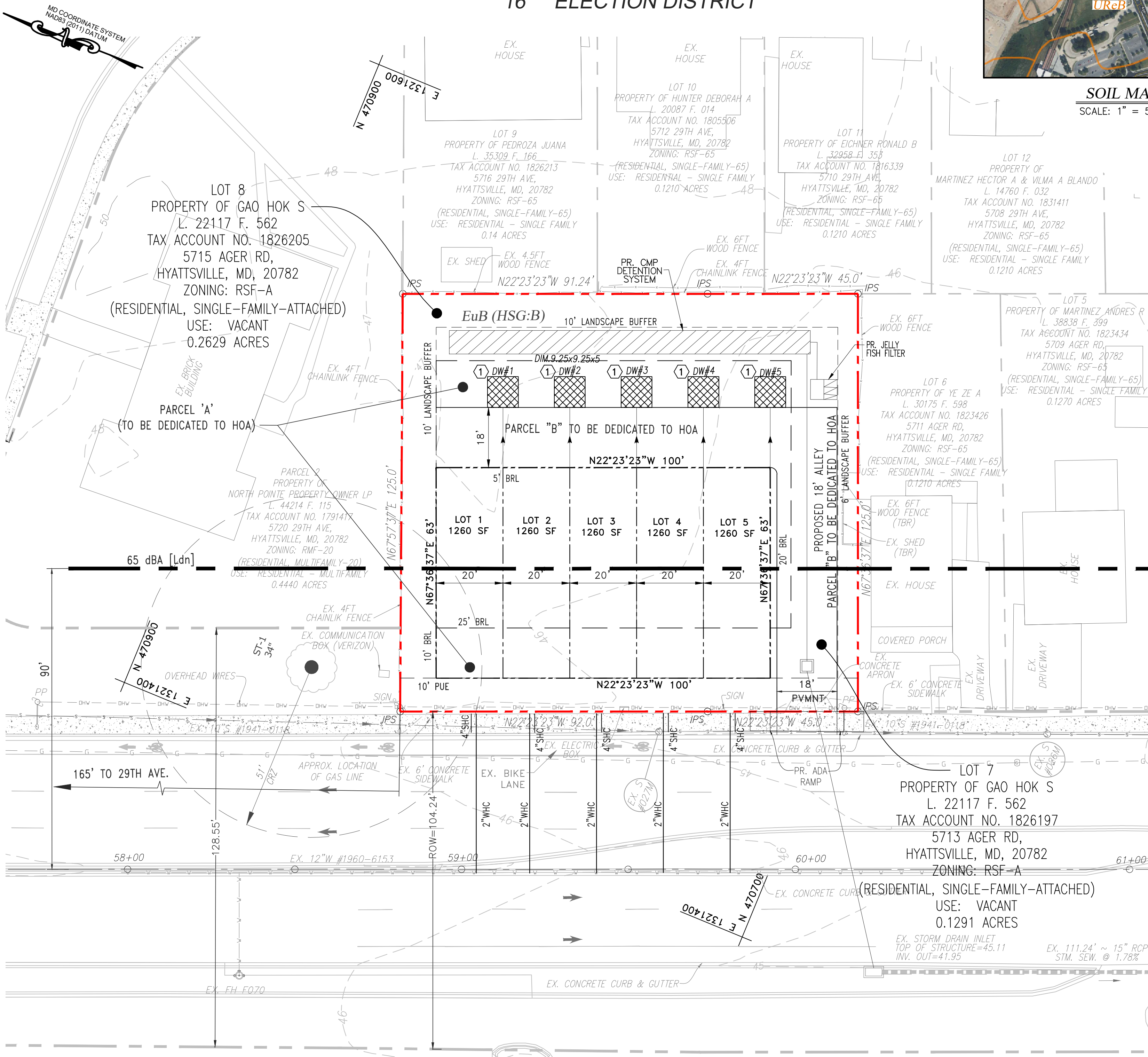
*FAZ*

JUAN E. NARANJO,  
MARYLAND LIC. NO. 22037

PROFESSIONAL LAND SURVEYOR  
EXPIRES 07/18/2024



PRELIMINARY PLAN #2022-030  
FOR  
HOK SUBDIVISION  
LOCATION OF SITE  
5713-5715 AGER ROAD  
HYATTSVILLE, PRINCE GEORGES COUNTY, MD  
TAX MAP 41, GRID E3-E4  
16<sup>TH</sup> ELECTION DISTRICT

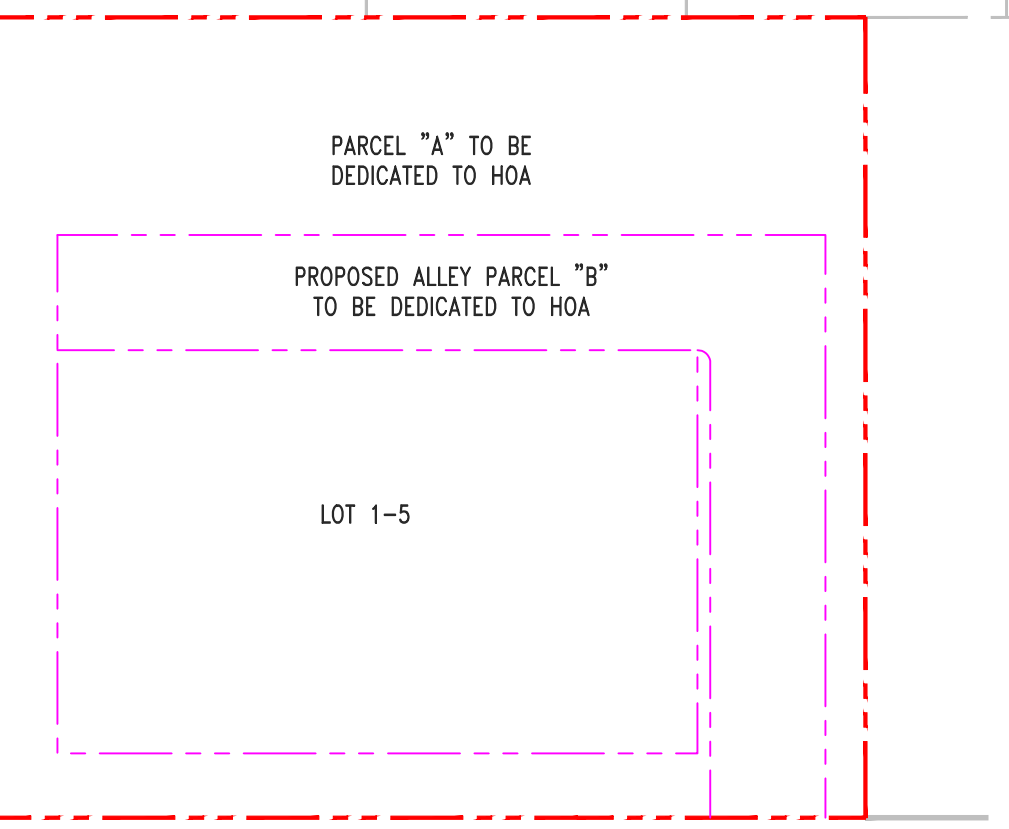


SOIL MAP  
SCALE: 1" = 500'



VICINITY MAP

COPYRIGHT ADC THE MAP PEOPLE  
PERMIT USE NO 20602153-6  
ADC MAP #5409 GRID E-8  
SCALE: 1" = 2000'



LOTS 1 - 5	6,300 SF	0.1446 AC
PARCEL 'A'	7,302 SF	0.1676 AC
PARCEL 'B' (PRIVATE ALLEY)	3,475 SF	0.0798 AC
TOTAL	17,077 SF	0.3920 AC

SCALE 1" = 30'

LEGEND

TITLE	SYMBOL
SOILS LABEL	CsE
PROPERTY BOUNDARY	---
ADJACENT PROPERTY	---
EXISTING CONTOUR	--- 70 ---
EX. WATER	W W
EX. SEWER	S S
EX. SPECIMEN AND CRZ	(S)
EX. UTILITY POLE	(P)
EX. OVERHEAD WIRES	OWW
EX. FIBER OPTICS	FWW
EX. CABLE	CCW
PR. WATER HOUSE CONNECTION	WHC
PR. SEWER HOUSE CONNECTION	SHC
65 dBA [Ldn]	---

SCALE 1" = 20'



6305 IVY LANE, SUITE 225  
GREENBELT, MD 20770  
Phone: (240) 206-8055  
amiljkovic@eliteeng.co  
CONTACT: ASKO MILJKOVIC

REVISIONS	BY



ELITE ENGINEERING, LLC  
Engineers \* Landscape Architects  
6305 IVY LANE SUITE 225  
GREENBELT, MD, 20770  
(240)206-8055



10/26/2023

HOK SUBDIVISION  
PRELIMINARY PLAN #2022-030

5713-5715 AGER ROAD  
HYATTSVILLE, PRINCE GEORGE COUNTY, MD 20782  
TAX MAP 41, GRID E3-E4  
16<sup>TH</sup> ELECTION DISTRICT

DRAWN
CHECKED
AM
DATE
10/26/2023
SCALE
AS SHOWN

DRAWING

1 OF 1





**ELITE ENGINEERING, 6305 Ivy Lane, Suite 225, Greenbelt, MD 20770**  
Tel. (240) 206-8055

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October 4, 2023

Prince George's County  
M-NCPPC – Development Review Division  
14741 Governor Oden Bowie Dr  
Upper Marlboro, MD 20772

Attn: Eddie Diaz-Campbell, Planner II

SUBJECT:     **Hok Subdivision  
Preliminary Plan 2022-030; ADQ-2022-062  
STATEMENT OF JUSTIFICATION**

### **OVERVIEW**

The subject property is approximately 200 feet south from the intersection of 29<sup>th</sup> Avenue and Ager Road, at 5713/5715 Ager Road, Hyattsville, Maryland. The property is identified as Lots 7 & 8, Tax Map 41, Grid E4. The subject property is 0.392 acres and zoned RSF-A (Residential single family attached). The subject property is surrounded with residential apartment developments on north, east and south with residential single family detached development and Ager Road ROW on the west side. The property is located within the Established Communities per the 2035 General Plan Growth Policy.

The existing land uses on the property consist of undeveloped, primarily a mowed lawn. The site does not contain steep slope, wetland, floodplain, or stream. There is no specimen trees or special tree species on the site. The site is flat 0-3% slope and drains from the north to the south corner toward the Ager Road ROW.

### **NATURE OF THE REQUEST**

The Applicant seeks approval of a Preliminary Plan for approximately five (5) single-family attached dwellings (townhouses).

The single-family attached layout is proposed to minimize the limit of disturbance and impact to the adjacent properties and to maximize the green area. The proposed dwellings front directly on Ager Road. An 18 feet wide private alley is proposed and runs behind the dwellings.

The proposed development will maintain the current drainage pattern. The post-development runoff for the 10-year and the 100-year storm will be stored within the underground pipe system located behind the units.

**A new zoning ordinance went into effect on April 1, 2022. The subject property is currently zoned RSF-A (Residential Single Family Attached ). Per Section 27-1904(b), the Applicant is choosing to proceed under the current zoning ordinance.**

Considering that the development proposes only five (5) lots and has no major impact to surrounding lands and is compatible with the adjacent properties; this subdivision shall be reviewed and approved as a minor subdivision by the Planning Director.

### **The purposes of the RSF-A Zone:**

**(A)**

**To provide for development in a form that supports residential living and walkability, is pedestrian oriented and is well connected to surrounding lands;**

**(B)**

**To provide development that is respectful of the natural features of the land; and**

**(C)**

**To provide development that is compatible with surrounding lands.**

**Comment:** The developer is proposing to subdivide the property into five (5) residential single family attached dwellings. A private 18 feet wide alley will serve the subdivision. Private storm drain, underground stormwater management facilities and utilities were design in accordance with the design standards.

The dwellings are designed to support walkability to the existing sidewalk along Ager Road. Furthermore, provisions have been made to facilitate pedestrian connectivity. A 5-foot concrete sidewalk and bike lane exist along with the right of way of Ager Road will provide a future connection to the adjacent development area. The ADA ramps are proposed at each side of the entrance.

This subdivision will function together and provide an aesthetically pleasing fit into the surrounding neighborhood. However, due to site restrictions, the subdivision does not provide pedestrian and bicycle access, so the waiver request was submitted.

The proposed subdivision has no major impacts and is compatible with surrounding lands. No conflicts with adjacent residential uses are anticipated.

Therefore, this Preliminary Plan promotes the purposes of the RSF-A Zone.

**The Preliminary plan should comply with standards of Section 24-4101 through 4106.**

### **Section 24-4101. General**

#### **a. Zoning Ordinance Standards**

This Preliminary Plan complies with all applicable standards in Subtitle 27: Zoning Ordinance, Part 6: Development Standards, of the County Code.

**b. Conform to Comprehensive Master Plan**

The Preliminary Plan of subdivision is not in conflict with the newly approved Area Master Plan, Sector Plan, and/or Functional Master Plan.

**c. Unsafe Land**

Land of the subdivision was not found unsafe for development. There is no potential danger of flooding and based on the geotechnical report there is no unsafe area within the near vicinity of the proposed building.

**d. Land in Reservation**

Per the applicable Area Master Plan, Sector Plan, Functional Master Plan, or the General Plan, the subject property is not placed in reservation, in accordance with Section 24-3405, Reservations.

**Comment:** The Preliminary Plan complies with all applicable standards in Subtitle 27, Part 6 of the current Code. There is no conflict with the approved Area Master Plan, Sector Plan, and/or Functional Master Plan. The proposed improvements include an underground pipe system to manage the 100-yr storm; therefore, there is no potential danger of flooding.

## **24-4102. Lot Standards**

**a. Conformance with Zoning Ordinance**

All lots in a subdivision shall be in conformance with all of the lot standards and requirements of Subtitle 27: Zoning Ordinance, applicable to the land subject to the subdivision. (See PART 27-4: Zones and Zone Regulations, of Subtitle 27: Zoning Ordinance).

**b. Minimum Lot Area Standards for Individual Systems**

If a proposed subdivision is situated in a portion of the County not planned to be served by public water and/or sewer facilities, lots shall be designed to comply with the minimum lot area standards for individual systems in Subtitle 22: On-Site Sewage Disposal Systems, of the County Code, and the Ten Year Water and Sewerage Plan.

**c. Minimum Lot Depth**

1. Lots or parcels used for residential purposes adjacent to existing or planned streets classified as arterials shall be platted with a minimum depth of 150 feet.
2. Lots or parcels used for residential purposes adjacent to existing or planned streets classified as expressways or freeways shall be platted with a minimum depth of 300 feet.
3. Adequate protection and screening from traffic nuisances shall be provided in accordance with the requirements of the Landscape Manual.

**d. Lot Design Standards**

1. Buildings and driveways shall be sited to maintain the existing grade as much as possible.

2. A variety of lot sizes and lot widths are encouraged within groupings of dwellings in order to prevent visual monotony, when appropriate.

**e. Condominium Development**

Condominium townhouses shall be designed to conform to the lot standards of these Regulations and Subtitle 27: Zoning Ordinance, for possible future conversion to fee simple lots.

**f. Outlots and Outparcels**

Provision shall be made for the eventual ownership of outlots and outparcels by incorporating them into platted lots or into adjacent parcels, or by other appropriate means.

**g. Located Wholly Within County**

All lots shall be designed to be located wholly within the County.

**Comment:** The Preliminary Plan is in conformance with all applicable standards in Section 24-4102 of the current Code and all lot standards and requirements of Subtitle 27-4 Zoning Ordinance. The development will be served by public water and sewer located at the front of the proposed dwellings. The proposed lots meet the lot design standards.

## **24-4103. Layout Design Guidelines**

To the maximum extent practicable, subdivisions shall be designed to:

- (a)** Site internal streets to maintain the existing grade.
- (b)** Ensure the spatial relationships, including between the lots and the street, recreation areas, alleys, and development on abutting lots, create the most beneficial relationship for the residents and occupants of the subdivision and abutting properties.
- (c)** Arrange lotting patterns to avoid the stacking of dwelling units, one behind the other, creating a flag lot relationship.
- (d)** Arrange lots to avoid the fronts of dwelling units facing the rear and sides of dwelling units on adjoining lots.
- (e)** Arrange lotting patterns to avoid narrow unusable common ownership parcels.
- (f)** Ensure infill lotting patterns are context-sensitive to the existing established neighborhood.
- (g)** Arrange and sufficiently set back lots and the siting of buildings to preserve views of the site characteristics from streets and abutting lands.
- (h)** Provide lot access from interior streets and easements.
- (i)** Terminate cul-de-sac at locations that will provide for a standard lotting pattern around the end of the cul-de-sac in relationship to the property line and abutting lots. Such cul-de-sac may also be permitted to provide a right-of-way for pedestrian and bicycle access pursuant to Section 27-6206(g), Pedestrian Connections, of Subtitle 27: Zoning Ordinance.
- (j)** Avoid grading that would result in retaining walls on private lots. Retaining walls should be located within common areas, or where common areas are not proposed, adequate access for maintenance shall be provided.
- (k)** Preserve trees on steep slopes and meet the woodland conservation threshold on-site.
- (l)** Locate noise fencing or walls within common areas or within homeowners' association easements on private lots when homeowners' association land is not proposed. A 10-foot-wide clear zone for maintenance and

inspection around the fence or wall shall be provided. The minimum net lot area shall be provided outside the easement area.

**(m)** Lighting techniques shall comply with Section 27-6700, Exterior Lighting, of Subtitle 27: Zoning Ordinance. In addition, lighting should be designed to decrease adverse impacts on the adjoining and abutting lands.

**(n)** Avoid public use easements for infrastructure, including sidewalks.

**Comment:** The Preliminary Plan demonstrates conformance with all applicable standards from the Layout Design Guidelines of Section 24-4103 of the current Code. The lots layout is designed to be appropriate size, shape, location, and design to fulfill its intended use. There is no proposed infrastructure easement across the site. The development proposes an 18' private alley which has a direct access to the public right-of-way, Ager Road. There is a very minimum impact the existing grade; cut/fill was balanced. The proposed grade slope is 1%-3%, sloping primarily toward Ager Road. Retaining wall would not be required. Adequate lighting will be provided to illuminate entrance and area throughout the site.

## **24-4104. Grading**

The submission of general grading plans and a Tree Conservation Plan Type 1 (TCP-1) is required for both minor and major subdivisions in order to efficiently plan the subdivision layout, which includes but is not limited to stormwater management, street grades, tree preservation, water and sewerage, and parkland. The submission of a general grading plan, at two-foot contours, shall be required with an application for a preliminary plan of major subdivision and may be required for a preliminary plan of minor subdivision, unless waived by the Planning Director.

**Comment:** The subject site entirely covered with a mowed lawn. The development was exempt from a TCP-1. The grading plan approval is pending the SWM concept approval.

## **24-4105. Historic Resources and Sites**

### **(a) Purpose**

The purpose of this Section is to preserve historic resources and sites to:

1. Protect the County's cultural heritage;
2. Increase public awareness of the County's history; and
3. Provide for the continued use of still-valuable historic resources and sites.

### **(b) General Standards**

**(1)** Significant archeological sites identified in accordance with the *Planning Board Guidelines for Archeological Review* shall be preserved in place, to the extent practicable.

**(2)** The flexibility inherent in these Regulations shall be used to protect historic resources and sites, including optional methods of development where appropriate, to design subdivisions that minimize the impact of a subdivision on historic resources and sites and promote the restoration and continued use of such resources.

**(3)** The lotting pattern of a proposed subdivision containing historic resources and sites shall be laid out to promote the long-term maintenance and access to the historic resources.

(4) A proposed subdivision containing or adjacent to a historic resource or site shall comply with the following standards:

- (A) Lots shall be designed to minimize adverse impacts of new construction on the historic resource;
- (B) Natural features (such as trees and vegetation) which contribute to the preservation of a historic resource or provide a buffer between the historic resource and new development, shall be retained; and
- (C) Protective techniques (such as limits of disturbance, building restriction lines, and buffers) shall be used.

(5) A plan for development may be required to be submitted with an application for a subdivision for the purpose of evaluating the effect of the orientation, mass, height, materials, and design of the proposed development on the environmental setting to protect the integrity of the historic resource.

**Comments:** Based on the Historic Preservation/Archeology Pre-Submittal Checklist, there are no Historic Sites or resources on or adjacent to the property.

## **24-4106. Cemeteries**

(a) A proposed preliminary plan for subdivision (minor or major) which includes a cemetery within the site, when there are no plans to relocate the human remains to an existing cemetery, shall comply with the following standards:

- (1) The placement of lot lines shall promote long-term maintenance of the cemetery and protection of existing elements.
- (2) The layout shall promote the long-term maintenance and access to the cemetery.
- (3) Fence or walls constructed of stone, brick, metal, or wood shall delineate the cemetery boundaries.
- (4) If the cemetery is not conveyed and accepted into public ownership, it shall be protected by agreements sufficient to assure its future maintenance and protection. This shall include but not be limited to a fund in an amount sufficient to provide income for the perpetual maintenance of the cemetery. These arrangements shall ensure that stones or markers are in their original location. Covenants or other agreements shall include a determination of the following:
  - (A) Current and proposed land ownership;
  - (B) Responsibility for maintenance;
  - (C) A maintenance plan and schedule;
  - (D) Adequate access; and
  - (E) Any other specifications deemed necessary to assure its future maintenance by the Planning Director.
- (5) Appropriate measures shall be provided to protect the cemetery during the development process.
- (6) The Planning Director shall maintain a registry of cemeteries identified during the subdivision review process.

(b) Any cemetery approved in accordance with this Section that does not comply with the use regulations in PART 27-5: Use Regulations, of the Zoning Ordinance shall be deemed to be a certified nonconforming use unless otherwise specified by the Planning Board.

**Comments:** Based on the Historic Preservation/Archeology Pre-Submittal Checklist, there are no Historic Sites or resources or cemeteries on or adjacent to the property.

## **24-4204. Private Streets and Easements**

**(a) General** – Proposed alley is a private street and it will be built to conform to the standards in Subtitle 23: Roads and Sidewalks, of the County Code.

1. (A) – not applicable

1. (B) – not applicable

1. (C) (i) through (iv) – the development is within RSF-A zone. The development has the frontage to Ager Road which is the public ROW in width 128 ft +/- . A private alley is proposed to serve the development and it's designed per Subtitle 23: Road and Sidewalks, of the County Code. The point of access to Ager Road is approved by the Transportation Division and DPIE.

## **27-6104. Applicability of Development Standards**

Table 27-6104: Applicability of Development Standards, identifies the development standards Sections that apply to development activities in the County.

The proposed development shall comply with the following standards:

- Roadway Access, Mobility, and Circulation (Section 27-6200)
- Open Space Set-Asides (Section 27-6400)
- Landscaping (Section 27-6500)
- Fences and Walls (Section 27-6600)
- Environmental and Protection and Noise Controls (Section 27-6800)
- Multifamily, Townhouses, and 3-family Form and Design Standards (Section 27-6903)
- Neighborhood Compatibility Standards (Section 27-61200)
- Agricultural Compatibility Standards (Section 27-61300)
- Urban Agricultural Compatibility Standards (Section 27-61403)

**Comment:** The proposed development complies with all above listed standards. A waiver request was submitted for Sections 27-6207(b)(1) and 27-6208(b)(1).

## **Sec. 27-6200 Roadway Access, Mobility, and Circulation**

**27-6201. Purpose and Intent** – the development complies with the requirements referenced in Sections 27-6202 through 27-6208.

**27-6202. Consistency with Plans** – a separate site plan to show circulation is not necessary. It has been already shown on the preliminary plan and described below in 27-6206.



**27-6203. Multimodal Transportation System** – the proposed development provides a direct access to the existing sidewalk along the frontage and bike lane within the public ROW of Ager Road which will offer the future development's occupants transportation choices while enhancing safe and efficient mobility throughout the community.

**27-6204. Circulation Plan or Site Plan Required** – it is described below in 27-6206 and 27-6207.

**27-6205. Developer Responsible for On-Site Street Improvements** – a 18ft wide private alley will serve the proposed development and will be responsibility of the developer and after the construction conveyed to the HOA.

**27-6206. Vehicular Access and Circulation** – the proposed development proposes a private alley as a primary vehicular access for townhouses and have no driveway access from the fronting street.

#### **27-6207. Pedestrian Access and Circulation**

##### **(b) Pedestrian Connectivity**

All new multifamily, townhouse, nonresidential, and mixed-use development shall comply with the following standards:

(1) The internal pedestrian circulation system shall be designed to allow for pedestrian walkway cross-access between the development's buildings and parking areas and those on adjoining lots containing a multifamily, townhouse, nonresidential, or mixed-use development, or to the boundary of adjoining vacant land zoned to allow multifamily residential, nonresidential, or mixed-use development (including land in the Residential, Transit-Oriented/Activity Center, and Nonresidential base and PD zones).

(2) The Planning Director may waive or modify the requirement for pedestrian cross-access where the applicant clearly demonstrates that such cross-access is impractical or infeasible due to police concerns about through-traffic routes complicating law enforcement, Environmental Site Design requirements, or the presence of any of the following at the point(s) where through-connections would otherwise be required: topographic conditions, natural features, visual obstructions or parking space locations that create traffic hazards, or the existence of mature or protected trees.

**Comment:** The subdivision is adjacent to multifamily (apartment) parcel and shall comply with the Section 27-6207 (b)(1) of the current code. The internal pedestrian connectivity between the proposed dwellings and adjacent apartment parcel shall be provided. However, due to the site design constraints, the site area is only 0.38 acres which will be primarily covered with dwellings and private alley and landscape buffer requirement between the subject site and the apartment parcel, it would not be appropriate to provide internal pedestrian connectivity. A waiver request for internal pedestrian connectivity is submitted with this application.

## **27-6208. Bicycle Access and Circulation**

### **(b) Bicycle Connectivity Between Developments**

All new multifamily, townhouse, nonresidential, and mixed-use development shall comply with the following standards:

- (1)** Any internal bicycle circulation system shall be designed and constructed to provide bicycle cross-access between it and any internal bicycle circulation system on adjoining parcels containing a multifamily, townhouse, nonresidential, or mixed-use development, or to the boundary of adjoining vacant land zoned to allow townhouse, multifamily, nonresidential, or mixed-use development (including land in the Residential, Transit-Oriented/Activity Center, and Nonresidential base and PD zones).
- (2)** The Planning Director may waive or modify the requirement for bicycle cross-access on determining that such cross-access is impractical or undesirable for typical bicyclists' use due to the presence of topographic conditions, natural features, or safety factors. Undesirable conditions shall be defined as those limiting mobility for bicycles as a form of transportation, such as steep grades, narrow connections bounded on both sides by walls or embankments, or limited visibility when straight-line connections are not achievable.

**Comment:** The subdivision is adjacent to multifamily (apartment) parcel and shall comply with the Section 27-6208 (b)(1) of the current code. Bicycle cross-access between the proposed subdivision and adjacent apartment parcel shall be provided. However, due to the site design constraints, the site area is only 0.38 acres which will be primarily covered with dwellings and private alley and landscape buffer requirement between the subject site and the apartment parcel, it would not be appropriate to provide internal cross-section. A waiver request for bicycle cross-section is submitted with this application.

## **Section 27-6400 Open Space Set-Asides**

**27-6401. Purpose and Intent** - proposed recreation/gathering area was design ensuring direct resident access set-asides; enhancing the underground stormwater management pipe system and provide opportunities for people to gather.

**27-6402. Applicability** – the development is subject to the Open Space Set-Asides requirements.

**27-6403. Amount of Open Space Set-Asides Required** – The development is within RSF-A zone and a minimum 3,415 SF (20 % of development area) is required. The proposed Open space provided is 4,637 SF or 27% of the development area.

**27-6404. Areas Counted as Open Space Set-Asides** - the Open Space Set-Asides is design for people to gather, accommodate people sittings, beautifully landscaped and enhanced with benches.

**27-6405. Areas Not Counted as Open Space Set-Asides** – the proposed Open Space Set-Asides is design as a sitting ang gathering area, therefore, meets this requirement.

**27-6406. Design Standards for Open Space Set-Asides** – location and configuration of the proposed Open Space Set-Asides meets requirements in this Section. Also, each townhouse will provide a back door located next to the garage door which will be facing the Open Space Set-Asides.

**27-6407. Development in Open Space Set-Asides** – the development within the proposed Open Space Set-Asides is limited to people gathering and seating area. The total open space provided is 4,317 SF which is 27% of the development area; therefore, meets this requirement.

**27-6408. Ownership, Management, and Maintenance of Open Space Set-Asides** – the Open Space Set-Aside will be conveyed to the HOA and maintained by the HOA.

## **Section 27-6800 Environmental Protection and Noise Controls**

**27-6801. Purpose and Intent** – The proposed development complies with County environmental protection regulations referenced in Sections 27-6802 through 27-6809 and the noise control standards of Section 27-6810.

**27-6802. Natural Resource Inventory (NRI)** – NRI plan and report #212-2022 was approved on January 18, 2023.

**27-6803. Trees and Vegetation** – there is no trees on the site. The site is entirely covered with maintained grass.

**27-6804. Floodplain Management** – the site is not within the 100-yr Floodplain. However, it is subject of the 100-year control which is provided within the underground pipe system. This was approved by DPIE.

**27-6805. Erosion and Sedimentation Control-** The proposed development complies with the requirements for sedimentation and erosion control in accordance with Subtitle 32, Division 2, Grading, Drainage and Erosion and Sedimentation Control, of the Prince George's County Code. The Concept Erosion and Sediment Control Plan #88-2023 was approved on September 13, 2023.

**27-6806. Stormwater Management** – the stormwater management wat prepared in accordance with accordance with Subtitle 32, Division 3, Stormwater Management, of the Prince George's County Code. The SWM Concept Plan has been approved by DPIE on August 22, 2023, case number 46389-2022-00.

**27-6807. Chesapeake Bay Critical Area** – the site is not within the CBCA.

**27-6808. Regulated Environmental Features** – the site is entirely covered with maintained grass and there is no regulated environmental features on the site.

**27-6809. Unsafe Lands** – based on the Soil analysis and Geotechnical Report there is no any restriction or prohibition may be due to a) natural conditions, including but not limited to flooding, erosive stream action, high water table, unstable soils, severe slopes that may prevent the proposed development.

**27-6810. Noise Control** – A Phase I Noise Study was prepared and found that interior noise levels can be mitigated to be below 45dBA/Ldn.

## **27-6900 Multifamily, Townhouse, and Three-Family Form and Design Standards**

**27-6901. Purpose and Intent** - The proposed development complies with County environmental protection regulations referenced in Sections 27-6902 through 27-6903.

**27-6902. Exemptions** – exemptions from this Section does not apply to the proposed development.

### **27-6903. Multifamily, Townhouse, and Three-Family Form and Design Standards**

- (a) **Site Access** – not applicable, this development consists of 5 townhouses
- (b) **Location of Off-Street Parking**- no guest parking is proposed; each townhouse will provide a 2-car garage
- (c) **Building Orientation and Configuration** – the proposed building (5 townhouses) is facing Ager Road.
- (d) **Maximum Building Length** – the proposed is 100 ft which meets the maximum length standard of 150 ft.
- (e) **Building Façades** – the proposed townhouses are design to provide wall offsets in the façade.
- (f) **Roofs**- flat roofs if proposed in accordance with this section.
- (g) **Building Façade Fenestration/Transparency**- the proposed townhouses are designed to meet this requirement.
- (h) **Materials** – proposed townhouses meet requirements in this section.
- (i) **Garage Standards** – not applicable; a 2-car garage is proposed within each townhouse.
- (j) **Outdoor Activity Areas**- adequate perimeter buffer is provided with this development.

## **CONCLUSION**

The proposed subdivision has been prepared in accordance with all applicable standards of the current Code. We believe that the new layout will not have major impacts to surrounding lands and meets a minor subdivision. Therefore, the applicant respectfully requests this Preliminary Plan for a minor conventional subdivision be approved.

Respectfully,

# THE PRINCE GEORGE'S COUNTY GOVERNMENT



## Department of Permitting, Inspections and Enforcement

### Site/Road Plan Review Division

9400 Peppercorn Place, Suite 420

Largo, Maryland 20774

(301) 883-5710



## **STORMWATER MANAGEMENT CONCEPT APPROVAL**

CASE NAME: GREEN HILL PARK LOTS 7-8, BLOCK B

CASE #: 46389-2022-00

APPLICANT'S NAME: HOK S GAO

ENGINEER : ELITE ENGINEERING

### **REQUIREMENTS:**

**Technical Review is required for PUBLIC/PRIVATE Storm Drain/SWM Construction.**

Type of Storm Drainage/SWM Construction is both PUBLIC and PRIVATE.

These additional approvals are required: None.

These fees apply: REVIEW.

These bonds apply: None.

Required water quality controls: SEE CONDITION 1.

Required water quantity controls: 100 YEAR ATTENUATION(S).

A maintenance agreement is required.

No special conditions apply.

Required easements: None.

**Storm Water Management fee payment of none in lieu of providing on-site attenuation/quality control measures.  
(Fee-In-Lieu subject to change during technical review. )**

### **CONDITIONS OF APPROVAL:**

1. WATER QUALITY CONTROL REQUIREMENTS: DRY WELLS, NON-ROOFTOP AND JELLY FISH FILTER.
  2. THIS CONCEPT IS FOR THE CONSTRUCTION OF FIVE TOWN HOMES AND THE ASSOCIATED SWM SYSTEM.
  3. 100-YEAR ONSITE DETENTION IS ADDRESSED IN AN UNDERGROUND SWM SYSTEM.
  4. STREET LIGHTING IS REQUIRED TO BE LED.
  5. AT THE TIME OF BUILDING PERMIT REVIEW, PLEASE PROVIDE THE REVIEWER WITH A GEOTECHNICAL REPORT TO DETERMINE UNDERGROUND WATER TABLE AS PER CB-94-2004.
  6. SITE DEVELOPMENT PERMIT REQUIRED TO INCLUDE ULTIMATE R/W FRONTAGE IMPROVEMENTS, INCLUDING STORM DRAINAGE, STREET TREES AND STREET LIGHTING AND ON-SITE GRADING.
  7. ADEQUACY ANALYSIS OF THE RECEIVING CONVEYANCE SYSTEM IS REQUIRED.
  8. PROJECT NEEDS TO BE ADA COMPLIANT.
- REVIEWED BY NGA.

CASE NAME:

GREEN HILL PARK LOTS 7-8, BLOCK B

CASE #:

46389-2022-00

APPROVED BY:



Rey De Guzman

APPROVAL DATE: August 22, 2023

EXPIRATION DATE: August 22, 2026

CC: APPLICANT, SCD, PERMITS

P.G.C. FORM #3693 (REV 04/93)

**FOR OFFICE USE ONLY**

ADC MAP:	5409 F7	200' SHEET:	207NE02
STREET NAME:	AGER RD		
WATERSHED:	14-Northeast Branch (An		
NUMBER OF DU'S:	5	COST PER DWELLING:	0



**PRINCE GEORGE'S**  
SOIL CONSERVATION DISTRICT

5301 Marlboro Race Track Road, Ste. 100 Upper Marlboro, MD 20772

Phone (301) 574-5162x3 ■ Fax 1-855-416-9660

www.pgscd.org ■ pgscd@co.pg.md.us

September 13, 2023

Mr. Hok S. Gao  
5630 South 7<sup>th</sup> Road  
Arlington, VA 22204

Re: Conditional Approval for Hok Subdivision (CSC# 88-23)

Dear Mr. Gao,

The Prince George's Soil Conservation District (District) is in receipt of a Concept Grading Erosion and Sediment Control (CSC) application for the referenced project. This project proposes a mixed-use development in Upper Marlboro, Maryland.

Pursuant to the Code of Maryland Regulation Title 26, Subtitle 17, Chapter 01, the Maryland Department of the Environment (MDE) 2011 Standards and Specifications for Grading, Erosion and Sediment Control, and Section I of the District's 2013 Soil Erosion and Sediment Control - Pond Safety Reference Manual (Manual), an integrated review of erosion and sediment control, and stormwater management (SWM) strategies and other features is required at each development phases.

Following approval of the CSC, an applicant may submit an Environmental Site Development Grading, Erosion and Sediment Control application (SSC), followed by a Final Grading, Erosion and Sediment Control application (FSC) upon which development permits may be issued.

An approval is herein granted based on the District's review of documents submitted on September 7, 2023 with the following conditions:

***Conditions of Approval***

The following are to be addressed in subsequent development phases:

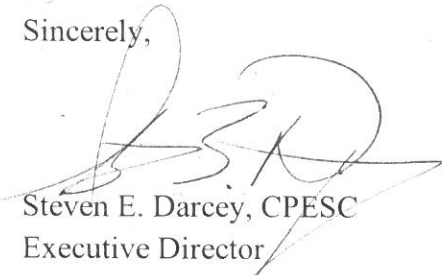
- a) All applications shall present practical and clear constructible methods and sequence of construction, incorporating grading, erosion and sediment control (G/ESC), storm water management and other development features. Procedural sequence of construction methodology must be clearly outlined in the SSC. Final detailing of G/ESC may be deferred to the FSC.

Hok Subdivision  
Grading, Erosion and Sediment Control Application  
Conditions of Approval for CSC #88-23  
Page 2

***Additional Information***

Please contact Mr. John Tarr, P.E., Chief Engineer at 301.574.5162 Ext. 3 should you have questions or require additional information.

Sincerely,



Steven E. Darcey, CPESC  
Executive Director

cc: John Tarr, P.E., Chief Engineer/Program Manager, PGSCD (via e-mail)  
Joe Bonanno, P.E., Senior Staff Engineer, PGSCD (via e-mail)  
Mary C. Giles, P.E., Associate Director, S/RPRD, DPIE (via e-mail)  
Reynaldo De Guzman, P.E., Chief Engineer, S/RPRD, DPIE (via e-mail)  
Asko Miljkovic, Elite Engineering, LLC (via e-mail)  
Thomas Burke, Supervisor, EPS, MNCPPC (via email)





# City of Hyattsville

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

## Agenda Item Report

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**File #:** HCC-136-FY24

11/20/2023

8.a.

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Submitted by: Nate Groenendyk  
Submitting Department: City Clerk  
Agenda Section: Consent

**Item Title:**

**Proclamation Recognizing December 1, 2023 as World AIDS Day in the City of Hyattsville**

**Suggested Action:**

I move that the Mayor and Council recognize December 1, 2023 as World AIDS Day in the City of Hyattsville.

**Summary Background:**

World AIDS Day is globally recognized as a day to unite people in the fight against HIV and AIDS. Since 1988, communities have come together on World AIDS Day to show strength and solidarity against HIV stigma and to remember the lives that have been lost.

**Next Steps:**

Adopt the proclamation recognizing World AIDS Day.

**Fiscal Impact:**

N/A

**City Administrator Comments:**

Recommend Support

**Community Engagement:**

Click or tap here to enter text.

**Strategic Goals:**

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

**Legal Review Required?**

N/A

# CITY OF HYATTSVILLE

## PROCLAMATION

RECOGNIZING DECEMBER 1, 2023, AS WORLD AIDS DAY IN THE CITY OF HYATTSVILLE

This proclamation declares December 1, 2023, to be World AIDS Day in the City of Hyattsville. This annual celebration serves as a reminder of the global struggle to end HIV-related stigma, an opportunity to honor those we have lost, and a rallying cry to continue working toward a day when HIV is no longer a public health threat.

**WHEREAS**, the first World AIDS Day took place in 1988, providing a platform to raise awareness about HIV/AIDS and honor the lives of those affected by the epidemic; 2023 marks the 35th commemoration of this important day with the theme “World AIDS Day 35: Remember and Commit”; and

**WHEREAS**, there has been significant progress in addressing HIV/AIDS thanks to advancements in medical research, increased access to treatment and prevention, and a broader understanding of the virus; and

**WHEREAS**, the impact of barriers to research and treatment for this public health crisis is still significant for those who are affected, considering that in 2021, 8,078 people were living with HIV in Prince George's County, a county which also holds the distinction of leading the State of Maryland in new HIV/AIDS cases; and

**WHEREAS**, we acknowledge the impact of this epidemic has been profound; affecting individuals, families, and entire communities across the globe—it is important also to remember the lives lost, which not only honors their memory but emphasizes the urgency of our commitment to end the HIV epidemic.

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and City Council declare December 1, 2023, as World AIDS Day, a day which reminds us to demonstrate compassion for those infected with HIV and AIDS, get tested for HIV, use protection, and encourage friends and loved ones to do the same.

---

**Robert Croslin**

*Mayor, City of Hyattsville*

November 20, 2023





# City of Hyattsville

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

## Agenda Item Report

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**File #:** HCC-130-FY24

11/20/2023

9.a.

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Submitted by: Nate Groenendyk  
Submitting Department: City Clerk  
Agenda Section: Appointment

**Item Title:**

**Appointments to the Police and Public Safety Citizens' Advisory Committee**

**Suggested Action:**

I move that the Mayor and Council approve the appointments of Bob Kantor (Ward 2) and Julia Dezelski (Ward 1) to the Police and Public Safety Citizen's Advisory Committee for a term of two (2) years to expire on November 30, 2025.

**Summary Background:**

See attached applications.

**Next Steps:**

Upon approval, the staff liaison will reach out to the appointee about the next scheduled meeting.

**Fiscal Impact:**

N/A

**City Administrator Comments:**

Recommend approval.

**Community Engagement:**

Agendas for the Police and Public Safety Citizens' Advisory Committee meetings will be posted on the City's website. Meetings are open to the public and all are encouraged to attend.

**Strategic Goals:**

Goal 1 - Ensure Transparent and Accessible Governance

**Legal Review Required?**

N/A

**Board, Committee, and Commission Application**

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**Profile**

Julia

First Name

Dezelski

Last Name

**Preferred Pronouns**

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☒ Prefer not to answer

Email Address

**Committee Stipend Program - *Members Receive a Stipend of \$40 per Meeting Attended***

Upon appointment to a committee, you are automatically enrolled into the stipend program but in order to receive your payment you must complete and submit a W-9 form. The W-9 form will be emailed to committee members upon confirmation of your appointment.

Please enter your address below.

Many, but not all, of our committees require residency within the incorporated City limits of Hyattsville. To check your residency status, please visit the map: [City Residency Map](#)

Committees that accept applications from individuals residing outside of the incorporated City limits are listed below:

- Education Advisory Committee (at least 50% + 1 of sitting committee members must be residents of the City)
- Educational Facilities Task Force (up to one non-City resident appointment)
- Race and Equity Task Force (up to one non-City resident appointment)

Street Address

City

Suite or Apt

State

Postal Code

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

---

Police & Public Safety Citizens' Advisory Committee: Submitted

**Do you currently serve on this committee and are applying for re-appointment?**

---

☐ Yes ☒ No

If you selected more than one Board/Committee of interest, please indicate your first choice below.

---

To find your City Ward, click on this link! [City Residency Map](#)

**Please select your ward from the drop down list below. \***

☒ Ward 1

Primary Phone

**Referred By:**

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

As a resident of the City, I would like to contribute to the safety of the community. I have lived here for 5 years and recognize my responsibility to my family and my neighbors - I would like to help ensure that we build a safe and satisfying City for all residents.

**Board, Committee, and Commission Application****Profile**

Bob

First Name

Kantor

Last Name

**Preferred Pronouns**☒ He, him, his

Email Address

**Committee Stipend Program - *Members Receive a Stipend of \$40 per Meeting Attended***

Upon appointment to a committee, you are automatically enrolled into the stipend program but in order to receive your payment you must complete and submit a W-9 form. The W-9 form will be emailed to committee members upon confirmation of your appointment.

Please enter your address below.

Many, but not all, of our committees require residency within the incorporated City limits of Hyattsville. To check your residency status, please visit the map: [City Residency Map](#)

Committees that accept applications from individuals residing outside of the incorporated City limits are listed below:

- Education Advisory Committee (at least 50% + 1 of sitting committee members must be residents of the City)
- Educational Facilities Task Force (up to one non-City resident appointment)
- Race and Equity Task Force (up to one non-City resident appointment)

Street Address

City

Suite or Apt

State

Postal Code

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

Police & Public Safety Citizens' Advisory Committee: For Review

**Do you currently serve on this committee and are applying for re-appointment?**☐ Yes ☒ No

If you selected more than one Board/Committee of interest, please indicate your first choice below.

To find your City Ward, click on this link! [City Residency Map](#)

Please select your ward from the drop down list below. \*

---

☒ Ward 2



Primary Phone

Referred By:

---

Self

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

---

My wife and I moved to Hyattsville from out of state in July of 2022 to follow our adult kids and grandkids. I am recently retired and am now interested in becoming more involved in and with the governance of our wonderful community. For most of my career, I was an executive in IT organizations. For the past 10 years, I've worked as a solopreneur providing executive coaching to younger IT leaders. I'm most interested in the area of public safety because it is so central to the quality of our lives, both as individuals and as a cohesive community.



# City of Hyattsville

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

## Agenda Item Report

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**File #:** HCC-131-FY24

11/20/2023

10.a.

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Submitted by: Holly Simmons

Submitting Department: Community & Economic Development

Agenda Section: Consent

**Item Title:**

**Variance Request V-84-23 - 6414 Burlington Road, Hyattsville**

**Suggested Action:**

I move the City Council authorize the Mayor to provide correspondence to the Prince George's County Board of Zoning Appeals in support of zoning variance application V-84-23, a request to permit a 200 square foot net lot area and 10-foot front building line width, a variance request of 1.3 feet left side yard width and 1.3 feet right side yard width, 15.9% net lot coverage and support for the applicant's use of pervious materials for the driveway structure for the subject property located at 4614 Burlington Road, Hyattsville.

**Summary Background:**

The petitioner, Suco Wash LLC, has applied to the Prince George's County Board of Zoning Appeals for a zoning variance to validate existing conditions and construct a two-story dwelling with basement, a two-car garage, a cover deck, and a driveway on front of the house. An identical variance request was submitted in 2019 under variance case V-82-19, and the staff memo for that variance is attached. Specific violations of the Zoning Ordinance are outlined below:

- Section 27-442(b)(Table I) prescribes that each lot shall have a minimum net lot area of 5,000 square feet.
- Section 27-442(d)(Table III) prescribes that each lot shall have a minimum width of 50 feet measured along the front building line.
- Section 27-442(e)(Table IV) prescribes that each lot shall have a side yard at least 8 feet in width.
- Section 27-442(c)(Table II) prescribes that not more than 30% of the net lot area shall be covered by buildings and off-street parking.
- Section 27-120.01(c) which prescribes that no parking space, parking area, or parking structure other than a driveway no wider than its associated garage, carport, or other parking structure may be built in the front yard of a dwelling in the area between the front street line and the sides of the dwelling.

V-82-19 was supported by the Hyattsville City Council on October 21, 2019, and approved by the BZA October 23, 2019; however, the petitioner did not pursue development due to the Covid-19 pandemic. The previous approval under V-82-19 has expired and the Board of Zoning Appeals has requested the Hyattsville City Council affirm their prior position.

**Next Steps:**

No additional action is required.

**Fiscal Impact:**

N/A

**City Administrator Comments:**



Recommend Approval. This was previously approved.

**Community Engagement:**

The Prince George's County Board of Zoning Appeals will schedule a public hearing following a recommendation from City Council.

**Strategic Goals:**

Goal 3 - Promote a Safe and Vibrant Community

**Legal Review Required?**

N/A



# Memo

To: Mayor and City Council  
From: Holly Simmons, Acting Director, Community & Economic Development  
CC: Tracey Nicholson, City Administrator  
Date: November 9, 2023  
Re: Zoning Variance Request V-84-23 – 4614 Burlington Road, Hyattsville  
Attachments: Application for Variance (Petition No. V-24-23)  
Memo: Variance Request V-82-19

---

The purpose of this memorandum is to provide the Director of Community & Economic Development with a briefing on the Zoning Variance request V-84-23, for the property located at 4614 Burlington Road, Hyattsville 20781.

## **Summary of Variance Conditions:**

The petitioner, Suco Wash LLC, has applied to the Prince George's County Board of Zoning Appeals for a zoning variance to validate existing conditions and construct a two-story dwelling with basement, a two-car garage, a cover deck, and a driveway on front of the house. An identical variance request was submitted in 2019 under variance case V-82-19, and the staff memo for that variance is attached. Specific violations of the Zoning Ordinance are outlined in the staff memo related to the attached variance request V-82-19.

V-82-19 was supported by the Hyattsville City Council on October 21, 2019, and approved by the BZA October 23, 2019; however, the petitioner did not pursue development due to the Covid-19 pandemic. The previous approval under V-82-19 has expired and the Board of Zoning Appeals has requested the Hyattsville City Council affirm their prior position.

## **Recommendation:**

Staff recommends the City Council support the applicant's variance requests, consistent with the recommendation related to variance case V-82-19.



# Memo

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

From: Kate Powers, City Planner

CC: Tracey Nicholson, City Administrator

Date: September 30, 2019

Re: Zoning Variance Request V-82-19 – 4614 Burlington Road, Hyattsville

Attachments: Application for Variance (Appeal No. V-82-19)  
City of Hyattsville Variance Policy

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The purpose of this memorandum is to provide the Director of Community & Economic Development with a briefing on the Zoning Variance request V-82-19, for the property located at 4614 Burlington Road, Hyattsville 20781.

## **Summary of Variance Conditions:**

The applicant, Suco Wash, has applied to the Prince George's County Board of Zoning Appeals for a zoning variance to validate existing conditions and construct a two-story dwelling with basement, a two-car garage, a cover deck, and a driveway on front of the house. Specific violations of the Zoning Ordinance are outlined below:

- Section 27-442(b)(Table I) prescribes that each lot shall have a minimum net lot area of 5,000 square feet.
- Section 27-442(d)(Table III) prescribes that each lot shall have a minimum width of 50 feet measured along the front building line.
- Section 27-442(e)(Table IV) prescribes that each lot shall have a side yard at least 8 feet in width.
- Section 27-442(c)(Table II) prescribes that not more than 30% of the net lot area shall be covered by buildings and off-street parking.
- Section 27-120.01(c) which prescribes that no parking space, parking area, or parking structure other than a driveway no wider than its associated garage, carport, or other parking structure may be built in the front yard of a dwelling in the area between the front street line and the sides of the dwelling.

Variances of 200-square feet net lot area, 10 feet front building line width, 1.3 feet left side yard width, 1.3 feet right side yard width, 15.9% net lot coverage and a waiver of the parking area location requirement are requested.

The property resides in an R-55 Property Zone within the Development District Overlay and Intense Development Overlay Zones. This address is within the Traditional Residential Neighborhood Character Area and is not located within a Residential Parking Zone. The subject property is currently an empty 4,800 square foot lot and the applicant is proposing the construction of a 1,614.83 square foot 2 story house with a basement. The applicant has also proposed a 19.5' x 25' front driveway and a 8' x 12.5' roofed back deck.

**Recommendation:**

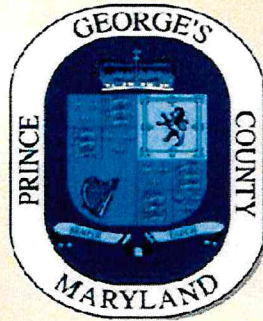
Staff recommends the City Council support the applicant's variance request of a 200-square feet net lot area and 10 feet front building line width, as these conditions are pre-existing to the property and there is no practical way to incorporate additional frontage or square footage to the lot.

Staff recommends the City Council support the applicant's variance request of 1.3 feet left side yard width and 1.3 feet right side yard width, as these conditions are consistent with the placement of adjacent properties and Staff believes the impact is minimal.

Staff recommends the City Council support the applicant's variance request of 15.9% net lot coverage as Staff believes the size of the structure is reasonable but is constrained by the narrowness of the site.

Staff recommends the City Council support the applicant's parking area waiver as the driveway width will correspond with the width of the garage. In addition, the applicant has agreed to use pervious materials for the driveway, reducing the runoff potential of the area as compared to an impervious surface.





# BOARD *of* APPEALS

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Zoning and Administrative

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## VARIANCES

**Information • Instructions • Application**

*Please read all instructions before  
completing the application.*



# Variances

A variance is a request for permission to deviate from the guidelines outlined in Section 27-4 (Zones and Zone Regulations) of the Prince George's County Zoning Ordinance. These guidelines regulate lot size, lot width, building height, building setbacks from property lines, and the percentage of property covered with parking and structures.

## Applicable Code Section and Authority

The Board is authorized to grant the requested variances if it finds that the following provisions of Section 27-3613(d) of the Prince George's County Zoning Ordinance are satisfied:

### (d) General Variance Decision Standards

A variance may only be granted when the review board or official, as appropriate, finds that:

- (1) A specific parcel of land is physically unique and unusual in a manner different from the nature of surrounding properties with respect to exceptional narrowness, shallowness, shape, exceptional topographic conditions, or other extraordinary conditions peculiar to the specific parcel (such as historical significance or environmentally sensitive features);
- (2) The particular uniqueness and peculiarity of the specific property causes a zoning provision to impact disproportionately upon that property, such that strict application of the provision will result in peculiar and unusual practical difficulties to the owner of the property;
- (3) Such variance is the minimum reasonably necessary to overcome the exceptional physical conditions;
- (4) Such variance can be granted without substantial impairment to the intent, purpose and integrity of the General Plan or any Functional Master Plan, Area Master Plan, or Sector Plan affecting the subject property;
- (5) Such variance will not substantially impair the use and enjoyment of adjacent properties; and
- (6) A variance may not be granted if the practical difficulty is self-inflicted by the owner of the property.

Under certain circumstances, the Board of Appeals (or the M-NCPPC Planning Board or District Council in conjunction with certain zoning cases) may grant the property owner relief from the strict application of the Zoning Ordinance. Such relief may be granted on the basis of facts presented at a public hearing, when the Board, Council or Planning Board finds that there exists exceptional conditions of shape, topography, or other extraordinary situations peculiar to the specific property which could result in unusual practical difficulties or undue hardship to the property owner, provided that such variance may be granted without causing substantial impairment to the intent, purpose and integrity of the General Plan.

Where the granting of a variance is dependent upon practical difficulties or unnecessary hardship, the ***evidence must be substantial and should not be merely for the convenience of an applicant.*** The phrase "practical difficulties or unnecessary hardships" sufficient for the granting of a variance from the Zoning Ordinance means difficulties or hardships which are peculiar to the situation of the applicant and are of such degree of severity that their existence amounts to a substantial and unnecessary injustice to the applicant.

The criteria for determining unusual hardship as grounds for granting a variance, is whether the zoning restrictions in question, when applied to the particular property and its surrounding environment, constitute an unreasonable (arbitrary and capricious) interference to the basic right of ownership. The plight of the owner of real property seeking a variance must be due to the unique circumstances and not the general conditions in the neighborhood. ***Mere financial hardship is not sufficient, and the fact that the variance will make realty more valuable is not sufficient grounds to justify the variance. In addition, any self-imposed hardship, a hardship caused by any action(s) of property owner, must be disregarded by the Board of Appeals when evaluating the evidence presented.***

If a variance is approved that permits the erection of a building or structure, the variance will not be valid for more than two (2) years, unless a building permit for the erection is obtained within this period and the construction is started and proceeds to completion in accordance with the terms of the decision and the permit. If a variance is denied, a variance request covering the same subject may not be filed within a 12-month period, and following a second denial, the request may be filed within an 18-month period.

Within thirty (30) days from the date the Board issues a variance decision, any person, firm, corporation, or governmental agency who was a party to the Board's proceedings and is aggrieved by its decision may file an appeal to the Circuit Court of Prince George's County.

All applicants who are applying for variances in a Residential Zone, shall post the property with a sign(s) at least fifteen (15) days prior to the scheduled hearing date. The sign shall be provided by the Board of Appeals (stakes are not provided) and posted in accordance with Section 27-3407(b). ***Signs may NOT be nailed or attached in any fashion to a tree or fence.***

### Municipalities

All properties that are requesting a variance or waiver which is located within the City/Town limits of a municipality will be referred to the appropriate municipality for recommendation. Comments will be forwarded to the Board of Appeals to incorporate into the Boards review. The municipality will be provided at least 30 days to make their recommendation to the Board of Appeals. Petitioners are encouraged to contact their municipality in order work with the City/Town Councils.

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**INSTRUCTIONS TO APPLICANTS**  
**FOR VARIANCES FROM THE BOARD OF APPEALS**

An application requesting a variance shall be filed with the Board of Appeals for Prince George's County. All applications and documents shall be emailed to [Boardofappeals@co.pg.md.us](mailto:Boardofappeals@co.pg.md.us) or submitted in person by appointment. Please contact our office for an appointment.

*(Approval of a variance is not a guarantee that further review will not be necessary by other governmental authorities.)*

**Applications must contain all required information documents:**

- Completed application,
- One (1) copy of the certified site plan
- One (1) copy of the building elevation plan(s)
- At least four (4) printed photographs; One (1) of each yard (front, sides and rear) illustrating conditions on the property that might cause the need for a variance and/or showing the character of the surrounding neighborhood
- One (1) copy of any corrective order, stop work order and violation notice, (all pages) (if the need for a variance is due to the violation)
- If a grading permit is required, a copy of the Type 2 Tree Conservation Plan or a Letter of Exemption will be required at the time of application
- All applications shall receive an email link to the Payment Portal website, in order to pay the required filing fees, sign posting fees and language interpretation fee. A waiver of the filing fee may be obtained due to a financial hardship. (See Fee Schedule)
- Driveway variances - Apron Permits: Approved stamped Site Road site plan and apron permits must be obtained from the Department of Permitting, Inspections and Enforcement, Site Road Section and submitted as part of this variance package.

**Payment:**

Payment of Filing Fee, Sign Posting Fee and requested Language Interpreter Fee may be made by online payment with E-Check, Credit or Debit Card. (Visa, Mastercard, American Express and Discover). Once all documents are filed with the Board of Appeals, an email will be sent for a link to the Payment Portal in order to make the payment. Please note, physical check and cash payments are not accepted.



**FILING FEE SCHEDULE:** The following schedule of filing fees applies to all variance applications submitted to the Board of Appeals.

- (1) Variances
  - (a) Existing single-family attached and detached residences \$ 200.00
  - (b) Single-family attached and detached residences that are proposed, newly constructed or under construction \$ 500.00
  - (c) All other structures \$ 1,500.00

**SIGN POSTING FEES:** The following is a schedule of sign posting fees. Two signs per abutting street, for frontage 1,000 feet or less in length, is required, with an additional sign for each additional 1,000 feet.

- (1) Sign for posting on properties in all zones (two (2) signs) \$ 30.00
- (2) Sign for posting on Corner Lots (four (4) signs) \$ 60.00
- (3) Each additional sign over four (4) when application involves a public utility right-of-way (per sign) \$ 5.00
- (4) The Department of Permitting, Inspection and Enforcement shall not be required to pay sign posting fees

**TRANSLATION /INTERPRETER SERVICES:** If indicated on the application, Certified foreign language interpreter services or Sign Language interpreter services are available for hearings (Petitioner may not provide interpreter services such as family member or friend).

\$ 30.00

**OTHER FEE RELATED INFORMATION:** Appellant shall pay any costs related to re-advertisement of a hearing unless the need for re-advertisement is caused by governmental error/action.

Once a variance application is filed, it will be several weeks before a property owner's request will come before the Board at a virtual public hearing. Application for a variance is no assurance that it will be granted. The public hearing provides the opportunity for owners and other interested persons to give testimony in support of their positions.

As required by law, notices of the public hearing will be sent by certified mail, return receipt requested, to the property owner, all adjoining property owners, and any municipality at least fifteen (15) days prior to the scheduled hearing. Notices will be sent to any listed homeowners/citizens/civic/community association(s) and other listed interested parties by regular first-class mail. The law requires that the owner of the property appear at the hearing, where the Board will expect the owner to explain the need for the variance, give reasons why the requirements of the Code cannot be met, and state any hardship that will be suffered if the variance is not granted.

Property Owners who are unable to be present, corporations, limited liability companies, or other business entities must be represented by an attorney, licensed to practice in the State of Maryland, at any hearing before the Board. The legal representative must submit a letter advising the Board of their representation.

At the conclusion of the public hearing, the Board may or may not vote on the request at that time. If the Board chooses to do so, they may take the case under advisement or hold the record open until a future date. Any case not decided at the conclusion of the public hearing will be brought up for discussion at a future meeting of the Board and a vote on the request will occur in public. Once the Board has voted on the request, a written order will be mailed to all parties. *Before any building permit will be processed by the County Permits Office, a copy of the Board's written order and approved site plan/elevation must be presented. Approval of any variance is contingent upon development of the property in compliance with the Board-approved site and elevation plans.*

If additional assistance is needed to complete the application, or for any further information, contact the Board of Appeals office at (301) 952-3220 during business hours (Monday-Friday, 8:30 a.m. – 5:00 p.m.).

**IMPORTANT:** Applications on which all required information is not furnished will be returned for completion before processing. For further information regarding Board of Appeals policies and procedures, see Sections 27-3303, 27-3613 and 27-3616 of the County Zoning Ordinance and/or the Board's website at <https://pgccouncil.us/237/Board-of-Appeals>

# Notice

## The Board of Zoning Appeals Site Plan Requirements

**Note: Site plan requirements for each agency may vary.  
Site plan acceptance from any agency does not constitute  
acceptance from another agency.**

In accordance with the Prince George's County Code, a "site plan" submitted to the Board of Appeals must include and identify the following:

- Drawn to Scale by a Certified Engineer, Surveyor or Architect  
Site Plan Must Include Certificate or MD Registration
- Scale Must Be Noted on the Site Plan
- Dimensions of All Structures/Number of Stories (including all fences/walls to include fence/wall height)
- Building Setbacks
- Lot Size (Square Footage)
- Legal Description of Property
- North Arrow
- Streets, Alleys, Easements and Right-of-Ways

**Failure To Provide These Requirements Will Result  
In The Rejection Or Delay Of Application Acceptance.  
(No Exceptions)**



# BOARD of APPEALS

## Zoning and Administrative

Wayne K. Curry Administration Building  
1301 McCormick Drive, 3<sup>rd</sup> Floor  
Largo Maryland 20774  
(301) 952-3220  
[boardofappeals@co.pg.md.us](mailto:boardofappeals@co.pg.md.us)

Received: 10/30/23

Received Stamp

### APPLICATION FOR A VIRTUAL VARIANCE

(USE BLACK INK ONLY)

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

Owner(s) of Property Suco Wash LLC

(AS SHOWN ON DEED)

Address of Owner(s) 7902 Tysons One Pl

City Tyson Corner State VA Zip Code 22102

Telephone Number (home) 703-296-1531 (cell) 703-296-1531 (work) \_\_\_\_\_

E-mail address: mateosrealty@gmail.com

#### Location and Legal Description of the Property involved:

Street Address 4614 Burlington Road

City Hyattsville, MD 20781

Lot(s) 58 Block \_\_\_\_\_ Parcel \_\_\_\_\_

Subdivision Name Burgess Sub of Rogers & Phillips Addn to Hyattsville

#### Professional Service:

► Engineer ► Contractor ► Architect ► Permit Service: (circle one) **If none, use N/A:**

Business Name: NIP Design Group LLC Phone Number: 301-336-9513

Representative Name: Nelson Aguilar Email Address: nip\_designgroup@outlook.com

Address: 13321 Cloverdale Place, Germantown, MD 20784

#### Attorney representing applicant: If none, use N/A

Name: Traci R. Scudder Law Office of Scudder Legal

Address: 137 National Plaza, Suite 300, National Harbor, MD 20745

Email Address: traci@scudderlegal.com Phone Number: 240-273-3294 Office  
terry@scudderlegal.com 240-761-4676 (Cell - Terry Myers)

All Legal Representatives must submit a letter of representation.

**Homeowners/Citizens/Civic and/or Community. If none, use N/A:**

Name: N/A

Address: \_\_\_\_\_

**Municipality (Incorporated City/Town) If none, use N/A**

Name City of Hyattsville

**PROPOSED WORK:**

**What will be or has been constructed on the property which has required a variance?** \_\_\_\_\_

This request was previously approved by V-82-19 on 10/23/2019. Due to the COVID-19 pandemic, supply shortage and poor economy, this approval expired.

Request: Variances of 200 sq ft net lot area, 10 ft front building line width, 1.3 ft left side yard width, 1.3 ft right side yard width, 15.9% net lot coverage in order to validate existing conditions (property & dwelling) and construct a two-story dwelling with basement, a two-car garage, a cover deck and driveway on the property.

For increase in fence height or wall height, please see below.

**Security Exemption Plan Approval (Section 27-6610)**

For increase in fences height or wall height over the allowable height indicated in Section 27-6603.

**If none, use N/A:**

Please indicate the requested increase in fence/wall height: \_\_\_\_\_

Reason for increase: \_\_\_\_\_

**Has a Correction Order / Stop Work Order / Violation Notice been issued to the Property Owner regarding the subject property? If none, use N/A:**

Correction Order: No ☒ Yes \_\_\_\_\_ Stop Work Order: No ☒ Yes \_\_\_\_\_

Violation Notice: No ☒ Yes \_\_\_\_\_ No. # \_\_\_\_\_ Date Issued: \_\_\_\_\_

Inspector's Name: \_\_\_\_\_

A copy of any issued Order (all pages, front and back) must be provided to the Board. Do not submit Citations.

**Do you need the services of a foreign language interpreter or sign language interpreter at your hearing? (\$30.00 fee required) If none, use N/A:**

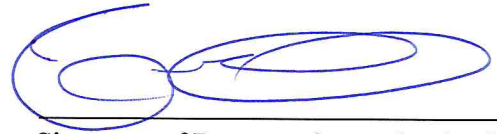
Foreign Language Yes ☒ No \_\_\_\_\_ Sign Language Yes \_\_\_\_\_ No \_\_\_\_\_

Foreign Language: Spanish



**SIGNATURE PAGE**

**No Electronic Signatures are permitted. Wet Signatures only.**



Signature of Property Owner by deed  
Mauricio Mateos, Co-owner



Legal Representative (Attorney)

Traci R. Scudder, Esq.

Printed Name

10/30/2023

Date:

**IMPORTANT:**

Failure to provide complete and accurate information on this application may delay or jeopardize consideration of the request. Applications on which all required information is not furnished will be returned for completion before processing. When complete, please forward completed application and documents to [boardofappeals@co.pg.md.us](mailto:boardofappeals@co.pg.md.us)

Approval of a variance is not a guarantee that further review will not be necessary by other governmental authorities. For further information regarding Board of Zoning Appeals policies and procedures, see Sections 27-3303, 27-3613 and 27-3616 of the County Zoning Ordinance and/or the Board's website at <http://pgccouncil.us/BOA>



October 27, 2023

Barbara Stone, Administrator  
Prince George's County Board of Appeals  
Wayne K. Curry Administration Building  
1301 McCormick Drive  
Largo, MD 20774

**Applicant: SUCO WASH LLC**

**Property Location: 4614 Burlington Road, Hyattsville, MD 20781**

Dear Ms. Stone,

Please be advised that the Law Office of Traci R. Scudder, LLC has been retained by Suco Wash LLC for representation regarding a variance application. My client proposes to validate existing conditions and construct a two-story dwelling with a basement, two-car garage, a deck, and a driveway in front of the house. This request was previously approved by the Board of Appeals on October 23, 2019, as V-82-19. Due to the COVID-19 pandemic, the supply shortage, and the state of the economy since that approval, the validity period expired.

On behalf of my client, Suco Wash LLC, I respectfully request your consideration of this second variance application.

If you have any questions or concerns, please let me know.

Warmest regards,

*Traci R. Scudder*

Traci R. Scudder  
*Attorney for the Applicant*

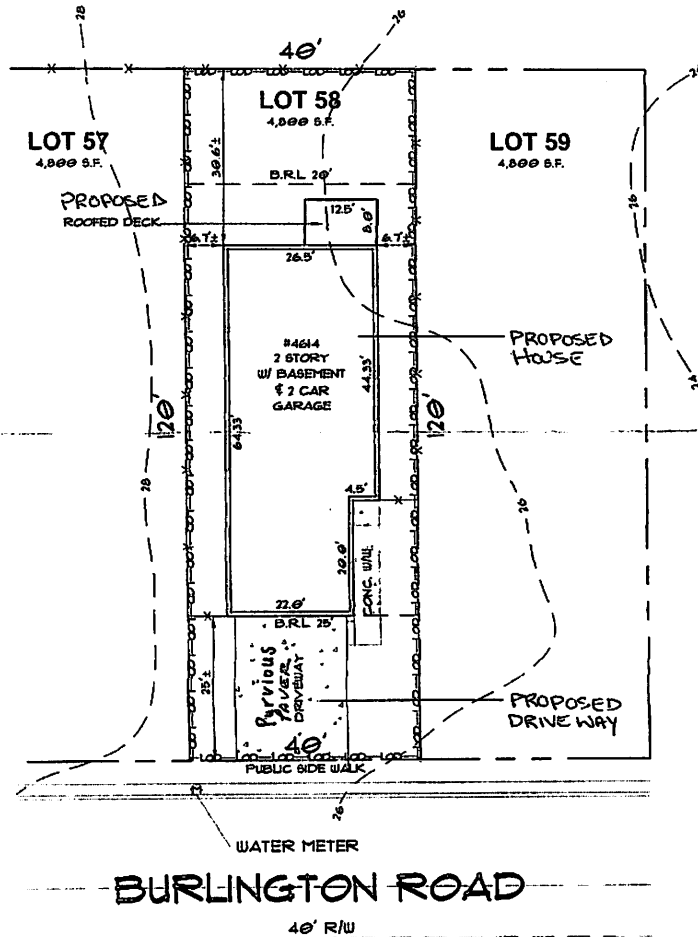
cc via email:

Mauricio Mateos - mateosrealty@gmail.com

LOCATION DRAWING  
4614 BURLINGTON ROAD  
LOT 58

# "BURGESS SUB OF ROGERS & PHILLIPS ADDN TO HYATTSVILLE"

PRINCE GEORGE'S COUNTY, MARYLAND  
TAX ACCOUNT 1829688 TAX MAP 050C2  
LIBER: 14561 FOLIO:041  
PLAT: A16-0928  
SCALE 1" = 20'



## LEGEND

- LDD --- LIMITS OF DISTURBANCE
- TW --- TW --- TREE PROTECTION FENCE
- X --- WOOD FENCE
- B.R.L. (BUILDING RESTRICTION LINE)
- TREE
- 0 WATER METER

## NOTE

LIMIT OF DISTURBANCE  
SURROUNDED WITH SILT FENCE  
4,641 S.F.

ZONE R-55 ZONING Current-RSF-65

PROPOSED RESIDENCE = 1,614.83 S.F.

PROPOSED RESIDENCE  
TOTAL LOT COVERAGE = 1,614.83 S.F.  
EXISTING LOT SIZE = 4,800.00 S.F.

$1,614.83 \text{ S.F.} + 4,800.00 \text{ S.F.} = 0.33642792$   
 $0.33642792 \times 100 = 33\% \text{ LOT COVERAGE}$

SCALE:  
1"=20'-0"

*[Signature]*  
BOARD OF APPEALS  
JUL 23 2019

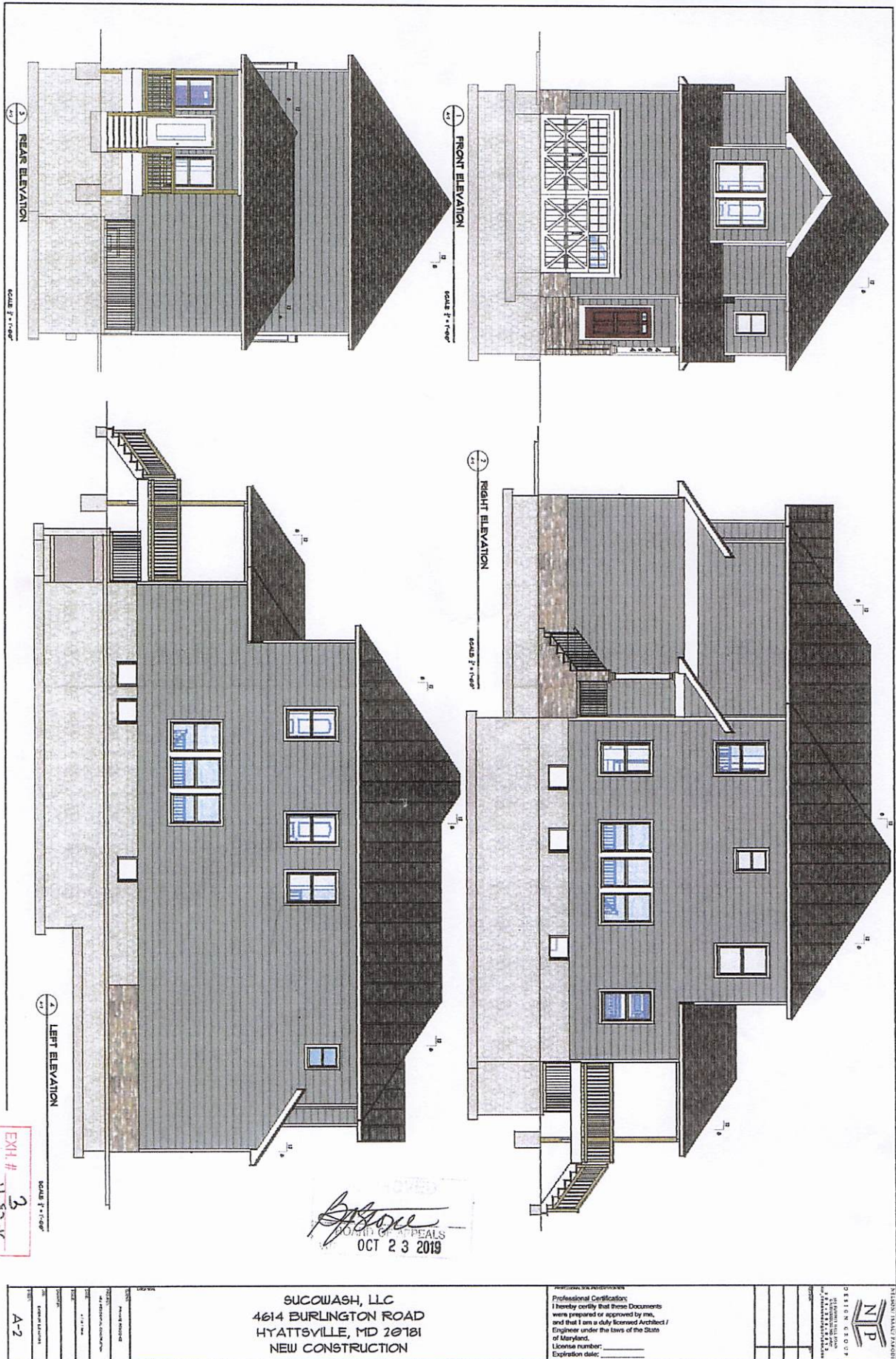
**PROFESSIONAL CERTIFICATION**

I HEREBY CERTIFY THAT THESE DOCUMENTS  
WERE PREPARED OR APPROVED BY ME, AND  
THAT I AM A DULY LICENSED PROFESSIONAL  
LAND SURVEYOR UNDER THE LAWS OF THE  
STATE OF MARYLAND.

LICENSE NUMBER: 483  
EXPIRATION DATE: 1-14-2021

*[Signature]*  
EXPIRES 1-14-2021  
Good not valid without signature

LEGEND:		PROPERTY ADDRESS: 4614 BURLINGTON ROAD, HYATTSVILLE MD 20781	
REFERENCE		DATE OF LOCATIONS	
PLAT BK.		SCALE:	1" = 20'
PLAT NO. A16-0928		DRAWN BY:	
PARCEL		TAXED:	1813168
LOT. 58		WALL CHECK:	
BLOCK		USE. LOC:	124718





Subject Property: 4614 Burlington Road





4505 & 4503 Burlington Road





4515 & 4513 Burlington Road





# THE PRINCE GEORGE'S COUNTY GOVERNMENT

BOARD OF ZONING APPEALS

BOARD OF ADMINISTRATIVE APPEALS

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

## NOTICE OF FINAL DECISION

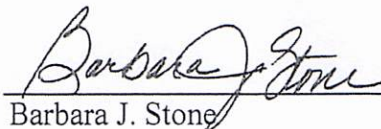
### OF BOARD OF APPEALS

RE: Case No. V-82-19 Suco Wash, LLC

Enclosed herewith is a copy of the Board Order setting forth the action taken by the Board of Appeals in your case on the following date: October 23, 2019.

## CERTIFICATE OF SERVICE

This is to certify that on November 12, 2019, the above notice and attached Order of the Board were mailed, postage prepaid, to all persons of record.

  
Barbara J. Stone  
Administrator

cc: Petitioner  
Adjoining Property Owners  
Park and Planning Commission  
DPIE/Building Code Official, Permitting  
The City of Hyattsville

**BEFORE THE BOARD OF APPEALS FOR PRINCE GEORGE'S COUNTY, MARYLAND**  
***Sitting as the Board of Zoning Appeals***

Petitioner: Suco Wash LLC

Appeal No.: V-82-19

Subject Property: Lot 58, Map 050, Grid C2, Burgess Subdivision of Rogers & Phillips Addition to Hyattsville Subdivision, being 4614 Burlington Road, Hyattsville, Prince George's County, Maryland

Municipality: The City of Hyattsville

Spanish Language Interpreter: Ernesto Luna

Counsel for Petitioner: Traci Scudder, Esq.

Witnesses: Arturo Ojea, Co-owner

Mauricio Mateos, Co-owner

Heard: September 18, 2019; Decided: October 23, 2019

Board Members Present and Voting: Bobbie S. Mack, Chairperson  
Albert C. Scott, Vice Chairman  
Anastasia T. Johnson, Member

**RESOLUTION**

This appeal is brought before the Board of Appeals, sitting as the Board of Zoning Appeals for the Maryland-Washington Regional District in Prince George's County, Maryland (the "Board"), requesting variances from the strict application of the provisions of Subtitle 27 of the Prince George's County Code (the "Zoning Ordinance").

In this appeal, a proceeding pursuant to Section 27-229 of the Zoning Ordinance, Petitioner requests that the Board approve variances from Section 27-442(b)(Table I) which prescribes that each lot shall have a minimum net lot area of 5,000 square feet. Section 27-442(d)(Table III) which prescribes that each lot shall have a minimum width of 50 feet measured along the front building line. Section 27-442(e)(Table IV) which prescribes that each lot shall have a side yard at least 8 feet in width. Section 27-442(c)(Table II) which prescribes that not more than 30% of the net lot area shall be covered by buildings and off-street parking. Section 27-120.01(c) which prescribes that no parking space, parking area, or parking structure other than a driveway no wider than its associated garage, carport, or other parking structure may be built in the front yard of a dwelling in the area between the front street line and the sides of the dwelling. Petitioner proposes to validate existing conditions (property & dwelling) and construct a two-story dwelling with basement, a two-car garage, a cover deck and a driveway in front of the house. Variances of 200 square feet net lot area, 10 feet front building line width, 1.3 feet left side yard width, 1.3 feet right side yard width, 15.9% net lot coverage and a waiver of the parking area location<sup>1</sup> requirement are requested.

**Evidence Presented**

The following testimony and record evidence were considered by the Board:

1. The property was subdivided in 1907, contains 4,800 square feet, is zoned R-55 (One-Family Detached Residential) and is a vacant lot. Exhibits (Exhs.) 2, 4, 7, 8 and 9 (A) thru (F)
2. The property is very long (120 feet) and narrow (40 feet). Exhs. 2, 4 and 9 (A) thru (F).
3. Petitioner would like to construct a 2-story single-family home with basement, an attached 2-car garage and covered deck. Because the property was subdivided in 1907, and not meeting current zoning standards, variances of 200 square feet net lot area, 10 feet front building line width are requested. The

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<sup>1</sup> A waiver of the parking area location is not required as the driveway leads to a garage. Exhs. 2.

dwelling, being limited in size is encroaching the left and right-side yard by 1.3 feet on each side and is over lot coverage 15.9%. Therefore, variances of 1.3 feet left side yard, 1.3 feet right side yard and 15% net lot coverage is requested. Exhs. 2, 3, 5 (A), 21 and 22 (A) thru (B).

4. Attorney Traci Scudder explained that the subject property is a long, narrow rectangle vacant lot measuring 40' x 120'. She further explained that Petitioner is proposing to obtain a building permit for the construction of a two-story single-family dwelling with basement, 22' x 20' deck, two-car attached garage and driveway. The dwelling will be colonial style with 4 bedrooms and 2.5 baths. It will contain 2,100 square feet of livable space. She offered that most of the houses on the block were constructed between 1900 and 1929. Exh.

5. Petitioner Mateos testified that at the rear of the property is an industrial auto repair business. He contends that without the variances, a house (built to meet the zoning requirements) would be too small to build, uncomfortable for a family and not marketable. Exhs. 2, 3, 5 (A), and 9 (A) thru (F).

6. The City of Hyattsville supports the request for variances, subject to the revised site plan. Exhs. 23 and 24.

#### Applicable Code Section and Authority

Section 27-230 of the Zoning Ordinance authorizes the Board to grant variances when, by reason of exceptional narrowness, shallowness, shape, topography, or other extraordinary situation or condition of specific parcels of property, the strict application of the Zoning Ordinance would result in peculiar and unusual practical difficulties or an exceptional or undue hardship upon the owner of the property, provided such relief can be granted without substantial impairment of the intent, purpose and integrity of the General Plan or Master Plan.

#### Findings of the Board

After hearing all the testimony and reviewing the evidence of record, the Board finds that the requested variance complies with the applicable standards set forth in Section 27-230, more specifically:

Due the lot dimensions being created in 1907, the lot being long and narrow, the property located in proximity of an industrial area and the character of the neighborhood, granting the relief requested would not substantially impair the intent, purpose and integrity of the General Plan or Master Plan, and denying the request would result in a peculiar and unusual practical difficulty upon the owner of the property.

BE IT THEREFORE RESOLVED, unanimously, that variances of 200 square feet net lot area, 10 feet front building line width, 1.3 feet left side yard width, 1.3 feet right side yard width, 15.9% net lot coverage in order to validate existing conditions (property & dwelling) and construct a two-story dwelling with basement, a two-car garage, a cover deck and a driveway on the property located at 4614 Burlington Road, Hyattsville, Prince George's County, Maryland, be and are hereby APPROVED. Approval of the variances is contingent upon development in compliance with the approved site plan, Exhibit 2 and approved elevation plan, Exhibit 3.

BOARD OF ZONING APPEALS

By: Bobbie S. Mack  
Bobbie S. Mack, Chairperson *BJS*

**NOTICE**

Within thirty (30) days from the date of this decision, any person, firm, corporation, or governmental agency who was a party to the Board's proceedings and is aggrieved by its decision may file an appeal to the Circuit Court of Prince George's County.

Further, Section 27-233(a) of the Prince George's County Code states:

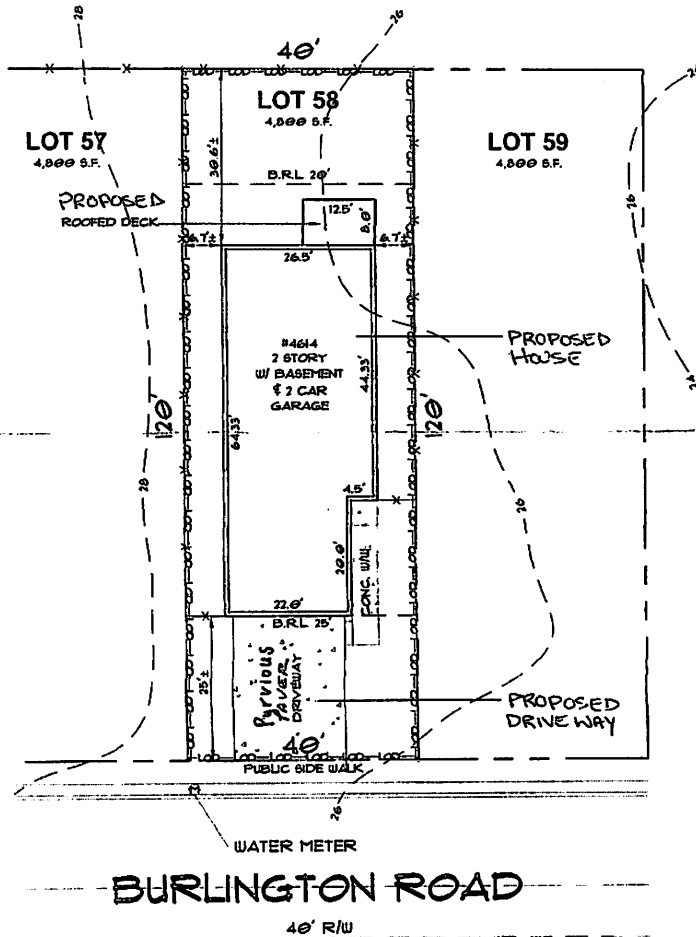
A decision of the Board, permitting the erection of a building or structure, shall not be valid for more than two (2) years, unless a building permit for the erection is obtained within this period and the construction is started and proceeds to completion in accordance with the terms of the decision and the permit.



LOCATION DRAWING  
4614 BURLINGTON ROAD  
LOT 58

# "BURGESS SUB OF ROGERS & PHILLIPS ADDN TO HYATTSVILLE"

PRINCE GEORGE'S COUNTY, MARYLAND  
TAX ACCOUNT 1829688 TAX MAP 050C2  
LIBER: 14561 FOLIO:041  
PLAT: A16-0928  
SCALE 1" = 20'



## LEGEND

- LDD --- LIMITS OF DISTURBANCE
- TW --- TW --- TREE PROTECTION FENCE
- X --- WOOD FENCE
- B.R.L. (BUILDING RESTRICTION LINE)
- TREE
- Ø WATER METER

## NOTE

LIMIT OF DISTURBANCE  
SURROUNDED WITH SILT FENCE  
4,641 S.F.

## ZONE R-55 ZONING

PROPOSED RESIDENCE = 1,614.83 S.F.

PROPOSED RESIDENCE  
TOTAL LOT COVERAGE = 1,614.83 S.F.  
EXISTING LOT SIZE = 4,800.00 S.F.

$1,614.83 \text{ S.F.} + 4,800.00 \text{ S.F.} = 0.33642292$   
 $0.33642292 \times 100 = 33\% \text{ LOT COVERAGE}$

SCALE:  
1"=20'-0"

*[Signature]*  
BOARD OF APPEALS  
JUL 23 2019

**PROFESSIONAL CERTIFICATION**

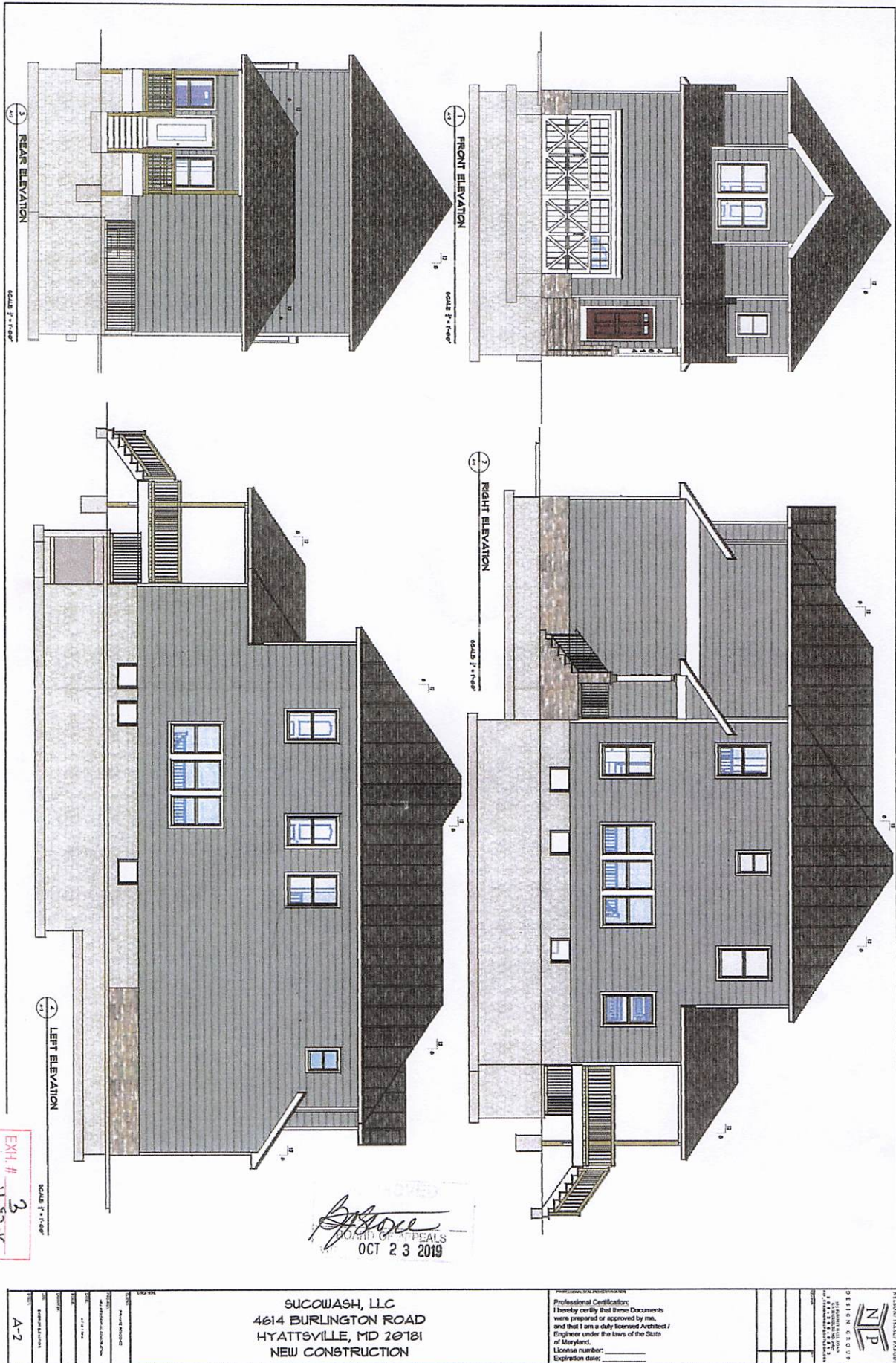
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PARCEL		TAXED:	1813168
LOT. 58		WALL CHECK:	
BLOCK		USE. LOC: 124718	





Candace B. Hollingsworth  
Mayor



Tracey E. Douglas  
City Administrator

October 21, 2019

Barbara Stone  
Administrator  
Board of Zoning Appeals  
County Administration Building, Room 2173  
14741 Governor Oden Bowie Drive  
Upper Marlboro, MD 20772

**Re: V-82-19: 4614 Burlington Road, Hyattsville**

Dear Ms. Stone,

This letter is to inform you that on October 21, 2019, the Hyattsville City Council considered variance application V-82-19, a zoning variance request for the subject property located at 4614 Burlington Road, Hyattsville.

The applicant has applied for a zoning variance to validate existing conditions (property & dwelling) and construct a two-story dwelling with basement, a two-car garage, a cover deck and a driveway in front of the house. The applicant is seeking a variance of 200 square feet net lot area, 10 feet front building line width, 1.3 feet left side yard width, 1.3 feet right side yard width, 15.9% net lot coverage, and a waiver of the parking area location requirement.

The City Council voted in support of the applicant's revised variance request, which incorporates previous materials in the construction of the proposed driveway.

We thank you and the Board of Zoning Appeals for your consideration of our comments and look forward to your decision.

Sincerely,

Candace B. Hollingsworth  
Mayor

CC: City Council  
Suco Wash, LLC, Applicant



V-82-19

LOT COVERAGE WORKSHEET

NET LOT SIZE

4,800 SQUARE FEET30 % LOT COVERAGE ALLOWED1,440 SQUARE FEETSTRUCTURE/PARKINGMEASUREMENTSSQUARE FOOTAGE

HOUSE

4.5 x 44.3  
22 x 64.3199.4  
1,414.6

&gt; 1,614

GARAGE/CARPORT

DRIVEWAY

19.5 x 25487.5

PORCH/SUNROOM

8 x 12.5100

SHED(S)

ADDITION(S)

OTHER:

TOTAL LOT COVERAGE

2,201.5

TOTAL % NET LOT COVERAGE

45.9 %

TOTAL % OVER NET LOT COVERAGE

15.9 % (761.5 S.F.)



# City of Hyattsville

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

## Agenda Item Report

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**File #:** HCC-134-FY24

11/20/2023

10.b.

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Submitted by: Holly Simmons

Submitting Department: Community & Economic Development

Agenda Section: Consent

**Item Title:**

**Special Exception request SPE-2023-01 7207 - Hitching Post Lane, Hyattsville (Espiraes Montessori Bilingual Childcare Center)**

**Suggested Action:**

I move the City Council authorize the Mayor to provide correspondence to the Prince George's County Planning Director in support special exception application SPE-2023-001, a request to allow a day care center for children in the RSF-95 zone at 7207 Hitching Post Lane, Hyattsville.

**Summary Background:**

The applicants, Claudia and Ben Simasek, have applied to the Prince George's County Planning Director for a special exception to allow for a daycare center for children in the RSF-95 (Residential Single Family 95) zone. The applicants propose a licensing capacity of 16 infants and children (ages 6 months - 4years) to be cared for by three certified childcare providers within an existing one-story dwelling, along with 5,000sf of fenced outdoor play area. The property area is 17,399sf.

A day care center for children is permitted in the RSF-95 zone as a special exception use. Per the Prince George's County zoning ordinance section 27-3604(a), "A use designated as a special exception in a particular zone is a use that may be appropriate in the zone, but because of its nature, extent, and external effects, requires special consideration of its location, design, and methods of operation before it can be deemed appropriate in the zone and compatible with its surroundings. This Section establishes a uniform mechanism to review special exceptions to ensure they are appropriate for the location and zone where they are proposed."

As such, a day care center for children may be permitted in the RSF-95 zone, subject to the requirements of the Prince George's County Zoning Ordinance section 27-5402(x). When applied to this application, the requirements of 27-5402(x) primarily relate to the provision of and specifications for a fenced area to accommodate outdoor play and activities.

Should the application for the special exception be approved, the only exterior changes to the property the applicants propose are as follows:

- Installing the aforementioned fence to provide an enclosed 5,000sf play area, with fence located at least 25 feet from adjacent homes (required for the grant of the special exception);
- Replacing the gravel driveway with a paved parking space; and
- Installing an entrance ramp to make the building accessible to people with disabilities.

The applicants have been operating an at-home daycare in the same neighborhood at 3304 Gumwood Drive since 2017. The subject property is located in a residential neighborhood, and no change to zoning is proposed or required to accommodate the request.

**Next Steps:**

No further action is required.

**Fiscal Impact:**

N/A

**City Administrator Comments:**

Recommend Support

**Community Engagement:**

A public hearing on the special exception case will be conducted by the Zoning Hearing Examiner.

**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 Council

From: Holly Simmons, Acting Director, Community & Economic Development

CC: Tracey Douglas, City Administrator

Date: November 9, 2023

Re: Special Exception SPE 2023-001 – 7207 Hitching Post Lane, Hyattsville  
Espirales Montessori Bilingual Childcare Center

Attachments: Statement of Justification  
Special Exception site plan

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The purpose of this memorandum is to provide the Mayor and Council with a briefing on the Special Exception request SPE 2023-001, for the subject property located at 7207 Hitching Post Lane, Hyattsville.

## **Summary of Special Exception Conditions**

The applicants, Claudia and Ben Simasek, have applied to the Prince George’s County Planning Director for a special exception to allow for a daycare center for children in the RSF-95 (Residential Single Family 95) zone. The applicants propose a licensing capacity of 16 infants and children (ages 6 months – 4years) to be cared for by three certified childcare providers within an existing one-story dwelling, along with 5,000sf of fenced outdoor play area. The property area is 17,399sf.

A day care center for children is permitted in the RSF-95 zone as a special exception use. Per the Prince George’s County zoning ordinance section 27-3604(a), “A use designated as a special exception in a particular zone is a use that may be appropriate in the zone, but because of its nature, extent, and external effects, requires special consideration of its location, design, and methods of operation before it can be deemed appropriate in the zone and compatible with its surroundings. This Section establishes a uniform mechanism to review special exceptions to ensure they are appropriate for the location and zone where they are proposed.”

As such, a day care center for children may be permitted in the RSF-95 zone, subject to the requirements of the Prince George’s County Zoning Ordinance section 27-5402(x). When applied to this application, the requirements of 27-5402(x) primarily relate to the provision of and specifications for a fenced area to accommodate outdoor play and activities.

Should the application for the special exception be approved, the only exterior changes to the property the applicants propose are as follows:

- Installing the aforementioned fence to provide an enclosed 5,000sf play area, with fence located at least 25 feet from adjacent homes (required for the grant of the special exception);
- Replacing the gravel driveway with a paved parking space; and
- Installing an entrance ramp to make the building accessible to people with disabilities.

The applicants have been operating an at-home daycare in the same neighborhood at 3304 Gumwood Drive since 2017. The subject property is located in a residential neighborhood, and no change to zoning is proposed or required to accommodate the request.

A public hearing on the special exception case will be conducted by the Zoning Hearing Examiner.

### **Recommendation**

Based upon the application, City Staff recommends the City Council support SPE-2023-001 for the subject property at 7207 Hitching Post Lane, Hyattsville. To accommodate the special exception use, the applicant is proposing to construct a fenced area onsite to allow ample outdoor play or activity area in conformance with the requirements of Prince George's County Code 27-5402(x)(B)(i-vii). The use does not appear incompatible with surrounding uses, and the applicant has operated an at-home daycare in the same neighborhood at 3304 Gumwood Drive since 2017.



Date: February 4, 2023

To: Prince George's County Planning Board

From: Claudia T Simasek, Owner Espiraes Montessori Bilingual LLC

Subject: Statement of Justification: Special Exception to Zoning Ordinance for a childcare facility

Dear Chairman Shapiro and members of the Planning Board,

I have been a certified Montessori teacher since 2012 and a licensed childcare provider in Maryland since 2017, when I opened Espiraes Montessori Bilingual as a home daycare. In addition to applying the Montessori method in our learning environment, I provide bilingual (Spanish/English) education to infants and children from three months to four years of age.

For the past six years, I have been happy to help many children learn and grow. However, there is such a need for childcare in our area that Espiraes' waitlist has grown beyond its licensed capacity. I have had to inform many local families seeking slots that we don't have space for their little ones.

For many years, it has been my dream to open a small childcare center. When I learned my neighbors who had recently purchased the home 7207 Hitching Post Ln across the street from me were willing to lease it for our home daycare, I was excited for the opportunity to grow Espiraes in my own neighborhood and continue to serve the same families currently enrolled and additional ones on our waitlist.

Since the property is zoned RSF-95, in accordance with Section 27-3604(c) of the zoning ordinance, we are submitting this application for a special exception to allow for a day care center for children, which may be permitted according to the requirements of under Section 27-5402(x). The building will not be used as a residence concurrently with our leasing it for the daycare, but we will be careful to ensure the proposed nonresidential use conforms to and supports the goals of the approved Master Plan for Planning Area 68.

The owners of 7207 Hitching Post Ln own adjacent homes at 7209 Hitching Post and 3309 Gumwood Dr. My husband and I, the prospective lessees, live within eyesight at 3304 Gumwood Dr. We all share an interest in working collectively to ensure the property is well maintained, safe, and compatible with the surrounding neighborhood.

Visually, the property will retain the same residential character as it currently has. There will be no exterior signage or alterations to the building. Should the application for the special exception be approved, the only exterior changes to the property will be to install a fence to provide an enclosed 5,000 square foot outdoor play space in conformance with Section 27-5402(x), replace the gravel driveway with a paved ADA-compliant parking space, and install an entrance ramp to make the building accessible to people with disabilities.

The proposed fence will be inside the property line so that it's no less than 25 feet from neighboring homes, as required. It will be 4 feet in height with 2 ½ inch gaps between the panels and the material will be pressure-treated wood, stained a natural color. The yard where the



outdoor play area will be located has a gradual slope and is bordered by trees, providing shade during the hot summer months. We will leave all existing live trees in place.

Our hours of operation are Monday to Friday, 7:30 AM to 5 PM and the outdoor play space will only be used during daylight hours. Although infants and children make noise, we strive to provide a calm, quiet environment, not only to be respectful of our neighbors, but to encourage the children to develop mindfulness and peace, which is central to the Montessori Method.

We are proposing an enrollment capacity of 16 children under the supervision of three adults, though the actual enrollment at any given time may be less than 16 to comply with the minimum staffing levels for mixed age groups under COMAR 13A.16.08. The childcare space will be entirely on the first floor, which has a total area of 966 square feet. Per COMAR 13A.16.05.03, the minimum square footage per child for childcare centers is 35 feet. With a capacity of 16, this facility would provide at least 60.4 square feet of floor space per child.

Hitching Post Lane is a cul-de sac, adjoining Gumwood Dr. 7207 Hitching Post currently has 468 square feet of off-street parking, which aligns with the requirement of Section 27-6305 for at least one parking space per ten children of enrolled capacity. Hitching Post Ln and Gumwood Dr also have unrestricted on-street parking. Our home at 3304 Gumwood is only 100 feet from 7202 Hitching Post Ln, so daycare staff will park on the street in front of our home to ensure there is sufficient space for parents.

Parents will drop off their children between 7:30 and 9 AM and will pick them up between 4 and 5 PM. Different family schedules result in staggered pickup and drop off, so although there may be multiple families arriving at the same time, usually it's spread out over the course of an hour. After picking up or dropping off their children, parents or guardians in vehicles will turn around either in the driveway or the cul-de-sac and pull back out onto Gumwood Dr. Families living in our neighborhood with children enrolled in Espiraes often choose to walk or bike to the daycare, reducing the amount of vehicular traffic.

We seek to continue to serve families in our neighborhood and surrounding areas with high-quality childcare, which is in high demand in our area. By leasing the residential property at 7207 Hitching Post for use as a small neighborhood childcare center, we will be able to better meet this need. With your approval of this application, Espiraes will continue to provide excellent childcare and educational services to families in our area and expand our capacity to meet the growing needs of the community. Please do not hesitate to contact me with questions.

Thank you for your consideration,

Claudia Simasek

[bilingualespiralesmontessori@gmail.com](mailto:bilingualespiralesmontessori@gmail.com)

202 468 3639



## **Compliance with Applicable Regulations**

### **Section 27-5402(x)**

#### **Day Care Center for Children**

(1) A day care center for children may be permitted, subject to the following:

(A) The District Council may specify the maximum number of children to be enrolled, which may not be increased by State or local health, education, or fire regulations;

(B) An ample outdoor play or activity area shall be provided, in accordance with the following:

- (i) All outdoor play areas shall have at least seventy-five (75) square feet of play space per child for fifty percent (50%) of the licensed capacity or seventy-five (75) square feet per child for the total number of children to use the play area at one (1) time, whichever is greater;

**Response: The proposed play area is 5,000 square feet, which amounts to 312.5 square feet per child.**

- (ii) All outdoor play areas shall be located at least twenty-five (25) feet from any dwelling on an adjoining lot, and shall be enclosed by a substantial wall or fence at least four (4) feet in height;

**Response: The proposed play area fence will be at least 25 feet from adjacent dwellings, built from stained, pressure treated lumber, and 4 feet in height.**

- (iii) A greater set back from adjacent properties or uses or a higher fence may be required by the District Council if it determines that it is needed to protect the health and safety of the children utilizing the play area;
- (iv) Any off-premises outdoor play or activity area shall be located in proximity to the day care center, and shall be safely accessible without crossing (at grade) any hazardous area, such as a street or driveway;

**Response: No off-premises outdoor play area is proposed.**

- (v) The play area shall contain sufficient shade during the warmer months to afford protection from the sun;

**Response: The play area is bordered by a row of trees to the east and a large silver maple canopy tree to the west, and has several smaller trees within it, providing ample shade.**

- (vi) Sufficient lighting shall be provided on the play area if it is used before or after daylight hours to insure safe operation of the area; and





- (vii) Outdoor play shall be limited to the hours between 7 a.m. and 9 p.m.;

**Response: The play area will only be used in the daylight within the hours of operation of the daycare – between 7:30 AM and 5 PM.**

**(C)**

In the CGO, CS, IE, and IH zones, a special exception for a day care center for children shall be allowed only if the Council finds that existing development and uses in the neighborhood (particularly on adjacent properties) will not adversely affect the proposed use.

**Response: Not Applicable – zone is RSF-95.**

**(2)** In addition to the requirements of Section [27-3604\(c\)](#), Special Exception Submittal Requirements, the site plan shall show:

**(A)** The proposed enrollment;

**Response: Shown on the Site Plan- proposed enrollment is 16 children.**

**(B)** The location and use of all buildings located on adjoining lots; and

**Response: Shown on site plan – all adjoining lots have residential use.**

**(C)** The location and size of outdoor play or activity areas.

**Response: Shown on site plan**

### **Section 3604(e) Required Findings**

A special exception may only be approved if:

**(A)** The proposed use and site plan are in harmony with the purpose of this Subtitle;

**Response: We have demonstrated the proposed use of a small childcare facility is in harmony with the purposes of the zoning ordinance in particular *by promoting the health, safety, morals, comfort, convenience, and welfare of the present and future inhabitants of the County, while protecting the established character of residential communities and neighborhoods*. The population of our area is growing, attracting many young families, but the number of licensed childcare facilities is inadequate to meet the demand, so almost all childcare providers have long waitlists. The waitlist for Espiraes is currently four times our licensed capacity. By providing a childcare center within a residential neighborhood, we are improving safety, convenience, and walkability for neighboring families.**

**(B)** The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle;

**Response: we believe we have demonstrated this.**

**(C)** The proposed use shall be consistent with the General Plan and shall conform with the relevant goals, policies, and strategies of the applicable Area Master Plan, Sector Plan, or Functional Master Plan for the subject property and its surrounding area;



**Response:** This property falls under the Residential Neighborhoods Section of the 1994 Master Plan for Planning Area 68. The proposed project aligns with the objective to ensure *all land uses within residential areas shall be physically and visually compatible with the neighborhood character*, given it the existing residential home will retain its current visual character. Along with the owners, as prospective lessees we are committed to maintaining the home in attractive, safe condition for the benefit of our clients and our neighborhood. The owners of the property have already invested in making improvements since purchasing the home. Leasing it as a daycare center will also help *promote the area's neighborhoods to attract and retain long-term, responsible residents*. A neighborhood childcare service is a major asset for young families who want to raise children in Hyattsville.

(D) The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area;

**Response:** All adjacent property owners have expressed support for this proposal. Given we are currently operating a home daycare nearby, the proposed change of use will not have a major additional impact to the neighborhood.

(E) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood; and

**Response:** The adjacent properties are all developed for residential use, as is the rest of the surrounding neighborhood. The childcare center would be unique in its nonresidential use, but have only a positive impact on the surrounding neighborhood.

(F) The proposed site plan is in conformance with an approved Type 2 Tree Conservation Plan; and

**Response:** We are not proposing to remove any trees from the property.

(F) The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirements of [Subtitle 24: Subdivision Regulations](#).

**Response:** There are no regulated environmental features on the property.

### **27-3604(c)(5)(F)(ix) Special Exception Submittal Requirements Statement of Justification including:**

(aa) How the property conforms to the requirements of the Zoning Ordinance and Subdivision Regulations, as applicable, including all conditions of approval in any development approvals and permits to which the special exception is subject;

**Response:** We believe we have extensively described how the property conforms to the requirements of the Zoning Ordinance and Subdivision Regulations above. To proceed with this project, we will need to apply for a fence permit and a driveway permit with the City of Hyattsville. A county fence permit will not be required, as the fence height will not exceed 4 feet. A county driveway permit will not be required, as no work in the county public right of

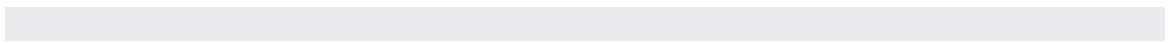


way will be required and the proposed driveway area is significantly less than 5,000 square feet (only 234 square feet).

Per the Table B-1 of the Prince George's County Environmental Technical Manual Natural Resources Inventory is not required because the project will not require a grading permit per Section 32-127(a)(6)(A) of the county code because the proposed limits of disturbance is less than 5,000 square feet and there are no regulated environmental features on the site.

Per Section 3.0 of the manual, *the tree canopy requirements contained in the WCO apply to all types of applications that require a tree conservation plan or letter of exemption; in other words, all applications requiring a grading permit.* No letter of exemption or tree conservation plan is required for this project, given no grading permit is required.

Per Sec. 32-174: Exemptions from Requirements, *any developments that do not disturb more than five thousand (5,000) square feet of land area are exempt from the provisions of this Division and the requirements of providing stormwater management.* Therefore, no stormwater concept plan is required for this application. However, we do plan to install a rain garden with native plants to absorb any additional runoff resulting from the driveway.



(bb) How the proposed design preserves and restores the regulated environmental features in a natural state to the fullest extent possible, in accordance with the requirements of Subtitle 24: Subdivision Regulations;

**Response: There are no regulated environmental features within or adjacent to the site.**

(cc) How any land intended for public use, but not proposed to be in public ownership, will be held, owned, and maintained for the indicated purpose (including any proposed covenants or other documents); and

**Response: No land is intended for public use as part of this project.**

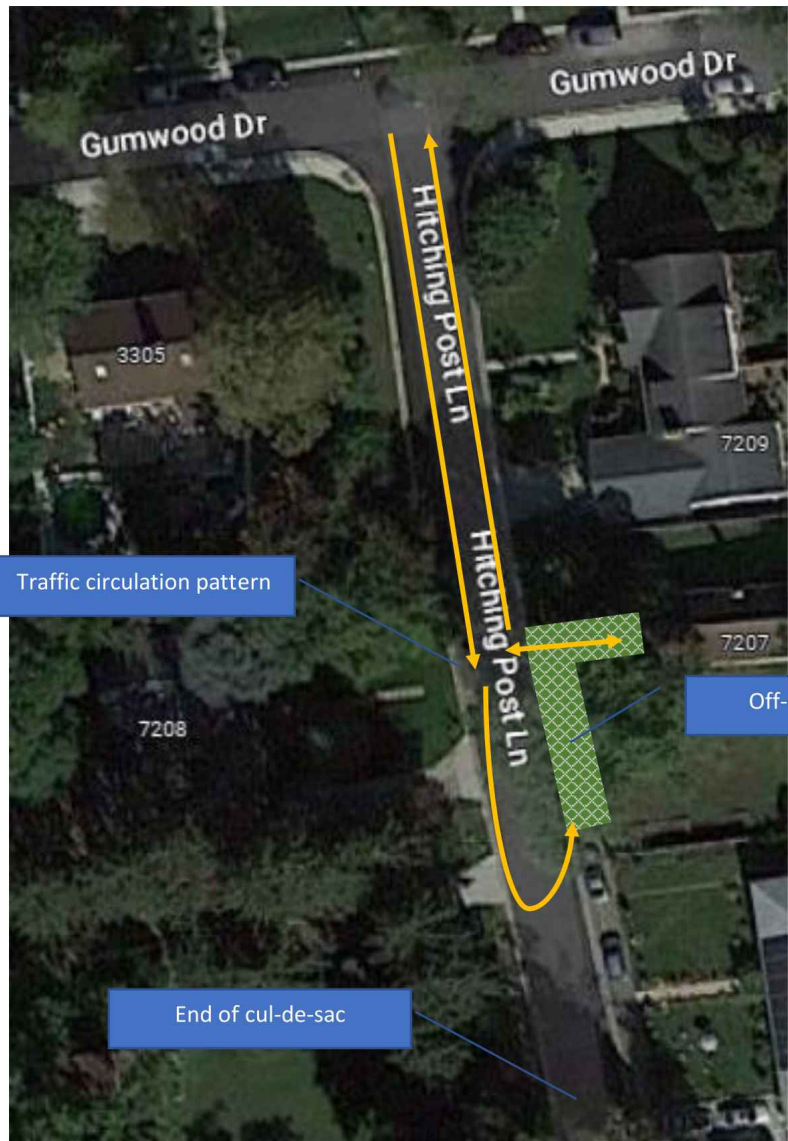
(dd) How the development proposed in the special exception can exist as a unit capable of sustaining an environment of continuing quality and stability.

**Response: We believe this has been answered above. Our home daycare has sustained an environment of quality and stability since 2017. By leasing a space on our block and increasing our licensed capacity, we will be able to serve more families in our area and expand the physical space of our Montessori program.**

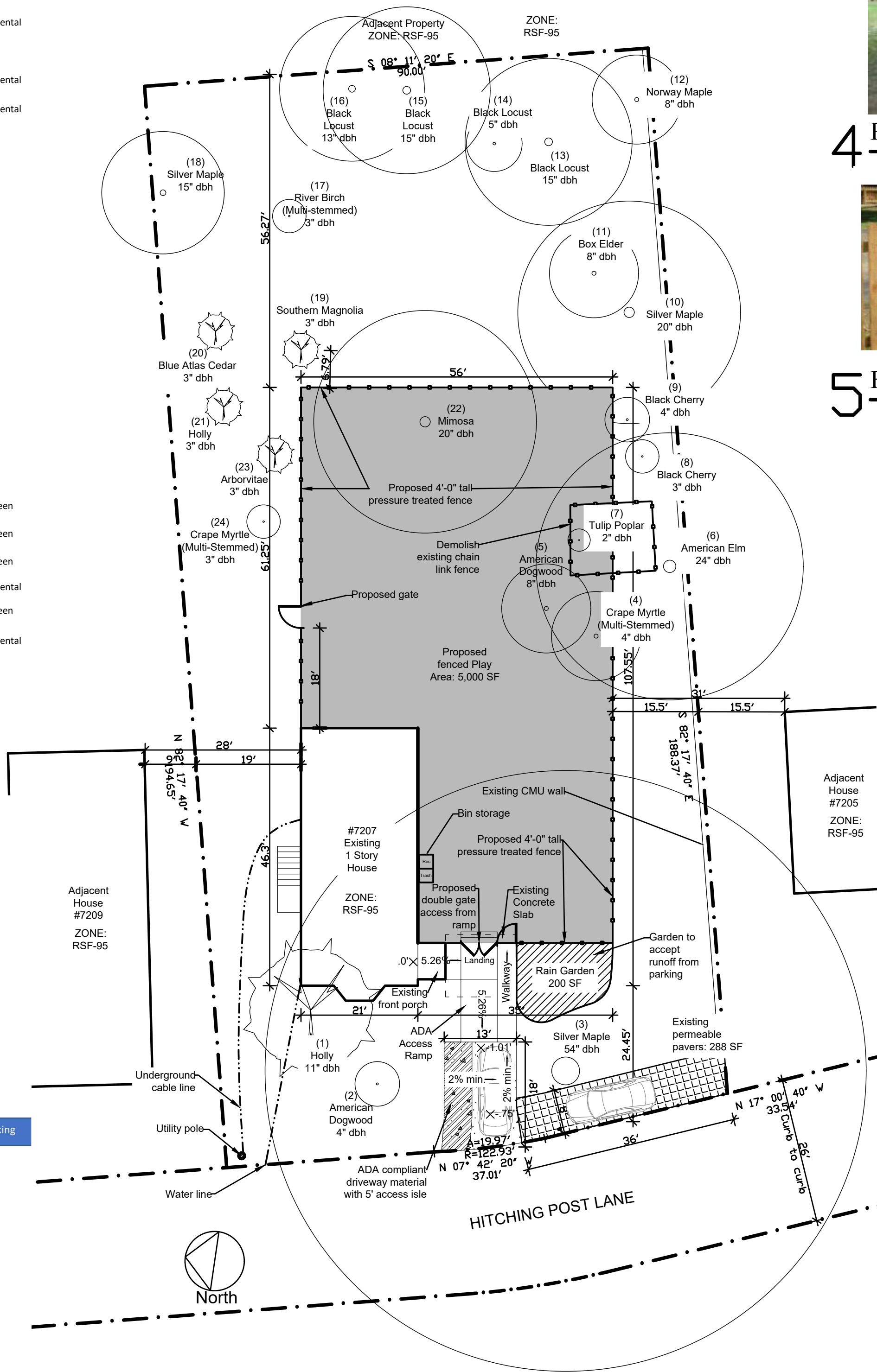


Sym.	Common Name	Botanical Name	Size	Qty.	Spacing	Native	Tree Type
1	Holly	Ilex opaca	11" dbh	1	As shown	North America	Evergreen
2	American Dogwood	Cornus florida	4" dbh	1	As shown	North America	Ornamental
3	Silver Maple	Acer saccharinum	54" dbh	1	As shown	North America	Shade
4	Crape Myrtle	Lagerstroemia indica	4" dbh	1	As shown	Asia	Ornamental
5	American Dogwood	Cornus florida	8" dbh	1	As shown	North America	Ornamental
6	American Elm	Ulmus americana	24" dbh	1	As shown	North America	Shade
7	Tulip Poplar	Liriodendron tulipifera	2" dbh	1	As shown	North America	Shade
8	Black Cherry	Prunus serotina	3" dbh	1	As shown	North America	Shade
9	Black Cherry	Prunus serotina	4" dbh	1	As shown	North America	Shade
10	Silver Maple	Acer saccharinum	20" dbh	1	As shown	North America	Shade
11	Box Elder	Acer negundo	8" dbh	1	As shown	North America	Shade
12	Norway Maple	Acer platanoides	8" dbh	1	As shown	Asia & Europe	Shade
13	Black Locust	Robinia pseudoacacia	15" dbh	1	As shown	North America	Shade
14	Black Locust	Robinia pseudoacacia	5" dbh	1	As shown	North America	Shade
15	Black Locust	Robinia pseudoacacia	15" dbh	1	As shown	North America	Shade
16	Black Locust	Robinia pseudoacacia	13" dbh	1	As shown	North America	Shade
17	River Birch	Betula nigra	3" dbh	1	As shown	North America	Shade
18	Silver Maple	Acer saccharinum	15" dbh	1	As shown	North America	Shade
18	Southern Magnolia	Magnolia grandiflora	3" dbh	1	As shown	North America	Evergreen
20	Blue Atlas Cedar	Cedrus atlantica 'Glauca'	3" dbh	1	As shown	Africa	Evergreen
21	Holly	Ilex opaca	3" dbh	1	As shown	North America	Evergreen
22	Mimosa	Albizia julibrissin	22" dbh	1	As shown	Asia	Ornamental
23	Arborvitae	Thuja 'Green Giant'	3" dbh	1	As shown	Denmark	Evergreen
24	Crape Myrtle	Lagerstroemia indica	3" dbh	1	As shown	Asia	Ornamental

### 3 Plant Schedule



### 2 Traffic Circulation Plan



### 1 Site Plan

1/16" = 1'-0"



Figure 4: Detail example of proposed ADA ramp

Slope: Max 1:12  
Material: pressure treated wood with 32" tall railings

### 4 Ramp Detail



Figure 5: Detail example of proposed fence

Height: 4 feet  
Material: pressure treated wood slats with 3" gaps between

### 5 Fence Detail

All data is approximate and has been taken from a house location survey prepared by Snider & Associates, Germantown, MD, Keith W. Leu, PLS #592 dated 08-18-22

Property Info:  
Lot 5, Block A  
Hitching Post Hill  
Prince George's County  
Plat Book 14, Plat No. 91  
Zone RSF-95  
All adjacent properties are Zone RSF-95

Lot area: 17,399 SF

Proposed Work:

The proposal is to use the existing single family home as a Montessori day care facility for a maximum of 16 children. The home will not be used as a dwelling.

Off-Street Parking Required:  
One space per 10 children.  
Enrollment: 16 children  
1.6 off-street parking spaces required.  
Proposed: 2 off-street parking spaces

#### Proposed and Required Parking Dimensions

Parking Area	Spaces	Parking Angle (degrees)	Stall Width	Stall Depth Perpendicular to curb	Stall Length Along Curb
Paved Driveway (handicap accessible)	1	90	Required: 9ft Proposed: 13ft	Required: 18ft Proposed: 18ft	Required: 9ft Proposed: 13ft
Permeable Pavers	1	0	Required: 8ft Proposed: 8ft	Required: 8ft Proposed: 8ft	Required: 22ft Proposed: 36ft

- No cemeteries on or contiguous to the property
- Historic Sites in the vicinity of the property: Hitching Post Hill Historic Site at 3308
- Rosemary Lane (Survey No. HABS MD-976), not adjacent and not depicted on Site Plan
- No Wetlands
- No 100-year floodplain
- Not within Chesapeake Bay Critical Area

MNCPPC Section 27-5402(x)(2)

Day Care Center for Children

- (1) A day care center for children may be permitted, subject to the following:
  - (A) The District Council may specify the maximum number of children to be enrolled, which may not be increased by State or local health, education, or fire regulations;
  - (B) An ample outdoor play or activity area shall be provided, in accordance with the following:
    - (i) All outdoor play areas shall have at least seventy-five (75) square feet of play space per child for fifty percent (50%) of the licensed capacity or seventy-five (75) square feet per child for the total number of children to use the play area at one (1) time, whichever is greater. The Play Area is 5,000 SF which allows 312.5 SF of play space for each of the 16 children to use all at one time.
    - (ii) All outdoor play areas shall be located at least twenty-five (25) feet from any dwelling on an adjoining lot, and shall be enclosed by a substantial wall or fence at least four (4) feet in height; The Play Area fence is located 31' from the adjacent dwelling at 7205 Hitching Post Lane and 28' from the adjacent dwelling at 7209 Hitching Post Lane.
    - (iii) A greater set back from adjacent properties or uses or a higher fence may be required by the District Council if it determines that it is needed to protect the health and safety of the children utilizing the play area;
    - (iv) Any off-premises outdoor play or activity area shall be located in proximity to the day care center, and shall be safely accessible without crossing (at grade) any hazardous area, such as a street or driveway;
    - (v) The play area shall contain sufficient shade during the warmer months to afford protection from the sun; There are numerous trees within the play area to provide shade.
    - (vi) Sufficient lighting shall be provided on the play area if it is used before or after daylight hours to insure safe operation of the area; The play area will not be used after daylight hours.
    - (vii) Outdoor play shall be limited to the hours between 7 a.m. and 9 p.m.;
  - (C) In the CGO, CS, IE, and IH zones, a special exception for a day care center for children shall be allowed only if the Council finds that existing development and uses in the neighborhood (particularly on adjacent properties) will not adversely affect the proposed use.
- (2) In addition to the requirements of Section 27-3604(c), Special Exception Submittal Requirements, the site plan shall show:
  - (A) The proposed enrollment; The proposed enrollment is 16
  - (B) The location and use of all buildings located on adjoining lots; The existing single family home will be used as a day care facility only and not a dwelling.
  - (C) The location and size of outdoor play or activity areas. The location and size is shown on the Site Plan.
- (3) Any day care center for children which has, on or before the effective date of this Ordinance, fully complied with the provisions of this Subtitle in effect at the time the use commenced shall not be required to meet the requirements of this Section, provided that the use has not been expanded or changed since that time. Any expansion or change shall be governed by the provisions of this Section, or of Section 27-5102(d)(2)(A), Day Care Center for Children.
- (4) For the purposes of this Section, enrollment shall mean the largest number of children enrolled in the center in any one (1) session.



GROUNDSMITH COLLECTIVE



Professional Certification.  
I certify that these documents were prepared or approved by me, and that I am a duly licensed architect under the laws of the State of Maryland, license number 4252, expiration date 05-02-2024.

## Espiraes Montessori Bilingual, LLC

7207 Hitching Post Lane  
Hyattsville, MD 20783

DRAWING TITLE:

## SITE PLAN

Scale: 1/16" = 1'

ISSUE DATE: 08.07.2023

DESIGNED BY: KO & JR

DRAWN BY: KO

CHECKED BY: KO

ISSUE FOR:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# SHEET

001





# City of Hyattsville

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

## Agenda Item Report

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**File #:** HCC-138-FY24

11/20/2023

10.c.

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Submitted by: Allison Weikel  
Submitting Department: Police Department  
Agenda Section: Consent

**Item Title:**  
**Procurement of OSCR360 Camera**

**Suggested Action:**

I move that the Mayor and Council authorize an expenditure not to exceed \$15,865.00 for the purchase of an OSCR360 Camera from L-Tron Corporation.

**Summary Background:**

OSCR360 is an investigative camera that is used for documenting various scenes ranging from simple municipal code violations, to biological threats, to the most involved homicide investigations. The funding for this purchase comes from the BJA FY22 Byrne Discretionary Community Funding Grant which awarded the City \$100,000. The grant was accepted by the City Council on November 6, 2023.

**Next Steps:**

Issue purchase order

**Fiscal Impact:**

NTE \$15,865.00 from grant funds

**City Administrator Comments:**

Recommends approval.

**Community Engagement:**

N/A

**Strategic Goals:**

Goal 3 - Promote a Safe and Vibrant Community

**Legal Review Required?**

Pending





7911 Lehigh Crossing  
Suite 6  
Victor  
New York  
14564

(585) 383-0050  
fax: (585) 383-0701

<http://www.L-Tron.com>  
[info@L-Tron.com](mailto:info@L-Tron.com)

June 1<sup>st</sup>, 2023

To Whom It May Concern,

This letter is to confirm that the OSCR360 system is a sole source product, developed, sold and distributed exclusively by L-Tron Corporation. No division of L-Tron Corporation, nor any other company, makes a similar or competing product. There are no agents or dealers authorized to represent this product.

Additionally, competition is precluded by the award of a patent owned by L-Tron Corporation.

If you desire additional information, don't hesitate to contact me at (585) 383-0050 at any time or visit our website at [www.L-Tron.com/OSCR360](http://www.L-Tron.com/OSCR360). Thank you for your interest in our products.

Sincerely,

A handwritten signature in black ink, reading 'Trevor Z. DiMarco'. The signature is written in a cursive, flowing style.

Trevor Z. DiMarco  
President and CEO

*\*Please see pages 2-3 for supporting documentation.*



7911 Lehigh Crossing, Suite 6, Victor, NY 14564  
t. 585-383-0050 f. 585-383-0701

# Quotation

Number LTCQ25386

Date Oct 23, 2023

To
<b>Hyattsville City Police Department</b> Chris Evans cevens@hyattsville.org 4310 Gallatin Street Hyattsville, MD 20781 USA <b>Phone:</b> 301-985-5060 <b>Fax:</b>

<b>Inquiry:</b> Verbal <b>Sales Rep:</b> Dave Wakefield <b>Ship:</b> Ground <b>Delivery:</b> 2-4 weeks ARO <b>FCA:</b> Shipping point <b>Terms:</b> Net 30
---

Here is the quote you requested.

Qty	Part #	Description	Unit Price	Ext. Price
<b>OSCR360 High Resolution Capture Kit</b>				
1	<b>OSCR-LAW-STD-DC-HR</b>	OSCR360 Solution Standard Law Data Collection Kit with High Resolution Camera. Includes - OSCR360 data collection tablet software license - 8" Android Rugged Tablet - Tablet case - 360 Degree High Resolution Panoramic Camera with Lens Cover - Sensor Tube with GPS, and Compass sensors - Standard Tripod - Triple port USB Fast charger - Charging cables - Soft Equipment Carrying Case	\$6,401.00	<b>\$6,401.00</b>
1	<b>OSCR-LAW-STD-DC-SMS</b>	OSCR360 Tablet Software Updates, Upgrades, and Maintenance. First Year -- REQUIRED --	\$677.00	<b>\$677.00</b>
1	<b>INTRO-DC-SMS-SPECIAL</b>	Introductory offer - Valid through 12/31/2023 Discount equal to first year SMS Contract	-\$677.00	<b>-\$677.00</b>
<b>OSCR360 Desktop Presentation Package Single Computer License</b>				
1	<b>OSCR-LAW-STD-DPS</b>	OSCR360 Solution Standard Law Desktop Presentation Package. Includes: (1) OSCR360 Desktop Demonstrative Exhibit Development Software License	\$5,440.00	<b>\$5,440.00</b>
1	<b>OSCR-LAW-STD-DPS-SMS</b>	OSCR360 Desktop Presentation Software Updates, Upgrades, and Maintenance. First Year -- REQUIRED --	\$1,088.00	<b>\$1,088.00</b>
1	<b>INTRO-DPS-SMS-SPECIAL</b>	Introductory offer - Valid through 12/31/2023 Discount equal to first year SMS Contract	-\$1,088.00	<b>-\$1,088.00</b>
<b>Optional Capture Kit Maintenance</b>				
1	<b>OSCR-LAW-STD-DC-SMS-2</b>	OSCR360 Tablet Software Updates, Upgrades, and Maintenance (2 year extension, 3 years total)	\$1,353.00	<b>\$1,353.00</b>
<b>Optional Desktop Software Maintenance</b>				
1	<b>OSCR-LAW-STD-DPS-SMS-2</b>	OSCR360 Desktop Presentation Software Updates, Upgrades, and Maintenance (2 year extension, 3 years total)	\$2,176.00	<b>\$2,176.00</b>

Dave Wakefield

Page 1 of 2

PRICES SUBJECT TO CHANGE - PRICES BASED UPON TOTAL PURCHASE - ALL DELIVERY, TRAINING OR CONSULTING SERVICES TO BE BILLED AT PUBLISHED RATES - ALL HARDWARE PROPOSED ABOVE IS COVERED BY THE MANUFACTURERS WARRANTY, COVERING PARTS AND LABOR FOR HARDWARE ONLY ON A DEPOT BASIS. WE SHALL NOT BE LIABLE FOR ANY LOSS OF PROFITS, BUSINESS, GOODWILL, DATA, INTERRUPTION OF BUSINESS, NOR FOR INCIDENTAL OR CONSEQUENTIAL MERCHANTABILITY OR FITNESS OF PURPOSE, DAMAGES RELATED TO THIS AGREEMENT. RETURNS WILL NOT BE ACCEPTED WITHOUT AN RMA NUMBER, STANDARD PARTS ARE SUBJECT TO A MINIMUM 15% RESTOCKING FEE WITH ORIGINAL PACKAGING. RMA'S FOR NON DEFECTIVE MATERIALS WILL ONLY BE ISSUED WITHIN 21 DAYS OF SHIPMENT. RETURNS OF CUSTOM CONFIGURATIONS OR PARTS MAYBE SUBJECT TO MANUFACTURERS RESTRICTIONS. QUOTATION DOES NOT INCLUDE SHIPPING, OR ANY SALES TAXES OR DUTIES. CREDIT TERMS ARE SUBJECT TO APPROVAL BY THE FINANCE DEPARTMENT.

Qty	Part #	Description	Unit Price	Ext. Price
		<b>OSCR360 Rain Kit</b>		
1	<b>OSCR-TV-RT</b>	OSCR Custom Configured 360 Degree Spherical Camera with water resistant rain tube. Includes Micro USB Cable	\$495.00	<b>\$495.00</b>
		<b>SUBTOTAL</b>		<b>\$15,865.00</b>

**Dave Wakefield**

Page 2 of 2

PRICES SUBJECT TO CHANGE - PRICES BASED UPON TOTAL PURCHASE - ALL DELIVERY, TRAINING OR CONSULTING SERVICES TO BE BILLED AT PUBLISHED RATES - ALL HARDWARE PROPOSED ABOVE IS COVERED BY THE MANUFACTURERS WARRANTY, COVERING PARTS AND LABOR FOR HARDWARE ONLY ON A DEPOT BASIS. WE SHALL NOT BE LIABLE FOR ANY LOSS OF PROFITS, BUSINESS, GOODWILL, DATA, INTERRUPTION OF BUSINESS, NOR FOR INCIDENTAL OR CONSEQUENTIAL MERCHANTABILITY OR FITNESS OF PURPOSE, DAMAGES RELATED TO THIS AGREEMENT. RETURNS WILL NOT BE ACCEPTED WITHOUT AN RMA NUMBER, STANDARD PARTS ARE SUBJECT TO A MINIMUM 15% RESTOCKING FEE WITH ORIGINAL PACKAGING. RMA'S FOR NON DEFECTIVE MATERIALS WILL ONLY BE ISSUED WITHIN 21 DAYS OF SHIPMENT. RETURNS OF CUSTOM CONFIGURATIONS OR PARTS MAYBE SUBJECT TO MANUFACTURERS RESTRICTIONS. QUOTATION DOES NOT INCLUDE SHIPPING, OR ANY SALES TAXES OR DUTIES. CREDIT TERMS ARE SUBJECT TO APPROVAL BY THE FINANCE DEPARTMENT.



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<http://www.L-Tron.com>  
[info@L-Tron.com](mailto:info@L-Tron.com)

**The following features have been identified as unique to the OSC360 solution:**

- OSC360 captures a spherical photo. Not a panorama, nothing is missing in the photo. Other companies place a graphic over the tripod or at the base of the photo.
- OSC360 creates spherical images with immediate stitching. Other solutions require time consuming post-capture stitching.
- OSC360 is installed locally on your machine integrating easily and securely with each department's IT infrastructure. Unlike other systems, there is no reliance on the cloud.
- OSC360 attaches GPS coordinates and cardinal direction to every 360° spherical photo taken. This sensor tube with GPS, and compass sensors is proprietary, designed & developed in house by our engineers. ***These features are covered by the patent as mentioned in our sole source letter.***
- Ease and speed of use – Each photo takes 4-10 seconds to capture the image, GPS coordinates, and cardinal direction, transmit the data, and stitch the photo automatically. Many other companies take much longer. This data capture process is completely controlled by the OSC360 tablet software.
- OSC360 captures spherical photos while remaining stationary. There is nothing mechanical or rotating about the capture system. Other systems require constant leveling, movement, and time-consuming rotations to document the area.
- OSC360 creates small file sizes for easy distribution & exchange between offices. Other companies' systems create large outputs which not only take a lot of computing power and storage to run, but make it hard to easily transfer files between departments/parties.
- No measurements or need for point cloud lasers.
- All hardware and software are configured by L-TRON.
- OSC360 proprietary desktop software is designed & developed by L-TRON engineers. Some features listed below allow you to:
  - Quickly and Easily embed any digital media file into the project to use the software as a container for all digital evidentiary files (pdfs, jpgs, audio files, video files, etc.) for later access
  - View Google street and satellite maps with the additional benefit of easily adding in blueprints, sketches, diagrams, etc.
  - Quickly Point out areas of interest within a photo by use of hotspots.
  - Easily navigate through a scene/building via simple navigation arrows.
  - Effortlessly build and present a case to a jury/coworker/specialist/etc. with a true and accurate depiction appealing to the layperson.
- OSC360 proprietary tablet software is designed and developed by L-TRON engineers. Some unique features are listed here:
  - The OSC360 tablet software uses the serial number of the camera, along with commands unique to the camera to specifically initiate the capture of a spherical photo. After the user takes a photo, the photo is then downloaded to the tablet and associated software and deleted from the camera, protecting the chain of custody.
  - Furthermore, the OSC360 tablet utilizes a Bluetooth signal in connecting to L-TRON's proprietary sensor tube in order to capture the system's GPS



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coordinates and cardinal direction. In the tablet software, this information is then tied to the photo captured utilizing the camera.

- Using the tablet software, the user can instantaneously view the photograph that was previously captured.

- So simple to use, no training is required to operate the system and software.
- **\*\*\*NOTE:** The OSC360 data capture kit is offered as a complete system unable to be separated and broken down into its individual components, with the exception of replacements. The tablet software is not sold independently from the hardware. **\*\*\***





# City of Hyattsville

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

## Agenda Item Report

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**File #:** HCC-139-FY24

11/20/2023

10.d.

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Submitted by: Allison Weikel  
Submitting Department: Police Department  
Agenda Section: Consent

**Item Title:**  
**Procurement of Cellebrite**

**Suggested Action:**  
I move that Mayor and Council authorize the purchase of Cellebrite not to exceed the amount of \$15,745.00.

**Summary Background:**  
Cellebrite is an investigative tool that will assist Hyattsville Police officers in extracting digital evidence from iOS and Android devices during criminal investigations. The funding for this purchase comes from the BJA FY22 Byrne Discretionary Community Funding Grant which awarded the City \$100,000. The grant was accepted by the City Council on November 6, 2023.

**Next Steps:**  
Issue purchase order

**Fiscal Impact:**  
Not to exceed \$15,745.00 from grant funds

**City Administrator Comments:**  
Recommends approval.

**Community Engagement:**  
N/A

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

**Legal Review Required?**  
N/A

# City of Hyattsville Police Department

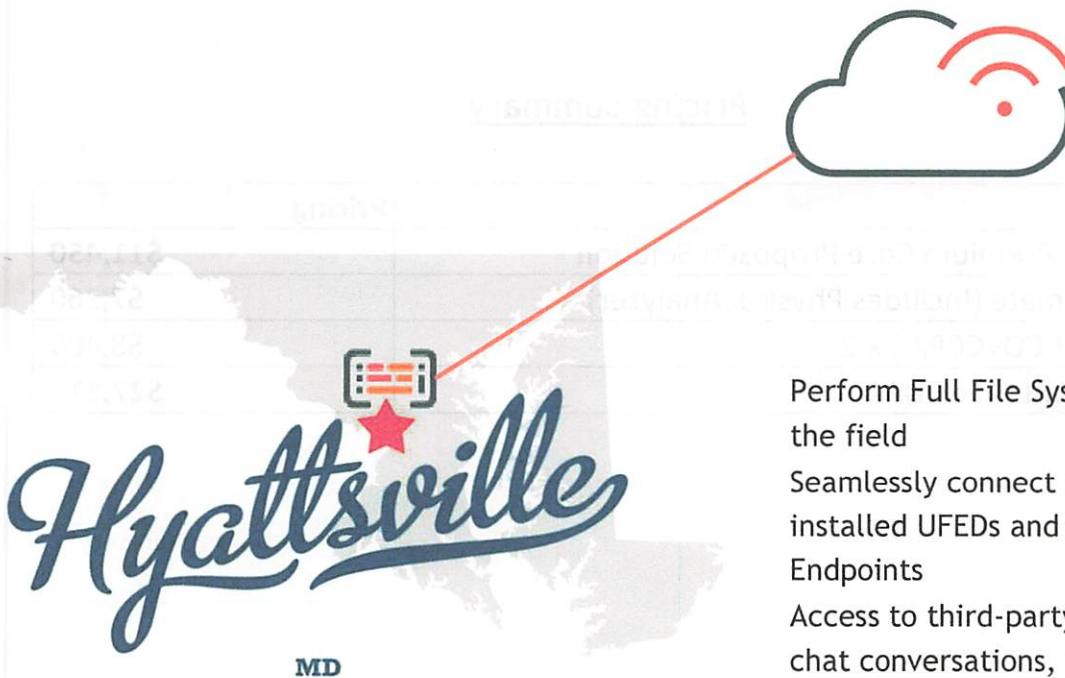
## Digital Forensics Proposal



The City of Hyattsville Police Department is experiencing an increased amount of digital evidence during investigations and currently does not have the tools to unlock, extract, nor analyze these devices. Without the proper extraction tools, Hyattsville PD is either turning away evidence or asking other agencies for assistance. Because of this, Hyattsville PD is missing out on improving case closure, conviction rate, and public trust until an at-home solution is put in place.

### How Cellebrite Can Help

Cellebrite Premium allows agencies to lawfully unlock, decrypt, and extract critical digital evidence from the widest range of iOS and Android devices. By using Cellebrite UFED as the endpoint, Hyattsville PD investigators can unlock mobile devices without having to be in the lab. To collect the most evidence possible, users will be able to unlock phones via Supersonic Brute Force, as well as in AFU and BFU status. This means Hyattsville PD does not need to waste valuable time or risk devices being remotely wiped while transporting them back to the lab.



Perform Full File System Extractions in the field  
Seamlessly connect and manage your installed UFEDs and add new Premium Endpoints  
Access to third-party application data, chat conversations, downloaded emails and email attachments, and deleted content

Max Horner  
Cellebrite Account Executive - Northeast State & Local  
Maxwell.horner@Cellebrite.com



### City of Hyattsville PD Proposed Solution

Solution	Description
<b>Premium as a Service Core</b>	35 Mobile Device Unlocks. Unlimited Extractions as well as Secure Folder and Full File System.
<b>UFED Ultimate</b>	Hyattsville PD will use one endpoint to connect to Premium to unlock devices in the field. Also includes Physical Analyzer, which allows investigators to pool all digital evidence into one review dashboard.
<b>Training</b>	2 x CCO + CCPA (Cellebrite Certified Operator + Physical Analyst)

### Pricing Summary

Item	Pricing
Cellebrite Premium Core Proposed Solution	<b>\$11,450</b>
UFED Ultimate (Includes Physical Analyzer)	\$7,260
Training (CCO+CCPA ) x 2	\$8,400
City of Hyattsville PD	<b>\$27,110</b>

Max Horner  
 Cellebrite Account Executive - Northeast State & Local  
 Maxwell.horner@Cellebrite.com



Cellebrite Inc.  
8065 Leesburg Pike,  
Suite T3-302  
Vienna, VA 22182  
USA

Tel. +1 800 942 3415  
Fax. +1 201 848 9982  
Tax ID#: 22-3770059  
DUNS: 033095568  
CAGE: 4C9Q7  
Company Website:  
<http://www.cellebrite.com>



**Cellebrite**

Digital intelligence  
for a safer world

## Quote

Quote#  
Date:

Q-332186-1  
Aug 08, 2023

### Billing Information

Hyattsville City Police  
Department  
4310 Gallatin Street  
Hyattsville, Maryland 20781  
United States  
**Contact:** Jonathan Monge  
**Phone:** 301-985-5060

### Delivery Information

Jonathan Monge  
4310 Gallatin Street  
Hyattsville, MD 20781  
United States

**Contact:** Jonathan Monge  
**Phone:** 301-985-5060

**End Customer:** Hyattsville City Police Department

Customer ID	Good Through	Payment Terms	Currency	Sales Rep
SF-00199624	Aug 31, 2023	Net 30	USD	Maxwell Horner

Product Code	Product Name	Qty	Start Date	End Date	Serial Number	Net Price/Unit	Net Price
B-UFD-10-001	UFED 4PC Ultimate Subscription	1	Aug 08, 2023	Aug 07, 2024		6,450.00	6,450.00
F-KAS-00-001	UFED Dongle Kit	1				80.00	80.00
F-UFD-05-003	UFED 4PC HW Kit	1				730.00	730.00
B-TRN-02-033	ILT CCO + CCPA - Cellebrite Certified Operator + Physical Analyst	2				0.00	0.00
U-TRN-02-030	ILT CCO - Cellebrite Certified Operator	2				1,700.00	3,400.00
U-TRN-02-006	ILT CCPA - Cellebrite Certified Physical Analyst	2				2,500.00	5,000.00

SubTotal	USD 15,660.00
Shipping & Handling	USD 85.00
Sales Tax	USD 0.00
Total	USD 15,745.00

Comments:

**Terms and Conditions:**

- This Quote/Proforma Invoice/Tax Invoice, together with the terms and conditions and license agreement listed below that are incorporated by reference to this Quote/Proforma Invoice (together, the "Agreement"), constitute an offer by Cellebrite. By signing this the Quote/Proforma Invoice, issuing a purchase order (or other ordering document) in connection with this the Quote/Proforma Invoice, or downloading and/or using the products identified in this the Quote/Proforma Invoice/Tax Invoice, the customer agrees to be bound by the terms of this Agreement. Any additional or different terms or conditions contained in any customer document, purchase order or other ordering document will not be binding upon Cellebrite unless expressly accepted in a document signed by a Cellebrite authorized signatory.

- Quote is subject to regulatory approval.

- **Freight Terms:** FCA (NJ)

- **Limited Warranty:** Hardware: 12 Months; Software: 60 days; Touch Screen: 30 days

- **General:** The following terms shall apply to any product at <http://legal.cellebrite.com/us/index.html>

- **EULA:** All Cellebrite Software is licensed subject to the end user license agreement available at <https://legal.cellebrite.com/End-User-License-Agreement.html>

- **Advanced Services (CAS):** The following terms apply to Cellebrite Advanced Services at <https://legal.cellebrite.com/CB-us-us/index.html>

- **Premium:** The following terms shall apply only to Cellebrite Premium at <http://legal.cellebrite.com/intl/PremiumUS.htm>

- **Pathfinder:** The following terms apply to Cellebrite Pathfinder at <https://legal.cellebrite.com/PF-Addendum.htm>

- **Training Services:** The following terms apply to Cellebrite Training Services at <http://legal.cellebrite.com/intl/Training.htm>

- **SaaS:** <https://legal.cellebrite.com/SaaS.htm>

In the event of any dispute as to which terms apply, Cellebrite shall have the right to reasonably determine which terms apply to a given purchase order.

\*SALES TAX DISCLAIMER: Cellebrite Inc. is required to collect Sales and Use Tax for purchases made from the following certain U.S. States. Orders are accepted with the understanding that such taxes and charges shall be added, as required by law. Where applicable, Cellebrite Inc. will charge sales tax unless you have a valid sales tax exemption certificate on file with Cellebrite Inc. Cellebrite Inc. will not refund tax amounts collected in the event a valid sales tax certificate is not provided. If you are exempt from sales tax, you must provide us with your sales tax exempt number and fax a copy of your sales tax exempt certificate to Cellebrite Inc.

Please include the following information on your PO for Cellebrite UFED purchase:

- Please include the ORIGINAL QUOTE NUMBER (For example - Q-XXXXX) on your PO

- CONTACT NAME & NUMBER of individual purchasing and bill to address

- E-MAIL ADDRESS of END USER for monthly software update as this is critical for future functionality

I, the undersigned, hereby confirm that I am authorized to sign this Quote/Proforma Invoice on behalf of the customer identified above, and I hereby approve that my signature is legally binding upon the customer identified above.

Customer Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Name (Print): \_\_\_\_\_

Title: \_\_\_\_\_

Please sign and email to Maxwell Horner at [maxwell.horner@cellebrite.com](mailto:maxwell.horner@cellebrite.com)





# City of Hyattsville

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

## Agenda Item Report

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**File #:** HCC-140-FY24

11/20/2023

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Submitted by: Allison Weikel  
Submitting Department: Police Department  
Agenda Section: Consent

**Item Title:**  
**HPD Contract with Community Advocates for Family and Youth (CAFY)**

**Suggested Action:**  
I move that the Mayor and Council authorize the City Administrator to enter into a contract with Community Advocates for Family and Youth (CAFY), upon the review and approval by the City Attorney for legal sufficiency.

**Summary Background:**  
CAFY is a non-profit organization that provides victim services, free of charge. Currently, CAFY provides services to Prince George's, Laurel, Greenbelt and Bowie Police Departments.

**Next Steps:**  
Execute contract.

**Fiscal Impact:**  
None

**City Administrator Comments:**  
Recommends approval.

**Community Engagement:**  
N/A

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

**Legal Review Required?**  
Pending



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## Agenda Item Report

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**File #:** HCC-141-FY24

11/20/2023

10.f.

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

**Item Title:**

**Installation of Pedestrian Safety Improvements on Nicholson Street**

**Suggested Action:**

I move that the Mayor and Council authorize an expenditure not to exceed \$110,000 to NZI Construction for the construction and installation of pedestrian safety improvements on Nicholson Street from Ager Road to 31<sup>st</sup> Avenue, under their existing contract with the City. This project will be funded with CIP funds as approved in the FY24 budget.

**Summary Background:**

Over the course of CY 2023 Toole Design Group worked on developing a concept design for pedestrian and traffic safety improvements on Nicholson St from Ager Road to 31<sup>st</sup> Ave. There were several virtual and in-person opportunities for the community to provide feedback during the process. The Council just approved a master contract with NZI Construction at the Nov 6<sup>th</sup>, 2023 meeting and this motion authorizes the funding for this particular project. The requested expenditure includes a contingency and an allowance for street art installation which will be completed after the installation is complete.

**Next Steps:**

Issue Purchase Order and Schedule Installation

**Fiscal Impact:**

NTE \$110,000

**City Administrator Comments:**

Recommends approval.

**Community Engagement:**

Several Community Engagement opportunities were made available both virtually and in person for the community to provide feedback during the concept development process.

**Strategic Goals:**

Goal 3 - Promote a Safe and Vibrant Community

**Legal Review Required?**

N/A

**NZI CONSTRUCTION CORP.**

11601 Spruce Avenue  
 Beltsville, MD 20705  
 (301) 937-8990  
 (301) 937-2514 Fax

**Proposal**

DATE	OUR JOB No.
11/13/2023	23-11
SHIP TO:	
Nicholson St Ager Rd to 31st Ave	

**To:** City of Hyattsville  
 4310 Gallatin Street  
 Hyattsville MD 20781

We hereby propose to furnish, in accordance with specifications below or on,  
 attached pages, all labor and material necessary to complete the following:

Qty	Description	Unit	Total
<b><u>Heurich Park at Nicholson St</u></b>			
100.00 lf	Blackout existing lines	\$1.00	\$ 100.00
76.00 lf	Curb and Gutter	\$32.55	\$ 2,473.80
220.00 sf	Handicap Ramps	\$15.19	\$ 3,341.80
100.00 lf	5" White Edge	\$1.00	\$ 100.00
70.00 lf	24" Crosswalk	\$2.50	\$ 175.00
14.00 ea	Furnish and Install Channelization Bollards	\$107.00	\$ 1,498.00
8.00 lf	Furnish and Install Design line curb rail	\$194.20	\$ 1,553.59
<b>Total Heurich Park at Nicholson St</b>			<b>\$ 9,242.19</b>
<b><u>30th Ave at Nicholson St</u></b>			
150.00 lf	Blackout existing lines	\$1.00	\$ 150.00
100.00 lf	Sawcut	\$4.50	\$ 450.00
100.00 lf	Curb and Gutter	\$32.55	\$ 3,255.00
298.00 sf	Handicap Ramps	\$15.19	\$ 4,526.62
20.00 cy	Excavation	\$150.00	\$ 3,000.00
100.00 lf	5" White Edge	\$1.00	\$ 100.00
3.00 lf	24" Crosswalk	\$2.50	\$ 7.50
11.00 lf	24" Stop Bars	\$2.50	\$ 27.50
14.00 ea	Furnish and Install Channelization Bollards	\$107.00	\$ 1,498.00
1.00 ea	Stop sign with square post and separate base	\$480.00	\$ 480.00
2.00 ea	Parking Restriction Sign with square post & separate base	\$390.00	\$ 780.00
8.00 lf	Furnish and Install Design line curb rail	\$194.20	\$ 1,553.60
<b>Total 30th Ave at Nicholson</b>			<b>\$ 15,828.22</b>
<b><u>31st Ave at Nicholson St</u></b>			
410.00 lf	Blackout existing lines	\$1.00	\$ 410.00
95.00 lf	Curb and Gutter	\$32.55	\$ 3,092.25
475.00 sf	Handicap Ramps	\$15.19	\$ 7,215.25
540.00 lf	5" White Edge	\$1.00	\$ 540.00

[illegible]



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## Agenda Item Report

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**File #:** HCC-146-FY24

11/20/2023

11.a.

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Submitted by: Laura Reams  
Submitting Department: City Clerk  
Agenda Section: Action

**Item Title:**

**Adoption of FY24 Legislative Agenda**

**Suggested Action:**

I move that the Mayor and Council adopt the following legislative and bond bill priorities to be presented at a Joint District 22 Legislative Dinner on November 28, 2023.

**Legislative Priorities:**

- Affordable Housing
- Environmental Sustainability
- Grants/Programs for Recruitment & Retention of Police Officers
- Infrastructure & State Rd Improvements
- Juvenile Justice Reform
- Mental Health & Addiction Support
- Regional Economic Development & Growth

**Bond Bill Priorities:**

Communications & Technology for Public Safety Headquarters: Funding Request - \$2.0M

Stormwater Mitigation & Repairs at City Municipal Building: Funding Request - \$550K

Environmental Depot: Funding Request - \$650K

**Summary Background:**

The District 22 municipalities will host the first ever joint legislative dinner on November 28th, at 5:30 pm to discuss their legislative priorities.

Below is the list of our legislative priorities and bond bill priorities that Mayor Croslin will brief. This list is based on the recent work of the City Council.

**Proposed Legislative Priorities:** These items will be presented as joint priorities for all District 22 municipalities. They are listed in alphabetical order.

- Affordable Housing includes consideration of bills for stabilizing rent, live where work and tax incentives, and development standards.
- Environmental Sustainability (Clean water, stormwater, climate change, CPTED)
- Grants/Programs for Recruitment & Retention of Police Officers
- Infrastructure & state roadway improvements (East West Hwy/MD 410; MD 208/Hamilton St)
- Juvenile Justice Reform - greater investment in juvenile diversion programs.
- Mental Health & Addiction Support (stabilization center, education funding set asides)
- Regional Economic Development & Growth (Attracting Businesses)



**Proposed Bond Bill Priorities:**

- **Communications & Technology for Public Safety Headquarters:** The new \$19M Hyattsville Police and Public Safety Headquarters is expected to be completed next year. The facility will include a sally port, holding cells, a state-of-the-art training and wellness center, Communications Center (CC) and an Emergency Operations Center (EOC). The City budgeted \$500K for the CC and EOC upgrades, however, due to inflation, supply and material costs the new estimate is approximately \$2M. The costs includes hardware and software computers, consoles, telephone and radio systems, antennas, building wiring and labor. An upgraded and compatible communications operation is essential to public safety and interoperability with the County and surrounding municipalities.
  - Funding Request: \$2.0M
- **Stormwater Mitigation & Repairs at City Municipal Building:** The municipal building façade has significant flood and storm water infiltration of groundwater into the first floor of the building and the elevator shaft. The flooding is causing significant damage to the building façade and will continue causing deterioration to the first floor. Once the police relocate, the staff which has increased to support our growing population will need to expand and use additional areas of the municipal building.
  - Funding Request: \$550K
- **Environmental Depot:** The City is working on the development of an environmental depot, which will provide regional support to residents in surrounding municipalities allowing them to divert waste from the landfill. The environmental depot will be a resource to collect and store items such as mattresses, styrofoam/packing materials, and other items that can be recycled or repurposed but frequently end up in a landfill due to a lack of disposal options. The model depot will allow other municipalities to educate and participate in waste diversion programs.
  - Funding Request \$650K

**Bond Bill Background:** Funds can be used for capital projects (land/structures). The amount and type of projects funded by the General Assembly is limited - In some years, the amount requested exceeded 10 times the available resources. Thus, eligibility is heavily scrutinized to ensure that funds will be expended for projects that have a useful life of 15 years.

**Next Steps:**

Adoption of legislative agenda and presentation of the agenda at the joint legislative dinner meeting.

**Fiscal Impact:**

N/A

**City Administrator Comments:**

Recommend support.

**Community Engagement:**

N/A

**Strategic Goals:**

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

**Legal Review Required?**

N/A



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## Agenda Item Report

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**File #:** HCC-144-FY24

11/20/2023

12.a.

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Submitted by: Patrick Paschall  
Submitting Department: Finance  
Agenda Section: Discussion

**Item Title:**  
**ARPA Spending Plan Discussion**

**Suggested Action:**  
For discussion.

**Summary Background:**  
Staff will provide a brief update on ARPA spending projections and new spending proposals.

**Next Steps:**  
Motions to come at future Council Meetings.

**Fiscal Impact:**  
N/a

**City Administrator Comments:**  
For discussion.

**Community Engagement:**  
There have been several public discussions and community meetings regarding ARPA priorities.

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

**Legal Review Required?**  
N/A

Category Restricted Proposals				
Title of Project Proposal	Description of Project/Summary Background	Expense Category	Fiscal Impact: Now- Dec 31, 2024	Department Comments
<b>SMBE Certification Support</b>	The purpose of this one-time program is for eligible small business owners to overcome barriers to participation in Minority Business Enterprise (MBE) or Disadvantaged Business Enterprise (DBE) certification with the Maryland Department of Transportation (MDDOT) by receiving support in navigating the 60–90-day free certification application process. These certifications widen access to State, Federal, and County contracts and small business grant opportunities for businesses registered with Prince George’s County.	2.3	\$15,000	The program should include a series of informational sessions to assist with the process for MBE and DBE business certification for a cohort of up to 10 local small business owners. These informational sessions will help small business owners not only achieve MBE/DBE certification but also maximize the benefits of certification and identify resources and paths toward pursuing county state and federal procurement and grant opportunities through a structured learning cohort program.
<b>2024 Rain Garden/Bio Retention Restoration Projects</b>	Residents approached staff and Council Members with a request for stormwater management projects throughout the City to reduce residential flooding from overburdened stormwater management systems. This is a proposal to install rain gardens and bio retention installations at 17 locations throughout the City.	5.18	\$132,066	Locations include Melrose Park Trail, Crittenden cul de sac, 40th Pl./Crittenden, 40th Pl/Banner, Carrolton Terrace, Dietz Park, DPW, Driskell Park, Mary Hurst, Trolley Trail/Franklins, Nicholson St, Rosemary Lane, Hitching Post Lane.
<b>Oliver alley</b>	Residents approached staff and Council Members with a request for stormwater management projects throughout the City to reduce residential flooding from overburdened stormwater management systems. The Oliver Alley project consists of design and construction for two alleys on Oliver street.	5.18	\$576,000	During the pandemic Staff developed a concept for a 2 block green alley project. The estimate for completing the design and construction was \$504k. A different block of Oliver Alley has recently been experiencing some significant flooding of neighboring properties. The cost of this construction would be \$20k. Combined plus adding in a 10% contingency the Oliver Alley projects would cost approximately \$576k.
	<b>Total</b>		<b>\$723,066</b>	



# CITY OF HYATTSVILLE

American Rescue Plan Spending Plan Discussion

November 2023



# News Treasury Interim Final Rule: Obligations

- Administrative/Audit expenses can be obligated beyond December 31, 2024, and are category restricted Administrative Expenses
  - Updated projections include ARPA Finance staff through December 2026
  - All other obligations may NOT be amended except under extremely limited circumstances (e.g. company goes out of business).
- Recipients are prohibited from reprogramming or making any changes to spending plans for ARPA dollars after 12/31/24.
- Any unused funds will be returned to Treasury.





Available to Spend: \$2,849,039.63

Revenue Replacement (flexible):

Revenue Replacement Limit: \$10,000,000.00

Current Projected Expense Total: -\$7,882,247.30

Available Revenue Replacement: \$2,117,752.70

Non-Revenue Replacement (Restricted):

Available to Spend: \$ 2,849,039.63

Revenue Replacement: -\$2,117,752.70

Minimum to Spend Restricted: \$731,286.93



# Discussion

Category Restricted						
Title of Project Proposal	Department	Expense Category	Budgeted Cost	Projected Cost Updated November 2023	Return for Reprogramming (Budget minus Projection)	Status
Vaccine Incentive Program - City Employees	HR	1.1	\$74,435.06	\$74,435.06	\$0.00	Complete
E-bikes for Police Department	Police	1.11	\$60,000.00	\$59,111.00	\$889.00	Complete
Moblle Police Support Trailers	Police	1.11	\$158,909.14	\$158,909.14	\$0.00	Complete
VR Training Technology - PD	Police	1.11	\$110,000.00	\$0.00	\$110,000.00	Paid for with grant funding
PD Recruitment Advertising	Police	1.11	\$15,000.00	\$15,000.00	\$0.00	Partially complete
Mental Health Coordinator for Teen Center	Community Services/HR	1.12	\$100,000.00	\$100,000.00	\$0.00	Drafting RFPs
COVID-19 Tests	Finance	1.2	\$125,000.00	\$133,000.00	-\$8,000.00	Ordering more test kits
Computers for Hybrid Meetrings	IT	1.4	\$34,520.39	\$34,520.39	\$0.00	Complete
Food Assistance Program	Finance	2.1	\$85,000.00	\$80,920.00	\$4,080.00	Complete pending final reporting
Case Manager - Individual relief	Community Services	2.19	\$120,000.00	\$120,000.00	\$0.00	Position posted, Interview Process Ongoing
Small Business Emergency Relief Program	CED	2.29	\$1,185,400.00	\$1,004,400.00	\$181,000.00	Complete
Household Emergency Relief Program	Finance	2.3	\$2,700,000.00	\$2,600,000.00	\$100,000.00	Final Rejections and Reporting
Non-Profit Emergency Relief Program	Finance	2.34	\$203,500.00	\$203,500.00	\$0.00	Final Program Closeout/Reporting
Publish a Small Business Directory Online	CED	2.37	\$80,000.00	\$80,000.00	\$0.00	Not Started
Retention Bonsues - Police Sworn	Police	3.1	\$268,000.00	\$268,000.00	\$0.00	Complete
GARE Unhoused Population Survey	Equity Officer/CED	3.4	\$0.00	\$15,000.00	-\$15,000.00	Contract Issued
Premium Pay - Lower Paid Employees	HR	4.1	\$210,279.87	\$210,279.87	\$0.00	Complete
IT Cabling at 4310 Gallatin St.	IT	5.21	\$205,000.00	\$195,292.62	\$9,707.38	Complete
Hyattsville Tree Canopy Restoration Budget Request	DPW	5.6	\$331,000.00	\$331,000.00	\$0.00	20% Complete - currently planting trees
Street Sweeper	DPW	5.6	\$300,000.00	\$287,455.00	12545	Complete
ARPA Compliance Consultant	Finance	7.1	\$172,800.00	\$172,800.00	\$0.00	Ongoing/In Progress
ARPA Project Management	Finance	7.1	\$575,000.00	\$988,000.00	-\$413,000.00	Ongoing/In Progress
Emergency Relief Outreach	Finance	7.1	\$100,000.00	\$105,000.00	-\$5,000.00	Purchases Complete, Implementation In Progress
Total Projected Expense - All Projects			\$7,213,844.46	\$7,236,623.08	-\$22,778.62	
Remaining for Spending Plan				\$731,286.93		

## Revenue Replacement ARPA Spending Plans

Title of Project Proposal	Department	Expense Category	Budgeted Cost	Projected Cost Updated November 2023	Return for Reprogramming	Status
Scholarship for City Camps	Community Services	6.1	\$34,000.00	\$34,000.00	\$0.00	Applications Opening in January 2024
Trash Truck Purchase	DPW	6.1	\$144,000.00	\$143,388.30	\$611.70	Complete
Staff Salary Adjustments	HR	6.1	\$759,000.00	\$759,000.00	\$0.00	Complete
Ager Rd/Queens Chapel Alley Pedestrian Safety Improvements	DPW	6.1	\$1,500,000.00	\$538,000.00	\$962,000.00	Concept Design has Begun
The Spot Placemaking Project	CED	6.1	\$250,000.00	\$250,000.00	\$0.00	Concept plan is complete and moving into Design
Hyattsville Crossing BID	CED	6.1	\$150,000.00	\$150,000.00	\$0.00	Contract issued, Consulntant is working on BID application
Beautify Alternate Route 1	DPW	6.1	\$200,000.00	\$120,000.00	\$80,000.00	Emerson Food Forest Sign Purchased
DPW Deputy Director	DPW	6.1	\$230,000.00	\$230,000.00	\$0.00	Employee Hired
Housing Manager	CED	6.1	\$135,000.00	\$135,000.00	\$0.00	Not Started
IT Infrastructure Investment	IT	6.1	\$150,000.00	\$150,000.00	\$0.00	Not Started
Treasurer Summer Emergency Flex Fund	Finance	6.10	\$200,000.00	\$0.00	\$200,000.00	Not Started/Return for Reporgraming
Equipment - Police Vehicles	Police	6.1	\$518,759.00	\$518,759.00	\$0.00	Ordered, 9 have arrived, awaiting delvierv of 3
Solar Community Message Boards	Communications and Legislative Services	6.1	\$71,500.00	\$86,100.00	-\$14,600.00	Ordered, awaiting delivery
Expand Electronic Sign System	Communications and Legislative Services	6.1	\$120,000.00	\$118,000.00	\$2,000.00	Ordered, awaiting delivery
Electric Trash Truck	DPW	6.1	\$680,000.00	\$670,000.00	\$10,000.00	Ordered, awaiting delivery
Portland Loo Installation	DPW	6.1	\$200,000.00	\$256,000.00	-\$56,000.00	Permits Requested
Grant Writer	Finance	6.1	\$120,000.00	\$120,000.00	\$0.00	Position Posted.
IT Manager	IT	6.1	\$150,000.00	\$150,000.00	\$0.00	Position Posted.
Updates to City Building Restrooms	DPW	6.1	\$280,000.00	\$280,000.00	\$0.00	Project has Started - Currentlty In Progress
Roof Repair, Teen Center	DPW	6.1	\$450,000.00	\$454,000.00	-\$4,000.00	Project has Started - Currently in progress
SMART Waste Management Study	DPW	6.1	\$60,000.00	\$60,000.00	\$0.00	RFP has been drafted
Driskell Park Community Building Renovation	DPW	6.1	\$500,000.00	\$500,000.00	\$0.00	Security Cameras Purchased



Public Restroom and Shower Facilities in City-Owned Parks	DPW	6.1	\$850,000.00	\$300,000.00	\$550,000.00	Thrones Purchased for 2023-2024
Council Chambers Upgrades	DPW/ Communications and Legislative	6.1	\$120,000.00	\$175,000.00	-\$55,000.00	Video/IT Equipment Purchased
Municipal Building Renovations	DPW	6.1	\$800,000.00	\$800,000.00	\$0.00	Windows/Joint Work Complete
Public Wi-fi Study	DPW	6.1	\$60,000.00	\$60,000.00	\$0.00	Working on a pilot project to supply public wifi
Environmental Depot	DPW	6.1	\$600,000.00	\$600,000.00	\$0.00	Working with commercial real estate agent for property
Circulator Study Update	DPW	6.1	\$25,000.00	\$25,000.00	\$0.00	Working with Toole Design to update the recommendations
City Facilities Security Upgrades	DPW	6.10	\$200,000.00	\$200,000.00	\$0.00	Not Started
Total Projected Expense - All Projects			\$9,557,259.00	\$7,882,247.30	\$1,675,011.70	
			Revenue Replacement Remaining		\$2,117,752.70	

ARPA Spending Plans - All Projects						
Title of Project Proposal	Department	Expense Category	Budgeted Cost	Projected Cost Updated November 2023	Return for Reprogramming (Budget minus Projection)	Status
Vaccine Incentive Program - City Employees	HR	1.1	\$74,435.06	\$74,435.06	\$0.00	Complete
E-bikes for Police Department	Police	1.11	\$60,000.00	\$59,111.00	\$889.00	Complete
Moblie Police Support Trailers	Police	1.11	\$158,909.14	\$158,909.14	\$0.00	Complete
VR Training Technology - PD	Police	1.11	\$110,000.00	\$0.00	\$110,000.00	Paid for with grant funding
PD Recruitment Advertising	Police	1.11	\$15,000.00	\$15,000.00	\$0.00	Partially complete
Mental Health Coordinator for Teen Center	Community Services/HR	1.12	\$100,000.00	\$100,000.00	\$0.00	Drafting RFPs
COVID-19 Tests	Finance	1.2	\$125,000.00	\$133,000.00	-\$8,000.00	Ordering more test kits
Computers for Hybrid Meettrings	IT	1.4	\$34,520.39	\$34,520.39	\$0.00	Complete
Food Assistance Program	Finance	2.1	\$85,000.00	\$80,920.00	\$4,080.00	Complete pending final reporting
Case Manager - Individual relief	Community Services	2.19	\$120,000.00	\$120,000.00	\$0.00	Position posted, Interview Process Ongoing
Small Business Emergency Relief Program	CED	2.29	\$1,185,400.00	\$1,004,400.00	\$181,000.00	Complete
Household Emergency Relief Program	Finance	2.3	\$2,700,000.00	\$2,600,000.00	\$100,000.00	Final Rejections and Reporting
Non-Profit Emergency Relief Program	Finance	2.34	\$203,500.00	\$203,500.00	\$0.00	Final Program Closeout/Reporting
Publish a Small Business Directory Online	CED	2.37	\$80,000.00	\$80,000.00	\$0.00	Not Started
Retention Bonsues - Police Sworn	Police	3.1	\$268,000.00	\$268,000.00	\$0.00	Complete
GARE Unhoused Population Survey	Equity Officer/CED	3.4	\$0.00	\$15,000.00	-\$15,000.00	Contract Issued
Premium Pay - Lower Paid Employees	HR	4.1	\$210,279.87	\$210,279.87	\$0.00	Complete
IT Cabling at 4310 Gallatin St.	IT	5.21	\$205,000.00	\$195,292.62	\$9,707.38	Complete
Hyattsville Tree Canopy Restoration Budget Request	DPW	5.6	\$331,000.00	\$331,000.00	\$0.00	20% Complete - currently planting trees
Street Sweeper	DPW	5.6	\$300,000.00	\$287,455.00	12545	Complete

ARPA Compliance Consultant	Finance	7.1	\$172,800.00	\$172,800.00	\$0.00	Ongoing/In Progress
ARPA Project Management	Finance	7.1	\$575,000.00	\$988,000.00	-\$413,000.00	Ongoing/In Progress
Emergency Relief Outreach	Finance	7.1	\$100,000.00	\$105,000.00	-\$5,000.00	Purchases Complete, Implementation In Progress
Total Projected Expense - All			\$16,771,103.46	\$15,118,870.38	\$1,652,233.08	
Total Award			\$17,968,002.00	\$17,967,910.01		
Total Unplanned - Spending Plan			\$1,196,898.54	\$2,849,039.63		

Revenue Replacement Proposals				
Title of Project Proposal	Description of Project/Summary Background	Expense Category	Fiscal Impact: Now- Dec 31, 2024	Department Comments
<b>HVFD EMS Purchase</b>	HVFD currently owns two ambulances. They are workhorses of our fleet responding to thousands of 911 calls each year for citizens experiencing medical or trauma emergencies. Unfortunately our 2016 ambulance is rapidly approaching the end of its useful life. These ARPA funds would directly cover the cost of a new wheeled coach ambulance to replace an aging ambulance currently in use. These funds are critical to ensure Hyattsville residents are safe in emergency situations that HVFD has the equipment needed to maintain the safety of residents and its employees/volunteers.	6.1	\$390,000	Note from Chief Pidgeon: Quote from Atlantic Emergency Solutions for a 2023 Ford F550 Wheeled Coach ambulance is \$392,171. HVFD chose this particular ambulance because it's the most cost-effective option as it's nearly identical to the ambulances purchased by Prince Georges County which allowed us to save on design costs and leverage the existing relationship with Atlantic Emergency Solutions. This ambulance also incorporates the latest design updates to improve crew and patient safety in the event of another global pandemic. Delivery time is 18-24 months.
<b>Playground Equipment for Dietz and Burlington Parks</b>	Dietz and Burlington Parks are both small neighborhood parks. Dietz Park was last redesigned in 2015, but residents have requested the addition of a slide (it is the only park in Hyattsville without one). The equipment at Burlington Park is older and due for an update. Outdoor play areas are important for the physical and mental health of children. Promoting healthy child environments is part of ARPA expenditure category of services to disproportionately impacted communities.	6.1	\$250,000	Significant time and effort by staff will be required to complete these projects. Dietz Park is being put on hold at this time due to limited space and community engagement.  Burlington Parks: DPW is estimating the cost for renovating the park to be approximately \$180,647.50, which incorporates a 10% contingency cost. The necessity for renovation arises from the deteriorating condition of the current playground equipment, posing a potential safety risk to users. The project involves both the installation of new playground equipment and the removal of the old, worn-out equipment. We should include an allowance for adjacent sidewalk and road modifications that will be required to provide proper ADA accessibility, stormwater maintenance, and connectivity to Emerson Food Forest. This allowance will also be needed for landscaping improvements in the park that will be required due to the playground replacement.
<b>Police Dispatch IT Upgrades</b>	Costs to relocate and upgrade dispatcher communications systems, and project management work from a consultant to facilitate the transition.	6.1	\$2,000,000	Proposed partially funded by ARPA.
<b>Video Screen</b>	Purchase a video screen for public events.	6.1	\$80,000	Purchasing a screen has challenges: Where to store it, substantial staff effort to set up/break down, currently 2-3 programs per year use the screen, planning events that involve the screen require additional facilities purchases like portable restrooms. Less efficient than renting a screen as needed.

<b>City Wide Rebranding (Flag + Logo)</b>	Expenditure of up to \$70,000 for the purposes of initiating a City-wide branding campaign to include an update of the City logo, flag, style guide, and other design materials to ensure the City's brand is unified, consistent, and representative of its residents. This proposal will require the issuance of a Request for Proposal by staff to seek a contractor to lead in the branding efforts and ensure community engagement and collaboration with key stakeholders throughout the process.	6.1	\$70,000	Currently funded in the Council Budget FY24. Redesigning the City Logo has significant implementation costs - signage, apparel, letterhead, swag, etc. Consider reducing the scope of the the project to include only the flag, which can be executed without requiring update/discard of existing branded materials. Staff will need to get an RFP together to identify how much a project like this would cost and what the timeline would look like.
<b>King Park - construction</b>	Renovation of existing park. No permitting required. Proposal for playground, will have final cost on landscaping and stormwater management Oct 23. Need funding to begin ordering and installing equipment	6.1	\$600,000	This project has been under discussion and preparation with community planning, for about a year. Funding will need to come from CIP budget if no funded by ARPA.
<b>FIOS Extension to Teen Center and Police HQ</b>	Extending fiber optic cable to the Teen Center and Police Headquarters	6.1	\$300,000	It is possible that a small part of this project could be category restricted, but not the entire project. Part of it depends on how the projects aspects are itemized.
<b>Circulator Implementation</b>	Allocating funds for implementation of the Circulator	6.1	\$2,000,000	
<b>Rent Stabilization Implementation</b>	Allocating funds for implementation of the proposed Rent Stabilization Ordinance	6.1	Unknown	
<b>Total:</b>			<b>\$3,390,000</b>	



Category Restricted Proposals				
Title of Project Proposal	Description of Project/Summary Background	Expense Category	Fiscal Impact: Now- Dec 31, 2024	Department Comments
<b>SMBE Certification Support</b>	The purpose of this one-time program is for eligible small business owners to overcome barriers to participation in Minority Business Enterprise (MBE) or Disadvantaged Business Enterprise (DBE) certification with the Maryland Department of Transportation (MDDOT) by receiving support in navigating the 60–90-day free certification application process. These certifications widen access to State, Federal, and County contracts and small business grant opportunities for businesses registered with Prince George’s County.	2.3	\$15,000	The program should include a series of informational sessions to assist with the process for MBE and DBE business certification for a cohort of up to 10 local small business owners. These informational sessions will help small business owners not only achieve MBE/DBE certification but also maximize the benefits of certification and identify resources and paths toward pursuing county state and federal procurement and grant opportunities through a structured learning cohort program.
<b>2024 Rain Garden/Bio Retention Restoration Projects</b>	Residents approached staff and Council Members with a request for stormwater management projects throughout the City to reduce residential flooding from overburdened stormwater management systems. This is a proposal to install rain gardens and bio retention installations at 17 locations throughout the City.	5.18	\$132,066	Locations include Melrose Park Trail, Crittenden cul de sac, 40th Pl./Crittenden, 40th Pl/Banner, Carrolton Terrace, Dietz Park, DPW, Driskell Park, Mary Hurst, Trolley Trail/Franklins, Nicholson St, Rosemary Lane, Hitching Post Lane.
<b>Oliver alley</b>	Residents approached staff and Council Members with a request for stormwater management projects throughout the City to reduce residential flooding from overburdened stormwater management systems. The Oliver Alley project consists of design and construction for two alleys on Oliver street.	5.18	\$576,000	During the pandemic Staff developed a concept for a 2 block green alley project. The estimate for completing the design and construction was \$504k. A different block of Oliver Alley has recently been experiencing some significant flooding of neighboring properties. The cost of this construction would be \$20k. Combined plus adding in a 10% contingency the Oliver Alley projects would cost approximately \$576k.
<b>Total</b>			<b>\$723,066</b>	