

**MINUTES**  
**College Park City Council Meeting**  
**Tuesday, October 3, 2023**

**7:30 p.m. – 9:38 p.m.**

**This was a hybrid meeting: Online via Zoom;  
In-person in the Council Chambers of City Hall.**

**PRESENT:** Mayor Kabir; Councilmembers Hew, Kennedy, Esters, Whitney, Mackie, and Rigg.

**ABSENT:** Mayor Pro Tem Mitchell.

**ALSO PRESENT:** Kenneth Young, City Manager; Janeen S Miller, City Clerk; Yvette Allen, Assistant City Clerk; Suellen Ferguson, City Attorney; Stephanie Anderson, City Attorney; Miriam Bader, Director of Planning; Erik Valentine, Community Development Planner; Jacob Vassalotti, GIS Analyst; Bob Ryan, Director of Public Services; Michael Williams, Director of Economic Development; Dhruvak Mirani, Student Liaison; Gannon Sprinkle, Deputy Student Liaison.

Mayor Kabir opened the meeting at 7:30 p.m.

**ANNOUNCEMENTS:**

Councilmember Hew commented on a neighborhood barbeque at Al-Huda School.

Councilmember Esters announced the national emergency test alert tomorrow and said that October is Domestic Violence Awareness month.

Councilmember Mackie announced Breast Cancer Awareness month.

Mr. Sprinkle discussed mental health awareness and LGBTQ history day.

**CITY MANAGER'S REPORT:** Mr. Young announced College Park Day and the DPW clean up days in October.

**ACKNOWLEDGEMENT:** Mayor Kabir introduced the new City Attorney, Stephanie Anderson, from O'Malley, Miles, Nysten & Gilmore.

**PROCLAMATION:** Mayor Kabir read the proclamation for Indigenous Peoples' Day (October 9, 2023)

**AMENDMENTS TO AND APPROVAL OF THE AGENDA:** The agenda was approved as written, Whitney/Mackie, passed 7-0.

### **PUBLIC COMMENT**

**Dave Dorsch, resident:** The City is 78 years old this year. The City should reach out to any residents who have lived here since 1945, or have lived here at least 50 years; the City Hall visitor parking area on Yale Avenue is poorly designed; the Calvert Hills Stormwater Management bid has not gone out.

**CONSENT AGENDA:** A motion was made by Councilmember Mackie and seconded by Councilmember Kennedy to adopt the Consent Agenda, which consisted of the following:

- 23-R-12 Resolution of the Advisory Planning Commission of the City of College Park, Regarding Variance Number CPV-2023-03, Located at 9722 53rd Avenue, College Park, Maryland, Recommending Approval of One Variance and Three Validations: A 3-Foot Variance from Prince George's County Zoning Ordinance Section 27-11002 (a), 7-foot side yard setbacks validation, 5,550-Foot Lot Size Validation, and 50-Foot Lot Width Validation from Section 27-4202 (e) (2) of the Prince George's County Zoning Ordinance, to Construct a 10-foot-wide driveway on the property.
- 23-G-146 Approval of a letter to M-NCPPC requesting it fund certain parks, trails, and recreation projects in College Park.
- 23-G-147 Approval of a parking prohibition on the 5000 block of Nantucket Road between 51st Avenue and Rhode Island Avenue in Hollywood to improve access to the dumpster area behind College Park Plaza from Nantucket Road.

The motion passed 7-0.

### **ACTION ITEM**

- 23-O-09 Introduction of Ordinance 23-O-09, Ordinance of the Mayor and Council of the City of College Park, amending Chapter 144 "Occupancy Permits", § 144-1 Statement of Policy, §144-2 Definitions, §144-3 Occupancy Permits Required, §144-7 Revocation; Reinstatement; renumbering and amending, §144-8, Violations and Penalties; enacting §144-8 Challenge to Affirmations, §144-9 Short Term Rental Licenses; Host Requirements, §144-10 Incorporation of County Code Requirements, and amending Chapter 110, Fees and Penalties,**

**§110-2, Penalties, to Regulate Short-Term Rentals, to Require Short-Term Rental Host Platforms to require any Short-term Rental Host in the city to submit a copy of the Host's Rental License to the Platform, prior to the Rental being listed on the Platform, and to set fines for violation.**

Mr. Ryan said we have been discussing the regulation of short-term rental properties, such as AirBNBs.

Motion by Rigg/Adams to introduce Ordinance 23-O-09, amending Chapter 144 "Occupancy Permits", § 144-1 Statement of Policy, §144-2 Definitions, §144-3 Occupancy Permits Required, §144-7 Revocation; Reinstatement; renumbering and amending, §144-8, Violations and Penalties; enacting §144-8 Challenge to Affirmations, §144-9 Short Term Rental Licenses; Host Requirements, §144-10 Incorporation of County Code Requirements, and amending Chapter 110, Fees and Penalties, §110-2, Penalties, to Regulate Short-Term Rentals, to Require Short-Term Rental Host Platforms to require any Short-term Rental Host in the city to submit a copy of the Host's Rental License to the Platform, prior to the Rental being listed on the Platform, and to set fines for violation.

Mayor Kabir said the Public Hearing will be held on Tuesday, October 17, at 7:30.

**DISCUSSION ITEMS:**

**A. Consideration of Detailed Site Plan DSP-22035, Terrapin House, located at the northeast quadrant of Baltimore Avenue and Hartwick Road, and a Declaration of Covenants and Agreement Regarding Land Use.**

Mr. Valentine gave an overview of the project. The development will be a 6-story mixed use building with 93 units consisting of 298 beds, 4800 sq. ft. of commercial space, and a 2-story parking garage containing 90 spaces. Site currently contains a mix of retail and residential buildings including one single family home and a 3-story apartment building. Because of its adjacency to the Old Town College Park Historic District, the project was reviewed by the Local Advisory Committee. He reviewed the proposed development and the PowerPoint. Vehicular access for retail is from Hartwick Road; residents will access the garage from the Yale Avenue alley. 90 parking spaces are provided which meets the requirement. The surrounding neighborhood is in a residential permit parking Zone 6. Staff recommends prohibiting the residents of this building from obtaining a residential parking permit for the surrounding streets. There will be a Declaration of Covenants that should be signed before the project goes to the Planning Board.

Questions from Council:

Details of retail, how many spaces will fit into 4,800 square feet? Not known at this time.

About the parking - are other multifamily tenants in Zone 6 (Landmark) able to get residential permits? No. We will need to amend Zone 6 to exclude this address. Discussion of the current retail tenants.

For the applicant: Attorney Matt Tedesco; Rich Greenberg and other owners, Bohler Engineering; and Architect.

Mr. Tedesco recounted the meetings they had with the neighborhood and their concerns about the project's impact on OT College Park Historic District. They stepped down the building and provided all required parking on site. The project received prior support from the City on the Conceptual Site Plan in 2021 and the Preliminary Plan of Subdivision in 2022.

They are only requesting 2 minor amendments to the DDOZ and agree with the staff's recommendations presented. They had an expert look at the specimen tree on the corner of Hartwick and Yale which is a Willow Oak. The tree is in good health, they made modifications to the building to protect it, and will take necessary steps to reduce impact to tree during construction. Regarding the displacement of the existing retail tenants: They will provide opportunity for existing tenants to come back to the new property.

Discussion: Stormwater retention improves on the existing condition; 12 of the parking spaces are for the retail; they have not had conversations with the tenants yet; Council asked the owner to provide design or build out assistance for the retail tenants; it was not considered feasible to move the house.

Staff will continue to discuss the DOC using tonight's guidance. To agenda next week.

## **B. Update on Business Retention and Attraction Fund**

Mr. Williams gave an update on Campus Village: We have done what we can to help the merchants. Some of them would like to pivot to food trucks. One wants to relocate in the City but the build out is expensive, and the retention fund is only \$75,000. The expressed need is from 15K to 200K. We will work with the owners of Terrapin House to try to retain retailers. Some of our neighboring municipalities are trying to woo our businesses.

Discussion: The 3-cent tax increase on commercial/industrial/multi family could add funding to the retention fund. Interest in enabling food trucks. What criteria are used for evaluating applicants and how many businesses have been helped. We consider the number of jobs the business would bring. Interest in helping small and minority owned businesses. Consider a low yield loan program from the retention fund to help businesses.

**COMMENTS FROM MAYOR, COUNCIL, STUDENT LIAISONS:**

Councilmember Mackie attended the ITGA planning meeting and the Good Neighbor Day planning meeting.

Councilmember Whitney attended a conversation about historic preservation in Lakeland. Mr. Mirani met with Congressman Eric Swalwell, the first student liaison.

**ADJOURN: Motion to adjourn by Esters/Mackie, passed 7-0, and the regular meeting was adjourned 9:38 p.m.**

*Submitted By: Janeen S. Miller, City Clerk*