



CITY OF COLLEGE PARK ADVISORY PLANNING COMMISSION
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ADVISORY PLANNING COMMISSION

Approved Minutes of Meeting

October 7, 2021

(Due to COVID-19 Pandemic, this was a Virtual Meeting)

<u>Members</u>	<u>Present</u>	<u>Absent</u>
Stephanie Stullich, Chair	<u> x </u>	<u> </u>
Santosh Chelliah, Vice-Chair	<u> x </u>	<u> </u>
Daejauna Donahue	<u> x </u>	<u> </u>
Vernae Martin	<u> </u>	<u> x </u>
Kiersten Johnson	<u> x </u>	<u> </u>
Malaika Nji-Kerber	<u> x </u>	<u> </u>

Also Present: Planning Staff – Terry Schum, Miriam Bader and Theresheia Williams;
 Attorney - Susan Cook

Stephanie Stullich left the meeting after item V, CPD-2021-02.

I. Call to Order and Amendments to Agenda: Santosh Chelliah (serving as meeting Chair due to the Chair, Stephanie Stullich, being overseas) called the meeting to order at 7:32 p.m. and made a motion to modify the agenda to move item VIII to item V. Malaika Nji-Kerber seconded. Motion carried 5-0-0.

II. Approval of the Agenda: Stephanie Stullich moved to approve the agenda as modified. Daejauna Donahue seconded. Motion carried 5-0-0.

III. Approval of Minutes: Stephanie Stullich moved to adopt the minutes of August 5, 2021. Kiersten Johnson seconded. Motion carried 5-0-0.

IV. Public Remarks on Non-Agenda Items: There were no Public Remarks on Non-Agenda Items.

V. Formerly item VIII
CPD-2021-02 Departure from Section 190-9 of the City of College Park Code
Applicant: Maryland Jewish Experience, Inc.
Location: 7403 Dartmouth Avenue

Santosh Chelliah explained the hearing procedures and placed witnesses under oath. Miriam Bader summarized the staff report. The applicant is proposing to construct a cultural center addition to the rear of an existing single-family dwelling. The applicant is seeking Departures from the number of required parking spaces and from parking design standards to maintain the residential character of the area. The property is improved with a single-family residence, a porch, detached garage and a gravel, dirt driveway. The property is located on the east side of Dartmouth Avenue, approximately 200-feet south of the College Avenue intersection. The Old

Town neighborhood is comprised of a mix of single-family homes and small multifamily apartment buildings.

The Prince George's Department of Public Works and Transportation requires a 30-foot-wide commercial driveway apron. Section 27-568 of the Prince George's County Zoning Ordinance requires 2.0 parking spaces per single-family residence and 2.5 parking spaces per 1,000 square feet of gross floor area for cultural centers.

Staff recommends approval of the requested departures, with the following conditions:

- 1) HAWP is obtained prior to the building permit.
- 2) A parking hub and/or bike racks for Micro-mobility Share be provided on-site with a use agreement with the city.
- 3) If the Meor Cultural Center ceases to exist, no other cultural center shall be permitted without filing a new Departure application.

Stephanie Stulich asked why are the bike racks located in the front instead of the back?

Terry Schum stated that the bike racks are suggested for the front because the Micro-Mobility Share program that the City contracts with, VeoRide, requires that vehicles be parked within a parking hub or at a bicycle rack. For the program to operate efficiently, the vehicle has to be visible from the street. If they were parked in the back, it would be difficult for the program staff to administer to swap out batteries or remove the vehicles if they e been there too long. The bike racks can also be used with ordinary bicycles. Staff doesn't think it will detract from the residential character.

Stephanie Stulich asked where would the bike racks be located in the front of the property?

Isabel Ahman, architect, stated that the bike racks will go to the left of the driveway.

Santosh Chelliah asked if the bike racks will accommodate all bicycles, or will there be a special rack just for VeoRide bikes?

Miriam Bader stated that the bike racks will be able to accommodate both.

Terry Schum stated that the City is trying to add more bike racks to accommodate the popularity of the vehicles. If parking is not provided the vehicles get left in the middle or yards and block driveways.

Kiersten Johnson stated that she thinks it was a great idea to add bike racks instead of parking spaces to meet the needs and in a more environmentally friendly way.

Malaika Nji-Kerber asked if the properties around the proposed property are all occupied as residential? How would it impact the neighbors and if they were notified? Also, is this the only structure of its kind in the area?

Miriam Bader stated that the departure and variance process requires that we notify all the adjoining property owners, so if they share a property line, they were sent a letter. There are several other cultural centers located in College Park. Cultural Centers are permitted in the R-55 zone. There are also several residential properties located nearby. The Meor Center has been operating in the neighborhood for several years, the center is just relocating to this location.

Malaika Nji-Kerber asked how would the traffic impact this street?

Nathaniel Forman, attorney, stated that the use will be catered to University of Maryland students who will be living on campus or off-campus and who will mostly be using public transportation, bicycling or carpooling. We don't think there will be a lot of cars coming to or from the property.

Kiersten Johnson asked if brick pavers had been considered instead of asphalt since they are permeable and more attractive, especially in front of the property where the visual impact for the neighborhood would be more appealing.

Nathaniel Forman stated that they will address this when they meet with the Local Advisory Committee for the Historic Area Work Permit (HAWP).

Rabi Ari Koresty, applicant, testified that they hope that the center will be a contributing resource from a living perspective in terms of the quality of life in the neighborhood. Being an anchor of stability and long-term investment in the Old

Town neighborhood. They have been on campus operating for about 17 years and have been located in a number of places in College Park. The cultural center is low-key and deals with students in a religious and educational context. There are small classes and events like barbeques. He stated that the parking departure is a win-win all around. We want to limit traffic. We don't want a lot of cars coming and going. Most of the college students the center deals with do not have a car or live in the Old Town community or nearby. It is our experience that we don't need more than a couple of parking spaces. As for the bikes/scooters, I would envision them not being left there for a period of time, because the students will be coming in and out, they don't stay there for days at a time. We can place the bike rack as unobtrusively as possible. I don't mind where it is located, just as long as it is accessible and satisfactory to the needs. We hope to make a positive impact on the neighborhood.

Stephannie Stullich asked if the driveway will be as large as it is shown on the site plan? She is concerned about the amount of impervious surface and suggests using gravel material instead of asphalt.

Nathaniel Forman stated that he doesn't think the driveway material should be addressed at this time because the departure is focusing on the size and dimensions and material should be discussed during the HAWP process. The parking lot design has gone through many transitions and revisions while working with the LAC and the City of College Park and it was decided that four spaces would be sufficient without turning the whole backyard into a parking lot. We are providing as much parking as we are requested to provide and trying to minimize the amount of asphalt

by reducing the drive aisle. There are still certain zoning and design requirements that we have to meet.

Daejauna Donahue asked what is the intended occupancy of the cultural center versus the full-time members that would be there daily and how could it impact the need for parking spaces?

Rabi Ari Koretsky stated that the cultural center is a small with about 5 staff members. During normal working hours, there is rarely one or two members there at a time. When there is an event, maybe two or three times a week, there are around 3 or 4 cars at the center. Even when the full staff is at the center there are no more than four cars. Ninety percent of the time there are 1 maybe 2 cars.

Malaika Nji-Kerber asked if there is a likelihood that someone would live or spend the night at the residence?

Nathanial Forman stated that the site will be operating as two uses. The front existing building will continue to operate as a single-family dwelling with 3 or 4 bedrooms. It will be leased out to residents and members of Meor and students of the University of Maryland that are involved with Meor. They will be living there full time. The Cultural Center will have staff and events in the evening. The residence will have 4 on-street parking permits, which should accommodate any of the residents that will be living there full time who may not be able to use one of the parking spaces in the rear. The residence is also provided with 100 one-day/single-use visitor passes per year. There is also 2-hour parking on Dartmouth Avenue Monday through Saturday. There should be sufficient parking to accommodate any visitors to the cultural center and residents and any guest of the residents.

Santosh Chelliah asked if the center needs three parking spaces, or would it be possible to have two spaces and 1 handicapped?

Nathanial Forman stated that the Zoning Ordinance for these two uses indicates two parking spaces for a single-family residence and 2 ½ spaces per 1,000 sf of gross floor area for the cultural center. The minimum is 9 spaces, 2 for single-family and 7 for the cultural center. We could probably get by with just two spaces, but I don't think that will be the most practical and convenient for the center to occupy.

Terry Schum stated that staff was concerned about the impact on the neighborhood in regard to parking. There is a need for additional parking. With a single-family home, you can park two-cars tandem in the driveway and that's fine. With the cultural center, you have to provide additional parking including a handicapped space. Staff felt that 4 spaces were the minimum they were comfortable with to minimize the impact on the neighborhood. Staff would not recommend reducing the number of parking spaces anymore from where they are now.

Santosh Chelliah asked if the handicapped space will be located on the street?

Miriam Bader stated that the requirement is that it is provided on-site close to the entrance.

Birgit Meade, 7405 Dartmouth Avenue, testified that Meor is a wonderful neighbor. Meor has been her neighbor for a year. She appreciates the activities and has a good relationship with the center. She has met some of the participants and finds them to be a great addition to the neighborhood. I find the staff requirement about the 4 parking spaces very persuasive and have no argument about the recommendation. I find it is generous reasoning for recommending 4 parking spaces instead of 9.

Leslie Montroll, 3202 Rhode Island Avenue, testified that she would like to support Meor in what they are trying to do by having lesser parking spaces.

Commissioners reviewed the criteria that need to be met before the variance can be granted and determined that:

2.1 The purposes of the applicable provisions of the Prince George's County Zoning Ordinance will be equally well or better served by the applicant's proposal.

- a. To require (in connection with each building constructed and each new use established) off street automobile parking lots and loading areas sufficient to serve the parking and loading needs of all persons associated with the buildings and uses.*

The Zoning Ordinance requires 2 parking spaces for single-family use and 7 parking spaces for a cultural center use (based on the gross floor area) for a total of 9 required parking spaces. The Applicant is proposing to provide 4 parking spaces (including one handicapped accessible space). The Applicant states in the Statement of Justification that 4 parking spaces will be sufficient to serve their needs for the following reasons: 1) The center will only have two staff people. 2) The center is UMD student oriented. 3) The center is located within walking distance and/or mass transit distance for most students. 4) Many of Meor's members are Orthodox Jews who do not drive on their Sabbath (Friday night to Saturday night), and much of the programming occurs during these "no driving" times, i.e., Friday night dinners and Saturday morning services. 5) Many students don't have cars and/or are very used to using alternative transportation such as Metro-bus, Shuttle-UM, personal bike or bike-share (bike, e-scooter or e-bike). 6) On-street parking, without a permit, along Dartmouth Avenue (Zone 6) is available subject to a 2-hour time limit. 7) The City has allocated a total of 4 on-street parking permits for residents at this address. 8) One hundred (100) one-day/single-use visitor passes are available per annum. The APC found that 4 parking spaces will be sufficient to serve the needs of the cultural center and single-family home.

- b. To aid in relieving traffic congestion on streets by reducing the use of public streets for parking and loading and reducing the number of access points.*

Four (4) off-street parking spaces will be provided that should be sufficient for day-to-day needs. No new access points will be created.

- c. *To protect the residential character of residential areas.*

The main purpose of the three requested departures is to protect the residential character of this historic neighborhood. The regulations being imposed are commercial standards and not in keeping with the residential character of the area.

- d. *To provide parking and loading areas which are convenient and increase the amenities in the Regional District.*

The proposed parking area located directly behind the house is convenient to the residents of the house and users of the community center. Loading spaces are not required for the proposed use.

- 2.2 *The departure is the minimum necessary, given the specific circumstances of the request.*

The departures are the minimum necessary. Balancing the residential character of the area against negative impacts to the neighborhood.

- 2.3 *The departure is necessary to alleviate circumstances that are special to the subject use, given its nature at this location or alleviate circumstances which are prevalent in the district.*

The departures are necessary to alleviate circumstances which are unique to the subject use. The proposed use, a non-commercial cultural center, is required to meet commercial site plan development standards that would negatively impact the residential and locally designated historic neighborhood.

- 2.4. *For departures from parking and loading standards, the Commission must also find that all methods for calculating spaces required, (Division 2, Subdivision 3 and Division 3, Subdivision 3 of Part 11 of the Prince George's County Zoning Ordinance) have either been used or found to be impractical, and that parking and loading needs of adjacent residential areas will not be infringed upon if the departure is granted.*

For the R-55 zone, there are no alternative formulas for calculating parking spaces. As for infringing on residential areas, the intent of the Departure is not to infringe on the adjoining residential area, aesthetically or functionally. The Applicant is confident that the amount of parking spaces being provided will be sufficient for their needs.

- 2.5. *In making its findings, the Commission (APC) shall give consideration to the following:*

- a. *The parking and loading conditions within the general vicinity of the subject property, including numbers and locations of available on- and off-street spaces within five hundred (500) feet of the subject property.*

A 500-foot radius from the property could be defined with the following boundaries: Eastern boundary-Metro station, Western boundary-Rhode Island Avenue, Southern boundary-Calvert Road, and Northern boundary-Howard Lane. According to the Parking Enforcement Manager for the City of College Park, the east side of Dartmouth Avenue is “No Parking” restricted between Calvert Road and Howard Lane, but parking is permitted on the west side of the street. The City Parking Enforcement Manager estimates this section of road can support about 40 parking spaces. City Parking informed the Applicant that this property can be allocated up to 4 on-street parking permits. Also, up to 100 one-day/single-use visitor passes are available per annum. And finally, the College Park Metro Station parking lot is approximately 500 feet from the subject property.

- b. *The recommendations of an area master plan, or county or local revitalization plan, regarding the subject property and its general vicinity;*

The property is in Old Town College Park Historic District. According to the Design Guidelines Handbook, regarding new construction, the guidelines emphasize “that new construction respect the surrounding historic character of the historic district” (p. 56), that paving be compatible (p. 57) and that “single-width driveways” (p. 57) be encouraged.

- c. *The recommendations of a municipality (within which the property lies) regarding the departure; and*

Not applicable since the City of College Park has authority to decide this case.

- d. *Public parking facilities which are proposed in the County’s Capital Improvement Program within the general vicinity of the property.*

Not applicable.

In making its findings, the Commission (APC) may give consideration to the following:

- a. *Public transportation available in the area;*

There are numerous public transportation options available in the vicinity of the Subject Property including the College Park-U of MD Metro Station (approximately a 5-minute walk from the Subject Property). Metro’s Green, Yellow (and future Purple) lines stop at the College Park-U of MD Metro Station, and the College Park MARC Station is a short distance away. The College Park-U of MD Metro Station serves as the terminus for WMATA Bus Route C8 which runs between the College Park Metro Station and the White Flint Metro

Station. Prince George’s County’s The Bus has two (2) routes that serve College Park Metro Station: 14 and 17. Route 14 links College Park Metro Station with Prince George’s Plaza Metro Station, while Route 17 provides service between IKEA and Mount Rainier. Finally, two (2) Shuttle-UM routes stop in proximity to the Subject Property. Route 122 Green (which operates late into the evening) and 104 stop along Rhode Island Avenue at both Knox Road and College Avenue, while 104 also stops at College Park Metro Station.

- b. *Any alternative design solutions to off-street facilities which might yield additional spaces.*

More off-street parking spaces could be constructed on this property but would be contrary to maintaining the residential character of the neighborhood and minimizing the amount of impervious surface.

- c. *The specific nature of the use (including hours of operation if it is a business) and the nature and hours of operation of other (business) uses within 500 feet of the subject property;*

The Subject Property will be a cultural center and single-family dwelling. MEOR will operate throughout the day, but most of its events are in the evening or on Saturday. There are no businesses within 500 feet of the Subject Property.

Stephanie Stulich moved to recommend approval of departure CPD-2021-02 based on staff recommendation and the criteria outlined in the discussion. Malaika Nji-Kerber seconded. Motion carried 5-0-0.

- VI. **CPV-2021-08** Variance to construct a driveway
Applicant: Mario J. Ovalle-Argueta, eta al and Daysi Santos
Location: 9741 51st Place

Santosh Chelliah explained the hearing procedures and placed witnesses under oath. Miriam Bader summarized the staff report. The applicant is requesting a variance of 78 square feet to allow parking in front of the house. The property is a rectangular 50-foot by 110-foot lot with a total area of 5,500 square feet. The property was built in 1950 and is improved with an 832.8 square foot one-story frame house and two sheds.

Due to the location and configuration of the house, the property has narrow side yards. One of the property owners has mobility issues, requiring parking that is safe, convenient, and close to the house. Finding available on-street parking is often challenging. The property owner proposes to remove one section of the fence between two pillars on the right side of the lot to allow the construction of a driveway.

Staff recommends approval of the requested variance to permit a driveway encroachment in the front yard of 78 square feet (3 feet x 26 feet).

Santosh Chelliah asked how many requests for driveways have there been on 51st Place in the past?

Miriam Bader stated that she would have to look that information up. She stated that the reason there are two on that street on tonight's agenda is because the City's Department of Public Works is doing a construction project on 51st Place that involves repairing some of the existing driveway aprons. Residents without a driveway talked with the city engineer about how to go about installing a driveway at their home.

Maliaka Nji-Kerber asked if there are any plans to level the front yard before the driveway is installed and will a walkway be part of the installation?

Miriam Bader stated that the applicant should be able to answer that question, but a variance would not be needed to install a sidewalk.

Mario Ovalle, applicant, through an interpreter, testified that one of the property owners has mobility issues and would feel safer exiting the vehicle closer to the house. The applicant also stated that the front yard will be leveled, and a sidewalk will be installed during the construction of the driveway.

Commissioners reviewed the criteria that need to be met before the variance can be granted and determined that:

- 1) The property has an extraordinary condition in that the original 1950 construction and placement of the house created narrow side yards (before the driveway encroachment amendment to the County Zoning Ordinance in 2002) which don't accommodate a standard-size driveway (10-feet) without encroachment.
- 2) The strict application of the Zoning Ordinance will result in a practical difficulty by not allowing the construction of a driveway, which most homes on the street have, and that is needed to accommodate one of the property owners with mobility issues.
- 3) Granting the driveway variance will not substantially impair the intent or purpose of the applicable County General Plan or County Master Plan since many of the properties with driveways in this section of the block have encroachments in front of the house and the property owners are requesting a ribbon driveway (two parallel tracks paved with a hard material and separated by an unpaved area) which will lessen the impervious surface on the property

Malaika Nji-Kerber moved to recommend approval of variance CPV-2021-08 based on staff recommendation and the criteria outlined in the discussion. Kiersten Johnson seconded. Motion carried 4-0-0.

VII. CPV-2021-09 Variance to construct a driveway
Applicant: Robert and Brittani Garner
Location: 9726 51st Place

Santosh Chelliah explained the hearing procedures and placed witnesses under oath. Miriam Bader summarized the staff report. The applicants are requesting a variance of 82.5 square feet to allow parking in the front of the house and a variance of 1.8% or 94.27 square feet over the maximum lot coverage of 30% to construct a brick paver driveway over a currently grassed area. The property is a trapezoid with a width that varies from 44.15-feet to 51.79-feet in length for a total area of 5,280 square feet. The property is improved with an 836.27 square foot one-story house that was built in 1950, a covered patio, and a shed with perimeter fencing.

Originally, the driveway was proposed to range in width from 10-feet to 13-feet due to the unique shape of the lot. The applicant has now agreed to construct a driveway with a consistent width of 10-feet. On-street parking is difficult, and they desire parking that is safe, convenient, and close to the house.

Staff recommends approval of the requested variance to permit a driveway encroachment in the front yard of 82.5 square feet (3 feet x 2.5 feet). Staff also recommends a reduced lot coverage variance from the requested 1.8% (94.27 square feet) to 0.74% (39.27 square feet) which can be accomplished by constructing a driveway with a consistent width of 10-feet with the condition that a landscaped buffer will be provided between the driveway and the sidewalk.

Brittani Garner, applicant, testified that she would like to request that the proposed condition for the two-foot spacer between the driveway and sidewalk be removed and that a 1-foot spacer be provided instead. The pavers would be permeable pavers. She also stated that she will be applying for the County's stormwater rebate program.

Susan Cook stated that the change may have legal relevance because if the sidewalk is too close to a driveway then it would all have to be considered as lot coverage. Commissioners might want to explore why the proposal is being modified.

Terry Schum stated that if there is no separation between the sidewalk and driveway, they would merge and could possibly be driven over or could be parked on. The walkway would be considered part of the driveway, and this would require a larger variance.

Kiersten Johnson asked if the nature of the brick pavers requires less than the 2-feet that is recommended by staff and what is the benefit of having the preferred permeable pavers versus the potential of the two areas merging?

Susan Cook stated that staff would not have the legal authority to weigh the benefit of pavers versus the two areas merging because they should both be considered under the customary lot to be one area. She stated that her legal advice to staff and the APC is that this is not something we could change during this hearing.

The APC can remove this case from the agenda and reconsider it at a future meeting. At that time, it would be analyzed as all one area because the two are so close together.

Brittani Garner stated that there is no intention to drive on the sidewalk. Since it is for aesthetic purposes only, she didn't see the difference in one foot. She stated that staff can continue with the plan as it was proposed.

Commissioners reviewed the criteria that need to be met before the variance can be granted and determined that:

- 1) Regarding Driveway Encroachment-The property has an extraordinary condition in that the original 1950 design and placement of the house created narrow side yards that do not accommodate a standard 10'-wide driveway.
- 2) Regarding Lot Coverage-The property has an exceptional shape: a trapezoid. Originally, the Applicant proposed a driveway that varies in width as it follows the side property line. The Applicant now agrees to construct a consistent 10-foot-wide driveway. This change will reduce lot coverage and provide a two-foot-wide green space between the driveway

and the walkway to the front door, as well as an additional unpaved area between the driveway and the side property line. Overall lot coverage is reduced by 55 square feet or from 1.8% in the original proposal to 0.74% as the Applicant had modified the proposal.
- 3) The strict application of the Zoning Ordinance will result in a practical difficulty by not allowing a driveway that more than half of the homes on the street have.
- 4) Granting the driveway variance will not substantially impair the intent or purpose of the applicable County General Plan or County Master Plan since most of the properties with driveways in the subject block have encroachments in front of the house. After modification, the new proposal increases lot coverage by only 0.74%, therefore, lessening the impact on the neighborhood.

Kiersten Johnson moved to recommend approval of variance CPV-2021-09 based on staff recommendation and the criteria outlined in the discussion. Maliaka Nji-Kerber seconded. Motion carried 4-0-0.

- VIII. CPV-2021-10** Variance to reconstruct and widen a driveway
Applicant: Paulela and Marie Guerda-Frederique
Location: 10114 51st Avenue

Santosh Chelliah explained the hearing procedures and placed witnesses under oath. Miriam Bader summarized the staff report. The applicant is requesting a variance of 104 square feet to replace an existing concrete driveway (14-feet x 26-feet). The

property is improved with a 1.5 story house, a fence, an attached garage and a 14-foot driveway. The house was built in 1954 and is located on a corner.

Because of driveway deterioration, the property owners began demolishing the concrete driveway; however, this was prior to obtaining County and City building permits. A violation notice was issued on July 15, 2021. In aerial photos from PGAtlas, it appears the driveway was widened between 1998 and 2000. There is no building permit in the records for the 4-foot widening/encroachment.

Staff recommends approval of the requested variance to permit a driveway encroachment in the front yard of 104 square feet (4 feet x 26 feet).

Paulela Guerda-Frederique, applicant, testified that the driveway was deteriorating and cracking with grass growing through the cement. When it rains, water puddles on the driveway and they have to walk on the grass. They decided to replace the driveway but were unaware that they had to obtain County and City permits until issued the violation notice.

Santosh Challah asked if the photo in the exhibits shows the current condition of the driveway?

Paulela Frederique stated yes, it has been in that condition for a month.

Kristen Johnson asked if the driveway is curved or straight because it looks a different shape in the site plan than in the exhibit photographs.

Miriam Bader stated that the site plan is accurate. When she went out to take pictures, the driveway looked the same as the site plan. The appearance may look different because of the angle of the lens on the camera.

Commissioners reviewed the criteria that need to be met before the variance can be granted and determined that:

- 1) The property has an extraordinary situation because the driveway was widened without a permit over 20 years ago. The Applicant would like to correct this issue to allow him to repair the driveway he has had for over 20 years.
- 2) The strict application of the Zoning Ordinance will result in a practical difficulty by not allowing the repair of a driveway that has existed in its current configuration for over 20 years. Also, the new Zoning Ordinance that was adopted and may be implemented in the next couple of months no longer regulates driveway encroachments.
- 3) Granting the driveway variance will not substantially impair the intent or purpose of the applicable County General Plan or County Master Plan since most of the properties with driveways in the area have been widened and many encroach in front of the house.

Maliaka Nji-Kerber moved to recommend approval of variance CPV-2021-10 based on staff recommendation and the criteria outlined in the discussion. Kiersten Johnson seconded. Motion carried 4-0-0.

IX. Update on Development Activity Terry Schum reported on the following:

There is one minor subdivision case for a property in the Daniel's Park subdivision to change the lot line of the property to create an additional infill building site. The case contains a lot of variances, but because it is part of the subdivision case, the APC will not be hearing the variances. The variances will be heard by the Planning Board when the subdivision case comes before them. The City Council will be submitting its final recommendation to the Planning Board next week.

X. Other Business: There was no new business.

XI. Adjourn: There being no further business. The meeting was adjourned at 9:39 p.m.

Minutes prepared by Theresheia Williams