

Town of University Park
Report of Meeting
Development Overview Committee

April 15, 2015
7:40 p.m.
Conference Room
University Park Town Hall
6724 Baltimore Avenue

In Attendance: Colin Phillips, Committee Member; Arlene Christiansen, Committee Member; John Tabori, Committee Member; Brad Hess, Council Member, Ward 3 and Committee Member; Joe Thompson, Council Member, Ward 1 and Committee Member; Sarah Starrett, Committee Member; Len Carey, Mayor and *ex officio* Committee Member; Roy Alvarez, Council Member, Ward 7 and Committee Chair

Absent: Corey Tucker, Committee Member (excused)

(Order of the items on the original agenda was modified.)

1. Review of the Results of the Planning Board Decision on the Kiplinger Project

The Planning Board Staff Report was not available. It will not be presented to the Planning Board until Thursday, April 16, 2015.

2. Review of the Prince George's Plaza TDDP/TDOZ Meeting

- Mayor Carey, Roy Alvarez and John Tabori attended a meeting in Upper Marlboro with William Washburn and Prince George's County Staff Members concerning the Prince George's Plaza TDDP/TDOZ.
- The attendees stated University Park's interest in stormwater management and 9 Pond. They were told that stormwater management and the 9 Pond plan were being discussed, although there are no details at this time.
- It was made very clear that stormwater management was going to be a limiting factor for the development in and around Prince George's Plaza.
- Bill Washburn and his team will present the plan to Hyattsville in May.
- It was noted that space for the library and the community center was being discussed. It was also indicated that space was needed for elementary, middle and high schools.
- Changes to Adelphi Road are not part of the current plan because it is outside the Prince George's Plaza TDDP/TDOZ. It was noted that they are part of the Hyattsville Arts Gateway District.

Committee members were encouraged to attend the next Open House scheduled for April 28, 2015, at the Hyattsville Community Center from 5:00-8:00 p.m.

3. Overview of Zoning Rewrite - John Tabori

John Tabori distributed a memorandum dated April 15, 2015 titled “The Zoning Ordinance Rewrite - Notes, Observations and Comments.” (Attached) In the discussion, he noted that:

- The zoning ordinance process is expected to be completed in 2017.
- The draft update of the Rewrite should be out in December 2015.

4. Overview and Discussion of the Prince George’s County Planning Board Approval Process for Developments in the County - Suellen Ferguson

- Suellen Ferguson gave a general overview of how new developments in Prince George’s County are reviewed by the Planning Board.
- Zoning in the area is basically controlled by Prince Georges County and enforced by the National Capital Park and Planning Commission.
- Stormwater management is not part of the zoning process, except that developers have to have a concept plan approved in their preliminary plan. Approval of stormwater management plans come from .the Department of Permits, Inspections and Enforcement (DPIE), an executive agency within the Prince George’s County Government.
- University Park is zoned R55, which is basically residential, under which no commercial development is allowed in the Town. However, the Town is affected by commercial development in surrounding municipalities.
- When a development project is proposed, Park and Planning Staff sends information to area municipalities to inform them of the project and request the municipalities respond if they have any initial concerns. Once the Planning Staff makes a decision, they send that information to the municipalities for comment. After referencing all of the referral responses, they develop recommendations to present to the Planning Board. A Staff Report is required two weeks prior to the Planning Board Meeting.
- It is helpful to create a good relationship with the Planning Staff.
- The municipality where the project is being developed generally has the most influence in the process.
- Working together with other municipalities can be a very powerful tool. It is often helpful to express support for aspects that other municipalities may request, if they are beneficial to University Park, especially if it also something that Planning Staff has endorsed.
- Having a zoning attorney to do almost any kind of zoning or development project in Prince George’s County is a necessity. The current zoning laws are often very difficult to understand.
- It was suggested that when the Development Overview Committee takes an issue to the Town Council, the project leader for that development attend the Council Meeting to discuss the details of the project and the DOC recommendations with the Council Members.

5. Review of the Results of the Planning Board Decision of the Hotel at UMD.

The Planning Board reviewed, but did not accept any of the recommendations made by the DOC and subsequently accepted by the University Park Town Council. It was noted that recommendations that do not support the municipality where the project is located and/or the Planning Board should be considered very carefully before being submitted to the Planning Board. Normally, it is more helpful to work directly with the “host” municipality than going directly to the Planning Board.

The DOC and the University Park Town Council are hindered by the fact that the timing between when a referral is made and when recommendations are due is very short, normally two weeks. This was apparent in that recommendations that the Town believed were to be made by College Park were subsequently changed after the University Park Town Council had voted to generally support them. This difficulty of receiving, reviewing and making recommendations in a timely manner needs to be addressed by the DOC.

6. Old Business

- There has been no new movement on the 7-Eleven development request in Riverdale Park.
- University of Maryland and the County are still discussing whether they are going to underground the utility lines on M square. This decision should be made in the next few weeks. Following that decision, Cafritz will likely ask the County for permits to construct the bridge. It is anticipated that actual construction of the bridge will begin in September, or thereabouts.

7. New Business

- **Glenn Dale Commons**
- **Litton Extension Request**

By consent, the Committee decided not to comment on these two projects.

Meeting Adjourned: 9:35 p.m.

The next meeting is scheduled for May 20, 2015, at 7:30 p.m. in Town Hall

Addendum

MEMORANDUM

Date: April 15, 2015 (Updated April 27, 2015)

TO: DOC Members

FR: John Rogard Tabori

RE: The Zoning Ordinance Rewrite – Notes, Observations and Comments:

I. Context

1. Weak Tax Base
2. Commuter Community
3. County underperforms economically
4. Remedy: Economic Development Plan, General Plan, Rewrite Zoning Ordinance & Implement – Target of these “plans” is rapid increase in economic development within the County.

II. Economic Development Plan (EDP)

1. Based on Michael E. Porter’s work –
 - a. Industry Cluster Theory
 - b. 5 Forces: (Suppliers, Customers, Competitive Market, New Entrants, Substitution)
 - c. Value Chain (Accounting Efficiency Concept)
2. Identified four industries or economic activities to pursue:
 - a. Federal office market (a zero-sum game, unfortunately) -- Local
 - b. IT/Information Science/Cyber Security -- Traded
 - c. Biotechnology/Life Sciences -- Traded
 - d. Business Services – Traded/Local
3. The four “Industries” drive the plan:
 - a. Pursuit of FBI Headquarters -- Local
 - b. Largo Hospital Center – Traded/Local
 - c. Key elements of General Plan – Specifically Mixed Use Orientation, TOD orientation (TCs) and Innovation Corridor centered in College Park and along Route 1.

III. General Plan 2035

1. A planning vision for implementing the EDP
2. TOD/MXT/MUI Oriented – Walkable, multimodal, Live-Work-Play development
3. Calls for simplified development processes in order to improve interest in high quality development in Prince George’s
4. Identifies 3 primary Transit Oriented Districts, 5 Secondary TOD Districts, and 27 Town Centers for development.

IV. Zoning Ordinance Re-Write

1. Primary aim is to simplify the development permit process, in order to reduce transaction costs and shorten development cycles.
2. For example, it reduces the number of floating zones from 26 to 11 (Overall 73 zones are reduced to 43 zones)

3. Emphasizes consolidation of hearings, thereby reducing the number of hearings that a development must go through.
4. Reduces role of District Council (can't call up on their own, fewer automatic ups, greater emphasis on administrative law/formal appeal process)
5. Reduces the role of the Planning Board as the original hearer of record, while increasing their role as an appellate body.
6. Increases role of the PB staff, specifically the Planning Director, and hearing examiners.
7. Increases role of judicial review, i.e. more items must be appealed to the District Court, bypassing both the PB and the County Council sitting as the District Council.
8. Emphasizes mixed use, walkable, transit oriented development and introduces Forms Code concepts (current system is single use/Euclidean)
9. Emphasizes illustrations, consolidated use tables, and clear, non-clashing development standards.
10. Emphasizes pre-planning and pre-submission public notification and forums.
11. Would set requirements that prior to submission of plans all clearances must have been received (UMD Hotel & FAA good example).

V. Concerns

1. Porter's Industry Cluster Theory developed for regions (There are 22+ counties and cities in the Washington, DC-Baltimore Economic Area) – not clear that it works at the sub-regional level. I have not identified studies or academic articles that look at sub-regional interactions through the lens of Porter's concepts.
2. At least one of the "industries" (Federal Office Space) does not fit the model. Within the region, this seems to be more of a zero-sum game due to the contraction of the Federal Government since the beginning of the "Great Recession" in 2007/2008.
3. The overall impact of the rewrite may be to tip the development process even more in favor of developers over the public.
4. Elements of the new system continue to approximate a bargaining system, which most economists recognize as fairly inefficient.
5. Not clear how the new ordinance/system will interact with and move external economic actors, such as the utilities and the SHA to yield to local concerns and to perform better.