

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2021 Legislative Session

Resolution No. CR-14-2021

Proposed by The Chair (by request – County Executive)

Introduced by Council Members Hawkins, Taveras, Glaros, Davis, Harrison, Streeter,
Turner and Franklin

Date of Introduction February 23, 2021

RESOLUTION

1 A RESOLUTION concerning

2 Adequate Public Safety Facilities Surcharge

3 For the purpose of approving a partial waiver of the adequate public safety facilities surcharge
 4 for all residential units of the mixed-use College Park Southern Gateway Project (“Southern
 5 Gateway”).

6 WHEREAS, in Council Bill 89-2004, the County Executive of Prince George’s County and
 7 the County Council enacted an amendment to section 24-122.01 of the Subdivision regulations,
 8 to impose an adequate public safety facilities surcharge for new residential construction in the
 9 County; and

10 WHEREAS, consistent with the requirements of Chapter 594 of the Laws of Maryland of
 11 2005 (House Bill 1129), codified as Section 10-192.11 of the Prince George’s County Code, the
 12 County Executive and County Council approved Council Bill 56-2005 to modify the
 13 requirements of CB 89-2004; and

14 WHEREAS, as modified, Section 24-122.01 of the Subdivision Regulations requires
 15 certain public safety information and findings, at the time of application for approval of a
 16 preliminary plan of subdivision; and

17 WHEREAS, Section 24-122.01 (e)(4) authorizes the County Executive and County
 18 Council, acting as the governing body of Prince George’s County, to waive any surcharge
 19 imposed within certain areas of the County; and

20 WHEREAS, Section 10-192.11(b)(3) authorizes the County Council, acting as the
 21 governing body of Prince George’s County, to waive any surcharge imposed within the
 22 Transportation Service Area 1, as defined by the Maryland-National Capital Park and Planning

1 Commission in the Prince George's County approved General Plan; and an area that abuts an
2 existing or planned mass transit rail station site operated by the Washington Metropolitan Area
3 Transit Authority and that is in compliance with any sector plan, master plan, or overlay zone
4 approved by the Prince George's County District Council; and

5 WHEREAS, the Southern Gateway Project, as approved by the Planning Board in PGCPB
6 No. 17-166 (Detailed Site Plan), includes about 5.82 acres of land in the M-U-I/D-D-O Zone
7 located on the west side of US 1 (Baltimore Avenue) bounded on the north by Hartwick Road
8 and the southwest by Guilford Drive and is within the City of College Park; and

9 WHEREAS, the Southern Gateway Project was approved as a mixed-use development
10 evidenced in File No. DSP-17003, which detailed site plan is for 393 multi-family residences,
11 and up to 78,669 square feet of additional retail to accompany an existing 5,698 square foot
12 restaurant on Parcels 1, 2, 3 and A; and

13 WHEREAS, the Southern Gateway Project represents high quality mixed-use development
14 as envisioned by the 2010 Approved Central US 1 Corridor Sector Plan and Sectional Map
15 Amendment; and

16 WHEREAS, the County entered into a financial incentive package with the Developer
17 premised on bringing high-end retail to the County; and

18 WHEREAS, the Southern Gateway Project has successfully attracted this high-end retail
19 heretofore not present in the County; and

20 WHEREAS, to meet the requirements of delivering this new retailer to the County, the
21 Developer moved forward, with the assistance of the County in an expedited permitting process
22 for the project building permits, which included the Developer paying the full 100% of the
23 applicable public safety surcharge fees; and

24 WHEREAS, per the Incentive Agreement entered into by the Developer and the County,
25 the Developer is entitled to a 50% reduction and/or reimbursement of the applicable public safety
26 surcharge fees; and

27 WHEREAS, the County Executive has determined, because the Southern Gateway Project
28 will have many positive effects on the residential and commercial environment in the College
29 Park area, that the public safety facilities surcharge required under CB-55-2005 and CB-56-2005
30 should be reduced by 50% for the building permits that have been issued that included the full
31 payment of the surcharge; and

1 WHEREAS, the County Executive has further determined that the public safety facilities
2 surcharges should be partially waived because the area of the subject property is, and will for the
3 foreseeable future, be more than adequately served by the police and fire facilities; and

4 WHEREAS, this Resolution, subject to the County Council approval, will complete the
5 process required for the partial waiver of the public safety facilities surcharge for the Southern
6 Project; and

7 WHEREAS, any surcharge imposed within the Developed Tier may be waived by the
8 County Executive and County Council, acting as the governing body.

9 NOW, THEREFORE, BE IT RESOLVED that the public safety facilities surcharge shall be
10 partially waived by no greater than fifty percent (50%) for the Southern Gateway Project.

11 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
12 County, Maryland, that the public safety facilities surcharge required in CB-55-2005 and CB-56-
13 2005 is hereby partially waived for the property included in the Southern Gateway Project, and
14 building permits that have been issued to the Developer for the dwelling units shall be applicable
15 for partial payment of the surcharge, which shall be reimbursed to the Developer.

Adopted this 23rd day of March, 2021.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Calvin S. Hawkins, II
Chair

ATTEST:

Donna J. Brown
Clerk of the Council