

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

Resolution No. CR-44-2021

Proposed by The Chair (by request – County Executive)

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

Co-Sponsors _____

Date of Introduction April 27, 2021

RESOLUTION

1 A RESOLUTION concerning

2 Public Safety Facilities Surcharge

3 For the purpose of approving a partial waiver of the public safety facilities surcharge for all
 4 residential units of the mixed-use Urban Atlantic Development Multifamily-Phase 2 (“Urban
 5 Atlantic”).

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 Prince George’s County
 8 Code, to impose an adequate public safety facilities surcharge for new residential construction in
 9 the 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 Council Bill 89-2004; and

14 WHEREAS, pursuant to Chapter 461 of the 2020 Laws of Maryland and Section 10-
 15 192.11(a) of the Prince George’s County Code, the governing body of Prince George’s County,
 16 by resolution, may impose a public safety surcharge on new residential construction for which a
 17 building permit is issued by the County; and

18 WHEREAS, Section 10-192.11(b)(3) of the Prince George’s County Code authorizes the
 19 County Council, acting as the governing body of Prince George’s County, to waive any
 20 surcharge imposed within the Transportation Service Area 1, as defined by the Maryland-
 21 National Capital Park and Planning Commission in the Prince George’s County approved
 22 General Plan; and an area that abuts an existing or planned mass transit rail station site operated

1 by the Washington Metropolitan Area Transit Authority and that is in compliance with any
2 sector plan, master plan, or overlay zone approved by the Prince George's County District
3 Council; and

4 WHEREAS, the Urban Atlantic Development Multifamily-Phase 2, known as Parcel 5 on
5 the approved preliminary plan, with no formal address as of the date hereof, will be located
6 adjacent to 4000 Garden City Drive, New Carrollton, MD 20785. The multifamily building is
7 located next to the proposed WMATA building and has frontage on Garden City Drive and the
8 WMATA Park and Ride and bus circulation area. It is within immediate walking distance to the
9 New Carrollton Metro Station; and

10 WHEREAS, the Urban Atlantic Project is part of the approved Preliminary Plan of
11 Subdivision Case #4-16023. The goal is to submit the DSP application to Maryland-National
12 Capital Park and Planning Commission upon demonstration of the project's financial viability;
13 and

14 WHEREAS, the Urban Atlantic Project represents a high-quality, transit-oriented
15 development at one of the County's priority transit stations adjacent to the New Carrollton Metro
16 Station; and

17 WHEREAS, the County Executive has determined, because the Urban Atlantic Project will
18 have many positive effects on the residential and commercial environment in the New Carrollton
19 Metro Station area, that the public safety facilities surcharge required under CB-55-2005 and
20 CB-56-2005 should be partially waived and that building permits may be issued without the full
21 imposition of the surcharge; and

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

25 WHEREAS, this Resolution, subject to the County Council approval, will complete the
26 process required for the partial waiver of the public safety facilities surcharge for the Urban
27 Atlantic Project; and

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

30 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
31 County, Maryland, that pursuant to Section 10-192.11(b)(3) of the Prince George's County

1 Code, the public safety facilities surcharge shall be partially waived by fifty percent (50%) for
2 the Urban Atlantic Project and building permits may be issued for the dwelling units with partial
3 payment of the surcharge.

4 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George’s
5 County, Maryland, that the public safety facilities mitigation surcharge required in CB-55-2005
6 and CB-56-2005, to the extent any such surcharge is applicable to the Urban Atlantic Project, is
7 hereby partially waived by fifty percent (50%) for the property included in the Urban Atlantic
8 Project, and building permits may be issued to the Developer for the dwelling units with partial
9 payment of the surcharge, to the extent any such surcharge is applicable to the Urban Atlantic
10 Project.

11 Adopted this 18th day of May, 2021.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Calvin S. Hawkins, II
Chair

ATTEST:

Donna J. Brown
Clerk of the Council