

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

Resolution No. CR-116-2021
Proposed by The Chair (by request – County Executive)
Introduced by Council Members Hawkins, Glaros, Turner, Franklin, and Davis
Co-Sponsors _____
Date of Introduction October 12, 2021

RESOLUTION

1 A RESOLUTION concerning

2 School Facilities Surcharge

3 For the purpose of approving a full waiver of the school facilities surcharge for all residential
4 units within the ASPEN-MARYLAND (Building 1) mixed-use student housing project.

5 **WHEREAS**, pursuant to Section 10-192.01(a) of the Prince George’s County Code, the
6 County Council, acting as the governing body of Prince George’s County, shall impose a school
7 facilities surcharge on new residential construction for which a building permit is issued on or
8 after July 1, 2003; and

9 **WHEREAS**, consistent with the requirements of Chapter 351 of the Laws of Maryland of
10 2019 (House Bill 225), codified at Section 10-192.01(b)(4)(D) of the Prince George’s County
11 Code, the County Council, by Resolution, may exempt some or all of the school facilities
12 surcharge for undergraduate student housing built west of U.S. Route 1, north of Knox Road and
13 South of Metzert Road, to promote the goals of the University District Vision 2020, as
14 amended, in the City of College Park; and

15 **WHEREAS**, the ASPEN-MARYLAND project consists of a mixed-use development
16 containing 129 total multifamily residential dwelling units (for student housing associated with
17 the University of Maryland) and a total of 2,080 square feet of commercial/retail space in two (2)
18 buildings. Building 1 (or 88 units) is located within the designated area described in Section 10-
19 192.01(b)(4)(D) of the Prince George’s County Code and is eligible to be exempt from some or
20 all of the school facilities surcharge; and

21 **WHEREAS**, the Prince George’s County Planning Board has approved and certified a
22 preliminary plan of subdivision (4-20017) and a detailed site plan (“DSP-20031”) for the

1 ASPEN-MARYLAND project; and

2 **WHEREAS**, the City of College Park passed general motion #21-G-97 on August 10,
3 2021 recommending that the eligible portion of the ASPEN-MARYLAND project located within
4 the designated area described in Section 10-192.01(b)(4)(D) of the Prince George’s County
5 Code, receive a full exemption from the school facilities surcharge; and

6 **WHEREAS**, the City of College Park recommends that the County Council approve a full
7 exemption for eligible portion of the ASPEN-MARYLAND project from the school facilities
8 surcharge; and

9 **WHEREAS**, the ASPEN-MARYLAND project represents a high-quality student housing
10 project that provides a total of 129 units and 2,080 square feet of new retail in two (2) buildings,
11 with pedestrian friendly public realm improvements that include connecting the University of
12 Maryland to downtown College Park; and

13 **WHEREAS**, the County Executive has further determined, because the ASPEN-
14 MARYLAND project will have many positive effects on the residential and commercial
15 environment in the broader College Park area, that the required school facilities surcharge for
16 Building 1 be fully exempted, and that building permits may be issued without the full
17 imposition of the surcharge; and

18 **WHEREAS**, if building permits are issued prior to the adoption of this Resolution, the
19 County must refund or reimburse the ASPEN-MARYLAND project the amount paid at the time
20 of building permit for the surcharge; and

21 **WHEREAS**, this Resolution completes the process required for the full exemption of the
22 school facilities surcharge for Building 1 (or 88 units) of the ASPEN-MARYLAND student
23 housing project, subject to the approval of the County Council, acting as the governing body.

24 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Prince George’s
25 County, Maryland that the school facilities surcharge required in Section 10-192.01(a) of the
26 Prince George’s County Code is hereby fully exempted for Building 1 and the property in the
27 ASPEN-MARYLAND project, and building permits for Building 1 may be issued for the
28 dwelling units, with no payment of the surcharge.

29 **BE IT FURTHER RESOLVED** by the County Council of Prince George’s County,
30 Maryland that if building permits for Building 1 of the ASPEN-MARYLAND project are issued
31 prior to the date of adoption of this Resolution, the County shall refund or reimburse the

- 1 ASPEN-MARYLAND project an equal amount of the surcharge as if fully exempted.

Adopted this 9th day of November, 2021.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____

Calvin S. Hawkins, II
Chair

ATTEST:

Donna J. Brown
Clerk of the Council