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Prince George's County Planning Board
Office of the Chairman

March 6, 2017

The Honorable Derrick Davis
Chairman, Prince George's County Council
County Administration Building
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

Dear Chairman Davis:

The Prince George's County Planning Board is pleased to transmit its recommendations for the minor amendment to the *2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment* for the District Council's consideration.

The Prince George's County Planning Board, in conjunction with the Prince George's County Council, sitting as the District Council, held a joint public hearing on the minor amendment on February 7, 2017. Six testimonies, both in-person and written, were received before the close of record on February 10, 2017. Following a review and analysis of the proposed amendment and public hearing testimony, on March 2, 2017, the Planning Board has adopted the minor amendment to the *2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment*, with revisions. (see PGCPB Resolution No. 17-28) dated March 2, 2017.

This transmittal includes the following:

1. The Planning Board Resolution of Adoption (PGCPB Resolution No. 17-28) that amends the *2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment*
2. Technical Staff Report
3. Public Hearing Transcript and Exhibits

The Honorable Derrick Davis
March 2, 2017
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We look forward to working with the District Council in approving the minor amendment to the *2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment*. If the Planning Board can be of further assistance to you regarding this matter, please contact me or Valecia Wilson, Project Manager, at 301-952-4609. Thank you for your consideration.

Sincerely,



Elizabeth M. Hewlett
Chairman

Enclosures

cc:

Andree Green Checkley, Planning Director
Ivy A. Lewis, Chief, Community Planning Division
Frederick Stachura, Supervisor, Community Planning North Section
Valecia Wilson, Senior Planner, Community Planning, North Section

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
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PGCPB No. 17-28,

RESOLUTION

WHEREAS, on November 30, 2004, the District Council approved the *2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment*; and

WHEREAS, the *2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment* set forth the vision, goals, policies and strategies and development standards to facilitate a mixed-use, walkable arts district in the sector plan area; and

WHEREAS, the area of the *2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment* is defined by the municipal boundaries of the City of Mount Rainier, the Town of Brentwood, the Town of North Brentwood and the City of Hyattsville (excluding the Prince George's Plaza Transit District and the West Hyattsville Transit District); and

WHEREAS, on November 15, 2016, the District Council approved CR-46-2016 the initiation of a minor amendment to the Development District Overlay Zone Table of Permitted Uses within the *2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment*; and

WHEREAS, the minor amendment is to include "Tattoo Parlor" and "Music Recording Studio" to the Table of Permitted Uses, and permit them in certain Character Areas; and

WHEREAS, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission, in conjunction with the Prince George's County Council, pursuant to Section 27-644 of the Zoning Ordinance of Prince George's County, held a duly advertised public hearing on the Minor Amendment to the *2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment*, on February 7, 2017; and

WHEREAS, on February 23, 2017, the Planning Board held a public worksession on the minor amendment to examine the analysis of testimony presented, at the February 7, 2017, joint public hearing and exhibits received before the close of the record on February 10, 2017; and

WHEREAS, a technical staff report has been prepared that analyzes the proposed minor amendment to the *2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment*; and

WHEREAS, the Prince George's County Planning Board determined to amend the *2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment* in response to staff recommendations and public testimony, and to adopt and transmit the minor amendment with further additions in response to the public hearing record, as follows:

I. CR-89-2016 Minor Amendment

1. Add "Tattoo Parlor" to the Table of Permitted Uses under (2) Commercial (D) Services as:
 - a. A *permitted* use in the Town Center and Arts and Production Character Areas.

- b. A use *permitted by special permit* in the Neighborhood Arts and Production Character Area
 - c. A *non-permitted* use in the Neighborhood Commercial Character Area
2. Add "Music Recording Studio" to the Table of Permitted Uses under (1) Arts-Related Uses as
- a. A use *permitted by special permit* in Town Center, Arts and Production and Neighborhood Arts and Production Character Areas.
 - b. A *non-permitted* use in the Neighborhood Commercial Character Area

WHEREAS, Section 27-642(e) of the Zoning Ordinance of Prince George's County, the Planning Board will transmit a draft of the proposed amendment, a technical staff report analyzing the amendment, and the Planning Board's recommendation on the Development District Overlay Zone amendment and/or the Planning Board's adoption of the plan amendment within 30 days of the date of the joint public hearing; and

NOW, THEREFORE, BE IT RESOLVED, that the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission does hereby adopt the Minor Amendment to the *2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment*, this said adoption updates the Gateway Arts District Development District Overlay Zone Table of Permitted Uses, resulting in extensions, deletions, and additions in response to the public hearing record; and

BE IT FURTHER RESOLVED that the Prince George's County Planning Board finds that the minor amendment has been prepared in accordance with the requirements of Section Sec. 27-642 of the Zoning Ordinance; and

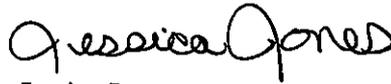
BE IT FURTHER RESOLVED that the adopted minor amendment updates *2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment*, CR-89-2016 text, maps and tables as amended by this resolution; and

BE IT FURTHER RESOLVED that the Prince George's County Planning Board finds that the minor amendment recommendations, as heretofore described, are in conformance with the principles of orderly comprehensive land use planning and staged development, being consistent with the *2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment*, and with consideration having been given to the applicable County Laws, Plans, and Policies.

This is to certify that the foregoing is a true and correct copy of a resolution, as revised, adopted by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Bailey, seconded by Commissioner Geraldo, with Commissioners Bailey, Geraldo, Hewlett and Doerner voting in favor of the motion, with Commissioner Washington absent, at its regular meeting held on Thursday, March 2, 2017.

Adopted by the Prince George's County Planning Board this 2nd day of March, 2017.

Patricia Colihan Barney
Executive Director



By Jessica Jones
Planning Board Administrator

APPROVED AS TO LEGAL SUFFICIENCY


M-NCP&C Legal Department

Date 3/3/17



THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

REVISED TECHNICAL STAFF REPORT

SUBJECT: *Minor Amendment to the 2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment*

The District Council, by Council Resolution 89-2016, approved on December 16th, 2016, directed the Planning Board to initiate an amendment to the Gateway Arts District Development District Overlay Zone (DDOZ) within the boundaries of the *2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment*. The proposed minor amendment revises the Development District Table of Permitted Uses to add "Tattoo Parlor" and "Music Recording Studio", which would be permitted in the Town Center, Arts. Production and Entertainment, Neighborhood Arts and Production, and Neighborhood Commercial Character Areas (page 3 of CR-89-2016, lines 23–27).

Staff presents the following evaluation and findings pertaining to the proposed amendment to the *2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment*. This amendment was reviewed and evaluated for conformance with the following criteria:

- a. The requirements of Section 27-642 of the Zoning Ordinance for a Minor Amendment to an Approved Master, Sector, Functional Plans and Development District Overlay Zones.
- b. The *2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment*.

PROPOSED AMENDMENT

The District Council proposes the following amendment to the *2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment* Development District Table of Permitted Uses:

[P]rovide for "Tattoo Parlor" and "Music Recording Studio" as permitted uses within the Town Center, Arts Production and Entertainment, Neighborhood Arts and Production, and Neighborhood Commercial Character Areas of the 2004 Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District.

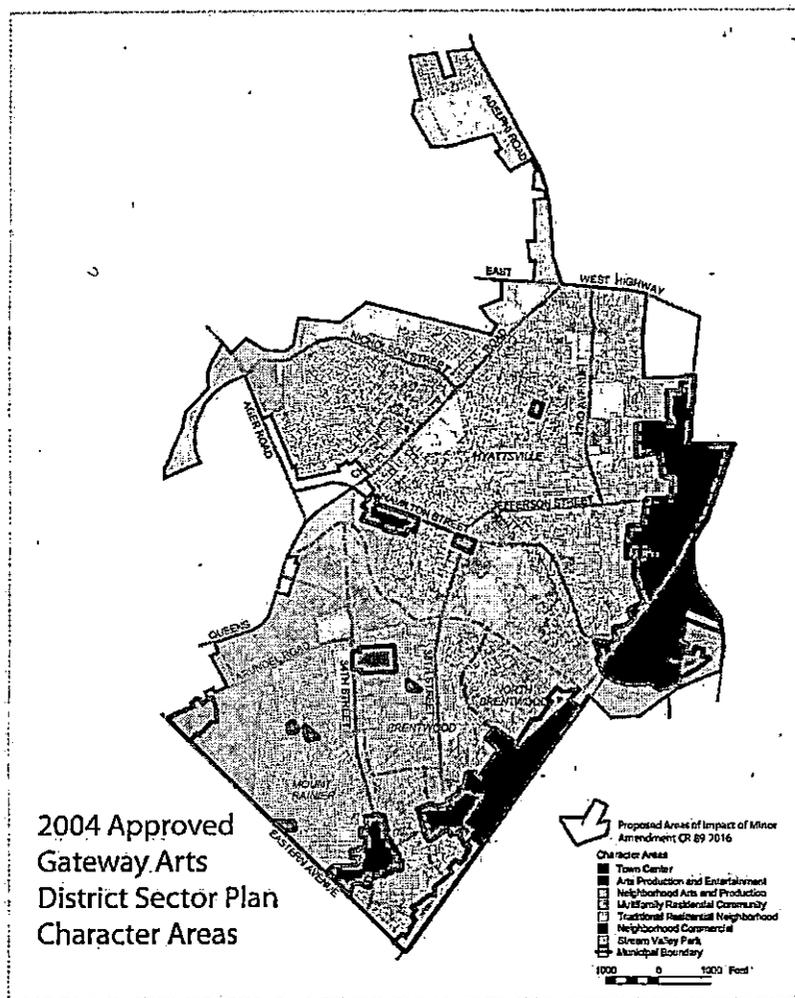
EVALUATION

1. **Location:** The boundary of the Prince George's County Gateway Arts District sector plan area includes the municipalities of Mount Rainier, Brentwood, North Brentwood, and Hyattsville (excluding the Prince George's Plaza Transit District and the West Hyattsville Transit District). The sector plan area is located within Council Districts 02 and 05, in Planning Area 68, and is an Established Community as designated by the 2014 *Plan Prince George's 2035 Approved General*

Plan. The Gateway Arts District Development District Overlay Zone (DDOZ) overlays the entire plan area of the *2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment*. This DDOZ includes specific development regulations, applicability provisions and exemptions; this minor amendment proposes to permit the “Tattoo Parlor” and “Music Recording” Studio” only within the Town Center, Arts Production and Entertainment, Neighborhood Arts and Production, and Neighborhood Commercial Character Areas.

2. **Background:** The Prince George’s County District Council adopted CR-78-2004 approving the *2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment* on November 30, 2004. In 2015, the District Council approved CB-35-2015 to amend the Zoning Ordinance to provide a minor plan amendment process for approved comprehensive plans, functional plans, development district plans, and associated Development District Overlay (D-D-O) Zones.
3. **Gateway Arts District Sector Plan and SMA Vision:** The *2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment* seeks to create an environment for art activities of all kinds, entertainment and living.

The proposed amendment is exclusively applicable to the following areas, which are highlighted in Map 1.1:



Map 1.1

- a. **Town Center:** This area typology is characterized as a dense, mixed-use area bustling with residential and business life. It overlays historic commercial centers in Hyattsville, Brentwood and Mount Rainier along U.S. Route 1 (Rhode Island Avenue and Baltimore Avenue).
- b. **Arts Production and Entertainment:** The plan encourages lively centers of production, limited industry, and entertainment in this Character Area. These areas overlay land zoned as industrial.
- c. **Neighborhood Arts and Production:** The plan vision for this area typology is for artist studio space, live/work space, some technical research and limited industrial uses. This typology is in areas zoned for light industrial and areas located at the edge of single-family residential neighborhoods.
- d. **Neighborhood Commercial:** The plan encourages limited retail uses, such as convenience grocery stores; dry cleaners, and similar neighborhood-serving retail. These areas are located adjacent to residential Character Areas, and allow for second-floor residential use.

FINDINGS

4. **Zoning Ordinance Compliance:** In Part 13 for Area Master Plans, General Plans, Functional Master Plans and Planning Areas; Section 27-642, Minor Amendment to An Approved Master, Sector, Functional Plans and Development District Overlay Zones, requires the following process:

(a) **Minor amendments of approved master, sector, functional plans, and/or associated Development District Overlay Zones may be initiated by Resolution of the District Council, or by the Planning Board upon approval by Resolution of the District Council. At the time of initiation, a joint public hearing date shall be scheduled to occur within 60 days, in accordance with the notice requirements set forth in Sections 27-644 (b)(2)(A) through Section 27-644(b)(2)(D) of this subtitle.**

Comment: The District Council, by CR-89-2016 adopted on December 16, 2016, directed the Planning Board to initiate a Minor Amendment to the *2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment*. A joint public hearing was held on February 7, 2017.

- (b) **The minor amendment process may be utilized to:**
- (1) Advance the goals of an approved comprehensive plan, functional plan or development district plan; or
 - (2) Safeguard the public safety, health and welfare of citizens and residents within the plan area boundaries.

Comment: As highlighted above, the sector plan envisions the Gateway Arts District to be a center of creativity, artistic development, entertainment and commerce for the County. Expanding the Table of Permitted Uses to include two common, contemporary artistic establishments will allow the Gateway Arts District to be competitive within the regional creative economy, and draw a higher diversity of artists and patrons.

- (c) **The scope of the minor amendment shall be limited to:**
- (1) a geographic area which is not more than 50% of the underlying plan area, but not limited to a single property or property owner;
 - (2) limited to specific issues regarding public planning objectives; or

**(3) for the purpose of correcting errors in the text or maps in the applicable plan.
(4) notwithstanding subsections (1) through (3), herein, the minor amendment process shall not be utilized for any amendment which would require major transportation analysis and/or modeling, revised water and sewer classifications, or any Adequate Public Facilities analysis.**

Comment: The proposed amendment meets the first, second, and fourth requirements noted above. The geographic area of the amendment is less than 50% of the plan area. The proposed amendment is limited to expanding the Table of Permitted uses in limited character areas. This amendment will not require major transportation analysis and/or modeling, revised water and sewer classifications, or any Adequate Public Facilities analysis. It meets the minor amendment scope set forth by Section 27-642(c).

(d) The Resolution initiating a minor amendment shall set forth the purpose and scope of the proposed amendment, and shall set the date of the joint public hearing on the proposed amendment.

Comment: In the adopted Council Resolution 89-2016, the District Council directed the Planning Board to initiate a minor amendment for the *2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment* to add two additional uses to the Table of Permitted Uses. The joint public hearing was set for February 7, 2017.

(e) The Planning Board shall transmit a draft of the proposed amendment, a technical staff report analyzing the amendment, and the Planning Board's recommendation on the Development District Overlay Zone Amendment and/or the Planning Board's adoption of the plan amendment within 30 days of the date of the joint public hearing.

Comment: The Planning Board will meet the requirements of this section by the prescribed due date.

RECOMMENDATION

APPROVAL WITH REVISIONS of a Minor Amendment to the Gateway Arts District Development District Overlay Zone Table of Permitted Uses, established by the *2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment*.

Based on the plan vision and stakeholder testimony, it is recommended that "Tattoo Parlor" be *permitted* in the Town Center and Arts Production & Entertainment Character Areas. It is further recommended that this use be *permitted by special permit* in the Neighborhood Arts & Production Character Area. Per Planning Board review and public testimony, it is also recommended that "Music Recording Studio" be *permitted by special permit* in the Town Center, Arts & Production and Neighborhood Arts & Production Character Areas.

Lastly, it is recommended that neither of these uses be permitted in the Neighborhood Commercial Character Area. The sector plan outlines the following uses as most appropriate for the Neighborhood Commercial Character Area: "limited retail services such as specialty or convenience grocery stores, dry cleaners, and similar services within walking distance of neighborhoods" (page 15). While "Tattoo Parlor" and "Music Recording Studio" are viable commercial uses appropriate for town centers and arts production areas, these establishments often draw regional patronage, which is not the intent of the existing Neighborhood Commercial areas. Additionally, there is community concern that the "Music Recording Studio" use, in particular, will become a nuisance due to noise. Given this concern, it is recommended that the use not be permitted within residential neighborhoods, where this Character

Area is located throughout the Gateway Arts District.

Finally, while no determination has been made about the designation of the uses within the Table of Permitted Uses, it is recommended that "Tattoo Parlor" be designated as a Commercial Service, as it is like other commercial services such as "Acupuncturist", "Barber or beauty shop" and "Massage establishment". It is recommended that "Music Recording Studio" be added under Arts-Related Uses, which currently includes "Artist studio sound stage for TV/film recording studio" and "Artist studio as a working space for use by a fine arts artist or artist collective, hand crafter, designer, or digital media producer in day to day production, which may be used for auxiliary instruction and auxiliary sales of items, produced on-site".

1
2 BEFORE THE COUNTY COUNCIL OF PRINCE GEORGE'S
3 COUNTY, MARYLAND SITTING AS THE DISTRICT COUNCIL AND
4 THE PRINCE GEORGE'S COUNTY PLANNING BOARD OF THE M-NCPPC
5 MINOR AMENDMENT TO THE 2004 GATEWAY ARTS DISTRICT
6 FOR PRINCE GEORGE'S COUNTY D-D-O-Z (CR-89-2016)

7 JOINT PUBLIC HEARING

8 February 7, 2017

9 COUNTY ADMINISTRATIVE BUILDING

10 UPPER MARLBORO, MARYLAND

11 COUNCIL MEMBERS:

PLANNING BOARD MEMBERS:

12 DERRICK LEON DAVIS, Chair

ELIZABETH M. HEWLETT, Chair

13 DANNIELLE GLAROS, Vice Chair

DOROTHY F. BAILEY, Vice Chair

14 MARY A. LEHMAN (absent)

MANUEL R. GERALDO (absent)

15 DENI L. TAVERAS, District 2

JOHN P. SHOAFF (absent)

16 TODD M. TURNER, District 4

A. SHUANISE WASHINGTON (absent)

17 ANDREA C. HARRISON, District 5

WILLIAM M. DOERNER

18 KAREN R. TOLES (absent)

19 OBIE PATTERSON, District 8

20 MEL FRANKLIN, District 9

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CHAIRMAN DAVIS: And I will continue on to 2004 Gateway Arts District for Prince George's County, the D-D-O-Z Minor Amendment CR-89-2016. And I'll gavel us in for that public hearing. My name is County Council Chairman Derrick Leon Davis, and on behalf of the County Council, sitting tonight in the capacity as the District Council, along with the Prince George's County Planning Board of the Maryland-National Capital Park and Planning Commission, I welcome you to this joint public hearing.

We are conducting this joint public hearing proceeding to obtain public comments concerning the pending proposed minor amendment to the 2004 Gateway Arts District Sector Plan and Sectional Map Amendment. I would like to take a moment to ask each of my colleagues and members of the Planning Board to introduce themselves, and I'll start again on my left and move to my right.

MS. HARRISON: Good evening, I'm Andrea Harrison. I represent Council District 5.

MR. TURNER: Good evening, everyone, thank you for coming out. I'm County Councilman Todd Turner, and I represent the 4th Council District.

CHAIR: Again, I'm Council Chair Derrick Leon Davis. I represent Council District 6, and I'm the Chairman of the County Council.

MS. GLAROS: Good evening, I'm Council Member Dannielle Glaros. I represent District 3. Thanks for being here.

MR. FRANKLIN: Good evening, everyone, I'm Councilman Mel Franklin, District

9.

MS. TAVERAS: Good evening, I'm Council Member Deni Taveras, and I represent District 2.

1 MR. PATTERSON: Good evening, my name is Obie Patterson. I represent District
2 8.

3 MS. HEWLETT: Good evening, I'm Elizabeth Hewlett, Chair of the Prince
4 George's County Planning Board. And with me is Madam Vice Chair Dorothy Bailey and
5 our newest Commissioner, Dr. Will Doerner. Thank you.

6 CHAIR: Thank you. This is where I turn to the audience, and if there are elected
7 officials who would like to introduce themselves, they could please stand and do so. And
8 seeing none, as you know, Section 27-642 of the County Zoning Ordinance establishes a
9 process whereby the District Council may initiate minor amendments to an approved Master
10 Plan, Sector Plan, Functional Master Plan and an associated Development District Overlay
11 Zone in order to advance the plan's goals or safeguard the public safety, health and welfare
12 of the citizens and residents residing or located within the plan's area boundaries.

13 Section 27-642 also requires that any proposed minor amendment be limited to a
14 geographic area that is no more than 50 percent of the land area with the plan's boundaries,
15 but is also not limited to a single property or property owner; or specific issues regarding
16 public planning objectives; or correcting errors in the text or maps in the applicable plan;
17 and shall not be utilized for any amendment which would require major transportation
18 analysis and/or modeling, revised water and sewer classifications, or any Adequate Public
19 Facilities analysis.

20 On November 15, 2016, the District Council adopted Council Resolution CR-89-
21 2016, thereby directing the Planning Board to initiate a minor amendment to the Gateway
22 Arts District Development District Overlay Zone Table of Permitted Uses for certain
23 Character Areas of the Gateway Arts Development District. The amendment proposes to
24 add the uses, "Tattoo Parlor" and "Music Recording Studio" to the Table of Uses Permitted

1 in the following Sector Plan character areas: Town Center; Arts Production and
2 Entertainment; Neighborhood Arts and Production; and Neighborhood Commercial.

3 Written notice of this public hearing was sent to affected property owners within the
4 sector plan boundary. The opportunity to provide testimony tonight is part of the ongoing
5 minor amendment process that, if approved by the District Council, will result in a change of
6 the Table of Permitted Uses for the 2004 Gateway Arts Plan.

7 To allow everyone an opportunity to be heard, we must require that comments be
8 limited to three minutes per speaker; again that is three minutes per speaker. One minute
9 before the allotted time has elapsed, a yellow light will come on, then followed by a tone
10 and a flashing light indicating that no time remains. Your cooperation to this time schedule
11 is greatly appreciated.

12 The record of joint public hearing testimony will close Friday, February 10, 2017.
13 All testimony received into the record by the close of business Friday, February 10, in
14 addition to the verbal and written comments provided tonight, will be officially considered
15 as part of the record, part of the testimony on this proposed minor amendment to the 2004
16 Gateway Arts District Approved Sector Plan and Sectional Map Amendment.

17 Therefore, if you wish to submit written remarks to supplement or in lieu of
18 testimony, any testimony you may give tonight, please deliver your comments to the Clerk
19 of the Council prior to the close of business on February 10, 2017, at the address printed on
20 today's agenda. Emails or faxes will not be considered, unless followed by originals
21 delivered to the Clerk of the Council.

22 Over the next several weeks, Planning Staff will review the testimony. The Planning
23 Board will consider and provide a recommendation on the proposed minor amendment to
24 the District Council within 30 days of today's date, today's joint public hearing. The

1 Council will then consider the Planning Board's recommendation along with the testimony
2 heard tonight and written testimony submitted for the record, and is expected to take final
3 action on the amendment within 90 days.

4 I want to thank you for attending this joint public hearing. At this time, I would like
5 to call on Valecia Wilson, the project manager, to present the proposed minor amendment to
6 the 2004 Gateway Arts District Sector Plan and Sectional Map Amendment. We will then
7 go to the sign-up sheet and start with the elected officials who came to speak this evening.

8 Ms. Wilson.

9 MS. WILSON: Good evening, Chairman Davis and Members of the District
10 Council, and good evening, Madam Chair and Members of the Planning Board. For the
11 record, my name is Valecia Wilson of the Community Planning Division of the Prince
12 George's County Planning Department. I'm the project manager for the minor amendment
13 to the 2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment.

14 So just a bit about the plan area, the Sector Plan area is adjacent to Washington, D.C.
15 It follows along Route 1, also known as Rhode Island Avenue, and also known as Baltimore
16 Avenue. It includes four municipalities, including Mount Rainier, North Brentwood,
17 Brentwood and Hyattsville.

18 The vision for the 2004 Gateway Arts District is for it to be a focal point for art, for
19 entertainment, for dining, for shopping and living. It does incorporate the character of the
20 four municipalities, Mount Rainier, Brentwood, North Brentwood and Hyattsville, and it's
21 intended to be lively and include commercial mixed-use centers.

22 The proposed minor amendment to the 2004 Gateway Arts District Plan intends to
23 add the following uses, Tattoo Parlor and Music Recording Studio, to the Gateway Arts
24 District Development District Overlay Zone Table of Permitted Uses. And this would be

1 applied in only four of the character areas, including the Town Center, Arts Production and
2 Entertainment, Neighborhood Arts and Production, and Neighborhood Commercial areas.

3 So the Town Center areas are mixed-use areas located primarily along Route 1, and
4 they are intended for business and for creative uses. Arts Production and Entertainment is
5 also intended for creative uses, as well as some industry and entertainment as located in
6 largely industrial areas. This would also apply to the Neighborhood Arts and Production
7 area, which is primarily occupied by artist studio space and some industrial uses. And
8 finally, this could impact the Neighborhood Commercial character area, which includes
9 limited retail services for our neighborhood centers.

10 So of course we're all here at the joint public hearing today. As has been mentioned,
11 the record will close at close of business on Friday, February 10. Between now and March
12 2nd, Staff will gather our comments. We'll review any testimony from today, and on the 2nd
13 of March, the Planning Board will take action on the minor amendment, and then within 90
14 days the District Council will take action on the minor amendment. And this concludes
15 Staff's presentation.

16 CHAIR: Thank you, Ms. Wilson. I'll go straight into our sign-in sheet. And I'm
17 going to call first to see, and I did not see any specific elected officials signed up, so I'll start
18 with the printed sign-in sheet. Ms. Margaret Boozer Strother. Okay.

19 MS. STROTHER: Good evening.

20 CHAIR: Hi.

21 MS. STROTHER: Thank you very much for having this hearing tonight. I'm, I own
22 a studio in Mount Rainier. I've had a studio for 21 years, and I live in Brentwood. I've
23 lived there for 12 years, so I come on this issue from both sides. I am a fan of tattoo parlors

1 and recording studios. My concern with this is a minor edit that would take out Town
2 Center and anywhere there's a residential component.

3 I've had personal experience with a recording studio that was in our neighborhood
4 just around the corner from our house. No issues at all with what happened actually in the
5 building, but lots of after-hours activity that was a huge disturbance to the neighborhood.
6 And also in another town center area -- I'm in Brentwood, so this was over on, near the 38th
7 and Perry and Rhode Island Town Center. There's another town center area right around the
8 circle, just some issues of people not being able to sleep because of music going on into the
9 night. And we do have a noise ordinance that's supposed to, noise is supposed to shut down
10 at 10:00 p.m. The police will come. They tell them to shut down. It starts up again.

11 And what I would hate to see is I would hate to see our Arts District become a victim
12 of our own success that residents and artists are at odds with each other where if we just can
13 remove some of these uses from anywhere where people reside, then we won't have that
14 issue. So, I, that's my request is that that be taken into consideration that we just take out
15 the Town Center component of this amendment. Thank you.

16 CHAIR: Thank you, Ms. Strother, Katie Gerbes, I probably butchered that. Can
17 you just state it for the record?

18 MS. JERBES: Sure, good evening, Chairman Davis, Council Members and
19 Members of the Planning Board, for the record my name is Katie Gerbes. I'm the planner
20 for the City of Hyattsville, I'm here tonight on behalf of our Mayor, Candace
21 Hollingsworth, to express the City's comments on CR-89-2016.

22 Generally, the City is supportive of the inclusion of music recording studios and
23 tattoo parlors in the Table of Uses for the Gateway Arts District. However, we would like
24 the consideration of a few comments on the proposed amendments. It's the City's opinion

1 that a music recording studio use is compatible and consistent with the intent of the Town
2 Center, Arts Production and Entertainment character area, and the Neighborhood Arts and
3 Production character area. Due to the tendency of a recording studio to either be or have an
4 accessory use along with it, we'd like to recommend the approval of recording studios be
5 issued through a special permit process in those character areas.

6 It is our opinion that a tattoo parlor is compatible and consistent with the intent of the
7 Town Center and Arts Production and Entertainment character areas, and should be
8 permitted. Furthermore, we request that this use be required to receive a special permit
9 within the Neighborhood Arts and Production character area. We believe that this proposed
10 use is consistent with other related uses in the Neighborhood Arts and Production area
11 where a special permit is required.

12 Finally, we are not recommending that either use be permitted within the
13 Neighborhood Commercial character area. This stems from the Sector Plan's definition of
14 the Neighborhood Commercial area as being best suited for limited retail and convenience
15 uses. Neither music recording studios nor tattoo parlors are consistent with that description.
16 Thank you for the opportunity to provide comment and for considering our feedback.

17 CHAIR: Thank you, Ms. Gerbes. Daniel Simon.

18 MR. SIMON: Good evening, Mr. Chairman, Council, Members of the Planning
19 Commission. Thank you for having me this evening. I can't remember the last – I've got a
20 two-year-old and a five-year-old. I will not remember the last time I've been allotted three
21 minutes to actually speak, so I will keep it brief.

22 CHAIR: Take advantage of it.

23 MR. SIMON: I am a business owner and a commercial property owner in the
24 Gateway Arts District, more particularly in the Historic District of Hyattsville. You know

1 the area, across from Franklins where Vigilante Coffee is and now Pure Mid Atlantic. It's a
2 growing area, a vibrant area. I spend four or five days a week there. I love it, and I want to
3 see it continue to prosper.

4 During the course of my ownership of these buildings, I have been approached by a
5 number of individuals interested in both recording studios and tattoo parlors. I can't
6 imagine any Gateway Arts District without having either. And I remember growing up the
7 only people I knew that had ink were guys that had retired from the Navy. However, now
8 apparently everybody has it, and it's a form of art. A number of the people who have
9 approached me not only are tattoo artists, but they work on different substrates and different
10 mediums, whether it's painting or sketch artists, graphic design, and that's something, I
11 think it's something that would add to the current mix of artists that we have in the Gateway
12 Arts District, and I think it's something necessary.

13 I hope you all will consider this. One of my buildings has ten artist studios, and
14 we've had -- I've got a line out the door of people who are interested to lease there, more
15 than qualified. However, this particular issue has been a little bit of a hold-up, and hopefully
16 you can bring that into -- bring some change to that and then they'll be in compliance and be
17 able to move into the Gateway Arts District.

18 I was told when you're doing public speaking, the three Bs of public speaking are be
19 brief, be sincere, be seated, so that's all I've got. All right. Thank you.

20 CHAIR: Thank you, Mr. Simon. Anthony Lee.

21 MR. LEE: Good evening, Council --

22 CHAIR: Good evening.

23 MR. LEE: -- and Planning Board, thank you for this opportunity to speak. I'm
24 speaking on, actually as a resident of Mount Rainier, a 12-year resident, and also as a

1 Chairman of the Board for the Gateway Community Development Corporation, which
2 serves the community of the Gateway District at large.

3 But my, I have more questions as it relates to what is permitted versus non-
4 permitted. I also serve on the AEPC Committee, which is an adjunct committee of Park and
5 Planning. And I'm familiar enough to know that they have non-permitted uses, but I'm not
6 certain as to what broach the requirement to get added permitted uses as it relates to tattoo
7 and – because I don't think anyone has a problem with tattoo parlors and/or recording
8 studios.

9 I think it fits in the zone. I think it's perfect for the community, but as it relates to
10 residential areas, to echo what Margaret stated earlier, especially single family residential
11 areas, historic areas, where there are, there is increased foot traffic, perhaps noise after
12 hours. If that can be taken into consideration, perhaps that special permit process to look at
13 those ancillary uses or associated uses to ensure that those areas are protected.

14 But mine are just really more questions about how this came about, and why are we
15 singling out these two specific uses as opposed to non-permitted uses, which I believe is
16 already included in the guidelines. Thank you very much.

17 CHAIR: Thank you for your testimony. Let me remind all that the record closes
18 Friday, February 10th, and if you have any comments or testimony to add to what you had
19 today or to provide in lieu, please get it to the Clerk at the address that's attached to today's
20 agenda. We want to – on behalf of the County Council and the Planning Board, as we sit in
21 this joint public hearing, we want to thank you for your time. And we want to thank you for
22 your comments. And I'm going to follow the Bs. I was brief and what was the other thing?
23 Be sincere and be done. So we will declare that public hearing to have been heard. And,

1 Madam Clerk, if there's no further business before this Council, we will stand in
2 adjournment. We are adjourned.

3
4 (Whereupon, the joint public hearing was concluded.)

5

6

CERTIFICATE OF TRANSCRIBER

7

I, Ruth Kerker Blair, hereby certify that the excerpt of the testimony given in the
8 above-entitled matter was transcribed by me; and that said transcript is a true record, to the
9 best of my ability, of said testimony.

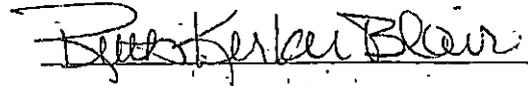
10

I further hereby certify that I am neither a relative to nor an employee of any attorney
11 or party herewith, and that I have no interest in the outcome of these proceedings.

12

This 10th day of February, 2017.

13



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RUTH KERKER BLAIR

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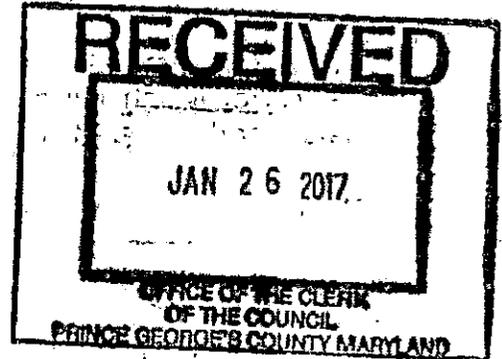
JOINT PUBLIC HEARING
 Proposed Minor Amendment to the 2004 Approved Gateway Arts District Sector Plan and Sectional Map
 Amendment
 February 7, 2017

EXHIBIT LIST			
Exhibit No.	Item Description	Received From	Date
1.	Council Resolution 89-2016	M-NCPPC	2/7/2017
2.	2004 Approved Gateway Arts District Sector Plan and Sectional Map Amendment (by reference located at M-NCPPC)	M-NCPPC	2/7/2017
3.	2004 Gateway Arts District Sector Plan Aerial Map	M-NCPPC	2/7/2017
4.	2004 Gateway Arts District Sector Plan Character Areas	M-NCPPC	2/7/2017
5.	February 7 th , 2017, Joint Public Hearing PowerPoint Presentation (printout)	M-NCPPC	2/7/2017
6.	Letter dated January 19, 2017 To: Clerk of the Council Re: Comments on Proposed Minor Amendment to 2004 Gateway Arts District D-D-O Zone (CR-089-2016), regarding addition "Tattoo Parlor" and Music Recording Studio" as permitted uses	Hillary Morrison	1/26/2017
7.	Letter dated February 7, 2017 To: Planning Board Chair Re: CR-89-2016 – Minor Amendments to the Gateway Arts District Sector Plan	Candace B. Hollingsworth, Mayor City of Hyattsville	2/7/2017

HILLARY MORRISON

January 19, 2017

Clerk of the Council
County Administration Building
Room 2198
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772



RE: Comments on Proposed Minor Amendment to
2004 Gateway Arts District D-D-O Zone (CR-089-2016), regarding adding
"Tattoo Parlor" and "Music Recording Studio" as permitted uses

Dear Clerk:

In accordance with the letter I received dated December 22, 2016 from MNCPPC (a copy of which is enclosed), I am writing to provide my comments on the above referenced amendment.

As a long-time resident of the City of Hyattsville (I purchased my home in 1993), I have watched this city go through a series of changes. When I first moved here, I bought my house assuming the opening of the Green line metro station at Prince George's Plaza would bring positive changes to the neighborhood. It did not. In fact, the neighborhood got worse. It wasn't until the opening of Franklin's and the creation of the Gateway Arts District that we began to get noticed in a positive light and our property values began to increase. Now, 23 years later, I am so excited to finally see the enormous changes going on in College Park, Riverdale Park and here in Hyattsville; I feel like we have finally turned a corner.

Which is why I was so disappointed to receive this notice about these amendments. Change the zoning to permit a tattoo parlor? **Absolutely not.** While I recognize that tattoos are artistic and are a form of expression for many people, tattoo parlors are not located in vibrant, family friendly neighborhoods, which is what we aspire to be. Further, College Park already has at least 2 tattoo parlors on Route 1 -- why do we need to modify our zoning to allow more? Prince George's County, as a whole, and the Gateway Arts District especially, doesn't need any more tattoo parlors, pawn shops, check cashing stores or bodegas.

By contrast, the idea of permitting a music recording studio is a terrific idea and much more in line with what I believe the arts district was created to do. Why isn't there a music venue, as well as a recording studio? Why isn't there ceramics studio? There are so many other options that are much better for our community than a tattoo parlor.

HILLARY MORRISON

Please ensure that these comments are included in the record for the hearing on this matter currently scheduled for Tuesday, February 7, 2017. I hope the board will reject the tattoo parlor request and confirm the recording studio amendment instead.

Thank you.

Sincerely,



Hillary Morrison

Enclosure

(2017) MINOR AMENDMENT
Gateway Arts District DDOZ
Exhibit 6

RECEIVED

JAN 20 2017

OFFICE OF THE CLERK
PROF. GEORGE E. BROWN, III

Candace B. Hollingsworth
Mayor



Tracey E. Nicholson
City Administrator

February 7, 2017

RECEIVED

FEB - 7 2017

OFFICE OF THE CLERK
CITY OF HYATTSVILLE

Honorable Elizabeth Hewlett
Chairman
Prince George's County Planning Board
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

Re: CR-89-2016 - Minor Amendments to the Gateway Arts District Sector Plan

Dear Chairman Hewlett,

On behalf of the City of Hyattsville, I am writing to express our position regarding the proposed minor amendments to the Gateway Arts District Sector Plan outlined in CR-89-2016. After review of the proposed amendments, our City Council has approved support for the following uses permitted as detailed below:

Use	Town Center	Arts Production & Entertainment	Neighborhood Arts & Production	Neighborhood Commercial
Music Recording Studio	Special Permit	Special Permit	Special Permit	Prohibited
Tattoo Parlor	Permitted	Permitted	Special Permit	Prohibited

It is the City's opinion that a Music Recording Studio use is compatible and consistent with the intent Town Center, Arts Production and Entertainment and Neighborhood Arts and Production character areas and we support it as an amended use and approval through Special Permit.

It is also the City's opinion that a Tattoo Parlor use is compatible and consistent with the intent of Town center Arts Production & Entertainment, and Neighborhood Arts & Production character areas. Furthermore, we request that this use be required to receive an approved Special Permit within the Neighborhood Arts & Production character area. We believe that the proposed use is consistent for other arts related uses within the Neighborhood Arts & Production area, where the vast majority require a Special Permit.

Finally, we are not recommending either use to be permitted within the Neighborhood Commercial character area. This stems from the Gateway Arts District Sector Plan's definition of the Neighborhood Commercial area as being best suited for limited retail and convenience uses, where there is a recurring base of local customers. Neither a tattoo parlor or music recording studio are uses consistent with that description.

As always, we thank the members of the Planning Board for the opportunity to provide feedback and consideration of these comments.

Sincerely,

Candace B. Hollingsworth
Mayor

(2017) MINOR AMENDMENT
Gateway Arts District DDOZ
Exhibit 7

CITY COUNCIL

WARD 1

Bart Lawrence, Vice President
Kevin Ward

WARD 2

Robert S. Croslin
Shani N. Warner

WARD 3

Patrick A. Paschall
Thomas Wright

WARD 4

Edouard N. Haba, President
Paula J. Perry,

WARD 5

Ruth Ann Frazier
Joseph Solomon

POLICE DEPARTMENT

Non-Emergency
301/985-5060
Emergency
301/985-5050

PUBLIC WORKS

301/985-5032

COMMUNITY & ECONOMIC

DEVELOPMENT
301/985-5013

COMMUNITY SERVICES

301/985-5021