



Minutes of the City of Mount Rainier Maryland City Council Work Session & Special Meeting

Date: 10-20-2015

Place: One Municipal Place, Mount Rainier

Presiding officer: Mayor Malinda Miles

Councilmember's present: Jesse Christopherson, Brian Knedler, Tracy Loh, Shivali Shah

Councilmember's absent: None

City Hall Staff: Interim City Manager Larry Hughes, Assistant City Manager Veronica Owens, Economic Development Director Samantha Olatunji

Meeting called to order at 7:08 p.m.

Agenda

New Business

Mediterranean Café Liquor Board Hearing

Public Comment

Committee Reports – Green Team, Tree Commission, City Manager Organizational Committee

Fly Wheel Development

ACOZ

Urban Green

Motion to adopt the agenda as amended

Councilman Knedler

2nd Councilwoman Loh

4-0

Mediterranean Café Liquor Board Hearing

The Mediterranean Café is applying for a liquor license. They are planning to start serving wines and beers for consumption in the restaurant in the downstairs area. The hearing will be held on October 27, 2015.

Green Team Committee Report

The City will be awarded the Sustainable Maryland Certification the following week. Also, the Green Team Chair, Marylee Howard, will step down in the next month. Joseph will take her place.

2015-2016 Work Plan

The green team has six goals. 1) Reducing solid waste. 2) Reducing the City of Mount Rainier's carbon footprint. 3) Promoting Green Infrastructure Projects 4) Enhancing and expanding local habitat by diversity 5) Expanding community-based food system. 6) Partnerships, collaborations and networks.

University of Maryland Project

University of Maryland students completed a project and discovered that solid waste was the number one cause for carbon emissions from the municipality. Second is electricity usage in the city's buildings and street lights. The third largest cause is emissions city vehicles. The main recommendation is to increase recycling and composting, which will decrease the city's emissions from transportation and landfills. This will also save the city money in tipping fees. The second recommendation is to replace the lights in city buildings with LED lights, which is a cost-effective way to reduce electricity consumption. Another goal is to replace the street lights with LEDs. To reduce emissions from city vehicles, the city can get vehicles with higher miles or electric vehicles.

Tree Committee Report

An annual report for 2014-2015 was filed with the city in March 2015. All of the committees' accomplishments and achievements are included in that report.

The Tree Commission meets every other month on the third Thursday at 7:30pm. People can email the commission at trees@20712.org with any questions.

The Tree Commission operates under the current tree ordinance. It develops a budget for trees in the city, organizes Arbor Day events and tree walks, and maintains tree inventory. The next **Tree Walk** is **Saturday, October 31st** in the afternoon.

The Tree Commission no longer has members that are able to provide advice on trimming, maintenance and care of trees. However, previous members that have this expertise still live in the city and still like trimming trees.

Fly Wheel Development

The Fly Wheel development project on Perry and 33rd is using modular construction. This means a lot of the construction will happen offsite. They will bring mostly finished boxes down the street and then crane them onto the site. Currently, there is a small tree in the way of the modular construction. Fly Wheel is proposing to take it down and replace it with a similar tree or replant it somewhere else in the city because their landscape plan requires them to plant a tree there anyway.

Seeing that this is an educational opportunity, Flywheel will be filming and sharing their film with the city for educational purposes. They will also be doing workforce training and education. They are currently working with the Prince George's County Community College on that.

As far as scheduling, construction will start November or December. The modular construction company can move only one module per day, Fly Wheel is requesting help from the city to store some of the modules on the Penske Truck Rental site. The green roof alley planting day will happen sometime in March. Flywheel would like to do a ribbon cutting sometime after the homes are delivered.

ACOZ – Councilman Knedler

Park and Planning is planning to have another meeting and the Design Review Board has provided the city with another proposal. Councilman Knedler proposes that the city hold a public hearing to get input on the Design Review Board's proposal. Then the council can give the designers an idea of where the city stands.

The following representatives were in attendance:

Zenos Rodriguez, Project Manager for the Architectural Conservation Plan and Architectural Conservation Overlay Zone Project.

Terry Bon, Project Facilitator

Anthony De Lorenzo, Project Management Member

*They work on behalf of the county and are consulting with Cunningham Quill Architects, based out of D.C.

ACOZ, Neighborhood Conservation Overlay Zone. That is a separate project from the Architectural Conservation Overlay Zone and Architectural Conservation Plan project. This project is being proposed as part of the county's overall rewrite project because the county has a current zoning ordinance that is over 50 years old. The Gateway Arts District Overlay Zone places additional restrictions on Euclidian zones, or base zones in the city.

ACoz, Architectural Conservation Overlay Zone is in the current zoning ordinance, however, it has never been applied anywhere. No municipality in the county actually has this zone. It is just on the books.

The zoning rewrite is separated into three parts, Module 1, Module 2, and Module 3. The first part of the zoning ordinance deals with Table of Uses, which has been released. They have also set up three county-wide meetings. Nothing has been decided for the NCOZ. However, conversations about what the city needs the NCOZ to be have to happen now because they will be creating it. It has not existed yet but if it is anticipated that it will replace the ACOZ, it needs to be able to address similar things that ACOZ was intended to address.

Councilman Knedler: It sounds to me from a negotiating standpoint that we would be stronger to have the standards for the ACOZ already done...so when we are rewriting the zoning ordinance, we do not have to debate it again, we just say look, here is what we are asking for. Now one of my biggest concerns is with both the mixed-use town center and the ACOZ. It looked to me like there was a proposal to eliminate the review committees, which I think I speak for the council, we do like that local input even though it is only advisory. At least it gives us some input to the processes taking place. We will be advocating to keep that in the mixed-use town center zone and the ACOZ.

The dates for the **county meetings** are **October 27th, 28th, and 29th**. October 28th is the date for the northern county meeting.

Councilwoman Loh: We as the Mount Rainier City Council are going to hold an extra public hearing so that folks...and in advance of that meeting, we are going to share a proposal or we might say our draft of possible standards. So we will share that draft with our constituents in advance...We are going to have this public meeting, get more input, make more changes. Then we are going to provide that content to the consultants that the county has engaged to actually write these standards...We are not in charge of writing the standards. We are in charge of providing input. I think it is our job as a council to make sure people know this is happening, make sure everyone has a chance to give input, and help facilitate and communicate in whatever way we can.

The **Public Mount Rainier City Council Hearing** will be held on **November 7th, 2pm**, tentatively at the **Mount Rainier Police Station**

Public Comment

Joseph Jukuda (29th Street/ Green Team Representative): I want to thank the DRB for opening a dialogue with the Green Team first on the subject matter and think the proposal that we saw makes great strides into improving the environmental aspects of the Design Review Board Proposal. We do think there are some opportunities for improvement and also opportunities to strengthen existing regulations such as regulations on packing storm water that

are going slightly unenforced these days. We do plan on submitting some formal comments by the 7th.

Rick Ruggles (4200 37th Street): My concerns are in general, the clarity of the language is still really vague to me.

Bruce Yunnel: Thank you this evening for agreeing to move forward with this process. As a former DRB member, I remained on the committee for this purpose. I have personally worked on this since 2006. And listening to the NCOZ versus DCOZ or DCAD. That may be well down the road. I think in the end we need to continue the process to determine as a community what we want the community to be. And saying that, no decisions have been made. I know the process got off on a bad foot July 15th. But since that time, we have been to a meeting here, we have met individually with the county planners, and the DRB has met twice as well before we got to the point where we are now proposing for everyone's consideration what we think is reasonable. And I am just thankful that you have agreed to move forward to share that with the community and let everyone decide.

Mary Connelly: We are still concerned about ramps, the particulars of windows, about the 20% limit additions. I hear solar panels have been approved. Bryan told me raising the roof is okay to a degree so that's great. Sheds are an exemption. That's some good news for some neighbors. One question that I had that is overarching is has anyone done an economic analysis of what this will do to us as a competitive...in the community, in real estate. Is this going to make it harder to sell our houses if we are the only town in P.G. County that has this? That is one question. Two, I would like to see the results of the survey.

Urban Green – 3719 34th Street Project

Mark James, President of Urban Green

Urban Green was awarded by the County Redevelopment Authority the contract to develop the vacant lot on 3719- 34th Street into a net zero energy home, which would be a demonstration project for the whole DC- Metro region to showcase what next-generation housing could look like. The project is moving along well. They are hoping to start construction in December and have a ribbon cutting in the spring. The site and storm water permit was approved by the county two to three weeks ago. They are waiting for a building permit to be approved as a modular home.

Urban Green wants to make sure that this house can be replicated, whether or not people want to enlarge or reduce it in size. As a net zero energy house, it means that the home itself is going to generate 100% or more of the energy that it consumes over the course of the year. So there may be some months when a homebuyer pays some utility bill. There may be months when they may have a credit on their bill. It depends on their use, how much sunshine was outside, and generally what their habits are when using energy. The house that Urban Green has built is going to meet LEED Gold or possibly LEED platinum certification.

Other features include the garage, the ventilation and the storm-water management system. The house will have a one-car garage and additional storage space towards the rear. As a company, Urban Green builds their properties to be capable of eventually becoming an off-grid location. While this house will not be built to go off grid, it will be connected to the electric grid. If someone wants to bring in a battery pack to operate with the solar that goes with it, the storage space and an electric panel in the garage will allow them to connect that to the house and take it completely off grid. Another feature of the house is a ventilation system that allows 60cfm (cubic feet/ minute) of fresh air into the house. And finally, the house will have a storm water management capacity of 1.7in per event. That is 95-98% of the rainfalls that this area gets in the course of the year. It is not quite zero storm water run-off but it is very close.

Urban Green informs the council that when you build a solar or net-zero energy home, the extra money that you spend on it, does not come out of the appraisal. So Urban Green had to put out some of the equity. However, over time, Urban Green believes there will be more comparable homes for the appraisers to look at and it will be easier to finance these deals. To help with the financing, Maryland-DHCD has created a loan guarantee program for Net Zero Energy Homes. Essentially, the State of Maryland is providing a 30% loan guarantee for Net-Zero homes. That loan guarantee helps the loan to go through.

City Manager Organizational Committee – Interim City Manager Larry Hughes

There were six consultants that responded. The committee met and interviewed three consultants. The list was narrowed down to two consultants. There are a couple issues outstanding with those two. The committee expects to get answers by the end of the week. The committee is planning to get a recommendation to the council by the first meeting of November.

Parking Table of Fees Ordinance – Councilwoman Loh

The city's current ordinance allows each residence to have four parking permits and two visitor permits. Each resident permit costs \$50 and each visitor permit costs \$20. This ordinance proposes each residence receives only two parking permits and one visitor's permit. It also proposes reducing the parking permit price to \$20 and making the visitor permit free.

Interim City Manager Hughes: The police chief recommended using mirror hangers rather than the stickers.

Councilwoman Shah: I have a proposal to solve the dilemma about the four versus two vehicles and I think I share everyone's concern about people who for some reason have four, five and six cars and aren't using them and are just taking up parking spots. I would like to add some language that says that if there is more than two cars that are registered to more than two different owners then those extra people can get their own parking permit for that zone. Again, for Arundel it doesn't matter, but this is not just for Arundel.

Councilwoman Loh: I did think of the scenario of like a family where there are two adults and maybe an older in-law or a teenage child that is driving age. I am aware that many households have more than two drivers in them. That's not the only kind of household that limiting the permits to two per dwelling unit would impact. The other kind of household that would be impacted is a house with a large number of bedrooms or just a large number of rooms being occupied as bedrooms by people who are unrelated. I think that we all perhaps have a house like this on each of our blocks. In Mount Rainier, there are many houses in Mount Rainier that are occupied as... people might use different words for them they might call them group houses. They might call them boarding houses. I am just describing a very common residential situation in Mount Rainier. One dwelling unit many cars. This is something that exists on every block in Mount Rainier. Similarly, you may have one dwelling unit that has one family and many cars. These are both possible scenarios that can happen in Mount Rainier. If we restricted two parking permits per dwelling unit, what would happen in the case of these sometimes illegal houses is that... if there was a parking zone on their street, they would only be able to get two permits. And everyone else would have to park around the corner or park somewhere outside of their zone.

Councilwoman Shah: I think part of the permit process should be to establish if these people are living there legally. If these folks are living there illegally, they are essentially outing themselves by asking for a permit... How do we as city know who is living here illegally?

Councilman Knedler: We don't have the right to go into somebody's house, if it is not a rental, say it's a private residence. They can have as many people as they want living in there because they can say they are all relatives... We cannot go in there and say 'how many bedrooms do you have in your house?' because it is a private residence... I do not see how we can prove that they have an illegal apartment in the basement because we cannot get into that private residence. Another thing is the block will have to vote to put this in place. They have to petition to do this... Can we just compromise and say three?

Mayor Miles: Hopefully we will have a tracking system... From my vantage point, ordinances are ordinances. Somebody has to still got to write procedures to make sure people understand them and know how to implement them. So I don't think the right place right now is to determine how many people are living in the house. I would say there is another angle we have to throw out and pay attention to. On Arundel Road alone, there are at least five single family homes that have additions on the back. They did not get permission. They just built them. There are some all over the city... The front house has an address. They can get it. Is the back of the house the same address? Because if so, they can get two too because that is a whole apartment back there. So one house could end up getting four if we go with the two rule. If you go with the four rule, now we are going to have eight of them.

Councilwoman Shah: People are living illegally. We can't do anything about it. If that was the point, then fine limit it. It is unfairly punishing people who are doing things the legal way. There should be exceptions for those people.

Councilman Christopherson: I would like to make a couple of points. Number one, I think limiting the permits to two per dwelling unit even though it is not the primary purpose of the ordinance is a useful tool to provide an incentive to people to register their additional dwelling units... We should publicize that people need to do that also before we start penalizing people. My second point is that I think two permits per dwelling unit should be sufficient for an overwhelming majority of homes. If they need to park...and this is we are only talking about street parking... we are not talking about driveway parking or garage parking...If one house where there is only one dwelling unit needs to park three cars and they all have to be on the street. Then one of the cars can park around the corner or a block down. I do not think that is a major inconvenience given the benefits of the ordinance as it's drafted.

Councilman Knedler: Under the Gateway Plan in the traditional neighborhood, you are allowed to have an accessory unit. It is called a granny flat. That means, however, that you live in that house and have an apartment that is in theory for a relative though I do not think it requires it . So you can have two dwelling units legally in a single family home, not as a rental unit however...If you are renting it, then you need to have a rental license from the city...Proving that you are renting it, good luck. You can say it is a relative and that you are not having them pay rent... Can we agree on three as a compromise and get this done because we only have one parking zone at this point and I don't know if we are ever going to have another one?

Mayor Miles: This is just going to push the traffic off your street to somebody else's.

Rolling Agenda- Councilman Knedler

This document will be placed onto the city's google drive. Once it is placed on there, Councilman Knedler suggests prioritizing the top five items as a group on that list.

Motion to adjourn

Councilman Christopherson

2nd Councilman Knedler

4-0

Announcements

City of Mount Rainier Committees

Phone: 301-985-6585

Email: volunteercommittees@mountrainiermd.org

Charter Review Committee
Economic Development Committee
Garden/Beautification Committee
Youth & Recreation Committee
Community Toolshed
Election Committee
Mount Rainier Day Committee
Design Review Board Committee
Personnel Review
Board of Elections
Tree Commission
Green Team
Garden Committee
MUTC Committee

Motor vehicle work in the city

Working on Motor Vehicles is restricted. It is unlawful for any person to perform mechanical or body work of any kind on any automobile, truck or other motor vehicles on residential property in the City of Mount Rainier.

Upcoming Events

October 15th, 4-6 p.m.- Extreme Teens at the Nature Center
October 17th 9:30am-1pm- Clean Up, Green Up. Contact Jessica Love.
jlove@mountrainiermd.org
October 17th, 2-7pm- Joe's Movement Emporium Block Party

Holiday Baskets

Do you know a family in need for the holidays?
Contact Mayor Miles. mayormiles@gmail.com

City of Mount Rainier Cable Channels

Comcast Channel 71
Verizon Fios Channel 21
Mrtv. Pegstream.com (Live streaming on the internet)
Mrtv.pegcentral.com (On Demand Video Library)

Mount Rainier Police

Phone: 301-985-6565

See Something, Say Something

City of Mount Rainier Department of Public Works

Phone: 301-985-6583/6558

Trash & Recycle Schedule

Regular Trash October 7, 14, 21, 28

Recycle October 9, 16, 23, 30

Yard Waste October 12, 26

Bulk Trash/ Yard Waste October 19

City of Mount Rainier- The Buzz Around the City

- October 20th, 7pm- Work Session
- October 23rd, 7-8:30pm Halloween Campfire Nature-Center
- October 31st, 6pm- First Baptist Church Trunk O' Treats 3103 Shepard Street
- Learn how to play an instrument- Nature Center 4701 31st
- November 3rd, 7pm- City Council Meeting
- November 17th, 7pm- Worksession
- December 5th- Mount Rainier CRAFT SHOW
Contact sarah.madgrial@gmail.com
- December 20th – Holiday Senior Gala

City of Mount Rainier Calendar of Events- October 2015

- Mayor and City Council Meeting-October 6th, 7pm
- Mayor and Council Worksession, October 20th, 7pm
- 5K Run- Sponsors/ Volunteers needed
Contact Tracy Loh – thadden@gmail.com
- Halloween House Party Event- October 31st
- Veterans Day Celebration – Calling all veterans
Contact Mayor Miles- Mayormiles@gmail.com