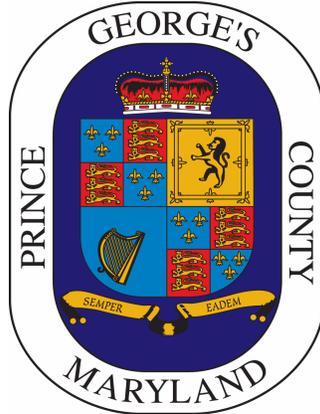


Prince George's County Council

*County Administration Building
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland
20772-3050*



Zoning Agenda - Final

(Approximate Time - immediately following County Council Session)

**Tuesday, January 28, 2020
1:00 PM**

Council Hearing Room

Sitting as the District Council

*Todd M. Turner, Chair, District 4
Monique Anderson-Walker, District 8
Derrick Leon Davis, District 6
Thomas E. Dernoga, District 1
Mel Franklin, At-Large
Dannielle M. Glaros, District 3
Sydney J. Harrison, District 9
Calvin S. Hawkins, II, Vice Chair, At-Large
Jolene Ivey, District 5
Rodney C. Streeter, District 7
Deni L. Taveras, District 2*

Robert J. Williams, Jr., Council Administrator

RULES OF COURTESY

You are now participating in the process of representative government. We welcome your interest and hope you will attend Prince George's County District Council meetings often. Good government depends on the interest and involvement of you and your fellow citizens. All District Council Sessions are public meetings, however, a part of the meeting may be conducted in closed session.

To insure fair and orderly meetings, the District Council has adopted rules which apply to all members of the Council, administrative staff, news media, citizens and visitors which provide that no one may delay or interrupt the proceedings or refuse to obey the orders of the presiding officer. No posters or placards may be brought into the hearing room, nor any food and drink. Citizens are admitted up to the Fire Safety capacity only.

ORAL ARGUMENT HEARINGS

Testimony at Oral Argument Hearings is limited to thirty (30) minutes for each side, including questions from the Council Members, unless extended by the Chairman of the Council. Persons wishing to give oral argument on a specific case should sign the forms provided in the front of the hearing room. Testimony at Oral Argument Hearings must be based on the record, and no new evidence will be permitted. Only persons of record may testify.

EVIDENTIARY HEARINGS

A verbatim transcript is prepared for all Evidentiary Hearings. Testimony and evidence are presented and exhibits introduced. Transcripts of these hearings along with any exhibits, constitute the record in the case.

ORDER OF PRESENTATION AT HEARINGS

1. Orientation by the Planning Staff or appropriate staff person
2. Testimony from the side requesting the hearing
3. Testimony from the side favoring the decision
4. Comments by the People's Zoning Counsel
5. Five (5) minute rebuttal from the side requesting hearing
6. Five (5) minute rebuttal from the side favoring decision

PARTICIPATION IN ZONING MEETINGS

Meetings of the District Council are formal proceedings and are recorded. If you are eligible to participate, register with the Clerk, and when called by the presiding officer, follow the following steps:

1. Come forward to the speaker's podium and state your name and address for the record.
2. Present comments as succinctly as possible.
3. Confine remarks to information contained in the record, except for Evidentiary Hearings.
4. Observe time limitations as directed by the presiding officer.
5. Give any written statements to the Clerk of the Council

In accordance with ADA Requirements, accommodations for hearing impaired, disabled persons and visually impaired can be provided upon reasonable notice to the Clerk of the Council. Sign language and interpreters for non-english speakers are available with advance notice by calling 301-952-3600. In the event of inclement weather, please call 301-952-4810 to confirm the status of County Business.

FOR LIVE STREAMING AND VIDEO VISIT OUR WEBSITE AT: <http://pgccouncil.us>

PLEASE SILENCE ALL CELLULAR PHONES WHILE IN THE HEARING ROOM.

9:30 AM AGENDA BRIEFING - (ROOM 2027)

10:00 AM GENERAL ASSEMBLY COMMITTEE - (COUNCIL HEARING ROOM)

(SEE SEPARATE AGENDA)

11:30 AM COMMITTEE OF THE WHOLE - (COUNCIL HEARING ROOM)

(SEE SEPARATE AGENDA)

12:30 PM COUNTY COUNCIL CALL TO ORDER - (COUNCIL HEARING ROOM)

1:00 PM CONVENE DISTRICT COUNCIL - (COUNCIL HEARING ROOM)

(Approximate Time - immediately following County Council Session)

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 01142020](#)

District Council Minutes dated January 14, 2020

Attachment(s):

[01-14-2020 District Council Minutes DRAFT](#)

NEW CASE(S)**[A-10054](#)****Callicott Property****Applicant(s):**

Brian D. Callicott

Location:

Located on the north side of Church Street, approximately 260 feet west of its intersection with Water Street (0.5547 Acres; C-S-C zone).

Request:

Requesting approval to of a Zoning Map Amendment to rezone approximately 24,164 square feet of land, in the C-S-C (Commercial Shopping Center) to the R-80 (One-Family Detached Residential) Zone.

Council District:

9

Appeal by Date:

11/7/2019

Action by Date:

3/9/2020

History:

05/09/2019	M-NCPPC Technical Staff	disapproval
10/08/2019	Zoning Hearing Examiner	approval
11/18/2019	Sitting as the District Council	deferred
	<i>Council deferred this item to a later date.</i>	
01/06/2020	Sitting as the District Council	deferred
	<i>Council deferred this item to January 14, 2020.</i>	

Attachment(s):[A-10054 Zoning Agenda Item Summary](#)[A-10054 Zoning Hearing Examiner Decision](#)

A-10054-PORL

[A-10054 Technical Staff Report_with backup](#)

In making the final decision in this case, the District Council should consider whether it wants to conduct an Oral Argument, pursuant to Section 27-131 (c)(2).

ITEM(S) FOR DISCUSSION[DSP-18052](#)**Swan Creek Club Development, Lot 9C****Applicant(s):**

AMSB

Location:

Located at 12311 Hatton Point Road, approximately 1,500 feet southwest of its intersection with Riverview Road, in Fort Washington, Maryland (1.02 Acres; R-E / L-D-O Zones).

Request:

Requesting approval of a Detailed Site Plan for construction of a 5,900-square-foot, single-family detached dwelling with a garage, pool, and patio on a vacant and partially wooded property within the Limited Development Overlay (L-D-O) Zone of the Chesapeake Bay Critical Area (CBCA) Ordinance.

Council District:

8

Appeal by Date:

11/14/2019

Review by Date:

11/14/2019

Action by Date:

2/3/2020

History:

08/30/2019 M-NCPPC Technical Staff approval with conditions

10/10/2019 M-NCPPC Planning Board approval with conditions

10/28/2019 Sitting as the District Council deferred

Council deferred this item to November 4, 2019.

11/04/2019 Sitting as the District Council elected to review

Council election to review this item (Vote: 10-0; Absent: Council Member Hawkins).

11/18/2019 Sitting as the District Council announced hearing date

01/06/2020 Sitting as the District Council continued at a later date

After reading in the case number, name and description, Chair Turner requested a continuance of the hearing on behalf of Council Member Anderson-Walker. Council voted to continue the hearing to January 14, 2020 at 2:30pm (Vote: 10-0; Absent: Council Member Anderson-Walker).

01/14/2020

Sitting as the District Council

hearing held; case taken under
advisement

Thomas Burke, M-NCPPC, provided an overview of the Detailed Site Plan application. Traci Scudder, Esq., attorney for the applicant, along with Kevin Champion, Kamel Daviate, Richard Leoste, and Matthew Tippett on behalf of the applicant. Mr. James Garrett also spoke in support as a neighbor. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented. The Oral Argument Hearing was held and Council took this case under advisement.

Attachment(s):[DSP-18052 Planning Board Resolution 19-101](#)

DSP-18052 PORL

[DSP-18052 Technical Staff Report](#)

PENDING FINALITY

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision or an appeal is filed.

(a) PLANNING BOARD**CDP-1201-01****Brandywine Village****Applicant(s):**

Brandywine Partners, LLC

Location:

Located in the northwest quadrant of the intersection of US 301 (Robert Crain Highway) and Chadds Ford Drive, east of General Lafayette Boulevard (44.33 Acres; L-A-C Zone).

Request:

Requesting approval of a Comprehensive Design Plan for an increase of 2,000 square feet from the previously approved 218,500 square feet of commercial/retail space, to a total of 220,500 square feet, and to add a new location of a commercial building.

Council District:

9

Appeal by Date:

1/9/2020

Review by Date:

1/30/2020

History:

10/30/2019	M-NCPPC Technical Staff	approval with conditions
12/05/2019	M-NCPPC Planning Board	approval with conditions
01/06/2020	Sitting as the District Council	deferred

Council deferred this item.

Attachment(s):

[CDP-1201-01 Planning Board Resolution 9-124](#)

[CDP-1201-01_PORL](#)

[CDP-1201-01 Technical Staff Report](#)

PENDING FINALITY (Continued)

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision or an appeal is filed.

(a) PLANNING BOARD (Continued)**CSP-18003****Calm Retreat****Applicant(s):**

Calm Retreat, LLC

Location:

Located at 15111 and 15207 US 301 (Robert Crain Highway), approximately 1,900 feet north of its intersection with Chadds Ford Drive (72.10 Acres; M-X-T Zone).

Request:

Requesting approval of a Conceptual Site Plan (CSP) for development of 550-650 one-family, attached (townhouse) dwelling units; 100-200 two-family, attached dwelling units; and 10,000-20,00 square feet of commercial/retail uses.

Council District:

9

Appeal by Date:

12/26/2019

Review by Date:

1/30/2020

Comment(s):

Although Planning Board's decision regarding CSP-18003 was transmitted to all persons of record on November 26, 2019. The application case file was returned to the Planning Board to comply with State Ethics Law. The case was retransmitted to the District Council after compliance on December 5, 2019.

History:

10/30/2019	M-NCPPC Technical Staff	approval with conditions
11/21/2019	M-NCPPC Planning Board	approval with conditions
01/06/2020	Sitting as the District Council	deferred

Council deferred this item.

Attachment(s):

[CSP-18003 Planning Board Resolution 19-125](#)

[CSP-18003 PORL](#)

[CSP-18003 Technical Staff Report](#)

PENDING FINALITY (Continued)

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision or an appeal is filed.

(a) PLANNING BOARD (Continued)**CSP-19007****Wood Property****Applicant(s):**

Samuel T. Wood

Location:

Located in the northeast corner of Armstrong Lane and the Pennsylvania Avenue Service Road (18.092 Acres; M-X-T / M-I-O Zones).

Request:

Requesting approval of a Conceptual Site Plan (CSP) for a mixed-use development consisting of 90 one-family attached (townhouse) dwelling units, a 128-room hotel, and 15,000 square feet of commercial/retail uses.

Council District:

6

Appeal by Date:

1/16/2020

Review by Date:

1/30/2020

History:

11/07/2019	M-NCPPC Technical Staff	approval with conditions
12/12/2019	M-NCPPC Planning Board	approval with conditions
01/06/2020	Sitting as the District Council	deferred
	<i>Council deferred this item to January 14, 2020.</i>	
01/14/2020	Sitting as the District Council	deferred
	<i>Council deferred this item.</i>	

Attachment(s):

[CSP- 19007 Planning Board Resolution 19-130](#)

CSP-19007_PORL

[CSP-19007 Technical Staff Report](#)

PENDING FINALITY (Continued)

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision or an appeal is filed.

(a) PLANNING BOARD (Continued)

[DSP-00013-06](#)

Bishop McNamara High School

Applicant(s):

Roman Catholic Archdiocese of Washington

Location:

Located on the north side of Marlboro Pike, approximately 830 feet west of its intersection with Whitney Place (14.53 Acres; R-55 / C-S-C / M-I-O Zones).

Request:

Requesting approval of a Detailed Site Plan (DSP) for the construction of a 20,655-square-foot science/classroom addition to the existing school building and an increase in student enrollment from 796 to 834.

Council District:

6

Appeal by Date:

2/13/2020

Review by Date:

2/13/2020

History:

11/19/2019

M-NCPPC Technical Staff

approval with conditions

01/09/2020

M-NCPPC Planning Board

approval with conditions

PENDING FINALITY (Continued)

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision or an appeal is filed.

(a) PLANNING BOARD (Continued)**SDP-0516-02****Bevard East****Applicant(s):**

Lennar Bevard, LLC

Location:

Located on the east side of MD 223 (Piscataway Road), approximately four miles southwest of its intersection with MD 5 (Branch Avenue) and bounded on the east by Thrift Drive (195.97 Acres; R-L Zone).

Request:

Requesting approval of an amendment to a Specific Design Plan (SDP), for revision to Phase 4 of the residential development, including 293 single-family detached and 100 single-family attach dwelling units.

Council District:

9

Appeal by Date:

11/21/2019

Review by Date:

1/30/2020

Comment(s):

Although Planning Board's decision regarding SDP-0516-02 was transmitted to all persons of record on October 22, 2019. The application case file was returned to the Planning Board to comply with State Ethics Law. The case was retransmitted to the District Council after compliance on December 2, 2019.

History:

09/10/2019	M-NCPPC Technical Staff	approval with conditions
10/17/2019	M-NCPPC Planning Board	approval with conditions
01/06/2020	Sitting as the District Council	deferred

Council deferred this item.

Attachment(s):

[SDP-0516-02 Planning Board Resolution 19-107](#)

SDP-0516-02 PORL

[SDP-0516-02 Technical Staff Report](#)

PENDING FINALITY (Continued)

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision.

(b) PLANNING BOARD'S REPRESENTATIVE[CNU-19495-2019-U](#)**7001 Old Landover Road Landover****Applicant(s):**

April Mackoff

Location:

Located on the east side of Landover Road running northwest, approximately 1,560 feet southeast of the intersection with the Baltimore-Washington Parkway (1.95 Acres; I-1 Zone).

Request:

Requesting Certification of Nonconforming Use for an existing outdoor advertising sign. Certification of existing outdoor advertising signs is required pursuant to Council Bill 84-2016. It requires that applications for the certification of outdoor advertising signs in existence as of January 1, 2002, be filed no later than December 31, 2021. This outdoor advertising sign was erected in 1986.

Council District:

5

Review by Date:

2/20/2020

Comment(s):

In the event the District Council elects to review this case, it will be sent to the ZHE for a hearing pursuant to Section 27-244(e) of the Zoning Ordinance.

History:

01/21/2020

M-NCPPC Administrative Certification approval

Attachment(s):[CNU-19495-2019-U File Materials](#)

PENDING FINALITY (Continued)

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision.

(b) PLANNING BOARD'S REPRESENTATIVE (Continued)[CNU-48754-2019-U](#)**4103 Rhode Island Ave Brentwood****Applicant(s):**

April Mackoff

Location:

Located on the east side of Rhode Island Avenue running north, approximately 210 feet northeast of the intersection with Bunker Hill Road (0.58 Acres; U-L-I Zone).

Request:

Requesting Certification of Nonconforming Use for an existing outdoor advertising sign. Certification of existing outdoor advertising signs is required pursuant to Council Bill 84-2016. It requires that applications for the certification of outdoor advertising signs in existence as of January 1, 2002, be filed no later than December 31, 2021. This outdoor advertising sign was erected in 1984.

Council District:

2

Review by Date:

2/20/2020

Comment(s):

In the event the District Council elects to review this case, it will be sent to the ZHE for a hearing pursuant to Section 27-244(e) of the Zoning Ordinance.

Municipality:

Town of Brentwood

History:

01/21/2020

M-NCPPC Administrative Certification approval

Attachment(s):[CNU-19495-2019-U File Materials](#)

PENDING FINALITY (Continued)

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision.

(b) PLANNING BOARD'S REPRESENTATIVE (Continued)[CNU-47632-2019-U](#)**7492 Old Alexandria Ferry Rd Clinton****Applicant(s):**

April Mackoff

Location:

Located on the north side of Old Alexandria Ferry Road approximately 175 feet northwest of the intersection with Highland Meadows Drive (2.0240 Acres; I-1 Zone).

Request:

Requesting Certification of Nonconforming Use for an existing outdoor advertising sign. Certification of existing outdoor advertising signs is required pursuant to Council Bill 84-2016. It requires that applications for the certification of outdoor advertising signs in existence as of January 1, 2002, be filed no later than December 31, 2021. This outdoor advertising sign was erected in 1985.

Council District:

9

Review by Date:

2/20/2020

Comment(s):

In the event the District Council elects to review this case, it will be sent to the ZHE for a hearing pursuant to Section 27-244(e) of the Zoning Ordinance.

History:

01/21/2020

M-NCPPC Administrative Certification approval

Attachment(s):[CNU-47632-2019-U File Materials](#)

CASE(S) SCHEDULED FOR MANDATORY REVIEW ON FEBRUARY 24, 2020 AT 10:00 A.M.*Hearing Dates & Times Subject to Change***DSP-19039****NSR Properties****Applicant(s):**

NSR Properties, LLC

Location:

Located in the southwest quadrant of the intersection of MD 410 (East West Highway) and Belcrest Road (0.86 Acres; M-U-I / T-D-O Zones).

Request:

Requesting approval of a Detailed Site Plan (DSP) for an amendment to the list of allowed uses to permit a new gas station on the subject property. Construction of site improvements for a new gas station, drive'up automated teller machine (ATM), and 9,592-square-foot building to include a food and beverage store and office use.

Council District:

2

Appeal by Date:

2/13/2020

Review by Date:

2/13/2020

Comment(s):

Mandatory Review:

District Council review of this case is required by Section 27-548.09.01 (b) of the Zoning Ordinance.

Municipality:

City of Hyattsville

History:

11/26/2019

M-NCPPC Technical Staff

disapproval

Disapproval of an amendment to the list of allowed uses to permit a new gas station on the subject property.

11/26/2019

M-NCPPC Technical Staff

approval with conditions

Approval of construction of site improvements to include a food and beverage store and office use while removing the gas station and associated site improvements.

01/09/2020

M-NCPPC Planning Board

disapproval

Disapproval of the property owner's request to add gas station to the list of permitted uses to allow a new gas station on the subject property.

01/09/2020

M-NCPPC Planning Board

approval with conditions

Approval of construction of site improvements to include a food and beverage store and office use while removing the gas station and associated site improvements.

ADJOURN

[ADJ8-20](#)

ADJOURN