



Prince George's County Council

Wayne K. Curry
Administration Building
1301 McCormick Dr
Largo, MD 20774

Zoning Minutes - Final Sitting as the District Council

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

Robert J. Williams, Jr., Council Administrator

Monday, March 14, 2022

10:00 AM

Virtual Meeting

10:00 AM CALL TO ORDER - (COUNCIL HEARING ROOM)

Pursuant to the provisions of Sections 27-131 and 27-132(a) of the Zoning Ordinance, the District Council meeting was convened virtually by Council Chair Hawkins at 10:03 a.m. with nine members present at roll call. (CM Franklin Arrive at 10:16 am).

Present: 10 - Chair Calvin S. Hawkins
 Council Member Derrick Davis
 Council Member Thomas Dernoga
 Council Member Mel Franklin
 Council Member Dannielle Glaros
 Council Member Jolene Ivey
 Council Member Rodney Streeter
 Council Member Deni Taveras
 Council Member Todd Turner
 Council Member Edward Burroughs

Absent: Vice Chair Sydney Harrison

INVOCATION / MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Glaros

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 02282022](#)

District Council Minutes Dated February 28, 2022.

A motion was made by Council Member Streeter, seconded by Council Member Taveras, that this Minutes be approval. The motion carried by the following vote:

Aye: 9 - Hawkins, Davis, Dernoga, Glaros, Ivey, Streeter, Taveras, Turner and Burroughs

Absent: Franklin and Harrison

Attachment(s): [District Council Minutes Draft 2-28-2022](#)

NEW CASE(S)**ROSP-4196-01****McDonald's Forest Heights**

Applicant(s): McDonalds Forest Heights, LLC.

Location: Located on 0.77 acre of C-M (Commercial Miscellaneous) zoned land located in the southeast quadrant of the northernmost intersection of Livingston Road with Indian Head Highway (MD Route 210) and the western boundary abuts the service road in the Indian Head Highway right-of-way (0.77 Acres; C-M Zone).

Request: Requesting approval of a Revision of Site Plan (ROSP) to revise Special Exception 4196 (Alteration, Enlargement, Extension or Reconstruction of a Certified Non-Conforming Use) (Fast Food Restaurant), approved in 1995 to enclose the play area and add additional parking. AC-20004 is a request for Alternative Compliance to Sections 4.2 and 4.7 of the Landscape Manual to allow a reduced bufferyard.

Council District: 8

Appeal by Date: 2/15/2022

Action by Date: 5/31/2022

Opposition: None

History:

Council referred item to staff for preparation of an approving document, with conditions (Vote: 9-0; Absent Council Member Franklin and Harrison)

A motion was made by Council Member Burroughs, seconded by Council Member Streeter, that this Revision of Site Plan be referred for document. The motion carried by the following vote:

Aye: 10 - Hawkins, Davis, Dernoga, Franklin, Glaros, Ivey, Streeter, Taveras, Turner and Burroughs

Absent: Harrison

Attachment(s): [ROSP-4196-01 Zoning Agenda Item Summary](#)
[ROSP-4196-01- ZHE Notice of Decision](#)
[ROSP 4196-01- ZHE Decision](#)
ROSP-4196-01- PORL
[ROSP-4196-01 Technical Staff Report](#)
[ROSP-4196-01-Exhibit List](#)
[ROSP-4196-01-Exhibit 1-39](#)
[ROSP-4196-01 Transcripts 12-01-2021](#)

REFERRED FOR DOCUMENT**[A-9960-C-01](#)****Manokeek (Development)**

- Applicant(s):** Signature Land Holdings, LLC
- Location:** Located on the east and west side of Manning Road East, approximately 120 feet north of Berry Road (MD 228) and approximately 2,300 feet east of the Indian Head Highway (MD 210)/Berry Road intersection (7.238 Acres; M-X-T Zone).
- Request:** Request approval of a Zoning Map Amendment for the Amendment of Conditions, deleting Condition 5 (Zoning Ordinance 2-2006) of approval of A-9960 which rezoned the subject property from the R-R (Rural Residential) to the M-X-T (Mixed Use Transportation Oriented) Zone.
- Council District:** 9
- Appeal by Date:** 2/8/2022
- Action by Date:** 5/24/2022
- Opposition:** None
- History:**

Council adopted prepared order (Vote: 9-0)

A motion was made by Chair Hawkins, seconded by Council Member Davis, that this Zoning Map Amendment be adopted. The motion carried by the following vote:

Aye: 9 - Hawkins, Davis, Dernoga, Glaros, Ivey, Streeter, Taveras, Turner and Burroughs

Absent: Franklin and Harrison

- Attachment(s):** [A-9960-C-01 Notice of District Council Final Decison](#)
[A-9960-C-01 Zoning Agenda Item Summary](#)
[A-9960-C-01 - ZHE Notice](#)
[A-9960-C-01 - ZHE Decision](#)
A-9960-C-01 PORL
[A-9960-C - Exhibit List](#)
[A-9960-C-01 Exhibits 1-40](#)
[A-9960-C Transcripts 11-17-2021](#)

PENDING FINALITY**(a) PLANNING BOARD**[DSP-17023-03](#)**Addison Row (Expedited Transit-Oriented Development)**

- Applicant(s):** Jemals Fairfield Farms
- Location:** Located on the north side of Addison Road, approximately 35 feet north of its intersection with North Englewood Drive (34.59 Acres; M-X-T Zone).
- Request:** Requesting approval of a Detailed Site Plan (DSP) proposes 327 multifamily dwelling units in one four-story building on Parcel 2, known as Building C in Phase 2 of a larger mixed-use development.
- Council District:** 5
- Appeal by Date:** 4/7/2022
- Review by Date:** 4/7/2022
- Comment(s):** Expedited TOD:
{This case is designated for expedited review in accordance with Section 27-290.01(b)}

History:

Council waived election to review for this item (Vote:9-0)

A motion was made by Council Member Ivey, seconded by Council Member Streeter, that Council waive election to review for this Detailed Site Plan. The motion carried by the following vote:

Aye: 9 - Hawkins, Davis, Franklin, Glaros, Ivey, Streeter, Taveras, Turner and Burroughs

Absent: Dernoga and Harrison

- Attachment(s):** [DSP-17023-03 Zoning Agenda Item Summary](#)
[DSP-17023-03 Planning Board Resolution 2022-25 - Signed](#)
 DSP-17023-03 PORL
[DSP-17023-03 Technical Staff Report](#)

PENDING FINALITY (Continued)[SA-130001-03](#)**Cafritz Property At Riverdale Park (Station Food Hall)****Applicant(s):** CT Building 4, LLC**Location:** Located approximately 1,400 feet north of the intersection of US 1 (Baltimore Avenue) and MD 410 (East-West Highway) on the east side of Baltimore Avenue (37.37 Acres; M-U-TC Zone).**Request:** Requesting approval of a Secondary Amendment (SA) to amend the previous development plan, which is proposed to be modified by amending the Table of Uses for the M-U-TC-zoned portion of the Cafritz property, to allow food halls as a use permitted by right.**Council District:** 3**Appeal by Date:** 3/17/2022**Review by Date:** 3/30/2022**History:***Council waived election to review for this item (Vote:10-0)*

A motion was made by Council Member Glaros, seconded by Council Member Turner, that Council waive election to review for this Secondary Amendment. The motion carried by the following vote:

Aye: 10 - Hawkins, Davis, Dernoga, Franklin, Glaros, Ivey, Streeter, Taveras, Turner and Burroughs

Absent: Harrison

Attachment(s): [SA-130001-03 Planning Board Memo](#)
[SA-130001-03 Zoning Agenda Item Summary](#)
[SA-130001-03 Planning Board Resolution](#)
[2022-17 - Signed](#)
SA-130001-03_PORL
[SA-130001-03 Technical Staff Report](#)

CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING ON MARCH 28, 2022 AT 10:00 A.M.

Hearing Dates & Times Subject to Change

A-9973-C-01**Woodside Village**

- Applicant(s):** Westphalia Meadows, LLC/Woodside Village
- Location:** Located on the south side of Westphalia Road and west of Ritchie Marlboro Road, Accokeek, Maryland (63.30 Acres; R-M Zone).
- Request:** Requesting approval for the Amendment of Basic Plan of A-9973 which rezoned the Subject Property from the R-A (Rural Agricultural) to the R-M (Residential-Medium) Zone.
- Council District:** 6
- Appeal by Date:** 2/16/2022
- Action by Date:** 7/1/2022
- Opposition:** Terry Goolsby et al.
- Attachment(s):** [A-9973-C-01 Zoning Agenda Item Summary](#)
[A-9973-01 Presentation Slides](#)
[A-9973-C-01 Notice of Oral Argument Hearing](#)
[A-9973-C-01 Haller to Brown Response to Exception 3-22-22](#)
[A-9973-C-01 Allen to Brown Appeal email 2-9-2022](#)
[A-9973-C-01 - ZHE Notice](#)
[A-9973-C-01 - ZHE Decision](#)
A-9973-01 - PORL
[A-9973-01 Technical Staff Report](#)
[A-9973-01 -Exhibit List](#)
[A-9973-01 Exhibits 1-52](#)
[A-9973-01 Transcripts 12-01-2021](#)

CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING ON MARCH 28, 2022 AT 10:00 A.M.

Hearing Dates & Times Subject to Change

CDP-9306-05**Preserve At Piscataway (Bailey's Village)**

- Applicant(s):** NVR MS Cavalier Preserve, LLC
- Location:** Located south of Floral Park Road, at its intersection with St. Mary's View Road (19.98 Acres; L-A-C Zone).
- Request:** Requesting approval to amend the previously approved Comprehensive Design Plan (CDP) to remove commercial, retail, office, and multifamily uses and replace with 26 single-family attached dwelling units within the Local Activity Center (L-A-C)- Zone, known as Bailey's Village, Preserve at Piscataway.
- Council District:** 9
- Appeal by Date:** 2/24/2022
- Review by Date:** 2/24/2022
- Action by Date:** 4/25/2022
- Attachment(s):** [CDP-9306-05 Zoning Agenda Item Summary](#)
[CDP-9306-05 Presentation Slides](#)
[CDP-9306-05 Notice of Oral Argument Hearing](#)
[CDP-9306-05 Nelson to Brown Appeal 2-24-22](#)
[CDP-9306-05 Planning Board Resolution](#)
CDP-9306-05_PORL
[CDP-9306-05 Technical Staff Report](#)
[CDP-9306-05 Transcripts](#)
[CDP-9306-05 Planning Board Record](#)

[EX 03142022](#)

Motion to convene in Executive Session pursuant to Section 3-305(b)(1) General Provisions Article, Annotated Code of Maryland, in order to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction, or any other personnel matter that affects one or more specific individuals, specifically to advise of the status of the certification and commission following the special election on February 1, 2022.

History:

On 03/14/2021, A motion was made by Council Member Davis, seconded by Council Member Streeter, that this Executive Session be convened into Executive Session. The motion carried by the following vote:

Aye: 10, Hawkins, Burroughs, Davis, Dernoga, Franklin, Glaros, Ivey, Streeter, Taveras, Turner; Absent: Harrison.

Date of Executive Session: March 14, 2022

Beginning Time: 10:23 a.m.

Ending Time: 10:52 a.m.

Members Present: CM Hawkins, CM Burroughs, CM Davis, CM Dernoga, CM Franklin, CM Glaros, CM Ivey, CM Streeter, CM Taveras, CM Turner

Others Present:

Robert J. Williams, Jr., Council Administrator, Donna J. Brown, Clerk of the Council, Karen D. Campbell, Director of Council Communications, Karen T. Zvakos, Legislative and Zoning Counsel

TOPICS DISCUSSED:

1. The Council Administrator summarized the events of March 11, 2022, wherein he was notified by Clerk of the Circuit Court, Ms. El Amin, that there was a premature administration of the Oath of Office for Council Member Burroughs. She advised that the State of Maryland alerted her on March 8, 2022, that Council Member (elect) Burroughs had, on March 8, 2022, now completed the necessary campaign finance reporting requirements with the State Board of Elections. This filing requirement had in turn delayed the issuance of the Commission of public office by the Governor. As a result, her administration of the Oath of Office to Council Member Burroughs on Feb. 15, 2022, was premature and would need to be re-administered in accordance with law.

2. The Administrator advised that Council Member was advised that a clerical error within the Office of the Clerk of the Circuit Court for Prince George's County resulted in the premature administration of the Oath of Office to Council Member Edward Burroughs on

February 15, 2022. We were further advised that the Clerk of the Circuit Court was without the required Commission of Office signed by the Governor of Maryland until Friday, March 11, 2022. As a result, we were informed that, because his Commission was not received until March 11, Council Member Burroughs's February 15, 2022, swearing in was invalid. Consequently, the Clerk of the Circuit Court administered the official Oath of Office on the morning of March 14, 2022, prior to the start of Council business for the day.

3. Council Member Burroughs attended and, in good faith, participated in the business of the County Council between February 15 and March 13, 2022, in the capacity of a Council Member, albeit erroneously. After discussion and questions by members, the Council voted 10-0 to direct that Proposed Correspondence be drafted to direct the Clerk of the Council strike the attendance and voting records of Council Member Burroughs between February 15 and March 13, 2022, in the County Council Journal and vote tickets in the transaction of public business. The Motion was made by CM Turner, seconded by CM Davis, and carried by a vote of 10-0 (SJH was absent from closed session).

The closed session adjourned at 10:53 a.m., by motion made by TMT, seconded by DLD. The Motion to Adjourn carried 10-0 (SJH absent from closed session).

A motion was made by Council Member Davis, seconded by Council Member Streeter, that this Executive Session be convened into Executive Session. The motion carried by the following vote:

Aye: 10 - Hawkins, Davis, Dernoga, Franklin, Glaros, Ivey, Streeter, Taveras,
Turner and Burroughs
Absent: Harrison

[ADJ36-22](#)

ADJOURNED

History:

Council adjourned at 10:22 a.m.

A motion was made by Council Member Turner, seconded by Council Member Davis, that this ADJOURN be adjourned. The motion carried by the following vote:

Aye: 10 - Hawkins, Davis, Dernoga, Franklin, Glaros, Ivey, Streeter, Taveras,
Turner and Burroughs
Absent: Harrison

10:30 A.M. COMMITTEE OF THE WHOLE - (VIRTUAL MEETING)

(SEE SEPARATE AGENDA)