

Prince George's County Council

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



Zoning Agenda - Final

(9:30 AM Agenda Briefing Rm 2027)

Monday, September 17, 2018

10:00 AM

Council Hearing Room

Sitting as the District Council

Dannielle M. Glaros, District 3, Chair

Derrick Leon Davis, District 6

Mel Franklin, District 9

Andrea C. Harrison, District 5

Mary A. Lehman, District 1

Obie Patterson, District 8

Deni L. Taveras, District 2

Karen R. Toles, District 7

Todd M. Turner, District 4, Vice Chair

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 interpreters 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 CALL TO ORDER - (COUNCIL HEARING ROOM)****INVOCATION**

Ms. Angela Rouson, County Employee

PLEDGE OF ALLEGIANCE**APPROVAL OF DISTRICT COUNCIL MINUTES**

MINDC 07242018

District Council Minutes Dated July 24, 2018

ORAL ARGUMENTS

[CSP-17004](#)

Peerless Residential & Retail Development**Applicant(s):**

Peerless Avenue Associates, LLC

Location:

Located on the west side of US 301 (Robert Crain Highway), approximately 0.15 mile north of its intersection with MD 725 (Marlboro Pike), in Planning Area 79, Council District 6. More specifically, the property is located at 4505 Crain Highway, Upper Marlboro, Maryland (7.64 Acres; M-X-T).

Request:

Requesting approval of a Conceptual Site Plan (CSP) for 62 two-family, three-family, and multifamily units, as well as approximately 3,000 square feet of commercial/retail space.

Council District:

6

Appeal by Date:

8/16/2018

Review by Date:

9/17/2018

Action by Date:

10/23/2018

History:

06/04/2018

M-NCPPC Technical Staff

approval with conditions

07/12/2018 M-NCPPC Planning Board approval with conditions

07/24/2018 Sitting as the District Council elected to review

Council elected to review this item (Vote: 6-0; Absent: Council Members Lehman, Patterson, and Toles).

Attachment(s): [CSP-17004 Zoning Agenda Item Summary \(ZAIS\)](#)
[CSP-17004 Planning Board Resolution 18-49](#)
[CSP-17004 PORL](#)
[CSP-17004 Technical Staff Report](#)

ORAL ARGUMENTS (Continued)

[DSP-15009](#)

Redeemed Christian Church of God, Lanham

Applicant(s): The Redeemed Christian Church

Location: Located on the south side of MD 564 (Lanham-Severn Road), approximately 0.25 miles northeast of Springfield Road (1.86 Acres; R-R Zone).

Request: Requesting approval to convert a 1.86-acre property improved with a 3,243-square-foot single-family dwelling in the Rural Residential (R-R) Zone to a 120-seat church with associated parking.

Council District: 4

Appeal by Date: 7/12/2018

Review by Date: 7/12/2018

Action by Date: 10/1/2018

History:

05/04/2018 M-NCPPC Technical Staff approval with conditions

06/07/2018 M-NCPPC Planning Board approval with conditions

06/19/2018 Sitting as the District Council deferred

Council deferred this item to July 2, 2018.

07/02/2018 Sitting as the District Council elected to review

Council elected to review this item (Vote: 7-0; Absent: Council Members Harrison and Lehman).

Attachment(s): [DSP-15009 Zoning Agenda Item Summary](#)
[DSP-15009 Planning Board Resolution 18-40](#)
 DSP-15009_PORL
[DSP-15009 Technical Staff Report](#)

ORAL ARGUMENTS (Continued)

[DSP-17037](#)

Eritrean Church

Applicant(s): Eritrean Orthodox Tewahdo Church

Location: Located on the south side of Bladensburg Road, approximately 250 feet east of its intersection with 43rd Avenue (2.16 acres; M-X-T, D-D-O, I-D-O Zones).

Request: Requesting approval of a Detailed Site Plan for the conversion of existing warehouse buildings for use as a church and multipurpose building.

Council District: 5

Appeal by Date: 7/19/2018

Review by Date: 7/19/2018

Action by Date: 10/8/2018

History:

05/11/2018 M-NCPPC Technical Staff approval with conditions

06/14/2018 M-NCPPC Planning Board approval with conditions

07/02/2018 Sitting as the District Council deferred

Council deferred this item to July 9, 2018.

07/09/2018 Sitting as the District Council elected to review

Council elected to review this item (Vote: 6-0; Absent: Council Members Glaros, Patterson, and Toles).

Attachment(s): [DSP-17037 Zoning Agenda Item Summary \(ZAIS\)](#)
[DSP-17037 Planning Board Resolution 18-41](#)
 DSP-17037 PORL
[DSP-17037 Technical Staff Report](#)

12:30 PM RECESS

1:30 PM MANDATORY REVIEW (Using Oral Argument Procedures)**CSP-18002****Magruder Pointe****Applicant(s):**

Werlein WSSC, LLC

Location:

Located in the southeast quadrant of the intersection of Hamilton Street and 40th Avenue, north of Gallatin Street and west of 40th Place. The subject site is also located within the Traditional Residential Neighborhood (TRN) Character Area of the 2004 Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District (Gateway Arts District Sector Plan and SMA) (8.26 Acres; R-55/O-S/D-D-O Zones) .

Request:

Requesting approval of a Conceptual Site Plan (CSP) application proposing to rezone the property from the One-Family Detached Residential (R-55) and Open Space (O-S) Zones to the Mixed Use–Infill (M-U-I) Zone for a future single-family residential development. No site improvements have been proposed in this CSP.

Council District:

2

Appeal by Date:

9/4/2018

Review by Date:

9/30/2018

Action by Date:

10/30/2018

Comment(s):

Mandatory Review:

District Council review of this case is required by Section 27-548.26(b) of the Zoning Ordinance.

Municipality:

City of Hyattsville

History:

07/18/2018

M-NCPPC Technical Staff

disapproval

DISAPPROVAL of the request and decline to recommend rezoning the property from the One-Family Detached Residential (R-55) and Open Space (O-S) Zones to the Mixed Use–Infill (M-U-I) Zone.

07/18/2018

M-NCPPC Technical Staff

approval with conditions

APPROVAL of rezoning the 4.66-acre property in the Open Space (O-S) Zone to the One-Family Detached Residential (R-55) Zone and permit single-family attached residential development with a required detailed site plan, in accordance with the goals and recommendations of the Traditional Residential Neighborhood Character Area on the property.

07/26/2018

M-NCPPC Planning Board

disapproval

DISAPPROVAL of the request and decline to recommend rezoning the property from the One-Family Detached Residential (R-55) and Open Space (O-S) Zones to the Mixed Use–Infill (M-U-I) Zone.

07/26/2018 M-NCPPC Planning Board approval with conditions

APPROVAL of recommendation to rezone the 4.66-acre property in the Open Space (O-S) Zone to the One-Family Detached Residential (R-55) Zone and permit single-family attached residential development with a required detailed site plan, in accordance with the goals and recommendations of the Traditional Residential Neighborhood Character Area on the property. The maximum density for single-family attached is 9 dwelling units per acre and the maximum density for single-family detached is as permitted in the R-55 Zone, or 6.7 dwelling units per acre.

09/04/2018 Person of Record appealed

Mr. Daniel Muth, Mr. Greg Smith, Mr. Peter Anton Veigas, Ms. Wendy Beatty, Ms. Sarah Eisen, Ms. Nina Faye, Mr. Paul Hrusa, and Mr. Chris Currie, filed an appeal in opposition to the proposal and requested Oral Argument.

09/10/2018 Applicant filed

Norman D. Rivera, Esq., attorney for the applicant, filed a rebuttal to the September 4, 2018 appeal filed by Mr. Daniel Muth, Mr. Greg Smith, Mr. Peter Anton Veigas, Ms. Wendy Beatty, Ms. Sarah Eisen, Ms. Nina Faye, Mr. Paul Hrusa, and Mr. Chris Currie.

Attachment(s): [CSP-18002 Zoning Agenda Item Summary](#)
[CSP-18002 Planning Board Resolution 18-74](#)
 CSP-18002_PORL_Rev
[CSP-18002 Technical Staff Report Supplemental](#)

1:30 PM MANDATORY REVIEW (Using Oral Argument Procedures) (Continued)**DSP-17016****Wyndham Garden Hotel Parcel D, Belton****Applicant(s):**

Starboard Investment Group, LLC

Location:

Located on the west side of Rhode Island Avenue, north of its intersection with Clementon Road. Specifically, the property is located at 10700 Rhode Island Avenue (1.45 Acres; C-O Zone).

Request:

Requesting approval of a Detailed Site Plan proposing to develop the property with a 60,500-square-foot, 90-room, five-story hotel building.

Council District:

1

Appeal by Date:

8/29/2018

Review by Date:

10/1/2018

Action by Date:

10/30/2018

Comment(s):

Mandatory Review:

District Council review of this case is required by conditions imposed by Council on Zoning Case A-9707-C.

History:

06/28/2018

M-NCPPC Technical Staff

approval with conditions

07/26/2018

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-17016 Zoning Agenda Item Summary](#)[DSP-17016 Planning Board Resolution 18-67](#)

DSP-17016_PORL

[DSP-17016 Technical Staff Report](#)**1:30 PM MANDATORY REVIEW (Using Oral Argument Procedures) (Continued)****DSP-17041****5200 Auth Road Retail****Applicant(s):**

5200 Auth Road, LLC

Location:

Located on the north side of Auth Road, in the northeast quadrant of its intersection with Auth Place. The site is also within the Development District Overlay (D-D-O) Zone designated by the Southern Green Line Station Area Sector Plan and SMA (3.84 Acres; C-O / D-D-O Zones).

Request:

Requesting approval of a Detailed Site Plan to (1) To change the underlying zoning of the subject property from the Commercial Office (C-O) Zone to the C-S-C Zone; (2) To amend the use list approved with the D-D-O Zone of the 2014 Approved Southern Green Line Station Area Sector Plan and Sectional Map Amendment (Southern

Green Line Station Area Sector Plan and SMA) to allow an eating and drinking establishment, with drive-through service, a gas station, and a food and beverage store, in combination with a gas station, on the subject property; and (3) To construct a 4,649 square-foot food and beverage store and gas station with 14 gas pumps (Royal Farms), a 3,000 square-foot eating and drinking establishment, with drive-through service, and a 9,700 square-foot multi-tenant retail building, with amendments to development district standards, as needed.

Council District:

8

Appeal by Date:

9/3/2018

Review by Date:

9/30/2018

Action by Date:

10/30/2018

Comment(s):

Mandatory Review:

District Council review of this case is required by Section 27-548.26(b) of the Zoning Ordinance

History:

07/20/2018

M-NCPPC Technical Staff

approval with conditions

07/26/2018

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-17041 Zoning Agenda Item Summary](#)[DSP-17041 Planning Board Resolution 18-72](#)

DSP-17041_PORL

[DSP-17041 Technical Staff Report](#)**1:30 PM MANDATORY REVIEW (Using Oral Argument Procedures) (Continued)**[DSP-18017](#)**JDA Baltimore Avenue****Applicant(s):**

JSF Management, LLC

Location:

Located on the west side of US 1 (Baltimore Avenue), in the northwest quadrant of the "T" intersection of US 1 and Hollywood Road, at 9604 Baltimore Avenue. The site is also within the Corridor Infill Character Area and is subject to the Development District Overlay (D-D-O) Zone standards found in the Central US 1 Corridor Sector Plan and SMA (0.88 Acres; C-S-C Zone).

Request:

Requesting approval of a Detailed Site Plan to modify the Table of Uses of the 2010 Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment (Central US 1 Corridor Sector Plan and SMA), to expressly permit a consolidated storage facility on the subject site and construct a 116,615-square-foot building.

Council District: 1
Appeal by Date: 9/4/2018
Review by Date: 9/30/2018
Action by Date: 10/30/2018
Comment(s): Mandatory Review:
 District Council review of this case is required by Section 27-548.26(b) of the Zoning Ordinance.

History:

| | | |
|------------|-------------------------|--------------------------|
| 07/11/2018 | M-NCPPC Technical Staff | approval with conditions |
| 07/26/2018 | M-NCPPC Planning Board | approval with conditions |
| 08/31/2018 | Person of Record | appealed |

Ms. Mary Cook, Mr. Oscar Gregory, Ms. Stasia Hutchison, and Myron Hutchison filed an appeal in opposition to the proposal and requested Oral Argument.

| | | |
|------------|-----------|-------|
| 09/10/2018 | Applicant | filed |
|------------|-----------|-------|

Edward, C. Gibbs, Esq., attorney for the applicant, filed a response to the August 31, 2018 appeal filed by Ms. Mary Cook, Mr. Oscar Gregory, Ms. Stasia Hutchison, and Myron Hutchison.

Attachment(s): [DSP-18017 Zoning Agenda Item Summary](#)
[DSP-18017 Planning Board Resolution 18-73](#)
 DSP-18017_PORL
[DSP-18017 Technical Staff Report](#)

NEW CASE(S)[A-10046](#)**Renard Lakes****Applicant(s):**

Strittmatter Properties, LLC / Renard Lakes Holdings, LLC

Location:

Northwest quadrant of the intersection of US 301 (Robert Crain Highway) and Dyson Road (167.84 Acres; R-S Zone).

Request:

Requesting approval of a Zoning Map Amendment to rezone approximately 167.84 acres of R-S (Residential Suburban) zoned land to the I-1 (Light Industrial) Zone.

Council District:

9

Appeal by Date:

8/13/2018

Action by Date:

2/11/2019

Opposition:

Darnetta Simmons, Jeffery Simmons and Matthew Hitt

History:

| | | |
|------------|-------------------------|--------------------------|
| 02/07/2018 | M-NCPPC Technical Staff | disapproval |
| 02/22/2018 | M-NCPPC Planning Board | no motion to consider |
| 07/13/2018 | Zoning Hearing Examiner | approval with conditions |

Attachment(s):

A-10046 Zoning Agenda Item Summary (ZAIS)

[A-10046 - Zoning Hearing Examiner Decision](#)[A-10046-PORL](#)

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).

NEW CASE(S) (Continued)

[CNU-25172-2011](#)
[AmendCond](#)

**Brightseat Development Associates/8300 Sheriff Road FedEx
 Field (Amendment of Conditions)**

Applicant(s):

Brightseat Development Associates, LLC / 8300 Sheriff Road FedEx
 Field

Location:

Located in the northwest quadrant of the intersection of Brightseat Road
 and Sheriff Road, also identified as 8300 Sheriff Road, Landover,
 Maryland (22.13 Acres; M-X-T Zone).

Request:

Requesting approval for an Amendment of Condition to revise a
 condition to extend operation for an additional five years.

Council District:

5

Appeal by Date:

9/3/2018

Action by Date:

2/28/2019

Opposition:

None

History:

04/19/2018

Applicant

filed

*Thomas H. Haller, Esq., attorney for the applicant, filed a request for
 Amendment of Condition of the District Council's February 11, 2013
 Order of Approval, wit Conditions.*

04/24/2018

Clerk of the Council

transmitted

*The Clerk of the Council transmitted the case to the Zoning Hearing
 Examiner for a Public Hearing.*

08/17/2018

Zoning Hearing Examiner

approval

*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).*

NEW CASE(S) (Continued)[DSP-11017](#)[AmendCond Remand](#)**Hyattsville Subway Sandwich Shop (Amendment of Conditions)**
(REMAND)**Companion Case(s):** DSP-11017 Amend of Conditions**Applicant(s):** Jagjot Khandpur**Location:** Located on the western side of Baltimore Avenue (US 1), approximately 790 feet south of its intersection of Farragut Street (0.15 Acres, M-U-I/D-D-O Zones).**Request:** Requesting approval for an amendment of condition of the District Council decision dated February 12, 2013, that Condition 1(k), supra, be revised to allow a wooden fence enclosure for the dumpster to the rear of the site.**Council District:** 2**Appeal by Date:** 9/7/2018**Action by Date:** 2/28/2019**Municipality:** Hyattsville**Opposition:** None**History:**

06/06/2017

Applicant

filed

Jagjot S. Khandpur, attorney for the applicant, filed a request to amend condition 1(k) of the District Council final decision dated February 12, 2013.

06/07/2017

Clerk of the Council

transmitted

The Clerk of the Council transmitted the case to the Zoning Hearing Examiner for a Public Hearing.

10/05/2017

Zoning Hearing Examiner

approval with conditions

11/06/2017

Sitting as the District Council

deferred

Council deferred this item to November 13, 2017.

11/13/2017

Sitting as the District Council

elected to make the final decision

Council elected to schedule Oral Arguments (Vote: 8-0; Absent: Council Member Glaros).

01/25/2018

Clerk of the Council

mailed

02/22/2018 Applicant filed
Notice of Oral Argument Hearing was mailed to Persons of Record.
Jagjot S. Khndpur, Esq., attorney for the applicant, filed a letter requesting a remand to the Zoning Hearing Examiner.

02/26/2018 Sitting as the District Council referred for document
Prior to Oral Argument, Stan Brown, People's Zoning Counsel, summarized a request for Remand filed by the applicant. Council referred item to staff for preparation of a document of remand to the Zoning Hearing Examiner (Vote: 7-0; Absent: Council Members Davis and Lehman).

03/12/2018 Sitting as the District Council remanded
Council adopted the prepared Order of Remand (Vote: 7-0; Absent: Council Members Franklin and Harrison).

08/23/2018 Zoning Hearing Examiner approval with conditions

Attachment(s):

[DSP-11017 AmendCond Remad Agenda Item Summary](#)
[DSP-11017 District Council Decision_02122013](#)
[DSP-11017 Planning Board Resolution 12-98](#)
[DSP-11017 Technical Staff Report](#)

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).

NEW CASE(S) (Continued)[ERR-271](#)**Eugene Broadus****Validation of Use and Occupancy Permit No. 8851-1998-U****Issued in Error****Applicant(s):**

Eugene Broadus

Location:

Located at 5932 Baltic Street, Capitol Heights, Maryland 20743
 (0.2296 Acres; R-20 Zone).

Request:

Requesting validation of Prince George's County Use and Occupancy Permit No. 8851-1998-U, issued in error, to operate a repair shop, storage yard, and storage of commercial vehicles on 10,000 square feet of R-20 (One-Family Triple-Attached Residential) zoned land.

Council District:

7

Appeal by Date:

5/17/2018

Action by Date:

9/17/2018

History:

| | | |
|------------|--|--------------------------|
| 04/17/2018 | Zoning Hearing Examiner | approval with conditions |
| 06/04/2018 | Sitting as the District Council | deferred |
| | <i>Council deferred this item to July 9, 2018.</i> | |
| 07/09/2018 | Sitting as the District Council | deferred |
| | <i>Council deferred this item.</i> | |
| 07/24/2018 | Sitting as the District Council | deferred |
| | <i>Council deferred this item to September 17, 2018.</i> | |

Attachment(s):

[ERR-271 Zoning Agenda Item Summary](#)
[ERR 271- Zoning Hearing Examiner Decision](#)
 ERR-271 PORL

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).

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) ZONING HEARING EXAMINER**SE/VSE-4792 Remand Ernest Maier Concrete Batching Plant (Remand)****Companion Case(s):** SE/VSE-4792**Applicant(s):** Ernest Maier, Inc.**Location:** Located west side of Kenilworth Avenue (MD 201), approximately 254 feet west of its intersection with Upshur Street (3.95 Acres; I-2 Zone).**Request:** Requesting approval of a Special Exception to operate a Concrete Batching Plant. Variance from Section 27-343.02(a)(1) to allow a concrete batching plant and its components to be within 100-foot setback from adjacent property located in the Industrial zone. And a second variance from Section 27-474(b) to reduce the 25-foot setback from Kenilworth Avenue by five feet.**Council District:** 5**Appeal by Date:** 9/24/2018**Review by Date:** 10/1/2018**Municipality:** Bladensburg

Opposition: Port Towns Environmental Action et al.

History:

| | | |
|------------|-------------------------|--------------------------|
| 06/14/2017 | M-NCPPC Technical Staff | approval with conditions |
| 09/14/2017 | M-NCPPC Planning Board | no motion to consider |
| 11/09/2017 | Zoning Hearing Examiner | approval with conditions |
| 12/11/2017 | Person of Record | appealed |

On December 11, 2017, David C. Blitzer filed exceptions in opposition to the decision of the Zoning Hearing Examiner on behalf of Port Towns Environmental Action et. al. and requested Oral Arguments.

| | | |
|------------|---------------------------------|---|
| 04/16/2018 | Sitting as the District Council | hearing held; case taken under advisement |
|------------|---------------------------------|---|

Prior to the oral argument hearing, Daniel Lynch, Esq., raised objections to a document that was circulated with regard to the application, which appeared to be a County document. He requesting that the record reflect that the document was not issued by the County. Ivy Thompson, M-NCCPC, provided an overview of the Special Exception application. The following persons spoke in opposition: David Blitzer, Esq., Carlyncia S. Peck, Dr. Sacoby Wilson and Alicia Melendez. Due to procedural concerns, the meeting went into recess. Once reconvened, Rajesh Kumar, Principal Counsel to the District Council explained the role of Stan Brown, People's Zoning Counsel, who was unable to attend the hearing and cautioned persons of record to keep their testimony to matters that are within the record. Ms. Melendez concluded her remarks, following by comments by The Honorable Victor Ramirez, Senator, 47th Legislative District. Daniel Lynch, Esq., spoke in support of behalf of the applicant, as did the following persons: Susan McCutchen, Suellen Ferguson, The Honorable Takisha James, Mayor of the Town of Bladensburg and Jim Foster on behalf of the Anacostia Watershed Society. Council took this case under advisement.

| | | |
|------------|---------------------------------|----------|
| 05/07/2018 | Sitting as the District Council | remanded |
|------------|---------------------------------|----------|

Council adopted the prepared Order of Remand (Vote: 7-0; Absent: Council Members Franklin and Toles).

| | | |
|------------|---------------------------------|-----------------------|
| 05/07/2018 | Sitting as the District Council | referred for document |
|------------|---------------------------------|-----------------------|

Council referred item to staff for preparation of a document of remand

to the Zoning Hearing Examiner (Vote: 7-0; Absent: Council Members Franklin and Toles).

08/23/2018 Zoning Hearing Examiner approval with conditions

Attachment(s): [SE/VSE-4792 Remand Zoning Agenda Item Summary](#)
[SE/VSE-4792 Remand Zoning Hearing Examiner Decision](#)
 SE-4792 PORL
[SE-4792 Technical Staff Report](#)

In the event the District Council elects to make the final decision in this case, an oral argument will be scheduled pursuant to Sec. 27-131 of the Zoning Ordinance.

PENDING FINALITY (Continued)

(a) ZONING HEARING EXAMINER (Continued)

[SE/VSE-4804](#)

Crown Castle Old Indian

Applicant(s):

Crown Castle Inc./ Abood Family LLC

Location:

Located approximately 950 feet northwest of the intersection of Crain Highway (US 301) and Old Indian Road (0.746 Acres R-R Zone).

Request:

Requesting approval of a Special Exception for permission to bring an existing 115-foot tall monopole into compliance and to extend the monopole to 125 feet. Variance 4804 is a request for a variance from the setback requirements in Section 27-416 of the Zoning Ordinance (requiring a setback from all property lines and dwelling units of a distance equal to the height of the monopole measured from its base).

Council District:

9

Appeal by Date:

9/26/2018

Review by Date:

10/1/2018

Opposition:

None

History:

05/02/2018 M-NCPPC Technical Staff approval with conditions

05/17/2018 M-NCPPC Planning Board no motion to consider

08/27/2018 Zoning Hearing Examiner approval with conditions

Attachment(s): [SE/VSE-4804 Zoning Agenda Item Summary](#)
[SE-VSE-4804 Zoning Hearing Examiner Decision](#)
 SE-VSE-4804 PORL

In the event the District Council elects to make the final decision in this case, an oral argument will be scheduled pursuant to Sec. 27-131 of the Zoning Ordinance.

PENDING FINALITY (Continued)

(b) PLANNING BOARD (Continued)

[CSP-06003](#)

Addison Row, Phase 1

Expedited Transit-Oriented Development Project

Companion Case(s): DSP-17023

Applicant(s): Jemals Fairfield Farms, LLC

Location: Located on the north side of Addison Road, northeast of its intersection of North Englewood Drive (34.59 Acres; M-X-T Zone).

Request: Requesting approval of a Conceptual Site Plan for Expedited Transit-Oriented Development Detailed Site Plan DSP-17023 Addison Row, amending the previously approved Conceptual Site Plan CSP-06003, in accordance with the requirement of Section 27-290.01(a)(1)(C) of the Prince George's County Zoning Ordinance.

Council District: 5

Appeal by Date: 8/27/2018

Review by Date: 9/25/2018

Comment(s): Expedited TOD: This case is designated for expedited review in accordance with 27-290.01(a)(1)(B)

History:

07/10/2018 M-NCPPC Technical Staff approval with conditions

07/19/2018 M-NCPPC Planning Board approval with conditions

Attachment(s): [CSP-06003 Zoning Agenda Item Summary \(ZAIS\)](#)

[CSP-06003_PORL](#)

[CSP-06003 Technical Staff Report](#)

PENDING FINALITY (Continued)**(b) PLANNING BOARD (Continued)**[DSP-17023](#)**Addison Row, Phase 1****Expedited Transit-Oriented Development Project****Companion Case(s):** CSP-06003**Applicant(s):** Jemals Fairfield Farms, LLC**Location:** Located on the north side of Addison Road, approximately 35 feet north of its intersection with North Inglewood Drive. It is known as 4800 and 4700 Addison Road, Capitol Heights, Maryland (34.59 Acres; M-X-T Zone).**Request:** Requesting approval of a Detailed Site Plan (DSP) proposing 321 multifamily dwelling units in two four-story buildings on Parcel 1 and an access roadway on Parcel 2, as Phase 1 of a larger mixed-use development**Council District:** 5**Appeal by Date:** 8/23/2018**Review by Date:** 9/24/2018**Comment(s):** Expedited TOD:
This case is designated for expedited review in accordance with Section 27-107.01(a)(242.2)(B) and 27-290.01 of the Zoning Ordinance.**History:**

07/10/2018 M-NCPPC Technical Staff approval with conditions

07/19/2018 M-NCPPC Planning Board approval with conditions

Attachment(s): [DSP-17023 Zoning Agenda Item Summary \(ZAIS\)](#)[DSP-17023 Planning Board Resolution 18-65](#)

DSP-17023_PORL

[DSP-17023 Technical Staff Report](#)

PENDING FINALITY (Continued)**(b) PLANNING BOARD (Continued)****DPLS-438****Sunoco Gas Station and Car Wash****Applicant(s):**

Clearview 6308, LLC

Location:

Located at 6308 Allentown Road, Temple Hills, Maryland, on the east side of MD 337 (Allentown Road), approximately 320 feet southeast of the intersection of MD 5 (Branch Avenue) and MD 337 zoned Commercial Shopping Center (C-S-C), within the Military Installation Overlay (M-I-O) Zone (0.695 Acres; C-S-C).

Request:

Requesting approval of a Departure from Parking and Loading Standards (DPLS) from Section 27-568(a) and Section 27-582(a) of the Prince George's County Zoning Ordinance, for a reduction of 6 of the required 13 parking spaces and the elimination of the one required loading space.

Council District:

8

Appeal by Date:

8/16/2018

Review by Date:

9/17/2018

History:

| | | |
|------------|---------------------------------|--------------------------|
| 06/04/2018 | M-NCPPC Technical Staff | approval with conditions |
| 07/12/2018 | M-NCPPC Planning Board | approval with conditions |
| 07/24/2018 | Sitting as the District Council | deferred |

Council deferred this item.

Attachment(s):

[DPLS-438 Zoning Agenda Item Summary \(ZAIS\)](#)

[DPLS-438 Planning Board Resolution 18-51](#)

PENDING FINALITY (Continued)**(b) PLANNING BOARD (Continued)****[DSDS-697](#)****Villages of Savannah****Applicant(s):**

Mid-Atlantic Builders

Location:

Located on the west side of MD 381 (Brandywine Road), approximately 5,000 feet north of its intersection with Floral Park Road (518.16 Acres; R-R Zone).

Request:

Requesting approval of a Departure from Sign Design Standards for a departure from height and area requirements for two freestanding gateway signs in accordance with Subtitle 27 of the Prince George's County Code.

Council District:

9

Appeal by Date:

9/3/2018

Review by Date:

10/1/2018

History:

07/19/2018

M-NCPPC Technical Staff

approval with conditions

07/26/2018

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSDS-697 Zoning Agenda Item Summary](#)[DSDS-697 Planning Board Resolution 18-68](#)

DSDS-697_PORL

[DSDS-697 Technical Staff Report](#)

PENDING FINALITY (Continued)**(b) PLANNING BOARD (Continued)****DSP-14015****Fellowship Baptist Academy****Applicant(s):**

Fellowship Baptist Church

Location:

Located on the west side of Rosaryville Road, approximately 3,000 feet south of its intersection with MD 223 (Woodyard Road). The property address is 8011 Woodyard Road, Clinton, Maryland (12.60 Acres; R-A / M-I-O Zones).

Request:

Requesting approval of a Detailed Site Plan for a private school for 72 students (K–12 education) in the existing Fellowship Baptist Church building and to construct a gravel walkway along the western edge of the parking lot leading to the proposed 7,228-square-foot playground on the southern corner of the lot.

Council District:

9

Appeal by Date:

8/30/2018

Review by Date:

9/30/2018

History:

07/06/2018

M-NCPPC Technical Staff

approval with conditions

07/26/2018

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-14015 Zoning Agenda Item Summary](#)[DSP-14015 Planning Board Resolution 18-75](#)

DSP-14015_PORL

[DSP-14015 Technical Staff Report](#)

PENDING FINALITY (Continued)**(b) PLANNING BOARD (Continued)****DSP-15020-03****Capital Plaza, Eastern Pad Sites****Applicant(s):**

Capital Plaza Associates Ltd. Partnership

Location:

Located on the north side of MD 450 (Annapolis Road), approximately 1,000 feet east of its intersection with MD 295 (Baltimore-Washington Parkway). The three pad sites included in this approval are located in the southeast portion of the Capital Plaza Shopping Center, fronting along MD 450, west of the easternmost entrance.

Request:

Requesting approval of a Detailed Site Plan for an amendment to a detailed site plan (DSP) to develop 24,840 square feet of retail and restaurant development in three buildings, as part of an integrated shopping center.

Council District:

3

Appeal by Date:

8/30/2018

Review by Date:

9/30/2018

History:

07/16/2018

M-NCPPC Technical Staff

approval with conditions

07/26/2018

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-15020-03 Zoning Agenda Item Summary](#)[DSP-15020-03 Planning Board Resolution 18-77](#)

DSP-15020-03_PORL

[DSP-15020-03 Technical Staff Report](#)

PENDING FINALITY (Continued)**(b) PLANNING BOARD (Continued)****DSP-17038****Boulevard at the Capital Centre, Phase 1****Applicant(s):**

Retail Properties of America, Inc.

Location:

The subject site is the remaining western portion of the existing shopping center known as the Boulevard at the Capital Centre, which is located in the southwest quadrant of the intersection of Medical Center Drive (formerly Medical Center Drive) and Lottsford Road, across the street from the Prince George's County Regional Hospital campus. The 49.71-acre site has frontage on Medical Center Drive, Harry S Truman Drive, and the Capital Beltway (I-95/495), within the Transit-Oriented Development (TOD) Core Area of the 2013 Approved Largo Town Center Sector Plan and Sectional Map Amendment (Largo Town Center Sector Plan and SMA) (49.71 Acres; M-X-T / D-D-O Zones).

Request:

Requesting approval of a Detailed Site Plan for 350 multifamily dwelling units, approximately 353,500 square feet of multifamily residential, retail/commercial, office, hotel, and entertainment uses, and retains approximately 130,300 square feet of the existing commercial/retail development on the site.

Council District:

6

Appeal by Date:

8/23/2018

Review by Date:

9/24/2018

History:

07/18/2018

M-NCPPC Technical Staff

approval with conditions

07/19/2018

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-17038 Zoning Agenda Item Summary](#)[DSP-17038 Planning Board Resolution 18-70](#)[DSP-17038 Technical Staff Report](#)

PENDING FINALITY (Continued)**(b) PLANNING BOARD (Continued)**[DSP-17044](#)**Riverfront at West Hyattsville**
Expedited Transit-Oriented Development Project**Applicant(s):**

Robert Gilbane

Location:

Located on the southwest side of Ager Road, approximately 620 feet north of its intersection with Hamilton Street and the entrance to the West Hyattsville Metro Station. The subject property is also located in the 2006 Approved Transit District Development Plan and Transit District Overlay Zoning Map Amendment for the West Hyattsville Transit District Overlay Zone (West Hyattsville TDDP/TDOZMA) area. The property abuts the west side of the Metro station, including property owned by the Washington Metropolitan Area Transit Authority (WMATA) (13.5 Acres; M-X-T / T-D-O Zones).

Request:

Requesting approval of a Detailed Site Plan for three models for the townhouse architecture for 183 single-family attached townhouse dwelling units.

Council District:

2

Appeal by Date:

8/23/2018

Review by Date:

9/24/2018

Comment(s):

Expedited TOD:

This case is designated for expedited review in accordance with Section 27-107.01(a)(242.2)(A) and 27-290.01.

History:

07/16/2018 M-NCPPC Technical Staff approval with conditions

07/19/2018 M-NCPPC Planning Board approval with conditions

Attachment(s):[DSP-17044 Zoning Agenda Item Summary \(ZAIS\)](#)[DSP-17044 Planning Board Resolution 18-69](#)

DSP-17044_PORL

[DSP-17044 Technical Staff Report](#)

PENDING FINALITY (Continued)**(b) PLANNING BOARD (Continued)****DSP-17050****Iglesia Roca de le Eternidad****Applicant(s):**

Iglesia Roca de la Eternidad

Location:

The property is in the southwest corner of the intersection of 69th Avenue and MD 450 (Annapolis Road), at 4610 69th Avenue in Landover Hills, Maryland (6.47 Acres; R-55 / D-D-O).

Request:

Requesting approval for a Detailed Site Plan (DSP) for construction of an approximately 17,971-square-foot church building, an additional parking compound, and conversion of an existing single-family home to a rectory.

Council District:

3

Appeal by Date:

8/16/2018

Review by Date:

9/17/2018

Municipality:

Landover Hills

History:

06/07/2018

M-NCPPC Technical Staff

approval with conditions

07/12/2018

M-NCPPC Planning Board

approval with conditions

07/24/2018

Sitting as the District Council

deferred

*Council deferred this item.***Attachment(s):**[DSP-17050 Zoning Agenda Item Summary \(ZAIS\)](#)[DSP-17050 Planning Board Resolution 18-50](#)

DSP-17050_PORL

[DSP-17050 Technical Staff Report](#)

PENDING FINALITY (Continued)**(b) PLANNING BOARD (Continued)****DSP-18007****The Aspen at Melford Town Center****Applicant(s):**

St. John Properties, Inc.

Location:

The entire Melford property is located in the northeastern quadrant of the intersection of MD 3 (Robert Crain Highway) and US 50/US 301 (John Hanson Highway) within the City of Bowie. The specific 6.62 acres affected by this DSP approval are located in the northwestern quadrant of the intersection of Curie Drive and future East West Boulevard and identified as Parcel C and Parcel D.

Request:

Requesting approval of a Detailed Site Plan (DSP) for a 388-unit multifamily building located on a 6.62-acre area within the larger Melford Town Center, identified on the preliminary plan of subdivision (PPS) as Parcel C (5.157 acres) and Parcel D (24,331 square feet).

Council District:

4

Appeal by Date:

8/30/2018

Review by Date:

10/1/2018

Municipality:

City of Bowie

History:

06/27/2018

M-NCPPC Technical Staff

approval with conditions

07/26/2018

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-18007 Zoning Agenda Item Summary](#)[DSP-18007 Planning Board Resolution 18-66](#)

DSP-18007_PORL

[DSP-18007 Technical Staff Report](#)

PENDING FINALITY (Continued)**(b) PLANNING BOARD (Continued)****SDP-1003-15****Parkside, Section 1B****Applicant(s):**

SHF Project Owner, LLC.

Location:

Located on the eastern side of MD 4 (Pennsylvania Avenue), approximately 1,800 feet east of its intersection with Suitland Parkway (49.36 Acres; R-M / M-I-O).

Request:

Requesting approval of a Specific Design Plan to add a retaining wall behind Lots 43–58, Block H, Section 1B, in the Parkside subdivision (Appeal of Planning Director's Decision of Disapproval.

Council District:

6

Appeal by Date:

9/4/2018

Review by Date:

9/30/2018

History:

04/13/2018

M-NCPPC

disapproval

The Planning Director disapproved the application.

04/18/2018

Applicant

appealed

06/22/2018

M-NCPPC Technical Staff

approval with conditions

07/26/2018

M-NCPPC Planning Board

approval with conditions

PENDING FINALITY (Continued)**(b) PLANNING BOARD (Continued)****SDP-1701-01****Timothy Branch, Phase 1****Applicant(s):**

Timothy Branch Inc.

Location:

Phase 1 is in the middle of the larger development known as Timothy Branch, which is located on the east side of US 301 (Robert Crain Highway), and south of MD 381 (Brandywine Road) (322.41 Acres; R-M/M-I-O Zones).

Request:

Requesting approval of a Specific Design Plan for additional architectural models and to modify the maximum allowed lot coverage for Phase 1 of the overall development.

Council District:

9

Appeal by Date:

8/30/2018

Review by Date:

9/30/2018

History:

07/06/2018

M-NCPPC Technical Staff

approval with conditions

07/26/2018

M-NCPPC Planning Board

approval with conditions

Attachment(s):[SDP-1701-01 Zoning Agenda Item Summary](#)[SDP-1701-01 Planning Board Resolution 18-64](#)

SDP-1701-01_PORL

[SDP-1701-01 Technical Staff Report](#)

PENDING FINALITY (Continued)**(c) PLANNING BOARD'S REPRESENTATIVE****[CNU-19072-2018-U](#)****4505 Rhode Island Avenue****Applicant(s):**

April Mackoff, Clear Channel Outdoor

Location:

Approximately 130 feet northeast of the intersection of Rhode Island Avenue and Webster Street (0.542 Acres; U-L-1 Zone).

Request:

Requesting Certification of Nonconforming Use for existing outdoor advertising signs pursuant to Council Bill 84-2016 which 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 1988.

Council District:

2

Review by Date:

9/24/2018

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 North Brentwood

History:

07/25/2018

M-NCPPC Administrative Certification approval

Attachment(s):**[CNU-19072-2018-U Agenda Item Summary \(ZAIS\)](#)**

PENDING FINALITY (Continued)**(c) PLANNING BOARD'S REPRESENTATIVE (Continued)**[CNU-21468-2018-U](#)**6625 Walker Mill Road****Applicant(s):**

April Mackoff, Clear Channel Outdoor

Location:

Located at 6625 Walker Mill Road, Capitol Heights, Maryland (0.9330 Acres; C-S-C Zone).

Request:

Requesting Certification of Nonconforming Use for existing outdoor advertising signs pursuant to Council Bill 84-2016 which 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:

7

Review by Date:

9/24/2018

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 Capitol Heights

History:

07/25/2018

M-NCPPC Administrative Certification approval

Attachment(s):[CNU-21468-2018-U Agenda Item Summary \(ZAIS\)](#)

PENDING FINALITY (Continued)**(c) PLANNING BOARD'S REPRESENTATIVE (Continued)**[CNU-22521-2018-U](#)**4601 Lydell Road****Applicant(s):**

April Mackoff, Clear Channel Outdoor

Location:

Located approximately 490 feet south of the intersection of Kenilworth Avenue and BW Parkway (1.0830 Acres; I-1 Zone).

Request:

Requesting Certification of Nonconforming Use for existing outdoor advertising signs pursuant to Council Bill 84-2016 which 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 1987.

Council District:

5

Review by Date:

9/22/2018

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 Cheverly

History:

08/22/2018

M-NCPPC Administrative Certification approval

Attachment(s):[CNU-22521-2018-U Zoning Agenda Item Summary](#)**CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING ON OCTOBER 15, 2018 AT 10:00 A.M.***Hearing Dates & Times Subject to Change*[CDP-1701](#)**The Preserve at Westphalia****Applicant(s):**

Green Revolution Realty, LLC

Location:

Located in the northwest quadrant of the intersection of Westphalia Road and Ritchie Marlboro Road in Upper Marlboro, Maryland (63.66 Acres; R-M / L-A-C Zones).

Request:

Requesting approval of a Comprehensive Design Plan (CDP) to develop a 63.66-acre site with a range of 235–330 residential dwelling units and 12,500 square feet of commercial development. Specifically, the CDP illustrates 101 single-family detached (SFD) dwellings in the Residential Medium Development (R-M) Zone, and 147 single-family attached

(SFA) dwellings and 22 SFD dwellings in the Local Activity Center (L-A-C) Zone. In addition, the CDP also includes a 1.93-acre area for the proposed 12,500 square feet of commercial development.

Council District:

6

Appeal by Date:

9/4/2018

Review by Date:

10/1/2018

History:

07/18/2018

M-NCPPC Technical Staff

approval with conditions

07/26/2018

M-NCPPC Planning Board

approval with conditions

09/04/2018

Person of Record

appealed

Mr. Marwin Glenn filed an appeal in opposition to the proposal and requested Oral Argument.

09/04/2018

Person of Record

appealed

Ms. Veneta Wills filed an appeal in opposition to the proposal and requested Oral Argument.

Attachment(s):[CDP-1701 Zoning Agenda Item Summary](#)[CDP-1701 Planning Board Resolution 18-71](#)

CDP-1701_PORL

[CDP-1701 Technical Staff Report Supplemental](#)

CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING ON OCTOBER 15, 2018 AT 10:00 A.M. (CONTINUED)

HPC-062-10**Appeal of Decision of Historic Preservation Commission****Briarly Academy (Old Hotel) (Historic Resource - Area 62-10)****Applicant(s):**

Jumes House/Briarly Academy

Location:

Located off a rise of ground immediately east of Old Washington-Baltimore turnpike between Vansville and Muirkirk and identified as 11777 OLD Baltimore Pike, Beltsville, Maryland 20705.

Request:

The instant action involves the appeal of the Decision of the Historic Preservation Commission ("HPC") to amend the July 1981 Historic Sites and Districts Plan, which included the subject property, the Briarly Academy (Old Hotel)(62-10) in its Historic Resource Inventory, by designating the Briarly Academy (Old Hotel) as a Historic Site in the Plan's Inventory of Historic Sites.

Council District:

1

Appeal by Date:

6/15/2018

Action by Date: 10/31/2018

Opposition: None

The Oral Argument hearing for HPC-062-10 was rescheduled from Monday September 17, 2018 to Monday, October 15, 2018 at 10:00 a.m.

History:

05/31/2018 Zoning Hearing Examiner approval

06/13/2018 Applicant appealed

Joseph P. Suntum, Esq., Counsel for Elpis Sakaria, Owner, filed Exceptions to the Zoning Hearing Examiner's Decision and requested Oral Argument.

07/09/2018 Sitting as the District Council announced hearing date

Attachment(s): [HPC 062-010 - Zoning Hearing Examiner Decision](#)

HPC 062-010 - PORL

[HPC-062-10 Zoning Agenda Item Summary \(ZAIS\)](#)

ADJOURN