

Prince George's County Council

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



Zoning Agenda - Final

Monday, January 9, 2017

10:00 AM

Council Hearing Room

Sitting as the District Council

Derrick Leon Davis, District 6, Chairman

Mel Franklin, District 9

Dannielle M. Glaros, District 3, Vice Chairwoman

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

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.

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.

THE USE OF CELLULAR PHONES IN THE HEARING ROOM IS PROHIBITED

9:30 AM AGENDA BRIEFING - (ROOM 2027)**10:00 AM CALL TO ORDER - (COUNCIL HEARING ROOM)****INVOCATION**

Edwin H. Brown, Jr., County Employee

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

[MINDDC 11142016](#)

District Council Minutes dated November 14, 2016

Attachment(s):

[11-14-2016 District Council Minutes DRAFT](#)

ORAL ARGUMENTS

[CNU-8825-2015](#)

Blair Hanna Apartment South

Applicant(s):

Angelino & Aurora Azurin

Location:

Located Northwest of Parkwood Street approximately 100 feet southwest of 38th Avenue (0.167 Acres; R-18).

Request:

Requesting certification of a nonconforming use for a four-unit apartment building in the R-18 Zone. At that time, the existing property was subject to the requirements of the Residential "C" Zone classification. Because development regulations were changed or adopted after the use was lawfully established, the apartment use became nonconforming.

Council District:

5

Appeal by Date:

11/17/2016

Review by Date:

11/17/2016

Action by Date:

3/10/2017

Municipality:

Town of Cottage City

History:

08/29/2016

M-NCPPC Technical Staff

approval

10/13/2016	M-NCPPC Planning Board	approval
10/24/2016	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote: 6-0; Absent: Council Members Franklin, Patterson and Toles).</i>	
<u>Attachment(s):</u>	CNU-8825-2015 Zoning AIS CNU-8825-2015 Planning Board Resolution 16-109 CNU-8825-2015_PORL CNU-8825-2015 Technical Staff Report	

ORAL ARGUMENTS (Continued)**DPLS-428****Tropicana Grill****Applicant(s):**

Old Landover, LLC.

Location:

Located at the southeast section of Maryland Avenue, just southwest of the intersection of Maryland Avenue and Old Landover Road, at its intersections in Landover Hills, also known as 3503 Maryland Avenue (0.12 Acres; C-S-C Zone).

Request:

Requesting approval of a Departure from Parking and Loading Standards for relief from one of the nine required parking spaces from the Prince George's County Zoning Ordinance requirement for a food and beverage store and restaurant use.

Council District:

5

Appeal by Date:

11/3/2016

Review by Date:

11/3/2016

Action by Date:

3/10/2017

History:

08/23/2016	M-NCPPC Technical Staff	approval with conditions
09/29/2016	M-NCPPC Planning Board	approval with conditions
10/17/2016	Sitting as the District Council	deferred
	<i>Council deferred this item to October 24, 2016.</i>	
10/24/2016	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote: 6-0; Absent: Council Members Franklin, Patterson and Toles).</i>	

Attachment(s): [DPLS-428 Zoning AIS](#)
[DPLS-428 Planning Board Resolution 16-105](#)
DPLS-428_PORL
[DPLS-428 Technical Staff Report](#)

ORAL ARGUMENTS (Continued)

[ERR-257](#)

831 Fairview Avenue Apartments, LLC
Validation of Multifamily Rental License No. M-0129 Issued in Error

Applicant(s): 831 Fairview Avenue Apartments, LLC
Location: Located at 831 Fairview Avenue, Takoma Park Maryland (0.1720 Acres; R-18 Zone).
Request: Requesting approval for validation of Prince George's County Multifamily Rental License No. M-0129 issued in error for a 6-unit apartment building located in the R-18 (Multifamily Medium Density Residential) Zone.
Council District: 2
Appeal by Date: 9/12/2016
Action by Date: 2/28/2017
Opposition: None

History:

08/11/2016	Zoning Hearing Examiner	approval with conditions
09/19/2016	Sitting as the District Council	deferred
	<i>Council deferred this item.</i>	
10/17/2016	Sitting as the District Council	elected to make the final decision
	<i>Council elected to make the final decision on this item (Vote: 7-0; Absent: Council Members Franklin and Turner).</i>	

Attachment(s): [ERR-257 Zoning AIS](#)
[ERR 257 Zoning Hearing Examiner Decision](#)
ERR-257 PORL

NEW CASE(S)**A-10035****Smithfield Properties****Applicant(s):**

Liberty 5801 Columbia Park Road, LLC.

Location:

The subject 17.9-acre site is located in the corner of the intersection of Columbia Park Road and Cabin Branch Road within an industrial use area (10.063 Acres; I-3 Zone).

Request:

Requesting approval for a Zoning Map Amendment to rezone approximately 17.9 acres of land in the I-3 (Planned Industrial/Employment Park) Zone, to the I-2 (Heavy Industrial) Zone.

Council District:

5

Appeal by Date:

11/14/2016

Action by Date:

3/14/2017

Municipality:

None

Opposition:

Town of Cheverly

History:

04/14/2016

M-NCPPC Technical Staff

disapproval

04/28/2016

M-NCPPC Planning Board

no motion to consider

10/14/2016

Zoning Hearing Examiner

approval

Attachment(s):[A-10035 Zoning AIS](#)[A-10035 Zoning Hearing Examiner Decision](#)

A-10035 PORL

[A-10035 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.

PLANNING BOARD**CNU-45423-2016****Prayer and Word Church****Applicant(s):**

Prayer and Word Church of Our Lord Jesus Christ, Inc.

Location:

Located east of Elsa Avenue at the intersection of Highland Park Drive. The property consists of four individual lots addressed as 1201 Elsa Avenue (Lots 22, 23) and 1203 Elsa Avenue (Lots 20, 21) (0.1390 Acres; R-55 Zone).

Request:

Requesting approval for Certification of a Nonconforming use for a church and associated parking in the R-55 Zone. Because zoning regulations were changed or adopted after the permitted use was lawfully established, the use became nonconforming.

Council District:

7

Appeal by Date:

1/19/2017

Review by Date:

1/30/2017

History:

11/16/2016

M-NCPPC Technical Staff

approval

12/15/2016

M-NCPPC Planning Board

approval

DSP-16009**Steeplechase Business Park, Parcel 65****Companion Case(s):**

DPLS-427; DS DS-690

Applicant(s):

Atapco Richie Interchange, Inc.

Location:

Located in the northeastern quadrant of the intersection of Hampton Park Boulevard and Alaking Court, also known as Parcel 65 (1.75 Acres; I-1 Zone).

Request:

Requesting approval of a Detailed Sit Plan for an 8,920-square-foot multi-tenant retail building within the retail area of Steeplechase Business Park.

Council District:

6

Appeal by Date:

1/5/2017

Review by Date:

1/30/2017

History:

10/28/2016	M-NCPPC Technical Staff	approval with conditions
12/01/2016	M-NCPPC Planning Board	approval with conditions

Attachment(s): [DSP-16009 Zoning AIS](#)
[DSP-16009 Planning Board Resolution 16-133](#)
 DSP-16009_PORL
[DSP-16009 Technical Staff Report](#)

PENDING FINALITY (Continued)

DPLS-427 Steeplechase Business Park, Parcel 65

Companion Case(s): DSDS-690; DSP-16009

Applicant(s): Atapco Ritchie Interchange, Inc.

Location: Located in the northeastern quadrant of the intersection of Hampton Park Boulevard and Alaking Court, also known as Parcel 65 (1.75 Acres; I-1 Zone).

Request: Requesting approval of a Departure from Parking and Loading Standards to allow a departure of 31 parking spaces from the required 106 for an 8,920-square-foot multi-tenant retail building within the retail area of Steeplechase Business Park.

Council District: 6

Appeal by Date: 1/5/2017

Review by Date: 1/30/2017

History:

10/28/2016	M-NCPPC Technical Staff	approval
12/01/2016	M-NCPPC Planning Board	approval

Attachment(s): [DPLS-427 Zoning AIS](#)
[DPLS-427 Planning Board Resolution 16-135](#)
 DPLS-427_PORL
[DPLS-427 Technical Staff Report](#)

PENDING FINALITY (Continued)**[DSDS-690](#)****Steeplechase Business Park, Parcel 65****Companion Case(s):** DPLS-427; DSP-16009**Applicant(s):** Atapco Ritchie Interchange, Inc.**Location:** Located in the northeastern quadrant of the intersection of Hampton Park Boulevard and Alaking Court, also known as Parcel 65 (1.75 Acres; I-1 Zone).**Request:** Requesting approval of a Departure from Sign Design Standards to allow an additional 217.3 square feet above the 221.3 square feet of wall signage allowed for an 8,920-square-foot multi-tenant retail building within the retail area of Steeplechase Business Park.**Council District:** 6**Appeal by Date:** 1/5/2017**Review by Date:** 1/30/2017**History:**

10/28/2016 M-NCPPC Technical Staff approval

12/01/2016 M-NCPPC Planning Board approval

Attachment(s): [DSDS-690_Zoning AIS](#)
[DSDS-690 Planning Board Resolution 16-134](#)
DSDS-690_PORL
[DSDS-690 Technical Staff Report](#)

PENDING FINALITY (Continued)[DSP-07079-01](#)**LIDL, College Park****Applicant(s):**

Lidl US Operations, LLC

Location:

Located on the east side of Baltimore Avenue (US 1) in the northeast quadrant of its intersection with Berwyn Road, at 8601 Baltimore Avenue. This site is subject to the Development District Overlay (D-D-O) Zone standards found in the 2010 Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment (Approved Central US 1 Corridor Sector Plan and SMA) (3.39 Acres; M-U-I / D-D-O Zones).

Request:

Requesting approval of a Detailed Site Plan to construct a 36,185-square-foot food and beverage store. The DSP coversheet should be revised to clarify the use of a food and beverage store rather than "Commercial/Retail."

Council District:

3

Appeal by Date:

12/15/2016

Review by Date:

1/16/2017

Municipality:

City of College Park

History:

10/06/2016

M-NCPPC Technical Staff

approval with conditions

11/10/2016

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-07079-01 Zoning AIS](#)[DSP-07079-01 Planning Board Resolution 16-122](#)

DSP-07079-01_PORL

[DSP-07079-01 Technical Staff Report](#)

PENDING FINALITY (Continued)**DSP-15010****Living God Christian Academy****Applicant(s):**

Church of the Living God

Location:

Located on the south side of Chillum Road, approximately 62 feet east of Sargent Road (5.16 Acres; R-55 Zone).

Request:

Requesting approval of a Detailed Site Plan for a day care center, with a maximum enrollment of 80 children, in the One-Family Detached Residential (R-55) Zone.

Council District:

2

Appeal by Date:

1/5/2017

Review by Date:

1/30/2017

History:

10/10/2016

M-NCPPC Technical Staff

approval with conditions

12/01/2016

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-15010_Zoning AIS](#)[DSP-15010 Planning Board Resolution 16-128](#)

DSP-15010_PORL

[DSP-15010 Technical Staff Report](#)**DSP-15031****EZ Storage (College Park)****Applicant(s):**

Siena Corporation

Location:

Located on the south side of Branchville Road in the northwest quadrant of the intersection of Greenbelt Road (MD 193) and Rhode Island Avenue (US 1), at 5151 Branchville Road (1.82 Acres; I-2 Zone).

Request:

Requesting approval of a Detailed Site Plan for a 116,370-square-foot, 850-unit consolidated storage facility and a variance from the 25-foot building setback requirement in the Heavy Industrial (I-2) Zone.

Council District:

1

Appeal by Date:

1/5/2017

Review by Date:

1/30/2017

Municipality:

City of College Park

History:

10/19/2016

M-NCPPC Technical Staff

approval with conditions

12/01/2016 M-NCPPC Planning Board approval with conditions

Attachment(s): [DSP-15031_Zoning AIS](#)
[DSP-15031 Planning Board Resolution 16-129](#)
 DSP-15031_PORL
[DSP-15031 Technical Staff Report](#)

PENDING FINALITY (Continued)

DSP-16012

LIDL (Glenn Dale), Lot 5

Applicant(s): Lidl U.S. Operations, LLC

Location: Located in the northwestern quadrant of the intersection of Greenbelt Road (MD 193) and Mission Drive, also identified as 7510 Mission Drive in Glenn Dale. The project is also located in a mixed-use area of the 2006 Approved Sector Plan and Sectional Map Amendment for the East Glenn Dale Area and in the southeastern corner of the larger Glenn Dale Commons development (5.71 Acres; M-X-T Zone).

Request: Requesting approval of a Detailed Site Plan for a 36,185-square-foot food and beverage store.

Council District: 4

Appeal by Date: 12/15/2016

Review by Date: 1/16/2017

History:

10/05/2016 M-NCPPC Technical Staff approval with conditions

11/10/2016 M-NCPPC Planning Board approval with conditions

Attachment(s): [DSP-16012_Zoning AIS](#)
[DSP-16012 Planning Board Resolution 16-123](#)
[DSP-16012_PORL](#)
[DSP-16012 Technical Staff Report](#)

PENDING FINALITY (Continued)**DSP-16026****Belnor Senior Residences****Applicant(s):**

Belnor Senior Residences, LLC

Location:

Located on the east side of Saint Barnabas Road, approximately 1,300 linear feet south of its intersection with Silver Hill Road and 150 linear feet north of its intersection with Bedford Way (4.72 Acres; C-S-C / D-D-O Zone).

Request:

Requesting approval of a Detailed Site Plan for the construction of a four-story, 46-foot-high, 122-unit multifamily apartment building for the elderly or physically handicapped. The DSP proposes 96 one-bedroom and 26 two-bedroom units. The proposal also includes a variance from Section 25-122(b)(1)(G) for removal of six specimen trees and an Alternative Compliance from Section 4.6(c)(1)(B)(i) of the 2010 Prince George's County Landscape Manual.

Council District:

7

Appeal by Date:

1/19/2017

Review by Date:

1/30/2017

History:

12/07/2016

M-NCPPC Technical Staff

approval with conditions

12/15/2016

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-16026 Zoning AIS](#)**DSP-89010-04****Homewood Suites by Hilton (Largo)****Applicant(s):**

Largo Hotel, LLC

Location:

Located at the terminus of Basil Court, on the east side of the Capital Beltway (I-95/I-495), in the southeast quadrant of its intersection with Landover Road (MD 202), at 9100 Basil Court in Largo

Request:

Requesting approval of a Detailed Site Plan to construct a four-story, 83,911-square-foot, 116-room hotel.

Council District:

6

Appeal by Date:

1/5/2017

Review by Date:

1/30/2017

History:

10/27/2016

M-NCPPC Technical Staff

approval with conditions

12/01/2016

M-NCPPC Planning Board

approval with conditions

PENDING FINALITY (Continued)[SDP-1601](#)**Parkside (formerly Smith Home Farm) Section 4, Parcels 120 and 157****Applicant(s):**

SHF Project Owner, LCC

Location:

The larger Parkside (formerly Smith Home Farm) subdivision is a tract of land consisting of wooded, and partially developed land approximately 3,000 feet east of the intersection of Westphalia Road and Pennsylvania Avenue (MD 4). Subject Section 4 of the Parkside development is located in the north central portion of the development north of approved Section 3 of the development and the proposed Westphalia Central Park (97.20 Acres; R-M Zone).

Request:

Requesting approval of a Specific Design Plan for an infrastructure specific design plan (SDP) for grading and the installation of three stormwater management ponds for Parkside, Section 4, a part of the larger Parkside development.

Council District:

6

Appeal by Date:

1/5/2017

Review by Date:

1/30/2017

History:

10/20/2016

M-NCPPC Technical Staff

approval with conditions

12/01/2016

M-NCPPC Planning Board

approval with conditions

Attachment(s):[SDP-1601_Zoning AIS](#)[SDP-1601 Planning Board Resolution 16-125](#)

SDP-1601_PORL

[SDP-1601 Technical Staff Report](#)

CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING ON MONDAY, JANUARY 23, 2017 AT 10:00 A.M.

Hearing Dates & Times Subject to Change

[DSP-16034](#)

H & E Equipment Services, Forestville Commercial Center, Lot 12, Block D

Applicant(s):

H & E Equipment Services, Inc.

Location:

Located on the south side of Parston Drive, approximately 1,400 feet east of its intersection with Forestville Drive (1.71 Acres; I-1, D-D-O Zones).

Request:

Requesting approval of a Detailed Site Plan to change the Development District Overlay Zone (D-D-O) Zone use table to allow the sales and rental of heavy motorized equipment or construction equipment of all kinds with outdoor display, including maintenance of said equipment within an enclosed building, and two amendments to the development district standard to reduce the parking to no more than 30 spaces and to allow the existing barbed wire and chain-link fencing at the perimeter of the site.

Council District:

6

Appeal by Date:

1/5/2016

Action by Date:

3/1/2017

Comment(s):

District Council review of this case is required by Section 27-548.09.01(b)(1) of the Zoning Ordinance

History:

10/26/2016

M-NCPPC Technical Staff

approval with conditions

12/01/2016

M-NCPPC Planning Board

approval with conditions

Attachment(s):

[DSP-16034_Zoning AIS](#)

[DSP-16034 Planning Board Resolution 16-130](#)

DSP-16034_PORL

[DSP-16034 Technical Staff Report](#)

ADJOURN