



# Prince George's County Council

## Sitting as the District Council

### Zoning Agenda Item Summary

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**Case No.:** A-10044 **Councilmanic District:** 9  
**Meeting Date:** 5/14/2019 **Zone(s):** R-R  
**Case Name:** Moore's Corner  
**Applicant:** Moores Corner, LLC  
**Location:** Located on the east side of Branch Avenue (MD 5) in the southwest quadrant of its intersection with Moore's Road, Brandywine, Maryland (8.279 Acres; R-R Zone).  
**Request:** Requesting approval of a Zoning Map Amendment to rezone approximately 8.279 acres of land from the R-R (Rural Residential) to the M-X-T (Mixed Use-Transportation Oriented) Zone.

#### Companion

**Case(s):**

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#### DECISIONS/RECOMMENDATION:

**Technical Staff:** Disapproval  
**Planning Board:** No Motion to Consider  
**Zoning Hearing Examiner:** Approval, with Condition

#### LEGAL DEADLINES:

**Appeal date:** 1/18/2019  
**Review date:**  
**Action date:** 5/30/2019

**Municipality:**

*Comments:*

**Opposition:** Kesia Wheeler et. al

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**Staff:** Taslima Alam

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#### HISTORY:

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<b>Acting Body:</b>	<b>Date:</b>	<b>Action:</b>
M-NCPPC Technical Staff	12/16/2017	disapproval
M-NCPPC Planning Board	01/04/2018	no motion to consider
Zoning Hearing Examiner	12/19/2018	approval with conditions
Person of Record	01/18/2019	appealed

**Notes:** *Ms. Alberta P. Moore, appealed the decision of the Zoning Hearing Examiner and requested Oral Argument.*

Person of Record 01/18/2019 appealed

**Notes:** *Ms. Karleen Powell appealed the decision of the Zoning Hearing Examiner and requested Oral Argument.*

Person of Record 01/18/2019 appealed  
**Notes:** *James K. Davis, Esq., attorney for Ms. Kesia Wheeler, filed exceptions to the Zoning Hearing Examiner's decision and requested Oral Argument.*

Clerk of the Council 02/21/2019 mailed  
**Notes:** *Notice of Oral Argument Hearing was mailed to Persons of Record.*

Applicant 03/15/2019 filed  
**Notes:** *Matthew C. Tedesco, Esq., attorney for the applicant, filed a response to the Exceptions to the Decision of the Zoning Hearing Examiner.*

Sitting as the District Council 03/25/2019 hearing held; case taken under advisement  
**Notes:** *Ras Cannady, M-NCPPC, provided an overview of the Zoning Map Amendment application. Alberta Moore, Karleen Powell, Kevin Kyle, Kesia Wheeler and James K. Davis, Esq., attorney for Kesia Wheeler, spoke in opposition. Matthew Tedesco, Esq., attorney for the applicant, spoke in support on behalf of the applicant. Michael Lenheart responded to traffic related questions. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties. The Oral Argument Hearing was held and Council took this case under advisement.*

Sitting as the District Council 04/29/2019 deferred  
**Notes:** *Council deferred this item to May 6, 2019.*

Sitting as the District Council 05/13/2019 referred for document  
**Notes:** *Council referred item to staff for preparation of a disapproving document (Vote: 10-0; Absent: Council Member Franklin).*  
 Aye: 10 Turner, Anderson-Walker, Davis, Dernoga, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras  
 Absent: 1 Franklin

Sitting as the District Council 05/14/2019 disapproval  
**Notes:** *Council adopted the prepared Order of Denial (Vote 10-0; Absent: Council Member Franklin).*  
 Aye: 10 Turner, Anderson-Walker, Davis, Dernoga, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras  
 Absent: 1 Franklin

Clerk of the Council 05/29/2019 mailed  
**Notes:** *The Notice of Final Decision of the District Council was mailed to Persons of Record.*

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**Document(s):** A- 10044 Tedesco to Floyd Letter, A-10044 Zoning Hearing Examiner Decision, A-10044 PORL, A-10044 Technical Staff Report