



Prince George's County Council

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

Zoning Minutes - Draft 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

Monday, October 16, 2017

1:30 PM

Council Hearing Room

(FOR BOARD OF HEALTH - SEE SEPARATE AGENDA))

1:00 PM AGENDA BRIEFING - (ROOM 2027)

1:30 PM CALL TO ORDER - (COUNCIL HEARING ROOM)

The meeting was called to order by Chairman Davis at 2:03 p.m. with six members present at roll call. Council Member Franklin arrived at 2:04 p.m. Council Member Glaros arrived at 2:34 p.m.

Present: 8 - Chairman Derrick Davis
 Vice Chair Dannielle Glaros
 Council Member Mel Franklin
 Council Member Andrea Harrison
 Council Member Mary Lehman
 Council Member Obie Patterson
 Council Member Deni Taveras
 Council Member Todd Turner

Absent: Council Member Karen Toles

*Also Present: Robert Williams, Council Administrator
William M. Hunt, Deputy Council Administrator
Rajesh Kumar, Principal Counsel to the District Council
Stan Brown, People's Zoning Counsel
Redis C. Floyd, Clerk of the Council
Donna J. Brown, Deputy Clerk of the Council*

*M-NCPPC
Ivy Thompson, Development Review Division*

INVOCATION

Mr. Edwin H. Brown, County Employee

PLEDGE OF ALLEGIANCE

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 09252017](#)

District Council minutes dated September 25, 2017

A motion was made by Council Member Turner, seconded by Council Member Patterson, that this Minutes be approved. The motion carried by the following vote:

Aye: 7 - Davis, Franklin, Harrison, Lehman, Patterson, Taveras and Turner

Absent: Glaros and Toles

Attachment(s): [9-25-2017 District Council Minutes DRAFT](#)

ORAL ARGUMENTS**CNU-23926-2015****Red Top Road Apartments, 6808 Red Top Road**

- Applicant(s):** Schuyler, LLLP
- Location:** Located in the northwest quadrant of the intersection of Red Top Road and Fairview Avenue (0.17 Acres; R-18 Zone).
- Request:** Requesting approval for certification of an existing six-unit apartment building that was permitted and built in 1949 prior to the zoning change. Because some development regulations in the R-18 Zone were changed or adopted after the apartment use was lawfully established, the complex became nonconforming
- Council District:** 2
- Appeal by Date:** 8/17/2017
- Action by Date:** 1/15/2018
- Comment(s):** In accordance with the Planning Board Resolution and Sec 27-244(f)(5) of the Zoning Ordinance, this case may be appealed to the District Council.

History:

Chairman Davis announced that the Oral Argument hearings for CNU-23926-2015 Red Top Road Apartments, 6808 Red Top Road, CNU-23927-2015 Red Top Road Apartments, 6810 Red Top Road, CNU-23928-2015 Red Top Road Apartments, 6812 Red Top Road, CNU-23929-2015 Red Top Road Apartments, 6814 Red Top Road and CNU-23930-2015 Red Top Road Apartments, 6816 Red Top Road would be held in tandem. Ivy Lewis, M-NCPPC, provided an overview of the five applications for Certification of a Non-conforming Use. Sawa Kamara spoke in opposition. Kayann Chambers, Esq., Michelle LaRocca, Esq. and Craig Lenkin spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented.

The Oral Argument hearing was held and Council took this case under advisement.

This Certification of a Nonconforming Use hearing was held; case taken under advisement

- Attachment(s):** [CNU-23926-2015 Planning Board Resolution 17-100](#)
CNU-23926-2015_PORL
[CNU-23926-2015 Technical Staff Report](#)

ORAL ARGUMENTS (Continued)**CNU-23927-2015****Red Top Road Apartments, 6810 Red Top Road**

- Applicant(s):** Schuyler, LLLP
- Location:** Located in the northwest quadrant of the intersection of Red Top Road and Fairview Avenue (0.17 Acres; R-18 Zone).
- Request:** Requesting approval for certification of an existing six-unit apartment building that was permitted and built in 1948. Because some development regulations in the R-18 Zone were changed or adopted after the apartment use was lawfully established, the complex became nonconforming.
- Council District:** 2
- Appeal by Date:** 8/17/2017
- Action by Date:** 1/15/2018
- Comment(s):** In accordance with the Planning Board Resolution and Sec 27-244(f)(5) of the Zoning Ordinance, this case may be appealed to the District Council.

History:

Chairman Davis announced that the Oral Argument hearings for CNU-23926-2015 Red Top Road Apartments, 6808 Red Top Road, CNU-23927-2015 Red Top Road Apartments, 6810 Red Top Road, CNU-23928-2015 Red Top Road Apartments, 6812 Red Top Road, CNU-23929-2015 Red Top Road Apartments, 6814 Red Top Road and CNU-23930-2015 Red Top Road Apartments, 6816 Red Top Road would be held in tandem. Ivy Lewis, M-NCPPC, provided an overview of the five applications for Certification of a Non-conforming Use. Sawa Kamara spoke in opposition. Kayann Chambers, Esq., Michelle LaRocca, Esq. and Craig Lenkin spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented.

The Oral Argument hearing was held and Council took this case under advisement.

This Certification of a Nonconforming Use hearing was held; case taken under advisement

- Attachment(s):** [CNU-23927-2015 Planning Board Resolution 17-101](#)
CNU-23927-2015_PORL
[CNU-23927-2015 Technical Staff Report](#)

ORAL ARGUMENTS (Continued)[CNU-23928-2015](#)**Red Top Road Apartments, 6812 Red Top Road****Applicant(s):** Schuyler, LLLP**Location:** Located in the northwest quadrant of the intersection of Red Top Road and Fairview Avenue (0.17 Acres; R-18 Zone).**Request:** Requesting approval for certification of an existing six-unit apartment building that was permitted and built in 1948 prior to the zoning change. Because some development regulations in the R-18 Zone were changed or adopted after the apartment use was lawfully established, the complex became nonconforming.**Council District:** 2**Appeal by Date:** 8/17/2017**Action by Date:** 1/15/2018**Comment(s):** In accordance with the Planning Board Resolution and Sec 27-244(f)(5) of the Zoning Ordinance, this case may be appealed to the District Council.**History:**

Chairman Davis announced that the Oral Argument hearings for CNU-23926-2015 Red Top Road Apartments, 6808 Red Top Road, CNU-23927-2015 Red Top Road Apartments, 6810 Red Top Road, CNU-23928-2015 Red Top Road Apartments, 6812 Red Top Road, CNU-23929-2015 Red Top Road Apartments, 6814 Red Top Road and CNU-23930-2015 Red Top Road Apartments, 6816 Red Top Road would be held in tandem. Ivy Lewis, M-NCPPC, provided an overview of the five applications for Certification of a Non-conforming Use. Sawa Kamara spoke in opposition. Kayann Chambers, Esq., Michelle LaRocca, Esq. and Craig Lenkin spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented.

The Oral Argument hearing was held and Council took this case under advisement.

This Certification of a Nonconforming Use hearing was held; case taken under advisement

Attachment(s): [CNU-23928-2015 Zoning AIS](#)
[CNU-23928-2015 Planning Board Resolution 17-102](#)
 CNU-23928-2015_PORL
[CNU-23928-2015 Technical Staff Report](#)

ORAL ARGUMENTS (Continued)[CNU-23929-2015](#)**Red Top Road Apartments, 6814 Red Top Road****Applicant(s):** Schuyler, LLLP**Location:** Located on the northwest quadrant of the intersection of Red Top Road and Fairview Avenue (0.17 Acres; R-18 Zone).**Request:** Requesting approval for certification of an existing six-unit apartment building that was permitted and built in 1949 prior to the zoning change. Because some development regulations in the R-18 Zone were changed or adopted after the apartment use was lawfully established, the complex became nonconforming.**Council District:** 2**Appeal by Date:** 8/17/2017**Action by Date:** 1/15/2018**Comment(s):** In accordance with the Planning Board Resolution and Sec 27-244(f)(5) of the Zoning Ordinance, this case may be appealed to the District Council.**History:**

Chairman Davis announced that the Oral Argument hearings for CNU-23926-2015 Red Top Road Apartments, 6808 Red Top Road, CNU-23927-2015 Red Top Road Apartments, 6810 Red Top Road, CNU-23928-2015 Red Top Road Apartments, 6812 Red Top Road, CNU-23929-2015 Red Top Road Apartments, 6814 Red Top Road and CNU-23930-2015 Red Top Road Apartments, 6816 Red Top Road would be held in tandem. Ivy Lewis, M-NCPPC, provided an overview of the five applications for Certification of a Non-conforming Use. Sawa Kamara spoke in opposition. Kayann Chambers, Esq., Michelle LaRocca, Esq. and Craig Lenkin spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented.

The Oral Argument hearing was held and Council took this case under advisement.

This Certification of a Nonconforming Use hearing was held; case taken under advisement

Attachment(s): [CNU-23929-2015 Zoning AIS](#)
[CNU-23929-2015 Planning Board Resolution 17-103](#)
 CNU-23929-2015_PORL
[CNU-23929-2015 Technical Staff Report](#)

ORAL ARGUMENTS (Continued)**CNU-23930-2015****Red Top Road Apartments, 6816 Red Top Road**

Applicant(s): Schuyler, LLLP

Location: Located on the northwest quadrant of the intersection of Red Top Road and Fairview Avenue (0.20 Acres; R-18 Zone)

Request: Requesting approval for certification of an existing six-unit apartment building that was permitted and built in 1949 prior to the zoning change. Because some development regulations in the R-18 Zone were changed or adopted after the apartment use was lawfully established, the complex became nonconforming.

Council District: 2

Appeal by Date: 8/17/2017

Action by Date: 1/15/2018

Comment(s): In accordance with the Planning Board Resolution and Sec 27-244(f)(5) of the Zoning Ordinance, this case may be appealed to the District Council.

History:

Chairman Davis announced that the Oral Argument hearings for CNU-23926-2015 Red Top Road Apartments, 6808 Red Top Road, CNU-23927-2015 Red Top Road Apartments, 6810 Red Top Road, CNU-23928-2015 Red Top Road Apartments, 6812 Red Top Road, CNU-23929-2015 Red Top Road Apartments, 6814 Red Top Road and CNU-23930-2015 Red Top Road Apartments, 6816 Red Top Road would be held in tandem. Ivy Lewis, M-NCPPC, provided an overview of the five applications for Certification of a Non-conforming Use. Sawa Kamara spoke in opposition. Kayann Chambers, Esq., Michelle LaRocca, Esq. and Craig Lenkin spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented.

The Oral Argument hearing was held and Council took this case under advisement.

This Certification of a Nonconforming Use hearing was held; case taken under advisement

Attachment(s): [CNU-23930-2015 Zoning AIS](#)
[CNU-23930-2015 Planning Board Resolution 17-104](#)
CNU-23930-2015_PORL
[CNU-23930-2015 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) ZONING HEARING EXAMINER[SE-4794](#)**Uptown Suites; Lanham**

Applicant(s): Connor & Gaskin Unlimited, LLC.
Location: Located on the southeast side of Willowdale Road, approximately 1000 feet east of its intersection with Forbes Boulevard (3.01 Acres; I-2 Zone)
Request: Requesting approval of a Special Exception for a Hotel in the I-2 Zone.
Council District: 5
Appeal by Date: 10/16/2017
Review by Date: 10/16/2017
Opposition: None

History:

Council elected to make the final decision on this item (Vote: 8-0; Absent: Council Member Toles).

A motion was made by Council Member Harrison, seconded by Council Member Franklin, that Council elect to make the final decision on this Special Exception. The motion was carried by the following vote:

Aye: 8 - Davis, Glaros, Franklin, Harrison, Lehman, Patterson, Taveras and Turner
Absent: Toles

Attachment(s): [SE-4794 Zoning Hearing Examiner Decision](#)
[SE-4794 Technical Staff Report](#)
 SE-4794 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****DSP-16048****Quarles #408**

Applicant(s): Quarles Petroleum, Inc.

Location: Located on the north side of Tilden Road, between Edmonston Road and Kenilworth Avenue (MD 201) (.60 Acres; M-X-T/D-D-O Zones).

Request: Requesting approval of a Detailed Site Plan to modify an existing gas station to remove existing vacant service building and add a new gasoline-pump island and two canopies.

Council District: 5

Appeal by Date: 11/9/2017

Review by Date: 11/9/2017

Municipality: Bladensburg

History:

Council took no action on this item.

This Detailed Site Plan was not elected to review by Council.

Attachment(s): [DSP-16048 Technical Staff Report](#)
[DSP-16048 Planning Board Resolution 17-124](#)

PENDING FINALITY (Continued)**[DSDS-693](#)****Ft. Washington Medical Center**

Applicant(s): Nexus Health

Location: Located on the west side of Livingston Road, approximately 900 feet north of Swann Creek Road with frontage on and access via Livingston Road (7.01 Acres; C-M Zone).

Request: Requesting approval for Departure from Sign Design Standards for three signs from the sign design standards of the Prince George's County Zoning Ordinance.

Council District: 8

Appeal by Date: 11/9/2017

Review by Date: 11/9/2017

History:

Council took no action on this item.

This Departure from Sign Design Standards was not elected to review by Council.

Attachment(s): [DSDS-693 Technical Staff Report](#)
[DSDS-693 Planning Board Resolution 17-132](#)

PENDING FINALITY (Continued)**[SDP-1302-02](#)****Parkside (formerly Smith Home Farm)**

Applicant(s): SHF Project Owner, LLC

Location: Located on the east and west side of Melwood Road, approximately 6,400 feet south of its intersection with Westphalia Road (147.79 Acres; R-M/M-I-O Zones).

Request: Requesting approval for an infrastructure Specific Design Plan for 159 single-family attached (townhouses) lots in Section 5 and rough grading in Section 6.

Council District: 6

Appeal by Date: 10/19/2017

Review by Date: 10/19/2017

History:

Council took no action on this item.

This Specific Design Plan was was not elected to review by Council.

Attachment(s): [SDP-1302-02 Technical Staff Report](#)
[SDP-1302-02 Planning Board Resolution 17-120](#)
SDP-1302-02_PORL

PENDING FINALITY (Continued)**SDP-1701****Timothy Branch, Phase I**

Applicant(s): Timothy Brandywine, Investments One & Two, LLC

Location: Located on the east side of Robert S. Crain Highway (US 30 I), southeast of its intersection with Branch Avenue (MD 5), and south of Brandywine Road (MD 381) (322.41 Acres, L-A-C/R-M/M-I-O Zones).

Request: Requesting approval of Specific Design Plan for Phase 1 of residential development , including 39 single-family detached, 18 single-family semidetached, 194 single-family attached(townhouses) , and 72 two-family attached residential units (two-over-two).

Council District: 9

Appeal by Date: 10/19/2017

Review by Date: 10/19/2017

History:

Council took no action on this item.

This Specific Design Plan was was not elected to review by Council.

Attachment(s): [SDP-1701 Technical Staff Report](#)
[SDP-1701 Planning Board Resolution 17-119](#)
SDP-1701_PORL

ADJOURN

The meeting was adjourned at 3:12 p.m.