



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

Calvin S. Hawkins, II, Chair, At-Large

Monique Anderson-Walker, District 8

Derrick Leon Davis, District 6

Thomas E. Dernoga, District 1

Mel Franklin, At-Large

Dannielle M. Glaros, District 3

Sydney J. Harrison, District 9

Jolene Ivey, District 5

Rodney C. Streeter, District 7

Deni L. Taveras, Vice Chair, District 2

Todd M. Turner, District 4

Robert J. Williams, Jr., Council Administrator

Monday, March 8, 2021

10:00 AM

VIRTUAL MEETING

VIEW USING THE LINK PROVIDED AT: <https://pgccouncil.us/LIVE>

10:00 AM CALL TO ORDER - (VIRTUAL MEETING)

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 10:01 a.m. with ten members present at roll call. Council Member Franklin arrived at 10:07 a.m.

Present: 11 - Chair Calvin S. Hawkins
Council Member Monique Anderson-Walker
Council Member Derrick Davis
Council Member Thomas Dernoga
Council Member Mel Franklin
Council Member Dannielle Glaros
Council Member Sydney Harrison
Council Member Jolene Ivey
Council Member Rodney Streeter
Vice Chair Deni Taveras
Council Member Todd Turner

Also Present: Stan Brown, People's Zoning Counsel

Robert J. Williams, Jr., Council Administrator

William M. Hunt, Deputy Council Administrator

Colette R. Gresham, Associate Council Administrator

Rajesh Kumar, Principal Counsel to the District Council

Donna J. Brown, Clerk of the Council

Leonard Moses, Zoning Assistant, Office of the Clerk

James Walker-Bey, Zoning Reference Aide, Office of the Clerk

Theresa Myers, Legislative Assistant, Office of the Clerk

Dinora Hernandez, Legislative Officer

Ellis Watson, Legislative Officer

M-NCPPC

Jill Kosack, Supervisor, Development Review Division

Jeremy Hurlbutt, Supervisor, Development Review Division

Adam Bossie, Development Review Division

INVOCATION / MOMENT OF SILENCE

The Invocation was provided by Ms. Jennifer Floyd. Council Chair Hawkins acknowledged International Women's Day. Vice Chair Taveras requested prayer for her cousin, Laurenique, on her birthday and continued safe celebration in Puerto Rico. Council Member Harrison requested prayer for Dr. Eugene Williams, a trailblazer for education in Prince George's County who was also a resident of Clinton in District 9. Council Member Streeter requested prayer for all the amazing women in his life, including some on the call. Council Chair Hawkins also requested prayer for all women, including those on staff and around the word.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Davis.

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 02222021](#)

District Council Minutes dated February 22, 2021

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

Aye: 11 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Ivey, Streeter, Taveras and Turner

Attachment(s): [02-22-2021 District Council Minutes Draft](#)

DRAFT

ORAL ARGUMENTS**DSP-20006****Checkers Laurel**

Applicant(s): Mar Chek, Inc.

Location: Located on the east side of US 1 (Baltimore Avenue), approximately 400 feet north of its intersection with Mulberry Street. (0.84 Acres; C-S-C / R-55 Zones).

Request: Requesting approval of a Detailed Site Plan (DSP) for the development of a 1,170-square-foot eating and drinking establishment with drive-through service, specifically a Checkers.

Council District: 1

Appeal by Date: 12/24/2020

Review by Date: 1/25/2021

Action by Date: 3/26/2021

History:

Adam Bossi, M-NCPPC planning staff, provided an overview of the Detailed Site Plan application. Matthew Tedesco, Esq., Attorney for the applicant spoke in support. Michael Ostroff, Esq., attorney for Kathryn A. Nuzback Revocable Trust, person of record, spoke in opposition. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties. Council referred item to staff for preparation of a document of remand to the Planning Board (Vote: 10-O; Absent: Council Member Franklin).

A motion was made by Council Member Dernoga, seconded by Council Member Ivey, that this Detailed Site Plan be referred for document. The motion carried by the following vote:

Aye: 10 - Hawkins, Anderson-Walker, Davis, Dernoga, Glaros, Harrison, Ivey, Streeter, Taveras and Turner

Absent: Franklin

Attachment(s): [DSP-20006 Zoning Agenda Item Summary](#)
[DSP-20006-Presentation Slides](#)
[DSP-20006_Notice of Oral Argument](#)
[DSP-20006 - Planning Board Resolution](#)
 DSP-20006_PORL
[DSP-20006 Technical Staff Report](#)
[DSP-20006 Planning Board Transcripts](#)
[DSP-20006 PZC Notice of Intention to Participate](#)
[DSP-20006 Planning Board Record](#)

ITEM(S) FOR DISCUSSION**DSP-20017****Royal Farms #381 Walker Mill Road**

- Applicant(s):** Two Farms, Inc.
- Location:** Located in the southwest quadrant of the intersection of Walker Mill Road and Ritchie Road (7.67 Acres; I-1 / M-I-O Zones).
- Request:** Requesting approval of a Detailed Site Plan (DSP) for construction of a 4,649 square-foot food and beverage store, gas station, and a 1,248 square-foot car wash.
- Council District:** 6
- Appeal by Date:** 1/14/2021
- Review by Date:** 2/1/2021
- Action by Date:** 3/15/2021
- Comment(s):** Mandatory Review:
District Council review of this case is required by conditions imposed by Council on Zoning Cases A-9190-C and A-8033-C.

History:

Council referred item to staff for preparation of an approving document, with conditions (Vote: 11-0).

A motion was made by Council Member Davis, seconded by Council Member Turner, that this Detailed Site Plan be referred for document. The motion carried by the following vote:

Aye: 11 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Ivey, Streeter, Taveras and Turner

- Attachment(s):** [DSP-20017 Zoning Agenda Item Summary](#)
[DSP-20017 Color Power Point Presentation](#)
[DSP-20017 Notice of Mandatory Review](#)
[DSP-20017 Planning Board Resolution 2020-165](#)
 DSP-20017_PORL
[DSP-20017 Technical Staff Report](#)
[DSP-20017 Transcripts 11-12-2020](#)
 DSP-20017_PZC Notice of Intention to Participate
[DSP-20017 Planning Board Record](#)

PENDING FINALITY

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to review.

PLANNING BOARD'S REPRESENTATIVE

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.

[CNU-47255-2020-U](#)

0000 Branchville Road Berwyn Heights

- Applicant(s):** April Mackoff, Clear Channel Outdoor LLC
- Location:** Located off of Branchville Rd but facing Greenbelt Rd. running west, approximately 115 feet northeast of the intersection with Greenbelt Road (0.3690 Acres; M-X-T Zone).
- Request:** Requesting Certification of Nonconforming Use for an outdoor advertising sign. Certification of existing outdoor advertising signs is required 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 1964).
- Council District:** 4
- Review by Date:** 3/31/2021
- 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.

History:

Council deferred this item to March 22, 2021.

This Certification of a Nonconforming Use was deferred.

- Attachment(s):** [CNU-47255-2020-U Zoning Agenda Item Summary](#)
[CNU-47255-2020 Case File](#)

PENDING FINALITY (Continued)

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.

CNU-47256-2020-U **0000 Sheriff Road Capital Heights**

- Applicant(s):** April Mackoff, Clear Channel Outdoor LLC
- Location:** Located off of Sheriff Road running west, approximately 128 feet northwest of the intersection with Cabin Branch Drive (0.52 Acres; I-3 Zone).
- Request:** Requesting Certification of Nonconforming Use for an outdoor advertising sign. Certification of existing outdoor advertising signs is required 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 1980.
- Council District:** 5
- Review by Date:** 3/31/2021
- 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.

History:

Council waived election to review for this item (Vote: 11-0).

A motion was made by Council Member Ivey, seconded by Council Member Turner, that Council waive election to review for this Certification of a Nonconforming Use.

The motion carried by the following vote:

Aye: 11 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Ivey, Streeter, Taveras and Turner

Attachment(s): [CNU-47256-2020-U Zoning Agenda Item Summary](#)
[CNU-47256-2020 Case File](#)

PENDING FINALITY (Continued)

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.

[CNU-47077-2020-U](#)

6666 Walker Mill Rd Capital Heights

- Applicant(s):** April Mackoff, Clear Channel Outdoor, LLC
- Location:** Located on the west side of Addison Road at the intersection with Walker Mill Road. (4.75 Acres; I-1 Zone).
- Request:** Requesting Certification of Nonconforming Use for an outdoor advertising sign. Certification of existing outdoor advertising signs is required 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 1989.
- Council District:** 7
- Review by Date:** 3/31/2021
- 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:** Capital Heights
- History:**

Council waived election to review for this item (Vote: 11-0).

A motion was made by Council Member Streeter, seconded by Council Member Davis, that Council waive election to review for this Certification of a Nonconforming Use.

The motion carried by the following vote:

Aye: 11 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Ivey, Streeter, Taveras and Turner

Attachment(s): [CNU-47077-2020-U Zoning Agenda Item Summary](#)
[CNU-47077- 2020 Case File](#)

PENDING FINALITY (Continued)

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.

[CNU-51074-2020-U](#)

6313 Rhode Island Avenue Riverdale

- Applicant(s):** April Mackoff, Clear Channel Outdoor LLC
- Location:** Located at the intersection of East-West Highway and Rhode Island Avenue (0.14 Acres; MU-TC Zone).
- Request:** Requesting Certification of Nonconforming Use for an outdoor advertising sign. Certification of existing outdoor advertising signs is required 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 1979.
- Council District:** 3
- Review by Date:** 3/31/2021
- 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:** Riverdale Park
- History:**

Council deferred this item to March 22, 2021.

This Certification of a Nonconforming Use was deferred

- Attachment(s):** [CNU-51074-2020-U Zoning Agenda Item Summary](#)
[CNU-51074-2020 Case File](#)

CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING ON MARCH 22, 2021 AT 10:00 A.M.

Hearing Dates & Times Subject to Change

DSP-19045**Reconsideration****Royal Farms Greenbelt (Reconsideration)**

- Applicant(s):** RF Greenbelt RE LLC
- Location:** Located on the north side of MD 193 (Greenbelt Road), approximately 635 feet east of its intersection with Walker Drive (4.07 Acres; C-O Zone).
- Request:** Requested approval of a Detailed Site Plan (DSP) for the development of a 4,649-square-foot food and beverage store, a gas station, and a separate 4,368-square-foot commercial building
- Council District:** 4
- Appeal by Date:** 2/11/2021
- Review by Date:** 2/11/2021
- Action by Date:** 4/9/2021

This Detailed Site Plan hearing date was announced.

- Attachment(s):** [DSP-19045 Zoning Agenda Item Summary](#)
[DSP-19045 PowerPoint Slides](#)
[DSP-19045 Haller Response to Appeal_03112021](#)
[DSP-19045 PZC Notice of Intention to Participate 2021.03.04](#)
[DSP-19045 PZC disclosure letter 2021.03.04](#)
[DSP-19045 Notice of Oral Argument Hearing](#)
[DSP-19045 Appeal Letter Pounds and Nelson to Brown 02082021](#)
[DSP-19045 Planning Board Resolution 2020-154 \(A\)](#)
[DSP-19045 Planning Board Resolution 2020-154](#)
DSP-19045 PORL
[DSP-19045 Technical Staff Report](#)
[DSP-19045 Transcripts 09-24-2020](#)
[DSP-19045 Transcripts 10-15-2020](#)
[DSP-19045 Transcripts 10-29-2020](#)
[DSP-19045 Transcripts 12-03-2020](#)
[DSP-19045 Transcripts 12-17-2020](#)
[DSP-19045 Planning Board Record](#)

CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING ON MARCH 22, 2021 AT 10:00 A.M.*Hearing Dates & Times Subject to Change***SDP-1803 Remand****7-Eleven at Brandywine Village (Remand)**

Applicant(s): 7-Eleven, Inc.

Location: Located at the northwest corner of the intersection of Chadds Ford Drive and US 301 (Robert Crain Highway) (1.14 Acres; L-A-C Zone).

Request: Requesting approval of a Specific Design Plan (SDP) for a 3,062-square-foot food and beverage store and a gas station in the Local Activity Center (L-A-C) Zone.

Council District: 9

Appeal by Date: 2/18/2021

Review by Date: 2/18/2021

Action by Date: 4/12/2021

This Specific Design Plan hearing date was announced.

Attachment(s): [SDP-1803 Remand Zoning Agenda Item Summary](#)
[SDP-1803 Remand Presentation Slides](#)
[SDP-1803 Remand Planning Board Resolution 2020-131\(A\)](#)
 SDP-1803 Remand PORL
[SDP-1803 Remand Technical Staff Report](#)
[SDP-1803 Remand Transcripts](#)
[SDP-1803_email_Appeal Letter Davis Jackson et al to Brown 10152020](#)
[SDP-1803_Appeal Letter Davis Jackson et al to Brown 10152020](#)
[SDP-1803 District Council Notice of Hearing](#)

ADJ9-21**ADJOURN****History:**

District Council was adjourned at 11:26 a.m. (Vote: 11-0).

A motion was made by Council Member Harrison, seconded by Council Member Ivey, that this meeting be adjourned. The motion carried by the following vote:

Aye: 11 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Ivey, Streeter, Taveras and Turner

11:30 AM COUNTY COUNCIL ITEMS (VIRTUAL MEETING)

(SEE SEPARATE AGENDA)

Prepared by:

Leonard Moses, Zoning Assistant

Submitted by:

Donna J. Brown, Clerk of the Council

DRAFT