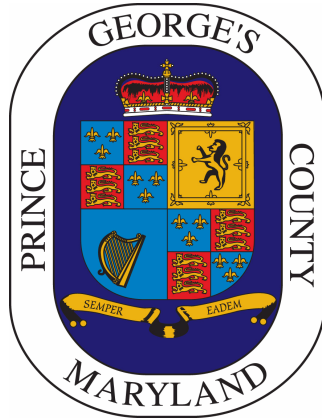


Prince George's County Council

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



Zoning Agenda - Final

Monday, May 2, 2016

1:30 PM

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

11:00 AM PLANNING, ZONING & ECONOMIC DEVELOPMENT COMMITTEE – (ROOM 2027)

(SEE SEPARATE AGENDA)

1:00 PM AGENDA BRIEFING - (ROOM 2027)

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

INVOCATION

Howard W. Stone, County Employee

PLEDGE OF ALLEGIANCE

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 04052016-1](#) **District Council Minutes dated April 5, 2016 Part 1**

Attachment(s): [4-05-2016 District Council Minutes_Part 1 DRAFT](#)

[MINDC 04052016-2](#) **District Council Minutes dated April 5, 2016 Part 2**

Attachment(s): [4-05-2016 District Council Minutes_Part 2 DRAFT](#)

[MINDC 04182016](#) **District Council Minutes dated April 18, 2016**

Attachment(s): [4-18-2016 District Council Minutes DRAFT](#)

[MINDC 04192016](#) **District Council Minutes dated April 19, 2016**

Attachment(s): [4-19-2016 District Council Minutes DRAFT](#)

ORAL ARGUMENTS**SDP-1101****Westphalia Central Park - Phase I, Parkside****Applicant(s):**

SHF Project Owner, LLC

Location:

The subject SDP includes the entire Westphalia Central Park that is located in the eastern quadrant of the intersection of Central Park Drive (MC-631) and P-615, in an irregular shape of a goldfish with a long tail. The two roadways intersect in the front and to the west of the Central Park, in the middle of the larger Parkside project site. Another master plan roadway, MC-632, divides the entire park in the north/south direction from the middle into distinct eastern and western parts. The proposed Phase I is located in the western part (131 Acres; R-M Zone).

Request:

Requesting approval of a Specific Design Plan for the Westphalia Central Park, as required by Condition 23 attached to the previously approved Comprehensive Design Plan, CDP-0501.

Council District:

6

Appeal by Date:

4/21/2016

Review by Date:

4/21/2016

Action by Date:

5/27/2016

History:

02/09/2016	M-NCPPC Technical Staff	approval with conditions
03/17/2016	M-NCPPC Planning Board	approval with conditions
03/28/2016	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote: 9-0).</i>	
04/20/2016	Person of Record	appealed

Ms. Shee' Newman filed an appeal to the proposal and requested Oral Argument.

MANDATORY REVIEW (Using Oral Argument Procedures)[DSP-14036](#)**5936 Old Central Avenue****Applicant(s):**

AMB Architectural Design Studio LLC

Location:

Located in the northwest quadrant of Old Central Avenue and Chamber Avenue.

Request:

Requesting approval for a mixed-use project consisting of 9,990 square feet of office and retail/commercial space. This application also requests a change of the underlying zoning for the property from the existing Light Industrial Zone (I-1) to the Commercial Shopping Center (C-S-C) Zone and a partial waiver (36.2 percent) from tree canopy coverage requirements.

Council District:

7

Appeal by Date:

4/7/2016

Action by Date:

5/31/2016

Comment(s):

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

History:

01/29/2016	M-NCPPC Technical Staff	approval with conditions
03/03/2016	M-NCPPC Planning Board	approval with conditions
04/18/2016	Sitting as the District Council	announced hearing date

Council announced that the Mandatory Review Hearing is scheduled for May 2, 2016.

REFERRED FOR DOCUMENT[DSP-15012](#)**Royal Farms, Brandywine****Companion Case(s):** DDS-632**Applicant(s):** Two Farms, Inc.**Location:** Located on the west side of Branch Avenue (MD 5) in the southwest quadrant of its intersection with Moores Road.**Request:** Requesting approval of a Detailed Site Plan for a gas station and a 4,946-square-foot food and beverage store.**Council District:** 9**Appeal by Date:** 3/21/2016**Review by Date:** 3/21/2016**Action by Date:** 5/16/2016**History:**

12/30/2015	M-NCPPC Technical Staff	approval with conditions
02/04/2016	M-NCPPC Planning Board	approval with conditions
03/14/2016	Sitting as the District Council	did not elect to review
	<i>Council took no action on this item.</i>	
03/15/2016	Person of Record	appealed
	<i>Mr. Bernard E. Brooks filed an appeal in opposition to the proposal and requested Oral Argument.</i>	
04/13/2016	Applicant	filed
	<i>Matthew C. Tedesco, Esq., Attorney for the Applicant, filed a response to March 15, 2016 appeal.</i>	
04/18/2016	Sitting as the District Council	hearing held; referred for docume
	<i>Cynthia Fenton, M-NCPPC, provided an overview of the Detailed Site Plan application. Bernard E. Brooks and Eugene Newman spoke in opposition. Matthew Tedesco, Esq., spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented.</i>	

Council referred item to staff for preparation of an approving document, with conditions (Vote: 8-0; Absent: Council Member Toles).

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-4771****Ritchie Land Reclamation Rubble Fill****Applicant(s):**

Ritchie Land Reclamation, L.P.

Location:

Located on the southwest side of Ritchie Marlboro Road, approximately 3,000 feet south of its intersection with White House Road, also identified as 2001 and 2002 Ritchie Marlboro Road, Upper Marlboro, Maryland (289.39 Acres; O-S / R-A. Zones).

Request:

Requesting approval of a Special Exception to continue, and expand, an existing Rubble Fill on approximately 289.39 acres of land, in the O-S (Open Space) and R-A (Residential-Agricultural) Zones.

Council District:

6

Appeal by Date:

5/16/2016

Review by Date:

5/16/2016

Opposition:

None

History:

01/20/2016	M-NCPPC Technical Staff	disapproval
01/28/2016	M-NCPPC Planning Board	no motion to consider
04/14/2016	Zoning Hearing Examiner	approval with conditions
04/18/2016	Sitting as the District Council	deferred

Council deferred this item to May 2, 2016.

Attachment(s):

[SE-4771 Zoning Hearing Examiner Decision](#)

SE-4771 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-13045****Greenbelt Station Phase 3****Applicant(s):**

NVR MS Cavalier Greenbelt, LLC

Location:

Located on the west side of Greenbelt Station Parkway, approximately 1,800 feet north of its intersection with Greenbelt Road (MD 193), within the western portion of the larger Greenbelt Station development.

Request:

Requesting approval for a Detailed Site Plan for a portion of the South Core of the overall development known as Greenbelt Station. The proposed development consists of 165 townhouse lots and 3,000 square feet of commercial retail space.

Council District:

4

Appeal by Date:

5/19/2016

Review by Date:

5/19/2016

History:

02/29/2016

M-NCPPC Technical Staff

approval with conditions

04/14/2016

M-NCPPC Planning Board

approval with conditions

DSP-15021**Arena Drive North, Sandpiper Property****Applicant(s):**

Sandpiper Hospitality V, LLC.

Location:

Located in the northeastern quadrant of the intersection of Arena Drive and Brightseat Road.

Request:

Requesting approval of a Detailed Site Plan for the construction of two identical four-story, 124-room, 47,624-square-foot hotels and ancillary site improvements. This approval also includes two variance requests from the requirements of Sections 27-471(f)(2) and 27-474(b) of the Prince George's County Zoning Ordinance, respectively.

Council District:

5

Appeal by Date:

4/14/2016

Review by Date:

5/23/2016

History:

02/03/2016

M-NCPPC Technical Staff

approval with conditions

03/10/2016

M-NCPPC Planning Board

approval with conditions

04/14/2016

Person of Record

appealed

Ms. French C. Wallop filed an appeal in opposition to the proposal and requested Oral Argument.

PENDING FINALITY (Continued)[SDP-9612-05](#)**Springdale Estates****Applicant(s):**

Klein Bellehaven, LLC.

Location:

Located on the east side of Saint Josephs Drive and the south side of Ardwick Ardmore Road, approximately 1,000 feet southwest of its intersection with Lottsford Vista Road in Landover, Maryland.

Request:

SDP-9612-05

Council District:

5

Appeal by Date:

5/19/2016

Review by Date:

5/19/2016

History:

03/24/2016

M-NCPPC Technical Staff

approval with conditions

04/14/2016

M-NCPPC Planning Board

approval with conditions

ADJOURN**7:00 PM PUBLIC HEARING - (COUNCIL HEARING ROOM)**[PH 05022016](#)

MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION (M-NCPPC) PROPOSED FISCAL YEAR 2016-2017 OPERATING AND CAPITAL BUDGETS AND THE M-NCPPC CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEARS 2017-2022

(SEE SEPARATE AGENDA)