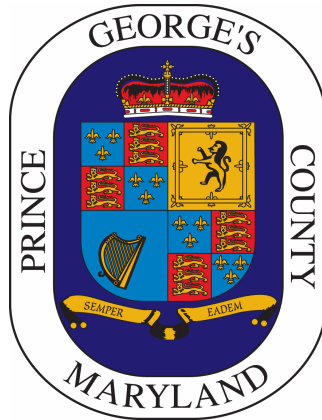


Prince George's County Council

*Wayne K. Curry Administration Building
1301 McCormick Dr
Largo, MD 20774*



Zoning Agenda - Revised*

(In-Person)

**Tuesday, October 10, 2023
9:45 AM**

Council Hearing Room

Sitting as the District Council

Thomas E. Dernoga, Chair, District 1

Wala Blegay, Vice Chair, District 6

Edward P. Burroughs, III, District 8

Wanika Fisher, District 2

Mel Franklin, At-Large

Sydney J. Harrison, District 9

Calvin S. Hawkins, II, At-Large

Jolene Ivey, District 5

Eric C. Olson, District 3

Krystal Oriadha, District 7

Ingrid S. Watson, District 4

Jennifer A. Jenkins, 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. All District Council Sessions are public meetings, however, a part of the meeting may be conducted in closed session.

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 and interpreters for non-english speakers 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.

FOR LIVE STREAMING AND VIDEO VISIT OUR WEBSITE AT: <http://pgccouncil.us>

PLEASE SILENCE ALL CELLULAR PHONES WHILE IN THE HEARING ROOM.

9:45 AM CALL TO ORDER - (COUNCIL HEARING ROOM)

INVOCATION / MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 09252023](#)

District Council Minutes Dated September 25, 2023

Attachment(s):

[9-25-2023 District Council Minutes Draft](#)

REFERRED FOR DOCUMENT[ZMA-2022-001](#)**Marianne Davies Trust Development****Applicant(s):**

Land Development Investors II, LLC and Cottage City Mennonite Church, Inc.

Location:

Located on the south side of Greenbelt Road (MD 193), approximately .35 miles west of its intersection with Lanham-Severn Road (MD 564) (12.426 Acres; RR Zone).

Request:

Requesting approval of a Zoning Map Amendment (ZMA) for the rezoning of approximately 12.426 acres in the RR (Residential, Rural) Zone to the RMF-48 (Residential, Multifamily-48) Zone.

Council District:

3

Appeal by Date:

5/22/2023

Action by Date:

10/18/2023

Opposition:

Wingate Homeowners Association, Inc., et.al.

History:

11/10/2022	M-NCPPC Technical Staff	disapproval
12/21/2022	M-NCPPC Planning Board	no motion to consider
04/20/2023	Zoning Hearing Examiner	disapproval
05/08/2023	Sitting as the District Council	deferred
05/14/2023	Applicant	filed

Nathaniel Forman, Esq., attorney for the applicant filed exceptions to the Zoning Hearing Examiner's Decision.

05/15/2023	Sitting as the District Council	no action
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Exceptions were filed by applicant, case will be scheduled for Oral Argument Hearing.

08/01/2023	Clerk of the Council	mailed
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Notice of Oral Argument Hearing was mailed to Persons of Record.

09/11/2023 Sitting as the District Council hearing held; case taken under advisement

Dominique Lockhart and Jeremy Hurlbutt, M-NCPPC planning staff, provided an overview of the Zoning Map Amendment application. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties. Nathaniel Forman, attorney for applicant spoke in support. Sean Suhar and Jon Robinson spoke in opposition. (Council took case under advisement).

09/25/2023 Sitting as the District Council referred for document

Council referred item to staff for preparation of a disapproving document (Vote: 9-0 Absent: Council Members Franklin, Hawkins).

Attachment(s):

[ZMA-2022-001 Zoning Agenda Item Summary](#)

[ZMA-2022-001 Presentation Slides](#)

[ZMA-2022-001 - Notice of Oral Argument Hearing](#)

[ZMA-2022-001- Forman to Brown \(Exceptions 5-14-2023\)](#)

[ZMA-2022-001- Notice of ZHE Decision](#)

[ZMA-2022-001 - ZHE Decision](#)

ZMA-2022-001 - POR List

[ZMA-2022-001 Technical Staff Report](#)

[ZMA-2022-001 - Exhibit List](#)

[ZMA-2022-001- Exhibits #1-41](#)

[ZMA-2022-001-Transcripts 2-8-23](#)

[ZMA-2022-001-Transcripts 2-22-23](#)

[ZMA-2022-001-Transcripts 3-1-23](#)

[PZC Notice of Intention to Participate](#)

ITEM(S) FOR DISCUSSION**DDS-22002****Alta Woodmore****Applicant(s):**

WS Woodmore, LLC

Location:

Located on the north side of MD 202 (Landover Road), approximately 550 feet northwest of its intersection with St. Joseph's Drive, immediately adjacent to and east of I-95/495 (Capital Beltway). The subject property is in the southern portion of the overall Woodmore Town Centre site. Specifically, the property is on the west side of Ruby Lockhart Boulevard, approximately 312 feet north of its intersection with St Joseph's Drive (20.28 Acres; TAC-E Zone (prior M-X-T Zone)).

Request:

Requesting approval of a Departure from Design Standards (DDS) for the development of 284 multifamily dwelling units in two, five-story buildings.

Council District:

5

Appeal by Date:

8/31/2023

Action by Date:

10/30/2023

Municipality:

Glenarden

History:

06/22/2023 M-NCPPC Technical Staff approval with conditions

07/27/2023 M-NCPPC Planning Board approval with conditions

08/09/2023 Clerk of the Council mailed

Notice of Mandatory Review Hearing (using Oral Argument procedures) was mailed to Persons of Record.

08/29/2023 Person of Record filed

G. Macy Nelson Esq. & Alex Votaw Esq. attorney's for Citizen-Protestants filed an appeal and Request Oral Argument Hearing.

09/11/2023 Sitting as the District Council announced hearing date

09/20/2023 Applicant filed

Edward C. Gibbs Jr. Esq., attorney for the applicant filed a response to the August 29, 2023 Appeal and Request for Oral Argument filed by Citizen-Protestants.

09/25/2023

Sitting as the District Council

hearing held; case taken under
advisement

Andrew Shelly and James Hunt, M-NCPPC planning staff, provided an overview of the Detailed Site Plan and Departure from Design Standard application. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties. Edward Gibbs Jr. Esq., attorney for applicant spoke in support. Alex Votaw Esq., spoke in opposition. Council took this case under advisement.

Attachment(s):[DDS-22002 Zoning Agenda Item Summary](#)[DDS-22002 Presentation Slides](#)[DDS-22002 Gibbs to Brown \(Response to appeal filed by
DDS-22002 Nelson to Brown \(Appeal and Request for Or:](#)[DDS-22002- Notice of Mandatory Review](#)[DDS-22002 Planning Board Resolution](#)

DDS-22002 PORL

[DDS-22002 Technical Staff Report](#)[DDS-22002 Transcripts 7-6-2023](#)[DDS-22002 Planning Board Record Part 1](#)[DDS-22002 Planning Board Record Part 2](#)[PZC Notice of Intention to Participate](#)

ITEM(S) FOR DISCUSSION (continued)[DSP-22034](#)**Alta Woodmore****Applicant(s):**

WS Woodmore, LLC

Location:

Located on the north side of MD 202 (Landover Road), approximately 550 feet northwest of its intersection with St. Joseph's Drive, immediately adjacent to and east of I-95/495 (Capital Beltway). The subject property is in the southern portion of the overall Woodmore Town Centre site. Specifically, the property is on the west side of Ruby Lockhart Boulevard, approximately 312 feet north of its intersection with St Joseph's Drive (20.28 Acres; TAC-E Zone (prior M-X-T Zone)).

Request:

Requesting approval of a Detailed Site Plan (DSP) for the development of 284 multifamily dwelling units in two, 5-story buildings.

Council District:

5

Appeal by Date:

8/31/2023

Action by Date:

10/30/2023

Municipality:

Glenarden

History:

06/22/2023

M-NCPPC Technical Staff

approval with conditions

07/27/2023

M-NCPPC Planning Board

approval with conditions

08/09/2023

Clerk of the Council

mailed

Notice of Mandatory Review Hearing (using Oral Argument procedures) was mailed to Persons of Record.

08/29/2023

Person of Record

filed

G. Macy Nelson Esq. & Alex Votaw Esq. attorney's for Citizen-Protestants filed an appeal and Request Oral Argument Hearing.

09/11/2023

Sitting as the District Council

announced hearing date

09/20/2023

Applicant

filed

Edward C. Gibbs Jr. Esq., attorney for the applicant filed a response to the August 29, 2023 Appeal and Request for Oral Argument filed by Citizen-Protestants.

09/25/2023

Sitting as the District Council

hearing held; case taken under
advisement

Andrew Shelly and James Hunt, M-NCPPC planning staff, provided an overview of the Detailed Site Plan and Departure from Design Standard application. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties. Edward Gibbs Jr. Esq., attorney for applicant spoke in support. Alex Votaw Esq., spoke in opposition. Council took case under advisement.

Attachment(s):[DSP-22034 Zoning Agenda Item Summary](#)[DSP-22034 Presentation Slides](#)[DSP-22034 - Gibbs to Brown \(Response to appeal filed by
DSP-22034 Nelson to Brown \(Appeal and Request for Ora](#)[DSP-22034- Notice of Mandatory Review](#)[DSP-22034 Planning Board Resolution](#)

DSP-22034 PORL

[DSP-22034 Technical Staff Report](#)[DSP-22034 Transcripts 7-6-2023](#)[DSP-22034 Planning Board Record Part 1](#)[DSP-22034 Planning Board Record Part 2](#)[PZC Notice of Intention to Participate](#)

ITEM(S) FOR DISCUSSION (continued)**DSP-21032****Arbor Street Property****Applicant(s):**

Nabely Family Trust

Location:

Located on the south side of Arbor Street, approximately 250 feet west of its intersection with 59th Avenue in Council District 5. The site address is 5801 Arbor Road, less than a 0.5 mile south of the corporate limits for the Town of Cheverly (0.46 Acres; LTO-C Zone (Prior M-U-I / D-D-O Zones).

Request:

Requesting approval of a Detailed Site Plan (DSP) to validate the existing "wholesaling or distribution of materials used or produced on the premises," pursuant to Section 27-548.26(b)(1)(B) of the prior Zoning Ordinance, that allows the Prince George's County District Council to approve a change in the list of allowed uses in the D-D-O Zone, as modified by the zone's development district standards.

Council District:

5

Appeal by Date:

8/31/2023

Action by Date:

10/30/2023

History:

06/14/2023

M-NCPPC Technical Staff

disapproval

07/27/2023

M-NCPPC Planning Board

disapproval

08/09/2023

Clerk of the Council

mailed

Notice of Mandatory Review Hearing (using Oral Argument procedures) was mailed to Persons of Record.

08/29/2023

Applicant

filed

Nathaniel Forman, Esq., attorney for the applicant filed an appeal of the Planning Board's decision.

09/11/2023

Sitting as the District Council

announced hearing date

09/25/2023

Sitting as the District Council

hearing held; case taken under advisement

Dominique Lockhart, M-NCPPC planning staff, provided an overview of the Detailed Site Plan application. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties. Nathaniel Forman Esq., attorney for applicant spoke in support. Council took this case under advisement.

Attachment(s):

[DSP-21032 Zoning Agenda Item Summary](#)

[DSP-21032 Presentation Slides](#)

[DSP-21032 Forman to Brown \(Appeal\) 8-29-2023](#)

[DSP-21032- Notice of Mandatory Review](#)

[DSP-21032 Planning Board Resolution](#)

DSP-21032 PORL

[DSP-21032 Technical Staff Report](#)

[DSP-21032 Transcripts 1-26-2023](#)

[DSP-21032 Transcripts 3-16-2023](#)

[DSP-21032 Transcripts 4-27-2023](#)

[DSP-21032 Transcripts 6-29-2023](#)

[DSP-21032 Transcripts 12-8-2022](#)

[DSP-21032 Planning Board Record](#)

[PZC Notice of Intention to Participate](#)

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) PLANNING BOARD**[SDP-0609-H8](#)****Balmoral, Lot 13 Block A****Applicant(s):**

Michelle Clancy

Location:

Located in the larger development known as Balmoral Phase 2 on the west side of US 301 (Robert Crain Highway) and Perthshire Place, approximately 250 feet northwest of its intersection with Governors Park Lane. More specifically, the subject property is located at 3803 Perthshire Place, Upper Marlboro, MD 20774 (.17 Acres; LCD Zone (Prior R-S Zone).

Request:

Requesting approval of a Specific Design Plan (SDP) for the construction of a 12-foot by 20-foot enclosed screened porch that is elevated 8 feet high from the grade, with a 5-foot by 5-foot landing and stairs at the rear of an existing single-family detached dwelling, extending 5 feet into the rear yard setback.

Council District:

6

Appeal by Date:

10/26/2023

Review by Date:

10/26/2023

History:

08/23/2023

M-NCPPC Technical Staff

approval with conditions

09/21/2023

M-NCPPC Planning Board

approval with conditions

Attachment(s):[SDP-0609-H8 Zoning Agenda Item Summary](#)[SDP-0609-H8 Planning Board Resolution](#)

SDP-0609-H8 PORL

[SDP-0609-H8 Technical Staff Report](#)**ADJOURN****[ADJ85-23](#)****ADJOURN****10:00 AM COUNTY COUNCIL - (COUNCIL HEARING ROOM)***(SEE SEPARATE AGENDA)*

