



Prince George's County Council

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

Zoning Minutes - Final Sitting as the District Council

Todd M. Turner, Chair, District 4
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
Calvin S. Hawkins, II, At-Large
Jolene Ivey, District 5
Rodney C. Streeter, Vice Chair, District 7
Deni L. Taveras, District 2

Robert J. Williams, Jr., Council Administrator

Monday, April 15, 2019

10:00 AM

Council Hearing Room

9:45 AM AGENDA BRIEFING - (ROOM 2027)

10:15 AM CALL TO ORDER - (COUNCIL HEARING ROOM)

The meeting was called to order by Chair Turner at 10:15 a.m. with seven members present at roll call. Council Members Streeter and Taveras arrived at 10:23 a.m.

Present: 9 - Chair Todd Turner
Council Member Monique Anderson-Walker
Council Member Derrick Davis
Council Member Thomas Dernoga
Council Member Sydney Harrison
Council Member Calvin S. Hawkins
Council Member Jolene Ivey
Vice Chair Rodney Streeter
Council Member Deni Taveras

Absent: Council Member Mel Franklin
Council Member Dannielle Glaros

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

*M-NCPPC
Ras Cannady, Development Review Division
Andrew Bishop, Development Review Division*

INVOCATION

The Invocation was provided by Chaplin Leroy Johnson, Resident, Montgomery County, MD. Council Member Harrison requested prayer for the family of Shamika Brown in her passing and for all involved in the vehicle crash that took her life. Council Member Ivey requested prayer for the family of Marine Sgt. Christopher Slutman, a former volunteer firefighter, who was killed in Afganistan.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Council Member Anderson-Walker.

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 03252019](#)

District Council Minutes dated March 25, 2019

A motion was made by Council Member Anderson-Walker, seconded by Council Member Dernoga, that these Minutes be approval. The motion carried by the following vote:

Aye: 6 - Turner, Anderson-Walker, Dernoga, Harrison, Hawkins and Ivey

Absent: Davis, Franklin, Glaros, Streeter and Taveras

Attachment(s): [3-25-2019 District Council Minutes DRAFT](#)

[MINDC 03262019](#)

District Council Minutes dated March 26, 2019

A motion was made by Council Member Anderson-Walker, seconded by Council Member Dernoga, that these Minutes be approval. The motion carried by the following vote:

Aye: 6 - Turner, Anderson-Walker, Dernoga, Harrison, Hawkins and Ivey

Absent: Davis, Franklin, Glaros, Streeter and Taveras

Attachment(s): [3-26-2019 District Council Minutes DRAFT](#)

ORAL ARGUMENTS**CNU-1143-2018****NICO Banquet Hall**

Applicant(s): NICO Banquet Hall

Location: Located on the east side of Old Branch Avenue, approximately 300 feet east of the intersection of Allentown Road, also identified as 6306 Old Branch Avenue, Temple Hills, Maryland (0.86 Acres; C-M / M-I-O Zones).

Request: Requesting certification of a nonconforming use for an eating or drinking establishment with adult entertainment.

Council District: 8

Appeal by Date: 2/14/2019

Review by Date: 2/14/2019

Action by Date: 6/14/2019

History:

Ras Cannady, M-NCPPC, provided an overview of the application for Certification of a Non-conforming Use. Dennis Whitley, III, Esq. spoke in support on behalf of the applicant. Leon Turner, Camp Springs Civic Association, Wilmarie McKoy and Bill Edelen, Department of Permitting, Inspections and Enforcement, 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. The Oral Argument hearing was held and Council took this case under advisement.

This Certification of a Nonconforming Use hearing was held and the case was taken under advisement.

Attachment(s): [CNU-1143-2018 Zoning Agenda Item Summary](#)
[CNU-1143-2018 Planning Board Resolution 18-124](#)
CNU-1143-2018_PORL
[CNU-1143-2018 Technical Staff Report](#)
[CNU-1143-2018 Case Material](#)

ORAL ARGUMENTS**DSP-18027****7-Eleven, Laurel-Baltimore Avenue**

Applicant(s): 7-Eleven, Inc.

Location: Located on the west side of US I (Baltimore Avenue), in the southwest quadrant of its intersection with Academy Lane (1.72 Acres; C-M Zone).

Request: Requesting approval of a Detailed Site Plan (DSP) proposing to raze a property with an existing used car sales business and to construct a 4,950-square-foot food and beverage store and a gas station. The project will entail the complete removal of all existing structures on the property.

Council District: 1

Appeal by Date: 3/7/2019

Review by Date: 3/7/2019

Action by Date: 4/26/2019

History:

Andrew Bishop, M-NCPPC, provided an overview of the Detailed Site Plan application. Matthew Tedesco, Esq. spoke in support on behalf of the applicant. 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.

This Detailed Site Plan hearing was held and the case was taken under advisement.

Attachment(s): [DSP-18027 Zoning Agenda Item Summary](#)
[DSP-18027 Planning Board Resolution 19-03](#)
DSP-18027_PORL
[DSP-18027 Technical Staff Report](#)

NEW CASE(S)**[ROW Shell Gas Station- Crain H](#)****SMO, Inc. Authorization to Build in Planned Right-of-Way Shell Gas Station-Crain Highway**

- Applicant(s):** Corp Roman Catholic Clergy of ME/SMO, Inc.
- Location:** Located between the proposed interchange of MD 3 and MD 450, identified as 7111 Crain Highway, Bowie, MD 20715. (1.6070 acres; C-M Zone)
- Request:** Requesting approval for authorization to replace an existing canopy over the pumps by an existing Gas Station on C-M zoned property within the proposed right-of-way for Crain Highway (MD 3).
- Council District:** 4
- Appeal by Date:** 4/5/2019
- Action by Date:** 7/5/2019
- Opposition:** None

History:

Council referred item to staff for preparation of an approving document, with conditions (Vote: 9-0; Absent: Council Members Franklin and Glaros).

A motion was made by Chair Turner, seconded by Council Member Davis, that this Authorization to Build in the Right of Way be referred for document. The motion carried by the following vote:

- Aye:** 9 - Turner, Anderson-Walker, Davis, Dernoga, Harrison, Hawkins, Ivey, Streeter and Taveras
- Absent:** Franklin and Glaros

- Attachment(s):** [ROW-Shell Gas Station ZHE ERRATA](#)
[ROW-Shell Gas Station Zoning Hearing](#)
[Examiners Decision](#)
 ROW-Shell Gas Station PORL (Crain Highway)

In making the final decision in this case, the District Council should consider whether it wants to conduct an Oral Argument, pursuant to Section 27-131 (c)(2).

REFERRED FOR DOCUMENT[A-10046-C](#)**Renard Lakes**

- Applicant(s):** Strittmatter Properties, LLC / Renard Lakes Holdings, LLC
- Location:** Northwest quadrant of the intersection of US 301 (Robert Crain Highway) and Dyson Road (167.84 Acres; R-S Zone).
- Request:** Requesting approval of a Zoning Map Amendment to rezone approximately 167.84 acres of R-S (Residential Suburban) zoned land to the I-1 (Light Industrial) Zone.
- Council District:** 9
- Appeal by Date:** 8/13/2018
- Opposition:** Darnetta Simmons, Jeffery Simmons and Matthew Hitt
- History:**

Council adopted the prepared Order of Denial reverting the property back to its original zone due to the applicant not accepting the conditions.

A motion was made by Council Member Harrison, seconded by Council Member Davis, that this Zoning Map Amendment be denied. The motion carried by the following vote:

- Aye:** 9 - Turner, Anderson-Walker, Davis, Dernoga, Harrison, Hawkins, Ivey, Streeter and Taveras
- Absent:** Franklin and Glaros

- Attachment(s):** [A-10046 Zoning Agenda Item Summary](#)
[A-10046 - Zoning Hearing Examiner Decision](#)
A-10046-PORL

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.

PLANNING BOARD**[CNU-27104-2017](#)****Brandon Investments**

- Applicant(s):** Moises Arias / Brandon Investments, LLC
- Location:** On the north side of Fairview Avenue, approximately 0.25 mile west of the intersection of Fairview Avenue and MD 410 (East West Highway) (10,804 Square feet, R-18 Zone).
- Request:** Requesting approval of certification of a nonconforming use for a six-unit multifamily dwelling in the R-18 Zone.
- Council District:** 2
- Appeal by Date:** 4/25/2019
- Review by Date:** 4/25/2019
- Action by Date:** 9/16/2019

History:

Council elected to review this item (Vote: 9-0; Absent: Council Members Franklin and Glaros).

A motion was made by Council Member Taveras, seconded by Council Member Davis, that this Certification of a Nonconforming Use be elected to review. The motion carried by the following vote:

- Aye:** 9 - Turner, Anderson-Walker, Davis, Dernoga, Harrison, Hawkins, Ivey, Streeter and Taveras
- Absent:** Franklin and Glaros

- Attachment(s):** [CNU-27104-2017 Planning Board Resolution 19-27](#)
[CNU-27104-2017_PORL](#)
[CNU-27104-2017 Technical Staff Report](#)

PENDING FINALITY (Continued)

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision or an appeal is filed.

[CSP-06001-02](#)

Glenn Dale Commons

- Applicant(s):** Jemal's Greentec Land, LLC
- Location:** Located west and south of Northern Avenue, east of Glenn Dale Road, and north of MD 193 (Greenbelt Road) (82.74 Acres; M-X-T Zone).
- Request:** Requesting approval of a Conceptual Site Plan for a phased mixed-use development consisting of approximately 65- 70 single-family detached dwelling units; 150- 180 single-family attached dwelling units (townhouse); 270- 305 two-family attached dwelling units (two-over-twos); approximately 214,969 square feet of existing commercial/office space, to remain; and 50,000 square feet of proposed commercial/retail space.
- Council District:** 4
- Appeal by Date:** 3/21/2019
- Review by Date:** 5/1/2019
- Comment(s):** This case was originally transmitted on February 19, 2019 to the Council, but was returned and retransmitted on April 1, 2019 in order to satisfy affidavit requirements.

History:

Council waived election to review for this item (Vote: 9-0; Absent: Council Members Franklin and Glaros).

A motion was made by Chair Turner, seconded by Vice Chair Streeter, that Council waive election to review for this Conceptual Site Plan. The motion carried by the following vote:

- Aye:** 9 - Turner, Anderson-Walker, Davis, Dernoga, Harrison, Hawkins, Ivey, Streeter and Taveras
- Absent:** Franklin and Glaros

- Attachment(s):** [CSP-06001-02 Zoning Agenda Item Summary](#)
[CSP-06001-02 Planning Board Resolution 19-18](#)
 CSP-06001-02_PORL
[CSP-06001-02 Technical Staff Report](#)

PENDING FINALITY (Continued)

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision or an appeal is filed.

[CSP-18001](#)**Marlow Heights Center****Companion Case(s):** DSP-18016**Applicant(s):** PAAP Properties, LLC**Location:** Located on the west side of Riviera Street, in the southwest quadrant of its intersection with 28th Avenue. More specifically, the property is located at 3710 Riviera Street in Temple Hills, Maryland (0.25 Acres; M-X-T Zone).**Request:** Requesting approval of a Conceptual Site plan (CSP), with companion Detailed Site plan, DSP-18016, for validation of the number of parking spaces provided on an existing commercial property, in accordance with Section 27-574 of the Prince George's County Zoning Ordinance.**Council District:** 7**Appeal by Date:** 5/2/2019**Review by Date:** 5/2/2019**History:**

Council deferred this item to April 29, 2019.

This Conceptual Site Plan was deferred.

Attachment(s): [CSP-18001 Planning Board Resolution 19-33](#)

CSP-18001_PORL

[CSP-18001 Technical Staff Report](#)

PENDING FINALITY (Continued)

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision or an appeal is filed.

[DSP-18016](#)

Marlow Heights Center

Companion Case(s): CSP-18001

Applicant(s): PAAP Properties, LLC

Location: Located on the west side of Riviera Street, in the southwest quadrant of its intersection with 28th Avenue. More specifically, the property is located at 3710 Riviera Street in Temple Hills, Maryland. (0.25 Acres; M-X-T Zone).

Request: Requesting approval of a Detailed Site Plan (DSP), with companion Conceptual Site Plan, CSP-18001, for validation of the number of parking spaces provided on an existing commercial property, in accordance with Section 27-574 of the Prince George's County Zoning Ordinance.

Council District: 7

Appeal by Date: 5/2/2019

Review by Date: 5/2/2019

History:

Council deferred this item to April 29, 2019.

This Detailed Site Plan was deferred.

Attachment(s): [DSP-18016 Planning Board Resolution](#)

DSP-18016_PORL

[DSP-18016 Technical Staff Report](#)

PENDING FINALITY (Continued)

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision or an appeal is filed.

[CSP-18010](#)**Beltway Plaza**

- Applicant(s):** G.B. Mall, LP
- Location:** On the north side of MD 193 (Greenbelt Road), south of Breezewood Drive and east of Cherrywood Lane (53.88 Acres; M-U-I / D-D-O Zones).
- Request:** Requesting approval of a Conceptual Site Plan (CSP) for a mixed-use development consisting of 175 to 250 two-family (two-over-two) or single-family attached (townhouse) dwelling units; 875 to 2,250 multifamily dwelling units; and 435,000 to 700,000 square feet of commercial retail use, to be constructed in five phases.
- Council District:** 4
- Appeal by Date:** 5/2/2019
- Review by Date:** 5/2/2019
- Municipality:** City of Greenbelt
- History:**

Council deferred this item to April 29, 2019.

This Conceptual Site Plan was deferred.

- Attachment(s):** [CSP-18010 Planning Board Resolution 19-35](#)
[CSP-18010_PORL](#)
[CSP-18010 Technical Staff Report](#)

PENDING FINALITY (Continued)

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision or an appeal is filed.

[CSP-96073-01](#)

Greater Morning Star Apostolic Church & The Venue**Applicant(s):**

Greenwood Park, LLC

Location:

On the north side of Richie Marlboro Road, approximately 750 feet east of the Capital Beltway (I-95/495) intersection, also identified as 1700 Ritchie Marlboro Road, Upper Marlboro, Maryland.

Request:

Requesting approval of an amendment to a conceptual site plan (CSP) to reflect the rezoning of a portion of the property to the Townhouse (R-T) and One-Family Detached Residential (R-55) Zones, and the addition of a 200 to 250 dwelling unit single-family attached (townhouse) community on the existing church property.

Council District: 6**Appeal by Date:** 4/25/2019**Review by Date:** 4/25/2019**History:**

Council waived election to review for this item (Vote: 9-0; Absent: Council Members Franklin and Glaros).

A motion was made by Council Member Davis, seconded by Vice Chair Streeter, that Council waive election to review for this Conceptual Site Plan. The motion carried by the following vote:

Aye: 9 - Turner, Anderson-Walker, Davis, Dernoga, Harrison, Hawkins, Ivey, Streeter and Taveras

Absent: Franklin and Glaros

Attachment(s):

[CSP-96073-01 Planning Board Resolution 19-28](#)

[CSP-96073-01_PORL](#)

[CSP-96073-01 Technical Staff Report](#)

PENDING FINALITY (Continued)

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision or an appeal is filed.

[DSP-17012](#)

1 Salon Studios

Companion Case(s): DPLS-466

Applicant(s): 1 Salon Studios

Location: On the south side of MD 193 (Greenbelt Road), approximately 2,000 feet west of its intersection with MD 564 (Lanham-Severn Road) (1.38 Acres; R-R Zone).

Request: Requesting approval of Detailed Site Plan for for the development of the subject property with a beauty shop and an eating and drinking establishment, excluding drive-through service and alternative compliance to Section 4.7 of the 2010 Prince George's County Landscape Manual (Landscape Manual).

Council District: 3

Appeal by Date: 4/25/2019

Review by Date: 4/25/2019

History:

Council waived election to review for this item (Vote: 8-0; Absent: Council Members Franklin, Glaros, and Harrison).

A motion was made by Chair Turner, seconded by Council Member Hawkins, that Council waive election to review for this Detailed Site Plan. The motion carried by the following vote:

Aye: 8 - Turner, Anderson-Walker, Davis, Dernoga, Hawkins, Ivey, Streeter and Taveras

Absent: Franklin, Glaros and Harrison

Attachment(s): [DSP-17012 Planning Board Resolution 19-29](#)

[DSP-17012_PORL](#)

[DSP-17012 Technical Staff Report](#)

PENDING FINALITY (Continued)

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision or an appeal is filed.

[DPLS-466](#)

1 Salon Studios

Companion Case(s): DSP-17012

Applicant(s): 1 Salon Studios

Location: On the south side of MD 193 (Greenbelt Road), approximately 2,000 feet west of its intersection with MD 564 (Lanham-Severn Road) (1.38 Acres, R-R Zone).

Request: Requesting approval of a Departure from Parking and Loading Standards for a departure of two loading spaces from the parking and loading requirements for a proposed beauty shop and an eating and drinking establishment, excluding drive-through service.

Council District: 3

Appeal by Date: 4/25/2019

Review by Date: 4/25/2019

History:

Council waived election to review for this item (Vote: 8-0-1; Absent: Council Members Franklin and Glaros; Abstained: Council Member Harrison).

A motion was made by Chair Turner, seconded by Council Member Davis, that Council waive election to review for this Departure from Parking and Loading Standards. The motion carried by the following vote:

Aye: 8 - Turner, Anderson-Walker, Davis, Dernoga, Hawkins, Ivey, Streeter and Taveras

Absent: Franklin and Glaros

Abstain: 1 - Harrison

Attachment(s): [DPLS-466 Planning Board Resolution 19-30](#)

DPLS-466_PORL

[DPLS-466 Technical Staff Report](#)

CASE(S) SCHEDULED FOR MANDATORY REVIEW HEARING MAY 13, 2019 AT 10:00 A.M.*Hearing Dates & Times Subject to Change***CSP-18002 Remand****Magruder Pointe (REMAND)****Applicant(s):**

Werrlein WSSC LLC

Location:

Located in the southeast quadrant of the intersection of Hamilton Street and 40th Avenue, north of Gallatin Street and west of 40th Place. The subject site is also located within the Traditional Residential Neighborhood (TRN) Character Area of the 2004 Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District (Gateway Arts District Sector Plan and SMA) (8.26 Acres; R-55/O-S/D-D-O Zones).

Request:

Requesting approval of a Conceptual Site Plan (CSP) application proposing to rezone the property from the One-Family Detached Residential (R-55) and Open Space (O-S) Zones to the Mixed Use-Infill (M-U-I) Zone for a future single-family residential development. No site improvements have been proposed in this CSP.

Council District:

2

Appeal by Date:

5/2/2019

Action by Date:

6/10/2019

Comment(s):

Mandatory Review:

District Council review of this case is required by Section 27-548.26(b) of the Zoning Ordinance.

Municipality:

City of Hyattsville

This Conceptual Site Plan Mandatory Review hearing date was announced.**Attachment(s):**

[CSP-18002 Remand Planning Board Resolution 18-74\(A\)](#)

CSP-18002 Remand PORL_searchable

[CSP-18002 Remand Technical Staff Report and Memorandum](#)

[ADJ40-19](#)

ADJOURN

History:

The meeting was adjourned at 12:12 p.m. (Vote: 9-0; Absent: Council Members Franklin and Glaros).

A motion was made by Council Member Davis, seconded by Council Member Anderson-Walker, that this meeting be adjourned. The motion carried by the following vote:

Aye: 9 - Turner, Anderson-Walker, Davis, Dernoga, Harrison, Hawkins, Ivey, Streeter and Taveras

Absent: Franklin and Glaros

1:30 PM HEALTH, HUMAN SERVICES AND PUBLIC SAFETY COMMITTEE - (ROOM 2027)

(SEE SEPARATE AGENDA)

Prepared by:

Leonard Moses, Zoning Assistant

Submitted by:

Redis C. Floyd, Clerk of the Council