



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

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, March 25, 2019

10:00 AM

Council Hearing Room

9:45 AM AGENDA BRIEFING - (ROOM 2027)

The agenda briefing convened at 9:45 a.m.

10:28 AM CALL TO ORDER - (COUNCIL HEARING ROOM)

Pursuant to the provisions of Section 27-132(a) of the Zoning Ordinance, the meeting was called to order by Chair Turner at 10:28 a.m. with nine members present at roll call. Council Member Glaros arrived at 10:30 a.m. and Council Member Franklin arrived at 10:54 a.m.

Present: 11 - Chair Todd Turner
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 Calvin S. Hawkins
Council Member Jolene Ivey
Vice Chair Rodney Streeter
Council Member Deni Taveras

*Also Present: Stan Brown, People's Zoning Counsel
Robert J. Williams, Jr., 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, Office of the Clerk of the Council*

*M-NCPPC
Ras Cannady, Development Review Division
Ivy Thompson, Development Review Division*

*DPIE
Sergio Velasco, Inspector*

INVOCATION

The Invocation was provided by Mrs. Sylvia Taylor, International Church of Christ, Landover, MD. Council Member Harrison requested prayer for drivers and congratulated Council Member Anderson-Walker on her "DrivingItHome" campaign to promote safe driving. Chair Turner requested prayer for civility amongst residents in the county and nationally. Council Member Ivey requested prayer for the family of activist, Ken Laureys, in his passing from an auto accident in Nebraska. Council Member Glaros requested prayer for District 3 activist, Laura Neverleff of Seabrook Acres Civic Association and her family in light of her health challenges as she ages.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Harrison.

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 03112019](#)

District Council Minutes dated March 11, 2019

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

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

Absent: Franklin

Attachment(s): [3-11-2019 District Council Minutes DRAFT](#)

DRAFT

ORAL ARGUMENTS[A-10044](#)**Moore's Corner**

- Applicant(s):** Moores Corner, LLC
- Location:** Located on the east side of Branch Avenue (MD 5) in the southwest quadrant of its intersection with Moore's Road, Brandywine, Maryland (8.279 Acres; R-R Zone).
- Request:** Requesting approval of a Zoning Map Amendment to rezone approximately 8.279 acres of land from the R-R (Rural Residential) to the M-X-T (Mixed Use-Transportation Oriented) Zone.
- Council District:** 9
- Appeal by Date:** 1/18/2019
- Action by Date:** 5/30/2019
- Opposition:** Kesia Wheeler et. al
- History:**

Ras Cannady, M-NCPPC, provided an overview of the Zoning Map Amendment application. Alberta Moore, Karleen Powell, Kevin Kyle, Kesia Wheeler and James K. Davis, Esq., attorney for Kesia Wheeler, spoke in opposition. Matthew Tedesco, Esq., attorney for the applicant, spoke in support on behalf of the applicant. Michael Lenheart responded to traffic related questions. 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 Zoning Map Amendment hearing was held and the case was taken under advisement.

- Attachment(s):** A- 10044 Tedesco to Floyd Letter
[A-10044 Technical Staff Report](#)
[A-10044 Zoning Hearing Examiner Decison](#)
A-10044 PORL

ORAL ARGUMENTS (Continued)**[ERR-268 Remand](#)****835 Fairview Ave (Remand)****Validation of Multifamily Rental License No. M-0131 Issued In Error****Companion Case(s):** ERR-268**Applicant(s):** Carline Brice**Location:** Located at 835 Fairview Avenue, Takoma Park, Maryland (0.17 Acres, R-18 Zone).**Request:** Requesting approval of validation of Prince George's County Multi-Family Rental Housing License No. M-0131 issued in error on April 18, 2015, for six (6) apartment units, on approximately 7448 square feet of land, located in the R-18 (Multi-Family Medium Density Residential) Zone.**Council District:** 2**Appeal by Date:** 9/27/2018**Action by Date:** 4/1/2019**Opposition:** None**History:**

Ivey Thompson, M-NCPPC, provided an overview of the Permit Issued in Error application. Traci Scudder, Esq., attorney for the applicant, and Ms. Carline Brice, applicant, spoke in support. 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 referred item to staff for preparation of an approving document, with conditions (Vote: 11-0).

This Permit issued in error hearing was held; subsequently, a motion was made by Council Member Taveras, seconded by Council Member Hawkins, that this Permit issued in error be referred for document. The motion carried by the following vote:

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

Attachment(s): **[ERR 268 Zoning Hearing Examiner Decision](#)**

ERR 268 PORL

ITEM(S) FOR DISCUSSION[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 referred this item to staff for preparation of a document reverting this property to its original zone (Vote 11-0).

A motion was made by Council Member Harrison, seconded by Council Member Franklin, that this Zoning Map Amendment be referred for document. The motion carried by the following vote:

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

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

ITEM(S) FOR DISCUSSION (Continued)**[SE/VSE-4792 Remand](#) Ernest Maier Concrete Batching Plant (Remand)****Companion Case(s):** SE/VSE-4792**Applicant(s):** Ernest Maier, Inc.**Location:** Located west side of Kenilworth Avenue (MD 201), approximately 254 feet west of its intersection with Upshur Street (3.95 Acres; I-2 Zone).**Request:** Requesting approval of a Special Exception to operate a Concrete Batching Plant. Variance from Section 27-343.02(a)(1) to allow a concrete batching plant and its components to be within 100-foot setback from adjacent property located in the Industrial zone. And a second variance from Section 27-474(b) to reduce the 25-foot setback from Kenilworth Avenue by five feet.**Council District:** 5**Appeal by Date:** 9/24/2018**Review by Date:** 10/1/2018**Action by Date:** 4/1/2019**Municipality:** Bladensburg**Opposition:** Port Towns Environmental Action et al.**History:**

Council referred this item to staff for preparation of disapproving document (Vote: 10-0; Absent: Council Member Ivey).

A motion was made by Council Member Hawkins, seconded by Council Member Dernoga, that this Special Exception be referred for document. The motion carried by the following vote:

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

Absent: Ivey

Attachment(s): [SE/VSE-4792 Remand Zoning Agenda Item Summary](#)
[SE/VSE-4792 Remand Zoning Hearing Examiner Decision](#)
SE-4792 PORL
[SE-4792 Technical Staff Report](#)

REFERRED FOR DOCUMENT[DSP-14008-03](#)**Crescents at Largo Town Center, Parcel 1**

Applicant(s): Largo Land Development, LLC

Location: Located in the northwest quadrant of Landover Road (MD 202) and Central Avenue (MD 214), within the southeast quadrant of the Largo Town Center (3.89 Acres; M-U-I / D-D-O Zones)

Request: Requesting approval of a Detailed Site Plan (DSP) to allow an “Assisted Living Facility” and “Nursing or Care Home” as permitted uses on the subject property.

Council District: 6

Appeal by Date: 2/14/2019

Action by Date: 4/8/2019

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

History:

Council adopted the prepared Order of approval, with conditions (Vote: 11-0).

A motion was made by Council Member Davis, seconded by Vice Chair Streeter, that this Detailed Site Plan be approved with conditions. The motion carried by the following vote:

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

Attachment(s): [DSP-14008-03 Zoning Agenda Item Summary](#)
[DSP-14008-03 Planning Board Resolution 18-122](#)
DSP-14008-03_PORL
[DSP-14008-03 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/VSE-4772](#)**Sunoco Gas Station and Car Wash****Companion Case(s):** DPLS-438**Applicant(s):** Clearview 6308 LLC / Sunoco Car Wash**Location:** Located on the east side of MD 337 (Allentown Road), approximately 320 feet southeast of the intersection of MD 5 (Branch Avenue) and MD 337 (0.695 Acres; C-S-C / M-I-O Zones).**Request:** Requesting approval of a Special Exception to add a 768-square-foot Car Wash to a 0.695 acre of C-S-C zoned land within the M-I-O Zone that is improved with a Gas Station and Food or Beverage Store.**Council District:** 8**Appeal by Date:** 3/28/2019**Review by Date:** 3/28/2019**Action by Date:** 7/26/2019**Comment(s):** On September 17, 2018 Council voted to elect to review the companion case, DPLS-438, in order to allow for the potential of both cases being set in together for Oral Argument.**Opposition:** None**History:***Council elected to make the final decision on this item (Vote: 11-0).*

A motion was made by Council Member Anderson-Walker, seconded by Council Member Dernoga, that Council elect to make the final decision on this Special Exception / Variance. The motion carried by the following vote:

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

Attachment(s): [SEVSE-4772 Zoning Hearing Examiner Decision](#)

SEVSE-4772 PORL

[SEVSE-4772 Technical Staff Report](#)

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

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

(b) PLANNING BOARD**CSP-17005****Park Place**

Applicant(s): Konterra Associates LLC

Location: Located on the south side of Muirkirk Road, approximately 650 feet west of its intersection with Van Dusen Road (17.21 Acres; I-3 Zone).

Request: Requesting approval of a Conceptual Site Plan (CSP) for development of 131,810 square feet of flexible industrial space for office/warehouse uses on existing Parcel 218.

Council District: 1

Appeal by Date: 4/11/2019

Review by Date: 4/11/2019

Action by Date: 5/24/2019

History:

Council elected to review this item (Vote: 11-0).

A motion was made by Council Member Dernoga, seconded by Council Member Hawkins, that this Conceptual Site Plan be elected to review. The motion carried by the following vote:

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

Attachment(s): [CSP-17005 Planning Board Resolution](#)
CSP-17005_PORL
[CSP-17005 Technical Staff Report](#)

1:01 PM RECESS**REC18-19****RECESS**

A motion was made by Vice Chair Streeter, seconded by Council Member Glaros, that this meeting be recessed. The motion carried by the following vote:

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

1:50 PM BRIEFING (COUNCIL HEARING ROOM)[BR 03252019](#)**MARYLAND DEPARTMENT OF TRANSPORTATION
BRIEFING**

Pete Rahn, Secretary of Transportation

Gregory Slater, Administrator, State Highway Administration

History:

The briefing was convened at 1:51 p.m. Secretary Rahn and Mr. Slater facilitated a PowerPoint presentation on the I-495 and I-210 P3 program, which focused on: the P3 Program overview, corridor congestion, program details, program phasing, environmental studies, managed lanes study, screening criteria, recommended alternatives, priced managed lanes fundamentals, rationale, proposed organizational structure, potential workforce, economic and environmental implications and the solicitation process. They responded to questions posed by the Council regarding: transit alternatives, initial screening process, local involvement in the process, daily costs, pollution levels, express lanes versus high occupancy lanes, public participation process, right-of-way impacts, community protections, RFI, minority business goals, approvals and related time-lines, freight capacity, security, priority of Woodrow Wilson bridge region, additional transit options, federal government's role, I-295 concerns, pre-solicitation report, Maryland General Assembly process thus far. Chair Turner announced three meetings to be held in Prince George's County on this proposal. Mr. Slater spoke to the scope of the meetings and indicated that an additional meeting is being planned and would be announced once finalized. The briefing concluded at 3:50 p.m.

This Briefing was held.

