

# Prince George's County Council

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



## **Zoning Minutes - Final**

**Monday, July 6, 2015**

**1:30 PM**

**Council Hearing Room**

## **Sitting as the District Council**

*Mel Franklin, District 9, Chairman  
Derrick Leon Davis, District 6, Vice Chair  
Dannielle M. Glaros, District 3  
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**

**1:00 PM AGENDA BRIEFING - (ROOM 2027)**

**1:46 PM 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 at 1:46 p.m. with eight members present at roll call. Council Member Patterson arrived at 2:07 p.m.*

**Present:**           9 -     Chairman Mel Franklin  
                                      Vice Chair Derrick Davis  
                                      Council Member Dannielle Glaros  
                                      Council Member Andrea Harrison  
                                      Council Member Mary Lehman  
                                      Council Member Obie Patterson  
                                      Council Member Deni Taveras  
                                      Council Member Karen Toles  
                                      Council Member Todd Turner

*Also Present: Stan Brown, People's Zoning Counsel  
                  Robert J. Williams, Jr., Council Administrator  
                  William M. Hunt, Deputy Council Administrator  
                  Redis C. Floyd, Clerk of the Council  
                  Donna J. Brown, Deputy Clerk of the Council  
                  Karen Zvakos, Legislative Officer*

*M-NCPPC  
Cynthia Fenton, Development Review Division  
Tom Lockard, Development Review Division*

**INVOCATION - Reverend Barry N. Wade, Sr. Pastor,  
The Body of Christ Church Capitol Heights, MD**

*Chairman Franklin requested prayer for those who serve in the armed forces in light of Independence Day.*

**PLEDGE OF ALLEGIANCE**

*The Pledge of Allegiance was led by Council Member Lehman.*

**APPROVAL OF DISTRICT COUNCIL MINUTES**

[MINDC 06222015](#)

**District Council Minutes dated June 22, 2015**

**A motion was made by Vice Chair Davis, seconded by Council Member Taveras, that these Minutes be approved. The motion carried by the following vote:**

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**Aye:** 8 - Franklin, Davis, Glaros, Harrison, Lehman, Taveras, Toles and Turner  
**Absent:** Patterson

### POINT OF PERSONAL PRIVILEGE

*Council Member Turner acknowledged participants of the Summer Youth Initiative Internship Program.*

### ORAL ARGUMENTS

[DSP-14008](#)

### The Crescents at Largo Town Center, Phases I & II

**Applicant(s):** Largo Crescents, LLC

**Location:** Located in the northwest quadrant of Landover Road (MD 202) and Central Avenue (MD 214), within the southeast quadrant of Largo Town Center (18.01 Acres; M-U-I / D-D-O Zones).

**Request:** Requesting approval of a Detailed Site Plan for 352 multifamily (Phase I) and 84 townhome (Phase II) residential units.

**Council District:** 6

**Appeal by Date:** 6/4/2015

**Review by Date:** 6/4/2015

**Action by Date:** 10/5/2015

**History:**

*Cynthia Fenton, M-NCPPC, provided an overview of the Detailed Site Plan application. Arthur Horne, Esq., spoke in support on behalf of the applicant. Charles Renninger, President, Largo Civic Association, spoke in opposition. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented.*

*Council took this case under advisement.*

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

**Attachment(s):** [DSP-14008 Planning Board Resolution 15-35](#)  
 DSP-14008\_PORL  
[DSP-14008 Waiver Technical Staff Report](#)  
[DSP-14008 Technical Staff Report](#)

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**NEW CASE(S)**[ERR-245](#)**Forest Lake Apartments****Validation of Multi-Family Rental Housing License M-0538****Applicant(s):**

Forest Lake Apartments

**Location:**

Located at 9857, 9859, 9861, 9863, 9865, 9867, 9869, 9871, 9873, 9875, 9877, 9879, 9881, 9883, 9885, 9887, 9889, 9891, 9893, 9895, 9897 and 9899 Good Luck Road, Lanham, Maryland (14.096 Acres, R-18 Zone).

**Request:**

Requesting approval for validation of Prince George's County's Multi-Family Rental Housing License No. M-0538, issued in error on April 17, 2015 for 317 apartment units.

**Council District:** 3**Appeal by Date:** 6/19/2015**Action by Date:** 10/19/2015**History:***Council referred item to staff for preparation of an approving document (Vote: 9-0).*

**A motion was made by Council Member Glaros, seconded by Council Member Turner, that this Permit issued in error be referred for document. The motion carried by the following vote:**

**Aye:** 9 - Franklin, Davis, Glaros, Harrison, Lehman, Patterson, Taveras, Toles and Turner

**Attachment(s):** [ERR-245 Zoning Hearing Examiner Decision](#)

ERR-245 PORL

*Council adopted the prepared Zoning Ordinance No. 13 - 2015 validating Multifamily Rental License No. M-0538 (Vote: 9-0).*

**A motion was made by Council Member Glaros, seconded by Vice Chair Davis, that this Permit issued in error be approved. The motion carried by the following vote:**

**Aye:** 9 - Franklin, Davis, Glaros, Harrison, Lehman, Patterson, Taveras, Toles and Turner

NEW CASE(S)[ERR-247](#)**Melvin F. Fox****Validation of Multifamily Rental License M-0168 Issued in Error**

**Applicant(s):** Melvin F. Fox Living Trust

**Location:** Located at 5221 Marlboro Pike, Capitol Heights, Maryland (0.27 Acres; R-18 Zone).

**Request:** Requesting validation of Prince George's County Multifamily Rental License No. M-0168 issued in error.

**Council District:** 7

**Appeal by Date:** 6/3/2015

**Action by Date:** 10/2/2015

**Opposition:** None

**History:**

*Council referred item to staff for preparation of an approving document (Vote: 8-0; Absent: Council Member Glaros).*

**A motion was made by Council Member Toles, seconded by Council Member Turner, that this Permit issued in error be referred for document. The motion carried by the following vote:**

**Aye:** 8 - Franklin, Davis, Harrison, Lehman, Patterson, Taveras, Toles and Turner

**Absent:** Glaros

*Council adopted the prepared Zoning Ordinance No. 14 - 2015 validating Multifamily Rental License No. M-0168 (Vote: 8-0; Absent: Council Member Glaros).*

**A motion was made by Council Member Toles, seconded by Vice Chair Davis, that this Permit issued in error be approved. The motion carried by the following vote:**

**Aye:** 8 - Franklin, Davis, Harrison, Lehman, Patterson, Taveras, Toles and Turner

**Absent:** Glaros

**REFERRED FOR DOCUMENT****ERR-238****Alvin E. Courtney, Jr.****Validation of Multifamily Rental Housing License M-1066**

- Applicant(s):** Alvin E. Courtney, Jr.
- Location:** Located at 3505 Varnum Street, Brentwood, Maryland (4.92 Acres; R-55/D-D-O Zones).
- Request:** Requesting approval for validation of Prince George's County's Multifamily Rental Housing License No. M-1066 issued in error on July 6, 2013 for three (3) multifamily dwelling units.
- Council District:** 2
- Appeal by Date:** 5/8/2015
- Action by Date:** 10/6/2015
- Municipality:** Town of Brentwood
- Opposition:** None
- Attachment(s):** ERR-238 Appeal  
[ERR-238 Zoning Hearing Examiner Decision](#)  
 ERR-238 PORL

*Council adopted the prepared Order of Remand to the Zoning Hearing Examiner (Vote: 8-0; Absent: Council Member Glaros).*

**A motion was made by Council Member Taveras, seconded by Vice Chair Davis, that this Permit issued in error be remanded. The motion carried by the following vote:**

- Aye:** 8 - Franklin, Davis, Harrison, Lehman, Patterson, Taveras, Toles and Turner
- Nay:** 1 - Glaros

**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****[DSP-13023](#)****Ebenezer United Methodist Church Day Care Center**

- Applicant(s):** Ebenezer United Methodist Church
- Location:** Located in the southwestern quadrant of the intersection of Whitfield Chapel Road and Ebenezer Lane (0.527 Acres; R-R Zone).
- Request:** Requesting approval of a Detailed Site Plan for a day care center, with a maximum enrollment of 19 children, in the Rural Residential (R-R) Zone.
- Council District:** 5
- Appeal by Date:** 7/23/2015
- Review by Date:** 7/23/2015
- History:**

*Council took no action on this item.*

**This Detailed Site Plan was not elected to review by Council.**

- Attachment(s):** [DSP-13023 Planning Board Resolution 15-55](#)  
[DSP-13023\\_PORL](#)  
[DSP-13023 Technical Staff Report](#)



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**PENDING FINALITY (Continued)**[DSP-14028](#)**Prince George's Regional Hospital  
Expedited Transit-Oriented Development Project****Applicant(s):**

Dimentions Health Corporation

**Location:**

The Larger site is located in the southwest quadrant of the intersection of Arena Drive and Lottsford Road, with frontage on Arena Drive, Lottsford Drive, and the Capital Beltway (I-95/495). The proposed hospital campus is located east of Capital Center Boulevard, directly adjacent to the Washington Metropolitan Area Transit Authority's (WMATA) Largo Metro Station to the south and east (77.83 Acres; M-X-T/D-D-O Zones).

**Request:**

Requesting approval of a Detailed Site Plan for a 231-bed regional hospital and to validate the remaining portion of the existing shopping center as constructed.

**Council District:**

6

**Appeal by Date:**

7/30/2015

**Review by Date:**

7/30/2015

**Comment(s):**

This case is designated for expedited review in accordance with Section 27-107.01(a)(242.2)(B) and 27-290.01.

**History:**

*Council deferred this item to July 20, 2015.*

**This Detailed Site Plan was deferred.**

**Attachment(s):**[DSP-14028 Planning Board Resolution 15-60](#)

DSP-14028\_PORL

[DSP-14028 Technical Staff Report](#)

**PENDING FINALITY (Continued)**

[DSP-14032](#)

**5900 Burgundy Street**

**Applicant(s):** Francisco Nadal

**Location:** Located on the north side of Burgundy Street in Capitol Heights, Maryland, also known as 5900 Burgundy Street (0.138 Acres; R-55/T-D-O Zone).

**Request:** Requesting approval of a Detailed Site Plan to validate the construction of a new single-family detached residence within the One-Family Detached Residential (R-55) Zone and the Transit District Overlay (T-D-O) Zone of the 2008 Approved Capitol Heights Transit District Development Plan and Transit District Overlay Zoning Map Amendment (Capitol Heights TDDP).

**Council District:** 7

**Appeal by Date:** 7/30/2015

**Review by Date:** 7/30/2015

**History:**

*Council deferred this item to July 20, 2015.*

**This Detailed Site Plan was deferred.**

**Attachment(s):** [DSP-14032 Planning Board Resolution 15-54](#)  
DSP-14032\_PORL  
[DSP-14032 Technical Staff Report](#)

**3:05 PM ADJOURN**

*The meeting was adjourned at 3:05 p.m.*