

Prince George's County Council

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



Zoning Agenda

Monday, March 23, 2015

2:00 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

9:30 A.M. - TRANSPORTATION, HOUSING AND THE ENVIRONMENT COMMITTEE & TRANSPORTATION, INFRASTRUCTURE, ENERGY & ENVIRONMENT JOINT MEETING - (WSSC BUILDING, 14501 SWEITZER LANE, LAUREL, MARYLAND)

(SEE SEPARATE AGENDA)

1:30 PM AGENDA BRIEFING

2:00 PM CALL TO ORDER

INVOCATION - Edwin H. Brown, Jr., County Employee

PLEDGE OF ALLEGIANCE

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 03092015](#)

District Council Minutes dated March 9, 2015

Attachment(s):

[03-09-2015 District Council Minutes DRAFT](#)

[MINDC 03102015](#)

District Council Minutes dated March 10, 2015

Attachment(s):

[03-10-2015 District Council Minutes DRAFT](#)

ORAL ARGUMENTS

[A-9775-01-C](#)

Springdale Estates

Applicant(s):

Klein Bellehaven LLC

Location:

Located on the southeast side of Saint Joseph's Drive and the south side of Ardwick-Ardmore Road in Landover (4.98 Acres; L-A-C Zone)

Request:

Requesting approval of an Amendment of Basic Plan and Conditions for Springdale Estates to remove the 50,000 square feet of commercial retail space approved by the District Council in A-9775-C and add a residential component of 15 dwelling units per acre or approximately 70 townhouses.

Council District:

5

Appeal by Date:

3/9/2015

Action by Date:

4/6/2015

Municipality:

One-Mile Glenarden

Opposition:

The Ardmore-Springdale Civic Association

History:

11/22/2013	Applicant	transmitted
	<i>Nat Ballard, Consultant for the applicant transmitted an application to amend the approved Basic Plan for A-9775-C.</i>	
11/26/2013	Clerk of the Council	administrative referral to the Zoning Hearing Examiner
	<i>The Clerk of the Council transmitted the request for amendment of Approved Basic Plan A-9775-C to the Zoning Hearing Examiner for scheduling of a public hearing.</i>	
09/24/2014	M-NCPPC Technical Staff	approval with conditions
11/13/2014	M-NCPPC Planning Board	approval with conditions
02/20/2015	Zoning Hearing Examiner	disapproval
03/06/2015	Applicant	appealed
	<i>Michael S. Nagy, Esquire, Attorney for the Applicant, filed exceptions to the decision of the Zoning Hearing Examiner and requested Oral Argument.</i>	

Attachment(s):[A-9775-01-C Zoning Hearing Examiner Decision](#)[A-9775-01-C Planning Board Resolution 14-115](#)[A-9775-01-C Technical Staff Report](#)

A-9775-01 Appeal Letter

A-9775-01-C POR List

ORAL ARGUMENTS (Continued)**DPLS-408****Gateway Center, Parcel L****Companion Case(s):** DSP-14012**Applicant(s):** Shelter Development, LLC**Location:** Located on the east side of 57th Avenue, approximately 2,600 feet north of its intersection with Landover Road (MD 202) (7.088 Acres; R-10 Zone).**Request:** Requesting approval of a Departure from Parking and Loading Standards for a reduction in the 230 parking space parking requirement by 60 spaces.**Council District:** 5**Appeal by Date:** 1/15/2015**Review by Date:** 1/30/2015**Action by Date:** 5/22/2015**Municipality:** Town of Bladensburg**History:**

11/25/2014	M-NCPPC Technical Staff	approval with conditions
12/11/2014	M-NCPPC Planning Board	approval with conditions
01/12/2015	Sitting as the District Council	elected to review
01/14/2015	Person of Record	appealed

*Ms. Alice Melendez filed an appeal in opposition to the proposal and requested Oral Argument.***Attachment(s):** [DPLS-408 Planning Board Resolution 14-135](#)

DPLS-408 PORL

[DPLS-408 Technical Staff Report](#)

ORAL ARGUMENTS (Continued)[DSP-14012](#)**Gateway Center, Parcel L****Companion Case(s):** DPLS-408**Applicant(s):** Shelter Development, LLC**Location:** Located on the east side of 57th Avenue, approximately 2,600 feet north of its intersection with Landover Road (MD 202) (7.088 Acres; R-10 Zone).**Request:** Requesting approval of a Detailed Site Plan for a 104,628-square-foot, 100 unit, multifamily building.**Council District:** 5**Appeal by Date:** 1/15/2015**Review by Date:** 1/30/2015**Action by Date:** 5/22/2015**Municipality:** Town of Bladensburg**History:**

11/25/2014 M-NCPPC Technical Staff approval with conditions

12/11/2014 M-NCPPC Planning Board approval with conditions

01/12/2015 Sitting as the District Council elected to review

Council elected to review this item (Vote: 9-0).

01/14/2015 Person of Record appealed

*Ms. Alice Melendez filed an appeal in opposition to the proposal and requested Oral Argument.***Attachment(s):** DSP-14012 & DPLS-408 Appeal Letter[DSP-14012 Planning Board Resolution 14-134](#)

DSP-14012 PORL

[DSP-14012 Technical Staff Report](#)

REFERRED FOR DOCUMENT**CSP-06002-01****Melford****Applicant(s):**

St. John Properties, Inc.

Location:

Located northeast quadrant of the intersection of Robert S. Crain Highway (MD 3) and John Hanson Highway (US 50/301) (260.63 Acres; M-X-T Zone).

Request:

Requesting approval of a Conceptual Site Plan to add: 2,500 residential units, including 500 townhouses, 1,000 age-restricted multifamily dwelling units, and 1,000 multifamily dwelling units; 268,500 square feet of retail uses; and 260,000 square feet of office space to a conceptual site plan with 1,547,874 square feet of approved office/research and development uses to create an integrated mixed-use development.

Council District:

4

Appeal by Date:

1/8/2015

Review by Date:

1/30/2015

Action by Date:

4/24/2015

Municipality:

City of Bowie

History:

10/30/2014

M-NCPPC Technical Staff

approval with conditions

12/04/2014

M-NCPPC Planning Board

approval with conditions

01/07/2015

Person of Record

appealed

Martha Ainsworth, Chair Prince George's Sierra Club, Sally Mitchell, Bruce Pletsch, President, Sherwood Manor Civic Association, Lauren Ragsac and Fred Tutman, Patuxent Riverkeeper, appealed the Planning Board's decision and requested Oral Arguments.

01/12/2015

Sitting as the District Council

did not elect to review

Council took no action on this item.

02/23/2015 Sitting as the District Council hearing held; case taken under advisement

Prior to the Oral Argument, a preliminary motion by Mr. Fred Tutman was considered. The motion to request that Council Member Turner recuse himself and the rationale was presented. After questioning by the People's Zoning Counsel, Stan Brown, Council Member Turner decided not to recuse himself and the Oral Argument hearing proceeded. Meika Fields and Jill Kosack, M-NCPPC, provided an overview of the Conceptual Site Plan application. Frederick Tutman and Martha Ainsworth spoke in opposition. Robert Antionetti, Esq. spoke in support, on behalf of the applicant. Other speakers in support were Andrew Roud and Joe Meinert on behalf of the City of Bowie. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented.

Council took this case under advisement.

03/09/2015 Sitting as the District Council referred for document

Council referred item to staff for preparation of an approving document, with conditions (Vote: 9-0).

Attachment(s):

CSP-06002-01 Appeal Letter

[CSP-06002-01 Planning Board Resolution 14-128](#)

CSP-06002-01_PORL

[CSP-06002-01 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

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.

SE-4739**Henson Creek Retirement Community**

Applicant(s): Henson Creek House, LLC
Location: Located on the west side of Temple Hill Road, approximately 200 feet south of the Capital Beltway (I-95/495)(16.38 Acres; R-80 Zone).
Request: Requesting approval of a Special Exception for permission to use approximately 16.38 acres of land in the R-80 Zone for a Planned Retirement Community.
Council District: 8
Appeal by Date: 3/25/2015
Review by Date: 3/25/2015
Municipality: None
Opposition: None

History:

04/24/2014	M-NCPPC Technical Staff	approval with conditions
05/08/2014	M-NCPPC Planning Board	no motion to consider
02/23/2015	Zoning Hearing Examiner	approval with conditions
03/09/2015	Sitting as the District Council	deferred

Council deferred this item to March 23, 2015.

Attachment(s): [SE-4739 Zoning Hearing Examiner Decision](#)
 SE-4739 PORL
[SE-4739 Technical Staff Report](#)

ADJOURN

3:45 P.M. RULES/GENERAL ASSEMBLY COMMITTEE – (COUNCIL HEARING ROOM)

(SEE SEPARATE AGENDA)

COUNTY COUNCIL ITEM

(SEE SEPARATE AGENDA)