

Prince George's County Council

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



Zoning Minutes - Final

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)

The Joint Committee Meeting was held.

1:30 PM AGENDA BRIEFING

2:24 PM CALL TO ORDER

Pursuant to the provisions of Section 27-132(a) of the Zoning Ordinance, the meeting was called to order at 2:24 p.m. with eight members present at roll call. Council Chair Franklin was out on County Business.

Present: 8 - 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

Absent: Chairman Mel Franklin

*Also Present: Rajesh Kumar, Principal Counsel to the District Council
 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
Tom Larckard, Development Review Division
Cynthia Fenton, Development Review Division*

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

The Invocation was provide by Edwin H. Brown, Jr., County Employee.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Lehman.

APPROVAL OF DISTRICT COUNCIL MINUTES[MINDC 03092015](#)**District Council Minutes dated March 9, 2015**

A motion was made by Council Member Harrison, seconded by Council Member Turner, that these Minutes be approved. The motion carried by the following vote:

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

Absent: Franklin

[MINDC 03102015](#)**District Council Minutes dated March 10, 2015**

A motion was made by Council Member Harrison, seconded by Council Member Turner, that these Minutes be approved. The motion carried by the following vote:

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

Absent: Franklin

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:

Tom Lockard, M-NCPPC, provided an overview of the Basic Plan Amendment. Michael Nagy, Esq., spoke in support on behalf of the applicant. Stan Brown, People's Zoning Council, spoke to the legalities of the arguments presented.

Council took this case under advisement.

This Basic Plan Amendment hearing was held and the case was taken under advisement.

ORAL ARGUMENTS (Continued)DPLS-408Gateway Center, Parcel LCompanion Case(s): DSP-14012Applicant(s): Shelter Development, LLCLocation: 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: 5Appeal by Date: 1/15/2015Review by Date: 1/30/2015Action by Date: 5/22/2015Municipality: Town of BladensburgHistory:

Vice-Chairman Davis announced that the oral argument hearings for DPLS-408 Gateway Center, Parcel L and DSP-14012 Gateway Center, Parcel L would be held in tandem. Cynthia Fenton, M-NCPPC, provided an overview of the Detailed Site Plan and Departure from Parking and Loading Standards applications. Alice Melendez spoke in opposition. Andre Gingles, Esq., spoke in support, on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented.

Council referred item to staff for preparation of an approving document, with conditions (Vote: 8-0; Absent: Council Member Franklin).

This Departure from Parking and Loading Standards hearing was held; subsequently, a motion was made by Council Member Harrison, seconded by Council Member Turner, that this Departure from Parking and Loading Standards be referred for document. The motion carried by the following vote:

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

Absent: Franklin

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:**

Vice-Chairman Davis announced that the oral argument hearings for DPLS-408 Gateway Center, Parcel L and DSP-14012 Gateway Center, Parcel L would be held in tandem. Cynthia Fenton, M-NCPPC, provided an overview of the Detailed Site Plan and Departure from Parking and Loading Standards applications. Alice Melendez spoke in opposition. Andre Gingles, Esq., spoke in support, on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented.

Council referred item to staff for preparation of an approving document, with conditions (Vote: 8-0; Absent: Council Member Franklin).

This Detailed Site Plan hearing was held; subsequently, a motion was made by Council Member Harrison, seconded by Council Member Turner, that this Detailed Site Plan be referred for document. The motion carried by the following vote:

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

Absent: Franklin

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:**

Under discussion, Council Member Turner noted technical corrections to the prepared document. Council adopted the prepared Order of approval, with conditions (Vote: 7-1; Opposed: Council Member Lehman; Absent: Council Member Patterson).

A motion was made by Council Member Turner, seconded by Council Member Harrison, that this Conceptual Site Plan be approved with conditions. The motion carried by the following vote:

- Aye:** 7 - Davis, Glaros, Harrison, Patterson, Taveras, Toles and Turner
- Nay:** 1 - Lehman
- Absent:** Franklin

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:**

Council took no action on this item.

Council did not elect to make the final decision on this Special Exception.

3:56 PM ADJOURN

The District Council meeting was adjourned at 3:56 PM.

3:59 P.M. RULES/GENERAL ASSEMBLY COMMITTEE – (COUNCIL HEARING ROOM)

The Rules/General Assembly Committee Meeting was held.

COUNTY COUNCIL ITEM

Convening for County Council item was not needed and did not take place.

Prepared by:

Leonard Moses, Zoning Assistant

Submitted by:

Redis C. Floyd, Clerk of the Council