



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

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

Monday, February 8, 2016

10:00 AM

Council Hearing Room

9:30 AM AGENDA BRIEFING - (ROOM 2027)

10:09 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 at 10:09 a.m. with eight members present at roll call.

Present: 8 - Chairman Derrick Davis
 Vice Chair Dannielle Glaros
 Council Member Andrea Harrison
 Council Member Deni Taveras
 Council Member Karen Toles
 Council Member Mel Franklin
 Council Member Obie Patterson
 Council Member Todd Turner

Absent: Council Member Mary Lehman

*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 Zavakos, Zoning and Legislative Counsel*

M-NCPPC

Taslina Alam, Development Review Division

Tom Lockard, Development Review Division

INVOCATION

The Invocation was provided by Edwin H. Brown, Jr., County Employee. Council Member Patterson requested prayer for the Davis family in the passing of the 26 year old school teacher and daughter who were murdered. Council Member requested prayer for Michael Herman and family in the passing of his father, Mark Herman.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Toles.

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 02022016](#)

District Council Minutes dated February 2, 2016

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

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

Absent: Lehman

ORAL ARGUMENTS[SE-4749](#)**Bhagya Village****Companion Case(s):** DDS-627**Applicant(s):** Bhagya Village, LLC.**Location:** Located on the east side of Cipriano Road, approximately 2,640 feet north of its intersection with Good Luck Road, and identified as 6711 Cipriano Road, Greenbelt, Maryland.**Request:** Requesting approval of a Special Exception to use approximately 6.01 acres of R-80 (One-Family Detached Residential) zoned land as Apartment Housing for the Elderly and Physically Handicapped.**Council District:** 4**Appeal by Date:** 11/21/2015**Review by Date:** 11/21/2015**Action by Date:** 4/8/2016**Opposition:** Dr. Ronald C. Carlson, David R. Brace, Raintree Homeowners Association, et. al.**History:**

Chairman Davis announced that the Oral Argument hearings for SE-4749 Bhagya Village DDS-627 Bhagya Village would be held in tandem. Taslima Alam, M-NCPPC, provided an overview of the Special Exception and Departure from Design Standards applications. Michelle LaRocca, Esq., spoke in support on behalf of the applicant. Michael Herman, Esq., H. Kent Hills, Ronald C. Carlson, David Brace and Omar Naz, who were formerly in opposition, spoke in support of the project with the revised conditions agreed to by the parties. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented, noting that the agreement mentioned is not currently in the case record.

Council took this case under advisement.

This Special Exception hearing was held and the case was taken under advisement.

Attachment(s): SE-4749 _Applicant Exceptions to the ZHE decision
[SE-4749 Zoning Hearing Examiner Decision](#)
SE-4749 _PORL
[SE-4749 Technical Staff Report](#)

ORAL ARGUMENTS (Continued)[DDS-627](#)**Bhagya Village****Companion Case(s):** SE-4749**Applicant(s):** Bhagya Village, LLC**Location:** Located at 6711 Cipriano Road on the east side of Cipriano Road, approximately, 1,300 feet (one-quarter mile) north of its intersection with Good Luck Road and approximately, 2,640 feet (one-half mile) south of Greenbelt Road (MD 193).**Request:** Requesting approval of a Departure from Design Standards for the location of a loading space and its access driveway less than 50 feet from a residential zone in accordance with Subtitle 27 of the Prince George's County Code.**Council District:** 4**Appeal by Date:** 7/16/2015**Review by Date:** 7/16/2015**Action by Date:** 4/8/2016**History:**

Chairman Davis announced that the Oral Argument hearings for SE-4749 Bhagya Village DDS-627 Bhagya Village would be held in tandem. Taslima Alam, M-NCPPC, provided an overview of the Special Exception and Departure from Design Standards applications. Michelle LaRocca, Esq., spoke in support on behalf of the applicant. Michael Herman, Esq., H. Kent Hills, Ronald C. Carlson, David Brace and Omar Naz, who were formerly in opposition, spoke in support of the project with the revised conditions agreed to by the parties. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented, noting that the agreement mentioned is not currently in the case record.

Council took this case under advisement.

This Departure from Design Standards hearing was held and the case was taken under advisement.

Attachment(s): [DDS-627 Planning Board Resolution 15-53](#)
DDS-627_PORL

ORAL ARGUMENTS (Continued)**DSP-13031****Beyond Restaurant**

- Applicant(s):** Beyond Restaurant c/o James Ibe
- Location:** Located on the east side of Baltimore Avenue (Alt. US 1), approximately 150 feet north of its intersection with Annapolis Road (MD 450). The site also has frontage on 46th Street to the east and on Shepherd Street, a paper street, to the south (1.63 Acres; M-X-T / D-D-O / I-D-O Zones).
- Request:** Requesting approval of a Detailed Site Plan for renovation and expansion of an existing 18,905-square-foot building to include a multi-venue eating and drinking establishment and office use of 24,000 square feet. In one section of the building the applicant proposes a dinner theater.
- Council District:** 5
- Appeal by Date:** 12/3/2015
- Review by Date:** 1/4/2016
- Action by Date:** 4/8/2016
- Municipality:** Town of Bladensburg

History:

Tom Lockard, M-NCPPC, provided an overview of the Detailed Site Plan application. Alicia Melendez spoke in opposition. Traci Scudder, Esq., attorney for the applicant, Walter James Jr., Mayor of the Town of Bladensburg, Mark Ferguson, Demetrius Givens, Commissioner, Town of Cottage City and Melanie Jones, Commissioner, Town of Cottage City spoke in support. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented.

Council took this case under advisement.

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

- Attachment(s):** [DSP-13031 Zoning AIS](#)
[DSP-13031 Planning Board Resolution 15-107](#)
DSP-13031_PORL

REFERRED FOR DOCUMENT**[ERR-238 REMAND](#)****Alvin E. Courtney, Jr. (Remand)****Validation of Multifamily Rental Housing License M-1066****Companion Case(s):** ERR-238**Applicant(s):** Alvin Courtney**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:** 1/11/2016**Action by Date:** 4/29/2016**Municipality:** Town of Brentwood**Opposition:** None**History:**

Council adopted the prepared Zoning Ordinance No. 2 - 2016 validating Multifamily Rental Housing License M-1066 (Vote: 7-0; Absent: Council Members Harrison and Lehman).

A motion was made by Council Member Taveras, seconded by Council Member Turner, that this Permit issued in error be approved with conditions. The motion carried by the following vote:

Aye: 7 - Davis, Glaros, Taveras, Toles, Franklin, Patterson and Turner

Absent: Harrison and Lehman

ITEM(S) FOR DISCUSSION**SE-4667 REMAND****Sycamore Hill (Remand)****Companion Case(s):** SE-4667**Applicant(s):** Presidential Care, LLC / Stoddard Baptist Home, Inc.**Location:** Located on the east side of Lottsford Vista Road, across from its intersection with Cleary Lane, also identified as 3911 Lottsford Vista Road, Bowie, Maryland (7.91 Acres; R-R Zone).**Request:** Requesting approval of a Special Exception for an Adult Day Care for 15 persons and a 63-unit Assisted Living Facility for 78 persons.**Council District:** 5**Appeal by Date:** 9/4/2015**Review by Date:** 9/30/2015**Action by Date:** 2/15/2016**Opposition:** The Willow Grove Citizens Association, et. al.**History:**

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

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

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

Absent: Lehman

Council adopted the prepared Zoning Ordinance No. 3 - 2016 of approval, with conditions (Vote: 8-0; Absent: Council Member Lehman).

A motion was made by Council Member Harrison, seconded by Council Member Taveras, that this Special Exception be approved with conditions. The motion carried by the following vote:

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

Absent: Lehman

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-46571-2014-02](#)****Washington Baptist Seminary****Applicant(s):**

Washington Baptist Theological Seminary

Location:

The subject properties consist of three lots, identified as Lots 21, 22, and 1, located on the north side of Eastern Avenue, approximately 217 feet west of Varnum Street, in the North Woodridge/Avondale neighborhood (0.4755 Acres; R-55 Zone).

Request:

Requesting approval for Certification of a Nonconforming use for a church in the R-55 Zone. Because zoning regulations were changed or adopted after the permitted uses was lawfully established, the use became nonconforming.

Council District:

2

Appeal by Date:

2/11/2016

Review by Date:

2/11/2016

History:

Council took no action on this item.

This Certification of a Nonconforming Use was not elected to review by Council.

Attachment(s):

[CNU-46571-2014-02 Planning Board](#)

[Resolution 15-136](#)

[CNU-46571-2014-02_PORL](#)

[CNU-46571-2014-02 Technical Staff Report](#)

PENDING FINALITY (Continued)[CSP-07001-02](#)**Westphalia Row**

Applicant(s): Westphalia Row Partners, LLC.

Location: Located in the southwest corner of the intersection of Ritchie Marlboro, Road and Sansbury Road (20.67 Acres; M-X-T Zone).

Request: Requesting approval of a Conceptual Site Plan to revise the previously approved conceptual site plan (CSP) for Westphalia Row by replacing the previously approved 250 multifamily units and 57,600 square feet of commercial uses with 67 fee-simple, rear-loaded townhouses and 10,000 square feet of commercial uses.

Council District: 6

Appeal by Date: 3/3/2016

Review by Date: 3/3/2016

History:

Council took no action on this item.

This Conceptual Site Plan was not elected to review by Council.

Attachment(s): [CSP-07001-02 Zoning AIS](#)
[CSP-07001-02 Planning Board Resolution 16-02](#)
CSP-07001-02_PORL
[CSP-07001-02 Technical Staff Report](#)

PENDING FINALITY (Continued)**DSP-11003****One Town Center**

Companion Case(s): DDS-608

Applicant(s): One Town Center, LLC.

Location: Located on the east side of Auth Way, approximately 1,385 feet from the entrance to the Branch Avenue Metro Station platform (10.71 Acres; M-X-T / D-D-O Zones).

Request: Requesting approval of a Detailed Site Plan for a four-story office of 581,244 square feet and a five-story parking garage associated with the office building.

Council District: 8

Appeal by Date: 2/11/2016

Review by Date: 2/11/2016

History:

Council took no action on this item.

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

Attachment(s): [DSP-11003 Planning Board Resolution 15-138](#)
DSP-11003_PORL
[DSP-11003 Technical Staff Report](#)

PENDING FINALITY (Continued)**DDS-608****One Town Center****Companion Case(s):** DSP-11003**Applicant(s):** One Town Center, LLC.**Location:** Located on the east side of Auth Way, approximately 1,385 feet from the entrance to the Branch Avenue Metro Station platform (10.71 Acres; M-X-T / D-D-O Zones).**Request:** Requesting approval of a Departure from Design Standard (DDS) to modify the dimensions of the parking space within the proposed parking garage to allow a reduction of one and one-half feet to the length and one-foot to the width of the parking stall.**Council District:** 8**Appeal by Date:** 2/18/2016**Review by Date:** 2/18/2016**History:***Council took no action on this item.***This Departure from Design Standards was not elected to review by Council.****Attachment(s):** DDS-608_PORL
[DDS-608 Technical Staff Report](#)

PENDING FINALITY (Continued)**DSP-13008-01****Gilpin Property****Applicant(s):** Silver Branch, LLC**Location:** Located in the southeastern quadrant of the intersection of Southern Avenue and Wheeler Road, approximately 770 feet northeast of Southview Drive.**Request:** Requesting approval of a Detailed Site Plan for the construction of an additional 98,832 square feet of consolidated-storage use with an additional 948 interior and exterior-access units in one new building and three building expansions to the existing 58,430-square-foot consolidated storage building with 515 interior-access units.**Council District:** 7**Appeal by Date:** 2/11/2016**Review by Date:** 2/11/2016**History:***Council elected to review this item (Vote: 8-0; Absent: Council Member Lehman).***A motion was made by Council Member Toles, seconded by Council Member Turner, that this Detailed Site Plan be elected to review. The motion carried by the following vote:****Aye:** 8 - Davis, Glaros, Harrison, Taveras, Toles, Franklin, Patterson and Turner**Absent:** Lehman**1:12 PM ADJOURN***The District Council meeting was adjourned at 1:12 p.m.***2:13 PM RULES/GENERAL ASSEMBLY COMMITTEE – (COUNCIL HEARING ROOM)***(SEE SEPARATE AGENDA)***3:12 PM CONCLUDED***The Committee meeting was adjourned at 3:12 p.m.*