



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

Calvin S. Hawkins, II, Chair, At-Large
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
Jolene Ivey, District 5
Rodney C. Streeter, District 7
Deni L. Taveras, Vice Chair, District 2
Todd M. Turner, District 4

Monday, September 20, 2021

10:00 AM

VIRTUAL MEETING

10:00 AM CALL TO ORDER - (VIRTUAL MEETING)

Pursuant to the provisions of Sections 27-131 and 27-132(a) of the Zoning Ordinance, the District Council meeting was convened virtually by Council Vice-Chair Taveras, at 10:06 a.m. with nine members present at roll call.

Present: 9 - Chair Calvin S. Hawkins
 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 Jolene Ivey
 Vice Chair Deni Taveras

Absent: Council Member Rodney Streeter
 Council Member Todd Turner

Robert J. Williams, Jr., Council Administrator

INVOCATION

Invocation was led by Robert J. Williams, Jr., Council Administrator.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Sydney J. Harrison.

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 09122021](#)

District Council Minutes dated September 13, 2021

A motion was made by Council Member Davis, seconded by Council Member Franklin, that this Minutes be approval. The motion carried by the following vote:

Aye: 8 - Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Ivey and Taveras

Absent: Hawkins, Streeter and Turner

Attachment(s): [DRAFT District Council Minutes dated 9-13-2021](#)

MANDATORY REVIEW (Using Oral Argument Procedures)

Jeremy Hurlbutt, M-NCPPC planning staff, provided an overview of the Conceptual Site Plan application. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties. G. Macy Nelson, Esq., for Citizen-Protestants spoke in opposition. Chris Hatcher, Esq., Attorney for the applicant spoke in support. Council took this case under advisement.

[CSP-20007](#)**Clay Property**

Applicant(s): MRBCO, LLC

Location: Located at the terminus of Dean Drive and Calverton Drive within the municipal boundaries of the City of Hyattsville (12.87 Acres; R-80 Zone).

Request: Requesting approval of a Conceptual Site Plan (CSP) to change the underlying zone of the property from the One-Family Detached Residential Zone (R-80) to the One-Family Triple-Attached Residential (R-20) Zone to accommodate development of 137 townhouses.

Council District: 2**Appeal by Date:** 8/26/2021**Review by Date:** 9/27/2021**Action by Date:** 10/27/2021

Comment(s): Mandatory Review:
District Council review of this case is required by Section 27-548.09.01 of the Zoning Ordinance

Municipality: Hyattsville**History:**

Jeremy Hurlbutt, M-NCPPC planning staff, provided an overview of the Conceptual Site Plan application. Chris Hatcher, Esq., Attorney for the applicant spoke in support. G. Macy Nelson, Esq., for Citizen-Protestants spoke in opposition. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties. Council took this case under advisement.

This Conceptual Site Plan was case taken under advisement

Attachment(s): [CSP-20007 Zoning Agenda Item Summary](#)
[CSP-20007 Presentation Slides](#)
[CSP-20007 \(email\) Nelson to Brown](#)
[Citizen-Respondents' Answering Memorandum](#)
[9-14-2021](#)
[CSP-20007 Nelson to Brown](#)
[Citizen-Respondents' Answering Memorandum](#)
[9-14-2021](#)
[CSP-20007 \(email\) Hatcher to Brown](#)
[Supplement to Petition for Appeal](#)
[CSP-20007 - Hatcher to Brown Supplement to](#)
[Petition for Appeal 8-26-2021](#)
[CSP-20007 Notice of Oral Argument Hearing](#)
[CSP-20007 \(email\) Appeal from Hatcher to](#)
[Brown 8-16-21](#)
[CSP-20007 Appeal from Hatcher to Brown](#)
[8-16-21](#)
[CSP-20007 Planning Board Resolution Revised](#)
CSP-20007 PORL
[CSP-20007 Technical Staff Report](#)
[CSP-20007 Transcripts 07-15-2021](#)
[CSP-20007 -Planning Board Record](#)
[PZC Notice of Intention to Participate District](#)
[Council 9-20-2021](#)

REFERRED FOR DOCUMENT[SE-4774 Remand](#)**Palmer Road Class 3 Fill Facility**
(Remanded from Circuit Court)**Companion Case(s):** SE-4774**Location:** Located on the northern side of Palmer Road, abutting the western side of Tucker Road, and identified as 1500 and 1611 Ferguson Lane, Fort Washington, Maryland (173.584 Acres; R-E Zone).**Request:** Requesting approval of a Special Exception to continue using approximately 173.584 acres of land in the R-E (Residential-Estate) Zone as a Class III Fill. Also requesting a variance from the requirement that the use not be located within a three (3) mile radius of properties containing an active or pre-existing approved or nonconforming Class III Fill, sanitary landfill, transfer station, rubble fill, recycling facility, mining facility, processing facility, sand and gravel operation, or wash plant.**Council District:** 8**Action by Date:** 9/20/2021**Opposition:** Stephen Briggs, et. al.**History:**

After procedural and posture orientation by Raj Kumar, Principle Counsel to the District Council, Council (Vote: 8-0 Absent: Council Members Glaros, Streeter and Turner).

A motion was made by Chair Hawkins, seconded by Council Member Davis, that this Special Exception be adopted. The motion carried by the following vote:

Aye: 8 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin, Harrison, Ivey and Taveras

Absent: Glaros, Streeter and Turner

Attachment(s): [SE-4774 Zoning Agenda Item Summary](#)
[SE-4774 Presentation Slides](#)
[SE-4774 Notice of District Council Final Decision](#)
[SE-4774 Circuit Court Order Remanding Case to District Council](#)
[SE-4774 Zoning Hearing Examiner Decision](#)
SE-4774 PORL
[SE-4774 Technical Staff Report](#)
[SE-4774 Case File](#)
[SE-4774 \(5-19-2021 PZC Notice of Intention to Participate District Council 6-21-2021 agenda0](#)
[SE-4774 Circuit Court Remand Notice of District Council Oral Argument](#)

DRAFT

ITEM(S) FOR DISCUSSION**DSP-20015****Freeway Airport**

Applicant(s): Freeway Realty, LLC

Location: Located on the west side of Church Road and in the southwest quadrant of its intersection with US 50 (John Hanson Highway)(131.50 Acres; R-A Zone).

Request: Requesting approval of a Detailed Site Plan (DSP) for 416 single-family attached (townhouse) lots and 93 single-family detached lots, for a total of 509 lots.

Council District: 6

Appeal by Date: 7/1/2021

Review by Date: 7/1/2021

Action by Date: 9/29/2021

History:

Council motion failed to refer item to staff for preparation of an approving document for this item (Vote: 5-3; Absent: Council Members Glaros, Streeter and Turner).

A motion failed that was made by Council Member Davis, seconded by Council Member Franklin, that this Detailed Site Plan be referred for document. The motion carried by the following vote:

Aye: 5 - Hawkins, Davis, Franklin, Harrison and Taveras

Nay: 3 - Anderson-Walker, Dernoga and Ivey

Absent: Glaros, Streeter and Turner

Council reconsidered this item (Vote 9-0 Absent: Council Members Streeter and Turner).

A motion was made by Council Member Davis, seconded by Council Member Franklin, that Council reconsider this Detailed Site Plan. The motion carried by the following vote:

Aye: 9 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Ivey and Taveras

Absent: Streeter and Turner

Attachment(s): [DSP-20015 Zoning Agenda Item Summary](#)
[DSP-20015 Presentation Slides](#)
[DSP-20015 Charles Rones \(email\) Testimony](#)
[9-3-21](#)
[DSP-20015 Carol Boyer Testimony for Motion](#)
[to Dismiss & Opposition to Appeal Rebuttal](#)
[9-3-2021](#)
[DSP-20015 Carol Boyer \(email\)Statement on](#)
[DSP-20015](#)
[DSP-20015 James Riley Letter](#)
[2021-09-02_signed DSP](#)
[DSP-20015 James Riley \(email\) Letter](#)
[2021-09-02_signed](#)
[DSP-20015_Notice of District Council Oral](#)
[Argument](#)
[DSP-20015_Antonetti to Brown Motion to](#)
[Dismiss and Opposition to Appeal 7-19-2021](#)
[DSP-20015 Antonetti \(email\) to Brown Motion](#)
[to Dismiss and Opposition to Appeal 7-19-2021](#)
[DSP-20015 Carol Boyer to Brown 6-30-21](#)
[DSP-20015 Planning Board Resolution 2021-62](#)
[Signed](#)
[DSP-20015_PORL](#)
[DSP-20015 Technical Staff Report](#)
[DSP-20015 PLB Transcripts 05-06-2021](#)
[DSP-20015 Planning Board Record](#)
[PZC Notice of Intention to Participate District](#)
[Council 9-13-2021](#)

PENDING FINALITY**(a) PLANNING BOARD**

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

CSP-20001**Addition to Signature Club at Manning Village**

- Applicant(s):** Signature Land Holdings, LLC
- Location:** Located on the west side of Manning Road East and on both sides of Caribbean Way, just north of the intersection of MD 228 (Berry Road) and Manning Road East (7.26 Acres; M-X-T Zone).
- Request:** Requesting approval of a Conceptual Site Plan (CSP) for 75 to 80 townhouse units, including 4 live/work units, which have a total office space between 2,600 and 3,100 square feet.
- Council District:** 9
- Appeal by Date:** 8/26/2021
- Review by Date:** 9/27/2021

History:

Council waived election to review for this item (Vote: 9-0).

A motion was made by Council Member Harrison, seconded by Council Member Davis, that Council waive election to review for this Conceptual Site Plan. The motion carried by the following vote:

- Aye:** 9 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Ivey and Taveras
- Absent:** Streeter and Turner

- Attachment(s):** [CSP-20001 Zoning Agenda Item Summary](#)
[CSP-20001 Planning Board Resolution](#)
 CSP-20001_PORL
[CSP-20001 Technical Staff Report](#)

PENDING FINALITY (Continued)**(a) PLANNING BOARD**

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

[DDS-668](#)**Seabrook - Parcel F****Companion Case(s):** DPLS-479; DSP-20010**Applicant(s):** Storch Management**Location:** Located in the southwest quadrant of the intersection of MD 564 (Lanham Severn Road) and Seabrook Road (0.55 Acres; C-M Zone).**Request:** Requesting approval of a Departure from Design Standards (DDS) for a reduction in the width of the loading space driveway from 22 to 16 feet in width.**Council District:** 3**Appeal by Date:** 10/14/2021**Review by Date:** 10/14/2021**History:**

Council waived election to review for this item (Vote: 9-0)

A motion was made by Council Member Glaros, seconded by Council Member Franklin, that Council waive election to review for this Departure from Design Standards. The motion carried by the following vote:

Aye: 9 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Ivey and Taveras

Absent: Streeter and Turner

Attachment(s): [DDS-668 Zoning Agenda Item Summary](#)
[DDS-668 Planning Board Resolution 2021-107 - Signed](#)
DDS-668 PORL
[DDS-668 Technical Staff Report](#)

PENDING FINALITY (Continued)**(a) PLANNING BOARD**

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

[DPLS-479](#)**Seabrook - Parcel F****Companion Case(s):** DDS-668; DSP-20010**Applicant(s):** Storch Management**Location:** Located in the southwest quadrant of the intersection of MD 564 (Lanham Severn Road) and Seabrook Road (0.55 Acres; C-M Zone).**Request:** Requesting approval of a Departure from Parking and Loading Spaces (DPLS), to reduce the number of required parking spaces from 31 to 24.**Council District:** 3**Appeal by Date:** 10/14/2021**Review by Date:** 10/14/2021**History:**

Council waived election to review for this item (Vote: 9-0)

A motion was made by Council Member Glaros, seconded by Council Member Franklin, that Council waive election to review for this Departure from Parking and Loading Standards. The motion carried by the following vote:

Aye: 9 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Ivey and Taveras

Absent: Streeter and Turner

Attachment(s): [DPLS-479 Agenda Item Summary](#)
[DPLS-479 Planning Board Resolution 2021-108](#)
[- Signed](#)
DPLS-479 PORL
[DPLS-479 Technical Staff Report](#)

PENDING FINALITY (Continued)**(a) PLANNING BOARD**

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

[DSP-20010](#)**Seabrook - Parcel F**

Companion Case(s): DDS-668; DPLS-479

Applicant(s): Storch Management

Location: Located in the southwest quadrant of the intersection of MD 564 (Lanham Severn Road) and Seabrook Road (0.55 Acres; C-M Zone).

Request: Requesting approval of a Detailed Site Plan (DSP) for the construction of 3,350 square feet of commercial retail space and a 1,600-square-foot eating and drinking establishment with a drive-through.

Council District: 3

Appeal by Date: 10/14/2021

Review by Date: 10/14/2021

History:

Council waived election to review for this item (Vote: 9-0)

A motion was made by Council Member Glaros, seconded by Council Member Franklin, that Council waive election to review for this Detailed Site Plan. The motion carried by the following vote:

Aye: 9 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Ivey and Taveras

Absent: Streeter and Turner

Attachment(s): [DSP-20010 Zoning Agenda Item Summary](#)
[DSP-20010 Planning Board Resolution](#)
[2021-106 - Signed](#)
DSP-20010 PORL
[DSP-20010 Technical Staff Report](#)

PENDING FINALITY (Continued)**(a) PLANNING BOARD**

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

DSP-18003-01**Landy Property****Applicant(s):** Stanley Martin Companies, LLC**Location:** Located in the northwest quadrant of the intersection of Belcrest Road and Toledo Terrace, east of Northwest Drive, and south of Dean Drive (24.60 Acres; R-20 / T-D-O Zones).**Request:** Requesting approval of a Detailed Site Plan (DSP) to grade and develop infrastructure for 200 single-family attached (townhouse) lots, including the location and design of the roadways, on-street parking, landscaping, utility location, fencing, and sidewalks.**Council District:** 2**Appeal by Date:** 10/14/2021**Review by Date:** 10/14/2021**Municipality:** Hyattsville**History:**

Council waived election to review for this item (Vote: 9-0)

A motion was made by Vice Chair Taveras, seconded by Council Member Franklin, that Council waive election to review for this Detailed Site Plan. The motion carried by the following vote:

Aye: 9 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Ivey and Taveras

Absent: Streeter and Turner

Attachment(s): [DSP-18003-01 Zoning Agenda Item Summary](#)
[DSP-18003-01 Planning Board Resolution](#)
[2021-104 - Signed](#)
 DSP-18003-01_PORL
[DSP-18003-01 Technical Staff Report](#)

PENDING FINALITY (Continued)**(a) PLANNING BOARD**

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

[DSP-19059](#)**Skyline Subdivision**

- Applicant(s):** DMD Holdings
- Location:** Located at the southwest quadrant of the intersection of Suitland Road and Randolph Road (2.48 Acres; R-80 / D-D-O / M-I-O Zones).
- Request:** Requesting approval of a Detailed Site Plan (DSP) for the development of a subdivision with six single-family detached dwelling units within a Development District Overlay (D-D-O) Zone.
- Council District:** 7
- Appeal by Date:** 9/2/2021
- Review by Date:** 9/30/2021
- Municipality:** Morningside
- History:**

Council waived election to review for this item (Vote: 9-0)

A motion was made by Chair Hawkins, seconded by Council Member Davis, that Council waive election to review for this Detailed Site Plan. The motion carried by the following vote:

- Aye:** 9 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Ivey and Taveras
- Absent:** Streeter and Turner

- Attachment(s):** [DSP-19059 Zoning Agenda Item Summary](#)
[DSP-19059 Planning Board Resolution 2021-94](#)
[- Signed](#)
 DSP-19059_PORL
[DSP-19059 Technical Staff Report](#)

PENDING FINALITY (Continued)**(a) PLANNING BOARD**

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

DSP-20023**Heppe Property**

- Applicant(s):** Strittmatter Land, LLC
- Location:** Located on the south side of Westphalia Road, approximately 1,040 feet west of D'Arcy Road (3.82 Acres; R-R / M-IO Zones).
- Request:** Requesting approval of a Detailed Site Plan (DSP) to construct 37 single-family attached (townhouse) dwelling units, for the Heppe property.
- Council District:** 6
- Appeal by Date:** 10/14/2021
- Review by Date:** 10/14/2021

History:

Council waived election to review for this item (Vote: 9-0)

A motion was made by Council Member Davis, seconded by Council Member Franklin, that Council waive election to review for this Detailed Site Plan. The motion carried by the following vote:

Aye: 9 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Ivey and Taveras

Absent: Streeter and Turner

- Attachment(s):** [DSP-20023 Zoning Agenda Item Summary](#)
[DSP-20023 Planning Board Resolution](#)
[2021-110 - Signed](#)
 DSP-20023_PORL
[DSP-20023 Technical Staff Report](#)

PENDING FINALITY (Continued)**(a) PLANNING BOARD**

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

[SDP-1701-06](#)**Timothy Branch****Applicant(s):** Timothy Branch, Inc.**Location:** Located on the south side of MD 381 (Brandywine Road) at its intersection with Mattawoman Drive. (72.26 Acres; L-A-C / M-I-O Zones).**Request:** Requesting approval of a Specific Design Plan (SDP) for a mixed-retirement development with 212 dwelling units in the Local Activity Center (L-A-C) Zone.**Council District:** 9**Appeal by Date:** 10/14/2021**Review by Date:** 10/14/2021**History:**

Council waived election to review for this item (Vote: 9-0)

A motion was made by Council Member Harrison, seconded by Council Member Davis, that Council waive election to review for this Specific Design Plan. The motion carried by the following vote:

Aye: 9 - Hawkins, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Ivey and Taveras

Absent: Streeter and Turner

Attachment(s): [SDP-1701-06 Zoning Agenda Item Summary](#)
[SDP-1701-06 Planning Board Resolution](#)
[2021-100 - Signed](#)
 SDP-1701-06_PORL
[SDP-1701-06 Technical Staff Report](#)

