



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

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

Monday, November 16, 2015

10:00 AM

Council Hearing Room

9:30 AM AGENDA BRIEFING - (ROOM 2027)

10:07 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 10:07 a.m. with eight members present at roll call. Council Member Turner arrived at 10:17 a.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: 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
Jackie Brown, Director, Planning, Zoning and Economic Development (PZED)*

Committee

M-NCPPC

Taslima Alam, Development Review Division

Cynthia Fenton, Development Review Division

Jimi Jones, Supervisor, Development Review Division

INVOCATION

The Invocation was provided by Brenda Otto, County Employee. Council Member Franklin requested prayer for the citizens of Paris in light of the recent terrorist attacks there. Council Member Glaros requested prayer for LuLu Alexander who is ill.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Toles.

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 11092015](#)

District Council Minutes dated November 9, 2015

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

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

Absent: Turner

ORAL ARGUMENTS**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:

Taslina Alam, M-NCPPC, provided an overview of the Special Exception application. Joan W. Oxendine, Margaret Boles and Tiffany Alston Gray spoke in opposition. Arthur Horne, Jr., Esq. spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented.

Council took this case under advisement.

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

ORAL ARGUMENTS (Continued)[DSP-03063-01](#)**Worship World Church****Applicant(s):** Worship World Church**Location:** Located at 13910 Laurel-Bowie Road in Laurel, Maryland in the northwest quadrant of the Laurel-Bowie Road/Briarwood Drive intersection (1.40 Acres; R-55 Zone).**Request:** Requesting approval of a Detailed Site Plan to convert a single-family home within the One-Family Detached Residential (R-55) Zone to a 36-seat church with associated parking.**Council District:** 1**Appeal by Date:** 8/20/2015**Review by Date:** 9/21/2015**Action by Date:** 2/15/2016**History:**

Cynthia Fenton, M-NCPPC, provided an overview of the Detailed Site Plan application. There were no speakers. Stan Brown, People's Zoning Counsel provided comment.

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

This Detailed Site Plan hearing was held; subsequently, a motion was made by Council Member Lehman, seconded by Council Member Turner, that this Detailed Site Plan 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): DSP-03063-01 Hearing Notice
[DSP-03063-01 Planning Board Resolution 15-65](#)
DSP-03063-01_PORL
[DSP-03063-01 Technical Staff Report](#)

Council adopted the prepared Order of approval, with conditions (Vote: 9-0).

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

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

ITEM(S) FOR DISCUSSION[SE-4757](#)**Potomac Energy Holdings, LLC****Companion Case(s):** DPLS-415; DSDS-688**Applicant(s):** Potomac Energy Holding, LLC**Location:** Located on the north side of Greenbelt Road (MD 193), at its intersection with Aerospace Road, also identified as 10000 Greenbelt Road, Lanham, Maryland (0.897 Acres; I-1 Zone).**Request:** Requesting approval of a Special Exception to use approximately 0.897 acres of land, in the I-1 (Light Industrial) Zone, for a Gas Station and Food or Beverage Store.**Council District:** 4**Appeal by Date:** 10/5/2015**Review by Date:** 10/5/2015**Action by Date:** 2/8/2016**Opposition:** Rick Dorsey**History:**

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

A motion was made by Council Member Turner, seconded by Vice Chair Davis, that this Special Exception 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): SE-4757_Appeal_10052015
[SE-4757 Zoning Hearing Examiner Decison](#)
SE-4757_PORL ZHE
[SE-4757 Planning Board Resolution 15-43](#)
[SE-4757 Technical Staff Report](#)

Council adopted the prepared Order of approval, with conditions (Vote: 9-0).

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

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

ITEM(S) FOR DISCUSSION (Continued)[DSDS-688](#)**Potomac Energy Holdings****Companion Case(s):** DPLS-415; SE-4757**Applicant(s):** Potomac Energy Holdings, LLC**Location:** Located on the northeast corner of the intersection of Greenbelt Road (MD 193) and Aerospace Road (0.897 Acres; I-1 Zone).**Request:** Requesting approval of a Departure from Sign Design Standards for a departure of five feet from the required ten-foot setback for a freestanding sign in accordance with Subtitle 27 of the Prince George's County Code.**Council District:** 4**Appeal by Date:** 7/9/2015**Review by Date:** 7/9/2015**Action by Date:** 2/8/2016**History:**

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

A motion was made by Council Member Turner, seconded by Vice Chair Davis, that this Departure from Sign Design Standards 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): [DSDS-688 Zoning AIS 11242015](#)
[DSDS-688 Planning Board Resolution 15-45](#)
DSDS-688_PORL

Council adopted the prepared Order of approval (9-0).

A motion was made by Council Member Turner, seconded by Vice Chair Davis, that this Departure from Sign Design Standards be approved. The motion carried by the following vote:

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

ITEM(S) FOR DISCUSSION (Continued)[DPLS-415](#)**Potomac Energy Holdings****Companion Case(s):** DSDS-688; SE-4757**Applicant(s):** Potomac Energy Holdings, LLC**Location:** Located on the northeast corner of the intersection of Greenbelt Road (MD 193) and Aerospace Road (0.897 Acres; I-1 Zone).**Request:** Requesting approval of a Departure from Parking and Loading Standards for a departure of five of the required 25 parking spaces in accordance with Subtitle 27 of the Prince George's County Code.**Council District:** 4**Appeal by Date:** 7/9/2015**Review by Date:** 7/9/2015**Action by Date:** 2/8/2016**History:**

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

A motion was made by Council Member Turner, seconded by Vice Chair Davis, that this Departure from Parking and Loading Standards 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): [DPLS-415 Zoning AIS-11242015](#)
[DPLS-415 Planning Board Resolution 15-44](#)
DPLS-415_PORL

Under discussion, Council Member Turner sought to clarify the order as it related to parking spaces. Subsequently, council adopted the Order of approval (9-0).

A motion was made by Council Member Turner, seconded by Vice Chair Davis, that this Departure from Parking and Loading Standards be approved. The motion carried by the following vote:

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

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-05114-02](#)**Avondale Overlook, Metropolitan at Hyattsville****Applicant(s):** 2300 Queens Chapel, LLC**Location:** Located on the north side of Queens Chapel Road (MD 500), approximately 175 feet east of its intersection with Russell Avenue, and approximately 1,450 feet east of its intersection with Russell Avenue, and approximately 1,450 feet east of the boundary line of the District of Columbia (10.33 Acres; R-10 Zone).**Request:** Requesting approval for a Detailed Site Plan to add 71 fee-simple single-family attached units to an existing multifamily development.**Council District:** 2**Appeal by Date:** 12/12/2015**Review by Date:** 1/11/2016**Municipality:** City of Hyattsville**History:***Council took no action on this item.***This Detailed Site Plan was not elected to review by Council.****ADDITIONS AGENDA****A motion was made by Vice Chair Davis, seconded by Council Member Turner, to accept the additions package. The motion carried by the following vote:****Aye:** 9 - Franklin, Davis, Glaros, Harrison, Lehman, Patterson, Taveras, Toles and Turner**RECESS***Meeting went into Recess**at 11:26 a.m.***1:45 PM RECONVENE***The meeting was reconvened at 1:45p.m.*

1:45 PM ORAL ARGUMENTS (Continued)**[ERR-252](#)****Shadyside Properties Shopping Center, LLC/Allen Su****Validation of Use and Occupancy Permit No. 44936-2013-00**

Applicant(s): Shadyside Properties Shopping Center, LLC / Allen Su

Location: Located within a small strip shopping center at 2323 Shadyside Avenue, Suitland, Maryland (0.398 Acres; R-T Zone).

Request: Requesting approval for validation of Prince George's County Use and Occupancy Permit No. 44936-2013-00 issued in error for a new tenant (Barber Shop/Beauty Salon, t/a Lillie's Barbershop Unisex).

Council District: 7

Appeal by Date: 9/28/2015

Action by Date: 2/29/2016

Opposition: None

History:

Jimi Jones, M-NCPPC, provided an overview of the application to validate Prince George's County Use and Occupancy Permit No. 44936-2013-00 issued in error. Michelle LaRocca, attorney for the applicant, and A. Allen Su spoke in support. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented.

Council took this case under advisement.

This Permit issued in error hearing was held and the case was taken under advisement.

Attachment(s): [ERR-252 Zoning AIS](#)
[ERR-252 Zoning Hearing Examiner Decision](#)
 ERR-252_PORL

RECESS**COUNTY COUNCIL ITEM(S)**

(SEE SEPARATE AGENDA)

2:45 PM COMMITTEE OF THE WHOLE (COUNCIL HEARING ROOM)

(SEE SEPARATE AGENDA)

The Committee Of The Whole meeting was concluded at 3:22 p.m.

3:42 PM BRIEFING - (COUNCIL HEARING ROOM)[BR 11162015](#)**STATE MEDICINAL CANNABIS LAW****Facilitators:**

Dr. Fern Piret, Planning Director, M-NCPPC

Alan Hirsch, Division Chief, Development Review, M-NCPPC

Deborah Borden, Associate General Counsel, M-NCPPC

History:

The briefing convened at 3:42 p.m. with nine Council Members present. Deborah Borden provided an overview of the Medical Cannabis law. The facilitators responded to questions posed by the Council regarding legislative options, zoning options, application process, fees, security, allowable facilities per senatorial district, timelines for actions, locational restrictions, regulation/inspection, drug treatment facilities, costs to the county, communication process, municipal authority, and funding structure for use of revenues.

This briefing was held.

CONCLUDED

The briefing was concluded at 5:04 p.m.

DRAFT