

Prince George's County Council

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



Zoning Minutes - Final

Monday, January 12, 2015

10:00 AM

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 AM AGENDA BRIEFING**10:32 AM CALL TO ORDER**

Pursuant to the provisions of Section 27-132(a) of the Zoning Ordinance, the meeting was called to order at 10:32 a.m. with nine members present at roll call.

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*

M-NCPPC

Cynthia Fenton, Development Review Division

Tom Lockard, Development Review Division

Jill Kosack, Development Review Division

INVOCATION - Wanda Brooks, County Employee

The Invocation was provide by Wanda Brooks, County Employee. Chairman Franklin requested special prayer for Samuel Dean, former Council Member and his wife Donna in the passing of their daughter, Pandora Foster. Council Member Patterson requested prayer for the family of William Cavitt in his passing. Council Member Toles requested prayer for the family of Zae' Quan White, 7 year old who drowned in Oxon Hill and for the responding Officers along with the District 7 community where there was a homicide. Council Member Harrison requested prayer for the families of RC Tolbert, husband of former Mayor, Paula Noble and Travis Britt, husband of the late Senator Gwendolyn Britt in their passing. Council Member Lehman requested prayer for the family and colleagues of Carl Brendle, Economic Development Director of the City of Laurel in his passing and for the people of France in the aftermath of the recent terror attacks.

MANDATORY REVIEW (Using Oral Argument Procedures)[DSP-13047](#)**Shady Glen Fire Station**

- Applicant(s):** Prince George's County
- Location:** Located southeast quadrant of the intersection of Central Avenue (MD 214) and Shady Glen Drive (2.46 Acres; C-S-C / D-D-O Zones).
- Request:** Requesting approval of a Detailed Site Plan for a 13,888-square-foot fire station and a 14,280-square-foot firefighter training facility on Parcel A, Capitol Heights Shopping Center, and Parcel 194.
- Council District:** 6
- Appeal by Date:** 11/27/2014
- Action by Date:** 3/13/2015
- Comment(s):** District Council review of this case is required by Section 27-292 of the Zoning Ordinance.

History:

Cynthia Fenton, M-NCPPC planning staff, provided an overview of the Detailed Site Plan application. Thomas Haller, Esq., Attorney for the applicant, spoke in support. Stan Brown, People's Zoning Counsel, noted for the record the support of Doug Edwards and Freddie Dawkins, Coalition of Prince George's County Civic Associations, who were unable to attend and spoke to the legalities of the argument presented.

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 Vice Chair Davis, seconded by Council Member Harrison, 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

ITEM(S) FOR DISCUSSION[DSP-81052-02](#)**Inglewood Business Park, Lot 6****Companion Case(s):** DSP-85014-02; DSP-85098-03; DSP-85099-02**Applicant(s):** 3510 Inglewood, LLC.**Location:** Located at the southeastern quadrant of the intersection of McCormick Drive and Peppercorn Place (4.34 Acres; C-O / D-D-O Zones)..**Request:** Requesting approval of a Detailed Site Plan for addition of uses as authorized by Section 27-548.26(b) of the Prince George's County Zoning Ordinance.**Council District:** 6**Appeal by Date:** 10/9/2014**Action by Date:** 2/18/2015**Comment(s):** District Council review of this case is required by Section 27-548(b) of the Zoning Ordinance.**History:**

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

A motion was made by Vice Chair Davis, seconded by Council Member Harrison, 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

ITEM(S) FOR DISCUSSION (Continued)[DSP-85014-02](#)**Inglewood Business Park, Lot 13A**

Applicant(s): 3510 Inglewood, LLC.

Location: Located on the eastern side of McCormick Drive, approximately 700 feet south of its intersection with Peppercorn Place (6.51 Acres; C-O / D-D-O Zones).

Request: Requesting approval of a Detailed Site Plan for addition of uses as authorized by Section 27-548.26(b) of the Prince George's County Zoning Ordinance.

Council District: 6

Appeal by Date: 10/9/2014

Action by Date: 2/18/2015

Comment(s): District Council review of this case is required by Section 27-548(b) of the Zoning Ordinance.

History:

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

A motion was made by Vice Chair Davis, seconded by Council Member Harrison, 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

ITEM(S) FOR DISCUSSION (Continued)[DSP-85098-03](#)**Inglewood Business Park, Lot 40****Companion Case(s):** DSP-81052-02; DSP-85014-02; DSP-85099-02**Applicant(s):** 3510 Inglewood, LLC.**Location:** Located on the southern and southwestern sides of the cul-de-sac of Caraway Court, approximately 700 feet south of its intersection with McCormick Drive (6.76 Acres; C-O / D-D-O Zones).**Request:** Requesting approval of a Detailed Site Plan for addition of uses as authorized by Section 27-548.26(b) of the Prince George's County Zoning Ordinance.**Council District:** 6**Appeal by Date:** 10/9/2014**Action by Date:** 2/18/2015**Comment(s):** District Council review of this case is required by Section 27-548(b) of the Zoning Ordinance.**History:**

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

A motion was made by Vice Chair Davis, 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

ITEM(S) FOR DISCUSSION (Continued)[DSP-85099-02](#)**Inglewood Business Park, Lot 41****Companion Case(s):** DSP-81052-02; DSP-85014-02; DSP-85098-03**Applicant(s):** 3510 Inglewood, LLC.**Location:** Located on the southeastern side of cul-de-sac of Caraway Court, approximately 700 feet south of its intersection with McCormick Drive (6.57 Acres; C-O / D-D-O Zones).**Request:** Requesting approval of a Detailed Site Plan for addition of uses as authorized by Section 27-548.26(b) of the Prince George's County Zoning Ordinance.**Council District:** 6**Appeal by Date:** 10/9/2014**Action by Date:** 2/18/2015**Comment(s):** District Council review of this case is required by Section 27-548(b) of the Zoning Ordinance.**History:**

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

A motion was made by Vice Chair Davis, seconded by Council Member Harrison, 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

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-30022-13-01](#)****6809 Red Top Road**

Applicant(s): 6809 Red Top Apartments, LLC.

Location: Located 300 feet from the intersection of Red Top Road and Fairview Avenue (0.25 Acres; R-18 Zone).

Request: Requesting approval for a Certification of a Nonconforming Use for an existing six-unit apartment building that was constructed in 1950.

Council District: 2

Appeal by Date: 12/4/2014

Review by Date: 1/30/2015

History:

Council took no action on this item.

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

[CNU-30449-13](#)**6807 Red Top Road**

Applicant(s): Red Top Properties, LLC.

Location: Located 192 feet east of Red Top Road and 689 feet south of East-West Highway (MD 410) (0.257 Acres; R-18 Zone).

Request: Requesting approval for a Certification of a Nonconforming Use for an existing six-unit apartment building that was constructed in 1949.

Council District: 2

Appeal by Date: 12/4/2014

Review by Date: 1/30/2015

History:

Council took no action on this item.

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

PENDING FINALITY (Continued)[CNU-30458-13-01](#)**6819 Red Top Road**

Applicant(s): 6819 Red Top Road, Apartments, LLC.

Location: Located 410 feet from the intersection of Red Top Road and East-West Highway (MD 410) (0.25 Acres; R-10 Zone).

Request: Requesting approval for a Certification of a Nonconforming Use for an existing six-unit apartment building that was constructed in 1953.

Council District: 2

Appeal by Date: 1/8/2015

Review by Date: 1/30/2015

History:

Council took no action on this item.

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

[CNU-44622-13](#)**3804 38th Avenue**

Applicant(s): Delia Allanigue

Location: Located on the west side of 38th Avenue approximately 830 feet north of Bladensburg Road (0.13 Acres; R-18 Zone).

Request: Requesting approval for a Certification of a Nonconforming Use for an existing four-unit apartment building that was constructed in 1936.

Council District: 5

Appeal by Date: 12/26/2014

Review by Date: 1/30/2015

Municipality: Cottage City

History:

Council took no action on this item.

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

PENDING FINALITY (Continued)[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:**

Council took no action on this item.

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

[DPLS-372](#)**4760 Stamp Road**

- Applicant(s):** Jerome Ford
- Location:** Located on the north side of Stamp Road, approximately 665 feet south of the intersection of Stamp Road and Beech Road (0.0914 Acres; I-1 Zone).
- Request:** Requesting approval of a Departure from Parking and Loading Standards for four parking spaces and one loading space to reflect the actual size of the property as a wholesale and incidental sales establishment.
- Council District:** 7 (formerly District 8 until December 2014)
- Appeal by Date:** 1/15/2015
- Review by Date:** 1/30/2015
- History:**

Council deferred this item to January 26, 2015.

This Departure from Parking and Loading Standards was deferred to January 26, 2015.

PENDING FINALITY (Continued)**DPLS-401****Executive Barbershop Cosmetology**

- Applicant(s):** Marvin and Jennifer Mallard
- Location:** Located on the south side of Beech Road east of Stamp Road (0.9732 Acres; I-1 Zone).
- Request:** Requesting approval of a Departure of Parking and Loading Standards for a departure of 14 parking spaces and one loading space for Units J-2, K-2 and L-2 from the required 70 parking spaces.
- Council District:** 7 (formerly District 8 until December 2014)
- Appeal by Date:** 1/8/2015
- Review by Date:** 1/30/2015
- History:**

Council deferred this item to January 26, 2015.

This Departure from Parking and Loading Standards was deferred to January 26, 2015.

DPLS-412**Steeplechase Business Park**

- Applicant(s):** Atapco Ritchie Interchange, Inc.
- Location:** East side of Hampton Park Boulevard, approximately 2,000 feet north of its intersection with Alaking Court (3.38 Acres; I-1 Zone).
- Request:** Requesting approval of a Departure from Parking and Loading Standards for a departure of 23 parking spaces from the 93 parking space required.
- Council District:** 6
- Appeal by Date:** 1/22/2015
- Review by Date:** 1/30/2015
- History:**

Council took no action on this item.

This Departure from Parking and Loading Standards not elected to review by Council.

PENDING FINALITY (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**Municipality:** Town of Bladensburg

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

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

[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**Municipality:** Town of Bladensburg**History:**

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

A motion was made by Council Member Harrison, seconded by Vice Chair Davis, that this Detailed Site Plan be elected to review. The motion carried by the following vote:

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

PENDING FINALITY (Continued)[DSP-13009-03](#)**Cafritz Property at Riverdale Park, Parcels B & C****Companion Case(s):** SA-130001-01**Applicant(s):** Calvert Tract, LLC.**Location:** Located approximately 1,400 feet north of the intersection of Baltimore Avenue (US 1) and East-West Highway (MD 410), on the east side of Baltimore Avenue (37.73 Acres; M-U-TC / R-55 Zones).**Request:** Requesting approval of a Detailed Site Plan for three freestanding signs located on Parcel B (one sign on the north side of Van Buren Street) and Parcel C (two signs, one on the south side of Van Buren Street and one on the north side of Underwood Street).**Council District:** 3**Appeal by Date:** 1/8/2015**Review by Date:** 1/30/2015**Municipality:** Town of Riverdale Park and City of College Park**History:***Council took no action on this item.***This Detailed Site Plan was not elected to review by Council.**[SA-130001-01](#)**Cafritz Property****Companion Case(s):** DSP-13009-03**Applicant(s):** Calvert Tract, LLC.**Location:** Located approximately 1,400 feet north of the intersection of Baltimore Avenue (US1) and East-West Highway (MD 410), on the east side of Baltimore Avenue (37.73 Acres; M-U-TC / R-55 Zones).**Request:** Requesting approval of a Secondary Amendment revision to the signage standards within the 2012 Cafritz Property at Riverdale Park Town Center Development Plan for the purpose of amending the development district standards on freestanding signage for the property.**Council District:** 3**Appeal by Date:** 1/8/2015**Review by Date:** 1/30/2015**Municipality:** Town of Riverdale Park and City of College Park**History:***Council took no action on this item.***This Secondary Amendment was not elected to review by Council.**

PENDING FINALITY (Continued)[DSP-13027](#)**Longfellow Street Property**

Applicant(s): Lilian Koo

Location: Located on the northeastern side of Longfellow Street, approximately 440 feet southeast of its intersection with Queens Chapel Road in Hyattsville (0.13 Acres; R-35 / D-D-O Zones).

Request: Requesting approval of a Detailed Site Plan for a conversion of a one-family detached dwelling to a building containing up to three dwelling units.

Council District: 2

Appeal by Date: 12/26/2014

Review by Date: 1/30/2015

Municipality: City of Hyattsville

History:

Council deferred this item to January 26, 2015.

This Detailed Site Plan was deferred to January 26, 2015.

[SDP-1304](#)**Villages At Timothy Branch**

Applicant(s): Timothy Brandywine Investments One & Two, LLC

Location: Located on the eastern side of Robert S. Crain Highway (US 301), southeast of its intersections with Branch Avenue (MD 5) and Brandywine Road (MD 381) (334.26 Acres; L-A-C / R-M Zones).

Request: Requesting approval of a Specific Design Plan for infrastructure, which includes clearing, grading, roadway extension of Mattawoman Drive, frontage improvements, pipe, and stormwater pond construction for the entire site.

Council District: 9

Appeal by Date: 12/18/2014

Review by Date: 1/30/2015

History:

Council took no action on this item.

This Specific Design Plan was not elected to review by Council.

11:30 AM RECESS

The meeting was recessed at 11:30 a.m.

2:17 PM RECONVENE

The meeting reconvened at 2:17 p.m.

2:17 PM ORAL ARGUMENTS (Continued)[SE/VSE-4738](#)**Potomac Business Park**

- Applicant(s):** Oxon Hill Associates, LLC
- Location:** Located on the south side of Oxon Hill Road (MD 414) at Clipper Way (formerly Felker Avenue), approximately 400 feet east of the intersection of Oxon Hill Road and Indian Head Highway (MD 210) (15.44 Acres; I-3 Zone).
- Request:** Requesting approval of a Special Exception for a department or variety store in the I-3 Zone with over 85,000 square feet with food and beverage component.
- Council District:** 8
- Appeal by Date:** 9/4/2014
- Review by Date:** 9/30/2014
- Action by Date:** 3/30/2015
- Municipality:** Forest Heights
- Opposition:** Karen Egloff et. al.
- History:**

Chairman Franklin announced that Oral Argument hearings for SE/VSE-4738 Potomac Business Park and DSP-13048 Potomac Business Park, Super Walmart would be held in tandem. Tom Lockard and Jill Kosack, M-NCPPC planning staff, provided an overview of the Special Exception and Detailed Site Plan applications. Andre Gingles, Esq., Attorney for the applicant, Robert Ross, Jacoline Key, Arдания Williams and Nathaniel Bryant spoke in support. Nicole Nelson, G. Macy Nelson, Nancy Sierra, Patricia Monroe, and Paulette Chambers Brown spoke in opposition. Stan Brown, People's Zoning Counsel, provided an overview of the case and spoke to the legalities of the argument presented.

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

ORAL ARGUMENTS (Continued)[DSP-13048](#)**Potomac Business Park, Super Walmart**

- Applicant(s):** Oxon Hill Associates, LLC
- Location:** Located on the southeast corner of the intersection of Oxon Hill Road (MD 414) and Clipper Way (15.44 Acres; I-3 Zone).
- Request:** Requesting approval of a Detailed Site Plan for 100,310-square-foot department or variety store combined with a food and beverage store.
- Council District:** 8
- Appeal by Date:** 7/10/2014
- Review by Date:** 7/10/2014
- Action by Date:** 3/13/2015

History:

Chairman Franklin announced that Oral Argument hearings for SE/VSE-4738 Potomac Business Park and DSP-13048 Potomac Business Park, Super Walmart would be held in tandem. Tom Lockard and Jill Kosack, M-NCPPC planning staff, provided an overview of the Special Exception and Detailed Site Plan applications. Andre Gingles, Esq., Attorney for the applicant, Robert Ross, Jacoline Key, Arдания Williams and Nathaniel Bryant spoke in support. Nicole Nelson, G. Macy Nelson, Nancy Sierra, Patricia Monroe, and Paulette Chambers Brown spoke in opposition. Stan Brown, People's Zoning Counsel, provided an overview of the case and spoke to the legalities of the argument presented.

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

5:25 PM ADJOURN

The meeting was adjourned at 5:25 p.m.

Prepared by:

Leonard Moses, Zoning Assistant

Submitted by:

Redis C. Floyd, Clerk of the Council