



Prince George's County Council

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

Zoning Minutes - Final 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, January 11, 2016

1:30 PM

Council Hearing Room

1:00 PM AGENDA BRIEFING - (ROOM 2027)

1:30 PM 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 1:34 p.m. with eight members present at roll call. Council Member Franklin was out on County business.

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

Absent: Council Member 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 Zavakos, Legislative Officer*

*M-NCPPC
Cynthia Fenton, Development Review Division
Jimi Jones, Supervisor, Development Review Division*

*DPIE
Tim Holden*

INVOCATION

The Invocation was provided by Angela Rouson, County Employee. Council Member Toles requested prayer for Jimmie Jannifer, Jr. as he recovers from a stroke and for the family of Vivian Stafford Irving in his passing from a car accident. Council Member Lehman requested prayer for District 1 constituent, Maria Arganna, who has late stage stomach cancer and also the family of Kathleen McKinney of Greenbelt who passed on New Year's Eve from brain cancer.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Harrison.

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 11172015](#)

District Council Minutes dated November 17, 2015

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

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

Absent: Franklin

[MINDC 11162015](#)**District Council Minutes dated November 16, 2015**

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

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

ORAL ARGUMENTS[CDP-9601-01](#)**Springdale Estates**

Applicant(s): Klein Bellehaven, LLC

Location: Located on the southeast side of St. Joseph's Drive and the south side of Ardwick-Ardmore Road, approximately 1,000 feet southwest of its intersection with Lottsford Vista Road in Landover, Maryland.

Request: Requesting approval of a Comprehensive Design Plan for an amendment to Comprehensive Design Plan CDP-9601 for approval of 65 single-family attached (townhouse) units, replacing 55,756 square feet of approved commercial uses with an expansion of the existing townhouse community.

Council District: 5

Appeal by Date: 11/19/2015

Review by Date: 11/19/2015

Action by Date: 3/11/2016

History:

Cynthia Fenton, M-NCPPC, provided an overview of the Comprehensive Design Plan application. Michael Nagy, Esq. spoke in support on behalf of the applicant. There was no opposition. Stan Brown, People's Zoning Council, spoke to the legalities of the argument presented.

Under discussion, Council Member Turner requested clarification regarding the mix of uses, specifically commercial development in the area.

After the Oral Argument Hearing was held, the case was referred to staff for preparation of an approving document (Vote: 8-0; Absent: Council Member Franklin).

The Comprehensive Design Plan hearing was held; Subsequently, a motion was made by Council Member Harrison, seconded by Vice Chair Glaros, that this Comprehensive Design Plan be referred for document. The motion carried by the following vote:

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

Absent: Franklin

Council adopted the prepared Order of approval, with conditions (Vote: 8-0; Absent: Council Member Franklin).

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

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

Absent: Franklin

MANDATORY REVIEW (Using Oral Argument Procedures)

[DSP-15029](#)

U.S. Business Interiors (USBI), Parcel N, Largo Centre West

Applicant(s): U.S. Business Interior Realty Holdings, Inc. c/o NAI The Michael Companies, Inc.

Location: Located at 8800 Lottsford Road, approximately 770 feet east of the intersection of Harry S. Truman Drive and Largo Drive West, on the west side of Lottsford Road. The site is located within the Transit Oriented Development (TOD) Care Area of the Largo Town Center Sector Plan and SMA.

Request: Requesting approval of a Detailed Site Plan to change the list of allowed uses on the subject property as authorized by Section 27-548.26(b) of the Prince George's County Zoning Ordinance for the 2013 Approved Largo Town Center Sector Plan and Sectional Map Amendment (Largo Town Center Sector Plan and SMA).

Council District: 6

Appeal by Date: 12/10/2015

Action by Date: 3/11/2016

Comment(s): District Council review of this case is required by Section 27-548.26(b) of the Zoning Ordinance.

History:

Cynthia Fenton, M-NCPPC, provided an overview of the Detailed Site Plan application. Arthur Horne, Jr., Esq., spoke in support on behalf of the applicant. Charles Renninger spoke in opposition on behalf of Largo Civic Association. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented.

After the Mandatory Review Hearing, Council took this case under advisement.

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

Attachment(s): [DSP-15029_ZAIS](#)
[DSP-15029 Planning Board Resolution 15-115](#)
DSP-15029_PORL
[DSP-15029 Technical Staff Report](#)

NEW CASE(S)[ERR-248](#)**Barbara England T/A BJ Folston & Associates, LLC**
Validation of Multi-Family Rental Housing License M-0426

Applicant(s): Barbara England T/A BJ Folston & Associates, LLC

Location: Located at 3601 Maywood Lane, Suitland, Maryland (14,389 square feet; R-10 Zone).

Request: Requesting approval for validation of Prince George's County's Multi-Family Rental Housing License No. M-0426, issued in error on Mary 14, 2015 for eight (8) apartment units.

Council District: 7

Appeal by Date: 11/19/2015

Action by Date: 3/21/2016

Opposition: None

History:

Council deferred this item to January 25, 2016.

This Permit issued in error was deferred.

Attachment(s): [ERR-248 Zoning AIS](#)
[ERR-248 Zoning Hearing Examiner Decision](#)
ERR-248_PORL

NEW CASE(S) (Continued)[ERR-253](#)**Beltsville Gardens, LLC****Validation of Multifamily Rental Housing License M-0570**

Applicant(s): Beltsville Gardens Apartments

Location: Located at 4710 St. Mary's Street, Beltsville, Maryland (36,555 square feet; R-18 Zone).

Request: Requesting approval for validation of Prince George's County Multifamily Rental Housing License No. M-0570, issued in error on April 24, 2014 for 12 apartment units.

Council District: 1

Appeal by Date: 1/7/2016

Action by Date: 4/29/2016

Opposition: None

History:

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

A motion was made by Council Member Lehman, seconded by Council Member Turner, that this Permit issued in error be referred for document. The motion carried by the following vote:

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

Absent: Franklin

NEW CASE(S) (Continued)[ERR-254](#)**Melvin V. Felix****Validation of Multifamily Rental License No. 6823/Case No. M-791****Applicant(s):**

Melvin V. Felix

Location:

Located at 3526 Maywood Lane, Suitland, Maryland.

Request:

Requesting approval for validation of Prince George's County Multifamily Rental Housing License No. 6823/ Case No. M-791, issued in error for two additions to a single-family home.

Council District:

7

Appeal by Date:

12/23/2015

Action by Date:

4/22/2016

Opposition:

None

History:*Council deferred this item to January 25, 2016.***This Permit issued in error was deferred.****Attachment(s):**[ERR-254 Zoning AIS](#)[ERR-254 Zoning Hearing Examiner Decision](#)

ERR-254 PORL

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-43620-2015](#)****Firewood Unlimited**

- Applicant(s):** Keith DeMarr
- Location:** Located on the east side of Piscataway Road and northeast of Delancey Street (15.83 Acres; R-E Zone).
- Request:** Requesting approval for Certification of a nonconforming use for year-round sales and storage of firewood business with a single-family house in a single-family residential lot in accordance with Subtitle 27 of the Prince George's County Code.
- Council District:** 9
- Appeal by Date:** 1/14/2016
- Review by Date:** 1/30/2016
- History:**

Council deferred this item to January 25, 2016.

This Certification of a Nonconforming Use was deferred.

- Attachment(s):** [CNU-43620-2015 Planning Board Resolution 15-125](#)
CNU-43620-2015_PORL
[CNU-43620-2015 Technical Staff Report](#)

PENDING FINALITY (Continued)[CSP-06001-01](#)**Glenn Dale Commons****Applicant(s):** Jemal's Greentec**Location:** Located west and south of Northern Avenue, east of Glenn Dale Road, and north of Greenbelt Road (MD 193) (74.56 Acres; M-X-T Zone).**Request:** Requesting approval of a Conceptual Site Plan for a mixed-use development consisting of approximately 65-70 single-family detached dwelling units; 150-200 townhouse dwelling units; 50-100 two-family (two-over-two) condominiums; 200-300 multifamily dwelling units; approximately 214,969 square feet of existing commercial/office space to remain; and 50,000 square feet of commercial/retail space.**Council District:** 4**Appeal by Date:** 1/14/2016**Review by Date:** 1/30/2016**History:***Council deferred this item to January 25, 2016.***This Conceptual Site Plan was deferred.****Attachment(s):** [CSP-06001-01 Zoning AIS](#)
[CSP-06001-01 Planning Board Resolution 15-127](#)
CSP-06001-01_PORL

PENDING FINALITY (Continued)[CSP-98012-02](#)**National Harbor**

Applicant(s): The Peterson Companies

Location: Located southwest of the intersection of the Capital Beltway (I-95 / 495) and Indian Head Highway (MD 210), west of Oxon Hill Road, and north of Fort Foote Road. The specified parcels being added to the development are located on the west side of Oxon Hill Road, opposite its intersection with Careybrook Lane (537.17 Acres; M-X-T / R-M / R-R Zones).

Request: Requesting approval of a Conceptual Site Plan to add 3.14 acres of land (Parcels 41, 42, and 71) to the National Harbor waterfront entertainment/retail complex for the purpose of expanding the complex.

Council District: 8

Appeal by Date: 1/7/2016

Review by Date: 1/30/2016

History:

Council took no action on this item.

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

PENDING FINALITY (Continued)**DSP-15004****Freestate Shopping Center, Children of America Daycare Center**

Applicant(s): Federal Realty Investment Trust

Location: Located on the north side of Annapolis Road (MD 450), at its intersection with Superior Lane. Access to the site is via four driveway entrances from MD 450.

Request: Requesting approval of a Detailed Site Plan for a day care center for 232 children. The applicant proposes to demolish the existing 26,344-square-foot bowling alley building, which is currently vacant, and construct a new building in the same location.

Council District: 4

Appeal by Date: 1/14/2016

Review by Date: 1/30/2016

History:

Council deferred this item to January 25, 2016.

This Detailed Site Plan was deferred.

Attachment(s): [DSP-15004 Zoning AIS](#)
[DSP-15004 Planning Board Resolution 15-122](#)
DSP-15004_PORL
[DSP-15004 Technical Staff Report](#)

SDP-1003-07**Parkside (formerly Smith Home Farm)**

Applicant(s): SHF Project Owner, LLC

Location: Located approximately 3,000 feet east of the intersection of Westphalia Road and Pennsylvania Avenue (MD 4) (250.85 Acres; R-M Zone).

Request: Requesting approval of a Specific Design Plan to revise Section 2 to revise the layout and unit mix; to add one single-family detached unit and 26 townhouses; to add Stanley Martin townhouse architecture; and to adjust the location of the mixed retirement development as proposed in Applicant's Exhibit 2B. No changes are proposed in Sections 1A, 1B, or 3 under this application.

Council District: 6

Appeal by Date: 1/14/2016

Review by Date: 1/30/2016

History:

Council deferred this item to January 25, 2016.

This Specific Design Plan was deferred.

Attachment(s): [SDP-1003-07 Planning Board Resolution](#)
 [15-121](#)
 SDP-1003-07_PORL
 [SDP-1003-07 Technical Staff Report condensed](#)

3:02 PM ADJOURN

The meeting was adjourned at 3:02 p.m.

3:12 PM BRIEFING - (ROOM 2027)

[BR 01112016](#) **CONTINUOUS BUSINESS PROCESS IMPROVEMENT STUDY
 (Prince George's County Public School System Performance Audit)**

Facilitator:

Chris J. Librizzi, Managing Partner, Ernst & Young, LLP

This briefing was convened at 3:12 p.m. and concluded at 4:54 p.m.

4:45 PM CONCLUDED

The meeting concluded at 4:54 p.m.

EXECUTIVE SESSION (1ST FLOOR EXECUTIVE CONFERENCE ROOM)

[EX 01112016](#) Motion to convene in executive session to consult with counsel to seek legal
 advice and to discuss pending or potential litigation in accordance with section
 3-305(b)(7, 8), General Provisions Article, Annotated Code of Maryland.

History:

This Executive Session was deferred to January 12, 2016.

**A motion was made by Council Member Turner, seconded by Council Member
 Harrison, that this Executive Session be convened into Executive Session. The motion
 carried by the following vote:**

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

Prepared by:

Leonard Moses, Zoning Assistant

Submitted by:

Redis C. Floyd, Clerk of the Council