



# 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

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

*Robert J. Williams, Jr., Council Administrator*

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**Monday, July 8, 2019**

**10:00 AM**

**Council Hearing Room**

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### **9:46 AM AGENDA BRIEFING - (ROOM 2027)**

*At 9:46 a.m., due to a lack of a quorum of members, a public statement was read and the Agenda Briefing was conducted as an informal discussion in lieu of a public meeting.*

### **10:13 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 by Chair Turner at 10:13 a.m. with six members present at roll call. Council Member Taveras arrived at 10:30 a.m. Council Members Dernoga and Glaros arrived at 11:41 a.m.*

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**Present:** 9 - Chair Todd Turner  
Council Member Monique Anderson-Walker  
Council Member Derrick Davis  
Council Member Thomas Dernoga  
Council Member Dannielle Glaros  
Council Member Sydney Harrison  
Council Member Calvin S. Hawkins  
Vice Chair Rodney Streeter  
Council Member Deni Taveras

**Absent:** Council Member Mel Franklin  
Council Member Jolene Ivey

*Also Present: Stan Brown, People's Zoning Counsel  
Robert J. Williams, Jr., Council Administrator  
Rajesh Kumar, Principal Counsel to the District Council  
Donna J. Brown, Acting Clerk of the Council  
Leonard Moses, Zoning Assistant, Office of the Clerk*

*M-NCPPC  
Ras Cannady, Development Review Division*

*City of New Carrollton  
Kay Ruff, City Representative*

## **INVOCATION**

*The Invocation was provided by Mr. Edwin H. Brown, Jr. County Employee. Council Member Anderson-Walker requested prayer for the recognition of the birth of America, July 4th, and to keep in mind this is a United States for all people. She also requested prayer for a young, 24-year old girl who lost her life on the beltway on Sunday and for people to become more aware and more focused when driving. Council Member Hawkins requested prayer for former Fire/EMS Chief Lawrence Sedgewick in the loss of his son, Lawrence Sedgewick, III in an auto accident and for the family and friends of Chris Payne, also know as Zip Z. in Bowie, who was killed from a gun shot. Council Chair Turner requested a special prayer for Council Staff, John Edmonds, and family in the loss of his mother and also recognized and congratulated the Women's World Cup champions for the second straight year.*

**PLEDGE OF ALLEGIANCE**

*The Pledge of Allegiance was led by Council Member Harrison.*

**APPROVAL OF DISTRICT COUNCIL MINUTES**

[MINDC 06172019](#)

**District Council Minutes dated June 17, 2019**

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

**Aye:** 6 - Turner, Anderson-Walker, Davis, Harrison, Hawkins and Streeter

**Absent:** Dernoga, Franklin, Glaros, Ivey and Taveras

[MINDC 06182019](#)

**District Council Minutes dated June 18, 2019**

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

**Aye:** 6 - Turner, Anderson-Walker, Davis, Harrison, Hawkins and Streeter

**Absent:** Dernoga, Franklin, Glaros, Ivey and Taveras

**ORAL ARGUMENTS****ROW Royal Farms****ROW Royal Farms #220 (Accokeek)**

- Applicant(s):** Two Farms, Inc.
- Location:** Located on the west side of Indian Head Highway, in the southwest quadrant of its intersection with Livingston Road, also identified as 15808 and 15812 Livingston Road, 100 Biddle Road, and 16001 Indian Head Highway, Accokeek, Maryland. (2.94 acres; C-S-C Zone).
- Request:** Requesting approval for authorization to construct two (2) pylon signs, 22 parking spaces, drive aisle, free air station, five (5) gas pumps with canopy, large vehicle parking areas, all of the required landscaping, and the stormwater management facility within the proposed right-of-way for F-11 and C-525.
- Council District:** 9
- Appeal by Date:** 5/31/2019
- Action by Date:** 10/29/2019
- Comment(s):** The Applicant has also submitted an application for a Special Exception for a Gas Station in combination with a Food or Beverage Store, Special Exception 4816.
- Opposition:** Sangee and Sulojana Tharmarajah
- History:**

*Prior to the Oral Argument, Mr. Matthew Tedesco, Esq., attorney for the applicant, made a procedural argument to dismiss the exceptions to the ZHE decision due to lack of standing and Mr. Macey Nelson, attorney for protestants, Ms. Sangee Tharmarajah and Sulojana Tharmarajah, rebutted Mr. Tedesco's request and asked for the Council to proceed with the Oral argument and consider the exceptions/appeals. Stan Brown, People's Zoning Counsel, commented on the procedural arguments presented by the parties and suggested Council reserve the right to address the procedural issue subsequent to the Oral Argument hearing.*

*Ras Cannady, II, M-NCPPC, provided an overview of the ROW application. Mr. Macey Nelson, attorney for protestants, and Ms. Sangee Tharmarajah, appellant, spoke in opposition to the application. Matthew Tedesco, Esq., attorney for the applicant, spoke in support. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties. The Oral Argument Hearing was held and Council took this case under advisement.*

**This Authorization to Build in the Right of Way hearing was held and the case was taken under advisement.**

- Attachment(s):** [ROW- Royal Farms ZHE Decision](#)  
ROW - Royal Farms PORL

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**ORAL ARGUMENTS (Continued)**[A-10049](#)**Khan Property****Applicant(s):** Khan Properties, LLC**Location:** Located at the northwest quadrant of the intersection of U.S. 301 (Robert Crain Highway) and Missouri Avenue. Also, identified as 203 Crain Highway, Brandywine, Maryland (4.592 acres; R-R Zone).**Request:** Requesting approval of a Zoning Map Amendment to rezone approximately 4.592 acres of R-R (Rural Residential) zoned land to the C-M (Commercial Miscellaneous) Zone.**Council District:** 9**Appeal by Date:** 5/29/2019**Action by Date:** 10/28/2019**Opposition:** None**History:**

*Ras Cannady, II, M-NCPPC, provided an overview of the Zoning Map Amendment application. Mr. Edward C. Gibbs, Esq., attorney for the applicant, spoke in support. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties. The Oral Argument Hearing was held and Council took this case under advisement.*

**This Zoning Map Amendment hearing was held and the case was taken under advisement.**

**Attachment(s):** [A-10049 ZHE Decision](#)  
A-10049 PORL  
[A-10049 Technical Staff Report](#)

**NEW CASE(S)**[ERR-275](#)**Carrollton Manor Apartments****Validation of Permits No. M-549, 558-74PP, and CM-54281 Issued in Error**

- Applicant(s):** HGLC, LLLP / Carrollton Manor Apartments
- Location:** Located within an area governed by the New Carrollton Transportation Development Overlay Zone ("TDOZ"). A portion of the subject property lies within the municipal boundaries of the City of New Carrollton. (7.7992 Acres; R-18 Zone).
- Request:** Requesting approval for validation of Permits No. M-549, 558-74PP, and CM-54281 issued in error by the Department of Permitting, Inspections and Enforcement ("DPIE") and the City of New Carrollton, respectively to allow the rental of 187 apartment dwelling units within five (5) buildings.
- Council District:** 3
- Appeal by Date:** 6/24/2019
- Action by Date:** 10/21/2019
- Municipality:** City of New Carrollton
- Opposition:** None
- History:**

*Council referred item to staff for preparation of an approving document, with conditions in accordance with the Zoning Hearing Examiner's decision (Vote: 9-0; Absent: Council Members Franklin and Ivey).*

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

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

**Absent:** Franklin and Ivey

**Attachment(s):** [ERR-275 Zoning Hearing Examiners Decision](#)  
ERR-275 PORL

*In making the final decision in this case, the District Council should consider whether it wants to conduct an Oral Argument, pursuant to Section 27-131 (c)(2).*

**REFERRED FOR DOCUMENT**[ERR-277](#)**Juan Cruz Quispe****Validation of Multi-Family Rental Housing License M-993**

- Applicant(s):** Juan Cruz Quispe
- Location:** Located approximately 400 feet east of the intersection of Lindendale Drive and Baltimore Avenue (US 1), also identified as 8412 Lindendale Drive, Laurel, Maryland (.344 Acres; R-55 Zone).
- Request:** Requesting approval for validation of Prince George's County's Multi-Family Rental Housing License No. M-993, issued in error on December 1, 2015 for two multi-family dwelling units.
- Council District:** 1
- Appeal by Date:** 6/14/2019
- Action by Date:** 10/15/2019
- Opposition:** None
- History:**

*Council adopted the prepared Zoning Ordinance No. 10 - 2019 validating Prince George's County Multi-Family Rental Housing License No. M-993 (Vote: 9-0; Absent: Council Members Franklin and Ivey).*

**A motion was made by Council Member Dernoga, seconded by Vice Chair Streeter, that this Permit issued in error be approved. The motion carried by the following vote:**

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

**Absent:** Franklin and Ivey

**Attachment(s):** [ERR-277 Zoning Hearing Examiner's Decision](#)  
ERR-277\_PORL

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**ITEM(S) FOR DISCUSSION**[CNU-27104-2017](#)**Brandon Investments**

- Applicant(s):** Moises Arias / Brandon Investments, LLC
- Location:** On the north side of Fairview Avenue, approximately 0.25 mile west of the intersection of Fairview Avenue and MD 410 (East West Highway) (10,804 Square feet, R-18 Zone).
- Request:** Requesting approval of certification of a nonconforming use for a six-unit multifamily dwelling in the R-18 Zone.
- Council District:** 2
- Appeal by Date:** 4/25/2019
- Review by Date:** 4/25/2019
- Action by Date:** 9/16/2019

**History:**

*Council referred item to staff for preparation of an approving document (Vote: 9-0; Absent: Council Members Franklin and Ivey).*

**A motion was made by Council Member Taveras, seconded by Council Member Glaros, that this Certification of a Nonconforming Use be referred for document. The motion carried by the following vote:**

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

- Attachment(s):** [CNU-27104-2017 Planning Board Resolution 19-27](#)  
[CNU-27104-2017\\_PORL](#)  
[CNU-27104-2017 Technical Staff Report](#)



**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-15676-2018](#)****Kay Cares Child Care Center**

- Applicant(s):** Oluwafunke Gbadamosi
- Location:** Located in the southeast quadrant of the intersection of Palmer Road and MD 210 (Indian Head Highway) (38,768 square feet; R-18 Zone).
- Request:** Requesting approval for certification of a nonconforming use (CNU) for a day care center for 75 children.
- Council District:** 8
- Appeal by Date:** 7/11/2019
- Review by Date:** 7/11/2019
- History:**

*Council waived election to review for this item (Vote: 9-0; Absent: Council Members Franklin and Ivey).*

**A motion was made by Council Member Anderson-Walker, seconded by Council Member Glaros, that Council waive election to review for this Certification of a Nonconforming Use. The motion carried by the following vote:**

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

- Attachment(s):** [CNU-15676-2018 Planning Board Resolution](#)  
[CNU-15676-2018\\_PORL](#)  
[CNU-15676-2018 Technical Staff Report](#)

**PENDING FINALITY (Continued)**

*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 (Continued)****CSP-03001-01****Balk Hill Village**

**Applicant(s):** Balk Hill Ventures

**Location:** Located in the northeast corner of the intersection of MD 202 (Landover Road) and Saint Joseph's Drive. (125.4 Acres; M-X-T Zone).

**Request:** Requesting approval of a Conceptual Site Plan (CSP) amendment for Balk Hill Centre to revise the uses on Parcels 1 and 2 to reduce the commercial square footage from 349,480 to a range of 65,000 to 100,000 square feet and add 284 multifamily dwelling units.

**Council District:** 5

**Appeal by Date:** 7/25/2019

**Review by Date:** 7/25/2019

**History:**

*Council deferred this item to July 22, 2019.*

**This Conceptual Site Plan was deferred.**

**Attachment(s):** [CSP-03001-01 Planning Board Resolution 19-71](#)

[CSP-03001-01\\_PORL](#)

[CSP-03001-01\\_Technical Staff Report](#)

**PENDING FINALITY (Continued)**

*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 (Continued)****CSP-18004****Clinton Market Place North**

**Applicant(s):** Piscataway Clinton LLC

**Location:** Located in the southwest corner of the intersection of MD 223 (Piscataway Road) and Brandywine Road (21.26 Acres; M-X-T / M-I-O Zones).

**Request:** Requesting approval of a Conceptual Site Plan (CSP) for Clinton Market Place North for a mixed-use development consisting of 100-200 one-family attached (townhouses), 40-100 two-family attached (two-over-two condominium) dwelling units, and 35,000-70,000 square feet of commercial/retail uses.

**Council District:** 9

**Appeal by Date:** 7/11/2019

**Review by Date:** 7/11/2019

**History:**

*Council waived election to review for this item (Vote: 9-0; Absent: Council Members Franklin and Ivey).*

**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 - Turner, Anderson-Walker, Davis, Dernoga, Glaros, Harrison, Hawkins, Streeter and Taveras

**Absent:** Franklin and Ivey

**Attachment(s):** [CSP-18004 Planning Board Resolution 19-62](#)  
[CSP-18004\\_PORL](#)  
[CSP-18004 Technical Staff Report](#)

**PENDING FINALITY (Continued)**

*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 (Continued)**[DSP-15031-01](#)**EZ Storage College Park****Companion Case(s):** DDS-648; DPLS-459**Applicant(s):** Siena Corporation**Location:** Located on the south side of Branchville Road approximately 1,800 feet east of its intersection with Rhode Island Avenue (1.82 Acres; I-2 Zone).**Request:** Requesting for approval of a Detailed Site Plan (DSP) for a 122,190-square-foot, 950-unit consolidated storage facility on 1.82 acres, including variances to Section 27-474(b) of the Prince George's County Zoning Ordinance for minimum setback from the street, and Section 27-475.04(a)(1)(c) of the Zoning Ordinance for maximum building height.**Council District:** 1**Appeal by Date:** 7/18/2019**Review by Date:** 7/18/2019**History:**

*Council elected to review this item (Vote: 9-0; Absent: Council Members Franklin and Ivey).*

**A motion was made by Council Member Dernoga, seconded by Council Member Glaros, that this Detailed Site Plan be elected to review. The motion carried by the following vote:**

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

**Absent:** Franklin and Ivey

**Attachment(s):** [DSP-15031-01 Planning Board Resolution 19-65](#)  
 DSP-15031-01 PORL  
[DSP-15031-01 Technical Staff Report](#)

**PENDING FINALITY (Continued)**

*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 (Continued)**[DDS-648](#)**EZ Storage College Park****Companion Case(s):** DPLS-459; DSP-15031-01**Applicant(s):** Siena Corporation**Location:** Located on the south side of Branchville Road approximately 1,800 feet east of its intersection with Rhode Island Avenue (1.82 Acres; I-2 Zone).**Request:** Requesting approval of a Departure from Design Standards (DDS), from the requirements of Section 27-578(a) of the Prince George's County Zoning Ordinance, to allow the loading space size to be reduced to 10 feet wide by 20 feet long.**Council District:** 1**Appeal by Date:** 7/18/2019**Review by Date:** 7/18/2019**History:**

*Council elected to review this item (Vote: 9-0; Absent: Council Members Franklin and Ivey).*

**A motion was made by Council Member Dernoga, seconded by Vice Chair Streeter, that this Departure from Design Standards be elected to review. The motion carried by the following vote:**

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

**Absent:** Franklin and Ivey

**Attachment(s):** [DDS-648 Planning Board Resolution 19-67](#)

DDS-648\_PORL

[DDS-648 Technical Staff Report](#)

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**PENDING FINALITY (Continued)**

*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 (Continued)****[DPLS-459](#)****EZ Storage College Park****Companion Case(s):** DDS-648; DSP-15031-01**Applicant(s):** Siena Corporation**Location:** Located on the south side of Branchville Road approximately 1,800 feet east of its intersection with Rhode Island Avenue (1.82 Acres; I-2 Zone).**Request:** Requesting approval of a Departure from Parking and Loading Standards (DPLS), from the requirements of Section 27-568(a) of the Prince George's County Zoning Ordinance, to provide a reduced number of parking spaces.**Council District:** 1**Appeal by Date:** 7/18/2019**Review by Date:** 7/18/2019**History:**

*Council elected to review this item (Vote: 9-0; Absent: Council Members Franklin and Ivey).*

**A motion was made by Council Member Dernoga, seconded by Council Member Glaros, that this Departure from Parking and Loading Standards be elected to review.**

**The motion carried by the following vote:**

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

**Absent:** Franklin and Ivey

**Attachment(s):** [DPLS- Planning Board Resolution 19-66](#)[DPLS-459 PORL](#)[DPLS-459 Technical Staff Report](#)

**PENDING FINALITY (Continued)**

*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 (Continued)**[DSP-05036-03](#)**Villages of Savannah**

- Applicant(s):** Mid-Atlantic Builders, Inc.
- Location:** Located on the west side of Brandywine Road, approximately 5,000 feet north of the intersection of Brandywine Road and Floral Park Road (518.16 Acres; R-R Zone).
- Request:** Requesting approval of a Detailed Site Plan (DSP) to revise the recreational facilities and the on-site trail network for a 357 single-family detached cluster subdivision.
- Council District:** 9
- Appeal by Date:** 7/25/2019
- Review by Date:** 7/25/2019
- History:**

*Council deferred this item to July 22, 2019.*

**This Detailed Site Plan was deferred.**

- Attachment(s):** [DSP-05036-03 Planning Board Resolution 19-70](#)  
[DSP-05036-03 Technical Staff Report](#)

**PENDING FINALITY (Continued)**

*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 (Continued)****DSP-17007****College Park Metro Apartments Expedited Transit-Oriented Development Project**

- Applicant(s):** Robert Gilbane
- Location:** Located on the west side of River Road, immediately south of the College Park Metro Station, approximately 530 feet south of the intersection of River Road and Campus Drive. The subject property is also located in the Metro Core Area of the 2015 Approved College Park-Riverdale Transit District Development Plan (College Park-Riverdale TDDP) (5.58 Acres; M-U-I / T-D-O Zones).
- Request:** Requesting approval of a Detailed Site Plan (DSP) proposing to construct a five-story, vertical, mixed-use building with 451 dwelling units and approximately 4,998 square feet of ground-floor commercial/retail space.
- Council District:** 3
- Appeal by Date:** 7/25/2019
- Review by Date:** 7/25/2019
- Comment(s):** Expedited TOD:  
This case is designated for expedited review in accordance with Sections 27-107-01(a)(242.2)(B) and 27-290.01.
- Municipality:** City of College Park
- History:**

*Council waived election to review for this item (Vote: 9-0; Absent: Council Members Franklin and Ivey).*

**A motion was made by Council Member Glaros, 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 - Turner, Anderson-Walker, Davis, Dernoga, Glaros, Harrison, Hawkins, Streeter and Taveras

**Absent:** Franklin and Ivey

**Attachment(s):** [DSP-17007 Planning Board Resolution 19-74](#)  
[DSP-17007\\_PORL](#)  
[DSP-17007\\_Technical Staff Report](#)



**PENDING FINALITY (Continued)**

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-14026-02****Amore Apollo Expedited Transit-Oriented Development**

- Applicant(s):** Ascend Apollo, LLC
- Location:** Located in the northwest quadrant of the intersection of Harry S. Truman Drive and Lottsford Road. (19.75 Acres; M-X-T / D-D-O Zones).
- Request:** Requesting approval of a Detailed Site Plan (DSP) amendment for the Phase II mixed-use building and includes a revision of the architecture, a modification of the building footprint, and a reduction in the number of dwelling units from 422 to 379, while retaining 4,489 square feet of commercial/retail uses.
- Council District:** 6
- Appeal by Date:** 8/1/2019
- Review by Date:** 9/1/2019
- Comment(s):** Expedited TOD:  
This case is designated for expedited review in accordance with Sections 27-107-01(a)(242.2)(B) and 27-290.01.

**History:**

*Council deferred this item to July 22, 2019.*

**This Detailed Site Plan was deferred.**

- Attachment(s):** [DSP-14026-02 Planning Board Resolution 19-75](#)  
[DSP-14026-02 Technical Staff Report](#)

**ADJ88-19****ADJOURN****History:**

*The meeting was adjourned at 12:14 p.m. (Vote: 9-0; Absent: Council Members Franklin and Ivey).*

**A motion was made by Council Member Anderson-Walker, seconded by Council Member Davis, that this meeting be adjourned. The motion carried by the following vote:**

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

Prepared by:

\_\_\_\_\_  
Leonard Moses, Zoning Assistant

Submitted by:

\_\_\_\_\_  
Donna J. Brown, Acting Clerk of the Council