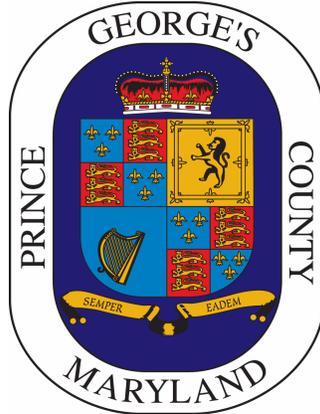


Prince George's County Council

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



Zoning Agenda - Final

**Monday, June 14, 2021
10:00 AM**

VIRTUAL MEETING

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

Robert J. Williams, Jr., Council Administrator

RULES OF COURTESY (VIRTUAL)

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 ensure 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.

VIRTUAL DISTRICT COUNCIL MEETINGS

Given the current state of the novel coronavirus (COVID-19) pandemic, and under the Governor's "Proclamation and Declaration of State of Emergency and Existence of Catastrophic Health Emergency – COVID-19" and the Prince George's County State of Emergency Declarations, the District Council is operating under emergency procedures. As authorized by CB-33-2020 hearings will be conducted virtually and in accordance with District Council Rules of Procedure.

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. Testimony at Oral Argument Hearings must be based on the record, and no new evidence will be permitted. Only persons of record may testify. Persons of Record wishing to give oral argument on a specific case should register with the Clerk of the Council by email to clerkofthecouncil@co.pg.md.us or faxed to (301) 952-5178 by 3:00 p.m. on the day BEFORE the meeting.

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. Five (5) minute rebuttal from the side requesting hearing
5. Five (5) minute rebuttal from the side favoring decision
6. Comments by the People's Zoning Counsel

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. State your name and address for the record and 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 and interpreters for non-english speakers 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.

FOR LIVE STREAMING AND VIDEO VISIT OUR WEBSITE AT: <http://pgccouncil.us/LIVE>
PLEASE SILENCE ALL CELLULAR PHONES DURING THE MEETING.

VIEW USING THE LINK PROVIDED AT: <https://pgccouncil.us/LIVE>

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

INVOCATION / MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 05242021](#)

District Council Minutes dated May 24, 2021

Attachment(s):

[DRAFT District Council Minutes dated 5-24-2021](#)

[MINDC 06022021](#)

District Council Minutes dated June 2, 2021

Attachment(s):

[DRAFT District Council Minutes dated 6-02-2021](#)

[MINDC 06082021](#)

District Council Minutes dated June 8, 2021

Attachment(s):

[DRAFT District Council Minutes dated 6-08-2021](#)

ORAL ARGUMENTS**DSP-16004****Oaklawn****Applicant(s):**

Daniel Mwavua

Location:

Located on the east side of Allentown Road, approximately 400 feet south of the intersection of Allentown Road and Tucker Road (1.63 Acres; R-R Zone).

Request:

Requesting approval of a Detailed Site Plan (DSP) to develop three single-family detached dwelling units.

Council District:

8

Appeal by Date:

4/29/2021

Review by Date:

4/29/2021

Action by Date:

6/25/2021

History:

02/03/2021	M-NCPPC Technical Staff	approval with conditions
03/25/2021	M-NCPPC Planning Board	approval with conditions
04/12/2021	Sitting as the District Council	deferred
	<i>Council deferred this item to April 26, 2021.</i>	
04/26/2021	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote: 10-0: Absent: Council Member Franklin).</i>	
05/06/2021	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
05/24/2021	Sitting as the District Council	announced hearing date

Attachment(s):

[DSP-16004 Zoning Agenda Item Summary](#)
[DSP-16004 Notice of Oral Argument Hearing](#)
[DSP-16004 Planning Board Resolution 2021-30 - Signed](#)
 DSP-16004_PORL
[DSP-16004 Technical Staff Report](#)
[DSP-16004 Transcripts 2.18.21](#)
[DSP-16004 Planning Board Record](#)
[DSP-16004 Presentation Slides](#)
[DSP-16004 PZC Notice of Intention to Participate District](#)

NEW CASE(S)

[ROW- Winfield Kelly Jr.](#) **Winfield Kelly, Jr.**

Applicant(s): Winfield Kelly, Jr.

Location: Located approximately 2,000 feet beyond the municipal boundaries of the City of Bowie, Maryland, and is identified as 7111 NE Crain Highway, Bowie, Maryland (7.93 Acres; C-M Zone).

Request: Requesting authorization to Issue Building Permit for a structure within a Proposed Right-of-Way to authorize the issuance of Permit No. 16977-2020-CGU to construct a multi-tenant commercial/retail/service building within the proposed right-of-way of E-1, associated with the interchange of Central Avenue (MD 214), Crain Highway (US 301) and Old Central Avenue as depicted (in differing iterations) on PGAtlas, the 2009 County Master Plan of Transportation and the US 301 Access Control Study Plan prepared by the State Highway Administration (“SHA”) in 1999.

Council District: 4

Appeal by Date: 7/5/2021

Action by Date: 11/1/2021

Opposition: None

History:

12/02/2020	Applicant	filed
	<i>Russell W. Shipley, Esq., attorney for the owner, filed a request for authorization of the issuance of a building permit within a proposed right-of-way.</i>	
12/23/2020	Applicant	filed
01/04/2021	Clerk of the Council	transmitted
	<i>The Clerk of the Council transmitted the case to the Zoning Hearing Examiner for a public hearing.</i>	
06/03/2021	Zoning Hearing Examiner	approval

Attachment(s):

[ROW-Winfield Kelly Jr. Zoning Agenda Item Summary](#)

[ROW-Winfield Kelly Jr. Notice of ZHE Decision](#)

[ROW-Winfield Kelly Jr. ZHE Decision](#)

[ROW-Winfield Kelly Jr. Exhibit List](#)

ROW-Winfield Kelly Jr. PORL

[ROW- Winfield Kelly Jr. Memo to Clerk](#)

[ROW-Winfield Kelly, Jr. Transcripts 03-03-2021](#)

[ROW-Winfield Kelly, Jr. Case File](#)

REFERRED FOR DOCUMENT**CSP-20002****Terrapin House****Applicant(s):**

12300 Carrol Investors and Terrapin Main Street LLC

Location:

Located on the north side Hartwick Road, between Yale Avenue and US 1 (Baltimore Avenue) (0.89 Acres; M-U-I / R-55 Zones).

Request:

Requesting approval of a Conceptual Site Plan (CSP) application to rezone part of the property from One-Family Detached Residential (R-55) to the Mixed Use-Infill (M-U-I) Zone for a future mixed-use development to include 160 to 175 multifamily residential units and 10,000 to 15,000 square feet of commercial/retail uses.

Council District:

3

Appeal by Date:

5/20/2021

Review by Date:

5/20/2021

Action by Date:

6/21/2021

Comment(s):

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

Municipality:

College Park

History:

03/10/2021	M-NCPPC Technical Staff	approval with conditions
04/15/2021	M-NCPPC Planning Board	approval with conditions
04/22/2021	Clerk of the Council	mailed
	<i>Notice of Mandatory Review Hearing (using Oral Argument Procedures) was mailed to Persons of Record.</i>	
05/10/2021	Sitting as the District Council	announced hearing date
05/24/2021	Sitting as the District Council	hearing held; referred for document

Adam Bossi, M-NCPPC planning staff, provided an overview of the Conceptual Site Plan application. Matthew Tedesco Esq., attorney for the applicant spoke in support along with Terry Schum, Planning Director, and Miriam Bader, Senior Planner, City of College Park. 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 referred item to staff for preparation of an approving document in accordance with the Planning Board's corrected resolution (Vote: 10-0; Absent: Council Member

Anderson-Walker).

Attachment(s):

[CSP-20002 Zoning Agenda Item Summary](#)

[CSP-20002 Presentation Slides](#)

[CSP-20002 Notice of District Council Hearing](#)

[CSP-20002 Planning Board Resolution 2021-45 - Signed](#)

[CSP-20002_PORL](#)

[CSP-20002 Technical Staff Report](#)

[CSP-20002 Planning Board Record](#)

[CSP-20002 Transcripts 03-25-2021](#)

[PZC Notice of Intention to Participate](#)

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**CDP-0302-H1****Balmoral, Lot 24 Block C (Vala Deck)****Applicant(s):**

Carine Vala

Location:

Located at 4001 House of Lords Drive, on the southside of Governor's Park Lane, approximately 2,160 feet west of its intersection with US 301 (0.22 Acres; R-S Zone).

Request:

Requesting approval of a Comprehensive Design Plan (CDP) to construct an elevated deck at the rear of the existing single-family detached dwelling within the rear yard setback.

Council District:

6

Appeal by Date:

5/27/2021

Review by Date:

6/28/2021

Comment(s):

This case was originally transmitted on April 27, 2021 and retransmitted on May 27, 2021 to comply with affidavit requirements.

History:

04/06/2021

M-NCPPC Technical Staff

approval

04/22/2021

M-NCPPC Planning Board

approval

Attachment(s):[CDP-0302-H1 Zoning Agenda Item Summary](#)[CDP-0302-H1 Planning Board Resolution 2021-36 - Signe](#)

CDP-0302-H1_PORL

[CDP-0302-H1 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.

DSP-19041**East Pines**

Companion Case(s): DPLS-488

Applicant(s): DVG Apartments

Location: Located on the east side of Riverdale Road, approximately 660 feet west of Veterans Parkway (3.24 acres; R-18 / R-55 Zone).

Request: Requesting approval of a Detailed Site Plan (DSP) for the development of a mixed-use building and attached parking structure to include 224 multifamily dwelling units and 13,960 square feet of ground floor commercial space.

Council District: 3

Appeal by Date: 6/24/2021

Review by Date: 6/24/2021

History:

04/13/2021 M-NCPPC Technical Staff approval with conditions

05/20/2021 M-NCPPC Planning Board approval with conditions

Attachment(s): [DSP-19041 Zoning Agenda Item Summary](#)
[DSP-19041 Planning Board Resolution 2021-58 - Signed](#)
 DSP-19041 PORL
[DSP-19041 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.

DPLS-488**East Pines**

Companion Case(s): DSP-19041

Applicant(s): DVG Apartments

Location: Located on the east side of Riverdale Road, approximately 660 feet west of Veterans Parkway (3.24 acres; R-18 / R-55 Zone).

Request: Requesting approval of a Departure from Parking and Loading Standards (DPLS) for a reduction of 250 parking spaces from 553 to 303.

Council District: 3

Appeal by Date: 6/24/2021

Review by Date: 6/24/2021

History:

04/13/2021 M-NCPPC Technical Staff approval

05/20/2021 M-NCPPC Planning Board approval

Attachment(s): [DPLS-488 Zoning Agenda Item Summary](#)
[DPLS-488 Planning Board Resolution 2021-59 - Signed](#)
 DPLS-488_PORL
[DPLS-488 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.

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

History:

04/20/2021

M-NCPPC Technical Staff

approval with conditions

05/27/2021

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-20015 Zoning Agenda Item Summary](#)[DSP-20015 Planning Board Resolution 2021-62 Signed](#)

DSP-20015_PORL

[DSP-20015 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.

DSP-20041**Suitland Carwash****Applicant(s):**

Andre Reveley

Location:

Located on the west side of Suitland Road, approximately 417 feet west of its intersection with Marianne Drive (2.73 Acres; C-M / D-D-O / M-I-O Zones).

Request:

Requesting approval of a Detailed Site Plan (DSP) for development of a 4,820-square-foot car wash.

Council District:

7

Appeal by Date:

7/8/2021

Review by Date:

7/8/2021

Municipality:

Morningside

History:

04/28/2021

M-NCPPC Technical Staff

approval with conditions

06/03/2021

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-20041 Zoning Agenda Item Summary](#)[DSP-20041 Planning Board Resolution 2021-64 - Signed](#)

DSP-20041_PORL

[DSP-20041 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.

SDP-2001**801 Prince George's Boulevard Property****Applicant(s):**

Collington Center, LLC Lot 14B

Location:

Located at the northwest corner of the intersection of Prince George's Boulevard and Branch Court (7.44 Acres; E-I-A Zone).

Request:

Requesting approval of a Specific Design Plan (SDP) for a 102,455-square-foot warehouse with office space in the Employment and Institutional (E-I-A) Zone.

Council District:

4

Appeal by Date:

6/24/2021

Review by Date:

6/24/2021

History:

04/13/2021

M-NCPPC Technical Staff

approval with conditions

05/20/2021

M-NCPPC Planning Board

approval with conditions

Attachment(s):[SDP-2001 Zoning Agenda Item Summary](#)[SDP-2001 Planning Board Resolution 2021-57 - Signed](#)

SDP-2001_PORL

[SDP-2001 Technical Staff Report](#)

CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING ON JUNE 21, 2021 AT 10:00 A.M.*Hearing Dates & Times Subject to Change*[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:

03/15/2017	M-NCPPC Technical Staff	approval with conditions
03/30/2017	M-NCPPC Planning Board	no motion to consider
07/21/2017	Zoning Hearing Examiner	approval with conditions
09/11/2017	Sitting as the District Council	elected to make the final decision
	<i>Council elected to make the final decision on this item (Vote: 9-0).</i>	
09/21/2017	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
10/23/2017	Sitting as the District Council	case taken under advisement
	<i>Taslima Alam, M-NCPPC, provided an overview of the Special Exception application. Arthur Horne, Esq., spoke in support, on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented. The Oral Argument hearing was held and Council took this case under advisement.</i>	

02/12/2018	Sitting as the District Council	referred for document
	<i>Council referred item to staff for preparation of a disapproving document (Vote: 8-0; Absent: Council Member Toles).</i>	
02/12/2018	Sitting as the District Council	disapproval
	<i>Council referred item to staff for preparation of a disapproving document (Vote: 8-0; Absent: Council Member Toles).</i>	
02/15/2018	Clerk of the Council	mailed
	<i>The Notice of Final Decision of the District Council was mailed to Persons of Record.</i>	
02/21/2018	Applicant	filed
	<i>Mr. Arthur Horne, Esquire, attorney for the applicant, requested reconsideration of the District Council's February 12, 2018 decision.</i>	
02/26/2018	Sitting as the District Council	case taken under advisement
	<i>Council took this case under advisement.</i>	
03/13/2018	Applicant	filed
	<i>Dennis Whitley II, Esquire, attorney for the applicant, filed a Petition for Judicial Review in Circuit Court.</i>	
03/20/2018	Applicant	withdrawn
	<i>Arthur J. Horne, Jr., Esquire, attorney for the applicant, withdrew his request for District Council to reconsider its action since the Council took it under advisement and the applicant has filed an appeal to the Circuit Court.</i>	
03/26/2018	Sitting as the District Council	no action
	<i>Chair Glaros announced that the request for reconsideration was withdrawn; therefore, no action was required by the District Council.</i>	
01/11/2021	Circuit Court	remanded
	<i>The Circuit Court remanded the matter back to the District Council with instructions to conduct further proceedings on the merits of the Petitioner's application in Special Exception 4774 and Variance 4774 consistent with the opinion of the Court of Special Appeals.</i>	
05/10/2021	Sitting as the District Council	elected to make the final decision
	<i>Council directed the Clerk to schedule an Oral Argument hearing for this item in accordance with the Circuit Court Remand (Vote: 11-0).</i>	

Attachment(s): [SE-4774 Circuit Court Order Remanding Case to District \(](#)
[SE-4774 Notice of District Council Final Decision](#)
[SE-4774 Zoning Agenda Item Summary](#)
[SE-4774 Zoning Hearing Examiner Decision](#)
SE-4774 PORL
[SE-4774 Technical Staff Report](#)

BRIEFING - (VIRTUAL MEETING)

[BR 06142021](#)

**Briefing: Prince George's County Alumnae Chapter, Delta Sigma
Theta Sorority, Incorporated**

Miriam L. Brewer, PGCAC Chapter President

Barbara C. Gardner, PGCAC Social Action Committee Co-Chair

Deborah C. Wilder, Member, National Social Action Commission

Bonnie Sermons Sullivan, PGCAC Social Action Committee Co-Chair

Denise G. Smith, PGCAC County Engagement Subcommittee

[ADJ25-21](#)

ADJOURN