



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

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, March 13, 2017

10:00 AM

Council Hearing Room

9:30 AM AGENDA BRIEFING - (ROOM 2027)

11:19 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 Chairman Davis at 10:41 a.m. with seven members present at roll call. Council Member Glaros arrived at 11:19 a.m.

Present: 8 - Chairman Derrick Davis
 Vice Chair 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

Absent: Council Member Mel Franklin

*Also Present: Stan Brown, People's Zoning Counsel
William M. Hunt, Deputy Council Administrator
Rajesh Kumar, Principal Counsel to the District Council
Redis C. Floyd, Clerk of the Council
Donna J. Brown, Deputy Clerk of the Council*

*M-NCPPC
Taslima Alam, Development Review Division
Henry Zhang, Supervisor, Development Review Division*

INVOCATION

The Invocation was provided by Mr. Johnie L. Higgs, County Employee. Council Member Toles requested prayer for her nephew, David Mason, on his 8th birthday. Council Member Harrison requested prayer for the family of Roland Kenner in his passing. Council Member Taveras requested prayer for Michael Herman in the total loss of his home due to fire.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Lehman.

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 02272017](#)

District Council Minutes dated February 27, 2017

A motion was made by Council Member Turner, seconded by Council Member Harrison, that these Minutes be approved. The motion carried by the following vote:

Aye: 7 - Davis, Harrison, Lehman, Patterson, Taveras, Toles and Turner

Absent: Glaros and Franklin

Attachment(s): [2-27-2017 District Council Minutes DRAFT](#)

[MINDC 03072017](#)

District Council Minutes dated March 7, 2017

A motion was made by Council Member Turner, seconded by Council Member Harrison, that these Minutes be approved. The motion carried by the following vote:

Aye: 7 - Davis, Harrison, Lehman, Patterson, Taveras, Toles and Turner

Absent: Glaros and Franklin

Attachment(s): [3-07-2017 District Council Minutes DRAFT](#)

ORAL ARGUMENTS

[CNU-48061-2015](#)

McGhee Property

Applicant(s): Tommy and Fred McGhee

Location: Located approximately 100 feet west of its intersection with Ventura Avenue and Old Central Avenue (MD214). The rectangular shaped property, which consists of part of Lot 2, is comprised of 0.50 acre of land in the R-T (Townhouse) and T-D-O (Transit-District-Overlay) Zone (0.5 Acres; R-T / T-D-O Zones).

Request: Requesting approval of a certification of nonconforming use for an automotive repair facility with four service bays and an automobile parking compound in accordance with Subtitle 27 of the Prince George's County Code.

Council District: 7

Appeal by Date: 2/9/2017

Review by Date: 2/9/2017

Action by Date: 5/12/2017

History:

Taslina Alam, M-NCPPC, provided an overview of the application for certification of a non-conforming use. Michael Nagy, 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 Certification of a Nonconforming Use hearing was held and the case was taken under advisement.

Attachment(s): [CNU-48061-2015 Zoning AIS](#)
[CNU-48061-2015 Planning Board Resolution](#)
[16-141](#)
CNU-48061-2015_PORL

ORAL ARGUMENTS (Continued)[DSP-15039](#)**Daycare Center at 6000 Marlboro Pike****Applicant(s):** Rosbor, Tillie**Location:** Located in the northeast quadrant of the intersection of Belwood Street and Marlboro Pike, at 6000 Marlboro Pike (0.74 Acres; C-S-C Zone).**Request:** Requesting approval of a Detailed Site Plan for a 2,757-square-foot day care center for 63 children. The applicant proposes to locate the daycare center in an existing building previously used for a professional office.**Council District:** 7**Appeal by Date:** 2/9/2017**Review by Date:** 2/9/2017**Action by Date:** 3/24/2017**History:**

Henry Zhang, M-NCPPC, provided an overview of the Detailed Site Plan application. James Reid, 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 Detailed Site Plan hearing was held and the case was taken under advisement.

Attachment(s): [DSP-15039 Zoning AIS](#)
[DSP-15039 Planning Board Resolution 16-153](#)
DSP-15039_PORL
[DSP-15039 Technical Staff Report](#)

REFERRED FOR DOCUMENT[CNU-31260-2015-U](#)**MT Laney****Applicant(s):** Laney Recycling LLC**Location:** Located on the west side of Old Gunpowder Road, north of the intersection of Contee Road and approximately 300 feet south of the intersection of Old Gunpowder Road and Sandy Spring Road, also identified as 14852 Old Gunpowder Road, Laurel, Maryland (7.325 Acres; I-2 Zone).**Request:** Requesting approval of a Certification of a Non-Conforming Use for a Concrete Recycling Facility. Certification of the existing concrete recycling plant is required due to the adoption of CB-78-2004.**Council District:** 1**Appeal by Date:** 2/14/2017**Action by Date:** 3/16/2017**Opposition:** None**History:**

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

A motion was made by Council Member Lehman, seconded by Council Member Harrison, that this Certification of a Nonconforming Use be approved with conditions.

The motion carried by the following vote:

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

Absent: Franklin

Attachment(s): [CNU-31260-2015-U ZoningAIS](#)
[CNU-31260-2015-U Zoning Hearing Examiner Decision](#)
CNU-31260-2015-U PORL

REFERRED FOR DOCUMENT (Continued)**ERR-262****Westwood Place Apartments, LLC****Validation of Multifamily Rental License No. M-1160 Issued in Error****Applicant(s):** Westwood Place Apartments, LLC**Location:** Located in the R-18 (Multifamily Medium Density Residential) Zone, and identified as 7200 Jaywick Avenue, Fort Washington, Maryland (11.65 Acres; R-18 Zone).**Request:** Requesting approval for validation of Prince George's County Multifamily Rental License No. M-1160 issued in error for a 246-unit apartment building located in the R-18 (Multifamily Medium Density Residential) Zone.**Council District:** 8**Appeal by Date:** 2/10/2017**Action by Date:** 5/11/2017**Opposition:** None**History:**

Council adopted the prepared Zoning Ordinance No. 2-2017 validating Multifamily Rental License No. M-1160 (Vote 8-0; Absent: Council Member Franklin).

A motion was made by Council Member Patterson, seconded by Council Member Harrison, that this Permit issued in error be approved. The motion carried by the following vote:

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

Absent: Franklin

Attachment(s): [ERR-262 Zoning AIS](#)
[ERR-262 Zoning Hearing Examiner Decision](#)

ITEM(S) FOR DISCUSSION (Continued)**DSP-15025****6320 Allentown Road Day Care Center**

Applicant(s): ABDOW Family, LLC.

Location: Located in the northeast quadrant of the intersection of Allentown Road and Allentown Way, at 6320 Allentown Road in Camp Springs (0.46 Acres; C-S-C / M-I-O Zones).

Request: Requesting approval of a Detailed Site Plan for a day care center for 78 children. The applicant proposes to locate the daycare center in an existing building that was previously used as a real estate office.

Council District: 8

Appeal by Date: 2/9/2017

Review by Date: 2/9/2017

Action by Date: 3/24/2017

History:

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

A motion was made by Council Member Patterson, seconded by Vice Chair Glaros, that this Detailed Site Plan be referred for document. The motion carried by the following vote:

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

Absent: Franklin

Attachment(s): [DSP-15025_Zoning AIS](#)
[DSP-15025 Planning Board Resolution 16-154](#)
DSP-15025_PORL

ITEM(S) FOR DISCUSSION (Continued)**DSP-16021****River of Life Church****Applicant(s):** River of Life Church**Location:** Located on the south side of Norcross Street, approximately 260 feet southeast of its intersection with Saint Clair Drive (8.98 Acres; R-55 Zone).**Request:** Requesting approval of a Detailed Site Plan to increase an existing day care center enrollment from 30 to 55 children.**Council District:** 7**Appeal by Date:** 11/24/2016**Review by Date:** 11/24/2016**Action by Date:** 2/13/2017**History:**

Stan Brown, People's Zoning Counsel, spoke to the process and clarified that the motion will allow the case to be scheduled for a reconsideration hearing.

Council reconsidered this item and set it in for a reconsideration hearing (Vote: 8-0; Absent: Council Member Franklin).

A motion was made by Council Member Toles, seconded by Vice Chair Glaros, that this Detailed Site Plan be reconsidered. The motion carried by the following vote:

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

Absent: Franklin

Attachment(s): [DSP-16021 Zoning AIS](#)
[DSP-16021 Planning Board Resolution 16-120](#)
DSP-16021_PORL
[DSP-16021 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.

(a) ZONING HEARING EXAMINER

In the event the District Council elects to make the final decision in this case, an oral argument will be scheduled pursuant to Sec. 27-131 of the Zoning Ordinance.

[SE-4778](#)**Dollar General**

- Applicant(s):** Fort Knox Upper Marlboro II, LLC. t/a Dollar General
- Location:** Located on the south side of Marlboro Pike (MD 725), approximately 1,000 feet west of its intersection with Robert S. Crain Highway (US 301), also identified as 15301 Marlboro Pike, Upper Marlboro, Maryland (1.30 Acres; I-1 Zone).
- Request:** Requesting approval of a special exception to construct a 10,800-square-foot one-story department or variety store, specifically a Dollar General store.
- Council District:** 9
- Appeal by Date:** 3/27/2017
- Review by Date:** 3/27/2017
- Opposition:** None
- History:**

Council took no action on this item.

Council did not elect to make the final decision on this Special Exception.

- Attachment(s):** [SE-4778 Zoning AIS](#)
[SE-4778 Zoning Hearing Examiner Decision](#)
SE-4778 PORL
[SE-4778 Technical Staff Report](#)

PENDING FINALITY (Continued)**(b) PLANNING BOARD****[DDS-634](#)****George Kalonturas Property**

Companion Case(s): DPLS-433

Applicant(s): George Kalonturas

Location: Located on the north side of Spring Lane, approximately 120 feet east of Kenilworth Avenue (MD 201), also identified as 5410 Spring Lane, Riverdale Park, Maryland (0.13 Acres; R-55 Zone).

Request: Requests a Departure from Design Standards from Section 4.2, Requirements for Landscape Strips Along Streets, and Section 4.7, Buffering Incompatible Uses, of the 2010 Prince George's County Landscape Manual requirements.

Council District: 3

Appeal by Date: 3/30/2017

Review by Date: 3/30/2017

Municipality: Town of Riverdale Park

History:

Council deferred this item to March 27, 2017.

This Departure from Design Standards was deferred.

Attachment(s): [DDS-634 Zoning AIS](#)
[DDS-634 Planning Board Resolution 17-18](#)
DDS-634_PORL
[DDS-634 Technical Staff Report](#)

PENDING FINALITY (Continued)**[DPLS-433](#)****George Kalonturas Property**

Companion Case(s): DDS-634

Applicant(s): George Kalonturas

Location: Located on the north side of Spring Lane, approximately 120 feet east of Kenilworth Avenue (MD 201), also identified as 5410 Spring Lane, Riverdale Park, Maryland (0.13 Acres; R-55 Zone).

Request: Requesting approval of a Departure from Parking and Loading Standards for a departure of the two required parking spaces because access to the parking is located within a right-of-way.

Council District: 3

Appeal by Date: 3/30/2017

Review by Date: 3/30/2017

Municipality: Town of Riverdale Park

History:

Council deferred this item to March 27, 2017.

This Departure from Parking and Loading Standards was deferred

Attachment(s): [DPLS-433 Zoning AIS](#)
[DPLS-433 Planning Board Resolution 17-19](#)
DPLS-433_PORL
[DPLS-433 Technical Staff Report](#)

PENDING FINALITY (Continued)[DDS-636](#)**New Carrollton Town Center, Phase 1A****Companion Case(s):** DSP-16043**Applicant(s):** New Carrollton Developer, LLC**Location:** Located on the north side of Garden City Drive, in the northwest quadrant of its intersection with John Hanson Highway (US 50). The subject property is also located in the Metro Core Neighborhood of the New Carrollton TDDP. The property is abutting the east side of the New Carrollton Metro Station and includes property owned by the Washington Metropolitan Area Transit Authority (WMATA) (15.5 Acres; M-X-T / T-D-O Zones).**Request:** Requesting approval for a Departure from Design Standards (DDS) from Section 27-558(a) of the Zoning Ordinance to allow a reduced standard, nonparallel, parking space size of 8.5 by 19 feet to be used for parking spaces within the parking garage.**Council District:** 3**Appeal by Date:** 3/30/2017**Review by Date:** 3/30/2017**History:**

Council took no action on this item.

This Departure from Design Standards was not elected to review by Council.

Attachment(s): [DDS-636 Zoning AIS](#)
[DDS-636 Planning Board Resolution 17-35](#)
DDS-636_PORL
[DDS-636 Technical Staff Report](#)

PENDING FINALITY (Continued)**DPLS-425****Sheriff Road Seventh Day Adventist**

- Applicant(s):** The Seventh Day Adventist Church of Sheriff Road
- Location:** Located at the intersection of Eastern Avenue and 59th Avenue, also identified as 602 59th Avenue, Fairmount Heights, Maryland, 20743. The corner property has frontage on both 59th Avenue and Eastern Avenue (0.286 Acres; R-55 Zone).
- Request:** Requesting approval for a Departure from Parking and Loading Standards for ten of the required ten off-street parking spaces.
- Council District:** 5
- Appeal by Date:** 3/30/2017
- Review by Date:** 3/30/2017
- Comment(s):** This case has a companion case, SE-4750, that is currently scheduled for a hearing by the Zoning Hearing Examiner.
- Municipality:** Town of Fairmount Heights
- History:**

Council elected to review this item (Vote: 8-0; Absent: Council Member Franklin).

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

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

Absent: Franklin

Attachment(s): [DPLS-425 Zoning AIS](#)
[DPLS-425 Planning Board Resolution 17-24](#)
DPLS-425_PORL
[DPLS-425 Technical Staff Report](#)

CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING ON MARCH 27, 2017, 1:30 P.M.

Hearing Dates & Times Subject to Change

[DSP-16043](#)

New Carrollton Town Center, Phase 1A
Expedited Transit-Oriented Development Project

Companion Case(s): DDS-636

Applicant(s): New Carrollton Developer, LLC

Location: Located on the north side of Garden City Drive, in the northwest quadrant of its intersection with John Hanson Highway (US 50). The subject property is also located in the Metro Core Neighborhood of the 2010 Approved New Carrollton Transit District Development Plan and Transit District Overlay Zoning Map Amendment (New Carrollton TDDP / TDOZMA). The property is abutting the east side of the New Carrollton Metro Station and includes property owned by the Washington Metropolitan Area Transit Authority (WMATA) (15.5 Acres; M-X-T / T-D-O Zones).

Request: Requesting approval of a Detailed Site Plan for development on Parcels 1 and 2 to construct an eight-story commercial office building and a seven-story parking garage as Phase 1A of a multiphase mixed-use development.

Council District: 3

Appeal by Date: 3/30/2017

Review by Date: 3/30/2017

Action by Date: 4/3/2017

Comment(s): District Council review of this case is required by Section 27-548.09.01 of the Zoning Ordinance for an amendment to the building height as dictated by the 2010 Approved New Carrollton Transit District Development Plan and Transit District Overlay Zoning Map Amendment.

This Detailed Site Plan hearing date was announced.

Attachment(s): [DSP-16043 Zoning AIS](#)
[DSP-16043 Planning Board Resolution 17-34](#)
DSP-16043_PORL
[DSP-16043 Technical Staff Report condensed](#)

RECESS

Meeting went into Recess

RECONVENE

[AddDC57](#)

ADDITION TO THE AGENDA

A motion was made by Vice Chair Glaros, seconded by Council Member Turner, to accept the additions package. The motion carried by the following vote:

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

Absent: Franklin

ANNOUNCEMENTS

Chairman Davis announced that the public hearing on appointments to the Common Ownership Communities would be postponed to 3/21/2017 at 10:00 a.m.

12:52 PM ADJOURN

The meeting was adjourned at 12:53 p.m.

1:48 PM COMMITTEE OF THE WHOLE - BRIEFING ON ZONING ORDINANCE REWRITE - (COUNCIL HEARING ROOM)

(SEE SEPARATE AGENDA)

Prepared by:

Leonard Moses, Zoning Assistant

Submitted by:

Redis C. Floyd, Clerk of the Council