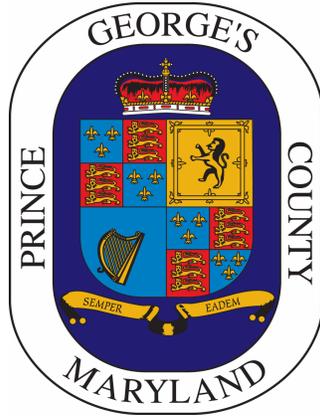


# Prince George's County Council

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



## **Zoning Agenda - Final**

**(9:30 AM Agenda Briefing Rm 2027)**

**Monday, March 12, 2018**

**10:00 AM**

**Council Hearing Room**

## **Sitting as the District Council**

*Dannielle M. Glaros, District 3, Chair*

*Derrick Leon Davis, District 6*

*Mel Franklin, District 9*

*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, Vice Chair*

*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. All District Council Sessions are public meetings, however, a part of the meeting may be conducted in closed session.

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.

FOR LIVE STREAMING AND VIDEO VISIT OUR WEBSITE AT: <http://pgccouncil.us>

PLEASE SILENCE ALL CELLULAR PHONES WHILE IN THE HEARING ROOM.

**9:30 AM AGENDA BRIEFING - (ROOM 2027)**

**10:00 AM CALL TO ORDER - (COUNCIL HEARING ROOM)**

**INVOCATION**

*Edwin H. Brown, Jr., County Employee*

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF DISTRICT COUNCIL MINUTES**

**MINDC 02262018**

**District Council Minutes dated February 26, 2018**

**MANDATORY REVIEW (Using Oral Argument Procedures)**[DSP-16027](#)**Royal Farms #287 (Forestville Road)****Applicant(s):**

Two Farms Inc. d/b/a Royal Farms

**Location:**

Located in the southeastern quadrant of the intersection of Forestville Road and MD 725 (Marlboro Pike) at 3300 Forestville Road in District Heights (2.16 Acres; C-S-C/D-D-O/M-I-O Zones).

**Request:**

Requesting approval of a Detailed Site Plan for the construction of a food and beverage store in combination with a gas station, to amend the use table in the D-D-O Zone to allow a food and beverage store in combination with a gas station, and to amend Development District Standards 2.1 and 4.1 of the D-D-O Zone to allow a reduction in the required plant material quantity and for not providing the required loading space.

**Council District:**

6

**Appeal by Date:**

3/1/2018

**Review by Date:**

3/1/2018

**Action by Date:**

4/9/2018

**Comment(s):**

Mandatory Review:

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

**History:**

12/20/2017	M-NCPPC Technical Staff	approval with conditions
01/25/2018	M-NCPPC Planning Board	approval with conditions
02/08/2018	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
02/12/2018	Sitting as the District Council	announced hearing date

**Attachment(s):**[DSP-16027 Zoning AIS](#)

**RECONSIDERATION HEARING (Using Oral Argument Procedures)**[CNU-23926-2015](#)**Red Top Road Apartments, 6808 Red Top Road****Applicant(s):**

Schuyler, LLLP

**Location:**

Located in the northwest quadrant of the intersection of Red Top Road and Fairview Avenue (0.17 Acres; R-18 Zone).

**Request:**

Requesting approval for certification of an existing six-unit apartment building that was permitted and built in 1949 prior to the zoning change. Because some development regulations in the R-18 Zone were changed or adopted after the apartment use was lawfully established, the complex became nonconforming

**Council District:**

2

**Appeal by Date:**

8/17/2017

**Comment(s):**

In accordance with the Planning Board Resolution and Sec 27-244(f)(5) of the Zoning Ordinance, this case may be appealed to the District Council.

**History:**

06/23/2017	M-NCPPC Technical Staff	approval
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07/13/2017	M-NCPPC Planning Board	approval
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08/15/2017	Person of Record	appealed
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*Ms. Sawa Kamara filed an appeal in opposition to the proposal and requested Oral Argument.*

09/11/2017	Clerk of the Council	mailed
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*Notice of Oral Argument Hearing was mailed to Persons of Record.*

09/25/2017	Sitting as the District Council	announced hearing date
------------	---------------------------------	------------------------

10/16/2017	Sitting as the District Council	hearing held; case taken under advisement
	<p><i>Chairman Davis announced that the Oral Argument hearings for CNU-23926-2015 Red Top Road Apartments, 6808 Red Top Road, CNU-23927-2015 Red Top Road Apartments, 6810 Red Top Road, CNU-23928-2015 Red Top Road Apartments, 6812 Red Top Road, CNU-23929-2015 Red Top Road Apartments, 6814 Red Top Road and CNU-23930-2015 Red Top Road Apartments, 6816 Red Top Road would be held in tandem. Ivy Thompson, M-NCPPC, provided an overview of the five applications for Certification of a Non-conforming Use. Sawa Kamara spoke in opposition. Kayann Chambers, Esq., Michelle LaRocca, Esq. and Craig Lenkin spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented.</i></p> <p><i>The Oral Argument hearing was held and Council took this case under advisement.</i></p>	
01/08/2018	Sitting as the District Council	referred for document
	<p><i>Council referred item to staff for preparation of an approving document, with conditions (Vote: 8-0; Absent: Council Member Toles).</i></p>	
01/08/2018	Sitting as the District Council	approval with conditions
	<p><i>Council adopted the prepared Order of approval, with conditions (Vote: 8-0; Absent: Council Member Toles).</i></p>	
01/17/2018	Applicant	filed
	<p><i>Ms. Michele La Rocca, Esquire, attorney for the applicant, requested reconsideration of the District Council's January 8, 2018, decision.</i></p>	
01/22/2018	Sitting as the District Council	reconsidered
	<p><i>Council granted the request to reconsider the item (Vote: 8-0; Absent: Council Member Franklin).</i></p>	
01/22/2018	Sitting as the District Council	reconsideration hearing granted
	<p><i>Council moved to have the reconsideration hearing scheduled for the item (Vote: 8-0; Absent: Council Member Franklin).</i></p>	
02/09/2018	Clerk of the Council	mailed
	<p><i>Notice of Reconsideration Hearing was mailed to Persons of Record.</i></p>	

02/14/2018                      Applicant    filed  
*Kayann S. Chambers, Esq., attorney for the applicant, submitted  
proposed revised conditions.*

03/05/2018                      Applicant    filed  
*Kayann S. Chambers, Esq., attorney for the applicant, submitted  
updated proposed revised conditions.*

**Attachment(s):**                      [CNU-23926-2015 Planning Board Resolution 17-100](#)  
CNU-23926-2015\_PORL  
[CNU-23926-2015 Technical Staff Report](#)

**RECONSIDERATION HEARING (Using Oral Argument Procedures) (Continued)**[CNU-23927-2015](#)**Red Top Road Apartments, 6810 Red Top Road****Applicant(s):**

Schuyler, LLLP

**Location:**

Located in the northwest quadrant of the intersection of Red Top Road and Fairview Avenue (0.17 Acres; R-18 Zone).

**Request:**

Requesting approval for certification of an existing six-unit apartment building that was permitted and built in 1948. Because some development regulations in the R-18 Zone were changed or adopted after the apartment use was lawfully established, the complex became nonconforming.

**Council District:**

2

**Appeal by Date:**

8/17/2017

**Comment(s):**

In accordance with the Planning Board Resolution and Sec 27-244(f)(5) of the Zoning Ordinance, this case may be appealed to the District Council.

**History:**

06/23/2017 M-NCPPC Technical Staff approval

07/13/2017 M-NCPPC Planning Board approval

08/15/2017 Person of Record appealed

*Ms. Sawa Kamara filed an appeal in opposition to the proposal and requested Oral Argument.*

09/11/2017 Clerk of the Council mailed

*Notice of Oral Argument Hearing was mailed to Persons of Record.*

09/25/2017 Sitting as the District Council announced hearing date

10/16/2017	Sitting as the District Council	hearing held; case taken under advisement
	<p><i>Chairman Davis announced that the Oral Argument hearings for CNU-23926-2015 Red Top Road Apartments, 6808 Red Top Road, CNU-23927-2015 Red Top Road Apartments, 6810 Red Top Road, CNU-23928-2015 Red Top Road Apartments, 6812 Red Top Road, CNU-23929-2015 Red Top Road Apartments, 6814 Red Top Road and CNU-23930-2015 Red Top Road Apartments, 6816 Red Top Road would be held in tandem. Ivy Thompson, M-NCPPC, provided an overview of the five applications for Certification of a Non-conforming Use. Sawa Kamara spoke in opposition. Kayann Chambers, Esq., Michelle LaRocca, Esq. and Craig Lenkin spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented.</i></p> <p><i>The Oral Argument hearing was held and Council took this case under advisement.</i></p>	
01/08/2018	Sitting as the District Council	referred for document
	<p><i>Council referred item to staff for preparation of an approving document, with conditions (Vote: 8-0; Absent: Council Member Toles).</i></p>	
01/08/2018	Sitting as the District Council	approval
	<p><i>Council adopted the prepared Order of approval, with conditions (Vote: 8-0; Absent: Council Member Toles).</i></p>	
01/17/2018	Applicant	filed
	<p><i>Ms. Michele La Rocca, Esquire, attorney for the applicant, requested reconsideration of the District Council's January 8, 2018, decision.</i></p>	
01/22/2018	Sitting as the District Council	reconsidered
	<p><i>Council granted the request to reconsider the item (Vote: 8-0; Absent: Council Member Franklin).</i></p>	
01/22/2018	Sitting as the District Council	reconsideration hearing granted
	<p><i>Council moved to have the reconsideration hearing scheduled for the item (Vote: 8-0; Absent: Council Member Franklin).</i></p>	
02/09/2018	Clerk of the Council	mailed
	<p><i>Notice of Reconsideration Hearing was mailed to Persons of Record.</i></p>	

02/14/2018                      Applicant    filed  
*Kayann S. Chambers, Esq., attorney for the applicant, submitted  
proposed revised conditions.*

03/05/2018                      Applicant    filed  
*Kayann S. Chambers, Esq., attorney for the applicant, submitted  
updated proposed revised conditions.*

**Attachment(s):**                      [CNU-23927-2015 Planning Board Resolution 17-101](#)  
CNU-23927-2015\_PORL  
[CNU-23927-2015 Technical Staff Report](#)

**RECONSIDERATION HEARING (Using Oral Argument Procedures) (Continued)**[CNU-23928-2015](#)**Red Top Road Apartments, 6812 Red Top Road****Applicant(s):**

Schuyler, LLLP

**Location:**

Located in the northwest quadrant of the intersection of Red Top Road and Fairview Avenue (0.17 Acres; R-18 Zone).

**Request:**

Requesting approval for certification of an existing six-unit apartment building that was permitted and built in 1948 prior to the zoning change. Because some development regulations in the R-18 Zone were changed or adopted after the apartment use was lawfully established, the complex became nonconforming.

**Council District:**

2

**Appeal by Date:**

8/17/2017

**Comment(s):**

In accordance with the Planning Board Resolution and Sec 27-244(f)(5) of the Zoning Ordinance, this case may be appealed to the District Council.

**History:**

06/23/2017	M-NCPPC Technical Staff	approval
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07/13/2017	M-NCPPC Planning Board	approval
------------	------------------------	----------

08/15/2017	Person of Record	appealed
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*Ms. Sawa Kamara filed an appeal in opposition to the proposal and requested Oral Argument.*

09/11/2017	Clerk of the Council	mailed
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*Notice of Oral Argument Hearing was mailed to Persons of Record.*

09/25/2017	Sitting as the District Council	announced hearing date
------------	---------------------------------	------------------------

10/16/2017	Sitting as the District Council	hearing held; case taken under advisement
	<p><i>Chairman Davis announced that the Oral Argument hearings for CNU-23926-2015 Red Top Road Apartments, 6808 Red Top Road, CNU-23927-2015 Red Top Road Apartments, 6810 Red Top Road, CNU-23928-2015 Red Top Road Apartments, 6812 Red Top Road, CNU-23929-2015 Red Top Road Apartments, 6814 Red Top Road and CNU-23930-2015 Red Top Road Apartments, 6816 Red Top Road would be held in tandem. Ivy Thompson, M-NCPPC, provided an overview of the five applications for Certification of a Non-conforming Use. Sawa Kamara spoke in opposition. Kayann Chambers, Esq., Michelle LaRocca, Esq. and Craig Lenkin spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented.</i></p> <p><i>The Oral Argument hearing was held and Council took this case under advisement.</i></p>	
01/08/2018	Sitting as the District Council	referred for document
	<p><i>Council referred item to staff for preparation of an approving document, with conditions (Vote: 8-0; Absent: Council Member Toles).</i></p>	
01/08/2018	Sitting as the District Council	approval
	<p><i>Council adopted the prepared Order of approval, with conditions (Vote: 8-0; Absent: Council Member Toles).</i></p>	
01/17/2018	Applicant	filed
	<p><i>Ms. Michele La Rocca, Esquire, attorney for the applicant, requested reconsideration of the District Council's January 8, 2018, decision.</i></p>	
01/22/2018	Sitting as the District Council	reconsidered
	<p><i>Council granted the request to reconsider the item (Vote: 8-0; Absent: Council Member Franklin).</i></p>	
01/22/2018	Sitting as the District Council	reconsideration hearing granted
	<p><i>Council moved to have the reconsideration hearing scheduled for the item (Vote: 8-0; Absent: Council Member Franklin).</i></p>	
02/09/2018	Clerk of the Council	mailed
	<p><i>Notice of Reconsideration Hearing was mailed to Persons of Record.</i></p>	

02/14/2018 Applicant filed  
*Kayann S. Chambers, Esq., attorney for the applicant, submitted proposed revised conditions.*

03/05/2018 Applicant filed  
*Kayann S. Chambers, Esq., attorney for the applicant, submitted updated proposed revised conditions.*

**Attachment(s):** [CNU-23928-2015 Zoning AIS](#)  
[CNU-23928-2015 Planning Board Resolution 17-102](#)  
 CNU-23928-2015\_PORL  
[CNU-23928-2015 Technical Staff Report](#)

**RECONSIDERATION HEARING (Using Oral Argument Procedures) (Continued)**

**CNU-23929-2015**

**Red Top Road Apartments, 6814 Red Top Road**

**Applicant(s):** Schuyler, LLLP

**Location:** Located on the northwest quadrant of the intersection of Red Top Road and Fairview Avenue (0.17 Acres; R-18 Zone).

**Request:** Requesting approval for certification of an existing six-unit apartment building that was permitted and built in 1949 prior to the zoning change. Because some development regulations in the R-18 Zone were changed or adopted after the apartment use was lawfully established, the complex became nonconforming.

**Council District:** 2

**Appeal by Date:** 8/17/2017

**Comment(s):** In accordance with the Planning Board Resolution and Sec 27-244(f)(5) of the Zoning Ordinance, this case may be appealed to the District Council.

**History:**

06/23/2017 M-NCPPC Technical Staff approval

07/13/2017 M-NCPPC Planning Board approval

08/15/2017 Person of Record appealed

*Ms. Sawa Kamara filed an appeal in opposition to the proposal and requested Oral Argument.*

09/11/2017 Clerk of the Council mailed

*Notice of Oral Argument Hearing was mailed to Persons of Record.*

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09/25/2017	Sitting as the District Council	announced hearing date
10/16/2017	Sitting as the District Council	hearing held; case taken under advisement
	<p><i>Chairman Davis announced that the Oral Argument hearings for CNU-23926-2015 Red Top Road Apartments, 6808 Red Top Road, CNU-23927-2015 Red Top Road Apartments, 6810 Red Top Road, CNU-23928-2015 Red Top Road Apartments, 6812 Red Top Road, CNU-23929-2015 Red Top Road Apartments, 6814 Red Top Road and CNU-23930-2015 Red Top Road Apartments, 6816 Red Top Road would be held in tandem. Ivy Thompson, M-NCPPC, provided an overview of the five applications for Certification of a Non-conforming Use. Sawa Kamara spoke in opposition. Kayann Chambers, Esq., Michelle LaRocca, Esq. and Craig Lenkin spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented.</i></p> <p><i>The Oral Argument hearing was held and Council took this case under advisement.</i></p>	
01/08/2018	Sitting as the District Council	referred for document
	<p><i>Council referred item to staff for preparation of an approving document, with conditions (Vote: 8-0; Absent: Council Member Toles).</i></p>	
01/08/2018	Sitting as the District Council	approval
	<p><i>Council adopted the prepared Order of approval, with conditions (Vote: 8-0; Absent: Council Member Toles).</i></p>	
01/17/2018	Applicant	filed
	<p><i>Ms. Michele La Rocca, Esquire, attorney for the applicant, requested reconsideration of the District Council's January 8, 2018, decision.</i></p>	
01/22/2018	Sitting as the District Council	reconsidered
	<p><i>Council granted the request to reconsider the item (Vote: 8-0; Absent: Council Member Franklin).</i></p>	
01/22/2018	Sitting as the District Council	reconsideration hearing granted
	<p><i>Council moved to have the reconsideration hearing scheduled for the item (Vote: 8-0; Absent: Council Member Franklin).</i></p>	
02/09/2018	Clerk of the Council	mailed
	<p><i>Notice of Reconsideration Hearing was mailed to Persons of Record.</i></p>	

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02/14/2018 Applicant filed  
*Kayann S. Chambers, Esq., attorney for the applicant, submitted proposed revised conditions.*

03/05/2018 Applicant filed  
*Kayann S. Chambers, Esq., attorney for the applicant, submitted updated proposed revised conditions.*

**Attachment(s):** [CNU-23929-2015 Zoning AIS](#)  
[CNU-23929-2015 Planning Board Resolution 17-103](#)  
 CNU-23929-2015\_PORL  
[CNU-23929-2015 Technical Staff Report](#)

**RECONSIDERATION HEARING (Using Oral Argument Procedures) (Continued)**

**CNU-23930-2015**

**Red Top Road Apartments, 6816 Red Top Road**

**Applicant(s):** Schuyler, LLLP

**Location:** Located on the northwest quadrant of the intersection of Red Top Road and Fairview Avenue (0.20 Acres; R-18 Zone)

**Request:** Requesting approval for certification of an existing six-unit apartment building that was permitted and built in 1949 prior to the zoning change. Because some development regulations in the R-18 Zone were changed or adopted after the apartment use was lawfully established, the complex became nonconforming.

**Council District:** 2

**Appeal by Date:** 8/17/2017

**Comment(s):** In accordance with the Planning Board Resolution and Sec 27-244(f)(5) of the Zoning Ordinance, this case may be appealed to the District Council.

**History:**

06/23/2017 M-NCPPC Technical Staff approval

07/13/2017 M-NCPPC Planning Board approval

08/15/2017 Person of Record appealed

*Ms. Sawa Kamara filed an appeal in opposition to the proposal and requested Oral Argument.*

09/11/2017 Clerk of the Council mailed

*Notice of Oral Argument Hearing was mailed to Persons of Record.*

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09/25/2017	Sitting as the District Council	announced hearing date
10/16/2017	Sitting as the District Council	hearing held; case taken under advisement
	<p><i>Chairman Davis announced that the Oral Argument hearings for CNU-23926-2015 Red Top Road Apartments, 6808 Red Top Road, CNU-23927-2015 Red Top Road Apartments, 6810 Red Top Road, CNU-23928-2015 Red Top Road Apartments, 6812 Red Top Road, CNU-23929-2015 Red Top Road Apartments, 6814 Red Top Road and CNU-23930-2015 Red Top Road Apartments, 6816 Red Top Road would be held in tandem. Ivy Thompson, M-NCPPC, provided an overview of the five applications for Certification of a Non-conforming Use. Sawa Kamara spoke in opposition. Kayann Chambers, Esq., Michelle LaRocca, Esq. and Craig Lenkin spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented.</i></p> <p><i>The Oral Argument hearing was held and Council took this case under advisement.</i></p>	
01/08/2018	Sitting as the District Council	referred for document
	<p><i>Council referred item to staff for preparation of an approving document, with conditions (Vote: 8-0; Absent: Council Member Toles).</i></p>	
01/08/2018	Sitting as the District Council	approval
	<p><i>Council adopted the prepared Order of approval, with conditions (Vote: 8-0; Absent: Council Member Toles).</i></p>	
01/17/2018	Applicant	filed
	<p><i>Ms. Michele La Rocca, Esquire, attorney for the applicant, requested reconsideration of the District Council's January 8, 2018, decision.</i></p>	
01/22/2018	Sitting as the District Council	reconsidered
	<p><i>Council granted the request to reconsider the item (Vote: 8-0; Absent: Council Member Franklin).</i></p>	
01/22/2018	Sitting as the District Council	reconsideration hearing granted
	<p><i>Council moved to have the reconsideration hearing scheduled for the item (Vote: 8-0; Absent: Council Member Franklin).</i></p>	
02/09/2018	Clerk of the Council	mailed
	<p><i>Notice of Reconsideration Hearing was mailed to Persons of Record.</i></p>	

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02/14/2018 Applicant filed  
*Kayann S. Chambers, Esq., attorney for the applicant, submitted proposed revised conditions.*

03/05/2018 Applicant filed  
*Kayann S. Chambers, Esq., attorney for the applicant, submitted updated proposed revised conditions.*

**Attachment(s):** [CNU-23930-2015 Zoning AIS](#)  
[CNU-23930-2015 Planning Board Resolution 17-104](#)  
 CNU-23930-2015\_PORL  
[CNU-23930-2015 Technical Staff Report](#)

## **ORAL ARGUMENTS**

### **DSP-17024**

### **Academy Bus**

**Applicant(s):**

Franmar Properties of MD, LLC

**Location:**

Located approximately 250 feet north of the intersection of Walker Mill Road and Rochell Avenue (5.56 Acres; I-1 Zone).

**Request:**

Requesting approval of a Detailed Site Plan to raze a portion (9,496 square feet) of the 16,656-square-foot existing vehicle repair and service station and build an 11,245-square-foot building addition, resulting in a new gross floor area (GFA) of 18,405 square feet.

**Council District:**

7

**Appeal by Date:**

1/11/2018

**Review by Date:**

1/30/2018

**Action by Date:**

3/23/2018

**Municipality:**

Capitol Heights

**History:**

11/02/2017 M-NCPPC Technical Staff approval with conditions

12/07/2017 M-NCPPC Planning Board approval with conditions

01/08/2018 Sitting as the District Council deferred

*Council deferred this item to January 22, 2018.*

01/22/2018 Sitting as the District Council deferred

*This item was deferred to later on the agenda.*

01/22/2018                      Sitting as the District Council                      elected to review  
*Council elected to review this item (Vote: 8-0; Absent: Council Member Franklin).*

**Attachment(s):**                      [DSP-17024 Planning Board Resolution 17-148](#)  
[DSP-17024 Technical Staff Report](#)  
 DSP-17024\_PORL

**NEW CASE(S)**

[A-10038](#)

**Glen Dale Commons Additon**

**Applicant(s):**                      Jemals Forbes Court, LLC  
**Location:**                      Located on the north side of Forbes Boulevard, approximately 250 feet north of its intersection with Aerospace Road and 1,250 feet north of Greenbelt Road (MD 193), also identified as 7601, 7609 and 7610 Forbes Court, Lanham, Maryland (10.93 Acres; I-1 Zone).  
**Request:**                      Requesting approval of a Zoning Map Amendment to rezone approximately 10.39 acres of I-1 (Light Industrial) Zoned land to the M-X-T (Mixed Use-Transportation Oriented) Zone.

**Council District:**                      4

**Appeal by Date:**                      3/2/2018

**Action by Date:**                      5/31/2018

**Opposition:**                      None

**History:**

08/30/2017                      M-NCPPC Technical Staff                      approval with conditions

09/14/2017                      M-NCPPC Planning Board                      no motion to consider

01/31/2018                      Zoning Hearing Examiner                      approval with conditions

**Attachment(s):**                      [A-10038 Zoning Hearing Examiner Decision](#)  
 A-10038 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****DSP-11017 Amend of Conditions****Hyattsville Subway Sandwich Shop (Amendment of Conditions)**

<b><u>Applicant(s):</u></b>	Jagjot Khandpur
<b><u>Location:</u></b>	Located on the western side of Baltimore Avenue (US 1), approximately 790 feet south of its intersection of Farragut Street (0.15 Acres, M-U-I/D-D-O Zones).
<b><u>Request:</u></b>	Requesting approval for an amendment of condition of the District Council decision dated February 12, 2013, that Condition 1(k), supra, be revised to allow a wooden fence enclosure for the dumpster to the rear of the site.
<b><u>Council District:</u></b>	2
<b><u>Appeal by Date:</u></b>	10/20/2017
<b><u>Action by Date:</u></b>	4/4/2018
<b><u>Municipality:</u></b>	Hyattsville
<b><u>Opposition:</u></b>	None

**History:**

10/08/2012	M-NCPPC Technical Staff	approval with conditions
10/11/2012	M-NCPPC Planning Board	approval with conditions
02/12/2013	Sitting as the District Council	approval with conditions
06/06/2017	Applicant	filed

*Jagjot S. Khandpur, attorney for the applicant, filed a request to amend condition 1(k) of the District Council final decision dated February 12, 2013.*

06/07/2017	Clerk of the Council	transmitted
	<i>The Clerk of the Council transmitted the case to the Zoning Hearing Examiner for a Public Hearing.</i>	
10/05/2017	Zoning Hearing Examiner	approval with conditions
11/06/2017	Sitting as the District Council	deferred
	<i>Council deferred this item to November 13, 2017.</i>	
11/13/2017	Sitting as the District Council	elected to make the final decision

*Council elected to schedule Oral Arguments (Vote: 8-0; Absent: Council Member Glaros).*

01/25/2018 Clerk of the Council mailed  
*Notice of Oral Argument Hearing was mailed to Persons of Record.*

02/22/2018 Applicant filed  
*Jagjot S. Khndpur, Esq., attorney for the applicant, filed a letter requesting a remand to the Zoning Hearing Examiner.*

02/26/2018 Sitting as the District Council referred for document  
*Prior to Oral Argument, Stan Brown, People's Zoning Counsel, summarized a request for Remand filed by the applicant.*

*Council referred item to staff for preparation of a document of remand to the Zoning Hearing Examiner (Vote: 7-0; Absent: Council Members Davis and Lehman).*

**Attachment(s):**

[DSP-11017 District Council Decision](#)  
[DSP-11017 Planning Board Resolution 12-98](#)  
[DSP-11017 Technical Staff Report](#)  
[DSP-11017 Zoning Hearing Examiner Decision](#)  
 DSP-11017\_PORL

**REFERRED FOR DOCUMENT (Continued)**[ERR-270](#)**Marquis and Laura Dennis****Validation of Residential Grading Walk-through Permit No. 30733-2017 Issued in Error****Applicant(s):**

Marquis and Laura Dennis

**Location:**

Located at 502 Dennis Magruder Drive, Upper Marlboro, Maryland (0.358 Acres; R-R Zone).

**Request:**

Requesting approval for validation of Prince George's County Residential Grading Walk-through Permit No. 30733-2017. The Permit was issued in error for a "Pavilion Porch with Fireplace" to be added to a single family home located in the R-R (Rural Residential) Zone.

**Council District:**

6

**Appeal by Date:**

2/20/2018

**Action by Date:**

5/18/2018

**Opposition:**

None

**History:**

01/18/2018                      Zoning Hearing Examiner                      approval with conditions

02/26/2018                      Sitting as the District Council                      referred for document

*Council referred item to staff for preparation of an approving document, with conditions in accordance with the Zoning Hearing Examiner decision (Vote: 9-0).*

**Attachment(s):**

[ERR270 Zoning Hearing Examiner Decision](#)

ERR 270 PORL

**ITEM(S) FOR DISCUSSION****CSP-16001****Metro City****Applicant(s):**

Metro City, LLC

**Location:**

Located on the west side of Addison Road and the east side of Rollins Avenue, approximately 4,000 feet southwest from the intersection of MD 214 (Central Avenue) and Addison Road (39.68 Acres; R-T Zone).

**Request:**

Requesting approval of a Conceptual Site Plan to expand the boundary of the approved Addison Road Metro Town Center D-D-O Zone to include the subject property, and to rezone the property from the R-T Zone to the M-X-T Zone for a mixed-use development consisting of 1,043 dwelling units and approximately 151,365 square feet of commercial/retail space.

**Council District:**

7

**Appeal by Date:**

2/7/2018

**Review by Date:**

2/8/2018

**Action by Date:**

3/13/2018

**History:**

11/29/2017

M-NCPPC Technical Staff

approval with conditions

01/04/2018

M-NCPPC Planning Board

approval with conditions

01/12/2018

Clerk of the Council

mailed

*Notice of Mandatory Review Hearing (using Oral Argument procedures) was mailed to Persons of Record.*

02/26/2018

Sitting as the District Council

hearing held; case taken under advisement

*Henry Zhang, M-NCPPC, provided an overview of the Conceptual Site Plan application. Traci Scudder, Esq., attorney for the applicant and Andy Interdonato, engineering partner, spoke in support and answered questions 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.*

**ITEM(S) FOR DISCUSSION (Continued)**[DSP-16044](#)**The Woodlands at Reid Temple****Applicant(s):**

Reid Temple Community Development Corporation

**Location:**

Located on the eastern side of MD 193 (Glenn Dale Boulevard), approximately 170 feet north of its intersection with Daisy Lane (10.75 Acres, R-R/R- 18C Zone).

**Request:**

Requesting approval of a Detailed Site Plan for a 261,205-square-foot, 252-unit apartment housing for the elderly and associated site improvements on a 10.75-acres property in the Rural Residential (R-R) and Multifamily Medium Density Residential-Condominium (R-18C) Zones (10.75 Acres; R-R/R-18C Zone).

**Council District:**

4

**Appeal by Date:**

1/11/2018

**Review by Date:**

1/30/2018

**Action by Date:**

3/23/2018

**History:**

11/07/2017	M-NCPPC Technical Staff	approval with conditions
12/07/2017	M-NCPPC Planning Board	approval with conditions
01/22/2018	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote: 8-0; Absent: Council Member Franklin).</i>	
01/25/2018	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
02/26/2018	Sitting as the District Council	hearing held; case taken under advisement

*Jill Kosack, M-NCPPC, provided an overview of the Detailed Site Plan application. Patti Thorpe, Connie Cronin on behalf of Robert Cronin, Marc McDermott and Henry Wixon spoke in opposition. 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.*

**Attachment(s):** [DSP-16044 Planning Board Resolution 17-151](#)  
[DSP-16044 Technical Staff Report](#)  
 DSP-16044\_PORL

**ITEM(S) FOR DISCUSSION (Continued)**

[SE-4794](#)

**Uptown Suites; Lanham**

**Applicant(s):** Connor & Gaskin Unlimited, LLC.  
**Location:** Located on the southeast side of Willowdale Road, approximately 1000 feet east of its intersection with Forbes Boulevard (3.01 Acres; I-2 Zone)  
**Request:** Requesting approval of a Special Exception for a Hotel in the I-2 Zone.  
**Council District:** 5  
**Appeal by Date:** 10/16/2017  
**Review by Date:** 10/16/2017  
**Action by Date:** 3/15/2018  
**Opposition:** None

**History:**

05/18/2017	M-NCPPC Technical Staff	approval with conditions
05/23/2017	M-NCPPC Planning Board	no motion to consider
09/15/2017	Zoning Hearing Examiner	approval with conditions
09/25/2017	Sitting as the District Council	deferred
	<i>Council deferred this item to October 16, 2017.</i>	
10/16/2017	Sitting as the District Council	elected to make the final decision
	<i>Council elected to make the final decision on this item (Vote: 8-0; Absent: Council Member Toles).</i>	
01/22/2018	Sitting as the District Council	announced hearing date
	<i>Council announced the hearing date.</i>	

02/12/2018	Sitting as the District Council	hearing held; case taken under advisement
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*Ivy Thompson, M-NCPPC, provided an overview of the Special Exception and Departure applications. Daniel Lynch, 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.*

02/26/2018	Sitting as the District Council	deferred
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*Council deferred this item to March 12, 2018.*

**Attachment(s):** [SE-4794 Zoning Hearing Examiner Decision](#)  
[SE-4794 Technical Staff Report](#)  
 SE-4794 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.*

#### **(a) ZONING HEARING EXAMINER**

##### **SE-4785**

##### **Traditions at Beechfield - Enterprise Road**

**Applicant(s):**

Greenlife Property Group, LLC./Beechfield

**Location:**

Located in the northeast quadrant of MD 193 (Enterprise Road) and US 50 (John Hanson Highway) (83.68 Acres; R-E Zone).

**Request:**

Requesting approval of a Special Exception for permission to use approximately 82.68 acres of R-E (Residential – Estate) zoned land1 for a Planned Retirement Community (major revision to prior SE-4529).

**Council District:**

6

**Appeal by Date:**

3/29/2018

**Review by Date:**

3/29/2018

**Opposition:**

Steve Brigham, Edwin Brown, Sr., et. al.

**History:**

10/05/2017	M-NCPPC Technical Staff	approval with conditions
10/19/2017	M-NCPPC Planning Board	no motion to consider
02/27/2018	Zoning Hearing Examiner	approval with conditions

**Attachment(s):**      [SE-4785 Zoning AIS](#)  
                                  [SE-4785 Zoning Hearing Examiner Decision](#)  
                                  SE-4785 PORL

*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.*

**PENDING FINALITY (Continued)**

**(b) PLANNING BOARD**

[DPLS-443](#)

**Rivertowne Suites Office Condominium**

**Location:**

Located on the northern side of Bock Road, approximately 250 linear feet east of its intersection with Livingston Road (0.68 Acres; C-O Zone).

**Request:**

Requesting approval of a Departure from Parking and Loading Standards for a departure of eight parking spaces from the required 53 parking spaces to add a medical office use in a multi-use condominium complex in accordance with Subtitle 27 of the Prince George's County Code.

**Council District:**

8

**Appeal by Date:**

3/22/2018

**Review by Date:**

3/22/2018

**History:**

01/03/2018	M-NCPPC Technical Staff	approval with conditions
02/15/2018	M-NCPPC Planning Board	approval with conditions
02/26/2018	Sitting as the District Council	deferred

*Council deferred this item to March 12, 2018.*

**PENDING FINALITY (Continued)****(c) PLANNING BOARD'S REPRESENTATIVE****CNU-55310-2017-U****5600 Sunnyside Avenue****Applicant(s):**

April Mackoff, Clear Channel Outdoor

**Location:**

Located at 5600 Sunnyside Avenue, Beltsville, Maryland 20705 (0.67 Acres; I-2 Zone).

**Request:**

Requesting Certification of Nonconforming Use for existing outdoor advertising signs pursuant to Council Bill 84-2016 which requires that applications for the certification of outdoor advertising signs in existence as of January 1, 2002, be filed no later than December 31, 2021. This outdoor advertising sign was erected in 1981.

**Council District:**

1

**Review by Date:**

3/15/2018

**Comment(s):**

In the event the District Council elects to review this case, it will be sent to the ZHE for a hearing pursuant to Section 27-244(e) of the Zoning Ordinance.

**History:**

02/13/2018

M-NCPPC Administrative Certification approval

02/26/2018

Sitting as the District Council deferred

*Council deferred this item to March 12, 2018.*

*In the event the District Council elects to review this case, it will be sent to the ZHE for a hearing pursuant to Section 27-244(e) of the Zoning Ordinance.*

**PENDING FINALITY (Continued)****(c) PLANNING BOARD'S REPRESENTATIVE (Continued)****CNU-55514-2017-U****10801 Baltimore Avenue****Applicant(s):**

April Mackoff, Clear Channel Outdoor

**Location:**

10801 Baltimore Ave, Beltsville, MD 20705 (0.58 Acres; I-1 Zone).

**Request:**

Requesting Certification of Nonconforming Use for existing outdoor advertising signs pursuant to Council Bill 84-2016 which requires that applications for the certification of outdoor advertising signs in existence as of January 1, 2002, be filed no later than December 31, 2021. This outdoor advertising sign was erected in 1987.

**Council District:**

1

**Review by Date:**

3/15/2018

**Comment(s):**

In the event the District Council elects to review this case, it will be sent to the ZHE for a hearing pursuant to Section 27-244(e) of the Zoning Ordinance.

**History:**

02/13/2018	M-NCPPC Administrative Certification	approval
02/26/2018	Sitting as the District Council	deferred

*Council deferred this item to March 12, 2018.*

*In the event the District Council elects to review this case, it will be sent to the ZHE for a hearing pursuant to Section 27-244(e) of the Zoning Ordinance.*

**ADJOURN****1:00 PM MEET AND GREET - (ROOM 2027)**

*General Services Administration (GSA)*