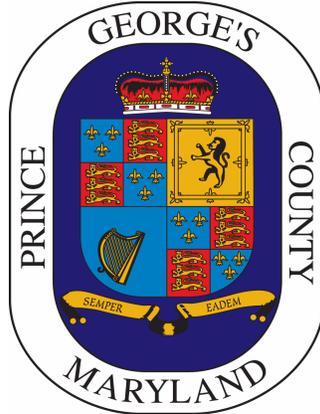


Prince George's County Council

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



Zoning Agenda - Final

(9:30 AM Agenda Briefing Rm 2027)

Monday, September 23, 2019

10:00 AM

Council Hearing Room

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

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 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>

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

Mr. Howard Stone, County Employee

PLEDGE OF ALLEGIANCE

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 09092019](#)

District Council Minutes dated September 9, 2019

[MINDC 09102019](#)

District Council Minutes dated September 10, 2019

Attachment(s):

[9-10-2019 District Council Minutes DRAFT](#)

[MINDC 09172019](#)

District Council Minutes dated September 17, 2019

ORAL ARGUMENTS**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

Action by Date:

10/21/2019

History:

05/14/2019	M-NCPPC Technical Staff	approval with conditions
06/20/2019	M-NCPPC Planning Board	approval with conditions
07/08/2019	Sitting as the District Council	deferred
	<i>Council deferred this item to July 22, 2019.</i>	
07/22/2019	Sitting as the District Council	waived election to review
	<i>Council waived election to review for this item (Vote: 10-0-1; Abstained: Council Member Anderson-Walker).</i>	
07/22/2019	Person of Record	appealed
	<i>Reverend Roy E. Campbell, Jr., Bishop of Saint Joseph Catholic Church, filed an appeal of the Planning Board decision and requested Oral Argument.</i>	
08/20/2019	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
09/20/2019	Applicant	filed
	<i>Edward C. Gibbs, Jr., Esq., attorney for the applicant, filed an opposition to the 7/22/2019 appeal and requested that the appeal be dismissed.</i>	

Attachment(s): [CSP-03001-01 Planning Board Resolution 19-71](#)
 CSP-03001-01_PORL
[CSP-03001-01 Technical Staff Report](#)

ORAL ARGUMENTS (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

Action by Date: 10/21/2019

History:

05/14/2019 M-NCPPC Technical Staff approval with conditions

06/20/2019 M-NCPPC Planning Board approval with conditions

07/08/2019 Sitting as the District Council deferred

Council deferred this item to July 22, 2019.

07/22/2019 Sitting as the District Council elected to review

Council elected to review this item (Vote: 10-0-1; Abstained: Council Member Franklin).

08/20/2019 Clerk of the Council mailed

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

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

NEW CASE(S)**[ERR-280](#)****JH Chevet Manor****Applicant(s):**

JH Chevet Manor, LLC

Location:

Located on the south side of Wheeler Road and its intersection with Vermillion Avenue (2.25 Acres; R-10 Zone).

Request:

Requesting for validation of Prince George's County's Multi-Family Rental Housing License No. M-0643, issued in error on March 10, 2017 for 109 apartment units.

Council District:

7

Appeal by Date:

9/20/2019

Action by Date:

1/29/2020

Opposition:

None

History:

08/21/2019

Zoning Hearing Examiner

approval

Attachment(s):[ERR-280-JH chevet manor ZHE Decision](#)

ERR-280-JH chevet manor 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-273](#)**Abdul Q. Muhammad****Validation of Multi-Family Rental Housing License M-0790****Applicant(s):**

Abdul Q. Muhammad

Location:Located at 3523 Maywood Lane, Suitland, Maryland (0.2560 Acres;
R-10 / D-D-O Zones).**Request:**Requesting validation of Prince George's County's Multi-Family Rental
Housing License No. M-0790, issued in error.**Council District:**

7

Appeal by Date:

9/4/2019

Action by Date:

1/29/2020

Opposition:

None

History:

08/05/2019

Zoning Hearing Examiner

approval

09/09/2019

Sitting as the District Council

referred for document

*Council referred item to staff for preparation of an approving
document (Vote: 10-0; Absent: Council Member Hawkins).***Attachment(s):**[ERR 273-ZHE Decision](#)

ERR 273-PORL

REFERRED FOR DOCUMENT (Continued)[ERR-278](#)**KBIZ Dry Cleaning****Validation of Use and Occupancy Permit 40101-2013 for a Dry Cleaning/Laundry Service****Applicant(s):**

KBIZ, Inc.

Location:

Located on the northwest side of Annapolis Road approximately 320 feet south west of its intersection with Gallatin Street, also identified as 7450 Annapolis Road, Landover Hills, Maryland (0.6890 Acres; M-U-I / D-D-O Zones).

Request:

Requesting validation of Prince George's County's Use and Occupancy Permit 40101-2013-00, issued in error.

Council District:

3

Appeal by Date:

9/6/2019

Action by Date:

1/29/2020

Opposition:

None

History:

08/07/2019

Zoning Hearing Examiner

approval

09/09/2019

Sitting as the District Council

referred for document

Council referred item to staff for preparation of an approving document (Vote: 10-0; Absent: Council Member Hawkins).

Attachment(s):[ERR 278 - ZHE Decision](#)

ERR 278 - PORL

ITEM(S) FOR DISCUSSION[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**Action by Date:** 10/7/2019**History:**

05/07/2019	M-NCPPC Technical Staff	approval with conditions
06/13/2019	M-NCPPC Planning Board	approval with conditions
07/08/2019	Sitting as the District Council	elected to review

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

07/08/2019	Sitting as the District Council	elected to review <i>Council elected to review this item (Vote: 9-0; Absent: Council Members Franklin and Ivey).</i>
09/09/2019	Sitting as the District Council	hearing held; case taken under advisement <i>Chair Turner announced that the three EZ Storage College Park cases, DSP-15031-01, DDS-648, and DPLS-459 would be held in tandem. Thomas Burke, M-NCPPC, provided an overview of the Detailed Site Plan, Departure from Design Standards, and Departure from Parking and Loading Standards applications. Mr. Bradley Farrar, Esq., attorney for the applicant, spoke in support along with Ms. Terry Shum, City of College Park, Mr. Laurent Mounaud, Vika Maryland LLC, and Mr. Craig Pittinger, Siena Corporation. 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.</i>

Attachment(s):

[DDS-648 Planning Board Resolution 19-67](#)

DDS-648_PORL

[DDS-648_Technical Staff Report](#)

ITEM(S) FOR DISCUSSION (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**Action by Date:** 10/7/2019**History:**

05/07/2019	M-NCPPC Technical Staff	approval
06/13/2019	M-NCPPC Planning Board	approval
07/08/2019	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote: 9-0; Absent: Council Members Franklin and Ivey).</i>	
09/09/2019	Sitting as the District Council	hearing held; case taken under advisement

Chair Turner announced that the three EZ Storage College Park cases, DSP-15031-01, DDS-648, and DPLS-459 would be held in tandem. Thomas Burke, M-NCPPC, provided an overview of the Detailed Site Plan, Departure from Design Standards, and Departure from Parking and Loading Standards applications. Mr. Bradley Farrar, Esq., attorney for the applicant, spoke in support along with Ms. Terry Shum, City of College Park, Mr. Laurent Mounaud, Vika Maryland LLC, and Mr. Craig Pittinger, Siena Corporation. 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.

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

[DSP-13009-15](#)

Riverdale Park Station (Cafritz Property)

Companion Case(s): SA-130001-02; SP-130003

Applicant(s): Calvert Tract, LLC

Location: Located on the east side of US 1 (Baltimore Avenue), approximately 1,400 feet north of its intersection with MD 410 (East West Highway). More specifically, the properties, Parcels K and L, that are the subject of this DSP amendment are located northeast and southeast of the intersection of Van Buren Street and 47th Street (37.34 Acres; M-U-TC Zone).

Request: Requesting approval of a Detailed Site Plan (DSP) to construct two multifamily buildings with a total of 632 units, including 195 age-restricted units, and 450 square feet of restaurant or retail to be located in a freestanding trolley car.

Council District: 3

Appeal by Date: 10/17/2019

Review by Date: 10/17/2019

Municipality: Riverdale Park and College Park

History:

07/10/2019	M-NCPPC Technical Staff	approval with conditions
09/12/2019	M-NCPPC Planning Board	approval with conditions

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.

[SA-130001-02](#)**Riverdale Park Station (Cafritz Property)****Companion Case(s):** DSP-13009-15; SP-130003**Applicant(s):** Calvert Tract, LLC**Location:** Located on the east side of US 1 (Baltimore Avenue), approximately 1,400 feet north of its intersection with MD 410 (East West Highway). More specifically, the properties, Parcels K and L, that are the subject of this DSP amendment are located northeast and southeast of the intersection of Van Buren Street and 47th Street (37.34 Acres; M-U-TC Zone).**Request:** Requesting approval of a Secondary Amendment (SA) to construct two multifamily buildings with a total of 632 units, including 195 age-restricted units, and 450 square feet of restaurant or retail use to be located in a freestanding trolley car.**Council District:** 3**Appeal by Date:** 10/17/2019**Review by Date:** 10/17/2019**Municipality:** Riverdale Park and College Park**History:**

07/10/2019 M-NCPPC Technical Staff approval with conditions

09/12/2019 M-NCPPC Planning Board approval with conditions

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.

SDP-0511-04**Collington Center****Applicant(s):**

MRPI Queens Court, LLC

Location:

Located in the southwestern quadrant of the intersection of Queens Court and US 301 (Crain Highway) (51.45 Acres; E-I-A Zone).

Request:

Requesting approval of a Specific Design Plan (SDP) for a 130,143-square-foot, 1,184-unit, 3-story consolidated storage facility, ancillary office, and outdoor recreational vehicle storage on a 3.97-acre lot within a 51.45-acre site.

Council District:

4

Appeal by Date:

10/17/2019

Review by Date:

10/17/2019

History:

07/09/2019

M-NCPPC Technical Staff

approval with conditions

09/12/2019

M-NCPPC Planning Board

approval with conditions

ADJ100-19**ADJOURN**