



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, June 20, 2016

10:00 AM

Council Hearing Room

9:30 AM AGENDA BRIEFING - (ROOM 2027)

10:30 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 at 10:30 a.m. with six members present at roll call. Council Member Toles arrived at 10:58 a.m. Council Member Patterson arrived at 11:09 a.m.

Present: 8 - Chairman Derrick Davis
 Vice Chair Dannielle Glaros
 Council Member Andrea Harrison
 Council Member Deni Taveras
 Council Member Karen Toles
 Council Member Mary Lehman
 Council Member Obie Patterson
 Council Member Todd Turner

Absent: Council Member Mel Franklin

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

M-NCPPC

Jimi Jones, Supervisor, Development Review Division

INVOCATION

The Invocation was provided by Mrs. Sylvia Taylor, International Church of Christ, Landover, Maryland 20785. Council Member Harrison requested prayer for the family of Emily Mitchell in her passing. Council Member Glaros requested prayer for victims of violence. Chairman Davis requested prayer for all fathers.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Patterson.

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 06132016-1](#)

District Council Minutes dated June 13, 2016-Part 1

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

Aye: 6 - Davis, Glaros, Harrison, Taveras, Lehman and Turner

Absent: Toles, Franklin and Patterson

Attachment(s): [6-13-2016 District Council Minutes Part 1](#)

[DRAFT](#)

[MINDC 06132016-2](#)

District Council Minutes dated June 13, 2016-Part 2

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

Aye: 6 - Davis, Glaros, Harrison, Taveras, Lehman and Turner

Absent: Toles, Franklin and Patterson

Attachment(s): [6-13-2016 District Council Minutes Part 2](#)

[DRAFT](#)

ORAL ARGUMENTS**A-10030****Oakcrest, Lots 11-13**

- Applicant(s):** Nazario Family, LLC/Oak Crest Lots 11-13
- Location:** Located at the northwest quadrant of the intersection of Magnolia Street and Clarke Avenue, approximately 320 feet east of Baltimore Avenue (US 1), identified as Part of Lot 23, and Lots 12-13, Block 3 of the Oak Crest Subdivision, Laurel, Maryland.
- Request:** Requesting approval of a Zoning Map Amendment to rezone approximately 0.518 acre (approximately 22,500 sq. ft) of R-55 (One-Family Detached Residential) zoned land to the C-S-C (Commercial Shopping Center) Zone.
- Council District:** 1
- Appeal by Date:** 3/25/2016
- Action by Date:** 7/25/2016
- Opposition:** None

History:

Jimi Jones, M-NCPPC- provided an overview of the Zoning Map Amendment application. 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 referred this item to staff for preparation of an Order of Disapproval in accordance with the Zoning Hearing Examiner's Decision (Vote: 7-0; Absent: Council Members Franklin and Toles.

The Oral Argument Hearing was held; Subsequently, a motion was made by Council Member Lehman, seconded by Council Member Harrison, that this Zoning Map Amendment be referred for document. The motion carried by the following vote:

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

Absent: Toles and Franklin

- Attachment(s):** [A-10030 Zoning AIS](#)
A-10030 Exceptions to the ZHE Decision
[A-10030 Zoning Hearing Examiner Decision](#)
A-10030 PORL

REFERRED FOR DOCUMENT**[ROSP SE-3344-05](#)****Collington Episcopal Life Care Community**

- Applicant(s):** Collington Episcopal Life Care Community, Inc.
- Location:** Located in the northeast quadrant of the intersection of Lottsford Road and Campus Way North.
- Request:** Requesting approval for a Revision of Site Plan Special Exception for a further amendment to the approved Site Plan to allow the construction of small sunrooms and/or additions to existing dwellings (cottages and villas).
- Council District:** 5
- Appeal by Date:** 5/13/2016
- Action by Date:** 9/26/2016
- Opposition:** None
- History:**

Council adopted the prepared Zoning Ordinance No. 10 - 2016 of approval with conditions (Vote: 7-0; Absent: Council Members Franklin and Toles).

A motion was made by Council Member Harrison, seconded by Council Member Turner, that this Revision of Site Plan SE be approved with conditions. The motion carried by the following vote:

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

Absent: Toles and Franklin

Attachment(s): [ROSP SE-3344-05 Zoning AIS](#)
[ROSP SE-3344-05 Zoning Hearing Examiner Decision](#)
ROSP SE-3344-05 PORL

ITEM(S) FOR DISCUSSION**SDP-0315-04 Amend
Conditions****Beech Tree, East Village Sections 4 & 5**

- Applicant(s):** VOB Limited Partnership
- Location:** Located on the west side of Robert S. Crain Highway (US 301), south of Leeland Road; specifically Section 4 is located on the north side of Beech Tree Parkway and on the east and west sides of Moores Plains Boulevard and Section 5 is located on the south side of Beech Tree Parkway.
- Request:** Requesting approval to Amend a Condition (Condition 8) on the original Specific Design Plan-03015-04 which the District Council approved on April 1, 2014. Specifically requesting that approved condition 8 in SDP-0315-04 be revised to reflect an updated number of townhouses in East Village 5 ("EV5") of the Beechtree project to be built with side entries.
- Council District:** 6
- Comment(s):** Case would normally get a hearing before the Zoning Hearing Examiner (ZHE). However; the ZHE is recommending that this request be dismissed or denied due to the restraints placed on the District Council in the recent 'Zimmer' decision.

History:

Stan Brown, People's Zoning Counsel, spoke to the legalities of the case and provided procedural insight. Rajesh Kumar clarified the type of document to be prepared.

Council referred item to staff for preparation of a disapproving document consistent with the Zoning Hearing Examiner recommendations in her June 6, 2016 memorandum and comments by the People's Zoning Counsel (Vote: 7-0; Absent: Council Members Franklin and Toles).

A motion was made by Chairman Davis, seconded by Council Member Turner, that this Specific Design Plan be referred for document. The motion carried by the following vote:

- Aye:** 7 - Davis, Glaros, Harrison, Taveras, Lehman, Patterson and Turner
- Absent:** Toles and Franklin

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-04081-09](#)**Greenbelt Station, Phase 1**

- Applicant(s):** NVR MS Cavalier Greenbelt
- Location:** Located north of Greenbelt Road, west of Cherrywood Lane, and south of the Capital Beltway, bounded on the west side by the Greenbelt Metrorail and MARC rail tracks (64.21 Acres; M-X-T / D-D-O Zones).
- Request:** Requesting approval of a Detailed Site Plan for Phase 1 of the South Core of the overall development known as Greenbelt Station. The applicant is requesting a revision to the trigger for the construction of the stream valley trail.
- Council District:** 4
- Appeal by Date:** 7/7/2016
- Review by Date:** 7/7/2016
- Municipality:** City of Greenbelt
- History:**

Council took no action on this item.

This Detailed Site Plan was not elected to review by Council.

PENDING FINALITY (Continued)[DSP-06072-01](#)**Glenn Dale Commons, Phase 1****Applicant(s):**

SLDM, LLC.

Location:

Phase 1 of the Glenn Dale Commons project is located in the northwestern quadrant of the intersection of Aerospace Road and Hubble Drive in the central western portion of the larger Glenn Dale Commons development as approved in Conceptual Site Plan CSP-06001-01 (11.95 Acres; M-X-T / I-1 Zones).

Request:

Requesting approval of a Detailed Site Plan for 111 townhouses and 32 two-family dwellings (a total of 175 units). This DSP is the townhouse and two-family dwelling component of the larger Glenn Dale Commons project. This also includes a variance from the requirements of Section 27-548 of the Zoning Ordinance.

Council District:

4

Appeal by Date:

6/30/2016

Review by Date:

6/30/2016

History:

Council took no action on this item.

This Detailed Site Plan was not elected to review by Council.

Attachment(s):[DSP-06072-01 Zoning AIS](#)

PENDING FINALITY (Continued)[DSP-08039-08](#)**Westphalia Row, Phase III**

Applicant(s): Westphalia Row Partners, LLC.

Location: Located in the southwest corner of the intersection of Ritchie Marlboro Road and Sansbury Road. This intersection is designated by the February 2007 Approved Westphalia Sector Plan and Sectional Map Amendment (Westphalia Sector Plan SMA) as one of nine gateways into Westphalia area (20.67 Acres; M-X-T Zone).

Request: Requesting approval of a Detailed Site Plan for 67 fee-simple, rear-loaded townhouses and 10,000 square feet of commercial uses. This DSP is a revision to the previously approved DSP for Phase III of the Westphalia Row project that included 250 multifamily units and 57,600 square feet of commercial uses.

Council District: 6

Appeal by Date: 7/7/2016

Review by Date: 7/7/2016

History:

Council took no action on this item.

This Detailed Site Plan was not elected to review by Council.

PENDING FINALITY (Continued)[DSP-08043-01](#)**Royal Farms, Sansbury**

Applicant(s): Two Farms, Inc.

Location: Located in the southeast corner of the intersection of Ritchie Marlboro Road and Sansbury Road. This intersection is designated by the 2007 Approved Westphalia Sector Plan and Sectional Map Amendment (Westphalia Sector Plan and SMA) as one of nine gateways into Westphalia and is proposed as the location of a mixed-use village center (4.48 Acres; M-X-T Zone).

Request: Requesting approval of a Detailed Site Plan for a 5,166-square-foot food and beverage store and gas station on 4.48 acres of land.

Council District: 6

Appeal by Date: 7/14/2016

Review by Date: 7/14/2016

History:

Council took no action on this item.

This Detailed Site Plan was not elected to review by Council.

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PENDING FINALITY (Continued)[DSP-15020-01](#)**Capital Plaza Walmart**

Applicant(s): Wal-Mart Real Estate Business Trust

Location: Located on the north side of Annapolis Road (MD 450), specifically within the Capital Plaza Shopping Center approximately 2,000 linear feet east of the intersection of MD 450 and the Baltimore–Washington Parkway (MD 295) (43.82 Acres; C-S-C / D-D-O Zones).

Request: Requesting approval of a Detailed Site Plan for the construction of a 35,287-square-foot addition to the existing 144,227-square-foot department store (which represents an expansion of a certified nonconforming use), modifications to the associated parking area, and other site improvements.

Council District: 3

Appeal by Date: 6/30/2016

Review by Date: 6/30/2016

Municipality: Town of Landover Hills

History:

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

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

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

Absent: Franklin

PENDING FINALITY (Continued)

[DSP-15038](#)

Brooks Drive South

Applicant(s): Oakcrest West LLC

Location: Located in the northwestern quadrant of the intersection of Brooks Drive and Pennsylvania Avenue (MD 4) (11.04 Acres; R-10 Zone).

Request: Requesting approval of a Detailed Site Plan for infrastructure for 300 multifamily units.

Council District: 7

Appeal by Date: 6/30/2016

Review by Date: 6/30/2016

History:

Council took no action on this item.

This Detailed Site Plan was not elected to review by Council.

DRAFT

PENDING FINALITY (Continued)

[NCGS-22](#)

Greenbelt Auto Holdings Corp

- Applicant(s):** Greenbelt Auto Holding Corp
- Location:** Located in the northern quadrant at the intersection of Centerway Road and Crescent Road, within the Old Greenbelt Town Center, also identified as 159 Centerway and 161 Centerway (0.49 Acres; C-S-C Zone).
- Request:** Requesting approval of a Nonconforming Gas Station to add a 12-foot-high by 20-foot-long by 12-foot-wide storage shed to an existing nonconforming use gas station and auto repair garage as an accessory building to replace a previously existing (without permits) storage shed, which is considered a nuisance/safety concern.
- Council District:** 4
- Appeal by Date:** 5/5/2016
- Review by Date:** 7/6/2016
- Municipality:** City of Greenbelt
- History:**

Council took no action on this item.

This Non-Conforming Gas Station was not elected to review by Council.

11:31 AM ADJOURN

The meeting was adjourned at 11:31 a.m.

Prepared by:

Leonard Moses, Zoning Assistant

Submitted by:

Redis C. Floyd, Clerk of the Council