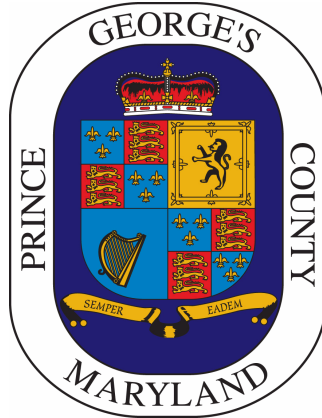


Prince George's County Council

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



Zoning Agenda - Final

(Approximate Time - immediately following County Council Session)

**Tuesday, April 6, 2021
01:00 PM**

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>

1:00 PM CALL TO ORDER - (VIRTUAL MEETING)

(Approximate Time - immediately following County Council Session)

REFERRED FOR DOCUMENT

[A-9968-02-C](#)

National Capital Business Park (formerly Willowbrook)
(Basic Plan Amendment)

Applicant(s):

National Capitol Business Park

Location:

Located on the north side of Leeland Road, approximately 3, 178 feet west of the intersection of Leeland Road and US 301 (Robert Crain Highway), Upper Marlboro, Maryland (442.30, Acres; R-S / I-1 / R-A Zones).

Request:

Requesting approval to amend the existing Basic Plan (A-9968-01) for the project previously know as "Willowbrook" (Zoning Ordinance 5-2019) to replace the currently approved residential land use patterns with certain employment and institutional uses permitted in the R-S Zone.

Council District:

4

Appeal by Date:

4/7/2021

Action by Date:

5/7/2021

History:

11/12/2020

Applicant

filed

Robert J. Antonetti, Jr., Esq., attorney for the applicant, filed a Basic Plan Amendment application with the Clerk of the Council.

12/30/2020

M-NCPPC Technical Staff

transmitted

Sherri Conner, Planning Supervisor, M-NCPPC transmitted a memo to the Clerk stating that staff found the subject application to be complete.

01/04/2021

Clerk of the Council

transmitted

The Clerk of the Council transmitted the application to the Zoning Hearing Examiner.

03/23/2021 Zoning Hearing Examiner approval with conditions

03/29/2021 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: 10-0; Absent: Council Member Anderson-Walker).

Attachment(s):

[A-9968-C-02 Zoning Agenda Item Summary](#)

[A-9968-C-02- Notice of ZHE Decision](#)

[A-9968-C-02 - ZHE Decision](#)

A-9968-C-02 - PORL

[A-9968-C-02- Memo to Clerk](#)

REFERRED FOR DOCUMENT (Continued)[DSP-19045](#)[Reconsideration](#)**Royal Farms Greenbelt (Reconsideration)****Applicant(s):**

RF Greenbelt RE LLC

Location:

Located on the north side of MD 193 (Greenbelt Road), approximately 635 feet east of its intersection with Walker Drive (4.07 Acres; C-O Zone).

Request:

Requested approval of a Detailed Site Plan (DSP) for the development of a 4,649-square-foot food and beverage store, a gas station, and a separate 4,368-square-foot commercial building

Council District:

4

Appeal by Date:

2/11/2021

Review by Date:

2/11/2021

Action by Date:

4/9/2021

History:

09/30/2020	M-NCPPC Technical Staff	approval with conditions
11/12/2020	M-NCPPC Planning Board	approval with conditions
12/03/2020	M-NCPPC Planning Board	reconsidered
01/07/2021	M-NCPPC Planning Board	approval with conditions
01/25/2021	Sitting as the District Council	waived election to review
	<i>Council waived election to review for this item (Vote: 11-0).</i>	
02/08/2021	Person of Record	appealed
	<i>Todd K. Pounds, Esq., attorney for the City of Greenbelt, and G. Macy Nelson, Esq., attorney for Thomas Watts, Jr., et. al, filed an appeal of the Planning Board decision and requested Oral Argument.</i>	
02/17/2021	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
03/08/2021	Sitting as the District Council	announced hearing date
03/11/2021	Applicant	filed
	<i>Thomas H. Haller, Esq., attorney for the applicant, filed a response to the 2/8/2021 appeal.</i>	

03/22/2021 Sitting as the District Council hearing held; case taken under advisement

Adam Bossi, M-NCPPC planning staff, provided an overview of the Detailed Site Plan application. G. Macy Nelson, Esq., attorney for appellants, and Todd K. Pounds, Esq., attorney for the City of Greenbelt, along with Mayor Colin Byrd spoke in opposition. Thomas H. Haller, Esq., Attorney for the applicant, spoke in support. 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 took case under advisement.

03/29/2021 Sitting as the District Council referred for document

Council referred item to staff for preparation of an approving document, with conditions (Vote: 11-0).

Attachment(s):

[DSP-19045 Zoning Agenda Item Summary](#)

[DSP-19045 PowerPoint Slides](#)

[DSP-19045 Haller Response to Appeal 03112021](#)

[DSP-19045 PZC Notice of Intention to Participate 2021.03.04](#)

[DSP-19045 PZC disclosure letter 2021.03.04](#)

[DSP-19045 Notice of Oral Argument Hearing](#)

[DSP-19045 Appeal Letter Pounds and Nelson to Brown 03/29/2021](#)

[DSP-19045 Planning Board Resolution 2020-154 \(A\)](#)

[DSP-19045 Planning Board Resolution 2020-154](#)

DSP-19045 PORL

[DSP-19045 Technical Staff Report](#)

[DSP-19045 Transcripts 09-24-2020](#)

[DSP-19045 Transcripts 10-15-2020](#)

[DSP-19045 Transcripts 10-29-2020](#)

[DSP-19045 Transcripts 12-03-2020](#)

[DSP-19045 Transcripts 12-17-2020](#)

[DSP-19045 Planning Board Record](#)

REFERRED FOR DOCUMENT (Continued)**SDP-1803 Remand****Applicant(s):****Location:****Request:****Council District:****Appeal by Date:****Review by Date:****Action by Date:****History:**

07/01/2020	M-NCPPC Technical Staff	approval with conditions
09/10/2020	M-NCPPC Planning Board	approval with conditions
09/21/2020	Sitting as the District Council	deferred
10/05/2020	Sitting as the District Council	elected to review
10/07/2020	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
10/15/2020	Person of Record	appealed
	<i>William Piermattei and Suhani Chitalia, attorneys for appellants, filed an appeal of the Planning Board's Decision.</i>	
10/26/2020	Sitting as the District Council	announced hearing date
11/09/2020	Sitting as the District Council	hearing held; case taken under advisement
11/10/2020	Sitting as the District Council	referred for document
11/16/2020	Sitting as the District Council	remanded
	<i>Council adopted the prepared order of remand to the Planning Board (Vote: 9-0; Absent: Council Members Franklin and Hawkins).</i>	
12/31/2020	M-NCPPC Technical Staff	approval with conditions
01/14/2021	M-NCPPC Planning Board	approval with conditions

01/25/2021	Sitting as the District Council	deferred
	<i>Council deferred this item.</i>	
02/09/2021	Sitting as the District Council	elected to review
	<i>Council elected to review this item (10-0: Absent: Council Member Franklin).</i>	
02/17/2021	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
03/08/2021	Sitting as the District Council	announced hearing date
03/22/2021	Sitting as the District Council	hearing held; case taken under advisement
	<i>Adam Bossi, M-NCPPC planning staff, provided an overview of the Specific Design Plan application. William Piermattei, Jacqueline Kapinos, and Min Hei (Michelle) Kim, University of Maryland Environmental Law Clinic, attorneys for persons of record, along with Valerie Davis, Jamila Balamani, and Jennifer Jackson spoke in opposition. Arthur J. Horne, Esq., Attorney for the applicant, spoke in support. 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 took this case under advisement.</i>	
03/29/2021	Sitting as the District Council	referred for document
	<i>Council referred item to staff for preparation of an approving document, with conditions (Vote: 11-0).</i>	

Attachment(s):

[SDP-1803 Remand Zoning Agenda Item Summary](#)
[SDP-1803 Remand Presentation Slides](#)
[SDP-1803 Remand Notice of Oral Argument Hearing](#)
[SDP-1803 Remand Planning Board Resolution 2020-131\(](#)
 SDP-1803 Remand PORL
[SDP-1803 Remand Technical Staff Report](#)
[SDP-1803 Remand Transcripts](#)
[SDP-1803 District Council Order of Remand](#)
[SDP-1803 Planning Board Record Remand](#)
[SDP-1803 Planning Board Record](#)

ITEM(S) FOR DISCUSSION**A-10020-C-01****Woodmore Overlook Commercial****Applicant(s):**

Woodmore Overlook Commercial, LLC

Location:

Located in the northwest quadrant of the intersection of Landover Road (MD 202) and Lottsford Road (18.33 Acres; M-X-T Zone).

Request:

Requesting approval of a Zoning Map Amendment for the amendment of all conditions of approval specifically related to transportation improvements set forth in Conditions 5.a and 5.b; 6; 7; and 8 imposed by the District Council upon its adoption of Zoning Ordinance 6-2010, which rezoned the subject property from the I-3 (Planned Industrial/Employment Park) Zone to the M-X-T (Mixed Use-Transportation Oriented) Zone.

Council District:

5

Appeal by Date:

2/24/2021

Action by Date:

7/9/2021

Opposition:

Lake Arbor Civic Association., Samuel Dean, LaRay Benton

History:

02/09/2021	Zoning Hearing Examiner	approval with conditions
02/15/2021	Applicant	appealed
	<i>Norman Rivera, Esq., attorney for the applicant, filed exceptions to the Zoning Hearing Examiner's Recommendation and requested a hearing.</i>	
02/17/2021	Applicant	appealed
	<i>Norman Rivera, Esq., attorney for the applicant, filed revised exceptions to the Zoning Hearing Examiner's Recommendation and requested a hearing.</i>	
02/19/2021	Person of Record	appealed
	<i>Samuel H. Dean, Vice President, Lake Arbor Civic Association, filed exceptions to the Zoning Hearing Examiner decision.</i>	
02/20/2021	Person of Record	appealed
	<i>Samuel H. Dean, Vice President, Lake Arbor Civic Association, filed corrected exceptions to the Zoning Hearing Examiner decision.</i>	

02/23/2021	Person of Record	filed
	<i>Samuel H. Dean, Vice President, Lake Arbor Civic Association, filed a request to remand the case to the Zoning Hearing Examiner.</i>	
02/24/2021	Person of Record	appealed
	<i>LaRay Benton, person of record, filed exceptions to the Zoning Hearing Examiner decision.</i>	
02/24/2021	Applicant	filed
	<i>Norman Rivera, Esq., attorney for the applicant, filed an opposition to the request for remand.</i>	
03/22/2021	Sitting as the District Council	announced hearing date
03/29/2021	Sitting as the District Council	hearing held; case taken under advisement
	<i>Tom Sievers, M-NCPPC planning staff, provided an overview of the Zoning Map Amendment for the amendment of conditions application. Samuel H. Dean, Vice-President, Lake arbor Civic Association, along LaRay Benton, spoke in opposition. Norman Rivera, Esq., Attorney for the applicant, spoke in support. 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 took this case under advisement.</i>	

Attachment(s):

- [A-10020-C-01 Zoning Agenda Item Summary](#)
- [A-10020 Presentation Slides](#)
- [A-10020-C-01 Dean 2nd corrected appeal 3-23-21](#)
- [A-10020-C-01 Rivera Opposition to Remand](#)
- [A-10020-C-01 Benton Appeal](#)
- [A-10020-C-01 Dean Remand Request](#)
- [A-10020-C-01 Dean Corrected Appeal](#)
- A-10020-C-01 POR List
- [A-10020-C-01 Dean Appeal](#)
- [A-10020-C-01 Rivera Revised Exceptions to ZHE](#)
- [A-10020-C-01 Rivera Exceptions to ZHE Decision](#)
- A-10020-C-01 ZHE Memo to Clerk
- [A-10020-C-01 Notice of Decision](#)
- [A-10020-C-01 ZHE Decision](#)
- [A-10020-C-01 Transcripts 12-14-2020](#)
- [A-10020-C-01 Transcripts 11-30-2020](#)
- [A-10020-C-01 Transcript 10-07-2020](#)

[ADJ14-21](#)

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