

Prince George's County Council

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



Zoning Agenda - Final

**Monday, May 10, 2021
10:00 AM**

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>

10:00 AM CALL TO ORDER - (VIRTUAL MEETING)

INVOCATION / MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 04262021](#)

District Council Minutes dated April 26, 2021

Attachment(s):

[DRAFT District Council Minutes dated 4-26-2021](#)

ORAL ARGUMENTS**DSP-20029****Behnke Property 7-Eleven****Applicant(s):**

Root 1, LLC, ETAL

Location:

Located on the west side of US 1 (Baltimore Avenue) south of its intersection with Howard Avenue (1.89 Acres; C-M Zone).

Request:

Requesting approval of a Detailed Site Plan (DSP) for development of a 4,500-square-foot food and beverage store and a gas station with eight multi-product dispensers.

Council District:

1

Appeal by Date:

4/8/2021

Review by Date:

4/8/2021

Action by Date:

5/28/2021

History:

01/19/2021	M-NCPPC Technical Staff	approval with conditions
03/04/2021	M-NCPPC Planning Board	approval with conditions
03/22/2021	Sitting as the District Council	deferred
	<i>Council deferred this item to March 29, 2021.</i>	
03/29/2021	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote: 10-0: Absent: Council Member Franklin).</i>	
04/07/2021	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
04/26/2021	Sitting as the District Council	announced hearing date

Attachment(s):

[DSP-20029 Zoning Agenda Item Summary](#)

[DSP-20029 Power Point Presentation](#)

[DSP-20029_email 04262021 Gordon To Brown](#)

[DSP-20029 Letter 04262021 Gordon To Brown](#)

[DSP-20029 Planning Board Resolution 2021-21 - Signed](#)

[DSP-20029_PORL](#)

[DSP-20029 Technical Staff Report](#)

[DSP-20029 Planning Board Record](#)

[DSP-20029 Transcripts_02-04-2021 Planning Board](#)

[DSP-20029 Notice of District Council Hearing](#)

[DSP-20029 PZC Notice of Intention to Participate](#)

ORAL ARGUMENTS (Continued)**DSP-20013****St. Joseph's House****Applicant(s):**

St. Joseph's House, LTD.

Location:

Located in the northeast quadrant of the intersection of Oliver Street and 40th Avenue, within the municipal limits of the City of Hyattsville (0.18 Acres; R-55 / D-D-O Zones).

Request:

Requesting approval of a Detailed Site Plan (DSP) to develop a family day care use within an existing single-family detached residential dwelling, including a building addition, within the Development District Overlay (D-D-O) Zone of the 2004 Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District (Gateway Arts District Sector Plan and SMA).

Council District:

2

Appeal by Date:

4/22/2021

Review by Date:

4/22/2021

Action by Date:

5/28/2021

Municipality:

Hyattsville

History:

02/23/2021	M-NCPPC Technical Staff	approval with conditions
03/18/2021	M-NCPPC Planning Board	approval with conditions
03/29/2021	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote: 10-0: Absent: Council Member Franklin).</i>	
04/07/2021	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
04/26/2021	Sitting as the District Council	announced hearing date

Attachment(s):

[DSP-20013 Zoning Agenda Item Summary](#)
[DSP-20013 Planning Board Resolution 2021-39 - Signed](#)
 DSP-20013 PORL
[DSP-20013 Technical Staff Report](#)
[DSP-20013 Planning Board Record](#)
[DSP-20013 Transcripts 03-11-2021 Planning Board](#)
[DSP-20013 PZC Notice of Intention to Participate](#)

REFERRED FOR DOCUMENT[SE-4816](#)**ROYAL FARMS #220 ACCOKEEK****Companion Case(s):** ROW Royal Farms Remand**Applicant(s):** Two Farms, Inc.**Location:** Located on the west side of MD 210 (Indian Head Highway), in the southwest quadrant of its intersection with MD 375 (Livingston Road) (2.94 Acres; C-S-C Zone).**Request:** Requesting approval of a Special Exception (SE) to use approximately 2.94 acres of land, in the C-S-C (Commercial Shopping Center) Zone, for a Gas Station with an associated Food or Beverage Store.**Council District:** 9**Appeal by Date:** 2/10/2021**Review by Date:** 2/10/2021**Action by Date:** 6/10/2021**Opposition:** Sangee and Sulojana Tharmarajah, et al.**History:**

06/28/2019	M-NCPPC Technical Staff	approval with conditions
01/11/2021	Zoning Hearing Examiner	approval with conditions
01/25/2021	Sitting as the District Council	elected to make the final decision

People's Zoning Counsel, Stan Brown, provided an orientation, recommending that Council elect to review the Special Exception and ROW cases given many appellants concerns regarding receipt of the Zoning Hearing Examiner decision and time to appeal. Council elected to review (Vote: 10-0-1: Abstain: Council Member Franklin).

02/05/2021	Person of Record	appealed
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Rev. Dr. Robert L. Screen filed exceptions to the Zoning Hearing Examiner's Decision in opposition to the proposal.

02/09/2021	Person of Record	appealed
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G. Macy Nelson, Esq., attorney for the Dharam Singh Goraya, et al., filed an appeal of the Zoning Hearing Examiner's Decision and requested Oral Argument.

02/10/2021	Person of Record	appealed
	<i>Madeline Kochen Esq., Pro Se Opponent, filed an appeal of the Zoning Hearing Examiner's Decision and requested Oral Argument.</i>	
03/04/2021	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
03/23/2021	Person of Record	appealed
	<i>J. Carroll Holzer, Esq. and Sean P. Canavan, Esq., attorneys for Accokeek, Mattawoman, Piscataway Creeks Communities Council, Inc. (AMP Creeks Council), filed an appeal of the Zoning Hearing Examiner's Decision and requested Oral Argument.</i>	
03/29/2021	Sitting as the District Council	announced hearing date
04/06/2021	Applicant	withdrawn
	<i>Lawrence N. Taub, Esq., attorney for Property Owners, and Matthew C. Tedesco, Esq., attorney for Applicant, filed a request to formally withdraw both SE-4816 and ROW Royal Farms #220 (Accokeek) applications.</i>	
04/08/2021	Applicant	withdrawn
	<i>Lawrence N. Taub, Esq., attorney for Property Owners, and Matthew C. Tedesco, Esq., attorney for Applicant, filed a second request to formally withdraw both SE-4816 and ROW Royal Farms #220 (Accokeek) applications.</i>	
04/12/2021	Sitting as the District Council	referred for document
	<i>Stan Brown, People's Zoning Counsel, provided a procedural and process overview of the current posture of the Special Exception and Right-of-Way cases. Subsequently, Council referred item to staff for preparation of a document of dismissal pursuant to the applicant's request for administrative withdrawal in accordance with Section 27-299 (Vote: 8-0; Absent: Council Members Dernoga, Franklin, and Glaros).</i>	

Attachment(s):

[SE-4816 Zoning Agenda Item Summary](#)

[SE-4816 Notice of District Council Hearing](#)

SE-4816 Memo to Clerk

[SE-4816 Notice of Decision](#)

[SE-4816 ZHE Decision](#)

SE-4816 PORL

[SE-4816 Royal Farms Technical Staff Report](#)

[SE-4816 Royal Farms 220 Accokeek _ ZHE Case file pa](#)

[SE-4816 Case File Part 1](#)

[SE-4816 Royal Farms 220 Accokeek _ ZHE Case file Pa](#)

[SE-4816 ROW Screen _ appeal 2-5-2021](#)

[SE-4816 Nelson to Brown _ appeal 2-9-21](#)

[SE-4816 ROW Kochen to Brown _ appeal 2-10-21](#)

[SE-4816 ROW Holzer and Canavan to Brown _ appeal 3-2](#)

[SE-4816 ROW Tedesco and Taub to Brown _ withdrawal 4](#)

[SE-4816 ROW Tedesco and Taub to Brown _ 2nd withdraw](#)

[SE-4816 ROW Tedesco and Taub to Brown _ 2nd withdraw](#)

REFERRED FOR DOCUMENT (Continued)

[ROW Royal Farms](#)
[Remand](#)

Royal Farms #220 (Accokeek) (Remand)**Companion Case(s):** SE-4816**Applicant(s):** Two Farms, Inc.**Location:** Located on the west side of MD 210 (Indian Head Highway), in the southwest quadrant of its intersection with MD 375 (Livingston Road) (2.94 Acres; C-S-C Zone).**Request:** Requesting approval of a application to Authorize the Issuance of Building Permits for Structures Within a Proposed Right-of-Way (ROW) for two (2) pylon signs, 22 parking spaces, free air station, five (5) multi dispenser gasoline pumps with canopy, large vehicle parking areas, all of the required landscaping, and a stormwater management facility, all within the proposed rights-of-way for F-11 and C-525.**Council District:** 9**Appeal by Date:** 2/10/2021**Action by Date:** 6/10/2021**Opposition:** Sangee and Sulojana Tharmarajah, et al.**History:**

05/01/2019 Zoning Hearing Examiner approval

05/31/2019 Person of Record appealed

Ms. Sangee Tharmarajah and Sulojana Tharmarajah filed an appeal of the Zoning Hearing Examiner's decision and requested Oral Argument.

06/05/2019 Clerk of the Council mailed

06/10/2019 Sitting as the District Council announced hearing date

06/28/2019 Applicant filed

Matthew C. Tedesco, Esq., attorney for the applicant, filed a response to the 5/31/2019 Exceptions and requested to dismiss the Exceptions to the Zoning Hearing Examiner's decision for lack of standing.

07/08/2019 Sitting as the District Council hearing held; case taken under advisement

10/07/2019 Sitting as the District Council referred for document

10/28/2019	Sitting as the District Council	remanded
	<i>Council adopted the prepared Order of remand to the Zoning Hearing Examiner (Vote: 8-0; Absent: Council Members Dernoga, Franklin, and Glaros).</i>	
11/01/2019	Clerk of the Council	transmitted
	<i>The Clerk returned the entire case file to the Zoning Hearing Examiner's (ZHE) Office in accordance with the 10/28/2019 Order of Remand.</i>	
11/01/2019	Clerk of the Council	mailed
	<i>The Notice of Decision of the District Council was mailed to Persons of Record.</i>	
01/11/2021	Zoning Hearing Examiner	approval with conditions
01/25/2021	Sitting as the District Council	elected to make the final decision
	<i>People's Zoning Counsel, Stan Brown, provided an orientation, recommending that Council elect to review the ROW and Special Exception cases given many appellants concerns regarding receipt of the decision and time to appeal. Council elected to review (Vote: 10-0-1: Abstain: Council Member Franklin).</i>	
02/05/2021	Person of Record	appealed
	<i>Rev. Dr. Robert L. Screen filed exceptions to the Zoning Hearing Examiner's Decision in opposition to the proposal.</i>	
02/09/2021	Person of Record	appealed
	<i>G. Macy Nelson, Esq., attorney for the Dharam Singh Goraya, et al., filed an appeal of the Zoning Hearing Examiner's Decision and requested Oral Argument.</i>	
02/10/2021	Person of Record	appealed
	<i>Madeline Kochen Esq., Pro Se Opponent, filed an appeal of the Zoning Hearing Examiner's Decision and requested Oral Argument.</i>	
03/04/2021	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	

03/23/2021	Person of Record	appealed
	<i>J. Carroll Holzer, Esq. and Sean P. Canavan, Esq., attorneys for Accokeek, Mattawoman, Piscataway Creeks Communities Council, Inc. (AMP Creeks Council), filed an appeal of the Zoning Hearing Examiner's Decision and requested Oral Argument.</i>	
03/29/2021	Sitting as the District Council	announced hearing date
04/06/2021	Applicant	withdrawn
	<i>Lawrence N. Taub, Esq., attorney for Property Owners, and Matthew C. Tedesco, Esq., attorney for Applicant, filed a request to formally withdraw both SE-4816 and ROW Royal Farms #220 (Accokeek) applications.</i>	
04/08/2021	Applicant	withdrawn
	<i>Lawrence N. Taub, Esq., attorney for Property Owners, and Matthew C. Tedesco, Esq., attorney for Applicant, filed a second request to formally withdraw both SE-4816 and ROW Royal Farms #220 (Accokeek) applications.</i>	
04/12/2021	Sitting as the District Council	referred for document
	<i>Stan Brown, People's Zoning Counsel, provided a procedural and process overview of the current posture of the Special Exception and Right-of-Way cases. Subsequently, Council referred item to staff for preparation of a document of dismissal pursuant to the applicant's request for administrative withdrawal in accordance with Section 27-299 (Vote: 8-0; Absent: Council Members Dernoga, Franklin, and Glaros).</i>	

Attachment(s):

[ROW Royal Farms #220 Remand Zoning Agenda Item 5](#)
[ROW Royal Farms 220 Remand Notice of District Council](#)
[ROW Royal Farms #220 Remand Notice of Decision](#)
[ROW Royal Farms #220 Remand ZHE Decision](#)
[ROW Royal Farms #220 Remand PORL](#)
[ROW Royal Farms #220 Remand Case File](#)
[SE-4816 ROW Screen appeal 02-05-2021](#)
[ROW Royal Farms #220 Remand Nelson to Brown appeal](#)
[SE-4816 ROW Kochen to Brown appeal 2-10-21](#)
[SE-4816 ROW Holzer and Canavan to Brown appeal 3-22](#)
[SE-4816 ROW Tedesco and Taub to Brown withdrawal 4](#)
[SE-4816 ROW Tedesco and Taub to Brown 2nd withdrawal](#)
[SE-4816 ROW Tedesco and Taub to Brown 2nd withdrawal](#)

[REC7-21](#)

RECESS

EXECUTIVE SESSION (VIRTUAL MEETING)

[EX 05102021](#)

Motion to convene in executive session to consult with counsel to seek legal advice and to discuss pending or potential litigation in accordance with section 3-305(b)(7, 8), General Provisions Article, Annotated Code of Maryland.

RECONVENE

ITEM(S) FOR DISCUSSION**DSP-20008****Hope Village - Phase I Royal Farms # 282****Applicant(s):**

VMD-Upper Marlboro, LLC

Location:

Located in the southeast quadrant of the intersection of Woodyard Road (MD 223) and Marlboro Pike (3.27 Acres; M-X-T / M-I-O Zones).

Request:

Requesting approval of a Detailed Site Plan (DSP) for the development of a 4,650-square-foot food and beverage store and a gas station with eight multi-product dispensers.

Council District:

9

Appeal by Date:

4/8/2021

Review by Date:

4/8/2021

Action by Date:

5/21/2021

History:

01/26/2021	M-NCPPC Technical Staff	approval with conditions
03/04/2021	M-NCPPC Planning Board	approval with conditions
03/22/2021	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote: 10-0: Absent: Council Member Franklin).</i>	
03/25/2021	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
04/12/2021	Sitting as the District Council	announced hearing date
04/26/2021	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. Sang Oh, 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.

Attachment(s):

[DSP-20008 Zoning Agenda Item Summary](#)

[DSP-20008 Presentation Slides](#)

[DSP-20008 Notice of District Council Hearing](#)

[DSP-20008 Planning Board Resolution 2021-24 - Signed](#)

DSP-20008_PORL

[DSP-20008 Technical Staff Report](#)

[DSP-20008 Planning Board Record](#)

[DSP-20008 Transcripts 02-11-2021](#)

[PZC Notice of Intention to Participate](#)

ITEM(S) FOR DISCUSSION (Continued)

This matter has been remanded from the Circuit Court, after a decision from the Court of Special Appeals, to allow the District Council to conduct further proceedings on the merits of Special Exception 4774 and Variance 4774.

SE-4774**Palmer Road Class 3 Fill Facility**

Applicant(s): Palmer Road Landfill, Inc./ Palmer Road Landfill Company and Palmer Road, LLC.

Location: Located on the northern side of Palmer Road, abutting the western side of Tucker Road, and identified as 1500 and 1611 Ferguson Lane, Fort Washington, Maryland (173.584 Acres; R-E Zone).

Request: Requesting approval of a Special Exception to continue using approximately 173.584 acres of land in the R-E (Residential-Estate) Zone as a Class III Fill. Also requesting a variance from the requirement that the use not be located within a three (3) mile radius of properties containing an active or pre-existing approved or nonconforming Class III Fill, sanitary landfill, transfer station, rubble fill, recycling facility, mining facility, processing facility, sand and gravel operation, or wash plant.

Council District: 8

Appeal by Date: 8/21/2017

Review by Date: 9/20/2017

Action by Date: 2/19/2018

Opposition: Stephen Briggs, et. al.

History:

03/15/2017	M-NCPPC Technical Staff	approval with conditions
03/30/2017	M-NCPPC Planning Board	no motion to consider
07/21/2017	Zoning Hearing Examiner	approval with conditions
09/11/2017	Sitting as the District Council	elected to make the final decision

Council elected to make the final decision on this item (Vote: 9-0).

09/21/2017	Clerk of the Council	mailed
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Notice of Oral Argument Hearing was mailed to Persons of Record.

10/23/2017	Sitting as the District Council	hearing held; case taken under advisement
	<i>Taslina Alam, M-NCPPC, provided an overview of the Special Exception application. 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.</i>	
	<i>The Oral Argument hearing was held and Council took this case under advisement.</i>	
02/12/2018	Sitting as the District Council	referred for document
	<i>Council referred item to staff for preparation of a disapproving document (Vote: 8-0; Absent: Council Member Toles).</i>	
02/12/2018	Sitting as the District Council	disapproval
	<i>Council adopted the prepared Order of Denial (Vote: 8-0; Absent: Council Member Toles).</i>	
02/15/2018	Clerk of the Council	mailed
	<i>The Notice of Final Decision of the District Council was mailed to Persons of Record.</i>	
02/21/2018	Applicant	filed
	<i>Mr. Arthur Horne, Esquire, attorney for the applicant, requested reconsideration of the District Council's February 12, 2018 decision.</i>	
02/26/2018	Sitting as the District Council	case taken under advisement
	<i>Council took this case under advisement.</i>	
03/13/2018	Applicant	filed
	<i>Dennis Whitley II, Esquire, attorney for the applicant, filed a Petition for Judicial Review in Circuit Court.</i>	
03/20/2018	Applicant	withdrawn
	<i>Arthur J. Horne, Jr., Esquire, attorney for the applicant, withdrew his request for District Council to reconsider its action since the Council took it under advisement and the applicant has filed an appeal to the Circuit Court.</i>	

01/11/2021

Circuit Court

remanded

The Circuit Court remanded the matter back to the District Council with instructions to conduct further proceedings on the merits of the Petitioner's application in Special Exception 4774 and Variance 4774 consistent with the opinion of the Court of Special Appeals.

Attachment(s):[SE-4774 Circuit Court Order Remanding Case to District C](#)[SE-4774 Notice of District Council Final Decision](#)[SE-4774 Zoning Agenda Item Summary](#)[SE-4774 Zoning Hearing Examiner Decision](#)

SE-4774 PORL

[SE-4774 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) PLANNING BOARD**CDP-0505-01****National Capital Business Park****Applicant(s):**

NCBP Property, LLC

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) (426.52 Acres; R-S Zone).

Request:

Requesting approval of Comprehensive Design Plan (CDP) to amend the previously approved plan to remove all residential uses and replace them with up to 3.5 million square feet of employment and institutional uses, as permitted in the Employment and Institutional Area (E-I-A) Zone, as authorized pursuant to Section 27-515(b), Footnote 38, of the Prince George's County Zoning Ordinance.

Council District:

4

Appeal by Date:

6/3/2021

Review by Date:

6/3/2021

History:

03/30/2021

M-NCPPC Technical Staff

approval with conditions

04/29/2021

M-NCPPC Planning Board

approval with conditions

Attachment(s):[CDP-0505-01 Zoning Agenda Item Summary](#)[CDP-0505-01 Planning Board Resolution 2021-50 - Signe](#)

CDP-0505-01_PORL

[CDP-0505-01 Technical Staff Report](#)

PENDING FINALITY (Continued)**DDS-674****Wellspring Manor and Spa****Applicant(s):**

Wellspring Manor & Spa

Location:

Located east of Drumsheugh Lane and about 400 feet north of the intersection of Largo Road (MD 202) and Mount Lubentia Way (7.35 Acres; R-R / R-S Zones).

Request:

Requesting approval of a Departure from Design Standards (DDS) to allow a driveway width reduction of eight feet for a bed and breakfast inn, pursuant to Section 27-239.01 of the Prince George's County Zoning Ordinance.

Council District:

6

Appeal by Date:

5/27/2021

Review by Date:

5/27/2021

History:

03/17/2021

M-NCPPC Technical Staff

approval with conditions

04/27/2021

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DDS-674 Zoning Agenda Item Summary](#)[DDS-674 Planning Board Resolution 2021-47 - Signed](#)

DDS-674_PORL

[DDS-674 Technical Staff Report](#)

PENDING FINALITY (Continued)**DSP-20031****Aspen Maryland****Applicant(s):**

York Acquisitions, LLC

Location:

Located on the north and south sides of Knox Road, at its intersection with Guilford Drive (0.84 Acres; M-U-I / D-D-O Zones).

Request:

Requesting approval of a Detailed Site Plan (DSP) to construct two mixed-use buildings with a total of 129 multifamily dwelling units and 2,080 square feet of ground floor commercial retail.

Council District:

3

Appeal by Date:

6/3/2021

Review by Date:

6/3/2021

Municipality:

College Park

History:

03/25/2021

M-NCPPC Technical Staff

approval with conditions

04/29/2021

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-20031 Zoning Agenda Item Summary](#)[DSP-20031 Planning Board Resolution 2021-48 - Signed](#)

DSP-20031_PORL

[DSP-20031 Technical Staff Report](#)

PENDING FINALITY (Continued)**[ROSP-4663-02](#)****Alice Ferguson Foundation-Hard Bargain Farm****Applicant(s):**

Alice Ferguson Foundation

Location:

Located on the northeast and southwest sides of Bryan Point Road, approximately 2.4 miles west of Farmington Road (18.00 Acres; O-S / R-C-O Zones).

Request:

Requesting approval of a Revision of Site Plan (ROSP) for the revision of a Special Exception Site Plan and CBCA conservation plan to remove a previously approved 12,240-square-foot educational building (known as the Moss Building) and replace it with a 60- by 40-foot open-air pavilion and associated parking modifications.

Council District:

9

Appeal by Date:

4/29/2021

Review by Date:

6/2/2021

Comment(s):

This case was originally transmitted on March 30, 2021 and retransmitted on May 3, 2021 to comply with affidavit requirements.

History:

02/17/2021

M-NCPPC Technical Staff

approval with conditions

03/25/2021

M-NCPPC Planning Board

approval

Attachment(s):[ROSP-4663-02 Zoning Agenda Item Summary](#)[ROSP-4663-02 Planning Board Resolution 2021-32 - Sign](#)

ROSP-4663-02_PORL

[ROSP-4663-02 Technical Staff Report](#)

PENDING FINALITY (Continued)**(b) PLANNING BOARD'S REPRESENTATIVE**

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision.

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.

[CNU-4285-2021-U](#)**Bob & Paul Auto Mall****Applicant(s):**

Hares Yasini

Location:

Located approximately 1800 feet, SW of intersection of Marlboro Pike and Walker Mill Road (1.24 Acres; R-18 Zone).

Request:

Requesting approval of a Certification of Nonconforming used for a used car sales with outdoor display area. Permit 8426-88-CGU/05 was issued by the Department of Environmental Resources on August 13, 1990. The Marlboro Pike Sector Plan and Sectional Map Amendment was adopted on 11/17/09 and rezoned the property from C-M to R-18. Used car sales is prohibited in the R-18 Zone. The applicant has provided adequate documentation of continuous operation of the used car sales until is ceased operation on October 15, 2020.

Council District:

7

Review by Date:

5/31/2021

Comment(s):

CNU's (on agenda - no PIBbd resolution):

{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:

04/28/2021

M-NCPPC Administrative Certification approval

Attachment(s):[CNU-4285-2021 Zoning Agenda Item Summary](#)[CNU-4285-2021 Case File](#)

CASE(S) SCHEDULED FOR MANDATORY REVIEW HEARING ON MAY 24, 201 AT 10:00 A.M.*Hearing Dates & Times Subject to Change***CSP-20002****Terrapin House****Applicant(s):**

12300 Carrol Investors and Terrapin Main Street LLC

Location:

Located on the north side Hartwick Road, between Yale Avenue and US 1 (Baltimore Avenue) (0.89 Acres; M-U-I / R-55 Zones).

Request:

Requesting approval of a Conceptual Site Plan (CSP) application proposes to rezone part of the property from One-Family Detached Residential (R-55) to the Mixed Use-Infill (M-U-I) Zone for a future mixed-use development to include 160 to 175 multifamily residential units and 10,000 to 15,000 square feet of commercial/retail uses.

Council District:

3

Appeal by Date:

5/20/2021

Review by Date:

5/20/2021

Action by Date:

6/21/2021

Comment(s):

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

Municipality:

College Park

History:

03/10/2021

M-NCPPC Technical Staff

approval with conditions

04/15/2021

M-NCPPC Planning Board

approval with conditions

04/22/2021

Clerk of the Council

mailed

*Notice of Mandatory Review Hearing (using Oral Argument Procedures) was mailed to Persons of Record.***Attachment(s):**[CSP-20002 Planning Board Resolution 2021-45 - Signed](#)

CSP-20002_PORL

[CSP-20002 Technical Staff Report](#)[CSP-20002 Transcripts 03-25-2021](#)[CSP-20002 Planning Board Record](#)

CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING ON MAY 24, 201 AT 10:00 A.M.*Hearing Dates & Times Subject to Change*[DSP-04067-10](#)**Woodmore Commons****Companion Case(s):** DDS-672**Applicant(s):** Balk Hill Ventures, LLC**Location:** Located in the northeast quadrant of the intersection of MD 202 (Landover Road) and St Joseph's Drive, on both sides of Ruby Lockhart Boulevard (10.64 Acres; M-X-T Zone).**Request:** Requesting approval of a Detailed Site Plan (DSP) for development of approximately 72,000 square feet of commercial, retail, and office uses in two distinct sections on approximately 10.64 acres ("subject property").**Council District:** 5**Appeal by Date:** 5/6/2021**Review by Date:** 5/6/2021**Action by Date:** 6/11/2021**History:**

03/03/2021 M-NCPPC Technical Staff approval with conditions

04/01/2021 M-NCPPC Planning Board approval with conditions

04/12/2021 Sitting as the District Council elected to review

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

04/22/2021 Clerk of the Council mailed

*Notice of Oral Argument Hearing was mailed to Persons of Record.***Attachment(s):**[DSP-04067-10 Zoning Agenda Item Summary](#)[DSP-04067-10 Planning Board Resolution 2021-43 - Sign](#)

DSP-04067-10_PORL

[DSP-04067-10 Technical Staff Report](#)

CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING ON MAY 24, 201 AT 10:00 A.M.*Hearing Dates & Times Subject to Change***DDS-672****Woodmore Commons****Companion Case(s):** DSP-04067-10**Applicant(s):** Balk Hill Ventures, LLC**Location:** Located in the northeast quadrant of the intersection of MD 202 (Landover Road) and St Joseph's Drive, on both sides of Ruby Lockhart Boulevard (10.64 Acres; M-X-T Zone).**Request:** Requesting approval of a Departure from Design Standards, for a reduction of the standard surface parking space size to 9 feet by 18 feet.**Council District:** 5**Appeal by Date:** 5/13/2021**Review by Date:** 5/13/2021**Action by Date:** 6/21/2021**History:**

03/03/2021	M-NCPPC Technical Staff	approval
04/08/2021	M-NCPPC Planning Board	approval
04/20/2021	Sitting as the District Council	elected to review

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

Attachment(s): [DDS-672 Zoning Agenda Item Summary](#)
[DDS-672 Planning Board Resolution 2021-44 - Signed](#)
 DDS-672_PORL
[DDS-672 Technical Staff Report](#)

ADJ19-21**ADJOURN**