

# Prince George's County Council

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



## **Zoning Agenda - Final**

**(Continued at 1:30 PM)**

**Monday, October 26, 2020**

**10:00 AM**

**Virtual Meeting**

### **Sitting as the District Council**

*Todd M. Turner, Council 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, Vice Chair, At-Large*

*Jolene Ivey, District 5*

*Rodney C. Streeter, District 7*

*Deni L. Taveras, District 2*

*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](mailto: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**

**APPROVAL OF DISTRICT COUNCIL MINUTES**

[MINDC 10192020](#)

**District Council Minutes dated October 19, 2020**

**Attachment(s):**

[10-19-2020 District Council Minutes DRAFT](#)

**10:00 AM ORAL ARGUMENTS**[DSP-04067-09](#)**Woodmore Commons****Companion Case(s):** DDS-669**Applicant(s):** Balk Hill Ventures, LLC**Location:** Located at the northeast quadrant of the intersection of Ruby Lockhart Boulevard and Saint Joseph's Drive (9.34 Acres; M-X-T Zone).**Request:** Requesting approval of a Detailed Site Plan (DSP) for the development of five multifamily residential buildings, including 268 dwelling units, a 5,000-square-foot clubhouse, and surface parking.**Council District:** 5**Appeal by Date:** 8/17/2020**Review by Date:** 9/21/2020**Action by Date:** 11/13/2020**History:**

04/22/2020	M-NCPPC Technical Staff	approval with conditions
05/14/2020	M-NCPPC Planning Board	approval with conditions
09/14/2020	Sitting as the District Council	elected to review
	<i>Council elected to review this item (11-0).</i>	
09/16/2020	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing scheduled for October 26, 2020 at 10:00 a.m. was mailed to Persons of Record.</i>	
10/19/2020	Sitting as the District Council	announced hearing date

**Attachment(s):** [DSP-04067-09 Zoning Agenda Item Summary](#)  
[DSP-04067-09 Presentation Slides](#)  
[DSP-04067-09 Planning Board Resolution NO. 2020-76](#)  
 DSP-04067-09 POR List  
[DSP-04067-09 Technical Staff Report](#)  
[DSP-04067-09 Transcripts](#)  
[DSP-04067-09 District Council Notice of Hearing](#)

**10:00 AM ORAL ARGUMENTS (Continued)****DDS-669****Woodmore Commons****Companion Case(s):** DSP-04067-09**Applicant(s):** Balk Hill Ventures, LLC**Location:** Located at the northeast quadrant of the intersection of Ruby Lockhart Boulevard and Saint Joseph's Drive (9.34 Acres; M-X-T Zone).**Request:** Requesting approval of a Departure from Design Standards (DDS) that requests a reduction of the standard parking space size to 9 feet by 18 feet.**Council District:** 5**Appeal by Date:** 8/17/2020**Review by Date:** 9/21/2020**Action by Date:** 11/13/2020**History:**

04/22/2020	M-NCPPC Technical Staff	approval
05/14/2020	M-NCPPC Planning Board	approval
09/14/2020	Sitting as the District Council	elected to review

*Council elected to review this item (11-0).*

09/16/2020	Clerk of the Council	mailed
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*Notice of Oral Argument Hearing scheduled for October 26, 2020 at 10:00 a.m. was mailed to Persons of Record.*

10/19/2020	Sitting as the District Council	announced hearing date
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**Attachment(s):**[DDS-669 Zoning Agenda Item Summary](#)[DDS-669 Presentation Slides](#)[DDS-669 Planning Board Resolution NO. 2020-77](#)

DDS-669 POR List

[DDS-669 Technical Staff Report](#)[DDS-669 Transcripts](#)[DDS-669 District Council Hearing Notice](#)

**10:00 AM ORAL ARGUMENTS (Continued)**[SE-4811](#)**Contee Estate Assisted Living, LLC. / Marie Abayomi-Cole****Applicant(s):**

Contee Estate Assisted Living, LLC. / Marie Abayomi-Cole

**Location:**

Located on the south side of Veronica Lane, approximately 200 feet southeast of its intersection with Contee Road also identified as 7111 Veronica Lane, Laurel, Maryland 20707 (1.32 Acres; R-R Zone).

**Request:**

Requesting approval of a Special Exception (SE) for a Congregate Living Facility to serve up to sixteen (16) residents in a 7,431-square-foot single-family detached dwelling on approximately 1.32 acres of land in the R-R (Rural Residential) Zone.

**Council District:**

1

**Appeal by Date:**

3/16/2020

**Review by Date:**

3/16/2020

**Action by Date:**

1/11/2021

**Opposition:**

Jennifer Krochmal, et. al.

**History:**

08/28/2019	M-NCPPC Technical Staff	approval with conditions
09/12/2019	M-NCPPC Planning Board	no motion to consider
02/14/2020	Zoning Hearing Examiner	approval with conditions
02/24/2020	Sitting as the District Council	deferred
	<i>Council deferred this item to March 9, 2020.</i>	
03/09/2020	Sitting as the District Council	elected to make the final decision
	<i>Council elected to make the final decision on this item (Vote: 10-0; Absent: Council Member Franklin).</i>	
09/18/2020	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing scheduled for October 26, 2020 at 10:00 a.m. was mailed to Persons of Record.</i>	
10/19/2020	Sitting as the District Council	announced hearing date

**Attachment(s):**

[SE-4811 Zoning Agenda Item Summary](#)

[SE-4811 Presentation Slides](#)

[SE-4811 ZHE Decision](#)

SE-4811 PORL

[SE-4811 Technical Staff Report](#)

[SE-4811 District Council Notice of Hearing](#)

**1:30 PM ORAL ARGUMENTS (Continued)****SDP-1601-03****Parkside, Section 4****Applicant(s):**

SHF Project Owner, LCC

**Location:**

Located in the north-central portion of the development, north of Central Park Drive at the terminus of Melwood Road, approximately 1,570 feet south of its intersection with Westphalia Road (96.49 Acres; R-M / M-I-O Zones).

**Request:**

Requesting approval of a Specific Design Plan (SDP) for a mixed retirement development (MRD) consisting of 188 single-family detached and 96 single-family attached dwelling units, for Parkside, Section 4, which is part of the larger Parkside development.

**Council District:**

6

**Appeal by Date:**

9/4/2020

**Review by Date:**

9/30/2020

**Action by Date:**

11/20/2020

**History:**

06/24/2020	M-NCPPC Technical Staff	approval with conditions
07/30/2020	M-NCPPC Planning Board	approval with conditions
09/14/2020	Sitting as the District Council	deferred
	<i>Council deferred this item to September 21, 2020.</i>	
09/21/2020	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote 11-0).</i>	
09/23/2020	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing scheduled for October 26, 2020 at 1:30 p.m. was mailed to Persons of Record.</i>	
10/19/2020	Sitting as the District Council	announced hearing date



**Attachment(s):**

[SDP-1601-03 Zoning Agenda Item Summary](#)

[SDP-1601-03 Presentation Slides](#)

[SDP-1601-03 Planning Board Resolution 2020-123](#)

[SDP-1601-03\\_PORL](#)

[SDP-1601-03 Technical Staff Report](#)

[SDP-1603-03 Planning Board Record](#)

[SDP-1601-03 Transcripts](#)

[SDP-1601-03 District Council Notice of Hearing](#)

**NEW CASE(S)**[A-9988-C-01](#)**The Villages at Timothy Branch****Applicant(s):**

Timothy Brandywine Investments One LLC

**Location:**

Located east of US Route 301 (Crain Highway) and MD 5 (Branch Avenue) on the south side of Brandywine Road in the eastern and western quadrants of its intersection with Mattawoman Drive (72.43 Acres; L-A-C / M-I-O Zones).

**Request:**

Requesting approval to amend the Basic Plan for the Villages at Timothy Branch to expand the Mixed Retirement Development and remove all non-residential uses, and amend the conditions of approval, pursuant to 27-197(c) of the Zoning Ordinance, on approximately 72.42 acres of land in the L-A-C (Local Activity Center Zone).

**Council District:**

9

**Appeal by Date:**

11/2/2020

**Action by Date:**

11/30/2020

**Opposition:**

None

**History:**

02/13/2020

Applicant

filed

*Matthew C. Tedesco, Esq., attorney for the applicant, filed a petition to Amend the Basic Plan.*

02/20/2020

Clerk of the Council

transmitted

*The Clerk of the Council transmitted the case to the Zoning Hearing Examiner for a Public Hearing.*

05/14/2020

Applicant

filed

*Matthew C. Tedesco, Esq., attorney for the applicant, filed an Amendment of Application to the petition to Amend the Basic Plan.*

05/20/2020

M-NCPPC Technical Staff

approval with conditions

06/11/2020

M-NCPPC Planning Board

no motion to consider

10/16/2020

Zoning Hearing Examiner

approval with conditions

10/22/2020

Zoning Hearing Examiner

transmitted

*The Zoning Hearing Examiner transmitted an Errata for the recommendation filed on October 16, 2020.*

**Attachment(s):**

[A-9988-01 Zoning Agenda Item Summary](#)

[A-9988-C-01 Zoning Hearing Examiner Decision with ER](#)

[A-9988-C-01 Zoning Hearing Examiner Decision](#)

A-9988-C-01 PORL

[A-9988-01 Technical Staff Report](#)

A-9988-01 Letter to Tedesco - signed

A-9988-01 Amendment to Application

**REFERRED FOR DOCUMENT**[CNU-26029-2019](#)**E&K International Food Market****Applicant(s):**

Ebrima Jallow

**Location:**

Located on the west side of Livingston Road, approximately 0.3 miles north of Oxon Hill Road (0.25 Acres; C-M Zone).

**Request:**

Requesting approval of a Certification of a Nonconforming Use (CNU) for a food or beverage store.

**Council District:**

8

**Appeal by Date:**

8/17/2020

**Review by Date:**

9/21/2020

**Action by Date:**

10/26/2020

**History:**

03/19/2020

M-NCPPC Technical Staff

approval

*It is recommended that Certification of Nonconforming Use CNU-26029-2019, E&K International Food Market, be APPROVED for the southern unit of the building known as 9317 Livingston Road.*

03/19/2020

M-NCPPC Technical Staff

disapproval

*It is recommended that Certification of Nonconforming Use CNU-26029-2019, E&K International Food Market, be DENIED for the northern first floor unit of the building known as 9315 Livingston Road.*

04/23/2020

M-NCPPC Planning Board

approval

07/27/2020

Sitting as the District Council

elected to review

*Council elected to review (Vote: 11-0).*

08/17/2020

Applicant

filed

*Ebrima Jallow, applicant, filed a request to withdraw the CNU26029-2019 E & K International Food Market, LLC application.*

09/03/2020

Clerk of the Council

mailed

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

09/21/2020

Sitting as the District Council

announced hearing date

10/05/2020

Sitting as the District Council

referred for document

*Prior to the hearing, Stan Brown, People's Zoning Counsel, spoke to the procedural posture of the application and the applicant's request to withdraw. Ebrima Jallow, applicant, spoke and reiterated his request to withdraw the application. Council referred item to staff for the preparation of an disapproving document in accordance with the applicant's request to withdraw (Vote: 11-0).*

**Attachment(s):**[CNU-26029-2019 Zoning Agenda Item Summary](#)

CNU-26029-2019 Applicant email to Brown 9302020

CNU-26029-2019 Applicant Withdrawal Request

CNU-26029-2019 Applicant Withdrawal Request email

CNU-26029-2019 Applicant Withdrawal Request initial ei

[CNU-26029-2019 Planning Board Resolution](#)

CNU-26029-2019\_POR List

[CNU-26029-2019 Technical Staff Report](#)[CNU-26029-2019 Transcripts](#)

CNU-26029-2019 District Council Hearing Notice

**REFERRED FOR DOCUMENT (Continued)****CSP-19010****LIW Ironworks****Applicant(s):**

LIW Ironworks, Inc.

**Location:**

Located on the north side of Cornett Street, approximately 475 feet east of its intersection with Livingston Road, at 10929 Indian Head Highway (MD 210)(1.5 Acres; I-3 Zone).

**Request:**

Requesting approval of a Conceptual Site Plan (CSP) for development of up to 19,000 square feet of a contractor's office and warehouse with fabrication.

**Council District:**

8

**Appeal by Date:**

8/17/2020

**Review by Date:**

9/21/2020

**Action by Date:**

10/26/2020

**History:**

05/12/2020	M-NCPPC Technical Staff	approval with conditions
06/18/2020	M-NCPPC Planning Board	approval with conditions
07/27/2020	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote: 11-0).</i>	
08/13/2020	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
09/14/2020	Sitting as the District Council	announced hearing date
09/21/2020	Sitting as the District Council	hearing held; case taken under advisement

*Prior to the hearing, Stan Brown, People's Zoning Counsel, relayed that the applicant did not have an attorney and waived its right to appear for the Oral Argument. Subsequently, Henry Zhang, M-NCPPC, provided an overview of the Detailed Site Plan application. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented. The Oral Argument Hearing was held and Council took this case under advisement.*

10/05/2020	Sitting as the District Council	deferred
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*Council deferred this case to October 19, 2020.*

10/19/2020

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):**

[CSP-19010 Zoning Agenda Item Summary](#)

CSP-19010 District Council Notice of Hearing

[CSP-19010\\_Planning Board Resolution No. 2020-92](#)

CSP-19010\_POR List

[CSP-19010 Technical Staff Report](#)

**REFERRED FOR DOCUMENT (Continued)**[DSP-06001-03](#)**The Commons at Addison Road Metro****Applicant(s):**

6301 Central Avenue, LLC

**Location:**

Located in the southwest quadrant of the intersection of MD 214 (Central Avenue) and Addison Road, across from the Addison Road Metro Station, at 6301 Central Avenue (2.98 Acres; C-S-C / R-55 / D-D-O).

**Request:**

Requested approval of an amendment to a Detailed Site Plan (DSP) for a mixed-use building including 193 multifamily dwelling units and 11,000 square feet of ground-floor commercial uses.

**Council District:**

7

**Appeal by Date:**

8/17/2020

**Action by Date:**

10/30/2020

**Comment(s):**

Mandatory Review:

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

**History:**

03/26/2020	M-NCPPC Technical Staff	approval with conditions
04/30/2020	M-NCPPC Planning Board	approval with conditions
06/03/2020	Person of Record	appealed
	<i>Bradley E. Heard, Person of Record, appealed the Planning Board's decision.</i>	
08/13/2020	Clerk of the Council	mailed
	<i>Notice of Mandatory Review Hearing (using Oral Argument procedures) was mailed to Persons of Record.</i>	
08/17/2020	Applicant	appealed
	<i>Christopher L. Hatcher, attorney for the applicant, appealed the Planning Board's decision.</i>	
09/14/2020	Sitting as the District Council	announced hearing date
09/14/2020	Applicant	filed
	<i>Christopher L. Hatcher, attorney for the applicant, filed a letter in opposition to Mr. Bradley Heard's Petition for Appeal from the Planning Board's Final Decision.</i>	



09/21/2020 Sitting as the District Council continued at a later date  
*After a preliminary procedural discussion, Council voted to grant Appellant's request for a continuance and the Mandatory Review hearing was continued to October 5, 2020 at 12:00pm (Vote: 10-1; Against: Council Member Hawkins).*

09/21/2020 Clerk of the Council mailed  
*Courtesy notice of District Council hearing continuation was mailed to Persons of Record.*

09/28/2020 Person of Record filed  
*Bradley E. Heard, Person of Record, filed a Corrected Brief, Presentation and Proposed Order.*

10/05/2020 Sitting as the District Council hearing held; referred for document  
*Andrew Bishop, M-NCPPC, provided an overview of the Detailed Site Plan application. Bradley Heard, appellant, spoke in opposition. Christopher Hatcher, Esq., attorney for the applicant, spoke in support along with Stephanie Farrell of Torti Gallas, who responded to Council Member questions. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented. The Mandatory Review Hearing was held and Council referred to staff for an approving document, with conditions (Vote: 11-0).*

**Attachment(s):**

[DSP-06001-03 Zoning Agenda Item Summary](#)  
[DSP-06001-03\\_Heard to Brown Correspondence 0928202](#)  
 DSP-06001-03 District Council Notice of Hearing\_Contin  
[DSP-06001-03 Response Letter Hatcher to Brown](#)  
 DSP-06001-03 Appeal Letter Heard to Brown  
[DSP-06001-03 District Council Notice of Hearing](#)  
 DSP-06001-03 Appeal Letter Hatcher to Brown  
[DSP-06001-03 Planning Board Resolution No. 2020-59](#)  
 DSP-06001-03\_POR List  
[DSP-06001-03 Technical Staff Report](#)  
[DSP-06001-03 Transcripts Continuance Request \(3-5-20\)](#)  
[SDP-0007-03 Planning Board Exhibits](#)

**REFERRED FOR DOCUMENT (Continued)**[DSP-19050](#)**Dewey Property****Companion Case(s):** DDS-660**Applicant(s):** Bald Eagle Partners**Location:** Located on the north side of Toledo Road, approximately 240 feet west of Adelphi Road (21.16 Acres; M-U-I / T-D-O).**Request:** Requesting approval of a Detailed Site Plan (DSP) for a mixed-use building consisting of 321 multifamily dwelling units and 1,258 square feet of commercial/retail uses on proposed Parcel 5.**Council District:** 2**Appeal by Date:** 9/4/2020**Review by Date:** 9/30/2020**Action by Date:** 10/30/2020**Municipality:** City of Hyattsville**History:**

07/01/2020 M-NCPPC Technical Staff approval with conditions

07/30/2020 M-NCPPC Planning Board approval with conditions

08/27/2020 Person of Record appealed

*Peter E. Ciferri, Esq., attorney for the appellant, appealed the Planning Board's Decision.*09/14/2020 Sitting as the District Council waived election to review  
*Council waived election to review for this item (Vote: 11-0).*09/16/2020 Clerk of the Council mailed  
*Notice of Oral Argument Hearing was mailed to Persons of Record.*10/02/2020 Person of Record filed  
*Peter E. Ciferri, Esq., attorney for appellant, filed a Motion to Correct Administrative Record.*

10/05/2020 Sitting as the District Council announced hearing date

10/09/2020 Applicant filed

*Thomas H. Haller, Esq., attorney for the applicant, filed a response to the August 27, 2020 appeal.*

10/19/2020

Sitting as the District Council

hearing held; referred for document

*Jeremy Hurlbutt, M-NCPPC, provided an overview of the Detailed Site Plan application. Peter Ciferri, Esq., attorney for appellant, 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. The hearing was held and Council referred to staff for an approving document, with conditions (Vote: 11-0).*

**Attachment(s):**[DSP-19050 Zoning Agenda Item Summary](#)[DSP-19050 Presentation Slides](#)[DSP-19050 Letter Haller to Brown Response to Appeal 10](#)[DSP-19050 M-NCPPC email to correct the record 100720](#)[DSP-19050 Correspondence from Ciferri to Brown \(10022](#)[DSP-19050 Letter from Ciferri to Brown \(Appeal\)](#)[DSP-19050\\_DSP-19050-01 Transcripts](#)[DSP-19050 Planning Board Resolution 2020-125](#)

DSP-19050 PORL

[DSP-19050 Technical Staff Report](#)[DSP-19050 Planning Board Record](#)[\(DSP-19050\) 3-31-20 Letter from Ciferri to Planning Boar](#)[\(DSP-19050\) 4-8-20 Letter from Ciferri to Planning Board](#)[\(DSP-19050 & DSP-19050-01\) 7-10-20 Letter from Ciferri](#)[\(DSP-19050 & DSP-19050-01\) 7-15-20 Letter from Ciferri](#)

**REFERRED FOR DOCUMENT (Continued)****DSP-19050-01****Dewey Property****Applicant(s):**

Bald Eagle Partners

**Location:**

Located on the north side of Toledo Road, approximately 240 feet west of Adelphi Road (21.16 Acres; M-U-I / T-D-O Zones).

**Request:**

Requesting approval of an amendment to a Detailed Site Plan (DSP) for a development consisting of 529 multifamily dwelling units on proposed Parcels 1, 2, and 3, as the second phase of the Dewey Property mixed-use development.

**Council District:**

2

**Appeal by Date:**

9/4/2020

**Review by Date:**

9/30/2020

**Action by Date:**

10/30/2020

**Municipality:**

City of Hyattsville

**History:**

07/01/2020

M-NCPPC Technical Staff

approval with conditions

07/30/2020

M-NCPPC Planning Board

approval with conditions

08/27/2020

Person of Record

appealed

*Peter E. Ciferri, Esq., attorney for the appellant, appealed the Planning Board's Decision.*

09/14/2020

Sitting as the District Council

waived election to review

*Council waived election to review for this item (Vote: 11-0).*

09/16/2020

Clerk of the Council

mailed

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

10/02/2020

Person of Record

filed

*Peter E. Ciferri, Esq., attorney for appellant, filed a Motion to Correct Administrative Record.*

10/05/2020

Sitting as the District Council

announced hearing date

10/09/2020

Applicant

filed

*Thomas H. Haller, Esq., attorney for the applicant, filed a response to the August 27, 2020 appeal.*

10/19/2020

Sitting as the District Council

hearing held; referred for document

*Jeremy Hurlbutt, M-NCPPC, provided an overview of the Detailed Site Plan application. Peter Ciferri, Esq., attorney for appellant, 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. The hearing was held and Council referred to staff for an approving document, with conditions (Vote: 11-0).*

**Attachment(s):**[DSP-19050-01 Zoning Agenda Item Summary](#)[DSP-19050-01 Presentation Slides](#)[DSP-19050-01 Letter Haller to Brown Response to Appeal](#)[DSP-19050 M-NCPPC email to correct the record 100720](#)[DSP-19050-01 Correspondence from Ciferri to Brown 10/19/20](#)[DSP-19050 Letter from Ciferri to Brown \(Appeal\)](#)[DSP-19050\\_DSP-19050-01 Transcripts](#)[DSP-19050-01 Planning Board Resolution 2020-127](#)[DSP-19050-01\\_PORL](#)[DSP-19050-01 Technical Staff Report](#)[DSP-19050-01 Planning Board Record](#)[\(DSP-19050-01 & DSP-19050\) 7-10-20 Letter from Ciferri](#)[\(DSP-19050-01 & DSP-19050\) 7-15-20 Letter from Ciferri](#)[\(DSP-19050-01\) 5-28-20 Letter from Ciferri to Hurlbutt](#)

**REFERRED FOR DOCUMENT (Continued)****DSP-19060****McDonald's Landover****Applicant(s):**

McDonald's Corp

**Location:**

Located on the north side of MD 214 (Central Avenue) at its intersection with Brightseat Road (1.17 Acres; M-U-I / D-D-O / M-I-O).

**Request:**

Requesting approval of a Detailed Site Plan (DSP) requests to raze the existing McDonald's eating and drinking establishment with drive-through service and replace it with a new 4,540-square-foot McDonald's eating and drinking establishment with drive-through service.

**Council District:**

5

**Appeal by Date:**

9/4/2020

**Review by Date:**

9/30/2020

**Action by Date:**

11/13/2020

**History:**

06/24/2020	M-NCPPC Technical Staff	approval with conditions
07/30/2020	M-NCPPC Planning Board	approval with conditions
09/14/2020	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote 10-0; Absent: Council Member Franklin).</i>	
09/16/2020	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
10/05/2020	Sitting as the District Council	announced hearing date
10/19/2020	Sitting as the District Council	hearing held; referred for document

*Adam Bossi, M-NCPPC, provided an overview of the Detailed Site Plan application. Dan Lynch, 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. The hearing was held and Council referred to staff for an approving document, with conditions (Vote: 11-0).*

**Attachment(s):**

[DSP-19060 Zoning Agenda Item Summary](#)

[DSP-19060 Presentation Slides](#)

[DSP-19060 Planning Board Resolution 2020-121](#)

[DSP-19060 Transcripts](#)

DSP-19060\_PORL

[DSP-19060 Technical Staff Report](#)

[DSP-19060 Planning Board Record](#)

[DSP-19060 \(NRIX-094-2019\)](#)

[DSP-19060 \(TCPX-S-114-2019\)](#)

**REFERRED FOR DOCUMENT (Continued)****SDP-0007-03****Amazon.com Services****Applicant(s):**

Amazon.com Services, LLC.

**Location:**

Located in the northeastern quadrant of the intersection of Queens Court and Prince George's Boulevard (28.01 Acres; E-I-A Zones).

**Request:**

Requesting approval of an amendment to a Specific Design Plan (SDP) to increase the land area covered by pavement for parking, loading, and circulation for a warehouse and distribution facility.

**Council District:**

4

**Appeal by Date:**

9/4/2020

**Review by Date:**

9/30/2020

**Action by Date:**

10/30/2020

**History:**

07/09/2020	M-NCPPC Technical Staff	approval with conditions
07/30/2020	M-NCPPC Planning Board	approval with conditions
08/26/2020	Person of Record	appealed
	<i>G. Macy Nelson, Esq., attorney for appellants, filed an appeal of the Planning Board's Decision.</i>	
09/03/2020	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing scheduled for October 5, 2020 at 1:30 p.m. was mailed to Persons of Record.</i>	
09/14/2020	Sitting as the District Council	waived election to review
	<i>Council waived election to review for this item (Vote: 11-0).</i>	
09/21/2020	Sitting as the District Council	announced hearing date
09/28/2020	Applicant	filed
	<i>Heather Dlhopsky, attorney for the applicant, filed a response to appellants' Notice of Appeal and Request for Oral Argument.</i>	



10/05/2020

Sitting as the District Council

hearing held; referred for document

*Tom Burke, M-NCPPC, provided an overview of the Specific Design Plan application. G. Macy Nelson, attorney for appellants, spoke in opposition. Heather Dlhopsky, Esq., attorney for the applicant, spoke in support. David Warner, Principal Counsel, M-NCPPC, responded to Council Member questions. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented. The Oral Argument Hearing was held and Council referred the item to staff for preparation of an approving document, with conditions (Vote: 10-1; Against: Council Member Dernoga).*

**Attachment(s):**[SDP-0007-03 Zoning Agenda Item Summary](#)

SDP-0007-03 District Council Hearing Notice

SDP-0007-03 Letter from Nelson to Brown (Appeal)

[SDP-0007-03 Planning Board Resolution 2020-129](#)

SDP-0007-03\_PORL

[SDP-0007-03 Technical Staff Report](#)[SDP-0007-03 Transcripts](#)[SDP-0007-03 Letter from Dlhopsky to Brown](#)[SDP-0007-03 Correspondence Nelson to Brown 10-1-2020](#)

**REFERRED FOR DOCUMENT (Continued)**[SE-4795](#)**Strickland Funeral Home****Applicant(s):**

Eric D. Strickland

**Location:**

Located in the southwest quadrant of the intersection of MD 193 (Enterprise Road) and Belvidere Road (7.39 Acres; R-R Zone).

**Request:**

Request approval of a Special Exception (SE) to construct an 11,612-square-foot Funeral Home and a 9,184-square-foot “ancillary” Reception Hall on 7.39 acres of R-R (Rural Residential) zoned land located in the southwest quadrant of the intersection of Enterprise Road (MD 193) and Belvidere Road, and identified as 3800 Enterprise Road, Bowie, Maryland

**Council District:**

5

**Appeal by Date:**

8/17/2020

**Review by Date:**

9/21/2020

**Action by Date:**

2/14/2021

**Opposition:**

Raycena Moyer and Samuel Moyer

**History:**

12/24/2019	M-NCPPC Technical Staff	approval with conditions
07/08/2020	Zoning Hearing Examiner	approval with conditions
09/14/2020	Sitting as the District Council	elected to make the final decision
	<i>Council elected to make the final decision on this item (11-0).</i>	
09/16/2020	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
10/05/2020	Sitting as the District Council	announced hearing date
10/19/2020	Sitting as the District Council	hearing held; referred for document

*Thomas Sievers, M-NCPPC, provided an overview of the Special Exception application. Bradley Frarrar, 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. The hearing was held and Council referred to staff for an approving document, with conditions (Vote: 11-0).*

**Attachment(s):**

[SE-4795 Zoning Agenda Item Summary](#)

[SE-4795 Presentation Slides](#)

[SE-4795 Transcripts](#)

[SE-4795 ZHE- Decision](#)

SE-4795 PORL

[SE-4795 Technical Staff Report](#)

**PENDING FINALITY**

*The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to review or an appeal is filed.*

**PLANNING BOARD****DSP-18047****College Park Marriott****Applicant(s):**

New County Hotel, LLC

**Location:**

Located in the northwest quadrant of Campus Drive and Corporal Frank S Scott Drive (2.11 Acres; M-U-I / T-D-O Zones).

**Request:**

Requesting approval of a Detailed Site Plan (DSP) proposes to construct a five-story, vertical, mixed-use building with a 161-room hotel and 6,800 square feet of ground-floor retail space.

**Council District:**

3

**Appeal by Date:**

11/19/2020

**Review by Date:**

11/19/2020

**Municipality:**

City of College Park

**History:**

09/10/2020

M-NCPPC Technical Staff

approval with conditions

10/15/2020

M-NCPPC Planning Board

approval with conditions

**Attachment(s):**[DSP-18047 Zoning Agenda Item Summary](#)[DSP-18047 Planning Board Resolution 2020-138](#)

DSP-18047\_PORL

[DSP-18047 Technical Staff Report](#)

**PENDING FINALITY (Continued)**[DPLS-485](#)**College Park Marriott****Companion Case(s):** DSP-18047**Applicant(s):** New County Hotel, LLC**Location:** Located in the northwest quadrant of Campus Drive and Corporal Frank S Scott Drive (2.11 Acres; M-U-I / T-D-O Zones).**Request:** Requesting approval of a Departure from Parking and Loading Spaces,(DPLS) for a reduction in the required number of loading spaces from three to two.**Council District:** 3**Appeal by Date:** 11/19/2020**Review by Date:** 11/19/2020**Municipality:** City of College Park**History:**

09/10/2020 M-NCPPC Technical Staff approval

10/15/2020 M-NCPPC Planning Board approval

**Attachment(s):** [DPLS-485 Zoning Agenda Item Summary](#)  
[DPLS-485 Planning Board Resolution 2020-139](#)  
[DPLS-485 Technical Staff Report](#)  
DPLS-485\_PORL

**PENDING FINALITY (Continued)****DSP-19042****Branchville Gardens****Applicant(s):**

Cruz Development Corporation

**Location:**

Located on the north side of Branchville Road, approximately 110 feet west of its intersection with MD 193 (University Boulevard) (2.02 Acres; R-10 Zone).

**Request:**

Requesting approval of a Detailed Site Plan (DSP), for the development of one multifamily residential building, including 81 dwelling units, and associated parking.

**Council District:**

3

**Appeal by Date:**

11/19/2020

**Review by Date:**

11/19/2020

**Municipality:**

City of College Park

**History:**

09/10/2020

M-NCPPC Technical Staff

approval with conditions

10/15/2020

M-NCPPC Planning Board

approval with conditions

**Attachment(s):**[DSP-19042 Zoning Agenda Item Summary](#)[DSP-19042 Planning Board Resolution 2020-141](#)

DSP-19042\_PORL

[DSP-19042 Technical Staff Report](#)

**PENDING FINALITY (Continued)****DSP-20022****Woodyard Station****Applicant(s):**

TAC WOODYARD, LLC

**Location:**

Located on the north side of MD 223 (Woodyard Road), approximately 2,100 feet west of its intersection with MD 5 (Branch Avenue) (21.82 Acres; M-X-T / M-I-O Zones).

**Request:**

Requesting approval of a Detailed Site Plan (DSP) for infrastructure only for the installation of public roads, stormwater management (SWM) facilities, utilities, and mass grading of the site.

**Council District:**

9

**Appeal by Date:**

11/19/2020

**Review by Date:**

11/19/2020

**History:**

09/08/2020

M-NCPPC Technical Staff

approval with conditions

10/15/2020

M-NCPPC Planning Board

approval with conditions

**Attachment(s):**[DSP-20022 Zoning Agenda Item Summary](#)[DSP-20022 Planning Board Resolution 2020-140](#)

DSP-20022\_PORL

[DSP-20022 Technical Staff Report](#)

**CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING -NOVEMBER 9, 2020 AT 10:00 AM***Hearing Dates & Times Subject to Change***DSP-19031****7-Eleven Branch Avenue****Applicant(s):**

7-Eleven, Inc.

**Location:**

Located on the east side of MD 5 (Branch Avenue), south of MD 373 (Accokeek Road) and MD 38(Brandywine Road), and to the west of MD 631 (Old Brandywine Road) (2.00 Acres; C-M / C-S-C Zones).

**Request:**

Requesting approval of a Detailed Site Plan (DSP), to develop the site with a 3,484-square-foot food and beverage store, a gas station, and a 982-square-foot car wash.

**Council District:**

9

**Appeal by Date:**

10/15/2020

**Review by Date:**

10/15/2020

**History:**

07/15/2020

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

*Council deferred this item to October 5, 2020.*

10/05/2020

Sitting as the District Council

elected to review

*Council elected to review this item (11-0).***Attachment(s):**[DSP-19031 Zoning Agenda Item Summary](#)[DSP-19031 Planning Board Resolution](#)

DSP-19031\_PORL

[DSP-19031 Technical Staff Report](#)[DSP-19031 Planning Board Record](#)



**CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING -NOVEMBER 9, 2020 AT 10:00 AM***Hearing Dates & Times Subject to Change***SDP-1803****7-Eleven at Brandywine Village****Applicant(s):**

7-Eleven, Inc.

**Location:**

Located at the northwest corner of the intersection of Chadds Ford Drive and US 301 (Robert Crain Highway) (1.14 Acres; L-A-C Zone).

**Request:**

Requesting approval of a Specific Design Plan (SDP) for a 3,062-square-foot food and beverage store and a gas station in the Local Activity Center (L-A-C) Zone.

**Council District:**

9

**Appeal by Date:**

10/15/2020

**Review by Date:**

10/15/2020

**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
	<i>Council deferred this item to October 5, 2020.</i>	
10/05/2020	Sitting as the District Council	elected to review
	<i>Council elected to review this item (11-0).</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>	

**Attachment(s):**

[SDP-1803 Zoning Agenda Item Summary](#)  
[SDP-1803 District Council Notice of Hearing](#)  
[SDP-1803\\_email\\_Appeal Letter Davis Jackson et al to Brc](#)  
[SDP-1803\\_Appeal Letter Davis Jackson et al to Brown 10](#)  
[SDP-1803 Planning Board Resolution](#)  
 SDP-1803\_PORL  
[SDP-1803 Technical Staff Report](#)  
[SDP-1803 Planning Board Record](#)

[ADJ52-20](#)

**ADJOURN**