



Prince George's County Council

Sitting as the District Council

Zoning Agenda Item Summary

Case No.: A-10049 **Councilmanic District:** 9
Meeting Date: 10/7/2019 **Zone(s):** R-R
Case Name: Khan Property
Applicant: Khan Properties, LLC
Location: Located at the northwest quadrant of the intersection of U.S. 301 (Robert Crain Highway) and Missouri Avenue. Also, identified as 203 Crain Highway, Brandywine, Maryland (4.592 acres; R-R Zone).
Request: Requesting approval of a Zoning Map Amendment to rezone approximately 4.592 acres of R-R (Rural Residential) zoned land to the C-M (Commercial Miscellaneous) Zone.

Companion

Case(s):

DECISIONS/RECOMMENDATION:

Technical Staff: Disapproval
Planning Board: Disapproval
Zoning Hearing Examiner: Approval with Conditions

LEGAL DEADLINES:

Appeal date: 5/29/2019
Review date:
Action date: 10/28/2019

Municipality:

Comments:

Opposition: None

Staff: Ras Tafari Cannady II

HISTORY:

Acting Body:	Date:	Action:
M-NCPPC Technical Staff	11/20/2018	disapproval
M-NCPPC Planning Board	12/13/2018	no motion to consider
Zoning Hearing Examiner	04/29/2019	approval with conditions
Applicant	05/29/2019	appealed

Notes: *Edward C. Gibbs, Jr., Esq., attorney for the applicant, filed an exception to the Zoning Hearing Examiner's Decision related to Condition 2 and requested Oral Argument.*

Clerk of the Council 06/05/2019 mailed
Notes: *Notice of Oral Argument Hearing was mailed to Persons of Record.*

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

Sitting as the District Council 07/08/2019 hearing held; case taken under advisement
Notes: *Ras Cannady, II, M-NCPPC, provided an overview of the Zoning Map Amendment application. Mr. Edward C. Gibbs, 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. The Oral Argument Hearing was held and Council took this case under advisement.*

Sitting as the District Council 10/07/2019 referred for document
Notes: *Council referred item to staff for preparation of an approving document with conditions. (Vote: 8-0; Absent: Council Member's Franklin, Glaros and Taveras).*
 Aye: 8 Turner, Anderson-Walker, Davis, Dernoga, Harrison, Hawkins, Ivey and Streeter
 Absent: 3 Franklin, Glaros and Taveras

Sitting as the District Council 10/15/2019 approval with conditions
Notes: *Council adopted the prepared Zoning Ordinance No. 15 - 2019 approving the rezoning request with conditions (Vote: 10-0; Absent: Council Member Franklin).*
 Aye: 10 Turner, Anderson-Walker, Davis, Dernoga, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras
 Absent: 1 Franklin

Clerk of the Council 10/18/2019 mailed
Notes: *The Notice of Preliminary Conditional Zoning Approval of the District Council was mailed to applicant and to all Persons of Record (applicant must accept conditions by January 13, 2020).*

Applicant 12/04/2019 filed
Notes: *Edward C. Gibbs, Esq., attorney for the applicant, submitted a letter of acceptance of conditions from Khan Properties, LLC.*

Clerk of the Council 12/10/2019 mailed
Notes: *The Notice of Final Decision of the District Council was mailed to Persons of Record.*

Document(s): A-10049 District Council Zoning Ordinance 15-2019, A-10049 Applicant Letter Accepting Conditions, A-10049 ZHE Decision, A-10049 PORL, A-10049 Technical Staff Report