



Prince George's County Council

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

Zoning Minutes - Final 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, September 11, 2017

10:00 AM

Council Hearing Room

9:30 AM AGENDA BRIEFING - (ROOM 2027)

10:00 AM CALL TO ORDER - (COUNCIL HEARING ROOM)

The meeting was called to order at 10:18 a.m. with eight members present at roll call.

Council Member Toles arrived at 10:28 a.m.

Present: 9 - Chairman Derrick Davis
 Vice Chair Dannielle Glaros
 Council Member Mel Franklin
 Council Member Andrea Harrison
 Council Member Mary Lehman
 Council Member Obie Patterson
 Council Member Deni Taveras
 Council Member Karen Toles
 Council Member Todd Turner

*Also Present: Robert Williams, Council Administrator
Stan Brown, People's Zoning Counsel
William M. Hunt, Deputy Council Administrator
Rajesh Kumar, Principal Counsel to the District Council
Redis C. Floyd, Clerk of the Council
Donna J. Brown, Deputy Clerk of the Council
Calvin Saunders, DPIE
Carlton Sellman, DPIE*

*M-NCPPC
Ruth Grover, Planner, Development Review Division*

INVOCATION

Prior to Invocation, Chairman Davis read a statement regarding the September 11, 2001 attacks, announced a memorial stair climb and other observances in honor of the victims and requested a moment of silence. The Invocation was provided by Mrs. Sylvia Taylor, International Church of Christ, Landover, MD. Chairman Davis requested prayer for Colette Gresham, Legislative Branch Employee, in the passing of her mother. Council Member Glaros requested prayer for victims of domestic violence. Council Member Harrison requested prayer for those who were affected by the recent hurricanes. Council Member Taveras requested prayer for the Handy family in the passing of Mrs. Katie Handy.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Glaros.

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 07172017](#)

District Council Minutes dated July 17, 2017

A motion was made by Council Member Harrison, seconded by Council Member Turner, that this Minutes be approved. The motion carried by the following vote:

Aye: 9 - Davis, Glaros, Franklin, Harrison, Lehman, Patterson, Taveras, Toles and Turner

Attachment(s): [7-17-2017 District Council Minutes DRAFT](#)

[MINDC 07182017](#)

District Council Minutes dated July 18, 2017

A motion was made by Council Member Harrison, seconded by Council Member Turner, that this Minutes be approved. The motion carried by the following vote:

Aye: 9 - Davis, Glaros, Franklin, Harrison, Lehman, Patterson, Taveras, Toles and Turner

Attachment(s): [7-18-2017 District Council ADDITIONS Minutes DRAFT](#)

ORAL ARGUMENTS

DSP-16040

Mt. Olives United Missionary Baptist Church

Applicant(s): Mt. Olives United Missionary Baptist Church

Location: Located on the eastern side of Annapolis Road, approximately 415 feet south of its intersection with Cooper Lane, at 6659 Annapolis Road in Hyattsville, Maryland (0.65 Acres; C-S-C Zone).

Request: Requesting approval of a Detailed Site Plan for a 2,840-square-foot addition to an existing 1,306-square-foot church (total 4,146 square feet).

Council District: 5

Appeal by Date: 6/29/2017

Review by Date: 6/29/2017

Action by Date: 9/18/2017

Municipality: Town of Landover Hills

History:

Ruth Grover, M-NCPPC, provided an overview of the Detailed Site Plan application, Nakita Reed and Pastor Charles Smith spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented.

The Oral Argument Hearing was held and Council referred item to staff for preparation of an approving document, with conditions (Vote: 9-0).

This Detailed Site Plan hearing was held; subsequently, a motion was made by Council Member Harrison, seconded by Vice Chair Glaros, that this Detailed Site Plan be referred for document. The motion carried by the following vote:

Aye: 9 - Davis, Glaros, Franklin, Harrison, Lehman, Patterson, Taveras, Toles and Turner

Attachment(s): [DSP-16040_Zoning AIS](#)
[DSP-16040 Planning Board Resolution 17-71](#)
 DSP-16040_PORL
[DSP-16040 Technical Staff Report](#)
[DSP 16040 Final Decision](#)

NEW CASE(S)[ERR-264](#)**919 Maryland Avenue NE, LLC t/a Finian's Court Apartments
Validation of Multifamily Rental License No. M-0205 Issued in
Error**

Applicant(s): 919 Maryland Avenue NE, LLC t/a Finian's Court Apartments
Location: Located at 7740, 7742, 7744, 7746, 7748, 7750, 7752, 7754, 7756 and 7758
Finns Lane, Lanham, Maryland.
Request: Requesting approval for validation of Prince George's County Multifamily
Rental License No. M-0205 issued in error for a 57 unit apartment building.
Council District: 3
Appeal by Date: 8/14/2017
Action by Date: 1/12/2018
Opposition: None

History:

*Council referred item to staff for preparation of an approving document, with conditions
(Vote: 9-0).*

**A motion was made by Vice Chair Glaros, seconded by Council Member Turner, that
this Permit issued in error be referred for document. The motion carried by the
following vote:**

Aye: 9 - Davis, Glaros, Franklin, Harrison, Lehman, Patterson, Taveras, Toles
and Turner

Attachment(s): [ERR-264 Zoning AIS](#)
[ERR-264 Zoning Hearing Examiner Decision](#)
ERR-264 PORL
[ERR 264 Final Decision](#)

NEW CASE(S) (Continued)[ERR-266](#)**Vizion Realty, LLC****Validation of Multifamily Rental License No. M-370 Issued In Error**

- Applicant(s):** Vizion Realty, LLC
- Location:** Located at 4775 Huron Avenue, Suitland, Maryland (0.319 Acres; M-U-TC / D-D-O Zones).
- Request:** Request for validation of Prince George's County Multifamily Rental License No. M-370 issued in error for a 15 unit apartment building located in the M-U-TC (Mixed-Use Town Center) and the D-D-O (Development District Overlay) (Southern Green Line) Zones.
- Council District:** 7
- Appeal by Date:** 6/8/2017
- Action by Date:** 10/6/2017
- Opposition:** None
- History:**

Council deferred this item to September 25, 2017.

This Permit issued in error was deferred

Attachment(s): [ERR-266 Zoning Hearing Examiner Decision](#)
ERR-266 PORL

NEW CASE(S) (Continued)[ERR-267](#)**Vizion Realty, LLC****Validation of Multifamily Rental License No.M-369 Issued in Error**

- Applicant(s):** Vizion Realty, LLC
- Location:** Located at 4785 Huron Avenue, Suitland, Maryland (0.5400 Acres; M-U-TC / D-D-O Zones).
- Request:** Requesting validation of Prince George's County Multifamily Rental License No. M-369 issued in error for a 15 unit apartment building, located in the M-U-TC (Mixed-Use Town Center) and the D-D-O (Development District Overlay) (Southern Green Line) Zones.
- Council District:** 7
- Appeal by Date:** 6/8/2017
- Action by Date:** 10/6/2017
- Opposition:** None
- History:**

Council deferred this item to September 25, 2017.

This Permit issued in error was deferred

- Attachment(s):** [ERR-267 Zoning Hearing Examiner Decision](#)
ERR-267 PORL

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) ZONING HEARING EXAMINER

In the event the District Council elects to make the final decision in this case, an oral argument will be scheduled pursuant to Sec. 27-131 of the Zoning Ordinance.

[SE/VSE-4750](#)**Sheriff Road Seventh Day Adventist Church****Companion Case(s):** DPLS-425**Applicant(s):** Sheriff Road Seventh-Day Adventist Company**Location:** Located at the intersection of Eastern Avenue and 59th Avenue, and identified as 602 59th Avenue, Fairmount Heights, Maryland (0.2860 Acres; R-55 Zone).**Request:** Requesting approval for a Special Exception for permission to use approximately 0.2860-acre of R-55 (One-Family Detached Residential) zoned land for a 40-seat church. Also requesting Variance 4750 to reduce the minimum setback requirements for the church set forth in Sections 27.341.02 (a) (1) and 442 (e) of the Zoning Ordinance.**Council District:** 5**Appeal by Date:** 10/10/2017**Review by Date:** 10/10/2017**Comment(s):** The companion case, DPLS-425 was elected to review by Council on 3/13/2017.**Municipality:** Town of Fairmount Heights**Opposition:** Town of Fairmount Heights, et. al.**History:**

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

A motion was made by Council Member Harrison, seconded by Council Member Turner, that Council elected to make the final decision on this Special Exception/Variance. The motion carried by the following vote:

Aye: 9 - Davis, Glaros, Franklin, Harrison, Lehman, Patterson, Taveras, Toles and Turner

Attachment(s): [SEVSE-4750 Zoning AIS](#)
[SEVSE-4750 Zoning Hearing Examiner Decsion](#)
 SEVSE-4750 PORL
[SE-4750 Planning Board Resolution 17-23](#)
[SE-4750 Technical Staff Report](#)

PENDING FINALITY (Continued)[SE/VSE-4768](#)**Forestville Auto Service****Companion Case(s):** DPLS-426**Applicant(s):** Paul Barham**Location:** Located on the south side of Marlboro Pike, approximately 100 feet west of Kirtland Avenue, also identified as 7303 Marlboro Pike, District Heights, Maryland (0.8079 Acres; C-S-C Zone).**Request:** Requesting approval for a Special Exception to expand an existing Gas Station and Auto Repair Facility on approximately 0.8079 acres of land, in the C-S-C (Commercial Shopping Center) and M-I-O (Military Installation Overlay) Zones and also requesting a Variance for the driveway width.**Council District:** 6**Appeal by Date:** 9/25/2017**Review by Date:** 10/2/2017**Opposition:** None**History:**

Council took no action on this item.

Council did not elect to make the final decision on this Special Exception/Variance.

Attachment(s): [SE/VSE-4768 Zoning Hearing Examiner Decision](#)
SE/VSE-4768 PORL

PENDING FINALITY (Continued)[SE/VSE-4770](#)**Castles of Love Assisted Living Homes**

- Applicant(s):** Castles of Love Assisted Living Home, Inc./Charlotte Branch
- Location:** Located at 14711 Mount Calvert Road, Upper Marlboro, Maryland (3.15 Acres; O-S Zone).
- Request:** Requesting approval of a Special Exception to expand an existing Congregate Living Facility from eight (8) residents to sixteen (16) residents on approximately 3.15 acres of land in the O-S (Open Space) Zone. Also requesting approval of Variance 4770 because the site does not have the 5 acres required in the O-S Zone as a result of a court ordered foreclosure pursuant to a Deed of Trust.
- Council District:** 9
- Appeal by Date:** 9/28/2017
- Review by Date:** 10/2/2017
- Opposition:** None
- History:**

Council took no action on this item.

Council did not elect to make the final decision on this Special Exception/Variance.

- Attachment(s):** [SE-4770 Zoning Hearing Examiner Decision](#)
SE-4770 POR
[SE-4770 Technical Staff Report](#)

PENDING FINALITY (Continued)[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
- Opposition:** Stephen Briggs, et. al.

History:

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

A motion was made by Council Member Patterson, seconded by Council Member Toles, that Council elect to make the final decision on this Special Exception. The motion carried by the following vote:

Aye: 9 - Davis, Glaros, Franklin, Harrison, Lehman, Patterson, Taveras, Toles and Turner

- Attachment(s):** [SE-4774 Zoning AIS](#)
[SE-4774 Zoning Hearubg Examiner Decision](#)
SE-4774 PORL
[SE-4774 Technical Taff Report](#)

PENDING FINALITY (Continued)[SE-4790](#)**Aggregate Industries Sand and Gravel Wet Processing Facility****Applicant(s):** Aggregate Industries**Location:** Located on the south side of Accokeek Road approximately 660 feet west of the intersection of Accokeek Road and McKendree Road, Brandywine, Maryland (82.84 Acres; R-A / R-E Zones).**Request:** Requesting approval of a Special Exception to use approximately 82.84 acres of land, in the R-A (Residential Agricultural) and R-E (Residential Estate) Zones for Sand and Gravel Wet-Processing.**Council District:** 9**Appeal by Date:** 9/15/2017**Review by Date:** 10/2/2017**Opposition:** None**History:***Council took no action on this item.***Council did not elect to make the final decision on this Special Exception.****Attachment(s):** [SE-4790 Zoning Hearing Examiner Decision](#)
SE-4790 PORL

PENDING FINALITY (Continued)[SE/VSE-4783](#)**Chuck's Used Auto Parts**

- Applicant(s):** CC Clifton Road, LLC./Chuck's Used Auto Parts, Inc.
- Location:** Located on the west side of Clifton Road, approximately 688 feet south of St. Barnabas Road (MD 414), also identified as 4743 Clifton Road, Temple Hills, Maryland (0.99 Acres; I-1 Zone).
- Request:** Requesting approval of a Special Exception for permission to use approximately 0.99 acre of land in the I-1 (Light Industrial) Zone to operate a Vehicle Salvage Yard. Also requesting approval of Variance 4783, a two (2) foot variance to Section 27-474(a)(1) of the Zoning Ordinance, which requires a thirty (30) foot side yard setback from adjoining land in any nonresidential zone, for the existing one-story brick building, and a waiver of this setback requirement for the proposed eight (8)-foot-tall sight-tight fence to be located on the property line.

Council District: 7

Appeal by Date: 9/28/2017

Review by Date: 10/2/2017

Opposition: None

History:

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

A motion was made by Council Member Toles, seconded by Council Member Franklin, that Council elect to make the final decision on this Special Exception. The motion carried by the following vote:

Aye: 9 - Davis, Glaros, Franklin, Harrison, Lehman, Patterson, Taveras, Toles and Turner

PENDING FINALITY (Continued)**(b) PLANNING BOARD**[CSP-16003](#)**Matapeake, Parcels 7, 8 and 9**

- Applicant(s):** Fairfield Building Company
- Location:** Located on the east side of Matapeake Business Drive, one-quarter mile east of the intersection of Timothy Branch Drive and Robert Crain Highway (US 301). More specifically, the property is located at 7651 Matapeake Business Drive in Brandywine, Maryland (18.87 Acres; M-X-T Zone).
- Request:** Requesting approval of a Conceptual Site Plan for 300–325 multifamily units on Parcels 8 and 9 and 47,920 square feet of existing commercial uses on Parcel 7.
- Council District:** 9
- Appeal by Date:** 8/31/2017
- Review by Date:** 10/2/2017
- History:**

Council took no action on this item.

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

PENDING FINALITY (Continued)[DSP-04067-07](#)**Balk Hill Village (Davy Deck)****Applicant(s):** Earl Davy**Location:** Located on the southwestern side of Campus Way North, approximately 200 feet north of its intersection with Byward Boulevard (0.06 Acres; M-X-T Zone).**Request:** Requesting approval of a Detailed Site Plan for the construction of a 16-foot by 11.5-foot composite deck and stairs, attached to the rear of an existing single-family detached house.**Council District:** 5**Appeal by Date:** 8/24/2017**Review by Date:** 9/25/2017**History:**

Council took no action on this item.

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

Attachment(s): [DSP-04067-07 Planning Board Resolution 17-93](#)
[DSP-04067-07_PORL](#)
[DSP-04067 Technical Staff Report](#)

PENDING FINALITY (Continued)[DSP-13048-01](#)**TopGolf at Potomac Business Park, Lots 6, 7 & 8****Companion Case(s):** DSDS-692**Applicant(s):** TopGolf**Location:** The subject site, which consists of three noncontiguous lots, Lots 6, 7, and 8, is generally located approximately 500 feet east of Indian Head Highway (MD 210), on the south side of Oxon Hill Road (MD 414) and on both sides of Clipper Way (formerly Felker Avenue) (15.36 Acres; I-3 Zone).**Request:** Requesting approval of a Detailed Site Plan for a 64,232-square-foot golf driving range combined with an eating and drinking establishment, specifically a TopGolf Facility, on 15.36 acres in the Planned Industrial/Employment Park (I-3) Zone. The application also includes variances from the building and parking setbacks established in Section 27-474(b) of the Zoning Ordinance.**Council District:** 8**Appeal by Date:** 8/31/2017**Review by Date:** 10/2/2017**History:***Council deferred this item to September 25, 2017.***This Detailed Site Plan was deferred to September 25, 2017.****Attachment(s):** [DSP-13048-01 Zoning AIS](#)
[DSP-13048-01 Planning Board Resolution 17-106](#)
DSP-13048-012_PORL
[DSP-13048-01 Technical Staff Report](#)

PENDING FINALITY (Continued)**[DSDS-692](#)****TopGolf at Potomac Business Park, Lots 6, 7 & 8**

Companion Case(s): DSP-13048-01

Applicant(s): TopGolf

Location: The subject site, which consists of three noncontiguous lots, Lots 6, 7, and 8, is generally located approximately 500 feet east of Indian Head Highway (MD 210), on the south side of Oxon Hill Road (MD 414) and on both sides of Clipper Way (formerly Felker Avenue) (15.36 Acres; I-3 Zone).

Request: Requesting approval of a Departure from Sign Design Standards for an increase in the area of building-mounted signage in accordance with Subtitle 27 of the Prince George's County Code.

Council District: 8

Appeal by Date: 8/31/2017

Review by Date: 10/2/2017

History:

Council deferred this item to September 25, 2017.

This Departure from Sign Design Standards was deferred September 25, 2017.

Attachment(s): [DSDS-692 Zoning AIS](#)
[DSDS-692 Planning Board Resolution 17-107](#)
DSDS-692_PORL
[DSDS-692 Technical Staff Report](#)

PENDING FINALITY (Continued)

[DSP-15006](#)

Walker Mill Apartments (formerly Regency Square)

Applicant(s): Walker Mill Apartments LLC

Location: Located on the eastern side of Rochelle Avenue, approximately 270 feet south of its intersection with Walker Mill Road (14.79 Acres; R-18 Zone).

Request: Requesting approval of a Detailed Site Plan for the construction of a 2,995-square-foot community building and the relocation of a tot-lot in an existing multifamily development.

Council District: 7

Appeal by Date: 8/17/2017

Review by Date: 9/18/2017

History:

Council took no action on this item.

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

PENDING FINALITY (Continued)[DSP-16032](#)**SMO, Incorporated****Companion Case(s):** DSDS-691**Applicant(s):** SMO, Incorporated**Location:** Located on the west side of Old Branch Avenue between Kirby Road and Arbutus Lane. More specifically, the property is located at 7505 and 7509 Old Branch Avenue in Clinton, Maryland (1.56 Acres; C-M / M-I-O Zones)**Request:** Requesting approval of a Detailed Site Plan for a proposed 3,400-square-foot food and beverage store, eight multi-product dispenser gas station, and a 2,926-square-foot car wash.**Council District:** 9**Appeal by Date:** 8/24/2017**Review by Date:** 9/25/2017**History:***Council took no action on this item.***This Detailed Site Plan was not elected to review by Council.****Attachment(s):** [DSP-16032 Zoning AIS](#)
[DSP-16032 Planning Board Resolution 17-95](#)
DSP-16032_PORL
[DSP-16032 Technical Staff Report](#)

PENDING FINALITY (Continued)**[DSDS-691](#)****SMO, Incorporated****Companion Case(s):** DSP-16032**Applicant(s):** SMO, Incorporated**Location:** Located on the west side of Old Branch Avenue between Kirby Road and Arbutus Lane. More specifically, the property is located at 7505 and 7509 Old Branch Avenue in Clinton, Maryland (1.56 Acres; C-M / M-I-O Zones).**Request:** Requesting approval of a Departure from Sign Design Standards seeking relief from Section 27-614(a)(1) of the Zoning Ordinance for freestanding signage for the car wash where the main building is located less than 40 feet behind the front street line.**Council District:** 9**Appeal by Date:** 8/24/2017**Review by Date:** 9/25/2017**History:***Council took no action on this item.***This Departure from Sign Design Standards was not elected to review by Council.****Attachment(s):** [DSDS-691 Zoning AIS](#)
[DSDS-691 Planning Board Resolution 17-96](#)
DSDS-691_PORL
[DSDS-691 Technical Staff Report](#)

PENDING FINALITY (Continued)[DSP-16037](#)**Brooks Drive South****Companion Case(s):** DPLS-449**Applicant(s):** Oakcrest West, LLC**Location:** Located in the northwestern quadrant of the intersection of Pennsylvania Avenue (MD 4) and Brooks Drive (11.04 Acres; R-10 Zone).**Request:** Requesting approval of a Detailed Site Plan for a 36,185-square-foot food and beverage store and 130,000-square-foot of consolidated storage.**Council District:** 7**Appeal by Date:** 8/31/2017**Review by Date:** 10/2/2017**History:***Council deferred this item to September 25, 2017.***This Detailed Site Plan was deferred to September 25, 2017.****Attachment(s):** [DSP-16037 Planning Board Resolution 17-110](#)
[DSP-16057 Technical Staff Report](#)
DSP-16057_PORL (1)

PENDING FINALITY (Continued)[DPLS-449](#)**Brooks Drive South****Companion Case(s):** DSP-16037**Applicant(s):** Oakcrest West, LLC**Location:** Located in the northwestern quadrant of the intersection of Pennsylvania Avenue (MD 4) and Brooks Drive (11.04 Acres; R-10 Zone).**Request:** Requesting approval of a Departure from Parking and Loading Standards to allow a reduction of 32 parking spaces.**Council District:** 7**Appeal by Date:** 8/31/2017**Review by Date:** 10/2/2017**History:***Council deferred this item to September 25, 2017.***This Departure from Parking and Loading Standards was deferred to September 25, 2017.****Attachment(s):** [DPLS-449 Planning Board Resolution 17-111](#)
[DPLS-449 Technical Staff Report](#)
[DPLS-449 Zoning AIS](#)
DPLS-449_PORL

PENDING FINALITY (Continued)[DSP-16059](#)**Glenarden Redevelopment****Applicant(s):** Pennrose Properties, LLC**Location:** Located in the northwest quadrant of the intersection of Brightseat Road and Evarts Street. The subject property also lies within a large area surrounding the interchange of the Capital Beltway (I-95/495) and Landover Road (MD 202) within the plan area of 2009 Approved Landover Gateway Sector Plan and Sectional Map Amendment (Landover Gateway Sector Plan and SMA) (27.24 Acres; M-X-T Zone).**Request:** Requesting approval of a Detailed Site Plan for residential revitalization including 430 residential dwelling units (232 multifamily units, 101 age-restricted multifamily units, and 97 townhouses).**Council District:** 5**Appeal by Date:** 8/31/2017**Review by Date:** 10/2/2017**Municipality:** City of Glenarden**History:***Council took no action on this item.***This Detailed Site Plan was not elected to review by Council.**

PENDING FINALITY (Continued)[DSP-17005](#)**3700 East West****Expedited Transit-Oriented Development Project**

- Applicant(s):** 3700 Eastwest, LLC
- Location:** Located on the north side of East-West Highway (MD 410), approximately 500 feet west of its intersection with Adelphi Road (2.87 Acres; M-X-T / T-D-O Zones).
- Request:** Requesting approval of a Detailed Site Plan for the conversion of an existing 10-story, 427,000-square-foot office building to 311 multifamily residential units on Parcel R within the University Town Center development.
- Council District:** 2
- Appeal by Date:** 8/31/2017
- Review by Date:** 10/2/2017
- Comment(s):** This case is designated for expedited review in accordance with Section 27-107.01(a)(242.2)(A) and 27-290.01.
- Municipality:** City of Hyattsville
- History:**

Council took no action on this item.

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

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

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-21195-2017-U](#) **4434 Suitland Road**

- Applicant(s):** April Mackoff, Clear Channel Outdoor
- Location:** Located approximately 255 feet southeast of the intersection of Suitland Road and Shadyside Avenue, also identified as 4434 Suitland Road, Suitland MD (0.691 Acres; M-U-TC Zone).
- Request:** Requesting certification of existing outdoor advertising sign (Billboard). Certification of existing outdoor advertising signs is required pursuant to Council Bill 84-2016 which requires that applications for the certification of outdoor advertising signs in existence as of January 1, 2002, be filed no later than December 31, 2021. This outdoor advertising sign was erected in 1987.
- Council District:** 7
- Review by Date:** 9/19/2017
- Comment(s):** 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:

Council took no action on this item.

This Certification of a Nonconforming Use was not elected to review by Council.

Attachment(s): [CNU-21195-2017-U Zoning AIS](#)

PENDING FINALITY (Continued)[CNU-23764-2017-U](#)**5712 Kirby Road**

Applicant(s): April Mackoff, Clear Channel Outdoor

Location: Located approximately 186 feet west of the intersection of Kirby Road and Pinewood Drive, also identified as 5712 Kirby Road, Clinton, Maryland 20735 (0.47 Acres; I-1 Zone).

Request: Requesting certification of existing outdoor advertising sign (Billboard). Certification of existing outdoor advertising signs is required pursuant to Council Bill 84-2016 which requires that applications for the certification of outdoor advertising signs in existence as of January 1, 2002, be filed no later than December 31, 2021. This outdoor advertising sign was erected in 1978.

Council District: 9

Review by Date: 9/19/2017

Comment(s): 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:

Council took no action on this item.

This Certification of a Nonconforming Use was not elected to review by Council.

Attachment(s): [CNU-23764-2017-U Zoning AIS](#)

PENDING FINALITY (Continued)[CNU-30215-2017-U](#)**7400 Moores Road, Brandywine, MD**

Applicant(s): April Mackoff, Clear Channel Outdoor

Location: Approximately 223 feet northwest of the intersection of Moores Road and Route 5, also identified as 7400 Moore Rd (1 Acre; C-M Zone).

Request: Requesting certification of existing outdoor advertising sign (Billboard). Certification of existing outdoor advertising signs is required pursuant to Council Bill 84-2016 which requires that applications for the certification of outdoor advertising signs in existence as of January 1, 2002, be filed no later than December 31, 2021. This outdoor advertising sign was erected in 1984.

Council District: 9

Review by Date: 10/2/2017

Comment(s): 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:

Council took no action on this item.

This Certification of a Nonconforming Use was not elected to review by Council.

CASE(S) SCHEDULED FOR MANDATORY REVIEW SEPTEMBER 25, 2017 @ 10:00 A.M.

Hearing Dates & Times Subject to Change

DSP-16051**Carrollton Shopping Center**

- Applicant(s):** Lowe's Home Centers, LLC
- Location:** Located in the northeast quadrant of the intersection of Annapolis Road (MD 450) and Riverdale Road (27.75 Acres; R-55 / C-S-C / T-D-O Zones).
- Request:** Requesting approval of a Detailed Site Plan for a change of the underlying zoning for a portion of Parcel B from the existing One-Family Residential (R-55) Zone to the Commercial Shopping Center (C-S-C) Zone. No new development is proposed as part of this application.
- Council District:** 3
- Appeal by Date:** 8/31/2017
- Action by Date:** 10/30/2017
- Comment(s):** District Council review of this case is required by Section 27-548.09.01(b)(1) of the Zoning Ordinance.
- Municipality:** City of New Carrollton

This Detailed Site Plan hearing date was announced.

- Attachment(s):** [DSP-16051 Zoning AIS](#)
[DSP-16051 Planning Board Resolution 17-99](#)
DSP-16051_PORL
[DSP-16051 Technical Staff Report](#)

CASE(S) SCHEDULED FOR ORAL ARGUMENT OCTOBER 23, 2017 @ 1:30 P.M.

Hearing Dates & Times Subject to Change

**A-10024-C Amend
Conditions****Fairview Commercial (Amendment of Conditions)**

- Applicant(s):** DD Land Holding, LLC / Fairview Commercial
- Location:** Located at the northwest intersection of Martin Luther King, Jr. Highway (MD 704) and Whitfield Chapel Road (7.65 Acres; C-S-C Zone).
- Request:** Requesting approval for the amendment of Condition b, imposed by the District Council upon its adoption of Zoning Ordinance 10-2015.
- Council District:** 5
- Appeal by Date:** 7/28/2017
- Action by Date:** 1/11/2018
- Municipality:** None
- Opposition:** Whitfield Garden & Civic Association, et. al.

This Zoning Map Amendment hearing date was announced.

- Attachment(s):** [A-10024-C Amend Cond Zoning Hearing Examiner Decision](#)
[A-10024-C Amend Cond PORL](#)
[A-10024-C \(REMAND\) District Council Final Decision 05122015](#)
[A-10024-C \(REMAND\) ZHE Decision](#)
A-10024-C POR
[A-10024-C District Council Decision 05132013](#)
[A-10024-C ZHE Decision](#)
[A-10024-C Planning Board Resolution 12-60](#)
[A-10024-C Technical Staff Report](#)

ADJOURN

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

EXECUTIVE SESSION (1ST FLOOR EXECUTIVE CONFERENCE ROOM)[EX 09112017](#)

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.

History:

Chairman Davis convened the Executive session at 11:24 a.m. with nine members present.

Attendees:

Council Members Davis, Franklin, Glaros, Harrison, Lehman, Patterson, Taveras, Toles and Turner; Robert Williams, Council Administrator, William M. Hunt, Deputy Council Administrator, Rajesh A. Kumar, Principal Counsel to the District Council, Redis Floyd, Clerk of the Council, and Leroy Maddox Jr., Legislative Counsel.

Topics Discussed:

- 1) U-Haul Moving & Storage case - CAL 16-43867*
- 2) Chaney Enterprises case - Appeal No. 66, 2016*
- 3) Precision Small Engines case - CSA Appeal No. 774, 2016*
- 4) DuVal Village Walmart case - CSA Appeal No. 1199, 2016*

Pursuant to Section 3-507 (7,8) meeting adjourned at 12:16 p.m.

A motion was made by Council Member Harrison, seconded by Vice Chair Glaros, that this Executive Session be convened. The motion carried by the following vote:

Aye: 9 - Davis, Glaros, Franklin, Harrison, Lehman, Patterson, Taveras, Toles and Turner

1:00 PM MEET AND GREET - (ROOM 2027)

U.S. Senator Ben Cardin

Held.