



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

Dannielle M. Glaros, District 3, Chair

Derrick Leon Davis, District 6

Mel Franklin, District 9

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, Vice Chair

Robert J. Williams, Jr., Council Administrator

Monday, February 12, 2018

10:00 AM

Council Hearing Room

9:38 AM AGENDA BRIEFING - (ROOM 2027)

The informational agenda meeting was convened at 9:38 a.m. The following members were present for the meeting: Council Members Glaros, Franklin, Patterson, and Turner.

10:09 AM CALL TO ORDER - (COUNCIL HEARING ROOM)

Pursuant to the provisions of Section 27-132(a) of the Zoning Ordinance, the meeting was called to order by Chair Glaros at 10:09 a.m. with seven members present at roll call.

Council Member Taveras arrived at 10:29 a.m. Council Member Toles arrived at 11:05 a.m.

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

*Also Present: Stan Brown, People's Zoning Counsel
Robert J. Williams, Jr., 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*

*M-NCPPC
Ivy Thompson, Development Review Division
Taslina Alam, Development Review Division
Ruth Grover, Development Review Division*

INVOCATION

The Invocation was provided by Ms. Pleshette Monroe, County Employee. Council Member Harrison requested prayer for the Dawson family in the passing of Gail Dawson. Council Member Lehman requested prayer for the Barber family of Greenbelt in the passing of Nancy Barber last week at 57 years of age from a lung infection.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Turner.

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 01222018](#)

District Council Minutes dated January 22, 2018

A motion was made by Council Member Davis, seconded by Vice Chair Turner, that these Minutes be approved. The motion carried by the following vote:

Aye: 7 - Glaros, Davis, Franklin, Harrison, Lehman, Patterson and Turner

Absent: Taveras and Toles

Attachment(s): [1-22-2018 District Council Minutes DRAFT](#)

[MINDC 01302018](#)

District Council Minutes dated January 30, 2018

A motion was made by Council Member Davis, seconded by Vice Chair Turner, that these Minutes be approved. The motion carried by the following vote:

Aye: 7 - Glaros, Davis, Franklin, Harrison, Lehman, Patterson and Turner

Absent: Taveras and Toles

Attachment(s): [1-30-2018 District Council Minutes DRAFT](#)

ORAL ARGUMENTS[SE-4794](#)**Uptown Suites; Lanham**

Applicant(s): Connor & Gaskin Unlimited, LLC.

Location: Located on the southeast side of Willowdale Road, approximately 1000 feet east of its intersection with Forbes Boulevard (3.01 Acres; I-2 Zone)

Request: Requesting approval of a Special Exception for a Hotel in the I-2 Zone.

Council District: 5

Appeal by Date: 10/16/2017

Review by Date: 10/16/2017

Action by Date: 3/15/2018

Opposition: None

History:

Ivy Thompson, M-NCPPC, provided an overview of the Special Exception and Departure applications. Daniel Lynch, Esq., spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented.

The Oral Argument hearing was held and Council took this case under advisement.

This Special Exception hearing was held and the case was taken under advisement.

Attachment(s): [SE-4794 Zoning Hearing Examiner Decision](#)
[SE-4794 Technical Staff Report](#)
SE-4794 PORL

REFERRED FOR DOCUMENT[DSP-17004](#)**Turkish American Community Center Day Care****Applicant(s):** Turkiye Diyanet Vakfi**Location:** Located on the north side of Good Luck Road, approximately 3,200 feet southwest of its intersection with Greenbelt Road (MD 193) (11.74 Acres; R-80 Zones).**Request:** Requesting approval of a Detailed Site Plan for addition of a day care center, with a maximum enrollment of 120 children, to an existing religious institution (mosque) in the One-Family Detached Residential (R-80) Zone.**Council District:** 4**Appeal by Date:** 11/27/2017**Review by Date:** 11/27/2017**Action by Date:** 2/15/2018**History:**

Council adopted the prepared Order of approval, with conditions (Vote: 7-0; Absent: Council Members Taveras and Toles).

A motion was made by Vice Chair Turner, seconded by Council Member Davis, that this Detailed Site Plan be approved with conditions. The motion carried by the following vote:

Aye: 7 - Glaros, Davis, Franklin, Harrison, Lehman, Patterson and Turner

Absent: Taveras and Toles

Attachment(s): [DSP-17004 Planning Board Resolution 17-129](#)[DSP-17004 Technical Staff Report](#)

DSP-17004_PORL

DSP-17004 Appeal

ITEM(S) FOR DISCUSSION[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**Action by Date:** 3/8/2018**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 referred item to staff for preparation of a document of Remand to the Zoning Hearing Examiner (Vote: 7-0; Absent: Council Members Taveras and Toles).

A motion was made by Council Member Harrison, seconded by Council Member Lehman, that this Special Exception/Variance be referred for document. The motion carried by the following vote:

Aye: 7 - Glaros, Davis, Franklin, Harrison, Lehman, Patterson and Turner

Absent: Taveras and Toles

Council adopted the prepared Order of Remand (Vote: 7-0; Absent: Council Members Taveras and Toles).

A motion was made by Council Member Harrison, seconded by Council Member Davis, that this Special Exception/Variance be remanded. The motion carried by the following vote:

Aye: 7 - Glaros, Davis, Franklin, Harrison, Lehman, Patterson and Turner

Absent: Taveras and Toles

Attachment(s): [DPLS-425 Zoning AIS](#)
[DPLS-425 Planning Board Resolution 17-24](#)
 DPLS-425_PORL
[DPLS-425 Technical Staff Report](#)

ITEM(S) FOR DISCUSSION (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

Action by Date: 2/19/2018

Opposition: Stephen Briggs, et. al.

History:

Council referred item to staff for preparation of a disapproving document (Vote: 8-0; Absent: Council Member Toles).

A motion was made by Council Member Patterson, seconded by Council Member Davis, that this Special Exception be referred for document. The motion carried by the following vote:

Aye: 8 - Glaros, Davis, Franklin, Harrison, Lehman, Patterson, Taveras and Turner

Absent: Toles

Council adopted the prepared Order of Denial (Vote: 8-0; Absent: Council Member Toles).

A motion was made by Council Member Patterson, seconded by Council Member Lehman, that this Special Exception be denied. The motion carried by the following vote:

Aye: 8 - Glaros, Davis, Franklin, Harrison, Lehman, Patterson, Taveras and Turner

Absent: Toles

Attachment(s): [SE-4774 Zoning AIS](#)
[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.

PLANNING BOARD

[DSP-17031](#)

Blue Ocean Cedar Pointe

Applicant(s): Blue Ocean Realty, LLC

Location: Located at the terminus of Serenade Lane, approximately 1,850 feet east of its intersection with Summit Creek (6.70 Acres; R-T / M-I-O Zones).

Request: Requesting approval of a Detailed Site Plan for 34 single-family-attached dwelling units in the Townhouse (R-T) Zone on a 6.70-acre site, as required by Section 27-433(k)(1) of the Prince George's County Zoning ordinance.

Council District: 9

Appeal by Date: 3/1/2018

Review by Date: 3/1/2018

History:

Council took no action on this item.

This Detailed Site Plan not elected to review by Council.

Attachment(s): [DSP-17031 Zoning AIS](#)

CASE SCHEDULED FOR MANDATORY REVIEW HEARING MARCH 12, 2018 AT 10:00 A.M.

Hearing Dates & Times Subject to Change

[DSP-16027](#)

Royal Farms #287 (Forestville Road)

- Applicant(s):** Two Farms Inc. d/b/a Royal Farms
- Location:** Located in the southeastern quadrant of the intersection of Forestville Road and MD 725 (Marlboro Pike) at 3300 Forestville Road in District Heights (2.16 Acres; C-S-C/D-D-O/M-I-O Zones).
- Request:** Requesting approval of a Detailed Site Plan for the construction of a food and beverage store in combination with a gas station, to amend the use table in the D-D-O Zone to allow a food and beverage store in combination with a gas station, and to amend Development District Standards 2.1 and 4.1 of the D-D-O Zone to allow a reduction in the required plant material quantity and for not providing the required loading space.
- Council District:** 6
- Appeal by Date:** 3/1/2018
- Review by Date:** 3/1/2018
- Action by Date:** 4/9/2018
- Comment(s):** Mandatory Review:
District Council review of this case is required by Section 27-548.26(b) of the Zoning Ordinance.

This Detailed Site Plan hearing date was announced.

Attachment(s): [DSP-16027 Zoning AIS](#)

ORAL ARGUMENTS (Continued)[ERR-268](#)**835 Fairview Ave****Validation of Multifamily Rental License No. M-0131 Issued In****Error****Applicant(s):** Carline Brice**Location:** Located at 835 Fairview Avenue, Takoma Park, Maryland (0.17 Acres, R-18 Zone).**Request:** Requesting approval of validation of Prince George's County Multi-Family Rental Housing License No. M-0131 issued in error on April 18, 2015, for six (6) apartment units, on approximately 7448 square feet of land, located in the R-18 (Multi-Family Medium Density Residential) Zone.**Council District:** 2**Appeal by Date:** 10/27/2017**Action by Date:** 3/27/2018**Opposition:** None**History:**

Taslina Alam, M-NCPPC, provided an overview of the permit issued in error application. Carline Brice and Remy Msilus, spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented.

The Oral Argument hearing was held and Council referred this item to staff for preparation of a document of Remand to the Zoning Hearing Examiner (Vote: 7-0; Absent: Council Members Lehman and Toles).

The Oral Argument hearing was held; subsequently, a motion was made by Council Member Taveras, seconded by Council Member Davis, that this Permit issued in error be referred for document. The motion carried by the following vote:

Aye: 7 - Glaros, Davis, Franklin, Harrison, Patterson, Taveras and Turner

Absent: Lehman and Toles

Attachment(s): [ERR 268 Zoning Hearing Examiner Decision](#)
ERR 268 PORL

MANDATORY REVIEW (Using Oral Argument Procedures)[DSP-16053](#)**"4550 Rhode Island Avenue"****Companion Case(s):** CP-17003**Applicant(s):** 4550 Rhode Island Avenue, LLC**Location:** Located on the north side of US 1 (Rhode Island Avenue), approximately 225 feet northeast of its intersection with Wallace Street (.28 Acres, I-D-0/R-55/M-U-1/D-D-0 Zones).**Request:** Requesting approval of a Detailed Site Plan to add the use of "outdoor storage" to the table of uses for the subject property in 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) as a permitted use in the Neighborhood Arts and Production character area for Lots 31-33, Block A (and part of Parcel 295 and Lot 46A).**Council District:** 2**Appeal by Date:** 1/4/2018**Action by Date:** 3/1/2018**Comment(s):** Mandatory Reivew:
District Council review of this case is required by Section 27-548.26(b)(1)(B) of the Zoning Ordinance**Municipality:** North Brentwood**History:**

Ruth Grover, M-NCPPC, provided an overview of the Special Exception and Departure applications. Matthew Tedesco, Esq., Martha Cuffie and the Honorable Petrella Robinson, Mayor of the Town of North Brentwood, spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented. The Oral Argument hearing was held and Council took this case under advisement.

This Detailed Site Plan was hearing held; case taken under advisement**Attachment(s):** [DSP-16053 Planning Board Resolution 17-144](#)
[DSP-16053 Technical Staff Report](#)
DSP-16053_PORL

11:31 AM ADJOURN

The meeting was adjourned at 11:31 a.m.

2:00 PM - COUNTY COUNCIL ITEMS - (COUNCIL HEARING ROOM)

(SEE SEPARATE AGENDA)

4:00 PM - CHARTER REVIEW COMMISSION - (ROOM 2027)

(SEE SEPARATE AGENDA)

Prepared by:

Leonard Moses, Digitization Manager

Submitted by:

Redis C. Floyd, Clerk of the Council