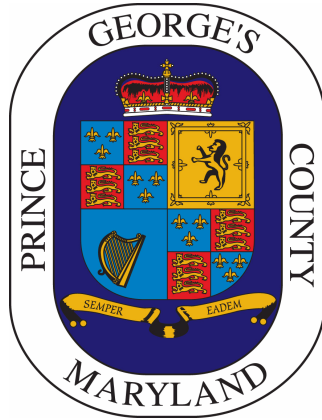


Prince George's County Council

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



Zoning Agenda - Final

Monday, July 11, 2016

1:30 PM

Council Hearing Room

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

RULES OF COURTESY

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 insure 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.

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. Persons wishing to give oral argument on a specific case should sign the forms provided in the front of the hearing room. Testimony at Oral Argument Hearings must be based on the record, and no new evidence will be permitted. Only persons of record may testify.

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. Comments by the People's Zoning Counsel
5. Five (5) minute rebuttal from the side requesting hearing
6. Five (5) minute rebuttal from the side favoring decision

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. Come forward to the speaker's podium and state your name and address for the record.
2. 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 interpreters 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.

THE USE OF CELLULAR PHONES IN THE HEARING ROOM IS PROHIBITED

1:00 PM AGENDA BRIEFING - (ROOM 2027)

1:30 PM CALL TO ORDER - (COUNCIL HEARING ROOM)

INVOCATION

Edwin H. Brown, Jr., County Employee

PLEDGE OF ALLEGIANCE

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 06202016](#)

District Council Minutes dated June 20, 2016

Attachment(s):

[6-20-2016 District Council Minutes DRAFT](#)

REFERRED FOR DOCUMENT (Continued)

[SDP-0315-04 Amend
Conditions](#)

Beech Tree, East Village Sections 4 & 5**Applicant(s):**

VOB Limited Partnership

Location:

Located on the west side of Robert S. Crain Highway (US 301), south of Leeland Road; specifically Section 4 is located on the north side of Beech Tree Parkway and on the east and west sides of Moores Plains Boulevard and Section 5 is located on the south side of Beech Tree Parkway.

Request:

Requesting approval to Amend a Condition (Condition 8) on the original Specific Design Plan-03015-04 which the District Council approved on April 1, 2014. Specifically requesting that approved condition 8 in SDP-0315-04 be revised to reflect an updated number of townhouses in East Village 5 ("EV5") of the Beechtree project to be built with side entries.

Council District:

6

Comment(s):

Case would normally get a hearing before the Zoning Hearing Examiner (ZHE). However; the ZHE is recommending that this request be dismissed or denied due to the restraints placed on the District Council in the recent 'Zimmer' decision.

History:

04/01/2014	Sitting as the District Council	approval with conditions
	<i>Council adopted the prepared Order of approval, with conditions (Vote: 9-0).</i>	
05/24/2016	Applicant	filed
	<i>Robert J. Antonetti, Jr., Esquire, attorney for the applicant, filed a Request to Amend a Condition (Condition 8).</i>	
05/31/2016	Clerk of the Council	transmitted
	<i>Clerk of the Council transmitted the request to the Zoning Hearing Examiner.</i>	
06/06/2016	Zoning Hearing Examiner	transmitted
	<i>Zoning Hearing Examiner transmitted a memorandum recommending that the request be dismissed or denied due to the restraints placed on the District Council in the recent 'Zimmer' decision.</i>	

06/15/2016 Applicant filed
Robert J. Antonetti, Jr., Esquire, attorney for the applicant, filed a response to the June 6, 2016 memorandum from the Zoning Hearing Examiner's Office indicating that the applicant still believes that the ZHE should hold a hearing.

06/20/2016 Sitting as the District Council referred for document
Stan Brown, People's Zoning Counsel, spoke to the legalities of the case and provided procedural insight. Rajesh Kumar, Principal Counsel to the District Council, clarified the type of document to be prepared.

Council referred item to staff for preparation of a disapproving document consistent with the Zoning Hearing Examiner recommendations in her June 6, 2016 memorandum and comments by the People's Zoning Counsel (Vote: 7-0; Absent: Council Members Franklin and Toles).

Attachment(s): [SDP-0315-04 Amend Cond_ZoningAIS](#)

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**[CDP-8909-H1](#)****Summit Creek, Lot 18 (Stover Deck)**

Companion Case(s): SDP-9037-H5

Applicant(s): Bertha Stover

Location: Located on the west side of Wooden Bridge Road, approximately 580 feet south of its intersection with Summit Creek Drive, within the Summit Creek Subdivision (0.17 Acres; R-S Zone).

Request: The subject homeowner's minor amendment to a comprehensive design plan (CDP) is a request to construct a 10-foot by 32-foot by 12-foot deck attached to the rear of an existing single-family detached dwelling within the side yard setback.

Council District: 9

Appeal by Date: 7/28/2016

Review by Date: 7/28/2016

History:

05/17/2016 M-NCPPC Technical Staff approval with conditions

06/23/2016 M-NCPPC Planning Board approval with conditions

Attachment(s):

[CDP-8909-H1 ZoningAIS](#)

[CDP-8909-H1 Planning Board Resolution 16-73](#)

CDP-8909-H1 _PORL

[CDP-8909-H1 Technical Staff Report](#)

PENDING FINALITY (Continued)[SDP-9037-H5](#)**Summit Creek, Lot 18 (Stover Deck)****Companion Case(s):** CDP-8909-H1**Applicant(s):** Bertha Stover**Location:** Located on the west side of Wooden Bridge Road, approximately 580 feet south of its intersection with Summit Creek Drive, within the Summit Creek Subdivision (0.17 Acres; R-S Zone).**Request:** The subject homeowner's minor amendment to a specific design plan (SDP) is a request to construct a 10-foot by 32-foot by 12-foot deck to be attached to the rear of an existing single-family detached dwelling within the side yard setback.**Council District:** 9**Appeal by Date:** 7/28/2016**Review by Date:** 7/28/2016**History:**

05/17/2016 M-NCPPC Technical Staff approval with conditions

06/23/2016 M-NCPPC Planning Board approval with conditions

Attachment(s): [SDP-9037-H5 Zoning AIS](#)
[SDP-9037-H5 Planning Board Resolution 16-74](#)
SDP-9037-H5_PORL
[SDP-9037-H5 Technical Staff Report](#)

PENDING FINALITY (Continued)**DSP-04008-08****A New Life Church of Christ****Applicant(s):**

A New Life Church of Christ

Location:

Located on the south side of Brooklyn Bridge Road, approximately one-half mile west of its intersection with the Capital Beltway (I-95/495) (2.25 Acres; R-R Zone).

Request:

Requesting approval of a Detailed Site Plan for approval of a 9,880-square-foot church building and associated site improvements on a 2.25-acre property in the Rural Residential (R-R) Zone within the Bond Mill Station Cluster Subdivision.

Council District:

1

Appeal by Date:

7/28/2016

Review by Date:

7/28/2016

History:

05/09/2016

M-NCPPC Technical Staff

approval with conditions

06/23/2016

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-04008-08 Zoning AIS](#)[DSP-04008-08 Planning Board Resolution 16-72](#)

DSP-04008-08_PORL

[DSP-04008-08 CDP-8909-H1 Technical Staff Report](#)**DSP-15032****Prince George's Post-Acute Care Facility (Formerly Futurecare - Landover)****Applicant(s):**

Prince George's Post-Acute Real Estate, LLC.

Location:

Located on the eastern side of Brightseat Road, approximately 175 feet south of its intersection with Arena Drive, and adjoins the Capital Beltway (I-95/495) to the southeast (9.45 Acres; I-3 Zone).

Request:

Requesting approval of a Detailed Site Plan for a 150-bed, 93,535-square-foot nursing or care home.

Council District:

5

Appeal by Date:

7/28/2016

Review by Date:

7/28/2016

History:

06/08/2016

M-NCPPC Technical Staff

approval with conditions

06/23/2016

M-NCPPC Planning Board

approval with conditions

Attachment(s):

[DSP-15032 Zoning AIS](#)

[DSP-15032 Planning Board Resolution 16-79](#)

DSP-15032_PORL

[DSP-15032 CDP-8909-H1 Technical Staff Report](#)

ADJOURN

BRIEFING - (COUNCIL HEARING ROOM)

[BR 07112016](#)

**MGM NATIONAL HARBOR COMMUNITY BENEFIT
AGREEMENT REPORT #5**

Roland L. Jones, Chair, MGM Compliance Committee

Mirinda D. Jackson, Compliance Manager

Florence Amate, Representing MGM

Rashid Mahdi, Committee Member

Rodney Streeter, Committee Member

7:00 PM PUBLIC HEARING - (COUNCIL HEARING ROOM)

(SEE SEPARATE AGENDA)