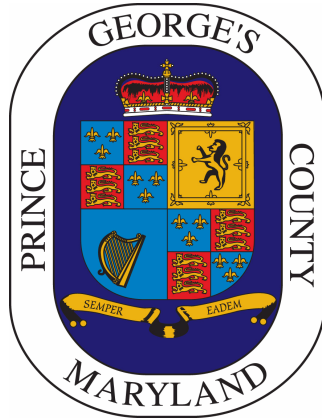


Prince George's County Council

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



Zoning Agenda - Final

Monday, September 19, 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

11:30 AM COMMITTEE OF THE WHOLE - (COUNCIL HEARING ROOM)

(SEE SEPARATE AGENDA)

1:00 PM AGENDA BRIEFING - (ROOM 2027)

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

INVOCATION

Pastor William Tucker, Remnant Church of Christ, Temple Hills, Maryland

PLEDGE OF ALLEGIANCE

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 09122016](#)

District Council Minutes dated September 12, 2016

Attachment(s):

[9-12-2016 District Council Minutes DRAFT](#)

[MINDC 09132016](#)

District Council Minutes dated September 13, 2016

Attachment(s):

[9-13-2016 District Council Minutes DRAFT](#)

MANDATORY REVIEW (Using Oral Argument Procedures)[SDP-0416-03](#)**Beech Tree, South Village, Section 4 & 5****Applicant(s):**

VOB Limited Partnership

Location:

Located on the west side of Robert S. Crain Highway (US 301), south of Leeland Road, in Planning Area 79 and Council District 6. The area covered by Specific Design Plan SDP-0416 in South Village, Sections 4 and 5, is located in the southeastern portion, along the southern boundary of Beech Tree development (41.32 Acres; R-S Zone).

Request:

Requesting approval of a Specific Design Plan to replace 53 previously approved single-family detached lots in Section 5 with 141 single-family attached lots, and does not propose any changes in previously approved Section 4 of South Village, Beech Tree development.

Council District:

6

Appeal by Date:

8/11/2016

Action by Date:

10/31/2016

Comment(s):

District Council review of this case is required due to conditions imposed by Council on Zoning Case A-9763-C.

History:

06/09/2016

M-NCPPC Technical Staff

approval with conditions

07/07/2016

M-NCPPC Planning Board

approval with conditions

MANDATORY REVIEW (Using Oral Argument Procedures) (Continued)[DSP-16011](#)**Woodmore Towne Centre at Glenarden, Lots 1 & 2, Nordstrom Rack****Applicant(s):**

Addison Overlook, LLC

Location:

Located in the east and west quadrants of the intersections of Ruby Lockhart Boulevard and Campus Way (5.59 Acres; M-X-T Zone).

Request:

Requesting approval of a Detailed Site Plan for a 59,607-square-foot retail development including four individual buildings located on land known as Lots 1 and 2.

Council District:

5

Appeal by Date:

9/1/2016

Review by Date:

9/30/2016

Action by Date:

10/31/2016

Comment(s):

District Council review of this case is required by conditions imposed by Council on Zoning Case A-9613-C.

Municipality:

City of Glenarden

History:

07/13/2016

M-NCPPC Technical Staff

approval with conditions

07/28/2016

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-16011 ZoningAIS](#)

NEW CASE(S)[ERR-257](#)**831 Fairview Avenue Apartments, LLC****Validation of Multifamily Rental License No. M-0129 Issued in Error****Applicant(s):**

831 Fairview Avenue Apartments, LLC

Location:

Located at 831 Fairview Avenue, Takoma Park Maryland (0.1720 Acres; R-18 Zone).

Request:

Requesting approval for validation of Prince George's County Multifamily Rental License No. M-0129 issued in error for a 6-unit apartment building located in the R-18 (Multifamily Medium Density Residential) Zone.

Council District:

2

Appeal by Date:

9/12/2016

Action by Date:

1/30/2017

Opposition:

None

History:

08/11/2016

Zoning Hearing Examiner

approval with conditions

Attachment(s):[ERR-257 Zoning AIS](#)[ERR 257 Zoning Hearing Examiner Decision](#)

ERR-257 PORL

REFERRED FOR DOCUMENT**ATBROW-7501****SMO, Inc., 7501 Allentown Road
(Authorization to Build in Planned Right-of-Way)****Applicant(s):**

SMO, Inc.

Location:

Located on the northeast side of Allentown Road at its intersection with Webster Lane and is identified as 7501 Allentown Road, Fort Washington, Maryland (0.863 Acres: C-S-C Zone).

Request:

Requesting approval for authorization by an existing Gas station to build within a proposed right-of-way for Allentown Road due to the reconfiguration of the existing pump islands and the enlargement of a canopy. The applicant also filed a request for an administrative revision to a special exception site plan, ROSP-997-05, that has been approved by the Planning Director.

Council District:

8

Appeal by Date:

8/12/2016

Action by Date:

1/11/2017

Opposition:

None

History:

04/12/2016

Applicant

filed

Daniel F. Lynch, Esq., Attorney for the applicant, filed a request for authorization of the issuance of a permit within a proposed right-of-way.

04/19/2016

Clerk of the Council

transmitted

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

07/13/2016

Zoning Hearing Examiner

approval with conditions

09/12/2016

Sitting as the District Council

referred for document

Council referred item to staff for preparation of an approving document in accordance with the Zoning Hearing Examiner's decision (Vote: 8-0; Absent: Council Member Harrison).

Attachment(s):[AuthToBuild-7501 ZoningAIS](#)[AuthToBuild-7501_Zoning Hearing Examiner Decision](#)

AuthToBuild-7501_PORL

REFERRED FOR DOCUMENT (Continued)[DSP-15020-01](#)**Capital Plaza Walmart****Applicant(s):**

Wal-Mart Real Estate Business Trust

Location:

Located on the north side of Annapolis Road (MD 450), specifically within the Capital Plaza Shopping Center approximately 2,000 linear feet east of the intersection of MD 450 and the Baltimore–Washington Parkway (MD 295) (43.82 Acres; C-S-C / D-D-O Zones).

Request:

Requesting approval of a Detailed Site Plan for the construction of a 35,287-square-foot addition to the existing 144,227-square-foot department store (which represents an expansion of a certified nonconforming use), modifications to the associated parking area, and other site improvements.

Council District:

3

Appeal by Date:

6/30/2016

Review by Date:

6/30/2016

Action by Date:

9/19/2016

Municipality:

Town of Landover Hills

History:

04/15/2016	M-NCPPC Technical Staff	approval with conditions
05/26/2016	M-NCPPC Planning Board	approval with conditions
06/13/2016	Sitting as the District Council	deferred
	<i>This item was deferred to June 20, 2016.</i>	
06/20/2016	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote: 8-0; Absent: Council Member Franklin).</i>	
06/29/2016	Person of Record	appealed
	<i>G. Macy Nelson, attorney for Richard Bailey, et al, filed an appeal in opposition of the Planning Board's decision and requested Oral Argument.</i>	

09/12/2016 Sitting as the District Council hearing held; case taken under advisement

Prior to Oral Argument hearing, Stan Brown, People's Zoning Counsel, provided a procedural clarification indicating that the appeal filed in this case is invalid, due to the appellants' failure to demonstrate "aggreivement," as now required by State law. He indicated that the hearing would still move forward because the Council elected to review the case on its own. Cynthia Fenton, M-NCPPC, provided an overview of the Detailed Site Plan application. Andre Gingles, Esq. on behalf of the applicant, Jeff Schomisch on behalf of the Town of Landover Hills, Debi Sandlin on behalf of the Town of Bladensburg and Mike Callahan on behalf of the Town of Cheverly spoke in support. David Lynch, Esq. spoke to the procedural issue of aggreivement. He and Richard Bailey, Delvin Champagne and Mamie Small spoke in opposition. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented.

Council took this case under advisement.

09/13/2016 Sitting as the District Council referred for document

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

Attachment(s):

[DSP-15020-01 Zoning AIS](#)

[DSP-15020-01 Planning Board Resolution 16-60](#)

DSP-15020-01 POR

[DSP-15020-01 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.

(b) PLANNING BOARD**CSP-14002****Vista Gardens West****Applicant(s):**

Buena Vista West, LLC

Location:

Located at the intersection of Annapolis Road (MD 450) and Martin Luther King Jr. Highway (MD 704) (31.34 Acres; M-X-T Zone).

Request:

Requesting approval of a Conceptual Site Plan to develop approximately 31.34 acres of land into a mixed-use development, including 75,000 square feet of new commercial space, a gas station and associated food and beverage store, a 124-room hotel, and 115 single-family attached dwelling units, in addition to an existing office building of 14,881 square feet.

Council District:

5

Appeal by Date:

9/1/2016

Review by Date:

9/30/2016

History:

06/23/2016	M-NCPPC Technical Staff	approval with conditions
07/28/2016	M-NCPPC Planning Board	approval with conditions
09/12/2016	Sitting as the District Council	deferred

Council deferred this item to September 19, 2016

Attachment(s):

[CSP-14002 Zoning AIS](#)

[CSP-14002 Planning Board Resolution 16-90](#)

CSP-14002_PORL

[CSP-14002 Technical Staff Report](#)

PENDING FINALITY (Continued)**DPLS-426****Forestville Auto Service****Applicant(s):**

Paul Barham

Location:

The subject property is a trapezoid-shaped configuration of parcels and lots on the southwest side of Marlboro Pike, approximately 100 feet west of its intersection with Kirkland Road (0.8079 Acres; C-S-C Zone).

Request:

Requesting approval of a Departure from Parking and Loading Standards for validation of the existing site conditions and an expansion of the original Special Exception (SE-1779) to include Parcels 174 and 175, Lots 15–17. No new construction is proposed.

Council District:

6

Appeal by Date:

10/13/2016

Review by Date:

10/13/2016

History:

07/08/2016

M-NCPPC Technical Staff

approval with conditions

09/08/2016

M-NCPPC Planning Board

approval with conditions

PENDING FINALITY (Continued)[DSP-01037-02](#)**Prince George's Muslim Association Property****Applicant(s):**

Prince George's Muslim Association

Location:

Located on the northern side of Lanham Severn Road (MD 564), east of Cipriano Road, between 8th and 9th Streets. The subject property is also located in Planning Area 70 and Council District 3 (5.46 Acres; R-55 Zone).

Request:

Requesting approval of a Detailed Site Plan for an increase in the number of congregants in the place of worship from 200 to 400, an increase in the number of students in the private school from 100 to 200, and to add a day care center for 60 children within the existing building.

Council District:

3

Appeal by Date:

10/13/2016

Review by Date:

10/13/2016

History:

07/06/2016

M-NCPPC Technical Staff

approval with conditions

09/08/2016

M-NCPPC Planning Board

approval with conditions

PENDING FINALITY (Continued)**DSP-12018****U-Haul Moving and Storage Operation and Bottled Gas Sales****Applicant(s):**

Jim Lorimer

Location:

Located in the southeastern quadrant of the intersection of New Hampshire Avenue (MD 650) and East-West Highway (MD 410) at 6889 New Hampshire Avenue (4.68 Acres; C-M Zone).

Request:

Requesting approval of a Detailed Site Plan for the addition of a moving and storage operation and bottled gas sales to the existing vehicle rental site.

Council District:

2

Appeal by Date:

9/1/2016

Review by Date:

9/30/2016

History:

06/21/2016	M-NCPPC Technical Staff	approval with conditions
07/28/2016	M-NCPPC Planning Board	approval with conditions
09/12/2016	Sitting as the District Council	deferred

Council deferred this item to September 19, 2016

Attachment(s):

[DSP-12018 ZoningAIS](#)

[DSP-12018 Planning Board Resolution 16-92](#)

DSP-12018_PORL

[DSP-12018 Technical Staff Report](#)

PENDING FINALITY (Continued)**DSP-15036****District Electrical Services****Applicant(s):**

Brian McLaughlin

Location:

Located on the south side of Decatur Street between 46th Avenue and 47th Avenue, approximately 461 feet past its intersection with Baltimore Avenue (US 1), in the City of Hyattsville (0.88 Acres; M-X-T / D-D-O / I-D-O Zones).

Request:

Requesting approval of a Detailed Site Plan for the expansion of the existing parking lot and the provision of outdoor storage for an existing contractor services business.

Council District:

5

Appeal by Date:

8/25/2016

Review by Date:

9/26/2016

Municipality:

City of Hyattsville

History:

06/06/2016	M-NCPPC Technical Staff	approval with conditions
07/21/2016	M-NCPPC Planning Board	approval with conditions
09/12/2016	Sitting as the District Council	deferred

Council deferred this item to September 19, 2016

Attachment(s):

[DSP-15036_Zoning AIS](#)

[DSP-15036 Planning Board Resolution 16-82](#)

DSP-15036_PORL

[DSP-15036 Technical Staff Report](#)

PENDING FINALITY (Continued)[DSP-15043](#)**4100 Laurel Road (Hidden Village)****Applicant(s):**

4100 Laurel Road LLC

Location:

Located at the north end of Laurel Road, approximately 340 feet north of its intersection with Beech Road. More specifically, the site is located at 4100 Laurel Road in Temple Hills, Maryland, and is also part of the Hidden Valley Subdivision (0.896 Acres; I-1 Zone).

Request:

Requesting approval of a Detailed Site Plan for a one-story 246-square-foot office with associated parking and landscaping, and a 720-square-foot future garage to be used for the maintenance of company vehicles.

Council District:

7

Appeal by Date:

10/13/2016

Review by Date:

10/13/2016

History:

07/15/2016

M-NCPPC Technical Staff

approval with conditions

09/08/2016

M-NCPPC Planning Board

approval with conditions

PENDING FINALITY (Continued)**DSP-16015****Krispy Kreme, Capital Heights****Applicant(s):**

JDL Castle Corporation

Location:

Located on the south side of Central Avenue (MD 214), approximately, 200 square feet west of its intersection with Hampton Park Boulevard (1.05 Acres; M-X-T./ D-D-O Zones).

Request:

Requesting approval of a Detailed Site Plan for one freestanding sign and various building-mounted and window signs for Krispy Kreme.

Council District:

6

Appeal by Date:

10/13/2016

Review by Date:

10/13/2016

Municipality:

City of Capital Heights

History:

07/06/2016

M-NCPPC Technical Staff

approval with conditions

09/08/2016

M-NCPPC Planning Board

approval with conditions

ADJOURN**2:45 PM COMMITTEE OF THE WHOLE - (COUNCIL HEARING ROOM)***(SEE SEPARATE AGENDA)*