



# 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*

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Monday, March 28, 2016

1:30 PM

Council Hearing Room

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**1:00 PM AGENDA BRIEFING - (ROOM 2027)**

**1:30 PM 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 at 1:55 p.m. with nine members present at roll call.*

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

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

**INVOCATION**

*The invocation was provided by Mr. Rodney Taylor, County Employee. Council Member Turner requested prayer for the family of Andrew Corruthers, in his passing. Council Member Glaros requested prayer for Wanda Brooks and family during the illness of her mother. Council Member Davis requested prayer for the family of Devonte Washington, in his passing. Council Member Taveras requested prayer for Imani Kazana and the Zazaa family in the passing of her mother.*

**PLEDGE OF ALLEGIANCE**

*The Pledge of Allegiance was provided by Council Member Turner.*

**APPROVAL OF DISTRICT COUNCIL MINUTES**[MINDC 03142016](#)**District Council Minutes dated March 14, 2016**

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

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

**Attachment(s):** [3-14-2016 District Council Minutes DRAFT](#)

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**ORAL ARGUMENTS****DSP-13008-01****Gilpin Property**

- Applicant(s):** Silver Branch, LLC
- Location:** Located in the southeastern quadrant of the intersection of Southern Avenue and Wheeler Road, approximately 770 feet northeast of Southview Drive.
- Request:** Requesting approval of a Detailed Site Plan for the construction of an additional 98,832 square feet of consolidated-storage use with an additional 948 interior and exterior-access units in one new building and three building expansions to the existing 58,430-square-foot consolidated storage building with 515 interior-access units.
- Council District:** 7
- Appeal by Date:** 2/11/2016
- Review by Date:** 2/11/2016
- Action by Date:** 4/8/2016

**History:**

*Jill Kosack, M-NCPPC, provided an overview of the Detailed Site Plan application. Dan Lynch, Esq. spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented.*

*Council took this case under advisement.*

**This Detailed Site Plan hearing was held and the case was taken under advisement.**

- Attachment(s):** [DSP13008-01 District Council Final Decision\\_04052016](#)  
[DSP-13008-01 Planning Board Resolution 15-137](#)  
DSP-13008-01\_PORL  
[DSP-13008-01 Technical Staff Report](#)

**NEW CASE(S)**

[ERR-254](#)

**Marilyn V. Felix**

**Validation of Multifamily Rental License No. 6823/Case No. M-791**

**Applicant(s):**

Marilyn V. Felix

**Location:**

Located at 3526 Maywood Lane, Suitland, Maryland.

**Request:**

Requesting approval for validation of Prince George's County Multifamily Rental Housing License No. 6823/ Case No. M-791, issued in error for two additions to a single-family home.

**Council District:**

7

**Appeal by Date:**

12/23/2015

**Action by Date:**

4/22/2016

**Opposition:**

None

**History:**

*Council deferred this item.*

**This Permit issued in error was deferred.**

**Attachment(s):**

[ERR-254 Zoning AIS](#)

[ERR-254 Zoning Hearing Examiner Decision](#)

ERR-254 PORL

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**NEW CASE(S) (Continued)**[ERR-255](#)**Cheryl Burgess Carter****Validation of Multifamily Rental License No. M-0845 Issued in Error**

**Applicant(s):** Cheryl Burgess Carter

**Location:** Located at 8212 Bellefonte Lane, Clinton, Maryland.

**Request:** Requesting approval for validation of Prince George's County Multifamily Rental License No. M-0845 issued in error for a 6-unit apartment building located in the R-R (Rural-Residential) Zone.

**Council District:** 9

**Appeal by Date:** 3/14/2016

**Action by Date:** 6/10/2016

**Opposition:** None

**History:**

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

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

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

**Attachment(s):** [ERR 255 District Council Final Decision\\_04042016](#)  
[ERR-255 Zoning Hearing Examiner Decision](#)  
[ERR-255 Zoning AIS](#)  
ERR-255 PORL

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**REFERRED FOR DOCUMENT****Fence****Jacqueline Hudak/We-Rek, Inc. d/b/a Accokeek Auto Parts****Waiver-We-Rek**

- Applicant(s):** Jacqueline Hudak/We-Rek, Inc. d/b/a/ Accokeek Auto Parts
- Location:** Located at 17305 and 17307 Manning Drive, Accokeek, Maryland (4.60 Acres; R-A- Zone).
- Request:** Requesting approval of a waiver of the fencing requirements for a certified nonconforming Salvage Yard in the R-4 (Residential Agricultural) Zone.
- Council District:** 9
- Appeal by Date:** 3/7/2016
- Action by Date:** 6/3/2016
- Opposition:** None
- History:**

*Council adopted the prepared Order of approval, with conditions (9-0).*

**A motion was made by Council Member Franklin, seconded by Vice Chair Glaros, that this Fence Waiver be approved with conditions. The motion carried by the following vote:**

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

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**REFERRED FOR DOCUMENT****[SDP-1003-07](#)****Parkside (formerly Smith Home Farm)**

- Applicant(s):** SHF Project Owner, LLC
- Location:** Located approximately 3,000 feet east of the intersection of Westphalia Road and Pennsylvania Avenue (MD 4) (250.85 Acres; R-M Zone).
- Request:** Requesting approval of a Specific Design Plan to revise Section 2 to revise the layout and unit mix; to add one single-family detached unit and 26 townhouses; to add Stanley Martin townhouse architecture; and to adjust the location of the mixed retirement development as proposed in Applicant's Exhibit 2B. No changes are proposed in Sections 1A, 1B, or 3 under this application.
- Council District:** 6
- Appeal by Date:** 1/14/2016
- Review by Date:** 1/30/2016
- Action by Date:** 4/4/2016

**History:**

*Council adopted the prepared Order of approval, with conditions (9-0).*

**A motion was made by Chairman Davis, seconded by Council Member Turner, that this Specific Design Plan be approved with conditions. The motion carried by the following vote:**

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

**Attachment(s):** [SDP-1003-07 Planning Board Resolution 15-121](#)  
SDP-1003-07\_PORL  
[SDP-1003-07 Technical Staff Report condensed](#)

**ITEM(S) FOR DISCUSSION****CDP-0501****Smith Home Farms (Reconsideration)****Reconsideration****Companion Case(s):** SDP-1003-06 Reconsideration**Applicant(s):** SHF Project Owner, LLC**Location:** Located approximately 3,000 feet east of the intersection of Westphalia Road and Pennsylvania Avenue (MD 4) (757 Acres; R-M / L-A-C Zones).**Request:** Requesting reconsideration of approved Comprehensive Design Plan (CDP) 0501, specifically Conditions 10, 11, 24, 31, and 32 and findings related to certain services for the design, grading, and construction of the Westphalia Central Park and the issuance of building permits.**Council District:** 6**Appeal by Date:** 2/19/2016**Action by Date:** 4/12/2016**Comment(s):** District Council review of this case is required because PGCPB No. 06-56(C)(A) recommends that the District Council amend their final action, specifically conditions 31 & 32, in the previous Council order of approval of CDP-0501.**History:**

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

**A motion was made by Chairman Davis, seconded by Vice Chair Glaros, that this Comprehensive Design Plan be referred for document. The motion carried by the following vote:**

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

**Attachment(s):** [CDP-0501 Reconsideration\\_Zoning AIS](#)

*Council adopted the prepared Order of approval, with conditions (9-0).*

**A motion was made by Chairman Davis, seconded by Council Member Franklin, that this Comprehensive Design Plan be approval with conditions. The motion carried by the following vote:**

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



**ITEM(S) FOR DISCUSSION (Continued)****SDP-1003-06**  
**Reconsideration****Parkside (Formerly Smith Home Farm) (Reconsideration)****Companion Case(s):** CDP-0501 Reconsideration**Applicant(s):** SHF Project Owner, LLC**Location:** Located approximately 3,000 feet east of the intersection of Westphalia Road and Pennsylvania Avenue (MD 4) (250.85 Acres; R-M Zone).**Request:** Requesting reconsideration of approved Specific Design Plan (SDP) 1003-06, specifically Condition 3 and findings related to the approval of Specific Design Plan SDP-1003-06, for the purpose of addressing the development of the Westphalia Central Park and the issuance of building permits.**Council District:** 6**Appeal by Date:** 2/11/2016**Review by Date:** 2/11/2016**Action by Date:** 4/4/2016**History:**

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

**A motion was made by Chairman Davis, seconded by Vice Chair Glaros, that this Specific Design Plan be referred for document. The motion carried by the following vote:**

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

**Attachment(s):** [SDP-1003-06 Reconsideration Planning Board Resolution 15-36](#)  
[SDP-1003-06 Reconsideration file materials](#)

*Council adopted the prepared Order of approval, with conditions (9-0).*

**A motion was made by Chairman Davis, seconded by Vice Chair Glaros, that this Specific Design Plan be approved with conditions. The motion carried by the following vote:**

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

**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**[DDS-632](#)**Royal Farms, Brandywine**

**Companion Case(s):** DSP-15012

**Applicant(s):** Two Farms, Inc.

**Location:** Located on the west side of Branch Avenue (MD 5) in the southwest quadrant of its intersection with Moores Road (5.03 Acres; C-M Zone).

**Request:** Requesting approval of a Departure from Design Standards for a loading space access driveway to be located less than the required 50 feet from a residentially-zoned property.

**Council District:** 9

**Appeal by Date:** 3/17/2016

**Review by Date:** 4/11/2016

**History:**

*Council took no action on this item.*

**This Departure from Design Standards was not elected to review by Council.**

**PENDING FINALITY (Continued)**[DSDS-686](#)**Marlow Heights Citgo****Companion Case(s):** DPLS-413**Applicant(s):** St Barnabas Road Plaza, LLC.**Location:** The subject property is a rectangular-shaped parcel at the northwest corner of the intersection of St. Barnabas Road and Dallas Drive (0.32 Acres; C-S-C Zone).**Request:** Requesting approval of a Departure from Sign Design Standards from Section 27-614(a)(1) of the Zoning Ordinance, which requires buildings identified by freestanding signs in all commercial and industrial zones (except the I-3 Zone) to be located at least forty feet behind the right-of-way. The existing building is 36 feet from the right-of-way of St. Barnabas Road, necessitating a departure of four feet. In addition, the applicant is requesting a departure of 13.5 feet for canopy signage above the 70 feet permitted by the County Code.**Council District:** 7**Appeal by Date:** 4/21/2016**Review by Date:** 4/21/2016**History:***Council elected to review this item (Vote: 9-0).***A motion was made by Council Member Toles, seconded by Vice Chair Glaros, that this Departure from Sign Design Standards be elected to review. The motion carried by the following vote:****Aye:** 9 - Davis, Glaros, Harrison, Taveras, Toles, Lehman, Franklin, Patterson and Turner

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**PENDING FINALITY (Continued)**[DPLS-413](#)**Marlow Heights Citgo****Companion Case(s):** DSDS-686**Applicant(s):** St Barnabas Road Plaza, LLC.**Location:** The subject property is a rectangular-shaped parcel at the northwest corner of the intersection of St. Barnabas Road and Dallas Drive (0.32 Acres; C-S-C Zone).**Request:** Requesting approval of a Departure from Parking and Loading Standards for a departure of one required loading space in accordance with Subtitle 27 of the Prince George's County Code.**Council District:** 7**Appeal by Date:** 4/21/2016**Review by Date:** 4/21/2016**History:***Council elected to review this item (Vote: 9-0).*

**A motion was made by Council Member Toles, seconded by Vice Chair Glaros, that this Departure from Parking and Loading Standards be elected to review. The motion carried by the following vote:**

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

[DSP-15019](#)**Accokeek Dollar General****Companion Case(s):** DDS-631**Applicant(s):** Tom James**Location:** Located on the south side of Livingston Road (MD 373), approximately 300 feet east of its intersection with Indian Head Highway (MD 210) (1.17 Acres; C-S-C Zone).**Request:** Requesting approval of a Detailed Site Plan for a proposed 9,140-square-foot variety store and associated site improvements.**Council District:** 9**Appeal by Date:** 4/21/2016**Review by Date:** 4/21/2016**History:***Council took no action on this item.*

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

**PENDING FINALITY (Continued)**[DDS-631](#)**Accokeek Dollar General****Companion Case(s):** DSP-15019**Applicant(s):** Tom James**Location:** Located on the south side of Livingston Road (MD 373), approximately 300 feet east of its intersection with Indian Head Highway (MD 210) (1.17Acres; C-S-C Zone).**Request:** Requesting approval of a Departure from Design Standards seeking relief from Section 27-579(b) of the Prince George's County Zoning Ordinance to locate an exterior loading space and its vehicular driveway within 50 feet of a residentially-zoned property.**Council District:** 9**Appeal by Date:** 4/21/2016**Review by Date:** 4/21/2016**History:***Council took no action on this item.***This Departure from Design Standards was not elected to review by Council.**

**PENDING FINALITY (Continued)****DSP-15035****Rising Generations at Washington Business Park, Lot 2B**

- Applicant(s):** WBP Enterprises, LLC
- Location:** Located on Forbes Boulevard at the intersection of Willowdale Road, just north of Martin Luther King, Jr. Highway (MD 704) (1.25 Acres; I-2 Zone).
- Request:** Requesting approval of a Detailed Site Plan to construct a 10,657-square-foot day care facility for 157 children in the Heavy Industrial (I-2) Zone, with associated play area, parking, and signage on the site.
- Council District:** 5
- Appeal by Date:** 4/21/2016
- Review by Date:** 4/21/2016
- History:**

*Council took no action on this item.*

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

**SDP-1101****Westphalia Central Park - Phase I, Parkside**

- Applicant(s):** SHF Project Owner, LLC
- Location:** The subject SDP includes the entire Westphalia Central Park that is located in the eastern quadrant of the intersection of Central Park Drive (MC-631) and P-615, in an irregular shape of a goldfish with a long tail. The two roadways intersect in the front and to the west of the Central Park, in the middle of the larger Parkside project site. Another master plan roadway, MC-632, divides the entire park in the north/south direction from the middle into distinct eastern and western parts. The proposed Phase I is located in the western part (131 Acres; R-M Zone).
- Request:** Requesting approval of a Specific Design Plan for the Westphalia Central Park, as required by Condition 23 attached to the previously approved Comprehensive Design Plan, CDP-0501.
- Council District:** 6
- Appeal by Date:** 4/21/2016
- Review by Date:** 4/21/2016
- Action by Date:** 5/27/2016
- History:**

*Council elected to review this item (Vote: 9-0).*

**A motion was made by Chairman Davis, seconded by Council Member Turner, that this Specific Design Plan be elected to review. The motion carried by the following vote:**

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

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**Attachment(s):**     [SDP-1101\\_Zoning AIS](#)  
                               SDP-1101\_Appeal  
                               [SDP-1101 Planning Board Resolution 16-32](#)  
                               SDP-1101\_PORL  
                               [SDP-1101 Technical Staff Report](#)

**CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING ON MAY 16, 2016 at 10:00 A.M.**

*Hearing Dates & Times Subject to Change*

**A-10030-C**

**Oakcrest, Lots 11-13**

**Applicant(s):**       Nazario Family, LLC/Oak Crest Lots 11-13

**Location:**           Located at the northwest quadrant of the intersection of Magnolia Street and Clarke Avenue, approximately 320 feet east of Baltimore Avenue (US 1), identified as Part of Lot 23, and Lots 12-13, Block 3 of the Oak Crest Subdivision, Laurel, Maryland.

**Request:**             Requesting approval of a Zoning Map Amendment to rezone approximately 0.518 acre (approximately 22,500 sq. ft) of R-55 (One-Family Detached Residential) zoned land to the C-S-C (Commercial Shopping Center) Zone.

**Council District:**    1

**Appeal by Date:**    3/25/2016

**Action by Date:**    7/25/2016

**Opposition:**        None

**History:**

*Council announced that the Oral Argument Hearing is scheduled for May 16, 2016.*

**This Zoning Map Amendment hearing date was announced.**

**Attachment(s):**     [A-10030 Zoning AIS](#)  
                               A-10030 Exceptions to the ZHE Decision  
                               [A-10030 Zoning Hearing Examiner Decision](#)  
                               A-10030 PORL

**3:18 PM ADJOURN**

*The meeting was adjourned at 3:18 p.m.*

**3:00 PM RULES/GENERAL ASSEMBLY COMMITTEE – (COUNCIL HEARING ROOM)**

*(SEE SEPARATE AGENDA)*

Prepared by:

\_\_\_\_\_  
Leonard Moses, Zoning Assistant

Submitted by:

\_\_\_\_\_  
Redis C. Floyd, Clerk of the Council