



# 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*

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**Monday, May 7, 2018**

**1:30 PM**

**Council Hearing Room**

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### **1:14 PM AGENDA BRIEFING - (ROOM 2027)**

*At 1:14 a.m., due to a lack of a quorum of members, a public statement was read and the Agenda Briefing was conducted as an informal discussion in lieu of a public meeting.*

### **1:42 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 by Chair Glaros at 1:42 p.m. with six members present at roll call. Council Member Harrison arrived at 1:44 p.m.*

**Present:**        7 -    Chair Dannielle Glaros  
                                 Council Member Derrick Davis  
                                 Council Member Andrea Harrison  
                                 Council Member Mary Lehman  
                                 Council Member Obie Patterson  
                                 Council Member Deni Taveras  
                                 Vice Chair Todd Turner

**Absent:**            Council Member Mel Franklin  
                                 Council Member Karen Toles

**INVOCATION**

*The Invocation was provided by Mr. Howard W. Stone, County Employee. Council Member Glaros requested prayer for the family of her brother-in-law, Tim Glaros, in his passing. Council Member Lehman requested prayer for the youth as they enter prom and graduation season. Council Member Davis requested prayer for the family of William "Smitty" Smith in his passing. Council Member Patterson requested prayer for the Jones family in the passing of a loved one.*

**PLEDGE OF ALLEGIANCE**

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

**APPROVAL OF DISTRICT COUNCIL MINUTES**[MINDC 04232018](#)**District Council Minutes dated April 23, 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, Harrison, Lehman, Patterson, Taveras and Turner

**Absent:**                         Franklin and Toles

**ITEM(S) FOR DISCUSSION**[SE/VSE-4792](#)**Ernest Maier Concrete Batching Plant**

- Applicant(s):** Ernest Maier, Inc.
- Location:** Located west side of Kenilworth Avenue (MD 201), approximately 254 feet west of its intersection with Upshur Street (3.95 Acres; I-2 Zone).
- Request:** Requesting approval of a Special Exception to operate a Concrete Batching Plant. Variance from Section 27-343.02(a)(1) to allow a concrete batching plant and its components to be within 100-foot setback from adjacent property located in the Industrial zone. And a second variance from Section 27-474(b) to reduce the 25-foot setback from Kenilworth Avenue by five feet.
- Council District:** 5
- Appeal by Date:** 12/11/2017
- Review by Date:** 1/9/2018
- Action by Date:** 5/9/2018
- Municipality:** Bladensburg
- Opposition:** Port Towns Environmental Action 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 Franklin and Toles).*

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

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

**Absent:** Franklin and Toles

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

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

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

**Absent:** Franklin and Toles

- Attachment(s):** [SE-VSE 4792 Zoning Hearing Examiner](#)  
 SEVSE 4792E\_PORL  
[SE-4792 Technical Staff Report](#)  
 SE-4792 Appeal Letter

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**REFERRED FOR DOCUMENT**[ERR-265](#)**Ali I. Tangoren Family Settlement Revocable Family Trust/ Ali I.****Tangoren, Trustee****Validation of Multifamily Rental License No. M-130 Issued in Error****Applicant(s):**

Ali I. Tangoren

**Location:**

Located at 833 Fairview Avenue, Takoma Park, Maryland (.16 Acres; R-18 Zone).

**Request:**

Requesting validation of Prince George's County Multifamily Rental License No. M-130 issued in error for a 3-unit apartment building in the R-18 Zone.

**Council District:**

2

**Appeal by Date:**

12/7/2017

**Action by Date:**

5/7/2018

**Opposition:**

None

**History:**

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

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

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

**Absent:**

Franklin and Toles

**Attachment(s):**[ERR-265 Zoning Hearing Examiner Decision](#)

**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-13045-02](#)**Greenbelt Station, Phase 3**

- Applicant(s):** NVR MS Cavalier Greenbelt, LLC
- Location:** Located on the west side of Greenbelt Station Parkway, approximately 1,800 feet north of its intersection with MD 193 (Greenbelt Road), within the western portion of Phase 3 of the larger Greenbelt Station development (13.16 Acres; M-X-T / D-D-O Zones).
- Request:** Requesting approval of a Detailed Site Plan for the purpose of amending Condition 1(k) of DSP-13045 only, and does not propose to amend any of the previously approved site improvements.
- Council District:** 4
- Appeal by Date:** 5/31/2018
- Review by Date:** 5/31/2018
- Municipality:** City of Greenbelt
- History:**

*Council took no action on this item.*

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

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**PENDING FINALITY (Continued)****PLANNING BOARD (Continued)****CDP-8309-01****The Villages of Marlborough**

**Applicant(s):** Codale Commercial Funding, LLC

**Location:** The larger Villages of Marlborough is located northwest of the Town of Upper Marlboro at the intersection of MD 725 (Marlboro Pike) and Brown Station Road. The triangular Parcel O site is located in the northern quadrant of the intersection of John Rogers Boulevard and Governor's Grove Drive (367 Acres; R-U Zone).

**Request:** Requesting approval for a Comprehensive Design Plan proposing to develop a 6.38-acre site known as Parcel O, where the Marlborough Golf Course Clubhouse building was previously located before being razed, within a larger fully-developed project known as The Villages of Marlborough, with 206 multifamily dwelling units (DUs).

**Council District:** 6

**Appeal by Date:** 5/31/2018

**Review by Date:** 5/31/2018

**Action by Date:** 7/13/2018

**History:**

*Council deferred this item.*

**This Comprehensive Design Plan was deferred.**

**Attachment(s):** [CDP-8309.01 Zoning Agenda Item Summary \(ZAIS\)](#)  
[CDP-8309-01 Planning Board Resolution 18-26](#)  
CDP-8309-01\_PORL  
[CDP-8309-01 Technical Staff Report](#)

**PENDING FINALITY (Continued)****PLANNING BOARD (Continued)****[SDP-0417 Amended](#)****Oak Creek Club, Phase 3 (Amended)**

- Applicant(s):** Oak Creek Club, Corporation
- Location:** Located in the northwest intersection of Oak Grove Road and Church Road (64.73 Acres; R-L Zone).
- Request:** Requesting waiver and reconsideration of the conditions to construct a roundabout at the intersection of Oak Grove Road and Church Road and convert the roundabout to a four-way signal-controlled intersection. (The original request was approval of a Specific Design Plan for the construction of 92 single-family detached houses in the R-L Zone).
- Council District:** 6
- Appeal by Date:** 4/12/2018
- Review by Date:** 5/14/2018
- Comment(s):** This case was originally transmitted on March 13, 2018 to the Council, but was returned and retransmitted on April 12, 2018 in order to satisfy affidavit requirements.
- History:**
- Council deferred this item to May 14, 2018.*
- This Specific Design Plan was deferred.**

**PENDING FINALITY (Continued)****PLANNING BOARD (Continued)****[SDP-0610 Amended](#)****Oak Creek Club, Phase 4 (Amended)**

- Applicant(s):** Oak Creek Club Corporation
- Location:** Located approximately 2,000 feet west of intersection of Oak Grove Road & Church Road & 5,000 feet east of Church and Mary Bowie Parkway.
- Request:** Requesting waiver and reconsideration of the conditions to construct a roundabout at the intersection of Oak Grove Road and Church Road and convert the roundabout to a four-way signal-controlled intersection. (The original request was approval of a Specific Design Plan for construction of 135 single-family detached houses in the R-L Zone).
- Council District:** 6
- Appeal by Date:** 4/12/2018
- Review by Date:** 5/14/2018
- Comment(s):** This case was originally transmitted to the Council on March 13, 2018 , but was returned and retransmitted on April 12, 2018 in order to satisfy affidavit requirements.
- History:**
- Council deferred this item to May 14, 2018.*
- This Specific Design Plan was deferred.**



**PENDING FINALITY (Continued)****PLANNING BOARD (Continued)**[SDP-0610-01](#)**Oak Creek Club, Phase 4 (Amended)**[Amended](#)

- Applicant(s):** NVR-MS Cavalier Oak Creek, Club, LLC.
- Location:** Located approximately 2,000 feet west of the intersection of Oak Grove and Church Roads 5,000 feet east of the intersection of Church Road and Mary Bowie Parkway (69.68 Acres; R-L Zone).
- Request:** Requesting waiver and reconsideration of the conditions to construct a roundabout at the intersection of Oak Grove Road and Church Road and convert the roundabout to a four-way signal-controlled intersection. (The original request was for a Specific Design Plan to reconfigure Landbay 'N' so as to provide internal access to the 10 lots fronting on Oak Grove Road in Specific Design Plan SDP-0610 and provide a current approval that will supersede SDP-0610).
- Council District:** 6
- Appeal by Date:** 4/12/2018
- Review by Date:** 5/14/2018
- Comment(s):** This case was originally transmitted on March 13, 2018 to the Council, but was returned and retransmitted on April 12, 2018 in order to satisfy affidavit requirements.

**History:**

*Council deferred this item to May 14, 2018.*

**This Specific Design Plan was deferred.**

**PENDING FINALITY (Continued)**

**PLANNING BOARD (Continued)**

**[SDP-1501 Amended](#)**

**Oak Creek Club, Phase 5 (Amended)**

- Applicant(s):** NVR-MS Cavalier Oak Creek, LLC
- Location:** Located north of oak grove road, 3,200 feet west of the intersection with church road south (117.49 Acres; R-L Zone).
- Request:** Requesting waiver and reconsideration of the conditions to construct a roundabout at the intersection of Oak Grove Road and Church Road and convert the roundabout to a four-way signal-controlled intersection. (The original request was approval of a Specific Design Plan for Phase 5 of the development, which proposes 213 single-family units).
- Council District:** 6
- Appeal by Date:** 4/12/2018
- Review by Date:** 5/16/2018
- Comment(s):** This case was originally transmitted on March 13, 2018 to the Council, but was returned and retransmitted on April 12, 2018 in order to satisfy affidavit requirements.
- History:**  
*Council deferred this item to May 14, 2018.*  
**This Specific Design Plan was deferred.**
- Attachment(s):** [SDP-1501 Planning Board Resolution 15-141](#)

**ADJOURN**

*The meeting was adjourned at 2:00 p.m.*

**7:00 P.M. - BUDGET PUBLIC HEARING: COUNTY OPERATING/CIP, BOE, CYTR - (COUNCIL HEARING ROOM)**

*(SEE SEPARATE AGENDA)*

Prepared by:

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Leonard Moses, Digitization Manager

Submitted by:

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Redis C. Floyd, Clerk of the Council