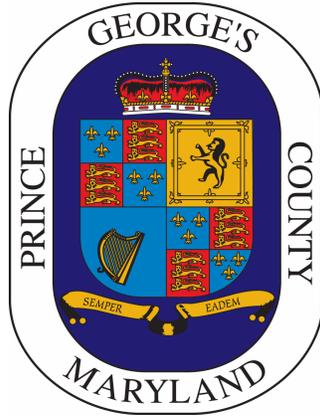


Prince George's County Council

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



Zoning Agenda - Final

Monday, June 13, 2016

1:00 PM

Part 2

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

9:30 AM AGENDA BRIEFING - (ROOM 2027)**10:00 AM CALL TO ORDER - (COUNCIL HEARING ROOM)****INVOCATION**

Ms. Pleshette Monroe, County Employee

PLEDGE OF ALLEGIANCE**APPROVAL OF DISTRICT COUNCIL MINUTES**

[MINDC 05162016](#)

District Council Minutes dated May 16, 2016

Attachment(s):

[5-16-2016 District Council Minutes DRAFT](#)

[MINDC 05172016](#)

District Council Minutes dated May 17, 2016

Attachment(s):

[5-17-2016 District Council Minutes DRAFT](#)

ORAL ARGUMENTS

[DSP-15021](#)

Arena Drive North, Sandpiper Property

Applicant(s):

Sandpiper Hospitality V, LLC.

Location:

Located in the northeastern quadrant of the intersection of Arena Drive and Brightseat Road.

Request:

Requesting approval of a Detailed Site Plan for the construction of two identical four-story, 124-room, 47,624-square-foot hotels and ancillary site improvements. This approval also includes two variance requests from the requirements of Sections 27-471(f)(2) and 27-474(b) of the Prince George's County Zoning Ordinance, respectively.

Council District:

5

Appeal by Date:

4/14/2016

Review by Date:

5/23/2016

Action by Date:

6/13/2016

History:

02/03/2016	M-NCPPC Technical Staff	approval with conditions
03/10/2016	M-NCPPC Planning Board	approval with conditions
04/14/2016	Person of Record	appealed
	<i>Ms. French C. Wallop filed an appeal in opposition to the proposal and requested Oral Argument.</i>	
05/02/2016	Sitting as the District Council	did not elect to review
	<i>Council took no action on this item.</i>	
06/03/2016	Applicant	filed
	<i>Edward C. Gibbs, Jr., Esquire, attorney for the applicant, filed a Motion to Dismiss the April 14, 2016 appeal from Ms. French C. Wallop.</i>	
<u>Attachment(s):</u>	DSP-15021 Planning Board Resolution 16-21	
	DSP-15021_PORL	
	DSP-15021 Technical Staff Report	

NEW CASE(S)**ROSP SE-3344-05****Collington Episcopal Life Care Community****Applicant(s):**

Collington Episcopal Life Care Community, Inc.

Location:

Located in the northeast quadrant of the intersection of Lottsford Road and Campus Way North.

Request:

Requesting approval for a Revision of Site Plan Special Exception for a further amendment to the approved Site Plan to allow the construction of small sunrooms and/or additions to existing dwellings (cottages and villas).

Council District:

5

Appeal by Date:

5/13/2016

Action by Date:

9/26/2016

Opposition:

None

History:

06/25/2015	Applicant	filed
	<i>Gregory C. Benefiel, on behalf of the applicant, filed a request for a Revision of a Site Plan Special Exception with the Clerk of the Council.</i>	
07/09/2015	Clerk of the Council	administrative referral to the Zoni Hearing Examiner

12/21/2015	M-NCPPC Technical Staff	approval with conditions
01/28/2016	M-NCPPC Planning Board	no motion to consider
04/28/2016	Zoning Hearing Examiner	approval with conditions

Attachment(s): [ROSP SE-3344-05 Zoning AIS](#)
[ROSP SE-3344-05 Zoning Hearing Examiner Decision](#)
ROSP SE-3344-05 PORL

REFERRED FOR DOCUMENT

A-10033

Virginia Linen

Applicant(s): Virginia Linen Service of Maryland, Inc.
Location: Located in the south east quadrant of the intersection of Sheriff Road and Glen Willow Drive, also identified as 6101 Sheriff Road, Capital Heights, Maryland.
Request: Requesting approval of a Zoning Map Amendment to rezone approximately 5.592 acres of land from the I-3 (Planned Industrial/Employment Park) to the I-1 (Light Industrial) Zone.
Council District: 5
Appeal by Date: 5/2/2016
Action by Date: 9/1/2016
History:

12/02/2015	M-NCPPC Technical Staff	approval
	<i>Approved Zoning Map Amendment from I-3 to the I-4 Zone.</i>	
12/02/2015	M-NCPPC Technical Staff	disapproval
	<i>Disapproved Zoning Map Amendment from the I-3 to the I-1 Zone.</i>	
03/03/2016	M-NCPPC Planning Board	approval
	<i>Approved Zoning Map Amendment from I-3 back to the I-1 Zone.</i>	
04/01/2016	Zoning Hearing Examiner	approval
	<i>Approved of Zoning Map Amendment from the I-3 to the I-1 Zone.</i>	
05/16/2016	Sitting as the District Council	referred for document
	<i>Council referred item to staff for preparation of an approving document (Vote: 8-0; Absent: Council Member Franklin).</i>	

Attachment(s): [A-10033 Zoning AIS](#)
 [A-10033 Zoning Hearing Examiner Decision](#)
 A-10033 PORL

EXECUTIVE SESSION (1ST FLOOR EXECUTIVE CONFERENCE ROOM)

[EX 06132016](#)

Motion to convene in executive session to consult with counsel to obtain legal advice in accordance with Section 3-305(b) (7), General Provisions Article, Annotated Code of Maryland.

RECESS

RECONVENE

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.

(a) ZONING HEARING EXAMINER[SE-4733](#)**Walmart #2799 (Clinton)****Applicant(s):**

Walmart Real Estate Business Trust

Location:

The subject site is an approximately 23.4 acre portion of a larger developed site identified as Clinton Plaza, now known as the Woodyard Crossing Shopping Center. The Shopping Center is located in the northwest quadrant of the intersection of Branch Avenue (MD 5) and Woodyard Road (MD 223). Walmart currently occupies a 134,241 square foot freestanding structure located on the northernmost portion of the developed site as a permitted use.

Request:

Requesting approval of a Special Exception to use approximately 23.9 acres of land (part of the approximately 64 acre development known as Woodyard Crossing Shopping Center) in the C-S-C (Commercial Shopping Center) Zone, Clinton, Maryland, for a Department or Variety Store combined with Food and Beverage Store, in excess of 125,000 square feet (an approximately 171,634 square foot store is being proposed).

Council District:

9

Appeal by Date:

6/13/2016

Review by Date:

6/13/2016

Opposition:

Donald Hancock, et. al.

History:

06/26/2015	M-NCPPC Technical Staff	disapproval
07/16/2015	M-NCPPC Planning Board	no motion to consider
05/13/2016	Zoning Hearing Examiner	disapproval
05/16/2016	Sitting as the District Council	deferred

Council deferred this item to June 13, 2016.

Attachment(s):[SE-4733 Zoning Hearing Examiner Decision](#)

SE-4733 PORL

In the event the District Council elects to make the final decision in this case, an oral argument will be scheduled pursuant to Sec. 27-131 of the Zoning Ordinance.

PENDING FINALITY (Continued)

(b) PLANNING BOARD

CSP-15001

Allentown Andrews Gateway

Applicant(s):

Camp Springs Allentown, LLC.

Location:

Located in the northeast quadrant of the intersection of Branch Avenue (MD 5) and Allentown Road (MD 337).

Request:

Requesting approval of a Conceptual Site Plan to to develop approximately 13.03 acres of land into a mixed-use development, including approximately 54,600 square feet of commercial space and 61 single-family attached residential dwelling units.

Council District:

8

Appeal by Date:

6/23/2016

Review by Date:

6/23/2016

History:

04/14/2016

M-NCPPC Technical Staff

approval with conditions

05/19/2016

M-NCPPC Planning Board

approval with conditions

PENDING FINALITY (Continued)**DPLS-423****Rosenberg & Fayne, LLC****Applicant(s):**

ERPF Holding, LLC.

Location:

Located on the west side of Kenilworth Avenue and Spring Road, approximately 2,500 feet south of East-West Highway (MD 410) (0.161 Acres; C-O Zone).

Request:

Requesting a Departure from Parking and Loading Standards for all 15 parking spaces per the Prince George's County Zoning Ordinance requirement because both the access and the parking is located within the right-of-way.

Council District:

3

Appeal by Date:

6/23/2016

Review by Date:

6/23/2016

Municipality:

Town of Riverdale Park

History:

04/11/2016

M-NCPPC Technical Staff

approval with conditions

05/19/2016

M-NCPPC Planning Board

approval with conditions

DSP-08039-08**Westphalia Row, Phase III****Applicant(s):**

Westphalia Row Partners, LLC.

Location:

Located in the southwest corner of the intersection of Ritchie Marlboro Road and Sansbury Road. This intersection is designated by the February 2007 Approved Westphalia Sector Plan and Sectional Map Amendment (Westphalia Sector Plan SMA) as one of nine gateways into Westphalia area (20.67 Acres; M-X-T Zone).

Request:

Requesting approval of a Detailed Site Plan for 67 fee-simple, rear-loaded townhouses and 10,000 square feet of commercial uses. This DSP is a revision to the previously approved DSP for Phase III of the Westphalia Row project that included 250 multifamily units and 57,600 square feet of commercial uses.

Council District:

6

Appeal by Date:

7/7/2016

Review by Date:

7/7/2016

History:

04/27/2016

M-NCPPC Technical Staff

approval with conditions

06/02/2016

M-NCPPC Planning Board

approval with conditions

PENDING FINALITY (Continued)**DSP-10044-01****Naylor Station****Applicant(s):**

JBG Associates, L.L.C.

Location:

Located on the northeast side of Branch Avenue (MD 5) and in the southeast quadrant of the intersection of Suitland Parkway and Branch Avenue.

Request:

to redevelop an existing shopping center site with Phase 1 of a mixed-use development consisting of 598,400 square feet of office and 12,800 square feet of retail uses. The proposed development is a revision to the original DSP, which proposed 1,150,000 square feet of office space and an associated seven-story parking garage, as well as 12,000 square feet of retail use.

Council District:

7

Appeal by Date:

6/16/2016

Review by Date:

6/16/2016

History:

04/20/2016

M-NCPPC Technical Staff

approval with conditions

05/12/2016

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-10044-01_Zoning AIS](#)[DSP-10044-01 Planning Board Resolution 16-58](#)

DSP-10044-01_PORL

[DSP-10044-01 Technical Staff Report](#)

PENDING FINALITY (Continued)**DSP-12030****Pregnacy Aid Center****Applicant(s):**

Pregnancy Aid Centers, Inc.

Location:

Located within the City of College Park.on the northeast quadrant of the intersection of Baltimore Avenue (US 1) and Erie Street (1.40 Acres; M-U-I / D-D-O Zones).

Request:

Requesting approval of a Detailed Site Plan for a 3,102-square-foot building addition to an existing medical office building.

Council District:

1

Appeal by Date:

6/23/2016

Review by Date:

6/23/2016

Municipality:

City of College Park

History:

04/14/2016

M-NCPPC Technical Staff

approval with conditions

05/19/2016

M-NCPPC Planning Board

approval with conditions

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

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

PENDING FINALITY (Continued)[DSP-15038](#)**Brooks Drive South****Applicant(s):**

Oakcrest West LLC

Location:

Located in the northwestern quadrant of the intersection of Brooks Drive and Pennsylvania Avenue (MD 4) (11.04 Acres; R-10 Zone).

Request:

Requesting approval of a Detailed Site Plan for infrastructure for 300 multifamily units.

Council District:

7

Appeal by Date:

6/30/2016

Review by Date:

6/30/2016

History:

04/18/2016

M-NCPPC Technical Staff

approval with conditions

05/26/2016

M-NCPPC Planning Board

approval with conditions

CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING ON AT 10:00 A.M.*Hearing Dates & Times Subject to Change***A-10030****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:

09/30/2015

M-NCPPC Technical Staff

disapproval

02/24/2016

Zoning Hearing Examiner

disapproval

03/23/2016

Applicant

appealed

Michael S. Nagy, Esquire, attorney for the applicant, filed exceptions to the Zoning Hearing Examiner's decision and requested Oral Argument.

03/28/2016

Sitting as the District Council

announced hearing date

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

05/16/2016

Sitting as the District Council

deferred

*At the request of the attorney for the applicant, council deferred this hearing to June 20, 2016.***Attachment(s):**[A-10030 Zoning AIS](#)

A-10030 Exceptions to the ZHE Decision

[A-10030 Zoning Hearing Examiner Decision](#)

A-10030 PORL

RECESS

WMATA BRIEFING (COUNCIL HEARING ROOM)

[BR 06132016](#)

**BRIEFING ON TRANSPORTATION ISSUES AND
WASHINGTON METROPOLITAN AREA TRANSIT
AUTHORITY**

(SEE SEPARATE AGENDA)

Attachment(s):

[WMATA Briefing Agenda_06132016](#)