



ADDITIONS

Prince George's County Council

Zoning Agenda - 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

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

Tuesday, September 13, 2016

1:30 PM

Council Hearing Room

ADDITION(S) TO THE AGENDA

CONVENE

ITEM(S) FOR DISCUSSION[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.

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](#)

ADJOURN