



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

Todd M. Turner, Chair, District 4
Monique Anderson-Walker, District 8
Derrick Leon Davis, District 6
Thomas E. Dernoga, District 1
Mel Franklin, At-Large
Dannielle M. Glaros, District 3
Sydney J. Harrison, District 9
Calvin S. Hawkins, II, At-Large
Jolene Ivey, District 5
Rodney C. Streeter, Vice Chair, District 7
Deni L. Taveras, District 2

Robert J. Williams, Jr., Council Administrator

Monday, April 29, 2019

1:30 PM

Council Hearing Room

11:00 AM GOVERNMENT OPERATIONS AND FISCAL POLICY COMMITTEE - (ROOM 2027)

The Government Operations and Fiscal Policy Committee meeting was held. See Separate Standing Committee Report for details.

1:30 PM AGENDA BRIEFING - (ROOM 2027)

The Agenda Briefing was held at 1:30 p.m.

1:53 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 Turner at 1:53 p.m. with nine members present at roll call. Council Member Anderson-Walker arrived at 1:59 p.m. Council Member Franklin arrived at 2:36 p.m.

Present: 11 - Chair Todd Turner
Council Member Monique Anderson-Walker
Council Member Derrick Davis
Council Member Thomas Dernoga
Council Member Mel Franklin
Council Member Dannielle Glaros
Council Member Sydney Harrison
Council Member Calvin S. Hawkins
Council Member Jolene Ivey
Vice Chair Rodney Streeter
Council Member Deni Taveras

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

*M-NCPPC
Ivy Thompson, Development Review Division
Ras Cannady, Development Review Division*

INVOCATION

The Invocation was provided by Ms. Christine Osei, M-NCPPC Employee. Council Member Hawkins requested prayer for the City of Baltimore as it undergoes changes in leadership. Council Member Taveras requested prayer for the Chillium community in the passing of a community activist, Bertha Gaithers and for Amber Waller as she recovers from surgery. Council Member Harrison echoed concerns for the City of Baltimore and for all leaders. Chair Turner requested prayer for victims of gun violence in the Californina synagogue shooting.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Glaros.

APPROVAL OF DISTRICT COUNCIL MINUTES[MINDC 04152019](#)**District Council Minutes dated April 15, 2019**

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

Aye: 10 - Turner, Anderson-Walker, Davis, Dernoga, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

Absent: Franklin

Attachment(s): [District Council Minutes 04152019 DRAFT](#)

[MINDC 04232019](#)**District Council Minutes dated April 23, 2019**

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

Aye: 10 - Turner, Anderson-Walker, Davis, Dernoga, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

Absent: Franklin

Attachment(s): [District Council Minutes 04232019 DRAFT](#)

ORAL ARGUMENTS[ERR-265 Remand](#)**Ali I. Tangoren Family Settlement Revocable Family Trust/ Ali I. Tangoren, Trustee (Remand)****Validation of Multifamily Rental License No. M-130 Issued in Error**

Applicant(s): Ali Tangoren

Location: Located at 833 Fairview Avenue, Takoma Park, Maryland (0.16 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: 11/21/2018

Action by Date: 5/21/2019

Opposition: Takoma Branch Civic Association

History:

Ivy Thompson, M-NCPPC, provided an overview of the application for validation of a permit issued in error. Thomas Haller, Esq., spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties. The Oral Argument Hearing was held and Council took this case under advisement.

This Permit issued in error hearing was held and the case was taken under advisement.

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

ORAL ARGUMENTS (Continued)

SE/VSE-4772 **Sunoco Gas Station and Car Wash**

Companion Case(s): DPLS-438

Applicant(s): Clearview 6308 LLC / Sunoco Car Wash

Location: Located on the east side of MD 337 (Allentown Road), approximately 320 feet southeast of the intersection of MD 5 (Branch Avenue) and MD 337 (0.695 Acres; C-S-C / M-I-O Zones).

Request: Requesting approval of a Special Exception to add a 768-square-foot Car Wash to a 0.695 acre of C-S-C zoned land within the M-I-O Zone that is improved with a Gas Station and Food or Beverage Store.

Council District: 8

Appeal by Date: 3/28/2019

Review by Date: 3/28/2019

Action by Date: 7/26/2019

Opposition: None

History:

Chair Turner announced that the oral argument hearings for SE/VSE-4772 and DPLS-438, Sunoco Gas Station and Car Wash, would be held in tandem. Ivy Thompson, M-NCPPC, provided an overview of the applications. Traci Scudder, Esq., spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties. The Oral Argument Hearing was held and Council took this case under advisement.

This Special Exception/Variance Special Exception hearing was held and the case was taken under advisement.

Attachment(s): [SEVSE-4772 Zoning Hearing Examiner Decision](#)
SEVSE-4772 PORL
[SEVSE-4772 Technical Staff Report](#)

ORAL ARGUMENTS (Continued)[DPLS-438](#)**Sunoco Gas Station and Car Wash****Companion Case(s):** SE/VSE-4772**Applicant(s):** Clearview 6308, LLC**Location:** Located at 6308 Allentown Road, Temple Hills, Maryland, on the east side of MD 337 (Allentown Road), approximately 320 feet southeast of the intersection of MD 5 (Branch Avenue) and MD 337 zoned Commercial Shopping Center (C-S-C), within the Military Installation Overlay (M-I-O) Zone (0.695 Acres; C-S-C).**Request:** Requesting approval of a Departure from Parking and Loading Standards (DPLS) from Section 27-568(a) and Section 27-582(a) of the Prince George's County Zoning Ordinance, for a reduction of 6 of the required 13 parking spaces and the elimination of the one required loading space.**Council District:** 8**Appeal by Date:** 8/16/2018**Review by Date:** 9/17/2018**Action by Date:** 6/28/2019**History:**

Chair Turner announced that the oral argument hearings for SE/VSE-4772 and DPLS-438, Sunoco Gas Station and Car Wash, would be held in tandem. Ivy Thompson, M-NCPPC, provided an overview of the applications. Traci Scudder, Esq., spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties. The Oral Argument Hearing was held and Council took this case under advisement.

This Departure from Parking and Loading Standards hearing was held and the case taken under advisement.

Attachment(s): [DPLS-438 Zoning Agenda Item Summary](#)
[DPLS-438 Planning Board Resolution 18-51](#)
DPLS-438 PORL
[DPLS-438 Technical Staff Report](#)

NEW CASE(S)[A-9968-01](#)**Willowbrook****Applicant(s):**

Willowbrook

Location:

Located on the north side of Leeland Road, approximately 3, 178 feet west of the intersection of Leeland Road and US 301 (Robert Crain Highway), Upper Marlboro, Maryland (442.30, Acres; R-S / I-1 / R-A Zones).

Request:

Requesting approval to amend the Basic Plan for Willowbrook to increase the number of dwelling units, to increase the percentage of single family attached dwelling units, to change the size and location of dwelling units, and to revise conditions and considerations of Basic Plan approval.

Council District: 4**Appeal by Date:** 4/17/2019**Action by Date:** 5/17/2019**Opposition:** None**History:**

Council deferred this item to May 6, 2019.

This Amendment of Conditions was deferred.

Attachment(s): [A9968-01- Zoning Hearing Examiner's Decision](#)
[A-9968-01 Planning Board Resolution](#)
A-9968-01- PORL
[A-9968-01 MNCPP Technical Staff Report](#)

NEW CASE(S) (Continued)[A-9975-01](#)**Locust Hill****Applicant(s):** WBLH, LLC**Location:** On the north and south sides of Oak Grove Road, west of Leeland Road, and east of Church Road, approximately 1.2 miles west of US 301 (505.81 Acres; R / L Zone).**Request:** Request approval to amend the Basic Plan for Locust Hill to increase the proportion of attached dwelling units to add conventional townhouses, to revise the layout, and to revise conditions of approval.**Council District:** 6 & 4**Appeal by Date:** 4/17/2019**Action by Date:** 5/17/2019**Opposition:** None**History:***Council deferred this item to May 6, 2019.***This Zoning Map Amendment was deferred.****Attachment(s):** [A-9975-01 Zoning Hearing Examiner Decision](#)
[A-9975-01 Planning Board Resolution](#)
A-9975-01 - PORL

ITEM(S) FOR DISCUSSION[A-10044](#)**Moore's Corner**

Applicant(s): Moores Corner, LLC

Location: Located on the east side of Branch Avenue (MD 5) in the southwest quadrant of its intersection with Moore's Road, Brandywine, Maryland (8.279 Acres; R-R Zone).

Request: Requesting approval of a Zoning Map Amendment to rezone approximately 8.279 acres of land from the R-R (Rural Residential) to the M-X-T (Mixed Use-Transportation Oriented) Zone.

Council District: 9

Appeal by Date: 1/18/2019

Action by Date: 5/30/2019

Opposition: Kesia Wheeler et. al

History:

Council deferred this item to May 6, 2019.

This Zoning Map Amendment was deferred.

Attachment(s): A- 10044 Tedesco to Floyd Letter
[A-10044 Zoning Hearing Examiner Decison](#)
A-10044 PORL
[A-10044 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.

PLANNING BOARD**[CSP-18001](#)****Marlow Heights Center**

Companion Case(s): DSP-18016

Applicant(s): PAAP Properties, LLC

Location: Located on the west side of Riviera Street, in the southwest quadrant of its intersection with 28th Avenue. More specifically, the property is located at 3710 Riviera Street in Temple Hills, Maryland (0.25 Acres; M-X-T Zone).

Request: Requesting approval of a Conceptual Site plan (CSP), with companion Detailed Site plan, DSP-18016, for validation of the number of parking spaces provided on an existing commercial property, in accordance with Section 27-574 of the Prince George's County Zoning Ordinance.

Council District: 7

Appeal by Date: 5/2/2019

Review by Date: 5/2/2019

History:

Council waived election to review for this item (Vote: 11-0).

A motion was made by Vice Chair Streeter, seconded by Council Member Davis, that Council waive election to review for this Conceptual Site Plan. The motion carried by the following vote:

Aye: 11 - Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

Attachment(s): [CSP-18001 Planning Board Resolution 19-33](#)

CSP-18001_PORL

[CSP-18001 Technical Staff Report](#)

PENDING FINALITY (Continued)[DSP-18016](#)**Marlow Heights Center****Companion Case(s):** CSP-18001**Applicant(s):** PAAP Properties, LLC**Location:** Located on the west side of Riviera Street, in the southwest quadrant of its intersection with 28th Avenue. More specifically, the property is located at 3710 Riviera Street in Temple Hills, Maryland. (0.25 Acres; M-X-T Zone).**Request:** Requesting approval of a Detailed Site Plan (DSP), with companion Conceptual Site Plan, CSP-18001, for validation of the number of parking spaces provided on an existing commercial property, in accordance with Section 27-574 of the Prince George's County Zoning Ordinance.**Council District:** 7**Appeal by Date:** 5/2/2019**Review by Date:** 5/2/2019**History:**

Council waived election to review for this item (Vote: 11-0).

A motion was made by Vice Chair Streeter, seconded by Council Member Glaros, that Council waive election to review for this Detailed Site Plan. The motion carried by the following vote:

Aye: 11 - Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

Attachment(s): [DSP-18016 Planning Board Resolution](#)

DSP-18016_PORL

[DSP-18016 Technical Staff Report](#)

PENDING FINALITY (Continued)[CSP-18009](#)**Landover Crossing Shopping Center****Companion Case(s):** DSP-18032**Applicant(s):** Landover (Landover Crossing), LLC**Location:** Located in the southeast quadrant of the intersection of MD 202 (Landover Road) and Brightseat Road, more specifically, the property is located at 8585 Landover Road in Landover, Maryland (19.61 Acres; M-X-T Zone).**Request:** Requesting approval of a Conceptual Site Plan (CSP), with the companion Detailed Site Plan DSP-18032(PGCPB No. 19-41), for validation of the number of parking spaces provided on an existing commercial property, in accordance with Section 27-574 of the Prince George's County Zoning Ordinance, validation of the existing building-mounted and freestanding signage in accordance with Sections 27-613(f) and 27-614(e), respectively, and to establish parking and signage standards for future tenants.**Council District:** 5**Appeal by Date:** 5/16/2019**Review by Date:** 5/16/2019**History:***Council deferred this item to May 6, 2019.***This Conceptual Site Plan was deferred****Attachment(s):** [CSP-18009 Planning Board Resolution](#)

CSP-18009 PORL

[CSP-18009 Technical Staff Report 19-40](#)

PENDING FINALITY (Continued)[DSP-18032](#)**Landover Crossing Shopping Center****Companion Case(s):** CSP-18009**Applicant(s):** Landover Crossing Shopping Center**Location:** Located in the southeast quadrant of the intersection of MD 202 (Landover Road) and Brightseat Road, more specifically, the property is located at 8585 Landover Road in Landover, Maryland (19.61 Acres; M-X-T Zone).**Request:** Requesting approval of a Detailed Site Plan (DSP), with the companion Conceptual Site Plan CSP-18009 (PGCPB No. 19-40), for validation of the number of parking spaces provided on an existing commercial property, in accordance with Section 27-574 of the Prince George's County Zoning Ordinance, validation of the existing building-mounted and freestanding signage in accordance with Sections 27-613(f) and 27-614(e), respectively, and to establish parking and signage standards for future tenants.**Council District:** 5**Appeal by Date:** 5/16/2019**Review by Date:** 5/16/2019**History:***Council deferred this item to May 6, 2019.***This Detailed Site Plan was deferred****Attachment(s):** [DSP-18032 Planning Board Resolution 19-41](#)

DSP-18032 PORL

[DSP-18032 Technical Staff Report](#)

PENDING FINALITY (Continued)**CSP-18010****Beltway Plaza**

- Applicant(s):** G.B. Mall, LP
- Location:** On the north side of MD 193 (Greenbelt Road), south of Breezewood Drive and east of Cherrywood Lane (53.88 Acres; M-U-I / D-D-O Zones).
- Request:** Requesting approval of a Conceptual Site Plan (CSP) for a mixed-use development consisting of 175 to 250 two-family (two-over-two) or single-family attached (townhouse) dwelling units; 875 to 2,250 multifamily dwelling units; and 435,000 to 700,000 square feet of commercial retail use, to be constructed in five phases.
- Council District:** 4
- Appeal by Date:** 5/2/2019
- Review by Date:** 5/2/2019
- Municipality:** City of Greenbelt
- History:**

Council waived election to review for this item (Vote: 11-0).

A motion was made by Chair Turner, seconded by Vice Chair Streeter, that Council waive election to review for this Conceptual Site Plan. The motion carried by the following vote:

Aye: 11 - Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

Attachment(s): [CSP-18010 Planning Board Resolution 19-35](#)
 CSP-18010_PORL
[CSP-18010 Technical Staff Report](#)

PENDING FINALITY (Continued)[DSP-18039](#)**Townes at Peerless****Companion Case(s):** DDS-651**Applicant(s):** Peerless Avenue Associates, LLC**Location:** The subject property is located on the west side of US 301 (Robert Crain Highway), approximately 0.15 mile north of its intersection with MD 725 (Marlboro Pike) (7.64 Acres; M-X-T Zone).**Request:** Requesting approval of a Detailed Site Plan (DSP) for 14 two-family, 12 three-family, and 36 multifamily dwelling units, for a total of 62 dwelling units, and approximately 3,000 square feet of commercial/retail space.**Council District:** 6**Appeal by Date:** 5/16/2019**Review by Date:** 5/16/2019**History:**

Council elected to review this item (Vote: 11-0).

A motion was made by Council Member Davis, seconded by Council Member Anderson-Walker, that Council elect to review this Detailed Site Plan. The motion carried by the following vote:

Aye: 11 - Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

Attachment(s): [DSP-18039 Planning Board Resolution 19-37](#)

DSP-18039 PORL

[DSP-18039 Technical Staff Report](#)

PENDING FINALITY (Continued)**[DDS-651](#)****Townes at Peerless****Companion Case(s):** DSP-18039**Applicant(s):** Peerless Avenue Associates, LLC**Location:** The subject property is located on the west side of US 301 (Robert Crain Highway), approximately 0.15 mile north of its intersection with MD 725 (Marlboro Pike) (7.64 Acres; M-X-T Zone).**Request:** Requesting approval of a Departure from Design Standards from the requirements of Section 27-558(a) of the Prince George's County Zoning Ordinance, to provide a reduced parking space size, and from Section 27-579(b) of the Zoning Ordinance, to have a loading space located with 50 feet of residential use.**Council District:** 6**Appeal by Date:** 5/16/2019**Review by Date:** 5/16/2019**History:***Council elected to review this item (Vote: 11-0).*

A motion was made by Council Member Davis, seconded by Council Member Glaros, that Council elect to review this Departure from Design Standards. The motion carried by the following vote:

Aye: 11 - Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

Attachment(s): [DDS-651 Planning Board Resolution 19-38](#)

DDS-651 PORL

[DDS-651 Technical Staff Report](#)

[ADJ50-19](#)

ADJOURN

History:

The meeting was adjourned at 3:10 p.m.

A motion was made by Vice Chair Streeter, seconded by Council Member Davis, to ADJOURN the meeting. The motion carried by the following vote:

Aye: 11 - Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

4:00 PM PLANNING, HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE - (ROOM 2027)

The Planning, Housing and Economic Development Committee meeting was held. See Separate Standing Committee Report for details.

7:00 PM COUNTY COUNCIL - BUDGET PUBLIC HEARING - PRINCE GEORGE'S COUNTY PROPOSED FY 2020 OPERATING BUDGET, SIX-YEAR CAPITAL PROGRAM (INCLUDING THE CAPITAL IMPROVEMENT BUDGET) AND THE PRINCE GEORGE'S COUNTY BOARD OF EDUCATION PORTION OF THE COUNTY FY 2020 OPERATING BUDGET, PROPOSED BUDGET OF THE REDEVELOPMENT AUTHORITY, REVENUE AUTHORITY AND INDUSTRIAL DEVELOPMENT AUTHORITY OF PRINCE GEORGE'S COUNTY, AND THE CONSTANT YIELD TAX RATE - (COUNCIL HEARING ROOM)

The public hearing was held. See separate meeting minutes for details.

Prepared by:

Donna J. Brown, Deputy Clerk

Submitted by:

Redis C. Floyd, Clerk of the Council