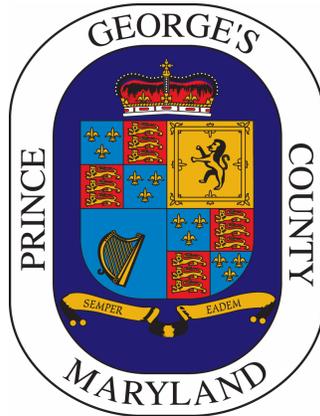


# Prince George's County Council

*Wayne K. Curry Administration Building  
1301 McCormick Dr  
Largo, MD 20774*



## **Zoning Agenda - Final**

**(Accessible in a Hybrid Manner -- Both Virtually and In-Person)**

**Monday, March 28, 2022  
10:00 AM**

### **Sitting as the District Council**

*Calvin S. Hawkins, II, Chair, At-Large*

*Edward P. Burroughs, III, District 8*

*Derrick Leon Davis, District 6*

*Thomas E. Dernoga, District 1*

*Mel Franklin, At-Large*

*Dannielle M. Glaros, District 3*

*Sydney J. Harrison, Vice Chair, District 9*

*Jolene Ivey, District 5*

*Rodney C. Streeter, District 7*

*Deni L. Taveras, District 2*

*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. All District Council Sessions are public meetings, however, a part of the meeting may be conducted in closed session.

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 and interpreters for non-english speakers 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.

FOR LIVE STREAMING AND VIDEO VISIT OUR WEBSITE AT: <http://pgccouncil.us>

PLEASE SILENCE ALL CELLULAR PHONES WHILE IN THE HEARING ROOM.

**VIEW USING THE LINK PROVIDED AT: <https://pgccouncil.us/LIVE>**

**10:00 AM CALL TO ORDER - (Accessible in a Hybrid Manner -- Both Virtually and In-Person)**

**INVOCATION / MOMENT OF SILENCE**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF DISTRICT COUNCIL MINUTES**

[MINDC 03142022](#)

**District Council Minutes Dated March 14, 2022.**

**Attachment(s):**

[District Council Minutes Draft 3-14-2022](#)

**ORAL ARGUMENTS****A-9973-C-01****Woodside Village****Applicant(s):**

Westphalia Meadows, LLC/Woodside Village

**Location:**

Located on the south side of Westphalia Road and west of Ritchie Marlboro Road, Accokeek, Maryland (63.30 Acres; R-M Zone).

**Request:**

Requesting approval for the Amendment of Basic Plan of A-9973 which rezoned the Subject Property from the R-A (Rural Agricultural) to the R-M (Residential-Medium) Zone.

**Council District:**

6

**Appeal by Date:**

2/16/2022

**Action by Date:**

7/1/2022

**Opposition:**

Terry Goolsby et al.

**History:**

09/15/2021	M-NCPPC Technical Staff	approval with conditions
02/01/2022	Zoning Hearing Examiner	approval with conditions
02/09/2022	Person of Record	appealed
	<i>Andrea Allen Persons of Record, filed exceptions to the Zoning Hearing Examiner Decision.</i>	
02/14/2022	Sitting as the District Council	no action
02/23/2022	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
03/22/2022	Applicant	filed
	<i>Thomas H. Haller, Esq., attorney for the applicant, filed a reply to the 2/9/2022 appeal and requested the Zoning Hearing Examiner's decision be affirmed.</i>	

**Attachment(s):**

[A-9973-C-01 Zoning Agenda Item Summary](#)

[A-9973-01 Presentation Slides](#)

[A-9973-C-01 Notice of Oral Argument Hearing](#)

[A-9973-C-01 Haller to Brown Response to Exception 3-22](#)

[A-9973-C-01 Allen to Brown Appeal email 2-9-2022](#)

[A-9973-C-01 - ZHE Notice](#)

[A-9973-C-01 - ZHE Decision](#)

A-9973-01 - PORL

[A-9973-01 Technical Staff Report](#)

[A-9973-01 -Exhibit List](#)

[A-9973-01 Exhibits 1-52](#)

[A-9973-01 Transcripts 12-01-2021](#)

**ORAL ARGUMENTS (Continued)****CDP-9306-05****Preserve At Piscataway (Bailey's Village)****Applicant(s):**

NVR MS Cavalier Preserve, LLC

**Location:**

Located south of Floral Park Road, at its intersection with St. Mary's View Road (19.98 Acres; L-A-C Zone).

**Request:**

Requesting approval to amend the previously approved Comprehensive Design Plan (CDP) to remove commercial, retail, office, and multifamily uses and replace with 26 single-family attached dwelling units within the Local Activity Center (L-A-C)- Zone, known as Bailey's Village, Preserve at Piscataway.

**Council District:**

9

**Appeal by Date:**

2/24/2022

**Review by Date:**

2/24/2022

**Action by Date:**

4/25/2022

**History:**

12/22/2021	M-NCPPC Technical Staff	disapproval
01/20/2022	M-NCPPC Planning Board	approval
02/14/2022	Sitting as the District Council	waived election to review
	<i>Council waived election to review for this item (Vote: 10-0).</i>	
02/24/2022	Person of Record	appealed
	<i>G. Macy Nelson, attorney for Citizen-Protestants file an appeal and request for Oral Argument Hearing.</i>	
02/25/2022	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	

**Attachment(s):**[CDP-9306-05 Zoning Agenda Item Summary](#)[CDP-9306-05 Presentation Slides](#)[CDP-9306-05 Notice of Oral Argument Hearing](#)[CDP-9306-05 Nelson to Brown Appeal 2-24-22](#)[CDP-9306-05 Planning Board Resolution](#)

CDP-9306-05\_PORL

[CDP-9306-05 Technical Staff Report](#)[CDP-9306-05 Transcripts](#)[CDP-9306-05 Planning Board Record](#)

**REFERRED FOR DOCUMENT****ROSP-4196-01****McDonald's Forest Heights****Applicant(s):**

McDonalds Forest Heights, LLC.

**Location:**

Located on 0.77 acre of C-M (Commercial Miscellaneous) zoned land located in the southeast quadrant of the northernmost intersection of Livingston Road with Indian Head Highway (MD Route 210) and the western boundary abuts the service road in the Indian Head Highway right-of-way (0.77 Acres; C-M Zone).

**Request:**

Requesting approval of a Revision of Site Plan (ROSP) to revise Special Exception 4196 (Alteration, Enlargement, Extension or Reconstruction of a Certified Non-Conforming Use) (Fast Food Restaurant), approved in 1995 to enclose the play area and add additional parking. AC-20004 is a request for Alternative Compliance to Sections 4.2 and 4.7 of the Landscape Manual to allow a reduced bufferyard.

**Council District:**

8

**Appeal by Date:**

2/15/2022

**Action by Date:**

5/31/2022

**Opposition:**

None

**History:**

06/30/2021	M-NCPPC Technical Staff	disapproval
01/31/2022	Zoning Hearing Examiner	approval with conditions
02/14/2022	Sitting as the District Council	deferred
	<i>Council deferred item to February 28, 2022 agenda.</i>	
02/28/2022	Sitting as the District Council	deferred
	<i>Council deferred item to March 14, 2022 agenda.</i>	
03/14/2022	Sitting as the District Council	referred for document
	<i>Council referred item to staff for preparation of an approving document, with conditions</i>	
	<i>(Vote: 9-0; Absent Council Member Franklin and Harrison)</i>	

**Attachment(s):**

[ROSP-4196-01 Zoning Agenda Item Summary](#)

[ROSP-4196-01- ZHE Notice of Decision](#)

[ROSP 4196-01- ZHE Decision](#)

ROSP-4196-01- PORL

[ROSP-4196-01 Technical Staff Report](#)

[ROSP-4196-01-Exhibit List](#)

[ROSP-4196-01-Exhibit 1-39](#)

[ROSP-4196-01 Transcripts 12-01-2021](#)

**PENDING FINALITY**

*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.*

**(a) PLANNING BOARD**

**CDP-0501-03**

**Parkside**

**Applicant(s):**

Dan Ryan Builders, Mid-Atlantic LLC

**Location:**

Located predominantly north of Central Park Drive, east of the existing Sections 3 and 4, in the north easternmost corner of the larger Parkside (previously known as Smith Home Farm) development (760.93 Acres; L-A-C / R-M / M-I-O Zones).

**Request:**

Requesting approval of an Comprehensive Design Plan (CDP) to amend Comprehensive Design Plan CDP-0501 consists of multiple requests, as follows: To increase the density/number of units of the market-rate single-family dwellings in the Residential Medium Development (R-M) Zone from previously approved 2,124 units to 2,273 units (a 149-unit increase). To reduce the acreage of the Local Activity Center (L-A-C) Zone designated for the commercial component to 3.1 acres and the gross floor area of the commercial/retail development to 32,000 square feet. To replace the previously approved 300 multifamily dwelling units in the L-A-C Zone with 194 townhouses. To reduce the density/number of dwelling units of the mixed-retirement development (MRD) in the Residential Medium Development (R-M) Zone to 284 units and completely remove MRD units from Section 7. To delete Condition 25, which states as follows: Prior to issuance of the 2,113th building permit in the R-M or L-A-C zoned land, a minimum 70,000 square feet of the proposed commercial gross floor area in the L-A-C Zone shall be constructed.

**Council District:**

6

**Appeal by Date:**

4/14/2022

**Review by Date:**

4/14/2022

**History:**

02/22/2022

M-NCPPC Technical Staff

approval with conditions

03/10/2022

M-NCPPC Planning Board

approval with conditions

**Attachment(s):**

[CDP-0501-03 Zoning Agenda Item Summary](#)

[CDP-0501-03 Planning Board Resolution 2022-13 - Signe](#)

CDP-0501-03\_PORL

[CDP-0501-03 Technical Staff Report](#)

**PENDING FINALITY (Continued)**[CNU-12648-2015](#)**(8204) Bellefonte Lane Apartments****Applicant(s):**

Joe Myers, Sr.

**Location:**

Located on the north side of Bellefonte Lane, approximately 2,500 feet northeast of the intersection of Old Alexandria Ferry Road and Bellefonte Lane (0.46 Acres; R-R / M-I-O Zones).

**Request:**

Requesting approval of a Certification of a Nonconforming Use (CNU) for an existing six-unit apartment building constructed in 1960, which predates the zoning annexation.

**Council District:**

9

**Appeal by Date:**

4/21/2022

**Review by Date:**

4/21/2022

**History:**

02/08/2022

M-NCPPC Technical Staff

disapproval

03/17/2022

M-NCPPC Planning Board

approval

**Attachment(s):**[CNU-12648-2015 Planning Board Resolution 2022-28 - S](#)[CNU-12648-2015\\_PORL](#)[CNU-12648-2015 Technical Staff Report](#)

**PENDING FINALITY (Continued)****SDP-0519-01****Brandywine Village****Applicant(s):**

ZP NO. 140, LLC

**Location:**

Located on the south side of Chadds Ford Drive, approximately 100 feet west of its intersection with US 301 (Robert Crain Highway) (17.45 Acres; L-A-C / R-M Zones).

**Request:**

Requesting approval of an Specific Design Plan (SDP) for 97,597 square feet of a 115,947-square-foot integrated shopping center and has been filed to extend the validity of Specific Design Plan SDP-0519, to obtain additional time for the construction of the shopping center. No modifications to the prior approval are proposed with this application.

**Council District:**

9

**Appeal by Date:**

4/14/2022

**Review by Date:**

4/14/2022

**History:**

02/03/2022

M-NCPPC Technical Staff

approval with conditions

03/10/2022

M-NCPPC Planning Board

approval with conditions

**Attachment(s):**[SDP-0519-01 Zoning Agenda Item Summary](#)[SDP-0519-01 Planning Board Resolution 2022-23 - Signed](#)

SDP-0519-01\_PORL

[SDP-0519-01 Technical Staff Report](#)**ADJ42-22****ADJOURNED****2:00 P.M. JOINT MEETING - PRINCE GEORGE'S COUNTY COUNCIL  
& BOARD OF CHARLES COUNTY COMMISSIONERS (VIRTUAL MEETING)***(SEE SEPARATE AGENDA)*