



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

Monday, March 26, 2018

11:30 AM

Council Hearing Room

11:21 AM AGENDA BRIEFING - (ROOM 2027)

At 11:21 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.

11:43 AM CALL TO ORDER - (COUNCIL HEARING ROOM)

The meeting was called to order by Chair Glaros at 11:43 a.m. with seven members present at roll call. Council Member Patterson arrived at 2:03 p.m. Council Member Franklin arrived at 1:03 p.m.

Present: 9 - Chair Dannielle Glaros
 Council Member Derrick Davis
 Council Member Mel Franklin
 Council Member Andrea Harrison
 Council Member Mary Lehman
 Council Member Obie Patterson
 Council Member Deni Taveras
 Council Member Karen Toles
 Vice Chair Todd Turner

*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
Lennie Moses, Office of the Clerk of the Council*

*M-NCPPC
Ras Cannady, Development Review Division
Sherri Conner, Supervisor, Development Review Division*

*DPIE
Renee Palacios, Inspector*

INVOCATION

The Invocation was provided by Ms. Christine Osei, County Employee. Council Member Glaros requested prayer for Tim Glaros who will be entering hospice care.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Lehman.

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 03122018](#)

District Council Minutes dated March 12, 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: 6 - Glaros, Davis, Harrison, Lehman, Taveras and Turner

Absent: Franklin, Patterson and Toles

Attachment(s): [3-12-2018 District Council Minutes DRAFT](#)

ORAL ARGUMENTS**[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:

Ras Cannady, M-NCCPC, provided an overview of the application for Validation of a Permit Issued in Error. Ali Taneoren, Applicant, spoke in support. Renee Palacios, Representative of the Department of Permits, Inspection and Enforcement, responded to questions posed by the Council. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented.

Council took this case under advisement.

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

A motion to refer to staff to prepare a document of disapproval was made by Council Member Taveras, but failed for lack of a second. Council took this case under advisement.

A motion was made by Council Member Taveras that this Permit issued in error be referred for document. The motion failed for lack of a second.

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

NEW CASE(S)**[ERR-266 Remand](#)****Vizion Realty, LLC (REMAND)****Validation of Multifamily Rental License No. M-370 Issued In Error**

Applicant(s): Vizion Realty, LLC

Location: Located at 4785 Huron Avenue, Suitland, Maryland (0.5400 Acres; M-U-TC / D-D-O Zones).

Request: Request for validation of Prince George's County Multifamily Rental License No. M-370 issued in error for a 15 unit apartment building located in the M-U-TC (Mixed-Use Town Center) and the D-D-O (Development District Overlay) (Southern Green Line) Zones.

Council District: 7

Appeal by Date: 3/19/2018

Action by Date: 6/15/2018

Opposition: None

History:

Council deferred this item.

This Permit issued in error was deferred.

Attachment(s): [ERR-266 Remand Zoning AIS](#)

NEW CASE(S) (Continued)**[ERR-267 Remand](#)****Vizion Realty, LLC (REMAND)****Validation of Multifamily Rental License No.M-369 Issued in Error**

Location: Located at 4785 Huron Avenue, Suitland, Maryland (0.5400 Acres; M-U-TC / D-D-O Zones).

Request: Requesting validation of Prince George's County Multifamily Rental License No. M-369 issued in error for a 15 unit apartment building, located in the M-U-TC (Mixed-Use Town Center) and the D-D-O (Development District Overlay) (Southern Green Line) Zones.

Council District: 7

Appeal by Date: 3/19/2018

Action by Date: 6/15/2018

Opposition: None

History:

Council deferred this item.

This Permit issued in error was deferred

Attachment(s): [ERR-267 Remand Zoning AIS](#)

In making the final decision in this case, the District Council should consider whether it wants to conduct an Oral Argument, pursuant to Section 27-131 (c)(2).

REFERRED FOR DOCUMENT[DSP-16027](#)**Royal Farms #287 (Forestville Road)**

- Applicant(s):** Two Farms Inc. d/b/a Royal Farms
- Location:** Located in the southeastern quadrant of the intersection of Forestville Road and MD 725 (Marlboro Pike) at 3300 Forestville Road in District Heights (2.16 Acres; C-S-C/D-D-O/M-I-O Zones).
- Request:** Requesting approval of a Detailed Site Plan for the construction of a food and beverage store in combination with a gas station, to amend the use table in the D-D-O Zone to allow a food and beverage store in combination with a gas station, and to amend Development District Standards 2.1 and 4.1 of the D-D-O Zone to allow a reduction in the required plant material quantity and for not providing the required loading space.
- Council District:** 6
- Appeal by Date:** 3/1/2018
- Review by Date:** 3/1/2018
- Action by Date:** 4/9/2018
- Comment(s):** Mandatory Review:
District Council review of this case is required by Section 27-548.26(b) of the Zoning Ordinance.

History:

Council adopted the prepared Order of approval, with conditions (Vote: 7-0; Absent: Council Members Franklin and Lehman).

A motion was made by Council Member Davis, seconded by Vice Chair Turner, that this Detailed Site Plan be approved with conditions. The motion carried by the following vote:

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

Absent: Franklin and Lehman

Attachment(s): [DSP-16027 Zoning AIS](#)

ITEM(S) FOR DISCUSSION (Continued)[SE-4774](#)**Palmer Road Class 3 Fill Facility**

- Applicant(s):** Palmer Road Landfill, Inc./ Palmer Road Landfill Company and Palmer Road, LLC.
- Location:** Located on the northern side of Palmer Road, abutting the western side of Tucker Road, and identified as 1500 and 1611 Ferguson Lane, Fort Washington, Maryland (173.584 Acres; R-E Zone).
- Request:** Requesting approval of a Special Exception to continue using approximately 173.584 acres of land in the R-E (Residential-Estate) Zone as a Class III Fill. Also requesting a variance from the requirement that the use not be located within a three (3) mile radius of properties containing an active or pre-existing approved or nonconforming Class III Fill, sanitary landfill, transfer station, rubble fill, recycling facility, mining facility, processing facility, sand and gravel operation, or wash plant.
- Council District:** 8
- Appeal by Date:** 8/21/2017
- Review by Date:** 9/20/2017
- Action by Date:** 2/19/2018
- Opposition:** Stephen Briggs, et. al.

Chair Glaros announced that the request for reconsideration was withdrawn; therefore, no action was required by the District Council.

There was no action required for this Special Exception.

- Attachment(s):** [SE-4774 Zoning AIS](#)
[SE-4774 Zoning Hearing Examiner Decision](#)
SE-4774 PORL
[SE-4774 Technical Staff Report](#)

ITEM(S) FOR DISCUSSION (Continued)[SE-4794](#)**Uptown Suites; Lanham**

Applicant(s): Connor & Gaskin Unlimited, LLC.

Location: Located on the southeast side of Willowdale Road, approximately 1000 feet east of its intersection with Forbes Boulevard (3.01 Acres; I-2 Zone)

Request: Requesting approval of a Special Exception for a Hotel in the I-2 Zone.

Council District: 5

Appeal by Date: 10/16/2017

Review by Date: 10/16/2017

Action by Date: 3/15/2018

Opposition: None

History:

Stan Brown, People's Zoning Counsel, spoke to the legalities of the case noting the requests for reconsideration that have been filed. Council granted a reconsideration hearing to be held at a later date.

A motion was made by Council Member Harrison, seconded by Council Member Davis, that this Special Exception reconsideration hearing be granted. The motion carried by the following vote:

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

Absent: Franklin and Toles

Attachment(s): [SE-4794 Zoning Hearing Examiner Decision](#)

[SE-4794 Technical Staff Report](#)

SE-4794 PORL

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-4785](#)**Traditions at Beechfield - Enterprise Road**

- Applicant(s):** Greenlife Property Group, LLC./Beechfield
- Location:** Located in the northeast quadrant of MD 193 (Enterprise Road) and US 50 (John Hanson Highway) (83.68 Acres; R-E Zone).
- Request:** Requesting approval of a Special Exception for permission to use approximately 82.68 acres of R-E (Residential – Estate) zoned land for a Planned Retirement Community (major revision to prior SE-4529).
- Council District:** 6
- Appeal by Date:** 3/29/2018
- Review by Date:** 3/29/2018
- Action by Date:** 7/27/2018
- Opposition:** Steve Brigham, Edwin Brown, Sr., et. al.

History:

Council elected to make the final decision on this item (Vote: 7-0; Absent: Council Members Franklin and Toles).

A motion was made by Council Member Davis, seconded by Council Member Harrison, that Council elect to make the final decision on this Special Exception. The motion carried by the following vote:

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

Absent: Franklin and Toles

Attachment(s): [SE-4785 Zoning AIS](#)
[SE-4785 Zoning Hearing Examiner Decision](#)
 SE-4785 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.

12:35 PM RECESS

The meeting was recessed at 12:35 p.m.

1:24 PM RECONVENE

The meeting was reconvened at 1:24 p.m.

ITEM(S) FOR DISCUSSION[SE-4765](#)**Mirant MD Ash Management, LLC/Brandywine Fly Ash Storage****Site**

Applicant(s): NRG MD Ash Management, LLC

Location: Located on the north side of North Keys Road approximately, 2,200 feet north of Gibbons Church Road (178.78 Acres; O-S Zone).

Request: Requesting approval of a Special Exception for a ten-year extension to continue the existing fly ash rubble-fill disposal operation mounds in the O-S (Open Space) Zone.

Council District: 9

Appeal by Date: 10/30/2017

Review by Date: 11/27/2017

Action by Date: 3/28/2018

Municipality: None

Opposition: Patuxent River Keeper, et. al.

History:

Council referred item to staff for preparation of a disapproving document (Vote: 9-0).

A motion was made by Council Member Franklin, seconded by Council Member Patterson, that this Special Exception be referred for document. The motion carried by the following vote:

Aye: 9 - Glaros, Davis, Franklin, Harrison, Lehman, Patterson, Taveras, Toles and Turner

Council adopted the prepared Order of Denial (Vote 9-0).

A motion was made by Council Member Franklin, seconded by Council Member Patterson, that this Special Exception be denied. The motion carried by the following vote:

Aye: 9 - Glaros, Davis, Franklin, Harrison, Lehman, Patterson, Taveras, Toles and Turner

Attachment(s): [SE-4765 Zoning Hearing Examiner Decision](#)

SE-4765 PORL

[SE-4765 Technical Staff Report](#)

1:27 PM ADJOURN

The meeting was adjourned at 1:27 p.m.

Prepared by:

Leonard Moses, Digitization Manager

Submitted by:

Redis C. Floyd, Clerk of the Council