

Prince George's County Council

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



Zoning Agenda - Final

Monday, April 10, 2017

10:00 AM

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. Wanda Brooks, County Employee

PLEDGE OF ALLEGIANCE

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 03272017](#)

District Council Minutes dated March 27, 2017

Attachment(s):

[3-27-2017 District Council Minutes DRAFT](#)

ITEM(S) FOR DISCUSSION

[A-10035](#)

Smithfield Properties

Applicant(s):

Liberty 5801 Columbia Park Road, LLC.

Location:

The subject 17.9-acre site is located in the corner of the intersection of Columbia Park Road and Cabin Branch Road within an industrial use area (10.063 Acres; I-3 Zone).

Request:

Requesting approval for a Zoning Map Amendment to rezone approximately 17.9 acres of land in the I-3 (Planned Industrial/Employment Park) Zone, to the I-2 (Heavy Industrial) Zone.

Council District:

5

Appeal by Date:

11/14/2016

Action by Date:

4/13/2017

Municipality:

None

Opposition:

Town of Cheverly

History:

04/14/2016	M-NCPPC Technical Staff	disapproval
04/28/2016	M-NCPPC Planning Board	no motion to consider
10/14/2016	Zoning Hearing Examiner	approval
01/09/2017	Sitting as the District Council	elected to make the final decision
	<i>Council elected to make the final decision on this item (Vote: 9-0).</i>	
02/13/2017	Sitting as the District Council	hearing held; case taken under advisement
	<i>Taslima Alam, M-NCPPC, provided an overview of the Zoning Map Amendment application. Michael Callahan, spoke in opposition. Arthur Horne, Esq., spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented.</i>	

Council took this case under advisement.

Attachment(s):

[A-10035 Zoning AIS](#)

[A-10035 Zoning Hearing Examiner Decision](#)

A-10035 PORL

[A-10035 Technical Staff Report](#)

ITEM(S) FOR DISCUSSION (Continued)[CNU-48061-2015](#)**McGhee Property****Applicant(s):**

Tommy and Fred McGhee

Location:

Located approximately 100 feet west of its intersection with Ventura Avenue and Old Central Avenue (MD214). The rectangular shaped property, which consists of part of Lot 2, is comprised of 0.50 acre of land in the R-T (Townhouse) and T-D-O (Transit-District-Overlay) Zone (0.5 Acres; R-T / T-D-O Zones).

Request:

Requesting approval of a certification of nonconforming use for an automotive repair facility with four service bays and an automobile parking compound in accordance with Subtitle 27 of the Prince George's County Code.

Council District:

7

Appeal by Date:

2/9/2017

Review by Date:

2/9/2017

Action by Date:

5/12/2017

History:

10/14/2016

M-NCPPC Technical Staff

disapproval

01/05/2017

M-NCPPC Planning Board

approval

01/23/2017

Sitting as the District Council

elected to review

Council elected to review this item (Vote: 6-0; Absent: Council Members Franklin, Patterson, and Turner).

03/13/2017

Sitting as the District Council

hearing held; case taken under advisement

Taslina Alam, M-NCPPC, provided an overview of the application for certification of a non-conforming use. Michael Nagy, Esq., spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented.

Council took this case under advisement.

03/27/2017

Sitting as the District Council

deferred

Council deferred this item to April 24, 2017.

Attachment(s): [CNU-48061-2015 Zoning AIS](#)
[CNU-48061-2015 Planning Board Resolution 16-141](#)
 CNU-48061-2015_PORL

ITEM(S) FOR DISCUSSION (Continued)

[CSP-15003](#)

Recovery Centers of America, Melwood Road Facility

Applicant(s): 4620 Melwood Road OPCO LLC
Location: Located on the eastern side of Melwood Road, approximately 2,600 feet north of its intersection with Pennsylvania Avenue (MD 4) (68.6 Acres; M-X-T Zone).
Request: Requesting approval of a Conceptual Site Plan for a 85,733-square-foot, 120-bed, group residential facility and medical facility for 64 patients a day for recovering alcoholics and drug addicts.
Council District: 6
Appeal by Date: 2/9/2017
Review by Date: 2/9/2017
Action by Date: 4/10/2017

History:

11/17/2016	M-NCPPC Technical Staff	approval with conditions
01/05/2017	M-NCPPC Planning Board	approval with conditions
01/23/2017	Sitting as the District Council	did not elect to review
	<i>Council took no action on this item.</i>	
02/08/2017	Person of Record	appealed
	<i>Ms. Mary Joan Robertson, President, Melwood Road Civic Association (MRCA), filed an appeal in opposition to the proposal and requested Oral Argument.</i>	
03/22/2017	Applicant	filed
	<i>Dennis Whitley II, Esquire, attorney for the applicant, filed a request to dismiss the 2/8/2017 appeal filed by Ms. Mary Joan Robertson on behalf of the Melwood Road Civic Association (MRCA).</i>	

03/27/2017

Sitting as the District Council

hearing held; case taken under advisement

Dennis Whitley, III, Esq. raised a preliminary motion to dismiss the appeal filed by Joan Robertson. Stan Brown, People's Zoning Counsel spoke to the legalities of the motion. The Council decided to proceed with the Oral Argument hearing. Ruth Grover, M-NCPPC, provided an overview of the Conceptual Site Plan application. Joan Robertson and Sandra Russell spoke in opposition. Denis Whitley, III, Esq. and John Lombardo spoke in support, on behalf of the applicant.

Council took this case under advisement.

Attachment(s):

[CSP-15003_Zoning AIS](#)

[CSP-15003 Planning Board Resolution 16-142](#)

CSP-15003_PORL

[CSP-15003 Technical Staff Report](#)

ITEM(S) FOR DISCUSSION (Continued)**CSP-16004****The Ascent****Applicant(s):**

Davey Street, LLC.

Location:

Located on the south side of Southern Avenue, north of Atkins Avenue, west of Davey Street, extending westward past Cavalier Street, approximately 640 feet (5.05 Acres; R-T / C-S-C / T-D-O Zones).

Request:

Requesting approval of a Conceptual Site Plan to rezone the property from the Commercial Shopping Center (C-S-C) and Townhouse (R-T) Zones to the M-X-T Zone.

Council District:

7

Appeal by Date:

3/2/2017

Action by Date:

4/11/2017

Comment(s):

District Council review of this case is required by Section 27-548.09.01(b) of the Zoning Ordinance.

Municipality:

Town of Capitol Heights

History:

12/21/2016	M-NCPPC Technical Staff	approval with conditions
01/26/2017	M-NCPPC Planning Board	approval with conditions
02/13/2017	Sitting as the District Council	announced hearing date
03/27/2017	Sitting as the District Council	hearing held; case taken under advisement

Susan LaReuse, M-NCPPC, provided an overview of the Conceptual Site Plan application. Dan Lynch Esq., on behalf of the applicant, and Bandele MCQueen, on behalf of the City of Capitol Heights, spoke in support. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented.

The Mandatory Review Hearing was held and Council took this case under advisement.

Attachment(s):[CSP-16004 Zoning AIS](#)

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**DSP-12034-04****8321 College Park Hotel, LLC****Applicant(s):**

c/o Michael J. Delano
8321 College Park Hotel, LLC

Location:

Located on the east side of Baltimore Avenue (US 1), approximately 300 feet northeast of its intersection with Berwyn House Road, at 4700 Berwyn House Road (3.21 Acres; M-U-I / D-D-O Zones).

Request:

Requesting approval of a Detailed Site Plan to revise the architecture of the hotel, including its landmark feature tower, add signage to the landmark tower, add an emergency generator and landscape screening, provide a canopy and sign over the walkway between the hotel and garage, and add a rooftop mechanical penthouse.

Council District:

03

Appeal by Date:

4/27/2017

Review by Date:

4/27/2017

Municipality:

City of College Park

History:

02/15/2017

M-NCPPC Technical Staff

approval with conditions

03/23/2017

M-NCPPC Planning Board

approval with conditions

Attachment(s):

[DSP-12034-04_Zoning AIS](#)

[DSP-12034-04 Planning Board Resolution 17-39](#)

DSP-12034-04_PORL

[DSP-12034-04 Technical Staff Report](#)

PENDING FINALITY (Continued)**DSP-16010****Cabin Branch Village****Applicant(s):**

VP, LLP
c/o Mark Vogel

Location:

Located in the northwestern quadrant of the intersection of Armstrong Lane and Ryon Road. The project is located within the boundaries of the 2007 Approved Westphalia Sector Plan and Sectional Map Amendment (24.59 Acres; M-X-T / R-R / M-I-O Zones).

Request:

Requesting approval of a Detailed Site PPlan for 204 single-family attached dwelling units (townhouses).

Council District:

6

Appeal by Date:

4/27/2017

Review by Date:

4/27/2017

History:

02/22/2017

M-NCPPC Technical Staff

approval with conditions

03/23/2017

M-NCPPC Planning Board

approval with conditions

Attachment(s):

[DSP-16010 Zoning AIS](#)

[DSP16010 Planning Board Resolution 17-41](#)

DSP-16010_PORL

[DSP-16010 Technical Staff Report condensed](#)

PENDING FINALITY (Continued)[DSP-16018](#)**Glenn Dale Commons Phase 4****Applicant(s):**SDLM, LLC
c/o Sean Bruce**Location:**

Located in the southwestern quadrant of the intersection of Aerospace Road and Forbes Boulevard (5.21 Acres; M-X-T Zone).

Request:

Requesting approval of a Detailed Site Plan for approval of 69 single-family attached dwelling units (townhouses).

Council District:

4

Appeal by Date:

4/27/2017

Review by Date:

4/27/2017

History:

02/22/2017

M-NCPPC Technical Staff

approval with conditions

03/23/2017

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-16018_Zoning AIS](#)[DSP-16018 Planning Board Resolution 17-40](#)

DSP-16018_PORL

[DSP-16018 Technical Staff Report](#)

PENDING FINALITY (Continued)**[SDP-1603](#)****Willowbrook, Phase 1****Applicant(s):**

WBLH, LLC

Location:

Located on the north side of Leeland Road, approximately 3,500 feet west of its intersection with Robert Crain Highway (US 301) (440-85 Acres; R-S / I-1 Zones).

Request:

Requesting approval for Phase One (Phase 1) of the development, which proposes 183 single-family detached and 93 single-family attached market-rate lots and 43 single-family detached and 52 single-family attached mixed-retirement residential lots, and single-family attached architecture by NV Homes, Ryan Homes and Toll Brothers.

Council District:

4

Appeal by Date:

5/4/2017

Review by Date:

5/4/2017

History:

02/02/2017

M-NCPPC Technical Staff

approval with conditions

03/30/2017

M-NCPPC Planning Board

approval with conditions

Attachment(s):[SDP-1603 Zoning AIS](#)[SDP-1603 Technical Staff Report](#)

CASE(S) SCHEDULED FOR MANDATORY REVIEW ON APRIL 24, 2017 - 1:30 P.M.*Hearing Dates & Times Subject to Change***DSP-15045****210 Maryland Park****Expedited Transit Oriented Development Project****Applicant(s):**

Community First Development Corporation, LLC

Location:

Located in the southwest quadrant of the intersection of Southern Avenue and Maryland Park Drive (3.89 Acres; R-55 / T-D-O Zones).

Request:

Requesting approval of a Detailed Site Plan for a 220,882-square-foot mixed-use development consisting of 1,948 square feet of commercial/retail space, 165 multifamily dwelling units and 13 townhouse units. This application also requests a change of the underlying zoning for the property from the existing One-Family Detached Residential (R-55) Zone to the Mixed Use-Infill (M-U-I) Zone.

Council District:

7

Appeal by Date:

4/27/2017

Action by Date:

5/1/2017

Comment(s):

District Council review of this case is required by Section 27-546.16 of the Zoning Ordinance.

History:

03/15/2017

M-NCPPC Technical Staff

approval with conditions

03/23/2017

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-15045_Zoning AIS](#)[DSP-15045 Planning Board Resolution 17-01](#)

DSP-15045_PORL

[DSP-15045 Technical Staff Report](#)

CASE(S) SCHEDULED FOR MANDATORY REVIEW ON APRIL 24, 2017 - 1:30 P.M.*Hearing Dates & Times Subject to Change***DSP-16029****Riverfront at West Hyattsville Metro
Expedited Transit-Oriented Development Project****Applicant(s):**

West Hyattsville Property Co., LLC

Location:

Located on the west side of Ager Road, at its intersection with Lancer Drive, north of the West Hyattsville Metro Station, abutting the west side of the Metro Station. The subject property is also located in the 2006 Approved West Hyattsville Transit District Development Plan and Transit District Overlay Zoning Map Amendment (West Hyattsville TDDP/TDOZMA) area (18.45 Acres; M-X-T / T-DO Zones).

Request:

Requesting approval of a Detailed Site Plan (DSP) for infrastructure, proposing grading and development of infrastructure, including the location and design of the roadways, the lot layout for a 183-townhouse development, parking lots and on-street parking, landscaping, utility location, fencing, and sidewalks on the subject property to prepare for a future multiphase mixed-use development.

Council District:

2

Appeal by Date:

4/28/2017

Action by Date:

5/1/2017

Comment(s):

District Council review of this case is required by Section 27-548.09.01(a)(1)(C) of the Zoning Ordinance.

Municipality:

City of Hyattsville

History:

03/15/2017

M-NCPPC Technical Staff

approval with conditions

03/23/2017

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-16029_Zoning AIS](#)[DSP-16029 Planning Board Resolution 17-43](#)

DSP-16029_PORL

[DSP-16029 Technical Staff Report](#)**ADJOURN**