

Prince George's County Council

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



Zoning Agenda - Final

**Monday, May 17, 2021
10:00 AM**

VIRTUAL MEETING

Sitting as the District Council

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

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

Jolene Ivey, District 5

Rodney C. Streeter, District 7

Deni L. Taveras, Vice Chair, District 2

Todd M. Turner, District 4

Robert J. Williams, Jr., Council Administrator

RULES OF COURTESY (VIRTUAL)

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 ensure 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.

VIRTUAL DISTRICT COUNCIL MEETINGS

Given the current state of the novel coronavirus (COVID-19) pandemic, and under the Governor's "Proclamation and Declaration of State of Emergency and Existence of Catastrophic Health Emergency – COVID-19" and the Prince George's County State of Emergency Declarations, the District Council is operating under emergency procedures. As authorized by CB-33-2020 hearings will be conducted virtually and in accordance with District Council Rules of Procedure.

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. Testimony at Oral Argument Hearings must be based on the record, and no new evidence will be permitted. Only persons of record may testify. Persons of Record wishing to give oral argument on a specific case should register with the Clerk of the Council by email to clerkofthecouncil@co.pg.md.us or faxed to (301) 952-5178 by 3:00 p.m. on the day BEFORE the meeting.

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. Five (5) minute rebuttal from the side requesting hearing
5. Five (5) minute rebuttal from the side favoring decision
6. Comments by the People's Zoning Counsel

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. State your name and address for the record and 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/LIVE>
PLEASE SILENCE ALL CELLULAR PHONES DURING THE MEETING.

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

10:00 AM CALL TO ORDER - (VIRTUAL MEETING)

INVOCATION / MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

REFERRED FOR DOCUMENT**DSP-20008****Hope Village - Phase I Royal Farms # 282****Applicant(s):**

VMD-Upper Marlboro, LLC

Location:

Located in the southeast quadrant of the intersection of Woodyard Road (MD 223) and Marlboro Pike (3.27 Acres; M-X-T / M-I-O Zones).

Request:

Requesting approval of a Detailed Site Plan (DSP) for the development of a 4,650-square-foot food and beverage store and a gas station with eight multi-product dispensers.

Council District:

9

Appeal by Date:

4/8/2021

Review by Date:

4/8/2021

Action by Date:

5/21/2021

History:

01/26/2021	M-NCPPC Technical Staff	approval with conditions
03/04/2021	M-NCPPC Planning Board	approval with conditions
03/22/2021	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote: 10-0: Absent: Council Member Franklin).</i>	
03/25/2021	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
04/12/2021	Sitting as the District Council	announced hearing date
04/26/2021	Sitting as the District Council	hearing held; case taken under advisement
	<i>Adam Bossi, M-NCPPC planning staff, provided an overview of the Detailed Site Plan application. Sang Oh, Esq., attorney for the applicant, spoke in support. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties. Council took this case under advisement.</i>	
05/10/2021	Sitting as the District Council	referred for document
	<i>Council referred item to staff for preparation of an approving document, with conditions (Vote: 11-0).</i>	

Attachment(s):

[DSP-20008 Zoning Agenda Item Summary](#)

[DSP-20008 Presentation Slides](#)

[DSP-20008 Notice of District Council Hearing](#)

[DSP-20008 Planning Board Resolution 2021-24 - Signed](#)

DSP-20008_PORL

[DSP-20008 Technical Staff Report](#)

[DSP-20008 Planning Board Record](#)

[DSP-20008 Transcripts 02-11-2021](#)

[PZC Notice of Intention to Participate](#)

ITEM(S) FOR DISCUSSION**DSP-20029****Behnke Property 7-Eleven****Applicant(s):**

Root 1, LLC, ETAL

Location:

Located on the west side of US 1 (Baltimore Avenue) south of its intersection with Howard Avenue (1.89 Acres; C-M Zone).

Request:

Requesting approval of a Detailed Site Plan (DSP) for development of a 4,500-square-foot food and beverage store and a gas station with eight multi-product dispensers.

Council District:

1

Appeal by Date:

4/8/2021

Review by Date:

4/8/2021

Action by Date:

5/28/2021

History:

01/19/2021	M-NCPPC Technical Staff	approval with conditions
03/04/2021	M-NCPPC Planning Board	approval with conditions
03/22/2021	Sitting as the District Council	deferred
	<i>Council deferred this item to March 29, 2021.</i>	
03/29/2021	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote: 10-0: Absent: Council Member Franklin).</i>	
04/07/2021	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
04/26/2021	Sitting as the District Council	announced hearing date
05/10/2021	Sitting as the District Council	hearing held; case taken under advisement

Adam Bossi, M-NCPPC planning staff, provided an overview of the Detailed Site Plan application. Matthew Gordon, Esq., attorney for the applicant, and Andrew R. Polot, Root 1 Manager LLC, spoke in support. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties.

Attachment(s):

[DSP-20029 Zoning Agenda Item Summary](#)

[DSP-20029 Power Point Presentation](#)

[DSP-20029_email 04262021 Gordon To Brown](#)

[DSP-20029 Letter 04262021 Gordon To Brown](#)

[DSP-20029 Planning Board Resolution 2021-21 - Signed](#)

[DSP-20029_PORL](#)

[DSP-20029 Technical Staff Report](#)

[DSP-20029 Planning Board Record](#)

[DSP-20029 Transcripts_02-04-2021 Planning Board](#)

[DSP-20029 Notice of District Council Hearing](#)

[DSP-20029 PZC Notice of Intention to Participate](#)

ADJOURN

10:15 AM COUNTY COUNCIL ITEMS (VIRTUAL MEETING)

(SEE SEPARATE AGENDA)