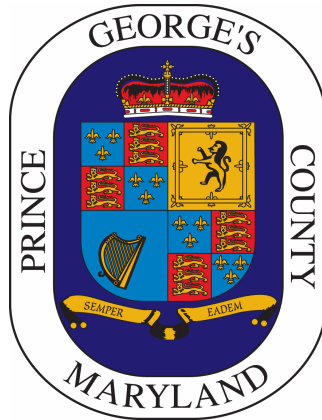


Prince George's County Council

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



Zoning Agenda - Final

**Monday, January 10, 2022
10:00 AM**

VIRTUAL MEETING

Sitting as the District Council

*Calvin S. Hawkins, II, Chair, At-Large
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
Vacant - District 8 (effective: 11/8/2021)*

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. 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 - (VIRTUAL)

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 11152021](#)

District Council Minutes dated November 15, 2021

Attachment(s):

[DRAFT District Council Minutes 11-15-2021](#)

ORAL ARGUMENTS**A-10051 Remand****Carozza Property****Applicant(s):**

Maria Volpe and Sandra Carey, Trustees/Carozza Property

Location:

Located in the southwest quadrant of the intersection of Pennsylvania Avenue (MD 4) and Woodyard Road (60.02 Acres; R-R Zone).

Request:

Requesting approval of a Zoning Map Amendment for the rezoning of approximately 60.02 acres of R-R (Rural Residential) zoned land to the M-X-T (Mixed Use – Transportation Oriented) Zone.

Council District:

9

Appeal by Date:

8/9/2021

Action by Date:

2/9/2022

Opposition:

Marwood Community, et. al.

History:

10/17/2019

M-NCPPC Technical Staff

disapproval

08/20/2020

Zoning Hearing Examiner

remanded

The Zoning Hearing Examiner recommended a Remand back to the Office of the Zoning Hearing Examiner, with conditions.

09/21/2020

Applicant

appealed

Russell W. Shipley, Esq., attorney for the applicant, filed exceptions to the Zoning Hearing Examiner Decision and requested a hearing.

10/05/2020

Sitting as the District Council

elected to review

Council elected to review (Vote: 9-0; Absent: Council Members Franklin and Hawkins).

12/18/2020

Clerk of the Council

mailed

Notice of Oral Argument Hearing were mailed to Persons of Record.

01/11/2021

Sitting as the District Council

announced hearing date

01/25/2021

Sitting as the District Council

referred for document

People's Zoning Counsel, Stan Brown, provided an orientation, recommending that Council Remand the case in accordance with the Zoning Hearing Examiner recommendation and the concurring letter by Russell Shipley, Esq., attorney for the applicant. Subsequently, Council referred item to staff for preparation of an order of remand to the Zoning Hearing Examiner (Vote: 11-0).

02/09/2021	Sitting as the District Council	remanded
	<i>Council adopted the prepared Order of Remand to the Zoning Hearing Examiner in accordance with the Zoning Hearing Examiner recommendation (Vote: 11-0).</i>	
02/24/2021	Clerk of the Council	mailed
	<i>Notice of District Council Decision was mailed to Persons of Record.</i>	
07/09/2021	Zoning Hearing Examiner	approval with conditions
08/03/2021	Person of Record	filed
	<i>G. Macy Nelson, attorney for Citizen-Protestants file Exceptions and Request Oral Argument Hearing.</i>	
08/23/2021	Person of Record	filed
	<i>G. Macy Nelson, attorney for Citizen-Protestants filed a letter in reference to the August 8, 2021 appeal that was submitted.</i>	

Attachment(s):[A-10051 Remand Zoning Agenda Item Summary](#)[A-10051 Remand Presentation Slides](#)[A-10051 Remand Transcripts 04-14-2021](#)[A-10051 Remand Notice of Oral Argument Hearing](#)[A-10051 Remand Nelson to Brown Letter 08-23-2021](#)[A-10051 Remand Nelson to Brown \(email\) Letter 08-23-21](#)[A-10051 Remand Nelson to Brown Appeal 8-3-21](#)[A-10051 Remand email Nelson to Brown Appeal 080320](#)[A-10051 Remand Zoning Case Summary](#)[A-10051 Remand Notice of ZHE Decision](#)[A-10051 Remand ZHE Decision](#)

A-10051 Remand PORL

[A-10051 Remand Exhibits List](#)[A-10051 Remand Exhibits 1-19](#)[A-10051 Remand Memo to the Clerk](#)

ORAL ARGUMENTS (Continued)**DSP-20020****Beltway Plaza-Phase 1****Applicant(s):**

GB Mall Limited Partnership

Location:

Located on the south side of Breezewood Drive, east of the intersection with Cherrywood Lane (53.88 Acres; M-U-I / D-D-O Zones).

Request:

Requesting approval of a Detailed Site Plan (DSP) for Phase 1 of the redevelopment of Beltway Plaza, to include 750 multifamily residential dwelling units, a hotel, recreation center, and limited streetscape improvements.

Council District:

4

Appeal by Date:

11/4/2021

Review by Date:

11/4/2021

Action by Date:

1/28/2022

Municipality:

Greenbelt

History:

08/25/2021	M-NCPPC Technical Staff	approval with conditions
09/30/2021	M-NCPPC Planning Board	approval with conditions
10/25/2021	Sitting as the District Council	waived election to review
	<i>Council waived election to review for this item (Vote: 10-0; Absent: Council Member Streeter).</i>	
10/29/2021	Person of Record	appealed
	<i>G. Macy Nelson, attorney for Citizen-Protestants file an appeal and request for Oral Argument Hearing.</i>	
12/01/2021	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
12/28/2021	Applicant	filed
	<i>Matthew C. Tedesco, Esq. attorney for the applicant filed an Opposition to Petitioners' Petition for Appeal and Request for Oral Argument.</i>	

Attachment(s):

[DSP-20020 Zoning Agenda Item Summary](#)

[DSP-20020 Presentation Slides](#)

[DSP-20020 Transcripts](#)

[DSP-20020 Tedesco to Brown Opposition to Petition for A](#)

[DSP-20020 Nelson to Brown Petition for Appeal and Requ](#)

[DSP-20020 Notice of Oral Argument Hearing](#)

[DSP-20020 Planning Board Resolution 2021-113](#)

DSP-20020_PORL

[DSP-20020 Technical Staff Report](#)

[DSP-20020 Planning Board Record](#)

MANDATORY REVIEW (Using Oral Argument Procedures)[DSP-04054-03](#)**Bellefonte****Applicant(s):**

Matan Companies, LLLP

Location:

Located on the west side of Louie Pepper Drive, approximately 200 feet north of MD 223 (Woodyard Road) (29.31 Acres; I-4 / M-I-O Zones).

Request:

Requesting approval of a Detailed Site Plan (DSP) for the development of two warehouse buildings with associated parking and infrastructure within the Military Installation Overlay (M-I-O) Zone.

Council District:

9

Appeal by Date:

11/12/2021

Action by Date:

1/26/2022

Comment(s):

Mandatory Review:

{District Council review of this case is required by conditions imposed by Council on Zoning Case A-9758-C}

History:

09/15/2021	M-NCPPC Technical Staff	approval with conditions
10/07/2021	M-NCPPC Planning Board	approval with conditions
10/26/2021	Clerk of the Council	mailed

*Notice of Oral Argument Hearing was mailed to Persons of Record.***Attachment(s):**[DSP-04054-03 Zoning Agenda Item Summary](#)[DSP-04054-03 Presentation Slides](#)[DSP-04054-03 Transcripts](#)[DSP-04054-03 Notice of Oral Argument Hearing](#)[DSP-04054-03 Planning Board Resolution 2021-117 - Sig](#)

DSP-04054-03_PORL

[DSP-04054-03 Technical Staff Report](#)[DSP-04054-03 Planning Board Record](#)

MANDATORY REVIEW (Continued)**DSP-99044-20****The Mall At Prince George's (Self Storage)****Applicant(s):**

PSG East West Storage

Location:

Located in the northwest quadrant of the intersection of MD 410 (East West Highway) and Belcrest Road, approximately 1,600 feet west of the intersection of MD 410 and MD 500 (Queens Chapel Road), within the property known as the Mall at Prince George's Plaza (51.03 Acres; M-U-I / T-D-O Zones).

Request:

Requesting approval of a Detailed Site Plan (DSP) for an amendment to the list of allowed uses for the subject property, per Section 27-548.09.01(b) of the Prince George's County Zoning Ordinance, to construct 796 consolidated storage units in the basement of the existing shopping center, known as The Mall at Prince George's Plaza.

Council District:

2

Appeal by Date:

11/18/2021

Action by Date:

1/26/2022

Comment(s):

Mandatory Review:

{District Council review of this case is required by Section 27-548.09.01(b)(5) of the Zoning Ordinance}

Municipality:

Hyattsville

History:

09/28/2021	M-NCPPC Technical Staff	approval with conditions
10/14/2021	M-NCPPC Planning Board	approval with conditions
10/26/2021	Clerk of the Council	mailed

Notice of Oral Argument Hearing was mailed to Persons of Record.

Attachment(s):

[DSP-99044-20 Zoning Agenda Item Summary](#)

[DSP-99044-20 Presentation Slides](#)

[DSP-99044-20 Transcripts](#)

[DSP-99044-20 Notice of Oral Argument Hearing](#)

[DSP-99044-20 Planning Board Resolution 2021-120 - Sig](#)

DSP-99044-20_PORL

[DSP-99044-20 Technical Staff Report](#)

[DSP-99044-20 Planning Board Record](#)

NEW CASE(S)

In making the final decision in this case, the District Council should consider whether it wants to conduct an Oral Argument, pursuant to Section 27-131.01 (c)(2).

ERR-284**JH Calvert Park, LLC****Applicant(s):**

JH Calvert Park, LLC

Location:

Located approximately 530 feet east of its intersection with Taylor Rd within the Corporate limits of the Town of Riverdale, 5203 Riverdale Rd. Riverdale Park MD (1.211 Acres; R-10 Zone).

Request:

Requesting approval for validation of Permit No. 47380-2014 for the erection of a six (6)- foot-high fence to enclose a dumpster on property improved with a single, five (5) -story multifamily dwelling with 55 dwelling units.

Council District:

3

Appeal by Date:

2/2/2022

Action by Date:

5/3/2022

Municipality:

Town of Riverdale Park

Opposition:

None

History:

01/03/2022

Zoning Hearing Examiner

approval with conditions

Attachment(s):[ERR-284 Zoning Agenda Item Summary](#)[ERR-284 Notice of ZHE Decision](#)[ERR-284 ZHE Decison](#)

ERR-284 PORL

[ERR-284 Exhibit List](#)[ERR-284 Exhibits 1-37](#)[ERR-284 Transcript 08-18-2021](#)

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-4847](#)**ACE Eastover Square****Applicant(s):**

Populus Financial Group

Location:

Located in the northeast quadrant of the intersection of Indian Head Highway (MD Rt. 210) and Audrey Lane and identified as 5129 Indian Head Highway, Forest Heights, Maryland (25.2118 Acres; C-S-C Zone).

Request:

Requesting approval of a Special Exception (SE) to use approximately 3,328 square feet of a 25.2118 acre Shopping Center in the C-S-C (Commercial Shopping Center) Zone for a Check Cashing Business.

Council District:

8

Appeal by Date:

1/3/2022

Review by Date:

1/31/2022

Municipality:

Oxon Hill

Opposition:

None

History:

07/14/2021	M-NCPPC Technical Staff	approval
07/30/2021	M-NCPPC Planning Board	no motion to consider
12/16/2021	Zoning Hearing Examiner	approval with conditions

Attachment(s):[SE-4847 Zoning Agenda Item Summary](#)[SE-4847 Notice of ZHE Decison](#)[SE-4847 - ZHE Decision](#)

SE-4847 PORL

[SE-4847 Technical Staff Report](#)[SE-4847 Exhibit List](#)[SE-4847 Exhibits 1-24](#)[SE-4847 Transcripts 10-13-2021](#)

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.

(b) PLANNING BOARD**DDS-680****Suitland Self Storage Zone**

Companion Case(s): DSP-20048

Applicant(s): SSZ Suitland Self Storage, LLC

Location: Located in the northeast quadrant of the Forestville Road and the I-95/I-495 (Capital Beltway) interchange, approximately 400 feet south of its intersection with Suitland Parkway (1.99 Acres; I-1 Zone).

Request: Requesting approval of a Departure from Design Standards (DDS), for a reduction to the requirements of Section 4.2 of the 2010 Prince George's County Landscape Manual (Landscape Manual) to reduce the width of the landscape strip and require plantings.

Council District: 6

Appeal by Date: 12/23/2021

Review by Date: 1/24/2022

History:

10/05/2021 M-NCPPC Technical Staff approval

11/18/2021 M-NCPPC Planning Board approval

Attachment(s): [DDS-680 Zoning Agenda Item Summary](#)

[DDS-680 Planning Board Resolution](#)

DDS-680 PORL

[DDS-680 Technical Staff Report](#)

PENDING FINALITY (Continued)**DSP-20048****Suitland Self Storage Zone****Applicant(s):**

SSZ Suitland Self Storage, LLC

Location:

Located in the northeast quadrant of the Forestville Road and the I-95/I-495 (Capital Beltway) interchange, approximately 400 feet south of its intersection with Suitland Parkway (1.99 Acres; I-1 Zone).

Request:

Requesting approval of a Detailed Site Plan (DSP) for development of a 110,674-square-foot/999-unit consolidated storage facility.

Council District:

6

Appeal by Date:

12/23/2021

Review by Date:

1/24/2022

History:

10/05/2021

M-NCPPC Technical Staff

approval with conditions

11/18/2021

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-20048 Zoning Agenda Item Summary](#)[DSP-20048 Planning Board Resolution 2021-130 - signed](#)

DSP-20048 PORL

[DSP-20048 Technical Staff Report](#)

PENDING FINALITY (Continued)**DSP-21006****6400 America Boulevard****Applicant(s):**

TD Parcel N Investor, LLC

Location:

Located in the northwest quadrant of the intersection of MD 410 (East West Highway) and America Boulevard, east of Belcrest Road and south of Liberty Lane (2.42 Acres; M-U-I / T-D-O Zones).

Request:

Requesting approval of a Detailed Site Plan (DSP) for a vertical mixed-use building consisting of 316 multifamily dwelling units and approximately 2,052 square feet of commercial/retail space.

Council District:

2

Appeal by Date:

1/13/2022

Review by Date:

1/31/2022

Municipality:

Hyattsville

History:

11/02/2021

M-NCPPC Technical Staff

approval with conditions

12/09/2021

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-21006 Zoning Agenda Item Summary](#)[DSP-21006 Planning Board Resolution 2021-138 - signed](#)

DSP-21006_PORL

[DSP-21006 Technical Staff Report](#)

PENDING FINALITY (Continued)**DSP-20053****West Hyattsville - ETOD****Applicant(s):**

WHPC Block 3, LLC & WHPC Block 4, LLC

Location:

Located on the east side of Little Branch Run, west of the West Hyattsville Metro Station and Washington Metropolitan Area Transit Authority (WMATA) rail lines, and southwest of the intersection of Ager Road and Little Branch Run (8.09 Acres; M-X-T / T-D-O Zones).

Request:

Requesting approval of a Detailed Site Plan (DSP) for a vertical mixed-use development consisting of 293 multifamily dwelling units and approximately 3,213 square feet of commercial retail space on proposed Parcel 1 and infrastructure only on proposed Parcel 2.

Council District:

2

Appeal by Date:

1/20/2022

Review by Date:

1/31/2022

Municipality:

Hyattsville

Expedited TOD:

{This case is designated for expedited review in accordance with Section 27-107.01(a)(242.2)(A) and 27-290.01}

History:

12/02/2021	M-NCPPC Technical Staff	approval with conditions
12/16/2021	M-NCPPC Planning Board	approval with conditions

Attachment(s):[DSP-20053 Zoning Agenda Item Summary](#)[DSP-20053 Planning Board Resolution 2021-144 - signed](#)

DSP-20053_PORL

[DSP-20053 Technical Staff Report](#)

EXECUTIVE SESSION (VIRTUAL)[EX 01102022](#)

Motion to convene in Executive Session pursuant to Section 3-305(b)(1), (7), and (8) , General Provisions Article, Annotated Code of Maryland, in order to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction, specifically to consider and discuss appointments to the WSSC OIG Appointment Committee; and in order to discuss and consider pending or potential litigation and to consult with counsel to seek legal advice, specifically to be briefed by counsel as to and to discuss status of cases in the Circuit Court for Prince George’s County, Maryland, and the Court of Special Appeals, to maintain confidentiality regarding the current status of ongoing litigation and as to the Council’s position on pending litigation, and to seek legal advice on an Countywide Map Amendment issues.

[ADJ1-22](#)**ADJOURN**