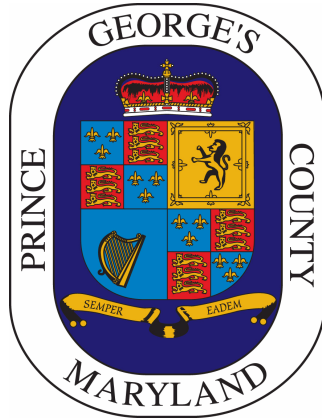


# Prince George's County Council

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



## **Zoning Agenda - Final**

**Monday, October 19, 2015**

**10:00 AM**

**Council Hearing Room**

## **Sitting as the District Council**

*Mel Franklin, District 9, Chairman  
Derrick Leon Davis, District 6, Vice Chair  
Dannielle M. Glaros, District 3  
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 - Angela J. Rouson, County Employee****PLEDGE OF ALLEGIANCE****APPROVAL OF DISTRICT COUNCIL MINUTES**[MINDC 10052015](#)**District Council Minutes dated October 5, 2015****Attachment(s):**[10-05-2015 District Council Minutes DRAFT](#)**ORAL ARGUMENTS**[DSP-15003](#)**The Ridges at Landover Metro****Applicant(s):**

SM Waterford Estates, LLC.

**Location:**

Located in the northwest quadrant of the intersection of Landover Road (MD 202) and 75th Avenue, on the north side of Landover Road, inside the Capital Beltway (I-95 / 495) (23.57 Acres; R-18 Zone).

**Request:**

Requesting approval of a Detailed Site Plan for residential revitalization for 165 fee-simple townhouse units and 193 residential condominium units, of which 154 are two-family dwelling units (two-over-two) and 39 are townhouse units, for a total of 358 dwelling units.

**Council District:**

5

**Appeal by Date:**

8/20/2015

**Review by Date:**

9/21/2015

**Action by Date:**

1/18/2016

**History:**

06/11/2015	M-NCPPC Technical Staff	approval with conditions
07/16/2015	M-NCPPC Planning Board	approval with conditions
08/20/2015	Person of Record	appealed

*J. Whitson Rogers filed an appeal of the Planning Board's decision and requested Oral Argument.*

09/08/2015 Council Member transmitted a letter  
*Council Member Harrison wishes to waive Council's right to review. A majority vote of the full Council is required.*

09/09/2015 Sitting as the District Council waived right to review  
*Council waived its right to review this item (Vote 9-0).*

**Attachment(s):** DSP-15003\_Appeal08202015  
[DSP-15003 Planning Board Resolution 15-66](#)  
 DSP-15003\_PORL  
[DSP-15003 Technical Staff Report](#)

**MANDATORY REVIEW (Using Oral Argument Procedures)**

[CSP-03006-02](#)

**Woodmore Towne Centre at Glenarden**

**Applicant(s):** Woodmore Towne Centre LLC

**Location:** Located in the northwestern quadrant of the intersection of Ruby Lockhart Boulevard and St. Joseph's Drive (244.63 Acres; M-X-T).

**Request:** Requesting approval of a Conceptual Site Plan to relocate the hotel and conference center from Pod B to Pod E, relocate the multifamily from Pod D to Pod B, and add an institutional use to Pod E.

**Council District:** 5

**Appeal by Date:** 9/3/2015

**Review by Date:** 9/30/2015

**Action by Date:** 1/18/2016

**Comment(s):** District Council review of this case is required by conditions imposed by Council on Zoning Case A-9613-C.

**Municipality:** Town of Glenarden

**History:**

06/17/2015 M-NCPPC Technical Staff approval with conditions

07/30/2015 M-NCPPC Planning Board approval with conditions

08/17/2015 Person of Record appealed

*Edward Estes appealed the Planning Board's decision and requested Oral Arguments.*

10/13/2015 Applicant transmitted a letter

*Edward C. Gibbs, Jr., Esq., Attorney for the applicant, submitted a response to the Appeal of Edward Estes.*

**Attachment(s):**

CSP-03006-02\_Response to 08172015 Appeal

CSP-03006-02\_Appeal\_08172015

[CSP-03006-02 Planning Board Resolution 15-68](#)

CSP-03006-02\_PORL

[CSP-03006-02 Technical Staff Report resized2](#)

**NEW CASE(S)****[ERR-251](#)****Troy Samuels****Validation of Building Permit No. 9518-2014 Issued in Error****Applicant(s):**

Troy Samuels

**Location:**

Located at 4504 41st Avenue, North Brentwood, Maryland (0.063 Acres; R-55 Zone).

**Request:**

Requesting approval for validation of Prince George's County Building Permit No. 9518-2014 issued in error for two additions to a single-family home located in the R-55 (One-Family Detached Residential) Zone.

**Council District:**

2

**Appeal by Date:**

10/15/2015

**Action by Date:**

2/15/2016

**Municipality:**

Town of North Brentwood

**Opposition:**

None

**History:**

09/15/2015

Zoning Hearing Examiner

approval

**Attachment(s):**[ERR-251 ZAIS](#)[ERR-251 Zoning Hearing Examiner Decision](#)

ERR-251 PORL

**[ERR-252](#)****Shadyside Properties Shopping Center, LLC/Allen Su****Validation of Use and Occupancy Permit No. 44936-2013-00****Applicant(s):**

Shadyside Properties Shopping Center, LLC / Allen Su

**Location:**

Located within a small strip shopping center at 2323 Shadyside Avenue, Suitland, Maryland (0.398 Acres; R-T Zone).

**Request:**

Requesting approval for validation of Prince George's County Use and Occupancy Permit No. 44936-2013-00 issued in error for a new tenant (Barber Shop/Beauty Salon, t/a Lillie's Barbershop Unisex).

**Council District:**

7

**Appeal by Date:**

9/28/2015

**Action by Date:**

2/29/2016

**Opposition:**

None

**History:**

08/27/2015

Zoning Hearing Examiner

approval

10/05/2015 Sitting as the District Council deferred  
*Council deferred this item to October 19, 2015.*

**Attachment(s):** [ERR-252 Zoning AIS](#)  
[ERR-252 Zoning Hearing Examiner Decision](#)  
 ERR-252\_PORL

### **REFERRED FOR DOCUMENT**

#### **ERR-249**

#### **Candlewood Apartments/Trace Associates, Ltd** **Validation of Multi-Family Rental Housing License No. M-577**

**Applicant(s):** Candlewood Apartments/Trace Associates, Ltd  
**Location:** Located at 5009 Quincy Street, Bladensburg, Maryland (0.494 Acres; R-18 Zone).  
**Request:** Requesting approval for validation of Prince George's County's Multi-Family Rental Housing License No. M-577, issued in error on January 6, 2015 for 12 apartment units, on approximately 21,526 square feet of land.  
**Council District:** 5  
**Appeal by Date:** 9/23/2015  
**Action by Date:** 1/29/2016  
**Municipality:** Town of Bladensburg  
**Opposition:** None  
**History:**

08/24/2015 Zoning Hearing Examiner approval

10/05/2015 Sitting as the District Council referred for document

*Council referred item to staff for preparation of an approving document (Vote: 8-0; Absent: Council Member Toles).*

**Attachment(s):** [ERR-249 Zoning Agenda Item Summary \(ZAIS\)](#)  
[ERR-249 Zoning Hearing Examiner Decision](#)  
 ERR-249\_PORL

**REFERRED FOR DOCUMENT (Continued)**[ERR-250](#)**Kennedy House Apartments****Validation of Multi-Family Rental Housing License No. M-172****Applicant(s):**

Kennedy House Apartments

**Location:**

Located at 5651 Kennedy Street, Riverdale, Maryland (0.298 Acres; R-18 Zone).

**Request:**

Requesting approval for validation of Prince George's County's Multi-Family Rental Housing License No. M-172, issued in error on March 2, 2013 for 16 apartment units.

**Council District:**

3

**Appeal by Date:**

9/25/2015

**Action by Date:**

1/29/2016

**Opposition:**

None

**History:**

08/26/2015

Zoning Hearing Examiner

approval

10/05/2015

Sitting as the District Council

referred for document

*Council referred item to staff for preparation of an approving document (Vote: 8-0; Absent: Council Member Toles).***Attachment(s):**[ERR-250 Zoning AIS](#)[ERR250 Zoning Hearing Examiner Decision](#)

ERR250\_PORL



**ITEM(S) FOR DISCUSSION**[SE-4756](#)**Potomac Energy Holdings, LLC****Companion Case(s):** DDS-626; DPLS-411; DSDS-684**Applicant(s):** Potomac Energy Holdings, LLC**Location:** Located on the northeast side of Baltimore Avenue (US 1) approximately 400 feet north of the I-95/495 (Capital Beltway) College park exit (0.728 Acres; C-S-C Zone).**Request:** Requesting approval of a Special Exception to use approximately 0.728 acres of land, in the C-S-C (Commercial Shopping Center) Zone for a Gas Station and Car Wash.**Council District:** 1**Appeal by Date:** 7/16/2015**Review by Date:** 7/16/2015**Action by Date:** 11/20/2015**Opposition:** None**History:**

03/31/2015	M-NCPPC Technical Staff	approval with conditions
05/07/2015	M-NCPPC Planning Board	approval with conditions
06/16/2015	Zoning Hearing Examiner	approval with conditions
06/22/2015	Sitting as the District Council	elected to make the final decision

*Council elected to make the final decision on this item (Vote: 8-0; Absent: Council Member Franklin).*

09/21/2015                      Sitting as the District Council                      hearing held; case taken under advisement

*Chairman Franklin announced that the oral argument hearings for SE-4756 Potomac Energy Holdings, LLC, DDS-626 Potomac Energy Holdings, LLC, DPLS-411 Potomac Energy Holdings, LLC and DSDS-684 Potomac Energy Holdings, LLC would be held in tandem. Ivy Thompson, M-NCPPC, provided an overview of the Special Exception application and related departure applications. Dan Lynch, Esq., spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented and noted a correction to the case description for DSDS-684 Potomac Energy Holdings, LLC, clarifying that the "...sign is set back less than 40 feet behind the front streetline."*

*Council took this case under advisement.*

**Attachment(s):**                      [SE-4756 Zoning Hearing Examiner Decision](#)  
SE-4756\_PORL

**ITEM(S) FOR DISCUSSION (Continued)**

**DDS-626**

**Potomac Energy Holdings, LLC**

**Companion Case(s):** DPLS-411; DSDS-684; SE-4756

**Applicant(s):** Potomac Energy Holdings, LLC

**Location:** Located on the northeast side of Baltimore Avenue (US 1), approximately 400 feet north of the Capital Beltway (I-95 / 495, College Park exit) (0.73 Acres; C-S-C Zone).

**Request:** Requesting approval of a Departure from Design Standards form Section 4.7 of the 2010 Prince George's County Landscape Manual.

**Council District:** 1

**Appeal by Date:** 6/11/2015

**Review by Date:** 6/11/2015

**Action by Date:** 11/20/2015

**History:**

03/31/2015                      M-NCPPC Technical Staff                      approval with conditions

05/07/2015                      M-NCPPC Planning Board                      approval with conditions

06/08/2015                      Sitting as the District Council                      elected to review

*Council elected to review this item (Vote: 9-0).*

09/21/2015                      Sitting as the District Council                      hearing held; case taken under advisement

*Chairman Franklin announced that the oral argument hearings for SE-4756 Potomac Energy Holdings, LLC, DDS-626 Potomac Energy Holdings, LLC, DPLS-411 Potomac Energy Holdings, LLC and DSDS-684 Potomac Energy Holdings, LLC would be held in tandem. Ivy Thompson, M-NCPPC, provided an overview of the Special Exception application and related departure applications. Dan Lynch, Esq., spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented and noted a correction to the case description for DSDS-684 Potomac Energy Holdings, LLC, clarifying that the "...sign is set back less than 40 feet behind the front streetline."*

*Council took this case under advisement.*

**Attachment(s):**                      [DDS-626 Planning Board Resolution 15-33](#)  
DDS-626\_PORL

**ITEM(S) FOR DISCUSSION (Continued)**

**DPLS-411**

**Potomac Energy Holdings, LLC**

**Companion Case(s):** DDS-626; DSDS-684; SE-4756

**Applicant(s):** Potomac Energy Holdings, LLC

**Location:** Located on the northeast side of Baltimore Avenue (US 1), approximately 400 feet north of the Capital Beltway (I-95 / 495, College Park exit) (0.73 Acres; C-S-C Zone).

**Request:** Requesting approval of a Departure from Parking and Loading Standards from Section 27-582(a) of the Prince George's County Zoning Ordinance for the elimination of the loading space requirement due to the 50-foot setback requirement from a residential property set forth in Section 27-579.

**Council District:** 1

**Appeal by Date:** 6/11/2015

**Review by Date:** 6/11/2015

**Action by Date:** 11/20/2015

**History:**

03/31/2015                      M-NCPPC Technical Staff                      approval with conditions

05/07/2015	M-NCPPC Planning Board	approval with conditions
06/08/2015	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote: 9-0).</i>	
09/21/2015	Sitting as the District Council	hearing held; case taken under advisement

*Chairman Franklin announced that the oral argument hearings for SE-4756 Potomac Energy Holdings, LLC, DDS-626 Potomac Energy Holdings, LLC, DPLS-411 Potomac Energy Holdings, LLC and DSDS-684 Potomac Energy Holdings, LLC would be held in tandem. Ivy Thompson, M-NCPPC, provided an overview of the Special Exception application and related departure applications. Dan Lynch, Esq., spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented and noted a correction to the case description for DSDS-684 Potomac Energy Holdings, LLC, clarifying that the "...sign is set back less than 40 feet behind the front streetline."*

*Council took this case under advisement.*

**Attachment(s):**

[DPLS-411 Planning Board Resolution 15-34](#)

DPLS-411\_PORL

**ITEM(S) FOR DISCUSSION (Continued)**[DSDS-684](#)**Potomac Energy Holdings, LLC****Companion Case(s):** DDS-626; DPLS-411; SE-4756**Applicant(s):** Potomac Energy Holdings, LLC**Location:** Located on the northeast side of Baltimore Avenue (US 1), approximately 400 feet north of the Capital Beltway (I-95 / 495, College Park exit) (0.73 Acres; C-S-C Zone).**Request:** Requesting approval of a Departure from Sign Design Standards from Section 27-614(a)(1) of the Zoning Ordinance in order to allow a freestanding sign on a property where the main building associated with the freestanding sign is set back less than 40 feet behind the front streetline. The proposed building is set back 24 feet from the front streetline along Baltimore Avenue (US 1). Therefore, a departure of approximately 16 feet is requested.**Council District:** 1**Appeal by Date:** 6/11/2015**Review by Date:** 6/11/2015**Action by Date:** 11/20/2015**History:**

03/31/2015 M-NCPPC Technical Staff approval with conditions

05/07/2015 M-NCPPC Planning Board approval with conditions

06/08/2015 Sitting as the District Council elected to review

*Council elected to review this item (Vote: 9-0).*

09/21/2015

Sitting as the District Council

hearing held; case taken under advisement

*Chairman Franklin announced that the oral argument hearings for SE-4756 Potomac Energy Holdings, LLC, DDS-626 Potomac Energy Holdings, LLC, DPLS-411 Potomac Energy Holdings, LLC and DSDS-684 Potomac Energy Holdings, LLC would be held in tandem. Ivy Thompson, M-NCPPC, provided an overview of the Special Exception application and related departure applications. Dan Lynch, Esq., spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented and noted a correction to the case description for DSDS-684 Potomac Energy Holdings, LLC, clarifying that the "...sign is set back less than 40 feet behind the front streetline."*

*Council took this case under advisement.*

**Attachment(s):**

[DSDS-684 Planning Board Resolution 15-32](#)

DSDS-684\_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.*

**PLANNING BOARD****[SDP-1003-05](#)****Parkside (Formerly Smith Home Farm), Sections 1A, 1B, 2, and 3, Parcel U-1****Applicant(s):**

SHF Project Owner, LLC

**Location:**

Located approximately 3,000 feet east of the intersection of Westphalia Road and Pennsylvania Avenue (MD 4) (250.85 Acres; R-M Zone).

**Request:**

Requesting approval of a Specific Design Plan to revise the previously approved central recreational center within Section 3, including the clubhouse and two bath house floor plans and architecture; to revise the layout and lighting of the recreational area; to add an entry feature; and to revise the tree conservation plan (TCP) to reflect the revisions.

**Council District:**

6

**Appeal by Date:**

11/5/2015

**Review by Date:**

11/5/2015

**History:**

08/27/2015 M-NCPPC Technical Staff approval with conditions

10/01/2015 M-NCPPC Planning Board approval with conditions

**Attachment(s):** [SDP-1003-05 Zoning AIS](#)  
[SDP-1003-05 Planning Board Resolution 15-91](#)  
 SDP-1003-05\_PORL  
[SDP-1003-05 Technical Staff Report](#)

**PENDING FINALITY (Continued)**

**SDP-1205-03**

**Parkside (Formerly Smith Home Farm) Umbrella Architecture**

**Applicant(s):** SHF Project Owner, LLC

**Location:** Located approximately 3,000 feet east of the intersection of Westphalia Road and Pennsylvania Avenue (MD 4) (250.85 Acres; R-M Zone).

**Request:** Requesting approval of a Specific Design Plan for three single-family detached Stanley Martin Homes architectural models to be available for construction on the single-family detached lots throughout Sections 1A, 1B, and 2 on the Parkside development (former Smith Home Farm) which were approved under Specific Design Plan SDP-1003, as amended.

**Council District:** 6

**Appeal by Date:** 11/5/2015

**Review by Date:** 11/5/2015

**History:**

08/25/2015 M-NCPPC Technical Staff approval with conditions

10/01/2015 M-NCPPC Planning Board approval with conditions

**Attachment(s):** [SDP-1205-03 Zoning AIS](#)  
[SDP-1205-03 Planning Board Resolution 15-90](#)  
 SDP-1205-03\_PORL  
[SDP-1205-03 Technical Staff Report](#)

**ADJOURN**

**1:30 PM BRIEFING - (COUNCIL HEARING ROOM)**

[BR 10192015](#)

**BRIEFING: GREATER COLLEGE PARK**

**University of Maryland:**

Ken Ulman, Chief Strategy Officer

**College Park City-University Partnership:**

Eric Olson, Executive Director