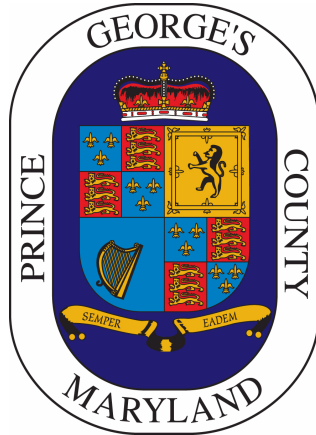


Prince George's County Council

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



Zoning Minutes - 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)**10:27 AM CALL TO ORDER - (COUNCIL HEARING ROOM)**

Pursuant to the provisions of Section 27-132(a) of the Zoning Ordinance, the meeting was called to order at 10:27 a.m. with nine members present at roll call.

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

*Also Present: Rajesh Kumar, Principal Counsel to the District Council
Stan Brown, People's Zoning Counsel
Robert J. Williams, Jr., Council Administrator
William M. Hunt, Deputy Council Administrator
Redis C. Floyd, Clerk of the Council
Donna J. Brown, Deputy Clerk of the Council*

M-NCPPC

*Henry Zhang, Development Review Division
Susan Lareuse, Development Review Division
Jimi Jones, Supervisor, Development Review Division*

DPIE

*Bill Edelen
Susan Hubbard
Sue Hall*

INVOCATION

The Invocation was provided by Angela J. Rouson, County Employee. Council Member Harrison requested prayer for Diane Cunningham and family in the loss of her daughter Afton. Council Member Lehman requested prayer for Dora Miles-Moore, District 1 staff member, undergoing surgery. Council Member Turner requested prayer for Dorothy Bailey and her husband who is undergoing emergency surgery. Council Member Taveras requested prayer for Council Member Victor R. Olano, Town of Brentwood, in the passing of his father.

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:

Henry Zhang, M-NCPPC staff, provided an overview of the Detailed Site Plan application. Mary Dombroski and J. Whiston Rogers spoke in opposition. Mr. Richard Kline, President, Community and Environmental Defense Services, was not allowed to speak because he was not a Person of Record and did not participate in the Planning Board Hearing. Arthur Horne, Jr., Esq., spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented.

Council referred this item to staff for preparation of an approving document, with conditions (Vote: 9-0).

This Detailed Site Plan hearing was held; subsequently, a motion was made by Council Member Harrison, seconded by Vice Chair Davis, that this Detailed Site Plan be referred for document. The motion carried by the following vote:

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

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:**

Susan Lareuse, M-NCPPC staff, provided an overview of the Detailed Site Plan application. She also noted corrections to the exhibit list of record as delineated on page 79 of the transcript. Edward Estes spoke in opposition. Edward Gibbs, Esq., spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented and clarified the record with regard to certain exhibits submitted to the Planning Board.

Council referred item to staff for preparation of an approving document, with conditions (Vote: 9-0).

This Conceptual Site Plan hearing was held; subsequently, a motion was made by Council Member Harrison, seconded by Council Member Glaros, that this Conceptual Site Plan be referred for document. The motion carried by the following vote:

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

- 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:**

Council deferred this item.

This Permit issued in error was deferred.

- 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:**

Council elected to make the final decision on this item (Vote: 9-0) and requested expedited scheduling.

A motion was made by Council Member Toles, seconded by Council Member Turner, that Council elect to make the final decision on this Permit issued in error. The motion carried by the following vote:

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

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:**

Council adopted the prepared Zoning Ordinance No. 16 - 2015 validating Multifamily Rental License No. M-577 (Vote: 9-0).

A motion was made by Council Member Harrison, seconded by Council Member Toles, that this Permit issued in error be approved. The motion carried by the following vote:

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

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:

Council adopted the prepared Zoning Ordinance No. 17 - 2015 validating Multifamily Rental License No. M-172 (Vote: 9-0).

A motion was made by Council Member Glaros, seconded by Vice Chair Davis, that this Permit issued in error be approved. The motion carried by the following vote:

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

- 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:**

Council referred item to staff for preparation of an approving document in accordance with the Zoning Hearing Examiner's decision (Vote: 9-0).

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

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

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

Council adopted the prepared Zoning Ordinance No. 18 - 2015 in accordance with the Zoning Hearing Examiner's decision of approval, with conditions (Vote: 9-0).

A motion was made by Council Member Lehman, seconded by Vice Chair Davis, that this Special Exception be approved with conditions. The motion carried by the following vote:

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

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:**

Council referred item to staff for preparation of an approving document, with conditions (Vote: 9-0).

A motion was made by Council Member Lehman, seconded by Council Member Turner, that this Departure from Design Standards be referred for document. The motion carried by the following vote:

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

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

DDS-626_PORL

Council adopted the prepared Order of approval, with conditions (Vote: 9-0).

A motion was made by Council Member Lehman, seconded by Vice Chair Davis, that this Departure from Design Standards be approved with conditions. The motion carried by the following vote:

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

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:**

Council referred item to staff for preparation of an approving document, with conditions (Vote: 9-0).

A motion was made by Council Member Lehman, seconded by Council Member Turner, that this Departure from Parking and Loading Standards be referred for document. The motion carried by the following vote:

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

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

DPLS-411_PORL

Council adopted the prepared Order of approval, with conditions (Vote: 9-0).

A motion was made by Council Member Lehman, seconded by Vice Chair Davis, that this Departure from Parking and Loading Standards be approved with conditions. The motion carried by the following vote:

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

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:**

Council referred item to staff for preparation of an approving document, with conditions (Vote: 9-0).

A motion was made by Council Member Lehman, seconded by Council Member Harrison, that this Departure from Sign Design Standards be referred for document.

The motion carried by the following vote:

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

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

DSDS-684_PORL

Council adopted the prepared Order of approval, with conditions (Vote: 9-0).

A motion was made by Council Member Lehman, seconded by Vice Chair Davis, that this Departure from Sign Design Standards be approved with conditions. The motion carried by the following vote:

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

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:

Council took no action on this item.

This Specific Design Plan was not elected to review by Council.

Attachment(s): SDP-1003-05 Memo_Planning Board Decision is Final

[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:

Council took no action on this item.

This Specific Design Plan was not elected to review by Council.

Attachment(s): SDP-1205-03 Memo_Planning Board Decision is Final
[SDP-1205-03 Zoning AIS](#)
[SDP-1205-03 Planning Board Resolution 15-90](#)
SDP-1205-03_PORL
[SDP-1205-03 Technical Staff Report](#)

1:28 PM RECESS

The meeting went into recess at 1:28 p.m.

1:51 PM RECONVENED

The meeting was reconvened at 1:51 p.m.

1:51 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

The briefing was convened at 1:51 p.m. The panelist facilitated a PowerPoint presentation and video the "Greater College Park and College Park City-University Partnership" and responded to questions posed by the Council regarding the study focus, collaboration with the Economic Development Corporation, future of golf course property, housing options, Metro's Purple Line, and the related fare-free zone for the student corridor. The Power Point presentation was assisted by Ms. Samantha O'Neil, Staff, College Park.

Attachment(s): [Greter College Park OCT 19](#)

ADJOURN

The meeting was adjourned at 2:56 p.m.