

Prince George's County Council

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



Zoning Agenda - Final

**Monday, November 9, 2020
10:00 AM**

VIRTUAL MEETING

Sitting as the District Council

Todd M. Turner, Council Chair, District 4

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

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

Jolene Ivey, District 5

Rodney C. Streeter, District 7

Deni L. Taveras, District 2

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 - (COUNCIL HEARING ROOM)

INVOCATION / MOMENT OF SILENCE

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 10262020](#)

District Council Minutes dated October 26, 2020

Attachment(s):

[10-26-2020 District Council Minutes DRAFT](#)

ORAL ARGUMENTS**DSP-19031****7-Eleven Branch Avenue****Applicant(s):**

7-Eleven, Inc.

Location:

Located on the east side of MD 5 (Branch Avenue), south of MD 373 (Accokeek Road) and MD 38 (Brandywine Road), and to the west of MD 631 (Old Brandywine Road) (2.00 Acres; C-M / C-S-C Zones).

Request:

Requesting approval of a Detailed Site Plan (DSP), to develop the site with a 3,484-square-foot food and beverage store, a gas station, and a 982-square-foot car wash.

Council District:

9

Appeal by Date:

10/15/2020

Review by Date:

10/15/2020

Action by Date:

1/4/2021

History:

07/15/2020	M-NCPPC Technical Staff	approval with conditions
09/10/2020	M-NCPPC Planning Board	approval with conditions
09/21/2020	Sitting as the District Council	deferred
	<i>Council deferred this item to October 5, 2020.</i>	
10/05/2020	Sitting as the District Council	elected to review
	<i>Council elected to review this item (11-0).</i>	
10/07/2020	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing scheduled for November 9, 2020 at 10:00 a.m. was mailed to Persons of Record.</i>	
10/23/2020	Applicant	transmitted a letter
	<i>Abdullah H. Hijazi, Esq. attorney for the applicant, submitted a letter entering his appearance and requesting to speak as Counsel for applicant.</i>	
10/26/2020	Sitting as the District Council	announced hearing date

Attachment(s):

[DSP-19031 Zoning Agenda Item Summary](#)

[DSP-19031 Presentation Slides](#)

[DSP-19031 Letter from Hijazi to Brown \(10232020\)](#)

[DSP-19031 Planning Board Resolution](#)

DSP-19031_PORL

[DSP-19031 Technical Staff Report](#)

[DSP-19031 Planning Board Record](#)

[DSP-19031 Transcripts](#)

[DSP-19031 District Council Notice of Hearing](#)

ORAL ARGUMENTS (Continued)**SDP-1803****7-Eleven at Brandywine Village****Applicant(s):**

7-Eleven, Inc.

Location:

Located at the northwest corner of the intersection of Chadds Ford Drive and US 301 (Robert Crain Highway) (1.14 Acres; L-A-C Zone).

Request:

Requesting approval of a Specific Design Plan (SDP) for a 3,062-square-foot food and beverage store and a gas station in the Local Activity Center (L-A-C) Zone.

Council District:

9

Appeal by Date:

10/15/2020

Review by Date:

10/15/2020

Action by Date:

1/4/2021

History:

07/01/2020	M-NCPPC Technical Staff	approval with conditions
09/10/2020	M-NCPPC Planning Board	approval with conditions
09/21/2020	Sitting as the District Council	deferred
	<i>Council deferred this item to October 5, 2020.</i>	
10/05/2020	Sitting as the District Council	elected to review
	<i>Council elected to review this item (11-0).</i>	
10/07/2020	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing scheduled for November 9, 2020 at 10:00 a.m. was mailed to Persons of Record.</i>	
10/15/2020	Person of Record	appealed
	<i>William Piermattei and Suhani Chitalia, attorneys for appellants, filed an appeal of the Planning Board's Decision.</i>	
10/26/2020	Sitting as the District Council	announced hearing date

Attachment(s):

[SDP-1803 Zoning Agenda Item Summary](#)

[SDP-1803 Presentation Slides](#)

[SDP-1803 District Council Notice of Hearing](#)

[SDP-1803_email_Appeal Letter Davis Jackson et al to Bro](#)

[SDP-1803_Appeal Letter Davis Jackson et al to Brown 10](#)

[SDP-1803 Planning Board Resolution](#)

[SDP-1803_PORL](#)

[SDP-1803 Technical Staff Report](#)

[SDP-1803 Planning Board Record](#)

[SDP-1803 Transcripts](#)

REFERRED FOR DOCUMENT[A-9988-C-01](#)**The Villages at Timothy Branch****Applicant(s):**

Timothy Brandywine Investments One LLC

Location:

Located east of US Route 301 (Crain Highway) and MD 5 (Branch Avenue) on the south side of Brandywine Road in the eastern and western quadrants of its intersection with Mattawoman Drive (72.43 Acres; L-A-C / M-I-O Zones).

Request:

Requesting approval to amend the Basic Plan for the Villages at Timothy Branch to expand the Mixed Retirement Development and remove all non-residential uses, and amend the conditions of approval, pursuant to 27-197(c) of the Zoning Ordinance, on approximately 72.42 acres of land in the L-A-C (Local Activity Center Zone).

Council District:

9

Appeal by Date:

11/2/2020

Action by Date:

11/30/2020

Opposition:

None

History:

02/13/2020

Applicant

filed

Matthew C. Tedesco, Esq., attorney for the applicant, filed a petition to Amend the Basic Plan.

02/20/2020

Clerk of the Council

transmitted

The Clerk of the Council transmitted the case to the Zoning Hearing Examiner for a Public Hearing.

05/14/2020

Applicant

filed

Matthew C. Tedesco, Esq., attorney for the applicant, filed an Amendment of Application to the petition to Amend the Basic Plan.

05/20/2020

M-NCPPC Technical Staff

approval with conditions

06/11/2020

M-NCPPC Planning Board

no motion to consider

10/16/2020

Zoning Hearing Examiner

approval with conditions

10/22/2020

Zoning Hearing Examiner

transmitted

The Zoning Hearing Examiner transmitted an Errata for the recommendation filed on October 16, 2020.

10/26/2020 Sitting as the District Council referred for document
Council referred item to staff for preparation of an approving document, with conditions (10-0; Absent: Council Member Dernoga).

10/30/2020 Zoning Hearing Examiner transmitted
The Zoning Hearing Examiner transmitted a second Errata for the recommendation filed on October 16, 2020.

Attachment(s):

[A-9988-01 Zoning Agenda Item Summary](#)

[A-9988-C-01 Zoning Hearing Examiner Decision \(Correct](#)

[A-9988-C-01 Zoning Hearing Examiner Decision with ER](#)

[A-9988-C-01 Zoning Hearing Examiner Decision](#)

A-9988-C-01 PORL

[A-9988-01 Technical Staff Report](#)

A-9988-01 Letter to Tedesco - signed

A-9988-01 Amendment to Application

REFERRED FOR DOCUMENT (Continued)[DSP-15031-01](#)**EZ Storage College Park****Companion Case(s):** DDS-648; DPLS-459**Applicant(s):** Siena Corporation**Location:** Located on the south side of Branchville Road approximately 1,800 feet east of its intersection with Rhode Island Avenue (1.82 Acres; I-2 Zone).**Request:** Applicant is requesting Reconsideration of the October 7, 2019 District Council Final Decision approving a Detailed Site Plan (DSP) for a 122,190-square-foot, 950-unit consolidated storage facility on 1.82 acres, including variances to Section 27-474(b) of the Prince George's County Zoning Ordinance for minimum setback from the street, and Section 27-475.04(a)(1)(c) of the Zoning Ordinance for maximum building height.**Council District:** 1**Appeal by Date:** 7/18/2019**Review by Date:** 7/18/2019**Action by Date:** 10/7/2019**History:**

05/07/2019 M-NCPPC Technical Staff approval with conditions

06/13/2019 M-NCPPC Planning Board approval with conditions

07/08/2019 Sitting as the District Council elected to review

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

08/06/2019 Clerk of the Council mailed

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

09/09/2019	Sitting as the District Council	hearing held; case taken under advisement
	<i>Chair Turner announced that the three EZ Storage College Park cases, DSP-15031-01, DDS-648, and DPLS-459 would be held in tandem. Thomas Burke, M-NCPPC, provided an overview of the Detailed Site Plan, Departure from Design Standards, and Departure from Parking and Loading Standards applications. Mr. Bradley Farrar, Esq., attorney for the applicant, spoke in support along with Ms. Terry Shum, City of College Park, Mr. Laurent Mounaud, Vika Maryland LLC, and Mr. Craig Pittinger, Siena Corporation. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties. The Oral Argument Hearing was held and Council took this case under advisement.</i>	
09/23/2019	Sitting as the District Council	referred for document
	<i>Council referred item to staff for preparation of an approving document, with conditions (Vote: 9-0; Absent: Council Members Dernoga and Franklin).</i>	
10/07/2019	Sitting as the District Council	approval with conditions
	<i>Council adopted the prepared Order of approval, with conditions (Vote: 8-0; Absent: Council Members Franklin, Glaros, and Taveras).</i>	
10/16/2019	Clerk of the Council	mailed
	<i>The Notice of Final Decision of the District Council was mailed to Persons of Record.</i>	
10/28/2019	Applicant	filed
	<i>Bradley S. Farrar, Esq., attorney for the applicant, filed a request for reconsideration of the October 7, 2019 District Council Final Decision.</i>	
11/04/2019	Sitting as the District Council	reconsideration hearing granted
	<i>Council directed the Clerk to schedule a reconsideration evidentiary hearing (Vote: 10-0; Absent: Council Member Hawkins).</i>	
11/07/2019	Applicant	filed
	<i>Bradley Farrar Esq., attorney for the applicant, filed a petition for judicial review.</i>	

01/02/2020	Principal Counsel to the District Council	transmitted
	<i>Appealed case record transmitted to Circuit Court via Principal Counsel's Office.</i>	
09/14/2020	Applicant	filed
	<i>Bradley S. Farrar, Esq., attorney for the applicant filed with the Circuit Court for CAL19-36228 to be "DISMISSED BY PLAINTIFF WITHOUT PREJUDICE".</i>	
10/19/2020	Sitting as the District Council	referred for document
	<i>Council referred item to staff to prepare a document denying a reconsideration hearing (Vote: 11-0).</i>	
<u>Attachment(s):</u>	DSP-15031-01 Zoning Agenda Item Summary DSP-15031-01 Court Line of Dismissal - Ez Storage DSP-15031-01 Planning Board Resolution 19-65 DSP-15031-01 PORL DSP-15031-01 Technical Staff Report DSP-15031-01 EZ STORAGE FINAL	

REFERRED FOR DOCUMENT (Continued)[SDP-1601-03](#)**Parkside, Section 4****Applicant(s):**

SHF Project Owner, LCC

Location:

Located in the north-central portion of the development, north of Central Park Drive at the terminus of Melwood Road, approximately 1,570 feet south of its intersection with Westphalia Road (96.49 Acres; R-M / M-I-O Zones).

Request:

Requesting approval of a Specific Design Plan (SDP) for a mixed retirement development (MRD) consisting of 188 single-family detached and 96 single-family attached dwelling units, for Parkside, Section 4, which is part of the larger Parkside development.

Council District:

6

Appeal by Date:

9/4/2020

Review by Date:

9/30/2020

Action by Date:

11/20/2020

History:

06/24/2020	M-NCPPC Technical Staff	approval with conditions
07/30/2020	M-NCPPC Planning Board	approval with conditions
09/14/2020	Sitting as the District Council	deferred
	<i>Council deferred this item to September 21, 2020.</i>	
09/21/2020	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote 11-0).</i>	
09/23/2020	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing scheduled for October 26, 2020 at 1:30 p.m. was mailed to Persons of Record.</i>	
10/19/2020	Sitting as the District Council	announced hearing date

10/26/2020

Sitting as the District Council

hearing held; referred for document

Andrew Bishop, M-NCPPC, provided an overview of Detailed Site Plan application. Robert J. Antonetti, Jr., 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. The hearing was held and Council referred to staff for an approving document, with conditions (Vote: 10-0; Absent: Council Member Streeter).

Attachment(s):[SDP-1601-03 Zoning Agenda Item Summary](#)[SDP-1601-03 Presentation Slides](#)[SDP-1601-03 Planning Board Resolution 2020-123](#)[SDP-1601-03_PORL](#)[SDP-1601-03 Technical Staff Report](#)[SDP-1603-03 Planning Board Record](#)[SDP-1601-03 Transcripts](#)[SDP-1601-03 District Council Notice of Hearing](#)

REFERRED FOR DOCUMENT (Continued)[SE-4733](#)**Walmart #2799 (Clinton)****Applicant(s):**

Walmart Real Estate Business Trust

Location:

The subject site is an approximately 23.4 acre portion of a larger developed site identified as Clinton Plaza, now known as the Woodyard Crossing Shopping Center. The Shopping Center is located in the northwest quadrant of the intersection of Branch Avenue (MD 5) and Woodyard Road (MD 223). Walmart currently occupies a 134,241 square foot freestanding structure located on the northernmost portion of the developed site as a permitted use.

Request:

Requesting approval of a Special Exception to use approximately 23.9 acres of land (part of the approximately 64 acre development known as Woodyard Crossing Shopping Center) in the C-S-C (Commercial Shopping Center) Zone, Clinton, Maryland, for a Department or Variety Store combined with Food and Beverage Store, in excess of 125,000 square feet (an approximately 171,634 square foot store is being proposed).

Council District:

9

Appeal by Date:

6/13/2016

Review by Date:

6/13/2016

Action by Date:

11/10/2016

Comment(s):

Special Exception 4733 and Variance 4733 - On Remand from the Circuit Court for Prince George's County, Maryland – Case No. CAL16-30078

Opposition:

Donald Hancock, et. al.

History:

06/26/2015	M-NCPPC Technical Staff	disapproval
07/16/2015	M-NCPPC Planning Board	no motion to consider
05/13/2016	Zoning Hearing Examiner	disapproval
05/16/2016	Sitting as the District Council	deferred
	<i>Council deferred this item to June 13, 2016.</i>	
06/13/2016	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>	

06/13/2016	Applicant	appealed
	<i>Andre J. Gingles, Esquire, attorney for the applicant, filed Exceptions to the Zoning Hearing Examiner's Decision and requested Oral Argument.</i>	
06/15/2016	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
07/06/2016	Person of Record	filed
	<i>G. Macy Nelson, attorney for Citizen-Protestants file a response to the applicants June 13, 2016 appeal.</i>	
07/18/2016	Sitting as the District Council	hearing held; referred for document
	<i>Jimi Jones, M-NCPPC, provided an overview of the Special Exception application. Andre Gingles, Esq., on behalf of the applicant, and Dr. Glenda Hodges spoke in support. G. Macy Nelson spoke in opposition. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented.</i>	
	<i>Council referred the item to staff for preparation of an approving document with conditions (Vote: 8-0; Absent: Council Member Lehman).</i>	
07/19/2016	Sitting as the District Council	approval
	<i>Under discussion, Rajesh Kumar, Principal Counsel to the District Council, spoke to the contents of the final decision and responded to questions posed by the Council.</i>	
	<i>Council adopted the prepared Order of approval (Vote: 7-2; Against: Council Members Lehman and Taveras).</i>	
07/29/2016	Clerk of the Council	mailed
	<i>The Notice of Final Decision of the District Council was mailed to Persons of Record.</i>	
08/15/2016	Person of Record	filed
	<i>G. Macy Nelson, Esquire, attorney for the opposition, filed a Petition for Judicial Review in Circuit Court.</i>	

10/06/2016 Clerk of the Council transmitted
Appealed case transmitted to Circuit Court via Principal Counsel's Office.

04/13/2017 Clerk of the Council transmitted
Supplemental Administrative Record transmitted to Circuit Court via Principal Counsel's Office.

02/04/2020 Circuit Court remanded
Pursuant to decisions from the Court of Appeals in Grant v. Cty. Council of Prince George's Cty., 465 Md. 496, 214 A.3d 1098 (2019) and the Court of Special Appeals in Dovana Grant, et al., v. County Council of Prince George's County sitting as the District Council, et al., Appeal No., 809, September Term 2017, the Circuit Court has vacated the District Council's final decision approving Special Exception 4733 and Variance 4733. The Circuit Court has remanded the District Council's final decision in Special Exception 4733 and Variance 4733 for further proceedings consistent with the decisions from the Court of Appeals and Court of Special Appeals.

09/14/2020 Sitting as the District Council referred for document
Council referred item to staff for preparation of an approving document, with conditions in accordance with the Court remand order (Vote:11-0).

Attachment(s):

[SE-4733 Zoning Agenda Item Summary](#)

[SE 4733 District Council Final Decision 07192016](#)

[SE-4733 Zoning AIS 10062016](#)

[SE-4733 Zoning Hearing Examiner Decision](#)

SE-4733 PORL

ITEM(S) FOR DISCUSSION[DSP-04067-09](#)**Woodmore Commons****Companion Case(s):** DDS-669**Applicant(s):** Balk Hill Ventures, LLC**Location:** Located at the northeast quadrant of the intersection of Ruby Lockhart Boulevard and Saint Joseph's Drive (9.34 Acres; M-X-T Zone).**Request:** Requesting approval of a Detailed Site Plan (DSP) for the development of five multifamily residential buildings, including 268 dwelling units, a 5,000-square-foot clubhouse, and surface parking.**Council District:** 5**Appeal by Date:** 8/17/2020**Review by Date:** 9/21/2020**Action by Date:** 11/13/2020**History:**

04/22/2020	M-NCPPC Technical Staff	approval with conditions
05/14/2020	M-NCPPC Planning Board	approval with conditions
09/14/2020	Sitting as the District Council	elected to review
	<i>Council elected to review this item (11-0).</i>	
09/16/2020	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing scheduled for October 26, 2020 at 10:00 a.m. was mailed to Persons of Record.</i>	
10/19/2020	Sitting as the District Council	announced hearing date
10/26/2020	Sitting as the District Council	hearing held; case taken under advisement

Andrew Bishop, M-NCPPC, provided an overview of Detailed Site Plan application DSP-04067-09 and Departure of Design Standards application DDS-669. Edward C. Gibbs, Esq., attorney for the applicant, spoke in support along with William M. Shipp, Esq., attorney for the owner. Samuel Dean, person of record, spoke in opposition. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented. The hearing was held and Council took this case under advisement.

Attachment(s):

[DSP-04067-09 Zoning Agenda Item Summary](#)

[DSP-04067-09 Presentation Slides](#)

[DSP-04067-09 Planning Board Resolution NO. 2020-76](#)

DSP-04067-09 POR List

[DSP-04067-09 Technical Staff Report](#)

[DSP-04067-09 Transcripts](#)

[DSP-04067-09 District Council Notice of Hearing](#)

ITEM(S) FOR DISCUSSION (Continued)[DDS-669](#)**Woodmore Commons****Companion Case(s):** DSP-04067-09**Applicant(s):** Balk Hill Ventures, LLC**Location:** Located at the northeast quadrant of the intersection of Ruby Lockhart Boulevard and Saint Joseph's Drive (9.34 Acres; M-X-T Zone).**Request:** Requesting approval of a Departure from Design Standards (DDS) that requests a reduction of the standard parking space size to 9 feet by 18 feet.**Council District:** 5**Appeal by Date:** 8/17/2020**Review by Date:** 9/21/2020**Action by Date:** 11/13/2020**History:**

04/22/2020	M-NCPPC Technical Staff	approval
05/14/2020	M-NCPPC Planning Board	approval
09/14/2020	Sitting as the District Council	elected to review
	<i>Council elected to review this item (11-0).</i>	
09/16/2020	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing scheduled for October 26, 2020 at 10:00 a.m. was mailed to Persons of Record.</i>	
10/19/2020	Sitting as the District Council	announced hearing date
10/26/2020	Sitting as the District Council	hearing held; case taken under advisement

Andrew Bishop, M-NCPPC, provided an overview of Detailed Site Plan application DSP-04067-09 and Departure of Design Standards application DDS-669. Edward C. Gibbs, Esq., attorney for the applicant, spoke in support along with William M. Shipp, Esq., attorney for the owner. Samuel Dean, person of record, spoke in opposition. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented. The hearing was held and Council took this case under advisement.

Attachment(s):

[DDS-669 Zoning Agenda Item Summary](#)

[DDS-669 Presentation Slides](#)

[DDS-669 Planning Board Resolution NO. 2020-77](#)

DDS-669 POR List

[DDS-669 Technical Staff Report](#)

[DDS-669 Transcripts](#)

[DDS-669 District Council Hearing Notice](#)

ITEM(S) FOR DISCUSSION (Continued)[SE-4811](#)**Contee Estate Assisted Living, LLC. / Marie Abayomi-Cole****Applicant(s):**

Contee Estate Assisted Living, LLC. / Marie Abayomi-Cole

Location:

Located on the south side of Veronica Lane, approximately 200 feet southeast of its intersection with Contee Road also identified as 7111 Veronica Lane, Laurel, Maryland 20707 (1.32 Acres; R-R Zone).

Request:

Requesting approval of a Special Exception (SE) for a Congregate Living Facility to serve up to sixteen (16) residents in a 7,431-square-foot single-family detached dwelling on approximately 1.32 acres of land in the R-R (Rural Residential) Zone.

Council District:

1

Appeal by Date:

3/16/2020

Review by Date:

3/16/2020

Action by Date:

1/11/2021

Opposition:

Jennifer Krochmal, et. al.

History:

08/28/2019	M-NCPPC Technical Staff	approval with conditions
09/12/2019	M-NCPPC Planning Board	no motion to consider
02/14/2020	Zoning Hearing Examiner	approval with conditions
02/24/2020	Sitting as the District Council	deferred
	<i>Council deferred this item to March 9, 2020.</i>	
03/09/2020	Sitting as the District Council	elected to make the final decision
	<i>Council elected to make the final decision on this item (Vote: 10-0; Absent: Council Member Franklin).</i>	
09/18/2020	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing scheduled for October 26, 2020 at 10:00 a.m. was mailed to Persons of Record.</i>	
10/19/2020	Sitting as the District Council	announced hearing date

10/26/2020

Sitting as the District Council

hearing held; case taken under advisement

DeAndrae Spradley, M-NCPPC, provided an overview of the Special Exception application. Traci R. Scudder, Esq., attorney for the applicant, spoke in support along with Maude-Marie Aboyomi-Cole, owner, who responded to Council Member questions. Jennifer Krochmal, person of record, spoke in opposition. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented. The hearing was held and Council took this case under advisement.

Attachment(s):[SE-4811 Zoning Agenda Item Summary](#)[SE-4811 Presentation Slides](#)[SE-4811 ZHE Decision](#)

SE-4811 PORL

[SE-4811 Technical Staff Report](#)[SE-4811 District Council Notice of Hearing](#)

PENDING FINALITY

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to review or an appeal is filed.

SDP-1302-06**Parkside****Applicant(s):**

MAB at Parkside Towns 6, LLC

Location:

Located approximately 3,000 feet east of the intersection of Westphalia Road and MD 4 (Pennsylvania Avenue) (147.79 Acres; R-M / M-I-O Zones).

Request:

Requesting approval of an amendment to an Specific Design Plan (SDP) for approval of four single-family attached Mid-Atlantic Builders architectural models, to be available for construction on the single-family attached (townhouse) lots in Section 6 of the Parkside development, which were approved under SDP-1302, as amended.

Council District:

6

Appeal by Date:

1/4/2021

Review by Date:

1/4/2021

History:

09/23/2020

M-NCPPC Technical Staff

approval with conditions

10/29/2020

M-NCPPC Planning Board

approval with conditions

Attachment(s):[SDP-1302-06 Zoning Agenda Item Summary](#)[SDP-1302-06 Planning Board Resolution](#)

SDP-1302-06_PORL

[SDP-1302-06 Technical Staff Report](#)

PENDING FINALITY (Continued)

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to review or an appeal is filed.

SDP-1302-07**Parkside****Applicant(s):**

HWR, LLC

Location:

Located approximately 3,000 feet east of the intersection of Westphalia Road and MD 4 (Pennsylvania Avenue)(147.79 Acres; R-M / M-I-O Zones).

Request:

Requesting approval of an amendment to an Specific Design Plan (SDP) for approval of four single-family attached Haverford Homes architectural models, to be available for construction on the single-family attached (townhouse) lots in Section 6 of the Parkside development, which were approved under SDP-1302, as amended.

Council District:

6

Appeal by Date:

1/4/2021

Review by Date:

1/4/2021

History:

09/22/2020

M-NCPPC Technical Staff

approval with conditions

10/29/2020

M-NCPPC Planning Board

approval with conditions

Attachment(s):[SDP-1302-07 Zoning Agenda Item Summary](#)[SDP-1302-07 Planning Board Decisiion](#)

SDP-1302-07_PORL

[SDP-1302-07 Technical Staff Report](#)

PENDING FINALITY (Continued)

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to review or an appeal is filed.

SDP-1302-08**Parkside****Applicant(s):**

Dan Ryan Builders, Mid-Atlantic, LLC

Location:

Located approximately 3,000 feet east of the intersection of Westphalia Road and MD 4 (Pennsylvania Avenue)(147.79 Acres; R-M / M-I-O Zones).

Request:

Requesting approval of an amendment to a Specific Design Plan (SDP) for six single-family attached (townhouse) and seven single-family detached architectural models for Dan Ryan Builders, to be available for construction in Sections 5 and 6 of the Parkside development, which were approved under SDP-1302, as amended.

Council District:

6

Appeal by Date:

1/4/2021

Review by Date:

1/4/2021

History:

09/22/2020

M-NCPPC Technical Staff

approval with conditions

10/29/2020

M-NCPPC Planning Board

approval with conditions

Attachment(s):[SDP-1302-08 Zoning Agenda Item Summary](#)[SDP-1302-08 Planning Board Resolution](#)

SDP-1302-08_PORL

[SDP-1302-08 Technical Staff Report](#)**ADJ53-20****ADJOURN**