

# Prince George's County Council

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



## **Zoning Agenda - Revised\***

**(9:30 AM Agenda Briefing Rm 2027)**

**Monday, October 22, 2018**

**10:00 AM**

**\*\*LOCATION CHANGED TO ROOM 2027 DUE TO EQUIPMENT  
FAILURE\*\***

### **Sitting as the District Council**

*Dannielle M. Glaros, District 3, Chair*

*Derrick Leon Davis, District 6*

*Mel Franklin, District 9*

*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, Vice Chair*

*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. 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 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.

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PLEASE SILENCE ALL CELLULAR PHONES WHILE IN THE HEARING ROOM.

**9:30 AM AGENDA BRIEFING - (ROOM 2027)**

**10:00 AM CALL TO ORDER - (ROOM 2027) \*\*LOCATION CHANGED DUE TO EQUIPMENT FAILURE\*\***

**INVOCATION**

*Mr. Musa Eubanks, County Employee*

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF DISTRICT COUNCIL MINUTES**

[MINDC 10152018](#)

**District Council Minutes Dated October 15, 2018**

**Attachment(s):**

[10-15-2018 District Council Minutes DRAFT](#)

**ORAL ARGUMENTS****DPLS-438****Sunoco Gas Station and Car Wash****Applicant(s):**

Clearview 6308, LLC

**Location:**

Located at 6308 Allentown Road, Temple Hills, Maryland, on the east side of MD 337 (Allentown Road), approximately 320 feet southeast of the intersection of MD 5 (Branch Avenue) and MD 337 zoned Commercial Shopping Center (C-S-C), within the Military Installation Overlay (M-I-O) Zone (0.695 Acres; C-S-C).

**Request:**

Requesting approval of a Departure from Parking and Loading Standards (DPLS) from Section 27-568(a) and Section 27-582(a) of the Prince George's County Zoning Ordinance, for a reduction of 6 of the required 13 parking spaces and the elimination of the one required loading space.

**Council District:**

8

**Appeal by Date:**

8/16/2018

**Review by Date:**

9/17/2018

**Action by Date:**

2/20/2019

**Comment(s):**

This item has a companion case, SE/VSE-4772 that is pending before the Zoning Hearing Examiner.

**History:**

06/04/2018	M-NCPPC Technical Staff	approval with conditions
07/12/2018	M-NCPPC Planning Board	approval with conditions
07/24/2018	Sitting as the District Council	deferred
	<i>Council deferred this item.</i>	
09/17/2018	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote: 8-0; Absent: Council Member Glaros).</i>	

**Attachment(s):**

[DPLS-438 Zoning Agenda Item Summary \(ZAIS\)](#)

[DPLS-438 Planning Board Resolution 18-51](#)

**ORAL ARGUMENTS**[A-10046](#)**Renard Lakes****Applicant(s):**

Strittmatter Properties, LLC / Renard Lakes Holdings, LLC

**Location:**

Northwest quadrant of the intersection of US 301 (Robert Crain Highway) and Dyson Road (167.84 Acres; R-S Zone).

**Request:**

Requesting approval of a Zoning Map Amendment to rezone approximately 167.84 acres of R-S (Residential Suburban) zoned land to the I-1 (Light Industrial) Zone.

**Council District:**

9

**Appeal by Date:**

8/13/2018

**Action by Date:**

3/13/2019

**Opposition:**

Darnetta Simmons, Jeffery Simmons and Matthew Hitt

**History:**

02/07/2018	M-NCPPC Technical Staff	disapproval
02/22/2018	M-NCPPC Planning Board	no motion to consider
07/13/2018	Zoning Hearing Examiner	approval with conditions
09/17/2018	Sitting as the District Council	elected to make the final decision

*Council elected to make the final decision on this item (Vote 7-0;**Absent: Council Members Glaros and Toles).***Attachment(s):**[A-10046 Zoning Agenda Item Summary \(ZAIS\)](#)[A-10046 - Zoning Hearing Examiner Decision](#)

A-10046-PORL

**ORAL ARGUMENTS****DSP-17038****Boulevard at the Capital Centre, Phase 1****Applicant(s):**

Retail Properties of America, Inc.

**Location:**

The subject site is the remaining western portion of the existing shopping center known as the Boulevard at the Capital Centre, which is located in the southwest quadrant of the intersection of Medical Center Drive (formerly Medical Center Drive) and Lottsford Road, across the street from the Prince George's County Regional Hospital campus. The 49.71-acre site has frontage on Medical Center Drive, Harry S Truman Drive, and the Capital Beltway (I-95/495), within the Transit-Oriented Development (TOD) Core Area of the 2013 Approved Largo Town Center Sector Plan and Sectional Map Amendment (Largo Town Center Sector Plan and SMA) (49.71 Acres; M-X-T / D-D-O Zones).

**Request:**

Requesting approval of a Detailed Site Plan for 350 multifamily dwelling units, approximately 353,500 square feet of multifamily residential, retail/commercial, office, hotel, and entertainment uses, and retains approximately 130,300 square feet of the existing commercial/retail development on the site.

**Council District:**

6

**Appeal by Date:**

8/23/2018

**Review by Date:**

9/24/2018

**Action by Date:**

1/16/2019

**History:**

07/18/2018	M-NCPPC Technical Staff	approval with conditions
07/19/2018	M-NCPPC Planning Board	approval with conditions
09/17/2018	Sitting as the District Council	elected to review

*Council elected to review this item (Vote: 8-0; Absent: Council Member Glaros).*

**Attachment(s):**[DSP-17038 Zoning Agenda Item Summary](#)[DSP-17038 Planning Board Resolution 18-70](#)[DSP-17038 Technical Staff Report](#)

DSP-17038\_PORL

**ITEM(S) FOR DISCUSSION**[CDP-1701](#)**The Preserve at Westphalia****Applicant(s):**

Green Revolution Realty, LLC

**Location:**

Located in the northwest quadrant of the intersection of Westphalia Road and Ritchie Marlboro Road in Upper Marlboro, Maryland (63.66 Acres; R-M / L-A-C Zones).

**Request:**

Requesting approval of a Comprehensive Design Plan (CDP) to develop a 63.66-acre site with a range of 235–330 residential dwelling units and 12,500 square feet of commercial development. Specifically, the CDP illustrates 101 single-family detached (SFD) dwellings in the Residential Medium Development (R-M) Zone, and 147 single-family attached (SFA) dwellings and 22 SFD dwellings in the Local Activity Center (L-A-C) Zone. In addition, the CDP also includes a 1.93-acre area for the proposed 12,500 square feet of commercial development.

**Council District:**

6

**Appeal by Date:**

9/4/2018

**Review by Date:**

10/1/2018

**Action by Date:**

1/3/2019

**History:**

07/18/2018	M-NCPPC Technical Staff	approval with conditions
07/26/2018	M-NCPPC Planning Board	approval with conditions
09/04/2018	Person of Record	appealed
	<i>Mr. Marwin Glenn filed an appeal in opposition to the proposal and requested Oral Argument.</i>	
09/04/2018	Person of Record	appealed
	<i>Ms. Veneta Wills filed an appeal in opposition to the proposal and requested Oral Argument.</i>	

10/15/2018                      Sitting as the District Council                      hearing held; case taken under advisement

*Jill Kosack, M-NCPPC, provided an overview of the Comprehensive Design Plan application. Vaneta Wills and Marwin Glenn spoke in opposition. Marvo Jo Camap, Esq., attorney for the applicant, spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, commented on the factual and legal arguments presented by the parties. Council took this item under advisement.*

**Attachment(s):**                      [CDP-1701 Zoning Agenda Item Summary](#)  
    [CDP-1701 Planning Board Resolution 18-71](#)  
    CDP-1701\_PORL  
    [CDP-1701 Technical Staff Report Supplemental](#)

### **ITEM(S) FOR DISCUSSION**

[DSP-18017](#)

#### **JDA Baltimore Avenue**

**Applicant(s):**

JSF Management, LLC

**Location:**

Located on the west side of US 1 (Baltimore Avenue), in the northwest quadrant of the "T" intersection of US 1 and Hollywood Road, at 9604 Baltimore Avenue. The site is also within the Corridor Infill Character Area and is subject to the Development District Overlay (D-D-O) Zone standards found in the Central US 1 Corridor Sector Plan and SMA (0.88 Acres; C-S-C Zone).

**Request:**

Requesting approval of a Detailed Site Plan to modify the Table of Uses of the 2010 Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment (Central US 1 Corridor Sector Plan and SMA), to expressly permit a consolidated storage facility on the subject site and construct a 116,615-square-foot building.

**Council District:**

1

**Appeal by Date:**

9/4/2018

**Review by Date:**

9/30/2018

**Action by Date:**

10/30/2018

**Comment(s):**

Mandatory Review:

District Council review of this case is required by Section 27-548.26(b) of the Zoning Ordinance.

**History:**

07/11/2018

M-NCPPC Technical Staff

approval with conditions



07/26/2018	M-NCPPC Planning Board	approval with conditions
08/31/2018	Person of Record	appealed
	<i>Ms. Mary Cook, Mr. Oscar Gregory, Ms. Stasia Hutchison, and Myron Hutchison filed an appeal in opposition to the proposal and requested Oral Argument.</i>	
09/10/2018	Applicant	filed
	<i>Edward, C. Gibbs, Esq., attorney for the applicant, filed a response to the August 31, 2018 appeal filed by Ms. Mary Cook, Mr. Oscar Gregory, Ms. Stasia Hutchison, and Myron Hutchison.</i>	
09/17/2018	Sitting as the District Council	hearing held; case taken under advisement
	<i>Henry Zhang, M-NCCPC, provided an overview of the Detailed Site Plan application. The following people spoke in opposition: Terry Schum on behalf of the College Park City Council, Mary Cook, Myron Hutchison, Stasia Hutchison and Oscar Gregory. Judy Blumenthal, Robert Duchene, Peter Moran and Edward Gibbs, Esq., attorney for the applicant, spoke in support of the application. 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 Mandatory Review Hearing was held and Council took this item under advisement.</i>	
10/15/2018	Sitting as the District Council	deferred
	<i>Council deferred this item to October 22, 2018.</i>	
<b><u>Attachment(s):</u></b>	<a href="#">DSP-18017 Zoning Agenda Item Summary</a> <a href="#">DSP-18017 Planning Board Resolution 18-73</a> DSP-18017_PORL <a href="#">DSP-18017 Technical Staff Report</a>	

**ITEM(S) FOR DISCUSSION****DSP-16025****Woodmore Overlook****Applicant(s):**

Woodmore Overlook, LLC

**Location:**

Located on the north side of Ruby Lockhart Boulevard, west of its intersection with Lottsford Road (26.30 Acres; M-X-T Zone).

**Request:**

Requesting approval of a Detailed Site Plan proposing 215 single-family attached residential units (townhouses) on 26.30 acres.

**Council District:**

5

**Appeal by Date:**

5/10/2018

**Review by Date:**

5/10/2018

**History:**

03/09/2018	M-NCPPC Technical Staff	approval with conditions
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04/05/2018	M-NCPPC Planning Board	approval with conditions
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04/16/2018	Sitting as the District Council	did not elect to review
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*Council took no action on this item.*

04/16/2018	Sitting as the District Council	elected to review
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*Council returned to this item on the agenda and elected to review this item (Vote: 7-0; Absent: Council Members Davis and Franklin).*

06/04/2018	Sitting as the District Council	hearing held; referred for document
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*Andrew Bishop, M-NCCPC, provided an overview of the Detailed Site Plan application. Norman Rivera, attorney for the applicant, spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, commented on the factual and legal arguments presented by the parties. Council referred item to staff for preparation of an approving document, with conditions (Vote: 6-0; Absent: Council Members Davis, Franklin, and Lehman).*

06/04/2018	Sitting as the District Council	approval with conditions
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*Council adopted the prepared Order of approval, with conditions as amended (Vote: 6-0; Absent: Council Members Davis, Franklin, and Lehman).*

09/11/2018	M-NCPPC Planning Board	transmitted
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*The Planning Board transmitted a corrected resolution 18-21(C) to correct a minor administrative error in its decision.*

**Attachment(s):** [DSP-16025 Zoning Agenda Item Summary \(AIS\)](#)

**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) PLANNING BOARD**

[DSP-17033](#)

**EZ Tag & Title**

**Applicant(s):** Millennium Engineering, LLC

**Location:** Located on the south side of MD 202 (Landover Road), approximately 225 feet southeast of its intersection with 55th Avenue (0.11 Acres; M-X-T / D-D-O Zones).

**Request:** Requesting approval of a Detailed Site Plan to convert the use of an existing single-family dwelling used for residential purposes to commercial office use and to validate the parking compound previously constructed without a permit.

**Council District:** 5

**Appeal by Date:** 11/15/2018

**Review by Date:** 1/15/2019

**History:**

08/27/2018 M-NCPPC Technical Staff approval with conditions

10/11/2018 M-NCPPC Planning Board approval with conditions

**Attachment(s):** [DSP-17033 Zoning Agenda Item Summary](#)  
[DSP-17033 Planning Board Resolution 18-89](#)  
 DSP-17033\_PORL

**PENDING FINALITY (Continued)****(a) PLANNING BOARD (Continued)****DSP-18013****7618 Marlboro Pike Property****Applicant(s):**

7618 Marlboro Properties, LLC

**Location:**

Located on the north side of MD 725 (Marlboro Pike) at the northwest quadrant of the intersection of Old Forestville Road and Marlboro Pike. More specifically, the site is located at 7618 Marlboro Pike, District Heights, Maryland.

**Request:**

Requesting approval of a Detailed Site Plan to develop the subject property with a 110,050-square-foot, three-story consolidated storage facility on proposed Parcel 1, which fronts Ritchie Road, and proposes to construct the infrastructure for a future commercial pad site located on proposed Parcel 2, which is south of Parcel 1 with frontage on MD 725 (Marlboro Pike)

**Council District:**

6

**Appeal by Date:**

11/15/2018

**Review by Date:**

1/15/2019

**History:**

09/11/2018

M-NCPPC Technical Staff

approval with conditions

10/11/2018

M-NCPPC Planning Board

approval with conditions

**Attachment(s):**[DSP-18013 Zoning Agenda Item Summary](#)[DSP-18013 Planning Board Resolution18-96](#)

DSP-18013\_PORL

**PENDING FINALITY (Continued)****(b) PLANNING BOARD'S REPRESENTATIVE**[CNU17601-2018-U](#)**5509 Branchville Road College Park****Applicant(s):**

April Mackoff, Clear Channel Outdoor

**Location:**

5509 Branchville Road, College Park, MD 20740 (0.576 Acres; C-S-C Zone).

**Request:**

Requesting Certification of Nonconforming Use for existing outdoor advertising signs pursuant to Council Bill 84-2016 which requires that applications for the certification of outdoor advertising signs in existence as of January 1, 2002, be filed no later than December 31, 2021. This outdoor advertising sign was erected in 1989.

**Council District:**

1

**Review by Date:**

1/18/2019

**Comment(s):**

In the event the District Council elects to review this case, it will be sent to the ZHE for a hearing pursuant to Section 27-244(e) of the Zoning Ordinance.

**History:**

10/19/2018

M-NCPPC Administrative Certification approval

**PENDING FINALITY (Continued)****(b) PLANNING BOARD'S REPRESENTATIVE (Continued)**[CNU-26832-2018-U](#)**10931 Indian Head Highway Fort Washington****Applicant(s):**

April Mackoff, Clear Channel Outdoor

**Location:**

10931 Indian Head Highway, Fort Washington, MD 20744 (0.5 Acres; I-1 Zone)

**Request:**

Requesting Certification of Nonconforming Use for existing outdoor advertising signs pursuant to Council Bill 84-2016 which requires that applications for the certification of outdoor advertising signs in existence as of January 1, 2002, be filed no later than December 31, 2021. This outdoor advertising sign was erected in 1985.

**Council District:**

8

**Review by Date:**

1/18/2019

**Comment(s):**

In the event the District Council elects to review this case, it will be sent to the ZHE for a hearing pursuant to Section 27-244(e) of the Zoning Ordinance.

**History:**

10/19/2018

M-NCPPC Administrative Certification approval

**PENDING FINALITY (Continued)****(b) PLANNING BOARD'S REPRESENTATIVE (Continued)**[CNU-29589-2018-U](#)**6415 Old Alexandria Ferry Road Clinton****Applicant(s):**

April Mackoff, Clear Channel Outdoor

**Location:**

6415 Old Alexandria Ferry Road, Clinton, MD 20735 (1.91 Acres; C-M Zone).

**Request:**

Requesting Certification of Nonconforming Use for existing outdoor advertising signs pursuant to Council Bill 84-2016 which requires that applications for the certification of outdoor advertising signs in existence as of January 1, 2002, be filed no later than December 31, 2021. This outdoor advertising sign was erected in 1986.

**Council District:**

9

**Review by Date:**

1/18/2019

**Comment(s):**

In the event the District Council elects to review this case, it will be sent to the ZHE for a hearing pursuant to Section 27-244(e) of the Zoning Ordinance.

**History:**

10/19/2018

M-NCPPC Administrative Certification approval

**PENDING FINALITY (Continued)****(b) PLANNING BOARD'S REPRESENTATIVE (Continued)**[CNU-34067-2018-U](#)**6905 Friendship Road Clinton****Applicant(s):**

April Mackoff, Clear Channel Outdoor

**Location:**

6905 Friendship Road, Clinton, Maryland 20735 (2.92 Acres; R-80 Zone).

**Request:**

Requesting Certification of Nonconforming Use for existing outdoor advertising signs pursuant to Council Bill 84-2016 which requires that applications for the certification of outdoor advertising signs in existence as of January 1, 2002, be filed no later than December 31, 2021. This outdoor advertising sign was erected in 1982.

**Council District:**

9

**Review by Date:**

1/18/2019

**Comment(s):**

In the event the District Council elects to review this case, it will be sent to the ZHE for a hearing pursuant to Section 27-244(e) of the Zoning Ordinance.

**History:**

10/19/2018

M-NCPPC Administrative Certification approval

**ADJOURN**