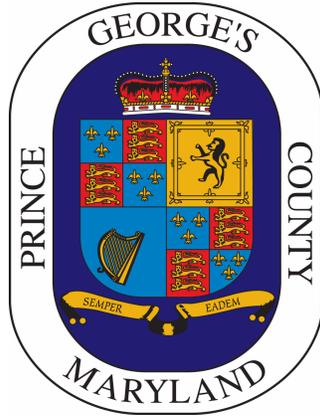


Prince George's County Council

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



Zoning Agenda - Final

Monday, May 16, 2016

10:00 AM

Council Hearing Room

Sitting as the District Council

Derrick Leon Davis, District 6, Chairman

Mel Franklin, District 9

Dannielle M. Glaros, District 3, Vice Chairwoman

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**

Reverend William Tucker, Senior Pastor, Remnant Church of Christ, Temple Hills, MD.

PLEDGE OF ALLEGIANCE**APPROVAL OF DISTRICT COUNCIL MINUTES**

[MINDC 05022016](#)

District Council Minutes dated May 2, 2016

Attachment(s):

[5-02-2016 District Council Minutes DRAFT](#)

ORAL ARGUMENTS

[A-10030-C](#)

Oakcrest, Lots 11-13

Applicant(s):

Nazario Family, LLC/Oak Crest Lots 11-13

Location:

Located at the northwest quadrant of the intersection of Magnolia Street and Clarke Avenue, approximately 320 feet east of Baltimore Avenue (US 1), identified as Part of Lot 23, and Lots 12-13, Block 3 of the Oak Crest Subdivision, Laurel, Maryland.

Request:

Requesting approval of a Zoning Map Amendment to rezone approximately 0.518 acre (approximately 22,500 sq. ft) of R-55 (One-Family Detached Residential) zoned land to the C-S-C (Commercial Shopping Center) Zone.

Council District:

1

Appeal by Date:

3/25/2016

Action by Date:

7/25/2016

Opposition:

None

History:

09/30/2015

M-NCPPC Technical Staff

disapproval

02/24/2016

Zoning Hearing Examiner

disapproval

03/23/2016 Applicant appealed
Michael S. Nagy, Esquire, attorney for the applicant, filed exceptions to the Zoning Hearing Examiner's decision and requested Oral Argument.

03/28/2016 Sitting as the District Council announced hearing date
Council announced that the Oral Argument Hearing is scheduled for May 16, 2016.

Attachment(s): [A-10030 Zoning AIS](#)
A-10030 Exceptions to the ZHE Decision
[A-10030 Zoning Hearing Examiner Decision](#)
A-10030 PORL

NEW CASE(S)

A-10033

Virginia Linen

Applicant(s): Virginia Linen Service of Maryland, Inc.

Location: Located in the south east quadrant of the intersection of Sheriff Road and Glen Willow Drive, also identified as 6101 Sheriff Road, Capital Heights, Maryland.

Request: Requesting approval of a Zoning Map Amendment to rezone approximately 5.592 acres of land from the I-3 (Planned Industrial/Employment Park) to the I-1 (Light Industrial) Zone.

Council District: 5

Appeal by Date: 5/2/2016

Action by Date: 9/1/2016

History:

12/02/2015 M-NCPPC Technical Staff approval
Approved Zoning Map Amendment from I-3 to the I-4 Zone.

12/02/2015 M-NCPPC Technical Staff disapproval
Disapproved Zoning Map Amendment from the I-3 to the I-1 Zone.

03/03/2016 M-NCPPC Planning Board approval
Approved Zoning Map Amendment from I-3 back to the I-1 Zone.

04/01/2016 Zoning Hearing Examiner approval
Approved of Zoning Map Amendment from the I-3 to the I-1 Zone.

Attachment(s): [A-10033 Zoning AIS](#)
[A-10033 Zoning Hearing Examiner Decision](#)
 A-10033 PORL

REFERRED FOR DOCUMENT

[SDP-1101](#)

Westphalia Central Park - Phase I, Parkside

Applicant(s): SHF Project Owner, LLC

Location: The subject SDP includes the entire Westphalia Central Park that is located in the eastern quadrant of the intersection of Central Park Drive (MC-631) and P-615, in an irregular shape of a goldfish with a long tail. The two roadways intersect in the front and to the west of the Central Park, in the middle of the larger Parkside project site. Another master plan roadway, MC-632, divides the entire park in the north/south direction from the middle into distinct eastern and western parts. The proposed Phase I is located in the western part (131 Acres; R-M Zone).

Request: Requesting approval of a Specific Design Plan for the Westphalia Central Park, as required by Condition 23 attached to the previously approved Comprehensive Design Plan, CDP-0501.

Council District: 6

Appeal by Date: 4/21/2016

Review by Date: 4/21/2016

Action by Date: 5/27/2016

History:

02/09/2016 M-NCPPC Technical Staff approval with conditions

03/17/2016 M-NCPPC Planning Board approval with conditions

03/28/2016 Sitting as the District Council elected to review

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

04/20/2016 Person of Record appealed

Ms. Shee' Newman filed an appeal to the proposal and requested Oral Argument.

05/02/2016 Sitting as the District Council hearing held; referred for docume

Henry Zhang, M-NCPPC, provided an overview of the Specific Design Plan application, assisted by Darrin Conforti, Deputy Director of Parks and Recreation and Helen Asson. Ms. Shee' Newman spoke in opposition. Robert Antonetti, Esq., spoke in support on behalf of the applicant, assisted by Denis Carmichael, Landscape Architect. Stan Brown, People's Zoning Counsel, provided an overview of the case and spoke to the legalities of the argument presented.

Council referred item to staff for preparation of an approving document, with conditions (Vote: 6-1; Opposed: Council Member Lehman; Absent: Council Members Glaros and Toles).

Attachment(s):

[SDP-1101_Zoning AIS](#)

SDP-1101_Appeal

[SDP-1101 Planning Board Resolution 16-32](#)

SDP-1101_PORL

[SDP-1101 Technical Staff Report](#)

ITEM(S) FOR DISCUSSION

[DSP-14036](#)

5936 Old Central Avenue

Applicant(s):

AMB Architectural Design Studio LLC

Location:

Located in the northwest quadrant of Old Central Avenue and Chamber Avenue.

Request:

Requesting approval for a mixed-use project consisting of 9,990 square feet of office and retail/commercial space. This application also requests a change of the underlying zoning for the property from the existing Light Industrial Zone (I-1) to the Commercial Shopping Center (C-S-C) Zone and a partial waiver (36.2 percent) from tree canopy coverage requirements.

Council District:

7

Appeal by Date:

4/7/2016

Action by Date:

5/31/2016

Comment(s):

District Council review of this case is required by TDOZ Section 27-548.09.01(b)(1) of the Zoning Ordinance.

History:

01/29/2016

M-NCPPC Technical Staff

approval with conditions

03/03/2016	M-NCPPC Planning Board	approval with conditions
04/18/2016	Sitting as the District Council	announced hearing date
	<i>Council announced that the Mandatory Review Hearing is scheduled for May 2, 2016.</i>	
05/02/2016	Sitting as the District Council	hearing held; case taken under advisement
	<i>Henry Zhang, M-NCPPC, provided an overview of the Detailed Site Plan application. Thomas Haller, Esq. spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, provided an overview of the case and spoke to the legalities of the argument presented.</i>	
	<i>The Mandatory Review Hearing was held and Council took this case under advisement.</i>	

Attachment(s):

[DSP-14036 Planning Board Resolution 16-17](#)

DSP-14036_PORL

[DSP-14036 Technical Staff Report](#)

PENDING FINALITY

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

(a) ZONING HEARING EXAMINER

In the event the District Council elects to make the final decision in this case, an oral argument will be scheduled pursuant to Sec. 27-131 of the Zoning Ordinance.

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

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

Attachment(s):

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

PENDING FINALITY (Continued)**(b) PLANNING BOARD**[DSP-15001](#)**Glenn Dale Commons, Phase 3****Applicant(s):**

SLDM, LLC

Location:

Located in the northeastern quadrant of the intersection of Aerospace Road and Hubble Drive, in the north central portion of larger Glenn Dale Commons. The subject project is also located within a “Focus Area” of the 2010 Approved Glenn Dale-Seabrook-Lanham and Vicinity Sector Plan and Sectional Map Amendment and the 2006 Approved Sector Plan and Sectional Map Amendment for the East Glenn Dale (East Glenn Dale Sector Plan and SMA) area.

Request:

Requesting approval of a Detailed Site Plan for 70 single-family detached dwelling units on 25.99 acres of land in the Mixed Use–Transportation Oriented (M-X-T) Zone. The DSP is the single-family detached component of the larger Glenn Dale Commons project.

Council District:

4

Appeal by Date:

6/2/2016

Review by Date:

6/2/2016

History:

04/06/2016

M-NCPPC Technical Staff

approval with conditions

04/28/2016

M-NCPPC Planning Board

approval with conditions

PENDING FINALITY (Continued)[DSP-13045](#)**Greenbelt Station Phase 3****Applicant(s):**

NVR MS Cavalier Greenbelt, LLC

Location:

Located on the west side of Greenbelt Station Parkway, approximately 1,800 feet north of its intersection with Greenbelt Road (MD 193), within the western portion of the larger Greenbelt Station development.

Request:

Requesting approval for a Detailed Site Plan for a portion of the South Core of the overall development known as Greenbelt Station. The proposed development consists of 165 townhouse lots and 3,000 square feet of commercial retail space.

Council District:

4

Appeal by Date:

5/19/2016

Review by Date:

5/19/2016

History:

02/29/2016	M-NCPPC Technical Staff	approval with conditions
04/14/2016	M-NCPPC Planning Board	approval with conditions
05/02/2016	Sitting as the District Council	deferred

Council deferred this item to May 16, 2016.

ADJOURN**1:30 PM COMMITTEE OF THE WHOLE - (COUNCIL HEARING ROOM)**

(SEE SEPARATE AGENDA)