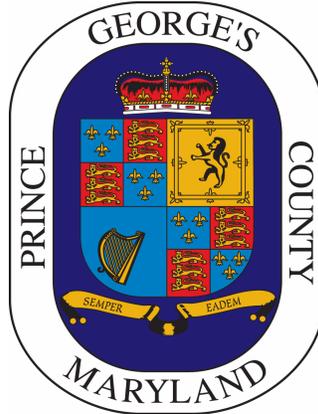


Prince George's County Council

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



Zoning Agenda - Final

**Monday, January 25, 2021
10:00 AM**

VIRTUAL MEETING

Sitting as the District Council

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

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

Jolene Ivey, District 5

Rodney C. Streeter, District 7

Deni L. Taveras, Vice Chair, District 2

Todd M. Turner, District 4

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 - (VIRTUAL HEARING)

INVOCATION / MOMENT OF SILENCE

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 01112021](#)

District Council Minutes dated January 11, 2021

Attachment(s):

[DRAFT District Council Minutes dated 01-11-2021](#)

ORAL ARGUMENTS[A-10051](#)**Carozza Property****Applicant(s):**

Maria Volpe and Sandra Carey

Location:

Located in the southwest quadrant of the interchange of MD 4 (Pennsylvania Avenue) and MD 223 (Woodyard Road), on the north side of Marlboro Pike (60.02 Acres; R-R Zone).

Request:

Requesting approval for the rezoning of approximately 60.02 acres of R-R (Rural Residential) zoned land to the M-X-T (Mixed Use – Transportation Oriented) Zone within the M-I-O (Military Installation Overlay) Zone.

Council District:

9

Appeal by Date:

9/21/2020

Action by Date:

3/1/2021

Opposition:

None

History:

10/17/2019	M-NCPPC Technical Staff	disapproval
08/20/2020	Zoning Hearing Examiner	remanded
	<i>The Zoning Hearing Examiner recommended a Remand back to the Office of the Zoning Hearing Examiner, with conditions.</i>	
09/21/2020	Applicant	appealed
	<i>Russell W. Shipley, Esq., attorney for the applicant, filed exceptions to the Zoning Hearing Examiner Decision and requested a hearing.</i>	
10/05/2020	Sitting as the District Council	elected to review
	<i>Council elected to review (Vote: 9-0; Absent: Council Members Franklin and Hawkins).</i>	
12/18/2020	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing were mailed to Persons of Record.</i>	
01/11/2021	Sitting as the District Council	announced hearing date

Attachment(s):

[A-10051 Zoning Agenda Item Summary](#)

[A-10051 Amendment to Exception Shipley to Brown 0121](#)

[A-10051 Applicant Exceptions to the ZHE Decision](#)

[A-10051 ZHE- Decison](#)

[A-10051 Technical Staff Report](#)

A-10051 PORL

A-10051 Color Power Point Presentation Updated

A-10051 Color Power Point Presentation

[A-10051 Oral Argument Hearing Notice](#)

[A-10051 ZHE Record \(Part 1\)](#)

[A-10051 ZHE Record \(Part 2\)](#)

NEW CASE(S)[A-8589-04](#)**Bowie New Town Center (Former "Sears Parcel")**
(Basic Plan Amendment)**Applicant(s):**

Seritage SRC Finance, LLC

Location:

Located on the northwest side of Evergreen Parkway and on the south side of MD 197 (Collington Road), though it does not extend to the intersection of these two roads. (10.81 Acres; M-A-C Zone).

Request:

Requesting approval of an amendment of the Basic Plan for Bowie New Town Center as it pertains to the former Sears Parcel, also identified as Lot 6 in PPS 4-03121. In particular Applicant seeks: removal/revision of certain conditions of approval and considerations set forth in A-8589-C; affirmation of the available/unallocated commercial and office square footage approved in A-8589-C; and, an increase to the permitted residential density cap in the M-A-C (Major Activity Center) Zone.

Council District:

4

Appeal by Date:

1/2/2021

Action by Date:

2/15/2021

Municipality:

City of Bowie

Opposition:

None

History:

08/05/2020	M-NCPPC Technical Staff	approval with conditions
10/01/2020	M-NCPPC Planning Board	approval with conditions
12/18/2020	Zoning Hearing Examiner	approval with conditions
01/11/2021	Sitting as the District Council	deferred

*Council deferred this item to January 25, 2021.***Attachment(s):**

[A-8589-C-04 Zoning Agenda Item Summary](#)
[A-8589-C-04 - Seritage Bowie Town Center Notice of De](#)
[A-8589-C-04 Seritage Bowie Town Center ZHE Decison](#)
A-8589-C-04 - Seritage Bowie Town Center PORL
[A-8589-C-04 Technical Staff Report](#)
[A-8589-C-04 Planning Board Resolution 2020-134 - SIGI](#)

NEW CASE(S)

In making the final decision in this case, the District Council should consider whether it wants to conduct an Oral Argument, pursuant to Section 27-131.01(c)(2).

[ROW Royal Farms](#)
[Remand](#)

ROW Royal Farms #220 (Accokeek) (Remand)

Companion Case(s): SE-4816

Applicant(s): Two Farms, Inc.

Location: Located on the west side of MD 210 (Indian Head Highway), in the southwest quadrant of its intersection with MD 375 (Livingston Road) (2.94 Acres; C-S-C Zone).

Request: Requesting approval of a application to Authorize the Issuance of Building Permits for Structures Within a Proposed Right-of-Way (ROW) for two (2) pylon signs, 22 parking spaces, free air station, five (5) multi dispenser gasoline pumps with canopy, large vehicle parking areas, all of the required landscaping, and a stormwater management facility, all within the proposed rights-of-way for F-11 and C-525.

Council District: 9

Appeal by Date: 2/10/2021

Action by Date: 5/11/2021

Opposition: Sangee and Sulojana Tharmarajah, et al.

History:

05/01/2019 Zoning Hearing Examiner approval

05/31/2019 Person of Record appealed

Ms. Sangee Tharmarajah and Sulojana Tharmarajah filed an appeal of the Zoning Hearing Examiner's decision and requested Oral Argument.

06/05/2019 Clerk of the Council mailed

06/10/2019 Sitting as the District Council announced hearing date

06/28/2019 Applicant filed

Matthew C. Tedesco, Esq., attorney for the applicant, filed a response to the 5/31/2019 Exceptions and requested to dismiss the Exceptions to the Zoning Hearing Examiner's decision for lack of standing.

07/08/2019 Sitting as the District Council hearing held; case taken under advisement

10/07/2019 Sitting as the District Council referred for document

10/28/2019 Sitting as the District Council remanded

Council adopted the prepared Order of remand to the Zoning Hearing Examiner (Vote: 8-0; Absent: Council Members Dernoga, Franklin, and Glaros).

11/01/2019 Clerk of the Council transmitted

The Clerk returned the entire case file to the Zoning Hearing Examiner's (ZHE) Office in accordance with the 10/28/2019 Order of Remand.

11/01/2019 Clerk of the Council mailed

The Notice of Decision of the District Council was mailed to Persons of Record.

01/11/2021 Zoning Hearing Examiner approval with conditions

Attachment(s):

[ROW Royal Farms #220 \(Accokeek\) \(Remand\) Zoning A](#)
[ROW Royal Farms #220 \(Accokeek\) \(Remand\)- Notice of](#)
[ROW Royal Farms #220 \(Accokeek\) \(Remand\)- ZHE Dec](#)
 ROW Royal Farms #220 (Accokeek) (Remand)- PORL

PENDING FINALITY**(a) ZONING HEARING EXAMINER**

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

SE-4816**ROYAL FARMS #220 ACCOKEEK****Companion Case(s):** ROW Royal Farms Remand**Applicant(s):** Two Farms, Inc.**Location:** Located on the west side of MD 210 (Indian Head Highway), in the southwest quadrant of its intersection with MD 375 (Livingston Road) (2.94 Acres; C-S-C Zone).**Request:** Requesting approval of a Special Exception (SE) to use approximately 2.94 acres of land, in the C-S-C (Commercial Shopping Center) Zone, for a Gas Station with an associated Food or Beverage Store.**Council District:** 9**Appeal by Date:** 2/10/2021**Review by Date:** 2/10/2021**Opposition:** Sangee and Sulojana Tharmarajah, et al.**History:**

06/28/2019 M-NCPPC Technical Staff approval with conditions

01/11/2021 Zoning Hearing Examiner approval with conditions

Attachment(s): [SE-4816 Zoning Agenda Item Summary](#)
[SE-4816 Notice of Decision](#)
[SE-4816 ZHE Decision](#)
 SE-4816 PORL
[SE-4816 Royal Farms Technical Staff Report](#)
 SE-4816 Memo to Clerk

PENDING FINALITY[SE-4823](#)**Catholic Cemeteries of the Archdiocese of Washington DC
Resurrection Cemetery****Applicant(s):**

Catholic Cemeteries of the Archdiocese

Location:

Located on the southeastside of Woodyard Road, approximately 0.7 miles southwest of its intersection with RosaryvilleRoad, also described as 8000 Woodyard Road, Clinton (100.51 Acres; .O-S Zone).

Request:

Requesting permission to use approximately 100.5108 acres of land in the O-S (Open Space) M-I-O (Military Installation Overlay) Zones for a Cemetery.

Council District:

9

Appeal by Date:

1/8/2021

Review by Date:

2/1/2021

Opposition:

None

History:

08/25/2020	M-NCPPC Technical Staff	approval with conditions
12/09/2020	Zoning Hearing Examiner	approval
01/11/2021	Sitting as the District Council	deferred

*Council deferred this item to January 25, 2021.***Attachment(s):**[SE-4823 Zoning Agenda Item Summary](#)[SE-4823 ZHE Zoning Case Summary](#)[SE-4823 ZHE Notice of Decision](#)[SE-4823 ZHE Decision](#)

SE-4823 PORL

[SE-4823 Technical Staff Report](#)[SE-4823 Exhibit List](#)*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.*

PENDING FINALITY**(b) PLANNING BOARD**

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

DSP-19007-01**The Fairways****Applicant(s):**

SLDM, Inc.

Location:

Located on the east side of Prospect Hill Road, approximately 230 feet north of Glenn Dale Boulevard, in Glenn Dale, Maryland (125.16 Acres; O-S and R-18C Zones).

Request:

Requesting approval of a Detailed Site Plan (DSP), for architecture only for 8 single-family detached models by Dan Ryan Builders and 10 single-family detached models by K Hovnanian Homes.

Council District:

4

Appeal by Date:

2/11/2021

Review by Date:

2/11/2021

History:

11/19/2020

M-NCPPC Technical Staff

approval with conditions

01/07/2021

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-19007-01 Zoning Agenda Item Summary](#)[DSP-19007-01 Planning Board Resolution 2020-174](#)

DSP-19007-01_PORL

[DSP-19007-01 Technical Staff Report](#)

PENDING FINALITY**DSP-19033****6192 Oxon Hill Hotel****Applicant(s):**

6192 Oxon Hill West

Location:

On the south side of MD 414 (Oxon Hill Road), approximately 2,100 feet east of its intersection with Livingston Road (1.63 Acres; C-O Zone).

Request:

Requesting approval of a Detailed Site Plan (DSP) application proposes to convert an existing 54,600-square-foot, five-story office building into a 100-room hotel.

Council District:

8

Appeal by Date:

2/11/2021

Review by Date:

2/11/2021

History:

12/18/2020

M-NCPPC Technical Staff

approval with conditions

01/07/2021

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-19033 Zoning Agenda Item Summary](#)[DSP-19033 Planning Board Resolution 2020-173](#)

DSP-19033_PORL

[DSP-19033 Technical Staff Report](#)

PENDING FINALITY[DSP-19045](#)[Reconsideration](#)**Royal Farms Greenbelt (Reconsideration)****Applicant(s):**

RF Greenbelt RE LLC

Location:

Located on the north side of MD 193 (Greenbelt Road), approximately 635 feet east of its intersection with Walker Drive (4.07 Acres; C-O Zone).

Request:

Requested approval of a Detailed Site Plan (DSP) for the development of a 4,649-square-foot food and beverage store, a gas station, and a separate 4,368-square-foot commercial building

Council District:

4

Appeal by Date:

2/11/2021

Review by Date:

2/11/2021

History:

09/30/2020	M-NCPPC Technical Staff	approval with conditions
11/12/2020	M-NCPPC Planning Board	approval with conditions
12/03/2020	M-NCPPC Planning Board	reconsidered
01/07/2021	M-NCPPC Planning Board	approval with conditions

Attachment(s):[DSP-19045 Zoning Agenda Item Summary](#)[DSP-19045 Planning Board Resolution 2020-154 \(A\)](#)[DSP-19045 Planning Board Resolution 2020-154](#)

DSP-19045 PORL

[DSP-19045 Technical Staff Report](#)

PENDING FINALITY**DSP-20006****Checkers Laurel****Applicant(s):**

Mar Chek, Inc.

Location:

Located on the east side of US 1 (Baltimore Avenue), approximately 400 feet north of its intersection with Mulberry Street. (0.84 Acres; C-S-C / R-55).

Request:

Requesting approval of a Detailed Site Plan (DSP) for the development of a 1,170-square-foot eating and drinking establishment with drive-through service, specifically a Checkers.

Council District:

1

Appeal by Date:

12/24/2020

Review by Date:

1/25/2021

History:

10/14/2020	M-NCPPC Technical Staff	approval with conditions
11/19/2020	M-NCPPC Planning Board	approval with conditions
01/11/2021	Sitting as the District Council	deferred

Council deferred this item to January 25, 2021.

Attachment(s):

[DSP-20006 Zoning Agenda Item Summary](#)

[DSP-20006 - Planning Board Resolution](#)

DSP-20006_PORL

[DSP-20006 Technical Staff Report](#)

PENDING FINALITY**DSP-20024****Parliament Place - Phase 1****Applicant(s):**

4200 Parliament, LLC

Location:

Located on the southeast side of MD 704 (Martin Luther King Jr. Highway), approximately 720 feet south of its intersection with Parliament Place in Lanham (2.48 Acres; I-1 Zone).

Request:

Requesting approval of a Detailed Site Plan (DSP) for a 128,383-square-foot, 1,042-unit, consolidated storage facility, with 1,000 square feet of office.

Council District:

5

Appeal by Date:

2/11/2021

Review by Date:

2/11/2021

History:

11/17/2020

M-NCPPC Technical Staff

approval with conditions

01/07/2021

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-20024 Zoning Agenda Item Summary](#)[DSP-20024 Planning Board Resolution 2020-172](#)

DSP-20024_PORL

[DSP-20024 Technical Staff Report](#)

PENDING FINALITY[DSP-20028](#)**Brandywine Commercial Center****Applicant(s):**

Generation Properties, LLC

Location:

Located on the east side of US 301 (Robert Crain Highway), approximately 950 feet south of its intersection with Short Cut Road (9.82 Acres; I-1 Zone).

Request:

Requesting approval of a Detailed Site Plan (DSP) to construct a 152,175-square-foot, 1,140-unit consolidated storage facility, with 1,500 square feet of office.

Council District:

9

Appeal by Date:

2/11/2021

Review by Date:

2/11/2021

History:

11/23/2020

M-NCPPC Technical Staff

approval with conditions

01/07/2021

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-20028 Zoning Agenda Item Summary](#)[DSP-20028 Planning Board Resolution 2020-181](#)

DSP-20028_PORL

[DSP-20028 Technical Staff Report](#)

PENDING FINALITY[DSP-20036](#)**Two Town Center****(Expedited Transit Oriented Development Project)****Companion Case(s):** DDS-673**Applicant(s):** Two Town Center, LLC**Location:** Located on the north side of Capital Gateway Drive, in the northeast quadrant of its intersection with Britannia Way. The site is also within the Development District Overlay (D-D-O) Zone designated by the Southern Green Line Station Area Sector Plan and SMA.**Request:** Requesting approval of a Detailed Site Plan for a 260,360-square-foot, two-story office building, a 290-space parking garage, and associated site improvements.**Council District:** 8**Appeal by Date:** 1/21/2021**Review by Date:** 2/1/2021**History:**

12/01/2020	M-NCPPC Technical Staff	approval with conditions
12/17/2020	M-NCPPC Planning Board	approval with conditions
01/11/2021	Sitting as the District Council	deferred

Council deferred this item to January 25, 2021.

Attachment(s): [DSP-20036 Zoning Agenda Item Summary](#)
[DSP-20036 Planning Board Resolution 2020-178](#)
 DSP-20036 PORL
[DSP-20036 Technical Staff Report](#)

PENDING FINALITY**[DDS-673](#)****Two Town Center****Companion Case(s):** DSP-20036**Applicant(s):** Two Town Center, LLC**Location:** Located on the north side of Capital Gateway Drive, in the northeast quadrant of its intersection with Britannia Way. The site is also within the Development District Overlay (D-D-O) Zone designated by the Southern Green Line Station Area Sector Plan and SMA.**Request:** Requesting approval of a Departure from Design Standards (DDS) a reduction in the size of standard parking spaces to 9 feet by 19 feet for both structured and surface parking spaces.**Council District:** 8**Appeal by Date:** 1/21/2021**Review by Date:** 2/1/2021**History:**

12/01/2020	M-NCPPC Technical Staff	approval
12/17/2020	M-NCPPC Planning Board	approval
01/11/2021	Sitting as the District Council	deferred

Council deferred this item to January 25, 2021.

Attachment(s): [DDS-673 Zoning Agenda Item Summary](#)
[DDS-673 Planning Board Resolution 2020-177](#)
 DDS-673 PORL
[DDS-673 Technical Staff Report](#)

PENDING FINALITY[DSP-99003-01](#)**E-Z Storage Bowie****Applicant(s):**

Siena Corporation

Location:

Located at the end of Gallant Fox Way, approximately 540 feet west of its intersection with MD 197 (Laurel Bowie Road) (4.30 Acres; I-1 Zone).

Request:

Requesting approval of a Detailed Site Plan (DSP) for the development of a 48,708-square-foot addition to an existing consolidated storage facility.

Council District:

4

Appeal by Date:

2/11/2021

Review by Date:

2/11/2021

Municipality:

Bowie

History:

11/23/2020

M-NCPPC Technical Staff

approval with conditions

01/07/2021

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-99003-01 Zoning Agenda Item Summary](#)[DSP-99003-01 Planning Board Resolution 2020-180](#)

DSP-99003-01_PORL

[DSP-99003-01 Technical Staff Report](#)

PENDING FINALITY**SDP-1803 Remand****Applicant(s):****Location:****Request:****Council District:****Appeal by Date:****Review by Date:****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
10/05/2020	Sitting as the District Council	elected to review
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
11/09/2020	Sitting as the District Council	hearing held; case taken under advisement
11/10/2020	Sitting as the District Council	referred for document
11/16/2020	Sitting as the District Council	remanded
	<i>Council adopted the prepared order of remand to the Planning Board (Vote: 9-0; Absent: Council Members Franklin and Hawkins).</i>	
12/31/2020	M-NCPPC Technical Staff	approval with conditions
01/14/2021	M-NCPPC Planning Board	approval with conditions

Attachment(s):

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

[SDP-1803 Remand Planning Board Resolution 2020-131\(](#)

SDP-1803 Remand PORL

[SDP-1803 Remand Technical Staff Report](#)

[ADJ1-21](#)

ADJOURN