



Prince George's County Council

Wayne K. Curry
Administration Building
1301 McCormick Dr
Largo, MD 20774

Zoning Minutes - Final Sitting as the District Council

Jolene Ivey, Chair, District 5
Sydney J. Harrison, Vice Chair, District 9
Wala Blegay, District 6
Edward P. Burroughs, III, District 8
Thomas E. Dernoga, District 1
Wanika Fisher, District 2
Mel Franklin, At-Large
Calvin S. Hawkins, II, At-Large
Eric C. Olson, District 3
Krystal Oriadha, District 7
Ingrid S. Watson, District 4

Jennifer A. Jenkins, Council Administrator

Monday, January 22, 2024

10:00 AM

Council Hearing Room

10:00 AM CALL TO ORDER - (COUNCIL HEARING ROOM)

Pursuant to the provisions of Sections 27-131 and 27-132(a) of the Zoning Ordinance, the District Council meeting was convened by Council Chair Ivey at 10:17 a.m. with nine members present at roll call. (Council Member Oriadha arrived virtually at 10:28 am) (Absent: Council Member Franklin).

Present: 10 - Chair Jolene Ivey
 Vice Chair Sydney Harrison
 Council Member Thomas Dernoga
 Council Member Wala Blegay
 Council Member Edward Burroughs
 Council Member Wanika Fisher
 Council Member Calvin S. Hawkins
 Council Member Eric Olson
 Council Member Krystal Oriadha
 Council Member Ingrid Watson

Absent: Council Member Mel Franklin

Also Present:

Jennifer A. Jenkins, Council Administrator

Karen T. Zavakos, Acting Associate Council Administrator

Stan Brown, People's Zoning Counsel

Rajesh Kumar, Principal Counsel to the District Council

Donna J. Brown, Clerk of the Council

James Walker-Bey, Zoning Assistant, Office of the Clerk

Akinjide Adeyemo, Zoning Reference Aide, Office of the Clerk

INVOCATION / MOMENT OF SILENCE

Moment of Silence led by Chair Ivey.

PLEDGE OF ALLEGIANCE

Pledge of allegiance led by Vice-Chair Harrison.

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 01162024](#)

District Council Minutes Dated January 16, 2024

A motion was made by Council Member Dernoga, seconded by Council Member Olson, that these Minutes be approval. The motion carried by the following vote:

Aye: 9 - Ivey, Harrison, Dernoga, Blegay, Burroughs, Fisher, Hawkins, Olson and Watson

Absent: Franklin and Oriadha

Attachment(s): [1-16-2024 District Council Minutes Draft](#)

ORAL ARGUMENTS**CDP-22002****Dobson Farms**

Applicant(s): D.R. Horton, Inc.

Location: Located on the south side of McKendree Road, approximately 1,400 feet west of its intersection with US 301 (Robert Crain Highway) (581.06 Acres; LCD Zone (Prior R-S Zone).

Request: Requesting approval of Comprehensive Design Plan (CDP) for a residential development, with a mix of housing types consisting of up to 1,106 dwelling units.

Council District: 9

Appeal by Date: 11/9/2023

Review by Date: 11/9/2023

Action by Date: 1/22/2024

History:

Dominique Lockhart, M-NCPPC planning staff, provided an overview of the Detailed Site Plan 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. Matthew Tedesco Esq., attorney for applicant spoke in support. Council referred item to staff for preparation of an approving document (Vote: 9-0; Absent: Council Members Oriadha and Franklin).

A motion was made by Vice Chair Harrison, seconded by Council Member Fisher, that this Comprehensive Design Plan be referred for document. The motion carried by the following vote:

Aye: 9 - Ivey, Harrison, Dernoga, Blegay, Burroughs, Fisher, Hawkins, Olson and Watson

Absent: Franklin and Oriadha

Attachment(s): [CDP-22002 Zoning Agenda Item Summary](#)
CDP-22002 Notice of District Council Final Decision
[CDP-22002 Presentation Slides](#)
[CDP-22002 Rescheduled Notice of Oral Argument Hearing](#)
[CDP-22002 Planning Board Resolution](#)
CDP 22002 PORL
[CDP-22002 Technical Staff Report](#)
[CDP-22002 Planning Board Record](#)
[CDP-22002 Transcripts 09-14-2023](#)
[CDP-22002 Transcripts 09-07-2023](#)

MANDATORY REVIEW (Using Oral Argument Procedures)[DSP-04054-07](#)**Bellefonte****Applicant(s):** Clinton Self Storage LLC.**Location:** Located on the north side of MD 223 (Woodyard Road), at its intersection with Louie Pepper Drive (7.64 Acres; I E / M I O Zones (Prior I-4 / M-I-O Zones).**Request:** Requesting approval of a Detailed Site Plan (DSP) for the addition of 19,440 square feet of additional consolidated storage via two buildings on Lot 159, and a variance to Section 27-472(d)(1) of the prior Prince George's County Zoning Ordinance, regarding the maximum floor area ratio (FAR) permitted.**Council District:** 9**Appeal by Date:** 1/18/2024**Action by Date:** 2/29/2024**Comment(s):** Mandatory Review:
{District Council review of this case is required by Zoning Ordinance No. 5-1991 (ZMA A-9758-C)}**History:**

Hyojun Garland, M-NCPPC planning staff, provided an overview of the Detailed Site Plan 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. Matthew Tedesco Esq., attorney for applicant spoke in support. Council referred item to staff for preparation of an approving document (Vote: 10-0; Absent: Council Member Franklin).

A motion was made by Vice Chair Harrison, seconded by Council Member Hawkins, that this Detailed Site Plan (Prior Ordinance) be referred for document. The motion carried by the following vote:

Aye: 10 - Ivey, Harrison, Dernoga, Blegay, Burroughs, Fisher, Hawkins, Olson, Oriadha and Watson

Absent: Franklin

Attachment(s): [DSP-04054-07 Zoning Agenda Item Summary](#)
[DSP-04054-07 Presentation Slides](#)
[DSP-04054-07 Notice of Mandatory Review Hearing](#)
[DSP-04054-07 Planning Board Resolution](#)
DSP-04054-07 PORL
[DSP-04054-07 Technical Staff Report](#)
[DSP-04054-07 Transcripts 11-30-2023](#)
[DSP-04054-07 Transcripts 11-9-2023](#)
[DSP-04054-07 Planning Board Record](#)

REFERRED FOR DOCUMENT**CDP-22002****Dobson Farms**

Applicant(s): D.R. Horton, Inc.

Location: Located on the south side of McKendree Road, approximately 1,400 feet west of its intersection with US 301 (Robert Crain Highway) (581.06 Acres; LCD Zone (Prior R-S Zone).

Request: Requesting approval of Comprehensive Design Plan (CDP) for a residential development, with a mix of housing types consisting of up to 1,106 dwelling units.

Council District: 9

Appeal by Date: 11/9/2023

Review by Date: 11/9/2023

Action by Date: 1/22/2024

History:

Council adopted prepared order of approval (Vote:10-0; Absent: Council Member Franklin).

A motion was made by Vice Chair Harrison, seconded by Council Member Fisher, that this Comprehensive Design Plan be approved. The motion carried by the following vote:

Aye: 10 - Ivey, Harrison, Dernoga, Blegay, Burroughs, Fisher, Hawkins, Olson, Oriadha and Watson

Absent: Franklin

Attachment(s): [CDP-22002 Zoning Agenda Item Summary](#)
[CDP-22002 Notice of District Council Final Decision](#)
[CDP-22002 Presentation Slides](#)
[CDP-22002 Rescheduled Notice of Oral Argument Hearing](#)
[CDP-22002 Planning Board Resolution](#)
CDP 22002 PORL
[CDP-22002 Technical Staff Report](#)
[CDP-22002 Planning Board Record](#)
[CDP-22002 Transcripts 09-14-2023](#)
[CDP-22002 Transcripts 09-07-2023](#)

REFERRED FOR DOCUMENT (continued)[DSP-20002](#)**Giac Son Buddhist Temple**

Applicant(s): Giac Son Buddhist Temple Corp

Location: Located in the southeast quadrant of the intersection of MD 197 (Laurel Bowie Road) and Snowden Road (1.64 Acres; RR Zone (prior R-R Zone).

Request: Requesting approval of a Detailed Site Plan (DSP) for development of a 4,625-square-foot place of worship and will maintain an existing single-family detached dwelling as an accessory parsonage.

Council District: 1

Appeal by Date: 11/2/2023

Review by Date: 11/2/2023

Action by Date: 1/22/2024

History:

Council adopted prepared order of remand (Vote: 10-0; Absent: Council Member Franklin).

A motion was made by Council Member Dernoga, seconded by Council Member Hawkins, that this Detailed Site Plan (Prior Ordinance) be adopted. The motion carried by the following vote:

Aye: 10 - Ivey, Harrison, Dernoga, Blegay, Burroughs, Fisher, Hawkins, Olson, Oriadha and Watson

Absent: Franklin

Attachment(s): [DSP-20002 Zoning Agenda Item Summary](#)
[DSP-20002 Presentation Slides](#)
[DSP-20002 Hitaffer to Brown \(Written Testimony\)](#)
[DSP-20002 Price to Brown \(Written Testimony\)](#)
[DSP-20002 Williams to Brown \(Written Testimony\)](#)
[DSP-20002 Carter to Brown \(Written Testimony\)](#)
[DSP-20002 SLCA to Brown \(Written Testimony\)](#)
[DSP-20002 Masten to Brown \(Written Testimony\)](#)
[DSP-20002 Washington to Brown \(Written Testimony\)](#)
[DSP-20002 Lammers to Brown \(Written Testimony\)](#)
[DSP-20002 Lammers to Brown \(Written Testimony\)](#)
[DSP-20002 Notice of Oral Argument Hearing](#)
[DSP-20002 Nelson to Brown \(Appeal and Request for Oral Argument\) 11-2-2023](#)
[DSP-20002 Sollner-Webb to Brown \(Appeal Letter\) 11-2-2023](#)
[DSP-20002 Planning Board Resolution](#)
DSP-20002 PORL
[DSP-20002 Technical Staff Report](#)
[DSP-20002 Planning Board Record](#)
[DSP-20002 Transcripts 09-07-2023](#)
[DSP-20002 Transcripts 07-27-2023](#)
[DSP-20002 Transcripts 06-22-2023](#)

REFERRED FOR DOCUMENT (continued)[DSP-89056-03](#)**Forestville Commercial Center**

- Applicant(s):** ALG Forestville, LLC
- Location:** Located in the southeast quadrant of the intersection of Fernham Lane and Cryden Way. (9.4773 Acres; IE/MIO Zone (Prior I-1/D-D-O/M-I-O Zones)).
- Request:** Requesting approval of a Detailed Site Plan (DSP) to amend the Development District Overlay (D-D-O) Zone.
- Council District:** 6
- Appeal by Date:** 1/4/2024
- Action by Date:** 2/29/2024
- Comment(s):** Mandatory Review:
{District Council review of this case is required by Prior Zoning Ordinance Section 27-548.26(b)}
- Municipality:** District Heights
- History:**

Council adopted prepared order of approval (Vote: 10-0; Absent: Council Member Franklin).

A motion was made by Council Member Blegay, seconded by Council Member Burroughs, that this Detailed Site Plan (Prior Ordinance) be approved. The motion carried by the following vote:

- Aye:** 10 - Ivey, Harrison, Dernoga, Blegay, Burroughs, Fisher, Hawkins, Olson, Oriadha and Watson
- Absent:** Franklin

- Attachment(s):** [DSP-89056-03 Zoning Agenda Item Summary](#)
[DSP-89056-03 Notice of District Council Final Decision](#)
[DSP-89056-03 Presentation Slides](#)
[DSP-89056-03 Notice of Mandatory Review Hearing](#)
[DSP-89056-03 Planning Board Resolution](#)
 DSP-89056-03_PORL
[DSP-89056-03 Technical Staff Report](#)
[DSP-89056-03 Transcripts 1-09-2023](#)
[DSP-89056-03 Planning Board Record](#)

PENDING FINALITY**(a) PLANNING BOARD****[SDP-0318-H3](#)****The Preserve at Piscataway, Lot 81 B**

Applicant(s): Gislaine Mitchell

Location: Located at 2908 Brentland Court, Accokeek, Maryland (0.24 Acres; LCD (Prior R-L) Zone).

Request: Requesting approval of a Specific Design Plan (SDP) to construct a 12-foot by 34-foot composite deck, with stairs at the rear of an existing single-family detached dwelling within the rear yard setback.

Council District: 9

Appeal by Date: 11/27/2023

Review by Date: 2/20/2024

Comment(s): This case was originally transmitted on October 24, 2023 and retransmitted on January 19, 2024 to comply with affidavit requirements.

History:

Council waived election to review for this item (Vote:10-0; Absent: Council Member Franklin).

A motion was made by Vice Chair Harrison, seconded by Council Member Hawkins, that Council Waive election to review for this Specific Design Plan. The motion carried by the following vote:

Aye: 10 - Ivey, Harrison, Dernoga, Blegay, Burroughs, Fisher, Hawkins, Olson, Oriadha and Watson

Absent: Franklin

Attachment(s): [SDP-0318-H3 Zoning Agenda Item Summary](#)
[SDP-0318-H3 Planning Board Resolution](#)
SDP-0318-H3 PORL
[SDP-0318-H3 Technical Staff Report](#)

PENDING FINALITY (continued)**CSP-21001 Remand****Linda Lane Property**

Applicant(s): Curtis Investment Group, Inc.

Location: Located in the southwest quadrant of the intersection of Linda Lane and MD 5 (Branch Avenue) (5.60 Acres; CN Zone (Prior M-X-T/ M I O Zones).

Request: Requesting approval of a Conceptual Site Plan (CSP) for a mixed-use development consisting of 105 multifamily units and 104,600 square feet of commercial/retail space. Remand Hearing

Council District: 8

Appeal by Date: 2/8/2024

Review by Date: 2/8/2024

Action by Date: 3/22/2024

History:

Council elected to review this item (Vote:9-0-1; Nay: Council Member Hawkins; Absent: Council Member Franklin).

A motion was made by Council Member Burroughs, seconded by Council Member Blegay, that Council elect to review this Conceptual Site Plan. The motion carried by the following vote:

Aye: 9 - Ivey, Harrison, Dernoga, Blegay, Burroughs, Fisher, Olson, Oriadha and Watson

Nay: 1 - Hawkins

Absent: Franklin

Attachment(s): [CSP-21001 Remand Zoning Agenda Item Summary](#)
[CSP-21001 Remand Transcripts 12-7-2023](#)
[CSP-21001 Remand Planning Board Record](#)
[CSP-21001 Remand Notice of Oral Argument Hearing](#)
[CSP-21001 Remand Planning Board Resolution](#)
CSP-21001 Remand PORL
[CSP-21001 Remand Technical Staff Report](#)

EXECUTIVE SESSION – (1ST FLOOR EXECUTIVE CONFERENCE ROOM)

[EX 01162024](#)

Motion to convene in Executive Session pursuant to Section 3-305(b)(1)(i), (7), and (8), General Provisions Article, Annotated Code of Maryland, in order to discuss the appointment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction; and to consider pending or potential litigation and to consult with counsel to seek legal advice, specifically: (1) to consider designation of a Vice Chair of the County Board of Appeals in accordance with law; (2) to receive an update concerning Administration staffing; and (3) to be briefed by counsel as to, and to discuss, the status of cases in the Circuit Court for Prince George's County, Maryland, the Appellate Court of Maryland, and the Supreme Court of Maryland, to maintain confidentiality regarding the current status of ongoing litigation and as to the Council's position on pending litigation.

History:

The Chair read the following closing statement/motion to convene in executive session: "Motion to convene in Executive Session pursuant to Section 3-305(b)(1)(i), (7), and (8), General Provisions Article, Annotated Code of Maryland, in order to discuss the appointment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction; and to consider pending or potential litigation and to consult with counsel to seek legal advice, specifically: (1) to consider designation of a Vice Chair of the County Board of Appeals in accordance with law; (2) to receive an update concerning Administration staffing; and (3) to be briefed by counsel as to, and to discuss, the status of cases in the Circuit Court for Prince George's County, Maryland, the Appellate Court of Maryland, and the Supreme Court of Maryland, to maintain confidentiality regarding the current status of ongoing litigation and as to the Council's position on pending litigation" The Executive Session was held.

On 1/22/2024, a motion was made by Council Member Olson, seconded by Council Member Watson, that this Executive Session be convened into Executive Session. The motion carried by the following vote: Aye: 10, Ivey, Harrison, Dernoga, Blegay, Burroughs, Fisher, Hawkins, Olson, Oriadha and Watson (Absent: Franklin)

Date of Executive Session: January 22, 2024

Time of Vote to Close Session: 11:01 a.m.

Beginning Time: 11:12 a.m.

Ending Time: 11:55 a.m.

Members Present: CM Ivey, Chairwoman, CM Harrison, Vice-Chairman, CM Blegay, CM

*Burroughs, CM Dernoga, CM Fisher, CM Hawkins, CM Olson, CM Oriadha *present/did not vote and CM Watson.*

Members Absent: CM Franklin.

Others Present: Jennifer Jenkins, Karen Zavakos, Donna Brown, Karen Campbell, Rajesh Kumar and Ellis Watson

Topics Discussed:

- 1. Director of the Office of Communications, Karen D. Campbell, announced her retirement to the County Council.*
- 2. Principal Counsel to the County Council, Rajesh Kumar, provided a comprehensive update on pending litigation in the Circuit Court for Prince George's County, Maryland and the Appellate Court of Maryland:*
 - a. City of Hyattsville (C-16-CV-22-000159) (CSP-10002-C/DSP-10011-C Queens Chapel Town Center)*
 - b. Julie Wolf et al.(C-16-CV-22-000629)*
 - c. Freeway Realty, LLC (C-16-CV-23-000196) (CR-004-2023) / CB-17*
 - d. Capital Lighting & Supply et al. (C-16-CV-23-000198) (CR-005-2023) / CB-12*
 - e. Freeway Realty, LLC (C-16-CV-23-000765) (CB-17-2023)*
 - f. Timberlake Homes, BT (C-16-CV-23-000766) (CB-12-2023)*
 - g. Northpoint Realty Partners, LLC (C-16-CV-23-002701) (Westphalia Business Center 1 & 2)*
 - h. Freeway Realty, LLC (C-16-CV-23-002992) (CB-50-2023)*
 - i. Timberlake Homes, BT (C-16-CV-23-002991) (CB-53-2023)*
 - j. Timberlake Homes, BT (C-16-CV-23-003272) (Fairwood Square)*
 - k. The City of Glenarden, et al. (C-16-CV-23-005304) (Alta Woodmore)*
 - l. Almquist, Benjamin (C-16-CV-23-005644) (CR-106-2023)*
 - m. Almquist, Benjamin (C-16-CV-23-005649) (CR-107-2023)*
 - n. 95 Forever Bapaz (C-16-CV-23-005653) (CB-68-2023)*
 - o. Hough, et al. (CAL22-05470) / ACM-REG-0593-2023 – (Carozza)*
 - p. ACM-REG-1469-2023 (CMA Cases consolidated)*
 - q. Robin Dale, et al. (CSA-REG-0255-2021)*
 - r. Heard (CAL21-08992) / ACM-REG-1794-2022*
 - s. Capital Lighting & Supply et al. (C-16-CV-23-000201)*
 - t. Williams, Antawan et al. (CAL22-18255)*
 - u. Williams, Antawan et al. (C-16-CV-22-000311) (CDP-0505-02 National Capitol Business Park)*
 - v. Williams, Antawan et al.(C-16-CV-22-000572) (SDP-1603-02 National Capitol Business Park)*

- w. *Bidjou, Dwyke et al.* (C-16-CV-22-000667) (CB-79-2022)
 x. *Dukes, et al.* (CAL21-14847) / ACM-REG-19720-2022 – (Clay Property)
 y. *Scott, et al.* (CAL21-16348) - (CB-51-2021) / ACM-REG-0908-2023
 z. *Williams, Natalie et al.* (CAL22-02650) / (ACM-REG-2239-2022) – (Beltway Plaza)
 aa. *Walmart* (CAL20-19297) / (CSA-REG-1757-2021)
 bb. *Concerned Citizens* (C-02-CV-20-001850) / (CSA-REG-0472-2021) / (COA-REG-0023-2022)
 cc. *Amazon* (CAL20-18900) / (CSA-REG-2050-2021) / (COA-REG-0004-2022)
 dd. *Julie Wolf, et al. v. Planning Board of Prince George’s County, No. 2099, September Term*
 3. *Designated William Carl Isler, Esq. as Vice Chair of the Prince George’s County Board of Appeals.*

Actions Taken:

1. *Motion to appoint William Carl Isler, Esq. as the Vice Chair of Prince George’s County Board of Appeals by a 9-0 vote (fav), Motion by CM Dernorga, Seconded by Vice-Chair Harrison.*
2. *Motion to receive County Council’s consent on Appellants’s request on CMA Cases-consolidated- ACM-REG-1469-2023) to file multiple briefs or extensions or enlargement of word limitation. Unanimous approval.*

Vote Closing the Meeting pursuant to Section 3-305(b) (1): 10 – 0, Motion by: CM Ivey, Second: CM Watson

Vote to Adjourn: 9-0, Motion by: CM Ivey; second: CM Harrison

A motion was made by Council Member Olson, seconded by Council Member Watson, that this Executive Session be convened into Executive Session. The motion carried by the following vote:

Aye: 10 - Ivey, Harrison, Dernoga, Blegay, Burroughs, Fisher, Hawkins, Olson, Oriadha and Watson
Absent: Franklin

ADJOURN

[ADJ7-24](#)

ADJOURN

History:

Adjourned

A motion was made by Vice Chair Harrison, seconded by Council Member Dernoga, that this meeting be adjourned. The motion carried by the following vote:

Aye: 10 - Ivey, Harrison, Dernoga, Blegay, Burroughs, Fisher, Hawkins, Olson,
Oriadha and Watson

Absent: Franklin