



Prince George's County Council

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

Zoning Minutes - Final 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

Monday, July 10, 2017

1:30 PM

Council Hearing Room

1:43 PM CALL TO ORDER - (COUNCIL HEARING ROOM)

Pursuant to the provisions of Section 27-132(a) of the Zoning Ordinance, the meeting was called to order by Chairman Davis at 1:43 p.m. with eight members present at roll call.

Council Member Franklin was out on County Business.

Present: 8 - Chairman Derrick Davis
 Vice Chair Dannielle Glaros
 Council Member Andrea Harrison
 Council Member Mary Lehman
 Council Member Obie Patterson
 Council Member Deni Taveras
 Council Member Karen Toles
 Council Member Todd Turner

Absent: Council Member Mel Franklin

Also Present: Stan Brown, People's Zoning Counsel
William M. Hunt, Deputy Council Administrator
Rajesh Kumar, Principal Counsel to the District Council
Redis C. Floyd, Clerk of the Council
Lennie Moses, Zoning Assistant, Clerk of the Council

INVOCATION

The Invocation was provided by Mr. Howard Stone, County Employee. Council Member Harrison requested prayer for the Carmichael family and Carol Carmichael for their loss. Council Member Toles requested prayer for one of her sorority sisters, Marian Exum in her passing. Council Member Glaros requested prayer for the Newman and Reid families in District 3 as Beth Reid lost her mom and Marty Newman's husband is very ill. Council Member Davis requested prayer for the Glover family in the passing of Kenneth Glover, former CAO of the County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Turner.

APPROVAL OF DISTRICT COUNCIL MINUTES[MINDC 06192017](#)**District Council Minutes dated June 19, 2017**

A motion was made by Vice Chair Glaros, seconded by Council Member Turner, that these Minutes be approved. The motion carried by the following vote:

Aye: 8 - Davis, Glaros, Harrison, Lehman, Patterson, Taveras, Toles and
Turner

Absent: Franklin

Attachment(s): [6-19-2017 District Council Minutes DRAFT](#)

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.

PLANNING BOARD[CNU-17731-2017-U](#)**3415 52nd Avenue**

Applicant(s): April Mackoff, Clear Channel Outdoor

Location: Located approximately 215 feet south of the intersection of Lawrence Place and 52 Avenue, also identified as 3415 52nd Avenue, Hyattsville, Maryland (0.469 Acres; I-1 Zone).

Request: Requesting certification of existing outdoor advertising sign (Billboard). Certification of existing outdoor advertising signs is required 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 1975.

Council District: 5

Review by Date: 7/26/2017

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:

Council took no action on this item.

This Certification of a Nonconforming Use was not elected to review by Council.

PENDING FINALITY (Continued)[CNU-17735-2017-U](#)**8303 Ardwick Ardmore Road**

Applicant(s): April Mackoff, Clear Channel Outdoor

Location: Located approximately 370 feet east of the intersection of Ardwick Ardmore Road and Penney Drive, also identified as 8303 Ardwick Ardmore Road, Landover, Maryland 0.166 Acres; I-1 Zone).

Request: Requesting certification of existing outdoor advertising sign. Certification of existing outdoor advertising signs is required 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 1975.

Council District: 5

Review by Date: 7/26/2017

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:

Council took no action on this item.

This Certification of a Nonconforming Use was not elected to review by Council.

PENDING FINALITY (Continued)[DSP-07034-09](#)**Brickyard MARC Planned Community****Applicant(s):**

CalAtlantic Group, Inc.

Location:

Located on the east side of Muirkirk Road, northeast of its intersection with Baltimore Avenue (US 1). More specifically, the site is located on the northwest side of Brickyard Boulevard, at the intersection of Brickyard Boulevard and Brickyard Station Drive. The site is directly adjacent to the MARC station on the southern boundary of the site and to the north by the stormwater management pond and community center (12.71 Acres; I-2 Zone).

Request:

Requesting approval for a Detailed Site Plan proposing to develop the subject property with 188 single-family attached (townhouses) lots, in lieu of the previously approved 440 multifamily residential building with ground floor retail, which were part of the original approved Preliminary Plan of Subdivision PPS 4-07053 and Detailed Site Plan DSP-07034. This application also includes a Variance from Section 27-475.06.02 for an existing monopole.

Council District:

1

Appeal by Date:

8/2/2017

Review by Date:

9/5/2017

Comment(s):

Council Member Lehman wishes to waive Council's right to review. A majority vote of the full Council is required.

History:

Council took no action on this item.

This Detailed Site Plan was not elected to review by Council.

Attachment(s):[DSP-07034-09 Zoning AIS](#)[DSP-07034-09 Planning Board Resolution](#)[17-89](#)[DSP-07034-09_PORL](#)[DSP-07034-09 Technical Staff Report](#)

PENDING FINALITY (Continued)**DSP-16041****Capital Court**

Applicant(s): Galaxy NC, LLC

Location: located in the southeastern quadrant of the intersection of Central Avenue (MD 214) and the Capital Beltway (I-95/495), on the south side of Central Avenue (MD 214) (36.42 Acres; C-O Zone).

Request: Requesting approval of a Detailed Site Plan for infrastructure for 307 single-family attached (townhouses) and a parcel for future multifamily residential development in the Commercial Office (C-O) Zone. The infrastructure DSP includes the location and design of the roadways, the lot layout for the townhouse development, on-street parking, landscaping, utility location, fencing and sidewalks.

Council District: 6

Appeal by Date: 7/27/2017

Review by Date: 7/27/2017

History:

Council took no action on this item.

This Detailed Site Plan was not elected to review by Council.

Attachment(s): [DSP-16041 Zoning AIS](#)
[DSP-16041 Planning Board Resolution 17-86](#)
DSP-16041_PORL
[DSP-16041 Technical Staff Report](#)

PENDING FINALITY (Continued)[DSP-16052](#)**Hampton Park****Companion Case(s):** DDS-637**Applicant(s):** Velocity Capitol, LLC**Location:** Located in the southwest quadrant of the intersection of Central Avenue (MD 214) and the Capital Beltway (I-95/495) (24.55 Acres; M-X-T / M-I-O Zones).**Request:** Requesting approval of a Detailed Site Plan to redevelop the subject property for a mixed-use development that consists of 121,192 square feet of commercial/retail space, 115,000 square feet of office space, 254 residential multifamily-dwelling units, and a 123-room hotel, to be constructed in five phases.**Council District:** 6**Appeal by Date:** 7/20/2017**Review by Date:** 7/20/2017**History:***Council took no action on this item.***This Detailed Site Plan was not elected to review by Council.****Attachment(s):** [DSP-16052 Zoning AIS](#)
[DSP-16052 Planning Board Resolution 17-79](#)
DSP-16052_PORL

PENDING FINALITY (Continued)[DDS-637](#)**Hampton Park****Companion Case(s):** DSP-16052**Applicant(s):** Hampton Park**Location:** Located in the southwest quadrant of the intersection of Central Avenue (MD 214) and the Capital Beltway (I-95/495) (24.55 Acres; M-X-T / D-D-O Zones).**Request:** Requesting approval for a Departure from Design Standards (DDS) from the requirements of Section 27-579(b), to allow access to the loading space to be within 50 feet of residential property and from the requirements of Section 27-558 for parking space sizes of the Zoning Ordinance.**Council District:** 6**Appeal by Date:** 7/20/2017**Review by Date:** 7/20/2017**History:**

Council took no action on this item.

This Departure from Design Standards was not elected to review by Council.

Attachment(s): [DDS-637 Zoning AIS](#)
[DDS-637 Planning Board Resolution 17-80](#)
DDS-637_PORL

PENDING FINALITY (Continued)**[DSP-17002](#)****Bowie Marketplace Residential**

- Applicant(s):** BE Bowie, LLC
- Location:** Located on the west side of Superior Lane, approximately 720 feet south of its intersection with Annapolis Road (MD 450) (10.54 Acres; C-S-C Zone).
- Request:** Requesting approval for a Detailed Site Plan (DSP) for 225 multifamily residential dwelling units within an existing shopping center.
- Council District:** 4
- Appeal by Date:** 7/13/2017
- Review by Date:** 7/13/2017
- Municipality:** City of Bowie
- History:**

Council took no action on this item.

This Detailed Site Plan was not elected to review by Council.

- Attachment(s):** [DSP-17002_Zoning AIS](#)
[DSP-17002 Planning Board Resolution 17-78](#)
DSP-17002_PORL
[DSP-17002 Technical Staff Report](#)

ADJOURN

The meeting was adjourned at 2:01 p.m.

2:00 PM EXECUTIVE SESSION (1ST FLOOR EXECUTIVE CONFERENCE ROOM)**[EX 07102017](#)**

Motion to convene in executive session to consult with counsel to seek legal advice and to discuss pending or potential litigation in accordance with section 3-305(b)(7, 8), General Provisions Article, Annotated Code of Maryland.

History:***TOPICS DISCUSSED:***

- (1) WB Waste Solutions LLC v. Prince George's County, CAL 17-12842;*
- (2) Skillman v. Gottfried, CAE 15-28998;*
- (3) Price v. Prince George's County, CAE 16-37806*
- (4) KO-ME, LLC v Prince George's County, 16-1992 (4th Circuit Court of Appeals);*
- (5) Doublecork v. Prince George's County, 8:16-ev-03951 – DKC (U.S. District Court for District of Maryland);*
- (6) King Oak Enter./Ebony Inn v. Prince George's County, 8:16-ev-01270-DKC (U.S. District Court for Maryland);*
- (7) XB4 v. Prince George's County Council, CAL 15-20084;*
- (8) CD#15CL2001, Inc. v. Prince George's County Council, CAE13-38944;*
- (9) Clinton Walmart final decision of Approval by District Council has appealed to the Circuit Court for Prince George's County.*

A motion was made by Vice Chair Glaros, seconded by Council Member Turner, that this Executive Session be convened into Executive Session. The motion carried by the following vote:

Aye: 8 - Davis, Glaros, Harrison, Lehman, Patterson, Taveras, Toles and Turner

Absent: Franklin

2:30 PM BRIEFING - DOMESTIC VIOLENCE BRIEFING (COUNCIL HEARING ROOM)

(SEE SEPARATE AGENDA)

3:00 PM BRIEFING - VENTURE PHILANTHROPY PARTNERS (VPP) BRIEFING (COUNCIL HEARING ROOM)

(SEE SEPARATE AGENDA)

7:00 PM BOARD OF HEALTH - QUALITY OF LIFE - (COUNCIL HEARING ROOM)

(SEE SEPARATE AGENDA)

Prepared by:

Leonard Moses, Zoning Assistant

Submitted by:

Redis C. Floyd, Clerk of the Council