



# 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*

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**Monday, July 17, 2017**

**1:30 PM**

**Council Hearing Room**

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**1:00 PM AGENDA BRIEFING - (ROOM 2027)**

**1:39 PM CALL TO ORDER - (COUNCIL HEARING ROOM)**

*The meeting was called to order by Chairman Davis at 1:39 p.m. with seven members present at roll call. Council Members Franklin arrived at 3:54 p.m. Council Member Toles was absent due to County business.*

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

**Absent:**             Council Member Karen Toles

*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  
 Donna J. Brown, Deputy Clerk of the Council  
 Maurene Epps McNeil, Chief Zoning Hearing Examiner  
 Joyce Nichols, Zoning Hearing Examiner  
 Jacqueline Brown, Director, PZED Committee*

*M-NCPPC*

*Christina Pompa, Supervisor, Development Review Division*

### **INVOCATION**

*The Invocation was provided by Mr. Edwin H. Brown, Jr., County Employee. Council Member Harrison requested prayer for the family of Debra Porter in her passing and the members of the First Baptist Church of Highland Park. Council Member Taveras requested prayer for the recent victims of violence, in particular, the Russell family. Council Member Davis requested prayer for Robert Williams, Jr., Council Administrator, and for civility within the nation.*

### **PLEDGE OF ALLEGIANCE**

*The Pledge of Allegiance was led by Council Member Davis.*

### **APPROVAL OF DISTRICT COUNCIL MINUTES**

[MINDC 07102017](#)

**District Council Minutes dated July 10, 2017**

**A motion was made by Council Member Lehman, seconded by Council Member Harrison, that these Minutes be approved. The motion carried by the following vote:**

**Aye:** 7 - Davis, Glaros, Harrison, Lehman, Patterson, Taveras and Turner

**Absent:** Franklin and Toles

**Attachment(s):** [7-10-2017 District Council Minutes DRAFT](#)

[MINDC  
0415-1119-2013](#)

**District Council Minutes dated April 15, 2013 thru November 19,  
2013**

**A motion was made by Council Member Lehman, seconded by Council Member Harrison, that these Minutes be approved. The motion carried by the following vote:**

**Aye:** 7 - Davis, Glaros, Harrison, Lehman, Patterson, Taveras and Turner

**Absent:** Franklin and Toles

**Attachment(s):** [0415-1119-2013\\_District Council Minutes\\_DRAFT](#)

## **ORAL ARGUMENTS**

### **SE-4760**

### **Verizon Wireless**

**Applicant(s):** Verizon Wireless

**Location:** Located on the south side of Landover Road (MD 202), approximately 600 feet west of Martin Luther King, Jr., Highway (MD 704), also identified as 7781 Landover Road, Landover, Maryland (1.53 Acres; R-35 Zone).

**Request:** Requesting approval for a Special Exception to remove and replace a 95-foot-high monopole to support wireless telecommunication antennas on privately-owned land not meeting the minimum 2.5-acre requirement pursuant to Section 27-445.04(a)(3)(C) of the Prince George's County Code.

**Council District:** 5

**Appeal by Date:** 6/2/2017

**Review by Date:** 6/2/2017

**Action by Date:** 10/31/2017

**Opposition:** None

### **History:**

*Christina Pompa, M-NCCPC, provided an overview of the Special Exception application. Alice Robinson spoke in opposition. Gregg Diamond, Esq., spoke in support of behalf of the applicant. Stan Brown, People's Zoning Counsel, delineated certain technical corrections and spoke to the legalities of the arguments presented.*

*Council took this case under advisement.*

**This Special Exception hearing was held and the case was taken under advisement.**

**Attachment(s):** [SE-4760 District Council Final Decision 07182017](#)  
[SE-4760 Zoning AIS](#)  
[SE-4760 Zoning Hearing Examiner Decision](#)  
 SE-4760 PORL

NEW CASE(S)[A-10037](#)**American Rescue Workers**

**Applicant(s):** American Rescue Workers, Inc.

**Location:** Located on the east side of Ritchie Road, approximately 2,200 feet north of its intersection with Walker Mill Road, also identified as 716 Ritchie Road, Capital Heights, Maryland (10.60 Acres; R-R / M-I-O Zones).

**Request:** Requesting approval of a Zoning Map Amendment to rezone approximately 10.60 acres of land from the R-R (Rural Residential) / M-I-O (Military Installation Overlay) to the I-2 (Heavy Industrial) / M-I-O Zone.

**Council District:** 6

**Appeal by Date:** 7/13/2017

**Action by Date:** 11/13/2017

**Opposition:** Joyce Brown, et. al.

**History:**

*Council referred item to staff for preparation of an approving document in accordance with the Zoning Hearing Examiner's decision (Vote: 7-0; Absent: Council Members Franklin and Toles).*

**A motion was made by Chairman Davis, seconded by Council Member Harrison, that this Zoning Map Amendment be referred for document. The motion carried by the following vote:**

**Aye:** 7 - Davis, Glaros, Harrison, Lehman, Patterson, Taveras and Turner

**Absent:** Franklin and Toles

*Council adopted the prepared Zoning Ordinance No. 9 - 2017 approving a rezoning to I-1 in accordance with the Zoning Hearing Examiner's decision (Vote: 7-0; Absent: Council Members Franklin and Toles).*

**A motion was made by Chairman Davis, seconded by Council Member Harrison, that this Zoning Map Amendment be approved. The motion carried by the following vote:**

**Aye:** 7 - Davis, Glaros, Harrison, Lehman, Patterson, Taveras and Turner

**Absent:** Franklin and Toles

**Attachment(s):** [A-10037 Distrc Council Final Decision 07172017](#)  
[A-10037 Zoning AIS](#)  
[A-10037 Zoning Hearing Examiner Decision](#)  
A-10037 PORL

**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**[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 waived its right to review this item (Vote: 7-0; Absent: Council Members Franklin and Toles).*

**A motion was made by Council Member Lehman, seconded by Council Member Harrison, that Council waive right to review this Detailed Site Plan. The motion carried by the following vote:**

**Aye:** 7 - Davis, Glaros, Harrison, Lehman, Patterson, Taveras and Turner

**Absent:** Franklin and Toles

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**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](#)

**2:15 PM ADDITIONS TO THE AGENDA**

[Add72](#)                    ADDITIONS TO THE AGENDA

**History:**

*Council accepted the additions to the agenda (Vote: 7-0; Absent: Council Members Franklin and Toles).*

**A motion was made by Council Member Taveras, seconded by Council Member Harrison, to accept the additions package. The motion carried by the following vote:**

**Aye:**                    7 -     Davis, Glaros, Harrison, Lehman, Patterson, Taveras and Turner

**Absent:**                Franklin and Toles

**2:36 PM RECESS**

*The meeting went into recess at 2:36 p.m.*

**3.07 RECONVENE**

*The meeting was reconvened at 3:07 p.m.*

**3:07 PM BRIEFING - ZONING ORDINANCE RE-WRITE - (COUNCIL HEARING ROOM)**

[BR 07172017](#)

**ZONING ORDINANCE RE-WRITE**

Don Elliott, Director, Clarion Associates

Craig Richardson, Director, Clarion Associates

Derick Berlage, Chief, Countywide Planning Division, M-NCPPC

Chad Williams, Project Manager, Countywide Planning Division, M-NCPPC

Brittney Drakeford, Outreach Specialist, Countywide Planning Division,  
M-NCPPC

**History:**

*Chairman Davis convened the briefing at 3:07 p.m. and provided introductory remarks. Derick Berlage, thanked the consultants and the Council for their work on this issue. Don Elliott facilitated a PowerPoint presentation which spoke to the project schedule, general observations, reasons for the rewrite, key project themes, evaluation and recommendations report, the public review draft, refinements to the draft, and next steps. The panelists responded to comments and questions posed by the Council regarding: the project schedule, public comment, legislative process, managing expectations, conservation overlay zones, subdivision regulations, adequate public facilities, implementation timeline, Council call-up procedures, non-conforming use procedures, reduced special exceptions, legislative package and changes due to public comments.*

**This Briefing was held**

**4:28 PM ADJOURN**

*The meeting was adjourned at 4:28 p.m.*

**7:03 PM - TOWN HALL MEETING, ZONING ORDINANCE REWRITE - (COUNCIL HEARING ROOM)**

*(SEE SEPARATE AGENDA)*

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**EXECUTIVE SESSION (1ST FLOOR EXECUTIVE CONFERENCE ROOM)**

[EX 07172017](#)

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.

**Topics Discussed:**

Zimmer Development v. Prince George's County, CAL15-09136. Counsel provided update and sought direction as to strategy in the pending litigation.

**Attendees:**

Council Members Davis, Glaros, Harrison, Lehman, Patterson, Taveras, and Turner; William M. Hunt, Deputy Council Administrator, Rajesh A. Kumar, Principal Counsel to the District Council, and Karen T. Zavakos, Zoning and Legislative Counsel.

**A motion was made by Council Member Harrison, seconded by Council Member Turner, that this Executive Session be convened. The motion carried by the following vote:**

**Aye:**                   7 -       Davis, Glaros, Harrison, Lehman, Patterson, Taveras and Turner

**Absent:**                   Franklin and Toles

Prepared by:

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Leonard Moses, Zoning Assistant

Submitted by:

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Redis C. Floyd, Clerk of the Council