



# 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*  
*Calvin S. Hawkins, II, At-Large*  
*Eric C. Olson, District 3*  
*Krystal Oriadha, District 7*  
*Ingrid S. Watson, District 4*  
*Vacant - At-Large (effective: 06/15/2024)*

*Jennifer A. Jenkins, Council Administrator*

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**Monday, September 9, 2024**

**10:00 AM**

**Council Hearing Room**

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### **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 10:05 a.m. with seven members present at roll call. Council Member Fisher & Oriadha arrived 10:06 a.m. and Council member Burroughs arrived at 10:09 a.m. (Vacant - At-Large (effective: 06/15/2024)).*

**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

*Also Present:*

*Colette Gresham, Deputy Council Administrator*

*Karen T. Zavokas, Associate Council Administrator*

*Stan Brown, People's Zoning Counsel*

*Rajesh Kumar, Principal Counsel to the District Council*

*James Walker-Bey, Associate Clerk of the Council*

*Akinjide Adeyemo, Zoning Reference Aide, Office of the Clerk*

*Natasha Avery, Legislative Reference Aide, Office of the Clerk*

**MOMENT OF SILENCE**

**PLEDGE OF ALLEGIANCE**

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

**APPROVAL OF DISTRICT COUNCIL MINUTES**

[MINDC 07162024](#)

**District Council Minutes Dated July 16, 2024**

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

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

**Absent:** Burroughs

**Attachment(s):** [7-16-2024 District Council Minutes Draft](#)

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**ORAL ARGUMENTS**[DSP-23034](#)**9395 Lanham Dunkin**

**Applicant(s):** GN Seabrook LLC

**Location:** Located on the south side of MD 564 (Lanham-Severn Road), approximately 910 feet west of its intersection with Seabrook Road (0.61 Acres; NAC Zone (Prior; C-M Zone).

**Request:** Requesting approval of a Detailed Site Plan (DSP) to retrofit an existing, vacant 2,427-square-foot structure with a drive through, as well as the associated site improvements for an eating and drinking establishment with a drive-through service.

**Council District:** 3

**Appeal by Date:** 7/25/2024

**Action by Date:** 10/15/2024

**History:**

*Hyojung Garland, M-NCPPC planning staff, provided an overview of the Detailed Site Plan application. Matthew Tedesco, Esq., attorney for applicant spoke in support. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties. This Detailed Site Plan hearing was held and the case was taken under advisement.*

**This Detailed Site Plan (Prior Ordinance) was hearing held; case taken under advisement**

**Attachment(s):** [DSP-23034 Zoning Agenda Item Summary](#)  
[DSP-23034 Presentation Slides](#)  
[DSP-23034 Notice of Oral Argument Hearing](#)  
[DSP-23034 Planning Board Resolution](#)  
DSP-23034 PORL  
[DSP-23034 Technical Staff Report](#)  
[DSP-23034 Transcripts 5-30-2024](#)  
[DSP-23034 Planning Board Record](#)  
[DSP-23034 PZC Notice of Intention to Participate District Council 9-9-2024](#)

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**REFERRED FOR DOCUMENT**[DSP-19031-02](#)**Popeves**

- Applicant(s):** Three Roads Corner, LLC
- Location:** Located on the west side of MD 631 (Old Brandywine Road), in the southeast quadrant of its intersection with the confluence of MD 381 (Brandywine Road) and MD 373 (Accokeek Road) (4.427 Acres; CS / CGO Zones (Prior; C-M / C-S-C Zones).
- Request:** Requesting approval of a Detailed Site Plan (DSP) for the addition of Parcels 2 and 3 to DSP-19031 and amends that the DSP is for development of a 2,923-square-foot building to serve as an eating and drinking establishment with drive-through service on Parcel 3. This resolution does not approve any changes to the development approved for Parcels 1 and 4, pursuant to DSP-19031.
- Council District:** 9
- Appeal by Date:** 6/20/2024
- Review by Date:** 6/20/2024
- Action by Date:** 9/10/2024

**History:**

*Council adopted prepared order of remand (Vote: 10-0).*

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

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

- Attachment(s):** [DSP-19031-02 Zoning Agenda Item Summary](#)  
[DSP-19031-02 Notice of Decision of the District Council](#)  
[DSP-19031-02 Presentation Slides](#)  
[DSP-19031-02 Notice of Oral Argument Hearing](#)  
[DSP-19031-02 Planning Board Resolution](#)  
DSP-19031-02 PORL  
[DSP-19031-02 Technical Staff Report](#)  
[DSP-19031-02 Transcripts 4-25-2024](#)  
[DSP-19031-02 Planning Board Record](#)  
[DSP-19031-02 PZC Notice of Intention to Participate District Council 7-15-2024](#)

**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****SE-2023-001****Espirales Montessori Bilingual Childcare Center**

- Applicant(s):** Espirales Montessori Bilingual LLC
- Location:** Located approximately 170 feet south of the intersection of Gumwood Drive and Hitching Post Lane. Identified as, 7207 Hitching Post Lane, Hyattsville, Maryland. The property lies within the municipal boundaries of the City of Hyattsville (0.40 Acres; RSF-95 Zone).
- Request:** Requesting approval of a Special Exception (SE) to operate a Day Care Center for 16 Children within 966 square feet of a single-family detached residence on a 17,399-square-foot parcel.
- Council District:** 2
- Appeal by Date:** 8/16/2024
- Review by Date:** 9/16/2024
- Municipality:** Hyattsville
- Opposition:** Mr. Chuckwudi Perry
- History:**

*Council waived election to review for this item (Vote:10-0).*

**A motion was made by Council Member Fisher, seconded by Vice Chair Harrison, that council waive election to review for this Special Exception (Prior Ordinance). The motion carried by the following vote:**

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

- Attachment(s):** [SE-2023-001 Zoning Agenda Item Summary](#)  
[SE-2023-001 Declaration of Finality](#)  
[SE-2023-001-Notice of ZHE Decision](#)  
[SE-2023-001-ZHE Decision](#)  
 SE-2023-001-PORL  
[SE-2023-001-Technical Staff Report](#)  
[SE-2023-001-Exhibit List](#)  
[SE-2023-001-Exhibits #1-47](#)  
[SE-2023-001 - Transcripts 3-20-2024](#)

**PENDING FINALITY**

*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.*

**(b) PLANNING BOARD****CSP-07003-01****Konterra Town Center East****Applicant(s):**

Konterra Associates, LLC.  
Konterra Core Ventures, LLC.  
Konterra Environs Ventures, LLC.

**Location:**

Located on the east side of I-95/495 (Capital Beltway), south and west of Konterra Drive, and north of MD 200 (Inter County Connector) (402.98 Acres; TAC-C Zone (Prior; M-X-T Zone).

**Request:**

Requesting approval of a Conceptual Site Plan (CSP) to amend CSP-07003 to add a ±5.6-acre lot for development of Block O-1 and to revise the uses that were previously approved for Block O-8, in order to add office space to a portion of Block O-8. The total development that was originally approved under CSP-07003 remains the same. Conceptual Site Plan CSP-07003 was approved for a mixed-use town center development consisting of 4,500 dwelling units and 5.9 million square feet of a mixture of commercial, retail, office and hotel uses.

**Council District:**

1

**Appeal by Date:**

8/15/2024

**Review by Date:**

9/16/2024

**History:**

*Council waived election to review for this item (Vote:10-0).*

**A motion was made by Council Member Dernoga, seconded by Council Member Hawkins, that council waive election to review for this Conceptual Site Plan. The motion carried by the following vote:**

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

**Attachment(s):**

[CSP-07003-01 Zoning Agenda Item Summary](#)

[CSP-07003-01 Planning Board Resolution](#)

CSP-07003-01 PORL

[CSP-07003-01 Technical Staff Report](#)

[CSP-07003-01 PLB MEMO](#)

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**PENDING FINALITY (continued)**[DDS-23002](#)**One Leg Up Pets****Applicant(s):** One Leg Up Pets LLC**Location:** Located in the southwest quadrant of the intersection of Greencastle Road and Birkhall Drive (2.75 Acres; RR Zone (Prior; R-R Zone).**Request:** Requesting approval of a Departure from Design Standards (DDS) to retrofit the subject property with necessary improvements to operate a permitted use (kennel) while the existing dwelling will remain as a permitted accessory building to the primary use. Modifications to the subject property include improving the driveway with a new gravel pull-off area for bypass, new fencing around the property and the dog run areas, and re purposing the existing ±550-square-foot garage for occasionally boarding dogs overnight.**Council District:** 1**Appeal by Date:** 8/22/2024**Review by Date:** 9/23/2024**History:***Council deferred item to next District Council Meeting.***This Departure from Design Standards was deferred.****Attachment(s):** [DDS-23002 Zoning Agenda Item Summary](#)  
[DDS-23002 PLB Memo](#)  
[DDS-23002 Planning Board Resolution](#)  
DDS-23002 POR List  
[DDS-23002 Technical Staff Report](#)

**PENDING FINALITY (continued)****DSP-18020-01****Capital Electric**

**Applicant(s):** Capital Westphalia Real Estate, LLC

**Location:** Located on the south side of Westphalia Road, approximately 353 feet west of Presidential Parkway. Specifically, the site is addressed 8711 Westphalia Road, Upper Marlboro, Maryland 20774 (45.40 Acres; RMF-20 / MIO Zones ( Prior; M-X-T / M-I-O Zones).

**Request:** Requesting approval of a Detailed Site Plan (DSP) to propose a 161,485-square-foot addition of the existing 362,880-square-foot building used for light industrial warehousing, previously approved by the Prince George's County Planning Board. In addition, the applicant seeks an amendment to Conceptual Site Plan CSP-11003, to increase the permitted gross floor area (GFA) of industrial and warehousing uses from 324,480 square feet to 485,965 square feet.

**Council District:** 6

**Appeal by Date:** 8/15/2024

**Review by Date:** 9/16/2024

**History:**

*Council waived election to review for this item (Vote:10-0).*

**A motion was made by Council Member Blegay, seconded by Council Member Burroughs, that council waive election to review for this Detailed Site Plan (Prior Ordinance). The motion carried by the following vote:**

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

**Attachment(s):** [DSP-18020-01 Zoning Agenda Item Summary](#)

[DSP-18020-01 Planning Board Resolution](#)

DSP-18020-01 PORL

[DSP-18020-01 Technical Staff Report](#)



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**PENDING FINALITY (continued)**[DSP-23009](#)**Project Turtle**

- Applicant(s):** 8133 Baltimore Owner LLC
- Location:** Located on the east side of US 1 (Baltimore Avenue) between Melbourne Place to the south and Navahoe Street to the north. Specifically, the site is located at 8135 and 8153 Baltimore Avenue, in College Park (2.771 Acres; LTO-E / NAC / APA-4 / APA-6 Zones (Prior; M-U-I / D-D-O / APA-4 / APA-6 Zones).
- Request:** Requesting approval of a Detailed Site Plan (DSP) to construct a one mixed-use building with 299 multifamily dwelling units and 15,903 square feet of ground-floor commercial retail space 2.
- Council District:** 3
- Appeal by Date:** 8/22/2024
- Review by Date:** 9/23/2024
- Municipality:** College Park
- History:**

*Council deferred item to next District Council meeting.*

**This Detailed Site Plan (Prior Ordinance) was deferred.**

- Attachment(s):** [DSP-23009 Zoning Agenda Item Summary](#)  
[DSP-23009 PLB Memo](#)  
[DSP-23009 Planning Board Resolution](#)  
DSP-23009 POR List  
[DSP-23009 Technical Staff Report](#)

**PENDING FINALITY (continued)**[DSP-23017](#)**1020 Largo Center Drive Sunoco****Applicant(s):** NSR Petro Services, LLC**Location:** Located on the south side of Medical Center Drive (previously known as Arena Drive), approximately 500 feet west of its intersection with MD 202 (Landover Road) (0.74 Acres; RTO-H-E Zone (Prior; M-A-C / D-D-O Zones).**Request:** Requesting approval of a Detailed Site Plan to raze the existing 912-square-foot building, housing the gas station and food and beverage store, and replace it with a 3,197-square-foot building and other physical improvements necessary for a new gas station and food and beverage store. The property is currently improved with structures for gas station and food or beverage store uses as part of the Largo Town Center Shopping Center.**Council District:** 6**Appeal by Date:** 8/29/2024**Review by Date:** 9/30/2024**History:***Council waived election to review for this item (Vote:10-0).*

**A motion was made by Council Member Blegay, seconded by Vice Chair Harrison, that council waive election to review for this Detailed Site Plan (Prior Ordinance). The motion carried by the following vote:**

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

**Attachment(s):** [DSP-23017 Zoning Agenda Item Summary](#)  
[DSP-23017 PLB MEMO](#)  
[DSP-23017 Planning Board Resolution](#)  
DSP-23017 POR List  
[DSP-23017 Technical Staff Report](#)

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**PENDING FINALITY (continued)****[SDP-0307-H21](#)****Cameron Grove, Lot 15, Block D-Rodgers Screen Door****Applicant(s):**

Loretta Rodgers

**Location:**

Located within the development known as Cameron Grove Phase Three, which is located in the southwest quadrant of the intersection of MD 214 (Central Avenue) and Church Road South. More specifically, the subject property is located at 13106 Christie Place, Upper Marlboro, Maryland (0.12 Acres; LCD Zone (Prior; R-L Zone).

**Request:**

Requesting approval of a Specific Design Plan (SDP) for the construction of an 8-foot by 24 foot screened room addition at the rear of the existing dwelling.

**Council District:**

6

**Appeal by Date:**

8/22/2024

**Review by Date:**

9/23/2024

**History:**

*Council waived election to review for this item (Vote:10-0).*

**A motion was made by Council Member Blegay, seconded by Council Member Burroughs, that council waive election to review for this Specific Design Plan be waived election to review. The motion carried by the following vote:**

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

**Attachment(s):**

**[SDP-0307-H21 Zoning Agenda Item Summary](#)**

**[SDP-0307-H21 PLB MEMO](#)**

**[SDP-0307-H21 Planning Board Resolution](#)**

**[SDP-0307-H21 POR List](#)**

**[SDP-0307-H21 Technical Staff Report](#)**

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**PENDING FINALITY (continued)****SDP-1901-02****Preserve at Westphalia**

**Applicant(s):** Stanley Martin Companies, LLC

**Location:** Located The subject site is located in the northwest quadrant of the intersection of Westphalia Road and Ritchie Marlboro Road (63.66 Acres; LCD Zone (Prior; L-A-C / R-M Zone).

**Request:** Requesting approval of a Specific Design Plan (SDP) to amend previously approved SDP-1901, for the development of an approximately 5,888-square-foot community building (clubhouse), with an approximately 1,960-square-foot swimming pool, and a parking lot on a portion of Parcel R. This amendment also includes minor adjustments to previously approved landscaping, and revisions to recreational facilities on Parcel A and Parcel H, which is consistent with prior approvals.

**Council District:** 6

**Appeal by Date:** 8/22/2024

**Review by Date:** 9/23/2024

**History:**

*Council waived election to review for this item (Vote:10-0).*

**A motion was made by Council Member Blegay, seconded by Council Member Burroughs, 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

**Attachment(s):** [SDP-1901-02 Zoning Agenda Item Summary](#)  
[SDP-1901-02 PLB MEMO](#)  
[SDP-1901-02 Planning Board Resolution](#)  
SDP-1901-02 POR List  
[SDP-1901-02 Technical Staff Report](#)

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**PENDING FINALITY (continued)****[SDP-2305](#)****National Capital Business Park-Phase 2**

**Applicant(s):** NCBP Property LLC c/o Manekin

**Location:** Located within the middle southern portion of NCBP, on the north side of Queens Court, approximately 1,000 feet west of its intersection with Prince George's Boulevard (90.10 Acres; LCD Zone (Prior; R-S Zone).

**Request:** Requesting approval of a Specific Design Plan (SDP) for the development of three warehouse distribution building totaling approximately 1,543,815 square feet.

**Council District:** 4

**Appeal by Date:** 8/22/2024

**Review by Date:** 9/23/2024

**History:**

*Council waived election to review for this item (Vote:10-0).*

**A motion was made by Council Member Watson, seconded by Council Member Fisher, 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

**Attachment(s):** [SDP-2305 Zoning Agenda Item Summary](#)  
[SDP-2305 PLB MEMO](#)  
[SDP-2305 Planning Board Resolution](#)  
SDP-2305 POR List  
[SDP-2305 Technical Staff Report](#)

**ADJOURN**

[ADJ76-24](#)

**ADJOURN**

***History:***

*This meeting adjourned at 10:58 a.m.*

**A motion was made by Chair Ivey, seconded by Council Member Watson, 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

**11:30 AM EXECUTIVE SESSION (1ST FLOOR EXECUTIVE CONFERENCE ROOM)**

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[EX 09092024](#)

Motion to convene in Executive Session pursuant to Section 3-305(b)(7) and (8), General Provisions Article, Annotated Code of Maryland, in order to consider pending or potential litigation and to consult with counsel to seek legal advice, specifically: 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)(7) and (8), General Provisions Article, Annotated Code of Maryland, in order to consider pending or potential litigation and to consult with counsel to seek legal advice, specifically: 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 9/09/2024, a motion was made by Chair Ivey, seconded by Council Member Fisher, that this meeting be convened into Executive Session. The motion carried by the following vote: Aye: 10, Ivey, Harrison, Blegay, Burroughs, Dernoga, Fisher, Hawkins, Olson, Oriadha and Watson.*

*Date of Executive Session: September 9, 2024*

*Time of Vote to Close Session: 10:59 a.m.*

*Location of Executive Session: 1st Floor Executive Conference Room*

*Beginning Time: 11:15 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 and CM Watson*

*Others Present:*

*Jennifer Jenkins, Colette Gresham, Karen Zvakos, Leonard Moses, and Ellis Watson*

*Topics Discussed:*

*1. Principal Counsel to the County Council, Rajesh Kumar, provided an update on pending*

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*litigation in the Circuit Court for Prince George's County, Maryland, the Appellate Court of Maryland, and the Supreme Court of Maryland:*

- a. County Council of Prince George's County v. Robin Dale Land LLC, et al No. 255, September Term, 2021 (Subregion 5 and 6 cases)*
- b. Freeway Realty, LLC v. District Council (C-16-CV-23-000196) (CR-004-2023)*
- c. Freeway Realty, LLC v. District Council (C-16-CV-23-000765) (CB-017-2023)*
- d. Freeway Realty, LLC v. District Council (C-16-CV-23-002992) (CB-050-2023)*
- e. In the Matter of Kathy Bartolomeo et. al (C-16-CV-24-003613) (CB 015-2024) \*CM Dernoga did not participate in the discussion due to a perceived conflict (left the room of the Executive Session).*

*Actions Taken:*

- 1. Motion to file a Petition for Cert. before the Supreme Court of Maryland in the County Council of Prince George's County v Robin Dale Land, LCC (Subregion 5 and 6) case by 10-0 vote (fav), Motion by: CM Harrison, Second by: CM Ivey*

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

*Vote to Adjourn: 9-0, Motion by: CM Ivey; Second: CM Watson*

**A motion was made by Chair Ivey, seconded by Council Member Fisher, that this meeting 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