



Prince George's County Council

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

Zoning Minutes - Draft Sitting as the District Council

Todd M. Turner, Chair, District 4
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
Calvin S. Hawkins, II, At-Large
Jolene Ivey, District 5
Rodney C. Streeter, Vice Chair, District 7
Deni L. Taveras, District 2

Robert J. Williams, Jr., Council Administrator

Monday, July 22, 2019

10:00 AM

Council Hearing Room

9:49 AM AGENDA BRIEFING - (ROOM 2027)

At 9:49 a.m., due to a lack of a quorum of members, a public statement was read and the Agenda Briefing was conducted as an informal discussion in lieu of a public meeting.

10:12 AM 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 Chair Turner at 10:12 a.m. with nine members present at roll call. Council Member Taveras arrived at 10:18 a.m. and Council member Franklin arrived at 10:24 a.m.

Present: 11 - Chair Todd Turner
Council Member Monique Anderson-Walker
Council Member Derrick Davis
Council Member Thomas Dernoga
Council Member Mel Franklin
Council Member Dannielle Glaros
Council Member Sydney Harrison
Council Member Calvin S. Hawkins
Council Member Jolene Ivey
Vice Chair Rodney Streater
Council Member Deni Taveras

*Also Present: Stan Brown, People's Zoning Counsel
Robert J. Williams, Jr., Council Administrator
Rajesh Kumar, Principal Counsel to the District Council
Donna J. Brown, Acting Clerk of the Council
Leonard Moses, Zoning Assistant, Office of the Clerk
James Walker-Bey, Zoning Reference Aide, Office of the Clerk*

*M-NCPPC
Thomas Burke, Development Review Division*

INVOCATION

The Invocation was provided by Ms. Olga Antelo Vasquez, County Employee. Chair Turner requested prayer for civility and another prayer for John Edmunds, Legislative Branch staff, who recently lost his mother.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Davis.

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 07082019](#)

District Council Minutes dated July 8, 2019

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

Aye: 9 - Turner, Anderson-Walker, Davis, Dernoga, Glaros, Harrison, Hawkins, Ivey and Streeter
Absent: Franklin and Taveras
Attachment(s): 7-8-2019 District Council Minutes Draft

ORAL ARGUMENTS**SDP-1801****Bevard East Umbrella Architecture****Applicant(s):** Lennar Bevard, LLC**Location:** Located on the east side of MD 223 (Piscataway Drive), approximately four miles southwest of its intersection with MD 5 (Branch Avenue), and bounded on the east by Thrift Drive (562.85 Acres; R-L Zone).**Request:** Requesting approval of a Specific Design Plan (SDP) for umbrella architecture for 18 single-family detached models and 4 single-family attached (townhouse) models for the Bevard East Subdivision.**Council District:** 9**Appeal by Date:** 6/27/2019**Review by Date:** 6/27/2019**Action by Date:** 9/16/2019**History:**

Thomas Burke, M-NCPPC, provided an overview of the SDP application. William Shipp, esq., attorney for the applicant, spoke in support. Mary Forsht-Tucker stated that though she signed up on the opposition side, she was not opposed to the application and she outlined some concerns. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties. The Oral Argument Hearing was held and Council took this case under advisement

This Specific Design Plan hearing was held and the case was taken under advisement.

Attachment(s): [SDP-1801 Planning Board Resolution](#)
[SDP-1801 Technical Staff Report](#)
SDP-1801_PORL

REFERRED FOR DOCUMENT[ERR-275](#)**Carrollton Manor Apartments****Validation of Permits No. M-549, 558-74PP, and CM-54281 Issued in Error**

- Applicant(s):** HGLC, LLLP / Carrollton Manor Apartments
- Location:** Located within an area governed by the New Carrollton Transportation Development Overlay Zone ("TDOZ"). A portion of the subject property lies within the municipal boundaries of the City of New Carrollton. (7.7992 Acres; R-18 Zone).
- Request:** Requesting approval for validation of Permits No. M-549, 558-74PP, and CM-54281 issued in error by the Department of Permitting, Inspections and Enforcement ("DPIE") and the City of New Carrollton, respectively to allow the rental of 187 apartment dwelling units within five (5) buildings.
- Council District:** 3
- Appeal by Date:** 6/24/2019
- Action by Date:** 10/21/2019
- Municipality:** City of New Carrollton
- Opposition:** None
- History:**
- Council adopted the prepared Zoning Ordinance No. 11 - 2019 validating Permits No. M-549, 558-74PP, and CM-54281 Issued in Error (Vote: 10-0; Absent: Council Member Harrison).*
- A motion was made by Council Member Glaros, seconded by Council Member Davis, that this Permit issued in error be approved with conditions. The motion carried by the following vote:**
- Aye:** 10 - Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Hawkins, Ivey, Streeter and Taveras
- Absent:** Harrison
- Attachment(s):** [ERR-275 Zoning Hearing Examiners Decision](#)
ERR-275 PORL

REFERRED FOR DOCUMENT[CNU-27104-2017](#)**Brandon Investments**

- Applicant(s):** Moises Arias / Brandon Investments, LLC
- Location:** On the north side of Fairview Avenue, approximately 0.25 mile west of the intersection of Fairview Avenue and MD 410 (East West Highway) (10,804 Square feet, R-18 Zone).
- Request:** Requesting approval of certification of a nonconforming use for a six-unit multifamily dwelling in the R-18 Zone.
- Council District:** 2
- Appeal by Date:** 4/25/2019
- Review by Date:** 4/25/2019
- Action by Date:** 9/16/2019

History:

Council adopted the prepared Order of approval, certifying the nonconforming use (Vote: 10-0; Absent: Council Member Harrison).

A motion was made by Council Member Taveras, seconded by Council Member Davis, that this Certification of a Nonconforming Use be approved. The motion carried by the following vote:

- Aye:** 10 - Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Hawkins, Ivey, Streeter and Taveras
- Absent:** Harrison

- Attachment(s):** [CNU-27104-2017 Planning Board Resolution 19-27](#)
[CNU-27104-2017_PORL](#)
[CNU-27104-2017 Technical Staff Report](#)

ITEM(S) FOR DISCUSSION[SE/VSE-4772](#)**Sunoco Gas Station and Car Wash****Companion Case(s):** DPLS-438**Applicant(s):** Clearview 6308 LLC / Sunoco Car Wash**Location:** Located on the east side of MD 337 (Allentown Road), approximately 320 feet southeast of the intersection of MD 5 (Branch Avenue) and MD 337 (0.695 Acres; C-S-C / M-I-O Zones).**Request:** Requesting approval of a Special Exception to add a 768-square-foot Car Wash to a 0.695 acre of C-S-C zoned land within the M-I-O Zone that is improved with a Gas Station and Food or Beverage Store.**Council District:** 8**Appeal by Date:** 3/28/2019**Review by Date:** 3/28/2019**Action by Date:** 7/26/2019**Opposition:** None**History:**

Council dismissed the Reconsideration request (Vote 10-0; Absent: Council Member Franklin).

A motion was made by Council Member Anderson-Walker, seconded by Council Member Ivey, that this Special Exception/Variance SE Reconsideration request be dismissed. The motion carried by the following vote:

Aye: 10 - Turner, Anderson-Walker, Davis, Dernoga, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

Absent: Franklin

Attachment(s): [SEVSE-4772 Zoning Hearing Examiner Decision](#)[SEVSE-4772 PORL](#)[SEVSE-4772 Technical Staff Report](#)

ITEM(S) FOR DISCUSSION[DPLS-438](#)**Sunoco Gas Station and Car Wash****Companion Case(s):** SE/VSE-4772**Applicant(s):** Clearview 6308, LLC**Location:** Located at 6308 Allentown Road, Temple Hills, Maryland, on the east side of MD 337 (Allentown Road), approximately 320 feet southeast of the intersection of MD 5 (Branch Avenue) and MD 337 zoned Commercial Shopping Center (C-S-C), within the Military Installation Overlay (M-I-O) Zone (0.695 Acres; C-S-C Zone).**Request:** Requesting approval of a Departure from Parking and Loading Standards (DPLS) from Section 27-568(a) and Section 27-582(a) of the Prince George's County Zoning Ordinance, for a reduction of 6 of the required 13 parking spaces and the elimination of the one required loading space.**Council District:** 8**Appeal by Date:** 8/16/2018**Review by Date:** 9/17/2018**Action by Date:** 6/28/2019**History:**

Council dismissed the Reconsideration request (Vote 10-0; Absent: Council Member Franklin).

A motion was made by Council Member Anderson-Walker, seconded by Council Member Glaros, that this Departure from Parking and Loading Standards Reconsideration request be dismissed. The motion carried by the following vote:

Aye: 10 - Turner, Anderson-Walker, Davis, Dernoga, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

Absent: Franklin

Attachment(s): [DPLS-438 Zoning Agenda Item Summary](#)
[DPLS-438 Planning Board Resolution 18-51](#)
DPLS-438 PORL
[DPLS-438 Technical Staff Report](#)

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**CSP-03001-01****Balk Hill Village**

Applicant(s): Balk Hill Ventures

Location: Located in the northeast corner of the intersection of MD 202 (Landover Road) and Saint Joseph's Drive. (125.4 Acres; M-X-T Zone).

Request: Requesting approval of a Conceptual Site Plan (CSP) amendment for Balk Hill Centre to revise the uses on Parcels 1 and 2 to reduce the commercial square footage from 349,480 to a range of 65,000 to 100,000 square feet and add 284 multifamily dwelling units.

Council District: 5

Appeal by Date: 7/25/2019

Review by Date: 7/25/2019

History:

Council waived election to review for this item (Vote: 10-0-1; Abstained: Council Member Anderson-Walker).

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

Aye: 10 - Turner, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

Abstain: 1 - Anderson-Walker

Attachment(s): [CSP-03001-01 Planning Board Resolution 19-71](#)
[CSP-03001-01_PORL](#)
[CSP-03001-01_Technical Staff Report](#)

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.

[DSP-05036-03](#)

Villages of Savannah

Applicant(s): Mid-Atlantic Builders, Inc.

Location: Located on the west side of Brandywine Road, approximately 5,000 feet north of the intersection of Brandywine Road and Floral Park Road (518.16 Acres; R-R Zone).

Request: Requesting approval of a Detailed Site Plan (DSP) to revise the recreational facilities and the on-site trail network for a 357 single-family detached cluster subdivision.

Council District: 9

Appeal by Date: 7/25/2019

Review by Date: 7/25/2019

History:

Council elected to review this item (Vote: 10-0-1; Abstained: Council Member Franklin).

A motion was made by Council Member Harrison, seconded by Council Member Davis, that this Detailed Site Plan be elected to review. The motion carried by the following vote:

Aye: 10 - Turner, Anderson-Walker, Davis, Dernoga, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

Abstain: 1 - Franklin

Attachment(s): [DSP-05036-03 Planning Board Resolution 19-70](#)
[DSP-05036-03 Technical Staff Report](#)

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.

DSP-14026-02**Amore Apollo Expedited Transit-Oriented Development**

- Applicant(s):** Ascend Apollo, LLC
- Location:** Located in the northwest quadrant of the intersection of Harry S. Truman Drive and Lottsford Road. (19.75 Acres; M-X-T / D-D-O Zones).
- Request:** Requesting approval of a Detailed Site Plan (DSP) amendment for the Phase II mixed-use building and includes a revision of the architecture, a modification of the building footprint, and a reduction in the number of dwelling units from 422 to 379, while retaining 4,489 square feet of commercial/retail uses.
- Council District:** 6
- Appeal by Date:** 8/1/2019
- Review by Date:** 9/1/2019
- Comment(s):** Expedited TOD:
This case is designated for expedited review in accordance with Sections 27-107-01(a)(242.2)(B) and 27-290.01.

History:

Council waived election to review for this item (Vote: 11-0).

A motion was made by Council Member Davis, seconded by Vice Chair Streeter, that Council waive election to review for this Detailed Site Plan. The motion carried by the following vote:

Aye: 11 - Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

Attachment(s): [DSP-14026-02 Planning Board Resolution 19-75](#)
[DSP-14026-02 Technical Staff Report](#)

CASE(S) SCHEDULED FOR ORAL ARGUMENT ON SEPTEMBER 9, 2019 AT 10:00 A.M.

Hearing Dates & Times Subject to Change

A-10045**Clavelli Property**

Applicant(s): Loreto J. Clavelli

Location: Located on the west side of MD 337 (Allentown Road) approximately 1,200 feet north of the intersection of Allentown Road and Steed Road, also identified as 9005, 9009 and 9021 Allentown Road, Fort Washington, Maryland (11.952 Acres; R-E Zone).

Request: Requesting approval to rezone approximately 11.95 acres of land, in the R-E (Residential-Estate) to the R-80 (one-Family Detached Residential) Zone.

Council District: 8

Appeal by Date: 7/11/2019

Opposition: N/A

This Zoning Map Amendment hearing date was announced.

Attachment(s): [A-10045 Zoning Hearing Examiner Decision .pdf](#)
A-10045 PORL

CASE(S) SCHEDULED FOR ORAL ARGUMENT ON SEPTEMBER 9, 2019 AT 10:00 A.M.

Hearing Dates & Times Subject to Change

DSP-18024**Woodmore Overlook, Commercial**

- Applicant(s):** Woodmore Overlook Commercial, LLC
- Location:** Located on the south side of Ruby Lockhart Boulevard, in the northwest quadrant of the intersection of Lottsford Road and MD 202 (Landover Road) (19.97 Acres; M-X-T Zone).
- Request:** Requesting approval of a Detailed Site Plan (DSP) for construction of a 4,649-square-foot food and beverage store with a gas station on Parcel 3, a 164-unit multifamily building on Parcel 6, and infrastructure for future commercial development on Parcels 1, 2, 4 and 5.
- Council District:** 5
- Appeal by Date:** 7/18/2019
- Review by Date:** 7/18/2019
- Action by Date:** 9/19/2019

This Detailed Site Plan hearing date was announced.

- Attachment(s):** [DSP-18024 Planning Board Resolution 19-72](#)
DSP-18024_PORL
[DSP-18024 Technical Staff Report](#)

11:13 AM ADJOURN**History:**

The meeting was adjourned at 11:13 a.m. (Vote: 11-0).

A motion was made by Council Member Davis, seconded by Council Member Anderson-Walker, that this meeting be adjourned. The motion carried by the following vote:

Aye: 11 - Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

Prepared by:

Leonard Moses, Zoning Assistant

Submitted by:

Donna J. Brown, Acting Clerk of the Council

DRAFT