



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

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, February 25, 2019

10:00 AM

Council Hearing Room

9:43 AM AGENDA BRIEFING - (ROOM 2027)

10:11 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 at 10:11 am with 10 members present at roll call. Council Member Franklin arrived at 11:30 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 Streeter
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, Deputy Clerk of the Council
Leonard Moses, Office of the Clerk of the Council*

*M-NCPPC
Henry Zhang, Development Review Division
Jill Kosack, Supervisor, Development Review Division
Andrew Bishop, Development Review Division
Ivy Thompson, Development Review Division*

INVOCATION

The Invocation was provided by Mr. Howard Stone, County Employee. Council Member Hawkins requested prayer for Bishop Freeman, the father of Pastors Mike and Dee Dee Freeman. Council Member Glaros requested prayer for ministries who support warm nights programs for homeless and also for those struggling with housing.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Anderson-Walker.

APPROVAL OF DISTRICT COUNCIL MINUTES

A motion was made by Council Member Davis, seconded by Council Member Glaros, that this be approved. The motion carried by the following vote:

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

Absent: Franklin

[MINDC 02112019](#)

District Council Minutes dated February 11, 2019

Attachment(s): [2-11-2019 District Council Minutes DRAFT](#)

ORAL ARGUMENTS**CDP-1702****WAWA Adelphi**

- Applicant(s):** ZP No. 139, LLC
- Location:** The subject site is a triangular property bounded on three sides by the public rights-of-way of MD 212 (Riggs Road) to the south, Edwards Way to the west and Adelphi Road to the east (4.14 Acres; L-A-C Zone).
- Request:** Requesting approval for a Comprehensive Design Plan (CDP) proposing to develop a 4.14-acre vacant, wooded site with 5,619 square feet of commercial development, consisting of a food and beverage store and a gas station.
- Council District:** 2
- Appeal by Date:** 12/20/2018
- Review by Date:** 1/30/2019
- Action by Date:** 3/18/2019
- Comment(s):** (This case is for the same property as SDP-1703, but is not a 'companion case' (per M-NCPPC Staff Reviewer))

History:

Chairman Turner indicated that the Oral Argument hearings for CDP-1702 WAWA Adelphi and SDP-1703 WAWA Adelphi would be held in tandem. Henry Zhang, M-NCPPC planning staff, provided an overview of the Comprehensive Design Plan application. Thomas Haller, Esq., Attorney for the 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. Council took this case under advisement.

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

- Attachment(s):** [CDP-1702 Zoning Agenda Item Summary](#)
[CDP-1702 Planning Board Resolution 18-108](#)
CDP-1702_PORL
[CDP-1702 Technical Staff Report](#)

ORAL ARGUMENTS (Continued)**SDP-1703****WAWA Adelphi**

Applicant(s): ZP No. 139, LLC

Location: The subject site is a triangular property bounded on three sides by the public rights-of-way of MD 212 (Riggs Road) to the south, Edwards Way to the west, and Adelphi Road to the east. The site has a street address at 9100 Riggs Road, Hyattsville, Maryland (4.11 Acres; L-A-C Zone).

Request: Requesting approval of a Specific Design Plan (SDP) for development of a 5,619-square-foot food and beverage store and a gas station.

Council District: 2

Appeal by Date: 1/17/2019

Review by Date: 1/30/2019

Action by Date: 3/18/2019

Comment(s): (This case is for the same property as CDP-1702, but is not a 'companion case' (per M-NCPPC Staff Reviewer))

History:

Chairman Turner indicated that the Oral Argument hearings for CDP-1702 WAWA Adelphi and SDP-1703 WAWA Adelphi would be held in tandem. Henry Zhang, M-NCPPC planning staff, provided an overview of the Specific Design Plan application. Thomas Haller, Esq., Attorney for the 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. Council took this case under advisement.

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

Attachment(s): [SDP-1703 Zoning Agenda Item Summary](#)
[SDP-1703 Planning Board Resolution 18-126](#)
SDP-1703 PORL
[SDP-1703 Technical Staff Report](#)

ORAL ARGUMENTS (Continued)[DSP-11017](#)**Hyattsville Subway Sandwich Shop (Amendment of Conditions)**[AmendCond Remand](#)**(REMAND)****Companion Case(s):** DSP-11017 Amend of Conditions**Applicant(s):** Jagjot Khandpur**Location:** Located on the western side of Baltimore Avenue (US 1), approximately 790 feet south of its intersection of Farragut Street (0.15 Acres, M-U-I/D-D-O Zones).**Request:** Requesting approval for an amendment of condition of the District Council decision dated February 12, 2013, that Condition 1(k), supra, be revised to allow a wooden fence enclosure for the dumpster to the rear of the site.**Council District:** 2**Appeal by Date:** 9/7/2018**Action by Date:** 4/1/2019**Municipality:** Hyattsville**Opposition:** None**History:**

Jill Kosack, M-NCPPC planning staff, provided an overview of the Detailed Site Plan Amendment of Condition application. Jogjot S. Khandpur, Esq., Attorney for the 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. Council referred item to staff for preparation of an approving document, with conditions (Vote 10-0; Absent: Council Member Harrison).

The Amendment of Conditions hearing was held; subsequently, a motion was made by Council Member Taveras, seconded by Council Member Glaros, that this item be referred for document. The motion carried by the following vote:

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

Absent: Harrison

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

A motion was made by Council Member Taveras, seconded by Council Member Glaros, that this Amendment of Conditions 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): [DSP-11017 AmendCond Remad Agenda Item Summary](#)
[DSP11017 Amend Cond Remand_ZHE Decision](#)
[DSP-11017 District Council Decision_02122013](#)
[DSP-11017 Planning Board Resolution 12-98](#)
[DSP-11017 Technical Staff Report](#)

NEW CASE(S)[A-10047](#)**St. Barnabas Mixed-Use Park**

Applicant(s): 1323 E Street, SE, LLC

Location: Located in the northeastern quadrant of the intersection of St. Barnabas Road and Temple Hills Road, also identified as 4634, 4710, 4718, 4720, 4740, 4806 and 4810 St. Barnabas Road, Temple Hills, Maryland (11.07 Acres; C-S-C / I-1 Zones).

Request: Requesting approval of a Zoning Map Amendment for the rezoning of approximately 11.07 acres of land from the C-S-C (Commercial Shopping Center) / I-1 (Light Industrial) to the M-X-T (Mixed Use-Transportation Oriented) Zone.

Council District: 7

Appeal by Date: 1/22/2019

Action by Date: 4/30/2019

Opposition: None

History:

Council referred item to staff for preparation of an approving document, with conditions (Vote: 11-0).

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

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

Attachment(s): [A-10047 Zoning Agenda Item Summary](#)
[A-10047 Zoning Hearing Examiner Decision](#)
A-10047 - PORL

ITEM(S) FOR DISCUSSION**[A-10000-C-01
AmendCond](#)****LMJ Real Properties and Investments, Inc. / Linda Jones / Defiance
Drive (Amendment of Condition)**

- Applicant(s):** LMJ Real Properties and Investments, Inc. / Linda Jones / Defiance Drive
- Location:** Located at the terminus of Defiance Drive, approximately 160 feet east of its intersection with Star Drive (5.068 Acres; R-R Zone).
- Request:** Requesting approval for the amendment of the “condition” imposed by the District Council upon its adoption of Zoning Ordinance 11-2010, which rezoned the subject property from the R-E Zone to the R-E and R-R (Rural Residential) Zones. The Council also imposed a limit on the number of homes that could be constructed. Applicant requests that the District Council amend the condition that split zoned the property and limited the number of dwelling units.
- Council District:** 8
- Appeal by Date:** 11/26/2018
- Action by Date:** 5/30/2019
- Opposition:** None

A motion was made by Council Member Anderson-Walker, seconded by Council Member Franklin, that this Zoning Map Amendment be referred for document. The motion carried by the following vote:

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

A motion was made by Council Member Anderson-Walker, seconded by Council Member Davis, that this Zoning Map Amendment be disapproval. The motion carried by the following vote:

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

Abstain: 1 - Glaros

- Attachment(s):** [A-10000-C-01 AmendCond Zoning Agenda Item Summary](#)
[A-10000-C-01 Zoning Hearing Examiner Decision](#)
A-10000-C-01 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.

(a) ZONING HEARING EXAMINER

A motion was made by Vice Chair Streeter, seconded by Council Member Davis, that this be waived election to review. The motion carried by the following vote:

[SE-4815](#)**Hunt Real Estate Development****Applicant(s):** HRES Capitol Heights, LLC**Location:** Located on the west side of Walker Mill Road, approximately 350 feet south of its intersection with Addison Road, also identified as 6618 Walker Mill Road, Capitol Heights, Maryland (43,273 square feet; C-S-C Zone).**Request:** Requesting approval of a Special Exception for permission to use approximately 43,273 square feet of land, in the C-S-C (Commercial Shopping Center) Zone for a Gas Station and an associated Food or Beverage Store (a permitted use).**Council District:** 7**Appeal by Date:** 2/25/2019**Review by Date:** 2/25/2019**Opposition:** None**History:**

Council waived its right to elect to review this item (Vote: 11-0).

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

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

Attachment(s): [SE-4815 Zoning Agenda Item Summary](#)
[SE-4815 Zoning Hearing Examiner Decision](#)
 SE-4815 PORL
[SE-4815 Technical Staff Report](#)

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.

PENDING FINALITY (Continued)

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision or an appeal is filed.

(b) PLANNING BOARD[DSP-14028-02](#)**Prince George's Regional Hospital**

- Applicant(s):** Revenue Authority of Prince George's County
- Location:** Located on the east side of Harry S. Truman Drive, at the intersection of Medical Center Drive and Lottsford Road (21.81 Acres; M-X-T / D-D-O Zones).
- Request:** Requesting approval of Detailed Site Plan (DSP) for a parking garage with 1,155 spaces for use by the previously approved hospital.
- Council District:** 6
- Appeal by Date:** 3/14/2019
- Review by Date:** 3/14/2019
- History:**

Council waived its right to elect to review this item (Vote: 11-0).

A motion was made by Council Member Davis, seconded by Council Member Ivey, 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):** [Agenda Item Summary](#)
[DSP-14028-02 Planning Board Resolution 19-11](#)
 DSP-14028-02_PORL
[DSP-14028-02_Technical Staff Report](#)

PENDING FINALITY (Continued)

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision or an appeal is filed.

(b) PLANNING BOARD (Continued)**DSP-18026****Retail at Melford Town Center**

Applicant(s): St. John Properties

Location: The larger Melford property is located in the northeastern quadrant of the intersection of MD 3 (Robert Crain Highway) and US 50/US 301 (John Hanson Highway) within the City of Bowie. The specific site included in this DSP is located on the north side of Melford Boulevard, on both sides of East West Boulevard (8.83 Acres; M-X-T Zone).

Request: Requesting approval for a Detailed Site Plan (DSP) for 57,845 square feet of commercial retail space.

Council District: 4

Appeal by Date: 2/28/2019

Review by Date: 2/28/2019

Municipality: City of Bowie

History:

Council waived its right to elect to review this item (Vote: 11-0).

A motion was made by Chair Turner, seconded by Council Member Davis, 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-18026 Zoning Agenda Item Summary](#)
[DSP-18026 Planning Board Resolution 19-12](#)
DSP-18026_PORL
[DSP-18026 Technical Staff Report](#)

PENDING FINALITY (Continued)

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision or an appeal is filed.

(b) PLANNING BOARD (Continued)[DSP-18027](#)**7-Eleven, Laurel-Baltimore Avenue****Applicant(s):** 7-Eleven, Inc.**Location:** Located on the west side of US I (Baltimore Avenue), in the southwest quadrant of its intersection with Academy Lane (1.72 Acres; C-M Zone).**Request:** Requesting approval of a Detailed Site Plan (DSP) proposing to raze a property with an existing used car sales business and to construct a 4,950-square-foot food and beverage store and a gas station. The project will entail the complete removal of all existing structures on the property.**Council District:** 1**Appeal by Date:** 3/7/2019**Review by Date:** 3/7/2019**Action by Date:** 4/26/2019**History:**

Council elected to review this item (Vote: 11-0).

A motion was made by Council Member Dernoga, seconded by Council Member Glaros, that this Detailed Site Plan be elected to review. 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-18027 Zoning Agenda Item Summary](#)
[DSP-18027 Planning Board Resolution 19-03](#)
 DSP-18027_PORL
[DSP-18027 Technical Staff Report](#)

PENDING FINALITY (Continued)

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision or an appeal is filed.

(b) PLANNING BOARD (Continued)**DSP-18034****Townhouse Infrastructure at Melford Town Center**

Applicant(s): St. John Properties, Inc.

Location: The entire Melford property is located in the northeastern quadrant of the intersection of MD 3 (Robert Crain Highway) and US 50/US 301 (John Hanson Highway) within the City of Bowie. The specific limits of this DSP are located on the northern side of Melford Boulevard, in the northeastern and northwestern quadrants of its intersection with Curie Drive (28.38 Acres; M-X-T Zones).

Request: Requesting approval of a Detailed Site Plan (DSP) for approval of infrastructure for 205 single-family attached (townhouses) and 44 two-family attached dwelling units in the Mixed Use-Transportation Oriented (M-X-T) Zone. The infrastructure DSP includes the location and design of the public roadways and private alleys, the lot and parcel layout, on-street parking, landscaping, utility location, fencing, and sidewalks

Council District: 4

Appeal by Date: 2/28/2019

Review by Date: 2/28/2019

Municipality: City of Bowie

History:

Council waived its right to elect to review this item (Vote: 11-0).

A motion was made by Chair Turner, 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-18034 Zoning Agenda Item Summary](#)
[DSP-18034 Planning Board Resolution 19-13](#)
 DSP-18034_PORL
[DSP-18034 Technical Staff Report](#)

EXECUTIVE SESSION (1ST FLOOR EXECUTIVE CONFERENCE ROOM)**[EX 02252019](#)**

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:

Date of Executive Session: February 25, 2019

Beginning Time: 12:38 p.m.

Ending Time: 1:19 p.m.

Members Present:

CM Turner, Chairman, CM Streeter, Vice-Chairman, CM Anderson-Walker, CM Davis, CM Dernoga, CM Franklin, CM Glaros, CM Harrison, CM Hawkins, CM Ivey, CM Taveras

Others Present:

Robert Williams, Jr.

Karen Campbell

Donna Brown

Ellis Watson

Topics Discussed:

- 1. SE-VSE Ernest Maier (Provided legal direction on case-CM Ivey was not present).*
- 2. County Council v. Barnabas Road Associates, LLC – Court of Special Appeals (CAL 11-13616).*

Vote Closing the Meeting pursuant to Section 3-305(b) (7,8): 11 - 0

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

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

12:06 PM RECESS

A motion was made by Council Member Hawkins, seconded by Council Member Davis, that this be motion to recess passed. The motion carried by the following vote:

[REC14-19](#)

Recess

History:

The meeting was recessed at 12:06 p.m.

A motion was made by Council Member Hawkins, seconded by Council Member Davis, that the meeting be recessed. The motion carried by the following vote:

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

1:39 PM RECONVENE

The meeting was reconvened at 1:39 p.m.

1:39 PM ORAL ARGUMENTS[DSP-17054](#)**Mama's Care Assisted Living Facility**

- Applicant(s):** Emmanuel Isong, T/A Mama's Care Assisted Living
- Location:** Located at 4111 East West Highway, on the south side of the roadway, approximately 450 feet east of its intersection with MD 500 (Queens Chapel Road) (0.43 Acres; R-55 / D-D-O Zones).
- Request:** Requesting approval of a Detailed Site Plan to expand an existing congregate living facility to allow for up to 14 residents and validate the parking compound previously constructed without a permit, within the One-Family Detached Residential (R-55) Zone and the Development District Overlay (D-D-O) Zone of the 2004 Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District (Gateway Arts District Sector Plan and SMA).
- Council District:** 2
- Appeal by Date:** 1/10/2019
- Review by Date:** 1/30/2019
- Action by Date:** 3/18/2019
- Municipality:** City of Hyattsville

History:

Andrew Bishop, M-NCPPC planning staff, provided an overview of the Detailed Site Plan application. Heather Dlhopsky, Esq., attorney for the applicant, spoke in support along with Mr. Jim Chandler on behalf of the City of Hyattsville and Mr. Emmanuel Isong, applicant. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties. Council referred item to staff for preparation of an approving document, with conditions (Vote: 9-0; Absent: Council Members Davis and Franklin).

The Detailed Site Plan hearing was held; subsequently, a motion was made by Council Member Taveras, seconded by Council Member Glaros, that this Detailed Site Plan be referred for document. The motion carried by the following vote:

Aye: 9 - Turner, Anderson-Walker, Dernoga, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

Absent: Davis and Franklin

- Attachment(s):** [DSP-17054 Zoning Agenda Item Summary](#)
[DSP-17054 Planning Board Resolution 18-118](#)
 DSP-17054_PORL
[DSP-17054 Technical Staff Report](#)

ORAL ARGUMENTS (Continued)**DSP-18003****Landy Property**

- Applicant(s):** Marvin Blumberg Company
- Location:** Located in the northwest quadrant of the intersection of Belcrest Road and Toledo Terrace, on the northeast side of Northwest Drive, between Dean Drive and Belcrest Road (24.60 Acres; R-20 / T-D-O Zones).
- Request:** Requesting approval of a Detailed Site Plan proposing to grade and develop infrastructure for 131 single-family attached (townhouse) lots, including the location and design of the roadways, one recreational area, on-street parking, landscaping, utility location, fencing and sidewalks as well as rough grading for the rest of the subject property.
- Council District:** 2
- Appeal by Date:** 12/13/2018
- Review by Date:** 1/30/2019
- Action by Date:** 3/18/2019
- Municipality:** City of Hyattsville
- History:**

Henry Zhang, M-NCPPC planning staff, provided an overview of the Detailed Site Plan application. Chris Hatcher, Esq., attorney for the applicant, spoke in support along with Mr. Jim Chandler on behalf of the City of Hyattsville. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties. Council referred item to staff for preparation of an approving document, with conditions (Vote: 10-0; Absent: Council Member Franklin).

The Detailed Site Plan hearing was held; subsequently, a motion was made by Council Member Taveras, seconded by Council Member Dernoga, that this Detailed Site Plan be referred for document. 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):** [DSP-18003 Zoning Agenda Item Summary](#)
[DSP-18003 Planning Board Resolution 18-102](#)
 DSP-18003_PORL
[DSP-18003 Technical Staff Report](#)

ORAL ARGUMENTS (Continued)[DSP-90076-07](#)**Tantallon on the Potomac, Lot 12, Block E****Applicant(s):** Chris Underwood**Location:** Located approximately 300 feet east of Firth of Tae Drive on Moyer Court, approximately 1,025 feet south of Swan Creek Road, also identified as 700 Moyer Court, Fort Washington, Maryland (1.32 Acres; R-R / L-D-O Zones).**Request:** Requesting approval of a Detailed Site Plan for the construction of a 3,600-square-foot single-family detached dwelling with a garage on a vacant and partially-wooded property within the Chesapeake Bay Critical Area (CBCA). The detailed site plan was originally accepted as a limited minor amendment for Planning Director level review; however, as allowed by Prince George's County Zoning Ordinance Section 27-289(c) a citizen requested a public hearing.**Council District:** 8**Appeal by Date:** 1/3/2019**Review by Date:** 1/30/2019**Action by Date:** 3/18/2019**History:**

Ivy Thompson, M-NCPPC planning staff, provided an overview of the Detailed Site Plan application. Ms. Katina Shoulars, M-NCPPC Environmental Planning staff, answered additional questions from the Council. Thomas Haller, Esq., Attorney for the 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. Council referred item to staff for preparation of an approving document, with conditions (Vote: 10-0; Absent: Council Member Franklin).

The Detailed Site Plan hearing was held; subsequently, a motion was made by Council Member Anderson-Walker, seconded by Council Member Glaros, that this Detailed Site Plan be referred for document. 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): [DSP-90076-07 Zoning Agenda Item Summary](#)
[DSP-90076-07 Planning Board Resolution](#)
[18-114](#)
 DSP-90076-07 POR
[DSP-90076-07 Technical Staff Report](#)

2:52 PM ADJOURN

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

[ADJ23-19](#)

Adjourn

History:

The meeting was adjourned at 2.52 p.m.

A motion was made by Vice Chair Streeter, seconded by Council Member Taveras, that this ADJOURN be motion to adjourn passed. The motion carried by the following vote:

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

Absent: Franklin

Prepared by:

Leonard Moses, Zoning Assistant

Submitted by:

Redis C. Floyd, Clerk of the Council