



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

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, June 12, 2017

10:00 AM

Council Hearing Room

9:30 AM AGENDA BRIEFING - (ROOM 2027)

10:16 AM CALL TO ORDER - (COUNCIL HEARING ROOM)

The meeting was called to order by Chairman Davis at 10:16 a.m. with six members present at roll call. Council Member Franklin arrived at 10:42 a.m. Council Member Toles arrived at 10:45 a.m. Council Member Glaros arrived at 11:15 a.m.

Present: 9 - 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 Karen Toles
Council Member Todd Turner

*Also Present: Stan Brown, People's Zoning Counsel
Robert J. Williams, Jr., Council Administrator
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*

M-NCPPC

*Henry Zhang, Supervisor, Development Review Division
Christina Pompa, Acting Supervisor, Development Review Division
Jill Kosack, Development Review Division*

DPIE

Carlton Sellman, Inspector

INVOCATION

The Invocation was provided by Ms. Y. Pleshette Monroe, County Employee. Council Member Davis requested prayer for the family of Mackenzie Lewis, retired Legislative Branch Employee, in his passing and also requested prayers for civility in this nation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Patterson.

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 05152017](#)

District Council Minutes dated May 15, 2017

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

Aye: 6 - Davis, Harrison, Lehman, Patterson, Taveras and Turner

Absent: Glaros, Franklin and Toles

Attachment(s): [5-15-2017 District Council Minutes DRAFT](#)

[MINDC 05162017](#)

District Council Minutes dated May 16, 2017

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

Aye: 6 - Davis, Harrison, Lehman, Patterson, Taveras and Turner

Absent: Glaros, Franklin and Toles

Attachment(s): [5-16-2017 District Council ADDITIONS](#)
[Minutes DRAFT](#)

10:20 AM RECESS

The meeting went into recess at 10:20 a.m.

EXECUTIVE SESSION (1ST FLOOR EXECUTIVE CONFERENCE ROOM)

[EX 06122017](#)

Motion to convene in executive session in accordance with Section 3-305(b), (1) (i) (ii), (7) and (8), General Provisions Article, Annotated Code of Maryland, as follows: 1. to discuss personnel issues, 2. to consult with legal counsel to seek legal advice; and 3. to discuss pending or potential litigation.

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: 6 - Davis, Harrison, Lehman, Patterson, Taveras and Turner

Absent: Glaros, Franklin and Toles

10:42 AM RECONVENE

The meeting was reconvened at 10:42 a.m.

ORAL ARGUMENTS**DSP-16010****Cabin Branch Village**

- Applicant(s):** VP, LLP
c/o Mark Vogel
- Location:** Located in the northwestern quadrant of the intersection of Armstrong Lane and Ryon Road. The project is located within the boundaries of the 2007 Approved Westphalia Sector Plan and Sectional Map Amendment (24.59 Acres; M-X-T / R-R / M-I-O Zones).
- Request:** Requesting approval of a Detailed Site Plan for 204 single-family attached dwelling units (townhouses).
- Council District:** 6
- Appeal by Date:** 4/27/2017
- Review by Date:** 4/27/2017
- Action by Date:** 6/23/2017
- History:**

Jill Kosack, M-NCCPC, provided an overview of the Detailed Site Plan application. Arthur Horne, Esq., spoke in support of behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented.

Council took this case under advisement.

This Detailed Site Plan hearing was held and the case was taken under advisement.

- Attachment(s):** [DSP-16010 Zoning AIS](#)
[DSP16010 Planning Board Resolution 17-41](#)
DSP-16010_PORL
[DSP-16010 Technical Staff Report condensed](#)

MANDATORY REVIEW (Using Oral Argument Procedures)**CSP-16002****Shaban Property**

- Applicant(s):** Randy and Nahida Shaban
- Location:** Located in the northwest quadrant of the intersection of Edgewood Road and Rhode Island Avenue. Specifically located at 4924 and 4926 Edgewood Road and 9900 Rhode Island Avenue in College Park.
- Request:** Requesting approval of a Conceptual Site Plan proposing to rezone the property from the Commercial Shopping Center (C-S-C) and Open Space (O-S) Zones to the Mixed Use–Infill (M-U-I) Zone for a future mixed-use development, including residential and commercial uses.
- Council District:** 1
- Appeal by Date:** 5/25/2017
- Action by Date:** 7/5/2017
- Comment(s):** District Council review of this case is required by Section 27-548.26(b) of the Zoning Ordinance
- Municipality:** City of College Park
- History:**

Jill Kosack, M-NCCPC, provided an overview of the Detailed Site Plan application. Matthew Tedesco, Esq., on behalf of the applicant and Miriam Bader, Senior Planner for the City of College Park, spoke in support. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented.

The Mandatory Review Hearing was held and Council took this case under advisement.
This Conceptual Site Plan hearing was held and the case was taken under advisement.

- Attachment(s):** [CSP-16002 Zoning AIS](#)
[CSP-16002 Planning Board Resolution 17-57](#)
 CSP-16002_PORL
[CSP-16002 Technical Staff Report](#)

MANDATORY REVIEW (Using Oral Argument Procedures) (Continued)**DSP-16014****EPIC-SMVI**

- Applicant(s):** Southern Maryland Vocational Industries, Inc. d/b/a EPIC
- Location:** Located on the west side of Plaza Drive, approximately 1,650 feet south of its intersection with Silver Hill Road (1.07 Acres; R-55 Zone).
- Request:** Requesting approval of a Detailed Site Plan to use an existing building as an eleemosynary/philanthropic institution.
- Council District:** 7
- Appeal by Date:** 5/25/2017
- Action by Date:** 7/5/2017
- Comment(s):** District Council review of this case is required by Section 27-441(b)(3) of the Zoning Ordinance.

History:

Jill Kosack, M-NCCPC, provided an overview of the Detailed Site Plan application. Arthur Horne, Esq., spoke in support of behalf of the applicant. Clarissa Mitchell, CEO of EPIC, answered questions posed by the Council. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented.

The Mandatory Review Hearing was held and Council took this case under advisement. This Detailed Site Plan hearing was held and the case was taken under advisement.

- Attachment(s):** [DSP-16014 Zoning AIS](#)
[DSP-16014 Planning Board Resolution 17-60](#)
DSP-16014_PORL
[DSP-16014 Technical Staff Report](#)

NEW CASE(S)**DSP-13014-01****Amend Conditions****Forestville Plaza Shopping Center (Amendment of Conditions)**

- Applicant(s):** PMM Enterprises, LLC t/a Forestville Plaza Shopping Center
- Location:** Located in the northeast quadrant of the intersection of Forestville Road and Old Marlboro Pike (MD 725), also identified as 7702-7794 Forestville Road, District Heights, Maryland (18.17 Acres; I-1 / D-D-O Zones).
- Request:** Requesting approval of an Amendment of Conditions for an amendment to Conditions 1(a)(1) and 2 of the District Council's October 1, 2013 approval of Detailed Site Plan 13014.
- Council District:** 6
- Appeal by Date:** 6/8/2017
- Action by Date:** 10/23/2017
- Opposition:** None
- History:**

Council referred item to staff for preparation of an approving document in accordance with the Zoning Hearing Examiner's decision (Vote: 9-0).

A motion was made by Chairman Davis, seconded by Council Member Turner, that this Detailed Site Plan be referred for document. The motion carried by the following vote:

Aye: 9 - Davis, Glaros, Franklin, Harrison, Lehman, Patterson, Taveras, Toles and Turner

- Attachment(s):** [DSP-13014-01 Zoning AIS](#)
[DSP-13014-01 Zoning Hearing Examiner Decision](#)
DSP-13014-01 PORL
[DSP 13014 District Council Order 10-1-2013](#)
DSP-13014 Appeal Letter
[DSP-13014 Planning Board Resolution 13-79](#)
[DSP-13014 Technical Staff Report](#)

NEW CASE(S) (Continued)**[ERR-266](#)****Vizion Realty, LLC****Validation of Multifamily Rental License No. M-370 Issued In Error**

- Applicant(s):** Vizion Realty, LLC
- Location:** Located at 4775 Huron Avenue, Suitland, Maryland (0.319 Acres; M-U-TC / D-D-O Zones).
- Request:** Request for validation of Prince George's County Multifamily Rental License No. M-370 issued in error for a 15 unit apartment building located in the M-U-TC (Mixed-Use Town Center) and the D-D-O (Development District Overlay) (Southern Green Line) Zones.
- Council District:** 7
- Appeal by Date:** 6/8/2017
- Action by Date:** 10/9/2017
- Opposition:** None
- History:**
- Council deferred this item to a later date.*
- This Permit issued in error was deferred**
- Attachment(s):** [ERR-266 Zoning Hearing Examiner Decision](#)
ERR-266 PORL

NEW CASE(S) (Continued)**[ERR-267](#)****Vizion Realty, LLC****Validation of Multifamily Rental License No.M-369 Issued in Error**

- Applicant(s):** Vizion Realty, LLC
- Location:** Located at 4785 Huron Avenue, Suitland, Maryland (0.5400 Acres; M-U-TC / D-D-O Zones).
- Request:** Requesting validation of Prince George's County Multifamily Rental License No. M-369 issued in error for a 15 unit apartment building, located in the M-U-TC (Mixed-Use Town Center) and the D-D-O (Development District Overlay) (Southern Green Line) Zones.
- Council District:** 7
- Appeal by Date:** 6/8/2017
- Action by Date:** 10/9/2017
- Opposition:** None
- History:**
- Council deferred this item to a later date.*
- This Permit issued in error was deferred.**
- Attachment(s):** [ERR-267 Zoning Hearing Examiner Decision](#)
ERR-267 PORL

REFERRED FOR DOCUMENT[A-10036 Remand](#)**Donnell Drive (Remand)**

Companion Case(s): A-10036

Applicant(s): Visconsi Land Co., Ltd

Location: Located in the southeast quadrant of the intersection of Donnell Drive and Pennsylvania Avenue (MD 4), identified as 3700 and 3710 Donnell Drive, District Heights, Maryland (2.42 Acres; R-T (M-I-O) Zone).

Request: Requesting approval of a Zoning Map Amendment for the rezoning of approximately 2.42 acres of R-T (Townhouse) zoned land to the C-M (Commercial Miscellaneous) Zone.

Council District: 6

Appeal by Date: 2/13/2017

Action by Date: 6/12/2017

Opposition: Linda Dabney

History:

Council adopted the prepared Zoning Ordinance No. 8 - 2017 approving the rezoning request in accordance with the Zoning Hearing Examiner's decision.

A motion was made by Vice Chair Glaros, seconded by Council Member Franklin, that this Zoning Map Amendment be approval with conditions. The motion carried by the following vote:

Aye: 9 - Davis, Glaros, Franklin, Harrison, Lehman, Patterson, Taveras, Toles and Turner

Attachment(s): [A-10036 Remand_Zoning AIS](#)
[A-10036 REMAND_Zoning Hearing Examiner Decision](#)
A-10036 Remand_POR
[A-10036 Donnell Drive - Remand Order](#)
[A-10036 Zoning Hearing Examiner Decision](#)
[A-10036 Planning Board Resolution 16-57](#)
[A-10036 Technical Staff Report](#)

ITEM(S) FOR DISCUSSION[CNU-24691-2016](#)**Hampshire View, Lot 4, Block 2**

Applicant(s): Aster DeMissie Revocable Trust

Location: Located on the east side of Red Top Road in Takoma Park, approximately 510 feet south of the intersection of Red Top Road and East-West Highway (MD 410) (0.1240 Acres; R-18 Zone).

Request: Requesting approval for certification of an existing, three-unit multifamily apartment building that was built in 1951. Because development regulations were changed or adopted after the apartment use was lawfully established, the complex became nonconforming.

Council District: 2

Appeal by Date: 3/23/2017

Review by Date: 3/23/2017

Action by Date: 7/7/2017

History:

This item was deferred to June 19, 2017.

This Certification of a Nonconforming Use was deferred.

Attachment(s): [CNU-24691-2016 Zoning AIS](#)
[CNU-24691 Planning Board Resolution 17-16](#)
CNU-24691-2016_PORL
[CNU-24691-2016 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**[DSP-16033](#)****Stimulating Minds Child Development Center**

- Applicant(s):** Latrice Tibbs
- Location:** Located on the north side of Central Avenue (MD 332), between its intersections with Akin Avenue and Bayou Avenue, more specifically, it is located at 5922 Central Avenue in Capitol Heights, Maryland (C-S-C / T-D-O).
- Request:** Requesting approval of a Detailed Site Plan (DSP) for a day care for 20 children in an existing building.
- Council District:** 7
- Appeal by Date:** 6/29/2017
- Review by Date:** 6/29/2017
- Municipality:** Town of Capitol Heights
- History:**

This item was deferred to June 19, 2017.

This Detailed Site Plan was deferred.

- Attachment(s):** [DSP-16033 Planning Board Resolution 17-68](#)
[DSP-16033_PORL](#)
[DSP-16033 Technical Staff Report](#)

PENDING FINALITY

[DSP-16035](#)

Lidl (Brandywine)

Applicant(s): Lidl US Operations, LLC

Location: Located in the southwestern quadrant of the intersection of Robert S. Crain Highway (US 301/MD 5) and Cadillac Drive (4.00 Acres; C-M Zone).

Request: Requesting approval of a Detailed Site Plan (DSP) for a 36,185-square-foot food and beverage store.

Council District: 9

Appeal by Date: 7/6/2017

Review by Date: 7/6/2017

History:

Council took no action on this item.

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

Attachment(s): [DSP-16035 Zoning AIS](#)

DRAFT

PENDING FINALITY**DSP-16040****Mt. Olives United Missionary Baptist Church**

- Applicant(s):** Mt. Olives United Missionary Baptist Church
- Location:** Located on the eastern side of Annapolis Road, approximately 415 feet south of its intersection with Cooper Lane, at 6659 Annapolis Road in Hyattsville, Maryland (0.65 Acres; C-S-C Zone).
- Request:** Requesting approval of a Detailed Site Plan for a 2,840-square-foot addition to an existing 1,306-square-foot church (total 4,146 square feet).
- Council District:** 5
- Appeal by Date:** 6/29/2017
- Review by Date:** 6/29/2017
- Municipality:** Town of Landover Hills
- History:**

This item was deferred to June 19, 2017.

This Detailed Site Plan was deferred

- Attachment(s):** [DSP-16040_Zoning AIS](#)
[DSP-16040 Planning Board Resolution 17-71](#)
DSP-16040_PORL
[DSP-16040 Technical Staff Report](#)

PENDING FINALITY**DSP-16046****Sonic Laurel**

Applicant(s): Somar Hospitality, LLC

Location: Located at 14113 Baltimore Avenue and 8302 and 8304 Holly Street, in the northeastern quadrant of its intersection with Baltimore Avenue (US 1) (1.03 Acres; C-S-C / R-55 Zones).

Request: Requesting approval of a Detailed Site Plan for a 1,683-square-foot eating and drinking establishment with drive-through service and associated parking facilities.

Council District: 1

Appeal by Date: 6/15/2017

Review by Date: 6/15/2017

History:

Council took no action on this item.

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

Attachment(s): [DSP-16046 Zoning AIS](#)
[DSP-16046 Planning Board Resolution 17-64](#)
DSP-16046_PORL
[DSP-16046 Technical Staff Report](#)

PENDING FINALITY**[DSP-16063](#)****Greenbelt Town Center Metro Garage**
Expedited Transit-Oriented Development Project**Applicant(s):**

A.H. Smith Greenbelt Management, LLC

Location:

The overall Greenbelt Station development is located on the north side of Greenbelt Road (MD 193) and south of the Capital Beltway (I-95/495). The North Core of the project covered by this DSP is located in the northern portion of the larger development, south of the Capital Beltway, east of the WMATA rail lines, and west of Cherrywood Lane (121.48 Acres; M-X-T / D-D-O Zones).

Request:

Requesting approval for a Detailed Site Plan for infrastructure proposing to grade and develop infrastructure including the location and design of public roadways, an eight-story Washington Metropolitan Area Transit Authority (WMATA) parking garage, WMATA 'Kiss and Ride' and bus loop, event bus layover area, proposed pipes and trails on the subject property to prepare for a future multiphase mixed-use development, to possibly include a location for the Federal Bureau of Investigation (FBI).

Council District: 4**Appeal by Date:** 6/22/2017**Review by Date:** 6/22/2017**Municipality:** City of Greenbelt**History:**

Council took no action on this item.

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

Attachment(s): [DSP-16063 Zoning AIS](#)
[DSP-16063 Planning Board Resolution 17-66](#)
DSP-16063_PORL
[DSP-16063 Technical Staff Report](#)

PENDING FINALITY**DSP-99044-12****Prince George's Plaza, DSW & ULTA Signage**

- Applicant(s):** PR Prince George's Plaza, LLC
- Location:** Located in the northwest quadrant of the intersection of East-West Highway (MD 410) and Belcrest Road, approximately 1,600 feet west of the intersection of MD 410 and Queens Chapel Road (MD 500) (51.78 Acres; M-U-I \ T-D-O Zones).
- Request:** Requesting approval of a Detailed Site Plan for two new building-mounted signage, 6.5 feet in height, to advertise two new retail stores at Prince George's Plaza Shopping Center.
- Council District:** 2
- Appeal by Date:** 6/29/2017
- Review by Date:** 6/29/2017
- Municipality:** City of Hyattsville
- History:**

Council took no action on this item.

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

- Attachment(s):** [DSP-99044-12 Zoning AIS](#)
[DSP-99044-12 Planning Board Resolution 17-70](#)
DSP-99044-12_PORL
[DSP-99044-12 Technical Staff Report](#)

PENDING FINALITY**[SDP-1202-04](#)****Canter Creek, Phase 2****Applicant(s):**

Walton Canter Creek Development, LLC

Location:

Located on the west side of Frank Tippet Road, approximately 1,000 feet south of its intersection with Rosaryville Road (59.81 Acres; R-S / M-I-O Zones).

Request:

Requesting approval of a Specific Design Plan for Phase 2 of the Canter Creek development, which proposes 143 single-family detached dwelling units. The subject application includes 12 architectural models to be built by Mid-Atlantic Builders and 22 architectural models to be built by Ryan Homes. All 32 models by the two builders were previously approved in Specific Design Plan SDP-1202-01 for Phase 1.

Council District:

9

Appeal by Date:

6/15/2017

Review by Date:

6/15/2017

History:*Council took no action on this item.***This Specific Design Plan was not elected to review by Council.****Attachment(s):**[SDP-1202-04 Zoning AIS](#)[SDP-1202-04 Planning Board Resolution 17-65](#)

SDP-1202-04_PORL

[SDP-1202-04 Technical Staff Report](#)**11:48 AM ADJOURN***The meeting was adjourned at 11:48 a.m.*

Prepared by:

Leonard Moses, Zoning Assistant

Submitted by:

Redis C. Floyd, Clerk of the Council