

Prince George's County Council

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



Zoning Agenda - Final

**Monday, October 19, 2020
10:00 AM**

VIRTUAL MEETING

Sitting as the District Council

Todd M. Turner, Council 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, Vice Chair, At-Large

Jolene Ivey, District 5

Rodney C. Streeter, District 7

Deni L. Taveras, District 2

Robert J. Williams, Jr., Council Administrator

RULES OF COURTESY (VIRTUAL)

You are now participating in the process of representative government. We welcome your interest and hope you will attend Prince George's County District Council meetings often. Good government depends on the interest and involvement of you and your fellow citizens. To ensure fair and orderly meetings, the District Council has adopted rules which apply to all members of the Council, administrative staff, news media, citizens and visitors which provide that no one may delay or interrupt the proceedings or refuse to obey the orders of the presiding officer. No posters or placards may be brought into the hearing room, nor any food and drink. Citizens are admitted up to the Fire Safety capacity only.

VIRTUAL DISTRICT COUNCIL MEETINGS

Given the current state of the novel coronavirus (COVID-19) pandemic, and under the Governor's "Proclamation and Declaration of State of Emergency and Existence of Catastrophic Health Emergency – COVID-19" and the Prince George's County State of Emergency Declarations, the District Council is operating under emergency procedures. As authorized by CB-33-2020 hearings will be conducted virtually and in accordance with District Council Rules of Procedure.

ORAL ARGUMENT HEARINGS

Testimony at Oral Argument Hearings is limited to thirty (30) minutes for each side, including questions from the Council Members, unless extended by the Chairman of the Council. Testimony at Oral Argument Hearings must be based on the record, and no new evidence will be permitted. Only persons of record may testify. Persons of Record wishing to give oral argument on a specific case should register with the Clerk of the Council by email to clerkofthecouncil@co.pg.md.us or faxed to (301) 952-5178 by 3:00 p.m. on the day BEFORE the meeting.

EVIDENTIARY HEARINGS

A verbatim transcript is prepared for all Evidentiary Hearings. Testimony and evidence are presented and exhibits introduced. Transcripts of these hearings along with any exhibits, constitute the record in the case.

ORDER OF PRESENTATION AT HEARINGS

1. Orientation by the Planning Staff or appropriate staff person
2. Testimony from the side requesting the hearing
3. Testimony from the side favoring the decision
4. Five (5) minute rebuttal from the side requesting hearing
5. Five (5) minute rebuttal from the side favoring decision
6. Comments by the People's Zoning Counsel

PARTICIPATION IN ZONING MEETINGS

Meetings of the District Council are formal proceedings and are recorded. If you are eligible to participate, register with the Clerk, and when called by the presiding officer, follow the following steps:

1. State your name and address for the record and present comments as succinctly as possible.
3. Confine remarks to information contained in the record, except for Evidentiary Hearings.
4. Observe time limitations as directed by the presiding officer.
5. Give any written statements to the Clerk of the Council

In accordance with ADA Requirements, accommodations for hearing impaired, disabled persons and visually impaired can be provided upon reasonable notice to the Clerk of the Council. Sign language and interpreters for non-english speakers are available with advance notice by calling 301-952-3600. In the event of inclement weather, please call 301-952-4810 to confirm the status of County Business.

FOR LIVE STREAMING AND VIDEO VISIT OUR WEBSITE AT: <http://pgccouncil.us/LIVE>
PLEASE SILENCE ALL CELLULAR PHONES DURING THE MEETING.

VIEW USING THE LINK PROVIDED AT: <https://pgccouncil.us/LIVE>

10:00 AM CALL TO ORDER - (VIRTUAL MEETING)

INVOCATION / MOMENT OF SILENCE

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 10132020](#)

District Council Minutes dated October 13, 2020

Attachment(s):

[10132020 District Council Minutes DRAFT](#)

ORAL ARGUMENTS**DSP-19050****Dewey Property****Companion Case(s):** DDS-660**Applicant(s):** Bald Eagle Partners**Location:** Located on the north side of Toledo Road, approximately 240 feet west of Adelphi Road (21.16 Acres; M-U-I / T-D-O).**Request:** Requesting approval of a Detailed Site Plan (DSP) for a mixed-use building consisting of 321 multifamily dwelling units and 1,258 square feet of commercial/retail uses on proposed Parcel 5.**Council District:** 2**Appeal by Date:** 9/4/2020**Review by Date:** 9/30/2020**Action by Date:** 10/30/2020**Municipality:** Hyattsville**History:**

07/01/2020 M-NCPPC Technical Staff approval with conditions

07/30/2020 M-NCPPC Planning Board approval with conditions

08/27/2020 Person of Record appealed

*Peter E. Ciferri, Esq., attorney for the appellant, appealed the Planning Board's Decision.*09/14/2020 Sitting as the District Council waived election to review
*Council waived election to review for this item (Vote: 11-0).*09/16/2020 Clerk of the Council mailed
*Notice of Oral Argument Hearing was mailed to Persons of Record.*10/02/2020 Person of Record filed
Peter E. Ciferri, Esq., attorney for appellant, filed a Motion to Correct Administrative Record.

10/05/2020 Sitting as the District Council announced hearing date

10/09/2020 Applicant filed

Thomas H. Haller, Esq., attorney for the applicant, filed a response to the August 27, 2020 appeal.

Attachment(s):

[DSP-19050 Zoning Agenda Item Summary](#)

[DSP-19050 Presentation Slides](#)

[DSP-19050 Letter Haller to Brown Response to Appeal 10](#)

[DSP-19050 M-NCPPC email to correct the record 100720](#)

[DSP-19050 Correspondence from Ciferri to Brown \(10022](#)

[DSP-19050 Letter from Ciferri to Brown \(Appeal\)](#)

[DSP-19050_DSP-19050-01 Transcripts](#)

[DSP-19050 Planning Board Resolution 2020-125](#)

DSP-19050 PORL

[DSP-19050 Technical Staff Report](#)

[DSP-19050 Planning Board Record](#)

[\(DSP-19050\) 3-31-20 Letter from Ciferri to Planning Boar](#)

[\(DSP-19050\) 4-8-20 Letter from Ciferri to Planning Board](#)

[\(DSP-19050 & DSP-19050-01\) 7-10-20 Letter from Ciferr](#)

[\(DSP-19050 & DSP-19050-01\) 7-15-20 Letter from Ciferr](#)

ORAL ARGUMENTS (Continued)**DSP-19050-01****Dewey Property****Applicant(s):**

Bald Eagle Partners

Location:

Located on the north side of Toledo Road, approximately 240 feet west of Adelphi Road (21.16 Acres; M-U-I / T-D-O Zones).

Request:

Requesting approval of an amendment to a Detailed Site Plan (DSP) for a development consisting of 529 multifamily dwelling units on proposed Parcels 1, 2, and 3, as the second phase of the Dewey Property mixed-use development.

Council District:

2

Appeal by Date:

9/4/2020

Review by Date:

9/30/2020

Action by Date:

10/30/2020

Municipality:

Hyattsville

History:

07/01/2020

M-NCPPC Technical Staff

approval with conditions

07/30/2020

M-NCPPC Planning Board

approval with conditions

08/27/2020

Person of Record

appealed

Peter E. Ciferri, Esq., attorney for the appellant, appealed the Planning Board's Decision.

09/14/2020

Sitting as the District Council

waived election to review

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

09/16/2020

Clerk of the Council

mailed

Notice of Oral Argument Hearing was mailed to Persons of Record.

10/02/2020

Person of Record

filed

Peter E. Ciferri, Esq., attorney for appellant, filed a Motion to Correct Administrative Record.

10/05/2020

Sitting as the District Council

announced hearing date

10/09/2020

Applicant

filed

Thomas H. Haller, Esq., attorney for the applicant, filed a response to the August 27, 2020 appeal.

Attachment(s):

[DSP-19050-01 Zoning Agenda Item Summary](#)

[DSP-19050-01 Presentation Slides](#)

[DSP-19050-01 Letter Haller to Brown Response to Appea](#)

DSP-19050 M-NCPPC email to correct the record 100720

DSP-19050-01 Correspondence from Ciferri to Brown 100

[DSP-19050 Letter from Ciferri to Brown \(Appeal\)](#)

[DSP-19050_DSP-19050-01 Transcripts](#)

[DSP-19050-01 Planning Board Resolution 2020-127](#)

DSP-19050-01_PORL

[DSP-19050-01 Technical Staff Report](#)

[DSP-19050-01 Planning Board Record](#)

[\(DSP-19050-01 & DSP-19050\) 7-10-20 Letter from Ciferri](#)

[\(DSP-19050-01 & DSP-19050\) 7-15-20 Letter from Ciferri](#)

[\(DSP-19050-01\) 5-28-20 Letter from Ciferri to Hurlbutt](#)

ORAL ARGUMENTS (Continued)**DSP-19060****McDonald's Landover****Applicant(s):**

McDonald's Corp

Location:

Located on the north side of MD 214 (Central Avenue) at its intersection with Brightseat Road (1.17 Acres; M-U-I / D-D-O / M-I-O).

Request:

Requesting approval of a Detailed Site Plan (DSP) requests to raze the existing McDonald's eating and drinking establishment with drive-through service and replace it with a new 4,540-square-foot McDonald's eating and drinking establishment with drive-through service.

Council District:

5

Appeal by Date:

9/4/2020

Review by Date:

9/30/2020

Action by Date:

11/13/2020

History:

06/24/2020	M-NCPPC Technical Staff	approval with conditions
07/30/2020	M-NCPPC Planning Board	approval with conditions
09/14/2020	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote 10-0; Absent: Council Member Franklin).</i>	
09/16/2020	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
10/05/2020	Sitting as the District Council	announced hearing date

Attachment(s):

[DSP-19060 Zoning Agenda Item Summary](#)
[DSP-19060 Presentation Slides](#)
[DSP-19060 Planning Board Resolution 2020-121](#)
[DSP-19060 Transcripts](#)
 DSP-19060_PORL
[DSP-19060 Technical Staff Report](#)
[DSP-19060 Planning Board Record](#)
[DSP-19060 \(NRIX-094-2019\)](#)
[DSP-19060 \(TCPX-S-114-2019\)](#)

ORAL ARGUMENTS (Continued)**SE-4795****Strickland Funeral Home****Applicant(s):**

Eric D. Strickland

Location:

Located in the southwest quadrant of the intersection of MD 193 (Enterprise Road) and Belvidere Road (7.39 Acres; R-R Zone).

Request:

Request approval of a Special Exception (SE) to construct an 11,612-square-foot Funeral Home and a 9,184-square-foot “ancillary” Reception Hall on 7.39 acres of R-R (Rural Residential) zoned land located in the southwest quadrant of the intersection of Enterprise Road (MD 193) and Belvidere Road, and identified as 3800 Enterprise Road, Bowie, Maryland

Council District:

5

Appeal by Date:

8/17/2020

Review by Date:

9/21/2020

Action by Date:

2/14/2021

Opposition:

Raycena Moyer and Samuel Moyer

History:

12/24/2019	M-NCPPC Technical Staff	approval with conditions
07/08/2020	Zoning Hearing Examiner	approval with conditions
09/14/2020	Sitting as the District Council	elected to make the final decision
	<i>Council elected to make the final decision on this item (11-0).</i>	
09/16/2020	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
10/05/2020	Sitting as the District Council	announced hearing date

Attachment(s):[SE-4795 Zoning Agenda Item Summary](#)[SE-4795 Presentation Slides](#)[SE-4795 Transcripts](#)[SE-4795 ZHE- Decision](#)

SE-4795 PORL

[SE-4795 Technical Staff Report](#)

ITEM(S) FOR DISCUSSION**CSP-19010****LIW Ironworks****Applicant(s):**

LIW Ironworks, Inc.

Location:

Located on the north side of Cornett Street, approximately 475 feet east of its intersection with Livingston Road, at 10929 Indian Head Highway (MD 210)(1.5 Acres; I-3 Zone).

Request:

Requesting approval of a Conceptual Site Plan (CSP) for development of up to 19,000 square feet of a contractor's office and warehouse with fabrication.

Council District:

8

Appeal by Date:

8/17/2020

Review by Date:

9/21/2020

Action by Date:

10/26/2020

History:

05/12/2020	M-NCPPC Technical Staff	approval with conditions
06/18/2020	M-NCPPC Planning Board	approval with conditions
07/27/2020	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote: 11-0).</i>	
08/13/2020	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
09/14/2020	Sitting as the District Council	announced hearing date
09/21/2020	Sitting as the District Council	hearing held; case taken under advisement

Prior to the hearing, Stan Brown, People's Zoning Counsel, relayed that the applicant did not have an attorney and waived its right to appear for the Oral Argument. Subsequently, Henry Zhang, M-NCPPC, provided an overview of the Detailed Site Plan application. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented. The Oral Argument Hearing was held and Council took this case under advisement.

10/05/2020	Sitting as the District Council	deferred
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Council deferred this case to October 19, 2020.

Attachment(s):

[CSP-19010 Zoning Agenda Item Summary](#)

CSP-19010 District Council Notice of Hearing

[CSP-19010 Planning Board Resolution No. 2020-92](#)

CSP-19010_POR List

[CSP-19010 Technical Staff Report](#)

ITEM(S) FOR DISCUSSION (Continued)[DSP-15031-01](#)**EZ Storage College Park****Companion Case(s):** DDS-648; DPLS-459**Applicant(s):** Siena Corporation**Location:** Located on the south side of Branchville Road approximately 1,800 feet east of its intersection with Rhode Island Avenue (1.82 Acres; I-2 Zone).**Request:** Applicant is requesting Reconsideration of the October 7, 2019 District Council Final Decision approving a Detailed Site Plan (DSP) for a 122,190-square-foot, 950-unit consolidated storage facility on 1.82 acres, including variances to Section 27-474(b) of the Prince George's County Zoning Ordinance for minimum setback from the street, and Section 27-475.04(a)(1)(c) of the Zoning Ordinance for maximum building height.**Council District:** 1**Appeal by Date:** 7/18/2019**Review by Date:** 7/18/2019**Action by Date:** 10/7/2019**History:**

05/07/2019 M-NCPPC Technical Staff approval with conditions

06/13/2019 M-NCPPC Planning Board approval with conditions

07/08/2019 Sitting as the District Council elected to review

Council elected to review this item (Vote: 9-0; Absent: Council Members Franklin and Ivey).

08/06/2019 Clerk of the Council mailed

Notice of Oral Argument Hearing was mailed to Persons of Record.

09/09/2019	Sitting as the District Council	hearing held; case taken under advisement
	<i>Chair Turner announced that the three EZ Storage College Park cases, DSP-15031-01, DDS-648, and DPLS-459 would be held in tandem. Thomas Burke, M-NCPPC, provided an overview of the Detailed Site Plan, Departure from Design Standards, and Departure from Parking and Loading Standards applications. Mr. Bradley Farrar, Esq., attorney for the applicant, spoke in support along with Ms. Terry Shum, City of College Park, Mr. Laurent Mounaud, Vika Maryland LLC, and Mr. Craig Pittinger, Siena Corporation. 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.</i>	
09/23/2019	Sitting as the District Council	referred for document
	<i>Council referred item to staff for preparation of an approving document, with conditions (Vote: 9-0; Absent: Council Members Dernoga and Franklin).</i>	
10/07/2019	Sitting as the District Council	approval with conditions
	<i>Council adopted the prepared Order of approval, with conditions (Vote: 8-0; Absent: Council Members Franklin, Glaros, and Taveras).</i>	
10/16/2019	Clerk of the Council	mailed
	<i>The Notice of Final Decision of the District Council was mailed to Persons of Record.</i>	
10/28/2019	Applicant	filed
	<i>Bradley S. Farrar, Esq., attorney for the applicant, filed a request for reconsideration of the October 7, 2019 District Council Final Decision.</i>	
11/04/2019	Sitting as the District Council	reconsideration hearing granted
	<i>Council directed the Clerk to schedule a reconsideration evidentiary hearing (Vote: 10-0; Absent: Council Member Hawkins).</i>	
11/07/2019	Applicant	filed
	<i>Bradley Farrar Esq., attorney for the applicant, filed a petition for judicial review.</i>	

01/02/2020

Principal Counsel to the District
Council

transmitted

Appealed case record transmitted to Circuit Court via Principal Counsel's Office.

09/14/2020

Applicant

filed

Bradley S. Farrar, Esq., attorney for the applicant filed with the Circuit Court for CAL19-36228 to be "DISMISSED BY PLAINTIFF WITHOUT PREJUDICE".

Attachment(s):[DSP-15031-01 Zoning Agenda Item Summary](#)[DSP-15031-01 Court Line of Dismissal - Ez Storage](#)[DSP-15031-01 Planning Board Resolution 19-65](#)

DSP-15031-01 PORL

[DSP-15031-01 Technical Staff Report](#)

DSP-15031-01 EZ STORAGE FINAL

ITEM(S) FOR DISCUSSION (Continued)[SE-4765](#)**Mirant MD Ash Management, LLC/Brandywine Fly Ash Storage Site****Applicant(s):**

NRG MD Ash Management, LLC

Location:

Located on the north side of North Keys Road approximately, 2,200 feet north of Gibbons Church Road (178.78 Acres; O-S Zone).

Request:

Requesting approval of a Special Exception for a ten-year extension to continue the existing fly ash rubble-fill disposal operation mounds in the O-S (Open Space) Zone.

Council District:

9

Appeal by Date:

10/30/2017

Review by Date:

11/27/2017

Action by Date:

3/28/2018

Municipality:

None

Opposition:

Patuxent River Keeper, et. al.

History:

07/07/2016	M-NCPPC Technical Staff	disapproval
07/11/2016	M-NCPPC Planning Board	no motion to consider
09/28/2017	Zoning Hearing Examiner	approval with conditions
11/06/2017	Sitting as the District Council	elected to make the final decision

Council elected to make the final decision on this case (Vote: 8-0; Absent: Council Member Toles).

01/25/2018	Clerk of the Council	mailed
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Notice of Oral Argument Hearing was mailed to Persons of Record.

02/26/2018 Sitting as the District Council hearing held; case taken under advisement

Taslina Alam, M-NCPPC, provided an overview of the Special Exception application. William Peters, Frederick Tutman, Dr. Henry Cole, Richard Bergren, Joanne Flynn, and Kamita Gray spoke in opposition. Russell Shipley Esq. and Arthur Horne, Esq., spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented.

The Oral Argument hearing was held and Council took this case under advisement.

03/26/2018 Sitting as the District Council referred for document

Council referred item to staff for preparation of a disapproving document (Vote: 9-0).

03/26/2018 Sitting as the District Council disapproval

Council adopted the prepared Order of Denial (Vote 9-0).

04/13/2018 Applicant filed

Arthur J. Horne, Jr., Esquire, attorney for the applicant, filed a Petition for Judicial Review in Circuit Court.

08/21/2020 Circuit Court ordered

Circuit Court directed the District Council to reinstate the Zoning Hearing Examiner's Decision.

Attachment(s):

[SE-4765 Zoning Agenda Item Summary](#)

[SE-4765 Order from Circuit Court to Reinstate ZHE Decis](#)

[SE-4765 Zoning Hearing Examiner Decision](#)

SE-4765 PORL

[SE-4765 Technical Staff Report](#)

PENDING FINALITY**(a) PLANNING BOARD**

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

DSP-12043-01**Westphalia Town Center (Special Purpose)****Applicant(s):**

Westphalia Development

Location:

Located at the intersection of MD 4 (Pennsylvania Avenue) and Melwood Road, approximately 800 feet north of Woodyard Road (478.48 Acres; M-X-T / M-I-O Zones).

Request:

Requesting approval of an amendment to a Detailed Site Plan (DSP) that requests the modification of the condition regarding the timing for the community center in Open Space 2 and a condition to modify the timing for the dedication of the school site, known as Parcel 25.

Council District:

6

Appeal by Date:

10/29/2020

Review by Date:

10/29/2020

History:

09/03/2020	M-NCPPC Technical Staff	approval with conditions
09/24/2020	M-NCPPC Planning Board	approval with conditions
10/05/2020	Sitting as the District Council	deferred

Council deferred this case to October 19, 2020.

Attachment(s):

[DSP-12043-01 Zoning Agenda Item Summary](#)

[DSP-12043-01 Planning Board Resolution](#)

DSP-12043-01_PORL

[DSP-12043-01 Technical Staff Report](#)

PENDING FINALITY (Continued)**(a) PLANNING BOARD (Continued)**

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

DSP-20021**Potomac Energy Holding, LLC (Shell)****Applicant(s):**

Potomac Energy Holdings, LLC

Location:

Located on the north side of MD 193 (Greenbelt Road), in the northeast quadrant of its intersection with Aerospace Road (0.90 Acres: I-1 Zone).

Request:

Requesting approval of a Detailed Site Plan (DSP) for a 3,170-square foot food and beverage store, a gas station with 6 multi-product dispensers, and a 1,355-square-foot car wash.

Council District:

4

Appeal by Date:

11/12/2020

Review by Date:

11/12/2020

History:

09/01/2020

M-NCPPC Technical Staff

approval with conditions

10/08/2020

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-20021 Zoning Agenda Item Summary](#)[DSP-20021 Planning Board Resolution \(2020-137\)](#)

DSP-20021_PORL

[DSP-20021 Technical Staff Report](#)

PENDING FINALITY (Continued)**(b) PLANNING BOARD'S REPRESENTATIVE**

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to review.

In the event the District Council elects to review this case, it will be sent to the ZHE for a hearing pursuant to Section 27-244(e) of the Zoning Ordinance.

[CNU-1156-2020-U](#)**1751 Kenilworth Ave, Capitol Heights****Applicant(s):**

April Mackoff

Location:

Located on the east side of Kenilworth Avenue running north, at the intersection with S Street (1.1930 Acres; I-2 Zone).

Request:

Requesting Certification of Nonconforming Use for existing outdoor advertising signs pursuant to Council Bill 84-2016 which requires that applications for the certification of outdoor advertising signs in existence as of January 1, 2002, be filed no later than December 31, 2021. This outdoor advertising sign was erected in 1988.

Council District:

5

Review by Date:

11/9/2020

History:

10/09/2020

M-NCPPC Administrative Certification approval

Attachment(s):

[CNU-1156-2020-U Zoning Agenda Item Summary](#)
[CNU-1156-2020-U Case File](#)

PENDING FINALITY (Continued)**(b) PLANNING BOARD'S REPRESENTATIVE (Continued)**

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to review.

In the event the District Council elects to review this case, it will be sent to the ZHE for a hearing pursuant to Section 27-244(e) of the Zoning Ordinance.

[CNU-3511-2020-U](#)

00000 Ritchie Road, Capitol Heights**Applicant(s):**

April Mackoff

Location:

Located on the west side of Ritchie Road approximately 430 feet southeast of the intersection with Old Ritchie Road (0.4980 Acres; I-1 Zone).

Request:

Requesting Certification of Nonconforming Use for existing outdoor advertising signs pursuant to Council Bill 84-2016 which requires that applications for the certification of outdoor advertising signs in existence as of January 1, 2002, be filed no later than December 31, 2021. This outdoor advertising sign was erected in 1973.

Council District:

6

Review by Date:

11/9/2020

History:

10/09/2020

M-NCPPC Administrative Certification approval

Attachment(s):

[CNU-3511-2020- U Zoning Agenda Item Summary](#)
[CNU-3511-2020-U Case File](#)

PENDING FINALITY (Continued)**(b) PLANNING BOARD'S REPRESENTATIVE (Continued)**

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to review.

In the event the District Council elects to review this case, it will be sent to the ZHE for a hearing pursuant to Section 27-244(e) of the Zoning Ordinance.

[CNU-3514-2020-U](#)

401 Ritchie Road, Capital Heights**Applicant(s):**

April Mackoff

Location:

Located on the west side of Ritchie Road approximately 170 feet southeast of the intersection with Old Ritchie Road (0.5340 Acres; I-1 Zone).

Request:

Requesting Certification of Nonconforming Use for existing outdoor advertising signs pursuant to Council Bill 84-2016 which requires that applications for the certification of outdoor advertising signs in existence as of January 1, 2002, be filed no later than December 31, 2021. This outdoor advertising sign was erected in 1983.

Council District:

6

Review by Date:

11/9/2020

History:

10/09/2020

M-NCPPC Administrative Certification approval

Attachment(s):

[CNU-3514-2020-U Zoning Agenda Item Summary](#)
[CNU-3514-2020-U Case File](#)

PENDING FINALITY (Continued)**(b) PLANNING BOARD'S REPRESENTATIVE (Continued)**

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to review.

In the event the District Council elects to review this case, it will be sent to the ZHE for a hearing pursuant to Section 27-244(e) of the Zoning Ordinance.

[CNU-946-2020-U](#)

3901 Whitetire Road, Landover**Applicant(s):**

April Mackoff

Location:

Located on Whitetire Road along Route 50 running east, approximately 840 feet northeast of the intersection with Ardwick Ardmore Road (1.7710 Acres; I-1 Zone).

Request:

Requesting Certification of Nonconforming Use for existing outdoor advertising signs pursuant to Council Bill 84-2016 which requires that applications for the certification of outdoor advertising signs in existence as of January 1, 2002, be filed no later than December 31, 2021. This outdoor advertising sign was erected in 1984.

Council District:

5

Review by Date:

11/9/2020

History:

10/09/2020

M-NCPPC Administrative Certification approval

Attachment(s):

[CNU-946-2020-U Zoning Agenda Item Summary](#)

[CNU-946-2020-U Case File](#)

CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING - OCTOBER 26, 2020 AT 10:00 AM*Hearing Dates & Times Subject to Change*[DSP-04067-09](#)**Woodmore Commons****Companion Case(s):** DDS-669**Applicant(s):** Balk Hill Ventures, LLC**Location:** Located at the northeast quadrant of the intersection of Ruby Lockhart Boulevard and Saint Joseph's Drive (9.34 Acres; M-X-T Zone).**Request:** Requesting approval of a Detailed Site Plan (DSP) for the development of five multifamily residential buildings, including 268 dwelling units, a 5,000-square-foot clubhouse, and surface parking.**Council District:** 5**Appeal by Date:** 8/17/2020**Review by Date:** 9/21/2020**Action by Date:** 11/13/2020**History:**

04/22/2020	M-NCPPC Technical Staff	approval with conditions
05/14/2020	M-NCPPC Planning Board	approval with conditions
09/14/2020	Sitting as the District Council	elected to review

*Council elected to review this item (11-0).***Attachment(s):**[DSP-04067-09 Zoning Agenda Item Summary](#)[DSP-04067-09 Transcripts](#)[DSP-04067-09 Planning Board Resolution NO. 2020-76](#)

DSP-04067-09 POR List

[DSP-04067-09 Technical Staff Report](#)

CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING - OCTOBER 26, 2020 AT 10:00 AM*Hearing Dates & Times Subject to Change***DDS-669****Woodmore Commons****Companion Case(s):** DSP-04067-09**Applicant(s):** Balk Hill Ventures, LLC**Location:** Located at the northeast quadrant of the intersection of Ruby Lockhart Boulevard and Saint Joseph's Drive (9.34 Acres; M-X-T Zone).**Request:** Requesting approval of a Departure from Design Standards (DDS) that requests a reduction of the standard parking space size to 9 feet by 18 feet.**Council District:** 5**Appeal by Date:** 8/17/2020**Review by Date:** 9/21/2020**Action by Date:** 11/13/2020**History:**

04/22/2020	M-NCPPC Technical Staff	approval
05/14/2020	M-NCPPC Planning Board	approval
09/14/2020	Sitting as the District Council	elected to review

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

Attachment(s): [DDS-669 Zoning Agenda Item Summary](#)
[DDS-669 Transcripts](#)
[DDS-669 Planning Board Resolution NO. 2020-77](#)
 DDS-669 POR List
[DDS-669 Technical Staff Report](#)

CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING - OCTOBER 26, 2020 AT 10:00 AM*Hearing Dates & Times Subject to Change***SE-4811****Contee Estate Assisted Living, LLC. / Marie Abayomi-Cole****Applicant(s):**

Contee Estate Assisted Living, LLC. / Marie Abayomi-Cole

Location:

Located on the south side of Veronica Lane, approximately 200 feet southeast of its intersection with Contee Road also identified as 7111 Veronica Lane, Laurel, Maryland 20707 (1.32 Acres; R-R Zone).

Request:

Requesting approval of a Special Exception (SE) for a Congregate Living Facility to serve up to sixteen (16) residents in a 7,431-square-foot single-family detached dwelling on approximately 1.32 acres of land in the R-R (Rural Residential) Zone.

Council District:

1

Appeal by Date:

3/16/2020

Review by Date:

3/16/2020

Action by Date:

1/11/2021

Opposition:

Jennifer Krochmal, et. al.

History:

08/28/2019	M-NCPPC Technical Staff	approval with conditions
09/12/2019	M-NCPPC Planning Board	no motion to consider
02/14/2020	Zoning Hearing Examiner	approval with conditions
02/24/2020	Sitting as the District Council	deferred

Council deferred this item to March 9, 2020.

03/09/2020	Sitting as the District Council	elected to make the final decision
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*Council elected to make the final decision on this item (Vote: 10-0; Absent: Council Member Franklin).***Attachment(s):**[SE-4811 Zoning Agenda Item Summary](#)[SE-4811 ZHE Decision](#)

SE-4811 PORL

[SE-4811 Technical Staff Report](#)

CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING - OCTOBER 26, 2020 AT 1:00 PM*Hearing Dates & Times Subject to Change***SDP-1601-03****Parkside, Section 4****Applicant(s):**

SHF Project Owner, LCC

Location:

Located in the north-central portion of the development, north of Central Park Drive at the terminus of Melwood Road, approximately 1,570 feet south of its intersection with Westphalia Road (96.49 Acres; R-M / M-I-O Zones).

Request:

Requesting approval of a Specific Design Plan (SDP) for a mixed retirement development (MRD) consisting of 188 single-family detached and 96 single-family attached dwelling units, for Parkside, Section 4, which is part of the larger Parkside development.

Council District:

6

Appeal by Date:

9/4/2020

Review by Date:

9/30/2020

Action by Date:

11/20/2020

History:

06/24/2020	M-NCPPC Technical Staff	approval with conditions
07/30/2020	M-NCPPC Planning Board	approval with conditions
09/14/2020	Sitting as the District Council	deferred
	<i>Council deferred this item to September 21, 2020.</i>	
09/21/2020	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote 11-0).</i>	

Attachment(s):[SDP-1601-03 Zoning Agenda Item Summary](#)[SDP-1601-03 Transcripts](#)[SDP-1601-03 Planning Board Resolution 2020-123](#)

SDP-1601-03_PORL

[SDP-1601-03 Technical Staff Report](#)[SDP-1603-03 Planning Board Record](#)

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