



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

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, April 24, 2017

1:30 PM

Council Hearing Room

12:00 P.M. - MEET AND GREET - (ROOM 2027)

Congressman Anthony Brown

1:00 PM AGENDA BRIEFING - (ROOM 2027)

1:59 PM CALL TO ORDER - (COUNCIL HEARING ROOM)

The meeting was called to order by Chairman Davis at 1:59 p.m. with eight members present at roll call. Council Member Franklin was absent due to County business.

Present: 8 - Chairman Derrick Davis
 Vice Chair Dannielle Glaros
 Council Member Andrea Harrison
 Council Member Mary Lehman
 Council Member Obie Patterson
 Council Member Deni Taveras
 Council Member Karen Toles
 Council Member Todd Turner

Absent: Council Member Mel Franklin

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

Karen Zavakos, Zoning and Legislative Counsel

M-NCPPC

Christina Pompa, Supervisor, Development Review Division

Susan Lareuse, Development Review Division

Jill Kosack, Development Review Division

INVOCATION

The Invocation was provided by Mr. Thomas Mayah, County Employee. Council Member Davis requested prayer for his wife and the Dillard family in the passing of two uncles.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Lehman.

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 04102017](#)

District Council Minutes dated April 10, 2017

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

Aye: 8 - Davis, Glaros, Harrison, Lehman, Patterson, Taveras, Toles and Turner

Absent: Franklin

Attachment(s): [4-10-2017 District Council Minutes DRAFT](#)

[MINDC 04112017-1](#)

District Council Minutes dated April 11, 2017 Part 1

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

Aye: 8 - Davis, Glaros, Harrison, Lehman, Patterson, Taveras, Toles and
Turner

Absent: Franklin

Attachment(s): [4-11-2017-1 District Council Minutes Part 1](#)
[DRAFT](#)

[MINDC 04112017-2](#) **District Council Minutes dated April 11, 2017 Part 2**

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

Aye: 8 - Davis, Glaros, Harrison, Lehman, Patterson, Taveras, Toles and
Turner

Absent: Franklin

Attachment(s): [4-11-2017-2 District Council Minutes Part 2](#)
[DRAFT](#)

ORAL ARGUMENTS[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:

Chirstina Pompa, M-NCPPC, provided an overview of the Zoning Map Amendment application. Linda Dabney spoke in opposition. Thomas Haller, Esq., spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented.

Council took this case under advisement.

This Zoning Map Amendment hearing was held and the case was taken under advisement.

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](#)

ORAL ARGUMENTS (Continued)[CNU-43544-2015](#)**Langley Terrace Apartments**

Applicant(s): Zupnik-Langley Park Associates, LLC

Location: Located on the east side of 14th Avenue and Langley Way (4.507 Acres; R-18 Zone).

Request: Requesting approval for certification of an existing, 106-unit multifamily garden-style apartment complex, that was built in 1950. 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: 6/23/2017

History:

Chirstina Pompa, M-NCPPC, provided an overview of the application for Certification of a Non-conforming use. Michelle LaRocca, Esq. and Kayann Chambers, Esq., spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented.

Council took this case under advisement.

This Certification of a Nonconforming Use hearing was held and the case was taken under advisement.

Attachment(s): [CNU-43544-2015 Zoning AIS](#)
[CNU-43544-2015 Planning Board Resolution 17-15](#)
CNU-43544-2015_PORL

ORAL ARGUMENTS (Continued)[DSP-16020](#)**Allentown Andrews Gateway****Companion Case(s):** DDS-638**Applicant(s):** Camp Springs Allentown, LLC.**Location:** Located in the northeast quadrant of the intersection of Branch Avenue (MD 5) and Allentown Road (MD 337) (13.03 Acres; M-X-T Zone).**Request:** Requesting approval of a Detailed Site Plan for a mixed-use project consisting of 55,600 square-foot commercial development including one 36,000-square-foot grocery store (LIDL), one 5,600 square-foot gas station with food and beverage store (WAWA), one 14,000 square-foot in-line commercial building, of which 500 square feet is to be used for community meeting space, and 59 townhouse units.**Council District:** 8**Appeal by Date:** 3/9/2017**Review by Date:** 3/9/2017**Action by Date:** 4/28/2017**History:**

Chairman Davis announced that the Oral Argument hearings for DSP-16020 and DDS-638 would be held in tandem. Susan Lareuse, M-NCPPC, provided an overview of the Detailed Site Plan and Departure from Design Standards applications. Thomas Haller, Esq., on behalf of the applicant, Angela Holmes, on behalf of Citizens Encouraging Community Revitalization (CECR) and Leon Turner, on behalf of Camp Springs Civic Association (CSCA), spoke in support. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented.

Council referred this item to staff for preparation of an approving document, with conditions (Vote 7-0; Absent: Council Members Franklin and Lehman).

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

Aye: 7 - Davis, Glaros, Harrison, Patterson, Taveras, Toles and Turner

Absent: Franklin and Lehman

Attachment(s): [DSP-16020 Zoning AIS](#)
[DSP-16020 Planning Board Resolution 17-12](#)
 DSP-16020_PORL

ORAL ARGUMENTS (Continued)[DDS-638](#)**Allentown Andrews Gateway****Companion Case(s):** DSP-16020**Applicant(s):** Camp Springs Allentown, LLC.**Location:** Located in the northeast quadrant of the intersection of Branch Avenue (MD 5) and Allentown Road (MD 337) (13.03 Acres; M-X-T Zone).**Request:** Requesting approval of a Departure from Design Standards for three departures from Section 27-579(b) of the Prince George's County Zoning Ordinance which prohibits loading spaces and access to a loading space to be located less than 50 feet from property proposed to be used for residential purposes.**Council District:** 8**Appeal by Date:** 3/9/2017**Review by Date:** 3/9/2017**Action by Date:** 6/23/2017**History:**

Chairman Davis announced that the Oral Argument hearings for DSP-16020 and DDS-638 would be held in tandem. Susan Lareuse, M-NCPPC, provided an overview of the Detailed Site Plan and Departure from Design Standards applications. Thomas Haller, Esq., on behalf of the applicant, Angela Holmes, on behalf of Citizens Encouraging Community Revitalization (CECR) and Leon Turner, on behalf of Camp Springs Civic Association (CSCA), spoke in support. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented.

Council referred this item to staff for preparation of an approving document, with conditions (Vote 7-0; Absent: Council Members Franklin and Lehman).

This Departure from Design Standards hearing was held; subsequently, a motion was made by Council Member Patterson, seconded by Council Member Turner, that this Departure from Design Standards be hearing held; referred for document. The motion carried by the following vote:

Aye: 7 - Davis, Glaros, Harrison, Patterson, Taveras, Toles and Turner

Absent: Franklin and Lehman

Attachment(s): [DDS-638 Zoning AIS](#)
[DDS-638 Planning Board Resolution 17-13](#)
 DDS-638_PORL

MANDATORY REVIEW (Using Oral Argument Procedures)[DSP-16029](#)**Riverfront at West Hyattsville Metro
Expedited Transit-Oriented Development Project**

- Applicant(s):** West Hyattsville Property Co., LLC
- Location:** Located on the west side of Ager Road, at its intersection with Lancer Drive, north of the West Hyattsville Metro Station, abutting the west side of the Metro Station. The subject property is also located in the 2006 Approved West Hyattsville Transit District Development Plan and Transit District Overlay Zoning Map Amendment (West Hyattsville TDDP/TDOZMA) area (18.45 Acres; M-X-T / T-DO Zones).
- Request:** Requesting approval of a Detailed Site Plan (DSP) for infrastructure, proposing grading and development of infrastructure, including the location and design of the roadways, the lot layout for a 183-townhouse development, parking lots and on-street parking, landscaping, utility location, fencing, and sidewalks on the subject property to prepare for a future multiphase mixed-use development.
- Council District:** 2
- Appeal by Date:** 4/28/2017
- Action by Date:** 5/1/2017
- Comment(s):** District Council review of this case is required by Section 27-548.09.01(a) (1)(C) of the Zoning Ordinance.
- Municipality:** City of Hyattsville

History:

Susan Lareuse, M-NCPPC, provided an overview of the Detailed Site Plan application. Thomas Haller, Esq., spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented.

The Mandatory Review Hearing was held and Council referred item to staff for preparation of an approving document, with conditions (Vote: 6-0; Absent: Council Members Franklin, Lehman, and Toles).

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

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

Absent: Franklin, Lehman and Toles

Attachment(s): [DSP-16029_Zoning AIS](#)
[DSP-16029 Planning Board Resolution 17-43](#)
 DSP-16029_PORL
[DSP-16029 Technical Staff Report](#)

MANDATORY REVIEW (Using Oral Argument Procedures) (Continued)

[DSP-15045](#)

210 Maryland Park
Expedited Transit Oriented Development Project

Applicant(s): Community First Development Corporation, LLC

Location: Located in the southwest quadrant of the intersection of Southern Avenue and Maryland Park Drive (3.89 Acres; R-55 / T-D-O Zones).

Request: Requesting approval of a Detailed Site Plan for a 220,882-square-foot mixed-use development consisting of 1,948 square feet of commercial/retail space, 165 multifamily dwelling units and 13 townhouse units. This application also requests a change of the underlying zoning for the property from the existing One-Family Detached Residential (R-55) Zone to the Mixed Use–Infill (M-U-I) Zone.

Council District: 7

Appeal by Date: 4/27/2017

Action by Date: 5/1/2017

Comment(s): District Council review of this case is required by Section 27-546.16 of the Zoning Ordinance.

History:

Jill Kosack, M-NCPPC, provided an overview of the Detailed Site Plan application. Arthur Horne, Esq., on attorney for of the applicant, Gina Merritt, on behalf of Community First Development, and Howard Ways, Executive Director of the Redevelopment Authority, spoke in support. David Bicker and Stephanie Farrell, applicant's technical experts, assisted in answering questions posed by the Council. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented.

The Mandatory Review Hearing was held and Council took this case under advisement.

The Mandatory Review Hearing was held and Council took this case under advisement.

Attachment(s): [DSP-15045_Zoning AIS](#)
[DSP-15045 Planning Board Resolution 17-01](#)
 DSP-15045_PORL
[DSP-15045 Technical Staff Report](#)

ITEM(S) FOR DISCUSSION[CNU-48061-2015](#)**McGhee Property**

Applicant(s): Tommy and Fred McGhee

Location: Located approximately 100 feet west of its intersection with Ventura Avenue and Old Central Avenue (MD214). The rectangular shaped property, which consists of part of Lot 2, is comprised of 0.50 acre of land in the R-T (Townhouse) and T-D-O (Transit-District-Overlay) Zone (0.5 Acres; R-T / T-D-O Zones).

Request: Requesting approval of a certification of nonconforming use for an automotive repair facility with four service bays and an automobile parking compound in accordance with Subtitle 27 of the Prince George's County Code.

Council District: 7

Appeal by Date: 2/9/2017

Review by Date: 2/9/2017

Action by Date: 5/12/2017

History:

Council deferred this item to May 8, 2017.

This Certification of a Nonconforming Use was deferred.

Attachment(s): [CNU-48061-2015 Zoning AIS](#)
[CNU-48061-2015 Planning Board Resolution 16-141](#)
CNU-48061-2015_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.

PLANNING BOARD**[DSP-07058-01](#)****Marlboro Ridge, Phase 5**

Applicant(s): Toll MD V Limited Partnership

Location: Located a portion of a larger development known as Marlboro Ridge, which is located on the southwest side of Ritchie Marlboro Road, approximately 2,500 feet south of its intersection with Westphalia Road. The area covered in the subject DSP approval is located in the northern portion of the property, west of and immediately adjacent to the Potomac Electric Power Company (PEPCO) power line right-of-way that bisects the overall site (85.14 Acres; R-R / M-I-O Zones).

Request: Requesting approval of a Detailed Site Plan for a revision of Phase 5 of the Marlboro Ridge Development to change the lot distribution from 70 small single-family detached lots and 55 large single-family detached lots to 62 townhouses and 59 single-family detached units.

Council District: 6

Appeal by Date: 5/11/2017

Review by Date: 5/11/2017

History:

Council took no action on this item.

This Detailed Site Plan was did not elect to review

Attachment(s): [DSP-07058-01_Zoning AIS](#)
[DSP-07058-01 Planning Board Resolution 17-52](#)
DSP-07058-01_PORL
[DSP-07058-01 Technical Staff Report](#)

PENDING FINALITY (Continued)**[CNU-30038-2015](#)****Obinne Enterprises 3800 38th Avenue**

Applicant(s): Ferdinand & Anthonia Obichere

Location: Located on the southwest side of 38th Avenue approximately 800 feet west of Bladensburg Road, also known as 3800 38th Avenue (0.167 Acres; R-18 Zone).

Request: Requesting certification of a nonconforming use for an existing, four-unit apartment building that was constructed in 1936. At that time, the property was subject to the requirements of the Residential “C” Zone classification. Because development regulations were changed or adopted after the use was lawfully established, the density of the multifamily apartment building became nonconforming.

Council District: 5

Appeal by Date: 5/11/2017

Review by Date: 5/11/2017

History:

Council took no action on this item.

This Certification of a Nonconforming Use was did not elect to review

Attachment(s): [CNU-30038-2015 Zoning AIS](#)
[CNU-30038-2015 Planning Board Resolution 17-50](#)
CNU-30038-2015_PORL
[CNU-30038-2015 Technical Staff Report](#)

PENDING FINALITY (Continued)[CNU-35221-2016](#)**Obinne Enterprises 3802 38th Avenue**

Applicant(s): Ferdinand & Anthonia Obichere

Location: Located on the southwest side of 38th Avenue where it intersects Parkwood Street, approximately 800 feet west of Bladensburg Road, also known as 3802 38th Avenue (0.088 Acres; R-18 Zones).

Request: Requesting certification of nonconforming use for an existing, four-unit apartment building that was constructed in 1936. At that time, the property was subject to the requirements of the Residential “C” Zone classification. Because development regulations were changed or adopted after the use was lawfully established, the density of the multifamily apartment building became nonconforming.

Council District: 5

Appeal by Date: 5/11/2017

Review by Date: 5/11/2017

History:

Council took no action on this item.

This Certification of a Nonconforming Use was did not elect to review

Attachment(s): [CNU-35221-2016 Zoning AIS](#)
[CNU-35221-2016 Planning Board Resolution 17-49](#)
CNU-35221-2016_PORL
[CNU-35221-2016 Technical Staff Report](#)

PENDING FINALITY (Continued)**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:

Council elected to review this item (Vote: 5-0; Absent: Council Members Franklin, Glaros, Lehman, and Toles).

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

Aye: 5 - Davis, Harrison, Patterson, Taveras and Turner

Absent: Glaros, Franklin, Lehman and Toles

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

PENDING FINALITY (Continued)

[DSP-16018](#)

Glenn Dale Commons Phase 4

Applicant(s): SDLM, LLC
c/o Sean Bruce

Location: Located in the southwestern quadrant of the intersection of Aerospace Road and Forbes Boulevard (5.21 Acres; M-X-T Zone).

Request: Requesting approval of a Detailed Site Plan for approval of 69 single-family attached dwelling units (townhouses).

Council District: 4

Appeal by Date: 4/27/2017

Review by Date: 4/27/2017

History:

Council took no action on this item.

This Detailed Site Plan was did not elect to review

Attachment(s): [DSP-16018 Zoning AIS](#)
[DSP-16018 Planning Board Resolution 17-40](#)
DSP-16018_PORL
[DSP-16018 Technical Staff Report](#)

PENDING FINALITY (Continued)**[SDP-1603](#)****Willowbrook, Phase 1**

- Applicant(s):** WBLH, LLC
- Location:** Located on the north side of Leeland Road, approximately 3,500 feet west of its intersection with Robert Crain Highway (US 301) (440.85 Acres; R-S / I-1 Zones).
- Request:** Requesting approval for Phase One (Phase 1) of the development, which proposes 183 single-family detached and 93 single-family attached market-rate lots and 43 single-family detached and 52 single-family attached mixed-retirement residential lots, and single-family attached architecture by NV Homes, Ryan Homes and Toll Brothers.
- Council District:** 4
- Appeal by Date:** 5/4/2017
- Review by Date:** 5/4/2017
- History:**

Council took no action on this item.

This Specific Design Plan was did not elect to review

- Attachment(s):** [SDP-1603 Zoning AIS](#)
[SDP-1603 Planning Board Resolution 17-44](#)
SDP-1603_PORL
[SDP-1603 Technical Staff Report](#)

PENDING FINALITY (Continued)**[SDP-1605](#)****Canter Creek, Phase II, III, IV**

Applicant(s): Walton Development and Management

Location: Located on the western side of Frank Tippett Road, approximately 1,000 feet south of its intersection with Rosaryville Road (173.58 Acres; R-S / M-I-O).

Request: Requesting approval for an infrastructure Specific Design Plan (SDP) for grading and installation of five stormwater management ponds for Phases II, III, and IV of the Canter Creek project.

Council District: 9

Appeal by Date: 4/13/2017

Review by Date: 5/12/2017

History:

Council waived its right to review this item (Vote: 5-0; Absent: Council Membrs Franklin, Glaros, Lehman, and Toles).

A motion was made by Chairman Davis, seconded by Council Member Turner, that Council waive its right to review this Specific Design Plan. The motion carried by the following vote:

Aye: 5 - Davis, Harrison, Patterson, Taveras and Turner

Absent: Glaros, Franklin, Lehman and Toles

Attachment(s): [SDP-1605 Zoning AIS](#)
[SDP-1605 Planning Board Resolution 17-38](#)
SDP-1605_PORL
[SDP-1605 Technical Staff Report](#)

CASE(S) SCHEDULED FOR MANDATORY REVIEW ON MAY 15, 2017 - 10:00 A.M.

Hearing Dates & Times Subject to Change

DSP-16030**JSF Largo**

Applicant(s): 4620 Melwood Road OPCO LLC

Location: Located in the northwestern quadrant of the intersection of Arena Drive and MD Route 202 (10.94 Acres; M-U-I / D-D-O Zone).

Request: Requesting approval of a Detailed Site Plan proposing to construct a building with 134,439 square feet of consolidated storage and 4,965 square feet of commercial space and to modify the list of permitted uses to allow the consolidated storage use on the subject property as authorized by Section 27-548.26(b) of the Prince George's County Zoning Ordinance.

Council District: 6

Appeal by Date: 5/10/2017

Action by Date: 6/12/2017

Comment(s): District Council review of this case is required by Section 27-548.26(b)(1) (B) of the Zoning Ordinance.

This Detailed Site Plan hearing date was announced.

Attachment(s): [DSP-16030 Zoning AIS](#)
[DSP-16030 Planning Board Resolution 17-51](#)
DSP-16030_PORL
[DSP-16030 Technical Staff Report](#)

5:23 PM ADJOURN

The meeting was adjourned at 5:23 p.m.

7:00 PM PUBLIC HEARING - M-NCPPC BUDGET PUBLIC HEARING (COUNCIL HEARING ROOM)

(SEE SEPARATE AGENDA)