



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, January 9, 2017

10:00 AM

Council Hearing Room

9:30 AM AGENDA BRIEFING - (ROOM 2027)

10:14 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 10:14 a.m. with eight members present at roll call. Council Member Franklin arrived at 10:20 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

ORAL ARGUMENTS**CNU-8825-2015****Blair Hanna Apartment South**

- Applicant(s):** Angelino & Aurora Azurin
- Location:** Located Northwest of Parkwood Street approximately 100 feet southwest of 38th Avenue (0.167 Acres; R-18).
- Request:** Requesting certification of a nonconforming use for a four-unit apartment building in the R-18 Zone. At that time, the existing 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 apartment use became nonconforming.
- Council District:** 5
- Appeal by Date:** 11/17/2016
- Review by Date:** 11/17/2016
- Action by Date:** 3/10/2017
- Municipality:** Town of Cottage City
- History:**

Taslina Alam, M-NCPPC, provided an overview of the Certification of Non-conforming Use application. Angelino Azurin spoke in support. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented.

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

This Certification of a Nonconforming Use hearing was held; subsequently, a motion was made by Council Member Harrison, seconded by Council Member Turner, that this Certification of a Nonconforming Use 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):** [CNU-8825-2015 Zoning AIS](#)
[CNU-8825-2015 Planning Board Resolution 16-109](#)
 CNU-8825-2015_PORL
[CNU-8825-2015 Technical Staff Report](#)

ORAL ARGUMENTS (Continued)**DPLS-428****Tropicana Grill**

Applicant(s): Old Landover, LLC.

Location: Located at the southeast section of Maryland Avenue, just southwest of the intersection of Maryland Avenue and Old Landover Road, at its intersections in Landover Hills, also known as 3503 Maryland Avenue (0.12 Acres; C-S-C Zone).

Request: Requesting approval of a Departure from Parking and Loading Standards for relief from one of the nine required parking spaces from the Prince George's County Zoning Ordinance requirement for a food and beverage store and restaurant use.

Council District: 5

Appeal by Date: 11/3/2016

Review by Date: 11/3/2016

Action by Date: 3/10/2017

History:

Ivey Thompson, M-NCPPC, provided an overview of the Departure from Parking and Loading Standards application. Michael Nagy, Esq. spoke in support, on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented.

This Departure from Parking and Loading Standards hearing was held and the case was taken under advisement.

Attachment(s): [DPLS-428 Zoning AIS](#)
[DPLS-428 Planning Board Resolution 16-105](#)
DPLS-428_PORL
[DPLS-428 Technical Staff Report](#)

ORAL ARGUMENTS (Continued)[ERR-257](#)**831 Fairview Avenue Apartments, LLC****Validation of Multifamily Rental License No. M-0129 Issued in Error**

- Applicant(s):** 831 Fairview Avenue Apartments, LLC
- Location:** Located at 831 Fairview Avenue, Takoma Park Maryland (0.1720 Acres; R-18 Zone).
- Request:** Requesting approval for validation of Prince George's County Multifamily Rental License No. M-0129 issued in error for a 6-unit apartment building located in the R-18 (Multifamily Medium Density Residential) Zone.
- Council District:** 2
- Appeal by Date:** 9/12/2016
- Action by Date:** 2/28/2017
- Opposition:** None

History:

Taslina Alam, M-NCPPC, provided an overview of the Permit Issued in Error 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.

Council took this case under advisement.

This Permit issued in error hearing was held and the case was taken under advisement.

- Attachment(s):** [ERR-257 Zoning AIS](#)
[ERR 257 Zoning Hearing Examiner Decision](#)
ERR-257 PORL

NEW CASE(S)**A-10035****Smithfield Properties**

- Applicant(s):** Liberty 5801 Columbia Park Road, LLC.
- Location:** The subject 17.9-acre site is located in the corner of the intersection of Columbia Park Road and Cabin Branch Road within an industrial use area (10.063 Acres; I-3 Zone).
- Request:** Requesting approval for a Zoning Map Amendment to rezone approximately 17.9 acres of land in the I-3 (Planned Industrial/Employment Park) Zone, to the I-2 (Heavy Industrial) Zone.
- Council District:** 5
- Appeal by Date:** 11/14/2016
- Action by Date:** 3/14/2017
- Municipality:** None
- Opposition:** Town of Cheverly
- History:**

Council elected to make the final decision on this item (Vote: 9-0).

A motion was made by Council Member Harrison, seconded by Council Member Turner, that Council elect to make the final decision on this Zoning Map Amendment.

The motion carried by the following vote:

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

- Attachment(s):** [A-10035 Zoning AIS](#)
[A-10035 Zoning Hearing Examiner Decision](#)
A-10035 PORL
[A-10035 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**[CNU-45423-2016](#)****Prayer and Word Church**

- Applicant(s):** Prayer and Word Church of Our Lord Jesus Christ, Inc.
- Location:** Located east of Elsa Avenue at the intersection of Highland Park Drive. The property consists of four individual lots addressed as 1201 Elsa Avenue (Lots 22, 23) and 1203 Elsa Avenue (Lots 20, 21) (0.1390 Acres; R-55 Zone).
- Request:** Requesting approval for Certification of a Nonconforming use for a church and associated parking in the R-55 Zone. Because zoning regulations were changed or adopted after the permitted use was lawfully established, the use became nonconforming.
- Council District:** 7
- Appeal by Date:** 1/19/2017
- Review by Date:** 1/30/2017

History:

Council deferred this item to January 23, 2017.

This Certification of a Nonconforming Use was deferred.

[DSP-16009](#)**Steeplechase Business Park, Parcel 65**

- Companion Case(s):** DPLS-427; DSDS-690
- Applicant(s):** Atapco Richie Interchange, Inc.
- Location:** Located in the northeastern quadrant of the intersection of Hampton Park Boulevard and Alaking Court, also known as Parcel 65 (1.75 Acres; I-1 Zone).
- Request:** Requesting approval of a Detailed Sit Plan for an 8,920-square-foot multi-tenant retail building within the retail area of Steeplechase Business Park.
- Council District:** 6
- Appeal by Date:** 1/5/2017
- Review by Date:** 1/30/2017

History:

Council deferred this item to January 23, 2017.

This Detailed Site Plan was deferred.

Attachment(s): [DSP-16009_Zoning AIS](#)
[DSP-16009 Planning Board Resolution 16-133](#)
DSP-16009_PORL
[DSP-16009 Technical Staff Report](#)

PENDING FINALITY (Continued)

[DPLS-427](#)

Steeplechase Business Park, Parcel 65

Companion Case(s): DSDS-690; DSP-16009

Applicant(s): Atapco Ritchie Interchange, Inc.

Location: Located in the northeastern quadrant of the intersection of Hampton Park Boulevard and Alaking Court, also known as Parcel 65 (1.75 Acres; I-1 Zone).

Request: Requesting approval of a Departure from Parking and Loading Standards to allow a departure of 31 parking spaces from the required 106 for an 8,920-square-foot multi-tenant retail building within the retail area of Steeplechase Business Park.

Council District: 6

Appeal by Date: 1/5/2017

Review by Date: 1/30/2017

History:

Council deferred this item to January 23, 2017.

This Departure from Parking and Loading Standards was deferred.

Attachment(s): [DPLS-427_Zoning AIS](#)
[DPLS-427 Planning Board Resolution 16-135](#)
DPLS-427_PORL
[DPLS-427 Technical Staff Report](#)

PENDING FINALITY (Continued)**[DSDS-690](#)****Steeplechase Business Park, Parcel 65**

Companion Case(s): DPLS-427; DSP-16009

Applicant(s): Atapco Ritchie Interchange, Inc.

Location: Located in the northeastern quadrant of the intersection of Hampton Park Boulevard and Alaking Court, also known as Parcel 65 (1.75 Acres; I-1 Zone).

Request: Requesting approval of a Departure from Sign Design Standards to allow an additional 217.3 square feet above the 221.3 square feet of wall signage allowed for an 8,920-square-foot multi-tenant retail building within the retail area of Steeplechase Business Park.

Council District: 6

Appeal by Date: 1/5/2017

Review by Date: 1/30/2017

History:

Council deferred this item to January 23, 2017.

This Departure from Sign Design Standards was deferred.

Attachment(s): [DSDS-690 Zoning AIS](#)
[DSDS-690 Planning Board Resolution 16-134](#)
DSDS-690_PORL
[DSDS-690 Technical Staff Report](#)

PENDING FINALITY (Continued)[DSP-07079-01](#)**LIDL, College Park**

Applicant(s): Lidl US Operations, LLC

Location: Located on the east side of Baltimore Avenue (US 1) in the northeast quadrant of its intersection with Berwyn Road, at 8601 Baltimore Avenue. This site is subject to the Development District Overlay (D-D-O) Zone standards found in the 2010 Approved Central US 1 Corridor Sector Plan and Sectional Map Amendment (Approved Central US 1 Corridor Sector Plan and SMA) (3.39 Acres; M-U-I / D-D-O Zones).

Request: Requesting approval of a Detailed Site Plan to construct a 36,185-square-foot food and beverage store. The DSP coversheet should be revised to clarify the use of a food and beverage store rather than "Commercial/Retail."

Council District: 3

Appeal by Date: 12/15/2016

Review by Date: 1/16/2017

Municipality: City of College Park

History:

Council took no action on this item.

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

Attachment(s): [DSP-07079-01_Zoning AIS](#)
[DSP-07079-01 Planning Board Resolution 16-122](#)
DSP-07079-01_PORL
[DSP-07079-01 Technical Staff Report](#)

PENDING FINALITY (Continued)**DSP-15010****Living God Christian Academy**

- Applicant(s):** Church of the Living God
- Location:** Located on the south side of Chillum Road, approximately 62 feet east of Sargent Road (5.16 Acres; R-55 Zone).
- Request:** Requesting approval of a Detailed Site Plan for a day care center, with a maximum enrollment of 80 children, in the One-Family Detached Residential (R-55) Zone.
- Council District:** 2
- Appeal by Date:** 1/5/2017
- Review by Date:** 1/30/2017
- History:**

Council took no action on this item.

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

- Attachment(s):** [DSP-15010_Zoning AIS](#)
[DSP-15010 Planning Board Resolution 16-128](#)
DSP-15010_PORL
[DSP-15010 Technical Staff Report](#)

DSP-15031**EZ Storage (College Park)**

- Applicant(s):** Siena Corporation
- Location:** Located on the south side of Branchville Road in the northwest quadrant of the intersection of Greenbelt Road (MD 193) and Rhode Island Avenue (US 1), at 5151 Branchville Road (1.82 Acres; I-2 Zone).
- Request:** Requesting approval of a Detailed Site Plan for a 116,370-square-foot, 850-unit consolidated storage facility and a variance from the 25-foot building setback requirement in the Heavy Industrial (I-2) Zone.
- Council District:** 1
- Appeal by Date:** 1/5/2017
- Review by Date:** 1/30/2017
- Municipality:** City of College Park
- History:**

Council took no action on this item.

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

Attachment(s): [DSP-15031_Zoning AIS](#)
 [DSP-15031 Planning Board Resolution 16-129](#)
 DSP-15031_PORL
 [DSP-15031 Technical Staff Report](#)

PENDING FINALITY (Continued)

[DSP-16012](#)

LIDL (Glenn Dale), Lot 5

Applicant(s): Lidl U.S. Operations, LLC

Location: Located in the northwestern quadrant of the intersection of Greenbelt Road (MD 193) and Mission Drive, also identified as 7510 Mission Drive in Glenn Dale. The project is also located in a mixed-use area of the 2006 Approved Sector Plan and Sectional Map Amendment for the East Glenn Dale Area and in the southeastern corner of the larger Glenn Dale Commons development (5.71 Acres; M-X-T Zone).

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

Council District: 4

Appeal by Date: 12/15/2016

Review by Date: 1/16/2017

History:

Council took no action on this item.

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

Attachment(s): [DSP-16012_Zoning AIS](#)
 [DSP-16012 Planning Board Resolution 16-123](#)
 [DSP-16012_PORL](#)
 [DSP-16012 Technical Staff Report](#)

PENDING FINALITY (Continued)**DSP-16026****Belnor Senior Residences**

- Applicant(s):** Belnor Senior Residentces, LLC
- Location:** Located on the east side of Saint Barnabas Road, approximately 1,300 linear feet south of its intersection with Silver Hill Road and 150 linear feet north of its intersection with Bedford Way (4.72 Acres; C-S-C / D-D-O Zone).
- Request:** Requesting approval of a Detailed Site Plan for the construction of a four-story, 46-foot-high, 122-unit multifamily apartment building for the elderly or physically handicapped. The DSP proposes 96 one-bedroom and 26 two-bedroom units. The proposal also includes a variance from Section 25-122(b)(1)(G) for removal of six specimen trees and an Alternative Compliance from Section 4.6(c)(1)(B)(i) of the 2010 Prince George's County Landscape Manual.
- Council District:** 7
- Appeal by Date:** 1/19/2017
- Review by Date:** 1/30/2017
- History:**

Council deferred this item to January 23, 2017.

This Detailed Site Plan was deferred.

Attachment(s): [DSP-16026 Zoning AIS](#)

DSP-89010-04**Homewood Suites by Hilton (Largo)**

- Applicant(s):** Largo Hotel, LLC
- Location:** Located at the terminus of Basil Court, on the east side of the Capital Beltway (I-95/I-495), in the southeast quadrant of its intersection with Landover Road (MD 202), at 9100 Basil Court in Largo
- Request:** Requesting approval of a Detailed Site Plan to construct a four-story, 83,911-square-foot, 116-room hotel.
- Council District:** 6
- Appeal by Date:** 1/5/2017
- Review by Date:** 1/30/2017
- History:**

Council took no action on this item.

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

PENDING FINALITY (Continued)**[SDP-1601](#)****Parkside (formerly Smith Home Farm) Section 4, Parcels 120 and 157**

Applicant(s): SHF Project Owner, LCC

Location: The larger Parkside (formerly Smith Home Farm) subdivision is a tract of land consisting of wooded, and partially developed land approximately 3,000 feet east of the intersection of Westphalia Road and Pennsylvania Avenue (MD 4). Subject Section 4 of the Parkside development is located in the north central portion of the development north of approved Section 3 of the development and the proposed Westphalia Central Park (97.20 Acres; R-M Zone).

Request: Requesting approval of a Specific Design Plan for an infrastructure specific design plan (SDP) for grading and the installation of three stormwater management ponds for Parkside, Section 4, a part of the larger Parkside development.

Council District: 6

Appeal by Date: 1/5/2017

Review by Date: 1/30/2017

History:

Council took no action on this item.

This Specific Design Plan was not elected to review by Council.

Attachment(s): [SDP-1601 Zoning AIS](#)
[SDP-1601 Planning Board Resolution 16-125](#)
SDP-1601_PORL
[SDP-1601 Technical Staff Report](#)

CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING ON MONDAY, JANUARY 23, 2017 AT 10:00 A.M.

Hearing Dates & Times Subject to Change

[DSP-16034](#)

H & E Equipment Services, Forestville Commercial Center, Lot 12, Block D

Applicant(s): H & E Equipment Services, Inc.

Location: Located on the south side of Parston Drive, approximately 1,400 feet east of its intersection with Forestville Drive (1.71 Acres; I-1, D-D-O Zones).

Request: Requesting approval of a Detailed Site Plan to change the Development District Overlay Zone (D-D-O) Zone use table to allow the sales and rental of heavy motorized equipment or construction equipment of all kinds with outdoor display, including maintenance of said equipment within an enclosed building, and two amendments to the development district standard to reduce the parking to no more than 30 spaces and to allow the existing barbed wire and chain-link fencing at the perimeter of the site.

Council District: 6

Appeal by Date: 1/5/2017

Action by Date: 3/1/2017

Comment(s): District Council review of this case is required by Section 27-548.09.01(b) (1) of the Zoning Ordinance

This Detailed Site Plan hearing date was announced.

Attachment(s): [DSP-16034 Zoning AIS](#)
[DSP-16034 Planning Board Resolution 16-130](#)
DSP-16034_PORL
[DSP-16034 Technical Staff Report](#)

11:16 AM ADJOURN

The meeting was adjourned at 11:16 a.m.

Prepared by:

Leonard Moses, Zoning Assistant

Submitted by:

Redis C. Floyd, Clerk of the Council

DRAFT