

ZONING MINUTES

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

SITTING AS THE DISTRICT COUNCIL

Monday, April 23, 2012

AGENDA BRIEFING-*The agenda briefing was held at 1:38 p.m.*

CALL TO ORDER

Pursuant to the provisions of Section 27-132(a) of the Zoning Ordinance, at 2:08 p.m. the Chairperson convened the meeting and the following Members were present:

*Andrea Harrison, Chair
Eric C. Olson, Vice Chair
Will A. Campos
Derrick Leon Davis
Mel Franklin (arrived at 2:15 p.m.)
Mary A. Lehman
Obie Patterson
Karen R. Toles
Ingrid M. Turner*

*Also Present: Rajesh Kumar, Acting Principal Counsel to the District Council
Stan D. Brown, People's Zoning Counsel
Robert J. Williams, Jr., Council Administrator
William M. Hunt, Deputy Council Administrator
Karen Zvakos, Legislative Officer*

*M-NCPPC
Henry Zhang, Development Review Division*

INVOCATION - *The Invocation was provided by Howard Stone, County Employee.*

PLEDGE OF ALLEGIANCE – *The Pledge of Allegiance was led by Council Member Olson.*

ORAL ARGUMENT**CDP 0501/01 Smith Home Farms****SHF Project Owner, LLC, Applicant****Located approximately 3,000 feet east of the intersection of Westphalia Road and Pennsylvania Avenue (MD 4) (757 Acres; R-M/L-A-C Zones)****Requesting approval of Comprehensive Design Plan to revise three conditions attached to the previously approved Comprehensive Design Plan, CDP 0501, for Smith Farms**

Action by:

6/22/2012

CD: 6

Technical Staff: Approval, with conditions

Planning Board: Approval, with conditions

On January 23, 2012, Council elected to review (Voice Vote: 9-0)

HEARING HELD; COUNCIL TOOK CASE UNDER ADVISEMENT*After orientation by staff, the oral argument hearing was held. Council took this case under advisement.***NEW CASE****ERR 221 DDL Enterprises, Inc. t/a Try It Again, Inc.****Use and Occupancy Permit No. 42930-2005-U****DDL Enterprises, Inc. t/a Try It Again, Inc., Applicant****Located at 1301 and 1309 Oates Place, Capital Heights (3.15 Acres; R-T Zone)****Requesting approval for a validation of a Permit issued in error on April 5, 2006 for an "Auto Towing Station and Storage Yard"**

Action by:

7/04/12

CD: 5

Technical Staff: None

Planning Board: None

Zoning Hearing Examiner: Approval

Municipality: None

Opposition: None

In making the final decision in this case, the District Council should consider whether it wants to conduct an Oral Argument, pursuant to Section 27-131 (c)(2).

Backup: Order prepared in accordance with ZHE Decision.

COUNCIL ADOPTED ZONING ORDINANCE NO. 4-2012 IN ACCORDANCE WITH THE ZONING HEARING EXAMINER'S DECISION*Council Member Harrison moved adoption of Zoning Ordinance No.4-2012 in accordance with the Zoning Hearing Examiner. The motion was seconded by Council Member Franklin and carried by a roll call vote of 8-0 (Absent: Council Member Olson).*

PENDING FINALITY

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

30th Day**ZONING HEARING EXAMINER**

SE 4684 Dower, LLC., Concrete Recycling Facility
Dower, LLC., Applicant

5/07/12
CD: 9

Located on the northeast side of Dower House Road, approximately 579 feet west of the intersection of Foxley Road (26.19 Acres; I-2 Zone)
Requesting approval of a Special Exception for a concrete recycling facility with a rock crusher

Technical Staff: Approval, with conditions
 Planning Board: None
 Zoning Hearing Examiner: Approval, with conditions
 Municipality: N/A
 Opposition: Lloyd Pitts

In the event the District Council elects to make the final decision in this case, the Council should consider whether it wants an oral argument, pursuant to CB-61-1997.

On April 16, 2012, Council deferred this item to April 23, 2012

COUNCIL TOOK NO ACTION

No action was taken on this item.

PLANNING BOARD

DSP 10034 Master's Child Church, Loving Kindness Ministry Daycare
Master's Child Church, Applicant

4/26/12
CD: 7

Located on the northwest quadrant of the intersection of Marlboro Pike and Brooks Drive (1.78 Acres; C-S-C Zone)
Requesting approval of a Detailed Site Plan for a day care center with a maximum enrollment of 66 children within an existing church on a 1.78-acre property in the C-S-C Zone

Technical Staff: Approval, with conditions
 Planning Board: Approval, with conditions

On April 16, 2012, Council deferred this item to April 23, 2012

ELECTION TO REVIEW

Council Member Toles moved election to review DSP 10034. The motion was seconded by Council Member Turner and carried by a voice vote. (Absent: Council Member Olson).

PENDING FINALITY

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

30th Day

PLANNING BOARD (Continued)

SDP 0506-02 Smith Home Farms

5/03/12

SHF Project Owner, LLC, Applicant

CD: 6

Located south of Westphalia Road and east of Presidential Parkway, in the middle of the larger Smith Homes Farms project site

(61.7 Acres; R-M Zone)

Requesting approval of a Specific Design Plan to reduce the right-of-way width of MC-631 to 100 feet in accordance with the 2007 Approved Westphalia Sector Plan and Sectional Map Amendment, to relocate five stormwater management (SWM) facilities, and to adjust the grading associated with the proposed roadways and stormwater management facilities

Technical Staff: Approval, with conditions

Planning Board: Approval, with conditions

On April 16, 2012, Council deferred this item to April 23, 2012

COUNCIL TOOK NO ACTION

No action was taken on this item.

ADJOURNED -- *The District Council session was adjourned at 3:14 p.m.*

7:00 P.M. PUBLIC HEARING ON CR-12-2012 A RESOLUTION CONCERNING HOUSING AND COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN: FY 2013 – PUBLIC HEARING HELD

(COUNCIL HEARING ROOM)

(SEE SEPARATE AGENDA)

Prepared by:

Submitted by:

Leonard Moses
Zoning Assistant

Redis C. Floyd
Clerk of the Council