

Prince George's County Council

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



Zoning Agenda

Monday, July 8, 2013

10:00 AM

Council Hearing Room

Sitting as the District Council

Andrea C. Harrison, Chair, District 5

Mary A. Lehman, District 1

Will A. Campos, District 2

Eric C. Olson, District 3

Ingrid M. Turner, District 4

Derrick Leon Davis, District 6

Karen R. Toles, District 7

Obie Patterson, Vice Chair, District 8

Mel R. Franklin, District 9

Robert J. Williams, Jr., Council Administrator

RULES OF COURTESY

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 insure 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.

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. Persons wishing to give oral argument on a specific case should sign the forms provided in the front of the hearing room. Testimony at Oral Argument Hearings must be based on the record, and no new evidence will be permitted. Only persons of record may testify.

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. Comments by the People's Zoning Counsel
5. Five (5) minute rebuttal from the side requesting hearing
6. Five (5) minute rebuttal from the side favoring decision

PARTICIPATION IN ZONING MEETINGS

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

1. Come forward to the speaker's podium and state your name and address for the record.
2. 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 interpreters 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.

THE USE OF CELLULAR PHONES IN THE HEARING ROOM IS PROHIBITED

9:30 AM AGENDA BRIEFING**10:00 AM CALL TO ORDER****INVOCATION - Reverend Barry N. Wade, Sr., Pastor,
The Body of Christ Church, Captitol Heights, Maryland****PLEDGE OF ALLEGIANCE****ORAL ARGUMENTS**[CSP-12001](#)**Forks of the Road**

Applicant: Forks of the Road, LLC

Location: Locatd at the northwest quadrant of the intersection of Ritchie-Marlboro Road and Old Marlboro Pike (MD 725).

Request: Approval of a conceptual site plan for 59,156 square feet of commercial development

Council District: 6

Action by Date: 10/7/2013

History

4/3/2013	M-NCPPC Technical Staff	Approval with conditions
5/2/2013	M-NCPPC Planning Board	Approval with conditions
5/13/2013	Sitting as the District Council	ELECTED TO REVIEW

(Voice Vote: 7-0; Absent: Council Members Olson and Turner)

Attachments: [CSP-12001 Technical Staff Report](#)
[CSP 12001 Planning Board Resolution 13-37](#)

[CNU-3916-201](#)**Rockport Autos, LLC**[2](#)

Applicant: Rockport Autos, LLC

Location: Located on the northwest side of Martin Luther King, Jr. Highway (MD 704) and the northeast side of Glenarden Parkway

Request: Requesting approval of a Non-Conforming Use Certification for a used vehicle service repair in the M-U-I/D-D-O Zone

Council District: 5

Action by Date: 10/7/2013

History

1/23/2013	M-NCPPC Technical Staff	Disapproval
3/7/2013	M-NCPPC Planning Board	Disapproval
3/25/2013	Sitting as the District Council	ELECTED TO REVIEW

(Voice Vote: 8-0; Absent: Council Member Olson)

Attachments: [CNU-3916-2012 MNCPPC Staff Report](#)
[CNU-3916-2012 Planning Board Resolution 13-17](#)

MANDATORY REVIEW (Using Oral Argument Procedures)[DSP-12034](#)**Keane Enterprises, Inc.**

Applicant: Keane Enterprises, Inc.

Location: Northeast corner of the intersection of Baltimore Avenue (US 1) and Berwyn House Road (2.86 Acres; M-U-I/R-55/D-D-O)

Request: Approval of a Detailed Site Plan for a mixed-use development with a 156-room hotel, 23,615 square feet of retail, and a parking garage

Council District: 3

Action by Date: 10/7/2013

Comments: District Council review of this case is required by Section 27-548.26 (b).

Attachments: [DSP-12034 MNCPPC Staff Report](#)
[DSP-12034 Planning Board Resolution 13-36](#)

ITEMS FOR DISCUSSION[SDP-0608-01](#)**The Preserve at Piscataway**

Applicant: Woodlawn Development Group

Location: Located at the south side of Floral Park Road, at its intersection with Piscataway (304.90 Acres; R-L Zone)

Request: Requesting approval of a Specific Design Plan to eliminate the proposed golf course and to revise the recreational grading and the tree conservation plan

Council District: 9

Appeal by Date: 3/7/2013

Review by Date: 3/7/2013

Action by Date: 7/10/2013

History

1/2/2013	M-NCPPC Technical Staff	Approval with conditions
1/31/2013	M-NCPPC Planning Board	Approval with conditions
2/11/2013	Sitting as the District Council	DID NOT ELECT TO MAKE THE FINAL DECISION
3/7/2013	Person of Record	Appealed
	<i>Nii-Kwashie Aryeetey filed an appeal in opposition to the proposal and requested Oral Argument</i>	
6/10/2013	Sitting as the District Council	HEARING HELD
6/10/2013	Sitting as the District Council	TAKEN UNDER ADVISEMENT

Attachments: [SDP-0608-01 MNCPPC Staff Report](#)
[SDP-0608-01 Planning Board Resolution 13-02](#)

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.

(a) ZONING HEARING EXAMINER

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.

[ROSP SE
3473/01](#)

Little Workers of Sacred Hearts Nursery

Applicant: Little Workers of Sacred Hearts Nursery
Location: Located along the south side of Queensbury Road, approximately 130 feet west of 49th Avenue, and 120 feet east of 48th Avenue (0.44 Acre; R-55 Zone)
Request: Requesting approval of a Revision of Site Plan Special Exception to increase enrollment from 25 to 30 students, add a 752-square-foot building addition, add a semi-circular driveway, remove and replace a portion of an existing fence, add landscaping, modifications for ADA accessibility and a variance from section 27-244(e) of the Zoning Ordinance
Council District: 3
Appeal by Date: 7/24/2013
Review by Date: 7/24/2013
Municipality: Town of Riverdale Park
Opposition: Robert Hopkins and Patricia Jennings Hopkins

History

2/20/2013	M-NCPPC Technical Staff	Approval with conditions
3/7/2013	M-NCPPC Planning Board	No Motion to Consider
6/24/2013	Zoning Hearing Examiner	Approval with conditions

Attachments: [ROSP-3473-01 MNCPPC Staff Report](#)
[ROSP SE-3473-01 Zoning Hearing Examiner Decision](#)

[ROSP
SE-4388-01](#)

Kreative Kids Child Care Center

Applicant: Monika and Jalindar Mahabare
Location: Located on the northeast corner of Collier Road and Cherry Hill Road (0.24 Acres; R-R Zone)
Request: Requesting approval of a Revision of Site Plan Special Exception for a major revision to approved Special Exception SE-4388 to increase the child enrollment from 32 children to 62 children and an Alternative Compliance request from Section 4.2 of the Landscape Manual
Council District: 1
Appeal by Date: 7/29/2013
Review by Date: 7/29/2013
Municipality: None
Opposition: None

History

9/24/2012	M-NCPPC Technical Staff	Approval with conditions
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11/1/2012 M-NCPPC Planning Board No Motion to Consider
 6/28/2013 Zoning Hearing Examiner Approval with conditions

Attachments: [ROSP-4388-01 MNCPPC Staff Report](#)
[ROSP SE 4388-01 Zoning Hearing Examiner Decision](#)

[SE/VSE 4698](#)**A-1 Vehicle Salvage Yard**

Applicant: W & C Property Management, LLC
Location: Located along the north side of Kilmer Place, approximately 280 feet east of its intersection with 52nd Avenue (1.98 Acres; I-1 Zone)
Request: Requesting approval of a Special Exception for a vehicle salvage yard in the I-1 Zone including variances to the ten percent green space requirement for the I-1 Zone and the building setback requirement of the Sections 27-469(b)(1) and 27-474(a)(1)(b) of the Zoning Ordinance, respectively

Council District: 5

Appeal by Date: 7/25/2013

Review by Date: 7/25/2013

Municipality: None

Opposition: William Hwang et. al.

History

1/24/2013 M-NCPPC Technical Staff Approval with conditions
 2/7/2013 M-NCPPC Planning Board No Motion to Consider
 6/25/2013 Zoning Hearing Examiner Approval with conditions

Attachments: [SE_VSE 4698 MNCPPC Staff Report](#)
[SE_VSE 4698 Zoning Hearing Examiner Decision](#)

[SE-4703](#)**Ace Cash Express**

Applicant: Ace Cash Express, Inc.
Location: Located east of Baltimore Avenue (US 1) between Locust Grove Drive and Chestnut Ridge Drive (2.14 Acres; C-M & R-55 Zones)
Request: Requesting approval of a Special Exception for a check cashing business in the C-M and R-55 Zones

Council District: 1

Appeal by Date: 7/29/2013

Review by Date: 7/29/2013

Municipality: None

Opposition: None

History

3/14/2013 M-NCPPC Technical Staff Approval with conditions
 4/4/2013 M-NCPPC Planning Board No Motion to Consider
 6/27/2013 Zoning Hearing Examiner Approval with conditions

Attachments: [SE 4703 MNCPPC Staff Report](#)
[SE 4703 Zoning Hearing Examiner Decision](#)

[SE-4722](#)**Lighthouse at Twin Lakes Apartments**

Applicant: Lighthouse Holdings, LLC

Location: Located at the north side of Calverton Boulevard, west side of Beltsville Road and south of the Capital Beltway (I-95/495) (32.89 Acres; R-18 Zone)

Request: Requesting approval of a Special Exception for alteration, extension, or enlargement of a certified nonconforming use to convert existing spaces located within the apartment buildings to new dwelling units

Council District: 1

Appeal by Date: 7/25/2013

Review by Date: 7/25/2013

Municipality: None

Opposition: None

History

11/6/2012	M-NCPPC Technical Staff	Approval with conditions
11/29/2012	M-NCPPC Planning Board	No Motion to Consider
6/25/2013	Zoning Hearing Examiner	Approval with conditions

Attachments: [SE 4722 MNCPPC Staff Report](#)
[SE 4722 Zoning Hearing Examiner Decision](#)

(b) PLANNING BOARD[CDP-1201](#)**Brandywine Village**

Applicant: Brandywine Investment Associates, LLP,

Location: Located at the northwest corner of the intersection of Robert Crain Highway (US 301) and Chadds Ford Road (44.33 Acres; L-A-C Zone)

Request: Requesting approval of a Comprehensive Design Plan for a mixed-use Development of 191 townhouses and approximately 218,500 square feet of retail, medical, general office space, variance from Section 27-480(b) for minimum lot size and Section 27-515(b)(7), footnote 29, for maximum percentage of townhouses

Council District: 9

Appeal by Date: 7/25/2013

Review by Date: 7/25/2013

History

5/15/2013	M-NCPPC Technical Staff	Approval with conditions
6/20/2013	M-NCPPC Planning Board	Approval with conditions

Attachments: [CDP-1201 MNCPPC Staff Report](#)
[CDP 1201 Planning Board Resolution 13-58](#)

[CNU-28266-20](#) **Roberto's Market**12

Applicant: James Schneider
Location: Located at the west side of Ager Road approximately 520 feet north of Hamilton Street (0.319 Acre; M-X-T/T-D-O Zones)
Request: Requesting approval of a Nonconforming Use Certification for a food or beverage store in the M-X-T/T-D-O Zones
Council District: 2
Appeal by Date: 7/25/2013
Review by Date: 7/25/2013

History

5/3/2013	M-NCPPC Technical Staff	Disapproval
6/20/2013	M-NCPPC Planning Board	Disapproval

Attachments: [CNU-28266-12 MNCPPC Staff Report](#)
[CNU-28266-2012 Planning Board Resolution 13-61](#)

[CNU-32917-20](#) **Convenience & Dollar Plus Market**10

Applicant: AG/TDG Pinewood, LLC
Location: Located Southeast of Southern Avenue, approximately 1,240 feet northeast of Pennsylvania Avenue (MD 4) (0.43 Acres; R-T Zone)
Request: Requesting approval of a Nonconforming Use Certification for a convenience/retail store in the R-T Zone
Council District: 7
Appeal by Date: 7/1/2013
Review by Date: 9/2/2013

History

5/20/2013	M-NCPPC Technical Staff	Disapproval
6/27/2013	M-NCPPC Planning Board	Approval

Attachments: [CNU-32917-2010 MNCPPC Staff Report](#)
[CNU 32917-2010 Planning Board Resolution 13-66](#)

[DSP-90076-04](#) **Tantallon on the Potomac, Lot 6, Block E**

Applicant: Walter T. & Genevive J. During
Location: Located on the east side of Firth of Tae Drive, 700 feet south of its intersection with Swan Creek Road (0.46 Acres; R-R, L-D-O Zones)
Request: Requesting approval for a Conservation Plan and a Detailed Site Plan to Construct a 3,308-square-foot single-family detached dwelling with a garage on a vacant and wooded property within the Chesapeake Bay Critical Area (CBCA)
Council District: 8
Appeal by Date: 8/1/2013
Review by Date: 9/2/2013

History

5/30/2013	M-NCPPC Technical Staff	Approval with conditions
6/27/2013	M-NCPPC Planning Board	Approval with conditions

Attachments: [DSP-90076-04 MNCPPC Staff Report](#)
 [DSP-90076-04 Planning Board Resolution 13-69](#)

[DSP-03089-01](#) **Hanson Palmer Industrial Park, Parcel C**

Applicant: FCW Justice, Inc.
Location: On the west side of Lottsford Vista Road, approximately 1,125 feet south
 of its intersection with Martin Luther King Highway (MD 704)
 (3.397 Acres; I-1 Zone)
Request: Requesting approval of a Detailed Site Plan for a combined
 12,754-square-foot restaurant, car wash and full-service laundromat
 buildin
Council District: 5
Appeal by Date: 8/1/2013
Review by Date: 9/2/2013

History

5/22/2013	M-NCPPC Technical Staff	Approval with conditions
6/27/2013	M-NCPPC Planning Board	Approval with conditions

Attachments: [DSP 03089-01 MNCPPC Staff Report](#)
 [DSP 03089-01 Planning Board Resolution 13-67](#)

[DSP-12051](#) **Andrews Ridge Apartments**

Applicant: AG/TDG Pinewood, LLC
Location: Located on the southern side of Suitland Road (MD 218), between its
 intersection with Regency Parkway to the west and Walls Lane to the
 east
 (11.06 Acres; R-18 Zone)
Request: Requesting approval of a Detailed Site Plan for a 2,503-square-foot
 community building/leasing office for an existing multifamily complex
Council District: 7
Appeal by Date: 7/25/2013
Review by Date: 7/25/2013

History

5/15/2013	M-NCPPC Technical Staff	Approval with conditions
6/20/2013	M-NCPPC Planning Board	Approval with conditions

Attachments: [DSP 12051 MNCPPC Staff Report](#)
 [DSP 12051 Planning Board Resolution 13-60](#)

[SDP-1003-01](#)**Smith Home Farm, Section 1A**

Applicant: Dan Ryan Builders, Inc.

Location: Approximately 1,900 feet east of the intersection of Pennsylvania Avenue (MD 4) and Presidential Parkway (76.44 Acres; R-M Zone)

Request: Requesting approval of a revision to Specific Design Plan to add townhouse architecture, widen some townhouses lots to 22 feet wide and reorient six groups of townhouses

Council District: 6

Appeal by Date: 7/25/2013

Review by Date: 7/25/2013

History

5/1/2013 M-NCPPC Technical Staff Approval with conditions

6/20/2013 M-NCPPC Planning Board Approval with conditions

Attachments: [SDP-1003-01 MNCPPC Staff Report](#)
[SDP-1003-01 Planning Board Resolution 13-62](#)

1:30 P.M. COMMITTEE OF THE WHOLE - (ROOM 2027)

*ADOPTED SUBREGION 5 MASTER PLAN AND ENDORSED
SECTION MAP AMENDMENT (SMA)*

(DIGEST OF TESTIMONY)

*ADOPTED SUBREGION 6 MASTER PLAN AND ENDORSED
SECTION MAP AMENDMENT (SMA)*

DIGEST OF TESTIMONY)

ADJOURN