

# Prince George's County Council

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



## **Zoning Agenda - Final**

**(Approximate Time - immediately following County Council Session)**

**Tuesday, July 13, 2021  
11:30 AM**

**VIRTUAL MEETING**

### **Sitting as the District Council**

*Calvin S. Hawkins, II, Chair, At-Large*

*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*

*Jolene Ivey, District 5*

*Rodney C. Streeter, District 7*

*Deni L. Taveras, Vice Chair, District 2*

*Todd M. Turner, District 4*

*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](mailto: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>**

**11:30 AM CALL TO ORDER - (VIRTUAL MEETING)**

*(Approximate Time - immediately following County Council Session)*

**APPROVAL OF DISTRICT COUNCIL MINUTES**

[MINDC 06212021](#)

**District Council Minutes dated June 21, 2021**

**Attachment(s):**

[06-21-2021 District Council Minutes Draft](#)

[MINDC 07062021](#)

**District Council Minutes dated July 6, 2021**

**Attachment(s):**

[07-06-2021 District Council Minutes Draft](#)

**REFERRED FOR DOCUMENT**[CNU-51074-2020-U](#)**6313 Rhode Island Avenue Riverdale****Applicant(s):**

April Mackoff, Clear Channel Outdoor LLC

**Location:**

Located at the intersection of East-West Highway and Rhode Island Avenue (0.14 Acres; MU-TC Zone).

**Request:**

Requesting Certification of Nonconforming Use for an outdoor advertising sign. Certification of existing outdoor advertising signs is required 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 1979.

**Council District:**

3

**Appeal by Date:**

7/2/2021

**Review by Date:**

3/31/2021

**Action by Date:**

9/1/2021

**Municipality:**

Riverdale Park

**History:**

03/01/2021	M-NCPPC Administrative Certification	approval
03/08/2021	Sitting as the District Council	deferred
	<i>Council deferred this item to March 22, 2021.</i>	
03/22/2021	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote: 10-0; Absent: Council Member Franklin).</i>	
03/24/2021	Clerk of the Council	transmitted
	<i>The case was transmitted to the Zoning Hearing Examiner (ZHE) for hearing in accordance with Section 27-244 of the Zoning Ordinance.</i>	
06/17/2021	Zoning Hearing Examiner	approval
06/21/2021	Sitting as the District Council	deferred
	<i>Council deferred this item to the next District Council Session.</i>	
07/06/2021	Sitting as the District Council	referred for document
	<i>Council referred item to staff for preparation of an approving document in accordance with the Zoning Hearing Examiner decision (Vote: 10-0; Absent: Council Member Davis).</i>	

**Attachment(s):**

[CNU-51074-2020 Zoning Agenda Item Summary](#)

[CNU-51074-2020 - Notice of Decision](#)

[CNU -51074-2020-U ZHE Decision](#)

CNU-51074-2020 PORL

[CNU-51074-2020 Case File](#)

[CNU-51074-2020 -Transcript dtd 5-19-21](#)

[Memo to Clerk - CNU-51074-2020 dtd 6-17-2021](#)

[CNU-51074-2020 Clerk memo to ZHE](#)

[CNU-51074-2020 Exhibits](#)

**REFERRED FOR DOCUMENT (Continued)**

[ROW- Winfield Kelly Jr.](#)     **Winfield Kelly, Jr.**

**Applicant(s):** Winfield Kelly, Jr.

**Location:** Located approximately 2,000 feet beyond the municipal boundaries of the City of Bowie, Maryland, and is identified as 7111 NE Crain Highway, Bowie, Maryland (7.93 Acres; C-M Zone).

**Request:** Requesting authorization to Issue Building Permit for a structure within a Proposed Right-of-Way to authorize the issuance of Permit No. 16977-2020-CGU to construct a multi-tenant commercial/retail/service building within the proposed right-of-way of E-1, associated with the interchange of Central Avenue (MD 214), Crain Highway (US 301) and Old Central Avenue as depicted (in differing iterations) on PGAtlas, the 2009 County Master Plan of Transportation and the US 301 Access Control Study Plan prepared by the State Highway Administration (“SHA”) in 1999.

**Council District:** 4

**Appeal by Date:** 7/5/2021

**Action by Date:** 11/1/2021

**Opposition:** None

**History:**

12/02/2020	Applicant	filed
	<i>Russell W. Shipley, Esq., attorney for the owner, filed a request for authorization of the issuance of a building permit within a proposed right-of-way.</i>	
12/23/2020	Applicant	filed
01/04/2021	Clerk of the Council	transmitted
	<i>The Clerk of the Council transmitted the case to the Zoning Hearing Examiner for a public hearing.</i>	
06/03/2021	Zoning Hearing Examiner	approval
06/14/2021	Sitting as the District Council	deferred
	<i>Council deferred item to June 21, 2021.</i>	

06/21/2021

Sitting as the District Council

referred for document

*Council referred item to staff for preparation of a document of approval in accordance with the Zoning Hearing Examiner decision (Vote: 10-0: Absent: Council Member Davis).*

**Attachment(s):**

[ROW-Winfield Kelly Jr. Zoning Agenda Item Summary](#)

[ROW-Winfield Kelly Jr. Notice of ZHE Decision](#)

[ROW-Winfield Kelly Jr. ZHE Decision](#)

[ROW-Winfield Kelly Jr. Exhibit List](#)

ROW-Winfield Kelly Jr. PORL

**ITEM(S) FOR DISCUSSION**[SE-4816](#)**ROYAL FARMS #220 ACCOKEEK****Companion Case(s):** ROW Royal Farms Remand**Applicant(s):** Two Farms, Inc.**Location:** Located on the west side of MD 210 (Indian Head Highway), in the southwest quadrant of its intersection with MD 375 (Livingston Road) (2.94 Acres; C-S-C Zone).**Request:** Requesting approval of a Special Exception (SE) to use approximately 2.94 acres of land, in the C-S-C (Commercial Shopping Center) Zone, for a Gas Station with an associated Food or Beverage Store.**Council District:** 9**Appeal by Date:** 2/10/2021**Review by Date:** 2/10/2021**Action by Date:** 6/10/2021**Opposition:** Sangee and Sulojana Tharmarajah, et al.**History:**

06/28/2019	M-NCPPC Technical Staff	approval with conditions
01/11/2021	Zoning Hearing Examiner	approval with conditions
01/25/2021	Sitting as the District Council	elected to make the final decision

*People's Zoning Counsel, Stan Brown, provided an orientation, recommending that Council elect to review the Special Exception and ROW cases given many appellants concerns regarding receipt of the Zoning Hearing Examiner decision and time to appeal. Council elected to review (Vote: 10-0-1: Abstain: Council Member Franklin).*

02/05/2021	Person of Record	appealed
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*Rev. Dr. Robert L. Screen filed exceptions to the Zoning Hearing Examiner's Decision in opposition to the proposal.*

02/09/2021	Person of Record	appealed
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*G. Macy Nelson, Esq., attorney for the Dharam Singh Goraya, et al., filed an appeal of the Zoning Hearing Examiner's Decision and requested Oral Argument.*



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02/10/2021	Person of Record	appealed
	<i>Madeline Kochen Esq., Pro Se Opponent, filed an appeal of the Zoning Hearing Examiner's Decision and requested Oral Argument.</i>	
03/04/2021	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
03/23/2021	Person of Record	appealed
	<i>J. Carroll Holzer, Esq. and Sean P. Canavan, Esq., attorneys for Accokeek, Mattawoman, Piscataway Creeks Communities Council, Inc. (AMP Creeks Council), filed an appeal of the Zoning Hearing Examiner's Decision and requested Oral Argument.</i>	
03/29/2021	Sitting as the District Council	announced hearing date
04/06/2021	Applicant	withdrawn
	<i>Lawrence N. Taub, Esq., attorney for Property Owners, and Matthew C. Tedesco, Esq., attorney for Applicant, filed a request to formally withdraw both SE-4816 and ROW Royal Farms #220 (Accokeek) applications.</i>	
04/08/2021	Applicant	withdrawn
	<i>Lawrence N. Taub, Esq., attorney for Property Owners, and Matthew C. Tedesco, Esq., attorney for Applicant, filed a second request to formally withdraw both SE-4816 and ROW Royal Farms #220 (Accokeek) applications.</i>	
04/12/2021	Sitting as the District Council	referred for document
	<i>Stan Brown, People's Zoning Counsel, provided a procedural and process overview of the current posture of the Special Exception and Right-of-Way cases. Subsequently, Council referred item to staff for preparation of a document of dismissal pursuant to the applicant's request for administrative withdrawal in accordance with Section 27-299 (Vote: 8-0; Absent: Council Members Dernoga, Franklin, and Glaros).</i>	
05/10/2021	Sitting as the District Council	dismissed
	<i>Council adopted the prepared order of Dismissal (Vote: 8-0; Absent: Council Members Dernoga, Franklin, and Glaros).</i>	
06/12/2021	Person of Record	filed
	<i>Madeline Kochen, Esq., Person of Record appearing pro se, filed a request for Reconsideration and Amendment of Final Decision.</i>	

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**Attachment(s):**

[SE-4816 Zoning Agenda Item Summary](#)

[SE-4816 Kochen to Brown Reconsideration 6-12-21](#)

[SE-4816 Notice of District Council Hearing](#)

SE-4816 Memo to Clerk

[SE-4816 Notice of Decision](#)

[SE-4816 ZHE Decision](#)

SE-4816 PORL

[SE-4816 Royal Farms Technical Staff Report](#)

[SE-4816 Royal Farms 220 Accokeek ZHE Case file pa](#)

[SE-4816 Case File Part 1](#)

[SE-4816 Royal Farms 220 Accokeek ZHE Case file Pa](#)

[SE-4816 ROW Screen appeal 2-5-2021](#)

[SE-4816 Nelson to Brown appeal 2-9-21](#)

[SE-4816 ROW Kochen to Brown appeal 2-10-21](#)

[SE-4816 ROW Holzer and Canavan to Brown appeal 3-2](#)

[SE-4816 ROW Tedesco and Taub to Brown withdrawal 4](#)

[SE-4816 ROW Tedesco and Taub to Brown 2nd withdraw](#)

[SE-4816 ROW Tedesco and Taub to Brown 2nd withdraw](#)

**ITEM(S) FOR DISCUSSION (Continued)**

[ROW Royal Farms](#)  
[Remand](#)

**Royal Farms #220 (Accokeek) (Remand)****Companion Case(s):** SE-4816**Applicant(s):** Two Farms, Inc.**Location:** Located on the west side of MD 210 (Indian Head Highway), in the southwest quadrant of its intersection with MD 375 (Livingston Road) (2.94 Acres; C-S-C Zone).**Request:** Requesting approval of a application to Authorize the Issuance of Building Permits for Structures Within a Proposed Right-of-Way (ROW) for two (2) pylon signs, 22 parking spaces, free air station, five (5) multi dispenser gasoline pumps with canopy, large vehicle parking areas, all of the required landscaping, and a stormwater management facility, all within the proposed rights-of-way for F-11 and C-525.**Council District:** 9**Appeal by Date:** 2/10/2021**Action by Date:** 6/10/2021**Opposition:** Sangee and Sulojana Tharmarajah, et al.**History:**

05/01/2019 Zoning Hearing Examiner approval

05/31/2019 Person of Record appealed

*Ms. Sangee Tharmarajah and Sulojana Tharmarajah filed an appeal of the Zoning Hearing Examiner's decision and requested Oral Argument.*

06/05/2019 Clerk of the Council mailed

06/10/2019 Sitting as the District Council announced hearing date

06/28/2019 Applicant filed

*Matthew C. Tedesco, Esq., attorney for the applicant, filed a response to the 5/31/2019 Exceptions and requested to dismiss the Exceptions to the Zoning Hearing Examiner's decision for lack of standing.*

07/08/2019 Sitting as the District Council hearing held; case taken under advisement

10/07/2019 Sitting as the District Council referred for document

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10/28/2019	Sitting as the District Council	remanded
	<i>Council adopted the prepared Order of remand to the Zoning Hearing Examiner (Vote: 8-0; Absent: Council Members Dernoga, Franklin, and Glaros).</i>	
11/01/2019	Clerk of the Council	transmitted
	<i>The Clerk returned the entire case file to the Zoning Hearing Examiner's (ZHE) Office in accordance with the 10/28/2019 Order of Remand.</i>	
11/01/2019	Clerk of the Council	mailed
	<i>The Notice of Decision of the District Council was mailed to Persons of Record.</i>	
01/11/2021	Zoning Hearing Examiner	approval with conditions
01/25/2021	Sitting as the District Council	elected to make the final decision
	<i>People's Zoning Counsel, Stan Brown, provided an orientation, recommending that Council elect to review the ROW and Special Exception cases given many appellants concerns regarding receipt of the decision and time to appeal. Council elected to review (Vote: 10-0-1: Abstain: Council Member Franklin).</i>	
02/05/2021	Person of Record	appealed
	<i>Rev. Dr. Robert L. Screen filed exceptions to the Zoning Hearing Examiner's Decision in opposition to the proposal.</i>	
02/09/2021	Person of Record	appealed
	<i>G. Macy Nelson, Esq., attorney for the Dharam Singh Goraya, et al., filed an appeal of the Zoning Hearing Examiner's Decision and requested Oral Argument.</i>	
02/10/2021	Person of Record	appealed
	<i>Madeline Kochen Esq., Pro Se Opponent, filed an appeal of the Zoning Hearing Examiner's Decision and requested Oral Argument.</i>	
03/04/2021	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	

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03/23/2021	Person of Record	appealed
	<i>J. Carroll Holzer, Esq. and Sean P. Canavan, Esq., attorneys for Accokeek, Mattawoman, Piscataway Creeks Communities Council, Inc. (AMP Creeks Council), filed an appeal of the Zoning Hearing Examiner's Decision and requested Oral Argument.</i>	
03/29/2021	Sitting as the District Council	announced hearing date
04/06/2021	Applicant	withdrawn
	<i>Lawrence N. Taub, Esq., attorney for Property Owners, and Matthew C. Tedesco, Esq., attorney for Applicant, filed a request to formally withdraw both SE-4816 and ROW Royal Farms #220 (Accokeek) applications.</i>	
04/08/2021	Applicant	withdrawn
	<i>Lawrence N. Taub, Esq., attorney for Property Owners, and Matthew C. Tedesco, Esq., attorney for Applicant, filed a second request to formally withdraw both SE-4816 and ROW Royal Farms #220 (Accokeek) applications.</i>	
04/12/2021	Sitting as the District Council	referred for document
	<i>Stan Brown, People's Zoning Counsel, provided a procedural and process overview of the current posture of the Special Exception and Right-of-Way cases. Subsequently, Council referred item to staff for preparation of a document of dismissal pursuant to the applicant's request for administrative withdrawal in accordance with Section 27-299 (Vote: 8-0; Absent: Council Members Dernoga, Franklin, and Glaros).</i>	
05/10/2021	Sitting as the District Council	dismissed
	<i>Council adopted the prepared order of Dismissal (Vote: 8-0; Absent: Council Members Dernoga, Franklin, and Glaros).</i>	
06/12/2021	Person of Record	filed
	<i>Madeline Kochen, Esq., Person of Record appearing pro se, filed a request for Reconsideration and Amendment of Final Decision.</i>	

**Attachment(s):**

[ROW Royal Farms #220 Remand Zoning Agenda Item 5](#)  
[SE-4816 Kochen to Brown Reconsideration 6-12-21](#)  
[ROW Royal Farms 220 Remand Notice of District Council](#)  
[ROW Royal Farms #220 Remand Notice of Decision](#)  
[ROW Royal Farms #220 Remand ZHE Decision](#)  
[ROW Royal Farms #220 Remand PORL](#)  
[ROW Royal Farms #220 Remand Case File](#)  
[SE-4816 ROW Screen appeal 02-05-2021](#)  
[ROW Royal Farms #220 Remand Nelson to Brown appeal](#)  
[SE-4816 ROW Kochen to Brown appeal 2-10-21](#)  
[SE-4816 ROW Holzer and Canavan to Brown appeal 3-23](#)  
[SE-4816 ROW Tedesco and Taub to Brown withdrawal 4](#)  
[SE-4816 ROW Tedesco and Taub to Brown 2nd withdrawal](#)  
[SE-4816 ROW Tedesco and Taub to Brown 2nd withdrawal](#)

**PENDING FINALITY****(a) ZONING HEARING EXAMINER**

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

**SE-4830****Schultz Road Senior Housing****Applicant(s):**

Schultz Road, LLC

**Location:**

Located in the southeast corner of Schultz Road and Springbrook Lane (3.53 Acres; R-80 / M-I-O Zones).

**Request:**

Requesting approval of a Special Exception (SE) for permission to use approximately 3.53 acres of R-80 (One-Family Detached Residential)/M-I-O (Military Installation Overlay) Zoned land located in the southeast corner of Schultz Road and Springbrook Lane, identified as 8230 Schultz Road, Clinton, Maryland, as Apartment Housing for the Elderly or Physically Handicapped.

**Council District:**

9

**Appeal by Date:**

7/19/2021

**Review by Date:**

7/19/2021

**Opposition:**

None

**History:**

03/10/2021	M-NCPPC Technical Staff	approval with conditions
03/26/2021	M-NCPPC Planning Board	no recommendation
06/17/2021	Zoning Hearing Examiner	approval with conditions
06/21/2021	Sitting as the District Council	deferred

*Council deferred this item to the next District Council Session.*

**Attachment(s):**[SE-4830 Zoning Agenda Item Summary](#)[SE-4830 Notice of Decision](#)[SE-4830 ZHE Decision](#)

SE-4830 PORL

[SE-4830 Technical Staff Report](#)[SE-4830- 8320 Exhibit List](#)[Memo to Clerk - SE-4830 Schultz Road Senior Housing](#)[SE-4830 Transcripts 05-12-2021](#)

*In the event the District Council elects to make the final decision in this case, an oral argument will be scheduled pursuant to Sec. 27-131 of the Zoning Ordinance.*



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

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

**DSDS-711****College Park Car Wash****Location:**

Located in the southwest corner of the property at Sunnyside Avenue and Rhode Island Avenue (2.96 Acres; I-1 Zone).

**Request:**

Requesting approval of a Departure from Sign Design Standards (DSDS) for the construction of one additional freestanding sign for a building located less than 40 feet from the street line.

**Council District:**

1

**Appeal by Date:**

7/22/2021

**Review by Date:**

7/22/2021

**History:**

05/04/2021

M-NCPPC Technical Staff

approval with conditions

06/17/2021

M-NCPPC Planning Board

approval with conditions

**Attachment(s):**

[DSDS-711 Zoning Agenda Item Summary](#)

[DSDS-711 Planning Board Resolution 2021-66 - Signed](#)

DSDS-711\_PORL

[DSDS-711 Technical Staff Report](#)

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

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

**DSP-05018-01****Tribeca At Camp Springs - Day Care Center (Expedited Transit-Oriented Development Project)****Applicant(s):**

The Learning Curve, CDC II, Inc.

**Location:**

Located in the northwest quadrant of the intersection of Old Soper Road and Auth Road, between Auth Road and Woods Way (7.51 Acres; C-S-C / D-D-O / M-I-O Zones).

**Request:**

Requesting approval of a Detailed Site Plan (DSP) for a day care center for 88 children in a portion of the existing commercial/retail space in a mixed-use building constructed in 2008, pursuant to DSP-05018.

**Council District:**

8

**Appeal by Date:**

8/5/2021

**Review by Date:**

9/7/2021

**Comment(s):**

This case is designated for expedited review in accordance with Sections 27-107.01 (a)(242.2)(B) and 27-290.01

**History:**

06/01/2021	M-NCPPC Planning Board	approval with conditions
06/08/2021	M-NCPPC Technical Staff	approval with conditions

**Attachment(s):**

[DSP-05018-01 Zoning Agenda Item Summary](#)  
[DSP-05018-01 Planning Board Resolution 2021-76 - Sign](#)  
 DSP-05018-01 PORL  
[DSP-05018-01 Technical Staff Report](#)

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

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

**DPLS-491****Tribeca at Camp Springs - Day Care Center****Applicant(s):**

The Learning Curve, CDC II, Inc.

**Location:**

Located in the northwest quadrant of the intersection of Old Soper Road and Auth Road, between Auth Road and Woods Way (7.51 Acres; C-S-C / D-D-O / M-I-O Zones).

**Request:**

Requesting approval of a Departure from Parking and Loading Spaces, DPLS to reduce the number of the required loading spaces for commercial/retail uses from three to two.

**Council District:**

8

**Appeal by Date:**

8/5/2021

**Review by Date:**

9/7/2021

**History:**

06/08/2021

M-NCPPC Technical Staff

approval

07/01/2021

M-NCPPC Planning Board

approval

**Attachment(s):**[DPLS-491 Zoning Agenda Item Summary](#)[DPLS-491 Planning Board Resolution 2021-77 - Signed](#)[DPLS-491\\_PORL](#)[DPLS-491 Technical Staff Report](#)

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

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

**DSP-16055-04****Vista Gardens West****Applicant(s):**

Lanham Development Group, LLC

**Location:**

Located at the intersection of Annapolis Road (MD 450) and MD 704, (Martin Luther King Jr. Highway) (31.34 Acres; M-X-T Zone).

**Request:**

Requesting approval of an amendment to a Detailed Site Plan (DSP) for the Vista Gardens West development to replace the previously approved hotel with 51 additional single-family attached (townhouse) dwelling units and amend Conceptual Site Plan, CSP-14002, as allowed by the Prince George's County Zoning Ordinance and reflected in PGCPB Resolution No. 16-90(A).

**Council District:**

5

**Appeal by Date:**

8/5/2021

**Review by Date:**

9/7/2021

**History:**

06/17/2021

M-NCPPC Technical Staff

approval with conditions

07/01/2021

M-NCPPC Planning Board

approval with conditions

**Attachment(s):**[DSP-16055-04 Zoning Agenda Item Summary](#)[DSP-16055-04 Planning Board Resolution 2021-81 - Sign](#)

DSP-16055-04\_PORL

[DSP-16055-04 Technical Staff Report](#)

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

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

**CSP-14002 Amended****Vista Gardens West****Applicant(s):**

Lanham Development Group, LLC

**Location:**

Located at the intersection of Annapolis Road (MD 450) and Martin Luther King Jr. Highway (MD 704) (31.34 Acres; M-X-T Zone).

**Request:**

Requesting approval of a Conceptual Site Plan to develop approximately 31.34 acres of land into a mixed-use development, including 75,000 square feet of new commercial space, a gas station and associated food and beverage store, 166 single-family attached dwelling units, in addition to an existing office building of 14,881 square feet.

**Council District:**

5

**Appeal by Date:**

8/5/2021

**Review by Date:**

9/7/2021

**History:**

06/17/2021

M-NCPPC Technical Staff

approval with conditions

07/01/2021

M-NCPPC Planning Board

approval with conditions

**Attachment(s):**[CSP-14002 Amended Zoning Agenda Item Summary](#)[CSP-14002 Planning Board Resolution 16-90\(A\) - Signed](#)

CSP-14002\_PORL

[CSP-14002 Technical Staff Report](#)

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

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

**DSP-19009-01****Westphalia East, Community Building****Applicant(s):**

Westphalia Development

**Location:**

Located at the intersection of MD 4 (Pennsylvania Avenue) and Melwood Road, approximately 800 feet north of Woodyard Road (58.03 Acres; M-I-O / M-X-T Zones).

**Request:**

Requesting approval of a Detailed Site Plan (DSP) for construction of a 5,000-square-foot community building with a pool, hot tub, splash park, recreational amenities, and an adjustment of eight lot lines.

**Council District:**

6

**Appeal by Date:**

7/22/2021

**Review by Date:**

7/22/2021

**History:**

05/04/2021

M-NCPPC Technical Staff

approval with conditions

06/17/2021

M-NCPPC Technical Staff

approval with conditions

**Attachment(s):**[DSP-19001-01 Zoning Agenda Item Summary](#)[DSP-19001-01 Planning Board Resolution 2021-67 - Sign](#)

DSP-19009-01\_PORL

[DSP-19009-01 Technical Staff Report](#)

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

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

**DSP-19021****South Lake Commercial - Phase 1****Applicant(s):**

Karrington, LLC

**Location:**

Located in the southwest quadrant of the intersection of MD 214 (Central Avenue) and US 301 (Robert Crain Highway) (59.83 Acres; E-I-A Zone).

**Request:**

Requesting approval of a Detailed Site Plan (DSP) for a 900,656 square feet of retail and commercial development to include a sports complex, hotels, grocery store, gas station in combination with a food and beverage store, and various commercial retail uses within the South Lake mixed-use planned community.

**Council District:**

4

**Appeal by Date:**

8/5/2021

**Review by Date:**

9/7/2021

**Municipality:**

Bowie

**History:**

06/10/2021

M-NCPPC Technical Staff

approval with conditions

07/01/2021

M-NCPPC Planning Board

approval with conditions

**Attachment(s):**[DSP-19021 Zoning Agenda Item Summary](#)[DSP-19021 Planning Board Resolution 2021-79 - Signed](#)

DSP-19021\_PORL

[DSP-19021 Technical Staff Report](#)

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

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

**DSP-21002****South Lake - Multifamily Phase****Applicant(s):**

South Lake Partners, LLC

**Location:**

Located in the southwest quadrant of the intersection of MD 214 (Central Avenue) and US 301 (Robert Crain Highway) (15.87 Acres; E-I-A Zone).

**Request:**

Requesting approval of a Detailed Site Plan (DSP) for 325 multifamily dwelling units in five buildings, and an 8,363-square-foot clubhouse with pool and recreational amenities on Parcel 1 within the South Lake mixed-use planned community.

**Council District:**

4

**Appeal by Date:**

8/5/2021

**Review by Date:**

9/7/2021

**Municipality:**

Bowie

**History:**

06/08/2021

M-NCPPC Technical Staff

approval with conditions

07/01/2021

M-NCPPC Planning Board

approval with conditions

**Attachment(s):**[DSP-21002 Zoning Agenda Item Summary](#)[DSP-21002 Planning Board Resolution 2021-78 - Signed](#)

DSP-21002\_PORL

[DSP-21002 Technical Staff Report](#)



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

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

**DSP-20006 Remand****Checkers Laurel (Remand)****Applicant(s):**

Mar Chek, Inc.

**Location:**

Located on the east side of US 1 (Baltimore Avenue), approximately 400 feet north of its intersection with Mulberry Street (0.84 Acres; C-S-C / R-55 Zones).

**Request:**

Requesting approval of a Detailed Site Plan (DSP) for the development of a 1,170-square-foot eating and drinking establishment with drive-through service, specifically a Checkers.

**Council District:**

1

**Appeal by Date:**

7/22/2021

**Review by Date:**

7/22/2021

**History:**

10/14/2020	M-NCPPC Technical Staff	approval with conditions
11/19/2020	M-NCPPC Planning Board	approval with conditions
01/11/2021	Sitting as the District Council	deferred
	<i>Council deferred this item to January 25, 2021.</i>	
01/25/2021	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote: 10-0-1; Abstain: Council Member Franklin).</i>	
02/03/2021	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing mailed to Persons of Record.</i>	
02/22/2021	Sitting as the District Council	announced hearing date

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03/08/2021	Sitting as the District Council	referred for document
	<i>Adam Bossi, M-NCPPC planning staff, provided an overview of the Detailed Site Plan application. Matthew Tedesco, Esq., Attorney for the applicant spoke in support. Michael Ostroff, Esq., attorney for Kathryn A. Nuzback Revocable Trust, person of record, spoke in opposition. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties. Council referred item to staff for preparation of a document of remand to the Planning Board (Vote: 10-0; Absent: Council Member Franklin).</i>	
03/22/2021	Sitting as the District Council	remanded
	<i>Council adopted the prepared Order of remand to the Planning Board (Vote: 10-0; Absent: Council Member Franklin)</i>	
05/06/2021	M-NCPPC Technical Staff	approval with conditions
06/17/2021	M-NCPPC Planning Board	approval with conditions
<b><u>Attachment(s):</u></b>	<a href="#">DSP-20006 Remand Zoning Agenda Item Summary</a> <a href="#">DSP-20006 Remand Planning Board Resolution 2020-152</a> DSP-20006_PORL <a href="#">DSP-20006 Technical Staff Report</a>	

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

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

**DSP-20055****Kennedy Krieger Institute Beltsville****Applicant(s):**

Dengar Belt, LLLP

**Location:**

Located on the east side of Powder Mill Road, at its intersection with Cedar Lane (9.72 Acres; C-O / R-80 Zone).

**Request:**

Requesting approval of a Detailed Site Plan (DSP) for a private school for 120 students within an existing commercial building.

**Council District:**

1

**Appeal by Date:**

7/29/2021

**Review by Date:**

7/29/2021

**History:**

06/07/2021

M-NCPPC Technical Staff

approval with conditions

06/24/2021

M-NCPPC Planning Board

approval with conditions

**Attachment(s):**[DSP-20055 Zoning Agenda Item Summary](#)[DSP-20055 Planning Board Resolution 2021-68 - revised .](#)

DSP-20055\_PORL

[DSP-20055 Technical Staff Report](#)

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

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

*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-7335-2021-U****Central Avenue****Applicant(s):**

April Mackoff, Clear Channel Outdoor LLC

**Location:**

Located on Central Avenue near the intersection with Hill Road (7.91 Acres; C-O Zone).

**Request:**

Requesting Certification of Nonconforming Use for an outdoor advertising sign. Certification of existing outdoor advertising signs is required 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 1987.

**Council District:**

5

**Review by Date:**

7/30/2021

**History:**

06/30/2021

M-NCPPC Administrative Certification approval

**Attachment(s):**

[CNU-7335-2021-U Zoning Agenda Item Summary](#)  
[CNU-7335-2021 Case File](#)

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

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

*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-8852-2021-U](#)

**13309 Baltimore Avenue****Applicant(s):**

April Mackoff, Clear Channel Outdoor LLC

**Location:**

Located on Baltimore Avenue south of the intersection with Contee Rd (0.5680 Acres; C-M Zone).

**Request:**

Requesting Certification of Nonconforming Use for an outdoor advertising sign. Certification of existing outdoor advertising signs is required 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 1952.

**Council District:**

1

**Review by Date:**

7/30/2021

**History:**

06/30/2021

M-NCPPC Administrative Certification approval

**Attachment(s):**

[CNU-8852-2021-U Zoning Agenda Item Summary](#)  
[CNU-8852-2021-U Case File](#)

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

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

*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-8858-2021-U](#)

**13303 Baltimore Avenue****Applicant(s):**

April Mackoff, Clear Channel Outdoor LLC

**Location:**

Located on Baltimore Avenue south of the intersection with Contee Rd (3.7130 Acres; C-M Zone).

**Request:**

Requesting Certification of Nonconforming Use for an outdoor advertising sign. Certification of existing outdoor advertising signs is required 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:**

1

**Review by Date:**

7/30/2021

**History:**

06/30/2021

M-NCPPC Administrative Certification approval

**Attachment(s):**

[CNU-8858-2021-U Zoning Agenda Item Summary](#)  
[CNU-8858-2021 Case File](#)

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

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

*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-9467-2021-U****6120 Livingston Road Oxon Hill****Applicant(s):**

April Mackoff, Clear Channel Outdoor LLC

**Location:**

Located on Livingston Road, N of the intersection with Oxon Hill Rd (5.0610 Acres; I-1 Zone).

**Request:**

Requesting Certification of Nonconforming Use for an outdoor advertising sign. Certification of existing outdoor advertising signs is required 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 1993.

**Council District:**

8

**Review by Date:**

7/30/2021

**History:**

06/30/2021

M-NCPPC Administrative Certification approval

**Attachment(s):**

[CNU-9467-2021-U Zoning Agenda Item Summary](#)  
[CNU-9467-2021 Case File](#)

**CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING ON SEPTEMBER 13 AT 10:00 A.M.***Hearing Dates & Times Subject to Change***DSP-20015****Freeway Airport****Applicant(s):**

Freeway Realty, LLC

**Location:**

Located on the west side of Church Road and in the southwest quadrant of its intersection with US 50 (John Hanson Highway)(131.50 Acres; R-A Zone).

**Request:**

Requesting approval of a Detailed Site Plan (DSP) for 416 single-family attached (townhouse) lots and 93 single-family detached lots, for a total of 509 lots.

**Council District:**

6

**Appeal by Date:**

7/1/2021

**Review by Date:**

7/1/2021

**Action by Date:**

9/29/2021

**History:**

04/20/2021	M-NCPPC Technical Staff	approval with conditions
05/27/2021	M-NCPPC Planning Board	approval with conditions
06/14/2021	Sitting as the District Council	waived election to review

*Council waived election to review for this item (Vote: 8-0-1; Absent: Council Members Dernoga and Ivey; Abstained: Council Member Anderson-Walker).*

06/30/2021	Person of Record	appealed
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*Beverly Simmons, et al. appealed the Planning Board's decision and requested Oral Argument***Attachment(s):**[DSP-20015 Zoning Agenda Item Summary](#)[DSP-20015 Appeal Simmons to Brown 6-30-21](#)[DSP-20015 Planning Board Resolution 2021-62 Signed](#)

DSP-20015\_PORL

[DSP-20015 Technical Staff Report](#)**ADJ28-21****ADJOURN**



