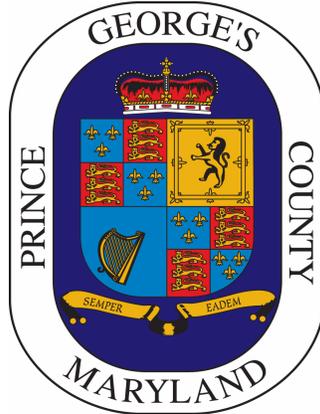


Prince George's County Council

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



Zoning Agenda - Final

**Monday, October 25, 2021
10:00 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. All District Council Sessions are public meetings, however, a part of the meeting may be conducted in closed session.

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. 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 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>

PLEASE SILENCE ALL CELLULAR PHONES WHILE IN THE HEARING ROOM.

VIEW USING THE LINK PROVIDED AT: <https://pgccouncil.us/LIVE>

10:00 AM CALL TO ORDER - (VIRTUAL)

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 10042021](#)

District Council Minutes Dated October 4, 2021

Attachment(s):

[DRAFT District Council Minutes dated 10-04-2021](#)

ORAL ARGUMENTS[A-10055](#)**National View****Applicant(s):**

Harbor View Development, LLC

Location:

Located on the north side of the Capital Beltway(I-495) , adjacent to the northeast quadrant of the intersection of the Capital Beltway (I-495) and Indian Head Highway (MD 210) (20.01 Acres; R-55 / R-R Zones).

Request:

Requesting approval of a Zoning Map Amendment for the rezoning of approximately 20.01 acres of R-55 (One-Family Detached Residential) and R-R (Rural Residential) zoned land to the M-X-T (Mixed Use – Transportation Oriented) Zone.

Council District:

8

Appeal by Date:

8/19/2021

Action by Date:

2/17/2022

Municipality:

Forest Heights

Opposition:

IHAAC, Tina McDowell, Karen Egloff, et. al.

History:

11/24/2020	M-NCPPC Technical Staff	disapproval
12/28/2020	M-NCPPC Planning Board	no motion to consider
07/20/2021	Zoning Hearing Examiner	approval with conditions
09/13/2021	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote: 8-0-2; Absent: Council Member Streeter; Abstained: Council Members Franklin and Harrison)</i>	
09/22/2021	Clerk of the Council	mailed

Notice of Oral Argument Hearing was mailed to Persons of Record.

Attachment(s):

- [A-10055 - Zoning Agenda Item Summary](#)
- [A-10055 Presentation Slides](#)
- [A-10055 Notice of Oral Argument Hearing](#)
- [A-10055 - Notice of ZHE Decision](#)
- [A-10055 - ZHE Decision](#)
- [A-10055 - Harbor View - PORL](#)
- [A-10055 Technical Staff Report](#)
- [A-10055 - Exhibit List](#)
- [A-10055 - Exhibits 1-118](#)
- [A-10055 - Memo to Clerk](#)
- [A-10055 - Transcripts](#)

ORAL ARGUMENTS (Continued)**CDP-8304-02****15151 Sweitzer Lane Property****Applicant(s):**

Bhoopendra Prakash

Location:

Located in the southeast quadrant of the intersection of MD 198 (Sandy Spring Road) and Sweitzer Lane (0.96 Acres; E-I-A Zone).

Request:

Requesting approval of a comprehensive design plan (CDP) is to replace the existing primary monument sign with a 25-foot freestanding sign, to improve the visibility of the existing fuel filling station site.

Council District:

1

Appeal by Date:

9/2/2021

Review by Date:

9/30/2021

Action by Date:

11/12/2021

History:

07/06/2021

M-NCPPC Technical Staff

approval

07/29/2021

M-NCPPC Planning Board

approval

09/13/2021

Sitting as the District Council

elected to review

Council elected to review this item (Vote: 9-0-1; Absent: Council Member Streeter, Abstained: Council Member Franklin).

09/22/2021

Clerk of the Council

mailed

*Notice of Oral Argument Hearing was mailed to Persons of Record.***Attachment(s):**[CDP-8304-02 Zoning Agenda Item Summary](#)[CDP-8304-02 Notice of Oral Argument Hearing](#)[CDP-8304-02 Presentation Slides](#)[CDP-8304-02 Planning Board Resolution 2021-98 - Signe](#)[CDP-8304-02_PORL](#)[CDP-8304-02 Technical Staff Report](#)[CDP-8304-02 Transcripts 07-22-2021](#)[CDP-8304-02 Planning Board Record](#)

ORAL ARGUMENTS (Continued)**DSP-18056****Willis Property****Applicant(s):**

Ed Willis

Location:

Located on the north side of Wesson Drive, approximately 564 feet west of Bridgeport Drive (0.50 Acres; R-80 / D-D-O / M-I-O Zones).

Request:

Requesting approval of a Detailed Site Plan (DSP) to develop a single-family detached residential dwelling within a Development District Overlay (D-D-O) Zone.

Council District:

8

Appeal by Date:

9/2/2021

Review by Date:

9/30/2021

Action by Date:

11/12/2021

History:

06/22/2021	M-NCPPC Technical Staff	approval with conditions
07/29/2021	M-NCPPC Planning Board	approval with conditions
09/13/2021	Sitting as the District Council	elected to review

Council elected to review this item (Vote: 8-0-2; Absent: Council Member Streeter; Abstained: Council Members Franklin and Harrison)

09/22/2021	Clerk of the Council	mailed
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Notice of Oral Argument Hearing was mailed to Persons of Record.

Attachment(s):[DSP-18056 Zoning Agenda Item Summary](#)[DSP-18056 Notice of Oral Argument Hearing](#)[DSP-18056 Presentation Slides](#)[DSP-18056 Planning Board Resolution 2021-91 - Signed](#)

DSP-18056_PORL

[DSP-18056 Technical Staff Report](#)[DSP-18056 Transcripts 07-08-2021](#)[DSP-18056 Planning Board Record](#)

REFERRED FOR DOCUMENT**CSP-20007****Clay Property****Applicant(s):**

MRBCO, LLC

Location:

Located at the terminus of Dean Drive and Calverton Drive within the municipal boundaries of the City of Hyattsville (12.87 Acres; R-80 Zone).

Request:

Requesting approval of a Conceptual Site Plan (CSP) to change the underlying zone of the property from the One-Family Detached Residential Zone (R-80) to the One-Family Triple-Attached Residential (R-20) Zone to accommodate development of 137 townhouses.

Council District:

2

Appeal by Date:

8/26/2021

Review by Date:

9/27/2021

Action by Date:

10/27/2021

Comment(s):

Mandatory Review:

District Council review of this case is required by Section 27-548.09.01 of the Zoning Ordinance

Municipality:

Hyattsville

History:

07/09/2021	M-NCPPC Technical Staff	disapproval
07/22/2021	M-NCPPC Planning Board	disapproval
08/16/2021	Applicant	appealed
	<i>Chris Hatcher, Esq., attorney for the applicant, appealed the Planning Board's decision.</i>	
08/17/2021	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
08/26/2021	Applicant	filed
	<i>Chris Hatcher, Esq., attorney for the applicant, filed a Supplement to appeal of the Planning Board's decision that was filed on August 16, 2021.</i>	
09/14/2021	Person of Record	filed
	<i>G. Macy Nelson, attorney for Citizen-Protestants filed a letter in response to the August 16, 2021 appeal that was submitted.</i>	

09/20/2021 Sitting as the District Council hearing held; case taken under advisement

Jeremy Hurlbutt, M-NCPPC planning staff, provided an overview of the Conceptual Site Plan application. Chris Hatcher, Esq., Attorney for the applicant spoke in support. G. Macy Nelson, Esq., for Citizen-Protestants 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 took this case under advisement.

10/04/2021 Sitting as the District Council referred for document

Council referred item to staff for preparation of an approving document, with conditions (Vote: 9-0; Absent: Council Members Glaros and Streeter).

Attachment(s):

[CSP-20007 Zoning Agenda Item Summary](#)

[CSP-20007 Presentation Slides](#)

[CSP-20007 \(email\) Nelson to Brown Citizen-Respondents](#)

[CSP-20007 Nelson to Brown Citizen-Respondents' Answer](#)

[CSP-20007 \(email\) Hatcher to Brown Supplement to Petition](#)

[CSP-20007 - Hatcher to Brown Supplement to Petition for](#)

[CSP-20007 Notice of Oral Argument Hearing](#)

[CSP-20007 \(email\) Appeal from Hatcher to Brown 8-16-21](#)

[CSP-20007 Appeal from Hatcher to Brown 8-16-21](#)

[CSP-20007 Planning Board Resolution Revised](#)

CSP-20007 PORL

[CSP-20007 Technical Staff Report](#)

[CSP-20007 Transcripts 07-15-2021](#)

[CSP-20007 -Planning Board Record](#)

[PZC Notice of Intention to Participate District Council 9-2](#)

NEW CASE(S)**A-9706-C-01****Vista 95 Logistics Center****Applicant(s):**

FV Flowers Road, LLC

Location:

Located on the south side of the Capital Beltway (I-495), northeast of Flowers Road, in Upper Marlboro, Maryland (47 Acres; I-1 / M-I-O Zones).

Request:

Requesting approval of a Zoning Map Amendment for the amendment of the twenty conditions of approval imposed by the District Council upon its adoption of Zoning Ordinance No. 35 -1989, which rezoned the subject property to the I-1 Zone.

Council District:

6

Appeal by Date:

11/3/2021

Action by Date:

3/18/2022

Opposition:

None

History:

10/19/2021

Zoning Hearing Examiner

approval with conditions

Attachment(s):[A-9706-C-01 Zoning Agenda Item Summary](#)[A-9706-C-01- ZHE Notice of Decision](#)[A-9706-C-01 ZHE Decision](#)

A-9706-C_POR List

[A-9706-C-01 Exhibit List](#)[A-9706-C-01 Transcripts](#)

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.

(a) ZONING HEARING EXAMINER**SE-4838****The Grove at Glenarden****Applicant(s):**

CHI, Inc. First Baptist Church of Glenarden

Location:

Located in the northeast quadrant of the intersection of Watkins Park Road and Oak Grove Road, Largo, Maryland (6.4 Acres; R-E Zone).

Request:

Requesting approval of a Special Exception (SE) for permission to use approximately 6.4 (Subject Property) acres of R-E (Residential Estate) Zoned land as Apartment Housing for the Elderly or Physically Handicapped.

Council District:

6

Appeal by Date:

10/27/2021

Review by Date:

10/27/2021

Action by Date:

2/25/2022

Opposition:

None

History:

04/13/2021	M-NCPPC Technical Staff	approval with conditions
06/03/2021	M-NCPPC Planning Board	no motion to consider
09/27/2021	Zoning Hearing Examiner	approval with conditions
10/04/2021	Sitting as the District Council	deferred

Council deferred item to October 25, 2021.

Attachment(s):

[SE-4838 Zoning Agenda Item Summary](#)

[SE-4838 ZHE Notice of Decision](#)

[SE-4838 ZHE Decision](#)

SE-4838 PORL

[SE-4838 Technical Staff Report](#)

[SE-4838 Transcripts 06-30-2021](#)

[SE-4838 Exhibits](#)

[SE-4838 Summary](#)

PENDING FINALITY

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.

(b) PLANNING BOARD**DDS-678****McDonald's Forest Heights****Applicant(s):**

McDonald's USA, LLC

Location:

Located southeast of the intersection of MD 210 (Indian Head Highway) and Livingston Road (0.77 Acres; C-M Zone).

Request:

Requesting approval of a departure from design standards (DDS) from Section 4.7 of the 2010 Prince George's County Landscape Manual (Landscape Manual) for an eating and drinking establishment with drive-through service.

Council District:

8

Appeal by Date:

11/4/2021

Review by Date:

11/4/2021

History:

08/25/2021

M-NCPPC Technical Staff

approval

09/30/2021

M-NCPPC Planning Board

approval

Attachment(s):[DDS-678 Zoning Agenda Item Summary](#)[DDS-678 Planning Board Resolution 2021-111](#)

DDS-678_PORL

[DDS-678 Technical Staff Report](#)

PENDING FINALITY (Continued)

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.

(b) PLANNING BOARD (Continued)[DSP-15020-05](#)**Chick-Fil-A, Capital Plaza****Applicant(s):**

Chick-Fil-A

Location:

Located on the north side of MD 450 (Annapolis Road), approximately 1,150 feet east of its intersection with MD 295 (Baltimore-Washington Parkway) (43.81 Acres; C-S-C / D-D-O Zones).

Request:

Requesting approval of a Detailed Site Plan (DSP) for the construction of a 4,966-square-foot eating and drinking establishment, with drive-through service.

Council District:

3

Appeal by Date:

11/18/2021

Review by Date:

11/18/2021

History:

09/20/2021

M-NCPPC Technical Staff

approval with conditions

10/14/2021

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-15020-05 Zoning Agenda Item Summary](#)[DSP-15020-05 Planning Board Resolution 2021-116 - Sig](#)

DSP-15020-05_PORL

[DSP-15020-05 Technical Staff Report](#)

PENDING FINALITY (Continued)

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.

(b) PLANNING BOARD (Continued)**DSP-20020****Beltway Plaza-Phase 1****Applicant(s):**

GB Mall Limited Partnership

Location:

Located on the south side of Breezewood Drive, east of the intersection with Cherrywood Lane (53.88 Acres; M-U-I / D-D-O Zones).

Request:

Requesting approval of a Detailed Site Plan (DSP) for Phase 1 of the redevelopment of Beltway Plaza, to include 750 multifamily residential dwelling units, a hotel, recreation center, and limited streetscape improvements.

Council District:

4

Appeal by Date:

11/4/2021

Review by Date:

11/4/2021

Municipality:

Greenbelt

History:

08/25/2021

M-NCPPC Technical Staff

approval with conditions

09/30/2021

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-20020 Zoning Agenda Item Summary](#)[DSP-20020 Planning Board Resolution 2021-113](#)

DSP-20020_PORL

[DSP-20020 Technical Staff Report](#)

PENDING FINALITY (Continued)

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.

(b) PLANNING BOARD (Continued)**SDP-9710-02****15900 Leeland Road (Target)****Applicant(s):**

Target Corporation

Location:

Located at the northwest quadrant of the intersection of Leeland Road and US 301 (Robert Crain Highway) (157.53 Acres; E-I-A Zone).

Request:

Request approval of a Specific Design Plan (SDP) for the development of 499,230 square feet of additions to two existing warehouse buildings in the Employment and Institutional Area (E-I-A) Zone.

Council District:

4

Appeal by Date:

11/12/2021

Review by Date:

11/12/2021

History:

09/08/2021

M-NCPPC Technical Staff

approval with conditions

10/07/2021

M-NCPPC Planning Board

approval with conditions

Attachment(s):[SDP-9710-02 Zoning Agenda Item Summary](#)[SDP-9710-02 Planning Board Resolution 2021-119 - Sign](#)

SDP-9710-02_PORL

[SDP-9710-02 Technical Staff Report](#)**ADJ56-21****ADJOURN**