

Prince George's County Council

*Wayne K. Curry Administration Building
1301 McCormick Dr
Largo, MD 20774*



Zoning Agenda - Final

**(In-Person) **The agenda is subject to change up to five (5) calendar days
prior to the noted date.**
Monday, February 13, 2023
10:00 AM**

Council Hearing Room

Sitting as the District Council

Thomas E. Dernoga, Chair, District 1

Wala Blegay, Vice Chair, District 6

Edward P. Burroughs, III, District 8

Wanika Fisher, District 2

Mel Franklin, At-Large

Sydney J. Harrison, District 9

Calvin S. Hawkins, II, At-Large

Jolene Ivey, District 5

Eric C. Olson, District 3

Krystal Oriadha, District 7

Ingrid S. Watson, District 4

Jennifer A. Jenkins, 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. 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.

10:00 AM CALL TO ORDER - (COUNCIL HEARING ROOM)

INVOCATION / MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 01232023](#)

District Council Minutes Dated January 23, 2023

Attachment(s):

[1-23-2023 District Council Minutes Draft](#)

ORAL ARGUMENTS[SE-4846](#)**Royal Farms #393****Applicant(s):**

RF East-West Hyattsville, LLC

Location:

Located in the southwest quadrant of the intersection of East-West Highway (MD 410) and Riggs Road (1.90 Acres; CGO Zone).

Request:

Requesting approval of a Special Exception (SE) to construct a Gas Station and a Food or Beverage Store on 1.90 acres of land in the CGO (Commercial General and Office) Zone.

Council District:

2

Appeal by Date:

11/7/2022

Review by Date:

1/6/2023

Action by Date:

5/8/2023

Opposition:

Donna Nelms, Chris Watling, et. al.

History:

05/24/2022	M-NCPPC Technical Staff	approval with conditions
06/13/2022	M-NCPPC Planning Board	no motion to consider
10/07/2022	Zoning Hearing Examiner	approval
10/17/2022	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote: 10-0; Absent: Council Member Franklin).</i>	
11/07/2022	Person of Record	filed
	<i>Jeff Cronin et al., Persons of Record filed an Appeal and Request for Oral Argument Hearing.</i>	
01/11/2023	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
01/23/2023	Applicant	withdrawn
	<i>Matthew C. Tedesco, Esq., attorney for Applicant, filed a request to formally withdraw SE-4846.</i>	

Attachment(s):

[SE-4846 Zoning Agenda Item Summary](#)

[SE-4846 Presentation Slides](#)

[SE-4846 Tedesco to Brown \(Withdrawal Letter\) 01-23-23](#)

[SE-4846 Notice of Oral Argument Hearing](#)

[SE-4846 Appeal and Request for Oral Argument](#)

[SE-4846 Notice of ZHE Decision](#)

[SE-4846 ZHE Decision](#)

SE-4846 PORL

[SE-4846 Technical Staff Report](#)

[SE-4846 ZHE Exhibit List](#)

[SE-4846 Exhibits #1-91](#)

[SE-4846 ZHE Transcripts](#)

[SE-4846 Brown to Brown \(Letter\) 2-6-2023](#)

ORAL ARGUMENTS (Continued)**CDP-9901-01****Forest Hills****Applicant(s):**

Quad Construction Corporation

Location:

Located on both sides of MD 202 (Largo Road), approximately one mile north of its intersection with MD 725 (167.70 Acres; LCD Zone).

Request:

Requesting approval of a Comprehensive Design Plan (CDP) to amend the conditions and plans to reflect the changes made by Zoning Map Amendment (Basic Plan) A-9895-C-01, relative to the removal of the Western Branch Trail through the west side of the property.

Council District:

6

Appeal by Date:

1/12/2023

Review by Date:

1/30/2023

Action by Date:

3/10/2023

History:

11/02/2022

M-NCPPC Technical Staff

approval with conditions

12/08/2022

M-NCPPC Planning Board

approval with conditions

01/09/2023

Sitting as the District Council

elected to review

Council elects to review for this item (Vote:8-0-1; Absent: Council Members Hawkins and Franklin; Abstain: Council Member Harrison).

01/11/2023

Clerk of the Council

mailed

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

Attachment(s):[CDP-9901-01 Zoning Agenda Item Summary](#)[CDP-9901-01 Presentation Slides](#)[CDP-9901-01 Notice of Oral Argument Hearing](#)[CDP-9901-01 Planning Board Resolution](#)

CDP-9901-01 PORL

[CDP-9901-01 Technical Staff Report](#)[CDP-9901-01 Transcripts](#)[CDP-9901-01 Planning Board Record](#)

NEW CASE(S)[A-9802-C-01](#)**Kenwood Village****A-9802-C-01 / A-9803-C-01****Companion Case(s):** A-9803-C-01**Applicant(s):** Mid-Atlantic Builders**Location:** Located on the south side of White House Road, approximately 1,300 feet east of Ritchie Marlboro Road (63.10 acres; R-S Zone).**Request:** Requesting approval of a Zoning Map Amendment for the Amendment of Conditions (Zoning Ordinances 50-1992 and 51-1992) deleting Condition 4 and amending conditions of approval of A-9802-C-01 and A-9803-C-01 which rezoned the subject property from the R-E (Residential Estate) to the R-S (Residential Suburban Development) Zone.**Council District:** 6**Appeal by Date:** 2/9/2023**Action by Date:** 5/25/2023**Opposition:** {None}**History:**

08/30/2022	M-NCPPC Technical Staff	approval with conditions
09/20/2022	M-NCPPC Planning Board	no motion to consider
01/25/2023	Zoning Hearing Examiner	approval with conditions

Attachment(s): [A-9802-C-01 Zoning Agenda Item Summary](#)
[A-9802-C-01 - A-9803-C-01 Notice of Decision](#)
[A-9802-C-01 and 9803-C-01 ZHE Decision](#)
A-9802-C A-9803-C PORL
[A-9802-C A-9803-C Technical Staff Report](#)
[A-9802-C A-9803-C ZHE Exhibit List](#)
[A-9802-C A-9803-C Exhibits #1-49](#)
[A-9802-C and A-9803-C ZHE Transcripts](#)

NEW CASE(S) (Continued)[A-9803-C-01](#)**Kenwood Village****A-9802-C-01 / A-9803-C-01****Applicant(s):**

Mid-Atlantic Builders

Location:

Located on the south side of White House Road, approximately 1,300 feet east of Ritchie Marlboro Road (63.10 acres; R-S Zone).

Request:

Requesting approval of a Zoning Map Amendment for the Amendment of Conditions (Zoning Ordinances 50-1992 and 51-1992) deleting Condition 4 and amending conditions of approval of A-9802-C-01 and A-9803-C-01 which rezoned the subject property from the R-E (Residential Estate) to the R-S (Residential Suburban Development) Zone.

Council District:

6

Appeal by Date:

2/9/2023

Action by Date:

5/25/2023

Opposition:

None

History:

08/30/2022	M-NCPPC Technical Staff	approval with conditions
09/20/2022	M-NCPPC Planning Board	no motion to consider
01/25/2023	Zoning Hearing Examiner	approval with conditions

Attachment(s):

[A-9803-C-01 Zoning Agenda Item Summary](#)
[A-9802-C-01 - A-9803-C-01 Notice of Decision](#)
[A-9802-C-01 and 9803-C-01 ZHE Decision](#)
 A-9802-C A-9803-C PORL
[A-9802-C A-9803-C Technical Staff Report](#)
[A-9802-C A-9803-C ZHE Exhibit List](#)
[A-9802-C A-9803-C Exhibits #1-49](#)
[A-9802-C and A-9803-C ZHE Transcripts](#)

PENDING FINALITY**(a) ZONING HEARING EXAMINER**[SE-4852](#)**Westgate Apartments****Applicant(s):**

Westgate at Laurel, LLC

Location:

Located on the north side of Gorman Avenue (MD 198), approximately 600 feet east of its intersection with Van Dusen Road and identified as 8100-8216 Gorman Avenue, Laurel, Maryland (9.22 acres; RMF-20 Zone).

Request:

Requesting approval of a Special Exception (SE) to alter a certified Nonconforming Use (Multifamily Dwellings known as “Westgate at Laurel Apartments”).

Council District:

1

Appeal by Date:

3/3/2023

Review by Date:

3/3/2023

Opposition:

{None}

History:

10/04/2022

M-NCPPC Technical Staff

approval with conditions

02/01/2023

Zoning Hearing Examiner

approval with conditions

Attachment(s):[SE-4852 Zoning Agenda Item Summary](#)[SE 4852 Notice of ZHE Decision](#)[SE-4852 ZHE Decision](#)

SE-4852_PORL

[SE-4852 Technical Staff Report](#)[SE-4852 ZHE Exhibit List](#)[SE-4852 Exhibits #1-35](#)[SE-4852 ZHE Transcripts](#)

PENDING FINALITY**(b) PLANNING BOARD****DSP-22015****9113 Baltimore Avenue****Applicant(s):**

RST Development, LLC

Location:

Located in the northeast quadrant of the intersection of US 1(Baltimore Avenue) and Cherokee Street (3.82 acres; LTO-E Zone).

Request:

Requesting approval of a Detailed Site Plan for one mixed-use building with 317 multifamily dwelling units and 3,296 square feet of ground-floor commercial retail space.

Council District:

3

Appeal by Date:

3/2/2023

Review by Date:

3/2/2023

Municipality:

College Park

History:

01/05/2023

M-NCPPC Technical Staff

approval with conditions

01/26/2023

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-22015 Zoning Agenda Item Summary](#)[DSP-22015 Planning Board Resolution](#)

DSP-22015 PORL

[DSP-22015 Technical Staff Report](#)

CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING ON FEBRUARY 27, 2023 AT 10:00 A.M.

Hearing Dates & Times Subject to Change

DSP-20030

Livingstone of Fort Washington

Applicant(s):

Livingston of Fort Washington, LLC

Location:

Located at the northeast corner of Livingston Road, at its intersection with MD 210 (12.27 Acres; CGO Zone).

Request:

Requesting approval of a Detailed Site Plan (DSP) for construction of a 78,812-square-foot integrated shopping center.

Council District:

8

Appeal by Date:

2/9/2023

Action by Date:

3/27/2023

History:

11/29/2022

M-NCPPC Technical Staff

approval with conditions

01/05/2023

M-NCPPC Planning Board

approval with conditions

01/25/2023

Clerk of the Council

mailed

Notice of Mandatory Review Hearing (using Oral Argument procedures) was mailed to Persons of Record.

Attachment(s):

[DSP-20030 Zoning Agenda Item Summary](#)

[DSP-20030 Notice of Mandatory Review Hearing](#)

[DSP-20030 Planning Board Resolution](#)

[DSP-20030 Technical Staff Report](#)

[DSP-20030 Transcripts 12-15-2022](#)

[DSP-20030 Planning Board Record](#)

ADJOURN

[ADJ13-23](#)

ADJOURNED

11:15 A.M. COMMITTEE OF THE WHOLE - (COUNCIL HEARING ROOM)

(SEE SEPARATE AGENDA)

1:30 P.M. EDUCATION & WORKFORCE DEVELOPMENT COMMITTEE - (COUNCIL HEARING ROOM)

(SEE SEPARATE AGENDA)