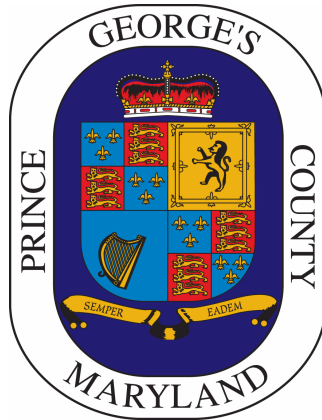


# Prince George's County Council

*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 27, 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 02132023](#)

**District Council Minutes Dated February 13, 2023**

**Attachment(s):**

[2-13-2023 District Council Minutes Draft](#)

**MANDATORY REVIEW (Using Oral Argument Procedures)****DSP-20030****Livingston 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 - Presentation Slides](#)[DSP-20030 Notice of Mandatory Review Hearing](#)[DSP-20030 Planning Board Resolution](#)

DSP-20030 PORL

[DSP-20030 Technical Staff Report](#)[DSP-20030 Transcripts 12-15-2022](#)[DSP-20030 Planning Board Record](#)

**REFERRED FOR DOCUMENT**[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
02/13/2023	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 Burroughs and Franklin).*

**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](#)

**REFERRED FOR DOCUMENT (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
02/13/2023	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 Burroughs and Franklin).*

**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](#)

**REFERRED FOR DOCUMENT (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.*

02/13/2023

Sitting as the District Council

referred for document

*Jill Kosack, M-NCPPC planning staff, provided an overview of the Comprehensive Design Plan application. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties. Sevag Balian, applicant spoke in support. Council referred item to staff for preparation of an approving document with conditions, (Vote: 9-0; Absent: Council Members Burroughs and Franklin).*

**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](#)



**REFERRED FOR DOCUMENT (Continued)**[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>	
02/13/2023	Sitting as the District Council	referred for document
	<i>Procedural and posture orientation by Stan Brown, People's Zoning Counsel. Council referred item to staff for preparation of an approving document of withdrawal. (Vote: 9-0; Absent: Council Members Burroughs and Franklin).</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](#)

**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-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
02/13/2023	Sitting as the District Council	deferred

*Council deferred item to February 27, 2023 District Council meeting.*

**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 (Continued)****(b) PLANNING BOARD****DSP-22043****Melford Mansions****Applicant(s):**

St John Properties, Inc.

**Location:**

Located in the northeastern quadrant of the intersection of MD 3 (Robert Crain Highway) and US 50/US 301 (John Hanson Highway) (11.42 Acres; TAC-E Zone).

**Request:**

Requesting approval of a Detailed Site Plan (DSP) for development of a multifamily residential complex consisting of 435 multifamily dwelling units in 9 separate buildings, and one 12,000-square-foot clubhouse, with a swimming pool and other associated amenities.

**Council District:**

4

**Appeal by Date:**

3/23/2023

**Review by Date:**

3/23/2023

**Municipality:**

Bowie

**History:**

01/11/2023

M-NCPPC Technical Staff

approval with conditions

02/16/2023

M-NCPPC Planning Board

approval with conditions

**Attachment(s):**[DSP-22043 Zoning Agenda Item Summary](#)[DSP-22043 Planning Board Resolution](#)

DSP-22043 PORL

[DSP-22043 Technical Staff Report](#)

**PENDING FINALITY (Continued)**[DSP-98061-05](#)**Raising Cane's Bowie****Applicant(s):**

Raising Cane's Restaurants, LLC

**Location:**

Located in the northwest quadrant of the intersection of MD 197 (Laurel Bowie Road) and US 301 (Robert Crain Highway) (6.78 Acres; TAC-E Zone).

**Request:**

Requesting approval of a Detailed Site Plan (DSP) for the development of an eating and drinking establishment with a drive through.

**Council District:**

4

**Appeal by Date:**

3/23/2023

**Review by Date:**

3/23/2023

**Municipality:**

Bowie

**History:**

01/11/2023

M-NCPPC Technical Staff

approval with conditions

02/16/2023

M-NCPPC Planning Board

approval with conditions

**Attachment(s):**[DSP-98061-05 Zoning Agenda Item Summary](#)[DSP-98061-05 Planning Board Resolution](#)

DSP-98061-05 PORL

[DSP-98061-05 Technical Staff Report](#)

**PENDING FINALITY (Continued)****(c) PLANNING BOARD'S REPRESENTATIVE**[CNU-46927-2021-U](#)**Eastern Outdoor Billboard****Applicant(s):**

Kurt Rutherford

**Location:**

Intersection of SE Robert Crain Hwy. &amp; Cedarville Road (2.3 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 1998.

**Council District:**

9

**Review by Date:**

3/15/2023

**History:**

02/13/2023

M-NCPPC Administrative Certification approval

**Attachment(s):**[CNU46927-2021-U Zoning Agenda Item Summary](#)[CNU-46927-2021-U Casefile](#)

**CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING ON MARCH 13, 2023 AT 11:00 A.M.***Hearing Dates & Times Subject to Change***SDP-1603-03****National Capital Business Park, Parcel 11****Applicant(s):**

NCBP Property, LLC

**Location:**

Located on the north side of Leeland Road, approximately 3,000 feet west of its intersection with US 301 Robert Crain Highway) (26.23 Acres; LCD Zone).

**Request:**

Requesting approval of a Specific Design Plan (SDP) for the development of a 301,392-square-foot warehouse distribution building.

**Council District:**

4

**Appeal by Date:**

2/9/2023

**Review by Date:**

2/9/2023

**Action by Date:**

4/4/2023

**History:**

12/01/2022	M-NCPPC Technical Staff	approval with conditions
01/05/2023	M-NCPPC Planning Board	approval with conditions
01/23/2023	Sitting as the District Council	waived election to review
	<i>Council waived election to review for this item (Vote: 11-0).</i>	
02/03/2023	Person of Record	filed
	<i>Alex Votaw Esq. attorney for Citizen-Protestants filed Exceptions and Request Oral Argument Hearing.</i>	

**Attachment(s):**[SDP-1603-03 Zoning Agenda Item Summary](#)[SDP-1603-03 Presentation Slides](#)[SDP-1603-03 Votaw to Brown \(Exceptions & Request for](#)[SDP-1603-03 Planning Board Resolution](#)

SDP-1603-03\_PORL

[SDP-1603-03 Technical Staff Report](#)[SDP-1603-03 Transcripts 12-15-2022](#)

**ADJOURN**

[ADJ19-23](#)

**ADJOURNED**

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

*(SEE SEPARATE AGENDA)*