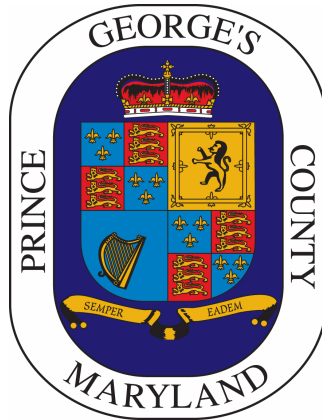


Prince George's County Council

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



Zoning Agenda - Final

****Revised (In-Person) **The agenda is subject to change up to five (5) calendar days prior to the noted date.****

Monday, March 27, 2023

11:30 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 A.M. MEET AND GREET - (ROOM 2027)

The Honorable Chris Van Hollen, U.S. Senator

11:30 A.M. CALL TO ORDER - (COUNCIL HEARING ROOM)

INVOCATION / MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 03132023](#)

District Council Minutes Dated March 13, 2023

Attachment(s):

[3-13-2023 District Council Minutes Draft](#)

ORAL ARGUMENTS

FORMAL APPEAL AND REQUEST FOR ORAL ARGUMENT WITHDRAWN AT THE REQUEST OF APPELLANTS. APPEAL WITHDRAWN AND ORAL ARGUMENT CANCELLED FOR MARCH 27, 2023.

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>	
02/10/2023	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
03/03/2023	Applicant	filed
	<i>Arthur J. Horne Jr. Esq., attorney for the applicant filed a response to the February 3, 2022 Exceptions and Request for Oral Argument filed by Citizen-Protestants.</i>	

03/10/2023 Applicant filed
Arthur J. Horne Esq. attorney for the Applicant & G. Macy Nelson Esq. attorney for Citizen-Protestants filed a joint Consent Request for Continuance of Oral Argument.

03/13/2023 Sitting as the District Council continued at a later date
After a preliminary procedural discussion, Council voted to grant Applicant & Appellant's joint request for a continuance and the Oral Argument hearing was continued to March 27, 2023 (Vote: 10-0; Absent: Council Member Franklin).

03/15/2023 Clerk of the Council mailed
Notice of Oral Argument Hearing Continuance was mailed to Persons of Record.

03/21/2023 Person of Record filed
Alex Votaw Esq. attorney for Citizen-Protestants filed a Withdrawal of Exceptions and Request Oral Argument Hearing.

Attachment(s):

[SDP-1603-03 Zoning Agenda Item Summary](#)
[SDP-1603-03 Votaw to Brown \(Withdrawal of Appeal\) 03](#)
[SDP-1603-03 Notice of Oral Argument Hearing Continuar](#)
[SDP-1603-03 Horne & Votaw to Brown \(Consent Request](#)
[SDP-1603-03 Horne to Brown \(Opposition to Exceptions :](#)
[SDP-1603-03 Notice of Oral Argument Hearing](#)
[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](#)
 PZC Notice of Intention to Participate District Council 3-1

REFERRED FOR DOCUMENT**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.

02/13/2023

Sitting as the District Council

no action

02/27/2023

Sitting as the District Council

hearing held; case taken under advisement

Thomas Burke & James Hunt, M-NCPPC planning staff, provided an overview of the Conceptual Site 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. Arthur Horne Esq., attorney for applicant spoke in support. Council took this case under advisement.

03/13/2023

Sitting as the District Council

referred for document

Council referred item to staff for preparation of an approving document with conditions in accordance with the Planning Board's decision. (Vote: 10-0; Absent: Council Member Franklin).

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](#)

PENDING FINALITY**(a) PLANNING BOARD****DET-2022-001****Westphalia Business Center 1 and 2****Applicant(s):**

Northpoint Realty Partners, LLC

Location:

Located at the intersection of MD 4 (Pennsylvania Avenue) and Melwood Road, approximately 800 feet north of Woodyard Road (33.17 Acres; TAC-E / MIO Zones).

Request:

Requesting approval of a Detailed Site Plan (DET) for a total of 306,000 square feet of commercial/warehouse uses in two separate buildings on two proposed parcels. A variance to Section 27-4204(d)(3) of the Prince George's County Zoning Ordinance, for the floor area ratio (FAR) requirement for the building on proposed Parcel 32, is also requested.

Council District:

6

Appeal by Date:

4/13/2023

Review by Date:

4/13/2023

History:

02/16/2023

M-NCPPC Technical Staff

approval with conditions

03/09/2023

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DET-2022-001 Zoning Agenda Item Summary](#)[DET-2022-001 Planning Board Resolution](#)

DET-2022-001 PORL

[DET-2022-001 Technical Staff Report](#)

PENDING FINALITY (continued)**DSP-19057****LIW Ironworks****Applicant(s):**

LIW Ironworks, Inc.

Location:

Located on the west side of MD 210, at Cornett Street, approximately 1,400 feet north of Aragona Boulevard (1.50 Acres; IE Zone).

Request:

Request approval of a Detailed Site Plan (DSP) for the development of a contractor's office, with indoor storage and accessory fabrication.

Council District:

8

Appeal by Date:

3/30/2023

Review by Date:

3/30/2023

History:

01/18/2023

M-NCPPC Technical Staff

approval with conditions

02/23/2023

M-NCPPC Planning Board

approval with conditions

03/13/2023

Sitting as the District Council

deferred

*Council deferred this item.***Attachment(s):**[DSP-19057 Zoning Agenda Item Summary](#)[DSP-19057 Planning Board Resolution](#)

DSP-19057_PORL

[DSP-19057 Technical Staff Report](#)

PENDING FINALITY (continued)**DSP-22019****Marlboro Gateway****Applicant(s):**

MBID of Delaware, LLC

Location:

Located on the north side of MD 725 (Marlboro Pike), approximately 400 feet west of its intersection with US 301 (Robert Crain Highway) (19.76 Acres; RMF-48 Zone).

Request:

Request approval of a Detailed Site Plan (DSP) to construct three multifamily residential buildings with a total of 150 dwelling units. Of these, 90 are proposed as age-restricted dwelling units. There are four existing single-family detached dwelling units and their accessory structures on the property, which will be razed.

Council District:

6

Appeal by Date:

4/20/2023

Review by Date:

4/20/2023

History:

02/08/2023

M-NCPPC Technical Staff

approval with conditions

03/16/2023

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-22019 Zoning Agenda Item Summary](#)[DSP-22019 Planning Board Resolution](#)

DSP-22019 PORL

[DSP-22019 Technical Staff Report](#)

PENDING FINALITY (continued)**SDP-2203****Case Yergat****Applicant(s):**

Andy Garrich

Location:

Located on the south side of Westphalia Road, approximately 3,750 feet west of its intersection with Ritchie Marlboro Road (158.28 Acres; LCD / MIO Zones).

Request:

Request approval of a Specific Design Plan (SDP) for grading infrastructure only for a residential community.

Council District:

6

Appeal by Date:

4/20/2023

Review by Date:

4/20/2023

History:

02/23/2023

M-NCPPC Technical Staff

approval with conditions

03/16/2023

M-NCPPC Planning Board

approval with conditions

Attachment(s):[SDP-2203 Zoning Agenda Item Summary](#)[SDP-2203 Planning Board Resolution](#)[SDP-2203 Technical Staff Report](#)

PENDING FINALITY (continued)**SDP-2204****Parkside Section 7****Applicant(s):**

Dan Ryan Builders

Location:

Located approximately 3,000 feet east of the intersection of Westphalia Road and MD 4 (Pennsylvania Avenue) in the northwest corner of Parkside, north of the Westphalia Central Park (113.51 Acres; LCD Zone).

Request:

Request approval of a Specific Design Plan (SDP) to develop this site with 617 single-family attached dwelling units and associated infrastructure.

Council District:

6

Appeal by Date:

4/20/2023

Review by Date:

4/20/2023

History:

02/08/2023

M-NCPPC Technical Staff

approval with conditions

03/16/2023

M-NCPPC Planning Board

approval with conditions

Attachment(s):[SDP-2204 Zoning Agenda Item Summary](#)[SDP-2204 Planning Board Resolution](#)

SDP-2204 PORL

[SDP-2204 Technical Staff Report](#)

CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING ON APRIL 10, 2023 AT 10:00**A.M.***Hearing Dates & Times Subject to Change***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

Action by Date:

5/1/2023

Municipality:

College Park

History:

01/05/2023

M-NCPPC Technical Staff

approval with conditions

01/26/2023

M-NCPPC Planning Board

approval with conditions

02/13/2023

Sitting as the District Council

waived election to review

Council waived election to review for this item (Vote: 9-0; Absent: Council Members Burroughs and Franklin).

02/28/2023

Person of Record

filed

Judy Blumenthal, Person of Record filed an appeal of the Planning Board's decision.

03/06/2023

Clerk of the Council

mailed

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

Attachment(s):

[DSP-22015 Zoning Agenda Item Summary](#)

[DSP-22015 Notice of Oral Argument Hearing](#)

[DSP-22015 Blumenthal to Brown \(Appeal letter\) 2-28-23](#)

[DSP-22015 Planning Board Resolution](#)

DSP-22015 PORL

[DSP-22015 Technical Staff Report](#)

[DSP-22015 Planning Board Record](#)

ADJOURN

[ADJ29-23](#)

ADJOURN

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

(SEE SEPARATE AGENDA)