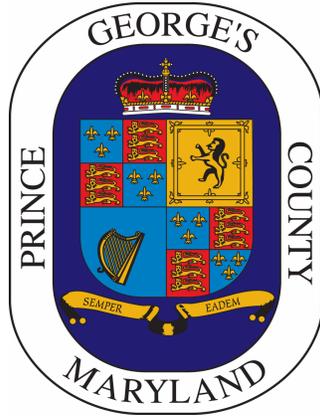


Prince George's County Council

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



Zoning Agenda - Final

Monday, June 19, 2017

10:00 AM

Council Hearing Room

Sitting as the District Council

Derrick Leon Davis, District 6, Chairman

Mel Franklin, District 9

Dannielle M. Glaros, District 3, Vice Chairwoman

Andrea C. Harrison, District 5

Mary A. Lehman, District 1

Obie Patterson, District 8

Deni L. Taveras, District 2

Karen R. Toles, District 7

Todd M. Turner, District 4

Robert J. Williams, Jr., 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.

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 interpreters 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.

9:30 AM AGENDA BRIEFING - (ROOM 2027)

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

INVOCATION

Pastor Ronnie Burgess, Seven Loaves Ministry, Washington, D.C.

PLEDGE OF ALLEGIANCE

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 06122017](#)

District Council Minutes dated June 12, 2017

Attachment(s):

[6-12-2017 District Council Minutes DRAFT](#)

REFERRED FOR DOCUMENT**DSP-13014-01 Amend Forestville Plaza Shopping Center (Amendment of Conditions) Conditions**

Applicant(s): PMM Enterprises, LLC t/a Forestville Plaza Shopping Center

Location: Located in the northeast quadrant of the intersection of Forestville Road and Old Marlboro Pike (MD 725), also identified as 7702-7794 Forestville Road, District Heights, Maryland (18.17 Acres; I-1 / D-D-O Zones).

Request: Requesting approval of an Amendment of Conditions for an amendment to Conditions 1(a)(1) and 2 of the District Council's October 1, 2013 approval of Detailed Site Plan 13014.

Council District: 6

Appeal by Date: 6/8/2017

Action by Date: 10/23/2017

Opposition: None

History:

10/01/2013	Sitting as the District Council	approval with conditions
	<i>Council adopted the prepared Order of approval, with conditions (Vote: 8-0; Absent: Council Member Olson).</i>	
10/31/2013	Person of Record	filed
	<i>Benjamin J. Woolery, Esq. filed a petition for Judicial Review on behalf of the opposition.</i>	
01/31/2014	Circuit Court	transmitted
	<i>Petition for Judicial Review in Circuit Court (CAL13-32250) was dismissed.</i>	
02/06/2017	Applicant	filed
	<i>Thomas H. Haller, Esq., attorney for the applicant, filed a request for Amendment of Conditions.</i>	
02/07/2017	Clerk of the Council	transmitted
	<i>The Clerk of the Council transmitted the case to the Zoning Hearing Examiner for a Public Hearing.</i>	
05/24/2017	Zoning Hearing Examiner	approval with conditions

06/12/2017 Sitting as the District Council referred for document
Council referred item to staff for preparation of an approving document in accordance with the Zoning Hearing Examiner's decision (Vote: 9-0).

Attachment(s): [DSP-13014-01 Zoning AIS](#)
 [DSP-13014-01 Zoning Hearing Examiner Decision](#)
 DSP-13014-01 PORL
 [DSP 13014 District Council Order 10-1-2013](#)
 DSP-13014 Appeal Letter
 [DSP-13014 Planning Board Resolution 13-79](#)
 [DSP-13014 Technical Staff Report](#)

ITEM(S) FOR DISCUSSION

[CNU-24691-2016](#)

Hampshire View, Lot 4, Block 2

Applicant(s): Aster DeMissie Revocable Trust
Location: Located on the east side of Red Top Road in Takoma Park, approximately 510 feet south of the intersection of Red Top Road and East-West Highway (MD 410) (0.1240 Acres; R-18 Zone).
Request: Requesting approval for certification of an existing, three-unit multifamily apartment building that was built in 1951. Because development regulations were changed or adopted after the apartment use was lawfully established, the complex became nonconforming.
Council District: 2
Appeal by Date: 3/23/2017
Review by Date: 3/23/2017
Action by Date: 7/7/2017

History:

12/27/2016	M-NCPPC Technical Staff	approval
02/16/2017	M-NCPPC Planning Board	approval
02/27/2017	Sitting as the District Council	elected to review

Council elected to review this item (Vote: 5-0; Absent: Council Members Glaros, Harrison, Lehman and Toles).

05/08/2017 Sitting as the District Council hearing held; case taken under advisement

Christina Pompa, M-NCPPC, provided an overview of the application for Certification of a Non-conforming Use. Paul Jackson, Esq., spoke in support on behalf of the current property owner. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented.

Council took this case under advisement.

06/12/2017 Sitting as the District Council deferred

This item was deferred to June 19, 2017.

Attachment(s):

[CNU-24691-2016 Zoning AIS](#)

[CNU-24691 Planning Board Resolution 17-16](#)

CNU-24691-2016_PORL

[CNU-24691-2016 Technical Staff Report](#)

ITEM(S) FOR DISCUSSION (Continued)

[CNU-43544-2015](#)

Langley Terrace Apartments

Applicant(s):

Zupnik-Langley Park Associates, LLC

Location:

Located on the east side of 14th Avenue and Langley Way (4.507 Acres; R-18 Zone).

Request:

Requesting approval for certification of an existing, 106-unit multifamily garden-style apartment complex, that was built in 1950. Because development regulations were changed or adopted after the apartment use was lawfully established, the complex became nonconforming.

Council District:

2

Appeal by Date:

3/23/2017

Review by Date:

3/23/2017

Action by Date:

6/23/2017

History:

12/27/2016

M-NCPPC Technical Staff

approval

02/16/2017

M-NCPPC Planning Board

approval

02/27/2017	Sitting as the District Council	elected to review <i>Council elected to review this item (Vote: 5-0; Absent: Council Members Glaros, Harrison, Lehman and Toles).</i>
04/24/2017	Sitting as the District Council	hearing held; case taken under advisement <i>Chirstina Pompa, M-NCPPC, provided an overview of the application for Certification of a Non-conforming use. Michelle LaRocca, Esq. and Kayann Chambers, Esq., spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented.</i> <i>Council took this case under advisement.</i>
<u>Attachment(s):</u>		
CNU-43544-2015 Zoning AIS		
CNU-43544-2015 Planning Board Resolution 17-15		
CNU-43544-2015_PORL		

ITEM(S) FOR DISCUSSION (Continued)**CSP-16002****Shaban Property****Applicant(s):**

Randy and Nahida Shaban

Location:

Located in the northwest quadrant of the intersection of Edgewood Road and Rhode Island Avenue. Specifically located at 4924 and 4926 Edgewood Road and 9900 Rhode Island Avenue in College Park.

Request:

Requesting approval of a Conceptual Site Plan proposing to rezone the property from the Commercial Shopping Center (C-S-C) and Open Space (O-S) Zones to the Mixed Use-Infill (M-U-I) Zone for a future mixed-use development, including residential and commercial uses.

Council District:

1

Appeal by Date:

5/25/2017

Action by Date:

7/5/2017

Comment(s):

District Council review of this case is required by Section 27-548.26(b) of the Zoning Ordinance

Municipality:

City of College Park

History:

03/20/2017

M-NCPPC Technical Staff

approval with conditions

04/20/2017

M-NCPPC Planning Board

approval with conditions

05/15/2017	Sitting as the District Council	announced hearing date
06/12/2017	Sitting as the District Council	hearing held; case taken under advisement

Jill Kosack, M-NCCPC, provided an overview of the Detailed Site Plan application. Matthew Tedesco, Esq., on behalf of the applicant and Miriam Bader, Senior Planner for the City of College Park, spoke in support. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented.

The Mandatory Review Hearing was held and Council took this case under advisement.

Attachment(s):[CSP-16002 Zoning AIS](#)[CSP-16002 Planning Board Resolution 17-57](#)

CSP-16002_PORL

[CSP-16002 Technical Staff Report](#)**ITEM(S) FOR DISCUSSION (Continued)****DSP-16010****Cabin Branch Village****Applicant(s):**VP, LLP
c/o Mark Vogel**Location:**

Located in the northwestern quadrant of the intersection of Armstrong Lane and Ryon Road. The project is located within the boundaries of the 2007 Approved Westphalia Sector Plan and Sectional Map Amendment (24.59 Acres; M-X-T / R-R / M-I-O Zones).

Request:

Requesting approval of a Detailed Site Plan for 204 single-family attached dwelling units (townhouses).

Council District:

6

Appeal by Date:

4/27/2017

Review by Date:

4/27/2017

Action by Date:

6/23/2017

History:

02/22/2017	M-NCPPC Technical Staff	approval with conditions
03/23/2017	M-NCPPC Planning Board	approval with conditions
04/10/2017	Sitting as the District Council	deferred

This item was deferred to April 24, 2017.

04/24/2017	Sitting as the District Council	elected to review <i>Council elected to review this item (Vote: 5-0; Absent: Council Members Franklin, Glaros, Lehman, and Toles).</i>
06/12/2017	Sitting as the District Council	hearing held; case taken under advisement <i>Jill Kosack, M-NCCPC, provided an overview of the Detailed Site Plan application. Arthur Horne, Esq., spoke in support of behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented.</i>

Council took this case under advisement.

Attachment(s):

[DSP-16010 Zoning AIS](#)

[DSP16010 Planning Board Resolution 17-41](#)

DSP-16010_PORL

[DSP-16010 Technical Staff Report condensed](#)

ITEM(S) FOR DISCUSSION (Continued)

[DSP-16014](#)

EPIC-SMVI

Applicant(s):

Southern Maryland Vocational Industries, Inc. d/b/a EPIC

Location:

Located on the west side of Plaza Drive, approximately 1,650 feet south of its intersection with Silver Hill Road (1.07 Acres; R-55 Zone).

Request:

Requesting approval of a Detailed Site Plan to use an existing building as an eleemosynary/philanthropic institution.

Council District:

7

Appeal by Date:

5/25/2017

Action by Date:

7/5/2017

Comment(s):

District Council review of this case is required by Section 27-441(b)(3) of the Zoning Ordinance.

History:

03/23/2017	M-NCPPC Technical Staff	approval with conditions
04/20/2017	M-NCPPC Planning Board	approval with conditions
05/15/2017	Sitting as the District Council	announced hearing date

06/12/2017 Sitting as the District Council hearing held; case taken under advisement

Jill Kosack, M-NCCPC, provided an overview of the Detailed Site Plan application. Arthur Horne, Esq., spoke in support of behalf of the applicant. Clarissa Mitchell, CEO of EPIC, answered questions posed by the Council. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented.

The Mandatory Review Hearing was held and Council took this case under advisement.

Attachment(s):

[DSP-16014 Zoning AIS](#)

[DSP-16014 Planning Board Resolution 17-60](#)

DSP-16014_PORL

[DSP-16014 Technical Staff Report](#)

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.

PLANNING BOARD

[DSP-16033](#)

Stimulating Minds Child Development Center

Applicant(s):

Latrice Tibbs

Location:

Located on the north side of Central Avenue (MD 332), between its intersections with Akin Avenue and Bayou Avenue, more specifically, it is located at 5922 Central Avenue in Capitol Heights, Maryland (C-S-C / T-D-O).

Request:

Requesting approval of a Detailed Site Plan (DSP) for a day care for 20 children in an existing building.

Council District:

7

Appeal by Date:

6/29/2017

Review by Date:

6/29/2017

Municipality:

Town of Capitol Heights

History:

04/26/2017

M-NCPPC Technical Staff

approval with conditions

05/25/2017

M-NCPPC Planning Board

approval with conditions

06/12/2017 Sitting as the District Council deferred

This item was deferred to June 19, 2017.

Attachment(s): [DSP-16033 Planning Board Resolution 17-68](#)

DSP-16033_PORL

[DSP-16033 Technical Staff Report](#)

PENDING FINALITY (Continued)

[DSP-16040](#)

Mt. Olives United Missionary Baptist Church

Applicant(s): Mt. Olives United Missionary Baptist Church

Location: Located on the eastern side of Annapolis Road, approximately 415 feet south of its intersection with Cooper Lane, at 6659 Annapolis Road in Hyattsville, Maryland (0.65 Acres; C-S-C Zone).

Request: Requesting approval of a Detailed Site Plan for a 2,840-square-foot addition to an existing 1,306-square-foot church (total 4,146 square feet).

Council District: 5

Appeal by Date: 6/29/2017

Review by Date: 6/29/2017

Municipality: Town of Landover Hills

History:

04/21/2017 M-NCPPC Technical Staff approval with conditions

05/25/2017 M-NCPPC Planning Board approval with conditions

06/12/2017 Sitting as the District Council deferred

This item was deferred to June 19, 2017.

Attachment(s): [DSP-16040 Zoning AIS](#)
[DSP-16040 Planning Board Resolution 17-71](#)

DSP-16040_PORL

[DSP-16040 Technical Staff Report](#)

CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING ON JULY 17, 2017 - 1:30 P.M.*Hearing Dates & Times Subject to Change***SE-4760****Verizon Wireless - Glenarden****Applicant(s):**

Verizon Wireless - Glenarden

Location:

Located on the south side of Landover Road (MD 202), approximately 600 feet west of Martin Luther King, Jr., Highway (MD 704), also identified as 7781 Landover Road, Landover, Maryland (1.53 Acres; R-35 Zone).

Request:

Requesting approval for a Special Exception to remove and replace a 95-foot-high monopole to support wireless telecommunication antennas on privately-owned land not meeting the minimum 2.5-acre requirement pursuant to Section 27-445.04(a)(3)(C) of the Prince George's County Code.

Council District:

5

Appeal by Date:

6/2/2017

Review by Date:

6/2/2017

Opposition:

None

History:

11/17/2016	M-NCPPC Technical Staff	approval
12/08/2016	M-NCPPC Planning Board	no motion to consider
05/03/2017	Zoning Hearing Examiner	approval with conditions
05/08/2017	Sitting as the District Council	did not elect to make the final decision

Council took no action on this item.

06/02/2017	Person of Record	appealed
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Ms. Alice Robinson, President, Landover, Revitalization Coalition, filed an appeal in opposition to the proposal and requested Oral Argument.

Attachment(s):[SE-4760 Zoning AIS](#)[SE-4760 Zoning Hearing Examiner Decision](#)

SE-4760 PORL

ADJOURN

12:00 PM - MEET AND GREET - (ROOM 2027)

MARYLAND ASSOCIATION OF COUNTIES (MACO)

Michael Sanderson, MACo Executive Director

Kevin Kamenetz, MACo President, County Executive, Baltimore County

1:30 PM BRIEFING: WMATA AND AMALGAMATED TRANSIT UNION - (COUNCIL HEARING ROOM)

(SEE SEPARATE AGENDA)