

Prince George's County Council

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



Zoning Agenda - Final

(Approximate Time - immediately following County Council Session)

**Tuesday, January 14, 2020
2:30 PM**

Council Hearing Room

Sitting as the District Council

*Todd M. Turner, Chair, District 4
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
Calvin S. Hawkins, II, Vice Chair, At-Large
Jolene Ivey, District 5
Rodney C. Streeter, District 7
Deni L. Taveras, District 2*

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. 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.

12:30 PM AGENDA BRIEFING - (ROOM 2027)

1:00 PM COMMITTEE OF THE WHOLE - (COUNCIL HEARING ROOM)

(SEE SEPARATE AGENDA)

2:00 PM COUNTY COUNCIL - (COUNCIL HEARING ROOM)

(SEE SEPARATE AGENDA)

2:30 PM CONVENE - (COUNCIL HEARING ROOM)

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 01062020](#)

District Council Minutes dated January 6, 2020

Attachment(s):

[01-06-2020 District Council Minutes DRAFT](#)

ORAL ARGUMENTS**DSP-18052****Swan Creek Club Development, Lot 9C****Applicant(s):**

AMSB

Location:

Located at 12311 Hatton Point Road, approximately 1,500 feet southwest of its intersection with Riverview Road, in Fort Washington, Maryland (1.02 Acres; R-E / L-D-O Zones).

Request:

Requesting approval of a Detailed Site Plan for construction of a 5,900-square-foot, single-family detached dwelling with a garage, pool, and patio on a vacant and partially wooded property within the Limited Development Overlay (L-D-O) Zone of the Chesapeake Bay Critical Area (CBCA) Ordinance.

Council District:

8

Appeal by Date:

11/14/2019

Review by Date:

11/14/2019

Action by Date:

2/4/2020

History:

08/30/2019 M-NCPPC Technical Staff approval with conditions

10/10/2019 M-NCPPC Planning Board approval with conditions

10/28/2019 Sitting as the District Council deferred

Council deferred this item to November 4, 2019.

11/04/2019 Sitting as the District Council elected to review

Council election to review this item (Vote: 10-0; Absent: Council Member Hawkins).

11/18/2019 Sitting as the District Council announced hearing date

01/06/2020 Sitting as the District Council continued at a later date

After reading in the case number, name and description, Chair Turner requested a continuance of the hearing on behalf of Council Member Anderson-Walker. Council voted to continue the hearing to January 14, 2020 at 2:30pm (Vote: 10-0; Absent: Council Member Anderson-Walker).

Attachment(s):

[DSP-18052 Planning Board Resolution 19-101](#)

DSP-18052 PORL

[DSP-18052 Technical Staff Report](#)

REFERRED FOR DOCUMENT**[ERR-279](#)****Thomas Koudellou Validation of Permit Issued in Error****Applicant(s):**

Thomas Koudellou

Location:

Located within an area governed by the Gatewood Development District Overlay Zone ("DDOZ") identified as 4315 41st Street, Brentwood, Maryland. (0.4680 Acres; U-L-I Zone).

Request:

Requesting approval for a validation of Permits No. 5777-U/16153-U and 16151-U/5780-U issued in error in 1962 by the predecessor to the Department of Permitting, Inspections and Enforcement ("DPIE") to allow the Applicant to operate a warehouse and incidental office space within an 18,800-square-foot building.

Council District:

2

Appeal by Date:

11/18/2019

Action by Date:

3/17/2020

Opposition:

None

History:

10/18/2019

Zoning Hearing Examiner

approval with conditions

01/06/2020

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 10-0: Absent; Council Member Anderson-Walker).

Attachment(s):**[ERR 279 - ZHE Decision](#)**

ERR-279- PORL

REFERRED FOR DOCUMENT (Continued)[DSP-17035](#)**Phil Matt Shopping Center (Expedited Transit-Oriented Development Project)****Applicant(s):**

PCE, LLC

Location:

Located in the southwest quadrant of the intersection of MD 450 (Annapolis Road) and West Lanham Drive (0.44 Acres; C-S-C / T-D-O Zones).

Request:

Requesting approval of a Detailed Site Plan (DSP) for a 3,953-square-foot commercial retail building.

Council District:

3

Appeal by Date:

12/5/2019

Review by Date:

1/6/2020

Action by Date:

1/16/2020

History:

10/08/2019	M-NCPPC Technical Staff	approval with conditions
10/31/2019	M-NCPPC Planning Board	approval with conditions
11/18/2019	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote: 10-0; Absent: Council Member Franklin).</i>	
01/06/2020	Sitting as the District Council	hearing held; referred for document

Jeremy Hurlbutt, M-NCPPC, provided an overview of the Detailed Site Plan application. Thomas Haller, Esq., attorney for the applicant, spoke in support of the application. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented. The Oral Argument Hearing was held and Council referred this item to staff for preparation of a document of approval, with conditions in accordance with the Planning Board's decision (Vote: 10-0; Absent: Council Member Anderson-Walker).

Attachment(s):[DSP-17035 Planning Board Resolution](#)

DSP-17035_PORL

[DSP-17035 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.

(a) PLANNING BOARD**CSP-19007****Wood Property****Applicant(s):**

Samuel T. Wood

Location:

Located in the northeast corner of Armstrong Lane and the Pennsylvania Avenue Service Road (18.092 Acres; M-X-T / M-I-O Zones).

Request:

Requesting approval of a Conceptual Site Plan (CSP) for a mixed-use development consisting of 90 one-family attached (townhouse) dwelling units, a 128-room hotel, and 15,000 square feet of commercial/retail uses.

Council District:

6

Appeal by Date:

1/16/2020

Review by Date:

1/30/2020

History:

11/07/2019	M-NCPPC Technical Staff	approval with conditions
12/12/2019	M-NCPPC Planning Board	approval with conditions
01/06/2020	Sitting as the District Council	deferred

Council deferred this item to January 14, 2020.

Attachment(s):

[CSP- 19007 Planning Board Resolution 19-130](#)

CSP-19007_PORL

[CSP-19007 Technical Staff Report](#)

PENDING FINALITY (Continued)

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) PLANNING BOARD (Continued)**DSP-88069-05****Oxon Hill Road Property****Applicant(s):**

Oxon Hill Road, LLC

Location:

Located in the northeast quadrant of the intersection of Oxon Hill Road and Tanger Boulevard, between Oxon Hill Road and MD 210 (Indian Head Highway) (7.65 Acres; M-X-T Zone).

Request:

Requesting approval of a Detailed Site Plan (DSP) for the number of parking spaces provided on an existing commercial property.

Council District:

8

Appeal by Date:

1/16/2020

Review by Date:

1/30/2020

History:

11/07/2019

M-NCPPC Technical Staff

approval with conditions

12/12/2019

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-88069-05 Planning Board Resolution 19-134](#)

DSP-88069-05_PORL

[DSP-88069-05 Technical Staff Report](#)

PENDING FINALITY (Continued)

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision.

(b) PLANNING BOARD'S REPRESENTATIVE[CNU-40387-2019-U](#)**Landover Road****Applicant(s):**

April Mackoff

Location:

Located on the east side of Landover Road running northwest, approximately 975 feet southeast of the intersection with the Baltimore-Washington Parkway (0.20 Acres; I-1 / CO Zones).

Request:

Requesting Certification of Nonconforming Use for an existing outdoor advertising sign. Certification of existing outdoor advertising signs is required pursuant to Council Bill 84-2016. It 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 1986.

Council District:

5

Review by Date:

1/30/2020

Comment(s):

In the event the District Council elects to review this case, it will be sent to the ZHE for a hearing pursuant to Section 27-244(e) of the Zoning Ordinance.

History:

12/10/2019

M-NCPPC Administrative Certification approval

Attachment(s):[CNU-40387-2019-U File Materials](#)

PENDING FINALITY (Continued)

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision.

(b) PLANNING BOARD'S REPRESENTATIVE (Continued)[CNU-43071-2019-U](#)**0000 Serenade Circle****Applicant(s):**

April Mackoff

Location:

Located on the west side of Branch Avenue approximately 1,180 feet southwest of the intersection with Surratts Road (6.02 Acres; R-T Zone).

Request:

Requesting Certification of Nonconforming Use for an existing outdoor advertising sign. Certification of existing outdoor advertising signs is required pursuant to Council Bill 84-2016. It 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 1974.

Council District:

9

Review by Date:

1/30/2020

Comment(s):

In the event the District Council elects to review this case, it will be sent to the ZHE for a hearing pursuant to Section 27-244(e) of the Zoning Ordinance.

History:

12/10/2019

M-NCPPC Administrative Certification approval

Attachment(s):[DSP-43071-2019-U File Material](#)**ADJOURN**