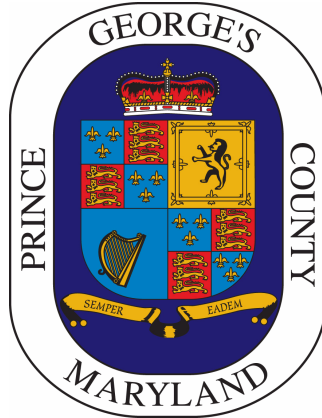


# Prince George's County Council

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



## **Zoning Agenda - Final**

**Monday, November 16, 2020  
10:00 AM**

**(VIRTUAL MEETING)**

### **Sitting as the District Council**

*Todd M. Turner, Council 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 (VIRTUAL)**

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 ensure 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.

**VIRTUAL DISTRICT COUNCIL MEETINGS**

Given the current state of the novel coronavirus (COVID-19) pandemic, and under the Governor's "Proclamation and Declaration of State of Emergency and Existence of Catastrophic Health Emergency – COVID-19" and the Prince George's County State of Emergency Declarations, the District Council is operating under emergency procedures. As authorized by CB-33-2020 hearings will be conducted virtually and in accordance with District Council Rules of Procedure.

**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. Testimony at Oral Argument Hearings must be based on the record, and no new evidence will be permitted. Only persons of record may testify. Persons of Record wishing to give oral argument on a specific case should register with the Clerk of the Council by email to [clerkofthecouncil@co.pg.md.us](mailto:clerkofthecouncil@co.pg.md.us) or faxed to (301) 952-5178 by 3:00 p.m. on the day BEFORE the meeting.

**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. Five (5) minute rebuttal from the side requesting hearing
5. Five (5) minute rebuttal from the side favoring decision
6. Comments by the People's Zoning Counsel

**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. State your name and address for the record and 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/LIVE>  
PLEASE SILENCE ALL CELLULAR PHONES DURING THE MEETING.

**VIEW USING THE LINK PROVIDED AT: <https://pgccouncil.us/LIVE>**

**10:00 AM CALL TO ORDER - (VIRTUAL MEETING)**

**INVOCATION / MOMENT OF SILENCE**

**APPROVAL OF DISTRICT COUNCIL MINUTES**

[MINDC 11092020](#)

**District Council Minutes dated November 9, 2020**

**Attachment(s):**

[11-09-2020 District Council Minutes DRAFT](#)

[MINDC 11102020](#)

**District Council Minutes dated November 10, 2020**

**Attachment(s):**

[11-10-2020 District Council Minutes DRAFT](#)

**REFERRED FOR DOCUMENT****DSP-19031****7-Eleven Branch Avenue****Applicant(s):**

7-Eleven, Inc.

**Location:**

Located on the east side of MD 5 (Branch Avenue), south of MD 373 (Accokeek Road) and MD 38 (Brandywine Road), and to the west of MD 631 (Old Brandywine Road) (2.00 Acres; C-M / C-S-C Zones).

**Request:**

Requesting approval of a Detailed Site Plan (DSP), to develop the site with a 3,484-square-foot food and beverage store, a gas station, and a 982-square-foot car wash.

**Council District:**

9

**Appeal by Date:**

10/15/2020

**Review by Date:**

10/15/2020

**Action by Date:**

1/4/2021

**History:**

07/15/2020	M-NCPPC Technical Staff	approval with conditions
09/10/2020	M-NCPPC Planning Board	approval with conditions
09/21/2020	Sitting as the District Council	deferred
	<i>Council deferred this item to October 5, 2020.</i>	
10/05/2020	Sitting as the District Council	elected to review
	<i>Council elected to review this item (11-0).</i>	
10/07/2020	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing scheduled for November 9, 2020 at 10:00 a.m. was mailed to Persons of Record.</i>	
10/23/2020	Applicant	transmitted a letter
	<i>Abdullah H. Hijazi, Esq. attorney for the applicant, submitted a letter entering his appearance and requesting to speak as Counsel for applicant.</i>	
10/26/2020	Sitting as the District Council	announced hearing date

11/09/2020                      Sitting as the District Council                      hearing held; case taken under advisement

*Thomas Burke, M-NCPPC, provided an overview of Detailed Site Plan application. Abdullah Hijazi, Esq., attorney for the applicant, spoke in support. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented. The hearing was held and Council took this case under advisement.*

11/10/2020                      Sitting as the District Council                      referred for document

*Council referred item to staff for preparation of an approving document with conditions (Vote: 11-0).*

**Attachment(s):**

[DSP-19031 Zoning Agenda Item Summary](#)

[DSP-19031 Presentation Slides](#)

[DSP-19031 Letter from Hijazi to Brown \(10232020\)](#)

[DSP-19031 District Council Notice of Hearing](#)

[DSP-19031 Transcripts](#)

[DSP-19031 Planning Board Resolution](#)

DSP-19031\_PORL

[DSP-19031 Technical Staff Report](#)

[DSP-19031 Planning Board Record](#)

**REFERRED FOR DOCUMENT (Continued)****SDP-1803****7-Eleven at Brandywine Village****Applicant(s):**

7-Eleven, Inc.

**Location:**

Located at the northwest corner of the intersection of Chadds Ford Drive and US 301 (Robert Crain Highway) (1.14 Acres; L-A-C Zone).

**Request:**

Requesting approval of a Specific Design Plan (SDP) for a 3,062-square-foot food and beverage store and a gas station in the Local Activity Center (L-A-C) Zone.

**Council District:**

9

**Appeal by Date:**

10/15/2020

**Review by Date:**

10/15/2020

**Action by Date:**

1/4/2021

**History:**

07/01/2020	M-NCPPC Technical Staff	approval with conditions
09/10/2020	M-NCPPC Planning Board	approval with conditions
09/21/2020	Sitting as the District Council	deferred
	<i>Council deferred this item to October 5, 2020.</i>	
10/05/2020	Sitting as the District Council	elected to review
	<i>Council elected to review this item (11-0).</i>	
10/07/2020	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing scheduled for November 9, 2020 at 10:00 a.m. was mailed to Persons of Record.</i>	
10/15/2020	Person of Record	appealed
	<i>William Piermattei and Suhani Chitalia, attorneys for appellants, filed an appeal of the Planning Board's Decision.</i>	
10/26/2020	Sitting as the District Council	announced hearing date

11/09/2020                      Sitting as the District Council                      hearing held; case taken under advisement

*Adam Bossi, M-NCPPC, provided an overview of the Specific Design Plan application. Suhani Chitalia, Esq., and William Piermattei, Esq., attorneys for appellants, spoke in opposition, along with Ms. Jennifer Jackson and Ms. Jamila Balamani. Arthur J. Horne, Jr., Esq., attorney for the applicant, spoke in support. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented. The hearing was held and Council took this case under advisement.*

11/10/2020                      Sitting as the District Council                      referred for document

*Council referred item to staff for preparation of document of remand to the Planning Board (Vote: 10-0; Absent: Council Member Glaros).*

**Attachment(s):**

[SDP-1803 Zoning Agenda Item Summary](#)

[SDP-1803 Presentation Slides](#)

[SDP-1803\\_email\\_Appeal Letter Davis Jackson et al to Br](#)

[SDP-1803\\_Appeal Letter Davis Jackson et al to Brown 10](#)

[SDP-1803 District Council Notice of Hearing](#)

[SDP-1803 Transcripts](#)

[SDP-1803 Planning Board Resolution](#)

SDP-1803\_PORL

[SDP-1803 Technical Staff Report](#)

[SDP-1803 Planning Board Record](#)

**REFERRED FOR DOCUMENT (Continued)**[SE-4811](#)**Contee Estate Assisted Living, LLC. / Marie Abayomi-Cole****Applicant(s):**

Contee Estate Assisted Living, LLC. / Marie Abayomi-Cole

**Location:**

Located on the south side of Veronica Lane, approximately 200 feet southeast of its intersection with Contee Road also identified as 7111 Veronica Lane, Laurel, Maryland 20707 (1.32 Acres; R-R Zone).

**Request:**

Requesting approval of a Special Exception (SE) for a Congregate Living Facility to serve up to sixteen (16) residents in a 7,431-square-foot single-family detached dwelling on approximately 1.32 acres of land in the R-R (Rural Residential) Zone.

**Council District:**

1

**Appeal by Date:**

3/16/2020

**Review by Date:**

3/16/2020

**Action by Date:**

1/11/2021

**Opposition:**

Jennifer Krochmal, et. al.

**History:**

08/28/2019	M-NCPPC Technical Staff	approval with conditions
09/12/2019	M-NCPPC Planning Board	no motion to consider
02/14/2020	Zoning Hearing Examiner	approval with conditions
02/24/2020	Sitting as the District Council	deferred
	<i>Council deferred this item to March 9, 2020.</i>	
03/09/2020	Sitting as the District Council	elected to make the final decision
	<i>Council elected to make the final decision on this item (Vote: 10-0; Absent: Council Member Franklin).</i>	
09/18/2020	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing scheduled for October 26, 2020 at 10:00 a.m. was mailed to Persons of Record.</i>	
10/19/2020	Sitting as the District Council	announced hearing date



10/26/2020                      Sitting as the District Council                      hearing held; case taken under advisement

*DeAndrae Spradley, M-NCPPC, provided an overview of the Special Exception application. Traci R. Scudder, Esq., attorney for the applicant, spoke in support along with Maude-Marie Aboyomi-Cole, owner, who responded to Council Member questions. Jennifer Krochmal, person of record, spoke in opposition. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented. The hearing was held and Council took this case under advisement.*

11/09/2020                      Sitting as the District Council                      referred for document

*Council referred item to staff for preparation of an approving document, with conditions (Vote: 11-0).*

**Attachment(s):**

[SE-4811 Zoning Agenda Item Summary](#)

[SE-4811 Presentation Slides](#)

[SE-4811 ZHE Decision](#)

SE-4811 PORL

[SE-4811 Technical Staff Report](#)

[SE-4811 District Council Notice of Hearing](#)

**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-19054****The HUB at College Park****Applicant(s):**

Core Campus Manager, LLC

**Location:**

Located on the north side of Knox Road, approximately 200 feet east of its intersection with Guilford Drive (0.72 Acres; M-U-I / D-D-O Zones).

**Request:**

Requesting approval of a Detailed Site Plan (DSP) to construct a mixed-use building with 161 multifamily dwelling units and 1,022 square feet of ground floor commercial retail.

**Council District:**

3

**Appeal by Date:**

1/11/2021

**Review by Date:**

1/11/2021

**Municipality:**

City of College Park

**History:**

09/30/2020

M-NCPPC Technical Staff

approval with conditions

11/05/2020

M-NCPPC Planning Board

approval with conditions

**Attachment(s):**[DSP-19054 Zoning Agenda Item Summary](#)[DSP-19054 Planning Board Resolution 2020-148](#)

DSP-19054\_PORL

[DSP-19054 Technical Staff Report](#)

**PENDING FINALITY (Continued)****[SDP-1302-08](#)****Parkside****Applicant(s):**

Dan Ryan Builders, Mid-Atlantic, LLC

**Location:**

Located approximately 3,000 feet east of the intersection of Westphalia Road and MD 4 (Pennsylvania Avenue)(147.79 Acres; R-M / M-I-O Zones).

**Request:**

Requesting approval of an amendment to a Specific Design Plan (SDP) for six single-family attached (townhouse) and seven single-family detached architectural models for Dan Ryan Builders, to be available for construction in Sections 5 and 6 of the Parkside development, which were approved under SDP-1302, as amended.

**Council District:**

6

**Appeal by Date:**

1/4/2021

**Review by Date:**

1/4/2021

**History:**

09/22/2020	M-NCPPC Technical Staff	approval with conditions
10/29/2020	M-NCPPC Planning Board	approval with conditions
11/09/2020	Sitting as the District Council	deferred

*Council deferred this item to November 16, 2020.***Attachment(s):**[SDP-1302-08 Zoning Agenda Item Summary](#)[SDP-1302-08 Planning Board Resolution](#)

SDP-1302-08\_PORL

[SDP-1302-08 Technical Staff Report](#)**[ADJ56-20](#)****ADJOURN****10:30 AM COMMITTEE OF THE WHOLE - (VIRTUAL MEETING)***(SEE SEPARATE AGENDA)*