

Prince George's County Council

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



Zoning Agenda - Final

**Monday, February 22, 2021
10:00 AM**

VIRTUAL MEETING

Sitting as the District Council

Calvin S. Hawkins, II, Chair, At-Large

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

Jolene Ivey, District 5

Rodney C. Streeter, District 7

Deni L. Taveras, Vice Chair, District 2

Todd M. Turner, District 4

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 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

Imam Chaplain Ahmed Lamptey

PLEDGE OF ALLEGIANCE

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 02092021](#)

District Council Minutes dated February 9, 2021

Attachment(s):

[DRAFT District Council Minutes dated 02-09-2021](#)

MANDATORY REVIEW (Using Oral Argument Procedures)**DSP-20017****Royal Farms #381 Walker Mill Road****Applicant(s):**

Two Farms, Inc.

Location:

Located in the southwest quadrant of the intersection of Walker Mill Road and Ritchie Road (7.67 Acres; I-1 / M-I-O).

Request:

Requesting approval of a Detailed Site Plan (DSP) for construction of a 4,649 square-foot food and beverage store, gas station, and a 1,248 square-foot car wash.

Council District:

6

Appeal by Date:

1/14/2021

Review by Date:

2/1/2021

Action by Date:

3/15/2021

Comment(s):

Mandatory Review:

District Council review of this case is required by conditions imposed by Council on Zoning Cases A-9190-C and A-8033-C.

History:

10/27/2020	M-NCPPC Technical Staff	approval with conditions
12/10/2020	M-NCPPC Planning Board	approval with conditions
01/14/2021	Clerk of the Council	mailed
	<i>Notice of Mandatory Review Hearing was mailed to Persons of Record.</i>	
02/09/2021	Sitting as the District Council	announced hearing date

Attachment(s):[DSP-20017 Zoning Agenda Item Summary](#)[DSP-20017 Color Power Point Presentation](#)[DSP-20017 Notice of Mandatory Review](#)[DSP-20017 Planning Board Resolution 2020-165](#)

DSP-20017_PORL

[DSP-20017 Technical Staff Report](#)[DSP-20017 Transcripts 11-12-2020](#)[DSP-20017 Planning Board Record](#)

NEW CASE(S)**A-10020-C-01****Woodmore Overlook Commercial****Applicant(s):**

Woodmore Overlook Commercial, LLC

Location:

Located in the northwest quadrant of the intersection of Landover Road (MD 202) and Lottsford Road (18.33 Acres; M-X-T Zone).

Request:

Requesting approval of a Zoning Map Amendment for the amendment of all conditions of approval specifically related to transportation improvements set forth in Conditions 5.a and 5.b; 6; 7; and 8 imposed by the District Council upon its adoption of Zoning Ordinance 6-2010, which rezoned the subject property from the I-3 (Planned Industrial/Employment Park) Zone to the M-X-T (Mixed Use-Transportation Oriented) Zone.

Council District:

5

Appeal by Date:

2/24/2021

Action by Date:

7/9/2021

Opposition:

Lake Arbor Civic Association., Samuel Dean, LaRay Benton

History:

02/09/2021

Zoning Hearing Examiner

approval with conditions

02/15/2021

Applicant

appealed

Norman Rivera, Esq., attorney for the applicant, filed exceptions to the Zoning Hearing Examiner's Recommendation and requested a hearing.

02/17/2021

Applicant

appealed

Norman Rivera, Esq., attorney for the applicant, filed revised exceptions to the Zoning Hearing Examiner's Recommendation and requested a hearing.

Attachment(s):[A-10020-C-01 Zoning Agenda Item Summary](#)[A-10020-C-01 Notice of Decision](#)[A-10020-C-01 ZHE Decision](#)

A-10020-C-01 POR List

A-10020-C-01 ZHE Memo to Clerk

In making the final decision in this case, the District Council should consider whether it wants to conduct an Oral Argument, pursuant to Section 27-131.01 (c)(2).

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[CSP-07004-01](#)[Amended](#)**Westphalia Center (Amended)****Applicant(s):**

Evangel Cathedral

Location:

Located on the north side of Pennsylvania Avenue (MD 4), west of Melwood Road, and east of the interchange of Suitland Parkway and Pennsylvania Avenue (530 Acres; M-X-T Zone).

Request:

Requesting approval of a Conceptual Site Plan (CSP) revises Conditions 15, 16, 24, and 25 regarding the special-purpose detailed site plan, and Conditions 30 and 31 regarding phasing and the restriction on development of attached dwelling units. These changes will allow the development of the Moore Property to proceed prior to other portions of Westphalia. Development on the Moore Property would be a maximum of 505 attached dwelling units, 135 multifamily units, and 3,000 square feet of community/retail land use.

Council District:

6

Appeal by Date:

3/4/2021

Review by Date:

3/4/2021

History:

01/07/2021	M-NCPPC Technical Staff	approval with conditions
01/28/2021	M-NCPPC Planning Board	approval with conditions
02/09/2021	Sitting as the District Council	deferred

Council deferred this item to February 22, 2021.

Attachment(s):[CSP-07004-01 Zoning Agenda Item Summary](#)[CSP-07004-01 Planning Board Resolution](#)

CSP-07004-01_PORL

[CSP-07004-01 Technical Staff Report](#)

PENDING FINALITY**DSP-19062****Westphalia Town Center North****Applicant(s):**

D.R. Horton

Location:

Located at the intersection of MD 4 (Pennsylvania Avenue) and Melwood Road, approximately 800 feet north of Woodyard Road (88.06 Acres; Zones M-X-T / M-I-O).

Request:

Requesting approval of a Detailed Site Plan (DSP) for construction of 34 single-family detached dwelling units and 605 single-family attached (townhouse) dwelling units, including 133 on condominium parcels and 472 on fee-simple lots.

Council District:

6

Appeal by Date:

3/4/2021

Review by Date:

3/4/2021

History:

01/07/2021	M-NCPPC Technical Staff	approval with conditions
01/28/2021	M-NCPPC Planning Board	approval with conditions
02/09/2021	Sitting as the District Council	deferred

Council deferred this item to February 22, 2021.

Attachment(s):

[DSP-19062 Zoning Agenda Item Summary](#)

[DSP-19062 Planning Board Resolution](#)

DSP-19062 PORL

[DSP-19062 Technical Staff Report](#)

PENDING FINALITY**CDP-0901-01****The Villages At Timothy Branch****Applicant(s):**

Timothy Branch, Inc.

Location:

Located on the south side of MD 381 (Brandywine Road), approximately one-half mile east of its intersection with US 301 (Robert Crain Highway) (72.43 Acres; L-A-C / M-I-O Zones).

Request:

Requesting approval of a Comprehensive Design Plan (CDP) to amend the previously approved Comprehensive Design Plan (CDP) to remove commercial uses and expand the mixed retirement development.

Council District:

9

Appeal by Date:

3/12/2021

Review by Date:

3/12/2021

History:

12/30/2020

M-NCPPC Technical Staff

approval with conditions

02/04/2021

M-NCPPC Planning Board

approval with conditions

Attachment(s):[CDP--0901-01 Zoning Agenda Item Summary](#)[CDP-0901-01 Planning Board Resolution](#)[CDP-0901-01_PORL](#)[CDP-0901-01 Technical Staff Report](#)

PENDING FINALITY[DSP-17034](#)**Capital Christian Fellowship Daycare****Applicant(s):**

Capital Christian Fellowship

Location:

Located on the south side of MD 193 (Greenbelt Road), approximately 1,900 feet west of its intersection with Lanham Severn Road. Specifically, the property is located at 10411 Greenbelt Road, Lanham, Maryland (5.30 Acres; R-R Zone).

Request:

Requesting approval of a Detailed Site Plan (DSP) for the addition of a day care center, with a maximum enrollment of 50 children, to an existing church.

Council District:

3

Appeal by Date:

3/18/2021

Review by Date:

3/18/2021

History:

01/05/2021

M-NCPPC Technical Staff

approval with conditions

02/11/2021

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-17034 Zoning Agenda Item Summary](#)[DSP-17034 Planning Board Resolution](#)

DSP-17034_PORL

[DSP-17034 Technical Staff Report](#)

PENDING FINALITY**DSP-20038****The Venue****Applicant(s):**

Greenwood Park, LLC

Location:

Located on the north side of Ritchie Marlboro Road, approximately 750 feet east of its intersection with I-95/I-495 (Capital Beltway), identified as 1700 Ritchie Marlboro Road, Upper Marlboro, Maryland (15.14 Acres; R-T / R-55 / I-3 Zones).

Request:

Requesting approval of a Detailed Site Plan (DSP) for 90 single-family attached (townhouse) dwelling units as Phase 1 development of a larger property.

Council District:

6

Appeal by Date:

3/18/2021

Review by Date:

3/18/2021

History:

01/06/2021

M-NCPPC Technical Staff

approval with conditions

02/11/2021

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-20038 Zoning Agenda Item Summary](#)[DSP-20038 Planning Board Resolution](#)

DSP-20038_PORL

[DSP-20038 Technical Staff Report](#)

PENDING FINALITY**DSP-19038****Harrison's Land (Addition To)****Applicant(s):**

Zenith Investing, LLC

Location:

Located approximately 80 feet north of the intersection of Meadowview Drive and Walnut Lane (0.15 Acres; R-55 / D-D-O / M-I-O).

Request:

Requesting approval of a Detailed Site Plan (DSP) to develop a single-family detached residential dwelling within a Development District Overlay (D-D-O) Zone.

Council District:

7

Appeal by Date:

3/18/2021

Review by Date:

3/18/2021

History:

01/12/2021

M-NCPPC Technical Staff

approval with conditions

02/11/2021

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-19038 Zoning Agenda Item Summary](#)[DSP-19038 Planning Board Resolution](#)

DSP-19038_PORL

[DSP-19038 Technical Staff Report](#)

PENDING FINALITY[DSP-20001](#)**Wawa #583****Applicant(s):**

Wawa, Inc.

Location:

Located within the median strip of US 301 (Robert Crain Highway) at its intersection with Marketplace Boulevard (4.49 Acres; C-M Zone)

Request:

Requesting approval of a Detailed Site Plan (DSP) to validate the existing food and beverage store and gas station uses in the Commercial Miscellaneous (C-M) Zone and minor modifications to existing freestanding and building-mounted signage.

Council District:

4

Appeal by Date:

3/18/2021

Review by Date:

3/18/2021

History:

01/05/2021

M-NCPPC Technical Staff

approval with conditions

02/11/2021

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-20001 Zoning Agenda Item Summary](#)[DSP-20001 Planning Board Resolution](#)

DSP-20001_PORL

[DSP-20001 Technical Staff Report](#)

CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING ON MARCH 8, 2021 AT 10:00 A.M.*Hearing Dates & Times Subject to Change***DSP-20006****Checkers Laurel****Applicant(s):**

Mar Chek, Inc.

Location:

Located on the east side of US 1 (Baltimore Avenue), approximately 400 feet north of its intersection with Mulberry Street. (0.84 Acres; C-S-C / R-55).

Request:

Requesting approval of a Detailed Site Plan (DSP) for the development of a 1,170-square-foot eating and drinking establishment with drive-through service, specifically a Checkers.

Council District:

1

Appeal by Date:

12/24/2020

Review by Date:

1/25/2021

Action by Date:

3/26/2021

History:

10/14/2020	M-NCPPC Technical Staff	approval with conditions
11/19/2020	M-NCPPC Planning Board	approval with conditions
01/11/2021	Sitting as the District Council	deferred

Council deferred this item to January 25, 2021.

01/25/2021	Sitting as the District Council	elected to review
------------	---------------------------------	-------------------

*Council elected to review this item (Vote: 10-0-1; Abstain: Council Member Franklin).***Attachment(s):**[DSP-20006 Zoning Agenda Item Summary](#)[DSP-20006 - Planning Board Resolution](#)

DSP-20006_PORL

[DSP-20006 Technical Staff Report](#)[DSP-20006 Planning Board Record](#)**ADJ8-21****ADJOURN**

11:30 AM BRIEFING

[BR 02222021](#)

RETREAT TRAINING FOLLOW-UP

Bart Bailey
Principal & Owner
Courage to Care, LLC