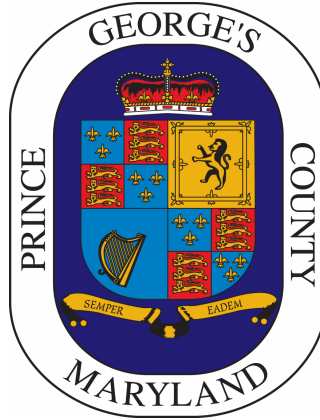


Prince George's County Council

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



Zoning Agenda - Final

**Monday, May 24, 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

PLEDGE OF ALLEGIANCE

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 05102021](#)

District Council Minutes dated May 10, 2021

Attachment(s):

[DRAFT District Council Minutes dated 5-10-2021](#)

[MINDC 05172021](#)

District Council Minutes dated May 17, 2021

Attachment(s):

[DRAFT District Council Minutes dated 5-17-2021](#)

ORAL ARGUMENTS[DSP-04067-10](#)**Woodmore Commons****Companion Case(s):** DDS-672**Applicant(s):** Balk Hill Ventures, LLC**Location:** Located in the northeast quadrant of the intersection of MD 202 (Landover Road) and St Joseph's Drive, on both sides of Ruby Lockhart Boulevard (10.64 Acres; M-X-T Zone).**Request:** Requesting approval of a Detailed Site Plan (DSP) for development of approximately 72,000 square feet of commercial, retail, and office uses in two distinct sections on approximately 10.64 acres ("subject property").**Council District:** 5**Appeal by Date:** 5/6/2021**Review by Date:** 5/6/2021**Action by Date:** 6/11/2021**History:**

03/03/2021 M-NCPPC Technical Staff approval with conditions

04/01/2021 M-NCPPC Planning Board approval with conditions

04/12/2021 Sitting as the District Council elected to review

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

04/22/2021 Clerk of the Council mailed

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

05/10/2021 Sitting as the District Council announced hearing date

05/13/2021 Person of Record filed

Samuel H. Dean, Persons of Record Filed a letter of testimony for the Oral Argument Hearing scheduled for May 24, 2021.

05/19/2021 Applicant filed

Edward C. Gibbs, Jr., Esquire, attorney for the applicant filed a response letter to the letter of testimony submitted by Persons of Record Samuel H. Dean.

Attachment(s):

[DSP-04067-10 Zoning Agenda Item Summary](#)
[DSP-04067-10 & DDS-672- Presentation Slides](#)
[DSP-04067-10 & DDS-672 Letter from Dean to Brown 5](#)
[DSP-04067-10 & DDS-672 Letter from Gibbs to Brown M](#)
[DSP-04067-10 Notice of District Council Hearing](#)
[DSP-04067-10 Planning Board Resolution 2021-43 - Sign](#)
[DSP-04067-10_PORL](#)
[DSP-04067-10 Technical Staff Report](#)
[DSP-04067-10 Transcripts_03-18-2021 Planning Board](#)
[DSP-04067-10 Planning Board Record](#)
[PZC Notice of Intention to Participate](#)

ORAL ARGUMENTS**DDS-672****Woodmore Commons****Companion Case(s):** DSP-04067-10**Applicant(s):** Balk Hill Ventures, LLC**Location:** Located in the northeast quadrant of the intersection of MD 202 (Landover Road) and St Joseph's Drive, on both sides of Ruby Lockhart Boulevard (10.64 Acres; M-X-T Zone).**Request:** Requesting approval of a Departure from Design Standards, for a reduction of the standard surface parking space size to 9 feet by 18 feet.**Council District:** 5**Appeal by Date:** 5/13/2021**Review by Date:** 5/13/2021**Action by Date:** 6/21/2021**History:**

03/03/2021 M-NCPPC Technical Staff approval

04/08/2021 M-NCPPC Planning Board approval

04/20/2021 Sitting as the District Council elected to review

Council elected to review this item (Vote: 9-0; Absent: Council Members Franklin and Ivey).

04/22/2021 Clerk of the Council mailed

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

05/10/2021 Sitting as the District Council announced hearing date

05/13/2021 Person of Record filed

Samuel H. Dean, Persons of Record Filed a letter of testimony for the Oral Argument Hearing scheduled for May 24, 2021.

05/19/2021 Applicant filed

Edward C. Gibbs, Jr., Esquire, attorney for the applicant filed a response letter to the letter of testimony submitted by Persons of Record Samuel H. Dean.

Attachment(s):

[DDS-672 Zoning Agenda Item Summary](#)

[DSP-04067-10 & DDS-672- Presentation Slides](#)

[DSP-04067-10 & DDS-672 Letter from Gibbs to Brown M](#)

[DSP-04067-10 & DDS-672 Letter from Dean to Brown 5](#)

[DDS-672 Notice of District Council Hearing](#)

[DDS-672 Planning Board Resolution 2021-44 - Signed](#)

[DDS-672_PORL](#)

[DDS-672 Technical Staff Report](#)

[DDS-672 Planning Board Record](#)

[DDS-672 Transcripts 03-18-2021 Planning Board](#)

[PZC Notice of Intention to Participate](#)

MANDATORY REVIEW (Using Oral Argument Procedures)**CSP-20002****Terrapin House****Applicant(s):**

12300 Carrol Investors and Terrapin Main Street LLC

Location:

Located on the north side Hartwick Road, between Yale Avenue and US 1 (Baltimore Avenue) (0.89 Acres; M-U-I / R-55 Zones).

Request:

Requesting approval of a Conceptual Site Plan (CSP) application to rezone part of the property from One-Family Detached Residential (R-55) to the Mixed Use-Infill (M-U-I) Zone for a future mixed-use development to include 160 to 175 multifamily residential units and 10,000 to 15,000 square feet of commercial/retail uses.

Council District:

3

Appeal by Date:

5/20/2021

Review by Date:

5/20/2021

Action by Date:

6/21/2021

Comment(s):

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

Municipality:

College Park

History:

03/10/2021	M-NCPPC Technical Staff	approval with conditions
04/15/2021	M-NCPPC Planning Board	approval with conditions
04/22/2021	Clerk of the Council	mailed

Notice of Mandatory Review Hearing (using Oral Argument Procedures) was mailed to Persons of Record.

05/10/2021	Sitting as the District Council	announced hearing date
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Attachment(s):[CSP-20002 Zoning Agenda Item Summary](#)[CSP-20002 Presentation Slides](#)[CSP-20002 Notice of District Council Hearing](#)[CSP-20002 Planning Board Resolution 2021-45 - Signed](#)[CSP-20002_PORL](#)[CSP-20002 Technical Staff Report](#)[CSP-20002 Planning Board Record](#)[CSP-20002 Transcripts 03-25-2021](#)[PZC Notice of Intention to Participate](#)

REFERRED FOR DOCUMENT**DSP-20013****St. Joseph's House****Applicant(s):**

St. Joseph's House, LTD.

Location:

Located in the northeast quadrant of the intersection of Oliver Street and 40th Avenue, within the municipal limits of the City of Hyattsville (0.18 Acres; R-55 / D-D-O Zones).

Request:

Requesting approval of a Detailed Site Plan (DSP) to develop a family day care use within an existing single-family detached residential dwelling, including a building addition, within the Development District Overlay (D-D-O) Zone of the 2004 Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District (Gateway Arts District Sector Plan and SMA).

Council District:

2

Appeal by Date:

4/22/2021

Review by Date:

4/22/2021

Action by Date:

5/28/2021

Municipality:

Hyattsville

History:

02/23/2021	M-NCPPC Technical Staff	approval with conditions
03/18/2021	M-NCPPC Planning Board	approval with conditions
03/29/2021	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote: 10-0: Absent: Council Member Franklin).</i>	
04/07/2021	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
04/26/2021	Sitting as the District Council	announced hearing date

05/10/2021

Sitting as the District Council

hearing held; referred for
document

Adam Bossi, M-NCPPC planning staff, provided an overview of the Detailed Site Plan application. Daniel F. Lynch, Esq., attorney for the applicant, Joe Lahood, and Mark Ferguson, spoke in support. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties. Council referred item to staff for preparation of an approving document, with conditions (Vote: 11-0).

Attachment(s):[DSP-20013 Zoning Agenda Item Summary](#)[DSP-20013 Planning Board Resolution 2021-39 - Signed](#)

DSP-20013 PORL

[DSP-20013 Technical Staff Report](#)[DSP-20013 Planning Board Record](#)[DSP-20013 Transcripts 03-11-2021 Planning Board](#)[DSP-20013 PZC Notice of Intention to Participate](#)

REFERRED FOR DOCUMENT**DSP-20029****Behnke Property 7-Eleven****Applicant(s):**

Root 1, LLC, ETAL

Location:

Located on the west side of US 1 (Baltimore Avenue) south of its intersection with Howard Avenue (1.89 Acres; C-M Zone).

Request:

Requesting approval of a Detailed Site Plan (DSP) for development of a 4,500-square-foot food and beverage store and a gas station with eight multi-product dispensers.

Council District:

1

Appeal by Date:

4/8/2021

Review by Date:

4/8/2021

Action by Date:

5/28/2021

History:

01/19/2021	M-NCPPC Technical Staff	approval with conditions
03/04/2021	M-NCPPC Planning Board	approval with conditions
03/22/2021	Sitting as the District Council	deferred
<i>Council deferred this item to March 29, 2021.</i>		
03/29/2021	Sitting as the District Council	elected to review
<i>Council elected to review this item (Vote: 10-0: Absent: Council Member Franklin).</i>		
04/07/2021	Clerk of the Council	mailed
<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>		
04/26/2021	Sitting as the District Council	announced hearing date
05/10/2021	Sitting as the District Council	hearing held; case taken under advisement

Adam Bossi, M-NCPPC planning staff, provided an overview of the Detailed Site Plan application. Matthew Gordon, Esq., attorney for the applicant, and Andrew R. Polot, Root 1 Manager LLC, spoke in support. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties. Council took this case under advisement.

05/17/2021

Sitting as the District Council

referred for document

Council referred item to staff for preparation of a document of remand to the Planning Board (Vote: 9-0: Absent: Council Members Davis and Hawkins).

Attachment(s):[DSP-20029 Zoning Agenda Item Summary](#)[DSP-20029 Power Point Presentation](#)[DSP-20029_email 04262021 Gordon To Brown](#)[DSP-20029 Letter 04262021 Gordon To Brown](#)[DSP-20029 Planning Board Resolution 2021-21 - Signed](#)[DSP-20029_PORL](#)[DSP-20029 Technical Staff Report](#)[DSP-20029 Planning Board Record](#)[DSP-20029 Transcripts_02-04-2021 Planning Board](#)[DSP-20029 Notice of District Council Hearing](#)[DSP-20029 PZC Notice of Intention to Participate](#)

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**CDP-0505-01****National Capital Business Park****Applicant(s):**

NCBP Property, LLC

Location:

Located on the north side of Leeland Road, approximately 3,178 feet west of the intersection of Leeland Road and US 301 (Robert Crain Highway) (426.52 Acres; R-S Zone).

Request:

Requesting approval of Comprehensive Design Plan (CDP) to amend the previously approved plan to remove all residential uses and replace them with up to 3.5 million square feet of employment and institutional uses, as permitted in the Employment and Institutional Area (E-I-A) Zone, as authorized pursuant to Section 27-515(b), Footnote 38, of the Prince George's County Zoning Ordinance.

Council District:

4

Appeal by Date:

6/3/2021

Review by Date:

6/3/2021

History:

03/30/2021	M-NCPPC Technical Staff	approval with conditions
04/29/2021	M-NCPPC Planning Board	approval with conditions
05/10/2021	Sitting as the District Council	deferred

Council deferred this item to May 24, 2021.

Attachment(s):

[CDP-0505-01 Zoning Agenda Item Summary](#)

[CDP-0505-01 Planning Board Resolution 2021-50 - Signe](#)

[CDP-0505-01_PORL](#)

[CDP-0505-01 Technical Staff Report](#)

PENDING FINALITY[CSP-07001-03](#)**Westphalia Row****Applicant(s):**

Westphalia Row Partners, LLC

Location:

Located in the southwest corner of the intersection of Ritchie Marlboro Road and Sansbury Road (20.67 Acres; M-X-T Zone).

Request:

Requesting approval of a Conceptual Site Plan (CSP) for a revision to the previously approved Conceptual Site Plan (CSP) for Westphalia Row by replacing the previously approved 10,000 square feet of commercial uses with 19 single-family attached (townhouse) dwelling units.

Council District:

6

Appeal by Date:

6/17/2021

Review by Date:

6/17/2021

History:

04/05/2021

M-NCPPC Technical Staff

approval with conditions

05/13/2021

M-NCPPC Planning Board

approval with conditions

Attachment(s):[CSP-07001-03 Zoning Agenda Item Summary](#)[CSP-07001-03 Planning Board Resolution](#)

CSP-07001-03_PORL

[CSP-07001-03 Technical Staff Report](#)

PENDING FINALITY[DSP-08039-10](#)**Westphalia Row****Applicant(s):**

Westphalia Row Partners, LLC

Location:

Located in the southwest corner of the intersection of Ritchie Marlboro Road and Sansbury Road (20.67 Acres; M-X-T Zone).

Request:

Requesting approval of a Detailed Site Plan (DSP) for approval of 19 fee-simple, rear-loaded single-family attached (townhouse) dwelling units to replace 10,000 square feet of commercial uses previously approved in Phase III of Westphalia Row.

Council District:

6

Appeal by Date:

6/17/2021

Review by Date:

6/17/2021

History:

04/06/2021

M-NCPPC Technical Staff

approval with conditions

05/13/2021

M-NCPPC Planning Board

approval with conditions

Attachment(s):[DSP-08039-10 Zoning Agenda Item Summary](#)[DSP-08039-10 Planning Board Resolution](#)

DSP-08039-10_PORL

[DSP-08039-10 Technical Staff Report](#)

PENDING FINALITY**[SDP-1701-05](#)****Timothy Branch****Applicant(s):**

Timothy Branch, Inc.

Location:

Located on the south side of MD 381 (Brandywine Road), approximately 1,000 feet east of its intersection with Short Cut Road (322.41 Acres; L-A-C / R-M / M-I-O Zones).

Request:

Requests approval of a Specific Design Plan (SDP) for development of 253 dwelling units in the RM-2S, and a portion of the RM-4S, pods. These dwelling units consist of 212 single-family attached (townhouses), 10 single-family semidetached (duplexes), and 31 single-family detached dwelling units.

Council District:

9

Appeal by Date:

6/17/2021

Review by Date:

6/17/2021

History:

04/20/2021

M-NCPPC Technical Staff

approval with conditions

05/13/2021

M-NCPPC Planning Board

approval with conditions

Attachment(s):[SDP-1701-05 Zoning Agenda Item Summary](#)[SDP-1701-05 Planning Board Resolution](#)

SDP-1701-05_PORL

[SDP-1701-05 Technical Staff Report](#)

CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING ON JUNE 14, 2021 AT 10:00 A.M.*Hearing Dates & Times Subject to Change***DSP-16004****Oaklawn****Applicant(s):**

Daniel Mwavua

Location:

Located on the east side of Allentown Road, approximately 400 feet south of the intersection of Allentown Road and Tucker Road (1.63 Acres; R-R Zone).

Request:

Requesting approval of a Detailed Site Plan (DSP) to develop three single-family detached dwelling units.

Council District:

8

Appeal by Date:

4/29/2021

Review by Date:

4/29/2021

Action by Date:

6/25/2021

History:

02/03/2021	M-NCPPC Technical Staff	approval with conditions
03/25/2021	M-NCPPC Planning Board	approval with conditions
04/12/2021	Sitting as the District Council	deferred

Council deferred this item to April 26, 2021.

04/26/2021	Sitting as the District Council	elected to review
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Council elected to review this item (Vote: 10-0: Absent: Council Member Franklin).

05/06/2021	Clerk of the Council	mailed
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Notice of Oral Argument Hearing was mailed to Persons of Record.

Attachment(s):

[DSP-16004 Zoning Agenda Item Summary](#)

[DSP-16004 Notice of Oral Argument Hearing](#)

[DSP-16004 Planning Board Resolution 2021-30 - Signed](#)

DSP-16004_PORL

[DSP-16004 Technical Staff Report](#)

[ADJ22-21](#)

ADJOURN

11:15 AM COMMITTEE OF THE WHOLE - (VIRTUAL MEETING)

(SEE SEPARATE AGENDA)

11:30 AM COUNTY COUNCIL - (VIRTUAL MEETING)

(SEE SEPARATE AGENDA)