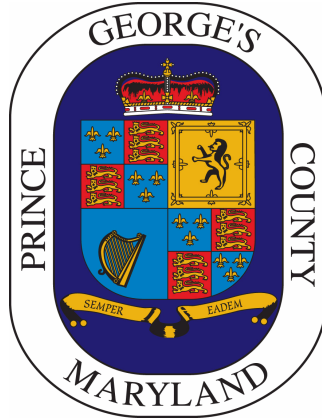


# Prince George's County Council

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



## **Zoning Agenda - Final**

**Monday, September 20, 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. 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.

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

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

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF DISTRICT COUNCIL MINUTES**

[MINDC 09122021](#)

**District Council Minutes dated September 13, 2021**

**Attachment(s):**

[DRAFT District Council Minutes dated 9-13-2021](#)

**MANDATORY REVIEW (Using Oral Argument Procedures)****CSP-20007****Clay Property****Applicant(s):**

MRBCO, LLC

**Location:**

Located at the terminus of Dean Drive and Calverton Drive within the municipal boundaries of the City of Hyattsville (12.87 Acres; R-80 Zone).

**Request:**

Requesting approval of a Conceptual Site Plan (CSP) to change the underlying zone of the property from the One-Family Detached Residential Zone (R-80) to the One-Family Triple-Attached Residential (R-20) Zone to accommodate development of 137 townhouses.

**Council District:**

2

**Appeal by Date:**

8/26/2021

**Review by Date:**

9/27/2021

**Action by Date:**

10/27/2021

**Comment(s):**

Mandatory Review:

District Council review of this case is required by Section 27-548.09.01 of the Zoning Ordinance

**Municipality:**

Hyattsville

**History:**

07/09/2021

M-NCPPC Technical Staff

disapproval

07/22/2021

M-NCPPC Planning Board

disapproval

08/16/2021

Applicant

appealed

*Chris Hatcher, Esq., attorney for the applicant, appealed the Planning Board's decision.*

08/17/2021

Clerk of the Council

mailed

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

08/26/2021

Applicant

filed

*Chris Hatcher, Esq., attorney for the applicant, filed a Supplement to appeal of the Planning Board's decision that was filed on August 16, 2021.*

09/14/2021

Person of Record

filed

*G. Macy Nelson, attorney for Citizen-Protestants filed a letter in response to the August 16, 2021 appeal that was submitted.*

**Attachment(s):**

[CSP-20007 Zoning Agenda Item Summary](#)

[CSP-20007 Presentation Slides](#)

[CSP-20007 \(email\) Nelson to Brown Citizen-Respondents](#)

[CSP-20007 Nelson to Brown Citizen-Respondents' Answer](#)

[CSP-20007 \(email\) Hatcher to Brown Supplement to Petition](#)

[CSP-20007 - Hatcher to Brown Supplement to Petition for](#)

[CSP-20007 Notice of Oral Argument Hearing](#)

[CSP-20007 \(email\) Appeal from Hatcher to Brown 8-16-21](#)

[CSP-20007 Appeal from Hatcher to Brown 8-16-21](#)

[CSP-20007 Planning Board Resolution Revised](#)

CSP-20007 PORL

[CSP-20007 Technical Staff Report](#)

[CSP-20007 Transcripts 07-15-2021](#)

[CSP-20007 -Planning Board Record](#)

[PZC Notice of Intention to Participate District Council 9-2](#)

**REFERRED FOR DOCUMENT**[SE-4774 Remand](#)**Palmer Road Class 3 Fill Facility  
(Remanded from Circuit Court)****Companion Case(s):** SE-4774**Location:**

Located on the northern side of Palmer Road, abutting the western side of Tucker Road, and identified as 1500 and 1611 Ferguson Lane, Fort Washington, Maryland (173.584 Acres; R-E Zone).

**Request:**

Requesting approval of a Special Exception to continue using approximately 173.584 acres of land in the R-E (Residential-Estate) Zone as a Class III Fill. Also requesting a variance from the requirement that the use not be located within a three (3) mile radius of properties containing an active or pre-existing approved or nonconforming Class III Fill, sanitary landfill, transfer station, rubble fill, recycling facility, mining facility, processing facility, sand and gravel operation, or wash plant.

**Council District:**

8

**Action by Date:**

9/20/2021

**Opposition:**

Stephen Briggs, et. al.

**History:**

03/15/2017	M-NCPPC Technical Staff	approval with conditions
03/30/2017	M-NCPPC Planning Board	no motion to consider
07/21/2017	Zoning Hearing Examiner	approval with conditions
09/11/2017	Sitting as the District Council	elected to make the final decision
	<i>Council elected to make the final decision on this item (Vote: 9-0).</i>	
09/21/2017	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
10/23/2017	Sitting as the District Council	case taken under advisement

*Taslina Alam, M-NCPPC, provided an overview of the Special Exception application. Arthur Horne, Esq., spoke in support, on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented. The Oral Argument hearing was held and Council took this case under advisement.*

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02/12/2018	Sitting as the District Council	referred for document
	<i>Council referred item to staff for preparation of a disapproving document (Vote: 8-0; Absent: Council Member Toles).</i>	
02/12/2018	Sitting as the District Council	disapproval
	<i>Council referred item to staff for preparation of a disapproving document (Vote: 8-0; Absent: Council Member Toles).</i>	
02/15/2018	Clerk of the Council	mailed
	<i>The Notice of Final Decision of the District Council was mailed to Persons of Record.</i>	
02/21/2018	Applicant	filed
	<i>Mr. Arthur Horne, Esquire, attorney for the applicant, requested reconsideration of the District Council's February 12, 2018 decision.</i>	
02/26/2018	Sitting as the District Council	case taken under advisement
	<i>Council took this case under advisement.</i>	
03/13/2018	Applicant	filed
	<i>Dennis Whitley II, Esquire, attorney for the applicant, filed a Petition for Judicial Review in Circuit Court.</i>	
03/20/2018	Applicant	withdrawn
	<i>Arthur J. Horne, Jr., Esquire, attorney for the applicant, withdrew his request for District Council to reconsider its action since the Council took it under advisement and the applicant has filed an appeal to the Circuit Court.</i>	
03/26/2018	Sitting as the District Council	no action
	<i>Chair Glaros announced that the request for reconsideration was withdrawn; therefore, no action was required by the District Council.</i>	
01/11/2021	Circuit Court	remanded
	<i>The Circuit Court remanded the matter back to the District Council with instructions to conduct further proceedings on the merits of the Petitioner's application in Special Exception 4774 and Variance 4774 consistent with the opinion of the Court of Special Appeals.</i>	
05/10/2021	Sitting as the District Council	elected to make the final decision
	<i>Council directed the Clerk to schedule an Oral Argument hearing for this item in accordance with the Circuit Court Remand (Vote: 11-0).</i>	

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06/14/2021	Sitting as the District Council	announced hearing date
06/21/2021	Sitting as the District Council	hearing held; case taken under advisement

*Sam Braden IV, M-NCPPC planning staff, provided an overview of the Special Exception application. Hazel Robinson, President, Tantallon Square Area Civic Association, spoke in opposition. Russell W. Shipley, 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 by the parties. Council took this case under advisement.*

07/06/2021	Sitting as the District Council	referred for document
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*Council referred this item to staff for preparation of a disapproving document (Vote: 9-0; Absent: Council Members Davis and Harrison).*

**Attachment(s):**

[SE-4774 Zoning Agenda Item Summary](#)

[SE-4774 Presentation Slides](#)

[SE-4774 Notice of District Council Final Decision](#)

[SE-4774 Circuit Court Order Remanding Case to District C](#)

[SE-4774 Zoning Hearing Examiner Decision](#)

SE-4774 PORL

[SE-4774 Technical Staff Report](#)

[SE-4774 Case File](#)

[SE-4774 \(5-19-2021 PZC Notice of Intention to Participat](#)

[SE-4774 Circuit Court Remand Notice of District Council](#)



**ITEM(S) FOR DISCUSSION****DSP-20015****Freeway Airport****Applicant(s):**

Freeway Realty, LLC

**Location:**

Located on the west side of Church Road and in the southwest quadrant of its intersection with US 50 (John Hanson Highway)(131.50 Acres; R-A Zone).

**Request:**

Requesting approval of a Detailed Site Plan (DSP) for 416 single-family attached (townhouse) lots and 93 single-family detached lots, for a total of 509 lots.

**Council District:**

6

**Appeal by Date:**

7/1/2021

**Review by Date:**

7/1/2021

**Action by Date:**

9/29/2021

**History:**

04/20/2021	M-NCPPC Technical Staff	approval with conditions
05/27/2021	M-NCPPC Planning Board	approval with conditions
06/14/2021	Sitting as the District Council	waived election to review
	<i>Council waived election to review for this item (Vote: 8-0-1; Absent: Council Members Dernoga and Ivey; Abstained: Council Member Anderson-Walker).</i>	
06/30/2021	Person of Record	appealed
	<i>Carol Boyer, et al. appealed the Planning Board's decision and requested Oral Argument</i>	
07/13/2021	Sitting as the District Council	announced hearing date
07/19/2021	Applicant	filed
	<i>Robert J. Antonetti Jr. Esq., attorney for the applicant, filed a reply to the 6/30/2021 appeal and Requested to Dismiss and Opposition to Appeal.</i>	
08/06/2021	Clerk of the Council	mailed
	<i>Notice of District Council Hearing Scheduled for Monday, September 13, 2021 was mailed to all Persons of Record.</i>	

09/02/2021	Person of Record	filed
	<i>James Riley, Person of Record, filed written testimony for Oral Argument Hearing scheduled for September 13, 2021.</i>	
09/03/2021	Person of Record	filed
	<i>Carol Boyer, Person of Record, filed written testimony for the Oral Argument Hearing Scheduled for September 13, 2021.</i>	
09/03/2021	Person of Record	filed
	<i>Charles Rones, Persons of Record, filed written testimony for the Oral Argument Hearing Scheduled for September 13, 2021.</i>	
09/13/2021	Sitting as the District Council	hearing held; case taken under advisement
	<i>Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties. Henry Zhang, M-NCPPC planning staff, provided an overview of the Detailed Site Plan application. Carol Boyer, James Riley, Charles Rones and Johnathan Brown spoke in opposition. Robert J. Antonetti, Jr., Esq., Attorney for the applicant spoke in support. Council took this case under advisement.</i>	

**Attachment(s):**[DSP-20015 Zoning Agenda Item Summary](#)[DSP-20015 Presentation Slides](#)[DSP-20015 Charles Rones \(email\) Testimony 9-3-21](#)[DSP-20015 Carol Boyer Testimony for Motion to Dismiss](#)[DSP-20015 Carol Boyer \(email\) Statement on DSP-20015](#)[DSP-20015 James Riley Letter 2021-09-02\\_signed DSP](#)[DSP-20015 James Riley \(email\) Letter 2021-09-02\\_signed](#)[DSP-20015 Notice of District Council Oral Argument](#)[DSP-20015 Antonetti to Brown Motion to Dismiss and O](#)[DSP-20015 Antonetti \(email\) to Brown Motion to Dismiss](#)[DSP-20015 Carol Boyer to Brown 6-30-21](#)[DSP-20015 Planning Board Resolution 2021-62 Signed](#)[DSP-20015\\_PORL](#)[DSP-20015 Technical Staff Report](#)[DSP-20015 PLB Transcripts 05-06-2021](#)[DSP-20015 Planning Board Record](#)[PZC Notice of Intention to Participate District Council 9-1](#)

**PENDING FINALITY****(a) PLANNING BOARD**

*The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision or an appeal is filed.*

**CSP-20001****Addition to Signature Club at Manning Village****Applicant(s):**

Signature Land Holdings, LLC

**Location:**

Located on the west side of Manning Road East and on both sides of Caribbean Way, just north of the intersection of MD 228 (Berry Road) and Manning Road East (7.26 Acres; M-X-T Zone).

**Request:**

Requesting approval of a Conceptual Site Plan (CSP) for 75 to 80 townhouse units, including 4 live/work units, which have a total office space between 2,600 and 3,100 square feet.

**Council District:**

9

**Appeal by Date:**

8/26/2021

**Review by Date:**

9/27/2021

**History:**

06/16/2021	M-NCPPC Technical Staff	approval with conditions
07/22/2021	M-NCPPC Planning Board	approval with conditions
09/13/2021	Sitting as the District Council	deferred

*Council deferred item to September 20, 2021.*

**Attachment(s):**

[CSP-20001 Zoning Agenda Item Summary](#)

[CSP-20001 Planning Board Resolution](#)

CSP-20001\_PORL

[CSP-20001 Technical Staff Report](#)

**PENDING FINALITY (Continued)****(a) PLANNING BOARD**

*The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision or an appeal is filed.*

**DDS-668****Seabrook - Parcel F**

**Companion Case(s):** DPLS-479; DSP-20010

**Applicant(s):** Storch Management

**Location:** Located in the southwest quadrant of the intersection of MD 564 (Lanham Severn Road) and Seabrook Road (0.55 Acres; C-M Zone).

**Request:** Requesting approval of a Departure from Design Standards (DDS) for a reduction in the width of the loading space driveway from 22 to 16 feet in width.

**Council District:** 3

**Appeal by Date:** 10/14/2021

**Review by Date:** 10/14/2021

**History:**

07/14/2021 M-NCPPC Technical Staff approval

09/09/2021 M-NCPPC Planning Board approval

**Attachment(s):** [DDS-668 Zoning Agenda Item Summary](#)  
[DDS-668 Planning Board Resolution 2021-107 - Signed](#)  
 DDS-668 PORL  
[DDS-668 Technical Staff Report](#)

**PENDING FINALITY (Continued)****(a) PLANNING BOARD**

*The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision or an appeal is filed.*

**DPLS-479****Seabrook - Parcel F**

**Companion Case(s):** DDS-668; DSP-20010

**Applicant(s):** Storch Management

**Location:** Located in the southwest quadrant of the intersection of MD 564 (Lanham Severn Road) and Seabrook Road (0.55 Acres; C-M Zone).

**Request:** Requesting approval of a Departure from Parking and Loading Spaces (DPLS), to reduce the number of required parking spaces from 31 to 24.

**Council District:** 3

**Appeal by Date:** 10/14/2021

**Review by Date:** 10/14/2021

**History:**

07/14/2021 M-NCPPC Technical Staff approval

09/09/2021 M-NCPPC Planning Board approval

**Attachment(s):** [DPLS-479 Agenda Item Summary](#)  
[DPLS-479 Planning Board Resolution 2021-108 - Signed](#)  
 DPLS-479 PORL  
[DPLS-479 Technical Staff Report](#)

**PENDING FINALITY (Continued)****(a) PLANNING BOARD**

*The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision or an appeal is filed.*

**DSP-20010****Seabrook - Parcel F**

**Companion Case(s):** DDS-668; DPLS-479

**Applicant(s):** Storch Management

**Location:** Located in the southwest quadrant of the intersection of MD 564 (Lanham Severn Road) and Seabrook Road (0.55 Acres; C-M Zone).

**Request:** Requesting approval of a Detailed Site Plan (DSP) for the construction of 3,350 square feet of commercial retail space and a 1,600-square-foot eating and drinking establishment with a drive-through.

**Council District:** 3

**Appeal by Date:** 10/14/2021

**Review by Date:** 10/14/2021

**History:**

07/14/2021 M-NCPPC Technical Staff approval with conditions

09/09/2021 M-NCPPC Planning Board approval with conditions

**Attachment(s):**

[DSP-20010 Zoning Agenda Item Summary](#)

[DSP-20010 Planning Board Resolution 2021-106 - Signed](#)

DSP-20010 PORL

[DSP-20010 Technical Staff Report](#)

**PENDING FINALITY (Continued)****(a) PLANNING BOARD**

*The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision or an appeal is filed.*

**DSP-18003-01****Landy Property****Applicant(s):**

Stanley Martin Companies, LLC

**Location:**

Located in the northwest quadrant of the intersection of Belcrest Road and Toledo Terrace, east of Northwest Drive, and south of Dean Drive (24.60 Acres; R-20 / T-D-O Zones).

**Request:**

Requesting approval of a Detailed Site Plan (DSP) to grade and develop infrastructure for 200 single-family attached (townhouse) lots, including the location and design of the roadways, on-street parking, landscaping, utility location, fencing, and sidewalks.

**Council District:**

2

**Appeal by Date:**

10/14/2021

**Review by Date:**

10/14/2021

**Municipality:**

Hyattsville

**History:**

07/14/2021

M-NCPPC Technical Staff

approval with conditions

09/14/2021

M-NCPPC Planning Board

approval with conditions

**Attachment(s):**[DSP-18003-01 Zoning Agenda Item Summary](#)[DSP-18003-01 Planning Board Resolution 2021-104 - Sig](#)

DSP-18003-01\_PORL

[DSP-18003-01 Technical Staff Report](#)

**PENDING FINALITY (Continued)****(a) PLANNING BOARD**

*The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision or an appeal is filed.*

**DSP-19059****Skyline Subdivision****Applicant(s):**

DMD Holdings

**Location:**

Located at the southwest quadrant of the intersection of Suitland Road and Randolph Road (2.48 Acres; R-80 / D-D-O / M-I-O Zones).

**Request:**

Requesting approval of a Detailed Site Plan (DSP) for the development of a subdivision with six single-family detached dwelling units within a Development District Overlay (D-D-O) Zone.

**Council District:**

7

**Appeal by Date:**

9/2/2021

**Review by Date:**

9/30/2021

**Municipality:**

Morningside

**History:**

06/29/2021	M-NCPPC Technical Staff	approval with conditions
07/29/2021	M-NCPPC Planning Board	approval with conditions
09/13/2021	Sitting as the District Council	deferred

*Council deferred item to September 20, 2021.*

**Attachment(s):**

[DSP-19059 Zoning Agenda Item Summary](#)

[DSP-19059 Planning Board Resolution 2021-94 - Signed](#)

DSP-19059\_PORL

[DSP-19059 Technical Staff Report](#)



**PENDING FINALITY (Continued)****(a) PLANNING BOARD**

*The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision or an appeal is filed.*

**DSP-20023****Heppe Property****Applicant(s):**

Strittmatter Land, LLC

**Location:**

Located on the south side of Westphalia Road, approximately 1,040 feet west of D'Arcy Road (3.82 Acres; R-R / M-IO Zones).

**Request:**

Requesting approval of a Detailed Site Plan (DSP) to construct 37 single-family attached (townhouse) dwelling units, for the Heppe property.

**Council District:**

6

**Appeal by Date:**

10/14/2021

**Review by Date:**

10/14/2021

**History:**

07/06/2021

M-NCPPC Technical Staff

approval with conditions

09/09/2021

M-NCPPC Planning Board

approval with conditions

**Attachment(s):**[DSP-20023 Zoning Agenda Item Summary](#)[DSP-20023 Planning Board Resolution 2021-110 - Signed](#)

DSP-20023\_PORL

[DSP-20023 Technical Staff Report](#)

**PENDING FINALITY (Continued)****(a) PLANNING BOARD**

*The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make the final decision or an appeal is filed.*

**SDP-1701-06****Timothy Branch****Applicant(s):**

Timothy Branch, Inc.

**Location:**

Located on the south side of MD 381 (Brandywine Road) at its intersection with Mattawoman Drive. (72.26 Acres; L-A-C / M-I-O Zones).

**Request:**

Requesting approval of a Specific Design Plan (SDP) for a mixed-retirement development with 212 dwelling units in the Local Activity Center (L-A-C) Zone.

**Council District:**

9

**Appeal by Date:**

10/14/2021

**Review by Date:**

10/14/2021

**History:**

07/08/2021

M-NCPPC Technical Staff

approval with conditions

09/09/2021

M-NCPPC Planning Board

approval with conditions

**Attachment(s):**[SDP-1701-06 Zoning Agenda Item Summary](#)[SDP-1701-06 Planning Board Resolution 2021-100 - Sign](#)[SDP-1701-06\\_PORL](#)[SDP-1701-06 Technical Staff Report](#)**ADJ39-21****ADJOURN**