



# Prince George's County Council

Wayne K. Curry  
Administration Building  
1301 McCormick Dr  
Largo, MD 20774

## Zoning Minutes - Draft Sitting as the District Council

*Thomas E. Dernoga, Chair, District 1*

*Wala Blegay, Vice Chair, District 6*

*Edward P. Burroughs, III, District 8*

*Wanika Fisher, District 2*

*Mel Franklin, At-Large*

*Sydney J. Harrison, District 9*

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

*Jolene Ivey, District 5*

*Eric C. Olson, District 3*

*Krystal Oriadha, District 7*

*Ingrid S. Watson, District 4*

*Jennifer A. Jenkins, Council Administrator*

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**Monday, February 27, 2023**

**10:00 AM**

**Council Hearing Room**

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### **10:00 AM CALL TO ORDER - (COUNCIL HEARING ROOM)**

*Pursuant to the provisions of Sections 27-131 and 27-132(a) of the Zoning Ordinance, the District Council meeting was convened virtually by Council Chair Dernoga at 10:18 a.m. with eight members present at roll call. (Absent: Council Members Hawkins and Franklin) (Council Member Fisher arrived at 10:21 a.m. & Council Member Hawkins arrived at 10:44 a.m.).*

**Present:**           10 -     Council Member Eric Olson  
  Council Member Ingrid Watson  
  Council Member Sydney Harrison  
  Council Member Calvin S. Hawkins  
  Council Member Krystal Oriadha  
  Council Member Jolene Ivey  
  Council Member Edward Burroughs  
  Council Member Wanika Fisher  
  Chair Thomas Dernoga  
  Vice Chair Wala Blegay

**Absent:**                 Council Member Mel Franklin

**INVOCATION / MOMENT OF SILENCE**

**PLEDGE OF ALLEGIANCE**

*The Pledge of Allegiance was led by Council Member Olson.*

**APPROVAL OF DISTRICT COUNCIL MINUTES**

[MINDC 02132023](#)

**District Council Minutes Dated February 13, 2023**

**A motion was made by Vice Chair Blegay, seconded by Council Member Olson, that these Minutes be approved. The motion carried by the following vote:**

**Aye:** 8 - Olson, Watson, Harrison, Oriadha, Ivey, Burroughs, Dernoga and Blegay

**Absent:** Hawkins, Franklin and Fisher

**Attachment(s):** [2-13-2023 District Council Minutes Draft](#)

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**MANDATORY REVIEW (Using Oral Argument Procedures)****DSP-20030****Livingston of Fort Washington**

- Applicant(s):** Livingston of Fort Washington, LLC
- Location:** Located at the northeast corner of Livingston Road, at its intersection with MD 210 (12.27 Acres; CGO Zone).
- Request:** Requesting approval of a Detailed Site Plan (DSP) for construction of a 78,812-square-foot integrated shopping center.
- Council District:** 8
- Appeal by Date:** 2/9/2023
- Action by Date:** 3/27/2023

**History:**

*Thomas Burke, M-NCPPC planning staff, provided an overview of the Conceptual Site Plan application. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties. Arthur Horne, for applicant spoke in support. Council took this case under advisement.*

**This Detailed Site Plan (Prior Ordinance) was case taken under advisement**

- Attachment(s):** [DSP-20030 Zoning Agenda Item Summary](#)  
[DSP-20030 - Presentation Slides](#)  
[DSP-20030 Notice of Mandatory Review Hearing](#)  
[DSP-20030 Planning Board Resolution](#)  
DSP-20030 PORL  
[DSP-20030 Technical Staff Report](#)  
[DSP-20030 Transcripts 12-15-2022](#)  
[DSP-20030 Planning Board Record](#)

**REFERRED FOR DOCUMENT**[A-9802-C-01](#)**Kenwood Village****A-9802-C-01 / A-9803-C-01****Companion Case(s):** A-9803-C-01**Applicant(s):** Mid-Atlantic Builders**Location:** Located on the south side of White House Road, approximately 1,300 feet east of Ritchie Marlboro Road (63.10 acres; R-S Zone).**Request:** Requesting approval of a Zoning Map Amendment for the Amendment of Conditions (Zoning Ordinances 50-1992 and 51-1992) deleting Condition 4 and amending conditions of approval of A-9802-C-01 and A-9803-C-01 which rezoned the subject property from the R-E (Residential Estate) to the R-S (Residential Suburban Development) Zone.**Council District:** 6**Appeal by Date:** 2/9/2023**Action by Date:** 5/25/2023**Opposition:** {None}**History:***(Vote: 10-0; Absent: Council Member Franklin).***A motion was made by Vice Chair Blegay, seconded by Council Member Ivey, that this Zoning Map Amendment be adopted. The motion carried by the following vote:****Aye:** 10 - Olson, Watson, Harrison, Hawkins, Oriadha, Ivey, Burroughs, Fisher, Dernoga and Blegay**Absent:** Franklin**Attachment(s):** [A-9802-C-01 Zoning Agenda Item Summary](#)  
A-9802-C-01 DRAFT ORDER  
[A-9802-C-01 - A-9803-C-01 Notice of Decision](#)  
[A-9802-C-01 and 9803-C-01 ZHE Decision](#)  
A-9802-C A-9803-C PORL  
[A-9802-C A-9803-C Technical Staff Report](#)  
[A-9802-C A-9803-C ZHE Exhibit List](#)  
[A-9802-C A-9803-C Exhibits #1-49](#)  
[A-9802-C and A-9803-C ZHE Transcripts](#)

**REFERRED FOR DOCUMENT (Continued)**[A-9803-C-01](#)**Kenwood Village****A-9802-C-01 / A-9803-C-01****Applicant(s):**

Mid-Atlantic Builders

**Location:**

Located on the south side of White House Road, approximately 1,300 feet east of Ritchie Marlboro Road (63.10 acres; R-S Zone).

**Request:**

Requesting approval of a Zoning Map Amendment for the Amendment of Conditions (Zoning Ordinances 50-1992 and 51-1992) deleting Condition 4 and amending conditions of approval of A-9802-C-01 and A-9803-C-01 which rezoned the subject property from the R-E (Residential Estate) to the R-S (Residential Suburban Development) Zone.

**Council District:**

6

**Appeal by Date:**

2/9/2023

**Action by Date:**

5/25/2023

**Opposition:**

None

**History:***(Vote: 10-0; Absent: Council Member Franklin).***A motion was made by Vice Chair Blegay, seconded by Council Member Ivey, that this Zoning Map Amendment be adopted. The motion carried by the following vote:****Aye:** 10 - Olson, Watson, Harrison, Hawkins, Oriadha, Ivey, Burroughs, Fisher, Dernoga and Blegay**Absent:** Franklin**Attachment(s):**[A-9803-C-01 Zoning Agenda Item Summary](#)

A-9803-C-01 DRAFT ORDER

[A-9802-C-01 - A-9803-C-01 Notice of Decision](#)[A-9802-C-01 and 9803-C-01 ZHE Decision](#)

A-9802-C A-9803-C PORL

[A-9802-C A-9803-C Technical Staff Report](#)[A-9802-C A-9803-C ZHE Exhibit List](#)[A-9802-C A-9803-C Exhibits #1-49](#)[A-9802-C and A-9803-C ZHE Transcripts](#)

**REFERRED FOR DOCUMENT (Continued)****CDP-9901-01****Forest Hills****Applicant(s):** Quad Construction Corporation**Location:** Located on both sides of MD 202 (Largo Road), approximately one mile north of its intersection with MD 725 (167.70 Acres; LCD Zone).**Request:** Requesting approval of a Comprehensive Design Plan (CDP) to amend the conditions and plans to reflect the changes made by Zoning Map Amendment (Basic Plan) A-9895-C-01, relative to the removal of the Western Branch Trail through the west side of the property.**Council District:** 6**Appeal by Date:** 1/12/2023**Review by Date:** 1/30/2023**Action by Date:** 3/10/2023**History:***(Vote: 10-0; Absent: Council Member Franklin).***A motion was made by Vice Chair Blegay, seconded by Council Member Ivey, that this Comprehensive Design Plan be adopted. The motion carried by the following vote:****Aye:** 10 - Olson, Watson, Harrison, Hawkins, Oriadha, Ivey, Burroughs, Fisher, Dernoga and Blegay**Absent:** Franklin**Attachment(s):** [CDP-9901-01 Zoning Agenda Item Summary](#)  
CDP-9901-01 DRAFT ORDER  
[CDP-9901-01 Presentation Slides](#)  
[CDP-9901-01 Notice of Oral Argument Hearing](#)  
[CDP-9901-01 Planning Board Resolution](#)  
CDP-9901-01 PORL  
[CDP-9901-01 Technical Staff Report](#)  
[CDP-9901-01 Transcripts](#)  
[CDP-9901-01 Planning Board Record](#)

**REFERRED FOR DOCUMENT (Continued)**[SE-4846](#)**Royal Farms #393**

- Applicant(s):** RF East-West Hyattsville, LLC
- Location:** Located in the southwest quadrant of the intersection of East-West Highway (MD 410) and Riggs Road (1.90 Acres; CGO Zone).
- Request:** Requesting approval of a Special Exception (SE) to construct a Gas Station and a Food or Beverage Store on 1.90 acres of land in the CGO (Commercial General and Office) Zone.
- Council District:** 2
- Appeal by Date:** 11/7/2022
- Review by Date:** 1/6/2023
- Action by Date:** 5/8/2023
- Opposition:** Donna Nelms, Chris Watling, et. al.
- History:**

*(Vote: 10-0; Absent: Council Member Franklin).*

**A motion was made by Council Member Fisher, seconded by Council Member Oriadha, that this Special Exception be adopted. The motion carried by the following vote:**

**Aye:** 10 - Olson, Watson, Harrison, Hawkins, Oriadha, Ivey, Burroughs, Fisher, Dernoga and Blegay

**Absent:** Franklin

- Attachment(s):** [SE-4846 Zoning Agenda Item Summary](#)  
[SE-4846 DRAFT ORDER](#)  
[SE-4846 Presentation Slides](#)  
[SE-4846 Tedesco to Brown \(Withdrawal Letter\) 01-23-23](#)  
[SE-4846 Notice of Oral Argument Hearing](#)  
[SE-4846 Appeal and Request for Oral Argument](#)  
[SE-4846 Notice of ZHE Decision](#)  
[SE-4846 ZHE Decision](#)  
 SE-4846 PORL  
[SE-4846 Technical Staff Report](#)  
[SE-4846 ZHE Exhibit List](#)  
[SE-4846 Exhibits #1-91](#)  
[SE-4846 ZHE Transcripts](#)  
[SE-4846 Brown to Brown \(Letter\) 2-6-2023](#)

**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) ZONING HEARING EXAMINER****SE-4852****Westgate Apartments**

- Applicant(s):** Westgate at Laurel, LLC
- Location:** Located on the north side of Gorman Avenue (MD 198), approximately 600 feet east of its intersection with Van Dusen Road and identified as 8100-8216 Gorman Avenue, Laurel, Maryland (9.22 acres; RMF-20 Zone).
- Request:** Requesting approval of a Special Exception (SE) to alter a certified Nonconforming Use (Multifamily Dwellings known as “Westgate at Laurel Apartments”).
- Council District:** 1
- Appeal by Date:** 3/3/2023
- Review by Date:** 3/3/2023
- Opposition:** {None}
- History:**

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

**A motion was made by Chair Dernoga, seconded by Council Member Burroughs, that this Special Exception be elected to review. The motion carried by the following vote:**

**Aye:** 10 - Olson, Watson, Harrison, Hawkins, Oriadha, Ivey, Burroughs, Fisher, Dernoga and Blegay

**Absent:** Franklin

- Attachment(s):** [SE-4852 Zoning Agenda Item Summary](#)  
[SE 4852 Notice of ZHE Decision](#)  
[SE-4852 ZHE Decision](#)  
 SE-4852\_PORL  
[SE-4852 Technical Staff Report](#)  
[SE-4852 ZHE Exhibit List](#)  
[SE-4852 Exhibits #1-35](#)  
[SE-4852 ZHE Transcripts](#)



**PENDING FINALITY (Continued)****(b) PLANNING BOARD****DSP-22043****Melford Mansions**

- Applicant(s):** St John Properties, Inc.
- Location:** Located in the northeastern quadrant of the intersection of MD 3 (Robert Crain Highway) and US 50/US 301 (John Hanson Highway) (11.42 Acres; TAC-E Zone).
- Request:** Requesting approval of a Detailed Site Plan (DSP) for development of a multifamily residential complex consisting of 435 multifamily dwelling units in 9 separate buildings, and one 12,000-square-foot clubhouse, with a swimming pool and other associated amenities.
- Council District:** 4
- Appeal by Date:** 3/23/2023
- Review by Date:** 3/23/2023
- Municipality:** Bowie

**History:**

*Council waived election to review for this item (Vote: 10-0; Absent: Council Member Franklin).*

**A motion was made by Council Member Watson, seconded by Council Member Ivey, that Council waive election to review for this Detailed Site Plan. The motion carried by the following vote:**

- Aye:** 10 - Olson, Watson, Harrison, Hawkins, Oriadha, Ivey, Burroughs, Fisher, Dernoga and Blegay
- Absent:** Franklin

- Attachment(s):** [DSP-22043 Zoning Agenda Item Summary](#)  
[DSP-22043 Planning Board Resolution](#)  
 DSP-22043 PORL  
[DSP-22043 Technical Staff Report](#)

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**PENDING FINALITY (Continued)****DSP-98061-05****Raising Cane's Bowie**

**Applicant(s):** Raising Cane's Restaurants, LLC

**Location:** Located in the northwest quadrant of the intersection of MD 197 (Laurel Bowie Road) and US 301 (Robert Crain Highway) (6.78 Acres; TAC-E Zone).

**Request:** Requesting approval of a Detailed Site Plan (DSP) for the development of an eating and drinking establishment with a drive through.

**Council District:** 4

**Appeal by Date:** 3/23/2023

**Review by Date:** 3/23/2023

**Municipality:** Bowie

**History:**

*Council waived election to review for this item (Vote: 10-0; Absent: Council Member Franklin).*

**A motion was made by Council Member Watson, seconded by Council Member Ivey, that Council waive election to review for this Detailed Site Plan. The motion carried by the following vote:**

**Aye:** 10 - Olson, Watson, Harrison, Hawkins, Oriadha, Ivey, Burroughs, Fisher, Dernoga and Blegay

**Absent:** Franklin

**Attachment(s):** [DSP-98061-05 Zoning Agenda Item Summary](#)  
[DSP-98061-05 Planning Board Resolution](#)  
DSP-98061-05 PORL  
[DSP-98061-05 Technical Staff Report](#)

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**PENDING FINALITY (Continued)****(c) PLANNING BOARD'S REPRESENTATIVE****[CNU-46927-2021-U](#)****Eastern Outdoor Billboard****Applicant(s):**

Kurt Rutherford

**Location:**

Intersection of SE Robert Crain Hwy. &amp; Cedarville Road (2.3 Acres; I-1 Zone).

**Request:**

Requesting Certification of Nonconforming Use for an outdoor advertising sign. Certification of existing outdoor advertising signs is required pursuant to Council Bill 84-2016 which 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 1998.

**Council District:** 9**Review by Date:** 3/15/2023**History:**

*Council waived election to review for this item (Vote: 10-0; Absent: Council Member Franklin).*

**A motion was made by Council Member Harrison, seconded by Council Member Oriadha, that Council waive election to review for this Certification of a Nonconforming Use. The motion carried by the following vote:**

**Aye:** 10 - Olson, Watson, Harrison, Hawkins, Oriadha, Ivey, Burroughs, Fisher, Dernoga and Blegay

**Absent:** Franklin

**Attachment(s):** [CNU46927-2021-U Zoning Agenda Item Summary](#)  
[CNU-46927-2021-U Casefile](#)

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**CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING ON MARCH 13, 2023 AT 11:00 A.M.**

*Hearing Dates & Times Subject to Change*

**SDP-1603-03****National Capital Business Park, Parcel 11**

**Applicant(s):** NCBP Property, LLC

**Location:** Located on the north side of Leeland Road, approximately 3,000 feet west of its intersection with US 301 Robert Crain Highway) (26.23 Acres; LCD Zone).

**Request:** Requesting approval of a Specific Design Plan (SDP) for the development of a 301,392-square-foot warehouse distribution building.

**Council District:** 4

**Appeal by Date:** 2/9/2023

**Review by Date:** 2/9/2023

**Action by Date:** 4/4/2023

**Attachment(s):** [SDP-1603-03 Zoning Agenda Item Summary](#)  
[SDP-1603-03 Presentation Slides](#)  
[SDP-1603-03 Votaw to Brown \(Exceptions & Request for Oral Argument\) 2-3-23](#)  
[SDP-1603-03 Planning Board Resolution](#)  
SDP-1603-03\_PORL  
[SDP-1603-03 Technical Staff Report](#)  
[SDP-1603-03 Transcripts 12-15-2022](#)

**ADJOURN**

[ADJ19-23](#)

**ADJOURNED**

***History:***

*Meeting adjourned at 11:06 a.m.*

**A motion was made by Vice Chair Blegay, seconded by Council Member Olson, that this meeting be adjourned. The motion carried by the following vote:**

**Aye:**                      10 -     Olson, Watson, Harrison, Hawkins, Oriadha, Ivey, Burroughs, Fisher,  
Dernoga and Blegay

**Absent:**                    Franklin

DRAFT