



Prince George's County Council

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

Zoning Minutes - Final 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

Monday, February 13, 2023

10:00 AM

Council Hearing Room

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 10:16 a.m. with nine members present at roll call. (Absent: Council Members Burroughs and Franklin).

Present: 9 - 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 Wanika Fisher
 Chair Thomas Dernoga
 Vice Chair Wala Blegay

Absent: Council Member Mel Franklin
 Council Member Edward Burroughs

INVOCATION / MOMENT OF SILENCE

Moment of Silence led by Chair Dernoga.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Sydney Harrison.

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 01232023](#)

District Council Minutes Dated January 23, 2023

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

Aye: 9 - Olson, Watson, Harrison, Hawkins, Oriadha, Ivey, Fisher, Dernoga and Blegay

Absent: Franklin and Burroughs

Attachment(s): [1-23-2023 District Council Minutes Draft](#)

ORAL ARGUMENTS[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:**

Procedural and posture orientation by Stan Brown, People's Zoning Counsel. Council referred item to staff for preparation of an approving document of withdrawal. (Vote: 9-0; Absent: Council Members Burroughs and Franklin).

A motion was made by Council Member Fisher, seconded by Council Member Hawkins, that this Special Exception be referred for document. The motion carried by the following vote:

- Aye:** 9 - Olson, Watson, Harrison, Hawkins, Oriadha, Ivey, Fisher, Dernoga and Blegay
- Absent:** Franklin and Burroughs

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](#)

ORAL ARGUMENTS (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:**

Jill Kosack, M-NCPPC planning staff, provided an overview of the Comprehensive Design 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. Sevag Balian, applicant spoke in support. Council referred item to staff for preparation of an approving document with conditions, (Vote: 9-0; Absent: Council Members Burroughs and Franklin).

A motion was made by Vice Chair Blegay, seconded by Council Member Ivey, that this Comprehensive Design Plan be referred for document. The motion carried by the following vote:

Aye: 9 - Olson, Watson, Harrison, Hawkins, Oriadha, Ivey, Fisher, Dernoga and Blegay

Absent: Franklin and Burroughs

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](#)

NEW CASE(S)[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:**

Council referred item to staff for preparation of an approving document with conditions, (Vote: 9-0; Absent: Council Members Burroughs and Franklin).

A motion was made by Vice Chair Blegay, seconded by Council Member Hawkins, that this Zoning Map Amendment be referred for document. The motion carried by the following vote:

Aye: 9 - Olson, Watson, Harrison, Hawkins, Oriadha, Ivey, Fisher, Dernoga and Blegay

Absent: Franklin and Burroughs

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](#)

NEW CASE(S) (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:**

Council referred item to staff for preparation of an approving document with conditions, (Vote: 9-0; Absent: Council Members Burroughs and Franklin).

A motion was made by Vice Chair Blegay, seconded by Council Member Hawkins, that this Zoning Map Amendment be referred for document. The motion carried by the following vote:

- Aye:** 9 - Olson, Watson, Harrison, Hawkins, Oriadha, Ivey, Fisher, Dernoga and Blegay
- Absent:** Franklin and Burroughs

- 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](#)

PENDING FINALITY**(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 deferred item to February 27, 2023 District Council meeting.

This Special Exception was deferred.

- 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**(b) PLANNING BOARD****DSP-22015****9113 Baltimore Avenue**

- Applicant(s):** RST Development, LLC
- Location:** Located in the northeast quadrant of the intersection of US 1(Baltimore Avenue) and Cherokee Street (3.82 acres; LTO-E Zone).
- Request:** Requesting approval of a Detailed Site Plan for one mixed-use building with 317 multifamily dwelling units and 3,296 square feet of ground-floor commercial retail space.
- Council District:** 3
- Appeal by Date:** 3/2/2023
- Review by Date:** 3/2/2023
- Action by Date:** 5/1/2023
- Municipality:** College Park
- History:**

Council waived election to review for this item (Vote: 9-0; Absent: Council Members Burroughs and Franklin).

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

- Aye:** 9 - Olson, Watson, Harrison, Hawkins, Oriadha, Ivey, Fisher, Dernoga and Blegay
- Absent:** Franklin and Burroughs

- Attachment(s):** [DSP-22015 Blumenthal to Brown \(Appeal letter\) 2-28-23](#)
[DSP-22015 Zoning Agenda Item Summary](#)
[DSP-22015 Planning Board Resolution](#)
 DSP-22015 PORL
[DSP-22015 Technical Staff Report](#)

**CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING ON FEBRUARY 27, 2023 AT 10:00
A.M.**

Hearing Dates & Times Subject to Change

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

The Hearing Date for this Detailed Site Plan was announced.

- 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](#)

ADJOURN

[ADJ13-23](#)

ADJOURNED

History:

This Meeting was adjourned at 10:42 a.m.

A motion was made by Council Member Harrison, seconded by Council Member Fisher, that this meeting be adjourned. The motion carried by the following vote:

Aye: 9 - Olson, Watson, Harrison, Hawkins, Oriadha, Ivey, Fisher, Dernoga
and Blegay

Absent: Franklin and Burroughs