



Prince George's County Council

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

Zoning Minutes - Final Sitting as the District Council

Todd M. Turner, Chair, District 4
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
Calvin S. Hawkins, II, At-Large
Jolene Ivey, District 5
Rodney C. Streeter, Vice Chair, District 7
Deni L. Taveras, District 2

Robert J. Williams, Jr., Council Administrator

Monday, October 7, 2019

1:30 PM

Council Hearing Room

10:00 AM GOVERNMENT OPERATIONS AND FISCAL POLICY COMMITTEE - (ROOM 2027)

(SEE SEPARATE AGENDA)

1:11 PM AGENDA BRIEFING - (ROOM 2027)

At 1:11 p.m., due to a lack of a quorum of members, a public statement was read and the Agenda Briefing was conducted as an informal discussion in lieu of a public meeting.

1:30 PM CALL TO ORDER - (COUNCIL HEARING ROOM)

Pursuant to the provisions of Section 27-132(a) of the Zoning Ordinance, the meeting was called to order by Chair Turner at 1:35 p.m. with seven members present at roll call. Council Member Davis arrived at 1:39 p.m. and Council Member Taveras arrived at 1:53 p.m.

Present: 9 - Chair Todd Turner
Council Member Monique Anderson-Walker
Council Member Derrick Davis
Council Member Thomas Dernoga
Council Member Sydney Harrison
Council Member Calvin S. Hawkins
Council Member Jolene Ivey
Vice Chair Rodney Streeter
Council Member Deni Taveras

Absent: Council Member Mel Franklin
Council Member Dannielle Glaros

*Also Present: Stan Brown, People's Zoning Counsel
Robert J. Williams, Jr., Council Administrator
Rajesh Kumar, Principal Counsel to the District Council
Donna J. Brown, Acting Clerk of the Council
James Walker-Bey, Zoning Reference Aide, Office of the Clerk*

*M-NCPPC
Jill Kosack, Supervisor, Development Review Division
Sherri Conner, Supervisor, Development Review Division
Ras Cannady, Development Review Division*

*DPIE
Tim Holden, Inspector*

INVOCATION

The Invocation was provided by Edwin H. Brown, Jr., County Employee. Council Member Harrison requested prayer for all of the animals at the animal control shelter in light of adopt a dog month. Council Member Anderson-Walker requested prayer for Diahann Carroll, ground breaking actress and activist who died of breast cancer and also requested prayer for Jessye Norman, a renown opera singer and Howard University alum. Council Chair Turner requested prayer for Washington team fans and requested prayer for civility and respect, especially with the divisive political climate at the national level.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Anderson-Walker.

REFERRED FOR DOCUMENT[DSP-15031-01](#)**EZ Storage College Park****Companion Case(s):** DDS-648; DPLS-459**Applicant(s):** Siena Corporation**Location:** Located on the south side of Branchville Road approximately 1,800 feet east of its intersection with Rhode Island Avenue (1.82 Acres; I-2 Zone).**Request:** Requesting for approval of a Detailed Site Plan (DSP) for a 122,190-square-foot, 950-unit consolidated storage facility on 1.82 acres, including variances to Section 27-474(b) of the Prince George's County Zoning Ordinance for minimum setback from the street, and Section 27-475.04(a)(1)(c) of the Zoning Ordinance for maximum building height.**Council District:** 1**Appeal by Date:** 7/18/2019**Review by Date:** 7/18/2019**Action by Date:** 10/7/2019**History:**

Council adopted the prepared Order of approval, with conditions (Vote: 8-0; Absent: Council Members Franklin, Glaros, and Taveras).

A motion was made by Council Member Dernoga, seconded by Council Member Davis, that this Detailed Site Plan be approved with conditions. The motion carried by the following vote:

Aye: 8 - Turner, Anderson-Walker, Davis, Dernoga, Harrison, Hawkins, Ivey and Streeter

Absent: Franklin, Glaros and Taveras

Attachment(s): [DSP-15031-01 Planning Board Resolution 19-65](#)[DSP-15031-01 PORL](#)[DSP-15031-01 Technical Staff Report](#)

REFERRED FOR DOCUMENT (Continued)[DDS-648](#)**EZ Storage College Park****Companion Case(s):** DPLS-459; DSP-15031-01**Applicant(s):** Siena Corporation**Location:** Located on the south side of Branchville Road approximately 1,800 feet east of its intersection with Rhode Island Avenue (1.82 Acres; I-2 Zone).**Request:** Requesting approval of a Departure from Design Standards (DDS) from the requirements of Section 27-578(a) of the Prince George's County Zoning Ordinance, to allow the loading space size to be reduced to 10 feet wide by 20 feet long.**Council District:** 1**Appeal by Date:** 7/18/2019**Review by Date:** 7/18/2019**Action by Date:** 11/8/2019**History:**

Council adopted the prepared Order of approval, with conditions (Vote: 8-0; Absent: Council Members Franklin, Glaros, and Taveras).

A motion was made by Council Member Dernoga, seconded by Council Member Davis, that this Departure from Design Standards be approved with conditions. The motion carried by the following vote:

Aye: 8 - Turner, Anderson-Walker, Davis, Dernoga, Harrison, Hawkins, Ivey and Streeter

Absent: Franklin, Glaros and Taveras

Attachment(s): [DDS-648 Planning Board Resolution 19-67](#)[DDS-648_PORL](#)[DDS-648_Technical Staff Report](#)

REFERRED FOR DOCUMENT (Continued)[DPLS-459](#)**EZ Storage College Park****Companion Case(s):** DDS-648; DSP-15031-01**Applicant(s):** Siena Corporation**Location:** Located on the south side of Branchville Road approximately 1,800 feet east of its intersection with Rhode Island Avenue (1.82 Acres; I-2 Zone).**Request:** Requesting approval of a Departure from Parking and Loading Standards (DPLS) from the requirements of Section 27-568(a) of the Prince George's County Zoning Ordinance, to provide a reduced number of parking spaces.**Council District:** 1**Appeal by Date:** 7/18/2019**Review by Date:** 7/18/2019**Action by Date:** 11/8/2019**History:**

Council adopted the prepared Order of approval, with conditions (Vote: 8-0; Absent: Council Members Franklin, Glaros, and Taveras).

A motion was made by Council Member Dernoga, seconded by Council Member Davis, that this Departure from Parking and Loading Standards be approved with conditions. The motion carried by the following vote:

Aye: 8 - Turner, Anderson-Walker, Davis, Dernoga, Harrison, Hawkins, Ivey and Streeter

Absent: Franklin, Glaros and Taveras

Attachment(s): [DPLS- Planning Board Resolution 19-66](#)

DPLS-459 PORL

[DPLS-459 Technical Staff Report](#)

REFERRED FOR DOCUMENT (Continued)**ERR-280****JH Chevet Manor**

- Applicant(s):** JH Chevet Manor, LLC
- Location:** Located on the south side of Wheeler Road and its intersection with Vermillion Avenue (2.25 Acres; R-10 Zone).
- Request:** Requesting for validation of Prince George's County's Multi-Family Rental Housing License No. M-0643, issued in error on March 10, 2017 for 109 apartment units.
- Council District:** 7
- Appeal by Date:** 9/20/2019
- Action by Date:** 1/29/2020
- Opposition:** None

History:

Council adopted the prepared Zoning Ordinance No. 14 - 2019 validating Prince George's County's Multi-Family Rental Housing License No. M-0643 (Vote: 8-0; Absent: Council Member Franklin, Glaros and Taveras).

A motion was made by Vice Chair Streeter, seconded by Council Member Davis, that this Permit issued in error be approved. The motion carried by the following vote:

Aye: 8 - Turner, Anderson-Walker, Davis, Dernoga, Harrison, Hawkins, Ivey and Streeter

Absent: Franklin, Glaros and Taveras

Attachment(s): [ERR-280-JH chevet manor ZHE Decision](#)
ERR-280-JH chevet manor PORL

ITEM(S) FOR DISCUSSION[A-10049](#)**Khan Property****Applicant(s):** Khan Properties, LLC**Location:** Located at the northwest quadrant of the intersection of U.S. 301 (Robert Crain Highway) and Missouri Avenue. Also, identified as 203 Crain Highway, Brandywine, Maryland (4.592 acres; R-R Zone).**Request:** Requesting approval of a Zoning Map Amendment to rezone approximately 4.592 acres of R-R (Rural Residential) zoned land to the C-M (Commercial Miscellaneous) Zone.**Council District:** 9**Appeal by Date:** 5/29/2019**Action by Date:** 10/28/2019**Opposition:** None**History:**

Council referred item to staff for preparation of an approving document with conditions. (Vote: 8-0; Absent: Council Member's Franklin, Glaros and Taveras).

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

Aye: 8 - Turner, Anderson-Walker, Davis, Dernoga, Harrison, Hawkins, Ivey and Streeter

Absent: Franklin, Glaros and Taveras

Attachment(s): [A-10049 ZHE Decision](#)
A-10049 PORL
[A-10049 Technical Staff Report](#)

ITEM(S) FOR DISCUSSION (Continued)[CSP-03001-01](#)**Balk Hill Village****Applicant(s):** Balk Hill Ventures**Location:** Located in the northeast corner of the intersection of MD 202 (Landover Road) and Saint Joseph's Drive (125.4 Acres; M-X-T Zone).**Request:** Requesting approval of a Conceptual Site Plan (CSP) amendment for Balk Hill Centre to revise the uses on Parcels 1 and 2 to reduce the commercial square footage from 349,480 to a range of 65,000 to 100,000 square feet and add 284 multifamily dwelling units.**Council District:** 5**Appeal by Date:** 7/25/2019**Review by Date:** 7/25/2019**Action by Date:** 10/21/2019**History:**

Rajesh Kumar, Principal Counsel to the District Council, spoke to the proposed conditions and related concerns. Council referred item to staff for preparation of an approving document with conditions. (Vote: 8-0; Absent: Council Member's Franklin, Glaros and Taveras).

A motion was made by Council Member Ivey, seconded by Council Member Davis, that this Conceptual Site Plan be referred for document. The motion carried by the following vote:

Aye: 8 - Turner, Anderson-Walker, Davis, Dernoga, Harrison, Hawkins, Ivey and Streeter

Absent: Franklin, Glaros and Taveras

Attachment(s): [CSP-03001-01 Planning Board Resolution 19-71](#)
[CSP-03001-01_PORL](#)
[CSP-03001-01_Technical Staff Report](#)

ITEM(S) FOR DISCUSSION (Continued)[DSP-05036-03](#)**Villages of Savannah**

Applicant(s): Mid-Atlantic Builders, Inc.

Location: Located on the west side of Brandywine Road, approximately 5,000 feet north of the intersection of Brandywine Road and Floral Park Road (518.16 Acres; R-R Zone).

Request: Requesting approval of a Detailed Site Plan (DSP) to revise the recreational facilities and the on-site trail network for a 357 single-family detached cluster subdivision.

Council District: 9

Appeal by Date: 7/25/2019

Review by Date: 7/25/2019

Action by Date: 10/21/2019

History:

Council referred item to staff for preparation of an approving document with conditions.

(Vote: 8-0; Absent: Council Member's Franklin, Glaros and Taveras).

A motion was made by Council Member Harrison, seconded by Council Member Davis, that this Detailed Site Plan be referred for document. The motion carried by the following vote:

Aye: 8 - Turner, Anderson-Walker, Davis, Dernoga, Harrison, Hawkins, Ivey and Streeter

Absent: Franklin, Glaros and Taveras

Attachment(s): [DSP-05036-03 Planning Board Resolution 19-70](#)
[DSP-05036-03_PORL](#)
[DSP-05036-03_Technical Staff Report](#)

ITEM(S) FOR DISCUSSION (Continued)**ROW Royal Farms****ROW Royal Farms #220 (Accokeek)**

- Applicant(s):** Two Farms, Inc.
- Location:** Located on the west side of Indian Head Highway, in the southwest quadrant of its intersection with Livingston Road, also identified as 15808 and 15812 Livingston Road, 100 Biddle Road, and 16001 Indian Head Highway, Accokeek, Maryland. (2.94 acres; C-S-C Zone).
- Request:** Requesting approval for authorization to construct two (2) pylon signs, 22 parking spaces, drive aisle, free air station, five (5) gas pumps with canopy, large vehicle parking areas, all of the required landscaping, and the stormwater management facility within the proposed right-of-way for F-11 and C-525.
- Council District:** 9
- Appeal by Date:** 5/31/2019
- Action by Date:** 10/29/2019
- Comment(s):** The Applicant has also submitted an application for a Special Exception for a Gas Station in combination with a Food or Beverage Store, Special Exception 4816.
- Opposition:** Sangee and Sulojana Tharmarajah
- History:**
- Council referred item to staff for preparation of a document of remand to the Zoning Hearing Examiner. (Vote: 9-0; Absent: Council Member's Franklin and Glaros).*
- A motion was made by Council Member Harrison, seconded by Council Member Davis, that this Authorization to Build in the Right of Way be referred for document.**
- The motion carried by the following vote:**
- Aye:** 9 - Turner, Anderson-Walker, Davis, Dernoga, Harrison, Hawkins, Ivey, Streeter and Taveras
- Absent:** Franklin and Glaros
- Attachment(s):** [ROW- Royal Farms ZHE Decision](#)
ROW - Royal Farms PORL

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**DSP-18051****Oxon Hill McDonald's**

Companion Case(s): DPLS-463

Applicant(s): McDonalds USA, LLC

Location: Located on the south side of Oxon Hill Road, approximately 238 feet west of John Hanson Lane, 6126 Oxon Hill Road, in Oxon Hill, Maryland. (0.838 Acres; C-S-C Zone).

Request: Requesting approval of Detailed Site Plan DSP-18051, for a 1,373-square-foot building addition and the installation of a second drive-through lane on the existing eating and drinking establishment, specifically a McDonald's restaurant.

Council District: 8

Appeal by Date: 10/24/2019

Review by Date: 10/24/2019

Comment(s): Companion Case, DDS-658, was returned to the Planning Board for affidavit compliance and will be eligible for potential placement on the October 28, 2019 Agenda.

History:

Council waived election to review for this item (Vote: 9-0; Absent: Council Member's Franklin and Glaros).

A motion was made by Council Member Anderson-Walker, seconded by Council Member Davis, that Council waive election to review for this Detailed Site Plan be waived election to review. The motion carried by the following vote:

Aye: 9 - Turner, Anderson-Walker, Davis, Dernoga, Harrison, Hawkins, Ivey, Streeter and Taveras

Absent: Franklin and Glaros

PENDING FINALITY (Continued)

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 (Continued)**DPLS-463****Oxon Hill McDonald's**

Companion Case(s): DSP-18051

Applicant(s): McDonalds USA, LLC

Location: Located on the south side of Oxon Hill Road, approximately 238 feet west of John Hanson Lane, 6126 Oxon Hill Road, in Oxon Hill, Maryland. (0.836 Acres; C-S-C Zone).

Request: Requesting approval of a Departure from Parking and Loading Standards, DPLS-463 which requests a reduction of 13 parking spaces, including one handicap-accessible space.

Council District: 8

Appeal by Date: 10/24/2019

Review by Date: 10/24/2019

Comment(s): Companion Case, DDS-658, was returned to the Planning Board for affidavit compliance and will be eligible for potential placement on the October 28, 2019 Agenda.

History:

Council waived election to review for this item (Vote: 9-0; Absent: Council Member's Franklin and Glaros).

A motion was made by Council Member Anderson-Walker, seconded by Council Member Davis, that Council waive election to review for this Departure from Parking and Loading Standards. The motion carried by the following vote:

Aye: 9 - Turner, Anderson-Walker, Davis, Dernoga, Harrison, Hawkins, Ivey, Streeter and Taveras

Absent: Franklin and Glaros

CASE(S) WITHDRAWN

The following applications have been officially withdrawn and will not be placed on a District Council Agenda.

[CSP-07004-02](#)

Westphalia Center

- Applicant(s):** Walton Development and Management, Inc.
- Location:** Located at the intersection of MD 4 (Pennsylvania Avenue) and Melwood Road, approximately 800 feet north of Woodyard Road. (507.85 Acres; M-X-T / M-I-O Zones).
- Request:** Requesting approval of a Conceptual Site Plan (CSP) for Westphalia Town Center, to add a major employment use within the regional urban community.
- Council District:** 6
- Appeal by Date:** 8/22/2019
- Review by Date:** 9/23/2019
- Action by Date:** 10/30/2019

Council announced that this item was withdrawn.

Council announced that this item was withdrawn.

- Attachment(s):** [CSP-07004-02_Zoning Agenda Item Summary](#)
[CSP-07004-02_Notice of Withdrawal](#)
[CSP-07004-02 Planning Board Resolution](#)
[CSP-07004-02_PORL](#)
[CSP-07004-02 Technical Staff Report](#)

CASE(S) WITHDRAWN (Continued)

The following applications have been officially withdrawn and will not be placed on a District Council Agenda.

[DSP-19008](#)

Westphalia Center (Snapper)

Companion Case(s): DDS-657

Applicant(s): Duke Construction Limited Partnership

Location: Located at the intersection of MD 4 (Pennsylvania Avenue) and Melwood Road, approximately 800 feet north of Woodyard Road. (78.39 Acres; M-X-T / M-I-O).

Request: Requesting approval of a Detailed Site Plan (DSP) for an 85-foot-high, five-story, four-million-square-foot merchandise logistics center.

Council District: 6

Appeal by Date: 8/29/2019

Review by Date: 9/30/2019

Council announced that this item was withdrawn.

Council announced that this item was withdrawn.

Attachment(s): [DSP-19008_Zoning Agenda Item Summary](#)
[DSP-19008_Notice of Withdrawal](#)
[DSP-19008 Planning Board Resolution 19-87](#)
[DSP-19008 & DDS-657_PORL](#)
[DSP-19008 & DDS-657 Technical Staff Report](#)

CASE(S) WITHDRAWN (Continued)

The following applications have been officially withdrawn and will not be placed on a District Council Agenda.

[DDS-657](#)**Westphalia Center (Snapper)**

Companion Case(s): DSP-19008

Applicant(s): Duke Construction Limited Partnership

Location: Located at the intersection of MD 4 (Pennsylvania Avenue) and Melwood Road, approximately 800 feet north of Woodyard Road. (78.39 Acres; M-X-T / M-I-O Zones).

Request: Requesting approval of Departure from Design Standards (DDS) which is requested from Section 27-558(a) of the Prince George's County Zoning Ordinance, to allow a reduced standard, nonparallel parking space size of 9 feet by 18 feet, to be used for all parking spaces.

Council District: 6

Appeal by Date: 8/29/2019

Review by Date: 9/30/2019

Council announced that this item was withdrawn.

Council announced that this item was withdrawn.

Attachment(s): [DDS-657 Zoning Agenda Item Summary](#)
[DDS-657 Notice of Withdrawal](#)
[DDS-657 Planning Board Resolution 19-88](#)
[DDS-657_PORL](#)
[DDS-657 Technical Staff Report](#)

[ADJ105-19](#)**ADJOURN****History:**

The meeting was adjourned at 1:59 p.m. (Vote: 9-0; Absent: Council Members Franklin and Glaros).

A motion was made by Council Member Anderson-Walker, seconded by Council Member Davis, that this meeting be adjourned. The motion carried by the following vote:

Aye: 9 - Turner, Anderson-Walker, Davis, Dernoga, Harrison, Hawkins, Ivey, Streeter and Taveras

Absent: Franklin and Glaros

Prepared by:

James Walker-Bey, Zoning Reference Aide

Submitted by:

Donna J. Brown, Acting Clerk of the Council