



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

Dannielle M. Glaros, District 3, Chair

Derrick Leon Davis, District 6

Mel Franklin, District 9

Andrea C. Harrison, District 5

Mary A. Lehman, District 1

Obie Patterson, District 8

Deni L. Taveras, District 2

Karen R. Toles, District 7

Todd M. Turner, District 4, Vice Chair

Robert J. Williams, Jr., Council Administrator

Monday, April 16, 2018

1:30 PM

Council Hearing Room

1:10 PM AGENDA BRIEFING - (ROOM 2027)

At 1:10 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.

1:48 AM 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 Glaors at 1:48 p.m. with seven members present at roll call.

Council Member Lehman arrived at 2:02 p.m.

Present: 8 - Chair Dannielle Glaros
 Council Member Derrick Davis
 Council Member Andrea Harrison
 Council Member Mary Lehman
 Council Member Obie Patterson
 Council Member Deni Taveras
 Council Member Karen Toles
 Vice Chair Todd Turner

Absent: Council Member Mel Franklin

*Also Present: Robert J. Williams, Jr., Council Administrator
William M. Hunt, Deputy Council Administrator
Rajesh Kumar, Principal Counsel to the District Council
Redis C. Floyd, Clerk of the Council
Donna J. Brown, Deputy Clerk of the Council
Leonard Moses, Office of the Clerk of the Council*

*M-NCPPC
Ivy Thompson, Development Review Division*

INVOCATION

The Invocation was provided by Rev. Ray Raysor, Pastor, Saint Didymus Church, Bladensburg, MD. Council Member Taveras requested prayer for the family of Brenda Swan, in her passing.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Toles.

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 03262018](#)

District Council Minutes dated March 26, 2018

A motion was made by Council Member Davis, seconded by Council Member Patterson, that these Minutes be approved. The motion carried by the following vote:

Aye: 7 - Glaros, Davis, Harrison, Patterson, Taveras, Toles and Turner

Absent: Franklin and Lehman

Attachment(s): [3-26-2018 District Council Minutes DRAFT](#)

[MINDC 04102018](#)

District Council Minutes dated April 10, 2018

A motion was made by Council Member Davis, seconded by Council Member Patterson, that these Minutes be approved. The motion carried by the following vote:

Aye: 7 - Glaros, Davis, Harrison, Patterson, Taveras, Toles and Turner

Absent: Franklin and Lehman

Attachment(s): [4-10-2018 District Council ADDITIONS](#)
[Minutes DRAFT](#)

ORAL ARGUMENTS

[SE/VSE-4792](#)

Ernest Maier Concrete Batching Plant

Applicant(s): Ernest Maier, Inc.

Location: Located west side of Kenilworth Avenue (MD 201), approximately 254 feet west of its intersection with Upshur Street (3.95 Acres; I-2 Zone).

Request: Requesting approval of a Special Exception to operate a Concrete Batching Plant. Variance from Section 27-343.02(a)(1) to allow a concrete batching plant and its components to be within 100-foot setback from adjacent property located in the Industrial zone. And a second variance from Section 27-474(b) to reduce the 25-foot setback from Kenilworth Avenue by five feet.

Council District: 5

Appeal by Date: 12/11/2017

Review by Date: 1/9/2018

Action by Date: 5/9/2018

Municipality: Bladensburg

Opposition: Port Towns Environmental Action et al.

History:

Prior to the oral argument hearing, Daniel Lynch, Esq., raised objections to a document that was circulated with regard to the application, which appeared to be a County document. He requesting that the record reflect that the document was not issued by the County. Ivy Thompson, M-NCCPC, provided an overview of the Special Exception application. The following persons spoke in opposition: David Blitzer, Esq., Carlyncia S. Peck, Dr. Sacoby Wilson and Alicia Melendez. Due to procedural concerns, the meeting went into recess. Once reconvened, Rajesh Kumar, Principal Counsel to the District Council explained the role of Stan Brown, People's Zoning Counsel, who was unable to attend the hearing and cautioned persons of record to keep their testimony to matters that are within the record. Ms. Melendez concluded her remarks, following by comments by The Honorable Victor Ramirez, Senator, 47th Legislative District. Daniel Lynch, Esq., spoke in support of behalf of the applicant, as did the following persons: Susan McCutchen, Suellen Ferguson, The Honorable Takisha James, Mayor of the Town of Bladensburg and Jim Foster on behalf of the Anacostia Watershed Society.

Council took this case under advisement.

This Special Exception/Variance SE hearing was held and the case was taken under advisement.

Attachment(s): [SE-VSE 4792 Zoning Hearing Examiner](#)
SEVSE 4792E_ PORL
[SE-4792 Technical Staff Report](#)
SE-4792 Appeal Letter

ITEM(S) FOR DISCUSSION[ERR-265](#)

Ali I. Tangoren Family Settlement Revocable Family Trust/ Ali I. Tangoren, Trustee
Validation of Multifamily Rental License No. M-130 Issued in Error

Applicant(s): Ali I. Tangoren

Location: Located at 833 Fairview Avenue, Takoma Park, Maryland (.16 Acres; R-18 Zone).

Request: Requesting validation of Prince George's County Multifamily Rental License No. M-130 issued in error for a 3-unit apartment building in the R-18 Zone.

Council District: 2

Appeal by Date: 12/7/2017

Action by Date: 5/7/2018

Opposition: None

History:

Council referred item to staff for preparation of document of remand (Vote: 7-0; Absent: Council Members Davis and Franklin).

A motion was made by Council Member Taveras, seconded by Vice Chair Turner, that this Permit issued in error be referred for document. The motion carried by the following vote:

Aye: 7 - Glaros, Harrison, Lehman, Patterson, Taveras, Toles and Turner

Absent: Davis and Franklin

Attachment(s): [ERR-265 Zoning Hearing Examiner Decision](#)

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) PLANNING BOARD**DSP-16025****Woodmore Overlook**

Applicant(s): Woodmore Overlook, LLC
Location: Located on the north side of Ruby Lockhart Boulevard, west of its intersection with Lottsford Road (26.30 Acres; M-X-T Zone).
Request: Requesting approval of a Detailed Site Plan proposing 215 single-family attached residential units (townhouses) on 26.30 acres.
Council District: 5
Appeal by Date: 5/10/2018
Review by Date: 5/10/2018
Action by Date: 6/15/2018
History:

Council took no action on this item.

This Detailed Site Plan was did not elect to review by Council.

Council returned to this item on the agenda and elected to review this item (Vote: 7-0; Absent: Council Members Davis and Franklin).

A motion was made by Council Member Harrison, seconded by Council Member Lehman, that this Detailed Site Plan be elected to review. The motion carried by the following vote:

Aye: 7 - Glaros, Harrison, Lehman, Patterson, Taveras, Toles and Turner

Absent: Davis and Franklin

Attachment(s): [DSP-16025 Zoning Agenda Item Summary \(AIS\)](#)

PENDING FINALITY (Continued)**(a) PLANNING BOARD (Continued)**[DSP-87050-12](#)**The Shops at Oxford (Constellation Centre)****Applicant(s):** Oxon Hill Road LLC**Location:** Located on the north side of Oxon Hill Road at its intersection with I-95/495 (Capital Beltway), approximately 1,000 feet west of the intersection with MD 414 (St. Barnabas Road) (24.95 Acres; C-S-C Zone).**Request:** Requesting approval of a Detailed Site Plan (DSP) for construction of 16,000 square feet of commercial retail uses, The Shops at Oxford, within the existing parking area of Constellation Centre.**Council District:** 8**Appeal by Date:** 5/3/2018**Review by Date:** 5/3/2018**History:***Council deferred this item to April 23, 2018.***This Detailed Site Plan was deferred.****Attachment(s):** [DSP-87050-12 Zoning Agenda Item Summary \(ZAIS\)](#)

PENDING FINALITY (Continued)**(b) PLANNING BOARD'S REPRESENTATIVE****CNU-60088-2017-U****4706 Upsher Street, Bladensburg****Applicant(s):** April Mackoff, Clear Channel Outdoor**Location:** Located approximately 248 feet northeast of the intersection of Upshur Street and 47th Street. (0.1150 Acres; I-1 Zone).**Request:** Requesting Certification of Nonconforming Use for existing outdoor advertising signs 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 1990.**Council District:** 5**Review by Date:** 4/25/2018**Comment(s):** In the event the District Council elects to review this case, it will be sent to the ZHE for a hearing pursuant to Section 27-244(e) of the Zoning Ordinance.**History:***Council took no action on this item.***This Certification of a Nonconforming Use was not elected to review by Council.****Attachment(s):** [CNU-60088-2017-U Zoning Agenda Item Summary \(ZAIS\)](#)

PENDING FINALITY (Continued)**(b) PLANNING BOARD'S REPRESENTATIVE (Continued)**[CNU-689-2018-U](#)**11454 Baltimore Avenue**

Applicant(s): April Mackoff, Clear Channel Outdoor

Location: Approximately 95 feet south of the intersection of Baltimore Avenue and Odell Road.

Request: Requesting Certification of Nonconforming Use for existing outdoor advertising signs 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 1973.

Council District: 1

Review by Date: 4/25/2018

Comment(s): In the event the District Council elects to review this case, it will be sent to the ZHE for a hearing pursuant to Section 27-244(e) of the Zoning Ordinance.

History:

Council took no action on this item.

This Certification of a Nonconforming Use was did not elect to review by Council.

Attachment(s): [CNU-689-2018-U Zoning Agenda Item Summary \(ZAIS\)](#)

PENDING FINALITY (Continued)**(b) PLANNING BOARD'S REPRESENTATIVE (Continued)****CNU-60094-2017-U****4800 Baltimore Avenue, Hyattsville****Applicant(s):** April Mackoff, Clear Channel Outdoor**Location:** Approximately 115 feet northwest of the intersection of Baltimore Avenue and Emerson Street.**Request:** Requesting Certification of Nonconforming Use for existing outdoor advertising signs 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 1974.**Council District:** 5**Review by Date:** 4/30/2018**Comment(s):** In the event the District Council elects to review this case, it will be sent to the ZHE for a hearing pursuant to Section 27-244(e) of the Zoning Ordinance.**History:***Council took no action on this item.***This Certification of a Nonconforming Use was did not elect to review by Council.****Attachment(s):** [CNU-60094-2017-U Zoning Agenda Item Summary \(ZAIS\)](#)

PENDING FINALITY (Continued)**(b) PLANNING BOARD'S REPRESENTATIVE (Continued)**[CNU-5403-2018-U](#)**5715 Livingston Road, Oxon Hill**

Applicant(s): April Mackoff, Clear Channel Outdoor

Location: Located approximately 2,364 feet south of the intersection of Livingston Road and Indian Head Highway (3.4 Acres; R-55 Zone).

Request: Requesting Certification of Nonconforming Use for existing outdoor advertising signs 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 1939.

Council District: 8

Review by Date: 4/30/2018

Comment(s): In the event the District Council elects to review this case, it will be sent to the ZHE for a hearing pursuant to Section 27-244(e) of the Zoning Ordinance.

History:

Council deferred this item to April 23, 2018.

This Certification of a Nonconforming Use was deferred.

Attachment(s): [CNU-5403-2018-U Zoning Agenda Item Summary \(ZAIS\)](#)

CASE SCHEDULED FOR MANDATORY REVIEW ON MAY 14, 2018 at 1:30 P.M.[DSP-17030](#)**Children's National Regional Outpatient Center**
Woodmore Towne Centre at Glenarden, Lot 17**Companion Case(s):** DDS-646**Applicant(s):** WTC Lot 17, LLC

Location: The overall Woodmore Towne Centre site is on the north side of MD 202 (Landover Road), approximately 550 feet northwest of its intersection with St. Joseph's Drive, immediately adjacent to and east of the I-95/495 (Capital Beltway). The commercial portion of Woodmore Towne Centre, which includes 141 acres of the overall 244 acres of land, is located in the southern portion of the property. The subject site (Lot 17), is located at the southwestern perimeter of the overall site, with frontage on the ramp to the I-95/495 (Capital Beltway) at the interchange with MD 202 (Landover Road) (6.95 Acres; M-X-T Zone).

Request: Requesting approval Detailed Site Plan (DSP) for a 60,450-square-foot medical office building, the Children's National Regional Outpatient Center.

Council District: 5**Appeal by Date:** 5/3/2018**Action by Date:** 6/11/2018

Comment(s): Mandatory Reivew:
District Council review of this case is required by conditions imposed by Council on Zoning Case A-9613-C.

Municipality: City of Glenarden**History:**

Council announced the Mandatory Review hearing date.

This Detailed Site Plan hearing date was announced.

Attachment(s): [DSP-17030 Zoning Agenda Item Summary](#)
[DSP-17030 Planning Board Resolution 18-22](#)

4:07 PM ADJOURN

The meeting was adjourned at 4:07 p.m.

Prepared by:

Leonard Moses, Digitization Manager

Submitted by:

Redis C. Floyd, Clerk of the Council