



# 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*

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**Monday, July 9, 2018**

**10:00 AM**

**Council Hearing Room**

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### **9:50 AM AGENDA BRIEFING - (ROOM 2027)**

*At 9:50 a.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.*

### **10:33 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 Glaros at 10:33 a.m. with six members present at roll call. Council Member Franklin arrived at 10:41 a.m.*

**Present:**        7 -     Chair Dannielle Glaros  
                             Council Member Derrick Davis  
                             Council Member Mel Franklin  
                             Council Member Andrea Harrison  
                             Council Member Mary Lehman  
                             Council Member Deni Taveras  
                             Vice Chair Todd Turner

**Absent:**            Council Member Obie Patterson  
                             Council Member Karen Toles

**INVOCATION**

*The Invocation was provided by Ms. Sylvia Taylor, Member, International Church of Christ, Landover, Maryland. Council Member Glaros requested prayer for those fatally wounded in shooting at the Capital Gazette last week, for all public safety and first responders, members of the Legislative Branch who are ill and for those trapped in the cave in Thailand. Council Member Taveras requested prayer for Dominique Knobbs and family, in the passing of her mother. Council Member Harrison requested prayer in celebration of her sister's birthday.*

**PLEDGE OF ALLEGIANCE**

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

**APPROVAL OF DISTRICT COUNCIL MINUTES**[MINDC 07022018](#)**District Council Minutes Dated July 2, 2018**

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

**Aye:**                    5 -        Glaros, Davis, Lehman, Taveras and Turner

**Absent:**                    Franklin, Harrison, Patterson and Toles

**Attachment(s):**        [7-2-2018 District Council Minutes DRAFT](#)

**ORAL ARGUMENTS****DSP-17048****Capital Court, Phase 1**

**Applicant(s):** SLDM, Inc.

**Location:** Located in the southeastern quadrant of the intersection of MD 214 (Central Avenue) and the Capital Beltway (I-95/495), on the south side of MD 214 (Central Avenue) (28.67 Acres; C-O Zone).

**Request:** Requesting approval of a Detailed Site Plan (DSP) for 306 single-family attached (townhouse) development on 28.67 acres.

**Council District:** 6

**Appeal by Date:** 6/14/2018

**Review by Date:** 6/14/2018

**Action by Date:** 9/4/2018

**History:**

*Andrew Bishop, M-NCCPC, provided an overview of the Detailed Site Plan application. Marva Jo Camp, Esq., attorney for the applicant, spoke in support on behalf of the applicant. Charles Renninger spoke in opposition on behalf of Largo Civic Association. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented.*

*Council took this item under advisement.*

**This Detailed Site Plan hearing was held and the case was taken under advisement.**

**Attachment(s):** [DSP-17048 Zoning Agenda Item Summary \(ZAIS\)](#)  
[DSP-17048 Planning Board Resolution 18-30](#)  
DSP-17048\_PORL  
[DSP-17048 Technical Staff Report](#)

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**ORAL ARGUMENTS (Continued)****CDP-8309-01****The Villages of Marlborough**

**Applicant(s):** Codale Commercial Funding, LLC

**Location:** The larger Villages of Marlborough is located northwest of the Town of Upper Marlboro at the intersection of MD 725 (Marlboro Pike) and Brown Station Road. The triangular Parcel O site is located in the northern quadrant of the intersection of John Rogers Boulevard and Governor's Grove Drive (367 Acres; R-U Zone).

**Request:** Requesting approval for a Comprehensive Design Plan proposing to develop a 6.38-acre site known as Parcel O, where the Marlborough Golf Course Clubhouse building was previously located before being razed, within a larger fully-developed project known as The Villages of Marlborough, with 206 multifamily dwelling units (DUs).

**Council District:** 6

**Appeal by Date:** 5/31/2018

**Review by Date:** 5/31/2018

**Action by Date:** 7/13/2018

**History:**

*Henry Zhang, M-NCCPC, provided an overview of the Comprehensive Design Plan application. The following people spoke in opposition: Russell Shipley, Esq., on behalf of the Villages of Marlboro Homeowner's Association, Jennifer Campbell-Dawkins, Ricky Dawkins, Roderick Missouri, Maceo Barbosa and Margaret Dillman. Midgett Parker, Esq., attorney for the applicant, spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented.*

*Council took this item under advisement.*

**This Comprehensive Design Plan hearing was held and the case was taken under advisement.**

**Attachment(s):** [CDP-8309.01 Zoning Agenda Item Summary \(ZAIS\)](#)  
[CDP-8309-01 Planning Board Resolution 18-26](#)  
CDP-8309-01\_PORL  
[CDP-8309-01 Technical Staff Report](#)

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**ORAL ARGUMENTS (Continued)****DSP-17053****Sacred Heart Home**

**Applicant(s):** Sacred Heart, Inc.

**Location:** Located at 5805 Queens Chapel Road, on the eastern side of the roadway, approximately 1,800 feet north of its intersection with Hamilton Street in Hyattsville, MD. More specifically, the property is described as Lot 1, Block A, of the Manor Wood Court subdivision (8.90 Acres; R-55 / D-D-O Zones).

**Request:** Requesting approval of a Detailed Site Plan for construction of a 60,242-square-foot nursing home (44 beds) and a 9,188 -square -foot -convent on the property. The project is anticipated to be phased, with an expansion of the use being the first phase of development.

**Council District:** 2

**Appeal by Date:** 6/28/2018

**Review by Date:** 6/28/2018

**Action by Date:** 9/4/2018

**Municipality:** City of Hyattsville

**History:**

*Andrew Bishop, M-NCCPC, provided an overview of the Detailed Site Plan application. Larry Taub, Esq., attorney for the applicant, spoke in support on behalf of the applicant. The following people spoke in opposition: Mary Graham, Mark Graham, Carmen Maldonado, James Garay, Sandra Rodriguez and Nelson Minnich. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented.*

*Council took this item under advisement.*

**This Detailed Site Plan hearing was held and the case was taken under advisement.**

**Attachment(s):** [DSP-17053 Zoning Agenda Item Summary \(ZAIS\)](#)  
[DSP-17053 Planning Board Resolution 18-38](#)  
DSP-17053\_PORL  
[DSP-17053 Technical Staff Report](#)

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**ORAL ARGUMENTS (Continued)****[SDP-1704](#)****Summerfield at Morgan Station, Phase 3**

**Applicant(s):** Summerfield Morgan Investments, LLC

**Location:** Located approximately 1,200 feet north of the intersection of MD 214 (Central Avenue) and Summerfield Boulevard, across from the Morgan Boulevard Metro Station (11.34 Acres; L-A-C / D-D-O / M-I-O Zones).

**Request:** Requesting approval of a Specific Design Plan (SDP) for 52 single-family attached units (townhouses) in Phase 3 of a larger development known as Summerfield at Morgan Station.

**Council District:** 5

**Appeal by Date:** 6/21/2018

**Review by Date:** 6/21/2018

**Action by Date:** 9/4/2018

**History:**

*Henry Zhang, M-NCCPC, provided an overview of the Specific Design Plan application. Chris Hatcher, Esq., attorney for the applicant, spoke in support on behalf of the applicant. Yuri Borovsky spoke in opposition. Stan Brown, People's Zoning Counsel, spoke to the legalities of the arguments presented.*

*Council referred this item to staff for preparation of an approving document (Vote: 6-0; Absent: Council Members Glaros, Patterson, and Toles).*

**This Specific Design Plan hearing was held; subsequently, A motion was made by Council Member Harrison, seconded by Council Member Davis, that this Specific Design Plan be referred for document. The motion carried by the following vote:**

**Aye:** 6 - Davis, Franklin, Harrison, Lehman, Taveras and Turner

**Absent:** Glaros, Patterson and Toles

*Council adopted the prepared Order of approval, with conditions (Vote: 6-0; Absent: Council Members Glaros, Patterson, and Toles).*

**A motion was made by Council Member Harrison, seconded by Council Member Franklin, that this Specific Design Plan be approved with conditions. The motion carried by the following vote:**

**Aye:** 6 - Davis, Franklin, Harrison, Lehman, Taveras and Turner

**Absent:** Glaros, Patterson and Toles

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**Attachment(s):**     [SDP-1704 Zoning Agenda Item Summary \(ZAIS\)](#)  
                                 [SDP-1704 Planning Board Resolution 18-35](#)  
                                 SDP-1704\_PORL  
                                 [SDP-1704 Technical Staff Report](#)

**NEW CASE(S)**

[ERR-271](#)

**Eugene Broadus**

**Validation of Use and Occupancy Permit No. 8851-1998-U Issued in Error**

**Applicant(s):**     Eugene Broadus

**Location:**        Located at 5932 Baltic Street, Capitol Heights, Maryland 20743 (0.2296 Acres; R-20 Zone).

**Request:**         Requesting validation of Prince George's County Use and Occupancy Permit No. 8851-1998-U, issued in error, to operate a repair shop, storage yard, and storage of commercial vehicles on 10,000 square feet of R-20 (One-Family Triple-Attached Residential) zoned land.

**Council District:**     7

**Appeal by Date:**     5/17/2018

**Action by Date:**     9/17/2018

**History:**

*Council deferred this item.*

**This Permit issued in error was deferred.**

**Attachment(s):**     [ERR-271 Zoning Agenda Item Summary](#)

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**NEW CASE(S) (Continued)****ROW-Chick-Fil-A****Chick-Fil-A, Inc. / KRB Group Ventures, LLC**

**Applicant(s):** Chick-Fil-A, Inc.

**Location:** Located on the west side of Crain Highway (US 301) at its intersection with Chrysler Drive, also identified as 5301 Southwest Crain Highway, Upper Marlboro, Maryland (1.46 Acres; I-1 / I-2 Zones).

**Request:** Requesting approval for authorization to construct 22 parking spaces, a drive aisle, a retaining wall and a required Landscape Strip within the proposed right-of-way for A-61, a proposed arterial service road until such time as Crain Highway (US 301) is upgraded to an expressway.

**Council District:** 9

**Appeal by Date:** 7/6/2018

**Action by Date:** 1/4/2019

**Opposition:** None

**History:**

*Council referred this item to staff for preparation of an approving document (Vote: 6-0; Absent: Council Members Glaros, Patterson, and Toles).*

**A motion was made by Council Member Franklin, seconded by Council Member Taveras, that this Authorization to Build in the Right of Way be referred for document. The motion carried by the following vote:**

**Aye:** 6 - Davis, Franklin, Harrison, Lehman, Taveras and Turner

**Absent:** Glaros, Patterson and Toles

*Council adopted the prepared Order of approval (Vote: 6-0; Absent: Council Members Glaros, Patterson, and Toles).*

**A motion was made by Council Member Franklin, seconded by Council Member Davis, that this Authorization to Build in the Right of Way be approved. The motion carried by the following vote:**

**Aye:** 6 - Davis, Franklin, Harrison, Lehman, Taveras and Turner

**Absent:** Glaros, Patterson and Toles

**Attachment(s):** [ROW-Chick-Fil-A Zoning Agenda Item Summary \(ZAIS\)](#)  
[ROW-Chick-Fil-A Zoning Hearing Examiner Decision](#)  
ROW-ChickFil-A PORL



*In making the final decision in this case, the District Council should consider whether it wants to conduct an Oral Argument, pursuant to Section 27-131 (c)(2).*

**REFERRED FOR DOCUMENT**

[A-10042](#)

**Brandywine Waldorf Medical Dental Center**

**Applicant(s):** Brandywine Waldorf Medical Center  
**Location:** Northwest quadrant of the intersection of Brandywine Road and Branch Avenue (Route 5) identified as 13518 and 13600 Brandywine Road, Brandywine, MD 20613 (2.99 acres; C-O Zone).  
**Request:** Rezoning of properties from C-O to M-X-T Zone  
**Council District:** 9  
**Appeal by Date:** 6/22/2018  
**Action by Date:** 1/20/2019

**History:**

*Council adopted the prepared Order of approval (Vote: 6-0; Absent: Council Members Glaros, Patterson, and Toles).*

**A motion was made by Council Member Franklin, seconded by Council Member Davis, that this Zoning Map Amendment be approved. The motion carried by the following vote:**

**Aye:** 6 - Davis, Franklin, Harrison, Lehman, Taveras and Turner

**Absent:** Glaros, Patterson and Toles

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**REFERRED FOR DOCUMENT**[SE-4785](#)**Traditions at Beechfield - Enterprise Road**

**Applicant(s):** Greenlife Property Group, LLC./Beechfield

**Location:** Located in the northeast quadrant of MD 193 (Enterprise Road) and US 50 (John Hanson Highway) (83.68 Acres; R-E Zone).

**Request:** Requesting approval of a Special Exception for permission to use approximately 82.68 acres of R-E (Residential – Estate) zoned land for a Planned Retirement Community (major revision to prior SE-4529).

**Council District:** 6

**Appeal by Date:** 3/29/2018

**Review by Date:** 3/29/2018

**Action by Date:** 7/27/2018

**Opposition:** Steve Brigham, Edwin Brown, Sr., et. al.

**History:**

*Council adopted the prepared Order of approval, with conditions (Vote: 6-0; Absent: Council Members Glaros, Patterson, and Toles).*

**A motion was made by Council Member Davis, seconded by Council Member Franklin, that this Special Exception be approved with conditions. The motion carried by the following vote:**

**Aye:** 6 - Davis, Franklin, Harrison, Lehman, Taveras and Turner

**Absent:** Glaros, Patterson and Toles

**Attachment(s):** [SE-4785 Zoning AIS](#)  
[SE-4785 Zoning Hearing Examiner Decision](#)  
SE-4785 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****DPLS-451****Palmer Park**

**Applicant(s):** Housing Initiative Partnership

**Location:** Located in the southwest quadrant of the intersection of Barlowe Road and Palmer Park Road (0.85 acre; R-20 Zone).

**Request:** Requesting approval for Departure of Parking and Loading Standards for a departure from Section 27-568 of the Zoning Ordinance for a reduction of 4 parking spaces from the 19-space parking requirement and variance requests to Sections 27-120.01(a) and 27-442(c), (d), and (e).

**Council District:** 5

**Appeal by Date:** 7/19/2018

**Review by Date:** 7/19/2018

**History:**

*Council took no action on this item.*

**This Departure from Parking and Loading Standards was not elected to review by Council.**

**Attachment(s):** [DPLS-451 Zoning Agenda Item Summary \(ZAIS\)](#)  
[DPLS-451 Planning Board Resolution 18-48](#)  
DPLS-451\_PORL  
[DPLS-451 Technical Staff Report](#)

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**PENDING FINALITY (Continued)****PLANNING BOARD****DSP-17037****Eritrean Church**

**Applicant(s):** Eritrean Orthodox Tewahdo Church

**Location:** Located on the south side of Bladensburg Road, approximately 250 feet east of its intersection with 43rd Avenue (2.16 acres; M-X-T, D-D-O, I-D-O Zones).

**Request:** Requesting approval of a Detailed Site Plan for the conversion of existing warehouse buildings for use as a church and multipurpose building.

**Council District:** 5

**Appeal by Date:** 7/19/2018

**Review by Date:** 7/19/2018

**History:**

*Council elected to review this item (Vote: 6-0; Absent: Council Members Glaros, Patterson, and Toles).*

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

**Aye:** 6 - Davis, Franklin, Harrison, Lehman, Taveras and Turner

**Absent:** Glaros, Patterson and Toles

**Attachment(s):** [DSP-17037 Zoning Agenda Item Summary \(ZAIS\)](#)  
[DSP-17037 Planning Board Resolution 18-41](#)  
DSP-17037 PORL  
[DSP-17037 Technical Staff Report](#)

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**CASE(S) SCHEDULED FOR MANDATORY REVIEW HEARING ON 7/23/2018 AT 10:00 A.M.**

*Hearing Dates & Times Subject to Change*

**SDP-0315-09****Beech Tree, East Village, Sections 4 and 5****Applicant(s):**

VOB Limited Partnership

**Location:**

The Beech Tree project site is located on the west side of US 301 (Robert S. Crain Highway), south of Leeland Road. The area covered by Specific Design Plan SDP-0315, East Village, Section 4, is located on the north side of Beech Tree Parkway and on the east and west sides of Moores Plains Boulevard. East Village, Section 5, is located on the south side of Beech Tree Parkway, just east of the recreation center (23.35 Acres; R-S Zone).

**Request:**

Requesting approval for a specific design plan (SDP) to add one single-family attached (townhouse) architectural model, specifically the Haverford Homes Coltrane model, to the approved architecture for Sections 4 and 5 of Beech Tree, in the Residential Suburban Development (R-S) Zone.

**Council District:**

6

**Appeal by Date:**

7/12/2018

**Action by Date:**

10/2/2018

**Comment(s):**

Mandatory Review:

District Council review of this case is required by conditions imposed by Council on Zoning Case A-9763-C.

**This Specific Design Plan hearing date was announced.**

**Attachment(s):**

[SDP-0315-09 Zoning Agenda Item Summary \(ZAIS\)](#)

[SDP-0315-09 Planning Board Resolution 18-44](#)

[SDP-0315-09\\_PORL](#)

[SDP-0315-09 Technical Staff Report](#)

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**CASE(S) SCHEDULED FOR MANDATORY REVIEW HEARING ON 7/23/2018 AT 10:00 A.M.**  
**(Continued)**

*Hearing Dates & Times Subject to Change*

**[SDP-0416-07](#)**

**Beech Tree, South Village, Sections 4 and 5**

**Applicant(s):** VOB Limited Partnership

**Location:** The Beech Tree project site is located on the west side of US 301 (Robert S. Crain Highway), south of Leeland Road, in Planning Area 79 and Council District 6. The area covered by Specific Design Plan SDP-0416 in South Village, Sections 4 and 5, is located in the southeastern portion of Beech Tree development, along the southern boundary (41.32 Acres; R-S Zone).

**Request:** Requesting approval for a Specific Design Plan (SDP) to add one single-family attached (townhouse) architectural model, specifically the Haverford Homes Coltrane model, to the approved architecture for Sections 4 and 5 of Beech Tree, in the Residential Suburban Development (R-S) Zone.

**Council District:** 6

**Appeal by Date:** 7/12/2018

**Action by Date:** 10/2/2018

**Comment(s):** Mandatory Review:  
District Council review of this case is required by conditions imposed by Council on Zoning Case A-9763-C

**This Specific Design Plan hearing date was announced.**

**Attachment(s):** [SDP-0416-07 Zoning Agenda Item Summary \(ZAIS\)](#)  
[SDP-0416-07 Planning Board Resolution 18-45](#)  
[SDP-0416-07\\_PORL](#)  
[SDP-0416-07 Technical Staff Report](#)

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**CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING ON 9/17/2018 AT 10:00 A.M.**

*Hearing Dates & Times Subject to Change*

[HPC-062-10](#)

**Appeal of Decision of Historic Preservation Commission**

**Briarly Academy (Old Hotel) (Historic Resource - Area 62-10)**

**Applicant(s):**

Jumes House/Briarly Academy

**Location:**

Located off a rise of ground immediately east of Old Washington-Baltimore turnpike between Vansville and Muirkirk and identified as 11777 OLD Baltimore Pike, Beltsville, Maryland 20705.

**Request:**

The instant action involves the appeal of the Decision of the Historic Preservation Commission ("HPC") to amend the July 1981 Historic Sites and Districts Plan, which included the subject property, the Briarly Academy (Old Hotel)(62-10) in its Historic Resource Inventory, by designating the Briarly Academy (Old Hotel) as a Historic Site in the Plan's Inventory of Historic Sites.

**Council District:**

1

**Appeal by Date:**

6/15/2018

**Action by Date:**

10/31/2018

**Opposition:**

None

**This Historic Site Designation hearing date was announced.**

**Attachment(s):**

[HPC 062-010 - Zoning Hearing Examiner Decision](#)

HPC 062-010 - PORL

[HPC-062-10 Zoning Agenda Item Summary \(ZAIS\)](#)

**3:31 PM ADJOURN**

*The meeting was adjourned at 3:31 p.m.*

**EXECUTIVE SESSION (1ST FLOOR EXECUTIVE CONFERENCE ROOM)**

*Motion to convene in executive session to consult with staff, consultants, or other individuals about pending or potential litigation in accordance with Section 3-305(b) (8), General Provisions Article, Annotated Code of Maryland.*

[EX 07092018](#)

To consult with counsel to obtain legal advice and to consult with staff, consultants, or other individuals about pending or potential litigation in accordance with Section 3-305 (b) (7, 8), General Provisions, Annotated Code of Maryland.

**History:**

*The Chair read the following closing statement/motion to convene in executive session:*

*“Motion to convene in Executive Session To consult with counsel to obtain legal advice and to consult with staff, consultants, or other individuals about pending or potential litigation in accordance with Section 3-305 (b) (7, 8), General Provisions, Annotated Code of Maryland.”*

*Due to time constraints, the Executive Session was held on Tuesday, July 10, 2018 (See District Council Minutes dated July 24, 2018 for details).*

**A motion was made by Council Member Davis, seconded by Council Member Taveras, that this Executive Session be convened. The motion carried by the following vote:**

**Aye:**                    7 -        Glaros, Davis, Franklin, Harrison, Lehman, Taveras and Turner

**Absent:**                    Patterson and Toles

Prepared by:

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Leonard Moses, Digitization Manager

Submitted by:

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Redis C. Floyd, Clerk of the Council