

ACTION
ZONING AGENDA

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL

January 12, 2009

9:30 A.M. **AGENDA BRIEFING**

10:03 A.M. **CALL TO ORDER**

INVOCATION – Mr. Robert J. Williams, County Employee

PLEDGE OF ALLEGIANCE

ORAL ARGUMENT

Hearing held;
Council
referred item to
staff for
preparation of
an approving
Order

DSDS 644 BP (Woodyard Road)
Eastern Petroleum Corporation, Applicant
Located north side of Woodyard Road approximately 84 feet east of
Clinton Street (0.738 acre; C-M Zone)
Requesting approval of a Departure of Sign Design Standards for
19.5 feet from the 40-foot setback requirement for the main building
associated with a freestanding sign and for 0.7 feet for a freestanding
sign from the 10-foot street line setback requirement

Action by:
03/13/09
CD: 9

Technical Staff: Approval, with conditions
Planning Board: Approval, with conditions

On March 24, 2008, Council elected to review (Voice Vote: 8-0;
Councilmanic District 5 Vacant).

RUNNING AGENDA ON PAGE 2

MANDATORY REVIEW (Using Oral Argument Procedures)

Hearing held;
Council took
this case under
advisement

**SP 06018 Towne Place Suites by Marriott
Baywood Hotels, Applicant
Located on the west side of Baltimore Avenue (US 1),
900 feet south of its intersection with Cherry Hill Road
(1.29 acres; M-U-I, C-S-C, DDOZ Zones)
Requesting approval of a Detail Site Plan for construction of a 75-room
hotel and rezoning of 0.9 acre from the C-S-C Zone to the M-U-I Zone**

Action by:
03/13/09
CD: 1

Technical Staff: Approval, with conditions
Planning Board: Approval, with conditions

NEW CASES

Council
adopted the
prepared
Zoning
Ordinance No.
1-2009 in
accordance with
the Zoning
Hearing
Examiner

**A-9996-C Chaddsford 8
(Companion Case: A-9997-C)
Brandywine Investment, Applicant
Located on the northwest quadrant of the intersection of US 301 and
Chaddsford Drive, extending through to General Lafayette Boulevard
(20.28 acres; E-I-A, L-A-C & R-M Zones)
Requesting approval of a Zoning Map Amendment for rezoning from
E-I-A, L-A-C and R-M Zones to the L-A-C Zone)**

Action by:
03/24/09
CD: 9

Technical Staff: Approval, with conditions
Planning Board: Approval, with conditions
Zoning Hearing Examiner: Approval, with conditions
Municipality: None
Opposition: None

Backup: Order in accordance with the Zoning Hearing Examiner

Council
adopted the
prepared
Zoning
Ordinance No.
2-2009 in
accordance with
the Zoning
Hearing
Examiner

**A 9997-C Chaddsford Center
(Companion Case: A-9996-C)
Brandywine Investment, Applicant
Located on the northwest quadrant of the intersection of US 301 and
Chaddsford Drive, extending through to General Lafayette Boulevard
(24.05 acres; E-I-A, L-A-C & R-M Zones)
Requesting approval of a Zoning Map Amendment for rezoning from
E-I-A, L-A-C and R-M Zones to the L-A-C Zone)**

Action by:
03/24/09
CD: 9

Technical Staff: Approval, with conditions
Planning Board: Approval, with conditions
Zoning Hearing Examiner: Approval, with conditions
Municipality: None
Opposition: None

Backup: Order in accordance with the Zoning Hearing Examiner

ITEMS FOR DISCUSSION

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

SP 06084 Gateview
Shelby Homes, LLC, Applicant
Located southeast corner of the intersection of Iverson Street and Owens Road (0.89 acre; R-18C Zone)
Requesting approval of a Detailed Site Plan for one single-family detached and six semidetached units

Action by:
02/09/09
CD: 7

Technical Staff: Approval, with conditions
Planning Board: Approval, with conditions

On June 18, 2007, Council elected to review. (Voice Vote: 8-0; Absent: Council Member Turner)

On November 10, 2008, the Oral Argument hearing was held and Council took this case under advisement.

Council referred item to staff for preparation of an approving Order and subsequently adopted Zoning Ordinance No. 3-2009

ERR 207 Chestnut Knolls Apartments – Permit No. M-0564
Leo & David Halpert, Applicants
Located at 10401 – 10403 46th Avenue, Beltsville, Maryland
(1.86 acres; R-18 Zone)
Requesting approval for the validation of a Permit Issued in Error on March 2, 2007 for 46 apartment units

Action by:
2/23/09
CD: 1

Technical Staff: None
Planning Board: None
Zoning Hearing Examiner: Approval
Municipality: None
Opposition: None

On November 10, 2008, the Oral Argument hearing was held and Council took this case under advisement.

ITEMS FOR DISCUSSION (Continued)

**Council
deferred this
item to 1/26/09**

**CDP 0601 Woodside Village
MD XI L.P., Applicant
Located on the southern side of Westphalia Road approximately
2,000 feet west of its intersection with Ritchie-Marlboro Road
(381.96 acres; R – M Zone)
Requesting approval of a Comprehensive Design Plan for 1,496
residential dwelling units including 1,276 attached and detached single-
family units and 220 multifamily units**

**Action by:
02/09/09
CD: 6**

Technical Staff: Approval, with conditions
Planning Board: Approval, with conditions

On September 22, 2008, Council elected to review (Voice Vote: 8-0; Absent: Council Member Campos)

On November 10, the Oral Argument hearing was held and Council took this case under advisement.

PENDING FINALITY

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make final decision or an appeal is filed.

30th Day

ZONING HEARING EXAMINER

**Council elected
to make the
final decision**

**SE 4525 A & B Trucking
Alexander & Bonnie Sternack, Applicants
Located on the east side of Clifton Road, approximately 920 feet south of
Beech Way (1.596 acres; I-1 Zone)
Requesting approval of a Special Exception for a vehicle salvage yard in
the I-1 Zone**

**Appeal by:
12/08/08
Review by:
1/12/09
CD: 8**

Technical Staff: Approval, with conditions
Planning Board: No Motion to Consider
Zoning Hearing Examiner: Approval, with conditions
Municipality: None
Opposition: None

PENDING FINALITY (Continued)

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make final decision or an appeal is filed.

30th Day

PLANNING BOARD

Council took no action

CNU-28713-2007 Mary House I
(Companion Case: CNU-3331-2007 Mary House II)
William Murphy, Applicant
Located on the southeast quadrant of Fairview Avenue and Red Top Road (0.1856 acre; R-18 Zone)
Requesting approval of a Non-Conforming Use certification for six-unit multifamily apartment

Appeal by:
12/18/08
Review by:
1/19/09
CD: 2

Technical Staff: Approval
Planning Board: Approval

Council took no action

CNU-3331-2007 Mary House II
(Companion Case: CNU-28713-2007 Mary House I)
William Murphy, Applicant
Located on the southeast side of Fairview Avenue, approximately 90 feet east of Red Top Road (0.1607 acre; R-18 Zone)
Requesting approval of a Non-Conforming Use certification for six-unit multifamily apartment

Appeal by:
12/18/08
Review by:
1/19/09
CD: 2

Technical Staff: Approval
Planning Board: Approval

Council took no action

DDS 583 Hyattsville Spanish Church
(Companion Case: DPLS 325)
Potomac Conference Corporation of Seven Day Adventists, Applicant
Located at the northeast corner of Edmonston Road and Chesapeake Road (0.33 acre; C-O Zone)
Requesting approval of Departure from Design Standards to permit nine compact spaces

Appeal by:
12/26/08
Review by:
1/26/09
CD: 5

Technical Staff: Approval, with conditions
Planning Board: Approval, with conditions

PENDING FINALITY (Continued)

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make final decision or an appeal is filed.

30th Day

PLANNING BOARD

Council took no action

DDS 586 Cheverly Industrial Center
Brendan J. Connors, Applicant
Located on the eastside of View Point Place, approximately 940 feet north of the intersection of Kenilworth Avenue (MD 201) and Lydell Road (6.51 acres; I-1 Zone)
Requesting approval of a Departure from Design Standards for 41 feet from the 50-foot setback requirement for a driveway serving loading spaces located within 50 feet of a residential zone

Appeal by:
01/08/09
Review by:
01/30/09
CD: 5

Technical Staff: Approval
Planning Board: Approval

Council took no action

DDS 587 Mosaic at Turtle Creek
(Companion Cases: DPLS 336 and SP 08001)
Entity Fund II, LLC., Applicant
Located south of Campus Drive, 300 feet west of Mowatt Lane (9.54 acres; R-10/R-55 Zone)
Requesting approval of a Departure from Design Standards to allow the parking spaces within parking garage to be 18 feet by 8.5 feet.

Appeal by:
12/26/08
Review by:
1/26/09
CD: 3

Technical Staff: Approval
Planning Board: Approval

Council took no action

DPLS 336 Mosaic at Turtle Creek
(Companion Cases: DDS 587 and SP 08001)
Entity Fund II, LLC., Applicant
Located south of Campus Drive, 300 feet west of Mowatt Lane (9.54 acres; R-10/R-55 Zone)
Requesting approval of a Departure from Parking and Loading Standards of 163 parking spaces from the required number of parking spaces

Appeal by:
12/26/08
Review by:
1/26/09
CD: 3

Technical Staff: Approval, with a condition
Planning Board: Approval, with a condition

PENDING FINALITY (Continued)

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make final decision or an appeal is filed.

30th Day**PLANNING BOARD****Council took no action**

DPLS 325 Hyattsville Spanish Church
(Companion Case: DDS 583)

Potomac Conference Corporation of Seven Day Adventists, Applicant
Located at the northeast corner of Edmonston Road and Chesapeake Road (0.33 acre; C-O Zone)

Requesting approval of a Departure from Parking and Loading Standards for eight standard parking spaces from 24 required

Appeal by:
12/26/08**Review by:**
1/26/09**CD: 5**

Technical Staff: Approval, with conditions

Planning Board: Approval, with conditions

Council elected to review

SDP 9612/03 Bellehaven Estates, Parcel H
OC Bellehaven, LLC., Applicant

Located southeast of its intersection of St. Joseph's Drive and Ardwick-Ardmore Road (4.98 acres; L-A-C Zone)

Requesting approval of a Specific Design Plan for 39,964 square feet of commercial space

Appeal by:
12/26/08**Review by:**
1/26/09**CD: 5**

Technical Staff: Approval, with conditions

Planning Board: Approval, with conditions

Council elected to review

SP 00050/04 Dolan's Addition to Southern Pines
BGH Pines, LLC, Applicant

Located at the northwest end of Arundel Drive, Approximately 800 feet northwest of its intersection with Allentown Road (13.34 acres; R-R Zone)

Requesting approval of a Detailed Site Plan for 17 single-family detached units

Appeal by:
01/08/09**Review by:**
01/30/09**CD: 8**

Technical Staff: Approval, with conditions

Planning Board: Approval, with conditions

PENDING FINALITY (Continued)

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make final decision or an appeal is filed.

30th Day

PLANNING BOARD

Council took no action

SP 08001 Mosaic at Turtle Creek
(Companion Cases: DDS 587 and DPLS 336)
Entity Fund II, LLC., Applicant
Located south of Campus Drive, 300 feet west of Mowatt Lane
(9.54 acres; R-10/R-55 Zone)
Requesting approval of a Detailed Site Plan for a 300 multifamily dwelling units

Appeal by:
12/26/08
Review by:
1/26/09
CD: 3

Technical Staff: Approval, with conditions
Planning Board: Approval, with conditions

Council took no action

SP 07068 & VD 07068 Heritage Square (The Goddard School)
AMN Development, LLC., Applicant
Located north side of Old Annapolis Road, directly across from its intersection with Woodcliff Road (1.14 acres; O-S Zone)
Requesting approval of a Detailed Site Plan and Variance for a Daycare Center with a maximum enrollment of 141 children

Appeal by:
12/18/08
Review by:
1/19/09
CD: 4

Technical Staff: Approval, with conditions
Planning Board: Approval, with conditions

Council elected to review

SP 08013 Disciples of Christ Outreach
Disciples of Christ Outreach, Applicant
Located on the west side of Old Silver Hill Road, approximately 200 feet south of its intersection with Brooks Drive (1.6 acres; C-S-C Zone)
Requesting approval of a Detailed Site Plan for a Daycare Center for a maximum of 20 Children

Appeal by:
12/18/08
Review by:
1/19/09
CD: 7

Technical Staff: Approval, with conditions
Planning Board: Approval, with conditions

PENDING FINALITY (Continued)

The following decisions will become final unless the District Council elects, BY MAJORITY VOTE, to make final decision or an appeal is filed.

30th Day**PLANNING BOARD**

Council elected to review

SP 08023 Park Place Towers (The Phoenix)
Federal Capitol J. Partners, Applicant
Located northeast quadrant of Baltimore Washington Parkway and Annapolis Road
Requesting approval of a Detailed Site Plan for revitalization to add 22 dwelling units and fitness center/community rooms to the unused portions of three existing buildings and 621-square-foot police substation in building 5802

Appeal by:
12/18/08
Review by:
1/19/09
CD: 5

Technical Staff: Approval, with conditions
 Planning Board: Approval, with conditions

Council took no action

SP 04004/05 Belcrest Center, Marriott Hotel
Taylor Development and Land Company, Applicant
Located southwest corner of East West Highway and Belcrest Road (22.22 acres; M-X-T/TDOZ Zone)
Requesting approval of a Detail Site Plan to add an eight-story, 162 room hotel near the intersection of Belcrest Road and MD 410

Appeal by:
01/08/09
Review by:
01/30/09
CD: 2

Technical Staff: Approval, with conditions
 Planning Board: Approval, with conditions

Council took no action

SP 08024 Westphalia Row (Infrastructure-only)
Westphalia Row Partners, LLC, Applicant
Located southwest corner of the intersection of Ritchie Marlboro Road and Sansbury Road (20.67 acres; M-X-T Zone)
Requesting approval of a Detailed Site Plan for relocation of Fernwood Drive

Appeal by:
01/08/09
Review by:
01/30/09
CD: 6

Technical Staff: Approval, with conditions
 Planning Board: Approval, with conditions

DISTRICT COUNCIL ADJOURNED AT 11:39 A.M.