

***ACTION***  
***ZONING AGENDA***

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

February 25, 2008

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

**10:15 A.M.            CALL TO ORDER**

**INVOCATION – Mrs. Sylvia V. Taylor, County Employee**

**PLEDGE OF ALLEGIANCE**

**ORAL ARGUMENTS**

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

**SE 4515 Rockville Fuel & Feed Company, Applicant (Remand)**  
**Garland Stillwell, Esq., Correspondent**  
**Located northwest quadrant of intersection of I-495 and D'Arcy Road**  
**(424,581 square feet/9.74 acres; I-2 Zone)**  
**Requesting approval of a Special Exception for a concrete batching plant**

**03/27/08  
CD: 6**

Technical Staff: Approval, with conditions  
Planning Board: Approval, with conditions  
Zoning Hearing Examiner: Approval, with conditions  
Municipality: None  
Opposition: Little Washington Civic Association

On 10/15/07, Council elected to make the final decision (Vote: Voice Vote Carried).

**RUNNING AGENDA ON PAGE 3**

**ORAL ARGUMENTS (Continued)**

**Hearing held;** **ROSP SE 1673/06 Shell Oil Gasoline Station** **04/25/08**  
**Council** **(Companion Case: SE 4597)** **CD: 1**  
**referred item to** **Motiva Enterprises, LLC (Shell Oil Company), Applicant**  
**staff for** **John R. Barr, Esq., Correspondent**  
**preparation of** **Located northeast quadrant Sandy Spring Road and Bauer Lane (6000**  
**an Approving** **Sandy Spring Road, Laurel, Maryland) (0.094 acre; C-S-C Zone)**  
**Order, with** **Requesting approval of a minor Revision of Site Plan to remove**  
**additional** **underground storage tanks, validate accessory building and relocate**  
**conditions** **parking spaces**

Technical Staff: Approval, with conditions

Planning Board: Approval, with conditions

On 10/15/07, Council elected to review (Vote: Voice Vote Carried).

On 11/2/07, John R. Barr, Esq., filed exceptions to the Planning Board's decision on behalf of the applicant. On 11/15/07, John R. Barr, Esq., requested oral argument. On 1/2/08, John R. Barr, Esq., withdrew the appeal filed on 11/2/07.

**Hearing held;** **SE 4597 Shell Oil Gasoline Station** **03/25/08**  
**Council** **(Companion Case: ROSP SE 1673/06)** **CD: 1**  
**referred item to** **Motiva Enterprises, LLC (Shell Oil Company), Applicant**  
**staff for** **John R. Barr, Esq., Correspondent**  
**preparation of** **Located on the northeast quadrant of Sandy Spring Road and Bauer**  
**an Approving** **Lane; 200 ft. east of Bauer Lane; also known as 6004 Sandy Spring Road,**  
**Order, with** **Laurel, Maryland (1.02 acres; C-S-C Zone)**  
**additional** **Requesting approval of a Special Exception to install underground**  
**conditions** **storage tanks, an access ramp and pavement improvements and to create**  
**cuing areas for support of a gasoline station**

Technical Staff: Approval, with conditions

Planning Board: Approval, with condition

Zoning Hearing Examiner: Approval, with conditions

Municipality: City of Laurel

Opposition: None

On 10/15/07, Council elected to make the final decision (Vote: Voice Vote Carried).

**NEW CASE**

**Council referred item to staff for preparation of an Approving Order in accordance with the Zoning Hearing Examiner**

**Authorization to Build within a Proposed Right-of-Way -- Darcars/Lanham Ford**  
**Marvin I. Singer, Correspondent**  
**Located 9020 Lanham Severn Road, Lanham, Maryland**  
**(2.50 acres; C-M Zone)**  
**Requesting approval of an Authorization to build a freestanding sign within the proposed right-of-way for Lanham Severn Road**

**Action by:**  
**05/09/08**  
**CD: 3**

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

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

**REFERRED FOR DOCUMENTS**

**Council adopted a prepared Order of Approval in accordance with the Planning Board, with conditions**

**SDP 0614 Beech Tree, East Village, Section 6**  
**VOB Limited Partnership, Applicant**  
**Located southwest of the intersection of Leeland Road and US 301**  
**(3.03 acres; R-S Zone)**  
**Requesting approval of a Specific Design Plan for ten single-family semidetached units and one single-family detached unit**

**Action by:**  
**03/14/08**  
**CD: 6**

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

District Council review of this case is required by A-9763-C and CDP-9706

On 1/14/08, the oral argument hearing was held and Council referred the item to staff for preparation of an Approving Order, with conditions (Vote: 9-0). On 1/28/08, Council deferred item to a later date.

Backup: Order of Approval

**REFERRED FOR DOCUMENTS (Continued)**

**Council adopted a prepared Order of Approval in accordance with the Planning Board, with conditions**

**SDP 0615 Beech Tree, South Village, Section 6**  
**VOB Limited Partnership, Applicant**  
**Located southwest of the intersection of Leeland Road and US 301**  
**(9.27 acres; R-S Zone)**  
**Requesting approval of a Specific Design Plan for 22 single-family semidetached and two single-family detached units**

**Action by:**  
**03/14/08**  
**CD: 6**

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

District Council review of this case is required by A-9763-C and CDP 9706

On 1/14/08, the oral argument hearing was held and Council referred the item to staff for preparation of an Approving Order, with conditions (Vote: 9-0).  
On 1/28/08, Council deferred item to a later date.

Backup: Order of Approval

**ITEMS FOR DISCUSSION**

**Council deferred item to 3/10/08**

**SDP 0617 Beech Tree, West Village, Sections 2, 4 and 5**  
**VOB Limited Partnership, Applicant**  
**Located southwest of the intersection of Leeland Road and US 301**  
**(50.93 acres; R-S Zone)**  
**Requesting approval of a Specific Design Plan for 113 single-family detached and 43 single-family attached units**

**Action by:**  
**03/14/08**  
**CD: 6**

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

District Council review of this case is required by A-9763-C and CDP 9706

On 1/14/08, the oral argument hearing was held and Council took the case under advisement. On 1/28/08, Council deferred item to a later date.

**ITEMS FOR DISCUSSION (Continued)**

**Council referred item to staff for preparation of an Order of Remand De Novo and subsequently adopted the prepared Order**

**SE 4553 Hope Senior Living Community**  
**Antioch Baptist Church of Upper Marlboro, Applicant**  
**Lawrence N. Taub, Esq., Correspondent**  
**Located east side of Woodward Road approximately 499 feet south of Marlboro Pike, known as 5800 Woodward Road (524,246 sq. ft./12.035 acres)**  
**Requesting approval of a Special Exception for a 96-unit planned retirement community in the R-A Zone**

**Action by:**  
**03/09/08**  
**CD: 9**

Technical Staff: Approval, with conditions  
 Planning Board: Approval, with conditions  
 Zoning Hearing Examiner: Approval, with conditions  
 Municipality: None  
 Opposition: Dorothy Troutman, Robert Johnson, et al

On 9/24/07, Council elected to make the final decision (Vote: Voice Vote Carried).

On 10/10/07, Dorothy Troutman, Robert Johnson, Thomas Cavanaugh, et al filed exceptions to the Zoning Hearing Examiner’s decision and requested oral argument. On 11/9/07, Lawrence N. Taub, Esq., filed a rebuttal to the appeal filed on 10/10/07 on behalf of the applicant.

On 11/19/07, the oral argument hearing was held and Council took this case under advisement. On 1/14/08, Council deferred this item. On 1/28/08, Council deferred this item to 2/25/08.

**Council withdrew its election to review**

**SP 99046/02 South County Business Center, Lots 34 and 142**  
**South County Construction Company, Applicant**  
**Located on the south side of Delano Road, approximately 200 feet east of its intersection with Alexandria Ferry Road (1.49 acres; I-1 Zone)**  
**Requesting approval of a Detailed Site Plan for construction of a 15,280-square-foot office building and a 6,336-square-foot warehouse**

**CD: 9**

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

On 1/14/08, Council elected to review (Vote: Voice Vote Carried). Council Member Bland now wishes to withdraw her election to review. A majority vote of the full Council is required.

**ITEMS FOR DISCUSSION (Continued)**

**Council  
withdrew its  
election to  
review**

**SP 07044 Addition to Townsend Subdivision**  
**DDV Development, LLC, Applicant**  
**Located north of Dangerfield Place at the terminus of Francesca Drive**  
**(1.94 acres; R-R Zone)**  
**Requesting approval of a Detailed Site Plan for review of Lot 1 (Flag Lot)**  
**and adjacent Lot 2 per condition 12 of Preliminary Plan 4-04092**

**CD: 9**

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

On 1/14/08, Council elected to review (Vote: Voice Vote Carried). Council Member Bland now wishes to withdraw her election to review. A majority vote of the full Council is required.

**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.

**30<sup>th</sup> Day**

**ZONING HEARING EXAMINER**

**Council took no  
action**

**SE 4622 EZ Storage (South Bowie)**  
**Siena Corporation, Applicant**  
**Located south side of Pennsbury Drive between the north**  
**and southbound travel lanes of US 301 (9.46 acres; C-M Zone)**  
**Requesting approval of a Special Exception for 66,000 square-foot**  
**addition with 600 storage units to an existing consolidated storage**  
**Facility**

**03/17/08**  
**CD: 4**

Technical Staff: Approval, with conditions  
Planning Board: No Recommendation  
Zoning Hearing Examiner: Approval, with conditions  
Municipality: City of Bowie  
Opposition: None

In the event the District Council elects to make the final decision in this case, the Council should consider whether it wants an Oral Argument, pursuant to CB-61-1997.

**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.

**30<sup>th</sup> Day****PLANNING BOARD**

Council elected  
to review

**SDP 0611 Chaddsford, Section Six**  
**K. Hovnanian Homes**  
**Located northwest of the intersection of Chaddsford Drive**  
**and General Lafayette Boulevard (22.20 acres; R-M Zone)**  
**Requesting approval of a Specific Design Plan for 51 single-family**  
**detached units**

**03/06/08**  
**CD: 9**

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

Council elected  
to review

**SP 06079 D'Arcy Park South**  
**J.P. Squared Development, LLC, Applicant**  
**Located southeastern quadrant of the intersection of the Capital**  
**Beltway (I-495) and D'Arcy Road (56.19 acres; R-R Zone)**  
**Requesting approval of a Detailed Site Plan for 226 townhouse,**  
**154 two-family, and 176 multifamily units**

**03/06/08**  
**CD: 6**

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

Council elected  
to review

**SP 06080 D'Arcy Park North**  
**J.P. Squared Development, LLC, Applicant**  
**Located northeastern quadrant of the intersection of the**  
**Capital Beltway (I-495) and D'Arcy Road (72 acres; R-R Zone)**  
**Requesting approval of a Detailed Site Plan for 247 townhouse, 82 two-**  
**family, and 168 multifamily residential condominium units**

**03/06/08**  
**CD: 6**

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.

**30<sup>th</sup> Day**

**PLANNING BOARD**

**Council elected to review**

**SP 07001 Westphalia Row**  
**Westphalia Row Partners, LLC, Applicant**  
**Located southwest corner of the Ritchie Marlboro Road and Sansbury Road intersection (20.67 acres; M-X-T Zone)**  
**Requesting approval of a Conceptual Site Plan for 420 – 600 multifamily and attached dwelling units and 50,000 – 100,000 square feet of commercial retail and office space**

**03/06/08**  
**CD: 6**

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

**Council took no action**

**SP 07040 The City of College Park Public Parking Garage**  
**Capstone Development Corporation, Applicant**  
**Located southwest corner of Knox Road and Yale Avenue (4509 Knox Road, College Park, Maryland) (.63 acre; R-55, M-U-I/DDOZ Zones)**  
**Requesting approval of a Detailed Site Plan for 115,735-square-foot public parking garage for 300 parking spaces with 5,800-square-foot commercial/retail space**

**03/13/08**  
**CD: 3**

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

**DISTRICT COUNCIL ADJOURNED AT 12:47 P.M.**

**EXECUTIVE SESSION – (ROOM 2027) – (Continued from February 5, 2008)**

**HELD**

- (a) Discussion to consider proposal for business to remain in the state in accordance with Maryland Annotated Code, State Government, Section 10-508 (a)(4)

**HELD**

- (b) Consult with Council to obtain legal advice in accordance with Maryland Annotated Code, State Government, Section 10-508 (a)(7)