

Case No: S.E. 4852  
Westgate Apartments

Applicant: Westgate at Laurel, LLC

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

ZONING ORDINANCE NO. 3 - 2023

AN ORDINANCE to conditionally approve Special Exception 4852 (S.E. 4852).

WHEREAS, S.E. 4852 (the application) was filed to request approval to alter a certified Nonconforming Use (Multifamily Dwellings known as "Westgate at Laurel Apartments") located on 9.22 acres in the RMF-20 (Residential, Multifamily-20) Zone and formerly in the R-18 (Multifamily Medium Density Residential) Zone;<sup>1</sup> and

WHEREAS, the subject property is located on the north side of Gorman Avenue (MD 198), approximately 600 feet east of its intersection with Van Dusen Road and identified as 8100-8216 Gorman Avenue, Laurel, Maryland, but none of the relevant portions of the subject property are within the municipal boundaries of the City of Laurel; and

WHEREAS, the application was advertised and the property posted prior to the evidentiary public hearing, in accordance with all requirements of law; and

WHEREAS, the Planning Board and Technical Staff recommended approval of the application, subject to conditions; and

WHEREAS, on December 24, 2022, the Zoning Hearing Examiner (Examiner) held the evidentiary hearing on the application; and

WHEREAS, at the evidentiary hearing, no one appeared in opposition to the application; and

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<sup>1</sup> The property was in the R-18 Zone prior to April 1, 2022, when the Countywide Map Amendment and the revised Zoning Ordinance took effect.

WHEREAS, on February 1, 2023, the Examiner filed a written decision, with the Clerk of the Council, recommending that the District Council approve the application subject to certain conditions; and

WHEREAS, on February 27, 2023, the District Council elected to review, using oral argument procedures, the decision of the Examiner to conditionally approve the application; and

WHEREAS, on March 6, 2023, the Clerk of the Council issued notice of oral argument to all persons of record; and

WHEREAS, on March 20, 2023, the Clerk of the Council issued a rescheduled notice of oral argument to all persons of record; and

WHEREAS, on May 8, 2023, the District Council held a hearing, using oral argument procedures, to consider the application, as conditionally approved by the Examiner; and

WHEREAS, on May 15, 2023, the District Council referred this matter to staff to prepare this document of approval; and

WHEREAS, as a basis for this final decision, the District Council adopts, and incorporates by reference, the written decision of the Examiner to conditionally approve the application; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. Special Exception 4852 is APPROVED, subject to the following conditions:

1. Prior to the certification of the Special Exception, the Site Plan [Exhibit 30] shall be revised to:
  - a. Provide a general note indicating the gross floor area which existed on the property prior to January 1, 1990.
  - b. Provide a general note indicating that the number of individual dwelling units shall not be increased beyond the 225 approved herein unless a revision is sought and approved pursuant to applicable provisions of the Prince George's County Zoning Ordinance.

- c. Provide two bicycle racks and an associated detail sheet (inverted U-style or a similar bicycle rack model that provides two points of contact for a parked bicycle) at each apartment building, at a location convenient to the building entrances.
- d. Provide crosswalks for all four points of vehicle entry along MD 198 (Gorman Avenue).

SECTION 2. Subject to the conditions of approval, use of the subject property shall be subject to all other requirements of the Zoning Ordinance. Failure to comply with any condition of approval shall constitute a zoning violation and shall constitute sufficient grounds for the appropriate County agency to institute all appropriate proceedings to void or terminate the Special Exception approval or take any other action deemed necessary to obtain compliance with this approval.

SECTION 3. This Ordinance shall become effective upon enactment.

ENACTED on this 5<sup>th</sup> day of June 2023, by the following vote:

In Favor: Council Members Blegay, Burroughs, Dernoga, Fisher, Franklin, Ivey, Oriadha, and Watson.

Opposed:

Abstained:

Absent: Council Members Olson, Harrison, and Hawkins.

Vote: 8-0.

COUNTY COUNCIL OF PRINCE GEORGE'S  
COUNTY, MARYLAND, SITTING AS THE  
DISTRICT COUNCIL FOR THAT PART OF  
THE MARYLAND-WASHINGTON  
REGIONAL DISTRICT IN PRINCE GEORGE'S  
COUNTY, MARYLAND

By: \_\_\_\_\_  
Thomas E. Dernoga, Chair

ATTEST:

\_\_\_\_\_  
Donna J. Brown  
Clerk of the Council