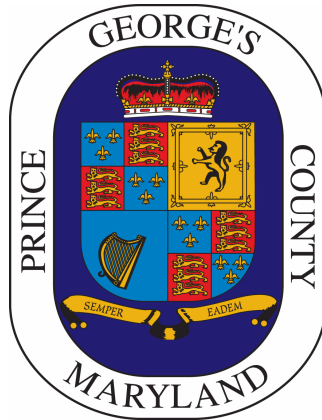


Prince George's County Council

*Wayne K. Curry Administration Building
1301 McCormick Dr
Largo, MD 20774*



Zoning Agenda - Final **(In-Person)**

Monday, February 26, 2024
10:00 AM

Council Hearing Room

Sitting as the District Council

Jolene Ivey, Chair, District 5

Sydney J. Harrison, Vice Chair, District 9

Wala Blegay, District 6

Edward P. Burroughs, III, District 8

Thomas E. Dernoga, District 1

Wanika Fisher, District 2

Mel Franklin, At-Large

Calvin S. Hawkins, II, At-Large

Eric C. Olson, District 3

Krystal Oriadha, District 7

Ingrid S. Watson, District 4

Jennifer A. Jenkins, Council Administrator

RULES OF COURTESY

You are now participating in the process of representative government. We welcome your interest and hope you will attend Prince George's County District Council meetings often. Good government depends on the interest and involvement of you and your fellow citizens. All District Council Sessions are public meetings, however, a part of the meeting may be conducted in closed session.

To insure fair and orderly meetings, the District Council has adopted rules which apply to all members of the Council, administrative staff, news media, citizens and visitors which provide that no one may delay or interrupt the proceedings or refuse to obey the orders of the presiding officer. No posters or placards may be brought into the hearing room, nor any food and drink. Citizens are admitted up to the Fire Safety capacity only.

ORAL ARGUMENT HEARINGS

Testimony at Oral Argument Hearings is limited to thirty (30) minutes for each side, including questions from the Council Members, unless extended by the Chairman of the Council. Persons wishing to give oral argument on a specific case should sign the forms provided in the front of the hearing room. Testimony at Oral Argument Hearings must be based on the record, and no new evidence will be permitted. Only persons of record may testify.

EVIDENTIARY HEARINGS

A verbatim transcript is prepared for all Evidentiary Hearings. Testimony and evidence are presented and exhibits introduced. Transcripts of these hearings along with any exhibits, constitute the record in the case.

ORDER OF PRESENTATION AT HEARINGS

1. Orientation by the Planning Staff or appropriate staff person
2. Testimony from the side requesting the hearing
3. Testimony from the side favoring the decision
4. Comments by the People's Zoning Counsel
5. Five (5) minute rebuttal from the side requesting hearing
6. Five (5) minute rebuttal from the side favoring decision

PARTICIPATION IN ZONING MEETINGS

Meetings of the District Council are formal proceedings and are recorded. If you are eligible to participate, register with the Clerk, and when called by the presiding officer, follow the following steps:

1. Come forward to the speaker's podium and state your name and address for the record.
2. Present comments as succinctly as possible.
3. Confine remarks to information contained in the record, except for Evidentiary Hearings.
4. Observe time limitations as directed by the presiding officer.
5. Give any written statements to the Clerk of the Council

In accordance with ADA Requirements, accommodations for hearing impaired, disabled persons and visually impaired can be provided upon reasonable notice to the Clerk of the Council. Sign language and interpreters for non-english speakers are available with advance notice by calling 301-952-3600. In the event of inclement weather, please call 301-952-4810 to confirm the status of County Business.

FOR LIVE STREAMING AND VIDEO VISIT OUR WEBSITE AT: <http://pgccouncil.us>

PLEASE SILENCE ALL CELLULAR PHONES WHILE IN THE HEARING ROOM.

9:30 AM AGENDA BRIEFING - (COMMITTEE HEARING ROOM 2027)

10:00 AM CALL TO ORDER - (COUNCIL HEARING ROOM)

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 02122024](#)

District Council Minutes Dated February 12, 2024

Attachment(s):

[2-12-2024 District Council Minutes Draft](#)

ORAL ARGUMENTS**DSP-21001 Remand****Suffrage Point****Applicant(s):**

Werrlein WSSC, LLC

Location:

Located on the west side of 40th Place, at its intersection with Gallatin Street. (4.66 Acres; RSF-65 Zone (Prior R-55 and D-D-O Zones).

Request:

Requesting approval of a Detailed Site Plan (DSP) to develop 41 single-family attached dwelling units on the lower parcel of the project formerly known as Magruder Pointe.

Council District:

2

Appeal by Date:

1/4/2024

Review by Date:

1/30/2024

Action by Date:

3/18/2024

Municipality:

Hyattsville

History:

12/22/2022	M-NCPPC Technical Staff	approval with conditions
03/02/2023	M-NCPPC Planning Board	approval with conditions
03/13/2023	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote: 10-0; Absent: Council Member Franklin)</i>	
03/20/2023	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
04/10/2023	Sitting as the District Council	announced hearing date
04/16/2023	Person of Record	filed
	<i>Julie Wolf, Person of Record, filed written testimony.</i>	
04/16/2023	Person of Record	filed
	<i>Greg Smith, Person of Record, filed a request to reschedule Oral Argument Hearing, extend the deadline for written submissions, and correct deficiencies in the public record.</i>	
04/17/2023	Person of Record	filed
	<i>Save Our Sustainable Hyattsville, inc., Persons of Record filed exceptions and written testimony.</i>	

04/20/2023	Person of Record	filed
	<i>City of Hyattsville, Persons of Record, filed a request to reschedule Oral Argument Hearing.</i>	
04/24/2023	Sitting as the District Council	continued at a later date
	<i>Jill Kosack, M-NCPPC planning staff, provided an overview of the Detailed Site Plan application. Stan Brown, People's Zoning Counsel, provided a procedural overview of the case. Case was continued to the May 8, 2023, District Council Hearing. (Vote: 8-0; Absent: Council Member Burroughs, Franklin and Harrison)</i>	
04/25/2023	Sitting as the District Council	announced hearing date
04/27/2023	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing Continuance was mailed to all Persons of Record.</i>	
04/30/2023	Person of Record	filed
	<i>Daniel Broder, Person of Record, filed written testimony.</i>	
05/01/2023	Person of Record	filed
	<i>Irene Marsh, Person of Record, filed written testimony.</i>	
05/01/2023	Person of Record	filed
	<i>Allison Kole Person of Record, filed written testimony.</i>	
05/08/2023	Sitting as the District Council	case taken under advisement
	<i>Jill Kosack and Sherri Conner, M-NCPPC planning staff, provided an overview of the Detailed Site Plan application. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties. Norman Rivera Esq. attorney for the applicant spoke in support. Holly Simmons representative of the City of Hyattsville, Julie Wolf and Greg Smith spoke in opposition. Council took case under advisement.</i>	
05/09/2023	Sitting as the District Council	referred for document
	<i>Council referred this item to staff for preparation of a document of remand to the Planning Board (Vote: 6-0; Absent: Council Members Burroughs, Franklin, Harrison, Hawkins, and Watson).</i>	
05/11/2023	Sitting as the District Council	remanded
	<i>Council adopted the prepared order of remand (Vote: 8-0; Absent: Council Members Burroughs, Franklin, and Harrison).</i>	

05/16/2023	Clerk of the Council	mailed
	<i>The Notice of Decision of the District Council was mailed to Persons of Record.</i>	
05/16/2023	Clerk of the Council	transmitted
	<i>Memo transmitted to James Hunt, Division Chief, M-NCPPC Development Review Division, that District Council voted to remand the case to the Planning Board.</i>	
10/17/2023	M-NCPPC Technical Staff	approval with conditions
11/30/2023	M-NCPPC Planning Board	approval with conditions
01/16/2024	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote:9-0; Absent: Council Members Franklin and Oriadha).</i>	
01/24/2024	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
02/09/2024	Person of Record	filed
	<i>Greg Smith, Person of Record, filed a request to reschedule Oral Argument Hearing,</i>	
02/12/2024	Sitting as the District Council	announced hearing date
02/12/2024	Person of Record	filed
	<i>Joanne Waszczak Persons of Record, filed a request to reschedule Oral Argument Hearing and written testimony.</i>	
02/12/2024	Person of Record	filed
	<i>City of Hyattsville, Persons of Record, filed a request to reschedule Oral Argument Hearing.</i>	
02/15/2024	Person of Record	filed
	<i>Irene Marsh, Person of Record, filed a request to reschedule Oral Argument Hearing and written testimony.</i>	
02/15/2024	Person of Record	filed
	<i>Helen Butt, Person of Record, filed a request to reschedule Oral Argument Hearing and written testimony.</i>	

02/15/2024	Person of Record	filed
	<i>Victoria Boucher, Person of Record, filed a request to reschedule Oral Argument Hearing and written testimony.</i>	
02/16/2024	Person of Record	filed
	<i>Ben Simasek and Nora Swisher, Person's of Record, filed written testimony.</i>	
02/16/2024	Person of Record	filed
	<i>Mark Graham, Person of Record, filed a request to reschedule Oral Argument Hearing and written testimony.</i>	
02/16/2024	Person of Record	filed
	<i>Janet Gingold, Person of Record, filed written testimony.</i>	
02/16/2024	Person of Record	filed
	<i>Edgar Butt, Person of Record, filed a request to reschedule Oral Argument Hearing and written testimony.</i>	
02/16/2024	Person of Record	filed
	<i>Theresa Immordino, Person of Record, filed a request to reschedule Oral Argument Hearing and written testimony.</i>	
02/16/2024	Person of Record	filed
	<i>Allison Kole, Person of Record, filed written testimony.</i>	
02/16/2024	Person of Record	filed
	<i>Greg Smith, Person of Record, filed written testimony.</i>	
02/18/2024	Person of Record	filed
	<i>Christine Blackerby, Person of Record, filed a request to reschedule Oral Argument Hearing and written testimony.</i>	
02/19/2024	Person of Record	filed
	<i>Julie Wolf, Person of Record, filed a request to reschedule Oral Argument Hearing and written testimony.</i>	
02/19/2024	Person of Record	filed
	<i>Tim Davis, Person of Record, filed a request to reschedule Oral Argument Hearing and written testimony.</i>	
02/19/2024	Person of Record	filed
	<i>Greg Smith, Person of Record, filed revised written testimony.</i>	

02/19/2024

Person of Record

filed

Greg Smith, Person of Record, filed corrected revised written testimony.

Attachment(s):[DSP-21001 Remand Zoning Agenda Item Summary](#)[DSP-21001 Remand Presentation Slides](#)[DSP-21001 Remand Smith to Brown \(Corrected Revised T](#)[DSP-21001 Remand Smith to Brown \(Revised Testimony\)](#)[DSP-21001 Remand Davis to Brown \(Request to Resched](#)[DSP-21001 Remand Wolf to Brown \(Request to Reschedu](#)[DSP-21001 Remand Blackerby to Brown \(Request to Resc](#)[DSP-21001 Remand Smith to Brown \(Testimony\) 2-16-20](#)[DSP-21001 Remand Kole to Brown \(Testimony\) 2-16-202](#)[DSP-21001 Remand Immordino to Brown \(Request to Res](#)[DSP-21001 Remand Gingold to Brown \(Testimony\) 2-16-](#)[DSP-21001 Remand Butt to Brown \(Request to Reschedul](#)[DSP-21001 Remand Graham \(Request to Reschedule Oral](#)[DSP-21001 Remand Simasek & Swisher to Brown \(Testin](#)[DSP-21001 Remand Butt to Brown \(Request to Reschedul](#)[DSP-21001 Remand Boucher to Brown \(Request to Resch](#)[DSP-21001 Remand Marsh to Brown \(Request to Resched](#)[DSP 21001 Remand City of Hyattsville to Brown \(Reques](#)[DSP-21001 Remand Waszczak \(Request to Reschedule Or](#)[DSP-21001 Remand Smith to Brown \(Request to Resched](#)[DSP-21001 Remand Notice of Oral Argument Hearing](#)[DSP-21001 Remand Planning Board Resolution](#)

DSP-21001 Remand PORL

[DSP-21001 Remand Technical Staff Report](#)[DSP-21001 Remand Transcripts 11-2-2023](#)[DSP-21001 Remand Transcripts 10-5-2023](#)[DSP-21001 Remand Planning Board Record](#)

ORAL ARGUMENTS (continued)**CSP-21001 Remand****Linda Lane Property****Applicant(s):**

Curtis Investment Group, Inc.

Location:

Located in the southwest quadrant of the intersection of Linda Lane and MD 5 (Branch Avenue) (5.60 Acres; CN Zone (Prior M-X-T/ M I O Zones).

Request:

Requesting approval of a Conceptual Site Plan (CSP) for a mixed-use development consisting of 105 multifamily units and 104,600 square feet of commercial/retail space. Remand Hearing

Council District:

8

Appeal by Date:

2/8/2024

Review by Date:

2/8/2024

Action by Date:

3/22/2024

History:

05/17/2023

M-NCPPC Technical Staff

approval with conditions

06/22/2023

M-NCPPC Planning Board

approval with conditions

07/05/2023

Sitting as the District Council

elected to review

Council elected to review this item (Vote: 8-0; Absent: Council Members Blegay, Hawkins and Franklin).

08/01/2023

Clerk of the Council

mailed

Notice of Oral Argument Hearing was mailed to Persons of Record.

09/11/2023

Sitting as the District Council

hearing held; referred for document

Dominique Lockhart, M-NCPPC planning staff, provided an overview of the Zoning Map Amendment application. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties. Matthew Tedesco, attorney for applicant spoke in support. Monique Taylor, Tony Wilson and Belinda Watson spoke in opposition. Council referred this item to staff for preparation of a document of remand to the Planning Board. (Vote: 6-0; Absent: Council Members Hawkins, Franklin, Fisher, Ivey and Oriadha).

09/25/2023	Sitting as the District Council	remanded	<i>Council adopted prepared order of remand (Vote:8-0 Absent: Council Members Franklin, Harrison, Hawkins).</i>
09/29/2023	Clerk of the Council	transmitted	<i>Memo transmitted to James Hunt, Division Chief, M-NCPPC Development Review Division, that District Council voted to remand the case to the Planning Board.</i>
09/29/2023	Clerk of the Council	mailed	<i>The Notice of Decision of the District Council was mailed to Persons of Record.</i>
11/20/2023	M-NCPPC Technical Staff	approval with conditions	
01/04/2024	M-NCPPC Planning Board	approval with conditions	
01/16/2024	Sitting as the District Council	deferred	
01/22/2024	Sitting as the District Council	elected to review	<i>Council elected to review this item (Vote:9-0-1; Nay: Council Member Hawkins; Absent: Council Member Franklin).</i>
01/24/2024	Clerk of the Council	mailed	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>
02/12/2024	Sitting as the District Council	announced hearing date	
<u>Attachment(s):</u>	CSP-21001 Remand Zoning Agenda Item Summary CSP-21001 Remand Presentation Slides CSP-21001 Remand Notice of Oral Argument Hearing CSP-21001 Remand Planning Board Resolution CSP-21001 Remand PORL CSP-21001 Remand Technical Staff Report CSP-21001 Remand Transcripts 12-7-2023 CSP-21001 Remand Planning Board Record		

ORAL ARGUMENTS (continued)**DDS-649****Riverdale Laundromat (Wildercroft)****Applicant(s):**

NPKS LLC

Location:

Located on the south side of Riverdale Road, approximately 1,000 feet east of its intersection with US 295 (Baltimore-Washington Parkway) (.629 Acres; CGO Zone)(Prior C-A Zone).

Request:

Requesting approval of a Departure from Design Standards (DDS) for a 37.2-foot departure for a 12.8-foot offset from a residential zone (Multifamily Medium Density Residential (R-18)) located to the west of the property.

Council District:

3

Appeal by Date:

2/8/2024

Review by Date:

2/8/2024

Action by Date:

3/18/2024

History:

11/21/2023	M-NCPPC Technical Staff	approval with conditions
01/04/2024	M-NCPPC Planning Board	approval with conditions
01/16/2024	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote:9-0; Absent: Council Members Franklin and Oriadha).</i>	
01/24/2024	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
02/12/2024	Sitting as the District Council	announced hearing date

Attachment(s):

[DDS-649 Zoning Agenda Item Summary](#)
[DDS-649 Presentation Slides](#)
[DDS-649 Notice of Oral Argument Hearing](#)
[DDS-649 Planning Board Resolution](#)
 DDS-649 PORL
[DDS-649 Technical Staff Report](#)
[DDS-649 Transcripts 12-7-2023](#)
[DDS-649 Planning Board Record](#)

NEW CASE(S)**[ZMA-2022-003](#)****Smith Lake Estates****Applicant(s):**

DR Horton, Inc.

Location:

Located approximately 800 feet southwest of the intersection of Commo Road and Frank Tippet Road in Upper Marlboro, Maryland. (62.52 Acres; RR Zone (Prior R-R Zone)).

Request:

Requesting approval of a Zoning Map Amendment (ZMA) to rezone approximately 62.52 acres in the RR (Residential, Rural) Zone to the R-PD (Residential Planned Development) Zone for the development of a maximum of 150 single-family detached and townhouse dwelling units.

Council District:

9

Appeal by Date:

2/26/2024

Action by Date:

5/24/2024

History:

05/04/2023	M-NCPPC Technical Staff	approval with conditions
06/08/2023	M-NCPPC Planning Board	approval with conditions
01/25/2024	Zoning Hearing Examiner	approval with conditions

Attachment(s):[ZMA-2022-003 Zoning Agenda Item Summary](#)[ZMA-2022-003 Notice of ZHE Decision](#)[ZMA-2022-003 ZHE Decision](#)

ZMA-2022-003 PORL

[ZMA-2022-003 Technical Staff Report](#)[ZMA 2022-003 ZHE Exhibit List](#)[ZMA-2022-003 Exhibits 1-35](#)

CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING ON MARCH 11, 2024 AT 10:00 A.M.

Hearing Dates & Times Subject to Change

[SE-4856](#)

Alexander Landing

Applicant(s):

ESC 9401 Westphalia L.C.

Location:

Located on the south side of Westphalia Road, approximately 300 feet east of its intersection with Rock Spring Drive (10.00 Acres; RR/ MIO Zones (Prior R-R Zone).

Request:

Requesting approval of a Special Exception (SE) to develop approximately 10.00 acres of land in the RR (Residential, Rural) /MIO (Military Installation Overlay) Zones as 61 One -Family Attached Housing for the Elderly.

Council District:

6

Appeal by Date:

1/22/2024

Review by Date:

1/30/2024

Action by Date:

5/29/2024

Opposition:

Wanda Collins, et. al.

History:

04/05/2023	M-NCPPC Technical Staff	approval with conditions
04/24/2023	M-NCPPC Planning Board	no motion to consider
12/22/2023	Zoning Hearing Examiner	approval with conditions
01/16/2024	Sitting as the District Council	elected to make the final decision

Council elected to review this item (Vote:9-0; Absent: Council Members Franklin and Oriadha).

01/24/2024	Clerk of the Council	mailed
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Notice of Oral Argument Hearing was mailed to Persons of Record.

Attachment(s):

[SE-4856 Zoning Agenda Item Summary](#)

[SE-4856 Notice of Oral Argument Hearing](#)

[SE-4856 Notice of ZHE Decision](#)

[SE-4856 ZHE Decision](#)

SE-4856 PORL

[SE-4856 Technical Staff Report](#)

[SE-4856 ZHE Exhibit List](#)

[SE-4856 Exhibits #1-83](#)

[SE-4856 ZHE Transcripts 6-21-23](#)

[SE-4856 ZHE Transcripts 8-2-23](#)

[SE-4856 ZHE Transcripts 8-30-23](#)

ADJOURN

[ADJ24-24](#)

ADJOURN

1:30 PM EDUCATION & WORKFORCE DEVELOPMENT COMMITTEE - (COMMITTEE HEARING ROOM 2027)

(SEE SEPARATE AGENDA)