Prince George's County Council

County Administration Building 14741 Governor Oden Bowie Drive Upper Marlboro, Maryland 20772-3050



Zoning Agenda - Final

Tuesday, October 13, 2020 1:45 PM

Virtual Meeting

Sitting as the District Council

Todd M. Turner, Council Chair, District 4
Monique Anderson-Walker, District 8
Derrick Leon Davis, District 6
Thomas E. Dernoga, District 1
Mel Franklin, At-Large
Dannielle M. Glaros, District 3
Sydney J. Harrison, District 9
Calvin S. Hawkins, II, Vice Chair, At-Large
Jolene Ivey, District 5
Rodney C. Streeter, District 7
Deni L. Taveras, District 2

Robert J. Williams, Jr., Council Administrator

RULES OF COURTESY (VIRTUAL)

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. To ensure 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.

VIRTUAL DISTRICT COUNCIL MEETINGS

Given the current state of the novel coronavirus (COVID-19) pandemic, and under the Governor's "Proclamation and Declaration of State of Emergency and Existence of Catastrophic Health Emergency – COVID-19" and the Prince George's County State of Emergency Declarations, the District Council is operating under emergency procedures. As authorized by CB-33-2020 hearings will be conducted virtually and in accordance with District Council Rules of Procedure.

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. Testimony at Oral Argument Hearings must be based on the record, and no new evidence will be permitted. Only persons of record may testify. Persons of Record wishing to give oral argument on a specific case should register with the Clerk of the Council by email to clerkofthecouncil@co.pg.md.us or faxed to (301) 952-5178 by 3:00 p.m. on the day BEFORE the meeting.

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. Five (5) minute rebuttal from the side requesting hearing
- 5. Five (5) minute rebuttal from the side favoring decision
- 6. Comments by the People's Zoning Counsel

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. State your name and address for the record and 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/LIVE PLEASE SILENCE ALL CELLULAR PHONES DURING THE MEETING.

(COUNTY COUNCIL ITEMS - SEE SEPARATE AGENDA)

(COMMITTEE OF THE WHOLE ITEMS - SEE SEPARATE AGENDA)

1:45 PM CONVENE DISTRICT COUNCIL

APPROVAL OF DISTRICT COUNCIL MINUTES

REFERRED FOR DOCUMENT

DSP-18005 Magruder Pointe

Applicant(s): Werrlein WSSC, LLC

Location: Located in the southeast quadrant of the intersection of Hamilton Street

and 40th Avenue (8.26 Acres; R-55 / D-D-O Zones).

Request: Requesting approval of a Detailed Site Plan (DSP) application proposes

to develop 15 single-family attached units and 16 single-family detached

units on the upper parcel, where the former Washington Suburban Sanitary Commission (WSSC) Headquarters building was located.

Council District: 2

 Appeal by Date:
 8/17/2020

 Review by Date:
 9/21/2020

 Action by Date:
 10/16/2020

 Municipality:
 Hyattsville

History:

05/28/2020 M-NCPPC Technical Staff approval with conditions

06/18/2020 M-NCPPC Planning Board approval with conditions

07/08/2020 Applicant appealed

Norman D. Rivera, Esq., attorney for the applicant, appealed the Planning Board's decision, requesting a revision to conditions 1.g.

07/27/2020 Sitting as the District Council waived election to review

Council waived election to review for this item (Vote: 11-0).

Applicant	filed
-	for the applicant, filed a request to he Planning Board's decision then a drawal request.
Clerk of the Council	mailed
Notice of Oral Argument Hearing	was mailed to Persons of Record.
Person of Record	appealed
Greg Smith, Anne Ambler, et al.fi. Boards Decision.	led an appeal of the Planning
Sitting as the District Council	continued at a later date
After a preliminary procedural di Appellants' request for a continua continued to Monday, October 5,	nce and the Oral Argument was
Clerk of the Council	mailed
Courtesy notice of District Counc to Persons of Record.	il hearing continuation was mailed
Sitting as the District Council	announced hearing date
Sitting as the District Council	hearing held; case taken under advisement
Plan application. Stan Brown, Peprocedural issues raised by appeldiscussion, Council Member Hawfrom the hearing. Greg Smith and opposition. Norman Rivera, Esq., support. Deborah Borden, Deputy Rajesh Kumar, Principal Counselto questions by Council Members. Counsel, provided an overview of	Daniel Muth, appellants, spoke in attorney for the applicant, spoke in General Counsel, M-NCPPC, and to the District Council, responded Stan Brown, People's Zoning the case and commented on the ented. The Oral Argument Hearing
Sitting as the District Council	referred for document
Council referred this item to staff document with conditions (Vote: Hawkins).	
	Norman D. Rivera, Esq., attorney withdraw the previous appeal of t request to withdraw/hold the with Clerk of the Council Notice of Oral Argument Hearing Person of Record Greg Smith, Anne Ambler, et al.fi. Boards Decision. Sitting as the District Council After a preliminary procedural di. Appellants' request for a continua continued to Monday, October 5, Clerk of the Council Courtesy notice of District Council Sitting as the District Council Sitting as the District Council Sitting as the District Council Henry Zhang, M-NCPPC, provide Plan application. Stan Brown, Pe procedural issues raised by appel discussion, Council Member Haw from the hearing. Greg Smith and opposition. Norman Rivera, Esq., support. Deborah Borden, Deputy Rajesh Kumar, Principal Counsel to questions by Council Members. Counsel, provided an overview of factual and legal arguments prese was held and Council took this case Sitting as the District Council Council referred this item to staff document with conditions (Vote: Acceptable)

Attachment(s): DSP-18005

DSP-18005 Zoning Agenda Item Summary

DSP-18005 Ambler email to Brown 09282020 Request to

DSP-18005 District Council Notice of Hearing Continued

DSP-18005 Letter from Smith to Brown corrected (appeal)

DSP-18005 Letter from Smith to Brown original (appeal)

DSP-18005 District Council Notice of Hearing

DSP-18005 Email from Rivera to Brown (Hold Withdraw

DSP-18005 Letter from Rivera to Brown (Withdrawl)

DSP-18005 Letter from Rivera to Brown (Appeal)

DSP-18005 Planning Board Resolution NO. 2020-105

DSP-18005 PORL

DSP-18005 Technical Staff Report

ADJOURN