

Prince George's County Council

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



Zoning Agenda - Final

(9:30 AM Agenda Briefing Rm 2027)

Monday, April 15, 2019

10:00 AM

Council Hearing Room

Sitting as the District Council

Todd M. Turner, 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, At-Large

Jolene Ivey, District 5

Rodney C. Streeter, Vice Chair, District 7

Deni L. Taveras, District 2

Robert J. Williams, Jr., 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 interpreters 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 - (ROOM 2027)

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

INVOCATION

Chaplin Leroy Johnson, Resident, Montgomery County, MD

PLEDGE OF ALLEGIANCE

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 03252019](#)

District Council Minutes dated March 25, 2019

[MINDC 03262019](#)

District Council Minutes dated March 26, 2019

ORAL ARGUMENTS**[CNU-1143-2018](#)****NICO Banquet Hall****Applicant(s):**

NICO Banquet Hall

Location:

Located on the east side of Old Branch Avenue, approximately 300 feet east of the intersection of Allentown Road, also identified as 6306 Old Branch Avenue, Temple Hills, Maryland (0.86 Acres; C-M / M-I-O Zones).

Request:

Requesting certification of a nonconforming use for an eating or drinking establishment with adult entertainment.

Council District:

8

Appeal by Date:

2/14/2019

Review by Date:

2/14/2019

Action by Date:

6/14/2019

History:

10/03/2018

M-NCPPC Technical Staff

disapproval

01/10/2019

M-NCPPC Planning Board

disapproval

01/28/2019

Sitting as the District Council

waived election to review

Council waived its right to elect to review.

01/29/2019

Applicant

appealed

Dennis Whitley, III, Esq., attorney for the applicant, filed an appeal to the Planning Board's decision and requested Oral Argument.

Attachment(s):[CNU-1143-2018 Zoning Agenda Item Summary](#)[CNU-1143-2018 Planning Board Resolution 18-124](#)

CNU-1143-2018_PORL

[CNU-1143-2018 Technical Staff Report](#)[CNU-1143-2018 Case Material](#)

ORAL ARGUMENTS**DSP-18027****7-Eleven, Laurel-Baltimore Avenue****Applicant(s):**

7-Eleven, Inc.

Location:

Located on the west side of US I (Baltimore Avenue), in the southwest quadrant of its intersection with Academy Lane (1.72 Acres; C-M Zone).

Request:

Requesting approval of a Detailed Site Plan (DSP) proposing to raze a property with an existing used car sales business and to construct a 4,950-square-foot food and beverage store and a gas station. The project will entail the complete removal of all existing structures on the property.

Council District:

1

Appeal by Date:

3/7/2019

Review by Date:

3/7/2019

Action by Date:

4/26/2019

History:

12/20/2018	M-NCPPC Technical Staff	approval with conditions
01/31/2019	M-NCPPC Planning Board	approval with conditions
02/25/2019	Sitting as the District Council	elected to review

Council elected to review this item (Vote: 11-0).

Attachment(s):

[DSP-18027 Zoning Agenda Item Summary](#)

[DSP-18027 Planning Board Resolution 19-03](#)

DSP-18027_PORL

[DSP-18027 Technical Staff Report](#)

NEW CASE(S)**[ROW Shell Gas Station- Crain H](#)****SMO, Inc. Authorization to Build in Planned Right-of-Way Shell Gas Station-Crain Highway****Applicant(s):**

Corp Roman Catholic Clergy of ME/SMO, Inc.

Location:

Located between the proposed interchange of MD 3 and MD 450, identified as 7111 Crain Highway, Bowie, MD 20715. (1.6070 acres; C-M Zones)

Request:

Requesting approval for authorization to replace an existing canopy over the pumps by an existing Gas Station on R-R (Rural Residential) zoned property within the proposed right-of-way for Crain Highway (MD 3).

Council District:

4

Appeal by Date:

4/5/2019

Action by Date:

7/5/2019

Opposition:

None

History:

08/27/2018

Applicant

filed

Brian Fenwick on behalf of the applicant, Corp Roman Catholic Clergy of ME, filed a request for authorization of the issuance of a permit within a proposed right-of-way.

08/27/2018

Clerk of the Council

transmitted

The Clerk of the Council transmitted the case to the Zoning Hearing Examiner for a Public Hearing.

03/06/2019

Zoning Hearing Examiner

approval with conditions

*Approved with Conditions***Attachment(s):****[ROW-Shell Gas Station ZHE ERRATA](#)****[ROW-Shell Gas Station Zoning Hearing Examiners Decis](#)**

ROW-Shell Gas Station PORL (Crain Highway)

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

REFERRED FOR DOCUMENT**A-10046-C****Renard Lakes****Applicant(s):**

Strittmatter Properties, LLC / Renard Lakes Holdings, LLC

Location:

Northwest quadrant of the intersection of US 301 (Robert Crain Highway) and Dyson Road (167.84 Acres; R-S Zone).

Request:

Requesting approval of a Zoning Map Amendment to rezone approximately 167.84 acres of R-S (Residential Suburban) zoned land to the I-1 (Light Industrial) Zone.

Council District:

9

Appeal by Date:

8/13/2018

Opposition:

Darnetta Simmons, Jeffery Simmons and Matthew Hitt

History:

02/07/2018	M-NCPPC Technical Staff	disapproval
02/22/2018	M-NCPPC Planning Board	no motion to consider
07/13/2018	Zoning Hearing Examiner	approval with conditions
09/17/2018	Sitting as the District Council	elected to make the final decision

Council elected to make the final decision on this item (Vote 7-0; Absent: Council Members Glaros and Toles).

10/22/2018	Sitting as the District Council	hearing held; referred for document
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Ivy Thompson, M-NCCPC, provided an overview of the Zoning Map Amendment application. Edward Gibbs, Esq., attorney for the applicant, spoke in support on behalf of the applicant. Stan Brown, People's Zoning Counsel, commented on the factual and legal arguments presented by the parties. The Oral Argument Hearing was held and Council referred this item to staff for preparation of a an approving document, with conditions (Vote 7-0; Absent: Council Members Harrison and Toles).

10/22/2018	Sitting as the District Council	approval with conditions
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Council adopted the prepared Zoning Ordinance No. 13 - 2018 of approval, with conditions (Vote 7-0; Absent: Council Members Harrison and Toles).

- 11/06/2018 Clerk of the Council mailed
The Notice of Preliminary Conditional Zoning Approval of the District Council was mailed (requiring applicant to respond by January 22, 2019).
- 01/18/2019 Applicant filed
Edward C. Gibbs, Jr., attorney for the applicant, submitted a letter requesting a remand to the Zoning Hearing Examiner.
- 01/28/2019 Sitting as the District Council deferred
Stan Brown, People's Zoning Counsel, suggested that action on this item be deferred until Council Member Franklin was present for the discussion. Council deferred this item to February 11, 2019.
- 03/11/2019 Sitting as the District Council case taken under advisement
Stan Brown, People's Zoning Counsel, provided an overview of the procedural history of this case. Council took this case under advisement.
- 03/25/2019 Sitting as the District Council referred for document
Council referred this item to staff for preparation of a document reverting this property to its original zone.

Attachment(s):[A-10046 Zoning Agenda Item Summary](#)[A-10046 - Zoning Hearing Examiner Decision](#)

A-10046-PORL

PENDING FINALITY

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

PLANNING BOARD**CNU-27104-2017****Brandon Investments****Applicant(s):**

Moises Arias

Location:

On the north side of Fairview Avenue, approximately 0.25 mile west of the intersection of Fairview Avenue and MD 410 (East West Highway) (10,804 Square feet, R-18 Zone).

Request:

Requesting approval of certification of a nonconforming use for a six-unit multifamily dwelling in the R-18 Zone.

Council District:

2

Appeal by Date:

4/25/2019

Review by Date:

4/25/2019

History:

02/12/2019

M-NCPPC Technical Staff

approval

03/21/2019

M-NCPPC Planning Board

approval

Attachment(s):

[CNU-27104-2017 Planning Board Resolution 19-27](#)

[CNU-27104-2017_PORL](#)

[CNU-27104-2017 Technical Staff Report](#)

PENDING FINALITY (Continued)

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

CSP-06001-02**Glenn Dale Commons****Applicant(s):**

Jemal's Greentec Land, LLC

Location:

Located west and south of Northern Avenue, east of Glenn Dale Road, and north of MD 193 (Greenbelt Road) (82.74 Acres; M-X-T Zone).

Request:

Requesting approval of a Conceptual Site Plan for a phased mixed-use development consisting of approximately 65- 70 single-family detached dwelling units; 150- 180 single-family attached dwelling units (townhouse); 270- 305 two-family attached dwelling units (two-over-twos); approximately 214,969 square feet of existing commercial/office space, to remain; and 50,000 square feet of proposed commercial/retail space.

Council District:

4

Appeal by Date:

3/21/2019

Review by Date:

5/1/2019

Comment(s):

This case was originally transmitted on February 19, 2019 to the Council, but was returned and retransmitted on April 1, 2019 in order to satisfy affidavit requirements.

History:

01/10/2019

M-NCPPC Technical Staff

approval with conditions

02/14/2019

M-NCPPC Planning Board

approval with conditions

Attachment(s):[CSP-06001-02 Zoning Agenda Item Summary](#)[CSP-06001-02 Planning Board Resolution 19-18](#)

CSP-06001-02_PORL

[CSP-06001-02 Technical Staff Report](#)

PENDING FINALITY (Continued)

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

[CSP-18001](#)**Marlow Heights Center****Companion Case(s):** DSP-18016**Applicant(s):** PAAP Properties, LLC**Location:** Located on the west side of Riviera Street, in the southwest quadrant of its intersection with 28th Avenue. More specifically, the property is located at 3710 Riviera Street in Temple Hills, Maryland.(0.25 Acres; M-X-T Zone).**Request:** Requesting approval the conceptual site plan (CSP), with the companion detailed site plan, DSP-18016, requests validation of the number of parking spaces provided on an existing commercial property, in accordance with Section 27-574 of the Prince George's County Zoning Ordinance.**Council District:** 7**Appeal by Date:** 5/2/2019**Review by Date:** 5/2/2019**History:**

02/25/2019 M-NCPPC Technical Staff approval

03/28/2019 M-NCPPC Planning Board approval

Attachment(s): [CSP-18001 Planning Board Resolution 19-33](#)

CSP-18001_PORL

[CSP-18001 Technical Staff Report](#)

PENDING FINALITY (Continued)

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

[DSP-18016](#)**Marlow Heights Center****Companion Case(s):** CSP-18001**Applicant(s):** PAAP Properties, LLC**Location:** Located on the west side of Riviera Street, in the southwest quadrant of its intersection with 28th Avenue. More specifically, the property is located at 3710 Riviera Street in Temple Hills, Maryland. (0.25 Acres; M-X-T Zone).**Request:** Requesting approval of the detailed site plan (DSP), with the companion conceptual site plan, CSP-18001, requests validation of the number of parking spaces provided on an existing commercial property, in accordance with Section 27-574 of the Prince George's County Zoning Ordinance.**Council District:** 7**Appeal by Date:** 5/2/2019**Review by Date:** 5/2/2019**History:**

02/25/2019 M-NCPPC Technical Staff approval with conditions

03/28/2019 M-NCPPC Planning Board approval with conditions

Attachment(s): [DSP-18016 Planning Board Resolution](#)

DSP-18016_PORL

[DSP-18016 Technical Staff Report](#)

PENDING FINALITY (Continued)

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

CSP-18010**Beltway Plaza****Applicant(s):**

G.B. Mall, LP

Location:

On the north side of MD 193 (Greenbelt Road), south of Breezewood Drive and east of Cherrywood Lane. (53.88 Acres; M-U-I / D-D-O Zones).

Request:

Requesting approval of a conceptual site plan (CSP) for a mixed-use development consisting of 175 to 250 two-family (two-over-two) or single-family attached (townhouse) dwelling units; 875 to 2,250 multifamily dwelling units; and 435,000 to 700,000 square feet of commercial retail use, to be constructed in five phases.

Council District:

4

Appeal by Date:

5/2/2019

Review by Date:

5/2/2019

Municipality:

City of Greenbelt

History:

02/26/2019

M-NCPPC Technical Staff

approval with conditions

03/28/2019

M-NCPPC Planning Board

approval with conditions

Attachment(s):[CSP-18010 Planning Board Resolution 19-35](#)

CSP-18010_PORL

[CSP-18010 Technical Staff Report](#)

PENDING FINALITY (Continued)

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

CSP-96073-01**Greater Morning Star Apostolic Church & The Venue****Applicant(s):**

Greenwood Park, LLC

Location:

On the north side of Richie Marlboro Road, approximately 750 feet east of the Capital Beltway (I-95/495) intersection, also identified as 1700 Ritchie Marlboro Road, Upper Marlboro, Maryland.

Request:

Requesting approval of an amendment to a conceptual site plan (CSP) to reflect the rezoning of a portion of the property to the Townhouse (R-T) and One-Family Detached Residential (R-55) Zones, and the addition of a 200 to 250 dwelling unit single-family attached (townhouse) community on the existing church property.

Council District:

6

Appeal by Date:

4/25/2019

Review by Date:

4/25/2019

History:

02/06/2019

M-NCPPC Technical Staff

approval with conditions

03/21/2019

M-NCPPC Planning Board

approval with conditions

Attachment(s):[CSP-96073-01 Planning Board Resolution 19-28](#)

CSP-96073-01_PORL

[CSP-96073-01 Technical Staff Report](#)

PENDING FINALITY (Continued)

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

[DSP-17012](#)**1 Salon Studios****Companion Case(s):** DPLS-466**Applicant(s):** 1 Salon Studios**Location:** On the south side of MD 193 (Greenbelt Road), approximately 2,000 feet west of its intersection with MD 564 (Lanham-Severn Road) (1.38 Acres; R-R Zone).**Request:** Requesting approval of Detailed Site Plan for for the development of the subject property with a beauty shop and an eating and drinking establishment, excluding drive-through service and alternative compliance to Section 4.7 of the 2010 Prince George's County Landscape Manual (Landscape Manual).**Council District:** 3**Appeal by Date:** 4/25/2019**Review by Date:** 4/25/2019**History:**

02/08/2019 M-NCPPC Technical Staff approval with conditions

03/21/2019 M-NCPPC Planning Board approval with conditions

Attachment(s): [DSP-17012 Planning Board Resolution 19-29](#)

DSP-17012_PORL

[DSP-17012 Technical Staff Report](#)

PENDING FINALITY (Continued)

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

DPLS-466**1 Salon Studios**

Companion Case(s): DSP-17012

Applicant(s): 1 Salon Studios

Location: On the south side of MD 193 (Greenbelt Road), approximately 2,000 feet west of its intersection with MD 564 (Lanham-Severn Road). (1.38 Acres, R-R Zone).

Request: Requesting approval of a Departure from Parking and Loading Standards for a departure of two loading spaces from the parking and loading requirements for a proposed beauty shop and an eating and drinking establishment, excluding drive-through service.

Council District: 3

Appeal by Date: 4/25/2019

Review by Date: 4/25/2019

History:

02/08/2019 M-NCPPC Technical Staff approval

03/21/2019 M-NCPPC Planning Board approval

Attachment(s): [DPLS-466 Planning Board Resolution 19-30](#)

DPLS-466_PORL

[DPLS-466 Technical Staff Report](#)

CASE(S) SCHEDULED FOR MANDATORY REVIEW HEARING MAY 13, 2019 AT 10:00 A.M.*Hearing Dates & Times Subject to Change***CSP-18002 Remand****Magruder Pointe (REMAND)****Applicant(s):**

Werrlein WSSC LLC

Location:

Located in the southeast quadrant of the intersection of Hamilton Street and 40th Avenue, north of Gallatin Street and west of 40th Place. The subject site is also located within the Traditional Residential Neighborhood (TRN) Character Area of the 2004 Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District (Gateway Arts District Sector Plan and SMA) (8.26 Acres; R-55/O-S/D-D-O Zones) .

Request:

Requesting approval of a Conceptual Site Plan (CSP) application proposing to rezone the property from the One-Family Detached Residential (R-55) and Open Space (O-S) Zones to the Mixed Use-Infill (M-U-I) Zone for a future single-family residential development. No site improvements have been proposed in this CSP.

Council District:

2

Appeal by Date:

5/2/2019

Action by Date:

6/10/2019

Comment(s):

Mandatory Review:

District Council review of this case is required by Section 27-548.26(b) of the Zoning Ordinance.

Municipality:

City of Hyattsville

History:

07/18/2018

M-NCPPC Technical Staff

disapproval

DISAPPROVAL of the request and decline to recommend rezoning the property from the One-Family Detached Residential (R-55) and Open Space (O-S) Zones to the Mixed Use-Infill (M-U-I) Zone.

07/18/2018

M-NCPPC Technical Staff

approval with conditions

APPROVAL of rezoning the 4.66-acre property in the Open Space (O-S) Zone to the One-Family Detached Residential (R-55) Zone and permit single-family attached residential development with a required detailed site plan, in accordance with the goals and recommendations of the Traditional Residential Neighborhood Character Area on the property.

07/26/2018	M-NCPPC Planning Board	disapproval	<i>DISAPPROVAL of the request and decline to recommend rezoning the property from the One-Family Detached Residential (R-55) and Open Space (O-S) Zones to the Mixed Use–Infill (M-U-I) Zone.</i>
07/26/2018	M-NCPPC Planning Board	approval with conditions	<i>APPROVAL of recommendation to rezone the 4.66-acre property in the Open Space (O-S) Zone to the One-Family Detached Residential (R-55) Zone and permit single-family attached residential development with a required detailed site plan, in accordance with the goals and recommendations of the Traditional Residential Neighborhood Character Area on the property. The maximum density for single-family attached is 9 dwelling units per acre and the maximum density for single-family detached is as permitted in the R-55 Zone, or 6.7 dwelling units per acre.</i>
09/04/2018	Person of Record	appealed	<i>Mr. Daniel Muth, Mr. Greg Smith, Mr. Peter Anton Veigas, Ms. Wendy Beatty, Ms. Sarah Eisen, Ms. Nina Faye, Mr. Paul Hrusa, and Mr. Chris Currie, filed an appeal in opposition to the proposal and requested Oral Argument.</i>
09/10/2018	Person of Record	filed	<i>Mr. Greg Smith, Mr. Daniel Muth, and Mr. Carl Nielsen, filed a letter with an attached legal opinion by their attorney, J. Carroll Holzer, Esq. in opposition to the proposal and opposition to the proposed September 17, 2018 Oral Argument.</i>
09/10/2018	Applicant	filed	<i>Norman D. Rivera, Esq., attorney for the applicant, filed a rebuttal to the September 4, 2018 appeal filed by Mr. Daniel Muth, Mr. Greg Smith, Mr. Peter Anton Veigas, Ms. Wendy Beatty, Ms. Sarah Eisen, Ms. Nina Faye, Mr. Paul Hrusa, and Mr. Chris Currie.</i>
09/17/2018	Sitting as the District Council	continued at a later date	<i>Stan Brown, People's Zoning Counsel, spoke to the need to continue this case until Tuesday, October 15, 2018 at 10:00 a.m.</i>
09/24/2018	Person of Record	filed	<i>Candace B. Hollingsworth, Mayor, City of Hyattsville, filed a letter requesting a remand to the Planning Board to allow the city to submit additional testimony related to the R-55 recommendation.</i>

09/26/2018	Person of Record	filed	<i>Mr. Greg Smith, Mr. Daniel Muth, and Mr. Carl Nielsen, filed a letter in opposition to the proposed October 15, 2018 Oral Argument.</i>
09/27/2018	Person of Record	filed	<i>Mr. Greg Smith, Mr. Daniel Muth, and Mr. Carl Nielsen, filed a second letter in opposition to the proposed October 15, 2018 Oral Argument.</i>
10/09/2018	Person of Record	filed	<i>J. Carroll Holzer, Esq., attorney for Mr. Greg Smith, Mr. Daniel Muth, and Mr. Carl Nielsen, filed a letter in opposition to the proposed October 15, 2018 Oral Argument.</i>
10/12/2018	Applicant	filed	<i>Norman D. Rivera, Esq., attorney for the applicant, filed a letter concurring with a continuance of the October 15, 2018 Oral Argument to satisfy state affidavit requirements.</i>
10/15/2018	Sitting as the District Council	continued at a later date	<i>Stan Brown, People's Zoning Counsel, provided an overview on the status of the case and outlined the reasons why the hearing would take place at a later date in order to satisfy state affidavit requirements. The case was continued as requested and agreed to by certain members of the opposition and the applicant.</i>
01/14/2019	Sitting as the District Council	postponed	<i>Due to inclement weather conditions and pursuant to Sec. 27-291 of the Zoning Ordinance, this District Council Session was postponed to Tuesday, January 15, 2019 immediately following the County Council Session.</i>

01/15/2019	Sitting as the District Council	hearing held; referred for document
	<i>Henry Zhang, M-NCCPC, provided an overview of the Conceptual Site Plan application. Jim Chandler with the City of Hyattsville spoke in opposition as did Greg Smith and Daniel Muth. Norman Rivera, Esq., attorney for the applicant, spoke in support on behalf of the applicant as did the following individuals: Charlie Kenny, Nick Harris, Michael Romero, Brenda Cain, Alyce Thompson and Flawn Williams. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties. The Mandatory Review Hearing was held and this item was referred to staff for preparation of an Order of Remand to the Planning Board (Vote: 11-0).</i>	
01/28/2019	Sitting as the District Council	remanded
	<i>Council adopted the prepared Order of Remand to the Planning Board (Vote: 10-0; Absent: Council Member Franklin).</i>	
01/31/2019	Clerk of the Council	mailed
	<i>The Notice of Decision of the District Council was mailed to Persons of Record.</i>	
02/25/2019	M-NCPPC Technical Staff	approval with conditions
	<i>The Urban Design Section provided supplemental evaluation and analysis and again recommended APPROVAL of Conceptual Site Plan CSP-18002 for Magruder Pointe as outlined in PGCPB Resolution No. 18-74(A) approving of rezoning the 4.66-acre property in the Open Space (O-S) Zone to the One-Family Detached Residential (R-55) Zone and permit single-family attached residential development with a required detailed site plan, in accordance with the goals and recommendations of the Traditional Residential Neighborhood Character Area on the property. The maximum density for single-family attached is 9 dwelling units per acre and the maximum density for single-family detached is as permitted in the R-55 Zone, or 6.7 dwelling units per acre.</i>	

03/28/2019 M-NCPPC Planning Board no recommendation
After much discussion, a motion for approval failed (a 2-2 tie vote) and no further motions were put forward. Therefore, the findings, including the supplemental analysis required by the remand, are forwarded to the District Council for final decision, without a recommendation supporting any rezoning of the property as required by Section 27-548.26(b).

04/10/2019 Clerk of the Council mailed
Notice of Mandatory Review Hearing (using Oral Argument procedures) was mailed to Persons of Record.

Attachment(s):

[CSP-18002 Remand Planning Board Resolution 18-74\(A\)](#)

CSP-18002 Remand PORL_searchable

[CSP-18002 Remand Technical Staff Report and Memorandum](#)

[ADJ40-19](#)

ADJOURN

1:30 PM HEALTH, HUMAN SERVICES AND PUBLIC SAFETY COMMITTEE - (ROOM 2027)

(SEE SEPARATE AGENDA)