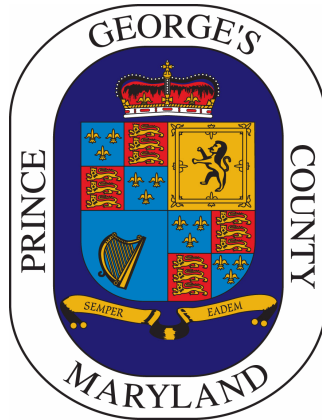


Prince George's County Council

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



Zoning Agenda - Final

**Tuesday, February 8, 2022
1:00 PM**

Virtual Meeting

Sitting as the District Council

*Calvin S. Hawkins, II, Chair, At-Large
Derrick Leon Davis, District 6
Thomas E. Dernoga, District 1
Mel Franklin, At-Large
Dannielle M. Glaros, District 3
Sydney J. Harrison, Vice Chair, District 9
Jolene Ivey, District 5
Rodney C. Streeter, District 7
Deni L. Taveras, District 2
Todd M. Turner, District 4
Vacant - District 8 (effective: 11/8/2021)*

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 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.

VIEW USING THE LINK PROVIDED AT: <https://pgccouncil.us/LIVE>

1:00 PM CALL TO ORDER - (VIRTUAL)

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 01242022](#)

District Council Minutes Dated January 24, 2022.

Attachment(s):

[District Council Minutes Draft 1-24-2022](#)

REFERRED FOR DOCUMENT**A-10051 Remand****Carozza Property****Applicant(s):**

Maria Volpe and Sandra Carey, Trustees/Carozza Property

Location:

Located in the southwest quadrant of the intersection of Pennsylvania Avenue (MD 4) and Woodyard Road (60.02 Acres; R-R Zone).

Request:

Requesting approval of a Zoning Map Amendment for the rezoning of approximately 60.02 acres of R-R (Rural Residential) zoned land to the M-X-T (Mixed Use – Transportation Oriented) Zone.

Council District:

9

Appeal by Date:

8/9/2021

Action by Date:

2/9/2022

Opposition:

Marwood Community, et. al.

History:

10/17/2019

M-NCPPC Technical Staff

disapproval

08/20/2020

Zoning Hearing Examiner

remanded

The Zoning Hearing Examiner recommended a Remand back to the Office of the Zoning Hearing Examiner, with conditions.

09/21/2020

Applicant

appealed

Russell W. Shipley, Esq., attorney for the applicant, filed exceptions to the Zoning Hearing Examiner Decision and requested a hearing.

10/05/2020

Sitting as the District Council

elected to review

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

12/18/2020

Clerk of the Council

mailed

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

01/11/2021

Sitting as the District Council

announced hearing date

01/25/2021

Sitting as the District Council

referred for document

People's Zoning Counsel, Stan Brown, provided an orientation, recommending that Council Remand the case in accordance with the Zoning Hearing Examiner recommendation and the concurring letter by Russell Shipley, Esq., attorney for the applicant. Subsequently, Council referred item to staff for preparation of an order of remand to the Zoning Hearing Examiner (Vote: 11-0).

02/09/2021	Sitting as the District Council	remanded
	<i>Council adopted the prepared Order of Remand to the Zoning Hearing Examiner in accordance with the Zoning Hearing Examiner recommendation (Vote: 11-0).</i>	
02/24/2021	Clerk of the Council	mailed
	<i>Notice of District Council Decision was mailed to Persons of Record.</i>	
07/09/2021	Zoning Hearing Examiner	approval with conditions
08/03/2021	Person of Record	filed
	<i>G. Macy Nelson, attorney for Citizen-Protestants file Exceptions and Request Oral Argument Hearing.</i>	
08/23/2021	Person of Record	filed
	<i>G. Macy Nelson, attorney for Citizen-Protestants filed a letter in reference to the August 8, 2021 appeal that was submitted.</i>	
01/10/2022	Sitting as the District Council	case taken under advisement
	<i>Jeremy Hurlbutt, M-NCPPC planning staff, provided an overview of the Zoning Map Amendment application. Russell Shipley, Esq. and Arthur Horne, Esq., for applicant spoke in support. Macy Nelson, Esq., Attorney for the appellant spoke in opposition. Council took this case under advisement.</i>	
01/24/2022	Sitting as the District Council	referred for document
	<i>Council referred item to staff for preparation of an approving document, with conditions (Vote: 6-2-2; Abstain: Councilmembers Hawkins and Glaros; Nay; Council Members Dernoga and Ivey).</i>	

Attachment(s):

[A-10051 Remand Zoning Agenda Item Summary](#)

[A-10051 Remand Zoning Agenda Item Summary](#)

[A-10051 Remand Presentation Slides](#)

[A-10051 Remand Transcripts 04-14-2021](#)

[A-10051 Remand Notice of Oral Argument Hearing](#)

[A-10051 Remand Nelson to Brown Letter 08-23-2021](#)

[A-10051 Remand Nelson to Brown \(email\) Letter 08-23-21](#)

[A-10051 Remand Nelson to Brown Appeal 8-3-21](#)

[A-10051 Remand email Nelson to Brown Appeal 080320](#)

[A-10051 Remand Zoning Case Summary](#)

[A-10051 Remand Notice of ZHE Decision](#)

[A-10051 Remand ZHE Decision](#)

A-10051 Remand PORL

[A-10051 Remand Exhibits List](#)

[A-10051 Remand Exhibits 1-19](#)

[A-10051 Remand Memo to the Clerk](#)

REFERRED FOR DOCUMENT[ERR-284](#)**JH Calvert Park, LLC****Applicant(s):**

JH Calvert Park, LLC

Location:

Located approximately 530 feet east of its intersection with Taylor Rd within the Corporate limits of the Town of Riverdale, 5203 Riverdale Rd. Riverdale Park MD (1.211 Acres; R-10 Zone).

Request:

Requesting approval for validation of Permit No. 47380-2014 for the erection of a six (6)- foot-high fence to enclose a dumpster on property improved with a single, five (5) -story multifamily dwelling with 55 dwelling units.

Council District:

3

Appeal by Date:

2/2/2022

Action by Date:

5/3/2022

Municipality:

Town of Riverdale Park

Opposition:

None

History:

01/03/2022	Zoning Hearing Examiner	approval with conditions
01/10/2022	Sitting as the District Council	referred for document
	<i>Council referred item to staff for preparation of an approving document, with conditions (Vote: 9-0; Absent: Council Member Ivey)</i>	
01/24/2022	Sitting as the District Council	deferred
	<i>Council deferred item to February 8, 2022 agenda.</i>	

Attachment(s):[ERR-284 Zoning Agenda Item Summary](#)[ERR-284 Notice of ZHE Decision](#)[ERR-284 ZHE Decision](#)

ERR-284 PORL

[ERR-284 Exhibit List](#)[ERR-284 Exhibits 1-37](#)[ERR-284 Transcript 08-18-2021](#)**ADJOURN**[ADJ14-22](#)**ADJOURNED**

