

Prince George's County Council

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



Zoning Agenda - Final

Tuesday, April 11, 2017

1:30 PM

Part 2

Council Hearing Room

Sitting as the District Council

Derrick Leon Davis, District 6, Chairman

Mel Franklin, District 9

Dannielle M. Glaros, District 3, Vice Chairwoman

Andrea C. Harrison, District 5

Mary A. Lehman, District 1

Obie Patterson, District 8

Deni L. Taveras, District 2

Karen R. Toles, District 7

Todd M. Turner, District 4

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.

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.

THE USE OF CELLULAR PHONES IN THE HEARING ROOM IS PROHIBITED

(FOR COUNTY COUNCIL ITEMS - SEE SEPARATE AGENDA)**1:30 PM CONVENE - (COUNCIL HEARING ROOM)****REFERRED FOR DOCUMENT****CSP-16004****The Ascent****Applicant(s):**

Davey Street, LLC.

Location:

Located on the south side of Southern Avenue, north of Atkins Avenue, west of Davey Street, extending westward past Cavalier Street, approximately 640 feet (5.05 Acres; R-T / C-S-C / T-D-O Zones).

Request:

Requesting approval of a Conceptual Site Plan to rezone the property from the Commercial Shopping Center (C-S-C) and Townhouse (R-T) Zones to the M-X-T Zone.

Council District:

7

Appeal by Date:

3/2/2017

Action by Date:

4/11/2017

Comment(s):

District Council review of this case is required by Section 27-548.09.01(b) of the Zoning Ordinance.

Municipality:

Town of Capitol Heights

History:

12/21/2016

M-NCPPC Technical Staff

approval with conditions

01/26/2017

M-NCPPC Planning Board

approval with conditions

02/13/2017

Sitting as the District Council

announced hearing date

03/27/2017 Sitting as the District Council hearing held; case taken under advisement

Susan LaReuse, M-NCPPC, provided an overview of the Conceptual Site Plan application. Dan Lynch Esq., on behalf of the applicant, and Bandele MCQueen, on behalf of the City of Capitol Heights, spoke in support. Stan Brown, People's Zoning Counsel, spoke to the legalities of the argument presented.

The Mandatory Review Hearing was held and Council took this case under advisement.

04/10/2017 Sitting as the District Council referred for document

Council referred item to staff for preparation of an approving document, with conditions (Vote: 6-0; Absent: Council Members Franklin, Glaros, and Toles).

Attachment(s): [CSP-16004 Zoning AIS](#)

ADJOURN