



Prince George's County Council

Sitting as the District Council

Zoning Agenda Item Summary

Case No.: DSP-21001 **Councilmanic District:** 2
Meeting Date: 5/11/2023 **Zone(s):** RSF-65
Case Name: Suffrage Point
Applicant: Werrlein WSSC, LLC
Location: Located in the southeast quadrant of the intersection of Hamilton Street and 40th Avenue (4.66 Acres; RSF-65 Zone).
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.

Companion

Case(s):

DECISIONS/RECOMMENDATION:

Technical Staff: Approval with conditions

Planning Board: Approval with conditions

Zoning Hearing Examiner:

Municipality: Hyattsville

Opposition:

LEGAL DEADLINES:

Appeal date: 4/6/2023

Review date: 4/6/2023

Action date: 5/12/2023

Comments:

Staff: Jill Kosack

HISTORY:

Acting Body:	Date:	Action:
M-NCPPC Technical Staff	12/22/2022	approval with conditions
M-NCPPC Planning Board	03/02/2023	approval with conditions
Sitting as the District Council	03/13/2023	elected to review

Notes: Council elected to review this item (Vote: 10-0; Absent: Council Member Franklin).

Aye: 10 Olson, Watson, Harrison, Hawkins, Oriadha, Ivey, Burroughs, Fisher, Dernoga and Blegay

Absent: 1 Franklin

Clerk of the Council 03/20/2023 mailed

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

- Sitting as the District Council 04/10/2023 announced hearing date
- Person of Record 04/16/2023 filed
Notes: *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.*
- Person of Record 04/16/2023 filed
Notes: *Julie Wolf, Person of Record, filed written testimony.*
- Person of Record 04/17/2023 filed
Notes: *Save Our Sustainable Hyattsville, inc., Persons of Record filed exceptions and written testimony.*
- Person of Record 04/20/2023 filed
Notes: *City of Hyattsville, Persons of Record, filed a request to reschedule Oral Argument Hearing.*
- Sitting as the District Council 04/24/2023 continued at a later date
Notes: *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).*
 Aye: 8 Olson, Watson, Hawkins, Oriadha, Ivey, Fisher, Dernoga and Blegay
 Absent: 3 Harrison, Franklin and Burroughs
- Sitting as the District Council 04/25/2023 announced hearing date
- Clerk of the Council 04/27/2023 mailed
Notes: *Notice of Oral Argument Hearing Continuance was mailed to all Persons of Record.*
- Person of Record 04/30/2023 filed
Notes: *Daniel Broder, Person of Record, filed written testimony.*
- Person of Record 05/01/2023 filed
Notes: *Irene Marsh, Person of Record, filed written testimony.*
- Person of Record 05/01/2023 filed
Notes: *Allison Kole Person of Record, filed written testimony.*
- Sitting as the District Council 05/08/2023 case taken under advisement
Notes: *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.

Sitting as the District Council 05/09/2023 referred for document

Notes: *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).*

Aye: 6 Olson, Oriadha, Ivey, Fisher, Dernoga and Blegay

Absent: 5 Watson, Harrison, Hawkins, Franklin and Burroughs

Sitting as the District Council 05/11/2023 remanded

Notes: *Council adopted the prepared order of remand (Vote: 8-0; Absent: Council Members Burroughs, Franklin, and Harrison).*

Aye: 8 Olson, Watson, Hawkins, Oriadha, Ivey, Fisher, Dernoga and Blegay

Absent: 3 Harrison, Franklin and Burroughs

Clerk of the Council 05/16/2023 mailed

Notes: *The Notice of Decision of the District Council was mailed to Persons of Record.*

Document(s): DSP-21001 Notice of Decision of the District Council, DSP-21001 Notice of Oral Argument Hearing Continuance, DSP-21001 Presentation Slides, DSP-21001 Kole to Brown (Testimony) 5-1-2023, DSP-21001 Marsh to Brown (Testimony) 5-1-2023, DSP-21001 Broder to Brown (Testimony) 4-30-2023, DSP-21001 City of Hyattsville to Brown 4-20-2023, DSP-21001 Sustainable Hyattsville to Brown (Exceptions & Testimony) 4-17-2023, DSP 21001 Smith to Brown (Request to Reschedule Oral Argument) 4-16-2023, DSP-21001 Wolf to Brown (Testimony) 4-16-2023, DSP-21001 Notice of Oral Argument Hearing, DSP-21001 Planning Board Resolution, DSP-21001_PORL, DSP-21001 Technical Staff Report, DSP-21001 Transcripts 2-2-2023, DSP-21001 Transcripts 1-12-2023, DSP-21001 Transcripts 1-5-2023, DSP-21001 Planning Board Record_, PZC Notice of Intention to Participate District Council 5-8-2023