



Prince George's County Council

Sitting as the District Council

Zoning Agenda Item Summary

Case No.: A-10051 Remand **Councilmanic District:** 9
Meeting Date: 2/8/2022 **Zone(s):** R-R
Case Name: Carozza Property
Applicant: 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.

Companion

Case(s):

DECISIONS/RECOMMENDATION:

Technical Staff: Disapproval
Planning Board:
Zoning Hearing Examiner: Approval with Conditions

LEGAL DEADLINES:

Appeal date: 8/9/2021
Review date:
Action date: 2/9/2022

Municipality:

Comments:

Opposition: Marwood Community, et. al.

Staff: Ras Tafari Cannady II, AICP

HISTORY:

Acting Body:	Date:	Action:
M-NCPPC Technical Staff	10/17/2019	disapproval
Zoning Hearing Examiner	08/20/2020	remanded

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

Applicant	09/21/2020	appealed
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Notes: *Russell W. Shipley, Esq., attorney for the applicant, filed exceptions to the Zoning Hearing Examiner Decision and requested a hearing.*

Sitting as the District Council	10/05/2020	elected to review
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Notes: *Council elected to review (Vote: 9-0; Absent: Council Members Franklin and Hawkins).*

A-10051 Remand

Clerk of the Council	12/18/2020	mailed
Notes: <i>Notice of Oral Argument Hearing were mailed to Persons of Record.</i>		
Sitting as the District Council	01/11/2021	announced hearing date
Sitting as the District Council	01/25/2021	referred for document
Notes: <i>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).</i>		
Sitting as the District Council	02/09/2021	remanded
Notes: <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>		
Clerk of the Council	02/24/2021	mailed
Notes: <i>Notice of District Council Decision was mailed to Persons of Record.</i>		
Zoning Hearing Examiner	07/09/2021	approval with conditions
Person of Record	08/03/2021	filed
Notes: <i>G. Macy Nelson, attorney for Citizen-Protestants file Exceptions and Request Oral Argument Hearing.</i>		
Person of Record	08/23/2021	filed
Notes: <i>G. Macy Nelson, attorney for Citizen-Protestants filed a letter in reference to the August 8, 2021 appeal that was submitted.</i>		
Sitting as the District Council	09/13/2021	
Notes: <i>Council took no action on this item because the case has been appealed.</i>		
Sitting as the District Council	11/15/2021	
Sitting as the District Council	01/10/2022	case taken under advisement
Notes: <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>		
Sitting as the District Council	01/24/2022	referred for document
Notes: <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>		
Aye:	6	Davis, Franklin, Harrison, Streeter, Taveras and Turner
Nay:	2	Dernoga and Ivey
Abstain:	2	Hawkins and Glaros

Sitting as the District Council 02/08/2022 approval

Notes: *Council adopted prepared order (Vote: 6-2-2; Nay: Council Members Dernoga and Ivey; Abstain: Council Members Hawkins and Glaros).*

Aye: 6 Davis, Franklin, Harrison, Streeter, Taveras and Turner

Nay: 2 Dernoga and Ivey

Abstain: 2 Hawkins and Glaros

Clerk of the Council 02/15/2022 mailed

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

Clerk of the Council 03/15/2022 mailed

Notes: *Notice of Final Conditional Zoning Approval was mailed to all persons of record.*

Document(s): A-10051 District Council Final Conditional Zoning Approval, A-1005 Remand Notice of Final Decision, 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 08-23-2021, A-10051 Remand_Nelson to Brown Appeal 8-3-21, A-10051 Remand email_Nelson to Brown Appeal 08032021, 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