



# Prince George's County Council

## Sitting as the District Council

### Zoning Agenda Item Summary

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**Case No.:** DSP-21001 Remand      **Councilmanic District:** 2  
**Meeting Date:** 3/12/2024      **Zone(s):** RSF-65 (Prior R-55 and D-D-O)  
**Case Name:** Suffrage Point  
**Applicant:** Werrlein WSSC, LLC  
**Location:** Located on the west side of 40th Place, at its intersection with Gallatin Street. (4.66 Acres; RSF-65 Zone (Prior R-55 and D-D-O Zones).  
**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):**

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#### DECISIONS/RECOMMENDATION:

**Technical Staff:** Approval with conditions

**Planning Board:** Approval with conditions

**Zoning Hearing Examiner:**

**Municipality:** Hyattsville

#### LEGAL DEADLINES:

**Appeal date:** 1/4/2024

**Review date:** 1/30/2024

**Action date:** 3/18/2024

*Comments:*

#### Opposition:

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**Staff:** Jill Kosack

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#### HISTORY:

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<b>Acting Body:</b>	<b>Date:</b>	<b>Action:</b>
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)

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
<b>Notes:</b> <i>Julie Wolf, Person of Record, filed written testimony.</i>		
Person of Record	04/16/2023	filed
<b>Notes:</b> <i>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.</i>		
Person of Record	04/17/2023	filed
<b>Notes:</b> <i>Save Our Sustainable Hyattsville, inc., Persons of Record filed exceptions and written testimony.</i>		
Person of Record	04/20/2023	filed
<b>Notes:</b> <i>City of Hyattsville, Persons of Record, filed a request to reschedule Oral Argument Hearing.</i>		
Sitting as the District Council	04/24/2023	continued at a later date
<b>Notes:</b> <i>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)</i>		
Sitting as the District Council	04/25/2023	announced hearing date
Clerk of the Council	04/27/2023	mailed
<b>Notes:</b> <i>Notice of Oral Argument Hearing Continuance was mailed to all Persons of Record.</i>		
Person of Record	04/30/2023	filed
<b>Notes:</b> <i>Daniel Broder, Person of Record, filed written testimony.</i>		
Person of Record	05/01/2023	filed
<b>Notes:</b> <i>Irene Marsh, Person of Record, filed written testimony.</i>		
Person of Record	05/01/2023	filed
<b>Notes:</b> <i>Allison Kole Person of Record, filed written testimony.</i>		
Sitting as the District Council	05/08/2023	case taken under advisement
<b>Notes:</b> <i>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.</i>		
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).*

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).*

Clerk of the Council                                      05/16/2023                      mailed

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

Clerk of the Council                                      05/16/2023                      transmitted

**Notes:** *Memo transmitted to James Hunt, Division Chief, M-NCPPC Development Review Division, that District Council voted to remand the case to the Planning Board.*

M-NCPPC Technical Staff                              10/17/2023                      approval with conditions

M-NCPPC Planning Board                              11/30/2023                      approval with conditions

Sitting as the District Council                      01/16/2024                      elected to review

**Notes:** *Council elected to review this item (Vote:9-0; Absent: Council Members Franklin and Oriadha).*

Aye:                      9    Ivey, Harrison, Dernoga, Blegay, Burroughs, Fisher, Hawkins, Olson and Watson

Absent:                2    Franklin and Oriadha

Clerk of the Council                                      01/24/2024                      mailed

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

Person of Record    02/09/2024                      filed

**Notes:** *Greg Smith, Person of Record, filed a request to reschedule Oral Argument Hearing,*

Sitting as the District Council                      02/12/2024                      announced hearing date

Person of Record    02/12/2024                      filed

**Notes:** *City of Hyattsville, Persons of Record, filed a request to reschedule Oral Argument Hearing.*

Person of Record    02/12/2024                      filed

**Notes:** *Joanne Waszczak Persons of Record, filed a request to reschedule Oral Argument Hearing and written testimony.*

Person of Record    02/15/2024                      filed

**Notes:** *Irene Marsh, Person of Record, filed a request to reschedule Oral Argument Hearing and written testimony.*

Person of Record    02/15/2024                      filed

**Notes:** *Helen Butt, Person of Record, filed a request to reschedule Oral Argument Hearing and written testimony.*

- Person of Record 02/15/2024 filed  
**Notes:** *Victoria Boucher, Person of Record, filed a request to reschedule Oral Argument Hearing and written testimony.*
- Person of Record 02/16/2024 filed  
**Notes:** *Ben Simasek and Nora Swisher, Person's of Record, filed written testimony.*
- Person of Record 02/16/2024 filed  
**Notes:** *Mark Graham, Person of Record, filed a request to reschedule Oral Argument Hearing and written testimony.*
- Person of Record 02/16/2024 filed  
**Notes:** *Janet Gingold, Person of Record, filed written testimony.*
- Person of Record 02/16/2024 filed  
**Notes:** *Edgar Butt, Person of Record, filed a request to reschedule Oral Argument Hearing and written testimony.*
- Person of Record 02/16/2024 filed  
**Notes:** *Theresa Immordino, Person of Record, filed a request to reschedule Oral Argument Hearing and written testimony.*
- Person of Record 02/16/2024 filed  
**Notes:** *Allison Kole, Person of Record, filed written testimony.*
- Person of Record 02/16/2024 filed  
**Notes:** *Greg Smith, Person of Record, filed written testimony.*
- Person of Record 02/18/2024 filed  
**Notes:** *Christine Blackerby, Person of Record, filed a request to reschedule Oral Argument Hearing and written testimony.*
- Person of Record 02/19/2024 filed  
**Notes:** *Julie Wolf, Person of Record, filed a request to reschedule Oral Argument Hearing and written testimony.*
- Person of Record 02/19/2024 filed  
**Notes:** *Tim Davis, Person of Record, filed a request to reschedule Oral Argument Hearing and written testimony.*
- Person of Record 02/19/2024 filed  
**Notes:** *Greg Smith, Person of Record, filed revised written testimony.*
- Person of Record 02/19/2024 filed  
**Notes:** *Greg Smith, Person of Record, filed corrected revised written testimony.*
- Sitting as the District Council 02/26/2024 continued at a later date  
**Notes:** *Stan Brown, People's Zoning Counsel, provided a procedural overview of the case. Case was continued to the March 11, 2024, District Council Hearing. (Vote: 9-0;*

*Absent: Council Members Franklin and Oriadha).*

Aye: 9 Ivey, Harrison, Dernoga, Blegay, Burroughs, Fisher, Hawkins, Olson and Watson

Absent: 2 Franklin and Oriadha

Clerk of the Council 02/27/2024 mailed

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

Clerk of the Council 02/29/2024 mailed

**Notes:** *Corrected Notice of Oral Argument Hearing Continuance was mailed to all Persons of Record.*

Person of Record 03/04/2024 filed

**Notes:** *Daniel Broder, Person of Record, filed written testimony.*

Applicant 03/04/2024 filed

**Notes:** *Timothy F. Maloney, Esq., attorney for the applicant filed written testimony.*

Person of Record 03/04/2024 filed

**Notes:** *Mary Graham, Person of Record, filed written testimony.*

Person of Record 03/04/2024 filed

**Notes:** *Amanda Eisen, Person of Record, filed written testimony.*

Person of Record 03/04/2024 filed

**Notes:** *Shanna Fricklas, Person of Record, filed written testimony.*

Person of Record 03/04/2024 filed

**Notes:** *Kara Veigas, Person of Record, filed written testimony.*

Person of Record 03/04/2024 filed

**Notes:** *Greg Smith, Person of Record, filed written testimony (Supplemental Comments Regarding Density).*

Person of Record 03/04/2024 filed

**Notes:** *Greg Smith, Person of Record, filed written testimony (Supplemental Comments Regarding Climate Change and Floodplains).*

Person of Record 03/04/2024 filed

**Notes:** *Greg Smith, Person of Record, filed written testimony (Supplemental Comments Regarding Climate Change and Floodplains Part 2).*

Sitting as the District Council 03/05/2024 announced hearing date

Person of Record 03/07/2024 filed

**Notes:** *Greg Smith, Person of Record, filed written testimony (Response to applicants 3-4-2024 letter).*

Sitting as the District Council 03/11/2024 hearing held; case taken under advisement

**Notes:** *Jill Kosack and James Hunt, 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. Jeff Ulysse representative of the City of Hyattsville, Shanna Fricklas, Janet Gingold, Julie Wolf and Greg Smith spoke in opposition. Council took case under advisement.*

Sitting as the District Council                      03/12/2024                      referred for document

**Notes:** *Council referred item to staff for preparation of an disapproving document (Vote:8-0; Absent: Hawkins, Ivey and Oriadha).*

Aye:                      8    Harrison, Dernoga, Blegay, Burroughs, Fisher, Franklin, Olson and Watson

Absent:                3    Ivey, Hawkins and Oriadha

Sitting as the District Council                      03/18/2024                      disapproval

**Notes:** *Council adopted prepared order of disapproval (Vote:8-0; Absent: Council Member Dernoga, Franklin and Hawkins).*

Aye:                      8    Ivey, Harrison, Blegay, Burroughs, Fisher, Olson, Oriadha and Watson

Absent:                3    Dernoga, Franklin and Hawkins

Clerk of the Council                                      03/19/2024                      mailed

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

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**Document(s):** DSP-21001 Remand Zoning Agenda Item Summary, DSP-21001 Remand Presentation Slides, DSP-21001 Remand Smith to Brown (Response to applicants 3-4-2024 letter) 3-7-2024, DSP-21001 Remand Maloney to Brown (Testimony) 3-4-2024, DSP-21001 Remand Smith to Brown (Testimony)(Supplemental Comments Regarding Climate Change and Floodplains Part 2) 3-4-2024, DSP-21001 Remand Smith to Brown (Testimony)(Supplemental Comments Regarding Climate Change and Floodplains) 3-4-2024, DSP-21001 Remand Smith to Brown (Testimony)(Supplemental Comments Regarding Density) 3-4-2024, DSP-21001 Remand Veigas to Brown (Testimony) 3-4-2024, DSP-21001 Remand Fricklas to Brown (Testimony) 3-4-2024, DSP-21001 Remand Eisen to Brown (Testimony) 3-4-2024, DSP-21001 Remand Graham to Brown (Testimony) 3-4-2024, DSP-21001 Remand Broder to Brown (Testimony) 3-4-2024, DSP-21001 Remand Corrected Notice of Oral Argument Hearing Continuance, DSP-21001 Remand Smith to Brown (Corrected Revised Testimony) 2-19-2024, DSP-21001 Remand Smith to Brown (Revised Testimony) 2-19-2024, DSP-21001 Remand Davis to Brown (Request to Reschedule Oral Argument & Testimony) 2-19-2024, DSP-21001 Remand Wolf to Brown (Request to Reschedule Oral Argument & Testimony) 2-19-2024, DSP-21001 Remand Blackerby to Brown

(Request to Reschedule Oral Argument & Testimony) 2-18-2024, DSP-21001 Remand Smith to Brown (Testimony) 2-16-2024, DSP-21001 Remand Kole to Brown (Testimony) 2-16-2024, DSP-21001 Remand Immordino to Brown (Request to Reschedule Oral Argument & Testimony) 2-16-2024, DSP-21001 Remand Gingold to Brown (Testimony) 2-16-2024, DSP-21001 Remand Butt to Brown (Request to Reschedule Oral Argument & Testimony) 2-16-2024, DSP-21001 Remand Graham (Request to Reschedule Oral Argument & Testimony) 2-16-2024, DSP-21001 Remand Simasek & Swisher to Brown (Testimony) 2-16-2024, DSP-21001 Remand Butt to Brown (Request to Reschedule Oral Argument & Testimony) 2-15-2024, DSP-21001 Remand Boucher to Brown (Request to Reschedule Oral Argument & Testimony) 2-15-2024, DSP-21001 Remand Marsh to Brown (Request to Reschedule Oral Argument & Testimony) 2-15-2024, DSP 21001 Remand City of Hyattsville to Brown (Request to Reschedule Oral Argument) 2-12-2024, DSP-21001 Remand Waszczak (Request to Reschedule Oral Argument & Testimony) 2-12-2024, DSP-21001 Remand Smith to Brown (Request to Reschedule Oral Argument) 2-9-2024, DSP-21001 Remand Notice of Oral Argument Hearing, DSP-21001 Remand Planning Board Resolution, DSP-21001 Remand PORL, DSP-21001 Remand Technical Staff Report, DSP-21001 Remand Transcripts 11-2-2023, DSP-21001 Remand Transcripts 10-5-2023, PZC Notice of Intention to Participate District Council 2-26-2024, PZC Notice of Intention to Participate District Council 3-11-2024