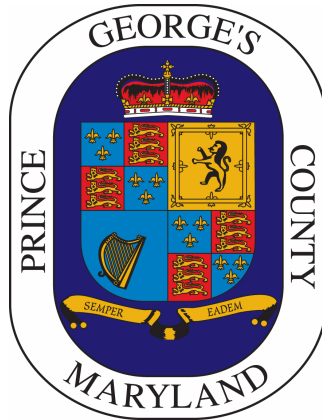


Prince George's County Council

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



Zoning Agenda - Final

(In-Person) **The agenda is subject to change up to five (5) calendar days prior to the noted date.**

Tuesday, April 25, 2023

11:30 AM

Council Hearing Room

Sitting as the District Council

Thomas E. Dernoga, Chair, District 1

Wala Blegay, Vice Chair, District 6

Edward P. Burroughs, III, District 8

Wanika Fisher, District 2

Mel Franklin, At-Large

Sydney J. Harrison, District 9

Calvin S. Hawkins, II, At-Large

Jolene Ivey, District 5

Eric C. Olson, District 3

Krystal Oriadha, District 7

Ingrid S. Watson, District 4

Jennifer A. Jenkins, 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.

9:00 AM COMMITTEE OF THE WHOLE - (COUNCIL HEARING ROOM)

11:00 AM COUNTY COUNCIL - (COUNCIL HEARING ROOM)

11:30 AM CALL TO ORDER - (COUNCIL HEARING ROOM)

APPROVAL OF DISTRICT COUNCIL MINUTES

[MINDC 04242024](#)

District Council Minutes Dated April 24, 2023

Attachment(s):

[4-24-2023 District Council Minutes Draft](#)

REFERRED FOR DOCUMENT**DSP-22015****9113 Baltimore Avenue****Applicant(s):**

RST Development, LLC

Location:

Located in the northeast quadrant of the intersection of US 1(Baltimore Avenue) and Cherokee Street (3.82 acres; LTO-E Zone).

Request:

Requesting approval of a Detailed Site Plan for one mixed-use building with 317 multifamily dwelling units and 3,296 square feet of ground-floor commercial retail space.

Council District:

3

Appeal by Date:

3/2/2023

Review by Date:

3/2/2023

Action by Date:

5/1/2023

Municipality:

College Park

History:

01/05/2023	M-NCPPC Technical Staff	approval with conditions
01/26/2023	M-NCPPC Planning Board	approval with conditions
02/13/2023	Sitting as the District Council	waived election to review
	<i>Council waived election to review for this item (Vote: 9-0; Absent: Council Members Burroughs and Franklin).</i>	
02/28/2023	Person of Record	filed
	<i>Judy Blumenthal, Person of Record filed an appeal of the Planning Board's decision.</i>	
03/06/2023	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
03/31/2023	Applicant	filed
	<i>Thomas H. Haller, Esq., attorney for the applicant filed a response to the February 28, 2023 appeal filed by Citizen-Protestant.</i>	
04/03/2023	Person of Record	filed
	<i>Judy Blumenthal, Person of Record filed written testimony.</i>	

04/10/2023 Sitting as the District Council case taken under advisement

Andrew Shelly, 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. Thomas H. Haller, for applicant spoke in support. Judy Blumenthal, citizen protestant spoke in opposition. Council took this case under advisement.

04/24/2023 Sitting as the District Council referred for document

Council referred item to staff for preparation of an approving document, with conditions (Vote: 8-0; Absent: Council Members Burroughs, Franklin and Harrison).

Attachment(s):

[DSP-22015 Zoning Agenda Item Summary](#)

[DSP-22015 Presentation Slides](#)

[DSP-22015 Blumenthal to Brown \(Written Testimony\) 4-3](#)

[DSP-22015 Haller to Brown \(Response to Appeal\) 3-31-20](#)

[DSP-22015 Blumenthal to Brown \(Appeal letter\) 2-28-23](#)

[DSP-22015 Notice of Oral Argument Hearing](#)

[DSP-22015 Planning Board Resolution](#)

DSP-22015 PORL

[DSP-22015 Technical Staff Report](#)

[DSP-22015 Transcripts](#)

[PZC Notice of Intention to Participate District Council 4-1](#)

CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING ON MAY 8, 2023 TIME TO BE DETERMINED

Hearing Dates & Times Subject to Change

DSP-21001

Suffrage Point

Applicant(s):

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.

Council District:

2

Appeal by Date:

4/6/2023

Review by Date:

4/6/2023

Action by Date:

5/12/2023

Municipality:

Hyattsville

History:

12/22/2022	M-NCPPC Technical Staff	approval with conditions
03/02/2023	M-NCPPC Planning Board	approval with conditions
03/13/2023	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote: 10-0; Absent: Council Member Franklin).</i>	
03/20/2023	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
04/10/2023	Sitting as the District Council	announced hearing date
04/16/2023	Person of Record	filed
	<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>	
04/16/2023	Person of Record	filed
	<i>Julie Wolf, Person of Record, filed written testimony.</i>	

04/17/2023 Person of Record filed
Save Our Sustainable Hyattsville, inc., Persons of Record filed exceptions and written testimony.

04/24/2023 Sitting as the District Council continued at a later date
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).

Attachment(s):

[DSP-21001 Zoning Agenda Item Summary](#)
[DSP-21001 Presentation Slides](#)
[DSP-21001 Sustainable Hyattsville to Brown \(Exceptions](#)
[DSP 21001 Smith to Brown \(Request to Reschedule Oral](#)
[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](#)

CASE(S) SCHEDULED FOR ORAL ARGUMENT HEARING ON MAY 8, 2023 AT 10:00 A.M.*Hearing Dates & Times Subject to Change*[SE-4852](#)**Westgate Apartments****Applicant(s):**

Westgate at Laurel, LLC

Location:

Located on the north side of Gorman Avenue (MD 198), approximately 600 feet east of its intersection with Van Dusen Road and identified as 8100-8216 Gorman Avenue, Laurel, Maryland (9.22 acres; RMF-20 Zone).

Request:

Requesting approval of a Special Exception (SE) to alter a certified Nonconforming Use (Multifamily Dwellings known as “Westgate at Laurel Apartments”).

Council District:

1

Appeal by Date:

3/3/2023

Review by Date:

3/3/2023

Action by Date:

7/3/2023

Opposition:

{None}

History:

10/04/2022	M-NCPPC Technical Staff	approval with conditions
02/01/2023	Zoning Hearing Examiner	approval with conditions
02/13/2023	Sitting as the District Council	deferred
	<i>Council deferred item to February 27, 2023 District Council meeting.</i>	
02/27/2023	Sitting as the District Council	elected to review
	<i>Council elected to review this item (Vote: 10-0; Absent: Council Member Franklin).</i>	
03/06/2023	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
03/20/2023	Clerk of the Council	mailed
	<i>Notice of Rescheduled Oral Argument Hearing was mailed to Persons of Record.</i>	

Attachment(s):

[SE-4852 Zoning Agenda Item Summary](#)

[SE 4852 Notice of Rescheduled Oral Argument Hearing](#)

[SE 4852 Notice of Oral Argument Hearing](#)

[SE 4852 Notice of ZHE Decision](#)

[SE-4852 ZHE Decision](#)

SE-4852_PORL

[SE-4852 Technical Staff Report](#)

[SE-4852 ZHE Exhibit List](#)

[SE-4852 Exhibits #1-35](#)

[SE-4852 ZHE Transcripts](#)

ADJOURN

[ADJ40-23](#)

ADJOURN

**1:00 PM PLANNING, HOUSING & ECONOMIC DEVELOPMENT COMMITTEE -
(COUNCIL HEARING ROOM)**

(SEE SEPARATE AGENDA)