



Prince George's County Council

Sitting as the District Council

Zoning Agenda Item Summary

Case No.: DET-2022-001 **Councilmanic District:** 6
Meeting Date: 7/17/2023 **Zone(s):** TAC-E/MIO
Case Name: Westphalia Business Center 1 and 2
Applicant: Northpoint Realty Partners, LLC
Location: Located at the intersection of MD 4 (Pennsylvania Avenue) and Melwood Road, approximately 800 feet north of Woodyard Road (33.17 Acres; TAC-E / MIO Zones).
Request: Requesting approval of a Detailed Site Plan (DET) for a total of 306,000 square feet of commercial/warehouse uses in two separate buildings on two proposed parcels. A variance to Section 27-4204(d)(3) of the Prince George's County Zoning Ordinance, for the floor area ratio (FAR) requirement for the building on proposed Parcel 32, is also requested.

Companion

Case(s):

DECISIONS/RECOMMENDATION:

Technical Staff: Approval with Conditions

Planning Board: Approval with Conditions

Zoning Hearing Examiner:

Municipality:

Opposition:

LEGAL DEADLINES:

Appeal date: 4/13/2023

Review date: 4/13/2023

Action date: 5/26/2023

Comments:

Staff: Jill Kosack, RLA, ASLA

HISTORY:

Acting Body:	Date:	Action:
M-NCPPC Technical Staff	02/16/2023	approval with conditions
M-NCPPC Planning Board	03/09/2023	approval with conditions
Sitting as the District Council	03/27/2023	elected to review

Notes: Council elected to review this item (Vote: 8-0-1; Abstain: Council Member Franklin; Council Members Burroughs and Hawkins).

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

Absent: 1 Hawkins

Abstain: 1 Franklin

Clerk of the Council 04/04/2023 mailed
Notes: *Notice of Oral Argument Hearing was mailed to Persons of Record.*

Person of Record 04/13/2023 filed
Notes: *Alex Votaw Esq. attorney for Citizen-Protestants filed Exceptions and Request Oral Argument Hearing.*

Person of Record 05/05/2023 filed
Notes: *Alex Votaw Esq., attorney for Citizen-Protestants filed written testimony.*

Sitting as the District Council 05/08/2023 announced hearing date

Sitting as the District Council 05/15/2023 hearing held; referred for document
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. Marva Jo Camp, Esq., attorney for applicant spoke in support. Alex Votaw, Esq., attorney for citizen protestants spoke in opposition. Council referred item to staff for preparation of a disapproving document (Vote: 8-0; Absent: Council Members Franklin, Hawkins and Oriadha).*
 Aye: 8 Olson, Watson, Harrison, Ivey, Burroughs, Fisher, Dernoga and Blegay
 Absent: 3 Hawkins, Franklin and Oriadha

Sitting as the District Council 05/16/2023 adopted
Notes: *Council adopted the prepared Order of disapproval (Vote 10-0; Absent: Council Member Hawkins).*
 Aye: 10 Olson, Watson, Harrison, Franklin, Oriadha, Ivey, Burroughs, Fisher, Dernoga and Blegay
 Absent: 1 Hawkins

Applicant 06/16/2023 filed
Notes: *Marva Jo Camp Esq. attorney for the applicant, filed a request for Reconsideration and Amendment of Final Decision.*

Person of Record 07/14/2023 filed
Notes: *Alex Votaw Esq., attorney for Citizens Protestant filed opposition to applicants motion for reconsideration*

Sitting as the District Council 07/17/2023 denied for reconsideration
Notes: *After procedural and posture orientation by Stan Brown, People's Zoning Counsel, Council denied the request for reconsideration (Vote:8-0; Absent Council Members Fisher, Franklin and Hawkins).*
 Aye: 8 Olson, Watson, Harrison, Oriadha, Ivey, Burroughs, Dernoga and Blegay

Absent: 3 Hawkins, Franklin and Fisher

Clerk of the Council 07/18/2023 mailed

Notes: *Notice of Decision on Reconsideration request was mailed to Persons of Record.*

Document(s): DET-2022-001 Votaw to Brown 7-14-2023, DET-2022-001 Zoning Agenda Item Summary, DET-2022-001 Camp to Brown (Request for reconsideration) 6-16-2023, DET-2022-001 - Presentation Slides, DET-2022-001 Votaw to Brown (Testimony Citizen-Protestants) 5-5-2023, DET-2022-001 Votaw to Brown (Appeal) 4-13-2023, DET-2022-001 Notice of Oral Argument Hearing, DET-2022-001 Zoning Agenda Item Summary, DET-2022-001 Planning Board Resolution, DET-2022-001 PORL, DET-2022-001 Technical Staff Report, DET-2022-001 Transcripts, DET-2022-001 Planning Board Record, DET-2022-001 PZC Notice of Intention to Participate