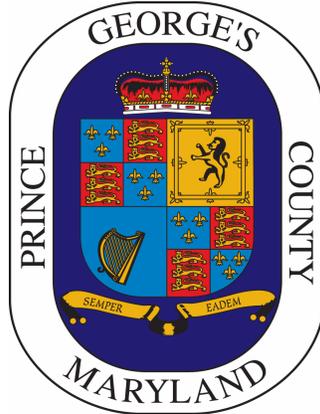


# Prince George's County Council

*County Administration Building  
14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland  
20772-3050*



## **Zoning Agenda - Final**

**Tuesday, October 13, 2020  
1:45 PM**

**Virtual Meeting**

### **Sitting as the District Council**

*Todd M. Turner, Council Chair, District 4*

*Monique Anderson-Walker, District 8*

*Derrick Leon Davis, District 6*

*Thomas E. Dernoga, District 1*

*Mel Franklin, At-Large*

*Dannielle M. Glaros, District 3*

*Sydney J. Harrison, District 9*

*Calvin S. Hawkins, II, Vice Chair, At-Large*

*Jolene Ivey, District 5*

*Rodney C. Streeter, District 7*

*Deni L. Taveras, District 2*

*Robert J. Williams, Jr., Council Administrator*

**RULES OF COURTESY (VIRTUAL)**

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. To ensure 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.

**VIRTUAL DISTRICT COUNCIL MEETINGS**

Given the current state of the novel coronavirus (COVID-19) pandemic, and under the Governor's "Proclamation and Declaration of State of Emergency and Existence of Catastrophic Health Emergency – COVID-19" and the Prince George's County State of Emergency Declarations, the District Council is operating under emergency procedures. As authorized by CB-33-2020 hearings will be conducted virtually and in accordance with District Council Rules of Procedure.

**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. Testimony at Oral Argument Hearings must be based on the record, and no new evidence will be permitted. Only persons of record may testify. Persons of Record wishing to give oral argument on a specific case should register with the Clerk of the Council by email to [clerkofthecouncil@co.pg.md.us](mailto:clerkofthecouncil@co.pg.md.us) or faxed to (301) 952-5178 by 3:00 p.m. on the day BEFORE the meeting.

**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. Five (5) minute rebuttal from the side requesting hearing
5. Five (5) minute rebuttal from the side favoring decision
6. Comments by the People's Zoning Counsel

**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. State your name and address for the record and 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/LIVE>  
PLEASE SILENCE ALL CELLULAR PHONES DURING THE MEETING.

**(COUNTY COUNCIL ITEMS - SEE SEPARATE AGENDA)****(COMMITTEE OF THE WHOLE ITEMS - SEE SEPARATE AGENDA)****1:45 PM CONVENE DISTRICT COUNCIL****APPROVAL OF DISTRICT COUNCIL MINUTES****REFERRED FOR DOCUMENT****DSP-18005****Magruder Pointe****Applicant(s):**

Werrlein WSSC, LLC

**Location:**

Located in the southeast quadrant of the intersection of Hamilton Street and 40th Avenue (8.26 Acres; R-55 / D-D-O Zones).

**Request:**

Requesting approval of a Detailed Site Plan (DSP) application proposes to develop 15 single-family attached units and 16 single-family detached units on the upper parcel, where the former Washington Suburban Sanitary Commission (WSSC) Headquarters building was located.

**Council District:**

2

**Appeal by Date:**

8/17/2020

**Review by Date:**

9/21/2020

**Action by Date:**

10/16/2020

**Municipality:**

Hyattsville

**History:**

05/28/2020

M-NCPPC Technical Staff

approval with conditions

06/18/2020

M-NCPPC Planning Board

approval with conditions

07/08/2020

Applicant

appealed

*Norman D. Rivera, Esq., attorney for the applicant, appealed the Planning Board's decision, requesting a revision to conditions 1.g.*

07/27/2020

Sitting as the District Council

waived election to review

*Council waived election to review for this item (Vote: 11-0).*

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07/27/2020	Applicant	filed
	<i>Norman D. Rivera, Esq., attorney for the applicant, filed a request to withdraw the previous appeal of the Planning Board's decision then a request to withdraw/hold the withdrawal request.</i>	
08/13/2020	Clerk of the Council	mailed
	<i>Notice of Oral Argument Hearing was mailed to Persons of Record.</i>	
08/21/2020	Person of Record	appealed
	<i>Greg Smith, Anne Ambler, et al. filed an appeal of the Planning Boards Decision.</i>	
09/14/2020	Sitting as the District Council	continued at a later date
	<i>After a preliminary procedural discussion, Council voted to grant Appellants' request for a continuance and the Oral Argument was continued to Monday, October 5, 2020 at 1:30 p.m. (Vote: 11-0).</i>	
09/18/2020	Clerk of the Council	mailed
	<i>Courtesy notice of District Council hearing continuation was mailed to Persons of Record.</i>	
09/21/2020	Sitting as the District Council	announced hearing date
10/05/2020	Sitting as the District Council	hearing held; case taken under advisement
	<i>Henry Zhang, M-NCPPC, provided an overview of the Detailed Site Plan application. Stan Brown, People's Zoning Counsel, outlined the procedural issues raised by appellants. After a preliminary procedural discussion, Council Member Hawkins voluntarily recused himself from the hearing. Greg Smith and Daniel Muth, appellants, spoke in opposition. Norman Rivera, Esq., attorney for the applicant, spoke in support. Deborah Borden, Deputy General Counsel, M-NCPPC, and Rajesh Kumar, Principal Counsel to the District Council, responded to questions by Council Members. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented. The Oral Argument Hearing was held and Council took this case under advisement.</i>	
10/06/2020	Sitting as the District Council	referred for document
	<i>Council referred this item to staff for preparation of an approving document with conditions (Vote: 10-0; Absent: Council Member Hawkins).</i>	

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**Attachment(s):**

[DSP-18005 Zoning Agenda Item Summary](#)

[DSP-18005 Ambler email to Brown 09282020 Request to](#)

DSP-18005 District Council Notice of Hearing\_Continued

DSP-18005 Letter from Smith to Brown corrected (appeal)

DSP-18005 Letter from Smith to Brown original (appeal)

DSP-18005 District Council Notice of Hearing

DSP-18005 Email from Rivera to Brown ( Hold Withdraw

[DSP-18005 Letter from Rivera to Brown \(Withdrawl\)](#)

DSP-18005 Letter from Rivera to Brown (Appeal)

[DSP-18005 Planning Board Resolution NO. 2020-105](#)

DSP-18005\_PORL

[DSP-18005 Technical Staff Report](#)

**ADJOURN**