



REGULAR MEETING OF THE CITY COUNCIL, HYATTSVILLE MD
MARCH 18, 2019 – 8:00 PM

6.i) Prince George's County Zoning Variance - V-2-19 - 5709 40th Place, Hyattsville
HCC-320-FY19

Lead Sponsor: At the Request of the City Administrator

Co-Sponsor(s): N/A

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[Memo - V-2-19 - 5709 40th Place.docx](#)

[New Doc 2019-03-05 13.43.13 \(2\).pdf](#)

[Variance Packet 40th Pl.pdf](#)

I move the City Council authorize the Mayor to provide letter to the Prince George's County Board of Zoning Appeals, in support of a zoning variance, for the subject property at 5709 40th Place, Hyattsville, permitting:

- (1) An exception to the requirement of a 25-foot front yard depth;
- (2) A variance of three (3) feet front yard depth variance.

RESULT:	APPROVED, AS AMENDED [UNANIMOUS]
MOVER:	Haba
SECONDER:	Warner
AYES:	Hollingsworth, Haba, Ward, Lawrence, Croslin, Warner, Suiter, Wright, Solomon, Spell
ABSENT:	None

7) Action Items (8:40 p.m. - 9:00 p.m.)

7.a) Authorizing the City Administrator to initiate necessary actions to advise the Hyattsville City Council on options to change the name of William Pinkney Magruder Park (20 minutes)

HCC-278-FY19

Sponsor: Solomon

Co-Sponsor(s): Croslin, Spell, Wright, Haba, Ward, Suiter, Hollingsworth, Lawrence, Warner

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I move that the Mayor and Council take the following actions to determine the feasibility of a name change of William Pinkney Magruder Park (hereafter referred to as Magruder Park):

a) Authorize the City Attorney to investigate the feasibility of and legal requirements for changing the name of Magruder Park without reverting ownership of the land back to the Magruder Family and/or Estate. The City Administrator and/or City Attorney will be required to report back their findings to the City Council within 120 days of passage of this motion. In the event additional research time is required, the City Administrator may request an extension from the City Council.

b) Authorize the City Attorney to investigate the feasibility of and legal requirements for updating the deed to exclude the offensive language as defined in the motion summary background details and effectively remove any restrictions on use of the public amenity that would be considered discriminatory as defined by the Hyattsville Human Rights Act. The City Administrator and/or City Attorney will be required to present its findings to the City Council



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within 120 days of passage of this motion. In the event additional research time is required, the City Administrator may request an extension from the City Council.

The City Administrator shall provide the City Council, in all regular status updates, the progress related to this research effort, including (but not be limited too) legal expenses (total expenses on this effort should be reported and council should be advised when and if these expenses reach \$10,000.00), partnership efforts, and any additional actions required by the Council to support investigating this matter.

Upon receipt of the work product resulting from parts a) and b) of this motion, the City Council shall devise an action plan to address the community implications associated with the property's history and the City's relationship with the donor (and/or his Estate). The action plan shall include measures the Council deems appropriate, as well as the supporting process, timeline, and community outreach and engagement. The City Administrator shall assist the City Council in this effort by preparing recommendations based on the tools available to the City of Hyattsville, Hyattsville historical precedent, models used by other governments or quasi government entities, and any recommended best practices.

Mayor Hollingsworth cited some of the language in the motion stating that the last sentence of the motion should be removed to be consistent with the actions taken regarding the measure.

Ward 3 Councilmember Thomas Wright recalled that he initially requested the removal because the Body did not want to take action until the legal ramifications were assessed to which **Mayor Hollingsworth** stated that she was content with leaving the language unedited, but wanted to demonstrate transparency about her concerns about the cited language being contentious. She conveyed that she would rather have recommendations be the responsibility of the Council and not the City staff.

Councilmember Solomon explained that it was not the intent to place the City responsible for making decisions for Council and it was important that there was an understanding of what options were available for developing a process.

Council President Haba recollected specific changes to the language that were implemented and stating his acceptance of the motion as it stood.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Haba
SECONDER:	Solomon
AYES:	Hollingsworth, Haba, Ward, Lawrence, Croslin, Warner, Suiter, Wright, Solomon, Spell
ABSENT:	None