



Prince George's County Council

Sitting as the District Council

Zoning Agenda Item Summary

Case No.: DSP-19050-01 **Councilmanic District:** 2
Meeting Date: 10/26/2020 **Zone(s):** M-U-I / T-D-O
Case Name: Dewey Property
Applicant: Bald Eagle Partners
Location: Located on the north side of Toledo Road, approximately 240 feet west of Adelphi Road (21.16 Acres; M-U-I / T-D-O Zones).
Request: Requesting approval of an amendment to a Detailed Site Plan (DSP) for a development consisting of 529 multifamily dwelling units on proposed Parcels 1, 2, and 3, as the second phase of the Dewey Property mixed-use development.

Companion

Case(s):

DECISIONS/RECOMMENDATION:

Technical Staff: Approval with Conditions

Planning Board: Approval with Conditions

Zoning Hearing Examiner:

Municipality: City of Hyattsville

LEGAL DEADLINES:

Appeal date: 9/4/2020

Review date: 9/30/2020

Action date: 10/30/2020

Comments:

Opposition:

Staff: Jeremy Hurlbutt

HISTORY:

Acting Body:	Date:	Action:
M-NCPPC Technical Staff	07/01/2020	approval with conditions
M-NCPPC Planning Board	07/30/2020	approval with conditions
Person of Record	08/27/2020	appealed

Notes: *Peter E. Ciferri, Esq., attorney for the appellant, appealed the Planning Board's Decision.*

Sitting as the District Council 09/14/2020 waived election to review

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

Aye: 11 Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras

- Clerk of the Council 09/16/2020 mailed
Notes: *Notice of Oral Argument Hearing was mailed to Persons of Record.*
- Person of Record 10/02/2020 filed
Notes: *Peter E. Ciferri, Esq., attorney for appellant, filed a Motion to Correct Administrative Record.*
- Sitting as the District Council 10/05/2020 announced hearing date
- Applicant 10/09/2020 filed
Notes: *Thomas H. Haller, Esq., attorney for the applicant, filed a response to the August 27, 2020 appeal.*
- Sitting as the District Council 10/19/2020 hearing held; referred for document
Notes: *Jeremy Hurlbutt, M-NCPPC, provided an overview of the Detailed Site Plan application. Peter Ciferri, Esq., attorney for appellant, spoke in opposition. Thomas H. Haller, Esq., attorney for the applicant, spoke in support. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented. The hearing was held and Council referred to staff for an approving document, with conditions (Vote: 11-0).*
 Aye: 11 Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras
- Sitting as the District Council 10/26/2020 approval with conditions
Notes: *Council adopted the prepared order of approval, with conditions (Vote: 11-0).*
 Aye: 11 Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras
- Clerk of the Council 10/30/2020 mailed
Notes: *The Notice of Final Decision of the District Council was mailed to Persons of Record.*

Document(s): DSP-19050-01 Zoning Agenda Item Summary, DSP-19050-01 Presentation Slides, DSP-19050-01 Letter Haller to Brown Response to Appeal 10092020, DSP-19050 M-NCPPC email to correct the record 10072020, DSP-19050-01 Correspondence from Ciferri to Brown 10022020, DSP-19050 Letter from Ciferri to Brown (Appeal), DSP-19050_DSP-19050-01 Transcripts, DSP-19050-01 Planning Board Resolution 2020-127, DSP-19050-01_PORL, DSP-19050-01 Technical Staff Report, DSP-19050-01 Planning Board Record, (DSP-19050-01 & DSP-19050) 7-10-20 Letter from Ciferri to Planning Board, (DSP-19050-01 & DSP-19050) 7-15-20 Letter from Ciferri to Planning Board, (DSP-19050-01) 5-28-20 Letter from Ciferri to Hurlbutt