



# Prince George's County Council

## Sitting as the District Council

### Zoning Agenda Item Summary

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**Case No.:** SDP-0315-04 Amend Condition Councilmanic District: 6  
**Meeting Date:** 7/11/2016 **Zone(s):** R-S  
**Case Name:** Beech Tree, East Village Sections 4 & 5  
**Applicant:** VOB Limited Partnership  
**Location:** Located on the west side of Robert S. Crain Highway (US 301), south of Leeland Road; specifically Section 4 is located on the north side of Beech Tree Parkway and on the east and west sides of Moores Plains Boulevard and Section 5 is located on the south side of Beech Tree Parkway.  
**Request:** Requesting approval to Amend a Condition (Condition 8) on the original Specific Design Plan-03015-04 which the District Council approved on April 1, 2014. Specifically requesting that approved condition 8 in SDP-0315-04 be revised to reflect an updated number of townhouses in East Village 5 ("EV5") of the Beechtree project to be built with side entries.

#### Companion

**Case(s):**

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#### DECISIONS/RECOMMENDATION:

**Technical Staff:**

**Planning Board:**

**Zoning Hearing Examiner:** Dismiss or Deny

**Municipality:**

**Opposition:**

#### LEGAL DEADLINES:

**Appeal date:**

**Review date:**

**Action date:**

*Comments:*

Case would normally get a hearing before the Zoning Hearing Examiner (ZHE). However; the ZHE is recommending that this request be dismissed or denied due to the restraints placed on the District Council in the recent 'Zimmer' decision.

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**Staff:**

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#### HISTORY:

**Acting Body:**

**Date:**

**Action:**

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Sitting as the District Council 04/01/2014 approval with conditions

**Notes:** Council adopted the prepared Order of approval, with conditions (Vote: 9-0).

Applicant 05/24/2016 filed

**Notes:** Robert J. Antonetti, Jr., Esquire, attorney for the applicant, filed a Request to

*Amend a Condition (Condition 8).*

Clerk of the Council 05/31/2016 transmitted

**Notes:** *Clerk of the Council transmitted the request to the Zoning Hearing Examiner.*

Zoning Hearing Examiner 06/06/2016 transmitted

**Notes:** *Zoning Hearing Examiner transmitted a memorandum recommending that the request be dismissed or denied due to the restraints placed on the District Council in the recent 'Zimmer' decision.*

Applicant 06/15/2016 filed

**Notes:** *Robert J. Antonetti, Jr., Esquire, attorney for the applicant, filed a response to the June 6, 2016 memorandum from the Zoning Hearing Examiner's Office indicating that the applicant still believes that the ZHE should hold a hearing.*

Sitting as the District Council 06/20/2016 referred for document

**Notes:** *Stan Brown, People's Zoning Counsel, spoke to the legalities of the case and provided procedural insight. Rajesh Kumar, Principal Counsel to the District Council, clarified the type of document to be prepared.*

*Council referred item to staff for preparation of a disapproving document consistent with the Zoning Hearing Examiner recommendations in her June 6, 2016 memorandum and comments by the People's Zoning Counsel (Vote: 7-0; Absent: Council Members Franklin and Toles).*

Aye: 7 Davis, Glaros, Harrison, Taveras, Lehman, Patterson and Turner

Absent: 2 Toles and Franklin

Sitting as the District Council 07/11/2016

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**Document(s):**