



THE PRINCE GEORGE'S COUNTY GOVERNMENT

County Council

July 17, 2024

The Honorable Peter A. Shapiro, Chair
Prince George's County Planning Board
1616 McCormick Drive
Largo, MD 20774

**RE: Letter from Honorable Peter A. Shapiro dated April 24, 2024
Order of Remand: DSP-20002 Giac Son Buddhist Temple**

Dear Chair Shapiro:

Thank you for your letter dated April 24, 2024, concerning the Order of Remand adopted by the District Council on or about January 22, 2024. As you are aware, the District Council remanded the Planning Board's decision embodied in Resolution 2023-98, which approved Detailed Site Plan (DSP)-20002, filed by Giac Son Buddhist Temple Corp., to address several procedural and legal issues.

In your letter dated April 24, 2024, you indicate that the Board's final decision in DSP-20002, embodied in Resolution 2023-98, remains unchanged, as the Board did not have sufficient time to provide notice and conduct a hearing on the Order of Remand prior to the expiration of the mandatory 60-day period. But before the District Council may address such concerns, and to comply with notice and due process in this contested matter, the Board is required to make findings and conclusions addressing such concerns in a Resolution in accordance with Section 13 of the Board's Rules of Procedure¹ and Section 27-290(f) of the Zoning Ordinance. For instance, as is the case here, where the Board determines that it cannot comply with the prescriptions of an Order of Remand adopted by the District Council, the Board's findings as to the reasons for its action, and its decision on the DSP shall be embodied in a Resolution adopted at a regularly scheduled public meeting. PGCC § 27-290(f). And the Board's adoption of a Resolution shall constitute a decision of the Board on the DSP in accordance with the procedures of Section 27-290 and Section 27-285.

Once the District Council is in receipt of the Board's decision, on remand, in DSP-20002, embodied in a Resolution as outlined above, subject to notice and due process to all persons of record, the District Council will take appropriate action in accordance with its Rules of Procedure and relevant provisions of the Zoning Ordinance.

¹ See PRINCE GEORGE'S COUNTY PLANNING BOARD RULES OF PROCEDURE SECTION 13 – Final Decisions, Resolution and Appeal Rights (a) Form – A final decision in a contested case shall be reflected in the form of a resolution. The mailing date of Resolution shall be considered the date of the final decision for purposes of reconsideration requests and appeals. (b) Contents – The resolution reflecting the final decision of the Planning Board shall contain separate statements of: (i) the findings of fact, (ii) conclusion of law, and (iii) appeal rights of the applicant and parties of record. (c) Time for Filing – The resolution reflecting the Board's decision shall be completed and filed with the Board within twenty-one (21) calendar days of the Board's decision.

As always, if you have any questions, or would like to discuss this matter further, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in cursive script that reads "Jolene Ivey".

Jolene Ivey
Chairperson