



Prince George's County Council

Sitting as the District Council

Zoning Agenda Item Summary

Case No.: CSP-20007 **Councilmanic District:** 2
Meeting Date: 10/25/2021 **Zone(s):** R-80
Case Name: Clay Property
Applicant: MRBCO, LLC
Location: Located at the terminus of Dean Drive and Calverton Drive within the municipal boundaries of the City of Hyattsville (12.87 Acres; R-80 Zone).
Request: Requesting approval of a Conceptual Site Plan (CSP) to change the underlying zone of the property from the One-Family Detached Residential Zone (R-80) to the One-Family Triple-Attached Residential (R-20) Zone to accommodate development of 137 townhouses.

Companion

Case(s):

DECISIONS/RECOMMENDATION:

Technical Staff: Disapproval

Planning Board: Disapproval

Zoning Hearing Examiner:

Municipality: Hyattsville

Opposition:

LEGAL DEADLINES:

Appeal date: 8/26/2021

Review date: 9/27/2021

Action date: 10/27/2021

Comments:

Mandatory Review:
District Council review of this case is required by
Section 27-548.09.01 of the Zoning Ordinance

Staff: DeAndrae Spradley

HISTORY:

Acting Body:	Date:	Action:
M-NCPPC Technical Staff	07/09/2021	disapproval
M-NCPPC Planning Board	07/22/2021	disapproval
Applicant	08/16/2021	appealed

Notes: *Chris Hatcher, Esq., attorney for the applicant, appealed the Planning Board's decision.*

Clerk of the Council 08/17/2021 mailed

Notes: *Notice of Oral Argument Hearing was mailed to Persons of Record.*

Applicant 08/26/2021 filed

Notes: *Chris Hatcher, Esq., attorney for the applicant, filed a Supplement to appeal of the Planning Board's decision that was filed on August 16, 2021.*

Sitting as the District Council 09/13/2021

Person of Record 09/14/2021 filed

Notes: *G. Macy Nelson, attorney for Citizen-Protestants filed a letter in response to the August 16, 2021 appeal that was submitted.*

Sitting as the District Council 09/20/2021 hearing held; case taken under advisement

Notes: *Jeremy Hurlbutt, M-NCPPC planning staff, provided an overview of the Conceptual Site Plan application. Chris Hatcher, Esq., Attorney for the applicant spoke in support. G. Macy Nelson, Esq., for Citizen-Protestants spoke in opposition. Stan Brown, People's Zoning Counsel, provided an overview of the case and commented on the factual and legal arguments presented by the parties. Council took this case under advisement.*

Sitting as the District Council 10/04/2021 referred for document

Notes: *Council referred item to staff for preparation of an approving document, with conditions (Vote: 9-0; Absent: Council Members Glaros and Streeter).*

Aye: 9 Hawkins, Anderson-Walker, Davis, Dernoga, Franklin, Harrison, Ivey, Taveras and Turner

Absent: 2 Glaros and Streeter

Sitting as the District Council 10/25/2021 approval

Notes: *Council adopted the prepared order of approval, with conditions (Vote: 10-0; Absent Council Member Streeter).*

Aye: 10 Hawkins, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Ivey, Taveras and Turner

Absent: 1 Streeter

Clerk of the Council 10/27/2021 mailed

Notes: *The Notice of Final Decision of the District Council was mailed to Persons of Record.*

Person of Record 11/17/2021 filed

Notes: *G. Macy Nelson, Esquire, attorney for David Dukes, et al., filed a Petition for Judicial Review in Circuit Court.*

CSP-20007 (email) Nelson to Brown Citizen-Respondents' Answering Memorandum 9-14-2021, CSP-20007 Nelson to Brown Citizen-Respondents' Answering Memorandum 9-14-2021, CSP-20007 (email) Hatcher to Brown Supplement to Petition for Appeal, CSP-20007 - Hatcher to Brown Supplement to Petition for Appeal 8-26-2021, CSP-20007 Notice of Oral Argument Hearing, CSP-20007 (email) Appeal from Hatcher to Brown 8-16-21, CSP-20007 Appeal from Hatcher to Brown 8-16-21, CSP-20007 Planning Board Resolution Revised, CSP-20007 PORL, CSP-20007 Technical Staff Report, CSP-20007 Transcripts 07-15-2021, CSP-20007 -Planning Board Record, PZC Notice of Intention to Participate District Council 9-20-2021, CSP-20007 Notice of District Council Final Decision