



Prince George's County Council

Sitting as the District Council

Zoning Agenda Item Summary

Case No.: DSP-19050 **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).
Request: Requesting approval of a Detailed Site Plan (DSP) for a mixed-use building consisting of 321 multifamily dwelling units and 1,258 square feet of commercial/retail uses on proposed Parcel 5.
Companion Case(s): DDS-660

DECISIONS/RECOMMENDATION:

Technical Staff: Approval with Conditions
Planning Board: Approval with Conditions
Zoning Hearing Examiner:
Municipality: City of Hyattsville
Opposition:

LEGAL DEADLINES:

Appeal date: 9/4/2020
Review date: 9/30/2020
Action date: 10/30/2020
Comments:

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: <i>Peter E. Ciferri, Esq., attorney for the appellant, appealed the Planning Board's Decision.</i>		
Sitting as the District Council	09/14/2020	waived election to review
Notes: <i>Council waived election to review for this item (Vote: 11-0).</i>		
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: 10-0; Absent: Council Member Dernoga).*

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

Absent: 1 Dernoga

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 Presentation Slides, DSP-19050 Letter Haller to Brown Response to Appeal 10092020, DSP-19050 M-NCPPC email to correct the record 10072020, DSP-19050 Correspondence from Ciferri to Brown (10022020), DSP-19050 Letter from Ciferri to Brown (Appeal), DSP-19050_DSP-19050-01 Transcripts, DSP-19050 Planning Board Resolution 2020-125, DSP-19050 PORL, DSP-19050 Technical Staff Report, DSP-19050 Planning Board Record, (DSP-19050) 3-31-20 Letter from Ciferri to Planning Board, (DSP-19050) 4-8-20 Letter from Ciferri to Planning Board, (DSP-19050 & DSP-19050-01) 7-10-20 Letter from Ciferri to Planning Board, (DSP-19050 & DSP-19050-01) 7-15-20 Letter from Ciferri to Planning Board