

Case No.: DSP-15016
Blue, Parcels 61 and 130

Applicant: Hyattsville Route One
Partners, LLC

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL

ORDER OF REMAND

Pursuant to Section 25-210 of the Land Use Article, Md. Ann. Code (2012 Ed. & 2016 Supp.) and Section 27-290 of the Prince George's County Code (2015 Ed., as amended), the District Council has jurisdiction over Detailed Site Plan Application Number 15016, ("DSP-15016").¹ Planning Board's Resolution No. 16-119 ("PGCPB No. 16-119") approving Applicant's request of a 16-townhouse development located on the western side of Baltimore Avenue (US 1), approximately 115 feet south of its intersection with Jefferson Street at 5334 Baltimore Avenue, in the City of Hyattsville, is hereby REMANDED.

1. On or about February 10, 2017, Mr. Lawrence Taub, attorney for the Applicant, Hyattsville Route One Partners, LLC, informed Council staff that the subject property was sold.
2. This matter was scheduled for final action before the Council on February 13, 2017.
3. The Council is unable to take final action because the record does not contain any evidence of the new ownership for the subject property.
4. On remand, the Planning Board shall reopen the record to obtain and include evidence of the new ownership for the subject property.
5. On remand, Planning Board shall make a finding whether new ownership intends to proceed with or withdraw DSP-15016. If Planning Board finds that new ownership intends to proceed with DSP-15016, the Board shall

¹ See also *Cnty. Council of Prince George's Cnty. v. Zimmer Dev. Co.*, 444 Md. 490, 569, 120 A.3d 677, 725 (2015) (The District Council is expressly authorized to review a final decision of the county planning board to approve or disapprove a detailed site plan and the District Council's review results in a final decision).

notify new ownership that he, she or it must file public ethics affidavits and/or ex parte disclosure forms. Planning Board shall ensure that new ownership timely files required public ethics affidavits and/or ex parte disclosure forms in accordance with Md. Ann. Code, General Provisions, Section 5-833, *et seq.*, before this matter is re-transmitted to the Council for final action.

ORDERED this 13th day of February, 2017, by the following vote:

In Favor: Council Members Davis, Franklin, Glaros, Harrison, Lehman, Patterson, Taveras, Toles and Turner.

Opposed:

Abstained:

Absent:

Vote: 9-0

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON
REGIONAL DISTRICT IN PRINCE GEORGE'S
COUNTY, MARYLAND

By: _____
Derrick Leon Davis, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council