



## Legislation Details (With Text)

<b>File #:</b>	HCC-10-FY21	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Action Item	<b>Status:</b>		Agenda Ready	
<b>File created:</b>	7/13/2020	<b>In control:</b>		City Council	
<b>On agenda:</b>	7/20/2020	<b>Final action:</b>			
<b>Title:</b>	DSP-20004: Applicant's request that City Council waive its Right to Appeal DSP-20004: Riverfront at West Hyattsville Medical Office Building				
<b>Sponsors:</b>	City Administrator				
<b>Indexes:</b>	Planning & Development				
<b>Code sections:</b>					
<b>Attachments:</b>	1. Memo - DSP 20004 Right to Appeal Request, 2. Applicant Request - Waive City Right to Appeal, 3. Notification of Planning Board Action on Detailed Site Plan DSP-20004, 4. DSP-20004 Kaiser Med Bldg - Hyattsv, 5. 2020-88				

Date	Ver.	Action By	Action	Result
7/20/2020	1	City Council	Approved	Pass

Submitted by: At the Request of the City Administrator

Submitting Department: Community & Economic Development

Agenda Section: Action

### Item Title:

DSP-20004: Applicant's request that City Council waive its Right to Appeal DSP-20004: Riverfront at West Hyattsville Medical Office Building

### Suggested Action:

I move the City Council authorize the Mayor to send correspondence waiving the City's right to appeal Planning Board Resolution Number 2020-88, for the approval of Detailed Site Plan 20004, Riverfront at West Hyattsville Metro - Parcel 1, for the development of a 44,362 square foot medical office building, amending the land-use category to 'Mixed-Use Residential and adding medical laboratory and eating establishment as allowed uses on the subject property. The correspondence shall be submitted to both the M-NCPPC Planning Board and Prince George's County District Council.

### Summary Background:

On Monday, May 4, 2020, the Hyattsville City Council reviewed the Detailed Site Plan (DSP-20004) application for the Kaiser Permanente Medical Office Building and approved the application with conditions.

The Prince George's Planning Board approved DSP-20004 with conditions on May 28, 2020.

The Applicant is requesting the City Council waive its right to appeal the Planning Board's decision on DSP-20004. However, before the District Council can hear a case, the applicant or any Person of Record may file a written appeal of the Planning Board's decision with the District Council within 30 days after the date of the final notice of the Planning Board's decision, pursuant to Section 27-290.

The window to file a written appeal to the District Council has been delayed due to emergency measures put in place as a response to the coronavirus pandemic. All public meetings, sessions, and hearings of the Prince George's County

Council, sitting as the District Council on land-use matters, have halted.

DSP-20004 will not be heard by the District Council until these emergency measures have been lifted. Waiving our right to appeal will afford the District Council the option to hear the case prior to the lifting of the emergency measures.

**Next Steps:**

No additional action is required.

**Fiscal Impact:**

N/A

**City Administrator Comments:**

Staff supports the applicant's request. Ordinarily the period to contest the Planning Board's decision would have expired, however due to COVID, the period was 'stayed' and so in order for the applicant to potentially have the District Council consider the mandatory hearing in August, a waiver is required.

**Community Engagement:**

No additional public engagement has been scheduled.

**Strategic Goals:**

Goal 2 - Ensure the Long-Term Economic Viability of the City

**Legal Review Required?**

Complete