



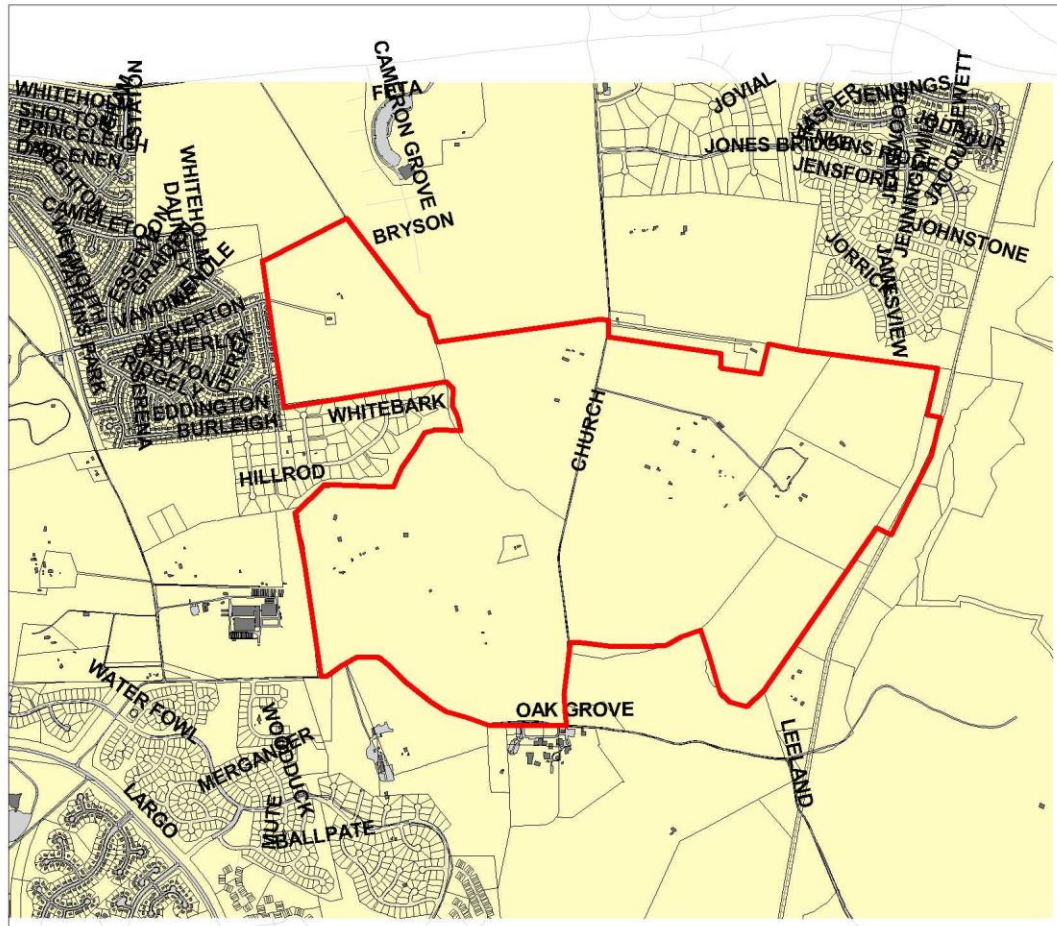
Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm.

Preliminary Plan 4-01032 Extension Request

Application	General Data	
<p>Project Name: Oak Creek Club</p> <p>Location: Both sides of Church Road, between Oak Grove Road and Central Avenue (MD 214).</p> <p>Applicant/Address: Law Offices of Norman D. Rivera, LLC 17251 Melford Boulevard, Suite 200 Bowie, MD 20715</p> <p>Property Owner: Oak Creek Club Corporation</p>	Planning Board Hearing Date:	09/12/13
	Memorandum Date:	08/22/13
	Plan Acreage:	923.0
	Zone:	L-A-C, R-A & R-L
	Parcels/Lots:	36/1,148
	Planning Area:	74A
	Tier:	Developing
	Council District:	06
	Election District:	07
	Municipality:	N/A
200-Scale Base Map:	201NE12	

Purpose of Application
<p>EXTENSION REQUEST: This preliminary plan of subdivision was approved by the Planning Board and the resolution of approval adopted on December 20, 2001 and is valid through December 31, 2013. Norman D. Rivera of the Law Offices of Norman D. Rivera, LLC, by letter dated July 31, 2013, requests a two-year extension. Staff recommends approval of that request. If approved, the plan will be valid through December 31, 2015.</p> <p>Staff Recommendation: 2-year extension</p>

Staff Recommendation		Staff Reviewer: Whitney Chellis Phone Number: 301-952-4325 E-mail: Whitney.Chellis@ppd.mncppc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
TWO-YEAR EXTENSION			



**SITE
VICINITY MAP
4-01032**
August 08, 2001
LEGEND

	Property Lines
	Center Line
	Railroad
	Buildings
	Bridges
	Roads
	Property



SCALE 1:19852.3



August 22, 2013

MEMORANDUM

TO: The Prince George's County Planning Board

FROM: Whitney Chellis, Supervisor, Subdivision Section, Development Review Division

SUBJECT: Preliminary Plan of Subdivision 4-01032 Extension Request
Oak Creek Club

This preliminary plan of subdivision (PPS) was approved by the Planning Board and the resolution of approval adopted on December 20, 2001. A two-year extension was granted to the normal six-year expiry of December 20, 2007, to December 20, 2009. The District Council, with the adoption of Council Bill CB-008-2011, then extended the PPS validity until December 31, 2013. Norman Rivera, Esquire, by letter received August 2, 2013, requests a two-year extension until December 31, 2015. The PPS was approved for 1,148 dwelling units and 36 parcels.

Section 24-119(d) of the Subdivision Regulations authorizes the Planning Board to grant an extension to the normal expiration of a PPS:

- (6) An approved preliminary plan of subdivision consisting of more than four hundred (400) residentially zoned lots or dwelling units or more than one hundred and fifty (150) gross acres of commercially or industrially zoned land or land designated for nonresidential uses in any CDZ or M-X-T Zone which has a staging plan shall remain valid for six (6) years from the date of its approval, unless extensions of the validity period are granted.**
- (A) An extension of up to two (2) years from the expiration of an approved preliminary plan or any extension thereof may be granted by the Planning Board provided:**
 - (i) Public infrastructure which was determined to be the developer's responsibility in accordance with the requirements of Section 24-122.01 and Section 24-124 has been constructed by the developer in order to accommodate all stages of the development; or**

- (ii) The developer has been proceeding in a diligent manner to comply with the staging plan and has been unable, through no fault of the developer, to complete development within the time frame specified; or**
- (iii) The staging plan cannot be met as a result of government failure to extend necessary services or infrastructure.**

The applicant states that, in accordance with Section 24-119(6)(A)(ii), the developer has been proceeding in a diligent manner to comply with the staging plan and has been unable to complete development within the time frame specified, through no fault of the developer and generally related to the down turn in the economy, and therefore requests the extension.

Staff concurs with the applicant's justification and believes that the two-year extension as requested by the applicant is appropriate to complete these final steps in the development process. The request was filed prior to expiration of the PPS as required, and the site remains in conformance with the requirements of Subtitle 24. This is the second extension request for this property.

Staff recommends approval of a two-year extension and, if approved, the PPS will be valid through December 31, 2015.