



The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Development Review Division
301-952-3530

Note: Staff reports can be accessed at <http://mncppc.iqm2.com/Citizens/Default.aspx>

Preliminary Plan of Subdivision Smith Home Farm

4-05080

REQUEST	STAFF RECOMMENDATION
Extension of preliminary plan of subdivision validity period.	APPROVAL of two-year extension

Location: East of the intersection MD 4 (Pennsylvania Avenue) and Presidential Parkway.	
Gross Acreage:	757
Zone:	R-M/L-A-C
Gross Floor Area:	N/A
Dwelling Units:	3,628
Lots:	1,176
Parcels:	355
Planning Area:	78
Council District:	06
Election District:	15
Municipality:	N/A
200-Scale Base Map:	205SE08
Applicant/Address: DASC 5450 Branchville Road College Park, MD 20740	
Staff Reviewer: Antoine Heath Phone Number: 301-952-3554 Email: Antoine.Heath@ppd.mncppc.org	



Planning Board Date:	12/09/2021
Planning Board Action Limit:	N/A
Mandatory Action Timeframe:	N/A
Memorandum Date:	11/22/2021
Date Accepted:	10/15/2021
Informational Mailing:	N/A/
Acceptance Mailing:	N/A
Sign Posting Deadline:	N/A

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at http://www.mncppcapps.org/planning/Person_of_Record/. Please call 301-952-3530 for additional information.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

November 22, 2021

MEMORANDUM

TO: The Prince George's County Planning Board

FROM: Antoine Heath, Senior Planner, Subdivision Section
Development Review Division

VIA: Sherri Conner, Supervisor, Subdivision Section
Development Review Division

SUBJECT: **Preliminary Plan of Subdivision 4-05080
Smith Home Farm
Extension Request**

This preliminary plan of subdivision (PPS) was approved by the Prince George's County Planning Board on July 27, 2006, and the resolution of approval was adopted on September 7, 2006 (PGCPB Resolution No. 06-64 (A/2)(C)). This PPS was approved for 1,176 lots and 355 parcels and is valid through December 31, 2021, due to prior legislative extensions of the validity period. By letter dated October 14, 2021, Robert J. Antonetti, Jr. of the Law Offices of Shipley & Horne, P.A., requests a two-year extension until December 31, 2023. This is the applicant's first extension request.

Section 24-119(d)(5) and (6) of the Prince George's County Subdivision Regulations authorizes the Planning Board to grant an extension to the normal expiration of a PPS. In the instance of the subject PPS, the following criteria apply:

- (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 development; or**

Staff finds that a significant amount of the public infrastructure, which the developer is responsible for in accordance with the PPS approval and pursuant to the requirements of Section 24-122.01 and Section 24-124 of the Subdivision Regulations, has been constructed. This includes miles of master plan roads, trails, parkland dedication, and recreational facilities. These improvements accommodate all stages of development. Therefore, staff finds this criterion to be met.

- (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**

Staff finds that the applicant has been proceeding with platting of the PPS since 2013, and significant portions of the development have been completed on the western portion of the property (Sections 1A, 1B, 2, and 3). The applicant is also in the process of installing infrastructure in the eastern part of the site (Sections 4, 5, and 6), parts of which have also been platted. There are seven planned sections of development in total. Part of Section 5 and Section 6 were superseded by a subsequent PPS approval, which remains valid, for changes to the lotting pattern to accommodate the overall development. However, the applicant has not elaborated on the causes of their inability to complete development with the time frame specified and have not demonstrated that delays have been through no fault of their own. Therefore, staff does not find that the criteria above has been satisfied.

- (iii) The staging plan cannot be met as a result of government failure to extend necessary services or infrastructure;**

The 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* calls for the construction of the Suitland Parkway/MD 4 interchange, which is part of the main entrance to the overall development. Though the completion of this interchange has been delayed, staff finds that its construction has not caused delay in the platting of this subdivision. The interchange construction is addressed through payment into the Westphalia Road Public Facilities Financing and Implementation Program and is applicable at the time of building permit.

Although the applicant has put forth a justification for each of the criteria above, only one of the criteria under Section 24-119(d)(6)(A) is required to be met in order to grant the extension. Staff finds that criterion under subsection (A)(i) is met, and pursuant to the findings presented above, staff recommends that the Planning Board approve the requested two-year extension.