



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

Preliminary Plan 4-06075 Extension Request

Application	General Data	
Project Name: Locust Hill Location: North and south sides of Oak Grove Road and east of Church Road; east and west of Popes Creek Branch Railroad crossing with Oak Grove Road Applicant/Address: Shipley & Horne, P.A. 1101 Mercantile Lane Suite 240 Largo, MD 20774 Property Owner: Toll Brothers Inc.	Planning Board Hearing Date:	06/13/13
	Memorandum Date:	06/04/13
	Plan Acreage:	503.53
	Zone:	R-L
	Parcels/Lots:	24/554
	Planning Area:	79
	Tier:	Developing
	Council District:	06
	Election District	03
	Municipality:	Bowie
	200-Scale Base Map:	202SE13

Purpose of Application
EXTENSION REQUEST: This preliminary plan of subdivision was approved by the Planning Board on January 25, 2007 (PGCPB Resolution No. 07-28) and is valid through December 31, 2013. Arthur J. Horne, Jr. of Shipley & Horne P.A., by letter dated May 13, 2013, requests a two-year extension. Staff recommends approval of that request. If approved the plan will be valid through December 31, 2015. Staff Recommendation: two-year extension

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

June 4, 2013

MEMORANDUM

TO: The Prince George's County Planning Board

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

SUBJECT: Preliminary Plan of Subdivision 4-06075 Extension Request
Locust Hill

This preliminary plan of subdivision (PPS) was approved by the Planning Board on January 25, 2007 and the resolution of approval (PGCPB Resolution 07-28) was adopted on March 15, 2007. The PPS is valid through December 31, 2013 due to extensions granted by the County Council with the adoption of Council Bill CB-008-2011. Arthur J. Horne, Jr. of Shipley & Horne P.A., by letter dated and received May 13, 2013, requests a two-year extension until December 31, 2015. The PPS was approved for 554 residential lots and 24 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.**

In the letter dated and received on May 13, 2013 (Horne to Chellis), the applicant states that in accordance with Section 24-119(d)(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, the applicant requests an extension.

The applicant has received approval of a rezoning (Zoning Map Amendment A-9975), Comprehensive Design Plan (CDP-0506), and this preliminary plan of subdivision, and is now proceeding to obtain approval of the specific design plan and final plats. Staff believes that the two-year extension as requested by the applicant is needed to complete these final two steps in the development process. The request was filed prior to expiration of the PPS as required.

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