



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

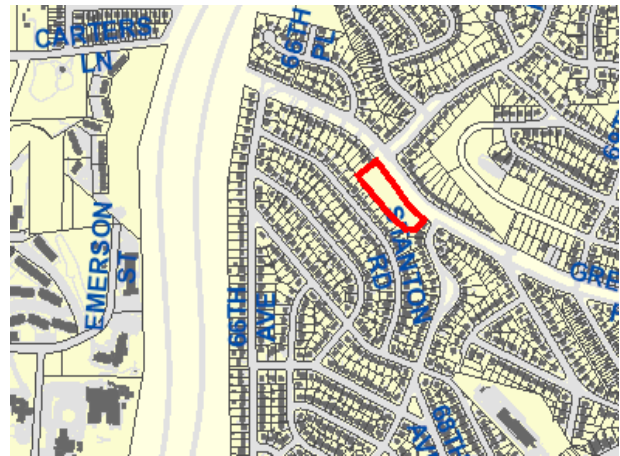
Note: Staff reports can be accessed at <http://mncppc.iqm2.com/Citizens/Default.aspx>

Preliminary Plan of Subdivision Greenvale Parkway

4-06116

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

Location: Along the west side of Greenvale Parkway, at its intersection with Furman Parkway.	
Gross Acreage:	2.14
Zone:	R-55
Gross Floor Area:	N/A
Dwelling Units:	8
Lots:	8
Parcels:	0
Planning Area:	69
Council District:	03
Election District:	02
Municipality:	N/A
200-Scale Base Map:	206NE05/206NE06
Applicant Address: Surinder, Khanna & Surendra DHIR 8809 Gallant Green Drive McLean, VA 22102	
Staff Reviewer: Antoine Heath Phone Number: 301-952-3554 Email: Antoine.Heath@ppd.mncppc.org	



Planning Board Date:	02/10/2022
Planning Board Action Limit:	N/A
Mandatory Action Timeframe:	N/A
Memorandum Date:	01/25/2022
Date Filed:	12/20/2021
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

January 25, 2022

MEMORANDUM

TO: The Prince George's County Planning Board

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

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

SUBJECT: **Preliminary Plan of Subdivision 4-06116
Greenvale Parkway
Extension Request**

This Preliminary Plan of Subdivision (PPS), 4-06116, was approved by the Prince George's County Planning Board on May 3, 2007, and the resolution of approval was adopted on May 31, 2007 (PGCPB Resolution No. 07-95). The PPS was approved for eight lots and was valid through December 31, 2021, due to prior legislative extensions of the validity period. By letter dated December 15, 2021, Mike Razavi of the Raztec Associates, Inc, requests a one-year extension until December 31, 2022. 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. Specifically, for the subject PPS, Section 24-119(d)(5)(A)(i) through (v) provides the required findings for the Planning Board to grant an extension of the plan's validity period because the PPS consists of less than 100 residentially zoned lots. The criteria that must be considered are shown in **BOLD** text and staff's analysis is provided in plain text.

Section 24-119(d)(5):

- (5) An approved preliminary plan of subdivision shall remain valid for two (2) years from the date of its approval unless an extension of the validity period is granted.**
- (A) Extensions of the validity of an approved preliminary plan may be granted by the Planning Board provided:**

(i) The request is filed prior to the expiration of the preliminary plan approval;

This extension request was filed on December 20, 2021, prior to the expiration of the plan on December 31, 2021. Therefore, this criterion is met.

(ii) The preliminary plan remains in conformance with all the requirements of Subtitle 27 applicable to the subject property;

The property has remained in the One-Family Detached Residential Zone since the PPS was approved in 2007 and remains in conformance with the lot standards applicable under Subtitle 27 of the Zoning Ordinance. Therefore, this criterion is met. It is noted that the PPS must be certified, and a detailed site plan (DSP) approved; these approvals will ensure conformance with the conditions of the PPS approval.

(iii) Two (2) years is not sufficient time to prepare the final plat(s);

Staff finds that Condition 7 of the PPS resolution (PGCPB Resolution No. 07-95) requires approval of a DSP, prior to approval of the final plat. This DSP is required to include, but not be limited to, review of screening through tree preservation and/or landscape bufferyards, any revisions resulting from the approval of the stormwater management (SWM) concept plan, and review of building materials and design to ensure compatibility with neighboring homes. As a result of these requirements, certain items needed for the DSP are to be redesigned, and re-approved, causing delays. Specifically, the applicant pursued and gained approval of a SWM concept plan in 2018 and filed the requisite DSP in 2019. The applicant received pre-acceptance review comments for the DSP in September 2019 and in September 2020 and, in the process of working on those comments, further delays were caused by the COVID-19 pandemic. The applicant provides that the pandemic caused an uncertain environment which delayed their preparation of plans and progress of the project.

From the time of PPS approval until now, the applicant has benefited from multiple legislative extensions via the Prince George's County Council. This includes Prince George's County Council Bills CB-7-2010, CB-8-2011, CB-70-2013, CB-80-2015, CB-98-2017, CB-60-2018, and CB-74-2020. These extensions were enacted to allow a PPS to remain valid for an extended period of time, due to a weakened market from the nationwide 2007–2009 recession, the poor market conditions that followed, and the COVID-19 pandemic. The market factors and legislative extensions were determinative that two years was not sufficient time to prepare the final plats. Therefore, staff finds that this criterion has been met.

(iv) The applicant is not unduly delaying the filing of the final plat(s);

Staff finds that the applicant has not delayed the filing of the final plats and that factors outside their control have led to their inability to proceed with preparation of the final plats. As described above, the market recession and COVID 19 pandemic are both factors outside of the applicant's control. The applicant states that they attempted to sell the property, but were unable to do so given the market conditions at the time following the PPS approval. After not being able to sell the property, the applicant decided to move forward with development.

They proceeded to prepare appropriate slope analysis in order to gain SWM concept plan approval in 2018. In 2019, the applicant filed the DSP for the project, prepared additional documents and plans required, including architectural elevation and landscape plans, and resubmitted the DSP package in 2020. During the pre-acceptance review of the DSP plans and documents, staff identified major issues which the applicant must address prior to moving forward with the DSP. Specifically, the current environmental conditions of the site must be recertified, and steep slopes on the property, resulting in the need for retaining walls, must be carefully designed to stabilize the property, meet height requirements, and be economically viable to construct and be maintained by the future homeowners. The applicant intends to proceed to finalize the design and prepare the necessary plans should this extension request be approved. Staff finds that the applicant is not unduly delaying the filing of the final plat, and that the above criteria has been met.

(v) The validity of a preliminary plan consisting of less than one hundred (100) residentially zoned lots or less than one hundred (100) gross acres of commercially or industrially zoned land or land designated for nonresidential uses in any CDZ or M-X-T Zone shall not be extended more than one (1) year from the normal expiration of the approved preliminary plan;

This is the first extension requested by the applicant, which is not more than one year. Therefore, this criterion is met. The normal expiration of two years was deferred from May 31, 2009 to December 31, 2021, in accordance with legislative extensions approved by the County Council.

Pursuant to the findings presented above, staff recommends that the Planning Board approve a one-year extension. If a one-year extension is approved, the PPS will be valid through December 31, 2022.