



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

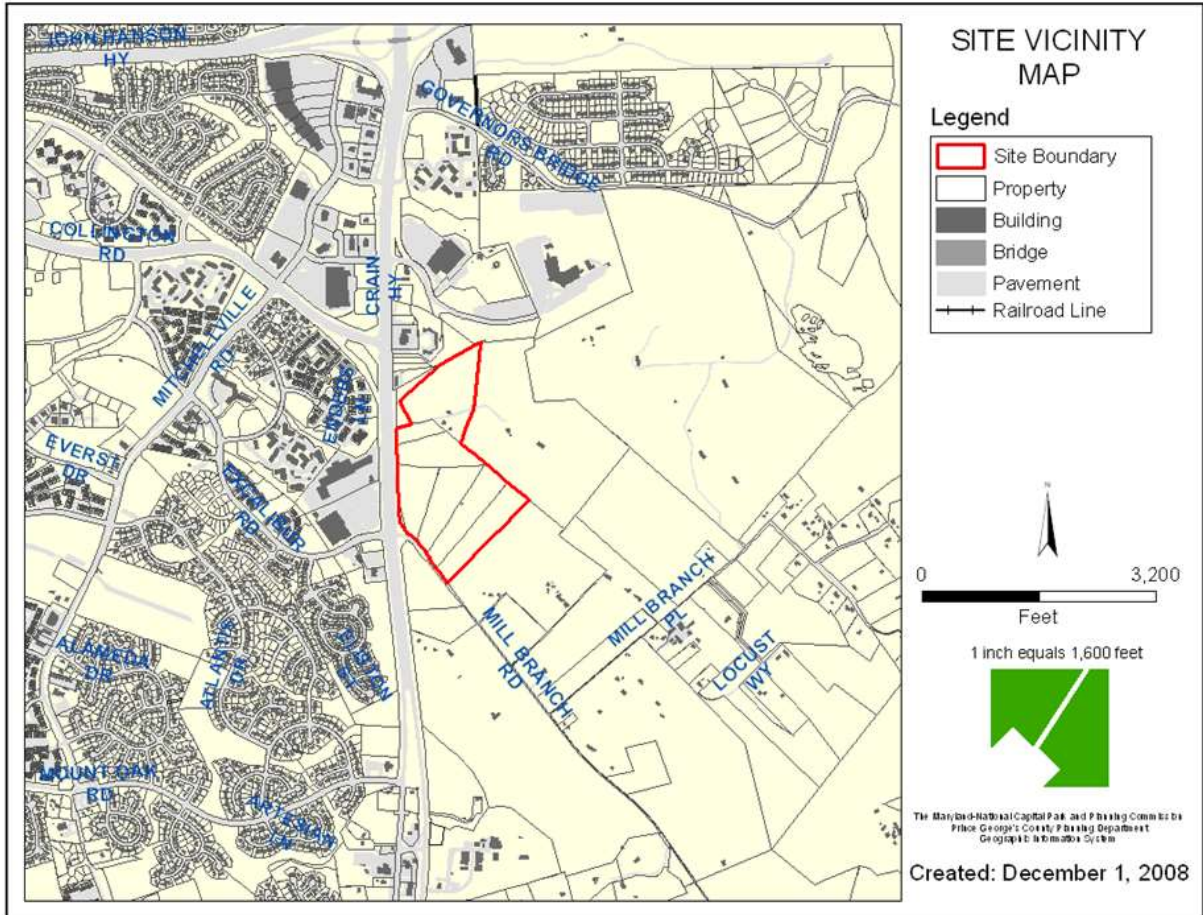
Preliminary Plan 4-08052

Waiver of the Rules and Reconsideration Request

Application	General Data	
Project Name: Mill Branch Crossing Location: Northeast quadrant of the intersection of Robert Crain Highway (MD 301) and Mill Branch Road. Applicant/Address: Mill Branch Crossing, LLC 150 White Plains Road, Suite 400 Tarrytown, NY 10591 Property Owner: Mill Branch Crossing, LLC 150 White Plains Road, Suite 400 Tarrytown, NY 10591	Planning Board Hearing Date:	12/08/16
	Memorandum Date:	10/18/16
	Date Accepted:	11/10/16
	Planning Board Action Limit:	N/A
	Plan Acreage:	73.98
	Zone:	C-S-C
	Gross Floor Area:	496,000 sq. ft.
	Lots:	N/A
	Parcels:	1
	Planning Area:	74B
	Tier:	Developing
	Council District:	04
	Election District	07
	Municipality:	N/A
	200-Scale Base Map:	205NE14/15

Purpose of Application	Notice Dates	
Waiver of the Rules of Procedure Reconsideration Request – Discussion	Previous Parties of Record (Applicant)	12/10/16
	Previous Parties of Record (M-NCPPC)	11/22/16

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



October 18, 2016

MEMORANDUM

TO: The Prince George's County Planning Board

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

SUBJECT: Waiver of the Planning Board Rules of Procedure and Request for Reconsideration
Preliminary Plan of Subdivision 4-08052
Mill Branch Crossing

The Planning Board approved the preliminary plan of subdivision (PPS) for the above case, and the resolution of approval (PGCPB Resolution No. 09-85) was adopted on June 18, 2009. By letter dated November 10, 2016, Michele La Rocca, Esquire, representing the owner/applicant, Mill Branch Crossing LLC, requests a waiver of the Planning Board's Rules of Procedure (Section 10.a) and a reconsideration (Section 10.e.). Pursuant to the applicant's letter, the request for reconsideration is limited to Conditions 5, 6, 15, and 26 along with the associated findings.

The reconsideration is to request a modification to the order of approvals established by the Planning Board in the original approval. Specifically, Condition 6 of the PPS requires that the applicant obtain approval of a detailed site plan (DSP) prior to approval of a final plat. In this case, the applicant indicates that there are a number of extenuating circumstances that make it difficult for the applicant to obtain DSP approval prior to expiration of the PPS, which occurs on December 31, 2017. Conditions 5 and 15 are also related to the order of the approvals and can be adjusted if the order of the approval is modified.

The reconsideration also requests a modification to Condition 26, which requires restoration of an on-site stream. The applicant has stated that they are unable to fully implement the condition as required because of changes in the original assumptions made with the analysis of the stream restoration proposal.

If the waiver and reconsideration are granted by the Planning Board, staff may request additional information from the applicant which will be analyzed. Staff will then schedule the hearing on the merits of the reconsideration which will be brought back to the Planning Board for an action at a public hearing.