



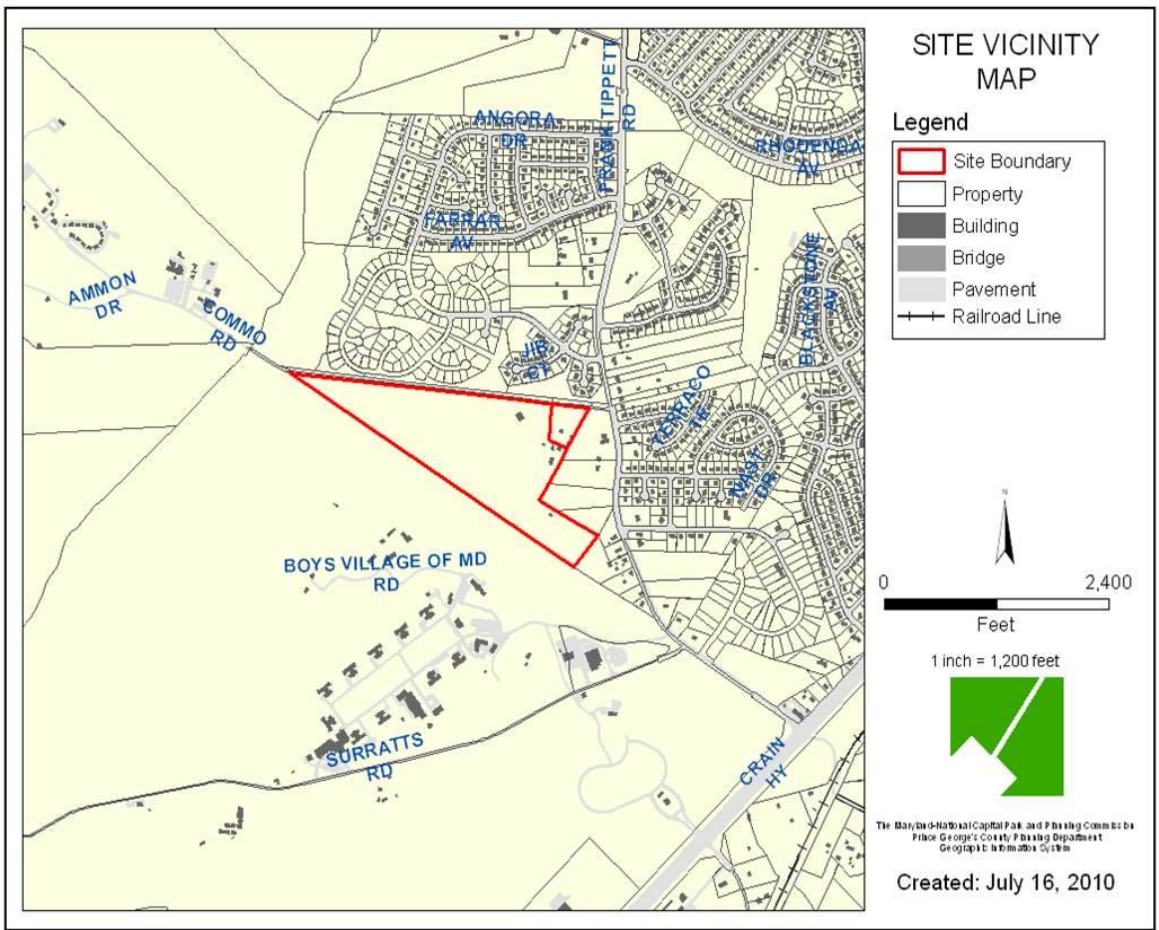
*Note: Staff reports can be accessed at [www.mnccppc.org/pgco/planning/plan.htm](http://www.mnccppc.org/pgco/planning/plan.htm).*

## Preliminary Plan 4-09042 Extension Request

Application	General Data	
<b>Project Name:</b> Smith Lake Estates  <b>Location:</b> Southeast of the intersection of Commo Road And Frank Tippet Road, Northwest of Robert Crain Highway (US 301).  <b>Applicant/Address:</b> Daniel H. and Douglas Smith c/o The Michaels Co.'s 4930 Parliament Place, Suite A Lanham, MD 20706  <b>Property Owner:</b> Daniel H. and Douglas Smith c/o The Michaels Co.'s 4930 Parliament Place, Suite A Lanham, MD 20706	Planning Board Hearing Date:	02/28/13
	Memorandum Date:	02/15/13
	Plan Acreage:	55.38
	Zone:	R-R
	Parcels:	3
	Planning Area:	82A
	Tier:	Developing
	Council District:	09
	Election District	11
	Municipality:	N/A
	200-Scale Base Map:	214SE09

Purpose of Application
<b>EXTENSION REQUEST:</b> This preliminary plan of subdivision (PPS) was approved by the Planning Board and the resolution of approval (PGCPB Resolution No. 11-13) was adopted on February 24, 2011. The PPS remains valid until February 24, 2013. Matthew Tedesco, Esquire by letter dated January 24 2013, representing the applicant requests a one-year extension of the validity period of this preliminary plan of subdivision. If approved the plan will be valid through February 24, 2014. <b>Staff Recommendation: one-year extension</b>

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



February 15, 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 4-09042 Extension Request  
Smith Lake Estates

This preliminary plan of subdivision (PPS) was approved by the Planning Board on February 3, 2011 and the resolution of approval was adopted on February 24, 2011 (PGCPB Resolution No. 11-13); therefore, the PPS is valid through February 24, 2013. Matthew C. Tedesco, Esquire of McNamee, Hosea, Jernigan, Kim, Greenan & Lynch, P.A, by letter dated January 24, 2013, requests a one-year extension until February 24, 2014.

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

- (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;**
    - (ii) The preliminary plan remains in conformance with all the requirements of Subtitle 27 applicable to the subject property;**
    - (iii) Two (2) years is not sufficient time to prepare the final plat(s);**
    - (iv) The applicant is not unduly delaying the filing of the final plat(s);**
    - (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;**

The letter filed by the applicant was received by the M-NCPPC Prince George's County Planning Department on January 25, 2013, prior to the expiration of the PPS. Staff has determined that the PPS remains in conformance with the applicable requirements of Subtitle 27 of the County Code. In the letter dated January 24, 2013 (Tedesco to Chellis), the applicant states that they have been working toward the fulfillment of the conditions of the PPS which include the requirement for a detailed site plan and additional archeological work, as well as working with the Prince George's County Department of Environmental Resources (DER) on a water and sewer change request. The applicant does state that the issues of delay also relate to the downturn in the economy.

Staff does not believe that the applicant has been unduly delaying the filing of the final plat, and recommends approval of a one-year extension. If approved, the PPS will be valid through February 24, 2014.