



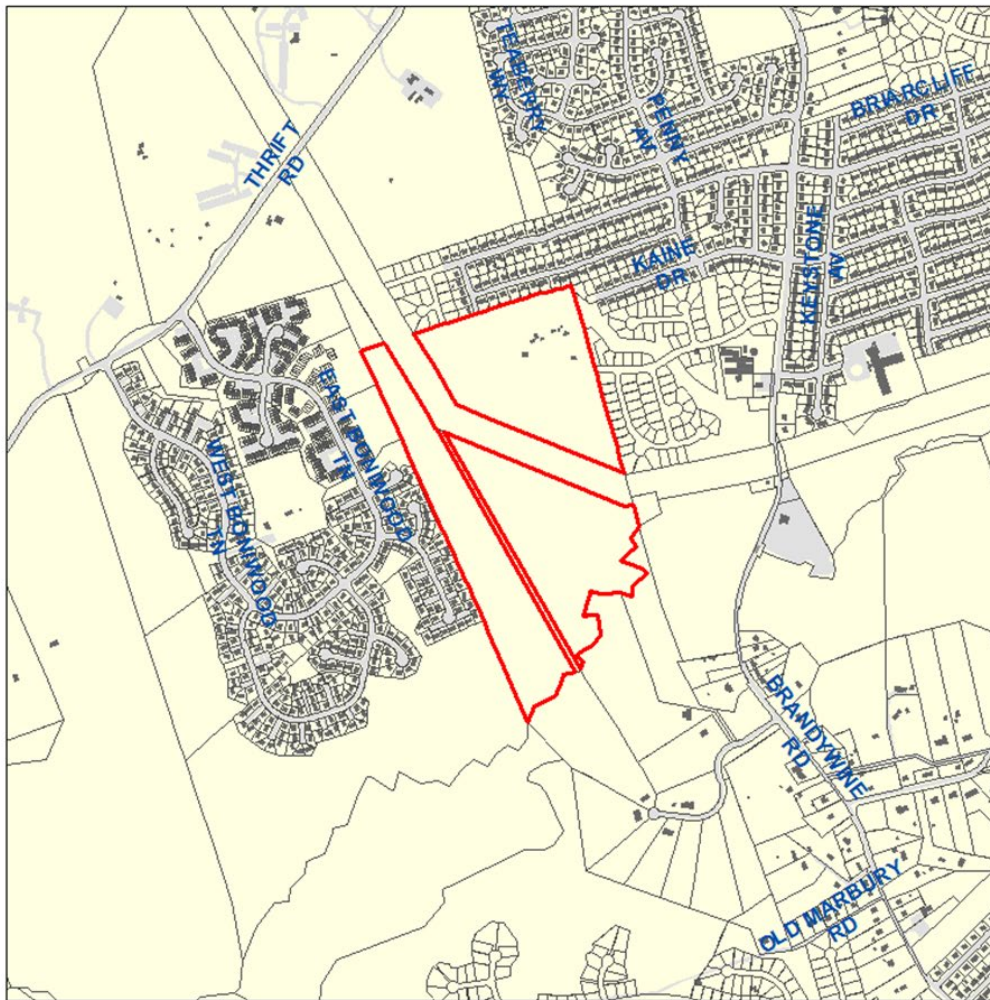
Note: Staff reports can be accessed at <http://mncppc.igmp2/Citizens/Default.aspx>.

Preliminary Plan of Subdivision 4-10020 Waiver of the Rules of Procedure and Reconsideration Request

Application	General Data	
Project Name: The Vineyards II Location: One-half mile west of MD 381 (Brandywine Road), west of the terminus of Summersweet Drive. Applicant/Address: The Ryland Group, Inc. 14280 Park Meadow Drive, Suite 108 Chantilly, VA 20151 Property Owner: Same as applicant	Planning Board Hearing Date:	07/25/19
	Memorandum Date:	07/10/19
	Date Received:	07/01/19
	Planning Board Action Limit:	07/31/19
	Plan Acreage:	90.69
	Zone:	R-80
	Gross Floor Area:	N/A
	Lots:	64
	Parcels/Outparcels:	5/2
	Planning Area:	81A
	Council District:	09
	Election District:	09, 11
	Municipality:	N/A
	200-Scale Base Map	215SE05, 06

Purpose of Application	Notice Dates	
Waiver of the Rules of Procedure Reconsideration Request–Discussion	Previous Parties of Record (Applicant)	06/28/19
	Parties of Record (M-NCPPC)	07/12/19

Staff Recommendation		Staff Reviewer: Christopher Davis Phone Number: 301-952-4487 Email: Christopher.Davis@ppd.mncppc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
			X





THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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

July 10, 2019

MEMORANDUM

TO: The Prince George's County Planning Board

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

FROM: Christopher Davis, Senior Planner, Subdivision and Zoning Section
Development Review Division

SUBJECT: Preliminary Plan of Subdivision 4-10020
Waiver of the Rules of Procedure and Reconsideration Request
The Vineyards II

By letter dated June 28, 2019, Thomas Haller, representing The Ryland Group, Inc., requested a waiver of the Prince George's County Planning Board's Rules of Procedure (Section 10(a)), which requires that a reconsideration request be submitted no less than 14 calendar days after the date of notice of the final decision. In this case, the resolution of approval (PGCPB Resolution No. 12-107) was adopted by the Planning Board for 64 lots, 5 parcels, and 1 outparcel on November 29, 2012. If the waiver is granted, the applicant requests a reconsideration to amend Condition 15(e), in furtherance of substantial public interest, due to other good cause or inadvertence, which resulted in an error (Section 10(e)) in reaching the final decision.

The preliminary plan of subdivision (PPS) approval (PGCPB Resolution No. 12-107) included Condition 15(e), requiring the trigger for construction of a master plan trail, as follows:

- 15. The applicant and the applicant's heirs, successors, and/or assignees shall design and construct the master-planned Piscataway Creek Trail as shown on Parcel D (M-NCPPC) on the preliminary plan of subdivision:**
 - e. The ten-foot master-planned trail shall be completed and ready for use prior to issuance of the 60th building permit.**

The applicant is requesting that the condition be amended, as follows:

15. The applicant and the applicant's heirs, successors, and/or assignees shall design and construct the master-planned Piscataway Creek Trail as shown on Parcel D (M-NCPPC) on the preliminary plan of subdivision:

- e. The ten-foot master-planned trail shall be completed and ready for use prior to issuance of the 64th building permit or the applicant shall obtain approval of a preliminary plan of subdivision for Outparcel A (as depicted on the plat of subdivision recorded at Plat Book 243 Plat No 52) with a condition requiring construction of the trail.**

As set forth in the request, the applicant puts forth that due to circumstances beyond the control of the Planning Board and the applicant, including the requirement of a new wetland delineation impacting the trail following approval of the subject PPS 4-10020 and a new proposed subdivision of an intervening property known as Outparcel A, being needed in order to provide access to and completion of the trail, the completion of the trail cannot be obtained by the time of issuance of the 60th building permit. The applicant requests that Condition 15(e) be amended to provide optional alternatives to either defer completion of the trail to the 64th building permit, or the construction be conditioned with approval of a PPS for Outparcel A, being proposed as the Vineyards III subdivision, which the applicant indicates is currently in the process of being filed.

If the Planning Board grants the applicant's request for a waiver and reconsideration, staff will provide an analysis on the merits of the request at a later Planning Board hearing.