



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

Preliminary Plan of Subdivision Sycamore Hill Assisted Living

4-12020

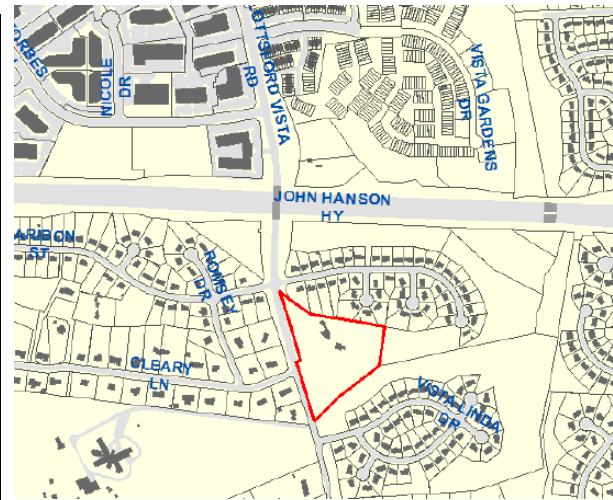
REQUEST	STAFF RECOMMENDATION
Extension of PPS validity period	DISAPPROVAL of one-year extension

Location: On the east side of Lottsford Vista Road between Vista Linda Drive and Vista Grande Drive, across from Cleary Lane.

Gross Acreage:	7.91
Zone:	R-R
Gross Floor Area:	65,608 sq. ft.
Dwelling Units:	63
Lots:	0
Parcels:	1
Planning Area:	73
Council District:	05
Election District:	13
Municipality:	N/A
200-Scale Base Map:	205NE09, 206NE09

Applicant/Address:
Presidential Care, LLC
1818 Newton Street NW
Washington DC, 20010

Staff Reviewer: Eddie Diaz-Campbell
Phone Number: 301-952-3665
Email: Eddie.Diaz-Campbell@ppd.mncppc.org



Planning Board Date:	11/18/2021
Planning Board Action Limit:	N/A
Mandatory Action Timeframe:	N/A
Memorandum Date:	10/26/2021
Date Accepted:	09/15/2021
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

October 26, 2021

MEMORANDUM

TO: The Prince George's County Planning Board

FROM: Eddie Diaz-Campbell, Senior Planner, Subdivision Section *EDC*
Development Review Division

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

SUBJECT: **Preliminary Plan of Subdivision 4-12020**
Sycamore Hill Assisted Living
Extension Request

This preliminary plan of subdivision (PPS) was approved by the Planning Board on July 11, 2013, and the resolution of approval was adopted on September 12, 2013 (PGCPB Resolution No. 13-82). The PPS was approved for one parcel and is valid through December 31, 2021, due to prior legislative extensions of the validity period. By letter dated September 13, 2021, Arthur J. Horne, Jr. of the Law Offices of Shipley & Horne, P.A., requests a one-year extension until December 31, 2022. This is the applicant's first extension request.

Section 24-119(d) of the Prince George's County 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;**

Staff finds the above criteria (i) and (ii) to be met.

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

The applicant provides that there have been changes to the site's environmental features, which must be accounted for in the final engineering, and that unexpected impacts as a result of the COVID pandemic have caused delays in preparing the final plats. Staff finds the above criteria has not been satisfied, as the application has remained valid for the last eight years due to legislative extensions.

Legislative extensions via Prince George's County Council Bill CB-80-2015, CB-98-2017, and CB-60-2018, which specifically affect this project, 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, and to allow adjustment to current market conditions. The enactment of CB-74-2020 followed thereafter and further extended the validity of PPS, in light of the COVID pandemic. Staff finds this PPS has benefitted from several legislative extensions, which were enacted to address any delays caused by market conditions and the COVID pandemic and, therefore, sufficient time has been allocated for the preparation of final plats.

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

The applicant provides that they have not delayed the filing of the final plats, and delays have been caused by the redesignation of environmental features that affect the property. The applicant does not provide specific details regarding when the expanded environmental features were discovered, and how long it has or will take to address this revision. Therefore, staff finds that insufficient evidence has been provided to demonstrate that the applicant has diligently pursued the filing of the final plats for the last eight years that the PPS has remained valid.

(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. However, the normal expiration of two years was deferred from September 12, 2015 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 disapprove the requested one-year extension.