



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

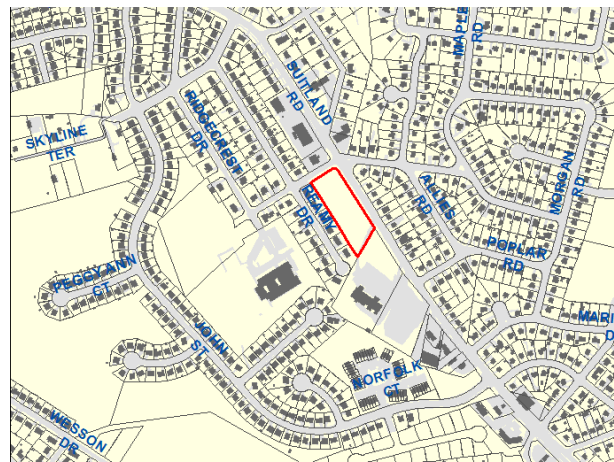
Note: Staff reports can be accessed at <http://mncppc.iqm2.com/Citizens/Default.aspx>

Preliminary Plan of Subdivision 4-14008 Waiver of the Rules of Procedure and Reconsideration Request Skyline Subdivision

REQUEST	STAFF RECOMMENDATION
Waiver of the Rules of Procedure and Reconsideration Request	DISCUSSION

Location: In the southwest quadrant of the intersection of Randolph Road and Suitland Road.

Gross Acreage:	2.48
Zone:	R-80/D-D-O
Gross Floor Area:	N/A
Lots/Dwelling Units:	7
Parcels:	0
Planning Area:	76A
Council District:	07
Election District:	06
Municipality:	Morningside
200-Scale Base Map:	206SE06
Applicant/Address: DMD Holdings, LLC 7077 Mink Hollow Road Highland, MD 20777	
Staff Reviewer: Mridula Gupta Phone Number: 301-952-3504 Email: Mridula.Gupta@ppd.mncppc.org	



Planning Board Date:	10/15/2020
Planning Board Action Limit:	10/22/2020
Memorandum Date:	10/01/2020
Date Received:	09/22/2020
Previous Parties of Record (Applicant)	09/21/2020
Previous Parties of Record (M-NCPPC)	09/30/2020

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 1, 2020

MEMORANDUM

TO: The Prince George's County Planning Board

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

FROM: Mridula Gupta, Planner Coordinator, Subdivision and Zoning Section
Development Review Division

SUBJECT: **Preliminary Plan of Subdivision 4-14008**
Waiver of the Rules of Procedure and Reconsideration Request
Skyline Subdivision

By letter dated September 21, 2020, Norman D. Rivera, Esquire, representing DMD Holding Company, LLC, requested a waiver of the Prince George's County Planning Board's Rules of Procedure (Section 12(a)), which require that a reconsideration request be submitted no less than 14 calendar days after the date of notice of the final decision (Section 10(a)). In this case, the resolution of approval (PGCPB Resolution No. 15-111) was adopted by the Planning Board on October 29, 2015 and mailed out on November 3, 2015. If the Planning Board grants the requested waiver, the applicant specifically requests reconsideration of Condition 9 of the resolution. Per Section 10(e) of the Rules of Procedure, reconsideration may only be granted if, in furtherance of substantial public interest, the Planning Board finds that an error in reaching the original decision was caused by fraud, surprise, mistake, inadvertence, or other good cause.

Condition 9 pertains to denial of access and reads, as follows:

9. **The final plat shall reflect denial of access to Suitland Road and Randolph Road, except for the one shared driveway access to Suitland Road as described by the Transportation Planning Section (M-NCPPC) and the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE).**

The applicant is requesting that the condition above and approved preliminary plan of subdivision be amended to allow three shared driveway accesses to Suitland Road to serve six lots instead of one shared driveway access serving seven lots. According to the applicant's request, the

seven lots with service road (shared driveway) as approved results in unnecessary paving and grading, and the applicant provides that the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) has conceptually approved the proposed access. It is noted that no correspondence from DPIE regarding the transportation impacts were submitted by the applicant and the Prince George's County Planning Department Staff will be seeking to obtain such correspondence, prior to a hearing on the merits of this request, if approved for reconsideration.

Finally, the applicant concludes that this change in condition and circumstances, including change in ownership and furtherance of substantial public interest, is good cause for the requested reconsideration.

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.