



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 Forestville Center, Parcel 193

4-16029

REQUEST	STAFF RECOMMENDATION
Extension of the preliminary plan of subdivision validity period.	APPROVAL of a one-year extension

Location: On the southwest side of Marlboro Pike, approximately 250 feet northwest of its intersection with Pumphrey Drive.	
Gross Acreage:	1.37
Current Zone:	CGO/MIO
Prior Zone:	C-S-C/R-55/M-I-O
Reviewed per prior Subdivision Regulations:	Section 24-1704
Gross Floor Area:	8,960 sq. ft.
Dwellings:	0
Lots:	0
Parcels:	1
Planning Area:	75A
Council District:	06
Municipality:	N/A
Applicant/Address: NSR Petro Services, LLC 7303 Hanover Parkway, Suite A Greenbelt, MD 20770	
Staff Reviewer: Antoine Heath Phone Number: 301-952-3554 Email: Antoine.Heath@ppd.mncppc.org	



Planning Board Date:	02/09/2023
Planning Board Action Limit:	N/A
Mandatory Action Timeframe:	N/A
Memorandum Date:	01/24/2023
Date Filed:	12/29/2022
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

January 24, 2023

MEMORANDUM

TO: The Prince George's County Planning Board

FROM: Antoine Heath, Planner II, Subdivision Section *SC* for AH
Development Review Division

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

SUBJECT: **Preliminary Plan of Subdivision 4-16029**
Forestville Center
Extension Request

This preliminary plan of subdivision (PPS) was approved by the Prince George's County Planning Board on January 24, 2019, and the resolution of approval was adopted on February 14, 2019 (PGCPB Resolution No. 19-17). The PPS was approved for one parcel, and is valid through December 31, 2022, due to prior legislative extensions of the validity period. By letter dated December 29, 2022, Abdullah Hijazi, of Hijazi Law Group, LLC, requests a one-year extension until December 31, 2023. This is the applicant's first extension request.

In accordance with Section 24-1704 of the Prince George's County Subdivision Regulations, subdivision approvals of any type remain valid for the period of time specified in the Subdivision Regulations under which the subdivision was approved. Extensions of time, which were available under those Subdivision Regulations, shall remain available. Section 24-119(d)(5)(A) of the prior Subdivision Regulations authorizes the Planning Board to grant an extension to the normal expiration of a PPS. The criteria which must be considered are shown in **BOLD** text, and staff analysis of conformance to each criterion is provided in plain text.

Section 24-119(d):

- (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;

Staff finds the above criteria (i) to be met, as the extension request was filed on November 21, 2022, prior to the PPS expiration date on December 31, 2022.

(ii) The preliminary plan remains in conformance with all the requirements of Subtitle 27 applicable to the subject property;

Staff finds the above criteria (ii) to be met, as the subdivision was approved, in accordance with the prior Commercial Shopping Center, One-Family Detached Residential (R-55), and Military Installation Overlay zoning of the subject property, which remains applicable under the prior Prince George's County Zoning Ordinance.

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

The subject PPS was approved for commercial development shortly preceding the COVID-19 pandemic. The development is also subject to detailed site plan (DSP) review, which must be approved prior to the approval of a final plat. Although the applicant has prepared the DSP for submittal, the pandemic decreased and changed the need for commercial development, which had delayed the project. Therefore, there has been insufficient time to prepare the final plats.

The enactment of Prince George's County Council Bill CB-74-2020 extended the validity of a PPS, in light of the COVID-19 pandemic. The legislative extension was determinative that two years was not sufficient time to prepare the final plats. Therefore, staff finds that this criterion has been met.

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

Staff finds that the applicant has not delayed the filing of the final plats and that factors outside their control have led to their inability to proceed with preparation of the final plats. As stated above, the PPS was approved just before the COVID-19 pandemic, which significantly impacted the demand for commercial development. Nonetheless, the applicant is in the process of filing a DSP in order to complete the required development approvals to plat the property.

(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. It is noted that the normal expiration of two years was deferred from February 14, 2021 to December 31, 2022, in accordance with legislative extensions approved by the Prince George's County Council.

Pursuant to the findings presented above, staff recommends that the Planning Board APPROVE the requested one-year extension.