



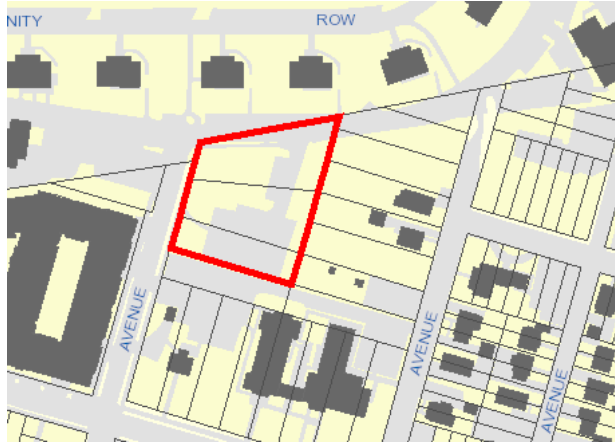
The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Development Review Division
301-952-3530

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

Preliminary Plan of Subdivision Hillel Center

4-17038

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

Location: Along Yale Avenue, approximately 260 feet north of its intersection with College Avenue.			
Gross Acreage:	0.87		
Current Zone:	NAC		
Prior Zone:	M-U-I/D-D-O		
Reviewed per prior Subdivision Regulations:	Section 24-1704		
Gross Floor Area:	37,728 sq. ft.		
Dwellings:	N/A		
Lots:	0		
Parcels:	3		
Planning Area:	66		
Council District:	03		
Municipality:	College Park		
Applicant/Address: Maryland Hillel 7612 Mowatt Lane College Park, MD 20740		Planning Board Date:	01/26/2023
Staff Reviewer: Antoine Heath Phone Number: 240-245-5251 Email: Antoine.Heath@ppd.mncppc.org		Planning Board Action Limit:	N/A
		Mandatory Action Timeframe:	N/A
		Memorandum Date:	01/13/2023
		Date Filed:	12/06/2022
		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 13, 2023

MEMORANDUM

TO: The Prince George's County Planning Board

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

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

SUBJECT: **Preliminary Plan of Subdivision 4-17038
Hillel Center
Extension Request**

This preliminary plan of subdivision (PPS) was approved by the Prince George's County Planning Board on October 25, 2018, and the resolution of approval was adopted on November 15, 2018 (PGCPB Resolution No. 18-106). The PPS was approved for 1 parcel, and was valid through December 31, 2022, due to prior legislative extensions of the validity period. By letter dated December 6, 2022, Lawrence N. Taub, of O'Malley, Miles, Nysten & Gilmore, P.A. Attorneys & Counselors at Law, 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 criterion (i) to be met, as the extension request was filed on December 6, 2022, prior to its 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 criterion (ii) to be met, as the subdivision was approved, in accordance with the prior Mixed Use-Infill (M-U-I) and Development District Overlay (D-D-O) Zones of the subject property, which remains applicable under the prior Prince George's County Zoning Ordinance, in accordance with Section 24-1704 of the Subdivision Regulations.

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

Staff finds that the applicant encountered funding difficulty for the development, as a result of the COVID-19 pandemic, causing delay to project and necessary redesign of the building approved under Detailed Site Plan DSP-17052. The redesign has now been completed and an amended DSP-17052-01 was submitted for review in December 2022.

The enactment of Prince George's County Council Bill CB-74-2020 extended the validity of 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 applicant has been redesigning the proposed development over the past few years, in response to the pandemic. In addition, Condition 5b of the PPS requires that a vehicular access easement be submitted to the Maryland-National Capital Park and Planning Commission and shown on the final plat, as access to the property is required to be provided via a private ingress/egress easement through University of Maryland (UMD) owned property. The applicant has been working with UMD to complete the access easement agreement. However, that agreement has not yet been finalized. The applicant submitted a draft plat of the subdivision on April 15, 2022, which has been reviewed by staff, to the extent possible, and is awaiting the submission and

approval of an access easement agreement between the applicant and UMD, in order for the final plat to be filed. Given the applicant's filing of the DSP and draft documents necessary to move this project forward, staff finds that this criterion has been met.

- (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 November 15, 2020 to December 31, 2022, in accordance with legislative extensions approved by the County Council.

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