




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 Accokeek Property

4-18031

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

Location: On the east side MD 210 (Indian Head Highway), approximately one mile south of its intersection with Farmington Road.				
Gross Acreage:	9.18			
Zone:	RR			
Gross Floor Area:	N/A			
Dwelling Units:	10			
Lots:	10			
Parcels:	2			
Planning Area:	84			
Council District:	09	Planning Board Date:		05/05/2022
Election District:	05	Planning Board Action Limit:		N/A
Municipality:	N/A	Mandatory Action Timeframe:		N/A
200-Scale Base Map:	220SE01	Memorandum Date:		04/21/2022
Applicant Address: ANFG Accokeek, LLC 1553 Edmonston Road Beltsville, MD 20705		Date Filed:		03/30/2022
		Informational Mailing:		N/A
		Acceptance Mailing:		N/A
Staff Reviewer: Antoine Heath Phone Number: 301-952-3554 Email: Antoine.Heath@ppd.mncppc.org		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

April 21, 2022

MEMORANDUM

TO: The Prince George's County Planning Board

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

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

SUBJECT: **Preliminary Plan of Subdivision 4-18031
Accokeek Property
Extension Request**

This Preliminary Plan of Subdivision (PPS), 4-18031, was approved by the Prince George's County Planning Board on March 12, 2020, and the resolution of approval was adopted on April 2, 2020 (PGCPB Resolution No. 2020-33). The PPS was approved for 10 lots and 2 parcels for the development of 10 single-family dwellings. By letter dated March 30, 2022, the applicant's attorney, Thomas H. Haller, of the Law Offices of Gibbs and Haller, requested a one-year extension of the plan's validity period to April 2, 2023. This is the applicant's first extension request.

The PPS was approved under the provisions of the prior Prince George's County Zoning Ordinance and Subdivision Regulations. Pursuant to Section 24-1704(a) of the Subdivision Regulations, the subdivision approval is valid for the period of time specified under the prior Subdivision Regulations. Based on the April 2, 2020 adoption of the resolution, and the two-year validity period specified by Section 24-119(d)(5) of the prior Subdivision Regulations, this PPS is valid until April 2, 2022. Extensions of time available under the prior Subdivision Regulations remain available. Therefore, the applicant's request for an extension to April 2, 2023, may be approved if the relevant criteria in the prior Subdivision Regulations are met.

Section 24-119(d)(5) and (6) of the prior Subdivision Regulations authorizes the Planning Board to grant an extension to the normal expiration of a PPS. Specifically, for the subject PPS, Section 24-119(d)(5)(A)(i) through (v) provides the required findings for the Planning Board to grant an extension of the plan's validity period because the PPS consists of less than 100 residentially zoned lots. The criteria that must be considered are shown in **bold** text and staff's analysis is provided in plain text.

Section 24-119(d)(5):

(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;

This extension request was filed on March 30, 2022, prior to the expiration of the plan on April 2, 2022. Therefore, this criterion is met.

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

The property has remained in the Rural Residential Zone since it was approved in 2020 and remains in conformance with the lot standards applicable under Subtitle 27 of the prior Prince George's County Zoning Ordinance. Therefore, this criterion is met.

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

Staff finds that environmental, as well as water and sewer issues, have caused delays in the preparation of the final plat. The applicant submitted the final plat for pre-acceptance review on January 11, 2021, and again on February 10, 2021. However, since then there have been multiple requests for revisions by the Prince George's County Soil Conservation District and the Washington Suburban Sanitary Commission (WSSC). On December 14, 2021, the Soil Conservation District provided comments to the applicant indicating that the proposed stormwater management (SWM) facility on-site be classified as a MD-378 pond because of the steep embankment containing the pond. This required a redesign of the SWM pond. In addition, the site is proposed to be accessed from Henrietta Drive, which terminates at the property boundary. This road will need to be extended to provide access to the proposed lots. As a result, the public water and sewer facilities underneath Henrietta Drive also need to be extended. This requires hydraulic planning analysis to be submitted to WSSC. On January 21, 2022, the applicant received comments from WSSC, requiring the applicant to revise the proposed sewer easement. The applicant has responded to these comments and resubmitted the final plat on March 24, 2022. The acceptance of the final plat application is pending. 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 of their control have led to their inability to proceed with preparation of the final plats. As described above, the applicant submitted a final plat application in January 2021. However, the revisions and information required by WSSC and the Soil Conservation District delayed the filing of the final plat. The applicant has since provided these revisions and resubmitted their application. As a result, staff finds that the applicant is not unduly delaying the filing of the final plat, and that the above criteria 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. Therefore, this criterion is met.

Pursuant to the findings presented above, staff recommends that the Planning Board APPROVE a one-year extension. If a one-year extension is approved, the PPS will be valid through April 2, 2023.