




Note: Staff reports can be accessed at <https://www.mncppc.org/883/Watch-Meetings>

## Preliminary Plan of Subdivision 4-21025 Broad Creek Townhouses at Henson Creek Transit Village

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

<b>Location:</b> Northwest of the intersection of Oxon Hill Road and Livingston Road.			
Gross Acreage:	14.87		
Zone:	RSF-A/AG		
Prior Zone:	R-T/O-S		
Reviewed per prior Subdivision Regulations:	Section 24-1704(a)		
Gross Floor Area:	N/A		
Dwelling Units:	80		
Lots:	80		
Parcels:	8		
Planning Area:	80		
Council District:	08		
Municipality:	N/A		
<b>Applicant/Address:</b> Abdolhossein Ejtemai, Hossein Ejtemai, Mahmoud Pirzadeh 2900 Telestar Court Falls Church, VA 22042		Planning Board Date:	07/17/2025
<b>Staff Reviewer:</b> Salmin Monoar <b>Phone Number:</b> 301-952-4141 <b>Email:</b> Salmin.Monoar@ppd.mncppc.org		Planning Board Action Limit:	N/A
		Mandatory Action Timeframe:	N/A
		Memorandum Date:	07/10/2025
		Date Filed:	06/02/2025
		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/](http://www.mncppcapps.org/planning/Person_of_Record/). Please call 301-952-3530 for additional information.



July 10, 2025

**MEMORANDUM**

TO: The Prince George's County Planning Board

VIA: Mridula Gupta, Acting Planning Supervisor, Subdivision Section *MG*  
Development Review Division

FROM: Salmin Monoar, Planner III, Subdivision Section *SM*  
Development Review Division

SUBJECT: **Preliminary Plan of Subdivision 4-21025**  
**Broad Creek Townhouses at Henson Creek Transit Village**  
**Extension Request**

This preliminary plan of subdivision (PPS) was approved by the Prince George's County Planning Board on May 16, 2022, and the resolution of approval was adopted on June 9, 2022 (PGCPB Resolution No. 2022-60). This PPS approved 80 lots and 8 parcels for development of 80 single-family detached dwelling units and is valid until June 9, 2025, following a previously granted one-year extension by the Planning Board on May 23, 2024. By letter dated June 2, 2025, Matthew C. Tedesco of McNamee Hosea, representing the property owners and applicants, Abdolhossein Ejtemai, Hossein Ejtemai, and Mahmoud Pirzadeh, requested a final two-year extension until June 9, 2027. This is the applicant's second extension request.

PPS 4-21025 was approved in accordance with the Prince George's County Zoning Ordinance and Prince George's County Subdivision Regulations which were in existence prior to April 1, 2022 (hereby referred to as prior Zoning Ordinance and prior Subdivision Regulations). In accordance with Section 24-1704(a) of the current 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. In addition, 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 that must be considered are shown in **bold** text, and staff's 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;**

This extension request was filed on June 2, 2025, prior to the expiration of the PPS on June 9, 2025. Therefore, this criterion is met.

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

At the time of PPS approval in May 2022, the subject property was located in the Townhouse (R-T) and Open Space (O-S) Zones. Following the implementation of the Countywide Map Amendment and the new Zoning Ordinance on April 1, 2022, the site is now zoned Residential, Single-Family-Attached (RSF-A) and Agriculture and Preservation (AG). At the time of the PPS approval, the requirements of the prior Zoning Ordinance (prior Subtitle 27) applied.

Pursuant to Section 24-1704(b) of the Subdivision Regulations, so long as a PPS remains valid, the project may proceed to the next steps in the approval process and continue to be reviewed and decided under the prior Zoning Ordinance. Therefore, the requirements of prior Subtitle 27 continue to apply. The PPS remains consistent with the standards and regulations that were in place at the time of approval. Therefore, staff find this criterion is met.

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

Before final plats can be prepared, the applicant needs to gain approval of a detailed site plan (DSP), as is required in the R-T Zone, by Section 27-433(k) of the prior Zoning Ordinance. Since the PPS resolution was adopted on June 9, 2022, the applicant has encountered multiple delays in preparing final plats. Initially, the applicant was unable to secure timely approval for DSP-21013 due to site design issues connected to complying with Conditions 17 and 18 of PGCPB Resolution No. 2022-60, which required coordination with the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE), for improvements along Oxon Hill Road.

These frontage improvements impacted the adjacent 100-year floodplain and nontidal wetlands located on the property, triggering the need for more intensive environmental review. These site constraints resulted in the need for a high-impact individual wetland permit from the Maryland Department of the Environment (MDE), rather than the previously anticipated low-impact letter of

authorization. They also necessitated a revised floodplain study and new easement approval from DPIE.

While the Planning Board approved DSP-21013 on March 6, 2025 (with the resolution adopted on March 27, 2025), the applicant is still awaiting issuance of MDE's wetland permit and DPIE's approval of the revised floodplain easement. As these approvals are necessary prerequisites for final plat acceptance and approval, staff conclude that two years has not been sufficient, and this criterion is met.

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

The applicant has made consistent efforts to secure the required permits and entitlements. As outlined in their current request, they submitted their wetland permit application to MDE on February 7, 2025 (Application No. 25-NT-0023/202560193) and are actively coordinating with DPIE regarding the floodplain study (FPS-201926) and partial release of an existing floodplain easement. A letter dated June 4, 2025, from DPIE, stated that approval of the floodplain application is not feasible prior to June 9, 2025.

The delay in plat filing is due to unresolved external agency requirements and is not attributable to inaction by the applicant. Therefore, this criterion is 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 criterion applied to the initial extension request. That request, for a one-year extension, was granted by the Planning Board on May 23, 2024, extending the plan's validity to June 9, 2025. That first extension complied with the one-year limit for projects with fewer than 100 lots. This current request does not invoke this criterion, but rather falls under the final extension provision in Criterion (vii).

**(vi) The validity of a preliminary plan consisting of more than one hundred (100) residentially-zoned lots or more 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 two (2) years from the normal expiration of the approved preliminary plan;**

The PPS consists of 80 lots and 8 parcels on approximately 14.87 acres, which is fewer than 100 lots and under 100 acres. Therefore, this criterion is not applicable.

- (vii) A final extension of up to two (2) years from the expiration of a previously approved extension(s) may be granted upon the applicant's submission to the Planning Board of a letter from a permitting agency (including, but not limited to the Washington Suburban Sanitary Commission, U.S. Army Corps of Engineers, Maryland Department of Water Resources Administration, Prince George's County Department of Permitting, Inspections, and Enforcement) indicating:**

- (aa) The date of application for the required permit;**

DSP-21013 was approved by the Planning Board on March 6, 2025, and its resolution (PGCPB Resolution No. 2025-019) was adopted on March 27, 2025. The Planning Board's decision became final following the Prince George's County District Council's notice of no appeal on May 2, 2025. The applicant submitted the wetland permit application to MDE on February 7, 2025. The application was assigned No. 25-NT-0023/202560193. Final plats cannot be approved without final determination of wetland permitting and floodplain easement configuration, both of which are still pending with MDE and DPIE, respectively. The applicant submitted a letter dated May 21, 2025, from MDE, listing the date of the application for the required wetland permit. In addition, the applicant submitted a letter dated June 4, 2025, from DPIE, listing the date of the floodplain application as May 19, 2025.

- (bb) That the issuance of the required permit is delayed due to circumstances beyond the control of the applicant; and**

The applicant submitted letters from MDE (dated May 21, 2025) and DPIE (dated June 4, 2025) which document that the issuance of the required permit is delayed due to circumstances beyond the control of the applicant. The letter from MDE provides that the wetland permit review is pending response to their comments dated March 17, 2025. The letter from DPIE states that the floodplain application requires revision of the approved floodplain delineation; the coordination of the grading associated with the revised delineation with a nontidal wetlands permit to enable on-site wetland mitigation; and the ultimate impact on the proposed lotting and floodplain easement for the subdivision for the proposed development. The need for an individual wetland permit was triggered by

the frontage improvements required by Conditions 17 and 18 of PGCPB Resolution No. 2022-60. These conditions required exact details and profiles of pedestrian and bicycle improvements, to be coordinated with DPIE, at the time of DSP. As a result, the installation of required improvements along Oxon Hill Road led to unanticipated impacts to abutting nontidal wetlands and the 100-year floodplain of Henson Creek. These impacts escalated the permit classification from a low-impact letter of authorization to a high-impact individual permit, further complicating the regulatory process. In addition, the coordination required with DPIE related to the floodplain study, and the need to revise and reapprove the floodplain easement has contributed to delays. These regulatory requirements are outside of the applicant's control and have significantly affected the timeline for obtaining the necessary approvals.

**(cc) The approximate date of issuance of the required permit.**

The approximate date of issuance of the required permit from MDE is not expected until at least mid-2026. The applicant provided a letter from MDE dated May 21, 2025, which confirms that a decision on the wetland permit cannot be made before June 9, 2025. Given the permit is classified as a major project, MDE has indicated that such permits typically require a minimum of one year to process. DPIE further provided a letter dated June 4, 2025, stating that approval of the floodplain application is not feasible prior to June 9, 2025. The applicant anticipates that even under ideal circumstances, issuance of the permit is unlikely before the middle of 2026.

Pursuant to the findings presented above, staff recommend the Planning Board approve a final two-year extension of PPS 4-21025, in accordance with Section 24-119(d)(5)(A)(vii) of the prior Subdivision Regulations. Approval of this final extension would allow the PPS to remain valid through June 9, 2027, providing the necessary time to secure the outstanding MDE and DPIE approvals, and allowing the applicant to finalize the plats and facilitate development, as approved.