



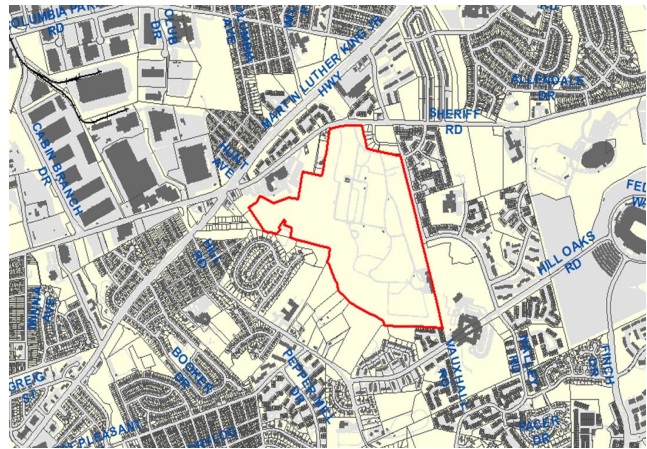
The Maryland-National Capital Park and Planning Commission  
 Prince George's County Planning Department  
 Development Review Division  
 301-952-3530

## Revision of Site Plan National Harmony Memorial Park

**ROSP-4313-03**

REQUEST	STAFF RECOMMENDATION
Construct a new 22-foot-wide asphalt access road and locate a stockpile area on previously cleared and graded areas of the site.	APPROVAL

<b>Location:</b> On the south side of Sheriff Road, approximately 530 feet southwest of its intersection with Belle Haven Drive.	
Gross Acreage:	142.86
Zone:	R-80
Gross Floor Area:	17,295 sq. ft.
Lots:	1
Parcels:	N/A
Planning Area:	72
Council District:	05
Election District:	13
Municipality:	N/A
200-Scale Base Map:	202NE06
<b>Applicant/Address:</b> Joe Thompson 7101 Sheriff Road Hyattsville, MD 20785	
<b>Staff Reviewer:</b> Sherri K. Conner <b>Phone Number:</b> 301-952-3168 <b>Email:</b> Sherri.Conner@ppd.mncppc.org	



Planning Board Date:	N/A
Planning Board Action Limit:	N/A
Staff Report Date:	12/29/19
Date Accepted:	11/06/17
Informational Mailing:	N/A
Acceptance Mailing:	N/A
Sign Posting Deadline:	N/A



**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION**  
14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772

## **PLANNING DIRECTOR DECISION**

### **Limited Departures and Revisions to Approved Plans**

**Application No.:** Revision of Site Plan ROSP-4313-03

**Project Name:** National Harmony Memorial Park

**Reviewer's Name:** Sherri Conner, Planning Supervisor  
Subdivision and Zoning Section, Development Review Division

1. **Location and Field Inspection**—The subject property is located on the south side of Sheriff Road, approximately 530 feet southwest of its intersection with Belle Haven Drive. The subject property is 142.86 acres and currently improved as a cemetery having lawn crypts and mausoleums with circuitous access roads, an office building, a landscape maintenance building, and parking lot. Funeral home services are not provided on the site.
2. **History**—The National Harmony Memorial Cemetery was approved via Special Exception SE-160 by the Prince George's County District Council in 1953. At that time, the cemetery consisted of approximately 100 acres in the Rural Residential (R-R) Zone. There were no conditions of approval attached to SE-160. The Prince George's County Planning Board approved a minor change to SE-160 to validate an existing on-site office building on the property and authorize a 1,072-square-foot addition to the office building per PGCPB Resolution No. 90-284 in June 1990.

The Planning Board approved a second minor change to SE-160 in October 1992 per PGCPB Resolution No. 92-243, which authorized a retaining wall, site grading, and landscaping around the mausoleum buildings. This application was approved with two conditions regarding retaining wall materials and dimensioning of site plan features. The cemetery was rezoned from R-R to One-Family Detached Residential (R-80) under the 1993 *Approved Sectional Map Amendment for Landover and Vicinity* (County Council Resolution CR-71-1993). A third revision to SE-160 was approved authorizing the installation of a 1,000-gallon aboveground fuel storage tank to serve the cemetery maintenance and groundskeeping vehicles per PGCPB Resolution No. 93-196 in July 1993. The Planning Board attached one condition of approval, which regulated the maximum fence height.

SE-4313 and Alternative Compliance AC-98013 were approved by the Zoning Hearing Examiner on March 27, 1998 for the subject site. SE-4313 effectively replaced SE-160 as the controlling special exception plan permitting the cemetery use on this property. SE-4313 was filed as a major revision due to the proposal to expand the special exception area by approximately 43 acres, expand the burial sites, add four mausoleums, and add a

25,000-square-foot building to contain a crematory, funeral parlor, offices, and a chapel, in addition to retaining the existing buildings on the site.

Prior to October 1, 1997, a restriction existed in the Annotated Code of Maryland on the amount of land a cemetery corporation could hold or use for burial purposes. Effective October 1, 1997, in the Kent Election District of Prince George's County, a cemetery was permitted to buy, hold, or use for burial up to 150 acres (Section 5-501 of the Business and Regulations Article of the Annotated Code of Maryland). Adjacent to the original cemetery totaling 100 acres, National Harmony owned an additional 43 acres, and devoted a portion of the land to the expansion of burial sites.

The subject property, National Harmony Memorial Park, Lot 1, is the subject of Preliminary Plan of Subdivision 4-98034, approved by the Planning Board on July 16, 1998 (PGCPB Resolution No. 98-227) and was recorded on December 4, 2000 in the Prince George's County Land Records in Plat Book VJ191-18.

A revision of SE-4313 (ROSP-4313-01) was approved on September 13, 2005, by authority of the Planning Director. This application relocated a proposed parking bay from the south side of the parking compound to the north side of the parking compound while shifting the proposed entrance driveway to the south. Lawn crypts were installed in the area immediately adjacent to the mausoleum parking area approved under SE-4313. The proposed changes to SE-4313 were necessary because the cemetery installed lawn crypts in the area immediately adjacent to the proposed mausoleum parking area without the benefit of a field survey. As a result, the crypts were encroaching into the proposed parking area as shown on SE-4313, which was not yet constructed. At the time of acceptance of ROSP-4313-01, only the lawn crypts and one mausoleum were constructed pursuant to the approval of SE-4313. This application contained a total of 8.76 acres of total impervious area.

A second revision of SE-4313 (ROSP-4313-02) was approved on January 21, 2016, by authority of the Planning Director. This application decreased the impervious surface area approved in ROSP-4313-01, by removing the previously approved 25,000-square-foot building and parking compound, which were never constructed and proposing the construction of new lawn crypts on a grass area of the cemetery, which was previously cleared, graded, and maintained. This application contained a total of 6.93 acres of total impervious area.

3. **Neighborhood and Surrounding Uses**—The following roadways form the boundary of the neighborhood:

**North**— Sheriff Road

**East**— Belle Haven Drive and Nalley Road

**South**— Hill Oak Road

**West**— Hill Road

The surrounding neighborhood is primarily comprised of residential and commercial uses. The following uses abut, or are adjacent to, the subject property:

**North—** Sheriff Road with townhouses in the Townhouse (R-T) Zone and commercial uses in the Commercial Shopping Center Zone beyond.

**East—** Belle Haven Drive with townhouses in the R-T Zone beyond and the Cora L. Rice Elementary School in the Reserved Open Space Zone.

**South—** Townhouses in the R-T Zone.

**West—** Single-family detached dwellings and a church in the R-80 Zone.

4. **Request—**This application proposes to construct a new 22-foot-wide asphalt access road and to locate a stockpile area on previously cleared, graded, and maintained grass areas of the site.

The total impervious area proposed with this application is 381,762 square feet, of which 17,295 square feet is associated with existing buildings, and the remaining 364,467 square feet is proposed area covered by structures other than a building. The existing area covered by structures other than buildings on this site is 337,569 square feet, which was constructed pursuant to prior approvals. The additional gross floor area (GFA) covered by structures other than a building as proposed in this application is 26,898 square feet, which results in an approximate 8 percent increase, or a total of 364,467 square feet of GFA covered by structures other than a building.

5. **Required Findings—**Section 27-325(a) of the Prince George's County Zoning Ordinance authorizes the Planning Board and Planning Director to approve certain minor changes to approved special exception site plans. The following sections also provide the parameters for what constitutes a minor change and required criterion for special exception site plan approval:

**Section 27-325(c) - Limited minor changes, Planning Director.**

- (1) The Planning Director is authorized to approve minor changes administratively, without public hearing, in cases listed in (b), but only if the proposed minor changes are limited in scope and nature, including an increase in gross floor area or land covered by a structure other than a building up to ten percent (10%). The Director shall deny any administrative approval request proposing site plan changes which will have a significant impact on adjacent property.**

The proposal involves a 26,898-square-foot asphalt road and 69,030-square-foot stockpile area, resulting in an 8 percent increase to the existing land area covered by a structure other than a building. It is noted that the stockpile area is not a structure and is an area for the storage of earthen materials from the excavation of gravesites. Given the proposed improvements are occurring in previously graded areas, only include ground level paved surfaces, and no existing vegetation is proposed for removal, no significant impact to adjacent property is proposed.

- (2) Before approving a minor change, the Director shall make all findings the Planning Board would be required to make, if it reviewed the application.**

The proposed use and site plan were previously approved as SE-4313 and remain in conformance with the regulations set forth in the initial special exception and subsequent revisions to the site plan (ROSP-4313-01 and ROSP-4313-02). The findings for the approval of a special exception (Section 27-317 of the Zoning Ordinance) are set forth below.

- (3) The Director is not authorized to waive requirements in this Subtitle, grant variances, or modify conditions, considerations, or other requirements imposed by the Planning Board or District Council in any case.**

The Planning Director has not waived any requirements in this subtitle or granted variances with this review. All conditions, considerations, and requirements per the original special exception approval were reviewed and the application is in conformance with the original approval of SE-4313.

- (4) The applicant's property shall be posted within ten (10) days of the Director's acceptance of filing of the application. Posting shall be in accordance with Section 27-125.03. On and after the first day of posting, the application may not be amended.**

The applicant's property was not posted within ten days of the Director's acceptance of filing of the application as allowed, in accordance with Section 27-325(c)(5).

- (5) The Director may waive posting after determining, in writing, that the proposed minor change is so limited in scope and nature that it will have no appreciable impact on adjacent property.**

The Planning Director has approved the waiver of the posting requirement due to the limited scope and nature of the proposed improvements, which will have no appreciable impact on adjacent properties.

- (6) If posting is waived or a written request for public hearing is not submitted within the posted time period, then the Director may act on the application. The Director's approval concludes all proceedings.**

There are no written requests for a public hearing. The Planning Director has approved a waiver of the posting requirement, due to the limited scope and nature of the proposed improvements.

- (7) If the Director denies the application or a timely hearing request is submitted, then the application shall be treated as re-filed on the date of that event. The applicant, Director, and Technical Staff shall then follow the procedures for Planning Board review in (a) above.**

This application is recommended for approval. Therefore, this finding is not applicable.

**Section 27-317 – Required findings.**

**(a) A Special Exception may be approved if:**

**(1) The proposed use and site plan are in harmony with the purpose of this Subtitle;**

The purposes of Subtitle 27 of the Prince George's County Code, as set forth in Section 27-102(a)(1) through (15) of the Zoning Ordinance, are generally to protect the health, safety, and welfare of the public; to promote compatible relationships between various land uses; to guide orderly development; and to ensure adequate public facilities and services. Specific to the R-80 Zone, as set forth in Section 27-459(a) of the Zoning Ordinance, the purposes relate to providing for and encourage variation in the size, shape, and width of one-family detached residential subdivision lots, in order to better utilize the natural terrain; facilitating the planning of one-family residential developments with medium-sized lots and dwellings of various sizes and styles; encouraging the preservation of trees and open spaces; and preventing soil erosion and stream valley flooding. SE-4313, associated with the subject property, was approved in 1998. The overall property will continue to be used as a cemetery, in accordance with that approval. As outlined throughout this technical staff report, staff finds that the uses and the site plans, as proposed, are in harmony with the purposes of this Subtitle.

**(2) The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle;**

As outlined within this staff report, this application has demonstrated conformance with the requirements and regulations of the Zoning Ordinance.

**(3) The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or, in the absence of a Master Plan or Functional Master Plan, the General Plan;**

This application is in the Established Communities area of the 2014 Plan Prince George's 2035 Approved General Plan, which recommends maintaining established neighborhoods, municipalities, and unincorporated areas outside of designated centers. The site is also subject to the 2010 *Approved Subregion 4 Master Plan and Endorsed Sectional Map Amendment*. This master plan recommends public and private open space uses on the subject property. In addition, the master plan also makes the following recommendations that affect the subject property; preserve local and historic sites with community enhancing techniques like interpretive signage when a historic district is not an option and to capitalize on funding sources like the Prince George's Historic Property Grant Program when necessary. Staff finds that this application will not substantially impair the integrity of the sector plan and SMA.

- (4) The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area;**

The proposal is designed to provide for the safe internal flow of pedestrians and vehicles on-site and for the safe ingress and egress of vehicles. None of the responses from any referring agencies received by staff indicate that the existing cemetery will adversely affect the health, safety, or welfare of residents or workers in the area.

- (5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood; and**

The proposed revision will not change the previous findings that the use is not, and will not be, detrimental to the use or development of adjacent properties or the general neighborhood.

- (6) The proposed site plan is in conformance with an approved Tree Conservation Plan; and**

A revised Type 2 Tree Conservation Plan, TCPII-26-99-02 was submitted with this application and is in conformance with the proposed site plan.

- (7) The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

The site does not contain any regulated environmental features and, therefore, conforms to this requirement.

- (b) In addition to the above required findings, in a Chesapeake Bay Critical Area Overlay Zone, a Special Exception shall not be granted:**

- (1) Where the existing lot coverage in the CBCA exceeds that allowed by this Subtitle, or**

This property is not located within the Chesapeake Bay Critical Area (CBCA).

- (2) Where granting the Special Exception would result in a net increase in the existing lot coverage in the CBCA.**

This property is not located within the CBCA.

**Section 27-341. - Cemetery or crematory.**

- (a) A cemetery (including an animal cemetery) or a crematory may be permitted, provided that the use shall not be located within any proposed street or other public right-of-way, notwithstanding Section 27-259.**

The subject cemetery is not located within any proposed street or other public right-of-way, notwithstanding Section 27-259 of the Zoning Ordinance.

6. **Master Plan and General Plan Recommendation**—This plan is subject to the 2010 *Approved Subregion 4 Master Plan and Endorsed Sectional Map Amendment*, approved on June 1, 2010 (CR-49-2010). This master plan area includes the communities located between the District of Columbia boundary (Southern and Eastern Avenues to the west), the Capital Beltway, US 50, and Suitland Parkway and recommends public and private open space uses on the subject property, as discussed above.
7. **Parking Regulations**—Pursuant to the use of a cemetery, the subject application requires 35 parking spaces and 3 loading spaces. The site plan shows 49 standard parking spaces, 3 handicap-accessible parking spaces, and a loading space area within the maintenance yard are existing, which meet the minimum requirements.
8. **Landscape Manual Requirements**—The revisions proposed with this application are not subject to the 2010 *Prince George's County Landscape Manual* (Landscape Manual) because of the limited improvements with no increase in GFA. At the time of the SE-4313 approval, AC-98013 was submitted and approved for relief from a number of Landscape Manual regulations relating to the development of the property, as envisioned at the time. The alternative compliance application that was approved was consistent with the SE-4313 approval for a 25,000-square-foot funeral home, associated buildings, and extensive parking facility, all of which were never built. Subsequently, these improvements were removed from the plans via ROSP-4313-02. The improvements associated with the second revision were minor and did not trigger the requirements of the Landscape Manual, per Section 1.1, Applicability. This is also true of the subject revision to the plan. Therefore, the subject application is exempt from the requirements of the Landscape Manual.
9. **Zone Standards**—The proposed use conforms with the maximum height and lot coverage requirements for the R-80 Zone. No variances are required.
10. **Sign Regulations**—The review of this application did not include signage, as none was submitted with the subject application.
11. **Referral Comments**—The following referrals were reviewed and are incorporated herein by reference; all of the comments are addressed on the site plan, or as part of this technical staff report:
  - a. Permit Review Section dated November 14, 2017 (Hughes to Cannady II)
  - b. Environmental Planning Section dated January 11, 2018 (Burke to Cannady II)
  - c. Community Planning dated December 15, 2017 (Wooden to Cannady II)
  - e. Urban Design dated January 26, 2018 (Lareuse to Cannady II)
  - f. Transportation Planning Section dated November 27, 2017 (Saunders Hancock to Cannady II)

g. Historic Preservation/Archaeology Section dated January 16, 2018 (Stabler to Cannady II)

12. **Recommendation**—The proposed revision satisfies the general and specific requirements for special exceptions for a cemetery. Moreover, staff finds that the proposed minor revisions are so limited in scope and nature that they will have no appreciable impact on adjacent properties or the approved site plan. Therefore, based on the above findings, it is recommended that the proposed revision to a special exception site plan (ROSP-4313-03) be APPROVED. The approval of this application is conditioned upon certification of the revised special exception site plan (ROSP-4313-03).

\* \* \* \* \*

**APPROVED BY AUTHORITY OF:**

**Date:** \_\_\_\_\_

**By:** \_\_\_\_\_

**Andree Green Checkley, Esq.  
Planning Director**