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Revision of Site Plan

ROSP-4662-01

Application	General Data	
Project Name: Beall Funeral Home Location: On the northwest side of Robert Crain Highway (MD 3), approximately 2,700 feet south of its intersection with Annapolis Road (MD 450). Applicant/Address: Beall Funeral Home 6512 NW Crain Highway Bowie, MD 20715 Property Owner: Zizos Properties, LLC 6512 NW Crain Highway Bowie, MD 20715	Planning Board Hearing Date:	N/A
	Staff Report Date:	N/A
	Date Accepted:	10/18/13
	Planning Board Action Limit:	N/A
	Plan Acreage:	4.67
	Zone:	R-E
	Gross Floor Area:	2,1345 sq. ft.
	Lots:	N/A
	Parcels:	1
	Planning Area:	71A
	Tier:	Rural
	Council District:	04
	Election District	07
	Municipality:	N/A
	200-Scale Base Map:	209NE14

Purpose of Application	Notice Dates	
Revision of Special Exception SE-4662 to increase the gross floor area of the proposed chapel, crematory, and garage by 1.04 percent, along with a 63 percent reduction of the overall height of the chapel and crematory.	Informational Mailing	N/A
	Acceptance Mailing:	N/A
	Sign Posting Deadline:	N/A

Staff Recommendation		Staff Reviewer: Ivy R. Thompson Phone Number: 301-952-4326 E-mail: Ivy.Thompson@ppd.mncppc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		



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- 4662-01

Project Name: Beall Funeral Home

Reviewer's Name: Ivy R. Thompson, Senior Planner, Zoning Review Section

A. **Nature of the Applicant's Request:** The applicant requests approval of a revision of site plan for the reduction in height and increase in gross floor area (GFA) of a previously approved special exception for the development of a crematory and chapel onto an existing funeral home and detached garage.

B. **Required Findings:**

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.**
- (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.**
- (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.**
- (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.**
- (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.**

- (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.**
- (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.**

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;**
 - (2) The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle;**
 - (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;**
 - (4) The proposed use will not 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**
 - (6) The proposed site plan is in conformance with an approved Tree Conservation Plan.**
- (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**
 - (2) Where granting the Special Exception would result in a net increase in the existing lot coverage in the CBCA.**

C. Determination:

- 1. The subject property is known as Parcel A and consists of 4.67 acres in the Residential-Estate (R-E) Zone. The property is situated just outside the City of Bowie municipal limits, and is located along the southbound lanes of Robert Crain Highway (MD 3), approximately 2,700 feet south of its intersection with Annapolis Road (MD 450). The site is currently improved with a 10, 256-square-foot one-story funeral home that was approved on February 2, 1998 pursuant to prior Special Exception SE-4283. The subject property is served by private well and septic. No streams, wetlands, or other sensitive environmental features were found to occur on the property.

2. To the north, south, and west are detached single-family dwellings, known as the Forest Hills subdivision, that are situated on larger estate lots within the R-E Zone. To the east are the southbound lanes of MD 3, a designated freeway. The neighborhood is the area south of MD 450, west of the southbound lanes of MD 3, and northeast of White Marsh Park. These boundaries were accepted by the Zoning Hearing Examiner (ZHE) for the original Special Exception (SE-4283) for the existing funeral home.
3. Based upon the recommendation of the Zoning Review Supervisor, the Planning Director has approved the waiver of the posting requirement due to the limited scope and nature of the proposed improvements.
4. The proposed modifications alter the footprint of the existing structure by decreasing the proposed height of the previously approved improvement by 63 percent and by increasing the proposed GFA by 1.04 percent. The total area of site disturbance is less than the ten percent required per Section 27-325 9(c)(1) of the Prince George's County Zoning Ordinance.
5. The property and use has been the subject of a previous special exception application. The records in the file of Special Exception SE-4662-01 indicate that all previous conditions of approval were incorporated into the current approved site plan.
6. The proposed revision meets the criteria of Section 27-325(c) of the Zoning Ordinance for a limited minor change approvable by the Planning Director. The proposed changes are minor in scope and in nature. The requested modifications are an increase by 1.04 percent in GFA, for a total GFA of 21, 345, and a significant decrease in the proposed height of the chapel and crematory. Neither of the alterations will have a significant impact on the adjacent properties.
7. Findings 1–5 of Section 27-317 of the Zoning Ordinance are satisfied, as the proposed structural changes to the site plan do not make a significant change to the operation of the facility because it is not an intensification of use. However, the Prince George's County Health Department has expressed concerns regarding the health, safety, and welfare of residents and workers in the area with regard to the decrease in the building height of the crematory. The state requires a permit to construct the crematory and the applicant will be required to demonstrate that the crematory will not create a nuisance or health impact when operated. This concern is addressed as a condition of approval. The proposed use and site plan were previously approved as SE-4662 and remain in conformance with Findings 1–5 of Section 27-317.
8. Findings 6 and 7 of Section 27-317(b) are satisfied because the site has an approved Type II Tree Conservation Plan, TCPII/08/98-01, and the site is not located in a Chesapeake Bay Critical Area overlay zone.
9. The application conforms to the previously approved SE-4662 and the Findings of Sections 27-341 and 27-357 of the Zoning Ordinance. A chapel is typically allowed by-right in the R-E Zone (Section 27-357), provided that the property the use is situated on exceeds two acres in size. The subject property contains 4.68 acres. Therefore, the use will not be detrimental to the use or development of adjacent properties or the general neighborhood. The site plan demonstrates that all existing and proposed structures will be set back at least 50 feet from the adjoining residentially-zoned properties.

10. The revision proposal is within the applicable development requirements and regulations set forth in the Zoning Ordinance. All of the applicable zoning requirements are listed on the site plan, ROSP-4662-01.
11. The applicant proposes a reduction in the height of the chapel and crematory by 63 percent and a 1.04 percent increase of the GFA approved in SE-4662 for the chapel, crematory, and the garage.
12. Referral Comments:
 - a. **Community Planning**—There are no significant master plan issues to address regarding the proposed improvements. This application is consistent with the 2002 Prince George's County Approved General Plan development pattern policies for the Developing Tier. The application conforms to the residential low development land use recommendations of the 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, 74B*.
 - b. **Subdivision**—Revision of Site Plan ROSP-4662-01 is in substantial conformance with the record plat and approved Preliminary Plan of Subdivision 4-97112. Failure of the site plan and record plat to match will result in the grading and building permits being placed on hold until the plans are corrected. There are no other subdivision issues at this time.
 - c. **Transportation**—Preliminary Plan 4-97112 was not approved with a trip cap. Nonetheless, given the use, the traffic impact is small. The small increase in GFA would have an insignificant impact on traffic.
 - d. **Urban Design**—Staff suggested the following revisions to the plans that include demonstrating conformance to the Prince George's County Tree Canopy Coverage Ordinance; revising the garage elevations to include the architectural materials of the garage; indication of conformance to the applicable requirements of Sections 4.2 and 4.3 of the 2010 *Prince George's County Landscape Manual* (Landscape Manual); and inclusion of a Section 4.9 Landscape Manual schedule demonstrating the project's conformance to its requirements. The revisions are reflected on the current plans.
 - e. **Special Projects**—The proposed application will have no impact on public facilities.
 - f. **Prince George's County Health Department**—The Environmental Engineering Program of the Health Department has completed a desktop health impact assessment review of the special exception plan submission for SE-4662-01, Beall Funeral Home, and has the following comments/recommendations.

The applicant proposes a 63 percent decrease in the height of the crematory, which may have a significant health impact on the adjacent residential properties. There is concern that, with the decrease in building height, air pollutants generated during the operation of the crematory will not be adequately dispersed. The emissions from a stack should not result in excessive concentrations of any air pollutant as a result of atmospheric downwash, wakes, or eddy effects created

by the crematory, nearby structures, or topography. The exhaust stack should be designed according to good engineering practices and evaluated to ensure that the height is sufficient to achieve adequate dispersal of pollutants produced during the operation of the crematory.

- (1) The crematory is proposed in the R-E zoning area and is surrounded by residences within 500 feet of the site. In addition, the site is bordered by Robert Crain Highway (MD 3) to the east. There is potential for human exposure to toxic air emissions such as mercury, dioxins, and furans from the operation of the crematory given the proximity of the site to residences and the freeway.

Mercury, dioxins, and furans are persistent in the environment and bio-accumulative. Repeated exposure to low levels of mercury, or long-term low-level exposure, can cause muscle tremors, irritability, personality changes, or rashes. Long-term exposure to dioxins and furans can cause immunotoxicity, developmental and neurodevelopmental effects, and effects on thyroid and steroid hormones and reproductive function. Children and fetuses are the most sensitive to mercury and dioxin/furan exposure.

The applicant should ensure good combustion processes and low particulate matter emissions to minimize dioxin/furan emissions. Particulate matter filtration captures some of the mercury emissions, but additional abatement measures such as co-flow filters with mercury absorbent, solid bed filters with absorbents, gas scrubbers, or honeycomb catalytic absorbers should be considered to minimize mercury emissions. The applicant should consider evaluating potential air emissions from the crematory using air dispersion modeling, if this has not already been completed, to support the assertion that the proposed use will not affect the health, safety, or welfare of residents or workers in the area.

The crematory must be operated in a manner to prevent nuisances, such as odors and visible emissions, in compliance with Code of Maryland (COMAR) 26.11.06 and noise in compliance with COMAR 26.02.03.

The applicant is required to obtain a Permit to Construct for the crematory and ultimately a Permit to Operate from the Maryland Department of the Environment, Air and Radiation Management Administration. Compliance with the provisions of the permits will generally assure conformance with state and national standards relative to the above specified concerns.

- (2) There is an increasing body of scientific research suggesting that artificial light pollution can have lasting adverse impacts on human health. The applicant should ensure that any new lighting is shielded and positioned so as to minimize light trespass onto adjacent properties caused by spill light.

g. **Prince George's County Department of Permitting, Inspections and Enforcement**—This project does not impact any County-maintained roadways.

Coordination with the Maryland State Highway Administration (SHA) is required for access to Robert Crain Highway (MD 3). The subject application does have an approved Stormwater Management Concept Plan, 17052-2009-00, dated April 15, 2016. This plan must be updated to reflect the changes proposed in this application, specifically the GFA. Stormwater management facilities are to be shown on the plan to include recreational features and visual amenities that are to be technically approved prior to permit issuance. All storm drainage systems and facilities are to be in accordance with the Prince George's County Department of Public Works and Transportation (DPW&T) specifications and standards.

- h. **City of Bowie**—There is no impact on the City of Bowie. No comment.

D. Recommendation:

Based on the above findings, it is recommended that Revision of Site Plan ROSP-4662-01 be APPROVED with the following conditions:

1. Prior to certification of the revision of site plan (ROSP), the plan shall be revised with the following corrections:
 - a. There is currently an inconsistency between the statement of justification for the ROSP and the special exception site plan pertaining to the gross floor area (GFA) of the existing funeral parlor. The applicant shall clarify what the existing GFA is for the existing funeral parlor and correct the previously mentioned documents as needed.
 - b. Show the locations of the existing wells on the special exception site plan drawing.
 - c. Revise the special exception site plan to show the plan number and approval date of Stormwater Management Concept Plan 988002320.
2. Prior to issuance of permits the applicant shall:
 - a. Shield and position lighting so as to minimize light trespassing onto adjacent properties caused by spill light.
 - b. Update Stormwater Management Concept Plan 17052-2009-00 to reflect all of the proposed changes to Revision of Site Plan ROSP-4662 including, but not limited to, the gross floor area.
 - c. Stormwater management facilities are to be shown on the plan to include recreational features and visual amenities that are to be technically approved prior to permit issuance.

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APPROVED BY AUTHORITY OF:
Fern V. Piret, Planning Director

Date: _____ **By:** _____
Jimi Jones, Zoning Supervisor