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## Revision of Site Plan

## ROSP-4662-02

Application	General Data	
<b>Project Name:</b> Beall Funeral Home  <b>Location:</b> On the northwest side of Crain Highway (US 301), approximately 2,700 feet south of its intersection with Annapolis Road (MD 450).  <b>Applicant/Address:</b> Tom Zizos c/o Beall Funeral Home 6512 N.W. Crain Highway Bowie, MD 20715  <b>Property Owner:</b> Zizos Properties, LLC. 6512 N.W. Crain Highway Bowie, MD 20715	Planning Board Hearing Date:	N/A
	Staff Report Date:	09/29/16
	Date Accepted:	08/24/16
	Planning Board Action Limit:	N/A
	Plan Acreage:	4.67
	Zone:	R-E
	Gross Floor Area:	17,321 sq. ft.
	Lots:	N/A
	Parcels:	1
	Planning Area:	71A
	Council District:	04
	Election District	07
	Municipality:	N/A
	200-Scale Base Map:	209NE14

Purpose of Application	Notice Dates	
Minor revision of site plan to remove previously approved chapel for the development of a crematory and detached garage with requisite parking and landscaping.	Informational Mailing	N/A
	Acceptance Mailing:	N/A
	Sign Posting Deadline:	Waived

<b>Staff Recommendation</b>		<b>Staff Reviewer:</b> Ivy R. Thompson <b>Phone Number:</b> 301-952-4326 <b>E-mail:</b> <a href="mailto:Ivy.Thompson@ppd.mnccppc.org">Ivy.Thompson@ppd.mnccppc.org</a>	
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-4662-02

**Project Name:** Beall Funeral Home

**Reviewer's Name:** Ivy Thompson, Senior Planner

- A. **Nature of the Applicant's Request:** The applicant seeks a minor revision of site plan of a previously approved Special Exception SE-4662 and ROSP-4662-01 for the development of a crematory and detached garage with requisite parking and landscaping.
- B. **Site Description:** The subject property is located on the western side of Robert Crain Highway (US 301), approximately 2,700 feet south of its intersection with Annapolis Road (MD 450). More specifically, the subject property is located at 6512 N. W. Crain Highway, in Bowie, Maryland. The subject property is bounded to the west and north by existing single-family detached residences in the R-E Zone, to the east by Robert Crain Highway (US 301), and to the south by a single-family detached residence in the R-E Zone. The subject site, known as Parcel A, is developed with a one-story, 14-foot-high, 10,256-square-foot funeral home building located centrally on the site, with parking areas surrounding it. Two driveway entrances provide the site direct access to MD 3, a master planned designated freeway.
- C. **History:** The property was the subject of previously approved ROSP-4662-01. Special Exception Application SE-4283 was approved on February 2, 1998 by the District Council which adopted the Zoning Hearing Examiner's final decision for SE-4283, which authorized the new use of a 10,256-square-foot funeral home on the subject property. The Planning Board approved Preliminary Plan of Subdivision 4-97112 and Type I Tree Conservation Plan TCPI/37/97 and a variation from Section 24-121(a)(3) of the Subdivision Regulations. Those actions are contained within PGCPB Resolution No. 98-25. A final plat of subdivision for Beall Funeral Home was recorded in Land Records on July 1, 1998 as VJ 183 @ 72. Information derived from the Maryland Department of Assessments and Taxation indicates that the existing 10,256-square-foot building was constructed in approximately 1999. Additional approvals since that time include Type II Tree Conservation Plan TCPII/08/98, approved by the Environmental Planning Section on April 10, 2009, and Stormwater Management Concept Plan 17052-2009-00, approved by the Department of Public Works and Transportation (DPW&T) on August 17, 2009.
- D. **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.**

**E. Determinations:**

1. The subject property is known as Parcel A and consists of 4.67 acres in the R-E Zone (Residential-Estate). The property is situated just outside the City of Bowie's municipal limits, and is located along the southbound lanes of 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 approval of 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, know and the Forest Hills subdivision, that is 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 Supervisor, the Director has approved the waiver of the posting requirement due to the limited scope and nature of the proposed improvements.
4. The proposed modifications remove the previously proposed chapel, a 48 percent decrease in proposed building area and all associated parking, a 25 percent decrease in area. The total area of site disturbance is less than the 10 percent required per Section 27-325(c)(1) of the Zoning Ordinance.
5. The property and use has been the subject of a previous special exception application Special Exception SE-4662-01. The records in the file indicate 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) for a limited minor change approvable by the Planning Director. The proposed changes are minor in scope in nature as the requested modifications are for the removal of the previously proposed chapel and the associated parking from ROSP-4662-01. The alterations will not have a significant impact on the adjacent properties.
7. Findings 1–5 of Section 27-317 of the Prince George's County 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, as part of the previous revision, the Prince George's County Health Department expressed concerns regarding the health, safety and welfare of residents and workers in the area with regard to 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 nuisance or health impacts when operated. This concern is addressed as a condition of approval. The proposed use and site plan were previously approved in SE-4662-01 and remain in conformance with the Findings 1 through 5 of Section 27-317 of the Prince George's County Zoning Ordinance.

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 (CBCA).
9. The application conforms to the previously approved SE-4662, ROSP-4662-01 and the Findings of Section 27-341. 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 fifty 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 applicable zoning requirements are listed on the site plan, ROSP-4662-02.
11. The applicant proposes reductions of 48 percent in the proposed building area and 35 percent for the parking areas. There is no change to garage.
12. **Referral Comments:** Given the nature of the proposal no new referral comments with regard to the site alterations were received. As such the following referral comments included as part of ROSP-4662-01 are included as part of this review because the comments are relevant and apply to this revision ROSP-4662-02.
  - a. **Community Planning**—There are no significant master plan issues to address regarding the proposed improvements. The application conforms to the residential low development land-use recommendations of the 2006 *Approved Bowie and Vicinity Master Plan and Sectional Map Amendment*.
  - b. **Subdivision**—Revised Special Exception ROSP-4662-02 is in substantial conformance with the record plat and the 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.
  - d. **Urban Design**—Staff suggested the following revisions to the plans that include demonstrating conformance to the Tree Canopy Coverage Ordinance (TCC); revising the garage elevations to include the architectural materials of the garage; the inclusion of a Section 4.9, of the 2010 *Prince George's County Landscape Manual* landscape manual schedule demonstrating the project's conformance to

its requirements; and to indicate conformance to the applicable requirements of Sections 4.2, and 4.3, of the Landscape Manual. The revisions are reflected on the current plans.

- e. **Prince George's County Health Department**—The Environmental Engineering Program of the Prince George's County 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 crematorium 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 practice and evaluated to ensure that the height is sufficient to achieve adequate dispersal of pollutants produced during the operation of the crematorium.
- (1) The crematory is proposed in a Residential-Estate (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 (US 301) 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.
  - (2) Mercury, dioxins, and furans are persistent in the environment and bioaccumulative. 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.
  - (3) 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.
  - (4) The crematory must be operated in a manner to prevent nuisances such as odors and visible emissions in compliance with COMAR 26.11.06 and noise in compliance with COMAR 26.02.03.

- (5) 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.
  - (6) 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.
- f. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—This project does not impact any County-Maintained roadways. Coordination with Maryland State Highway is required for access to US-301. The subject application does have an Approved Stormwater Concept Plan No. 17052-2009-00, dated April 15, 2016. This SWM plan must be updated to reflect the changes proposed in this application, specifically the gross floor area. Storm water management facilities are to be shown on the plan to include recreation 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 DPW&T's Specifications and Standards.

**F. Recommendation:**

Based in the above findings, it is recommended that Revision of Site Plan ROSP-4662-02 be APPROVED with the following conditions:

- 1. Prior to certification of approval of the ROSP, the plan shall be revised with the following corrections:
  - a. Correct Note 1 on the site plan to reflect "ROSP-4662-02."
  - b. Revise the Special Exception site plan to show plan number and approval date of Conceptual Stormwater Management Plan No. 988002320.
- 2. Prior to the 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 No. 17052-2009-00 to reflect all proposed changes to ROSP-4662-02, including, but not limited to the gross floor area.
  - c. Stormwater management facilities are to be shown on the plan to include recreation features and visual amenities that are to be technically approved prior to permit issuance.

**APPROVED BY AUTHORITY OF:**  
**Debra Borden, Acting Planning Director**

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

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

**Jimi Jones, Zoning Supervisor**

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