



Note: Staff reports can be accessed at www.mnccpc.org/pgco/planning/plan.htm.

Revision of Site Plan

ROSP-4663-01

Application	General Data	
Project Name: Alice Ferguson Foundation Location: North side of Bryan Point Road, approximately 2.4 miles west of Farmington Road. Applicant/Address: Alice Ferguson Foundation 2001 Bryan Point Road Accokeek, Maryland 20607 Property Owner: Same as applicant	Planning Board Hearing Date:	N/A
	Staff Report Date:	N/A
	Date Accepted:	06/15/15
	Planning Board Action Limit:	N/A
	Plan Acreage:	18
	Zone:	O-S & R-O-S
	Gross Floor Area:	N/A
	Lots:	1
	Parcels:	N/A
	Planning Area:	83
	Council District:	09
	Election District:	05
	Municipality:	N/A
	200-Scale Base Map:	219SW02

Purpose of Application	Notice Dates	
Revision of Special Exception SE-4663 to increase driveway widths, remove two parking spaces, reduce bioretention facility, add additional path and change stormwater management facility.	Informational Mailing	WAIVED
	Acceptance Mailing:	WAIVED
	Sign Posting Deadline:	WAIVED

Staff Recommendation		Staff Reviewer: Tom Lockard Phone Number: 3019523150 E-mail: Thomas.Lockard@ppd.mnccpc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Prince George's County Planning Department, Development Review Division
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-4663-01

Project Name: Alice Ferguson Foundation

Reviewer's Name: Tom Lockard, Planner Coordinator, Zoning Review Section

- A. **Nature of the Applicant's Request:** The applicant requests approval of a revision of a site plan to increase the driveway width, remove two parking spaces, reduce the number of bioretention facilities and add a path to a building from the parking lot. The site plan essentially shows the same layout as approved in 2013 by the Zoning Hearing Examiner.
- B. **Site Description:** The subject property is a combination of parts of two larger predominately wooded parcels located along the northeast and southwest sides of Bryan Point Road, approximately 2.4 miles west of Farmington Road. The subject property is 18 acres in area, and is owned by a nonprofit organization, the Alice Ferguson Foundation (AFF), who operates the site as an environmental education center and working farm for school-age children. Hard Bargain Farm (HBF) has operated as a quasi-public and institutional use for many decades and consists of a dormitory, pavilion, solar panels, wooded areas, agricultural uses and outbuildings.
- C. **History:** The existing building was originally constructed as a single-family dwelling in 1940 and was later approved for the site on July 15, 1974, Special Exception SE-2711, for a "Private Educational Institution." On February 28, 1985, a minor revision to SE-2711 was approved for an addition to one of the buildings and a deck. That use is no longer found in the Zoning Ordinance; the eleemosynary or philanthropic institution use now most nearly corresponds to the original. The subject property was retained in the O-S (Open Space) Zone in the 2009 *Approved Subregion 5 Master Plan and Sectional Map Amendment* (CR-61-2009), approved amendment by County Council Resolution CR-81-2013 on June 27, 2013. On January 16, 2013, Special Exception SE-4663 was approved for an eleemosynary or philanthropic institution on the site, granting the applicant permission to replace some of the older buildings and build additional classroom and sleeping facilities in accordance with "green" building standards. The approved development under SE-4663 also showed changes to the parking areas and stormwater management facilities.
- D. **Required Findings:** Section 27-325(a) of the Zoning Ordinance authorizes the Planning Board and the 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, specific criterion for varied approvals:

Section 27-325(b) Minor changes, Planning Board.

- (1) **The Planning Board is authorized to approve the following minor changes:**
- (A) **An increase of no more than fifteen percent (15%) in the gross floor area of a building;**

- (B) An increase of no more than fifteen percent (15%) in the land area covered by a structure other than a building;
- (C) The redesign of parking or loading areas; or
- (D) The redesign of a landscape plan.

Comment: The proposed revisions will not increase the square footage of the previously approved special exception use. The buildings associated with the use will occupy the same amount of space as it did in the original SE-4663 approval. The proposed revisions are to the parking areas (access driveways, paths and parking spaces) and landscaped bioretention areas; therefore, it is eligible for review as a minor change.

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.

Comment: The proposed revisions will not increase the gross floor area as approved in the original plan review; therefore, it is eligible for review by the Planning Director. The changes proposed are truly limited in scope and nature, and thus will not have a significant impact on adjacent properties. Based upon the recommendation of the Zoning Review Supervisor of the Development Review Division, the Planning Director has approved a waiver of the posting requirement due to the limited scope and nature of the proposed improvements.

Section 27-317(a) provides the following criteria for approval:

(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.**
- (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.**

Comment: The Zoning Hearing Examiner, in approving the original site plan, found that the subject use met the above criteria. Staff believes these findings continue to be valid.

- E. **Determinations:** The criteria for granting the proposed revisions to ROSP-4663-01 are met. The proposed revision complies with all of the requirements of the O-S and R-O-S Zones and Section 27-317 of the Zoning Ordinance. Some of the previously approved site plan conditions have been satisfactorily addressed, while some of the conditions in the Zoning Hearing Examiner's decision must be completed prior to issuance of the building permit. These conditions continue to be valid until the final building permit is issued.

The revisions requested by the applicant are primarily necessary to provide for sufficient access for emergency vehicles and to lessen unforeseen environmental impacts. The proposed minor revisions are so limited in scope that they will have no appreciable impact on either adjacent properties or the approved site plan.

- F. **Recommendation:** APPROVAL of Revision of Site Plan Application No. ROSP-4663-01, subject to the following condition:

1. All conditions set at the time of the original site plan (Special Exception SE-4663) must be addressed prior to issuance of the building permit.

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

Date: _____

By: _____
Jimi Jones, Zoning Supervisor