



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

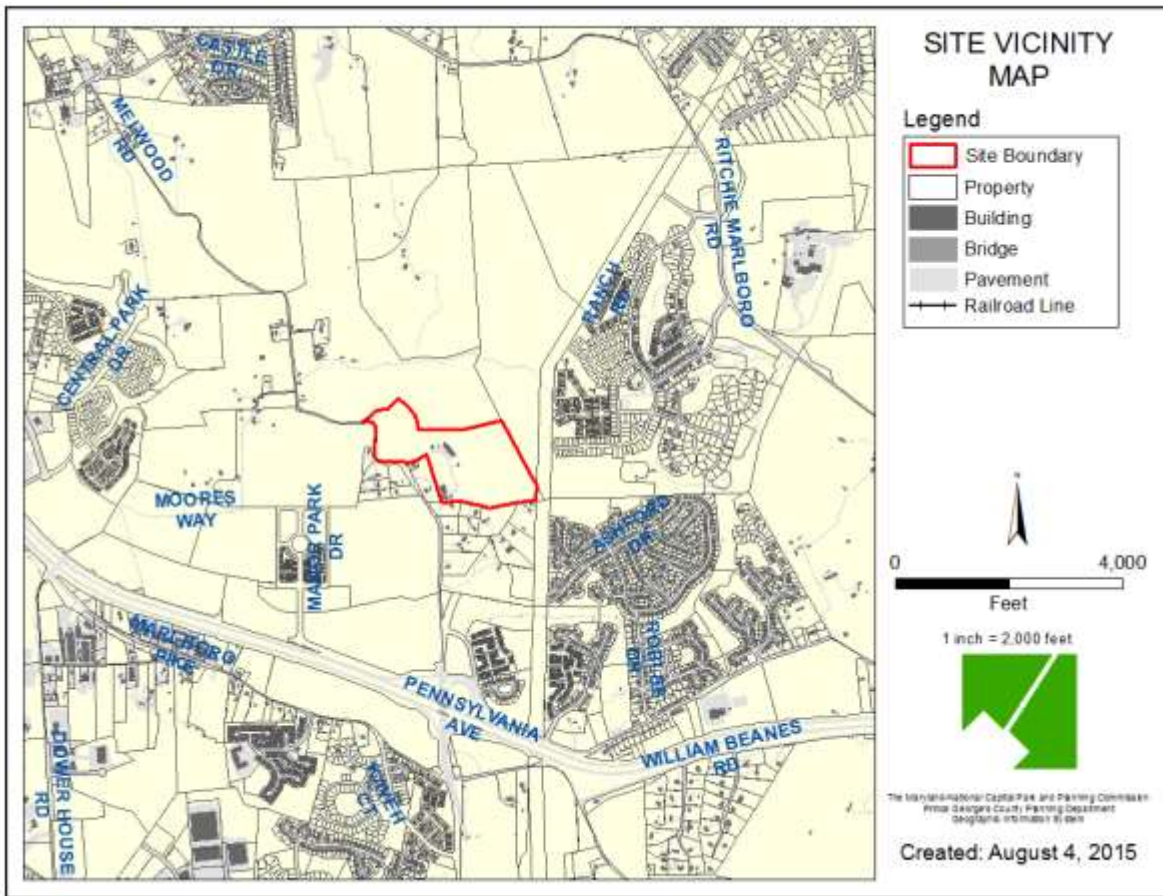
Request for Reduction/Refund of Filing Fees

CSP-15003

Application	General Data	
Project Name: Recovery Centers of America (Melwood Road Facility) Location: On the eastern side of Melwood Road approximately 2,600 feet north of its intersection with Pennsylvania Avenue (MD 4). Applicant/Address: 4620 Melwood Road OPCO LLC 2701 Renaissance Boulevard, 4 th Floor King of Prussia, PA 19406	Planning Board Hearing Date:	09/29/16
	Memorandum Date:	09/13/16
	Date Accepted:	07/26/16
	Planning Board Action Limit:	11/04/16
	Plan Acreage:	68.6
	Zone:	M-X-T
	Dwelling Units:	N/A
	Gross Floor Area:	79,999 sq. ft.
	Planning Area:	78
	Council District:	06
	Election District	15
	Municipality:	N/A
	200-Scale Base Map:	206SE09

Purpose of Application	Notice Dates	
Request for partial reduction/refund of the filing fee	Informational Mailing:	02/23/16
	Acceptance Mailing:	07/22/16
	Sign Posting Deadline:	N/A

Staff Recommendation		Staff Reviewer: Ruth Grover, MUP, AICP Telephone Number: (301) 952-4317 email address: ruth.grover@ppd.mncppc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
		X	



September 14, 2016

MEMORANDUM

TO: The Prince George's County Planning Board

VIA: Henry Zhang, Urban Design Supervisor, Development Review Division

FROM: Ruth Grover, Planner Coordinator, Urban Design Section, Development Review Division

SUBJECT: Conceptual Site Plan CSP-15003
Recovery Centers of America (Melwood Road Facility)
Request for partial reduction/refund of the filing fee

In a letter dated August 29, 2016, the applicant's representative requested a refund \$12,400 of a \$16,600 filing fee for Conceptual Site Plan CSP-15003, Recovery Centers of America, Melwood Road Facility application. The fee was calculated in accordance with the Planning Board's Schedule of Fees (Schedule), which became effective January 1, 2003, per the formula included therein for a "Conceptual Site Plan required by the M-X-T Zone," which is \$3,000 plus \$200 per acre for the first 100 acres, plus \$50 per acre over 100, for a total of 68.6 acres that results in a filing fee of \$16,600.

The applicant cited the following reasons as justification for their request:

- The application is proposing to disturb only approximately six of the 68.6 acres of the site;
- Had the property remained residentially-zoned, and not been rezoned to the Mixed-Use-Transportation Oriented (M-X-T) Zone, the filing fee would have been \$4,040;
- The applicant is providing a community health service; and
- That imposing the fee creates an undue hardship on the applicant.

The Urban Design Section believes that even though the applicant is proposing to disturb only six of the 68.6 acres of the site, many issues such as, those related to the environment, need to be reviewed for the entire site. The prior zoning of the site is irrelevant to calculation of the fee.

The filing fee calculation is based on the current zoning of M-X-T Zone and anticipates that the remaining 62.8 acres could be developed at a future date, also for a reduced rate as the fee schedule sets “one-half the original fee” as the fee for a subsequent revision. The application is a for-profit operation and does not offer services on a sliding scale or for free.

In addition, the applicant fails to provide any evidence to support his claim that imposing the fee creates an undue hardship on this for-profit business. Research indicates that the applicant is currently operating or preparing to operate eight facilities of this type nationally.

RECOMMENDATION

Based on the above-cited reasons, the Urban Design Section recommends that the applicant’s request for a reduction/refund of \$12,400 of the \$16,600 fee charged for the processing of Conceptual Site Plan CSP-15003, Recovery Centers of America (Melwood Road Facility) be DENIED.