



*Note: Staff reports can be accessed at <http://mncppc.igmp2.com/Citizens/Default.aspx>.*

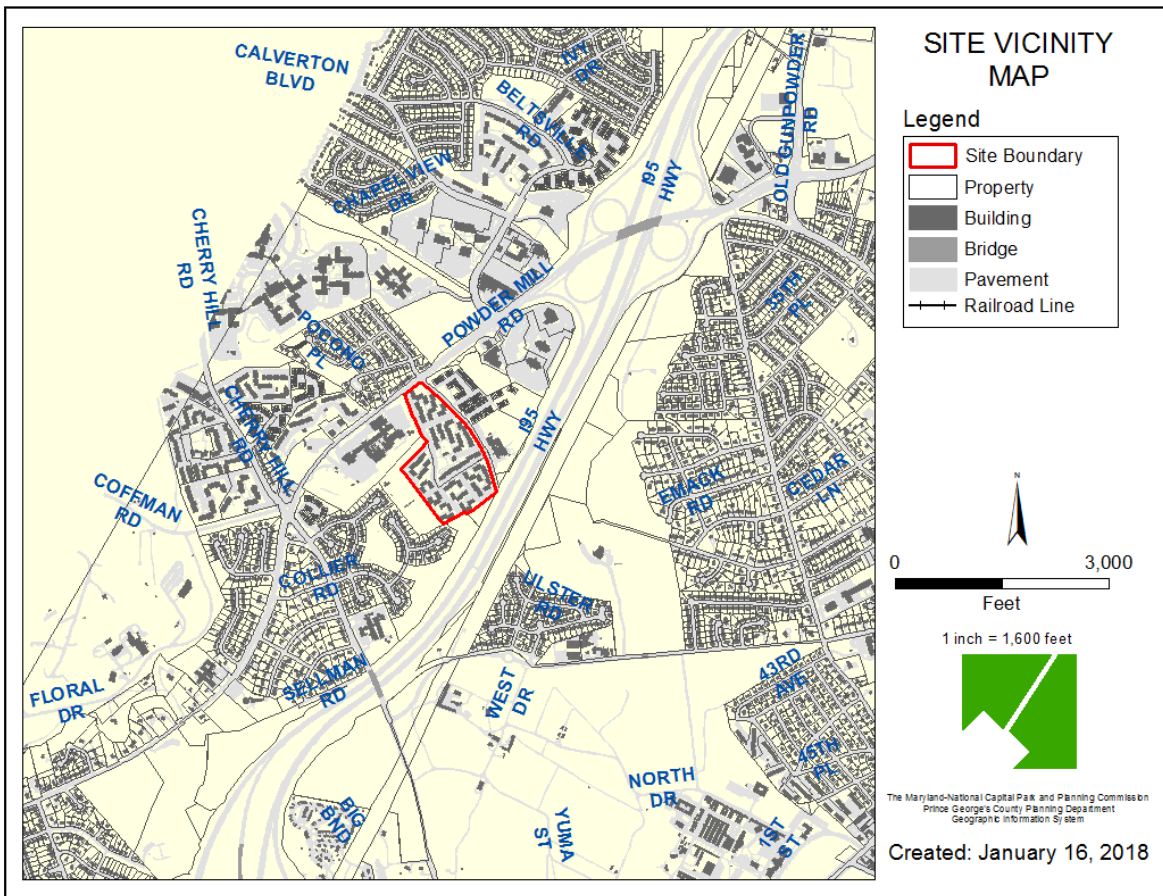
## Request for Refund of Filing Fee Departure from Design Standards

**DDS-647**

Application	General Data	
<b>Project Name:</b> Powder Mill Village Apartments  <b>Location:</b> In the southeast quadrant of the intersection of Powder Mill Road and Evans Trail.  <b>Applicant/Address:</b> Powder Mill Village Apartments, LLC 1950 Gallows Road, Suite 600 Vienna, VA 22182  <b>Property Owner:</b> Powder Mill Village Apartments, LLC 11364 Evans Trail Beltsville, MD 20705	Planning Board Hearing Date:	09/13/18
	Memorandum Date:	08/07/18
	Date Accepted:	06/18/18
	Planning Board Action Limit:	N/A
	Plan Acreage:	33.65
	Zone:	R-18
	Gross Floor Area:	NA
	Lots:	NA
	Parcels:	2
	Planning Area:	61
	Council District:	01
	Election District	01
	Municipality:	N/A
200-Scale Base Map:	214NE04	

Purpose of Application	Notice Dates	
Request for a refund of filing fee.	Informational Mailing:	01/25/18
	Acceptance Mailing:	06/15/18
	Sign Posting Deadline:	N/A

Staff Recommendation		Staff Reviewer: Taslima Alam Phone Number: 301-952-4976 E-mail: Taslima.Alam@ppd.mncppc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
X			



August 7, 2018

**MEMORANDUM**

TO: The Prince George's County Planning Board

VIA: Sherri Conner, Acting Supervisor, Subdivision and Zoning Section  
Development Review Division

FROM: Taslima Alam, Senior Planner, Subdivision and Zoning Section  
Development Review Division

SUBJECT: Departure from Design Standards DDS-647  
Powder Mill Village Apartments

In a letter dated November July 23, 2018, the applicant's attorney, Arthur Horne, requested that the above departure from design standards (DDS) application for construction of a 300-space parking garage be withdrawn, and the application fees be refunded.

Section 27-125.02 of the Prince George's County Zoning Ordinance sets forth the fee structure for the specific applications. The applicant was required to file a fee in the amount of \$2,000.00 to process a DDS application and \$90.00 for sign posting, for a total of \$2,090.00. After acceptance of the application and staff's initial review, it was determined that a parking departure is no longer necessary for the property, as it is a certified nonconforming apartment complex, for which the existing parking on-site is not proposed to be modified. The new parking structure proposed will provide additional parking and may utilize compact space sizes, pursuant to current parking regulations. The technical staff report was not initiated, and no signs were posted on the property.

Section 27-125.02(m)(4)(A)(iii)(aa) provides that the Prince George's County Planning Board may approve a refund if "A request to withdraw an application is received in proper form prior to the public release of the Technical Staff Report. In this case, fifty percent (50%) of the filing fee shall be refunded."

Section 27-125.02(m)(4)(A)(vi)(aa) provides that the Planning Board may also approve a refund of the sign posting fee if "The application is withdrawn prior to the posting of the sign. In this case, the entire sign posting fee shall be refunded."

The appropriate amount which may be refunded to the applicant is \$1,090.00. This represents 50 percent of the DDS application fee and the entire sign posting fee.

#### RECOMMENDATION

Staff recommends that the request for refund of filing fee for Departure from Design Standards DDS-647, Powder Mill Village Apartments, be APPROVED in the amount of \$1,090.00.