



Note: Staff reports can be accessed at <http://mncppc.iqm2.com/Citizens/Default.aspx>.

Request for Refund of Filing Fee

Detailed Site Plan

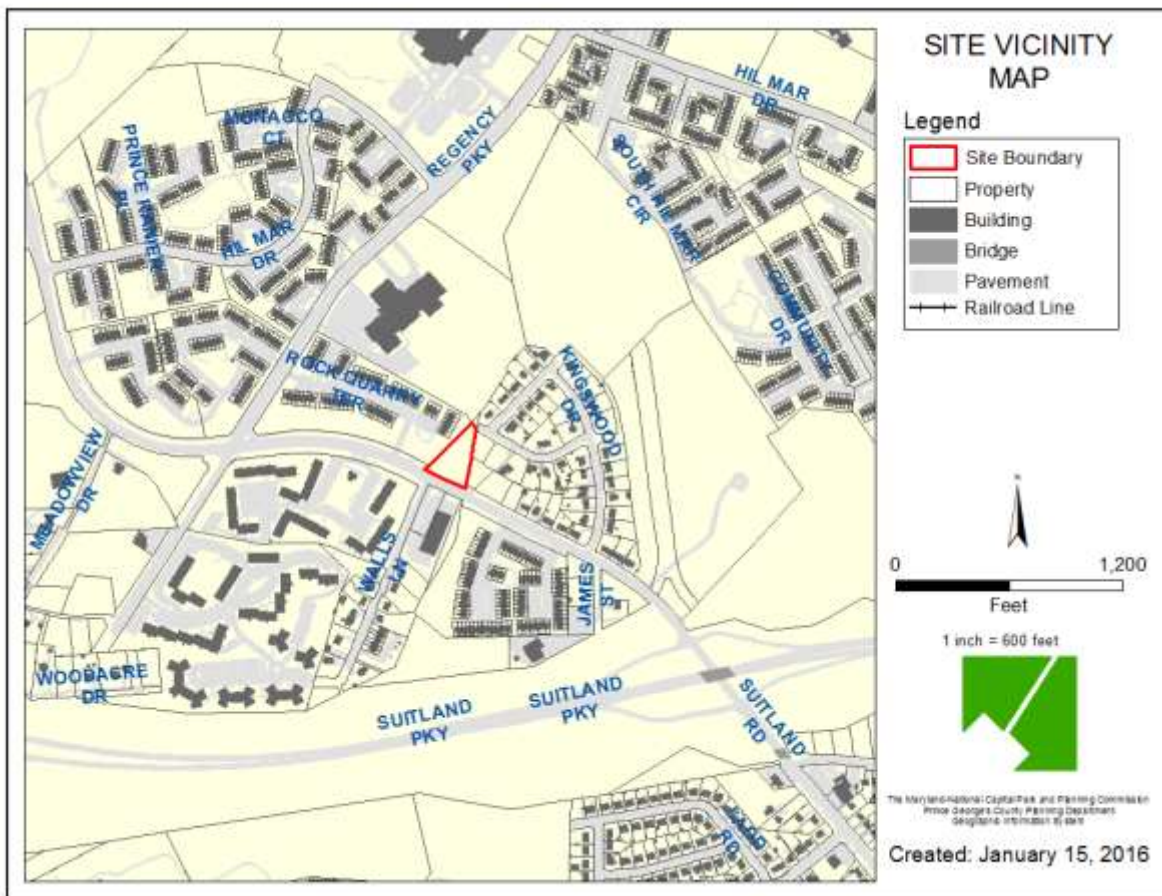
Departure From Design Standards

DSP-16056
DDS-639

Application	General Data	
Project Name: 5700 Suitland Road Hotel Location: The subject property is located at 5700 Suitland Road, north of the intersection of Suitland Road and Walls Lane. Applicant/Address: Chand Kumra 2263 Community Drive Waldorf, MD 20601 Property Owner: Chand Kumra 2263 Community Drive Waldorf, MD 20601	Planning Board Hearing Date:	09/14/17
	Memorandum Date:	08/30/17
	Date Accepted:	02/23/17
	Planning Board Action Limit:	N/A
	Plan Acreage:	1.05
	Zone:	C-S-C
	Gross Floor Area:	24,000 sq. ft.
	Lots:	1
	Parcels:	1
	Planning Area:	75A
	Tier:	Developing
	Council District:	07
	Election District	06
	Municipality:	N/A
	200-Scale Base Map:	205SE05

Purpose of Application	Notice Dates	
Request for refund of filing fee for DSP and DDS.	Informational Mailing	11/10/16
	Acceptance Mailing:	02/23/17
	Sign Posting Deadline:	N/A

Staff Recommendation		Staff Reviewer: N. Andrew Bishop Phone Number: 301-952-4897 E-mail: Andrew.Bishop@ppd.mncppc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
X			



August 30, 2017

MEMORANDUM

TO: The Prince George's County Planning Board

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

FROM: Andrew Bishop, Senior Planner, Urban Design Section, Development Review Division

SUBJECT: Request for Refund of Filing Fee
DSP-16056 and DDS-639 5700 Suitland Road Hotel

In a letter dated July 31, 2017, the applicant withdrew the above Detailed Site Plan, DSP-16056, and Departure from Design Standards DDS-639 for a 24,000-square-foot hotel, including 69 rooms, because the hotel use is no longer permitted in accordance with Prince George's County Council Bill CB-28-2017, which was adopted after the application was accepted. Further, the applicant's representative, Michele LaRocca, in a letter dated August 17, 2017 requested, in accordance with Section 27-125 of the Zoning Ordinance, that the filing fee be refunded to the applicant. However, the applicant requested one-hundred percent of the filing fee, where Section 27-125 of the Zoning Ordinance allows for a 50 percent refund.

The Development Review Fee Schedule sets forth the fee structure for the specific applications. In this case, the applicant was required to submit the application filing fees for the DSP, DDS, and a variance totaling \$2,765.00.

Section 27-125.02(m)(4)(A), Refunds and Waivers, of the Zoning Ordinance provides the requirements for a refund and waiver request, which can only be approved by the Planning Board, as follows:

(iii) Filing fee (original application)

(aa) 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.

(vi) Sign posting fee.

(bb) The application is withdrawn after the posting of the sign(s). In this case no portion of the sign posting fee shall be refunded.

The Urban Design Section notes that signs for the property were posted, but the technical staff report was not released. In accordance with the above sections of the Zoning Ordinance, the applicant is eligible for a refund of 50 percent of the application fee in the amount of \$1,382.50, which does not include the posting fee. However, the Planning Board has the complete discretion in deciding the percentage of the fees to be refunded to the applicant. Given the unique situation of this application, the Urban Design Section believes that a complete refund of the filing fee is justified.

RECOMMENDATION

The Urban Design Section recommends that the request for the refund of the filing fee for DSP-16056 and DDS-639, 5700 Suitland Road Hotel, be APPROVED.