



*Note: Staff reports can be accessed at [www.mncppc.org/pgco/planning/plan.htm](http://www.mncppc.org/pgco/planning/plan.htm).*

## Request for a Filing Fee Waiver      DSP-89010-06

Application	General Data	
<b>Project Name:</b> Inglewood Business Community, Homewood Suites by Hilton  <b>Location:</b> Located 600 feet west of the intersection of Basil Court and McCormick Drive.  <b>Applicant/Address:</b> 9103 Basil Court Partners, LLC 1101 30th Street NW, Suite 500 Washington, DC 20007	Planning Board Hearing Date:	04/25/19
	Memorandum Date:	04/24/19
	Date Accepted:	04/18/19
	Planning Board Action Limit:	N/A
	Plan Acreage:	4.10
	Zone:	C-O/D-D-O
	Dwelling Units:	N/A
	Gross Floor Area:	N/A
	Planning Area:	73
	Council District:	06
	Election District	13
	Municipality:	N/A
200-Scale Base Map:	203NE08	

Purpose of Application	Notice Dates	
Request for a filling fee waiver for an amendment to a DSP.	Informational Mailing:	N/A
	Acceptance Mailing:	N/A
	Sign Posting Deadline:	N/A

<b>Staff Recommendation</b>		<b>Staff Reviewer:</b> H. Zhang, AICP, LEED AP <b>Phone Number:</b> 301-952-3087 <b>Email:</b> Henry.Zhang@ppd.mncppc.org	
<b>APPROVAL</b>	<b>APPROVAL WITH CONDITIONS</b>	<b>DISAPPROVAL</b>	<b>DISCUSSION</b>
			X



# THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
[www.pgplanning.org](http://www.pgplanning.org)

April 24, 2019

## MEMORANDUM

TO: The Prince George's County Planning Board

VIA: Jill Kosack, Supervisor, Urban Design Section, Development Review Division

FROM: Henry Zhang, Master Planner, Urban Design Section, Development Review Division

SUBJECT: Request for a Filing Fee Waiver  
Detailed Site Plan DSP-89010-06  
Inglewood Business Community, Homewood Suites by Hilton

In a letter dated February 27, 2019, the applicant's engineer, Torben Agesen, requested a waiver of the filing fee for Detailed Site Plan DSP-89010-06, which is an amendment to the previously approved DSP to replace a small area of the concrete patio in the courtyard (known as "Sport Court") with a putting green area and to revise fine grading and stormdrain outlets at limited locations on the site. Since the amendments included in this DSP qualify under Section 27-289(c)(2), this DSP will be reviewed at the Planning Director level, and neither posting nor a technical staff report is required.

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 fee of \$2,000 for the DSP.

Section 27-125.02(m)(4), Fee Regulations, of the Prince George's County Zoning Ordinance provides the requirements for a refund and waiver requests, which can only be approved by the Planning Board, as follows:

- (4) Refunds and waivers.**
  - (A) No part of a fee shall be refunded or waived unless the Planning Board determines that one (1) of the following applies:**
    - (i) The fee was paid by mistake, and the applicant has requested (in writing) a refund.**

- (ii) The application is filed by (or on behalf of) any department or agency of the County, or any municipal, State, or Federal government, except as otherwise provided.
- (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.
  - (bb) A request to withdraw an application is received in proper form after the public release of the Technical Staff Report. In this case, twenty-five percent (25%) of the filing fee shall be refunded.
- (iv) An error was made on an approved application through governmental action, and the filing of an additional application is necessary to correct the error. In this case, all fees may be refunded.
- (v) An application is filed and property rezoned because of a clear mistake by a governmental agency in the adoption of a Sectional Map Amendment. In this case, the Council may direct the refunding of all fees.
- (vi) Sign posting fee.
  - (aa) The application is withdrawn prior to the posting of the sign. In this case, the entire sign posting fee shall be refunded.
  - (bb) The application is withdrawn after the posting of the sign(s). In this case no portion of the sign posting fee will be refunded.

This application does not specifically qualify under any of these provisions, as there were no errors or mistakes by a governmental agency and no staff report or posting will be required. However, under Section 27-282, Submittal requirements, of the Zoning Ordinance for a DSP, the fee can be reduced under certain circumstances, as follows:

- (c) **Upon filing the Plan, the applicant shall pay to the Planning Board a fee to help defray the costs related to processing the Plan. *The scale of fees shall be determined by the Planning Board*, except that the filing fee for a day care center for children shall not exceed the Special Exception filing fee for a day care center for children as set forth in Section 27-297(b)(1.1). *A fee may be reduced by the Planning Board if it finds that payment of the full amount will cause an undue hardship upon the applicant. (emphasis added)***

Therefore, in this amendment to a DSP, the Planning Board has complete discretion in requiring a reduced fee if it finds the full amount will cause undue hardship upon the applicant.