



Note: Staff reports can be accessed at <http://mncppc.igm2.com/Citizens/Default.aspx>.

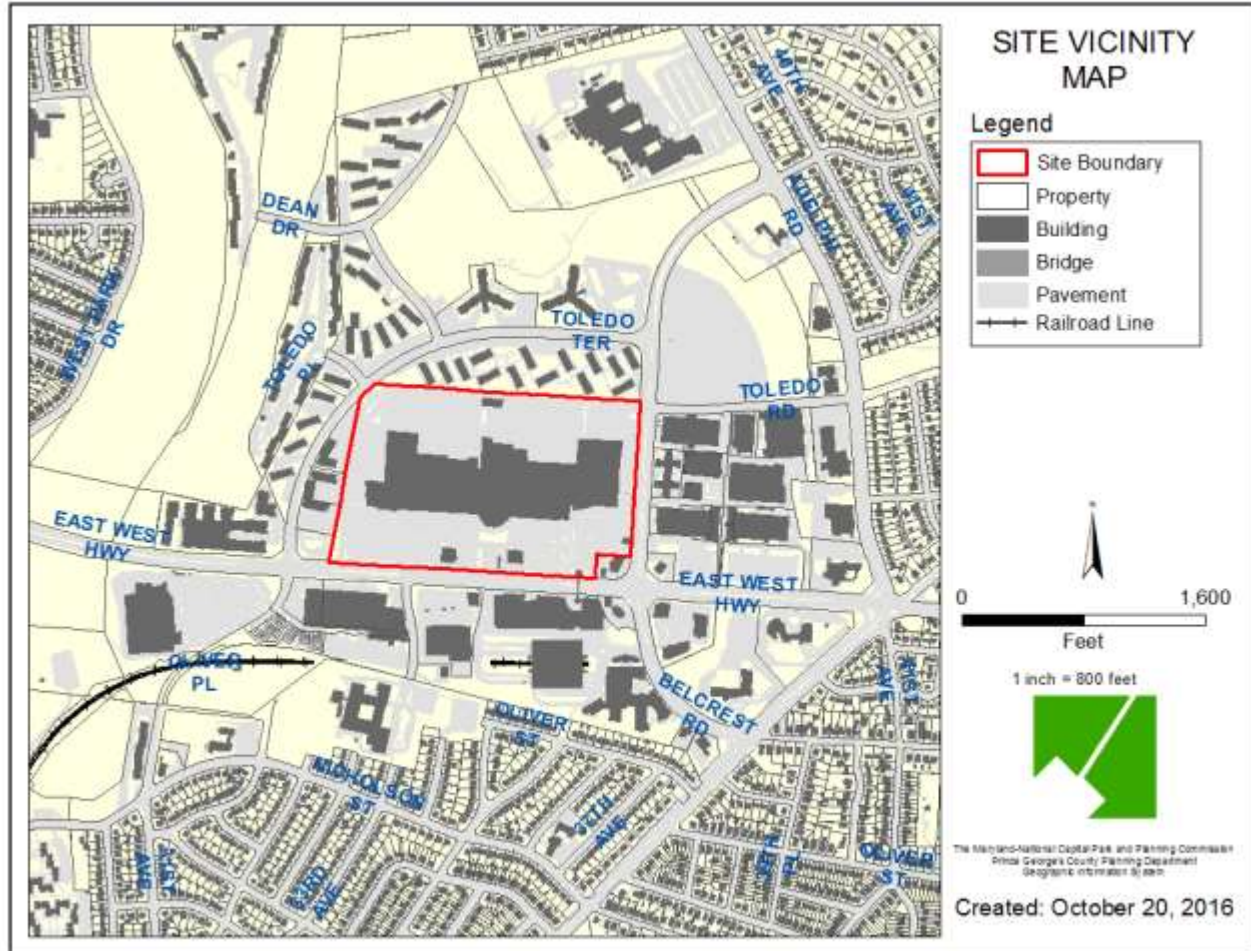
Request for Refund of Filing Fee Detailed Site Plan

DSP-99044-13

| Application | General Data | |
|--|------------------------------|---------------|
| Project Name: Prince George's Plaza, Endcap Addition Location: Located in the northwest quadrant of the intersection of MD 410 (East-West Highway) and Belcrest Road, approximately 1,600 feet west of the intersection of MD 410 and MD 500 (Queens Chapel Road). Applicant/Address: PR Prince George's Plaza, LLC. 200 South Broad Street Philadelphia, PA 19102 | Planning Board Hearing Date: | 11/16/17 |
| | Memorandum Date: | 11/01/17 |
| | Date Accepted: | 08/22/17 |
| | Planning Board Action Limit: | N/A |
| | Plan Acreage: | 51.78 |
| | Zone: | M-U-I/ T-D-O |
| | Gross Floor Area: | 8,600 sq. ft. |
| | Planning Area: | 68 |
| | Tier: | Developed |
| | Council District: | 02 |
| | Election District | 17 |
| | Municipality: | Hyattsville |
| | 200-Scale Base Map: | 208NE03 |

| Purpose of Application | Notice Dates | |
|---|------------------------|-----|
| Request for refund of filing fee for DSP. | Informational Mailing | N/A |
| | Acceptance Mailing: | N/A |
| | 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 | | | |



November 1, 2017

MEMORANDUM

TO: The Prince George's County Planning Board

VIA: Whitney Chellis, Acting Division Chief, Development Review Division

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

SUBJECT: Request for Refund of Filing Fee
Detailed Site Plan DSP-99044-13, Prince Georges Plaza, Endcap Addition

In a letter dated October 6, 2017, the applicant withdrew the above Detailed Site Plan, DSP-99044-13, for an 8,600-square-foot building addition because the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zone* (Prince George's Plaza TDDP/TDOZ) provides exemptions for existing shopping centers, and allows development of the building addition by-right.

Specifically, Exemption E1 states:

Until a Detailed Site Plan (DSP) is submitted, all buildings, structures, and uses, which were lawful or could have been certified as legal nonconforming uses pursuant to Section 27-244 of the Zoning Ordinance on July 19, 2016, are exempt from the Transit District Standards and are not nonconforming.

The building addition proposed with the subject application is attached to the existing integrated shopping center (known as Prince George's Plaza), which was lawful pursuant to Section 27-244 of the Zoning Ordinance as of July 19, 2016, and therefore is exempt from conforming to the transit district standards.

Additionally, Exemption E8 states:

An attached nonresidential addition to any existing building that is part of an integrated shopping center that was lawful or could have been certified as nonconforming pursuant to Section 27-244 of the Zoning Ordinance on July 19, 2016 is exempt from the Transit District Standards and DSP review if the addition (and the accumulated sum of all additions since July 19, 2016) does not

increase the GFA by more than 15 percent of the total GFA of the integrated shopping center (excluding single-use pad sites) as it existed on July 19, 2016. Any addition which causes an integrated shopping center to exceed this threshold, and all subsequent nonresidential additions, require the approval of a DSP pursuant to Exemption E1 and such additions are subject to the Transit District Standards.

The existing structure has a gross floor area of 1,117,498 square feet, and the proposed addition is 8,568 square feet, which is 0.76 percent of the existing structure and within the 15 percent threshold set forth by the TDDP. Therefore, the addition is permitted and not subject to the DSP process, and a refund should be processed in accordance with Section 27-125 of the Zoning Ordinance, if approved by the Prince George's County Planning Board.

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, totaling \$2,000.00.

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 not required, and the technical staff report was not written for this application. 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 \$1,000.00. However, the Planning Board has the complete discretion in deciding the percentage of the fees to be refunded to the applicant.

RECOMMENDATION

The Urban Design Section recommends that the request for the refund of the filing fee for Detailed Site Plan DSP-99044-13, Prince George's Plaza, Endcap Addition, be APPROVED.