



The Maryland-National Capital Park and Planning Commission  
 Prince George's County Planning Department  
 Development Review Division  
 301-952-3530

## Special Exception Resurrection Cemetery

**SE-4823**

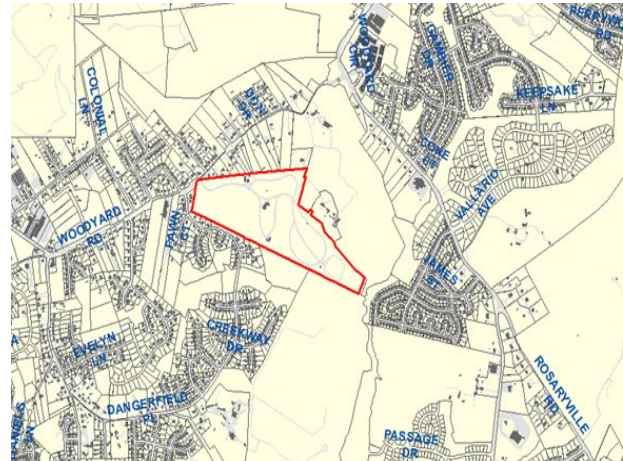
REQUEST	STAFF RECOMMENDATION
To permit expansion to the existing cemetery to allow for additional paving in the form of a 20-foot-wide drive aisle, surface parking lot, and site improvements for access to future grave sites.	APPROVAL with conditions

**Location:** Southeast side of Woodyard Road, approximately 215 feet from its intersection with Hunter Drive.

Gross Acreage:	99.98
Zone:	O-S
Dwelling Units:	0
Gross Floor Area:	0
Lots:	0
Parcels:	1
Planning Area:	81A
Council District:	09
Election District:	09
Municipality:	N/A
200-Scale Base Map:	211SE08

**Applicant/Address:**  
 Catholic Cemeteries of the Archdiocese  
 13801 Georgia Avenue  
 Aspen Hill, MD 20906

**Staff Reviewer:** Thomas Sievers  
**Phone Number:** 301-952-3994  
**Email:** Thomas.Sievers@ppd.mncppc.org



Planning Board Date:	09/10/2020
Planning Board Action Limit:	N/A
Staff Report Date:	08/25/2020
Date Accepted:	08/29/2019
Informational Mailing:	01/19/2018
Acceptance Mailing:	08/28/2019
Sign Posting Deadline:	N/A

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

**TECHNICAL STAFF REPORT:**

TO: The Prince George's County Planning Board  
The Prince George's County District Council

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

FROM: Thomas Sievers, Senior Planner, Subdivision and Zoning Section  
Development Review Division

SUBJECT: Special Exception SE-4823  
Resurrection Cemetery

REQUEST: An expansion to the existing cemetery to allow for additional paving in the form of a  
20-foot-wide drive aisle, surface parking lot, and site improvements for access to  
future grave sites.

RECOMMENDATION: **APPROVAL with conditions**

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**NOTE:**

The Planning Board has scheduled this application on the consent agenda for transmittal to the Zoning Hearing Examiner on the agenda date of September 10, 2020.

You are encouraged to become a person of record in this application. The request must be made in writing and addressed to the Prince George's County Office of the Zoning Hearing Examiner, County Administration Building, Room 2184, 14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772. Questions about becoming a person of record should be directed to the Hearing Examiner at 301-952-3644. All other questions should be directed to the Development Review Division at 301-952-3530.

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## FINDINGS:

1. **Location and Site Description:** The subject property is located on the southeast side of Woodyard Road, approximately 0.7 mile southwest of Rosaryville Road. An existing cemetery occupies the property, with ancillary uses, including an administrative office building, mausoleums, and maintenance building. The existing buildings on-site total 16,648 square feet of gross floor area and the existing developed impervious surface, other than the buildings, totals 236,363 square feet.
2. **History and Previous Approvals:** The subject property is located on Tax Map 108 in Grid D4, consists of one parcel, and contains a total of 99.98 acres of land. The subject property is known as Parcel 4, recorded among the Prince George's County Land Records in Liber 2975 folio 555. The Existing Special Exception for the property (SE-1135) was originally approved on January 15, 1965 by the Prince George's County District Council without conditions. Since no site plan was initially approved in connection with the existing special exception, the as-built plans submitted for Building Permit No. 9649-94-CG were previously treated as the approved site plan for the existing special exception. Five minor revisions to the site plan for the special exception have been approved by the Planning Director to date:
  - a. Revision of Site Plan ROSP-1135-01, November 18, 2003, addition of a 14-foot-high granite shrine and a 6-foot-high chain-link fence.
  - b. Revision of Site Plan ROSP-1135-02 and Alternative Compliance AC-04018, August 10, 2004, addition of a maintenance building (30 feet by 83 feet) and related access paving (1,375 sq. ft.), and alternative compliance to the 2010 *Prince George's County Landscape Manual* for a Section 4.7 Type D bufferyard adjoining an historic property.
  - c. Revision of Site Plan ROSP-1135-03 and Alternative Compliance AC-04018-01, January 8, 2007, addition of an 0.85-acre mausoleum site that included nine structures and one columbaria, and revision of alternative compliance to the 2010 *Prince George's County Landscape Manual* for a Section 4.7 Type D bufferyard adjoining an historic property.
  - d. Revision of Site Plan ROSP-1135-04, January 11, 2009, addition of two religious shrines to Section 7 of the cemetery.
  - e. ROSP-1135-05, January 9, 2018, addition of a 120 square foot columbaria.
3. **Neighborhood and Surrounding Uses:** The general neighborhood is bounded to the north by Woodyard Road, MD 5 (Branch Avenue) to the west, the Piscataway Creek to the east, and Surratts Road to the south. The neighborhood primarily includes residential uses. The immediate uses surrounding the subject property are as follows:  
  

<b>North—</b>	Single-family detached residential lots in the Rural Residential (R-R) Zone, and His Lordship's Kindness/Poplar Hill and Cemetery Historic Site (81A-001) and horse farm in the Residential-Agricultural (R-A) Zone.
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- East—** Woodland in the R-A and Reserved Open Space (R-O-S) Zones and single-family detached residential lots in the R-R and One-Family Detached Residential Zones.
- South—** Undeveloped land in the R-O-S Zone and single-family homes in the R-R Zone.
- West—** Woodyard Road and single-family detached residential lots in the R-R Zone.

4. **Request:** The applicant requests approval of a special exception to permit expansion to the existing cemetery, to allow for additional paving in the form of a 20-foot-wide drive aisle, surface parking lot, and site improvements, for access to future grave sites.

5. **Development Data Summary:**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone(s)	O-S	O-S
Use(s)	Cemetery	Cemetery
Acreage	99.98	99.98
Parcels	1	1
Gross Floor Area	16,648 sq. ft.	16,648 sq. ft.
Dwellings	0	0

6. **Required Findings:** A special exception is subject to the general findings for approval of all special exceptions contained in Section 27-317(a) of the Prince George's County Zoning Ordinance. Part 4 of the Zoning Ordinance also includes additional required findings for specific uses. A cemetery or crematory is subject to the additional findings of Section 27-341 of the Zoning Ordinance. The analysis of all the required findings for approval are provided below.

In support of the application, the applicant filed a statement of justification (SOJ) submitted August 13, 2019, incorporated by reference herein. This case was heard at the Subdivision and Development Review Committee (SDRC) meeting on September 20, 2019. The applicant submitted a revised site plan and landscape plans, and a Type II tree conservation plan, for the subject property, which was received on July 31, 2020, as requested by staff at the SDRC meeting.

**General Special Exception Findings—**Section 27-317(a) provides the following:

**(a) A Special Exception may be approved if:**

**(1) The proposed use and site plan are in harmony with the purposes of this Subtitle.**

The purposes of Subtitle 27 of the Prince George's County Code, as set forth in Sections 27-102(a)(1) through (15) of the Zoning Ordinance, are generally to protect the health, safety, and welfare of the public; to promote compatible relationships between various land uses; to guide orderly

development; and to ensure adequate public facilities and services. Specific to the Open Space (O-S) Zone, as set forth in Section 27-425 of the Zoning Ordinance, the purposes relate to providing low intensity uses consistent with the area master plan that promote the economic use and conservation of natural resources and heritage in the area. Staff finds that the use and the site plan, as proposed, will be in harmony with the purposes of this Subtitle, given the SOJ put forth by the applicant, and the analysis and recommended conditions contained herein.

The proposed special exception will allow for additional grave sites, surface parking spaces, and associated stormwater management (SWM) at the existing cemetery, which is buffered from all adjacent properties by existing woodland. Further, a cemetery use by its very nature generates very little noise, traffic, or activity. Thus, the use will protect and promote the health, safety, morals, comfort, convenience, and welfare of County residents.

Since the property is already improved with a cemetery that is served by adequate public facilities and services, the proposed special exception will promote conservation, creation, and orderly expansion of existing land uses without imposing any increased burden on public facilities.

**(2) The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle.**

As indicated on the site plan submitted with the application, the proposal satisfies all applicable development regulations as specified in Section 27-442 of the Zoning Ordinance. The application proposes a lot coverage of approximately 7.84 percent, which is well below the maximum lot coverage allowed for all other uses (50 percent) pursuant to Section 27-442(c).

**(3) The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or in the absence of a Master Plan or Functional Map Plan, the General Plan.**

The Plan Prince George's 2035 Approved General Plan (Plan 2035) identifies the property within an Established communities growth policy area and designates the generalized future land use as institutional. In addition, the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* (Master Plan) designates the property for institutional land uses (Master Plan, page 33). The addition of grave sites, mausoleums, and associated improvements to the existing cemetery is consistent with Plan 2035 and Master Plan recommendations for the property.

**(4) The proposed use will not adversely affect the health, safety or welfare of residents or workers in the area.**

The proposed special exception will not alter the previous finding associated with the existing special exception that satisfied this provision. The application ensures sufficient setbacks from the neighboring properties and ample tree buffering.

**(5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood.**

As noted above, the adjacent transportation facilities are adequate to support the expansion to the existing cemetery. To this end, the proposed special exception will not impose a material impact on traffic safety or congestion to the detriment of the adjacent properties and general neighborhood.

**(6) The proposed site plan is in conformance with an approved Tree Conservation Plan.**

As detailed in the site plan, the proposal is consistent with Type II tree conservation plan TCPII-078-12, which has been submitted with this application for the redevelopment of the property.

**(7) The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

The proposed special exception demonstrates preservation of all regulated environmental features on the property to the fullest extent practical. The application will also provide additional SWM facilities that enhance the property's environmental features.

**Specific Special Exception Requirements:**

**Section 27-341. – Cemetery or Crematory.**

**A cemetery (including an animal cemetery) or a crematory may be permitted, provided that the use shall not be located within any proposed street or other public right-of-way, notwithstanding Section 27-259.**

As reflected on the site plan submitted with this application, the proposed special exception does not include cemetery uses within any proposed street or other public right-of-way. Consistent with the existing special exception, the application does not alter or impair the property's ability to meet the use-specific requirements for a cemetery.

- 7. Parking Regulations:** In accordance with the parking and loading regulations contained in Section 27-568(a)(6) of the Zoning Ordinance, the existing office (6,000 square feet) is required to provide 18 spaces and the existing maintenance building (2,490 square feet) is required to provide 5 parking spaces, for a total of 23 parking spaces. The submitted site plan shows that a total of 36 parking spaces will be provided, including 34 regular parking

spaces and 2 standard handicap-accessible spaces. Section 27-582(a) of the Zoning Ordinance does not require loading spaces for an office building that has less than 10,000 square feet of gross floor area. Required parking will be accommodated around the site via several drive aisles, all of which are proposed to be at least 22 feet in width, as shown on the site plan.

8. **2010 Prince George's County Landscape Manual Requirements:** The application is subject to the following sections of the 2010 *Prince George's County Landscape Manual* (Landscape Manual): Section 4.3, Parking Lot Requirements; Section 4.6, Buffering Special Roadways; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscape Requirements.

Section 4.3 of the Landscape Manual requires parking lots that are between 7,000 to 49,999 square feet to provide 8 percent of the interior of the parking lot as planting area. The Section 4.3 schedules included on the landscape plan show conformance to the requirements.

Section 4.6 of the Landscape Manual requires special roadways to be buffered from development. Woodyard Road is a designated historic roadway in the 2009 *Approved Countywide Master Plan of Transportation*. Adjacent to a historic road, the Landscape Manual, which became effective on December 13, 2010, requires a Section 4.6 landscape buffer (Buffering Development from Special Roadways) based on the development tier. Conformance to this standard shall be established prior to certification of the special exception.

In accordance with Section 4.7 of the Landscape Manual, a Type C bufferyard is required when a low impact use is adjacent to single-family detached houses. A Type C bufferyard includes a minimum 30-foot-wide building setback and 20-foot-wide landscaped yard to be planted with 80 plant units per 100 linear feet of the property line. The requirements of the Type C bufferyards are fulfilled by existing woodlands. In addition, a Type D bufferyard is required to buffer incompatible uses adjacent to an historic site that includes a minimum 50-foot-wide building setback and 40-foot-wide landscaped yard to be planted with 160 plant units per 100 linear feet of property line. Alternative Compliance (AC-04018) was previously approved through ROSP-1135-01 and subsequent revision (AC-04018-01) in ROSP-1135-02 for the Type D bufferyard requirements. The landscape plan provides the appropriate schedules showing conformance with the requirements.

Section 4.9 of the Landscape Manual promotes sustainable landscaping as an environmentally sensitive design approach. A percentage of plants within each plant type (including shade trees ornamental trees, evergreen trees, and shrubs) shall be native species (or cultivars thereof) and shall be identified on a planting schedule on the landscape plan. Any existing trees and/or vegetation retained in fulfillment of the requirements shall not contain invasive species, which must also be reflected in the schedule. Trees proposed in fulfillment of the requirements shall not be planted on slopes steeper than three-to-one (3:1). Conformance to this standard shall be established prior to certification of the special exception.

9. **Tree Canopy Coverage:** In accordance with Section 25-127(b)(1)(D) of the Tree Canopy Coverage Ordinance, this application is exempt because it is located in the O-S Zone.

The regulated environmental features on the subject property have been preserved and/or restored in a natural state to the fullest extent possible based the limits of disturbance shown on the TCPII and the evaluation provided with Special Exception SE-4823.

10. **Signage:** No changes to the existing signage and no new signage are proposed with this application; therefore, this application does not require review of the sign regulations.
11. **Military Installation Overlay Zone:** This application is located within the Military Installation Overlay Zone. Pursuant to Section 27-548.54, Requirements for Height, of the Zoning Ordinance, the majority of the subject property is in the Conical Surface (20:1)-Right Runway, and the westernmost portion of the property is in the Inner Horizontal Surface-Right Runway. Structures proposed for this site must not exceed the maximum height of 477 feet and 150 feet, respectively. The maximum height of the proposed structure on the subject property is 30 feet, which is within the requirements for height for the subject property. Pursuant to Section 27-548.55, Requirements for Noise, the subject property is in the Noise Intensity Zone of 60 db to 74 db. Certain uses are prohibited within the noise intensity zone, however, the proposed cemetery is not affected by these limitations.
12. **Referral Comments:** The following referrals were received and are incorporated herein by reference; all of the comments are addressed on the site plan, or as part of this technical staff report:
  - a. Community Planning Division, dated August 7, 2020 (Irminger to Sievers)
  - b. Transportation Planning Section, dated August 6, 2020 (Masog to Sievers)
  - c. Environmental Planning Section, dated August 17, 2020 (Schneider to Sievers)
  - d. Historic Preservation Section, dated September 28, 2019 (Stabler to Cannady II)

## RECOMMENDATION

A special exception use is considered compatible with uses permitted by-right within the Open Space (O-S) Zone if specific special exception criteria are met. Unless unique adverse impacts are identified, the special exception may be approved. The appropriate standard for determining whether the use would create an adverse impact upon surrounding properties is to show that the proposed use, at this particular location proposed, would not have adverse impacts above and beyond those inherently associated with the special exception use, regardless of its location within the O-S Zone.

Based on the applicant's revised statement of justification, the analysis contained in the technical staff report, associated referrals, and materials in the record, the applicant has demonstrated conformance with the required special exception findings as set forth in Section 27-317 (in general) and Section 27-341, for a cemetery or crematory, of the Zoning Ordinance in this instance. Therefore, staff recommends approval of Special Exception SE-4823, Resurrection Cemetery, subject to the following conditions of approval:



1. Prior to certification of the special exception, the site plan shall be revised, as follows:
  - a. Provide a 2010 *Prince George's County Landscape Manual* Section 4.6 landscape buffer along Woodyard Road (buffering development from special roadway), as it is an historic roadway as designated in the 2009 *Approved Countywide Master Plan of Transportation*, and add a Section 4.6 Schedule to the landscape plan.
  - b. Provide a 2010 *Prince George's County Landscape Manual* Section 4.9 Schedule on the landscape plan.
2. Prior to signature approval of the Type II tree conservation plan (TCPII), the Natural Resources Inventory and/or the TCPII shall be revised as needed to ensure that consistent site statistics are shown on both plans.
3. Prior to certification of the special exception plan, the Type II tree conservation plan shall be revised, as follows:
  - a. Add "TCPII-027-98" to the approval block and to the worksheet.
  - b. Add to the approval block "00" signature line "J Stasz", "6/26/1998."
  - c. Add to the approval block "01" signature line "J Stasz", "8/18/2004."
  - d. Add to the approval block "02" signature line "J Stasz", "2/27/2007."
  - e. Revise the woodland conservation worksheet to reflect the grandfathered woodland conservation threshold, as shown on previously approved Type II tree conservation plans.
  - f. Remove forest stand delineation data sample points from the plan view.
  - g. Have the revised plan signed and dated by the qualified professional preparing the plan.