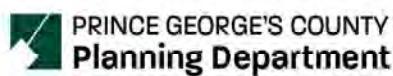




The Maryland-National Capital Park and Planning Commission



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Note: Staff reports can be accessed at <https://www.mncppc.org/883/Watch-Meetings>

Special Exception Donald V. Borgwardt Funeral Home

SE-4848

REQUEST	STAFF RECOMMENDATION														
A special exception for the addition of a 1,664-square-foot crematory to an existing funeral parlor.	With the conditions recommended herein: • APPROVAL of Special Exception SE-4848														
Location: On the northeast side of Powder Mill Road, approximately 250 feet northwest of its intersection with Roby Avenue.															
Gross Acreage:	1.74														
Zone:	RR														
Prior Zone:	R-R														
Reviewed per prior Zoning Ordinance:	Section 24-1900														
Dwelling Units:	0														
Gross Floor Area:	9,765 sq. ft.														
Lots:	0														
Parcels:	1														
Planning Area:	61														
Council District:	01														
Municipality:	N/A														
Applicant/Address: Donald V. Borgwardt, Funeral Home, P.A. 4400 Powder Mill Road Beltsville, MD 20705															
Staff Reviewer: Candra Teshome Phone Number: 301-952-3749 Email: Candra.Teshome@ppd.mncppc.org															
															
<table border="1"><tbody><tr><td>Planning Board Date:</td><td>07/10/2025</td></tr><tr><td>Planning Board Action Limit:</td><td>N/A</td></tr><tr><td>Staff Report Date:</td><td>06/26/2025</td></tr><tr><td>Date Accepted:</td><td>03/31/2025</td></tr><tr><td>Informational Mailing:</td><td>02/19/2025</td></tr><tr><td>Acceptance Mailing:</td><td>03/24/2025</td></tr><tr><td>Sign Posting Deadline:</td><td>N/A</td></tr></tbody></table>		Planning Board Date:	07/10/2025	Planning Board Action Limit:	N/A	Staff Report Date:	06/26/2025	Date Accepted:	03/31/2025	Informational Mailing:	02/19/2025	Acceptance Mailing:	03/24/2025	Sign Posting Deadline:	N/A
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The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at

http://www.mncppcapps.org/planning/Person_of_Record/.

Please call 301-952-3530 for additional information.

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THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

TECHNICAL STAFF REPORT:

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

VIA: Jeremy Hurlbutt, Supervisor, Zoning Section,
Development Review Division

FROM: Candra Teshome, Planner III, Zoning Section,
Development Review Division

SUBJECT: Special Exception SE-4848
Donald V. Borgwardt Funeral Home

REQUEST: A special exception for the addition of a 1,664-square-foot crematory to an existing funeral parlor.

RECOMMENDATION: **APPROVAL, with conditions**

NOTE:

The Prince George's County Planning Board has scheduled this application on the consent agenda, for transmittal to the Zoning Hearing Examiner, on the agenda date of July 10, 2025.

You are encouraged to become a person of record in this application. Requests to become Persons of Record should be submitted electronically, by email to: ZHE@co.pg.md.us. 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.

The Zoning staff have reviewed the subject application and present the following evaluation and findings leading to a recommendation of APPROVAL, with conditions, as described in the Recommendation section of this technical staff report.

I. EVALUATION CRITERIA

A. Prince George's County Zoning Ordinance. The subject property is in the Residential, Rural (RR) Zone. However, this application has been reviewed under the applicable provisions of the Prince George's County Zoning Ordinance effective prior to April 1, 2022 (prior Zoning Ordinance), pursuant to Section 27-1900 *et seq.* of the current Zoning Ordinance. Under the prior Zoning Ordinance, the site was in the Rural Residential (R-R) Zone, which was effective prior to April 1, 2022. Pursuant to Section 27-1903 of the Zoning Ordinance, development applications of any type, for properties not in the Legacy Comprehensive Design (LCD), Legacy Mixed-Use Community (LMXC), and Legacy Mixed-Use Town Center (LMUTC) Zones, may utilize the prior Zoning Ordinance. The applicant elected to have the subject application, Special Exception SE-4848, reviewed under the prior Zoning Ordinance because the subject property received several approvals under the prior Zoning Ordinance, and the applicant wishes to use the same requirements.

The subject application qualifies for review under the prior Zoning Ordinance because the subject property is not in the LCD, LMXC, or LMUTC Zones. The applicant complied with the requirements of Section 27-1904 of the Zoning Ordinance, and this application was accepted for review on March 31, 2025, prior to the abrogation date (April 1, 2025) of Section 27-1900, for use of the prior Zoning Ordinance.

A special exception is reviewed and decided by the Prince George's County Zoning Hearing Examiner. Pursuant to Section 27-317(a) of the prior Zoning Ordinance, a special exception may only be approved upon a finding that all the following standards are met:

- (1) The proposed use and site plan are in harmony with the purpose of this Subtitle;**
- (2) The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle;**
- (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 Master Plan, the General Plan;**
- (4) The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area;**
- (5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood; and**
- (6) The proposed site plan is in conformance with an approved Type 2 Tree Conservation Plan; and**

(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 requirements of Subtitle 24-130(b)(5).

B. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance.** Pursuant to Section 25-119(a)(2)(B) of the 2024 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO), special exception applications shall include a Type 2 tree conservation plan or a standard letter of exemption.

C. **Prince George's County Tree Canopy Coverage Ordinance.** The property is subject to a minimum percentage of tree canopy coverage, per requirements set forth in Section 25-128, Tree Canopy Coverage Requirements, of the Prince George's County Code. Per Section 25-127(a)(1) of the Tree Canopy Coverage Ordinance, and Prince George's County Council Bill CB-21-2024, the requirements of the Prince George's County Tree Canopy Coverage Ordinance are not applicable to the site due to the application proposing less than 2,500 square feet of disturbance.

II. BACKGROUND

A. **Summary and Request:** A special exception for the addition of a 1,664-square-foot crematory to an existing funeral parlor.

B. **Development Data Summary:**

	EXISTING	EVALUATED
Zone(s)	RR (prior R-R)	R-R
Use	Funeral parlor and undertaking establishment	Funeral parlor, undertaking establishment, and Crematory
Gross Acreage	1.74	1.74
100-Year Floodplain (acres)	0	0
Net Lot Acreage	1.74	1.74
Lot(s)	0	0
Parcel(s)	1	1
Dwelling Units	0	0
Gross Floor Area (square feet)	8,101 sq. ft.	9,765 sq. ft.

C. **Location and Site Description:** The subject property is located on the northeast side of Powder Mill Road, approximately 250 feet northwest of its intersection with Roby Avenue. The subject property is known as Parcel 42.

D. **Proposed Use(s):** The subject application proposes a 1,664-square-foot crematory as an addition to an existing funeral parlor. The proposed addition will be

constructed along the eastern facade of the building. In accordance with Section 27-441(b)(4) of the prior Zoning Ordinance, a crematory requires a special exception when proposed to be in the R-R Zone.

E. Neighborhood and Surrounding Uses: As found in prior approvals for the property, the neighborhood is defined by the following boundaries:

North— Ammendale Road
West— 34th Place and Old Gunpowder Road
South— Greenwood Road and Kenny Street
East— Lincoln Avenue North and Emack Road

Lots in the neighborhood are primarily zoned residential and include the RR, Residential, Single-Family-95 (RSF-95), and Residential, Multifamily-20 (RMF-20) Zones. One property in the neighborhood is zoned Commercial, General and Office, and Commercial, Service just south of the subject site, along Powder Mill Road.

The following properties and uses directly abut the subject site:

North— The terminus of Caverly Place and the side yard of single-family detached dwellings in the RSF-95 (prior One-Family Detached Residential (R-80)) Zone.
West— Single-family detached dwellings in the RSF-95 (prior R-80) Zone.
South— Single-family detached dwellings in the RR (prior R-R) Zone.
East— The rear yards of single-family detached residential dwellings in the RMF-20 (prior Multifamily Medium Density Residential) Zone.

F. History and Previous Approvals: The approval history of the existing undertaking establishment or funeral parlor on the subject site is detailed below:

SE-3267 was approved by the Prince George's County Zoning Hearing Examiner, effective January 27, 1982, for an undertaking establishment or funeral parlor and its associated infrastructure, subject to two conditions which have no impact on the current request.

On March 12, 1982, the Prince George's County Board of Appeals approved a variance (Appeal No. 7202) to Section 27-357(a)(6) of the prior Zoning Ordinance, waiving the requirement that a 6-foot-high fence be installed 5 feet from the property line along the western lot line. This decision is immaterial to this case because this requirement no longer exists in Section 27-357(a)(6).

On January 17, 1991, the Prince George's County Planning Board approved Alternative Compliance AC-90159 and Departure from Design Standards DDS-397 (PGCPB Resolution No. 91-1). AC-90159 was approved for alternative compliance

from Sections 4.2, 4.3, and 4.7 of the 1989 *Prince George's County Landscape Manual* (Landscape Manual). DDS-397 was approved for a 30-foot waiver from the 50-foot rear yard setback to permit a loading area.

The Zoning Hearing Examiner approved SE-3988, effective February 22, 1991, for expansion of the funeral parlor, which included the addition of a 30-foot by 100-foot office space at the rear of the building, and a requirement that the site plan and landscape plan be amended to reflect the relocation of an existing fence to the property line at the rear of the parcel, to conform to AC-90159.

A revision to SE-3988 (Revision of Site Plan ROSP-3988-01) and AC-95015 were approved by the Planning Board on May 6, 1999 (PGCPB Resolution No. 99-67). The subject applications included parking lot layout and landscaping changes, and alternative compliance from the requirements of Section 4.2, Commercial and Industrial Landscaped Strip; Section 4.3, Parking Lot Landscaped Strip, Southern Property Line; Section 4.3 Parking Lot, Interior Planting; Section 4.7, Buffering Incompatible Uses, Western Property Line; Section 4.7, Buffering Incompatible Uses, Northern Property Line; and Section 4.7, Buffering Incompatible Uses, Eastern Property Line of the 1989 Landscape Manual.

III. COMPLIANCE WITH APPLICABLE PROVISIONS OF THE ZONING ORDINANCE

This application, for the addition of a crematory to an existing undertaking establishment or funeral parlor, through a special exception, is being reviewed in accordance with the prior Zoning Ordinance. The analysis of all required findings for approval are provided below.

Required Findings—Section 27-317 of the prior Zoning Ordinance provides the following applicable findings:

(a) A Special Exception may be approved if:

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

The purposes of Subtitle 27 of the Prince George's County Code, as set forth in Section 27-102(a)(1-15) of the prior 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.

Staff find that the proposed use is in harmony with the purpose of this Subtitle, as the addition of cremation services is compatible with and expands upon the existing funeral parlor use, which provides orderly development of land served by existing facilities and services. The application promotes the conservation of communities while enhancing a critical public service that meets the needs of residents. The proposal protects landowners from adverse impacts of adjoining development by retaining existing landscape buffers and ensuring compliance with a previously approved landscape plan.

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

The proposed design of the building addition and the submitted landscape plan are in conformance with all applicable requirements and regulations of this Subtitle. Per Section 27-579(b) of the prior Zoning Ordinance, vehicular entrances, including driveways, shall not be located within 50 feet of a residential zone. The proposed addition contains a loading ramp and doorway on the north elevation and shall be accessed by the existing driveway on the site. The subject property received approval of DDS-397 (PGCPB Resolution No. 91-1), which reduced the rear setback from 50 feet to 20 feet for loading access driveways. No change to the loading access is proposed by this application.

The subject property complies with previous approvals associated with the construction of the undertaking establishment or funeral parlor.

(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 Master Plan, the General Plan;

The proposed use will not substantially impair the integrity of the *2010 Approved Master Plan and Sectional Map Amendment for Subregion 1 (Planning Areas 60, 61, 62, and 64)* (master plan). The master plan recommends low-density residential land uses on the subject property.

The master plan also recommends emphasis on improved performance standards for the minimization of noise and air pollution. The applicant provided a supplement to the statement of justification, which lists other funeral homes that provide crematory services using Matthews' Environmental Solutions Cremation Equipment, which is proposed for use by the crematory, subject to this application. The brand states that it abides by strict emissions standards, and its equipment provides silent cremation which aligns with the master plan recommendations. Several of the examples provided by the applicant are in similar residential contexts.

In addition, the subject property is located within the Beltsville Living Area policy area. This policy area recommends the improvement of streetscapes, including the installation of paved pedestrian paths and safety features. The applicant proposes frontage improvements that include two crosswalks along Powder Mill Road.

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

The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area. The proposed building addition will be located along the east façade of the building, in the area of seven existing vehicle parking spaces, and does not impact the existing on-site circulation or ability to meet the minimum parking requirements for all uses on-site. Plant materials currently located where the building addition is proposed will be removed and new plant materials added along the eastern boundary of the site, to provide additional screening, minimizing adverse impacts. The proposal also improves the streetscape by providing crosswalks along the site's street frontage.

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

Adjoining and adjacent properties are developed, and the proposed expansion will not impact their use. There is no expectation of increased vehicular activity associated with the expansion. The proposed addition contains architectural features, materials, and massing that match the existing building.

(6) The proposed site plan is in conformance with an approved Type 2 Tree Conservation Plan; and

This project meets the exemption criteria in Section 25-119(b) of the WCO because the site contains less than 10,000 square feet of woodland. The site received a Standard Letter of Exemption (S-075-2024) from the 2010 WCO on June 10, 2024, and it remains valid until June 10, 2026. No additional information is required regarding woodland conservation.

(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 requirements of Subtitle 24-130(b)(5).

In conformance with Section 27-296(c)(1)(J)(b)(5) of the prior Zoning Ordinance, an approved Natural Resources Inventory Plan (NRI-075-2024) was submitted with the application. The site has fewer than 10,000 square feet of woodlands and contains no regulated environmental features (REF) or impacts to environmental features, as provided in Section 24-130(b)(5) of the prior Prince George's County Subdivision Regulations, for preservation and/or restoration. No additional information is required for conformance to the NRI.

Additional Requirements for Specific Special Exceptions—The prior Zoning Ordinance provides the following additional 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.

The proposed expansion is not located within any proposed street or other public right-of-way. The proposed construction is in conformance with this requirement.

Section 27-357. - Funeral parlor or undertaking establishment.

(a) A funeral parlor or undertaking establishment may be permitted subject to the following:

(1) The minimum side and rear yard setbacks shall be at least fifty (50) feet each, when adjoining land in any Residential Zone, or land proposed to be used for residential purposes on an approved Basic Plan for a Comprehensive Design Zone, approved Official Plan for an R-P-C Zone, or any approved Conceptual or Detailed Site Plan;

The subject property adjoins residentially zoned land on its west, north, and east lot lines. The proposed building expansion for the addition of a crematory maintains the 50-foot setback from adjoining properties. The proposed placement of the addition is well within the required setback at an approximate 60 feet.

(2) If the subject property is located in a Residential Zone, it shall contain at least one and one-half (1 1/2) contiguous acres;

The subject property is in the prior R-R Zone and contains 1.74 contiguous acres.

(3) The use shall not depreciate the value of neighboring properties;

Upon the approval of SE-3267, the Prince George's County District Council found that the undertaking establishment or funeral parlor would not depreciate the value of neighboring properties. The applicant has provided evidence of funeral homes in Maryland that use Matthews' Environmental Solutions Cremation Equipment, which the applicant proposes to use for this expansion. Several of the examples are in similar settings surrounded by residential uses.

(4) The use shall not adversely affect the character of neighboring properties; and

Upon the approval of SE-3267, the District Council found that the undertaking establishment or funeral parlor shall not adversely affect the character of neighboring properties. The subject property's frontage is along Powder Mill Road, and the west, north, and east lot lines adjoin the rear yards and side yards of residential properties. The applicant maintains a 6-foot-high opaque fence along the subject property boundaries and landscaping in compliance with AC-90159. Colocation of these related uses maintains the neighborhood character.

(5) The use shall not create undue traffic congestion.

The proposed crematory will likely not impact traffic conditions at the location. In a memorandum dated February 6, 2025 (Lenhart Traffic Consulting, Inc. to The Maryland-National Capital Park and Planning Commission), a traffic statement submitted on behalf of the applicant states that the proposed crematory will likely result in negligible impact on conditions at the location because the cremation process does not typically result in traditional, vehicle-based funeral processions.

Regulations of the R-R Zone—The following regulations of the R-R Zone are applicable to the proposed project:

Section 27-420 – Fences and walls

(a) Unless otherwise provided, fences and walls (including retaining walls) more than six (6) feet high shall not be located in any required yard, and shall meet the setback requirements for main buildings. (See Figure 42.) On lots consisting of one (1) acre or less, fences in the front yard shall not be more than four (4) feet high unless a variance is approved by the Board of Appeals. In the case of a corner lot consisting of one (1) acre or less, fences in the front yard or side yard shall not be more than four (4) feet high unless a variance is approved by the Board of Appeals. Fences constructed pursuant to a validly issued building permit prior to October 1, 2008, shall not be deemed nonconforming; however, replacement of an existing fence must comply with the four (4) foot limitation.

The site contains an existing 6-foot wooden fence along both side yards and the rear yard. The applicant obtained a variance to Section 27-357(a)(6), which waived the requirement that a 6-foot-high fence be installed 5 feet away from an adjoining residentially zoned lot along the western lot line. The application does not propose the installation of new fencing. Therefore, the requirement is met.

(d) **Walls and fences more than four (4) feet high (above the finished grade, measured from the top of the fence to grade on the side of the fence where the grade is the lowest) shall be considered structures requiring building permits.**

The application does not propose the installation of new fencing.

(g) **Except for fences less than four (4) feet in height, fences not requiring a permit, and fences on land assessed as agricultural uses, all structural support (vertical posts and horizontal rails) shall face the interior of the subject lot. (See Figure 42.1).**

The application does not propose the installation of new fencing.

Section 27-421-01 – Frontage

Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code. Additional provisions are contained in Sections 27-431(d) and (e) and 27-433(e) and (f).

The subject property has frontage and direct vehicular access along Powder Mill Road. The proposal complies with the requirement.

Section 27-442 – Regulations

Regulation	Required	Provided
Minimum net lot area	20,000 sq. ft. *	75,967 sq. ft.
Maximum lot coverage	60 percent	58 percent
Minimum lot width at front street line	70 feet	308+/- feet
Minimum lot width at front building line	100 feet	316+/- feet
Minimum front yard depth	25 feet	105.5 feet
Minimum side yard depth	17/8 (total of both/minimum of either)	88.1 feet/60.6
Minimum rear yard depth	20 feet	59.4 feet
Maximum building height	35 feet	12 feet

Note: *The application is being evaluated in the R-R Zone, under the use "other allowed uses." Minimum net lot area is the same as would be applied to one-family detached dwellings, in accordance with Section 27-442(b) of the prior Zoning Ordinance, Footnote 16.

Section 27-568. - Schedule (number) of spaces required, generally.

In accordance with the parking regulations contained in Section 27-568 of the prior Zoning Ordinance, funeral parlors are required to provide one vehicle parking space

per four persons legal occupancy in rooms used for viewing and funeral services. The existing building contains four viewing rooms each with a maximum occupancy of 50, which requires 50 vehicle parking spaces. The proposed addition of a crematory can hold up to six persons legal occupancy, which requires two vehicle parking spaces. The minimum required number of vehicle parking spaces is 52.

The site currently provides 74 vehicle parking spaces and will lose 7 spaces due to the placement of the proposed addition, leaving a total of 67 vehicle parking spaces. Therefore, the requirement is met.

Section 27-579. - Location

(b) No portion of an exterior loading space, and no vehicular entrances to any loading space (including driveways and doorways), shall be located within fifty (50) feet of any Residential Zone (or land proposed to be used for residential purposes on an approved Basic Plan for a Comprehensive Design Zone, approved Official Plan for an R-P-C Zone, or any approved Conceptual or Detailed Site Plan). (See Figure 63.)

The subject property adjoins residentially zoned land on the west, north, and east lot lines. Access lanes to the existing loading spaces at the rear façade are 20 feet from the adjoining residential lots. The property received approval for the loading space access deficiency in DDS-397. The proposed building addition does not impact the existing location of the loading spaces or the loading access, which remains in conformance with the prior approved departure.

Section 27-582. - Schedule (number) of spaces required, generally.

In accordance with the loading regulations contained in Section 27-582 of the prior Zoning Ordinance, an undertaking establishment or funeral parlor is required to provide one space for a building 3,000 to 5,000 square feet in gross floor area (GFA) (or fraction) and one space for each additional 10,000 square feet in GFA (or fraction). The proposal increases the square footage to 9,765 from 8,101 square feet with the additional 1,664-square-foot crematory, maintaining the minimum requirement of 2 loading spaces.

The site currently contains two existing 33-foot by 12-foot interior loading spaces on the west rear façade of the building. Therefore, the requirement is met.

IV. COMPLIANCE WITH APPLICABLE PROVISIONS OF THE 2010 PRINCE GEORGE'S COUNTY LANDSCAPE MANUAL

The proposed development is subject to the requirements of the 2010 Landscape Manual. Specifically, conformance is required to Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements because this application proposes an increase of more than 10 percent of the GFA of the existing building.

In the approval of the prior special exception applications for the site, the 1989 Landscape Manual applied. The requirements for Sections 4.2 and 4.7 remain unchanged with the

adoption of the 2010 Landscape Manual. Therefore, the existing landscape plan subject to the 1989 Landscape Manual through approvals of SE-3267 and SE-3988, which approved the funeral parlor or undertaking establishment, will satisfy the landscape requirements for this application. The new use does not propose a lower intensity use to a higher intensity use. It also does not propose a residential use to a nonresidential use. In addition, the proposed use and building expansion do not impact the previously approved conformance to the 1989 Landscape Manual, as modified by AC-95015. Therefore, the subject application may continue to utilize the prior approved landscape plan.

The applicant submitted the prior approved landscape plan with modifications to show the proposed building addition with replacement of plant materials affected by construction. Analysis of conformance with the applicable sections of the 2010 Landscape Manual is discussed below:

Section 4.2, Requirements for Landscape Strips Along Streets

The proposed expansion represents an approximate 20 percent increase in GFA, which makes it subject to Section 4.2 of the 2010 Landscape Manual, per Section 1.1(f) of the Landscape Manual. The subject property received an approved Alternative Compliance (AC-95015) that modified the landscape strip along the frontage of Powder Mill Road. The landscape strip is not impacted by the proposed construction.

The proposal is in conformance with this requirement, as modified in accordance with AC-95015.

Section 4.3, Parking Lot Requirements

The site is not subject to the requirements of Section 4.3 of the 2010 Landscape Manual because the proposed expansion does not result in additional impervious areas for parking and loading. There is no change in the requirements of this section. However, in accordance with Section 1.7 of the 2010 Landscape Manual, the applicant submitted a certificate of landscape maintenance and proposes to replace previously approved plant materials impacted by the new construction.

The proposal is in conformance with the requirements of Section 1.7 of the 2010 Landscape Manual.

Section 4.7, Buffering Incompatible Uses

The subject property abuts residentially zoned lots on its west, north, and east lot lines. Section 4.7 requires the installation of a Type C bufferyard to the west, north, and east lot lines. The subject property maintains compliance with this requirement, as modified by the approved AC-95015.

Section 4.9, Sustainable Landscaping Requirements

The proposed development is subject to the requirements of Section 4.9. The applicant's existing landscape plan includes the replacement of one shade tree, one evergreen tree, and eight shrubs, as shown on the included landscape plan, and in accordance with AC-95015.

The sustainable landscaping requirements are met; however, the applicant shall provide the Section 4.9 schedule on the plans, demonstrating proposed plant materials will be in conformance.

V. COMPLIANCE WITH APPLICABLE PROVISIONS OF THE 2024 PRINCE GEORGE'S COUNTY WOODLAND AND WILDLIFE HABITAT CONSERVATION ORDINANCE

The property received a Standard Letter of Exemption (S-075-2024) from the 2010 WCO on June 10, 2024, which would expire on June 10, 2026. However, the site is subject to the grandfathering provisions of the 2024 WCO, which extended the validity of exemptions that were valid as of June 30, 2024.

Pursuant to those grandfathering provisions, S-075-2024 will remain valid until June 30, 2026, on which date the exemption shall expire. Any grading permits for this special exception must be issued prior to the expiration of S-075-2024 because the site does not qualify for a new standard letter of exemption from the 2024 WCO because the site is greater than 40,000 square feet in size.

VI. COMPLIANCE WITH APPLICABLE PROVISIONS OF THE PRINCE GEORGE'S COUNTY TREE CANOPY COVERAGE ORDINANCE

Prince George's County Council Bill CB-21-2024 for the Tree Canopy Coverage Ordinance became effective July 1, 2024. Subsequently, Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of the site to be covered by tree canopy for any development projects that propose more than 2,500 square feet of GFA, or disturbance, and requires a grading permit. The subject site is located within the RR Zone. The Tree Canopy Coverage Ordinance is not subject to the current Zoning Ordinance grandfathering provisions and does not contain any grandfathering provision for using the prior zoning, except for specified legacy zones or developments that had a previously approved landscape plan demonstrating conformance to tree canopy coverage (TCC). Therefore, this application is being reviewed for conformance with the TCC requirement for the current property zone, which is RR.

Staff find that the proposed project is in conformance with the applicable provisions of the Prince George's County Tree Canopy Coverage Ordinance, for the RR Zone, which is subject to a minimum TCC of 20 percent, per requirements set forth in Section 25-128 of the Tree Canopy Coverage Ordinance. The subject site is 1.7440 acres in size, requiring 0.3488 acres, or 15,194 square feet of TCC. The project proposes 17,332 square feet of TCC on the site, exceeding and satisfying the requirement.

VII. REFERRAL COMMENTS

Staff referred the subject application to the concerned agencies and divisions. The referral comments are summarized, as follows, and are incorporated herein by reference:

- A. **Subdivision Section**—In a memorandum dated June 9, 2025 (Gupta to Teshome), the Subdivision Section identified no prior preliminary plans of subdivision (PPS) applicable to the property and stated that per Section 24-107(c)(7) of the prior Subdivision Regulations, the proposed development is exempt from the requirement of filing a PPS and final plat of subdivision.
- B. **Transportation Planning**—In a memorandum dated June 6, 2025 (Udeh to Teshome), the Transportation Planning Section determined that vehicular,

pedestrian, and bicycle access and circulation for this plan are acceptable, consistent with the site design guidelines pursuant to the prior Zoning Ordinance, and meet the findings for pedestrian and bicycle transportation purposes by providing continental style crosswalks at each vehicular access point.

C. **Environmental Planning**—In a memorandum dated April 25, 2025 (Meoli to Teshome), the Environmental Planning Section provided an analysis of the special exception and noted the following findings:

- The site does not contain REF.
- The site is exempt from Subtitle 25 of the Prince George's County Code, and is not subject to the specimen tree conservation requirements contained in Section 25-122(b)(1)(G) of the WCO.

D. **Historic Preservation**—In a memorandum dated April 21, 2025 (Smith to King), Historic Preservation staff noted that the subject property was included in the 1980 preliminary archeological assessment of the Inter-County Connection alignment, at which time no archaeological sites were identified, and there are no Prince George's County historic sites or resources on or adjacent to the property.

E. **Community Planning**—In a memorandum dated June 4, 2025 (Parks to Teshome), the Community Planning Division found that pursuant to Section 27-317(a)(3) of the prior Zoning Ordinance, this special exception application will not substantially impair the integrity of the master plan, and that the application conforms to the additional requirements for special exceptions pursuant to Section 27-357 of the prior Zoning Ordinance.

VIII. COMMUNITY FEEDBACK

As of the writing of this technical staff report, no correspondence has been received from the surrounding community.

IX. RECOMMENDATION

Based on the applicant's 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 the prior Prince George's County Zoning Ordinance. Staff find that the proposed application satisfies the requirements for approval, and that the application will be in conformance with the prior Zoning Ordinance requirements.

Therefore, the staff recommend APPROVAL of Special Exception SE-4848, for Donald V. Borgwardt Funeral Home, subject to the following condition:

1. Prior to certification of the special exception site plan, the following revisions shall be made:

- a. Revise "Zone 1" of the Tree Canopy Coverage schedule to reflect the current Residential, Rural (RR) Zone, instead of the prior Rural Residential (R-R) Zone.
- b. Provide a landscape schedule in accordance with Section 4.9, Sustainable Landscaping requirements, of the 2010 *Prince George's County Landscape Manual*, on the plans demonstrating proposed plant materials will be in conformance with the sustainable landscape requirements.
- c. Provide the width of the lot at the building line and street line on the special exception site plan.
- d. Provide the required and proposed lot coverage on the special exception site plan and demonstrate the site does not exceed the maximum requirement.
- e. Update the landscape plan to reflect the requirements of Alternative Compliance AC-95015, and to reflect existing and proposed plant materials on-site.

DONALD V. BORGWARDT FUNERAL HOME

Case: SE-4848

Special Exception

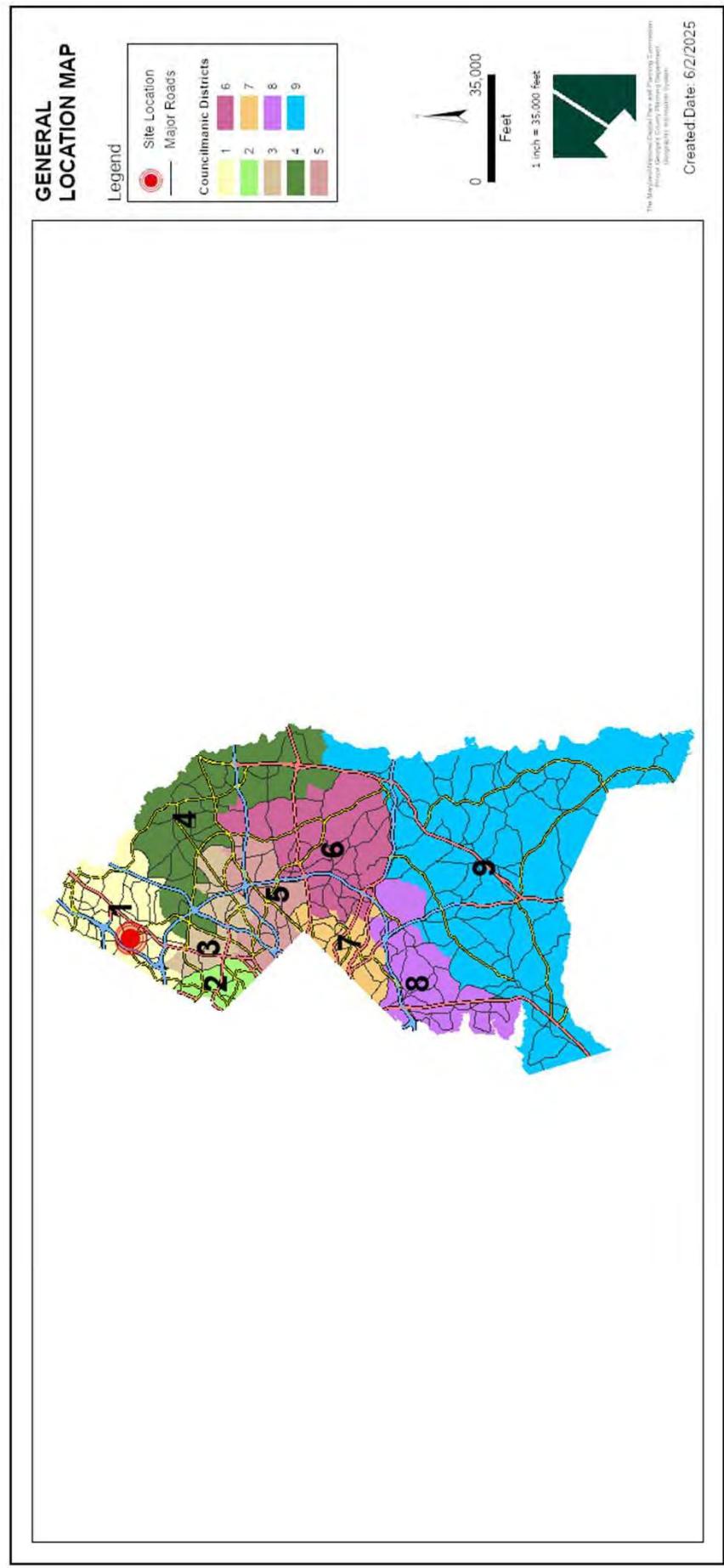
Staff Recommendation: APPROVAL with conditions



GENERAL LOCATION MAP

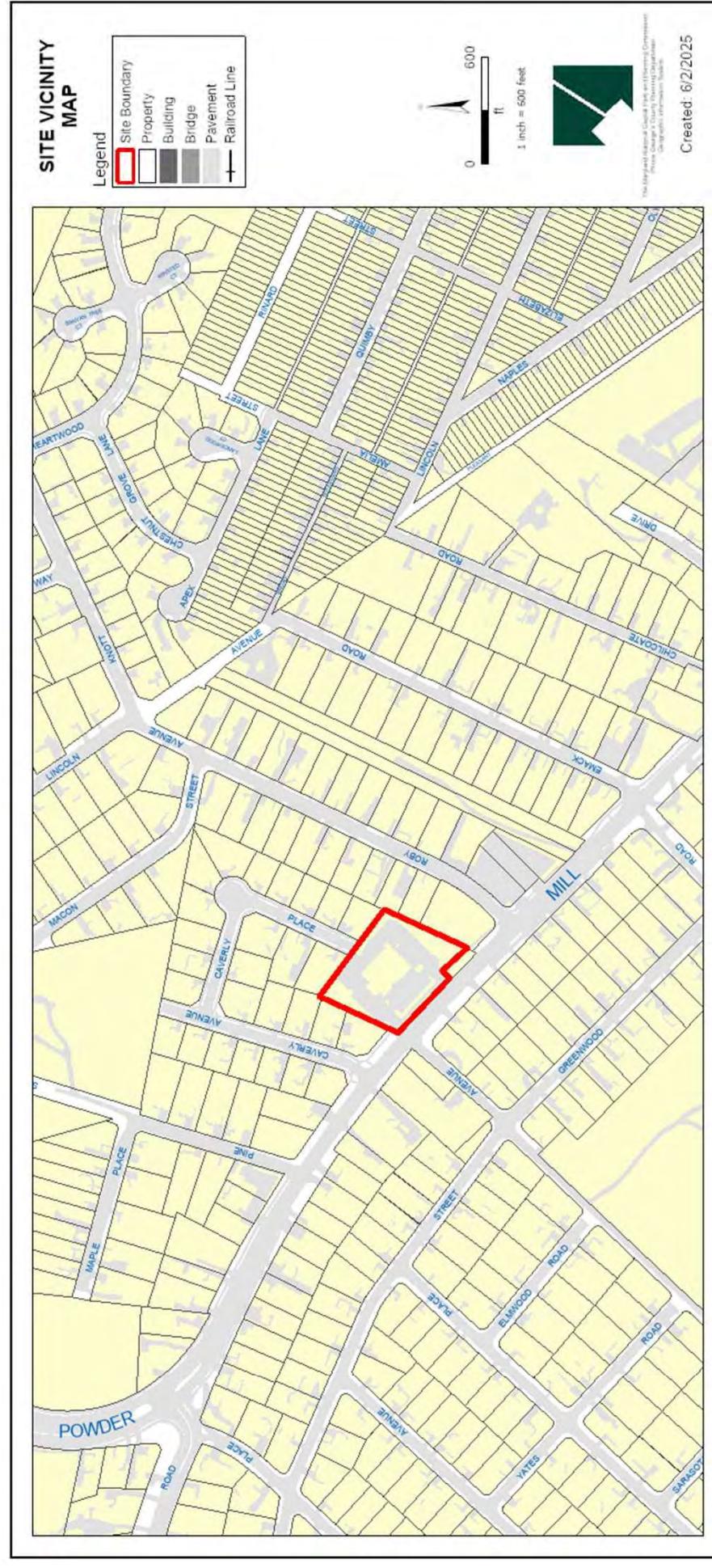
Case: SE-4848

Council District: 01
Planning Area: 061



SITE VICINITY MAP

Case: SE-4848



Item: 4D

07/10/2025

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ZONING MAP (PRIOR AND CURRENT)

Prior Zoning Map: R-R



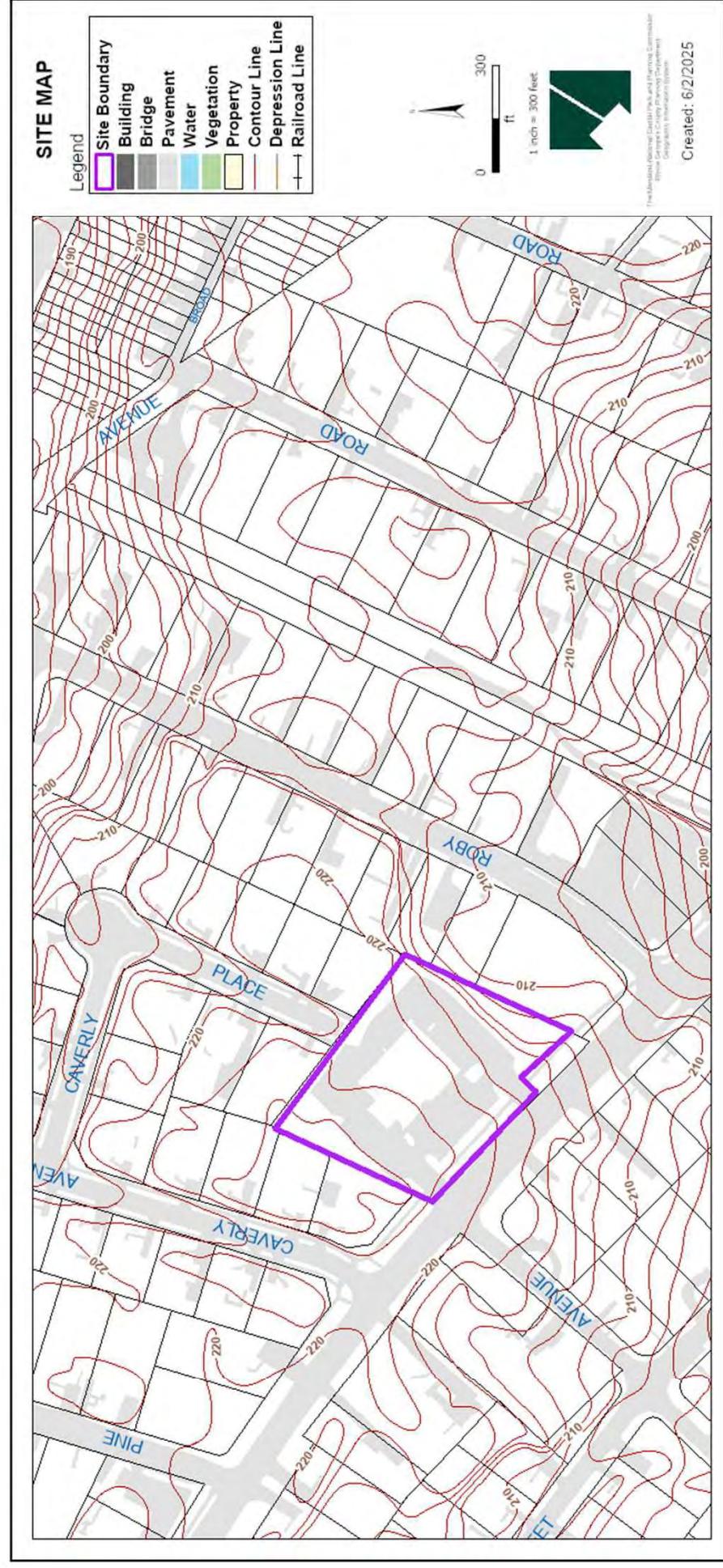
Current Zoning Map: RR



Case: SE-4848

SITE MAP

Case: SE-4848



Item: 4D

07/10/2025

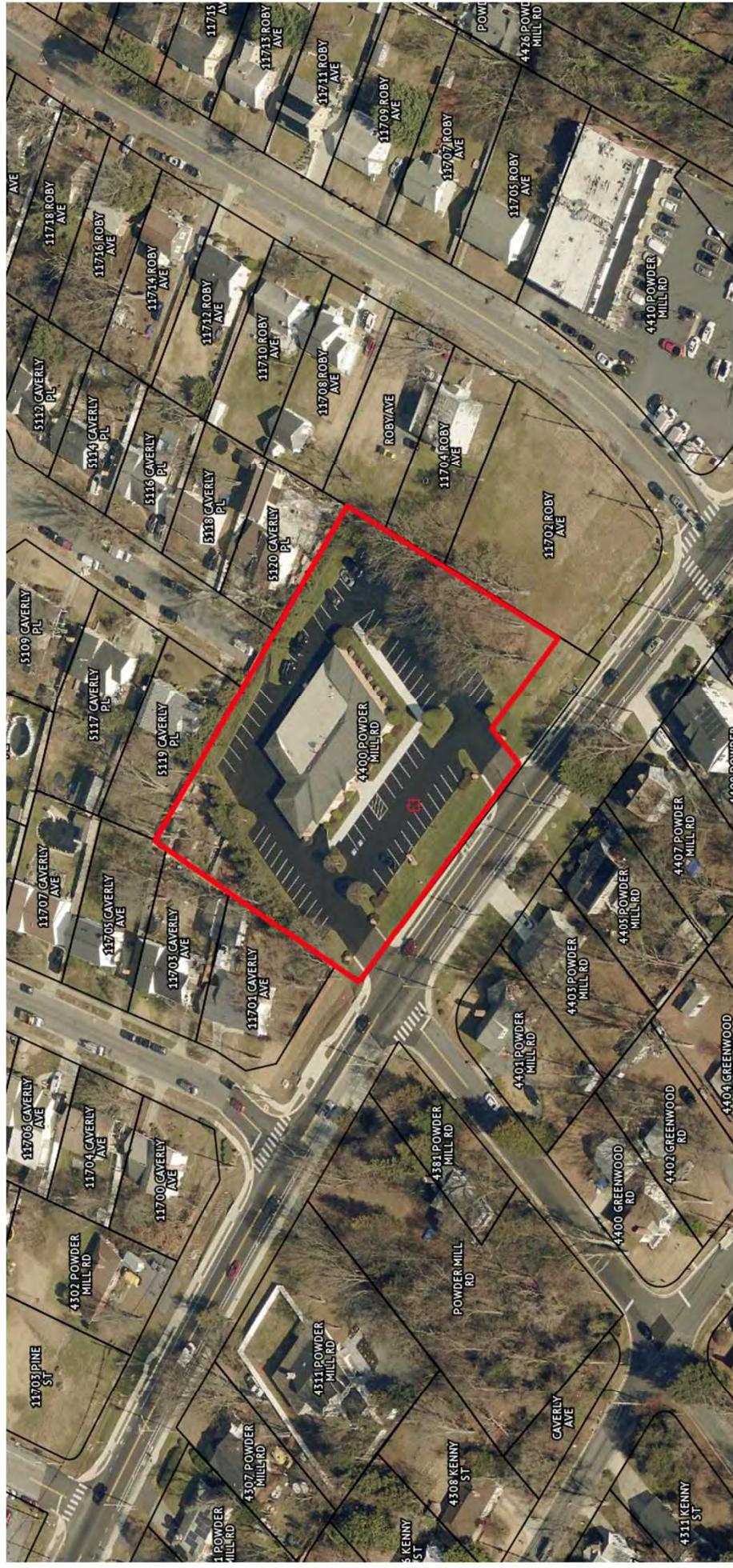
Slide 5 of 11

MASTER PLAN RIGHT-OF-WAY MAP

Case: SE-4848



BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



Case: SE-4848



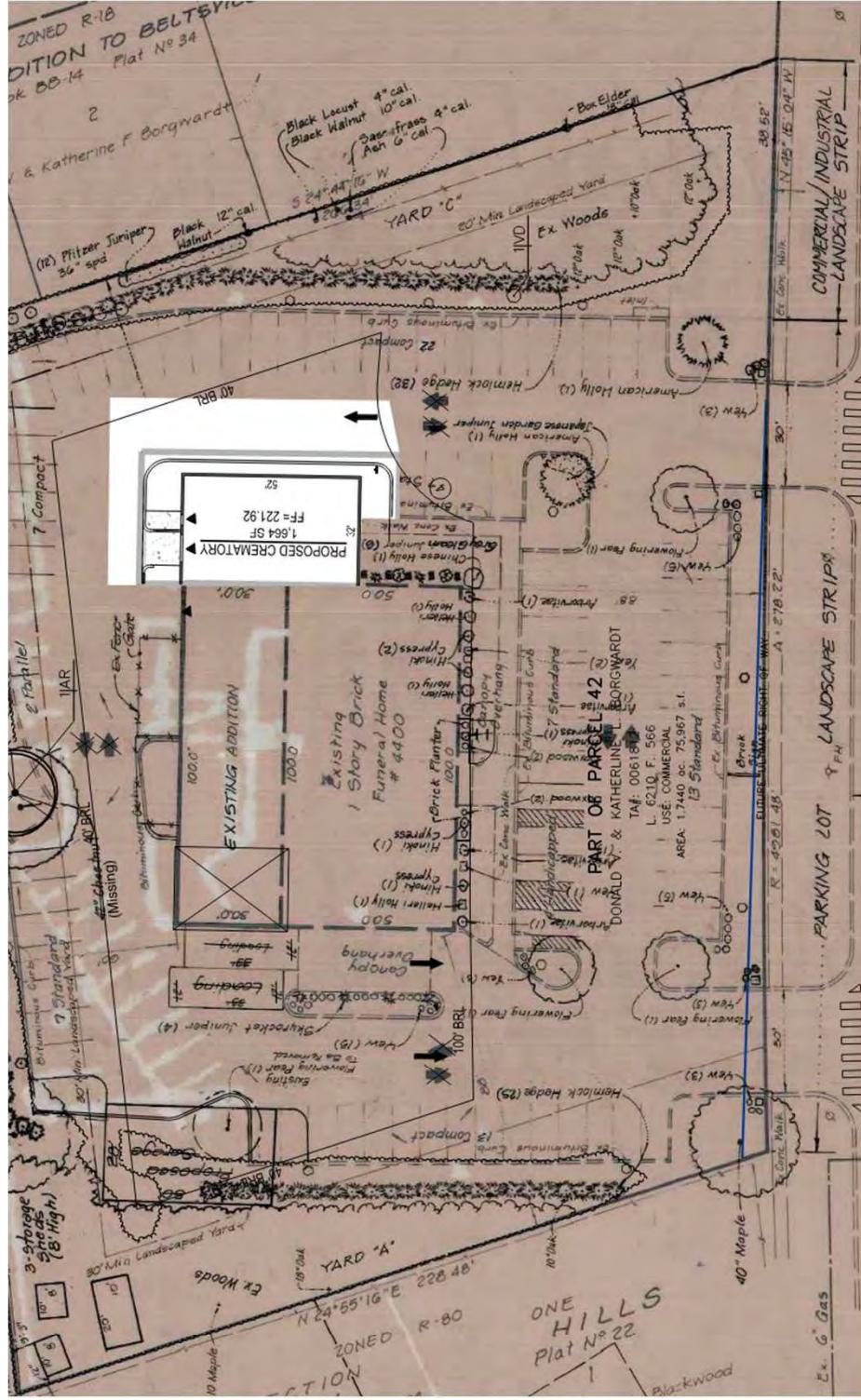
SPECIAL EXCEPTION SITE PLAN

Case: SE-4848

NAD 63/91 DATUM
N.G.V.D. 1929

LANDSCAPE PLAN

Case: SE-4848



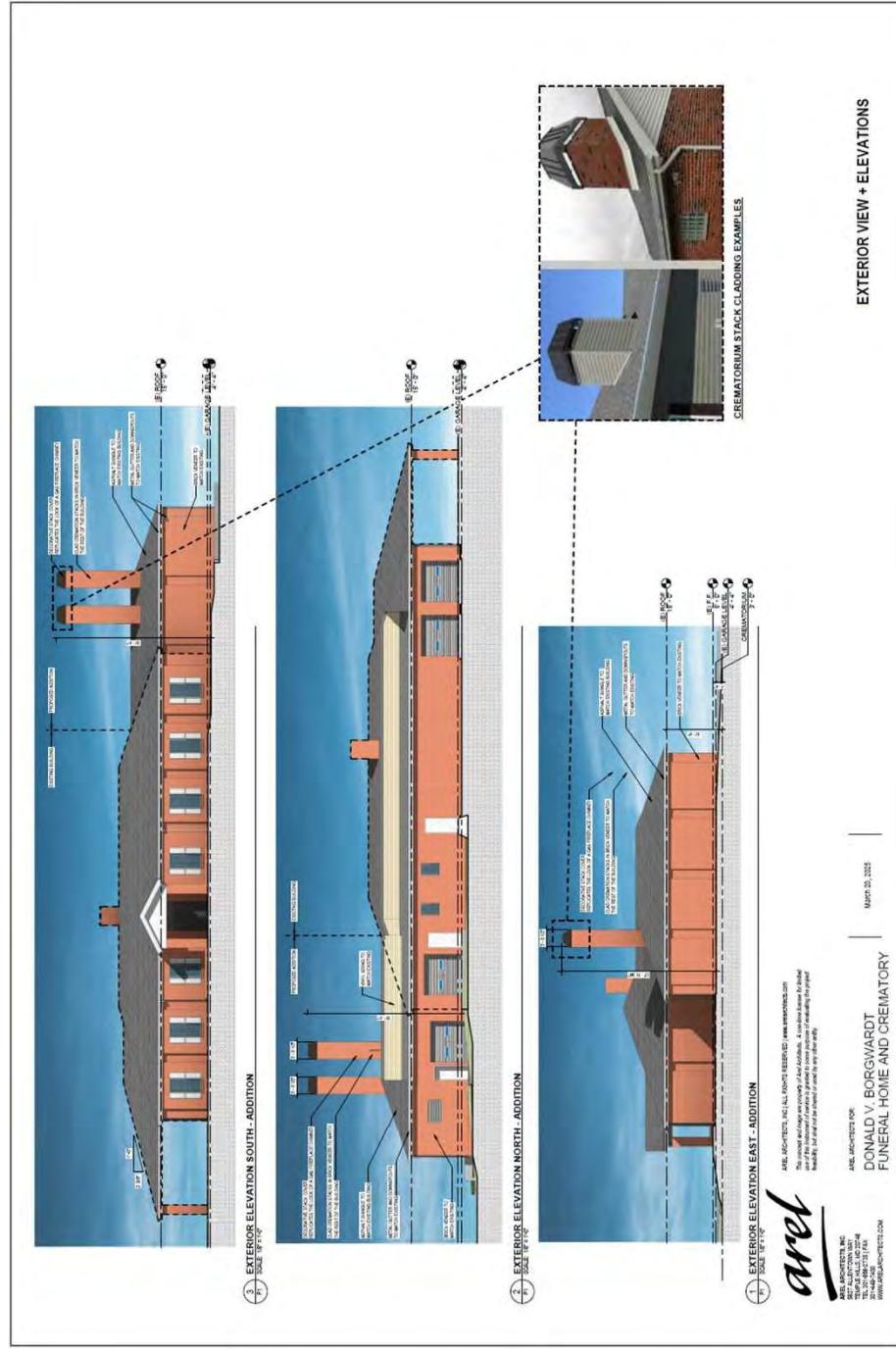
MD 38/91 DATE
 12/12/1999
 11/21/99

Item: 4D

07/10/2025

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ELEVATIONS



STAFF RECOMMENDATION

APPROVAL with conditions

- Special Exception SE-4848

Issues: None

Applicant Required Mailings:

- Informational Mailing: 02/19/2025
- Acceptance Mailing: 03/24/2025

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Russell W. Shipley
Arthur J. Horne, Jr.*
Dennis Whitley, III *
Robert J. Antonetti, Jr.

Bradley S. Farrar
L. Paul Jackson

*Also admitted in the District of Columbia

March 25, 2025

VIA ELECTRONIC MAIL

Mr. Jeremy Hurlbutt
Zoning Section, Supervisor
Development Review Division
Prince George's County Planning Department
1616 McCormick Drive, 2nd Floor
Largo, MD 20774

**RE: DONALD V. BORGWARDT FUNERAL HOME
Special Exception No. SE-4848
(Funeral Home & Crematory)
Revised Statement of Justification**

Dear Mr. Hurlbutt:

On behalf of our client, Donald V. Borgwardt, (the "Applicant"), Russell Shipley, and Shipley and Horne, P.A. submits this statement of justification in support of Special Exception No. SE-4848. The Donald V. Borgwardt Property (the "Property") is a tract of land located along the northeast side of Powder Mill Road approximately 250-feet northwest of its intersection with Roby Avenue. The subject Property is known as Part of Parcel 42, which is a legal tax parcel, (created prior to January, 1982) and has a premise address of 4400 Powder Mill Road, Beltsville, Maryland 20705. The Property has two existing direct access points to Powder Mill Road that will remain in place. Powder Mill Road is a Master Planned Collector Roadway with a designated right-of-width of 60 to 80 feet, (MD-212A). No additional access points are proposed with the subject application.

The Property consists of approximately 1.74 acres, (75,967 square feet), and is located in Planning Area 61, within Councilmanic District 1, and further located on Tax Map 12, in Grid F3. The Property is currently located in the RR (Residential, Rural) Zone. Notwithstanding, the Applicant elects to utilize the R-R (Rural Residential) Zoning provisions of the prior Zoning Ordinance in effect prior to April 1, 2022, as described herein.

Current Zoning Map



Prior Zoning Map



A. BACKGROUND

Previous Approvals

The prior approvals for the subject Property include the following:

October 1, 1981 – Special Exception, SE-3267, is recommended for approval by the Prince George's County Planning Board for a Funeral Home and its associated parking and loading on 1.7 acres in the R-R (Rural-Residential) Zone via Planning Board Resolution No. PGCPB 81-219.

December 28, 1981 – Special Exception, SE-3267, is approved by the Zoning Hearing Examiner (the “ZHE”) with two conditions for a Funeral Home and its associated parking and loading on 1.7 acres in the R-R (Rural-Residential) Zone.

March 12, 1982 – Variance (Appeal No. 7202) is granted to waive the requirement for a 6-foot-high fence along the western property line to be located 5 feet away from the adjoining residential lot line pursuant to Section 27-357(a)(6). **Note - This requirement no longer exists in Section 27-357(a), the Specific Special Exception Requirements for a Funeral Parlor or Undertaking Establishment.*

November 7, 1990 – Special Exception, SE-3988, is approved by the ZHE with no

conditions for a 30' X 100' addition to the rear of the existing Funeral Home for use as office space. This approval also included a 28' x 50' detached garage and the reconfiguration of the existing loading area. The relocation of fencing along the rear property line was required prior to signature approval of the SE plan to conform with Alternative Compliance application, AC-90159, shown below:

January 17, 1991 – Alternative Compliance application, AC-90159, (for Section 4.7 of the Landscape Manual), and DDS-397, (to waive 30 feet of the required 50-foot setback for access to a loading space adjoining a residential zone), is approved by the Planning Board via PGCPB Resolution No. 91-1.

February 22, 1991 – The District Council elects not to hear Special Exception, SE-3988, and the prior decision from the ZHE becomes final.

June 10, 2024 – Natural Resources Inventory Equivalency Letter, NRI-075-2024, is approved by the Environmental Planning Section.

June 10, 2024 – Woodland Conservation Letter of Exemption, S-075-2024, is approved by the Environmental Planning Section.

February 7, 2025 – Site Development Concept Plan No. 41723-2024-SDC is approved by the Department of Permitting, Inspections, and Enforcement (“DPIE”).

B. ELECTION TO UTILIZE PRIOR ZONING PROCEDURES (Section 27-1903(b))

On April 1, 2022, the approved Countywide Sectional Map Amendment (“CMA”) and the updated Prince George’s County Zoning Ordinance (“New Zoning Ordinance”) became effective and rezoned the subject Property from the R-R (Rural Residential) Zone to the RR (Residential, Rural) Zone.

Notwithstanding, the Applicant elects to have SE-4848 reviewed utilizing the applicable provisions of the prior Zoning Ordinance pursuant to Section 27-1903(b) of the current Zoning Ordinance which states the following:

27-1903. Applicability

(b) *Except as otherwise provided in this Section, development applications of any type for properties in all other zones of the County may utilize the prior Zoning Ordinance for development of the subject property.*

RESPONSE: All of the subject Property was included in prior special exception applications, SE-3267 & SE-3988, which approved the use of the existing funeral home on the subject Property. These applications were reviewed and approved utilizing the provisions of the prior Zoning Ordinance. Section 27-1903(b) allows development

March 25, 2025

Donald V. Borgwardt Funeral Home & Crematory

Special Exception, SE-4848

Page 4

applications that are not located in the LCD, LMXC and LMUTC Zones to utilize the prior Zoning Ordinance for the development of the property. The existing funeral home and proposed crematory will be owned and operated by the same business entity, and the special exception boundaries included in the prior approved applications, (SE-3267 & SE-3988), will remain unchanged. As a result, it makes perfect sense from a planning perspective to utilize the same requirements reviewed and approved at the time of the prior special exception applications to be utilized with the current application. As a result, the Applicant is requesting that SE-4848 be reviewed utilizing the R-R Zoning provisions of the Zoning Ordinance that existed prior to April 1, 2022.

C. NEIGHBORING USES AND ZONES

The Property consists of 1.74 acres in the R-R (Rural Residential) Zone, and is further located in Planning Area 61, Councilmanic District 1, and Tax Map 12, in Grid F3. The Applicant's Property is improved with an existing 8,101 square-foot funeral home that was approved per prior special exceptions applications, SE-3267 & SE-3988. The subject Property is surrounded to the north, south, east and west by the following uses:

North: Detached single-family dwellings in the R-80 Zone within the Caverly Hills Subdivision, and the terminus of Caverly Place, (a 50-foot wide public right-of-way).

South: Powder Mill Road, a Master Planned Collector Roadway with a designated right-of-width of 60 to 80 feet, (MD 212A), and beyond, detached single-family dwellings in the R-R Zone within the Homedale Subdivision

East: A vacant parcel at the corner of Powder Mill and Roby Avenue in the R-18 Zone (owned by the Applicant), and a small multifamily building in the R-18 Zone, (also owned by the Applicant). Further to the east is Roby Avenue, (a 50-foot wide public right-of-way), and beyond, The Beltsville-Adelphi Boys & Girls Club, and a commercial convenience center containing a food & beverage store (7-11), hair salon, nail salon, restaurant, and general/medical offices in the C-S-C Zone

West: Detached single-family dwellings in the R-80 Zone within the Caverly Hills Subdivision, and beyond, Caverly Avenue, (a 50-foot wide public right-of-way)

D. NEIGHBORHOOD BOUNDARIES

As described in prior approved SE-3267, the property is located between Pine Street and Roby Avenue, and fronts along the northern side of Powder Mill Road (MD 212A). The Property adjoins lots developed with detached single-family and multifamily dwellings,

(apartments). The nearest commercial use is located just east of Roby Avenue. The neighborhood boundaries are delineated by Old Gunpowder Road, Avondale Road, Lincoln Avenue, Emack Road, Foreston Road, Greenwood Road, Kenny Street, and 34th Place.

As further described in prior approved SE-3988, the neighborhood of the Property is the area located between Ammendale Road, Lincoln Avenue North, Emack Road, Greenwood Road, Kenny Street, and 34th Street and Old Gunpowder Road. The general neighborhood is described as being residential in nature with a convenience commercial center located just across Roby Avenue.

Consistent with these prior approved special exception applications, the Applicant would describe the neighborhood of the Property as being the area located between Ammendale Road and North Lincoln Avenue, **(to the North)**, Emack Road, **(to the East)**, Greenwood Road and Kenny Street, **(to the south)**, and 34th Place and Old Gunpowder Road, **(to the West)**.

With the exception of one new institutional use located along the southwest quadrant of Ammendale and North Lincoln Avenue, (The New Temple of Jain Society of Metropolitan Washington at 4241 Ammendale Road), the Applicant contends that the general neighborhood described in the prior special exception applications remains the same as being “residential in nature with a convenience commercial center located just across Roby Avenue”.

E. DEVELOPMENT DATA SUMMARY

DEVELOPMENT DATA SUMMARY		
	Prior Approved Applications (SE-3267 & SE-3988)	Proposed (SE-4848)
Zones:	R-R	RR (Former R-R Zone applies)
Uses:	Funeral Home or Undertaking Establishment	Funeral Home or Undertaking Establishment & Crematory

Gross Floor Area:	<u>SE-3267</u> Funeral Home - 5,000 sf. Detached Garage - 988 sf. (Note - Detached Garage was not constructed) <u>SE-3988</u> Funeral Home - 5,000 sf. Addn. for Office Space - 3,000 sf. New Detached Garage - 1,400 sf. (Note - Detached Garage was not constructed)	<u>Existing</u> Funeral Home - 8,101 sf. (to remain) <u>Proposed</u> Crematory - 1,664 sf. Total GFA = 9,765 sf.
Total Gross Acreage:	1.74 acres	1.74 acres
100-Year Floodplain	0.0 acres	0.0 acres
Net Acreage:	1.74 acres	1.74 acres

Street Views of Property & Existing Funeral Home





F. RELATIONSHIP TO COUNTY PLANS AND POLICIES

Plan Prince George's 2035

This special exception application requests the approval of a proposed 1,664 square foot addition for a crematory operation to the existing funeral home or undertaking establishment facility on the subject property. The Property is currently within the RR Zone, which was formerly known as the R-R Zone. According to the approved 2035 General plan, the subject Property has a future land use of "Residential Low" and is within the "Established Communities" growth tier, as shown on the Growth Policy Map. Prior to the approval of the 2035 General Plan, the subject Property was classified within the "developing" growth tier within the 2002 General Plan.

The requested special exception fulfills the goals of the "Established Communities" Growth tier as the proposed application allows for the context-sensitive expansion of an existing commercial development. The existing funeral home has been in operation on the Property since approximately 1985, with no negative impacts to health, safety, or welfare of the public, or to the existing character of the neighborhood. As part of the prior approved Special Exception applications, (SE-3267, SE-3988), the ZHE found that the use of a funeral home or undertaking establishment on the subject Property resulted in no disharmony of purpose or impairment of the integrity of the Master Plan or Zoning Ordinance. Further, there is no evidence that the request to add a new special exception use of a crematory would result in any disharmony or impairment to the purposes of Subtitle 27 or the Master Plan. This proposed expansion location was specifically chosen to place

the crematory in close proximity to the existing funeral home and preserve views from Powder Mill Road and the surrounding neighborhood. The development proposed will thereby further allow the funeral home facility to expand its services that it offers its customers and enhance job growth opportunities at the site.

The following demonstrates how the proposed special exception application is in substantial harmony with the tier-specific policies established in *Plan Prince George's 2035*. The land use policies for *Plan Prince George's 2035* are as follows:

POLICY 1:

Direct a majority of projected new residential and employment growth to the Regional Transit Districts in accordance with the Growth Policy Map and the Growth Management Goals set forth in Table 17.

Goals

- LU1.1*** *To support areas best suited in the near term to become economic engines and models for future development, encourage projected new residential and employment growth to concentrate in the Regional Transit Districts that are designated as Downtowns (see the Strategic Investment Program under the Implementation section).*
- LU1.2*** *Revise and update the Zoning Ordinance, Subdivision Ordinance, and other county regulations to ensure they are consistent with and support the Plan 2035 growth management goals, vision, and policies. Conduct a comprehensive analysis of the Zoning Ordinance, including its use tables, zoning districts and densities, and variance criteria.*
- LU1.3*** *Evaluate the existing zoning districts in the Regional Transit Districts to ensure that sufficient development capacity is available to meet desired population and employment targets set forth by the Center Classification System (see Table 16).*
- LU1.4*** *Annually review and report on county growth trends to measure progress toward meeting Plan 2035 growth management goals. Identify potential revisions to policies and ordinances to assist with meeting the goals.*

LU1.5 *Annually review the CIP program to ensure consistency with the Plan 2035 vision, goals, and policies. The Planning Board will review proposed public facility and infrastructure projects and submit its recommendations to the District Council and County Executive for consideration (also see Strategic Investment Program under the Section V: Implementation).*

LU1.6 *Identify the key capital improvement projects for each of the centers identified in Table 16 that are necessary to promote and facilitate economic and residential development within the center. Identify and coordinate the capital improvement projects with county agencies and key stakeholders. Prepare a summary of the Center Diagnostic score for each center.*

RESPONSE: The proposed development contributes to Policy 1 by facilitating the development recommended for the subject Property in both Plan Prince George's 2035 and the 2010 Subregion 1 Master Plan with uses that are permitted in the prior R-R Zone via special exception approval. This development is entirely consistent with the vision, policies, and strategies contained within Plan Prince George's 2035. In Plan Prince George's 2035, the subject Property is within the Established Communities designation on the Growth Policy Map. These are areas outside Centers and Districts that are served by public water and sewer.

Furthermore, as discussed below, the 2010 Subregion 1 Master Plan recommends a "Residential Low" use for this Property. This special exception proposes a minor expansion of the existing funeral home building that will allow the business to offer another service for its customers. This expansion would be for a crematory use as a component of a funeral home facility that has continuously been found to be in conformance with the prior R-R Zone and surrounding community via several prior SE approvals.

This proposed development will also enhance employment growth in the Established Community areas of Plan Prince George's 2035, which projects to add an additional 22,800 new jobs in these regions of the County (See Plan Prince George's 2035, Table 17, p. 110). The proposed development of the Property will thereby continue the progress towards meeting the job creation goal established with the passage of Plan Prince George's 2035.

POLICY 2:

Limit the expansion of public water and sewer outside the Growth Boundary in Rural and Agricultural Areas.

Goals

LU2.1 *Coordinate the provision of public water and sewer, as outlined in the Public Facilities Element, with the Department of Environmental Resources (DER) and the Washington Suburban Sanitary Commission (WSSC) and in accordance with the Growth Policy Map to ensure that water and sewer facilities are not extended beyond the Growth Boundary. The Growth Boundary should be reviewed on a periodic basis to assess compatibility with Plan 2035 goals.*

LU2.2 *Coordinate amendments to the Growth Boundary with future updates to the Septic Tier Map and the county's Water and Sewer Plan.*

RESPONSE: The Property is located within the growth boundary designated in Plan Prince George's 2035. The Applicant is not seeking to amend nor expand the existing growth boundary, but instead, is seeking approval of a special exception application to develop the Property in accordance with the "Residential Low" land use recommendations provided within the 2010 Subregion 1 Master Plan as illustrated by the site's history as an existing funeral home. This funeral home is designated as a permitted special exception use, which was analyzed in two prior special exception approvals by the ZHE. The proposed crematory would allow for an expansion of services of the existing business that would be developed in a manner that is consistent and compatible with the funeral home facility and continues to respect the surrounding neighborhood.

POLICY 3:

Use Plan 2035, including the Growth Policy Map and Center Classification System, to guide the development of land use policies for all future master and sector plans, functional plans, and other county planning documents.

Goals

LU3.1 *Evaluate the Plan 2035 future land use categories and apply to new master plans so that, over time, all plans use a common nomenclature to describe similar land uses. Allow plans to develop common land use subcategories.*

LU3.2 *Review preliminary master plans and rezoning requests to ensure that proposed development is consistent with the Growth Policy Map and the Center Classification System (see Table 16). (see also Section V: under Plan Administration for Amendments and Updates).*

LU3.3 *Review approved master plans to evaluate the consistency of existing Regional Transit Districts and Local Centers with the Center Classification System (see Table 16). To ensure consistency, future master plan revisions and/or rezonings may be warranted.*

RESPONSE: As noted above, the proposal for the development of the subject Property is consistent with the recommendations of Plan Prince George's 2035 and has been designed to conform with the "Residential Low" land use recommendations provided within the 2010 Subregion 1 Master Plan as illustrated by the site's history as an existing funeral home, which was permitted and continued to be analyzed via several special exception entitlements. The development of a crematory addition proposed in this special exception application is consistent with recommendations of Plan Prince George's 2035 for "Established Communities" and the Growth Policy Map.

POLICY 4:

Phase new residential development to coincide with the provision of public facilities and services.

Goals

LU4.1 *Annually evaluate the county's residential and employment forecast projections to identify the amount of new land area required to meet demand.*

LU4.2 *Create a working group to address the magnitude of the residential pipeline in Established Communities and Rural and Agricultural Areas. Potential strategies to reduce the pipeline include amending the County code to limit validity periods, reevaluating approved adequate public facilities for projects that have not provided assurances that public infrastructure will be constructed in a timely manner, and requiring performance bonding prior to recordation of final plat.*

LU4.3 *Evaluate strategies to phase development countywide. Potential strategies include establishing a residential allocation process.*

RESPONSE: The Applicant acknowledges the above Policy 4 goals but notes that they are not applicable to this special exception application as no residential land uses are proposed. Nevertheless, the proposed addition of this site is in substantial conformance with both Subtitles 24 & 27 of the county code.

As stated in the pre-application review comments received from the Subdivision Section on March 19, 2025, development not exceeding 5,000 gross floor area, proposed in addition to a development in existence prior to January 1, 1990, is exempt from the filing of a preliminary plan of subdivision (PPS) and final plat. The total gross floor area that was added after January 1, 1990, is 4,765 square feet. As such, the proposed application is exempt from the filing of a PPS and a final plat.

POLICY 5:

Implement the Growth Policy Map through coordinated multimodal transportation and mobility planning and programs.

RESPONSE: As analyzed by Lenhart Traffic Consulting, Inc., in the memorandum dated February 6, 2025, the proposed addition of a crematorium as a component of the existing funeral home on the Property will result in a negligible impact on traffic operations within the vicinity of the site and will meet the traffic operation requirements detailed in the Zoning Ordinance for special exception applications.

The memorandum further notes that The ITE Trip Generation Manual, 11th Edition does not include a land use that accurately matches the description of a crematorium; however, the crematorium would provide an additional service for the existing funeral home. More specifically, a funeral home is a business that provides services for the deceased and their families, including preparation of the body, planning the funeral, and offering support. The preparation and support include burial or cremation services. It should also be noted that a majority of funeral processions start at a church, or similar place of worship, and the proceed to the cemetery from there. As such, most funeral processions do not begin at the subject Property.

Regarding conformance to the prior Zoning Ordinance, the memorandum notes that the proposed crematorium would be located outside of any proposed master plan right-of-way and would not have an adverse impact on trips to or from the site. Therefore, the proposed addition of a crematory to the site would meet all the applicable requirements of the prior Zoning Ordinance.

POLICY 6:

Support new employment growth in Employment Areas in accordance with the Growth Policy Map and the Growth Management Goals (see Table 17).

Goals

LU6.1 *Align the Economic Development Corporation's work program with the Growth Policy Map to establish programs and policies to support employment growth in the Employment Areas, with a particular emphasis on the Innovation Corridor (see the Strategic Investment Program under Implementation).*

POLICY 7:

Limit future mixed-use land uses outside of the Regional Transit Districts and Local Centers.

Goals

LU7.1 *Reevaluate mixed-use land use designations outside of the Regional Transit Districts and Local Centers as master plans are updated.*

LU7.2 *Consider developing, as part of the Zoning Ordinance update, alternative lower density zoning districts that promote walkability and allow for a mix of uses.*

POLICY 8:

Strengthen and enhance existing residential areas and neighborhoods in the Plan 2035 Established Communities.

Goals

LU8.1 *Coordinate land use planning with county municipalities.*

LU8.2 *Use conservation subdivisions in areas adjacent to Rural and Agricultural Areas to transition density and to encourage preservation of green infrastructure corridors as defined by the county's Green Infrastructure Plan.*

LU8.3 *Encourage municipalities to designate Development Review Districts to promote and preserve the integrity of high-quality and complementary infill development in the Established Communities.*

LU8.4 *Revise and update the Zoning Ordinance, Subdivision Ordinance, and other county regulations to ensure they help protect, strengthen, and revitalize the Established Communities.*

LU8.5 *Continue to coordinate, apply for, and use state and federal programs and resources for neighborhood revitalization and reinvestment of low- and moderate-income communities. Programs and resources include Sustainable Community designations, HUD program funds, and tax incentives.*

RESPONSE: In response to Policy 6, Policy 7, and Policy 8, the proposed development will create local construction jobs and employment opportunities within the crematorium as a component of the funeral home facility, which will present valuable employment growth openings for Prince George's County residents. These employees will contribute to the local tax base and economy and bring with them skills and education levels that will make them valuable additions to the job market, resulting in employment growth in the Master Plan region.

POLICY 9:

Limit the expansion of new commercial zoning outside of the Regional Transit Districts and Local Centers to encourage reinvestment and growth in designated centers and in existing commercial areas.

Goals

LU9.1 *Evaluate rezoning requests to determine if the location, population projections, and market demand justify an increase in commercially-zoned property.*

LU9.2 *Develop a countywide strategic plan for future retail*

development and implement its recommendations through the Zoning Ordinance update, master plan process, and public private partnerships with county agencies. As part of this retail plan, inventory older commercial areas and shopping centers to identify candidates for potential (re)development and rezoning to accommodate residential infill or other neighborhood-serving uses.

RESPONSE: The Applicant acknowledges the above Policy 9 goals, but notes they are not applicable to the subject special exception application, which is not located in a commercial zone and is not proposing any rezoning request to a commercial zone.

POLICY 10:

Retain Future Water and Sewer Service Areas in water and sewer categories S5 and W5 until additional residential development capacity is needed to meet growth projections.

Goals

- LU10.1 Evaluate the Future Water and Sewer Service Areas through annual reviews of the residential pipeline and residential development capacity analysis. Establish criteria to determine when land within the Future Water and Sewer Service Areas should be reclassified.***
- LU10.2 Review the annual water and sewer amendments to retain the S5 and W5 water and sewer categories until additional residential capacity is required and public facilities are in place to serve projected development.***
- LU10.3 Evaluate Future Water and Sewer Service Areas as potential woodland conservation banks or stormwater management offset areas to meet the requirements of the Watershed Implementation Plan (see the Natural Environment Element).***

RESPONSE: The Applicant acknowledges these goals and notes the subject Property is located within Water and Sewer Categories, W-3 and S-3. As such, adequate water and sewer facilities and services already exist on-site to serve the subject Property and the proposed addition. Furthermore, the development proposed is wholly consistent with the 2010 Subregion 1 land use recommendation and will be a component of the proposed job growth estimate for the Established Communities area in Plan Prince George's 2035.

POLICY 11:

Preserve and protect the Rural and Agricultural Areas to conserve agricultural and forest resources.

Goals

- LU11.1*** *Continue to implement the Priority Preservation Plan (PPA) to achieve identified agricultural and forestry land preservation goals and coordinate with the Prince George's County Soil Conservation District, University of Maryland Extension Service, the agricultural community, residents, and community groups.*
- LU11.2*** *Amend the Zoning Ordinance and Subdivision Ordinance to support agricultural production and forest preservation in the Rural and Agricultural Areas.*
- LU11.3*** *Evaluate the impacts of extractive industries, such as sand and gravel mining, on resource lands, rural character, economic development, and post-reclamation requirements in the Rural and Agricultural Areas. Map remaining sand and gravel natural resources to locate potential future sand and gravel operations, update and revise development standards, and identify postreclamation land uses, including residential development, agriculture, and forestry. Propose comprehensive legislation to revise county codes and identify recommendations for the Zoning Ordinance update.*
- LU11.4*** *To preserve environmentally sensitive land and to encourage development in the Regional Transit Districts, evaluate a transfer of development rights program, density exchanges, or purchase of development rights program for the Rural and Agricultural Areas. Explore opportunities to transfer development rights within areas and to coordinate with the Watershed Implementation Plan and Maryland Accounting for Growth Policy.*

RESPONSE: There are no known portions of the Property classified in the Priority Preservation Area (PPA) pursuant to the approved *Priority Preservation Area Functional Master Plan*. The Property is located within the Established Communities designation and

Environmental Strategy Area 2 of Plan Prince George's 2035. The Property does **not** contain any sensitive environmental features such as 100-year floodplain, primary management area (PMA), specimen trees, or woodlands. Therefore, in accordance with the *2024 Woodland and Wildlife Habitat Conservation Ordinance*, the Applicant has been granted the approval of a Woodland Conservation Letter of Exemption, S-075-2024, which is valid through June 10, 2026. Further, there are no steep slopes or highly erodible soils (such as Marlboro Clays), found to occur on the Property whereas new development could have potential adverse impacts on adjacent properties. Lastly, a Site Development Concept Plan, (41723-2024-SDC), was approved by Dpie on February 7, 2025, which notes that the site is exempt from stormwater management requirements since less than 5,000 square feet is proposed to be disturbed.

POLICY 12:

Participate in regional planning activities to enhance collaboration, coordination, and implementation. Regional issues include employment, transportation, sustainability, health, air quality, climate change, workforce and affordable housing, food system planning, infrastructure, water quality, and land use.

Goals

- LU12.1 Participate in the Washington Metropolitan Council of Governments' regional planning activities to improve coordination on transit and land use planning. Provide periodic briefings to the Planning Board on regional issues to identify potential land use strategies and programs.***
- LU12.2 Coordinate with the Washington Metropolitan Council of Governments to develop forecasts for residential and employment growth based on the Plan 2035 vision, goals, and policies. The forecast should include an analysis of the remaining development capacity in Prince George's County based on approved zoning, residential and commercial pipeline development, and the Growth Management Goals (see Table 17).***
- LU12.3 Collaborate with adjacent jurisdictions and county municipalities to ensure coordinated land use patterns, connected transportation networks, and continuous environmental networks, in particular during the preparation of master, sector, and functional plans.***

RESPONSE: The Applicant acknowledges the goals in Policy 12 but notes that they are **not** applicable to this special exception application, as they are to be implemented by the Prince George's County Planning Department and do not specifically apply to the subject Property.

2010 Subregion 1 Master Plan and Sectional Map Amendment (the "Master Plan") –

On June 23, 2010, the Prince George's County District Council adopted the Resolution of Approval for the *2010 Approved Subregion 1 Master Plan and Sectional Map Amendment*, (CR-58-2010). The Master Plan presents several engagement areas with policies and strategies to consider. These engagement areas consist of the following categories:

- *Development Pattern Elements*
- *Infrastructure Elements*
- *Economic Development, Urban Design, and Historic Preservation*

Development Pattern Elements

The prior 2002 General Plan notes that the subject site is located within the "Developing" growth tier and has a future land use of "Residential Low." This proposed special exception application supports this designation as it allows for the improvement of an existing small-scale commercial facility (funeral home) that was previously found to not substantially impair the integrity of the relevant applicable master plans via SE-3267 and SE-3988. As previously determined with the prior approved SE application, the continuation of the existing funeral home on the Property would not substantially impair the integrity of the master plan, and the addition of a small crematory along the eastern side of the existing funeral home building, (totaling only 1,664 square feet in size), would not affect this prior determination or result in any disharmony or impairment to the purposes of Subtitle 27 or the Master Plan.

These special exception approvals evaluated a funeral home use in areas of the master plan designated for low-density residential uses. Furthermore, the expansion of the facility will have no effect on the prior approved landscape plan for the Property, which meets all applicable landscaping requirements of the Prince George's County Landscape Manual (the "Landscape Manual"). A signed and sealed Landscaping Certification has also been submitted that evaluates the condition of all existing plant materials on the subject Property.

The Master Plan provides several policies and strategies regarding development in the Developing Tier which are shown on page 13 and below, ***highlighted in italic bold***:

Developing Tier

Policy 1: Preserve and enhance the suburban neighborhood character.

Strategies: *Enforce codes regarding: (1) truck and other excessive vehicle parking on residential streets, (2) multiple families living in single-family homes, (3) property maintenance, and (4) home businesses in areas not zoned for such uses. Encourage high-quality design that seeks to improve existing shopping centers and promotes and enhances the character of neighborhoods.*

RESPONSE: The Applicant notes that the proposed development is consistent and compatible with the surrounding neighborhood, particular given its extensive history and development as a funeral home facility that has been in operation since approximately 1985, via the approval of SE-3267 and SE-3988. The proposed crematorium use is a common component of a funeral home facility and is not in violation of any of the code sections referenced in the first strategy. The proposed expansion is also of high-quality design where the architectural elevations of building addition are compatible with the existing structure and preserve the viewshed from Powder Mill Road.

This high-quality design includes brick veneer and asphalt roofing to match the architectural elements of the existing structure. Decorative stack covers that replicate the look of a gas fireplace chimney are also proposed. Additionally, a majority of the abutting properties to the east are owned by the Applicant, and the crematory will not extend any closer to the residential properties to the north than the existing funeral home building. Based on the submitted architectural elevations and the demonstration of conformance with the applicable buffers of the Landscape Manual, the Applicant contends that the proposed expansion of the funeral home with a crematorium will maintain the high-quality design previously approved for the subject Property.

Policy 3: *Plan and provide public facilities to support the planned development.*

Strategies: *Balance the pace of development with the ability of the private sector to provide adequate transportation and public facilities.*

Encourage continuous expansion of development where public facilities and services can be more efficiently provided.

RESPONSE: The Applicant notes that the subject Property has existed as a funeral home facility since approximately 1985. Therefore, all public utilities and facilities already exist to serve the site, which is further reinforced by the Property's location in the Prince George's County Water/Sewer Category 3. As analyzed by Lenhart Traffic Consulting, Inc., in an memorandum dated February 6, 2025, the proposed addition of a crematorium as a component of the existing funeral home on the Property will result in a negligible impact on traffic operations within the vicinity of the site, and will further meet the specific

transportation requirements in Sections 27-241 and 27-357 of the Zoning Ordinance. Furthermore, due to the limited amount of development proposed, a new preliminary plan of subdivision (PPS) is not required to accommodate the proposed special exception uses.

Policy 4: Improve vehicular and pedestrian circulation and safety.

Strategies: Upgrade intersections to alleviate congestion and provide a safe, steady flow of traffic.

Install streetscape improvements including paved pedestrian paths and safety features, clearly marked crosswalks at major intersections, trees, landscaping, curbs, and lighting, where needed.

RESPONSE: The Applicant acknowledges these requirements and has shown the pedestrian pathways, landscaping, curb and gutter, on-site circulation pattern, driveway aisle widths, and parking spaces dimensions on the submitted plan. Further, all parking and loading space requirements for the proposed uses will be fully met on-site.

Infrastructure Elements

Environmental Infrastructure

Within the Master Plan, the Environmental Infrastructure section contains policies and strategies for key environmental areas. These include the following key categories: green infrastructure, priority preservation area, aquifer recharge area, water quality, mineral resources, stormwater management, green building opportunities, air quality, and noise. An analysis of these key categories based on the relevant master plan policies and strategies are shown below, ***highlighted in italic bold***:

Policy 1: Protect, preserve, and enhance the identified green infrastructure network within the Subregion 1 Plan Area.

Strategies: Protect primary corridors during the review of land development proposals to ensure the highest level of preservation and restoration possible with limited impacts for essential development elements.

Preserve or restore regulated areas designated in the plan's green infrastructure network or through the development review process during the review of land development proposals.

Preserve unique habitat areas to the fullest extent possible

during the land development process.

Develop flexible design techniques to maximize preservation of environmentally sensitive areas and to avoid unnecessary impacts to sensitive features.

RESPONSE: According to the 2017 Countywide Green Infrastructure Plan of the Approved Prince George's County Resource Conservation Plan, none of the site is within the regulated or evaluation area of the Master Plan. Therefore, no network gaps have been identified that should be emphasized for preservation within this infill development. As stated previously, the Property does not contain any sensitive environmental features such as 100-year floodplain, primary management area (PMA), specimen trees, or woodlands. Therefore, in accordance with the 2024 Woodland and Wildlife Habitat Conservation Ordinance, the Applicant has been granted the approval of a Woodland Conservation Letter of Exemption, S-075-2024, which is valid through June 10, 2026. Further, there are no steep slopes or highly erodible soils (such as Marlboro Clays), found to occur on the Property whereas new development could have potential adverse impacts on adjacent properties.

Policy 2: *Restore and enhance water quality in areas that have been degraded and preserve water quality in areas not degraded.*

Strategies: *Restore stream and wetland buffers to the fullest extent possible during the land development process.*

Reduce the area of impervious surfaces during the redevelopment process.

Address existing flooding concerns in conformance with the County Code on all new development and redevelopment.

RESPONSE: The Applicant acknowledges the aforementioned policy and strategies and notes that the subject Property is located within the Indian Creek watershed, which is designated as a primary corridor by the Master Plan. Indian Creek flows south towards the Anacostia River, which eventually joins with the Potomac River and then the Chesapeake Bay. While no portion of Indian Creek is within the subject Property, the Applicant is still cognizant of pursuing measures to minimize surface runoff to the maximum extent practicable. To pursue this goal, the Applicant prepared a Site Development Concept Plan, (41723-2024-SDC), which was approved by Dpie on February 7, 2025.

This plan recognizes the existing stormwater management structures on the subject Property that were designed to flow and connect to the existing stormwater management structures along Powder Mill Road, which were recently upgraded by SHA. The approved

SDCP plan further demonstrates that the natural flow pattern of the site will not be changed due to the proposed development.

The site is exempt from stormwater management requirements since the total disturbed area is less than 5,000 square feet. Additionally, the maximum lot coverage requirement for other allowed uses in the R-R Zone is 60% of the net lot area (or 64,815 square feet). The submitted special exception site plan demonstrates that with the proposed minor addition to the existing funeral home building, the proposed lot coverage will only be 16,152 square feet, or 15% of the net lot area.

Policy 3: *Implement the State Storm Water Management Act of 2007 in Subregion I as the adoption of this Plan is to enhance the water quality and control flooding in the Anacostia and Patuxent River watersheds.*

Strategies: *During the review of site plans, zoning and special exceptions in the Subregion I area, the principles behind the Storm Water Management Act of 2007 have been implemented on a case-by-case basis since its adoption. Specific cases include Konterra and the Sun Services' construction waste recycling facility. The ultimate implementation of the Act through regulation has been delayed beyond the original 2008 date. New storm water regulations have now been adopted and after May 4, 2010 new plans must comply with the new regulations. To be consistent with the early application of the principles of the Storm Water Management Act of 2007 to projects in Subregion I, if any grandfathering rules are adopted in the County Code, they should not apply in Subregion I.*

RESPONSE: The Applicant acknowledges the aforementioned policy and strategies and as previously mentioned, the Applicant has prepared a Site Development Concept Plan, (41723-2024-SDC), which was approved by DPP on February 7, 2025. This plan indicates the portions of the Property where stormwater has been designed to flow to, connecting to existing storm drain system along Powder Mill Road which was recently upgraded by SHA. The Property is currently developed, and the proposed construction will remove and replace approximately 0.04 acres of impervious area. With the proposed building addition, the approximate Limit of Disturbance (LOD) will be 2,945 square feet (or 0.07 acres). As a result, the site is exempt from stormwater management requirements since less than 5,000 square feet of disturbance is proposed.

Policy 4: *Implement more environmentally sensitive building techniques and reduce overall energy consumption.*

Strategies: *Encourage the use of green building techniques that reduce energy consumption. New building designs should*

strive to incorporate the latest environmental technologies in project buildings and site design. As redevelopment occurs, the existing buildings should be reused and redesigned to incorporate energy and building material efficiencies. It is recommended that new buildings in the Konterra Town Center and US 1 corridor be built to meet the Leadership in Energy and Environmental Design (LEED) certification.

RESPONSE: The Applicant acknowledges the aforementioned policy and strategies and notes that the proposed crematory addition will be designed in accordance with the requirements of the Maryland Department of the Environment (MDE). MDE is responsible for establishing and enforcing environmental design, performance, and emission standards for all air emission sources, including crematories. MDE requirements are among the most stringent in the United States, and the proposed Matthews' cremation unit meets or exceeds those requirements. Furthermore, given the nature of the funeral home and crematory uses, the number of parking spaces necessary to meet the requirements of the Zoning Ordinance are minimized when compared to other commercial uses. This design thereby allows the site to minimize the heat island effect of the parking lot and ensure ample interior and exterior landscape plantings are provided.

Policy 5: *Reduce light pollution and intrusion, especially into the Rural Tier and environmentally sensitive areas.*

Strategies: *Encourage the use of alternative lighting technologies for athletic fields, shopping centers, gas stations and vehicle sales establishments so that light intrusion on adjacent properties is minimized. Full cut-off optic light fixtures should be used for all proposed uses.*

Discourage the use of street lights and entrance lighting adjacent to special conservation areas of local and countywide significance and in the Rural Tier.

RESPONSE: The Applicant acknowledges the aforementioned policy and strategies and notes that adequate lighting is already provided throughout the site. These locations do not face the existing single-family detached dwellings to the north and west, and are adequately buffered by the existing planting material shown on the approved landscape plan. The Applicant would also note that the site is not located within the Rural Tier, but appropriate measures have been taken to ensure that light pollution does not intrude onto the adjacent single-family detached residential uses.

Policy 6: *Reduce air pollution by placing a high priority on transportation demand management (TDM) projects and programs.*

Strategies: *Design development and redevelopment projects to minimize the need for motor vehicle trips and to prevent conditions that may create local air pollution nuisances.*

Provide an improved, continuous network of sidewalks and bikeways.

RESPONSE: The Applicant acknowledges the aforementioned policies and strategies. As analyzed by Lenhart Traffic Consulting, Inc., in an memorandum dated February 6, 2025, the proposed addition of a crematorium as a component of the existing funeral home on the Property will result in a negligible impact on traffic operations within the vicinity of the site, and will further meet the specific transportation requirements in Sections 27-241 and 27-357 of the Zoning Ordinance.

The parking requirement for the proposed uses are limited to 1 parking space per 4 legal occupancy of the building, which along with the required interior planting and parking lot landscape strips both within and abutting the parking compound, will help minimize of the urban heat island effect on-site. The Applicant would further note that an adequate network of on-site sidewalks has been provided to ensure ease of access (including access for the physically handicapped) to all proposed building entrances. Further, the sidewalk network along both sides of Powder Mill Road were recently reconstructed by SHA as part of their improvements and upgrades to MD 212.

Furthermore, as mentioned previously, the proposed crematory addition will be designed in accordance with the requirements of MDE. MDE is responsible for establishing and enforcing environmental design, performance, and emission standards for all air emission sources, including crematories. MDE requirements are among the most stringent in the United States, and the proposed Matthews' cremation unit meets or exceeds those requirements.

An application must be submitted to MDE and a permit issued before the cremation unit can be manufactured and installed. MDE conducts a comprehensive evaluation of each application, and this process takes approximately 6 months to complete. Only if a permit is issued can the project commence. Additionally, the State Board of Morticians and Funeral Directors regulates cremation practices and ensures compliance with relevant laws and regulations. Operators are also required to receive a certification from the state to perform cremations, which includes the passing of required exams on the proper operating procedures for these facilities.

Policy 7: *Reduce adverse noise impacts to meet State of Maryland noise standards.*

Strategies: *Evaluate development and redevelopment proposals using Phase I noise studies and noise models.*

Provide for adequate set backs for projects located adjacent

to existing and proposed noise generators and roadways of arterial classification or greater.

Provide for the use of approved attenuation measures when noise issues are identified.

RESPONSE: The Applicant acknowledges the aforementioned policy and strategies but would note that no residential uses are being proposed with the subject application. As such, a Phase I noise study is not required for this application.

Transportation

The subject Property has frontage along Powder Mill Road, a designated collector roadway (C-112) with a 60 to 80 foot roadway width. The Traffic Memorandum, prepared by Lenhart Traffic Consulting, Inc. on February 6, 2025, notes that The ITE Trip Generation Manual, 11th Edition does not include a land use that accurately matches the description of a crematorium; however, the crematorium would provide an additional service for the existing funeral home. More specifically, a funeral home is a business that provides services for the deceased and their families, including preparation of the body, planning the funeral, and offering support. The preparation and support include burial or cremation services. It should also be noted that a majority of funeral processions start at a church, or similar place of worship, and the proceed to the cemetery from there. As such, most funeral processions do not begin at the subject Property.

The Traffic Memorandum further notes that the proposed addition of a crematorium as a component of the existing funeral home on the Property will result in a negligible impact on traffic operations within the vicinity of the site, and will further meet the specific transportation requirements in Sections 27-241 and 27-357 of the Zoning Ordinance.

Parks and Recreation

The Applicant notes that Park and Recreational facilities are not applicable to the review of this special exception application as no residential uses are proposed.

Public Facilities

As stated in the pre-application review comments received from the Subdivision Section on March 19, 2025, development not exceeding 5,000 gross floor area, proposed in addition to a development in existence prior to January 1, 1990, is exempt from the filing of a preliminary plan of subdivision (PPS) and final plat. The total gross floor area that was added after January 1, 1990, is 4,765 square feet. As such, the proposed application is exempt from the filing of a PPS and a final plat.

Economic Development, Urban Design, and Historic Preservation

Economic Development

Within the Master Plan, the Economic Development section contains policies and strategies for sustainable investment opportunities within Prince George's County. As mentioned previously, this proposed infill development will allow for additional employment opportunities for the construction and eventual use of this new crematory as a component of the existing funeral home facility. An analysis of these sustainable investment opportunities based on the relevant master plan policies and strategies is provided below, ***highlighted in italic bold***:

Policy 5: Expand and enhance opportunities for a quality business and employment environment.

Strategies: Reach out to existing and potential corridor businesses regarding county and state economic programs for business start-ups, facility expansions, job creation and equipment purchases to facilitate the region's job growth and maximize tax base.

Support a quality urban design framework and sensible transportation connections in order to increase the corridor's appeal and competitiveness to employers and capture a larger share of the regional workforce.

RESPONSE: The Applicant notes that the proposed development is consistent and compatible with the surrounding neighborhood, particular given its extensive history and development as an existing funeral home under SE-3267 and SE-3988, which has been in operation since approximately 1985. This proposed development represents a logical expansion of an existing funeral home facility that allows the business to offer an additional service to customers that has increasingly become an alternative to cemetery burials. As mentioned previously, the urban design of the site has been meticulously studied to preserve the viewshed on Powder Mill Road through architectural features and building materials that are consistent and compatible with the existing facility. The Applicant contends that this emphasis on urban design principles will create a sense of place that is compatible with the existing development but provides for increased best design practices.

Urban Design

The Applicant notes that the subject Property is not within the areas of the Master Plan referenced in this section. Therefore, the policies and strategies of this section are **not** applicable to the review of this special exception application.

Historic Preservation

The Applicant notes there are no known historic, or land trust easements impacting the Property or adjacent to it. Therefore, the policies and strategies of this section are **not** applicable to the review of this special exception application.

2017 Green Infrastructure Plan (Functional Master Plan)

According to the 2017 Countywide Green Infrastructure Plan of the Approved Prince George's County Resource Conservation Plan, none of the site is within the regulated or evaluation area of the Master Plan. Therefore, no network gaps have been identified that should be emphasized for preservation within this infill development.

Woodland and Wildlife Habitat Conservation Ordinance –

As stated previously, the Property does not contain any sensitive environmental features such as 100-year floodplain, primary management area (PMA), specimen trees, or woodlands. Therefore, in accordance with the 2024 Woodland and Wildlife Habitat Conservation Ordinance, the Applicant has been granted the approval of a Woodland Conservation Letter of Exemption, S-075-2024, which is valid through June 10, 2026.

County's Ten-Year Water and Sewerage Plan –

The 2010 Water Resources Functional Master Plan amends the 2002 General Plan and provides growth guidance expressed as goals, policies, and strategies to address water quality impacts associated with land use in the County. The Plan references the Ten-year Water and Sewer Plan and addresses specifically: Drinking Water Supply, Water Treatment, and Stormwater Management. The subject Property is within water and sewer categories W-3 and S-3, with active water and sewer lines on-site that can be utilized for this redevelopment.

G. COMPLIANCE WITH THE PRINCE GEORGE'S COUNTY ZONING ORDINANCE

Although special exception applications, SE-3267 & SE-3988, were previously approved for the use of the existing funeral home on the subject Property, the Planning Department has determined that a new special exception application is now required, (vs. an amendment), due to the addition of a new special exception use of a crematory. The submitted Special Exception satisfies all required criteria of approval set for in the Zoning Ordinance as follows:

Section 27-317. Required findings.

(a) A Special Exception may be approved if:

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

RESPONSE: The General Purposes of Subtitle 27 are contained in Section 27-102(a) of the Zoning Ordinance and are as follows:

Section 27-102. - Purposes.

(a) *The purposes of the Zoning Ordinance are:*

- (1) *To protect and promote the health, safety, morals comfort, convenience, and welfare of the present and future inhabitants of the County;*
- (2) *To implement the General Plan, Area Master Plans, and Functional Master Plans;*
- (3) *To promote the conservation, creation, and expansion of communities that will be developed with adequate public facilities and services;*
- (4) *To guide the orderly growth and development of the County, while recognizing the needs of agriculture, housing, industry, and business;*
- (5) *To provide adequate light, air, and privacy;*
- (6) *To promote the most beneficial relationship between the uses of land and buildings and protect landowners from adverse impacts of adjoining development;*
- (7) *To protect the County from fire, flood, panic, and other dangers;*
- (8) *To provide sound, sanitary housing in a suitable and healthy living environment within the economic reach of all County residents;*
- (9) *To encourage economic development activities that provide desirable employment and a broad, protected tax base;*
- (10) *To prevent the overcrowding of land;*
- (11) *To lessen the danger and congestion of traffic on the streets, and to insure the continued usefulness of all elements of the transportation system for their planned functions;*
- (12) *To insure the social and economic stability of all parts of the County;*

- (13) To protect against undue noise, and air and water pollution, and to encourage the preservation of stream valleys, steep slopes, lands of natural beauty, dense forests, scenic vistas, and other similar features;*
- (14) To provide open space to protect scenic beauty and natural features of the County, as well as to provide recreational space; and*
- (15) To protect and conserve the agricultural industry and natural resources.*

RESPONSE: The existing funeral home has been in operation on the Property since approximately 1985, with no negative impacts to health, safety, or welfare of the public, or to the existing character of the neighborhood. As part of the prior approved Special Exception applications, (SE-3267, SE-3988), the ZHE found that the use of a funeral home on the subject Property resulted in no disharmony of purpose or impairment of the integrity of the Master Plan or Zoning Ordinance. Further, there is no evidence that the request to add a new special exception use of a crematory would result in any disharmony or impairment to the purposes of Subtitle 27 or the Master Plan.

As further demonstrated below, the subject application is in full compliance and harmony with the required special exception requirements in Section 27-317(a), the specific special exception requirements for a funeral parlor or undertaking establishment in Section 27-357, and the specific special exception requirements for a cemetery or crematory provided in Section 27-341. The subject application meets all requirements of the Woodland and Wildlife Habitat Conservation Ordinance, and by providing full compliance with the setback requirements in Section. 27-357(a)(1) of the Zoning Ordinance, adjacent landowners will be fully protected from any adverse impacts associated with the proposed development.

The subject special exception application proposes no impacts to any sensitive or regulated environmental features such as streams or 100-year floodplain, and no clearing of any specimen or historic trees is being proposed. Further, there are no steep slopes or highly erodible soils (such as Marlboro Clays), found to occur on the Property whereas new development could have potential adverse impacts on adjacent properties. Further, a Site Development Concept Plan, (41723-2024-SDC), was approved by DPIE on February 7, 2025.

On February 6, 2025, Lenhart Traffic Consulting, Inc. prepared a transportation analysis for the subject application and found the proposed expansion to construct an on-site crematorium would result in a negligible impact on traffic operations within the vicinity of the site, and would meet the traffic operations requirements in Subtitle 27 of the Zoning Ordinance and the transportation-related specific special exception requirements for a crematory and a funeral home contained in Sections 27-341 and 27-357(a)(5).

The transportation analysis prepared by Lenhart Traffic Consulting, Inc. has been submitted with the subject application. The submitted site plan further demonstrates full conformance with all parking, loading, setback, lot coverage, and Landscape Manual requirements, and is in conformance with all prior conditions of approval associated with, SE-3267 & SE-3988, for the use of the funeral home. As a result, the proposed use and site plan are in harmony with the purposes of this Subtitle.

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

RESPONSE: The subject application fully meets all the required findings in Section 27-317 for approval of a special exception application and is in full compliance and harmony with the specific special exception requirements for a funeral parlor or undertaking establishment found in Section 27-357, and the specific special exception requirements for a cemetery or crematory found in Section 27-341. Further, the application is in conformance with all prior conditions of approval associated with, SE-3267 & SE-3988, for the use of the funeral home.

The subject application has been designed to be in full compliance with the parking and loading requirements in Part 11 of the Zoning Ordinance, the Woodland and Wildlife Habitat Conservation Ordinance, the Tree Canopy Coverage Ordinance, and Landscape Manual. Further, Site Development Concept Plan No. 41723-2024-SDC was approved by Dpie on February 7, 2025.

Further, the application includes all required forms, contents, and other submission requirements provided in Section 27-296, and is in full compliance with the public notice procedures provided in Section 27-305. As a result, the proposed use is in conformance with all the applicable requirements and regulations of this Subtitle.

(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 Master Plan, the General Plan;

RESPONSE: The 2035 Approved General Plan identifies the Property as being within the Established Communities General Plan Growth Policy Area and a Priority Funding Area. Plan 2035 recommends a Residential Low generalized future land use for the entire Property, as would be expected for the R-R Zone.

As part of prior approved SE-3988, both the ZHE and the Planning Staff found that the proposal to expand the funeral home, along with its recommended conditions of approval, would not substantially impair the integrity of the *1990 Subregion 1 Master Plan* which recommended low density rural residential use, and further recognized the existing funeral home use on the Property.

Currently, the *2010 Subregion 1 Master Plan and Sectional Map Amendment* recommends

the same low-density rural residential use for the Property, and recognizes the existing land use as being “commercial”. As previously determined with the prior approved special exception application, the continuation of the existing funeral home on the Property would not substantially impair the integrity of the master plan, and the addition of a small crematory on the eastern side of the existing funeral home building, (totaling only 1,664 square feet in size), would not affect this prior determination or result in any disharmony or impairment to the purposes of Subtitle 27 or the Master Plan. A Funeral Home or Undertaking Establishment & Crematory are permitted in the underlying zoning for the Property and are deemed inherently compatible with the zone provided the Applicant can satisfy the applicable criteria of approval for a special exception in the Zoning Ordinance (which the proposed use certainly does).

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

RESPONSE: As part of the prior special exception applications, SE-3267 & SE-3988, the ZHE found that the use of a funeral home on the subject Property would not adversely affect the health, safety, or welfare of residents or workers in the area. With the exception of the small crematory addition proposed along the eastern side of the funeral home building (consisting of 1,664 sf.), and minor revisions to the parking compound to accommodate the proposed building, no substantial revisions are being proposed to the Property.

A majority of the abutting properties to the east are owned by the Applicant, and the crematory will not extend any closer to abutting residential properties to the north than the existing funeral home building. The proposed crematory is not a use that is open to the public and is, therefore, not a significant traffic generator. The minor vehicle trips that would be associated with this use are very minimal and would have no adverse effect on Powder Mill Road. The special exception boundaries previously approved with SE-3267 & SE-3988 are not being expanded, and no additional access points are being proposed along Powder Mill Road.

There are also no noise impacts anticipated with the proposed use. The proposed building containing the crematory will fully meet all setbacks required in the zone. All parking, loading, and landscaping requirements will be fully met on-site. The existing funeral home is an attractive all-brick building, and the existing grounds are very well manicured and landscaped. The submitted architectural elevations for the proposed crematory demonstrate that the proposed building will be constructed with compatible building materials and be fully complementary to the existing funeral home building.

While there are no zoning requirements or specific special exception criteria related to the emissions of crematory uses in Prince George’s County, the Applicant would like to provide the following information to further demonstrate that the proposed use would not adversely affect the health, safety, or welfare of residents or workers in the area;

The crematory equipment for this Property is proposed to be provided by Mathews Environmental Solutions. They have 5,000 installations globally and over 50 units operating in Maryland. The Applicant anticipates performing approximately 4 cremations a week, and each cycle will take on average 2 to 2 1/2 hours to complete.

Matthews Environmental Solutions states that approximately 98% of all cases are performed without any visible emissions. In the rare occurrence that smoke may be present, the unit takes corrective action automatically. In addition, the Applicant is investing in the most advanced crematory controls available, Matthews' M-pyre operating system.

The M-pyre operating system automatically determines the proper settings based on the case to be performed and then monitors and adjusts the process throughout the entire cycle. For additional security, it is also monitored by Matthews' technicians who can perform remote diagnostics and adjustments to ensure each case is completed in the most efficient manner.

MDE is responsible for establishing and enforcing environmental design, performance, and emission standards for all air emission sources, including crematories. MDE requirements are among the most stringent in the United States, and Matthews' cremation unit meets or exceeds those requirements. An application must be submitted to MDE and a permit issued before the cremation unit can be manufactured and installed. MDE conducts a comprehensive evaluation of each application, and this process takes approximately 6 months to complete. Only if a permit is issued can the project commence.

Additionally, the State Board of Morticians and Funeral Directors regulates cremation practices and ensures compliance with relevant laws and regulations. Operators are also required to receive a certification from the state to perform cremations, which includes the passing of required exams on the proper operating procedures for these facilities. As noted above, the proposed crematory meets or exceeds MDE's design, performance and emissions standards. Modern-day cremation equipment that is properly designed, operated, and maintained is a "good neighbor" to nearby properties and will in no way adversely affect the health, safety, or welfare of residents or workers in the area.

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

RESPONSE: At the time of the prior special exception applications, the use of the funeral home on the Property was already found not to be detrimental to the use or development of adjacent properties or the general neighborhood. At the time of the initial special exception application, the Applicant provided an appraisal report prepared by Associated Appraisers which further found that the proposed use would not be detrimental to the use or development of adjacent properties or the general neighborhood.

All surrounding properties with the exception of the property to the east which is owned by the Applicant have been fully developed. The proposed crematory is not a use that is

open to the public and is, therefore, not a significant traffic generator. On February 6, 2025, Lenhart Traffic Consulting, Inc. prepared a transportation analysis for the subject application and found the proposed expansion to construct an on-site crematorium would result in a negligible impact on traffic operations within the vicinity of the site, and would meet the traffic operations requirements in Section 27 of the Zoning Ordinance and the transportation-related specific special exception requirements for a crematory and a funeral home contained in Sections 27-341 and 27-357(a)(5). The transportation analysis prepared by Lenhart Traffic Consulting, Inc. has been submitted with the subject application.

There are no significant noise impacts anticipated with the proposed use. MDE will also ensure that the proposed crematory complies with all state standards to minimize environmental impact. The small building addition proposed for the crematory is only 1,664 square feet in size, and will fully meet all setbacks required in the R-R Zone. All required parking, loading, stormwater management, and landscaping requirements will be fully met on-site.

The existing funeral home is an attractive all-brick building, and the existing grounds are very well-manicured and professionally landscaped. The submitted architectural elevations for the proposed crematory demonstrate that the proposed building will be constructed with similar compatible building materials and will be fully complementary to the existing funeral home. With the proposed building being strategically located along the eastern side of the existing building, the Property's formal and attractive street view from Powder Mill Road will continue to be maintained. Further, the closest abutting residential uses to the east are owned by the Applicant.

The existing funeral home has been in operation on the Property since approximately 1985, with no negative impacts to health, safety, or welfare of the public, or to the existing character of the neighborhood. As part of the prior approved Special Exception applications, (SE-3267, SE-3988), the ZHE found that the use of a funeral home on the subject Property resulted in no disharmony of purpose or impairment of the integrity of the Master Plan or Zoning Ordinance. Further, there is no evidence that the request to add a new special exception use of a crematory would be detrimental to the use or development of adjacent properties or the general neighborhood.

(6) *The proposed site plan is in conformance with an approved Type 2 Tree Conservation Plan; and*

RESPONSE: Section 25-119(a)(2)(B) of the County Code states the following concerning special exception applications;

(B) *Applications for a Special Exception, Detailed Site Plan (including Minor and Major Detailed Site Plans), Specific Design Plan, grading permit or other similarly detailed plans shall include a Type 2 Tree Conservation Plan (TCP2) or a Standard Letter of Exemption.*

As part of the prior approved Special Exception applications, (SE-3267, SE-3988), the Planning Staff found that the site was not subject to the approval of a tree conservation plan because the site contained less than 10,000 square feet of existing woodland and no specimen trees. On June 10, 2024, a Woodland Conservation Letter of Exemption, S-075-2024, was approved by the Environmental Planning Section for the subject Property. As a result, the subject application is in full conformance with the Woodland and Wildlife Habitat Conservation Ordinance contained in Subtitle 25 of the County Code.

(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).*

RESPONSE: The subject Property contains no sensitive or regulated environmental features such as streams or 100-year floodplain, and no steep slopes or highly erodible soils (such as Marlboro Clays), exist on the Property. The Property is not located in, or near, the Chesapeake Bay Critical Area (CBCA).

Site Development Concept Plan No. 41723-2024-SDC, was approved by Dpie on February 7, 2025. Further, on June 10, 2024, a Natural Resources Inventory Equivalency Letter, NRI-075-2024, was approved for the Property by the Environmental Planning Section. Because the subject Property contains no sensitive or regulated environmental features such as streams or 100-year floodplain, the above finding is not applicable to the review of the application and can be deemed met.

(b) *In addition to the above required findings, in a Chesapeake Bay Critical Area Overlay Zone, a Special Exception shall not be granted:*

(1) *where the existing lot coverage in the CBCA exceeds that allowed by this Subtitle, or*

(2) *where granting the Special Exception would result in a net increase in the existing lot coverage in the CBCA.*

RESPONSE: The Property is not located in a Chesapeake Bay Critical Area (CBCA) Overlay Zone. As a result, the above finding is not applicable to the review of the subject application.

DIVISION 3. ADDITIONAL REQUIREMENTS FOR SPECIFIC SPECIAL EXCEPTIONS.

The specific special exception requirements for a crematory are as follows;

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.

RESPONSE: Neither the existing funeral home nor the proposed crematory are located within any proposed street or other public right-of-way. All uses will be fully located within the confines of the subject Property, and all structures will be properly setback from all public rights-of-way in accordance with the requirements of the Zoning Ordinance.

A transportation analysis prepared by Lenhart Traffic Consulting on February 6, 2025, and submitted with the subject application further found that the proposed expansion to construct an on-site crematorium would be in full compliance with the above requirement.

Section. 27-357. Funeral parlor or undertaking establishment.

The specific special exception requirements for a Funeral parlor or undertaking establishment are as follows;

(a) A funeral parlor or undertaking establishment may be permitted subject to the following:

(1) The minimum side and rear yard setbacks shall be at least fifty (50) feet each, when adjoining land in any Residential Zone, or land proposed to be used for residential purposes on an approved Basic Plan for a Comprehensive Design Zone, approved Official Plan for an R-P-C Zone, or any approved Conceptual or Detailed Site Plan;

RESPONSE: As part of prior special exception applications, SE-3267 & SE-3988, the ZHE found that the existing funeral parlor was properly setback in accordance with the requirements of Section 27-357(a) provided above. No expansion of the existing funeral use is being proposed as part of this application. The new building area containing the crematory will meet all the required setbacks in the R-R Zone.

(2) If the subject property is located in a Residential Zone, it shall contain at least one and one-half (1 1/2) contiguous acres;

RESPONSE: The subject Property is currently located in the RR (Residential, Rural) Zone, and is being reviewed utilizing the provisions of the prior Zoning Ordinance and former R-R (Rural Residential) Zone. The Property consists of approximately 1.74 contiguous acres, (or 75,967 square feet), and is therefore in compliance with the above requirement.

(3) The use shall not depreciate the value of neighboring properties;

RESPONSE: Although the above specific special exception requirement only applies to the use of a funeral parlor or undertaking establishment, the proposed crematory will be constructed of high-quality building materials that are consistent and complementary to the existing funeral home building. The overall Property will continue to include pristine landscaping that will be continually maintained by a professional landscape contractor, creating an attractive streetscape and aesthetically pleasing views from Powder Mill Road.

It should be noted that the ZHE previously found compliance with the above requirement for the existing funeral home as part of prior special exception applications, SE-3267 & SE-3988. At the time of the initial special exception application for the funeral parlor or undertaking establishment, the Applicant provided an appraisal report prepared by Associated Appraisers which found that the proposed use would not depreciate the value of neighboring properties. The existing funeral home has been in operation on the Property since approximately 1985, and there is no evidence suggesting the use has depreciated the value of neighboring properties since its inception.

(4) *The use shall not adversely affect the character of neighboring properties; and*

RESPONSE: Although the above specific special exception requirement only applies to the use of a funeral parlor or undertaking establishment, both the funeral home and proposed crematory will be fully buffered from any incompatible abutting uses in accordance with Section 4.7 of the Landscape Manual. The subject special application proposes no impacts to any sensitive or regulated environmental features such as streams or 100-year floodplain, and no clearing of any specimen or historic trees is being proposed. Further, there are no steep slopes or highly erodible soils (such as Marlboro Clays), found to occur on the Property whereas new development could have potential adverse impacts on adjacent properties. A Site Development Concept Plan, (41723-2024-SDC), was approved by Dpie on February 7, 2025.

As part of prior special exception applications, SE-3267 & SE-3988, the ZHE previously found that the use of a funeral home on the subject Property would not adversely affect the character of neighboring properties, and the proposed application proposes no expansion of the funeral home use. It should be further noted that the abutting residential properties to the east have been owned by the Applicant for many years and will continue to be owned by the Applicant. The existing funeral home has been in operation on the Property since approximately 1985, and there is no evidence suggesting the use has adversely affected the character of neighboring properties since its inception.

(5) *The use shall not create undue traffic congestion.*

RESPONSE: As part of the prior special exception applications, SE-3267 & SE-3988, the ZHE previously determined that the funeral parlor met the above requirement. The on-site parking compound has and will continue to be able to safely and efficiently handle funeral processions on-site with no negative impacts to Powder Mill Road (MD 212A).

The required parking and loading spaces for all uses on the Property have been fully provided in accordance with Part 11 of the Zoning Ordinance.

On February 6, 2025, Lenhart Traffic Consulting, Inc. prepared a transportation analysis for the subject application and found the proposed expansion to construct an on-site crematorium would result in a negligible impact on traffic operations within the vicinity of the site, and would meet the traffic operations requirements in Section 27 of the Zoning Ordinance and the transportation-related specific special exception requirements for a crematory and a funeral home contained in Sections 27-341 and 27-357(a)(5) above. The transportation analysis prepared by Lenhart Traffic Consulting, Inc. has been submitted with the subject application.

H. Compliance with Prior Approved Special Exception Conditions (for Funeral Home)

Special Exception, SE-3267

Special Exception, SE-3267, was approved by the ZHE on December 28, 1981, for a Funeral Home and its associated parking and loading on 1.74 acres in the R-R (Rural-Residential) Zone with the following two conditions;

1. Funerals shall not be conducted later than 4:00 p.m. on weekdays.

RESPONSE: The Applicant is in agreement with the above condition and has complied with the same since operations began on the Property.

2. The operator of the funeral parlor shall not form up any procession of cars which requires off-premises area.

RESPONSE: The Applicant is in agreement with the above condition. While funeral processions that would start at the subject Property have decreased through the years, the existing parking compound has always been more than sufficient to handle the funeral processions on-site. The on-site parking compound will continue to safely and efficiently provide adequate room and circulation to handle funeral processions on-site with no negative impacts on Powder Mill Road (MD 212A).

Special Exception, SE-3988

Special Exception, SE-3988, was approved by the ZHE on November 7, 1990, for a 30' X 100' addition to the rear of the existing Funeral Home for use as office space. This approval also included a 28' x 50' detached garage and the reconfiguration of the existing loading area. The relocation of fencing along the rear property line was required prior to signature approval of the SE plan to conform with Alternative Compliance application, AC-90159.

March 25, 2025
Donald V. Borgwardt Funeral Home & Crematory
Special Exception, SE-4848
Page 38

I. CONCLUSION

The subject application fully meets all the required findings in Section 27-317 for approval of a special exception application and is in full compliance and harmony with the specific special exception requirements for a funeral parlor or undertaking establishment contained in Section 27-357, and the specific special exception requirements for a cemetery or crematory contained in Section 27-341. Further, the application is in conformance with all prior conditions of approval associated with, SE-3267 & SE-3988, for the use of the funeral home. As such, the Applicant respectfully requests that Special Exception, SE-4848 be approved.

Thank you in advance for your consideration of this application. If you have any questions or comments, please do not hesitate to contact the undersigned.

Sincerely,

Russell W. Shipley

RWS/jjf

cc: Mr. Donald Borgwardt
Mr. Barry Caison
Lenhart Traffic Consulting, Inc.
Mathews Environmental Solutions

Exhibit A

SE-4848

Donald V. Borgwardt Funeral Home

Partial List of Maryland Funeral Homes
using Matthews' Environmental Solutions
Cremation Equipment

*Note - This Exhibit was provided to Ms. Deborah Harris and Council
Chair Thomas Dernoga's Office on May 8, 2025.*

Exhibit A

Partial List of MD Funeral Homes with Matthews Cremation Equipment in Operation

(Donald V. Borgwardt Funeral Home, SE-4848)

McComas Funeral Home – 50 W. Broadway, Bel Air, MD 21014

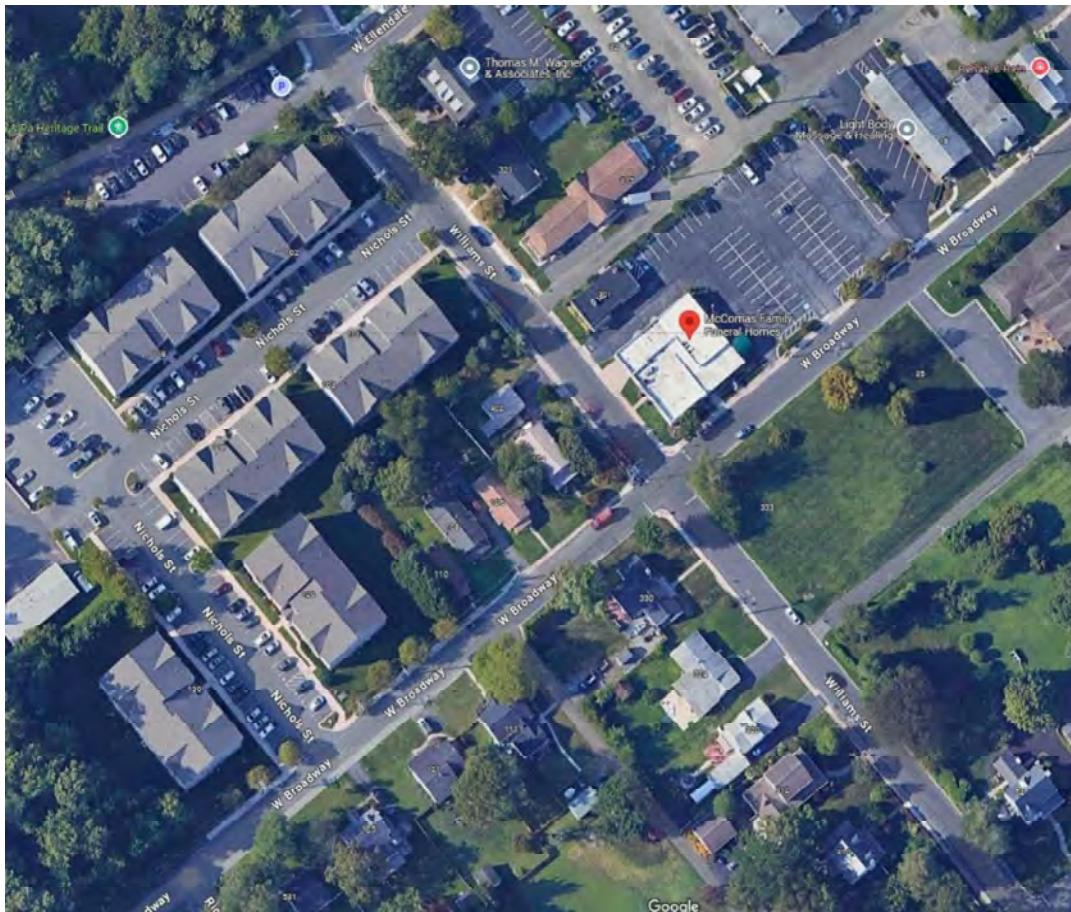


Exhibit A

Donald V. Borgwardt Funeral Home, SE-4848

Partial List of MD Funeral Homes w/Matthews Cremation Equipment

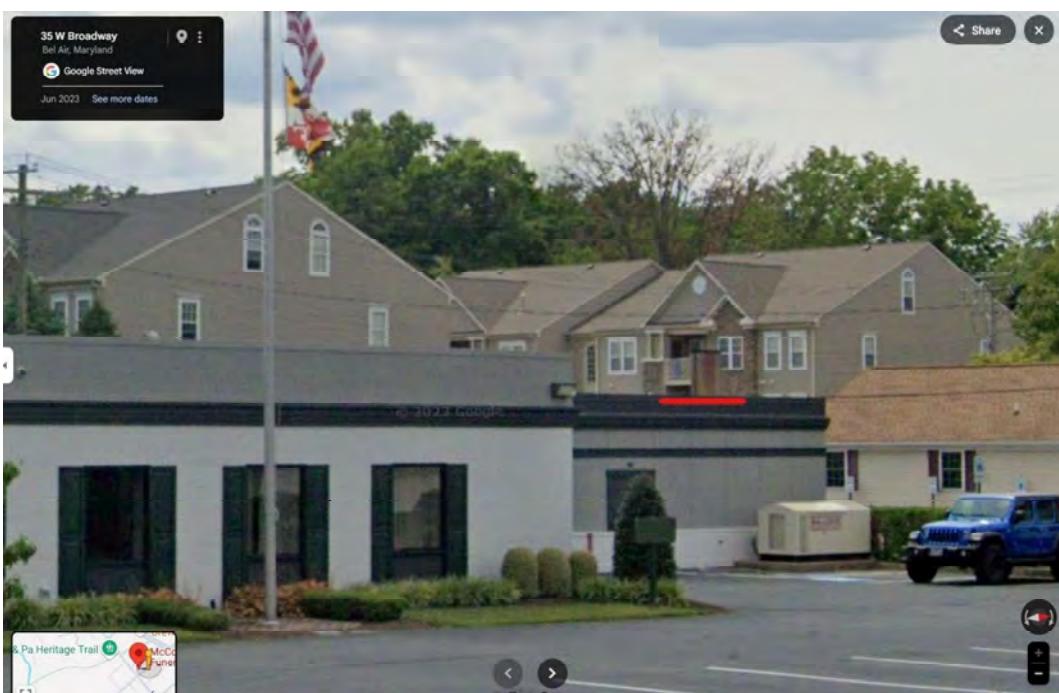


Exhibit A

Donald V. Borgwardt Funeral Home, SE-4848

Partial List of MD Funeral Homes w/Matthews Cremation Equipment

Metro/McNabb Funeral Home & Crematory
299 & 301 Frederick Road, Catonsville, MD 21228



Exhibit A

Donald V. Borgwardt Funeral Home, SE-4848

Partial List of MD Funeral Homes w/Matthews Cremation Equipment



Evans Funeral Chapel & Cremation Services – 3 Newport Drive, Forest Hill, MD 21050



Exhibit A

Donald V. Borgwardt Funeral Home, SE-4848

Partial List of MD Funeral Homes w/Matthews Cremation Equipment



Exhibit A

Donald V. Borgwardt Funeral Home, SE-4848

Partial List of MD Funeral Homes w/Matthews Cremation Equipment

Stauffer Funeral Home – 1621 Opossumtown Pike, Frederick, MD 21702

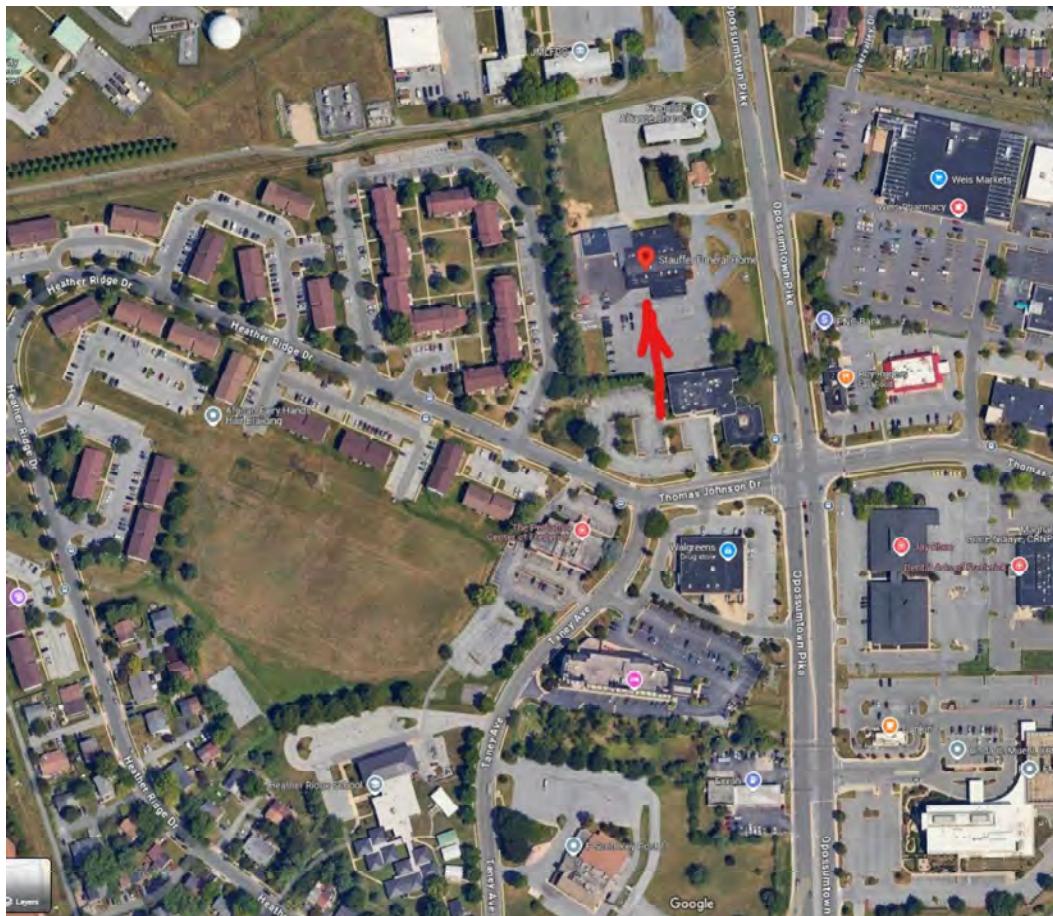


Exhibit A

Donald V. Borgwardt Funeral Home, SE-4848

Partial List of MD Funeral Homes w/Matthews Cremation Equipment



Exhibit A

Donald V. Borgwardt Funeral Home, SE-4848

Partial List of MD Funeral Homes w/Matthews Cremation Equipment

Kalas Funeral Home – 2973 Solomon’s Island Road, Edgewater, MD 21037

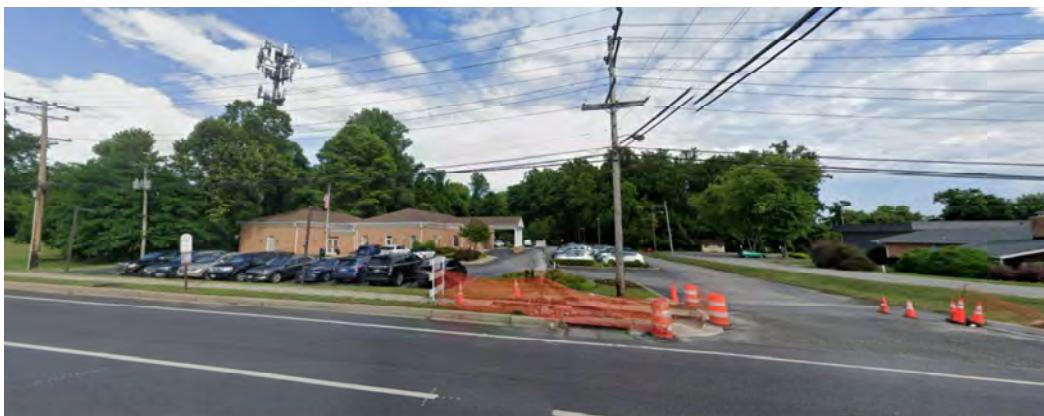


Exhibit A

Donald V. Borgwardt Funeral Home, SE-4848

Partial List of MD Funeral Homes w/Matthews Cremation Equipment

Newman Funeral Home – 1100 Memorial Drive, Oakland, MD 21550



Exhibit A

Donald V. Borgwardt Funeral Home, SE-4848

Partial List of MD Funeral Homes w/Matthews Cremation Equipment



Exhibit A

Donald V. Borgwardt Funeral Home, SE-4848

Partial List of MD Funeral Homes w/Matthews Cremation Equipment

Lasshan Funeral Home – 7401 Belair Road, Nottingham, MD 21236

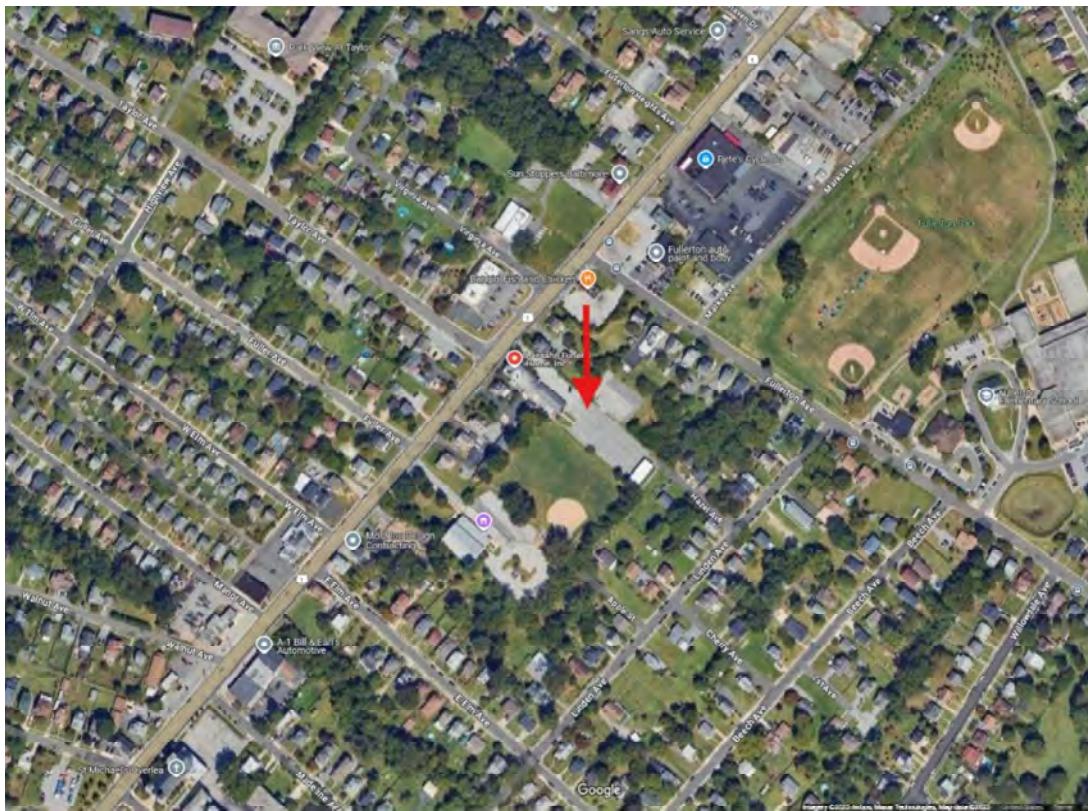


Exhibit A

Donald V. Borgwardt Funeral Home, SE-4848

Partial List of MD Funeral Homes w/Matthews Cremation Equipment



APPLICATION FOR WOODLAND CONSERVATION LETTER OF EXEMPTION (WCO-Ex)

APPLICANT TO FILL OUT THIS SECTION - Refer to www.PGAtlas.com for Information

HOVER OVER BLANK FIELDS FOR ADDITIONAL INFORMATION

Property Owner Name, Address, and Contact Info: DONALD V & KATHERINE L BORGWARDT 4400 POWDER MILL ROAD BELTSVILLE, MD 20705	Agent/Contact Name, Company, Address, Phone & E-mail: Hunter Michael Atwell, LLC 11721 Woodmore Road, Suite 200 Mitchellville, MD 20721 301-430-2000 / hmichael@atwell-group.com
--	---

Payment by check, money order, or cashier's check ONLY – made payable to M-NCPPC

Please indicate name of project, address, or other identifying information on payment. Do not staple payment.

Name on Check: ATWELL, LLC Check No. 243678 APPLICATION FEE - \$50.00
Gov't Projects - Fee Waived

Agent/Contact

Signature: 
Hunter Michael
Atwell Group, LLC
Requester is the author of this
Document
Date: 2024-03-15 07:33:01+00:00

Date: 03/15/2024

PROJECT/PROPERTY NAME:

BORGWARDT FUNERAL HOME

Street Address (if available), otherwise Geographic Location in relation to nearest major road intersection:

4400 POWDER MILL ROAD, 11702 & 11704 ROBY AVENUE, BELTSVILLE, MD 20705

Companion Case(s) and/or Resolution(s) - Preliminary Plan, Site Plan, Special Exception, etc.:

NRI-075-2024 (EL)

Total Area (acres): <u>2.48 ac.</u>	Tax Account #(s): <u>0005934, 0068668, & 0061812</u>	
Total Number of Lots <u>1</u> and/or Parcels: <u>2</u>	Current Zone(s): <u>R-R</u>	WSSC Grid: <u>215NE05</u>
Lot/Block/Parcel(s): PARCEL 42, LOT 2 & PART OF PARCEL A, BLOCK A	Proposed Woodland Clearing (ft ²): <u>0</u>	Environmental Strategy Area (ESA): Located under the Environmental heading in PGAtlas <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Proposed Activity: Development for the expansion to an existing funeral home.

SITE PLAN:

Preparer Qualifications: Qualified Professional

Date: 5/17/24 Prepared by: D. Hunter Michael Firm: ATWELL ID #:

RESPONSE (TO BE COMPLETED BY EPS STAFF)

APPROVAL TYPE: <input type="checkbox"/> Numbered Exemption <input checked="" type="checkbox"/> Standard Exemption	Exemption Number: <u>S-075-2024</u>
Staff Reviewer: <u>WRC</u> Receipt Number: <u>8685</u> Filing Fee: <u>\$50.00</u>	

Your request for a **Standard Letter of Exemption** from the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) is hereby **approved**. This Standard Letter of Exemption is issued because the property has no previous TCP approvals and:

- Is less than 40,000 square feet in size; and/or
- Contains less than 10,000 square feet of woodland; or
- The project is subject to the Maryland Forest Conservation Act and will be reviewed by Department of Natural Resources

Your request for a **Numbered Letter of Exemption** from the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) is hereby **approved**. This Letter of Exemption is issued because the site is over 40,000 square feet in size and contains over 10,000 square feet of woodland; however the project has no previous TCP approvals and:

- Results in the clearing of less than 5,000 square feet of woodland. Proposed clearing is _____ ft². If application is for a Revision, cumulative clearing to date (not including currently proposed) is _____ ft².
- The activity is a government or linear project that results in the clearing of less than 20,000 square feet of woodland.
- Proposed clearing is _____ ft². Revisions: cumulative clearing to date (not including currently proposed) is _____ ft²; or
- The proposed activity is for a timber harvest.

This letter is valid for two years from the date of approval, or until such time as the cumulative woodland clearing exceeds the maximum amount specified above. If a development review application (preliminary plan, detailed site plan, etc.) is required, a Numbered Exemption may be considered invalid in accordance with Section 25-119(b)(5)(A).

A copy of this letter must be submitted at the time of development activity or permit application.

Staff Signature Approval: Wendy

Digitally signed by Contee,
Wendy
Date: 2024-06-10 15:58:49
-0400

Approval Date: 06/10/2024

Expiration Date: 06/10/2026

APPLICATION FOR NATURAL RESOURCES INVENTORY EQUIVALENCY LETTER (NRI-EL)

APPLICANT TO FILL OUT THIS SECTION - Refer to www.PGAtlas.com for Information

HOVER OVER BLANK FIELDS FOR ADDITIONAL INFORMATION

Property Owner Name(s), Address & Phone: DONALD V & KATHERINE L BORGWARDT 4400 POWDER MILL ROAD BELTSVILLE, MD 20705	Agent/Contact Name, Company, Address, Phone & E-mail: Hunter Michael Atwell, LLC 11721 Woodmore Road, Suite 200 Mitchellville, MD 20721 301-430-2000 / hmichael@atwell-group.com
---	---

PROJECT/PROPERTY NAME: BORGWARDT FUNERAL HOME		Agent/Contact	
Street Address: 4400 POWDER MILL ROAD, 11702 & 11704 ROBY AVENUE, BELTSVILLE, MD 20705		Signature:  Hunter Michael	
Geographic Location: Located northwest of the intersection of Powder Mill Road and Roby Avenue.		Date: 03/15/2024	
Total Area (acres): 2.48 ac.	Proposed Limits of Disturbance (LOD): 0.73 ac.	Current Zone(s): R-R	WSSC Grid: 215NE05
Lot/Block/Parcel(s): LOT 2 & p/o PARCEL A, BLOCK A	Tax Account #(s): 0005934, 0068668, & 0061812	Environmental Strategy Area (ESA): Located under the Environmental Category in PGAtlas	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 3 <input checked="" type="checkbox"/> 4

Proposed Activity: Development for the expansion to an existing funeral home.

Will the proposed project require a Subdivision or Zoning application?: <input type="checkbox"/> Zoning	Please List:
Concurrent and Previous NRI, TCP1, TCP2, & Other Applicable Applications: Going through Special Exception.	

Environmental Technical Manual Link	NRI-EL CHECKLIST (TO BE COMPLETED BY APPLICANT)	Procedural Guidelines for NRI-EL Application Submission (ext. PDF)
REQUIRED For All NRI-EL Applications:		
For Project Type 1 only:		
<input checked="" type="checkbox"/> Proposed Site Plan, Containing ALL of the Following: <input type="checkbox"/> Signature from a Qualified Professional as defined under COMAR 08.19.06.01 <input type="checkbox"/> Legible Limits of Disturbance (LOD) <input type="checkbox"/> General Information Table (see Procedural Guidelines)		
If Exempt from Woodland Conservation, submit one of the following: <input checked="" type="checkbox"/> Application for Letter of Exemption, and: <input type="checkbox"/> Application Fee Included in Submission <input type="checkbox"/> Copy of a previously Issued Letter of Exemption (Standard or Numbered)		
Project Type 2 only: Select one or more previously approved and implemented plans for project site: <input type="checkbox"/> Type II or Type 2 Tree Conservation Plan (TCP2) <input type="checkbox"/> CBCA Conservation Plan <input type="checkbox"/> Other Environmental Information Deemed Sufficient by Staff - [Provide Explanation]		

RESPONSE (TO BE COMPLETED BY EPS STAFF)

Date Received: _____	Date Accepted: 05/08/2024	Reviewer Assigned: WRC	NRI Number:
			NRI-075-2024

This **APPROVAL** for the above referenced project and location is based upon information using the submitted proposed site plan, current aerial imagery, PGAtlas.com GIS layers, and any additional information deemed necessary for review by operant planner(s). If the scope of the proposed activity and/or limits of disturbance change significantly, a full NRI may be required. This letter is valid for five years from the date of issuance, or until such time as a different development activity is proposed; whichever comes first.

The submitted application was found to meet the following criteria:

<input checked="" type="checkbox"/>	The site qualifies for a Standard or Numbered Letter of Exemption <u>S-075-2024</u> from the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance.
<input type="checkbox"/>	The site has a previously approved and implemented Type 2 Tree Conservation Plan _____.
<input checked="" type="checkbox"/>	The submitted proposed site plan, dated <u>05/17/24</u> and prepared by <u>D. Hunter Michael, Q.P.</u> demonstrates that no regulated environmental features are located on the subject site or no on-site regulated environmental features will be impacted.
<input type="checkbox"/>	The submitted proposed site plan, dated _____ and prepared by _____ shows that the proposed work will not result in any significant changes to the limits of disturbance of the previously approved TCP2, or create additional impacts to any regulated environmental features.
<input type="checkbox"/>	The site is within the Chesapeake Bay Critical Area Overlay Zone and the submitted site plan demonstrates that the proposed activity will result in less than 500 square feet of disturbance, or that no variance is required.
<input type="checkbox"/>	Other Approval Criteria: _____

A FLOODPLAIN STUDY MAY STILL BE REQUIRED AT THE TIME OF STORMWATER CONCEPT REVIEW

Contee, Staff Signature Approval: <u>Wendy</u>	Digitally signed by Contee, Wendy Date: 2024.06.10 16:21:21 -04'00'	Approval Date: 06/10/2024
		Expiration Date: 06/10/2029

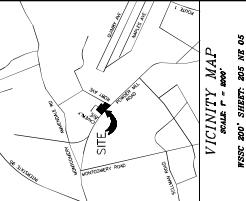
SE-4848

**SPECIAL EXCEPTION SITE PLAN
FOR
PART OF TAX PARCEL 42**

BORGWARDT FUNERAL HOME

SPAULDING DISTRICT NO. 1

INDEX OF DRAWINGS		
SHEET NO.	SHEET NAME	DWG. NO.
C-COV	COVER SHEET	6.013-Z
C-APR	APPROVAL SHEET	6.014-Z
C-01	SITE PLAN/DETAIL SHEET	6.019-Z
L-01	LANDSCAPE PLAN	50.0002-Z
A-01	ARCHITECTURAL ELEVATIONS	



SE-4848
COVER SHEET
SPECIAL EXCEPTION SITE PLAN
PART OF TAX PARCEL 42
DISTRICT No. #
PRINCE GEORGE'S COUNTY, MARYLAND
BORGWARD FUNERAL HOME

SE-4848
COVER SHEET
SPECIAL EXCEPTION SITE PLA
PART OF TAX PARCEL 42
WARD FUNERA
DISTRICT No. #1
PRINCE GEORGE'S COUNTY, MARYLAND

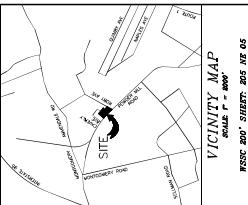
OWNER / APPLANT:
DONALD V. & FATHUNE L.
BERGQUIST

MAILING ADDRESS:
4400 POWDER MILLE ROAD
BELTSVILLE, MD 20705-2715

PREMISE ADDRESS:
4400 POWDER MILLE ROAD
BELTSVILLE, MD 20705-2715

11702 RUGBY AVE.
BELTSVILLE, MD 20705-2715

12



Conditions of Original Special Exception:

FORM 41-319
Page 2 of 3

MR. JUSTICE, M. 11 1950, ST. THE Prince George's County 5-1-51,
states that recently that special (c) (6) of Article 1, Vol. 1950, in
the "Code of the County of Prince George's, Maryland," has been
enacted, requiring that all new construction in the County be required
to have a "fire alarm system" installed in the building.

1. Pursuant to the above, the following provisions shall govern the operation of
any building, garage, or structure, in the County, in which a fire alarm system
is installed:

2. The fire alarm shall be provided in the interesting area between
the fence and the adjacent residence or flats;

3. The system shall be connected to the fire alarm system of the
property and to existing 315 foot-long alarm fence;

4. In the event of a fire, the alarm system shall sound the alarm in the
interesting area on fire;

5. In the event of a fire, the alarm system shall sound the alarm in the north of
1200 feet and 4000 p.m. to send such traffic north.

6. In order to effectuate the foregoing, it is agreed and agreed, by and between the
parties, to effectuate that the foregoing Code is being and agreed, a copy of
the same, shall be filed with the Clerk and Marshal Court, in section of Court
House, in the County of Prince George's, Maryland, and the same shall be
stuck and affixed to the door of the Clerk and Marshal Court, in the section
of Court House, in the County of Prince George's, Maryland, and the same
shall be in effect from the date of the filing of the same, in the Clerk and
Marshal Court, in the County of Prince George's, Maryland.

7. In witness whereof, the undersigned, do hereby sign this instrument, this
11th day of November, in the year of our Lord, one thousand nine hundred
and fifty.

John H. Courtney, Jr.
Executive Building Officer
John H. Courtney, Jr.
Robert D. Rose
Community Relations Officer
Robert D. Rose

HC/BS/TT/EN

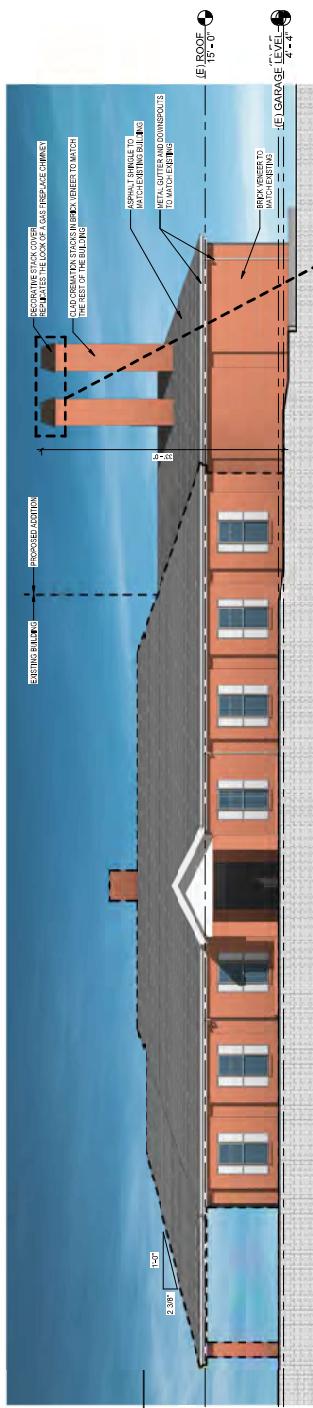
SE-4848
SPECIAL EXCEPTION SITE PLAN
APPROVAL SHEET
PART OF TAX PARCEL 42
WARDT FUNERAL HOME
DISTRICT No. #1
PRINCE GEORGES COUNTY, MARYLAND

C-APR

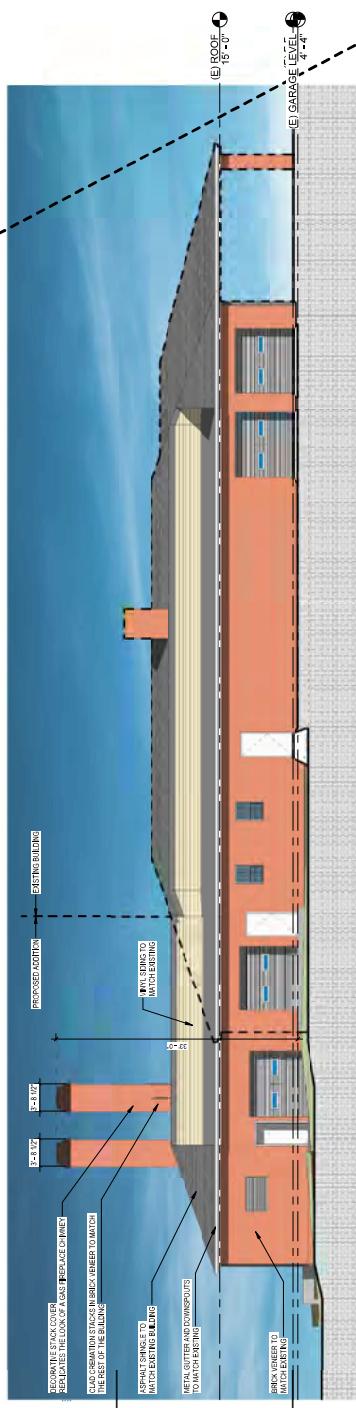
OWNER / APPLICANT:
DONALD V. & KATHARINE L.
BOKORN/ST
MAILING ADDRESS:
4410 POWDER MILLE, ROAD
BELTVILLE, MD 20770-2715

PREMISE ADDRESS:
4410 POWDER MILLE, ROAD
BELTVILLE, MD 20770-2715

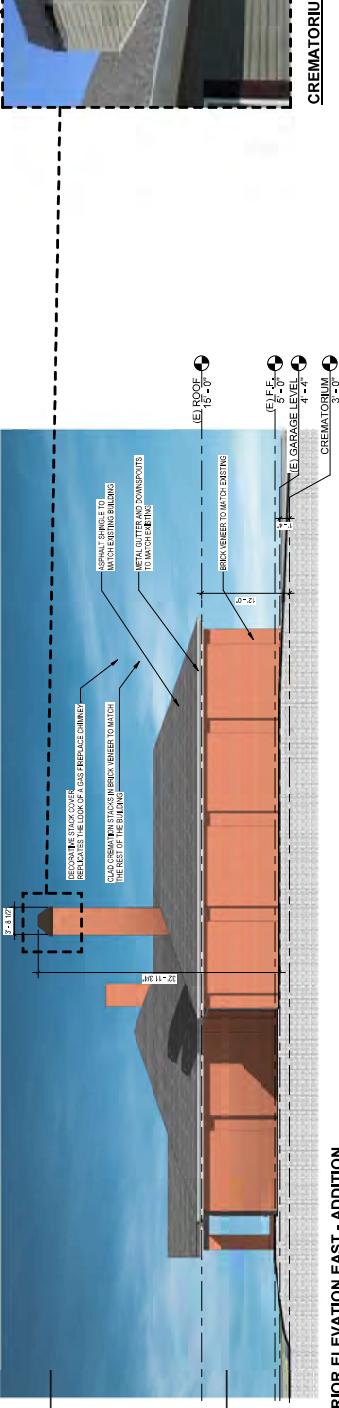
11702 RUGBY AVE.
FORT ST. VICTOR, NY 10524



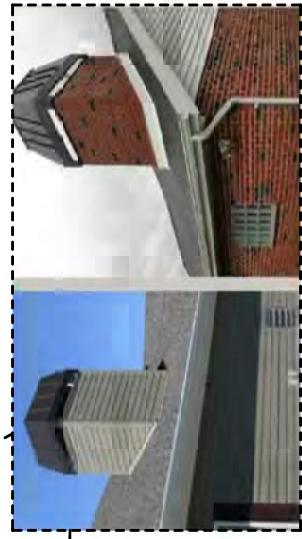
3 EXTERIOR ELEVATION SOUTH - ADDITION
P1 SCALE: 1/8" = 1'-0"



2 EXTERIOR ELEVATION NORTH - ADDITION
P1 SCALE: 1/8" = 1'-0"



1 EXTERIOR ELEVATION EAST - ADDITION
P1 SCALE: 1/8" = 1'-0"



CREMATORIUM STACK CLADDING EXAMPLES

EXTERIOR VIEW + ELEVATIONS

March 20, 2025

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use of this instrument of service is granted to some owners of some portions of rendering for project
feasibility, but shall not be shared or used by any other entity.

AREL ARCHITECTS FOR:
DONALD V. BORGWARDT
FUNERAL HOME AND CREMATORIUM



June 9, 2025

MEMORANDUM

TO: Candra Teshome, Planner III, Zoning Section

FROM: Mridula Gupta, Acting Supervisor, Subdivision Division *MG*

SUBJECT: SE-4848; Borgwardt Funeral Home

The property subject to this special exception SE-4848 is known as Part of Parcel 42, described in a deed recorded in the Prince George's County Land Records in Book 6210 page 566 dated 1985. The approximately 1.74-acre property is located in Tax Map 12, Grid F3. The property is the result of a consolidation by deed in 1979 (Book 5177 page 823), of two tracts of land. This special exception application proposes to add a crematory use on the property. The application was accepted for review on March 31, 2025. Comments were provided to the applicant during the SDRC meeting on April 18, 2025. This memo is based upon a submittal received on March 26, 2025.

The subject property lies within the Residential, Rural (RR) Zone. However, this application has been submitted for review in accordance with the prior Prince George's County Zoning Ordinance and prior Subdivision Regulations, and the property's prior Rural Residential (R-R) zoning.

There is no prior preliminary plan of subdivision (PPS) applicable to the property. The property is currently developed with a 8,101-square-foot funeral home constructed in 1985, pursuant to prior special exception approvals (Special Exception SE-3267). Per the project narrative, a 3,000 square foot office space and 1,400 square foot garage was approved on the property on November 7, 1990 (Special Exception SE-3988). However, the garage was not constructed, and a 3,101 square-foot addition was constructed after January 1, 1990.

The total development proposed for the property does not exceed 5,000 square feet of gross floor area. Per Section 24-107(c)(7) of the prior Subdivision Regulations, development of a property subdivided by deed prior to January 1, 1982 is restricted to a single-family detached dwelling, or 5,000 square feet of gross floor area. The applicant proposes a second addition of 1,664 square feet on the property. The total gross floor area (GFA) added after January 1, 1990 will be, therefore, 4,765 square feet of GFA, which is less than 5,000 square feet. Therefore, the proposed development is exempt from the requirement of filing a preliminary plan and final plat of subdivision. Any future development on the property may be subject to the requirement of filing a PPS and final plat.

Additional Comments:

1. None.

Recommended Conditions:

1. None.

This referral is provided for the purpose of determining conformance with any underlying subdivision approvals for the subject property and Subtitle 24. All bearings and distances must be clearly shown on the site plan and must be consistent with the legal description, or permits will be placed on hold until the plans are corrected.



June 6, 2025

MEMORANDUM

TO: Candra Teshome, Development Review Division

FROM: Chidera Udeh, Transportation Planning Section, Countywide Planning Division

VIA: *NS
Chidera Udeh* Noelle Smith, AICP, Transportation Planning Section, Countywide Planning Division

SUBJECT: SE-4848 Donald V Borgwardt Funeral Home

Prior Conditions of Approval

The site is subject to prior approved Special Exceptions (SE)-3988 and SE-3267. There are no conditions of approval that impact the subject application. All existing conditions are to remain.

Master Plan Compliance

This site is subject to the 2009 *Countywide Master Plan of Transportation* (MPOT) and the 2010 *Approved Subregion 1 Master Plan and Sectional Map Amendment*.

Master Plan Right of Way (ROW)

Powder Mill Road (C-112): 80-100-foot ROW

Comment: The MPOT recommends an 80-foot ROW, while the area master plan recommends an 80-100-foot ROW. The ultimate ROW is shown on the plan sheets. However, staff recommend delineation from the centerline (minimum 40 feet) be identified on all plans.

Master Plan Pedestrian and Bike Facilities

Powder Mill Road: Shared Use facility

Comment: Both the MPOT and area master plan recommended continuous sidewalk and on-road bicycle lanes. The site is currently improved with a sidewalk and a marked bicycle lane along its frontage of Powder Mill Road. Staff recommend the existing bicycle facility be shown on the site plan.

Recommendations, Policies and Goals

MPOT Complete Streets Policies (p. 10):

Policy 2: All road frontage improvements and road capital improvement projects, within the Developed and Developing Tiers, shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

Comment: The site plan includes an existing sidewalk. The existing bicycle facility is to be identified on the plan sheets. Staff recommend continental style crosswalks be provided crossing the access points. These existing and recommended facilities meet the intent of the policy.

Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO Guide for the Development of Bicycle Facilities.

Comment: A bicycle lane currently exists along the property frontage of Powder Mill Road and meets the intent of the policy.

The 2010 *Approved Subregion 1 Master Plan and Sectional Map Amendment* provides guidance for multi-modal circulation through the planning area (p. 58):

Policy 2: Provide sidewalks and neighborhood trail connections within existing communities to improve pedestrian safety, allow for safe routes to schools, and provide for increased nonmotorized connectivity between neighborhoods.

Comment: To meet the policy's intent, the site plan includes an existing sidewalk. Staff recommend including existing bicycle facility on site plan as well.

Policy 3: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 American Association of State Highway and Transportation Officials (AASHTO) Guide for the Development of Bicycle Facilities.

Comment: A bicycle lane currently exists along the property frontage of Powder Mill Road and meets the intent of the policy.

Transportation Planning Review

Zoning Ordinance Compliance

Section 27-317 of the Prince George's County Zoning Ordinance (Ordinance) details the required findings for a special exception. For the purposes of transportation review, Section 27-317 (a) (3) is copied and analyzed below:

(a) A special exception may be permitted if:

(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 Master Plan, the General Plan.

Comment: The subject application proposes an addition to the existing funeral building for crematory use. The property fronts Powder Mill Road, which is a master planned collector roadway, the plans are to be revised to delineate the ROW. The site is currently improved with existing sidewalk and a striped bicycle lane along the frontage of Powder Mill Road, meeting the intent of the master planned bicycle and pedestrian facilities. The recommended marked crosswalks at the driveway entrances are conditioned to be shown on the site plan. The site also exceeds the minimum required parking and loading. Staff find the subject application does not impair the integrity of the approved Master Plans.

Conclusion

Based on the findings presented above, staff conclude that the vehicular, pedestrian, and bicycle access and circulation for this plan are acceptable, consistent with the site design guidelines pursuant to Section 27, and meets the findings for pedestrian and bicycle transportation purposes if the following conditions are met:

1. At the time of permitting, the applicant and the applicant's heirs, successors, and/or assigns shall show these facilities as part of the site plan:

- a. Continental style crosswalks crossing the vehicular access points.

Countywide Planning Division
Environmental Planning Section

301-952-3650

April 25, 2025

MEMORANDUM

TO: Candra Teshome, Planner III, Zoning Section, DRD

VIA: Tom Burke, Supervisor, Environmental Planning Section, CWPD *TB*

FROM: Christian Meoli, Planner II, Environmental Planning Section, CWPD *CM*

SUBJECT: Borgwardt Funeral Home: SE-4848

The Environmental Planning Section (EPS) has reviewed the above-referenced special exception (SE) application, accepted on March 31, 2025. Comments were provided in a Subdivision and Development Review Committee (SDRC) meeting on April 25, 2025. The EPS finds the application in conformance with Sections 27-317(a)(3), 27-317(a)(7), 27-296(c)(1)(J), 27-296(c)(1)(K), and 24-131 and recommends approval of SE-4848 based on the findings listed at the end of this memorandum.

BACKGROUND

The EPS has reviewed this site previously with the review of the following applications:

Development Review Case	Associated TCP(s)	Authority	Status	Action Date	Resolution Number
SE-3267	N/A	Zoning Hearing Examiner	Approved	12/28/1981	N/A
SE-3988	N/A	Zoning Hearing Examiner	Approved	11/07/1990	N/A
NRI-075-2024 (Equivalency Letter)	N/A	Staff	Approved	06/10/2024	N/A
SE-4848	Exempt per S-075-2024	Planning Board	Pending	Pending	Pending

PROPOSED ACTIVITY

The current application is a SE for the development of a 1,664 square foot crematory addition to an existing funeral parlor.

APPLICABLE ENVIRONMENTAL REGULATIONS

The project is subject to the grandfathering provisions of the 2024 Woodland Conservation Ordinance (2024 WCO) and the environmental regulations contained in Subtitle 25 and prior Subtitles 24 and 27 because the site has a valid Standard Letter of Exemption.

SITE DESCRIPTION

The subject property is 1.74 acres and is located on the north side of Powder Mill Road, approximately 250 feet northwest of its intersection with Roby Avenue. The site is currently fully developed with an existing funeral parlor, associated parking, and site improvements. The current zoning for this site is Residential, Rural (RR); however, the applicant has opted to apply the zoning standards to this application that were in effect prior to April 1, 2022, for the Rural Residential (R-R) Zone. The site does not contain regulated environmental features (REF). According to the Sensitive Species Project Review Area map received from the Maryland Department of Natural Resources Natural Heritage Program and provided on PGAtlas, the site is not within a Sensitive Species Review Area. The site is not within a Stronghold Watershed or a Tier II watershed. Natural Resources Inventory Equivalency Letter, NRI-075-2024, and Woodland Conservation Standard Letter of Exemption, S-075-2024, were approved for the project area of this SE at 4400 Powder Mill Road (Part of Parcel 42) but also include two adjacent properties: 11702 Roby Avenue (Part of Parcel A) and 11704 Roby Avenue (Lot 2, Block A).

REVIEW OF PREVIOUSLY APPROVED CONDITIONS

Review of Special Exception SE-3267

The Zoning Hearing Examiner approved SE-3267 on December 28, 1981, for a funeral parlor on the subject property. The decision became final and effective on January 27, 1982. There are no approval conditions which are environmental in nature.

Review of Special Exception SE-3988

The Zoning Hearing Examiner approved SE-3988 on November 7, 1990, for an addition to the funeral parlor and other site improvements. The decision became final and effective on February 22, 1991. There are no approval conditions which are environmental in nature.

MASTER PLAN CONFORMANCE

In conformance with Section 27-317(a)(3) of the prior zoning regulations, the SE shall not substantially impair the integrity of any applicable master plans.

PLAN PRINCE GEORGE'S 2035 APPROVED GENERAL PLAN (2014)

The site is located within the Environmental Strategy Area 2 of the Regulated Environmental Protection Areas Map as designated by *Plan Prince George's 2035 Approved General Plan* (Plan 2035), and within the Established Communities of the General Plan Growth Policy of Plan 2035. This project is not within the boundaries of a transit-oriented center as identified in Plan 2035.

APPROVED SUBREGION 1 MASTER PLAN AND SECTIONAL MAP AMENDMENT (2010)

In the *Subregion 1 Master Plan and Sectional Map Amendment*, the Environmental Infrastructure Section contains goals, policies, and strategies. The text in **BOLD** is the text from the master plan, and the plain text provides comments on the plan's conformance.

Policy 1: Protect, preserve and enhance the identified green infrastructure network within the Subregion 1 plan area.

Strategies

- **Preserve or restore regulated areas designated in the plan's green infrastructure network or through the development review process during the review of land development proposals.**

The applicant proposes an addition to an existing funeral parlor development on a site that is outside of Regulated and Evaluation Areas, which preserves the area's green infrastructure network.

Policy 2: Restore and enhance water quality in areas that have been degraded and preserve water quality in areas not degraded.

Strategies

- **Address existing flooding concerns in conformance with the County Code on all new development and redevelopment.**

The site does not contain floodplain. The proposed building addition is exempt from stormwater management requirements because the limits of disturbance are less than 5,000 square feet and will not adversely affect water quality.

Policy 3: Implement the State Storm Water Management Act of 2007 in Subregion I as of the adoption of this plan to enhance water quality and control flooding in the Anacostia and Patuxent River watersheds.

The site is within the Anacostia River watershed. The proposed building addition is exempt from stormwater management requirements because the limits of disturbance are less than 5,000 square feet; however, if the Department of Permitting, Inspections, and Enforcement requires stormwater management, it will need to meet the current criteria.

Policy 4: Implement more environmentally sensitive building techniques and reduce overall energy consumption.

The use of green building techniques and energy conservation techniques should be used as appropriate and will be evaluated by the Development Review Division.

Policy 5: Reduce light pollution and intrusion, especially into the Rural Tier and environmentally sensitive areas.

Minimization of light pollution should be encouraged; however, the site is not within the Rural Tier and is not adjacent to environmentally sensitive areas.

Policy 6: Reduce air pollution by placing a high priority on transportation demand management (TDM) projects and programs.

Any proposed TDM will be evaluated by the Transportation Planning Section.

Policy 7: Reduce adverse noise impacts to meet State of Maryland noise standards.

Noise standards will be evaluated by the Development Review Division.

CONFORMANCE WITH THE GREEN INFRASTRUCTURE PLAN

The 2017 *Countywide Green Infrastructure Plan* (GI Plan) was approved with the adoption of the Resource Conservation Plan: A Countywide Functional Master Plan (CR-11-2017) on March 7, 2017. According to the GI Plan, the site is not within the Green Infrastructure Network as no Regulated or Evaluation Areas exist on-site; therefore, the proposed development is in conformance with the GI Plan.

ENVIRONMENTAL REVIEW

Natural Resources Inventory

Section 27-296(c)(1)(J) requires an approved natural resource inventory (NRI) plan with SE applications. An NRI Equivalency Letter (NRI-075-2024) was provided with this application and demonstrates that no REF are located on the subject site at 4400 Powder Mill Road. The NRI also includes two adjacent properties: 11702 Roby Avenue (Part of Parcel A) and 11704 Roby Avenue (Lot 2, Block A). No additional information is required regarding the NRI.

Woodland Conservation

The properties (4400 Powder Mill Road, 11702 Roby Avenue, 11704 Roby Avenue) received a letter of exemption from the 2010 WCO (S-075-2024) on June 10, 2024, which would expire on June 10, 2026. However, the site is subject to grandfathering provisions of 2024 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (2024 WCO) which extended the validity of exemptions that were valid as of June 30, 2024. Pursuant to those grandfathering provisions, S-075-2024 will remain valid until June 30, 2026, on which date the exemption shall expire. Any grading permits for this SE must be issued prior to the expiration of S-075-2024 because the site does not qualify for a new standard letter of exemption from the 2024 WCO because the site is greater than 40,000 square feet in size. No additional information is required with regard to woodland conservation.

Specimen Trees

Section 25-122(b)(1)(G) requires that "Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree's condition and the species' ability to survive construction as provided in the Technical Manual."

However, this project is exempt from Division 2 of Subtitle 25, which includes being exempt from the variances criteria of 25-119(d) and the conservation priorities outlined in 25-122(b)(G).

Regulated Environmental Features (REF)

Section 27-317(a)(7) of the Zoning Ordinance states that the Planning Board may approve a SE if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement Section 24-130(b)(5) of the Subdivision Ordinance. The site does not contain REF.

Stormwater Management

In accordance with Section 27-317(a)(5) and (7), an approved Concept Plan (#41723-2024-SDC) was submitted with the application and shows that this project is exempt from stormwater management requirements because less than 5,000 square feet will be disturbed. This stormwater concept was approved on February 18, 2025, and expires on February 18, 2028.

Soils

In accordance with Section 24-131, this application was reviewed for unsafe land restrictions. This application will use the prior Subdivision Regulations, and Section 24-131(a) states "The Planning Board shall restrict or prohibit the subdivision of land found to be unsafe for development. The restriction or prohibition may be due to natural conditions, such as, but not confined to, flooding, erosive stream action, high water table, unstable soils, or severe slopes, or to man-made conditions on the property, such as, but not confined to, unstable fills or slopes."

According to the U.S. Department of Agriculture (USDA) Natural Resource Conservation Service Web Soil Survey, soils present include Sassafras-Urban land complex. According to available mapping information, unsafe soils containing Marlboro clay or Christiana complexes do not occur on this site. There are no geotechnical concerns with this application.

Erosion and Sediment Control

Development shall comply with the requirements for sedimentation and erosion control in accordance with Subtitle 32, Division 2, Grading, Drainage and Erosion and Sedimentation Control, of the Prince George's County Code. The County requires the approval of an Erosion and Sediment Control Plan.

SUMMARY OF RECOMMENDED FINDINGS AND CONDITIONS

The EPS has completed the review of SE-4848, and recommends approval, subject to the following findings.

Recommended Findings

1. The site does not contain regulated environmental features (REF).
2. The site is exempt from Subtitle 25 and is not subject to the specimen tree conservation requirements contained in Section 25-122(b)(1)(G).



Countywide Planning Division
Historic Preservation Section

301-952-3680

April 21, 2025

MEMORANDUM

TO: Evan King, Zoning Section, Development Review Division

VIA: Jennifer Stabler, Acting Planning Supervisor, Historic Preservation Section, Countywide Planning Division **TWG**

FROM: Tyler Smith, Historic Preservation Section, Countywide Planning Division **TAS**
Amelia Chisholm, Historic Preservation Section, Countywide Planning Division **AGC**

SUBJECT: **SE-4848 Donald V. Borgwardt Funeral Home**

The subject property comprises 1.74 acres and is located on the north side of Powder Mill Road, approximately 150 feet southeast of its intersection with Caverly Avenue, in Beltsville. The subject property was zoned Rural Residential (R-R), per the prior Zoning Ordinance, and is located within the *2010 Approved Subregion 1 Master Plan*. The applicant proposes the addition of 1,664 square feet to the existing funeral home, for use as a crematory and the associated reconfiguration of the parking lot.

The *2010 Approved Subregion 1 Master Plan* contains goals and policies related to historic preservation (pp. 101-104). However, these are not specific to the subject site or applicable to the proposed development. The subject property was included in the 1980 preliminary archeological assessment of the Inter-County Connector alignment. No archeological sites were identified, and no further work was recommended. There are no Prince George's County Historic Sites or resources on or adjacent to the subject property.

Historic Preservation staff recommends the approval of SE-4848, Donald V. Borgwardt Funeral Home, with no conditions.



June 4, 2025

MEMORANDUM

TO: Candra Teshome, Planner III, Zoning Section, Development Review Division

VIA: N. Andrew Bishop, Planner IV, Long-Range Planning Section, Community Planning Division *NAB*

VIA: Frederick Stachura, JD, Supervisor, Neighborhood Revitalization Section, Community Planning Division *FS*

FROM: John Parks, Planner II, Neighborhood Revitalization Section, Community Planning Division *JHP*

SUBJECT: SE-4848 Borgwardt Funeral Home

FINDINGS

The Community Planning Division finds that, pursuant to Section 27-317(a)(3) of the prior Zoning Ordinance, the application for Special Exception to construct an onsite crematorium and expand the existing building footprint by 1,664 square-feet **will not substantially impair the integrity of the 2010 Approved Subregion 1 Master Plan** (master plan).

The Community Planning Division finds that, pursuant to Section 27-317(a)(4) of the prior Zoning Ordinance, the application for Special Exception to construct an onsite crematorium and expand the existing building footprint by 1,664 square feet **will not adversely affect the health, safety, or welfare of residents or workers in the area;**

The Community Planning Division finds that the application for Special Exception to construct an onsite crematorium and expand the existing building footprint by 1,664 square feet conforms to the additional requirements for specific Special Exceptions, pursuant to 27-357.

BACKGROUND

Application Type: Special Exception

Planning Area: 61

Community: Fairland-Beltsville & Vicinity

Applicable Zoning Ordinance: Prior Zoning Ordinance

Location: 4400 Powder Mill Road, Beltsville, Maryland 20705, approximately 250-feet northwest of the intersection of Powder Mill Road and Roby Avenue and 0.4 miles from the intersection of Powder Mill Road and Ammendale Road.

Size: 1.74 acres

Existing Uses: Funeral Parlor, undertaking establishment

Future Land Use: Low Density Residential

Proposal: Requesting approval of a Special Exception application using the prior Zoning Ordinance to construct an onsite crematorium and expand the existing building footprint by 1,664 square-feet. Additionally, to construct chimneys as a component of the onsite crematorium.

Zoning: Residential, Rural (RR)

Prior Zoning: Rural Residential (R-R)

GENERAL PLAN, MASTER PLAN, AND SMA

General Plan: The 2014 *Plan Prince Georges 2035 Approved General Plan* (Plan 2035) places the application in the Established Communities. Plan 2035 states that, "Established communities are most appropriate for context-sensitive infill and low-to-medium density development. Plan 2035 recommends maintaining and enhancing existing public services (police and fire/EMA), public facilities (such as libraries, schools, parks, and open space), and infrastructure in these areas (such as sidewalks) to ensure that the needs of existing residents are met." (p. 20)

Analysis: Community Planning staff find the proposed application for Special Exception demonstrates a context-sensitive development, improvements to needed infrastructure, and the expansion or intensification of a critical public service to meet the needs of community residents.

Master Plan: The subject property is located within the boundaries of the 2010 *Approved Subregion 1 Master Plan* (master plan). The master plan envisions that Subregion 1 "...is an integral community consisting of many healthy and historical residential neighborhoods, a regenerated and reinvented "main street" US 1 Corridor, upgraded commercial and industrial areas, and a vibrant "downtown" at the Konterra Town Center. The Subregion 1 community offers open spaces, trails, quality school, and other facilities, as well as multiple transportation modes and public safety," (p. 1).

The master plan recommends a **Low-Density Residential** land use on the subject property (Map 12, Approved Future Land Use for Subregion 1, p. 160).

The master plan does not provide a definition for Low Density Residential land uses. The 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) describes Low Density Residential land uses as "Residential areas up to 3.5 dwelling units per acre. Primarily single-family detached dwellings." (Table 14, Generalized Future Land Use Categories, p.100).

The proposed onsite crematorium and expansion of mortuary services conforms to the master plan recommended future land use because a Funeral parlor or undertaking establishment is an allowed use under the Rural Residential (R-R) base zone, subject to the approval of a Special Exception, pursuant to Section 27-441, Uses Permitted. On October 1, 1981 - **SE-3267** was recommended for approval for the Funeral Home and its associated parking. This prior Special

Exception provides additional support for conformance to the master plan recommended future land use.

Economic Development

"Policy 1: Maintain and enhance the flex and industrial base of the master plan area to provide a stable job base, while improving compatibility with surrounding land uses.

Strategies

- Emphasize improved performance standards for minimizing noise and air pollution impacts, particularly for industrial users near residential areas." (p.78)

Analysis: The applicant has provided substantial technical and model-specific information regarding the crematorium. The applicant has provided a list of other Funeral Homes utilizing the specific crematorium product; Matthews' Environmental Solutions Cremation Equipment. Many of the examples on the list are in similar residential contexts to the proposed application and demonstrates that the addition of the crematorium to the subject property will be sensitive to environmental considerations with regards to energy consumption, but also to the health and safety of the surrounding neighborhoods as the crematorium is being used.

The master plan places the property in the Beltsville living area. There are specific goals, policies, and strategies applicable to the Beltsville living area, and the subject property.

Beltsville Living Area

"Policy: Repair and Maintain Roads

Strategies

- Install streetscape improvements to include paved, pedestrian paths and safety features, lighting where needed, trees/landscaping, and curbs along Powder Mill Road from Gunpowder Road to US 1, Montgomery Road, Sellman Road, and US 1." (p. 114)

Analysis: The applicant has committed to providing pedestrian improvements on site and at the curb cuts at the driveway entrances to the subject property from Powder Mill Road. These pedestrian improvements include two crosswalks; the first located to the southeast portion of the subject property along powder mill road, and the second located north along Powder Mill Road. As there are two curb cuts leading into the subject property, these crosswalks will be critical to ensuring the safety of pedestrians along Powder Mill Road.

Aviation/MIOZ: This application is not located within an Aviation Policy Area or the Military Installation Overlay Zone.

SMA/Zoning: The *Approve 2010 Subregion 1 Sectional Map Amendment* retained the property in the Rural Residential (R-R) Zone. On November 29, 2021, the District Council approved CR-136-2021, the Countywide Map Amendment (CMA) which reclassified the subject property from the R-R (Rural Residential) to RR (Residential, Rural) Zone effective April 1, 2022.

Cc: Long-Range Agenda Notebook



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland, 20870

PGCPB 81-219

File No. S.E. 3267

Prince George's County Special Exception Application No. S.E. 3267

Applicant: Donald V. and Katherine Borgwardt, Owners
Lawrence N. Taub, Correspondent

Location: The subject property is located on the north side of Powder
Mill Road, approximately 115 feet east of its intersection with
Caverly Avenue and 120 feet west of its intersection with Roby
Avenue.

Request: A Funeral Parlor in the R-R Zone, in accordance with Section
27-522 of the Zoning Ordinance.

R E S O L U T I O N

WHEREAS, the applicant is requesting permission to operate a funeral
parlor in the R-R Zone in accordance with Section 27-522 of the Zoning
Ordinance; and

WHEREAS, the Prince George's County Planning Board has reviewed the
Technical Staff Report's recommendation for DENIAL; and

WHEREAS, the Prince George's County Planning Board heard testimony
from the staff, at its regular meeting held on October 1, 1981; and

WHEREAS, after consideration of the staff report and testimony, the
Prince George's County Planning Board disagreed with the recommendation for
DENIAL, based on the following DETERMINATIONS:

1. WHEREAS, the use would not depreciate the value of neighboring
properties; and
2. WHEREAS, the use would not create undue traffic congestion; and
3. WHEREAS, the proposed use will not affect adversely the health
and safety of residents or workers in the area and will not be
detrimental to the use and/or development of adjacent properties
or the general neighborhood; and
4. WHEREAS, the proposed use, with the conditions recommended, is in
harmony with the purpose and intent of Section 27-522, and will
not substantially impair the integrity of the September 1968
Adopted and Approved Master Plan for Fairland-Beltsville and
Vicinity.



beautiful, historic... and progressive

PGCPB 81-219
File No. S.E. 3267

S.E. 3267 7-E- EXH. # 32

PGCPB 81-219
File No. S.E. 3267
Page 2

NOW, THEREFORE, BE IT RESOLVED, that the Prince George's County Planning Board recommends that Special Exception Application No. 3267 be APPROVED for the operation of a funeral parlor in the R-R Zone, with the further recommendation that the following conditions be imposed:

1. That planting be placed in areas where existing vegetation is being removed; the plant type and quantity to be provided prior to building permit approval;
2. That some planting be provided in the intervening area between the fence and the adjacent residential lot lines;
3. That a variance to Section 27-522(b) be obtained for that portion of the property with an existing six foot-high opaque fence.
4. That all lining up while forming a procession be limited to the parking area on site.
5. That weekday funeral processions be limited between the hours of 10:00 a.m. and 4:00 p.m. to avoid peak traffic hours.

★ * * * *
This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Brown, seconded by Commissioner Shoch, with Commissioners Brown, Shoch, Cumberland, Churchill and Dukes, voting in favor of the motion, at its regular meeting held on Thursday, October 1, 1981 in Upper Marlboro, Maryland.

Thomas H. Countee, Jr.
Executive Director

Robert D. Reed
BY: Robert D. Reed
Community Relations Officer

THC/RDR/FT:fvh

REVIEWED AS TO SUFFICIENCY
OF LEGAL FORMS

Date 10/1/81 10/5/81
L.S. B.R. M.

[Handwritten signatures and initials over the bottom of the box]

Ass't City Clerk, General Counsel

PGCPB 81-219
File No. S.E. 3267

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

PGCPB No. 91-1

Files No. DDS-397 & AC-90159

Prince George's County Departure from Design Standards Application No. 397 and
Alternative Compliance Application No. 90159
Applicant: Donald V. and Katherine F. Borgwardt, Owners
Location: Lawrence N. Taub, Correspondent
The subject property is located on the north side of Powder
Mill Road, approximately 120 feet west of Roby Avenue
Request: a) Departure from loading space access setback requirement
(Section 27-579) in accordance with Section 27-239.1 of the
Zoning Ordinance;
b) Alternative Compliance in accordance with Section 1.3 of the
Landscape Manual

R E S O L U T I O N

WHEREAS, the applicant is requesting a departure to allow a loading
space access driveway to be 20 feet from adjoining residential property,
rather than the required 50 feet; and

WHEREAS, the applicant also requests alternative compliance from Section
4.7 of the Landscape Manual. The applicant proposes bufferyards that are
narrower than required and planting within those bufferyards almost twice that
required; and

WHEREAS, the advertisement of the public hearing was posted on the
property in accordance with the adopted Rules of Procedure of the Prince
George's County Planning Board; and

WHEREAS, the Technical Staff Report released December 31, 1990, recom-
mends approval of DDS-397 with conditions and approval of Alternative Compli-
ance No. 90159 with conditions; and

WHEREAS, the Technical Staff revised its recommendation at the public
hearing on January 10, 1991; and

WHEREAS, after consideration of the Technical Staff Report and testimony
at its regular meeting on January 10, 1991 the Prince George's County Planning
Board agreed with the revised staff recommendation; and

WHEREAS, the Prince George's County Planning Board decision is based on
the findings and conclusions found in the Technical Staff Report (Exhibit
No. 13) and the following DETERMINATIONS:

1. The requested departure satisfies the requirements of Sections
27-239.1(b)(9)(A)(i) through (iv) as follows:

- a. The purposes of requiring the setback will be equally served by this departure, and so will other purposes. Additional landscaping, offered by the applicant, will not only screen the driveway, but will better screen the entire site from adjoining residences;
- b. Given the 50-foot setback requirement and the 20-foot actual setback, a departure of 30 feet is the minimum necessary;
- c. The departure is necessary to alleviate circumstances unique to the site. The loading space access, only 20 feet from the adjoining residential uses, has existed since the early 1980s, and new construction on-site does not decrease this 20-foot access setback; and
- d. The departure will improve the visual and environmental quality of the site. Additional planting, as recommended by staff through Special Exception Application No. 3988, will help visually and audibly screen the entire site; and

2. Since this application is generated by Special Exception Application No. 3988, it is necessary to condition this approval so that development will be in accordance with the special exception site plan. Furthermore, approval of Alternative Compliance Application No. 90159 changes the Landscape Plan, so a condition requiring amendments in accordance with Alternative Compliance is also needed.

NOW, THEREFORE, BE IT RESOLVED, that Departure from Design Standards Application No. 397 is hereby APPROVED, subject to the following conditions:

1. The landscape plan shall be revised in accordance with the approved alternative compliance landscape plan under Alternative Compliance Application No. 90159; and
2. Development of the site shall be in accordance with the approved site plan for Special Exception No. 3988. The approval of DDS-397 does not constitute approval of a site plan.

BE IT FURTHER RESOLVED, that the Prince George's County Planning Board also APPROVES Alternative Compliance Application No. 90159, subject to the following conditions:

1. Provide one shade tree on the north side of the proposed garage adjacent to parking spaces and one ornamental tree on the south side of garage in island by compact parking spaces;

PGCPB No. 91-1
Files No. DDS-397 & AC-90159
Page 3

2. Provide eight junipers (*Juniperus Spp.*) between the existing Hemlock Hedge on the western edge of the property and the southern corner of the parking space near the 40" Maple at the western driveway;
3. Provide one shade tree in the northeast corner of the parking lot adjacent to the 28 compact parking spaces; and
4. The landscape plan shall be revised to show all existing vegetation (to remain) and all proposed landscaping on the property.

BE IT FURTHER RESOLVED, that this decision is based on the following DETERMINATION:

1. The proposed landscape plan, with conditions, provides equal compliance to the Landscape Manual. While bufferyards are narrower than required, twice as many plant units are shown than are required in addition to existing woodlands and a sight-tight fence. This dense landscaping will screen the property effectively.

* * * * *
This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Yewell, seconded by Commissioner Botts, with Commissioners Yewell, Botts, Dabney and Wootten voting in favor of the motion, and with Commissioner Rhoads temporarily absent, at its regular meeting held on Thursday, January 10, 1991, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 17th day of January 1991.

John F. Downs, Jr.
Executive Director

Frances J. Guertin
By Frances J. Guertin
Planning Board Administrator

JFD:FJG:JD:meg

APPROVED AS TO LEGAL SUFFICIENCY

J. Shulstad
M-NCPCC Legal Department
Date 1/14/90

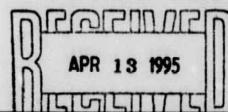
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

Date: March 30, 1995

Prince George's County Planning Department
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
Rec'd APR - 3 1995 Log No. _____
Distribution _____

TO: Fern V. Piret, Planning Director
FROM: Steve Fisher, Alternative Compliance Committee
PROJECT NAME: Borgwardt Funeral Home
PROJECT NUMBER: SE-3988 (Revision) AC-95015

M-NCPPC
P.G. PLANNING DEPARTMENT



ALTERNATIVE COMPLIANCE COMMITTEE REVIEW

DEVELOPMENT REVIEW DIVISION

ZONING SECTION

Recommendation: Approval Approval, with conditions Denial

Justification: SEE ATTACHED

Stephen B. Fisher 4/3/95
Reviewer's Signature Date

PLANNING DIRECTOR'S REVIEW

Final Decision Approval Denial
 Recommendation Approval *with conditions* Denial
 To Planning Board
 To District Council
 To Zoning Hearing Examiner

Fern Piret
Planning Director's Signature

#-12-85 (4/12/95)
Date

APPEAL OF PLANNING DIRECTOR'S DECISION

Appeal Filed:
Planning Board Hearing Date:
Planning Board Decision: Approval Denial
Resolution Number:

ACCR.FRM

1. Section 4.2, Commercial and Industrial Landscaped Strip, Southern Property Line

A. Landscaped Strip Required

Landscaped Strip: 10 feet wide by 75 feet long.

Plant Materials: 2 shade trees and 11 shrubs.

B. Landscaped Strip Proposed

Landscaped Strip: 10 feet wide by 75 feet long.

Plant Materials: 0 p.u.

C. Explanation and Justification

There is an existing, approved landscaping plan for this property (SE-3267, AC-90159, AC-90159/01). All of the required landscaping is shown on that plan. The applicant now contends that this property is so heavily landscaped with well-maintained materials that additional landscaping would be an unnecessary burden. The plant schedule incorrectly shows 1 shade tree, 1 evergreen and 6 shrubs in this landscaped strip.

D. Recommendation

The Committee recommends APPROVAL, with conditions, of Alternative Compliance for Section 4.2 along the southern property line. The Committee agrees that the property is heavily landscaped making full compliance with the Landscape Manual unnecessary. However, this stretch will be too barren with no plant units at all. The Committee feels that the two shade trees should be provided in order to alleviate this effect. Accordingly, approval should be conditioned upon providing the two required shade trees and correction of the plant schedule.

2. Section 4.3, Parking Lot Landscaped Strip, Southern Property Line

A. Landscaped Strip Required

Landscaped Strip: 10 feet wide by 182 feet long.

Plant Materials: 5 shade trees and 52 shrubs.

B. Landscaped Strip Proposed

Landscaped Strip: 10 feet wide by 182 feet long

Plant Materials: 19 shrubs

C. Explanation and Justification

There is an existing, approved landscaping plan for this property (SE-3267, AC-90159, AC-90159/01). That plan shows 6 shade trees and 52 shrubs. (It appears that 5.2 required shade trees was rounded upward instead of downward, resulting in 6 required shade trees instead of 5 trees.) The new plant schedule shows 13 shrubs provided when there are actually 19. The applicant now contends that this property is so heavily landscaped with well-maintained materials that additional landscaping would be an unnecessary burden.

D. Recommendation

The Committee recommends APPROVAL, with conditions, of Alternative Compliance for Section 4.3 along the southern property line. The Committee agrees that the property is heavily landscaped making full compliance with the Landscape Manual unnecessary. However, this stretch is too barren with only the 19 existing shrubs. The Committee feels that the five required shade trees should be provided in order to alleviate this effect. Accordingly, approval should be conditioned upon providing the five required shade trees and correction of the plant schedule.

3. Section 4.3, Parking Lot Requirements, Interior Planting

A. Interior Planting Required

Interior Planting: 5% of the total area of lot to include 7 shade trees.

B. Interior Planting Proposed

Interior Planting: 5.4%, including 6 shade trees.

C. Explanation and Justification

There is an existing, approved landscaping plan for this property (SE-3267, AC-90159, AC-90159/01). That plan indicates that seven trees are provided. However, the site plan shows only six. The subject plan

shows seven shade trees in the parking lot. However, one is to be removed for the proposed garage. Also, Condition 1 of AC-90159/01 requires an ornamental tree on the south side of the garage. This tree is not present in the subject application. Condition 3 of AC-90159/01 requires a shade tree in the northeast corner of the parking lot. This tree is not shown. In any event, the property contains a large number of mature trees and one less in the parking lot should not have an adverse effect.

D. Recommendation

The Committee recommends APPROVAL of Alternative Compliance for Section 4.3, interior planting requirements conditioned upon correction of the Interior Planting Schedule to show the number of shade trees actually provided. Further, the existing Flowering Pear and the Hemlocks within the proposed garage must be shown as "to be removed".

4. Section 4.7 Buffering Incompatible Uses, Western Property Line

A. Buffer Required

Building Setback: 40 feet
Landscaped Yard: 30 feet
Plant Materials: 57 p.u. (includes credit for fence and existing woodland).

B. Buffer Proposed

Building Setback: 30 feet
Landscaped Yard: 17.5 feet (average)
Plant Materials: 90 p.u.

C. Explanation and Justification

There is an existing, approved landscaping plan for this property (SE-3267, AC-90159, AC-90159/01). AC-90159/01 requires the addition of eight Junipers between the existing Hemlock hedge on the western edge of the property and the southern corner of the parking space near the 40" Maple at the western driveway. These have not been provided. Currently, there appears to be no unusual screening requirements in this area. The plant schedule incorrectly identifies 20 evergreens (100 p.u.) in this bufferyard instead of 18 evergreens (90 p.u.).

D. Recommendation

The Committee recommends APPROVAL of Alternative Compliance for Section 4.7 along the western property line conditioned upon correction of the plant schedule.

5. Section 4.7, Buffering Incompatible Uses, Northern Property Line

A. Buffer Required

Building Setback: 40 feet
Landscaped Yard: 30 feet
Plant Materials: 136 p.u. (includes credit for fence and existing woodland).

B. Buffer Proposed

Building Setback: 30 feet
Landscaped Yard: 21 feet (average)
Plant Materials: 205 p.u.

C. Explanation and Justification

There is an existing approved landscaping plan for this property (SE-3267, AC-90159, AC-90159/01). That plan requires 295 plant units in this bufferyard which would consist of an double row of evergreens. One row now exists and the applicant wishes to delete the second row. It is evident that there is insufficient room to supply the second row in the western one-half of this bufferyard. Also, this screening is less necessary in the western one-half of the bufferyard because a garage is the closest part of the adjoining residence. However, in the eastern one-half of the bufferyard, the habitable part of a residence is very close to the property line and a window overlooks the parking lot. Further, there is sufficient space to plant the second row of evergreens in the eastern one-half of the bufferyard. The plant schedule incorrectly identifies 36 evergreens. There are actually 35 in this bufferyard.

D. Recommendation

The Committee recommends APPROVAL of Alternative Compliance for Section 4.7 along the northern property line conditioned upon provision of a double row of evergreens within the eastern one-half of the bufferyard. This is to consist of 16 Canadian Hemlocks as shown on the site plan for AC-90159. (Note: This deletes two Hemlocks in the

eastern bufferyard as previously required in AC-90159.) In addition, the plant schedule error must be corrected.

6. Section 4.7, Buffering Incompatible Uses, Eastern Property Line

A. Buffer Required

Building Setback: 30 feet
Landscaped Yard: 20 feet
Plant Materials: 52 p.u. (includes credit for fence and existing woodland).

B. Buffer Proposed

Building Setback: 30 feet
Landscaped Yard: 20 feet (parking lot intrudes into landscaped yard for 67 of 256 linear feet).
Plant Materials: 116 p.u.

C. Explanation and Justification

There is an existing, approved landscaping plan for this property (SE-3267, AC-90159, AC-90159/01). That plan shows 120 plant units. This application reduces the plant units to 116 and proposes a somewhat different distribution. This small difference does not justify revocation of the previously approved Alternative Compliance for this bufferyard. The plant schedule incorrectly adds 100 and 16 to a sum of 120 plant units.

D. Recommendation

The Committee recommends APPROVAL of Alternative Compliance for Section 4.7 along the eastern property line conditioned upon correction of the plant schedule to show the proper number of plant units provided.

7. Other

Approval of this application should be conditioned upon compliance with Condition 4 of AC-90159/01:

"The landscape plan shall be revised to show all existing vegetation (to remain) and all proposed landscaping on the property."

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

Date: 1-8-91

RECEIVED
FEB 26 1991

Office of Zoning Examiner
Prince George's City, Md.

To: Fern Piret, Planning Director
From:
Subject: Project Name Borgwardt Funeral Home Addition
Project No. DDS 397/SE 3988 AC - 90159-01

Alternative Compliance Committee Review

Recommendation: Approval, with revised conditions
 Denial

Justification: After a second field inspection based on additional information, it is apparent that the original conditions were No. 2 and 4 were unreasonable. A row of junipers exists in the area discussed under original condition No. 4. Hemlocks required under condition No. 2 will not do well near the large existing tree; junipers are more appropriate. With the new conditions, the landscape plan provides equal compliance.

Reviewer's Initials

1-3-91
Date

Planning Director's Review

Final Decision: Approval
 Denial

Recommendation: Approval w/ revised conditions
 Denial

To Planning Board
 To District Council
 To Zoning Hearing Examiner

Fern Piret
Planning Director's Signature

1-9-91
Date

Appeal of Planning Director's Decision

Appeal Filed:

Planning Board Hearing Date:

Planning Board Decision: Approval

Denial

Resolution No:

Revised Conditions for AC-90159

1. Provide one shade tree on the north side of the proposed garage adjacent to parking spaces and one ornamental tree on the south side of garage in island by compact parking spaces;
2. Provide eight junipers (Juniperus Spp.) between the existing Hemlock Hedge on the western edge of the property and the southern corner of the parking space near the 40" Maple at the western driveway.
3. Provide one shade tree in the northeast corner of the parking lot adjacent to the 28 compact parking spaces;
4. The landscape plan shall be revised to show all existing vegetation (to remain) and all proposed landscaping on the property.