

**15755 Livingston Road
Parcel 247 –Tax Map 151-F4
Prince George’s County, MD**

Zoning: R-R
Exist. Land Use: Residential - Single Family
Area: 13.12 ac.
Exist. Structure Area: 1,240 sf
WSSC Grid: 220SE01
Liber: 3776 Folio: 160
Master Plan: 2013 Subregion 5 Master Plan
Planning Area: 84

Council District: 9
Development Review District: Accokeek
Election District: 5 – Piscataway
Utilities:
Electric: SMECO
Gas: Washington Gas
Water Category: 3
Sewer Category: 3

USES IN THE R-R ZONE

The following permitted land uses were extracted from a larger list of uses permitted in the R-R zone found in the County’s Zoning Ordinance. (We have added definitions where they were available.) These uses each seemed to be appropriate for one or more of the eight elements listed for the Ambedkar International Center (AIC) on the organization’s website.

PERMITTED

Boardinghouse: A "Dwelling Unit" in which (for compensation) lodging and meals are furnished by the inhabitants to four (4) or more, but not exceeding nine (9), guests. The "Dwelling Unit" shall contain not more than five (5) "Guest Rooms." A Boardinghouse shall not be considered a "Bed-and-Breakfast Inn."
Club or Lodge, Private: An establishment providing facilities for entertainment or recreation for only bona fide members and guests, and not operated for profit, excluding adult entertainment.
Rooming House: A "Dwelling" in which (for compensation) lodging (excluding meals) is furnished by the inhabitants to four (4) or more, but not over nine (9), guests. The "Dwelling" shall contain not over five (5) "Guest Rooms." A Rooming House shall not be considered a "Bed-and-Breakfast Inn."
Quasi-Public Library: Description not found
Museum, Art Gallery, Cultural Center, or Similar: Description not found

PERMITTED WITH A SPECIAL EXCEPTION

Community Building: A "Building" which is primarily available to the public for cultural, educational, recreational, or civic purposes, and not operated for profit.
Tourist Home: A "Building" containing not over nine (9) "Guest Rooms" where (for compensation) lodging or meals are provided for transient guests. For purposes of this Subtitle, a "Tourist Home" is not a "Home Occupation," "Bed-and-Breakfast Inn," "Hotel," or "Fraternity or Sorority House." [Note: This is basically a larger boardinghouse with up to 9 guest rooms.]

TEMPORARY PERMIT (17 day max.)

Carnival, Fair or Similar

DEVELOPMENT PROCESS – Initial Phase

We have looked at the elements you have suggested for an initial phase of development and the relatively short time you have to accomplish it. With this in mind, I have had discussions with staff members in the Subdivision Section and in Environmental Planning. A key element that emerged is that the total proposed use cannot exceed 5,000 square feet of gross floor area (GFA), or a traffic study would be required, and possibly other adequate public facility (APF) tests, creating longer preparation and review times.

There are two areas that could extend the development review time even more; the extent of proposed physical development and the need for a subdivision plat.

Development Impact

Beside the 5,000 sf limit on gross floor area, the potential to impact environmentally sensitive areas can also impact the length of the development review process. The approval for the current Natural Resource Inventory (NRI) has expired. However, if the proposed development can be kept away from the environmentally sensitive areas, including specimen trees, we can request an NRI Equivalency Letter. This basically says that since the environmentally sensitive areas were previously identified and the proposed design is significantly away from those areas, the staff has OK'd the limited impact shown on the plans. If the design cannot keep development far enough away from these areas, the NRI will need to be updated. This would include a new wetland delineation and possibly a forest stand delineation update as well. This would add the time needed for field studies; preparation of drawings & reports; and submittal & review of the drawings & reports.

Subdivision

If the amount of proposed gross floor Area (GFA) remains below 5,000 sf, a record plat is not required. [Unless needed for a special exception or rezoning]

If needed, the platting of a single lot might be done as a “minor subdivision” which would probably avoid a Planning Board Hearing that would add 3-5 months to the review process. This, however, would still require the preparation of a Preliminary Plan submittal, which would also require an Adequate Public Facilities test by MNCPPC. [Or possibly, a note might be added to the plat that an APF test was not done, and place restrictions on the site limiting development to 5,000 sf GFA.]

The Preliminary Plan application would require...

- 1) Updating the Natural Resource Inventory (NRI)
 - A. Updating wetland delineation
 - B. Updating Forest Stand Delineation
- 2) A Stormwater Management Concept Plan
- 3) Possibly a traffic study (even if under 5,000 sf GFA)
- 4) A Tree Conservation Plan – Type 1 (includes grading & layout of development)
- 5) Preliminary Plan (layout of lots, easements & r/w's)

If a recorded lot is not required, we should be able to proceed with plans for permitting without going through even a minor subdivision process. The initial phase should avoid anything that requires a recorded lot (or plat) and thus the subdivision process. Also, all design element should be kept significantly away from all environmentally sensitive areas identified in the current NRI. The land uses chosen for this phase should be limited to those uses permitted by right, and any use requiring a special exception or rezoning should be avoided, because their processing times will not fit in your schedule.

LAND USE SELECTION

Reviewing the list of permitted land uses extracted from the Zoning Ordinance, it appeared that the most promising single use was “cultural center,” listed with “museums” and “art galleries.” This was a broad category, and coupled with “accessory uses,” seemed that it might cover most of the items listed in the online description of the proposed Ambedkar International Center. Unfortunately this was one of the few permitted land uses that had no description. No land use listed fit as a category for the “Open Auditorium or Theater,” but it might be allowed as an “accessory.”

None of the permitted land uses allowed for more guest rooms than the nine allowed by a “tourist home,” which requires a special exception. The “Scholars’ Residential Place,” therefore, is most likely not possible without rezoning. In order to get a more definitive description of what would be permitted, we submitted a request to the Zoning Information Section, hoping to get an official opinion from the zoning information staff, so that we know which uses are permitted by right and which ones might require a special exception or rezoning. We were hoping that most, if not all, of what they are proposing could be permitted as a “cultural center” with accessory uses.

. We submitted the following description (taken mostly from the AIC website).

Proposed Ambedkar International Center

INITIAL PHASE

Center of Knowledge *a.k.a.* Memorial Center

A building that would host the life memories of Dr. Ambedkar and details of all the social revolutionist who have given their lives for the upliftment of the downtrodden. This would consist of an upgrade of the existing house with an addition or an additional building (not to exceed a total GFA of 5,000 sf) which would provide additional space to also allow for a meeting area adequate for 50 occupants and, possibly, some additional rooms to provide overnight sleeping accommodations for guests.

Statue of Equality – Bodhisattva Dr. B. R. Ambedkar

There is a need to have a unique “*Statue of Equality*” as this provides the unique opportunity to be the first to take that name rights and make it a famous name in the western world.

Open Auditorium or Theater

An outdoor area that can hold up to 2500 people for cultural events. Alternatively this might consist of a smaller amphitheater coupled with a “temporary permit” for a “fair” or similar use.

FUTURE DEVELOPMENT

The following facilities would be added over time in multiple phases.

Nalanda Library

A world-class library with a digital presence to open up centralized learning centers and help researchers to carry out social, cultural, and economic development of marginalized sections of the society.

School of Ambedkar thoughts

A center for social change initiatives, Ambedkar thoughts school, meetings, literature publication, conferences, celebrations, and the propagation of Ambedkar's philosophy.

Center for Human Liberation

To connect with underprivileged sections of the Indian society, fight for their rights, and bring to international focus the plight and human rights violations on the deprived people of India. Center to coordinate with all social and economic development organizations of India.

School of Buddhism *a.k.a.* Dharma Center

Bodhisattva Dr. Ambedkar's philosophy has roots in Buddhism and so it is essential to build the center to spread Dharma to build compassion among every element of mankind.

Scholars' Residential place

To run various activities across multiple disciplines, a well-equipped residential place to accommodate 200 people with all required amenities.

Following some emailed comments from staff, in an attempt to get a more complete response, the above list was colored coded based on our understanding of those comments, with unclear area also highlighted. From that we received a marked up response from staff to the highlighted questions. (See Appendix 'A') We took a lack of comments on those items listed as "permitted" and "not permitted" as agreement.

CONCLUSION

In summary, it appears that the "Scholars' Residential Place" will not be permitted without rezoning. The "Open Auditorium or Theatre" might be permitted, but would depend on the occupancy load which would have to be addressed by the Department of Permitting, Inspections, and Enforcement (DPIE) at the time of review. All other uses should be permitted. The evaluation of "occupancy load," is likely to include a traffic study. If so, this will lengthened the review process and may trigger other ADF tests.

RECOMENDATION

We recommend that you proceed with the initial phase of development as described above, with the exception of the "Open Auditorium or Theatre." Explore the use of a "temporary permit" for large outdoor gatherings for this use. Use the existing house with additions and/or additional buildings, as needed, to meet your program requirements, but keeping under 5,000 sf of gross floor area. (The existing building will be required to be made handicap accessible.) Keep all development as far as possible from any protected environmental feature shown on the approved NRI, including specimen trees.

Though not necessary, we recommend that prior to starting design for the Initial Phase, an Overall Concept Plan, which includes future development phases, be prepared to provide some framework for the layout of elements in the initial phase. This plan should include an approximation of the spatial requirements for each element; the preferred proximity of the elements to one another; their proximity to connecting elements (like entrance and circulation); and their location relative to uses on adjacent properties and features within the site. Every element added to the site in this initial phase of development has the potential to be a step toward the most desirable design for the future. But it also has the potential for being an impediment to achieving that end.

Initial Phase Concept Development

Based on a more detailed program of initial development (provided by you) and the Overall Concept Plan (if prepared), schematic plans for the building(s) and the site layout will need to be prepared. With your approval

of the schematic site and building plans, the schematic site layout will be used to prepare a Site Development Concept Plan to be submitted to DPIE. This plan shows the approximate layout & coverage by pavements and buildings, and is submitted for concept approval of the storm drainage, stormwater management, and conceptual sediment control. Other plans can be started, but the approval of this Site Development Concept Plan is essential for just about everything else to be submitted.

Final Design Plans

Other plans, which are final design plans, include...

- Final Architectural Plans (Incl. M&E and HVAC)
- Final Site & Fine Grading Plan
- Landscape Plan (& Lighting Plan – if the site is to be used at night)
- Tree Conservation Plan TCP2
- Final Sediment & Erosion Control Plan
- Final Stormwater Management, Storm Drain and Paving Plan & Computations
- On-site Water & Sewer Plans
- Street Tree & Lighting Plan
- Other possible requirements
 - Proposed Construction Cost Estimate
 - Sight Distance Analysis
 - Maintenance of Traffic Plan

Consultants

The following is a list of consultants which will be needed for the initial phase of development.

- Architect (may include structural, mechanical & electrical engineers: HVAC and plumbing)
- Landscape Architect
- Civil Engineer
- Geotechnical Engineer
- Surveyor
- Environmental Consultant
- Permit Processor or Expediter

15755 Livingston Road

APPENDIX 'A'

Proposed Ambedkar International Center

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PERMITTED

QUESTION/NOT SURE

PERMITTED WITH A SPECIAL EXCEPTION

NOT PERMITTED

Good morning:

As previously stated, your proposed use of a Cultural Center is permitted in the R-R zone. The overnight stay of guests must meet either the definition of a rooming house or boarding house. If it cannot meet the definition than it is not permitted. See my response to your pending questions below:

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Open Auditorium or Theater

An outdoor area that can hold up to 2500 people for cultural events. Alternatively this might consist of a smaller amphitheater coupled with a "temporary permit" for a "fair" or similar use. **Any comment on this?** Occupancy loads are addressed by the County (The Department of Permitting Inspections and Enforcement) at the time of review. Temporary permits are also addressed and reviewed by the County.

Thank you,

Hilary Covington

Planning Information Services Senior Planning Technician | Development Review Division

 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Prince George's County Planning Department

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