

Case No. SP-04046

Applicant: Metropolitan Baptist Church

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

ORDER AFFIRMING PLANNING BOARD DECISION

IT IS HEREBY ORDERED, after review of the administrative record, that the decision of the Planning Board in PGCPB No. 05-49, to approve with conditions a detailed site plan, SP-04046, for the construction of a new 4,150-seat church on property described as approximately 34.955 acres of land in the C-O Zone, in the southeast corner of the intersection of I-95 and Central Avenue (MD 214), Largo, is hereby:

AFFIRMED, for the reasons stated by the Planning Board, whose decision is hereby adopted as the findings of fact and conclusions of law of the District Council in this case.

Affirmance of the Planning Board's decision is subject to the following conditions:

1. Prior to certification, the plan shall be revised as follows or the specified information shall be provided:
 - a. A loading schedule shall be shown on the plan specifying the number of loading spaces required and provided.
 - b. The zoning and use of all adjoining properties shall be shown.
 - c. Documentation shall be provided for calculation of front, side, and rear setbacks, including labeling of those yards and graphic depiction of the setbacks provided for each yard.
 - d. Provide information on the zoning and use of the property immediately to the west and provide the required bufferyard if determined to be necessary.
 - e. Alternative Compliance from Section 4.3.c. of the Landscape Manual shall be obtained if necessary for interior parking lot shade trees, with final approval to be granted by the Planning Director as designee of the Planning Board.

- f. A 35-foot-wide public use trail easement shall be shown and labeled on top of the existing WSSC access easement from the end of Prince Place to the adjacent M-NCPPC parkland.
- 2. Prior to issuance of any building permits, the applicant shall submit for review and approval a vacation petition for part of Capital Court and a new final plat of subdivision.
- 3. Prior to approval of a new final plat, the following elements shall be added to the plat:
 - a. A note shall be added requiring, prior to issuance of the first building permit, payment by the applicants, their heirs, successors, and/or assignees of a financial contribution of \$210 to the Department of Public Works and Transportation for placement of appropriate signage designating Harry S Truman Drive a Class III bikeway.
 - b. A 35-foot-wide public use trail easement shall be shown and labeled on top of the existing WSSC access easement from the end of Prince Place to the adjacent M-NCPPC parkland.
- 4. Prior to certificate approval of the detailed site plan, revise all sheets of the Forest Stand Delineation plan and the text as follows:
 - a. Include stand summary sheets in the text and identify priority ratings for retention areas.
 - b. Revise the table in the FSD text from “Significant Tree Summary Tables” to “Specimen Tree Table” and identify specimen trees only (30+ inches DBH or 75 percent of county Champion).
 - c. Label all 12 forest stands and boundaries on the plan sheet.
 - d. Remove stream buffers, wetland buffers, and “combined wetland and stream buffer” from the plan as previously requested and label all streams and wetlands correctly.
 - e. Revise the FSD plan and text to update and correct the source of the 100-year floodplain shown.
 - f. Limit steep slopes shown on the plan to those on highly erodible soils and reflect this limitation in the legend label.
 - g. Note all revisions in a revision block.
 - h. Add a north arrow to the plan.
 - i. Revise the FSD text and plans as necessary to be consistent.

- j. Have the revised plans and text signed and dated by the qualified professional who prepared them.
5. Prior to certificate approval of the detailed site plan, all of the applicable sheets of the TCPII shall be revised as follows:
- a. All woodland conservation shall have a minimum width of 35 feet and a minimum area of 2,500 square feet.
 - b. Woodland preservation areas with less than the minimum width may be combined with adjacent afforestation/reforestation areas to meet the minimum width requirement, and the entire area should be credited as afforestation.
 - c. Woodland conservation areas (WCA) shown on the plan shall be specifically identified by the method of woodland conservation proposed on the plan and in the legend.
 - d. Quantities associated with specific methodologies for woodland conservation shall be removed from the legend and labels shall be added to each conservation area with the method and acreage provided.
 - e. Provide a complete and corrected legend on all sheets.
 - f. Provide a note regarding the presence or absence of rare, threatened or endangered species on the site.
 - g. Delineate the Patuxent River Primary Management Area fully to incorporate a 50-foot-wide stream buffer around all identified streams.
 - h. Label appropriately all wetlands and streams.
 - i. Remove the element “combined wetland and stream buffer” from the plan and legend.
 - j. Identify all “Waters of the U.S.” as streams on the plan and in the legend.
 - k. Add all applicable standard TCPII notes and edge management notes.
 - l. Provide complete planting schedules, notes, details, management plan, etc., necessary to implement afforestation/reforestation.
 - m. Correct the TCP Worksheet if necessary to reflect all required revisions.
 - n. Reevaluate the plan for the appropriate use of permanent tree protection devices to protect afforestation/reforestation and other sensitive environmental features.
 - o. Reevaluate the plan for the appropriate use of root pruning and trenching related to the preservation of existing trees and woodlands.

- p. Address all other pertinent requirements listed in the "Type II Tree Conservation Plan Preparation and Review Checklist."
 - q. Add a north arrow to all plan sheets.
 - r. Have the plan signed and dated by the qualified professional, landscape architect or forester who prepared it.
6. Prior to certificate approval of the detailed site plan, the TCPII shall be revised to eliminate impacts to the PMA to the fullest extent possible as follows:
- a. Delete the proposed sports/recreational facilities.
 - b. Eliminate the impacts to the PMA for the construction of the parking area shown on Sheet 3 of 6 through the relocation of facilities, the construction of retaining walls, or other design or construction techniques.
 - c. Have the revised plans signed and dated by the qualified professional who prepared them.
7. Prior to certificate approval of the detailed site plan and TCPII, the applicant shall provide a report from a certified arborist or licensed forester regarding the current condition of the tree in question. Based on this information, the professional hired by the applicant shall provide consultation to the applicant regarding the retention of the subject trees. Revised plans should be submitted for review by the Urban Design Section in consultation with the Environmental Planning Section to evaluate the revised proposal for retention of significant and specimen trees in the parking lot. If the retention of individual trees is determined to be infeasible, they shall be labeled for removal and the parking lot shall be redesigned to provide for larger parking lot islands for the planting of landscape trees that will survive long-term. The islands shall be evenly distributed throughout the parking lot areas. If any of the trees are to remain, the TCPII shall be revised to provide detailed notes regarding the special treatments to be provided to the existing trees to remain in the parking lot areas, including but not limited to, provision of larger root zone spaces, root pruning, preconstruction pruning, installation of permanent fencing during the clearing operations, watering during draught, periodic inspections by a certified arborist, post-care treatments, and long-term maintenance programs.
8. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

9. Prior to the issuance of the final building permit, the applicant shall submit to the Planning Department and DPW&T a traffic signal warrant study. If the study indicates the necessity, the applicant shall install a traffic signal, with all necessary associated road improvements, at the intersection of Prince Place and Harry S Truman Drive. The applicant shall also meet all other access requirements, as authorized by the County Code and imposed by DPW&T.
10. The applicant shall obtain from the Planning Board approval of a limited Detailed Site Plan for signage.

Ordered this 9th day of May, 2005, by the following vote:

In Favor: Council Members Dean, Campos, Dernoga, Exum, Harrington, Hendershot, Knotts and Peters

Opposed:

Abstained:

Absent: Council Member Bland

Vote: 8-0

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S COUNTY,
MARYLAND

By: _____
Samuel H. Dean, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council