

RESOLUTION

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on June 1, 2006, regarding Detailed Site Plan DSP-05101 for Trinity Community Church of Bowie, the Planning Board finds:

1. **Request:** DSP-05101 is an application to construct a new church and associated parking.
2. **Development Data Summary**

	EXISTING	PROPOSED
Zone(s)	R-R	R-R
Use(s)	Vacant	Church
Acreage	7.50	7.50
Lots	1	1
Parcels	0	0
Square Footage/GFA	0	15,325
Dwelling Units:	N/A	N/A

Parking Spaces:

Required:

Church: 1 space/4 seats (523 seats/4) =	132 spaces
Of which are HC spaces	5 spaces

Provided:

HC	5 spaces	132 spaces
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Loading Spaces:

Required and Provided:	1 space
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3. **Location:** The property is located on the south side of Old Stage Road between the two intersections with Pleasant View Drive and is adjacent to the City of Bowie.
4. **Surroundings and Uses:** The property is bounded to the north by Old Stage Road. Across Old Stage Road is the Bowie Montessori private school and single-family detached residences. The property is surrounded by single-family detached dwellings on the east, south and west sides of the property.

5. **Previous Approvals:** The property is the subject of Preliminary Plan 4-04037, approved by the Planning Board on July 22, 2004. The resolution of approval, PGCPB Resolution 04-178, was adopted on September 9, 2004. It is also the subject of record plat NLP 211 @35.
6. **Design Features:** The plan proposes a single entrance to the church site from Old Stage Road, directly across from an existing entrance serving the Bowie Montessori private school. Existing trees are proposed to be saved along the frontage of Old Stage Road. The entrance drive curves and on either side are stormwater management facilities. The building will be a prominent focal point as vehicles enter the property. The building is modern in style, with the Phase One portion of the building to be built with this application and a future addition for Phase Two also shown on the plan. The parking lot has an abundance of green area within it. An athletic field is proposed at the rear of the property.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application is in general conformance with the requirements of the Zoning Ordinance for a church in the R-R Zone.
8. **Landscape Manual:** The detailed site plan is subject to the requirements of Sections 4.2, 4.3, and 4.7 of the *Landscape Manual* and is generally in conformance with the applicable requirements.
9. **Woodland Conservation Ordinance:** The site is subject to the Woodland Conservation Ordinance because it has a previously approved Type I Tree Conservation Plan, TCPI/19/04.

The subject 7.67-acre site contains 5.57 acres of existing woodland and has a woodland conservation threshold (WCT) of 1.38 acres, or 20 percent. The site's woodland conservation requirement is 2.35 acres. This requirement is proposed to be met with 1.03 acres of on-site preservation and 1.05 acres of off-site mitigation.

The WCT on the current plan is not shown as being met on-site based on the proposed woodland treatments in the worksheet. It appears the WCT could be met on-site with adjustments for afforestation areas similar to several proposed woodland treatments on the approved TCPI. The worksheet on the current plan shows a shortage of 0.27 acres because, although 1.30 acres of off-site mitigation is proposed, the quantity of the several forest preservation treatment areas totals 1.03 acres instead of 1.30 acres. Provide a separate woodland treatment table with each proposed treatment area identified by number and include the acreage for each area in a separate column. Revise the worksheet accordingly so there is no shortage. If afforestation is proposed, required details about this woodland treatment must be shown on the revised plan including soil conditions of the afforestation areas, hydrology, site preparation, planting stock, planting methods (including planting distribution detail), quantity required based on area, and the afforestation planting management plan and narrative.

If afforestation is shown on the revised TCPII to count toward the site's requirement, the conservation easements must be shown in an amended final plat because the initial final plat is believed to have been recorded in 2005. The approved afforestation areas should be placed in conservation easements on an amended final plat prior to the issuance of a grading permit. In addition, to protect the afforestation areas after planting so that they may mature into perpetual woodlands, the afforestation must be completed before the issuance of the building permit for the church.

The current plan has been reviewed for and is in general conformance with the approved TCPI; however, the location of the limits of disturbance (LOD) on the current TCPII represents a slight deviation from the approved TCPI. For example, the DSP shows a proposed athletic field at the southwest portion of the site that is shown on the TCPI as a future afforestation woodland treatment area. The TCPII does not label this area as identified on the DSP and the former plan should show the intended use of this area as on the DSP. Because of this adjustment for the use of this area, the LOD has been slightly adjusted at this location. In addition, the proposed grading shown on the current TCPII represents a reduction from 4.02 acres on the approved TCPI to 3.89 acres.

Several details required on a TCPII have not been addressed. The plan must be revised to identify proposed easements with a description of the easement and its width. For example, the DSP shows two proposed stormwater management outfalls at two proposed ponds; however, these proposed infrastructure improvements are not shown on the TCPII. Show in the legend and on the plan a distinguishable, corresponding symbol for the stream and its 50-foot stream buffer, the wetlands and its 25-foot required buffer. Three specimen trees have been identified at the site in a specimen tree table; however, the disposition of these trees at post development is not identified in a separate column in the table. In addition, include in the table information or any comments and/or special preservation treatments recommended if any of these trees would remain post development.

Several aspects regarding woodland conservation information must be further addressed. There are three proposed wooded areas to remain at the site that are not identified for the proposed woodland treatments at post development. These three areas must be labeled with the proposed woodland treatment (i.e., woodland preserved not counted, or woodland saved but considered cleared, etc.). Two of these areas are at both ends of the proposed 0.69-acre woodland preservation treatment located at the southeast portion of the site. The third unidentified woodland area is located along the northwest property line in relation to the Parcel 93. The current plan's worksheet shows 1.05 acres of proposed off-site mitigation on another property toward meeting the site's woodland conservation requirement. However, the standard TCPII notes do not include Note 5 with the required language regarding the processing of a separate TCPII for the off-site mitigation. Add standard Note 5 to the TCPII notes. If afforestation is shown on the revised plan, the four required notes from the woodland conservation area management notes must be included on the plan. These notes are found under the subheadings (two notes under each subheading) "Protection of Reforestation and Afforestation Areas by Developers or Builders" and "Protection of Reforestation and Afforestation Areas by Individual Homeowners."

10. **Preliminary Plan of Subdivision:** The detailed site plan as submitted is in conformance with the

approved preliminary plan. The property is subject to the conditions contained in the resolution of approval, PGCPB Resolution No. 04-178. That resolution contains 12 conditions; the following apply to the review of the DSP:

2. **On the Type II Tree Conservation Plan, all afforestation areas shall be physically defined with a two-rail split fence. A separate symbol shall be provided in the legend for the fence.**

Comment: The approved TCPI showed the site's woodland conservation requirement to be partially met with afforestation as a woodland treatment. The current TCPII does not show this type of woodland treatment proposed toward meeting the site's requirement. However, the current TCPII worksheet has a shortage and afforestation may have to be used to meet the site's requirement. The current plan has the two-rail split fence detail on it; however, there is no symbol in the legend for this feature and no afforestation as a woodland treatment is shown. If this type of woodland treatment is once again shown toward meeting the site's requirement in the worksheet, then the plan will have to be revised to show a corresponding symbol in the legend and on the plan where the two-rail split fence will be located in relation to afforestation treatment areas.

3. **Development of this subdivision shall be in conformance with an approved Type I Tree Conservation Plan (TCPI/19/04). The following note shall be placed on the final plat of subdivision:**

“Development is subject to the restrictions shown on the approved Type I Tree Conservation Plan (TCPI/19/04), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specified areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy.”

Comment: TCPI/19/04 has been signed and the current TCPII has been reviewed. Revisions are needed to the TCPII in order to comply with the requirements of the Woodland Conservation Ordinance.

4. **A Type II Tree Conservation Plan shall be approved in conjunction with the detailed site plan.**

Comment: A Type II Tree Conservation Plan, TCPII/36/05, is submitted as companion to the detailed site plan.

6. **Prior to the issuance of any permits that impact wetlands, wetland buffers, streams or Waters of the U.S., copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans shall**

Comment: This condition shall be addressed prior to the issuance of a rough grading permit because a stream and wetlands are located at the only vehicular access to the site. Proposed impacts to these

regulated features for necessary infrastructure improvements were approved during the Planning Board's review of the preliminary plan.

The TCPII has been reviewed in relation to the approved impacts to the Patuxent River Primary Management Areas (PMA) in Preliminary Plan 4-04037. Four impacts were approved for the necessary infrastructure improvements (i.e., installation of a driveway entrance impacting the 100-year floodplain and nontidal wetlands, impacts to the 50-foot stream buffer for two proposed water quality ponds and impacts to severe slopes at the driveway entrance). The DSP shows a proposed stormwater management outfall from proposed pond #2 at the PMA. This pond is located in the northeast portion of the site. The current TCPII does not clearly show the proposed limits of disturbance (LOD) consistent with the approved PMA impact at this location. The plan should be revised so the LOD symbol can be clearly seen on the plan and so it is consistent with the approved PMA impact at this location. The other three PMA impacts in relation to the proposed LOD are shown correctly on the current plan.

Recommended Condition: Prior to certificate approval of DSP-05101, the TCPII shall be revised as follows:

Clearly show the proposed limits of disturbance (LOD) consistent with the approved PMA impact at proposed pond #2.

- 7. The applicant, his heirs, successors and/or assignees shall construct a wide asphalt shoulder (seven to ten feet) along the subject property's frontage to safely accommodate neighborhood pedestrian and bicycle traffic, to be constructed under a permit from DPW&T, per the concurrence of DPW&T.**

Comment: Existing Old Stage Road includes curb, gutter, and a standard sidewalk along both sides where road frontage improvements have been made (see attached aerial). The trails planner recommended improvements consistent with this in a March 23, 2004, memo completed at the time of preliminary plan. However, the resolution for the preliminary plan includes conditions of approval requiring wide shoulders and bikeway signage (conditions 7 and 8). However, due to the existing improvements along the road to the east and west of the subject site, an open section roadway along the subject site's frontage is inappropriate. In keeping with existing improvements in the vicinity of the subject site along Old Stage Road, staff recommends the provision of a standard sidewalk along the subject site's road frontage. Staff also recommends a standard sidewalk along the entrance road from the sidewalk along Old Stage Road to the proposed church building to accommodate pedestrians walking to the church from surrounding residential communities. The following conditions of approval are recommended by the trails coordinator for this plan:

- a. Provide a standard sidewalk along the subject site's entire frontage of Old Stage Road unless modified by DPW&T.

- b. Provide a standard sidewalk along one side of the entrance road from Old Stage Road to the proposed church building.
- 10. **Prior to signature approval of the preliminary plan, the applicant shall determine the extent of the land that should be the subject of a Phase I archeological investigation with the concurrence of the Development Review Division (DRD). The applicant shall complete and submit a Phase I investigation (including research into the property history and archeological literature) for those lands determined to be subject. Prior to approval of detailed site plan, the applicant shall submit Phase II and Phase III investigations as determined by DRD staff as needed. The plan shall provide for the avoidance and preservation of the resources in place or shall provide for mitigating the adverse effect upon these resources. All investigations must be conducted by a qualified archeologist and must follow *The Standards and Guidelines for Archeological Investigations in Maryland* (Schaffer and Cole: 1994) and must be presented in a report following the same guidelines.**

Comment: A Phase I archeological survey was completed for the subject property. Four copies of a final report, **A Phase I Intensive Archaeological Survey of the Trinity Community Church of Bowie Tract, Bowie, Prince George's County, Maryland Subdivision #4-04037**, were submitted on August 31, 2005. No further archeological work is required by the Planning Department.

Section 106 review may require archeological survey for state or federal agencies, however. Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties, to include archeological sites. This review is required when federal monies, federal properties, or **federal permits** are required for a project.

- 11. **Total development within the subject property shall be limited to 17,200 square feet of church facilities with a 333-seat sanctuary, or equivalent development that generates no more than 10 AM, 11 PM, and 215 Sunday peak-hour vehicle trips. Any development that generates more trips than identified herein shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

Comment: The Transportation Planning Section has determined that the proposal is within the trip cap established by the preliminary plan of subdivision.

- 12. **A limited detailed site plan for building setbacks, parking lot layout and design, landscaping, lighting, and building architecture shall be submitted, reviewed and approved prior to the issuance of permits for the property. The site plan shall also consider the following:**
 - a. **The site shall be cleared in such a manner as to provide an opportunity for any wildlife that may exist on the property to exit the property to existing wooded and undeveloped areas in the vicinity of the subject site.**

- b. Fencing, similar to silt fencing, shall be installed across the entire frontage of the subject property to prohibit wildlife from crossing the road.**

Comment: Two general notes should be put on the TCPII with the language in Conditions 12.a and 12.b to address these conditions. The intent of Condition 12.a is for grading activity to progress from east to west (within reason) so that wildlife could migrate away from the site to other areas and not necessarily toward Old Stage Road. Condition 12.b is to discourage wildlife from migrating from the site in the direction of Old Stage Road with the fencing to be the physical barrier/deterrent at the road.

Recommended Condition: Prior to certificate approval of DSP-05101, the TCPII shall be revised as follows:

Provide two general notes on the plan that read as follows:

- a. The site shall be cleared in such a manner as to provide an opportunity for any wildlife that may exist on the property to exit the property to existing wooded and undeveloped areas in the vicinity of the subject site.
- b. Fencing similar to silt fencing shall be installed across the entire frontage of the subject property to prohibit wildlife from crossing the road.

REFERRAL COMMENTS

11. In correspondence dated April 14, 2006 (Masog to Lareuse), the Transportation Planning Section found that the access and circulation are acceptable.
12. The Department of Environmental Resources stated that the site plan for the Trinity Community Church of Bowie is consistent with approved Stormwater Concept 35682-2003. The DER case number assigned to the concept plan is #35682-2003-00. The approval letter was issued on March 24, 2005, and is valid until March 24, 2008. One of the conditions of approval states: "A 20-25 foot landscape buffer is required for both ponds." The TCPII does not show these required buffer areas in relation to the ponds; however, the DSP shows several areas of proposed 30-foot landscape buffer areas in relation to the ponds. All of the stormwater management information relating to the two proposed ponds must be identified similarly on the TCPII, including labeling the location of the two ponds.

Recommended Condition: Prior to certificate approval of DSP-05101, the TCPII shall be revised as follows:

Label all the proposed stormwater management features as shown on the DSP, including the location of landscape buffers and the two ponds.

13. The Permit Review Section identified several deficiencies on the plan that have either been corrected in the course of the review or are addressed in the proposed conditions below.
14. At the time the staff report was written, no response had been received from the Department of Public Works and Transportation regarding the subject application.
15. The Environmental Planning Section in a memorandum dated May 16, 2006, made the following comments:

The Environmental Planning Section has reviewed Detailed Site Plan DSP-05101 and the Type II Tree Conservation Plan, TCPII/36/05, for the above referenced property, stamped as received on April 12, 2006. The Environmental Planning Section recommends approval of DSP-05101 and TCPII/36/05, subject to conditions.

The Environmental Planning Section previously reviewed plans associated with this site in Preliminary Plan of Subdivision 4-04037. The Planning Board's conditions of approval in Preliminary Plan 4-04037 are found in PGCPB Resolution No. 04-178. A Type I Tree Conservation Plan (TCPI/19/04) was included in the Board's approval of the preliminary plan. The proposal in Preliminary Plan 4-04037 was for the creation of one lot from two parcels.

The site is located on the south side of Old Stage Road and approximately 350 feet northwest of the eastern segment of Pleasant View Drive. The property is zoned R-R and contains 7.67 acres. Based on 2000 air photos the site is 72 percent wooded. The site has three regulated environmental features associated with it including a stream, areas of 100-year floodplain, and wetlands. There are also areas of severe slopes (slopes 25 percent in grade or steeper). According to information from the Prince George's County Soil Survey, five soils types occur on this site and these include Collington fine sandy loam, Monmouth fine sandy loam, Mixed alluvial land, Westphalia fine sandy loam. The Collington soils have development limitations including 15 to 40 percent slopes and a moderate erodibility (K-factor). The Westphalia and Monmouth soils have erodibility K-factors of 0.43. Based on available information, Marlboro clays are not found at this site. Information from Maryland Department of Natural Resources Wildlife and Heritage Program staff indicates there are no rare, threatened or endangered species in the vicinity of the property. The site has an unnamed tributary across it that drains into the Collington Branch watershed of the Patuxent River basin. There are no significant noise generators or designated scenic or historic roads in the vicinity of the site. According to the 2005 *Countywide Green Infrastructure Plan* there are no network features from the plan associated with the site. The property is in the Bowie and vicinity planning area and the Developing Tier of the adopted General Plan.

16. The plans were sent to the City of Bowie; in a letter dated May 16, 2006, Mayor Robinson to Chairman Parker, the following was received:

"Please be advised that the City Council has reviewed Limited Detailed Site Plan #DSP-05101, and recommends APPROVAL, with the condition that the applicant submit another Limited Detail Site Plan for Phase II of the project, which should again address building setbacks, parking lot layout and

design, landscaping, lighting, and building architecture.”

17. As required by Section 27-285(b), the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George’s County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type II Tree Conservation Plan (TCPII/36/05) and further APPROVED Detailed Site Plan DSP-05101 for the above-described land, subject to the following conditions:

1. Prior to certification, the plan shall be revised as follows or the specified information shall be provided:
 - a. Provide a standard sidewalk along the subject site’s entire frontage of Old Stage Road, unless modified by DPW&T.
 - b. Provide a standard sidewalk along one side of the entrance road from Old Stage Road to the proposed church building.
2. Prior to the issuance of any permits that impact wetlands, wetland buffers, streams or waters of the U.S., copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans shall be submitted to the M-NCPPC Planning Department.
3. Prior to the issuance of a building permit for Phase Two of the building, a revision to the detailed site plan, to be approved by the Planning Board or its designee, shall be submitted for the purpose of reviewing the architecture for compatibility with Phase One.
4. Prior to certificate approval of DSP-05101, the TCPII shall be revised as follows:
 - a. Clearly show the proposed limits of disturbance (LOD) consistent with the approved PMA impact at proposed pond #2.
 - b. Provide two general notes on the plan that read as follows:
 - (1) The site shall be cleared in such a manner as to provide an opportunity for any wildlife that may exist on the property to exit the property to existing wooded and undeveloped areas in the vicinity of the subject site.
 - (2) Fencing similar to silt fencing shall be installed across the entire frontage of the subject property to prohibit wildlife from crossing the road.

- c. Provide a separate table for woodland conservation treatment areas that identifies each area by number and include a column with the acreage for each area to the closest 1/100th of an acre. Revise the worksheet accordingly so there is no shortage.
 - d. If afforestation is proposed to meet the site's requirement, provide the required details and information about the afforestation including soil conditions of the afforestation areas, hydrology, site preparation, planting stock, planting methods (including planting distribution detail), quantity required based on area, and the afforestation planting management plan and narrative.
 - e. Label the proposed athletic field as it is shown on the DSP.
 - f. Show the proposed locations for the two stormwater management outfalls and label the easements associated with these if applicable.
 - g. Provide in the legend and on the plan a distinguishable, corresponding symbol for the stream and its 50-foot stream buffer and the wetlands and its 25-foot required buffer.
 - h. Provide additional information in the specimen tree table for the proposed disposition of these trees at post development and any comments and/or special preservation treatments recommended if these trees would remain.
 - i. Label the three woodland areas to remain for the proposed treatment (i.e., woodland preserved not counted, or woodland saved but considered cleared, etc.).
 - j. Add standard Note 5 to the TCPII notes regarding off-site mitigation requirements.
 - k. If afforestation is shown on the revised plan, the four required notes from the woodland conservation area management notes must be included on the plan. These notes are regarding "Protection of Reforestation and Afforestation Areas by Developers or Builders" and "Protection of Reforestation and Afforestation Areas by Individual Homeowners."
 - l. After all these revisions have been made, have the qualified professional who prepared the plan sign and date it.
 - m. Prior to certificate approval of DSP-05101, the TCPII shall be revised as follows:

Label all the proposed stormwater management features as shown on the DSP, including the location of landscape buffers and the two ponds.
5. Prior to the issuance of the grading permit, any afforestation areas on-site shall be placed in conservation easements on an amended final plat.

6. All afforestation and associated fencing shall be installed prior to the issuance of the building permit for the church. A certification prepared by a qualified professional may be used to provide verification that the afforestation has been completed. It must include, at a minimum, photos of the afforestation areas and the associated fencing, with labels on the photos identifying the location and a plan showing the locations where the photos were taken.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

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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 Clark, seconded by Commissioner Eley, with Commissioners Clark, Eley, Squire, Vaughns and Parker voting in favor of the motion at its regular meeting held on Thursday, June 1, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 15th day of June 2006.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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