

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with approval of Specific Design Plans pursuant to Part 8, Division 4 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on July 20, 2000, regarding Specific Design Plan SDP-0005 for Evangel Church, Outlot 1, the Planning Board finds:

1. Location: The subject property is located approximately 1,700 linear feet southwest of the intersection of Central Avenue and Church Road. The site is bounded to the north by the Evangel Temple Church, Lot 1, zoned R-A; and to the east, west, and south by undeveloped Evangel Temple Church property, zoned R-L.
2. The Proposed Development: The purpose of this Specific Design Plan is for the approval of an auxiliary parking lot of 178 spaces for the Evangel Temple Church on the designated residue development portion of approved CDP-9705, for the purpose of providing additional on-site parking to support an increasing church congregation. The plan includes site, landscape, and tree conservation plans. The proposed parking lot will be accessible from Lot 1 of the church property only.
3. Background: On November 24, 1997, the District Council approved Zoning Map Amendment Application No. A-9839-C for Cameron Grove, with 40 conditions (Zoning Ordinance No. 36-1997). This Zoning Map Amendment revised the previously approved Basic Plan to allow a Mixed Retirement Development on the western portion of the property (156 $\frac{1}{2}$ acres). The remaining 149 $\frac{1}{2}$ acres, east of the Black Branch in which the proposed parking lot will be located, are in the R-L Zone and are the subject of this application. The Specific Design Plan, when modified by the conditions described below, will be in conformance with the approved Basic Plan, A-9839-C, and applicable standards of the *Landscape Manual*. Specific conditions which warrant discussion regarding conformance of the Specific Design Plan with the Basic Plan are considered below:

2. **■A minimum 100-foot-wide nondisturbance tree buffer shall be maintained along the boundary shared with the Kettering Subdivision except where stormwater management facilities or utility crossings exist.●**

Comment: This condition does not apply to this area.

3. **■At each access point off of Church Road and Central Avenue, the amended Basic Plan will provide entrance buffers 100 feet wide on each side of the access road and 100 feet deep along the access road.●**

Comment: This condition does not apply.

7. **Prior to the issuance of any building permits for the balance of the property which is not developed as a Mixed Retirement Development (i.e. the 150+A. portion fronting on Church Road), the applicant shall bond to construct access improvements at the site access on Church Road to provide for separate right and left turn lanes on the eastbound approach.**

Comment: Although the subject Specific Design Plan revision to provide an accessory parking lot for the adjacent church, Evangel Temple, is located on Outlot 1 and within the portion of property designated for residue development, staff has interpreted that the current proposal does not trigger the dedication of the additional right-of-way frontage along Church Road for the following reasons. The dedication of the additional frontage is for the specific purpose of providing adequate infrastructure for the traffic generated by the future proposed single-family detached community in this location. The subject revision will only be accessible from the church property, which it is adjacent to and accessible from Central Avenue, and thus will not generate any additional traffic on Church Road. Grading permits will be required for the construction of the proposed parking lot, but in and of itself a grading permit for the parking lot does not constitute the intended development in this location that would require the dedication of additional frontage at Church Road. Bonding for roadway improvements is not warranted at this time.

It should be noted that construction of any structure on Outlots 1, 2, or 3 which requires a building permit will trigger the required dedication of 200 feet to the Church Road right-of-way adjacent to the designated residue development.

8. **The limits of the existing 100-year floodplain shall be approved by the Watershed Protection Branch of the Department of Environmental Resources prior to the approval of the Specific Design Plan (SDP).**

Comment: The areas and limits of existing 100-year floodplain for the site have been approved. The proposed revision poses no impacts to the 100-year floodplain on the subject property.

9. **The applicant shall provide proof that the U.S. Army Corps of Engineers or the appropriate State or local wetlands permitting authority agrees with the nontidal wetlands delineation along with the submittal of the SDP.**

Comment: The proposed revision poses no impacts to wetlands on the subject property.

10. **■All nontidal wetland mitigation areas shall be shown on the Comprehensive Design Plan (CDP) or Specific Design Plan (SDP).•**

Comment: This condition does not apply since there are no wetland mitigation areas in the vicinity of the proposed parking lot.

11. Technical approval of the location and sizes of Stormwater Management Facilities is required prior to the approval of any SDP.

Comment: See comment for Basic Plan Condition 37 below for further discussion.

12. ■Prior to submittal of a CDP, the applicant and M-NCPPC Natural Resources Division staff shall determine if a noise study, which considers the impact of Central Avenue and Church Road on the subject property, is necessary. If such a study is required it shall be submitted with the CDP.●

Comment: The proposed parking lot will not be a noise generator or receiver.

13. ■All nondisturbed nontidal wetlands shall have at least a 25-foot nondisturbance buffer around their perimeters.●

Comment: The applicant has submitted plans to the Environmental Planning Section for review to demonstrate conformance to the subject condition. Wetland buffers of at least 25 feet are being provided for all wetland areas. This condition is being satisfied.

14. ■All streams and drainage courses shall comply with the buffer guidelines for the Patuxent River Primary Management Areas.●

Comment: Streams, floodplains, wetlands and associated buffers which comprise the Patuxent River Primary Management Area (PMA) have been identified on the SDP for the Evangel Church property which is the subject of this application.

15. ■As part of the submittal of the CDP, the applicant shall include a conceptual layout of water and sewerage service to the site, and an analysis of the impact of the construction of water and sewer lines on the subject property.●

Comment: This condition has been satisfied on prior Comprehensive Design Plan submittals. The proposed provision of a parking lot in the designated location does not impact the water and sewer service to the site.

16. ■As part of the submittal of the CDP, the applicant shall include a soil study which identifies the location and extent of the Marlboro Clay, if any.●

Comment: A Preliminary Soils Investigation was submitted to the Environmental Planning Section in conjunction with CDP-9705 and found to be acceptable with respect to this condition.

34. **■At the time of CDP the applicant shall submit to the Natural Resources Division a Noise Study showing a typical cross section with the 65 dBA line for the Mixed Retirement Development portion of the site abutting Central Avenue. This noise contour should be taken into consideration when identifying the various development pods.●**

Comment: There are no noise issues associated with the proposed parking lot.

35. **■The applicant shall identify with the CDP application the approximate location of impacts to the PMA. If impacts to the PMA are proposed the applicant shall provide justification for the disturbances which includes and estimate of the total area of disturbance, the features to be impacted and other alternatives that were considered to avoid these disturbances.●**

Comment: See comment at Basic Plan Condition 14 above for discussion.

36. **■At the time of CDP the applicant shall provide the Natural Resources Division with a conceptual alignment of the off-site sewer and water alignments which considers significant environmental features such as streams, wetlands, floodplains and steep and severe slopes. This alignment shall be further refined in conjunction with the Preliminary Plan of Subdivision and SDP as more detailed information is available.●**

Comment: See comments at Basic Plan Conditions 14 and 15 above for discussion.

37. **■Stormwater management ponds and water quality ponds shall be located outside the PMA unless determined by the Site Development Section of the Department of Environmental Resources to be unfeasible if located outside the PMA.●**

Comment: This condition has not been resolved due to a prior commitment by the Evangel Temple that the first development in the R-L portion of the property would construct a regional facility on Black Branch. A stormwater management pond has been constructed in conjunction with the first phase of development in the R-L zone. However, this parking lot site will not be served by the stormwater management pond. Therefore an approved Technical Stormdrain Plan will be required prior to the approval of the SDP or prior to the issuance of any permits for this parking lot, whichever occurs first.

The approved Comprehensive Design Plan, CDP-9705/01, was approved by the Planning Board on May 4, 2000 with two (2) conditions (PGCPB No. 00-49). The approved CDP was specifically for the provision of an auxiliary parking lot for the church on the subject property. One conditions of the approved CDP-9705/01 is applicable to the subject application and shall be carried forward in the Recommendation Section of this staff report.

4. The Approved Preliminary Plat: The Preliminary Plat, 4-95126, was approved by the Planning Board on March 7, 1996 with four (4) conditions (PGCPB No. 96-53). The overall lotting pattern, circulation pattern and access points shown on the site plan are in general conformance with the approved Preliminary Plat 4-95126. None of the conditions of approval required specific action be taken or additional information be supplied at the time of Specific Design Plan.

The Specific Design Plan is in conformance with the approved Preliminary Plat of Subdivision, 4-96126, and applicable conditions of approval. Finding 9 below provides additional discussion related to subdivision issues.

5. The development data for the subject property is as follows:

Zone	R-L Zone
Gross Lot Area	3.86 acres
Proposed Use:	Parking Lot
Number of Parking Spaces Provided	178
Interior Landscaping Required (8%)	5,381 sq. ft.
Interior Landscaping Provided (8.9%)	6,028 sq. ft.

6. Conformance with the Requirements of the Zoning Ordinance in the R-L Zone, including the Requirements of the Prince George's County *Landscape Manual*: The subject application is in general conformance with Section 27-528 of the Zoning Ordinance which regulates development in the R-L Zone.

Sections 4.3(b)(c), Parking Lot Parking Lot Requirements, Perimeter Landscape Strip Requirements, Interior Planting, apply to the subject site. The landscape plans are in full conformance with the requirements of the *Landscape Manual*.

7. Environmental Planning: The subject application was referred to the Environmental Planning Section for review, and in a memorandum (Markovich to Jordan) dated May 22, 2000, the following comments were provided:

■This application is entirely within the limits of TCPII/100/95. There is no proposed changes to the limits of disturbance or other impacts which would require a revision to TCPII/100/95.

■The proposed SDP is for the construction of a parking lot to provide accessory parking for the church located on the adjacent R-A zoned parcel of land. All the work will occur in an area that was previously cleared and there will be no impacts to the stream, stream buffer, wetlands, wetland buffer or 100-year floodplain. The proposed parking area will not be a noise generator and there will be no noise impacts to this area.●

8. Transportation: The subject application was referred to the Transportation Planning Section for review, and in a memorandum (Masog to Jordan) dated June 27, 2000, the following comments were provided:

■Access and on-site circulation is acceptable. This use will receive its access from Lot 1 out to MD 214. Prior approved plans do not contain any transportation-related conditions that would relate to this use on this outlot.

■While this application poses few immediate issues, the transportation staff is concerned that placement of this parking may be an indication that poor habits of automobile usage are occurring on the adjacent parcel. The subject property is not well-served by Metrobus service on Sundays (when the use on the adjacent property experiences its greatest use). Nonetheless, the transportation staff might consider that the public interest would be better-served by trip reduction on the part of the applicant rather than the construction of additional parking in this area. The transportation staff will not pursue this concern further by recommendation of any conditions. However, the applicant should work harder to ensure that more pavement is not the solution to further traffic problems.

■The provision of parking spaces on the subject parcel would not generate additional vehicle trips as the uses within the adjacent church complex and the resulting trip generation already exist. In and of itself, therefore, parking within this plan poses no transportation issues. It is the uses which exist on the adjacent parcel that generate traffic. In consideration of this fact, therefore, the transportation staff can make a finding that the subject property will be adequately served within a reasonable period of time with transportation facilities which are existing, programmed, or which would be provided as a part of the development.●

9. Subdivision: The subject application was referred to the Subdivision Section for review and in a memorandum (Chellis to Jordan) dated June 20, 2000, the following comments were provided:

■ Preliminary Plat 4-95126 was approved by the Planning Board on February 15, 1996; the corresponding resolution, PGCPB No. 96-53 was adopted on March 7, 1996. The final plat for Lot 1 was recorded by Plat VJ 176 @ 61. The residue from this plat was recorded on April 21, 2000, by plat VJ 189 @ 53, creating Outlots 1, 2 and 3. The applicant is proposing to incorporate Outlot 1 into Lot 1 for purposes of providing additional parking to serve the church use on Lot 1. Section 24-108(a)(2) requires a final plat to incorporate an outlot into an adjoining lot, therefore a final plat is required to incorporate Outlot 1 into Lot 1, removing the *outlot* designation.

■ In creating Outlots 1, 2 and 3 the applicant filed a final plat, forgoing the preliminary plat process. The site plan submitted demonstrates disturbance within the 50-foot floodplain buffer on Outlot 1. The applicant has three options.

- 1. The applicant could provide evidence from DER that the limit of the 50-foot floodplain buffer has changed and there is no disturbance within the buffer. If the buffer limit has altered from that shown on the plat, a final plat to correct the limit is necessary.
- 2. The applicant could remove the disturbance from within the limit of the easement.
- 3. The applicant could file a preliminary plat to request the granting of a variation for disturbance to the 50-foot floodplain buffer in accordance with Section 24-113 of the Subdivision Regulations.●

Subsequent to the receipt of the subdivision memorandum, the applicant has revised the plan to remove all disturbance from within the limit of the 50-foot floodplain buffer. Based on the foregoing analysis, it is recommended that prior to the issuance of permits the applicant obtain Final Plat approval for Outlot 1 to remove the outlot designation and incorporate the subject property into the Lot 1 of the Evangel Temple Church property.

10. Referrals: The subject application was referred to all applicable agencies and divisions; no significant issues were identified. Minor plan revisions were recommended or additional information was requested by the Permit Review Section in a memorandum (Hampton to Jordan) dated May 26, 2000. Subsequent to the receipt of the noted memorandum the applicant revised the plans to address all concerns and provide the requested information.
11. Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties. In a memorandum dated May 31, 2000 (De Guzman to Jordan), the Department of Environmental Resources indicated that the Specific Design Plan is consistent with the DER Stormwater Management Concept approval, #888003370.

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 Specific Design Plan for the above-described land, subject to the following conditions:

1. Prior to the issuance of any permits the applicant shall obtain Final Plat approval for the subject property to incorporate it into Lot 1 of the Evangel Temple Church property.
2. Prior to certificate approval of the Specific Design Plan for the subject parking lot, an approved Technical Stormdrain Plan shall be submitted to the Environmental Planning Section.

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 Brown, seconded by Commissioner Boone, with Commissioners Hewlett, Boone, and Brown voting in favor of the motion, at its regular meeting held on Thursday, July 20, 2000, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 7th day of September 2000.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG;jj:leb