



MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 14-43
Site Plan No. 81987066A
King of Nations Christian Fellowship Church Limited Site Plan Amendment
Date of Hearing: June 12, 2014

JUN 25 2014

RESOLUTION

WHEREAS, under Montgomery County Code Division 59-D-3, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, by Opinion dated March 10, 1988, and revised October 12, 1989, the Planning Board approved Site Plan No. 819870660 for the Christian Covenant Church on roughly six acres of PD-3 zoned land.

WHEREAS, on September 24, 2013, King of Nations Christian Fellowship Church ("Applicant"), filed an application for approval of a limited site plan amendment for a revised building location and footprint, drop-off/pickup and parking area on 5.66 acres of PD-3 and R-200 zoned-land, located at the southwest corner of Darnestown Road (MD 28) and Hunting Lane ("Subject Property"), in the Potomac Subregion Master Plan area; and

WHEREAS, Applicant's site plan application was designated Site Plan No. 81987066A, King of Nations Christian Fellowship Church Limited Site Plan Amendment ("Site Plan," "Amendment," or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board Staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated May 29, 2014, setting forth its analysis of and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on June 12, 2014, the Planning Board held a public hearing on the Application, and at the hearing the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the Hearing, the Planning Board voted to approve the Application subject to certain conditions, by the vote as certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 81987066A for the revised building location and footprint, drop off/pickup and parking area for the King of Nations Christian Fellowship Church, on the Subject Property, subject to the following conditions:¹

Conformance with Previous Approvals

1. Development Plan Conformance

The development must comply with the specifications and requirements of the Development Plan Amendment (DPA) 85-2 and Zoning Application No. G-523, approved on October 16, 1986.

2. Preliminary Plan Conformance

The development must comply with the conditions of approval for Preliminary Plan 11982037R as listed in the Planning Board Resolution dated October 28, 1987, unless amended.

Environment

3. Stormwater Management

The Planning Board has accepted the recommendations of the Montgomery County Department of Permitting Service ("MCDPS") – Water Resources Section in its stormwater management concept letter dated February 25, 2014, and hereby incorporates them as conditions of the Site Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of Site Plan approval.

Site Plan

4. Site Design

a. Relocate sidewalk on upper bio-retention area from the east to the west side adjacent to the nine parking spaces.

5. Landscaping

a. Provide plant species on the landscape plan.

b. Provide smaller plantings, such as groundcover or shrubs, in addition to the trees proposed along the top of the retaining wall.

6. Lighting

a. Prior to issuance of the first building permit, the Applicant must provide certification to M-NCPPC Staff from a qualified professional that the lighting plans conform to the Illuminating Engineering Society of North America (IESNA) standards for residential development.

b. All new on-site down-light fixtures must be full cut-off fixtures.

¹ For the purpose of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

- c. Deflectors must be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties.
- d. Illumination levels must not exceed 0.5 footcandles (fc) at any property line abutting county roads and residential properties.
- e. The height of the new light poles must not exceed 20 feet including the mounting base.

7. Site Plan Surety and Maintenance Agreement

Prior to issuance of the first building permit, Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance, with the following provisions:

- a. A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b. The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, site furniture, mailbox pad sites, trash enclosures, retaining walls, fences, railings, private roads, paths and associated improvements within the relevant phase of development. The surety must be posted prior to issuance of the first building permit, and it will be tied to the development program.
- c. The bond or surety shall be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by inspection and potential reduction of the surety.

8. Development Program

The Applicant must construct the development in accordance with a development program that will be reviewed and approved prior to the approval of the Certified Site Plan. The development program must include the following items in its phasing schedule:

- a. Clearing and grading must correspond to the construction phasing to minimize soil erosion and must not occur prior to approval of the Final Forest Conservation Plan, Sediment Control Plan, and M-NCPPC inspection and approval of all tree-save areas and protection devices.
- b. Street lamps and sidewalks must be installed within six months after street construction is completed. Street tree planting may wait until the next growing season.
- c. On-site amenities including, but not limited to, sidewalks, benches, trash receptacles, and bicycle facilities must be installed prior to release of the use and occupancy certificate.
- d. Landscaping associated with each parking lot and building shall be completed as construction of each facility is completed.

- e. Pedestrian pathways and seating areas associated with each facility must be completed as construction of each facility is completed.

9. Certified Site Plan

Prior to approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

- a. Include the final forest conservation approval, stormwater management concept approval, development program, inspection schedule, and Site Plan resolution on the approval or cover sheet.
- b. Add a note to the Site Plan stating that "M-NCPPC Staff must inspect all tree-save areas and protection devices prior to clearing and grading".
- c. Include data table reflecting development standards enumerated in the staff report.
- d. Label and dimension building and parking setbacks on plans consistent with approved data table.
- e. Provide fence detail.

BE IT FURTHER RESOLVED, that all other conditions of approval of Site Plan No. 819870660 remain valid, unchanged, and in full force and effect; and

BE IT FURTHER RESOLVED, that all site development elements as shown on the King of Nations Christian Fellowship Church Site Plan drawings stamped by the M-NCPPC on September 24, 2013, shall be required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED, that, having given full consideration to the recommendations and findings of its Staff as presented at the hearing and set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

1. *The Site Plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development if required, unless the Planning Board expressly modifies any element of the project plan.*

The Site Plan Amendment conforms to all non-illustrative elements of the development plan DPA 85-2 and the local map amendment No. G-523, which permitted a church use with parking on the Subject Property. Binding elements include the uses and maximum residential density established in G-523 and DPA 85-2. The site design and layout of the DPA were for illustrative purposes and not binding. The changes from the approved site plan shown on the Amendment are necessary to minimize encroachments into the stream valley buffer.

2. *The Site Plan meets all of the requirements of the zone in which it is located.*

The Subject Property is part of a larger development, known as Stonebridge, which is zoned PD-3. Stonebridge in its entirety fulfills the purposes of the zone by creating a predominantly residential community with open spaces and pedestrian circulation networks that achieve a maximum of safety, convenience and amenity for the residents.

The Subject Property is currently split zoned PD-3 and R-200 per the official zoning maps, which are not reflective of the County Council action, through Resolution No. 10-2227, approving the reclassification of 1.25 acres of the Subject Site from the R-200 Zone to the PD-3 Zone. A Corrective Map Amendment process has been initiated to show the whole Property as PD-3 per Resolution No. 10-2227. This Site Plan Amendment, however, was reviewed for conformance with the existing zoning. As shown on the following data table, the Site Plan meets all of the development standards of the PD-3 and R-200 Zones. A church building and associated parking are permitted uses in both zones. The portion of the site zoned R-200 is occupied with existing parking; no changes will occur in that area. The portion zoned PD-3 will be developed with the church building and additional parking.

Requirements of the PD-3 and R-200 Zones

Based on the following data table, which sets forth the development standards approved by the Planning Board and binding on the Applicant, and based on other evidence and testimony of record, the Application meets all of the applicable requirements of the PD-3 and R-200 Zones.

Project Data Table

Development Standard	Permitted/Required	Approved
Site Area (square feet)	n/a	246,613 (5.66 acres)
Max. Building Height (feet)	n/a	34
Min. Building Setbacks (feet) 59-C-7.15		
One-family detached zone (R-200)	100	273
Front (from MD Rt 28 ROW)	n/a	30
Side (from Hunting Lane ROW)	n/a	13
Min. Green Area (% of gross lot area) 59-C-7.16		
	30	63
Building Area (square feet)		
	n/a	14,880
Parking (Applicable to the parking areas in both the PD-3 & R-200 Zones)		
Vehicle Spaces (600 seats) (59-E-3.7)	150 (@ 1 space/4 seats)	150
Motorcycle Spaces (59-E-2.3)	3 (@ 2% total spaces)	4
Bicycle Spaces (59-E-2.3)	8 (@ 1 space/20 spaces)	8
Parking Setbacks (feet) (59-E-2.8)		
Right-of-Way	65	65
Rear	7	278
Side	12	16
Parking Facility Internal Landscaping (59-E-2.73)	5% min. of internal area of surface parking facility	9%

3. *The locations of the buildings and structures, the open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

a. **Buildings and Structures:**

The locations of buildings and structures are adequate, safe, and efficient. The Church building is located at the corner of Darnestown Road and Hunting Lane, which allows for the most efficient use of the site while avoiding environmentally sensitive features. The revised two-story building will take advantage of the existing topography to provide a lower level

entrance with terrace, and an upper level main entrance. The revised building will maintain a similar orientation towards the site's access from Darnestown Road. Although the building footprint was reduced from approximately 23,600 square feet to 14,880 square feet, the revised building maintains the 600-seat capacity. The Amendment includes a retaining wall located between the upper and lower parking areas. This approximately 160 feet long wall, ranging between 8.5 and 12.5 feet high, effectively responds to the natural topography of the Subject Property by allowing different parking areas to be at different elevations.

b. Open Spaces:

The open space is adequate, safe, and efficient. The amendment increases the amount of open space preserved by consolidating the parking areas on the northern and eastern portion of the site away from the stream valley buffer and existing major stand of trees on the southern portion of the site.

c. Landscaping and Lighting:

The landscaping and lighting are adequate, safe, and efficient. The amendment includes a mix of shade trees and ornamental trees in the new parking areas; shade trees along Hunting Lane; and a mix of evergreen and shade trees along Darnestown Road. The landscaping efficiently provides shade for parking areas and frames the views of the Church building. The lighting consists of 20-foot tall light fixtures located in the new parking areas and that are consistent with light fixtures on the existing parking areas.

d. Recreation Facilities

Although recreation facilities are not generally a required element of the approved use, the Applicant will provide a fenced playground area on the Subject Property, which will be adequate, safe, and efficient.

e. Vehicular and Pedestrian Circulation:

The vehicular and pedestrian circulation systems are adequate, safe, and efficient. Vehicles will continue to access the Subject Property via a right-in/right-out turn only off eastbound MD 28, and a driveway connecting the existing parking area to a private road (Prairie Landing Way) on the west side of the Subject Property. The Amendment modifies the internal vehicular circulation by revising the layout of the parking areas and adding a drop-off/pick-up area for the main entry to the church building. The vehicular drop-off loop efficiently integrates parking spaces on one or two sides where space permits. As designed, the new paved area for both

pedestrians and vehicles efficiently avoids encroachment on the stream valley buffer area.

Pedestrian circulation safely leads pedestrians from the parking areas to the church building. The Amendment proposes collector sidewalks along the perimeter of the lower and upper parking areas directing pedestrians to the lower and upper entries of the building, respectively. Exterior stairs connect both lower and upper entries. A sidewalk to Hunting Lane adequately provides a connection to the neighboring townhouses. The existing sidewalk along the site's frontage on Darnestown Road efficiently integrates this site within the surrounding community by providing adequate and safe access for pedestrians and bicycles.

4. *Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.*

The revised church building is compatible with the adjacent and confronting residential uses. Compatibility is primarily achieved through appropriate setbacks from adjacent buildings and natural features of the site being largely maintained. The building footprint has been reduced by 8,720 square feet, and the building location moved closer to the intersection of MD 28 and Hunting Lane, which preserves the large tree stand on the southern portion of the property and avoids further encroachment on environmental buffers. The structure is in scale with the nearby buildings and is located such that it will not adversely impact existing or proposed adjacent uses.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

The project meets all applicable requirements of Chapter 22A. A Forest Conservation Exemption (#42012187E) for the 5.66-acre Subject Property was approved on August 1, 2012. The exemption was confirmed under Section 22A-5(l) for a property that is part of a planned unit development for which the District Council approved a development plan or for which the Montgomery County Planning Board approved a project plan before January 1, 1992, where the property obtained site plan approval before July 1, 1992, and where less than 5,000 square feet of additional forest will be removed.

While the Application is exempt from submitting a Forest Conservation Plan, it was reviewed for compliance with the Environmental Guidelines.

The approved Site Plan showed approximately 60 parking spaces within the Stream Valley Buffer ("SVB"). Of the originally approved 60 parking spaces, approximately 23 were built within the SVB; the remaining parking was never built. As approved, the current Amendment avoids any further development within the SVB. The existing 23 spaces will remain, and a small area of drive aisle will be added within the SVB to connect the existing parking to the redesigned parking lot. This Amendment greatly increases the protection of the SVB over the previously approved Site Plan. The project is in compliance with the Environmental Guidelines.

The stormwater management concept dated February 25, 2014, proposes to meet the required stormwater management goals by including micro bio-filters.

BE IT FURTHER RESOLVED, that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that this Site Plan shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

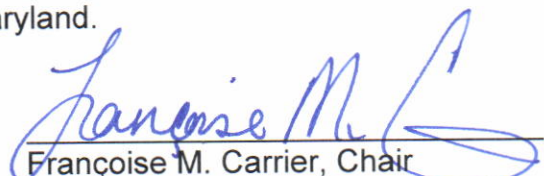
BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is JUN 25 2014 (which is the date that this resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

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CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Dreyfuss, seconded by Vice Chair Wells-Harley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, and Presley voting in favor at its regular meeting held on Thursday, June 12, 2014, in Silver Spring, Maryland.


Françoise M. Carrier, Chair
Montgomery County Planning Board