



Centro Cristiano Internacional Church, Preliminary Plan Amendment No. 12006124A

---

AS

Aaron Savage, Planner DARC, [Aaron.Savage@montgomeryplanning.org](mailto:Aaron.Savage@montgomeryplanning.org) 301-495-4619

SP

Sandra Pereira, Supervisor Area 3, [Sandra.Pereira@montgomeryplanning.org](mailto:Sandra.Pereira@montgomeryplanning.org) 301-495-2186

RAW

Richard Weaver, Chief Area 3, [Richard.Weaver@montgomeryplanning.org](mailto:Richard.Weaver@montgomeryplanning.org) 301-495-4544

Completed: 04/10/19

**Description**

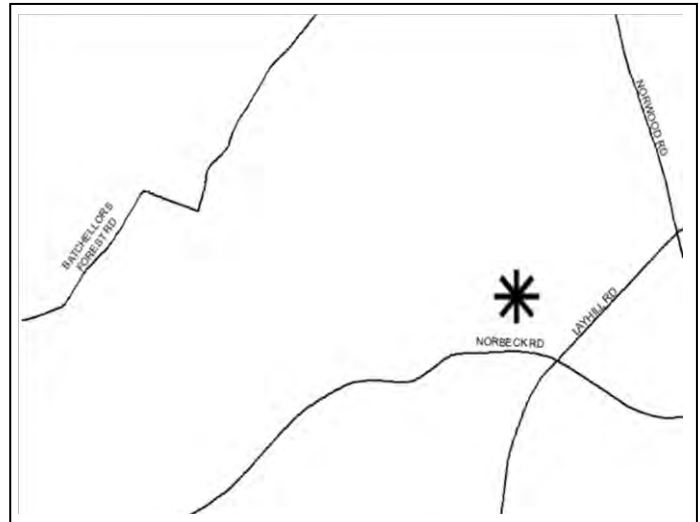
**Centro Cristiano Internacional Church, Preliminary Plan Amendment No. 12006124A:** Application to add a new condition to extend the Plan validity by 12 months, located on the north side of Norbeck Road (MD 28), approximately 200 feet west of the intersection with Layhill Road (MD 182); 8.36 acres; RC Zone; 2005 *Olney Master Plan* area.

**Recommendation** – Approval with conditions

**Applicant:** Nelson C. Melendez, on behalf of Centro Cristiano Internacional Church

**Submittal Date:** February 4, 2019

**Review Basis:** Chapter 50



**Summary**

- Staff recommends approval with conditions.
- Application to add a new condition to extend the Plan validity of Preliminary Plan No. 120061240, which expired on February 23, 2019, by 12 months.
- The Application meets all required findings necessary to grant a plan validity extension pursuant to Section 50.4.2.H.1.2 of the Subdivision Code.
- Extending the plan validity period will enable the Applicant to complete the record plat process, which has already been initiated.

## SECTION 1 – RECOMMENDATION AND CONDITION

**Preliminary Plan Amendment No. 12006124A:** Staff recommends approval with a condition of the Preliminary Plan Amendment for Plan validity extension. All previous conditions of approval for the Preliminary Plan No. 120061240 remain in full force and effect except for the addition of the following new condition of approval:

- 1) The Preliminary Plan Amendment will remain valid for 12 months from the date of mailing of the Planning Board opinion.

## SECTION 2 – SITE LOCATION AND DESCRIPTION

### Site Location and Vicinity

The Property is located on the north side of Norbeck Road (MD 28), approximately 200 feet west of the intersection with Layhill Road (MD 182) (Property or Subject Property). The Property is located within the 2005 *Olney Master Plan* (Master Plan) area. The Property is surrounded by residential properties immediately to the north and west with parkland to the east.

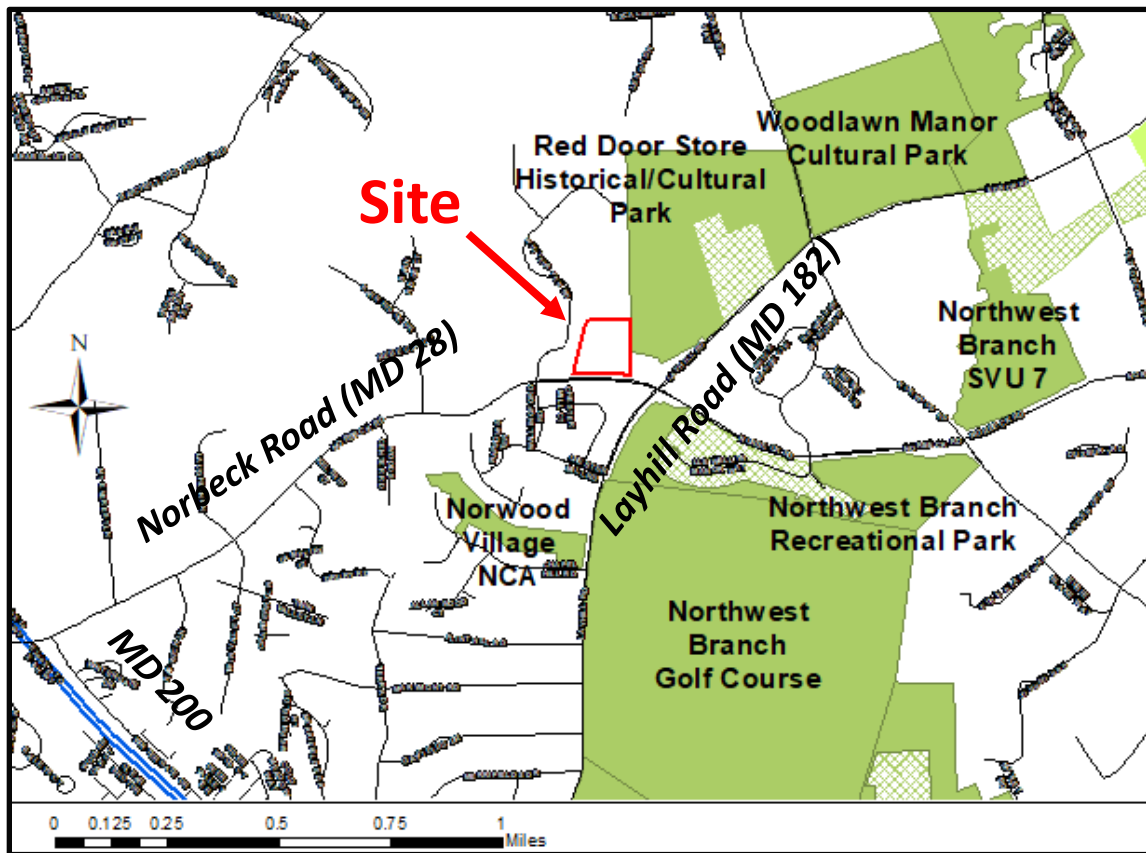


Figure 1 – Vicinity Map

## Site Analysis

The Property is 8.36 acres and identified as Parcels 905, 907 and 909 on Tax Map JS123, zoned Residential Commercial (RC). The Property contains a dwelling which will be removed. The Property also contains 4.63 acres of forest located on the north and western portions. The Property is located within the Northwest Branch watershed and there are no steep slopes or floodplains located on the Property. Access to the site will be directly from Norbeck Road (MD 28).

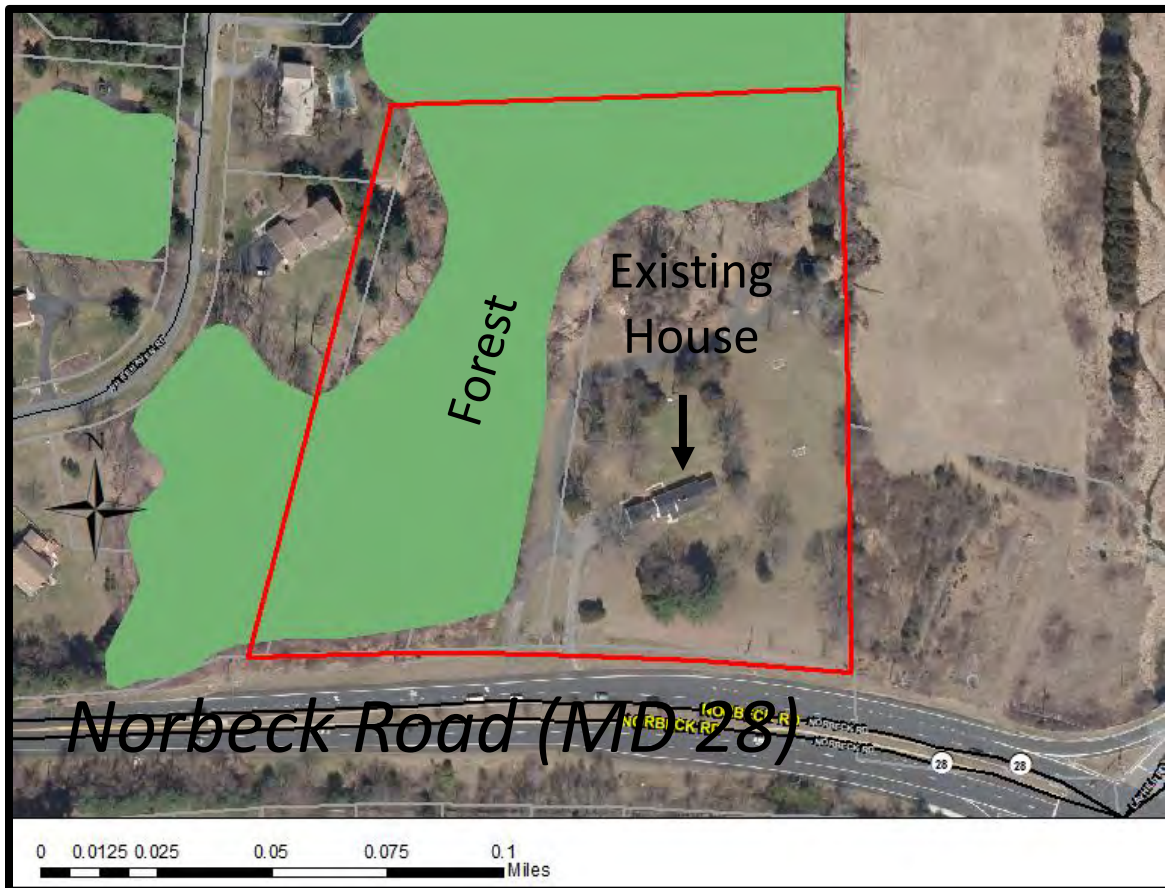


Figure 2 – Aerial Map

## SECTION 3 –APPLICATION & PROPOSAL

### Previous Approvals

Preliminary Plan 120061240

The Original Preliminary Plan No. 120061240 was approved by Planning Board by Resolution No. 08-13 on January 23, 2008 (Attachment B), which subdivided the Property into one lot for a 702-seat place of worship with no on-site weekday educational, daycare, or school uses. The original Preliminary Plan was named Parker Memorial Baptist Church and has since been renamed to Centro Cristiano Internacional Church.

## Proposal

Preliminary Plan Amendment No. 12006124A, submitted on February 4, 2019 requests to extend the Plan validity by 12 months. The original Preliminary Plan granted a 36-month validity period, per resolution No. 08-13, dated January 23, 2008 (Attachment B). The County Council then granted four separate two-year automatic extensions to Plan validity, bringing the Plan validity expiration date to February 23, 2019. The 12-month request would extend the validity until February 23, 2020.

### SECTION 4 – CITIZEN CORRESPONDENCE AND ISSUES

The Applicant has met all proper signage, noticing and pre-submission meeting requirements for the submitted Applications. The Applicant mailed notice letters on March 22, 2019 and at this time no citizen correspondence has been received.

### SECTION 5 – ANALYSIS AND FINDINGS, SECT. 50.4.2.D

The proposed Amendment does not alter the original intent and all findings of Preliminary Plan No. 120061240 remain in full force and effect, except as modified by the findings below.

*6. Any other applicable provisions specific to the property and necessary for approval of the subdivision is satisfied.*

#### Preliminary Plan Validity – Section 50.4.2.H

The Preliminary Plan Amendment requests a 12-month extension to the original 36-month Preliminary Plan validity period. The current plan validity expiration date was February 23, 2019. To approve an extension to plan validity, the Board must make the following analysis and findings.

#### 1. *Extension Request*

- a. *Only the Board is authorized to extend the validity period. The applicant must submit a request to extend the validity period of an approved preliminary plan in writing before the previously established validity period expires.*

The Applicant submitted a plan validity extension request to the Planning Board. The request was received on February 4, 2019, before the validity expired on February 23, 2019.

- b. *The Director may approve a request to amend the validity period phasing schedule of an approved preliminary plan if the length of the total validity period of the preliminary plan is not extended. The applicant must submit the request in writing before the previously established validity period of the phase expires.*

This finding is not applicable because this project does not have a phasing schedule.

- c. *The written request must detail all reasons to support the extension request and include the anticipated date by which the plan will be validated. The applicant must certify that the*

*requested extension is the minimum additional time required to record all plats for the preliminary plan.*

The Applicant has provided a justification statement for the requested extension to the plan validity (Attachment A). The current validity expired on February 23, 2019. The request for 12 months of extended validity will allow the Applicant to finish the plating process, which has been put on hold until the plan validity is extended. The Applicant has demonstrated that their request is the minimum additional time required to complete recordation of the outstanding plat.

*2. Effect of failure to submit a timely extension request.*

The request was received in a timely manner therefore the sub-sections herein do not apply.

*3. Grounds for extension.*

*a. The Board may only grant a request to extend the validity period of a preliminary plan if the Board finds that:*

- i. delays by the government or some other party after the plan approval have prevented the applicant from meeting terms or conditions of the plan approval and validating the plan, provided such delays are not caused by the applicant; or*
- ii. the occurrence of significant, unusual and unanticipated events, beyond the applicant's control and not caused by the applicant, have substantially impaired the applicant's ability to validate the plan, and exceptional or undue hardship (as evidenced, in part, by the efforts undertaken by the applicant to implement the terms and conditions of the plan approval in order to validate the plan) would result to the applicant if the plan were not extended.*

The Applicant's validity extension request states that compliance with the October 2, 2018 County Council change to the 2018-2027 Comprehensive Water Supply and Sewerage Plan and compliance with MCDEP's PIF Concept Plan Change Verification Letter (Attachment D) have resulted in unforeseen delays that have prevented completion of plat recordation. These delays were not a direct result of actions by the Applicant and the Applicant has demonstrated a good faith effort in trying to resolve these issues in a timely manner. Additionally, the Applicant's validity extension justification states that these significant, unusual and unanticipated events, beyond their control and not caused by the Applicant, have impacted their ability to validate the plan, and that an undue hardship would result to the Applicant if the validity period were not extended. If the validity were not extended, the Applicant would not be able to complete the record plat process which has already been initiated.

*b. The applicant bears the burden of establishing the grounds in support of the requested extension.*

The Applicant provided Staff with a justification statement (Attachment A) outlining the validity extension request and the necessary justifications.

4. *Planning Board considerations for extension.*

- a. *The Board may condition the grant of an extension on a requirement that the applicant revise the plan to conform with changes to the requirements of this Chapter since the plan was approved.*

Staff does not recommend the Board require the Applicant to conform to any changes that have occurred in Chapter 50 since the initial approval date.

- b. *The Board may deny the extension request if it finds that the project, as approved and conditioned, is no longer viable. The Board must consider whether the project is capable of being financed, constructed, and marketed within a reasonable time frame. The Applicant must demonstrate the project's viability upon request by the Board or the Director.*

The Applicant has confirmed in their extension justification that the Preliminary Plan is still viable from a financial, construction and market standpoint. The Applicant has already submitted their plat application and is currently in the process of being reviewed.

5. *Planning Board action.*

- a. *After a duly noticed public hearing, the Board must determine whether it should grant a request for an extension. The requirements for noticing and conducting a public hearing must follow the requirements for a preliminary plan.*

The Preliminary Plan Amendment was noticed like all other amendments pursuant to the requirements of Chapter 50 and the Development Manual. The Amendment is also scheduled for a public hearing before the Planning Board.

- b. *If voting to approve an extension, the Board must only grant the minimum time it deems necessary for the applicant to validate the plan.*

The Applicant has requested a 12-month extension to the Preliminary Plan and states this is the minimum necessary to complete the validation. Staff supports the Applicant's request.

- c. *The Board may only grant an extension to a preliminary plan within the plan's APFO validity period, unless a further extension is allowed by law.*

The requested plan validity extension period falls within the Preliminary Plan's existing APFO validity period, which is not set to expire until February 23, 2021.

- d. *An applicant may request, and the Board may approve, more than one extension.*

This is the first request for a plan validity extension made for the current Preliminary Plan approval.

- e. *Once a phasing schedule is approved by the Board as part of a preliminary plan approval, the Board must treat any revision or alteration to the schedule other than an amendment approved under Section 4.3.J.7 as a minor amendment to the preliminary plan. Board approval of a revised phasing schedule is required to extend the total length of validity period.*

This finding is not applicable because this project does not have a phasing schedule.

## **SECTION 6 – CONCLUSION**

The proposed extension to the Preliminary Plan validity meets all of the applicable requirements of Section 50.4.2.H. The Applicant has provided full documentation for the reason for the extension request and what course of action will be taken to implement the approved Preliminary Plan within the requested extension timeframe. As a result, Staff recommends approval of the requested extension.

### **Attachments**

Attachment A – Statement of Justification

Attachment B – MCPB Resolution No. 08-13 for Preliminary Plan No. 120061240

Attachment C – Certified Preliminary Plan No. 120061240

Attachment D – MCDEP Memorandum



19508 AMARANTH DRIVE SUITE A  
GERMANTOWN, MARYLAND 20874-1211  
(301)540-7990 FAX (301)540-7991

January 29, 2019

Mr. Casey Anderson, Chairman  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, MD 20910

Re: Extension of Plan Validity – Preliminary Plan #120061240 (Parker Memorial Baptist Church) for Centro Cristiano Internacional Church

Dear Chairman Anderson:

On behalf of the current property owner, Centro Cristiano Internacional Church, please accept this letter of request for extension of validity of the Preliminary Plan for the above referenced property. The original Preliminary Plan was submitted and approved for the then applicant Parker Memorial Baptist Church per MCPB Resolution No. 08-13, dated January 23, 2008. Since the date of the resolution in 2008, the subject property has changed ownership twice, most recently in 2015, when purchased by the current owner. The Preliminary Plan is set to expire on February 23, 2019.

A Subdivision Record Plat has been filed and reviewed by both M-NCPPC and MCDPS staff, with the intent of recording the plat in advance of the February 23, 2019 date. The property also required a change in the water and sewer categories which was tentatively approved by the County Council as a Private Institutional Facility (PIF) in 2006. On October 2, 2018, the County Council approved a change to the 2018-2027 Comprehensive Water Supply and Sewerage Systems Plan which requires verification that the PIF user's final development plan will be consistent with the concept plan considered by and acceptable to the Council, especially with regard to impervious area. Since this change in policy has occurred during the processing of the record plat for the project, there has been a delay in the approval of the final category change which is necessary for the final approval of the record plat. MCDEP has just recently, January 29, 2019, issued the request to M-NCPPC to begin the verification process. At this time, we expect the final process to change the water and sewer category to extend well beyond the expiration date of the Preliminary Plan.

Per Chapter 50 of the Montgomery County Code, the Subdivision Regulations, Sec. 50.4.2.H.3.a., "Grounds for Extension", the Montgomery County Planning Board may extend the validity of a preliminary plan if the Board finds that (i.): Delays by government have prevented the applicant from meeting terms and conditions of the plan approval and validating the plan, provided such delays are not caused by the applicant. In this case, as



Mr. Casey Anderson, Chair  
Montgomery County Planning Board  
January 29, 2019

referenced above, the October 2, 2018 County Council change to the 2018-2027 Comprehensive Water Supply and Sewerage Systems Plan, requiring consistency between the original project's Concept Plan and the final development plan has delayed approval of the record plat by county review agencies. This is a change in policy resulting in a government delay not caused by the applicant; and (ii.): The occurrence of significant, unusual and unanticipated events, beyond the applicant's control and not caused by the applicant, have substantially impaired the applicant's ability to validate the plan.

The applicant has continued to move forward with the preparation of the record plat. The conservation easement and the open space covenant have been recorded. The last outstanding item is that M-NCPPC must advise the Montgomery County Department of Environmental Protection that the current plan is a substantial reflection of the approved preliminary plan in terms of impervious area. The current plan actually has less impervious area than the preliminary plan and should be acceptable to MCDEP. The time line for this new policy analysis by MNCPPC and MCDEP is still pending and has caused an undue hardship on the applicant's ability to record the plat, thus an extension is requested.

The owner of the subject property is making a good-faith effort to complete the recording of the plat prior to the Preliminary Plan expiration date, but due to a change in a County process which is beyond their control, the property owner, Centro Cristiano Internacional Church respectfully requests granting of a 12-month extension for Preliminary Plan #120061240.

On behalf of the property Owner, Centro Cristiano Church,

SITE SOLUTIONS, INC.



Don Rohrbaugh, Principal



Jeffrey Lewis, P.E., Principal

Cc: Nelson C. Melendez, Pastor Elder  
Centro Cristiano Internacional Church



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

NOV 23 2008

**MCPB No. 08-13**  
**Preliminary Plan No. 120061240**  
**Parker Memorial Baptist Church**  
**Date of Hearing: November 8, 2007**

**MONTGOMERY COUNTY PLANNING BOARD**

**RESOLUTION<sup>1</sup>**

WHEREAS, pursuant to Montgomery County Code Chapter 50, the Montgomery County Planning Board ("Planning Board" or "Board") is vested with the authority to review preliminary plan applications; and

WHEREAS, on June 13, 2006, Parker Memorial Baptist Church ("Applicant"), filed an application for approval of a preliminary plan of subdivision of property that would create one lot on 8.36 acres of land located on the north side of Norbeck Road, approximately 200 feet west of the intersection with Layhill Road (MD 182) ("Property" or "Subject Property"), in the Olney Master Plan Area ("Master Plan"); and

WHEREAS, Applicant's preliminary plan Application was designated Preliminary Plan No. 120061240, Parker Memorial Baptist Church ("Preliminary Plan" or "Application"); and

WHEREAS, Staff issued a memorandum to the Planning Board, dated October 26, 2007, setting forth its analysis, and recommendation for approval, of the Application subject to certain conditions ("Staff Report"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and the staffs of other governmental agencies, on November 8, 2007, the Planning Board held a public hearing on the Application (the "Hearing"); and

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

<sup>1</sup> This Resolution constitutes the written opinion of the Board in this matter and satisfies any requirement under the Montgomery County Code for a written opinion.

Approved as to

Legal Sufficiency:

A handwritten signature in black ink, followed by the date "27 Nov 07".

8787 Georgia Avenue, Suite 200, Silver Spring, Maryland 20910

M-NCPPC Legal Department  
www.MCParkandPlanning.org

Chairman's Office: 301.495.4605 Fax: 301.495.1320

E-Mail: mcp-chaitman@mncppc.org

WHEREAS, on November 8, 2007, the Planning Board approved the Application subject to certain conditions, on motion of Commissioner Lynch; seconded by Commissioner Bryant; with a vote of 5-0, Commissioners Bryant, Cryor, Hanson, Lynch and Robinson voting in favor.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 50, the Planning Board approved Preliminary Plan No. 120061240 to create one lot on 8.36 acres of land located on the north side of Norbeck Road, approximately 200 feet west of the intersection with Layhill Road (MD 182) ("Property" or "Subject Property"), in the Olney Master Plan Area ("Master Plan"), subject to the following conditions:

- 1) Approval under this Preliminary Plan is limited to one lot for a 702-seat place of worship containing 21,700 square feet with no on-site weekday educational, daycare, or school uses.
- 2) The Applicant must place forest retention and planting areas in Category I Conservation Easements. Easements shall be shown on record plats.
- 3) The Applicant must comply with the conditions of approval for the preliminary forest conservation plan dated October 22, 2007. The Applicant must meet all conditions prior to recording of plat or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permit(s), as appropriate. Conditions include, but are not limited to, the following:
  - a. Final forest conservation plan shall include the following elements:
    - i. Design and location of permanent markers (such as permanent fences or signs) to clearly identify boundaries of the Category I Conservation Easement.
    - ii. Planting details and schedule for the proposed reforestation and visual buffer.
  - b. Financial security and maintenance and management agreement to cover the plantings for the reforestation and visual buffer areas must be submitted to M-NCPPC Staff for review and approval prior to the pre-construction meeting.
- 4) The Applicant must comply with conditions of Montgomery County Department of Public Works and Transportation (MCDPWT) letter dated July 18, 2006, unless otherwise amended.
- 5) The record plat must reflect a minimum 150-foot right-of-way for Norbeck Road along the Property frontage, as shown on the Preliminary Plan.
- 6) The Applicant must construct an eight-foot wide shared use path on Norbeck Road along the Property frontage in coordination with Maryland State Highway Administration's (MDSHA) MD 28/MD 198 Corridor Improvement Study project. This path must be constructed prior to the release of any occupancy permit for the development.

- 7) The Applicant must provide a lead-in sidewalk to the proposed house of worship from Norbeck Road.
- 8) The Applicant must provide for access and improvements as required to be approved by MDSHA prior to issuance of access permits.
- 9) The Applicant must comply with the conditions of approval of the MCDPS stormwater management approval dated October 4, 2006.
- 10) The Applicant is to use best design efforts to minimize stormwater discharge onto parkland in a manner acceptable to M-NCPPC Park staff.
- 11) The Adequate Public Facility (APF) review for the Preliminary Plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion.
- 12) A landscape and lighting plan must be submitted for review and approval by technical staff. This plan must include an adequate vegetative buffer along the east side of the Property to provide a visual buffer for the adjacent parkland.
- 13) Other necessary easements must be shown on the record plat.

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

1. *The Preliminary Plan substantially conforms to the Master Plan.*

The Olney Master Plan highlighted parcels recommended for changes in use and/or density, but did not specifically address the Subject Property. The Master Plan supports the retention and reconfirmation of existing zoning for all developed, underdeveloped, and undeveloped land in the subregion, except for those sites recommended for change. The Subject Property is not identified for change in use or density. The proposed Preliminary Plan consists of a permitted use on a residentially zoned property. The lot being created meets the standards of the RC zone and is in compliance with the Master Plan.

2. *Public facilities will be adequate to support and service the area of the proposed subdivision.*

Under Section 50-35(k)(6) of the Montgomery County Code, a place of worship, residence for religious staff, parish hall, or addition to a school associated with a place of worship are not subject to Adequate Public Facilities (APF) review. This Application is limited to a place of worship and associated parking, and therefore, is not subject to APF requirements. The Planning Board finds that existing roads

and the proposed site access will be safe and adequate to support the proposed lot and use. Other necessary public facilities and services are available and will be adequate to serve the proposed use.

- 3. The size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision.*

The lot was reviewed for compliance with the dimensional requirements for the RC zone as specified in the Zoning Ordinance. The lot as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone.

- 4. The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A.*

The Planning Board finds that the proposed Preliminary Forest Conservation Plan (PFCP) meets the requirements of the Forest Conservation Law. The PFCP shows retention of 2.59 acres of the 4.63 acres of existing forest on the Subject Property. Using the institutional development standards for calculation of the forest conservation requirements<sup>2</sup>, the proposed forest retention area exceeds the project's "break-even point" of 2.26 acres, and no forest planting is required. Although not required by the Forest Conservation Law, the PFCP proposes a small area of planting (0.08 acre) adjacent to a property owner who has requested that the church provide this planting. This planting area, in addition to the forest retention area, will be placed within a Category I Conservation Easement for long-term protection.

There are three trees on the site that are at least the same size as the County champions of the same species. A 64-inch bitternut hickory is located within the forest that is proposed for protection. Two other hickories (50-inch bitternut hickory and 55-inch mockernut hickory) are located along the eastern property boundary, but are either dead or in poor condition. The Planning Board finds that these two trees should not be preserved.

- 5. The Application meets all applicable stormwater management requirements and will provide adequate control of stormwater runoff from the site. This finding is based on the determination by the Montgomery County Department of Permitting*

---

<sup>2</sup> The County Forest Conservation Law (Chapter 22A of the Montgomery County Code) was amended by the County Council on July 31, 2007 to permit places of worship to use the institutional development standards. This amendment became effective on November 8, 2007 and, therefore, applies to this Application.

*Services ("MCDPS") that the Stormwater Management Concept Plan meets MCDPS' standards.*

On October 4, 2006, the MCDPS Stormwater Management Section approved the project's stormwater management concept which includes topsoiling prior to permanent vegetative stabilization.

*6. The Application adequately addresses the concerns raised at the Hearing by neighboring property owners.*

During the Hearing, neighboring property owners testified that they had concerns regarding: noise and congestion from traffic along Norbeck Road and other nearby roads that could be worsened by the proposed Application; the size and height of the proposed church; the close proximity of the parking lot to adjacent property; the potential spill over of parking into neighboring communities; the alignment of the proposed bikepath along Norbeck Road; the potential impact on property values; and the limited time for citizen review of the plan.

The Planning Board finds that the Application adequately addresses the concerns over which the Applicant has control. The proposed forest retention and planting areas will buffer the church building from neighboring properties, and these buffers will be protected in perpetuity by conservation easements. Vehicle trips generated by the proposed use will not be excessive and will not occur during peak travel times when the existing road congestion occurs. The location of the bikepath along Norbeck Road is not under the Applicant's control and will ultimately be determined by MDSHA and Staff based on any existing constraints within the road right-of-way. The Board finds that the size of the proposed church is acceptable. Exact configuration and height will be determined at the time of building permits and must meet the requirements of the underlying RC zone. As to parking concerns, the Board accepts the Applicant's statement that the proposed parking exceeds the church's current needs and the Applicant's willingness to work with the community if future problems arise. Finally, the Board finds that notice of the Application and the date of the Public Hearing were appropriately given by the Applicant and Staff.

BE IT FURTHER RESOLVED, that this Preliminary Plan will remain valid for 36 months from its Initiation Date (as defined in Montgomery County Code Section 50-35(h), as amended) and that prior to the expiration of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded among the Montgomery County Land Records or a request for an extension must be filed; and

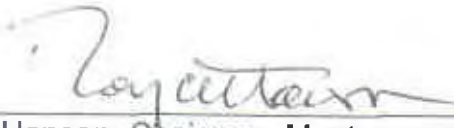
BE IT FURTHER RESOLVED, that the date of this Resolution is JAN 23 2008 (which is the date that this Resolution is mailed to all parties of record); and

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).

\* \* \* \* \*

CERTIFICATION

At its regular meeting, held on Thursday, January 3, 2008, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission ADOPTED the above Resolution, on motion of Vice Chair Robinson, seconded by Commissioner Bryant, with Chairman Hanson, Vice Chair Robinson, and Commissioners Bryant and Cryor present and voting in favor, and with Commissioner Lynch absent. This Resolution constitutes the final decision of the Planning Board, and memorializes the Board's findings of fact and conclusions of law for Preliminary Plan No. 120061240, Parker Memorial Baptist Church.



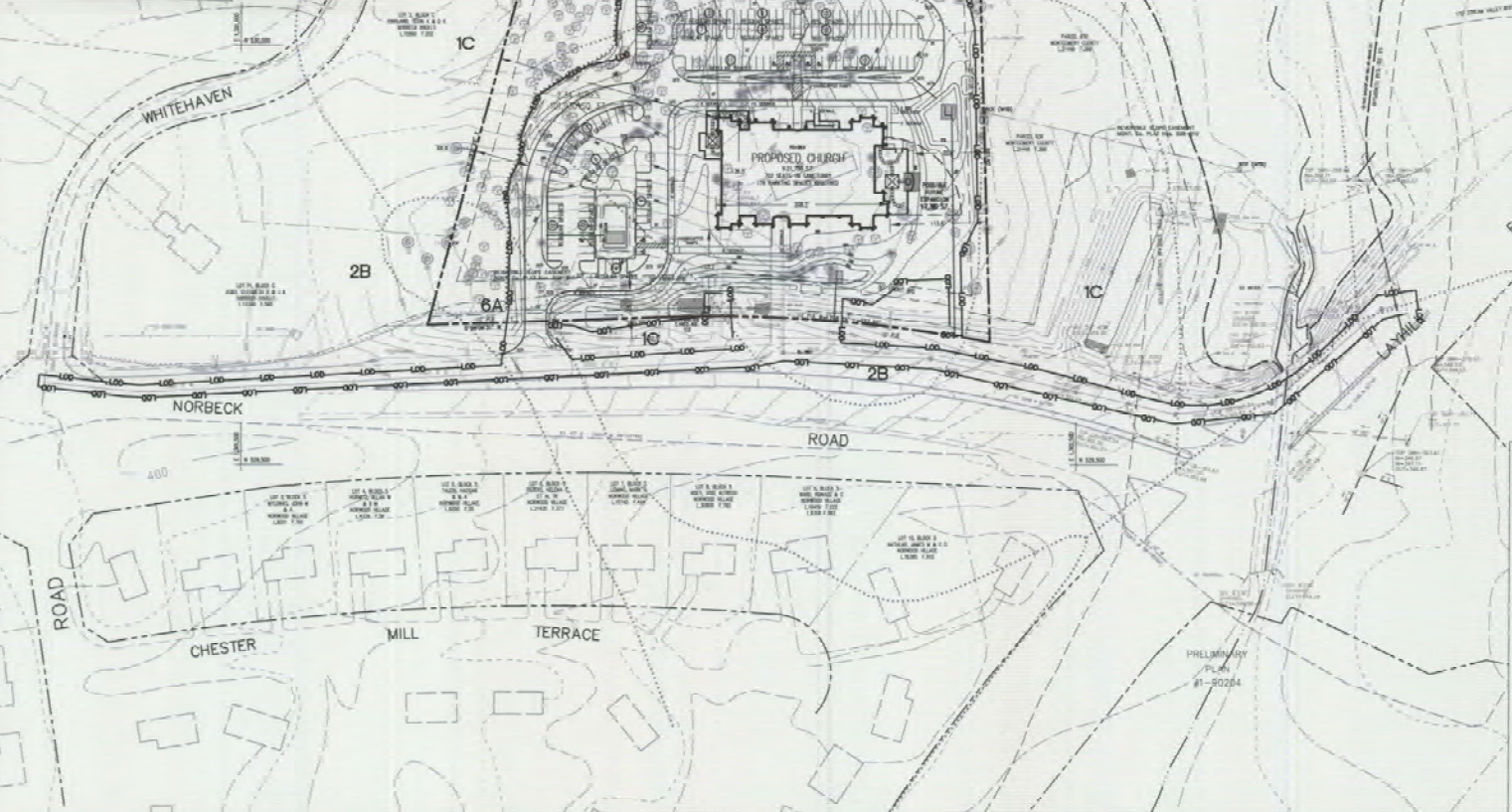
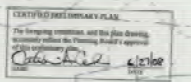
\_\_\_\_\_  
Royce Hanson, Chairman, Montgomery County Planning Board

Maryland-National Capital Park and Planning Commission  
 Preliminary Plan No. 120061240  
 MCFB No. 06-13  
 At its meeting of 11/09/07 and by Resolution dated 01/13/08

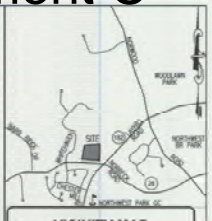
Pursuant to the relevant provisions of the Montgomery County Code (Chapter 55), the Planning Board approved Preliminary Plan No. 120061240 to create one lot or 8.36 acres of land located on the north side of Norbeck Road, approximately 200 feet west of the intersection with Layhill Road (MD 181), in the Olney Master Plan Area, subject to the following conditions:

- 1) Approval under this Preliminary Plan is limited to one lot for a 700-seat place of worship containing 22,700 square feet with six on-site wheelchair accessible, separate, or related uses.
- 2) The Applicant must place forest restoration and planting areas to Category I Conservation Easements. Easements shall be shown on record plans.
- 3) The Applicant must comply with the conditions of approval for the preliminary forest conservation plan dated October 22, 2007. The Applicant must meet all conditions prior to recording of plat or Montgomery County Department of Permitting Services (MDCPS) issuance of Submittal and erosion control permits, as appropriate. Conditions include, but are not limited to, the following:
  - a. Final forest conservation plan shall include the following elements:
    - i. Design and location of permanent markers (such as permanent fences or signs) to clearly identify boundaries of the Category I Conservation Easement.
    - ii. Planting areas and schedule for the proposed reforestation and visual buffer.
  - b. Financial security bond maintenance and management agreement to cover the site for the reforestation and visual buffer areas must be submitted to M-NCPA staff for review and approval prior to the pre-construction meeting.
- 4) The Applicant must comply with conditions of Montgomery County Department of Public Works and Transportation (MDCPWT) letter dated July 18, 2006, unless otherwise amended.
- 5) The record plat must reflect a minimum 100-foot right-of-way for Norbeck Road along the property boundary, as shown in this Preliminary Plan.
- 6) The Applicant must construct an eight-foot wide shared use path on Norbeck Road along the property boundary in cooperation with Maryland State Highway Administration's (MDOT) MD 26/181 Layhill Corridor Improvement Study project. This path must be constructed prior to the release of any occupancy permits for the development.
- 7) The Applicant must provide a lead to address the fire prevention issues of worship from Norbeck Road.
- 8) The Applicant must provide for signs and improvements as required to be approved by MDCPWT in the issuance of access permits.
- 9) The Applicant must comply with the conditions of approval of the MDCPS stormwater management approval dated October 4, 2006.
- 10) The Applicant is to use best design efforts to minimize stormwater discharge onto parkland or common accessible to M-NCPA staff.
- 11) The Adequate Public Facility (APF) review for the Preliminary Plan will remain valid for sixty (60) days from the date of meeting of the Planning Board.
- 12) A landscape and lighting plan must be submitted for review by MDCPWT by technical staff. This plan must include an adequate vegetative buffer along the east side of the Property to provide a visual buffer for the adjacent parkland.
- 13) Other necessary approvals must be shown on the record plat.

This Preliminary Plan will remain valid for 30 months from its issuance date (as defined in Montgomery County Code Section 50-35(b), as amended) and that prior to the expiration of this validity period, a final report plat for all property delineated on the approved Preliminary Plan must be recorded using the Montgomery County Land Records or a request for an extension must be filed.



- GENERAL NOTES:**
1. 2' topography and boundary by PRR+A, February 2006.
  2. Existing Zoning: Rural Cluster (RC)
  3. Gross Tract Area: 48.38 acres  
 Parcel 905: 4.13 acres  
 Parcel 907: 1.65 acres  
 Parcel 909: 2.58 acres
  4. Election District: 8 (Olney)
  5. Planning Area: No. 23 Olney and Vicinity
  6. Tax Map No. JS 23
  7. W.S.C. Map: 221 & 222 NW 02
  8. ADC Map: Montgomery County Map 21, Grid K-12
  9. Proposed Use: Church
  10. Existing Forest Cover: 4.63 AC.
  11. Existing water category W-3, existing sewer category S-3
  12. There are no known historic features on this site, or adjacent to this site.
  13. There are no cemeteries located on or adjacent to the site.
  14. The predominant soil types are:
    - 1C Galis Sil Loam (8-15% slopes)
    - 2B Orange Sil Loam (2-4% slopes)
    - 5A Belle Sil Loam (0-3% slopes)
    - 53A Coonora Sil Loam (0-7% slopes)
 From Soil Survey Montgomery County Maryland
  15. Planner/Engineer: Patton Harris Rust & Associates, Inc.  
 8818 Centre Park Drive, Suite 200  
 Columbia, Maryland 21045  
 T: 410.997.8900 F: 410.997.8282
  16. Planner: Jerome Planning and Zoning, Inc.  
 255 N. Washington St., #502  
 Rockville, MD 20850  
 T: 301.217.0478 F: 301.424.8501
  17. Architect: ARI Architects, Inc.  
 1804 Old Alexander's Ferry Road  
 Clinton, MD 20735  
 T: 301.868.2735 F: 301.868.7400



**PARKER MEMORIAL BAPTIST CHURCH**  
 OWNED BY: PARKER MEMORIAL BAPTIST CHURCH  
 8818 CENTRE PARK DRIVE, SUITE 200, COLUMBIA, MD 21045  
 (410) 997-8900

**Patton Harris Rust & Associates, pc**  
 Engineers, Surveyors, Planners, Landscape Architects  
 8818 Centre Park Drive, Suite 200, Columbia, MD 21045  
 T: 410-997-8900 F: 410-997-8282

| NO. | REVISION | DATE | BY |
|-----|----------|------|----|
|     |          |      |    |
|     |          |      |    |
|     |          |      |    |
|     |          |      |    |
|     |          |      |    |

**PRELIMINARY PLAN COMPOSITE SHEET**  
**PARKER MEMORIAL BAPTIST CHURCH**  
 JS23  
 PARCEL 907, 909  
 EXISTING ZONING: RURAL CLUSTER  
 BY ELECTION DISTRICT: MONTGOMERY COUNTY, MARYLAND

**DC DEVELOPMENT STANDARDS (DC-C&E)**

|                               |                        |
|-------------------------------|------------------------|
| Minimum Lot Area (DC-C&E)     | 5,700 sq. ft.          |
| Minimum Lot Width (DC-C&E)    | 40' ft.                |
| Minimum Lot Depth (DC-C&E)    | 50' ft.                |
| Minimum Lot Coverage (DC-C&E) | 20% (with 10% minimum) |
| Maximum Height (DC-C&E)       | 100' ft.               |
| Maximum Area (DC-C&E)         | 300,000 sq. ft.        |
| Maximum Volume (DC-C&E)       | 3,000,000 cu. ft.      |

**PARKING SCHEDULE:**

Church  
 Total number of seats in main sanctuary: 700  
 Required Parking Spaces: 1 space per 4 seats (700 ÷ 4 = 175 spaces)  
 Proposed Parking Spaces: 175 (with 10% overflow)  
 175 Regular Spaces @ (8' 0" x 18')  
 2 Handicapped Van Spaces @ (8' 0" x 12' loading area)  
 4 Handicapped Car Spaces @ (4' x 18' loading area)

\*Total number and location of parking spaces is subject to revision during subsequent site plan proceedings.

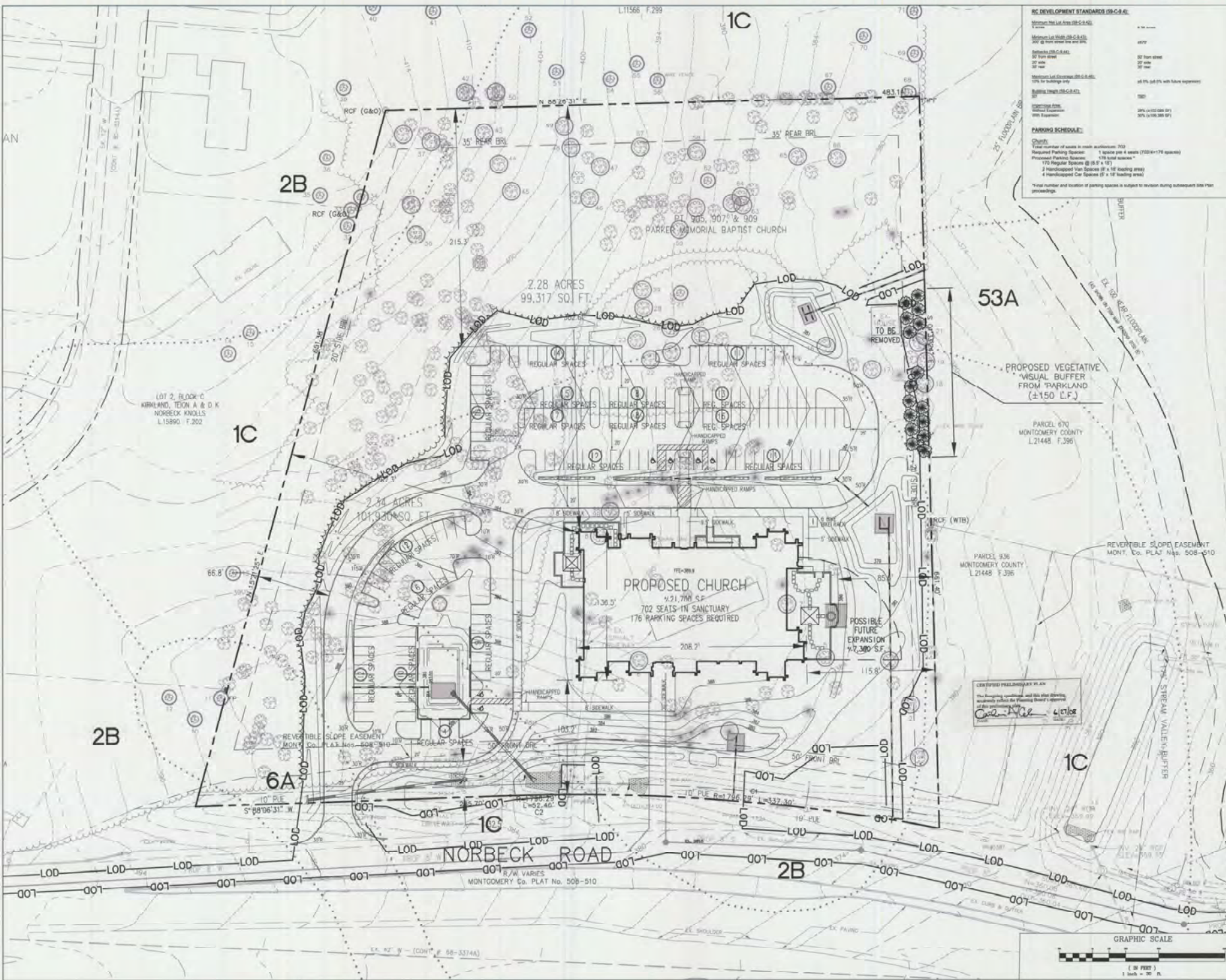
**GRAPHIC SCALE**  
 1" = 80' PL.

**PRR+A**

DESIGNED: LAB  
 DRAWING: LAB  
 DATE: 10/09/06  
 SCALE: 1"=80'

FILE NO: 11180-1-3  
 SHEET 1 OF 2





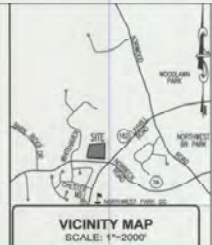
**DC DEVELOPMENT STANDARDS (DC-C-6.1)**

|                                  |                                  |
|----------------------------------|----------------------------------|
| Minimum Lot Area (DC-C-6.1)      | 5000                             |
| Minimum Lot Width (DC-C-6.1)     | 50' or 60' from street to street |
| Minimum Setback (DC-C-6.1)       | 30' from street                  |
| Minimum Front Setback (DC-C-6.1) | 30' from street                  |
| Minimum Side Setback (DC-C-6.1)  | 30' from street                  |
| Minimum Rear Setback (DC-C-6.1)  | 30' from street                  |
| Minimum Front Setback (DC-C-6.1) | 30' from street                  |
| Minimum Side Setback (DC-C-6.1)  | 30' from street                  |
| Minimum Rear Setback (DC-C-6.1)  | 30' from street                  |
| Minimum Front Setback (DC-C-6.1) | 30' from street                  |
| Minimum Side Setback (DC-C-6.1)  | 30' from street                  |
| Minimum Rear Setback (DC-C-6.1)  | 30' from street                  |

**PARKING SCHEDULE:**

|  |   |
|--|---|
| Church   | 1 space per 4 seats (700+ = 175 spaces) |
| Proposed Facility                                  | 175 total spaces                        |
| 175 Regular Spaces @ (9' x 18')                    |   |
| 2 Handicapped Van Spaces @ (8' x 18' loading area) |   |
| 4 Handicapped Car Spaces @ (8' x 18' loading area) |   |

\*Year number and location of parking spaces is subject to revision during subsequent 30% plan proceedings.

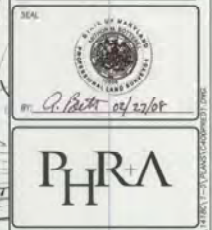


|           |   |
|-----------|---|
| OWNER:    | PARKER MEMORIAL BAPTIST CHURCH<br>3811 BALDWIN ROAD<br>MONTGOMERY COUNTY, MD 20880<br>301-427-5300  |
| DESIGNER: | Patton Harris Rust & Associates, PC<br>Engineers, Surveyors, Planners, Landscape Architects<br>8811 Green Park Drive, Columbia, MD 21046<br>410-997-6800 F 410-997-6282 |
| DATE BY:  |   |
| REVISION: |   |
| NO.:      |   |

**PRELIMINARY PLAN  
SITE DETAIL**

**PARKER MEMORIAL BAPTIST CHURCH**

DC03  
PARCELS 905, 907, 909  
EXISTING ZONING: RURAL CLUSTER  
IN ELECTION DISTRICT  
MONTGOMERY COUNTY, MARYLAND





## DEPARTMENT OF ENVIRONMENTAL PROTECTION

Marc Elrich  
County Executive

Patty Bubar  
Acting Director

## MEMORANDUM

January 29, 2019

TO: Mark Pfefferle, Development Applications & Regulatory Coordination  
Maryland – National Capital Park and Planning Commission

Richard Weaver, Area 3 Planning Team, M-NCPPC  
Maryland – National Capital Park and Planning Commission

FROM: George Dizelos, Environmental Planner, Water and Wastewater Policy Group  
Department of Environmental Protection

SUBJECT: County Council Reconsideration of PIF Concept Plan Changes

**Purpose**

As required by the Water and Sewer Plan's Private Institutional Facilities (PIF) policy, our office is forwarding materials related to the evaluation of the updated concept plan for the property below:

**Address: 1601 Norbeck Rd., Silver Spring (Parcels P905, P907, & P909) \***

Draft Plat Name: Centro Cristiano Internacional Church

Draft Plat Number: 220190400

Category Change Request: 05A-OLN-02\*. County Council conditional approval action under CR 15-1410 (4/25/06)

\*A vicinity map showing the project location is provided on Page 4.

The Department of Environmental Protection requests that M-NCPPC evaluate the existing and newly proposed use of this property for changes that would warrant the County Council's reconsideration of the existing category change action. Your recommendations should be provided as shown in the "M-NCPPC Findings" section on page 3 of this memo. We further request that you provide your findings to DEP and Council staff within 30 days, by March 1, 2019.

**Policy Background**

As established in the 2018-2027 Comprehensive Water Supply and Sewerage Systems Plan, the final approval of a category change request considered under the Private Institutional Facilities (PIF) policy is contingent on the County Council's acceptance of a concept development plan for the project. Under the new policy, a change in the proposed PIF use may require that a new concept plan be brought back to the County Council for additional review. The PIF policy designates M-NCPPC as the agency responsible for determining whether changes between original and revised concept plans warrant the Council's reconsideration of the plan and the conditional category change action. The relevant PIF policy section of the Water and Sewer Plan is provided below:

### **Chapter 1, Section II.G.4.f.: County Council Reconsideration of PIF Concept Plan Changes**

“The discussion of the review of PIF policy cases (Section II.G.4.b) explains the Council’s consideration of a concept development plan for the proposed PIF use, which in part is the basis for a category change approval action. However, if the PIF user makes significant changes (prior to service being provided to the approved PIF use) to the development plan from the plan considered at the time of the Council’s action, the County will require reconsideration of the original approval action by the County Council. The M-NCPPC Planning Department will evaluate the revised concept plan with respect to the original plan and report its findings to DEP and the Council concerning significant changes that would warrant the Council’s reconsideration.

“The discussion of the review of PIF policy cases (Section II.G.4.b) explains the Council’s consideration of a concept development plan for the proposed PIF use, which in part is the basis for a category change approval action. However, if the PIF user makes significant changes (prior to service being provided to the approved PIF use) to the development plan from the plan considered at the time of the Council’s action, DEP will require reconsideration of the original approval action by the County Council. DEP will determine when a concept plan warrants the Council’s reconsideration.”

### **Analysis**

The County Council’s conditional approval action for WSCCR 05A-OLN-02 states:

“Maintain W-6 and S-6, with approval of W-3 and S-3 conditioned upon Planning Board approval of a preliminary plan that is in conformance with the applicant’s pre-application plan submission (M-NCPPC file no. 7-20060410). Public water and sewer service is restricted to a private institutional use only, specifically, the Parker Memorial Baptist Church.”

Note that the County Council’s requirement under CR 15-1410 addressing the specific PIF user of this site was removed by DEP on May 16, 2013, at the recommendation of the County Attorney’s Office.

The planned PIF user for this site was the Parker Memorial Baptist Church (PMBC) which had provided the cited pre-application plan considered and accepted by the County Council. PMBC did not proceed with development of the site and sold the properties in April 2013. The properties changed hands again in July 2013. Centro Cristiano Internacional, Inc. (CCII) subsequently acquired the three subject properties from Bethel World Outreach Church in June 2015 and provided a revised preliminary plan to M-NCPPC for the purpose of recording a building lot for its proposed development.

DEP has determined that the revised development plan continues to satisfy the basic policy requirements for a PIF user:

- DEP has requested confirmation of CCII’s tax-exempt status from the project engineer.
- The water and sewer main extensions needed for the CCII project are expected to be the same as those proposed for the PMBC project. DEP’s review of the original development plan showed that these extensions will not open up new public service for properties not otherwise eligible for public service.
- The site is zoned RC, not AR where the provision of public water and sewer service for PIF uses is no longer allowed.

Outside of these preceding requirements, the County Council’s primary concern in considering WSCCR 05A-OLN-02 was the total impervious surface area for the project. DEP has performed a generalized impervious surface comparison and determined that the newly proposed use will decrease the total amount of impervious surface area. This determination may need to be confirmed with the applicant’s engineer. M-NCPPC may also

want to evaluate forest conservation requirements, site access, and other site considerations in your consideration of these development plans.

**Attachments**

- CR 15-1410 excerpt (4/25/06)
- WSCCR 05A-OLN-02 Revision/Correction (5/16/13)
- Concept plan submitted and considered for WSCCR 05A-OLN-02, Parker Memorial Baptist Church (pre-application plan no. 720060410))
- Revised preliminary plan for draft plat no. 220190400, Centro Cristiano Internacional Church (revised preliminary plan no. 120061240)

**M-NCPPC Findings:**

**The changes between the original development plan for the Parker Memorial Baptist Church (pre-application plan no. 720060410) and the revised development plan for the Centro Cristiano Internacional Church (revised preliminary plan no. 120061240):**

✓ **Do not warrant reconsideration of category change request 05A-OLN-02 by the County Council. DEP may proceed with a final approval action for W-3 and S-3 for this request.**

\_\_\_\_\_ **Do warrant reconsideration of category change request 05A-OLN-02 by the County Council (see additional findings, as follow).**

**Additional Findings:**

*My finding is that the plans before us are substantially similar to those reviewed at the time of the category change. Building size, parking and limits of disturbance are within acceptable tolerance.*

cc: Keith Levchenko, County Council staff  
Stan Edwards, Manager, Water and Wastewater Policy Group, DEP  
Luis Tapia, Unit Coordinator, Permit Services Unit, WSSC  
Ray Chicca, Development Services Group, WSSC  
Katherine Nelson, Area 3 Planning Team, M-NCPPC  
Centro Cristiano Internacional Church  
Dean Packard, Packard & Associates LLC

**Attachments:** Pre-application plan 720060410, Parker Memorial Baptist Church  
Approved preliminary plan 102261240, Parker Memorial Baptist Church  
Revised preliminary plan 120061240, Central Cristiano Internacional Church  
CR 15-1410 excerpt for WSCCR 05A-OLN-02

