



FREDERICK COUNTY PLANNING COMMISSION
August 10, 2016

TITLE: **Damascus Road Community Church**

FILE NUMBER: **SP-95-40A** (AP# 16222, APFO# 16223 & FRO# 16224)

REQUEST: **Site Development Plan Approval**
The Applicant is requesting site development plan approval to eliminate previously approved buildings in Phase 2 [comprised of Phase 2a: 23,750 square foot gymnasium and Phase 2b: 29,860 square foot grand sanctuary buildings], while retaining the previously approved Phase 2 parking spaces totaling 269 spaces (106 of which are grass temporary overflow spaces).

PROJECT INFORMATION:

ADDRESS/LOCATION: 12826 Old National Pike, North-side Old National Pike, 500' east of Bartholows Road

TAX MAP/PARCEL: Tax Map 89, Parcel 29

ZONE: Agricultural

REGION: New Market

WATER/SEWER: No Planned Service/Multi-Use

COMP. PLAN/LAND USE: Agricultural/Rural

APPLICANT/REPRESENTATIVES:

APPLICANT: DRCC Properties, LLC

OWNER: same

ENGINEER: Terra Solutions Engineering, LLC.

ARCHITECT: Not Listed

ATTORNEY: Not Listed

STAFF: Tolson DeSa, Principal Planner II

RECOMMENDATION: **Conditional Approval**

Enclosures:

Exhibit #1: Damascus Road Community Church: Site Rendering
Exhibit #2- Damascus Road Community Church Parking and Loading Modification Request

STAFF REPORT

ISSUE

Development Request

The Applicant is requesting site development plan approval to eliminate previously approved buildings in Phase 2 [comprised of **Phase 2a**: 23,750 square foot gymnasium and **Phase 2b**: 22,520 square foot grand sanctuary buildings], while retaining approval of the previously approved Phase 2 parking spaces totaling 379 (including 106 grass temporary overflow spaces). This will leave the site with only the existing 22,520 sq. ft. church building. The proposed use is being reviewed as a **Place of Worship** use under the heading of **INSTITUTIONAL** per § 1-19-5.310 of the Zoning Ordinance. This proposed use is a principal-permitted-use subject to site development plan approval.

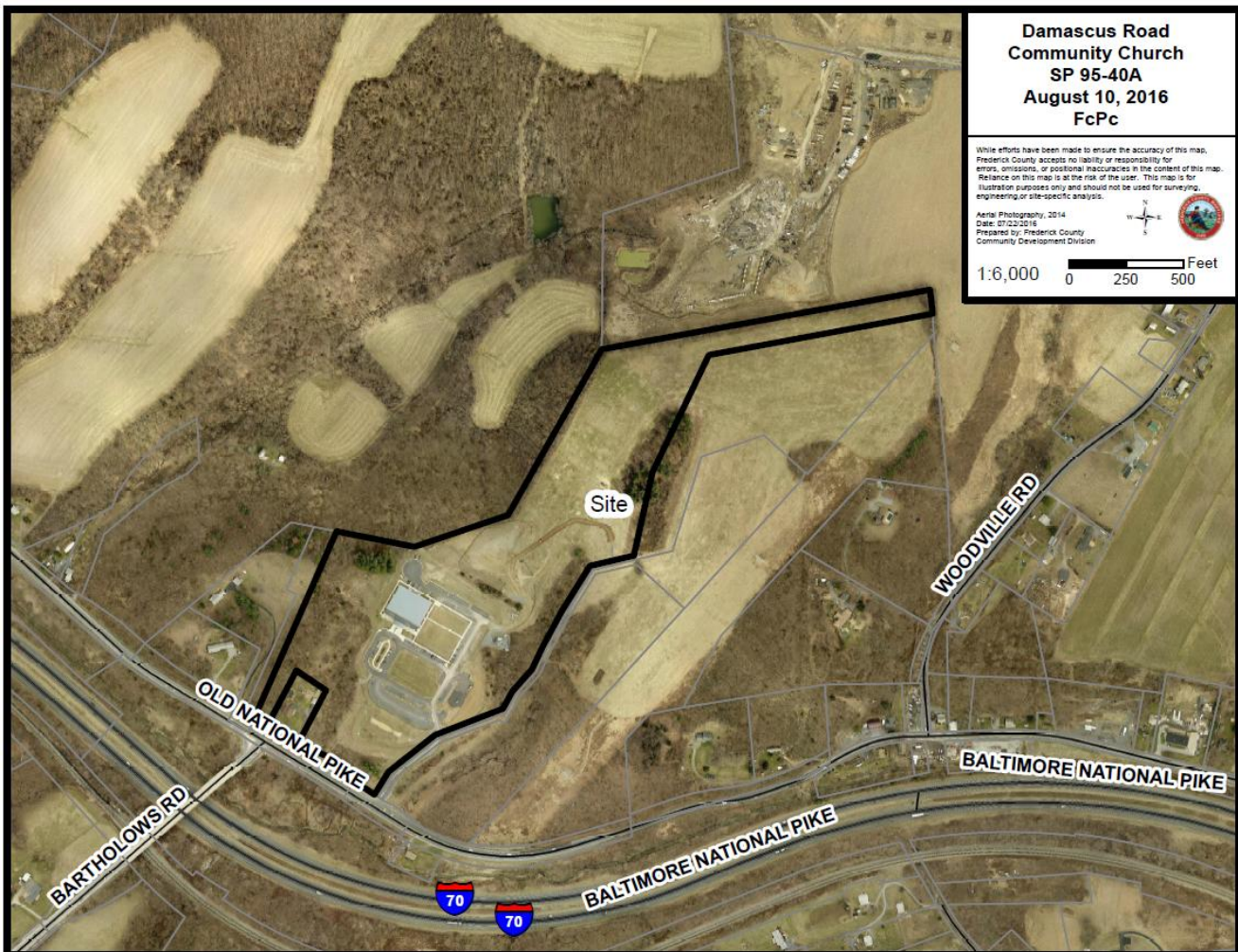
The Applicant is not proposing any new construction, demolition or expansion of the existing sanctuary as part of this site plan application, but is proposing to retain the 379 parking spaces approved as part of Phase 2.

BACKGROUND

Development History

The Applicant submitted a site plan application in June 2007, requesting site plan approval for a Phase 1 Church building consisting of 22,520 square feet. The site plan was presented to the FCPC at a hearing on April 8, 2009 and was conditionally approved at that time. The structure was built, exists, and is currently utilized as the Damascus Road Community Church (DRCC), see Graphic #1.

Graphic #1: DRCC Site Aerial



Damascus Road Community Church

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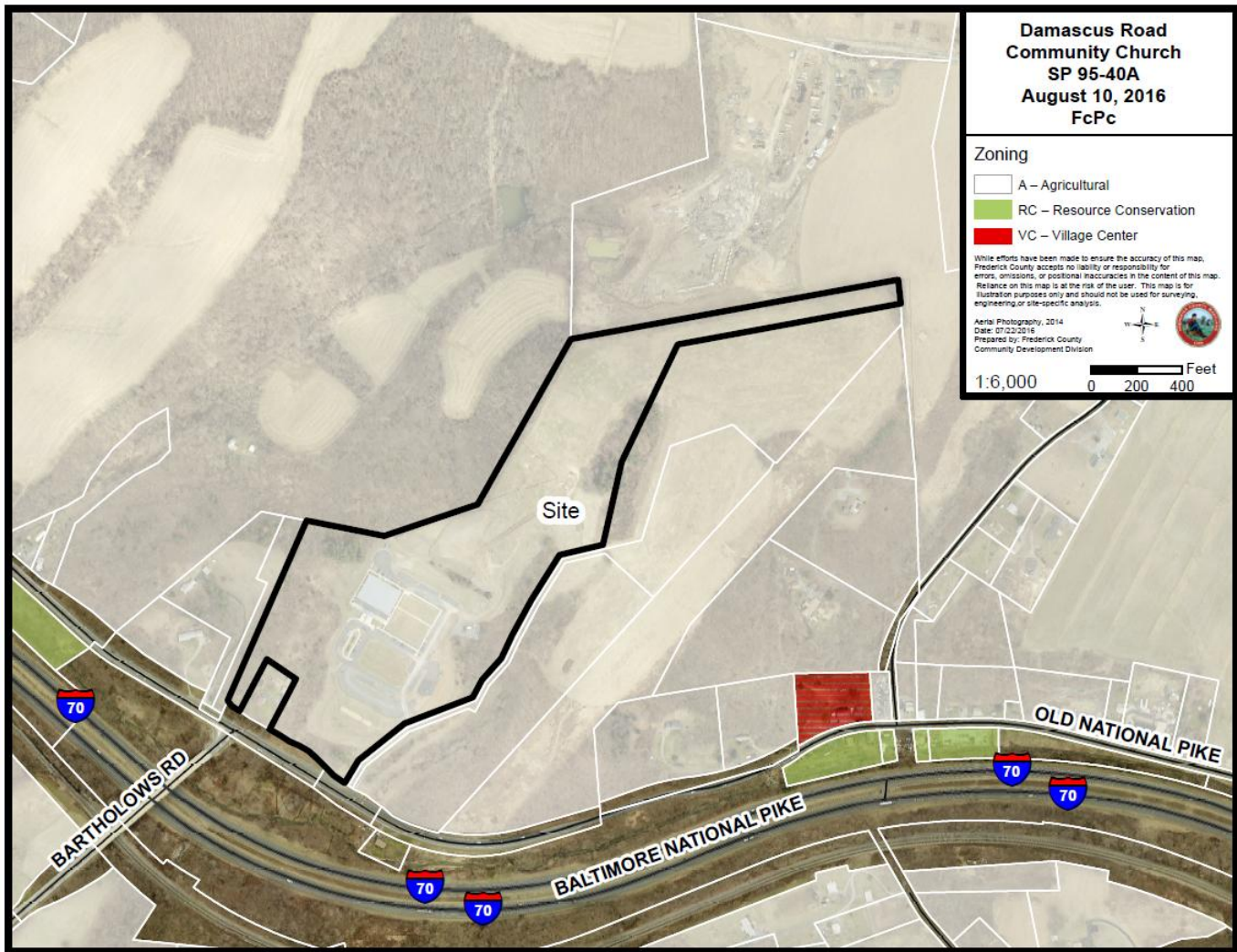
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The intent of the current application is to obtain approval to retain 269 total parking spaces, 163 of the parking spaces were previously approved as part of the Phase 2, while 106 are grass overflow parking spaces that are utilized on-site. The total number of spaces approved as part of the Phase I project (to serve the existing and constructed 22,520 sanctuary building) is 110.

Existing Site Characteristics

The site is located within the Agricultural (AG) Zoning District, shown without color in the map below. The site is currently developed with a 22,520 square foot church building. The property to the north of the site is developed with a storage yard; the properties to the east and west are vacant agricultural grounds, see Graphic #2.

Graphic #2: DRCC Site Zoning



ANALYSIS

Detailed Analysis of Findings and Conclusions

Site Development Plan Approval shall be granted based upon the criteria found in §1-19-3.300.4 Site Plan Review Approval Criteria of the Frederick County zoning ordinance.

Site Development §1-19-3.300.4 (A): Existing and anticipated surrounding land uses have been adequately considered in the design of the development and negative impacts have been minimized through such means as building placement or scale, landscaping, or screening, and an evaluation of lighting. Anticipated surrounding uses shall be determined based upon existing zoning and land use designations.

Findings/Conclusions

- 1. Dimensional Requirements/Bulk Standards §1-19-6.100:** The proposed parking lot layout meets all of the dimensional requirements and bulk standards of the zoning district. The Applicant is not proposing any new construction or expansion of the existing sanctuary as part of this site plan application.
- 2. Signage §1-19-6.300:** There is no additional signage proposed with this site development plan proposal.
- 3. Landscaping §1-19-6.400:** The Applicant has worked with Staff in order to develop a landscape plan that complies with the Z.O. requirements as well as increases the aesthetic of the proposed parking area. The Applicant has exceeded the required 20% canopy cover over the existing parking area. During the previous review and approval for Phase 1 the site complied with all of the landscape requirements of §1-19-6.400.
- 4. Screening §1-19-6.400:** The Applicant has complied with the screening and landscaping requirements of Z.O. Section 1-19-6.400.
- 5. Lighting §1-19-6.500:** There is no additional lighting proposed with this site plan. The Applicant provided a lighting plan as part of the previous approval AP 13643 (see Sheet 4). No existing site lighting will exceed 0.5 foot-candles at the property line in accordance with Z.O. §1-19-6.500.

Transportation and Parking §1-19-3.300.4 (B): *The transportation system and parking areas are adequate to serve the proposed use in addition to existing uses by providing safe and efficient circulation, and design consideration that maximizes connections with surrounding land uses and accommodates public transit facilities. Evaluation factors include: on-street parking impacts, off-street parking and loading design, access location and design, vehicular, bicycle, and pedestrian circulation and safety, and existing or planned transit facilities.*

Findings/Conclusions

- 1. Access/Circulation:** The Applicant will utilize the existing closed-section monumented entrance with a 14' entrance lane and two 11' exit lanes. There are no alterations to site access proposed as part of this application.
- 2. Connectivity §1-19-6.220 (F):** This development proposal does not propose any further connections to adjacent properties due to the topography as well as the existing FRO easements on the eastern and western property boundaries. There are no alterations to site connectivity proposed as part of this application.
- 3. Public Transit:** This site is not served by Transit.
- 4. Vehicle Parking and Loading §1-19-6.200-through 1-19-6.220:**
In accordance with Z.O. § 1-19-6.220.A.4; 1 space is required for every 5 seats in the sanctuary, therefore 520 seats requires 104 parking spaces. Previously site development plans for Phase I approved 110 parking spaces for the existing 22,520 square foot sanctuary. The Applicant is requesting approval for a total of 379 parking spaces, including 106 temporary grass overflow spaces, and 11 ADA accessible spaces. Based on previous approvals, the Applicant is requesting a surplus of 269 parking spaces.

110 parking spaces exist from the previous approval for the existing 22,520 square foot sanctuary in Phase 1 (AP 6578), 163 gravel spaces were constructed in anticipation of completing Phase 2, of which 158 will be paved as part of this proposal; 5 will remain in gravel. An additional 106 temporary grass overflow parking spaces are to remain in use as shown adjacent to the existing building.

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The Applicant is seeking a parking space modification (Exhibit #2) in accordance with Z.O. Section 1-19-6.220.A.1 for a surplus of 269 parking spaces above the previously approved 110. The Applicant has performed car counts for all of the weekend services between May and November 2012. DRCC is averaging parking counts closer to one space for every 2.14 seats rather than the 1 space per every 5 seats as targeted in the Zoning Ordinance. It should be noted that the parking calculations within the Zoning Ordinance provide for the Place of Worship land use in many zoning districts other than Agricultural. Most of those zoning districts provide alternate means of transportation including public transit that would reduce the need for an individual parking space per person, or per couple of persons. Within the Agricultural zoning district these alternate modes of transportation are not available and thus increase the need for on-site parking, increase paved surface and reduce opportunities for shared and joint parking.

Staff is seeking a determination from the FCPC, in accordance with 1-19-6.220.A.1 in order to approve the surplus of 269 parking spaces for a total of 379 parking spaces on-site (106 of which are temporary grass overflow parking spaces).

In accordance with Z.O. §1-19-6.210, the amount of building square footage on this site requires 5 large loading spaces. The Applicant has provided 1 large 12'x50' loading space and 2 12'x30' non-standard loading spaces, rather than the required five large loading spaces, as previously approved. One is located in the front of the existing 22,520 square foot building, with the remaining located to the rear of the existing sanctuary. The Applicant feels that the loading space count is sufficient for the size of the existing sanctuary. Staff has no objection to this modification.

5. **Bicycle Parking §1-19-6.220 (H):** The Zoning Ordinance requires 1 bicycle rack for every 20 parking spaces, for a total of 4 racks for this Site. The Applicant is proposing 4 racks which complies with the Zoning Ordinance requirement. The bicycle parking shall comply with the Frederick County Bicycle Parking Design Guide.
6. **Pedestrian Circulation and Safety §1-19-6.220 (G):** The Applicant designed a pedestrian sidewalk and crosswalk system within the proposed parking area in order to provide parishioners a safe pedestrian walkway to and from the existing sanctuary.

Modifications:

1. **Parking Space Modification** in accordance with Z.O. § 1-19-6.220.A.1 to permit a parking space modification in order to allow a total of 379 parking spaces, including a surplus of 269 spaces of which 106 will be temporary grass overflow parking spaces).
2. **Loading Space Modification** in accordance with Z.O. 1-19-6.210.D, the Applicant is requesting a loading space count modification (See Exhibit #2) in order to provide 1 large 12'x50' loading spaces and 2 12'x30' non-standard loading space, rather than the required five large loading spaces, rather than the required five large loading spaces.

Public Utilities §1-19-3.300.4 (C): *Where the proposed development will be served by publicly owned community water and sewer, the facilities shall be adequate to serve the proposed development. Where proposed development will be served by facilities other than publicly owned community water and sewer, the facilities shall meet the requirements of and receive approval from the Maryland Department of the Environment/the Frederick County Health Department.*

Findings/Conclusions

1. **Private Well and Septic:** The site is served by individual well and septic. The Health Department has conditionally approved this site plan. The proposed parking lot improvements will not result in an increase in church seats or activities during the week.

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Natural features §1-19-3.300.4 (D): *Natural features of the site have been evaluated and to the greatest extent practical maintained in a natural state and incorporated into the design of the development. Evaluation factors include topography, vegetation, sensitive resources, and natural hazards.*

Findings/Conclusions

- 1. Topography:** The site slopes up significantly to the north rising from the finished grade of 610 at the parking lot to 640 at the crest of the bluff.
- 2. Vegetation:** The portions of the site not occupied with existing parking and structures is wooded sloping up from Old National Pike. The existing vegetation provides thick screening from Old National Pike. The bank of the slope and the crest of the bluff is vegetated with deciduous trees and shrubs. This vegetation is proposed to be preserved, and supplemented with additional landscaping. The remainder of the bluff to the north is all tall grasses. The existing vegetation aids in stabilizing the bank leading up to the crest of the bluff.
- 3. Sensitive Resources:** There are no sensitive resources located on site.
- 4. Natural Hazards:** There are no natural hazards located on site.

Common Areas §1-19-3.300.4 (E): *If the plan of development includes common areas and/or facilities, the Planning Commission as a condition of approval may review the ownership, use, and maintenance of such lands or property to ensure the preservation of such areas, property, and facilities for their intended purposes.*

Findings/Conclusions

- 1. Proposed Common Area:** The site is an institutional use, therefore there is no required common area associated with this development.
- 2. Ownership:** The site is a privately owned institutional use.

Moderately Priced Dwelling Units – Chapter 1-6A: The site is an institutional use, and therefore is exempt from the MPDU requirement.

Stormwater Management – Chapter 1-15.2: There are no alterations proposed to the previously approved Stormwater Management Plan as part of this application.

Subdivision Regulations – Chapter 1-16: There is no subdivision activity proposed as part of the development.

APFO – Chapter 1-20:

- 1. Schools.** The development of the property is a non-residential land use and is therefore exempt from APFO testing for Schools.
- 2. Water/Sewer.** The Property has water and sewer classification of No Planned Service (NPS) and Multi-Use in the County's *Master Water and Sewer Plan* and is therefore exempt from APFO testing for public water and sewer.
- 3. Roads.** APFO Roads was previously mitigated for this use as part of the original approval by the FCPC on April 8th, 2009 (AP #6579) and again on November 9, 2011 (AP #11998). APFO roads are exempt for the proposed parking lot alterations because no additional sanctuary or ancillary building space is being proposed by this site plan.

Forest Resource – Chapter 1-21: All FRO requirements for this property were met at the time of subdivision plat recordation. Existing FRO easements are located on the property and must be protected throughout the development of the project.

Historic Preservation – Chapter 1-23: There are no historic structures/features impacted by this development proposal.

Summary of Agency Comments

Other Agency or Ordinance Requirements	Comment
Development Review Engineering (DRE):	Approved
Development Review Planning:	Hold: Address all agency comments as the plan proceeds through to completion.
State Highway Administration (SHA):	N/A
Div. of Utilities and Solid Waste Mngt. (DUSWM):	N/A
Health Dept.	Conditionally Approved
Office of Life Safety	Approved
DPDR Traffic Engineering	Approved
Historic Preservation	N/A

RECOMMENDATION

If the Planning Commission approves the requested parking and loading modifications, Staff has no objection to conditional approval of the site development plan. If the Planning Commission conditionally approves the site plan, the site plan is valid for a period of three (3) years from the date of Planning Commission approval or August 10, 2019.

Based upon the findings and conclusions as presented in the staff report the application meets or will meet all applicable zoning, APFO, and FRO requirements once the following conditions are met:

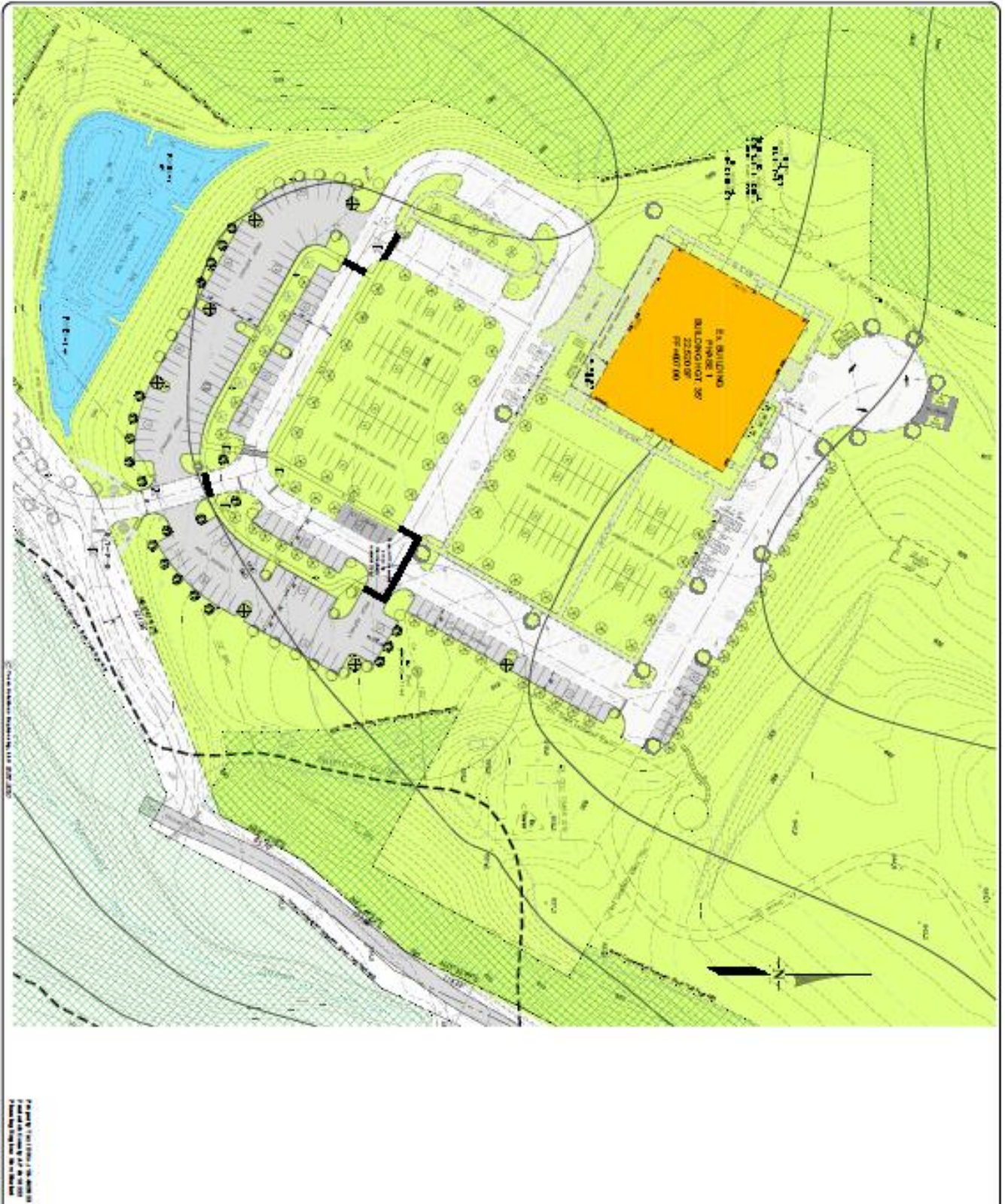
1. Address all agency comments as the plan proceeds through to completion.

Modification Requests:

- a) In accordance with Z.O. §1-19-6.220.A.1 Planning Commission approval to permit a parking space modification in order to allow a total of 379 parking spaces, including a surplus of 269 parking spaces (106 of which will be temporary grass overflow parking spaces).
2. Loading Space Modification in accordance with Z.O. 1-19-6.210.D, the Applicant is requesting a loading space count modification (See Exhibit #2) in order to provide 1 large 12’x50’ loading spaces and 2 12’x30’ non-standard loading space, rather than the required five large loading spaces.

PLANNING COMMISSION ACTION
MOTION TO APPROVE

I move that the Planning Commission **APPROVE** Site Plan SP-95-40A, AP 16222 **with conditions and modifications** as listed in the staff report for the proposed site plan to eliminate the previously approved Phase 2 buildings but to retain approval of the previously approved Phase 2 parking spaces based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.



DATE: 08/10/16
PROJECT: DAMASCUS ROAD COMMUNITY CHURCH
DRAWN BY: [Name]
CHECKED BY: [Name]

Terra Solutions Engineering, LLC

Commercial & Residential Land Planning and Engineering

"Solutions through experienced Engineering"

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Phone: 301-378-9842
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July 1, 2016

Mr. Tolson DeSa
Frederick County Division of Permitting
and Development Review (DPDR)
30 North Market Street
Frederick, MD 21701

Re: **DRCC Properties, LLC**
Damascus Road Community Church
Site Plan – 3rd Submission
File #: SP-95-40A, Project No.: 16222

Dear Mr. DeSa:

Pursuant to the requirements of Frederick County Zoning Ordinances (§ 1-19-6.210 & 1-19-6.220):

Loading Space Modification (§ 1-19-6.210) :

["an applicant may request that the Planning Commission approve a modification to the requirements of § 1-19-6.200(B), § 1-19-6.210(A) or that the Zoning Administrator or Planning Commission authorized representative approve a modification to the requirements of § 1-19-6.210(B) of this section."]

This modification request is for a reduction in the total number of provided loading spaces. Typically this project would have required a total of five (5) loading spaces for the ultimate 78,000 SF buildout, but only 22,520 SF of existing Church is being proposed by the current Site Plan; therefore, two (2) large loading (12' x 50') spaces would be required for the existing 22,520 SF. We are proposing the approval of the two existing non-standard (12' x 30') small loading spaces in the rear of the Church, and the approval of the existing single large (12' x 50') loading space in the front of the Church. These three (3) existing loading spaces were approved as part of the original Site Plan (A/P #6578) and are all that we anticipate being necessary for the current Church building and this project.

Parking Space Modification (§ 1-19-6.220):

["an increase or reduction in the number of required parking spaces may be granted by the Planning Commission where the applicant or Planning Commission authorized representative can demonstrate need based on characteristics of the proposed use, hourly parking demand studies published by ITE or other documentation as approved by the Planning Commission."],

This modification request is to allow the existing 110 paved parking spaces (9' x 18') built during Phase 1 and the 163 parking spaces (9' x 18') currently under construction from Phase 2, to remain in use in

Mr. Tolson DeSa
DRCC Properties, LLC
Damascus Road Community Church
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support of the existing Church facility, which seats 520 people in the existing sanctuary. In addition to the current 273 permanent paved parking spaces on the Church site, we are requesting that an additional 106 temporary grass parking spaces be permitted to remain in use as illustrated on the Site Plan for temporary overflow parking. In other words, we are seeking approval for a total of 379 parking spaces, as described above and as illustrated on the current Site Plan. It should be noted that this site was previously approved for a total of 367 permanent parking spaces had phase Phases 1, 2 & 3 been fully developed.

Sincerely,
Terra Solutions Engineering, LLC



Gerald Lee Miller, Jr., PE
President

Cc: Mr. Mark Schaefer

Schaefer Construction Management, Inc.