

Prince George's County Council Agenda Item Summary

Meeting Date: 9/13/2011
Reference No.: CR-021-2011
Draft No.: 3
Proposer(s): County Executive
Sponsor(s): Turner
Item Title: A Resolution concerning the 2008 Water and Sewer Plan (Reaching Hearts International, Inc. 2010 Amendment Cycle) to change the water and sewer category designations within the 2008 Water and Sewer Plan

Drafter: Shirley Anthony Branch, DER
Resource Personnel: Brad W. Frome, OCE

LEGISLATIVE HISTORY:

Date Presented:		Executive Action:	
Committee Referral:	3/15/2011 - THE	Effective Date:	10/4/2011

Committee Action: 6/23/2011 - FAV(A)

Date Introduced: 3/15/2011

Public Hearing: 4/26/2011 - 1:30 PM

Council Action (1) 7/12/2011 - ADOPTED

Council Votes: WC:A, MRF:A, AH:A, LJ:A, ML:A, EO:A, OP:A, IT:A, KT:A

Pass/Fail: P

Council Action (2) 9/13/2011 - RECONSIDERED

Council Votes: WC:A, MRF:A, AH:A, LJ:-, ML:A, EO:A, OP:A, IT:A, KT:A

Pass/Fail: P

Council Action (3) 9/13/2011 - ADOPTED

Council Votes: WC:A, MRF:A, AH:A, LJ:-, ML:A, EO:A, OP:A, IT:A, KT:A

Pass/Fail: P

Remarks:

AFFECTED CODE SECTIONS:

COMMITTEE REPORTS:**THE Committee Report****Date 6/23/2011**

June 23, 2011

Committee Vote: Favorable as amended to Retain Category 5 – 4-0 (In favor: Council Members Olson, Toles, Lehman and Patterson).

The Legislative Officer provided an overview of CR-21-2011, including referrals to the Maryland-National Capital Park & Planning Commission and the Washington Suburban Sanitary Commission, that the public hearing was held on April 26, 2011 and that agency comments were provided pursuant to the requirements of the Title 9, Subtitle 5 of Environmental Article of the Maryland Annotated Code.

CR-21-2011, the 2010 Cycle of Amendments to the 2008 Water and Sewer Plan, contains one (1) application, 10/PW-02 Reaching Hearts International. Inc., requesting water and sewer category changes from Category 5 to 4 for a 13.7 acre parcel for a 72,000 square foot sanctuary building and an attached 12,000 square foot gymnasium to accommodate an existing congregation of approximately 900 and a future student enrollment of 200 for grades K-8. The County Executive's recommendation was to move the property to Category 4.

Council Member Lehman provided a written statement and attachments for the record containing the grounds for keeping the property in Category 5 (W-5, S-5), including that the property:

1. Is in an environmental sensitive area abutting the Rocky Gorge Reservoir in the Patuxent Watershed and that large-scale development could potentially reduce the reservoir's capacity and threaten its water quality and quantity;
2. That the surrounding properties that abut the Reservoir have Water and Sewer Category of W-5 & S-5;
3. That the surrounding properties in the Brooklyn Bridge Road Corridor are zoned Residential-Agricultural (R-A) and are low-density single-family homes and farms;
4. That the applicant has indicated in sworn court documents that the church facilities could be built on an existing property parcel fronting Brooklyn Bridge Road that already has Water Category W-3 and Sewer Category W-S;
5. That the previous Council actions and basis to retain Category 5 in 2003 and 2005 were upheld by the Prince George's County Circuit Court and the Maryland Court of Special Appeals; and
6. That the requested change would be inconsistent with the County's mission to protect the Reservoir for the adverse impacts of such a large-scale and land-disturbing project in the area.

The Committee voted favorable as amended to retain the property in a Category 5 (W-5, S-5) in CR -21-2011.

BACKGROUND INFORMATION/FISCAL IMPACT:

(Includes reason for proposal, as well as any unique statutory requirements)

The 2008 Water and Sewer Plan provides for three cycles of category change requests annually to amend the Plan. This Resolution represents the Reaching Hearts International, Inc. 2010 Cycle of Amendments, outside the scheduled cycle of amendments.

The 2008 Water and Sewer Plan was adopted by CR-91-2008, and amended by CR-17-2009, CR-52-2009, CR-5-2010, CR-19-2010, and CR-82-2010. The Reaching Hearts International, Inc. 2010 Cycle contains solely the self-named application request for a category change.

This category change request is in the Parkway sewershed.

Environment Article, Title 9, Subtitle 5, of the Maryland Annotated Code, sets procedures for amendments and revisions to the Plan. At least 30 days prior to the public hearing on the amendments, the County Council must submit to the Washington Suburban Sanitary Commission and Maryland-National Capital Park and Planning Commission a copy of the resolution for their recommendations.

8/2/2011: Received letter from County Executive requesting the Council Reconsider CR-21-2011 (DR-2).

9/13/2011:

1. Motion to Reconsider made by Council Member Lehman; seconded by Council Member Olson; motion carried 8-0.(District 6 vacant)
2. Motion to grant in part the application, made by Council Member Lehman; seconded by Council Member Olson; motion carried 8-0 (District 6 vacant); resulting in a Draft 3 of CR-21-2011.

10/4/2011: CR-21-2011 (DR-3) was returned by the County Executive without further comments, therefore it became effective on 10/4/2011.

CODE INDEX TOPICS:

INCLUSION FILES:

I-CR-21-2011 Attachment B.pdf
