



Son of David: Preliminary Plan No. 120170220

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Completed: 9/29/17

Description

Son of David, Preliminary Plan No. 120170220:

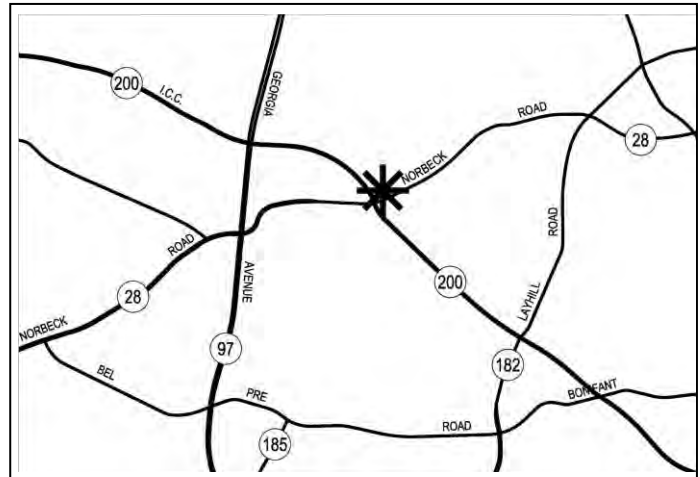
Request to create a lot from a parcel of land to construct a synagogue (Religious Assembly), located on the north side of Norbeck Road (MD 28), approximately 50 feet east of Wintergate Drive; 2.39 acres, RE-2 Zone; Olney Master Plan.

Recommendation – Approval with conditions

Applicant: Son of David Congregation, Inc. c/o
Dennis Karp, Congregational Leader

Application Acceptance Date: 3/21/2017

Review Basis: Chapter 50, Chapter 22A



Summary

- The main sanctuary of the synagogue will contain no more than 236 seats.
- The Application is consistent with the recommendations of the 2005 Olney Master Plan.
- The proposed lot meets the RE-2 development standards.
- The Application includes a Forest Conservation Plan and a Chapter 22A variance for the removal of 13 and impact to 7 trees that are 30 inches or greater diameter at breast height ("DBH").
- The Application satisfies the requirements of Chapter 22A, Forest Conservation Law, by meeting the entire afforestation requirements on-site in a Category 1 Conservation Easement.
- *Staff has not received any citizen correspondence on the Application.*

Preliminary Plan No. 120170220: Staff recommends approval with conditions of the Preliminary Plan subject to the following conditions:

1. This Preliminary Plan is limited to one lot for a religious assembly building with up to 236 seats.
2. Prior to recordation of the plat(s), the Applicant must ensure with Maryland State Highway Administration ("MDSHA") the construction of a 10-foot wide shared use path along the Subject Property frontage along Norbeck Road. This shall include an off-site connection to the Intercounty Connector ("ICC") trail to the west. The final location of the path may vary from that shown on the certified Preliminary Plan pending coordination with MDSHA. ADA compliant curb ramps must be provided at all drive aisle.
3. If a preferred alternative for the future MD 28/MD 198 corridor is selected by MDSHA before the Applicant pursues access permits, the frontage improvements along Norbeck Road, including the future access and shared use path, must be consistent with design alternative selected by MDSHA. If a preferred alternative is not selected by MDSHA by the time the Applicant pursues access permits, the frontage improvements along Norbeck Road may be built according to the Certified Preliminary Plan.
4. Include the stormwater management concept approval letter and Preliminary Plan Resolution on the approval or cover sheet(s).
5. The Applicant must comply with the conditions of approval for the Preliminary Forest Conservation Plan (PFCP) No. 120170220, approved as part of this Preliminary Plan, subject to:
 - a. A Final Forest Conservation Plan must be approved by Staff prior to certification of the Preliminary Plan and address the following conditions:
 - i. The Final Forest Conservation plan must be consistent with the approved Preliminary Forest Conservation Plan.
 - ii. The Final Forest Conservation Plan must identify the location of the trees planted as mitigation for the tree variance.
 - b. Mitigation for the removal of six (6) trees subject to the variance provision and located outside of the forest must be provided in the form of planting native canopy trees totaling 56 caliper inches, with a minimum size of three (3) caliper inches. The trees must be planted in locations to be shown on the Final Forest Conservation Plan, outside of any rights-of-way or utility easements, including stormwater management easements. Adjustments to the planting locations of these trees is permitted with the approval of the M-NCPPC forest conservation inspector.
 - c. The Applicant must record a Category I Conservation Easement over all areas of forest retention, as specified on the approved Final Forest Conservation Plan. The Category I Conservation Easement approved by the M-NCPPC Office of the General Counsel must be recorded in the Montgomery County Land Records by deed prior to the start of any clearing, or grading on the Subject Property, and the Liber Folio for the easement must be referenced on the record plat.
 - d. The Applicant must install permanent conservation easement signage along the perimeter of the Category I Conservation Easement. Signs must be installed a maximum of 100 feet apart with additional signs installed where the easement changes direction, or at the discretion of the M-NCPPC forest conservation inspector.

- e. The Final Sediment Control Plan must depict the limits of disturbance consistent with the limits of disturbance on the approved Final Forest Conservation Plan.
 - f. The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Tree save measures not specified on the approved Final Forest Conservation Plan may be required by the M-NCPPC forest conservation inspector.
- 6. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated September 20, 2017, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
- 7. The Planning Board accepts the recommendations of the MDSHA in its email correspondence dated May 11, 2017, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MDSHA provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
- 8. Prior to issuance of access permits, the Applicant must satisfy the provisions for access and improvements as required by MDSHA.
- 9. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Service (“MCDPS”) – Water Resources Section in its stormwater management concept letter dated September 26, 2017, and hereby incorporates them as conditions of the Preliminary Plan approval. 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 the Preliminary Plan approval.
- 10. The Planning Board accepts the recommendations of the MCDPS, Fire Department Access and Water Supply Section in its letter dated August 29, 2017, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Preliminary Plan approval.
- 11. Prior to issuance of final Use and Occupancy certificate, the Applicant must construct all road improvements within the rights-of-way shown on the approved Preliminary Plan to the full width mandated by the *2005 Olney Master Plan* and/or to the design standards imposed by all applicable road codes.
- 12. Prior to issuance of final Use and Occupancy certificate, the Applicant must install one (1) bicycle rack as shown on the Certified Preliminary Plan.
- 13. The record plat must show necessary easements.

14. The certified Preliminary Plan must contain the following note:

Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of issuance of building permit(s). Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.

15. The Adequate Public Facility (“APF”) review for the Preliminary Plan will remain valid for sixty-one (61) months from the date of mailing of this Planning Board Resolution.
16. Prior to certification of the Preliminary Plan, the Applicant must submit a Landscape and Lighting Plan.

SECTION 2 – SITE LOCATION, HISTORY, AND DESCRIPTION

Site Location

The Subject Property is located approximately 300 feet east of the Intercounty Connector (MD 200), in the northeast quadrant of the intersection of Norbeck Road (MD 28) and Wintergate Drive, in Olney (Figure 1). The Subject Property is within the southeast quadrant area identified in the *2005 Olney Master Plan* (“Master Plan”).

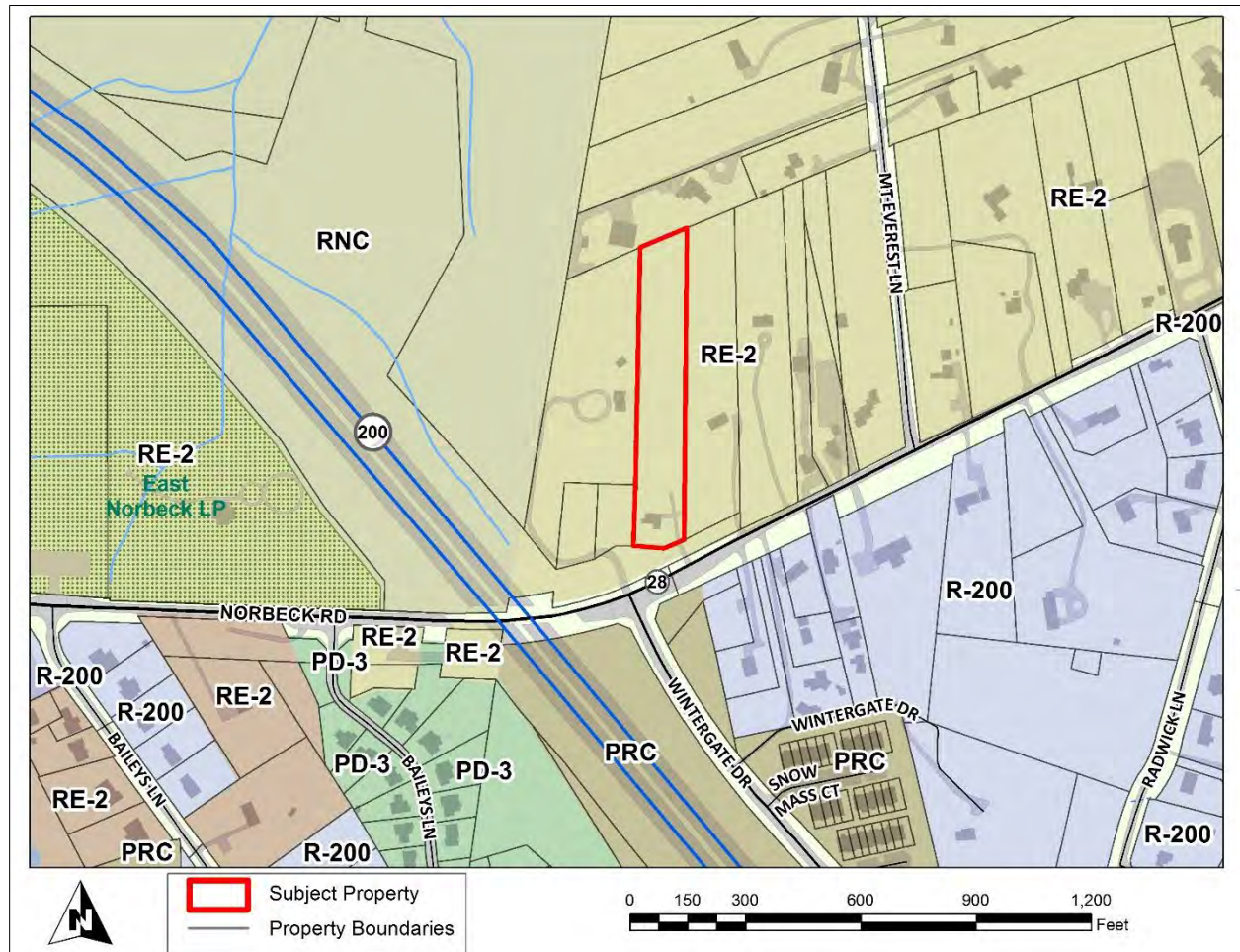


Figure 1 – Vicinity Map

Site Vicinity

The subject property abuts properties zoned RE-2 that are developed with single-family detached houses. The two vacant parcels that abut the southwest corner of the Subject Property and the RNC property to the northwest area are owned by MDSHA. East Norbeck Local Park (RE-2 zone) is located to the east of the ICC. The area south of Norbeck Road is predominately single-family detached homes in the R-200 zone with a small enclave of townhouses (PRC zone). The area southwest of ICC is developed with single-family detached homes in three different zones (PD-3, RE-2 & R-200).

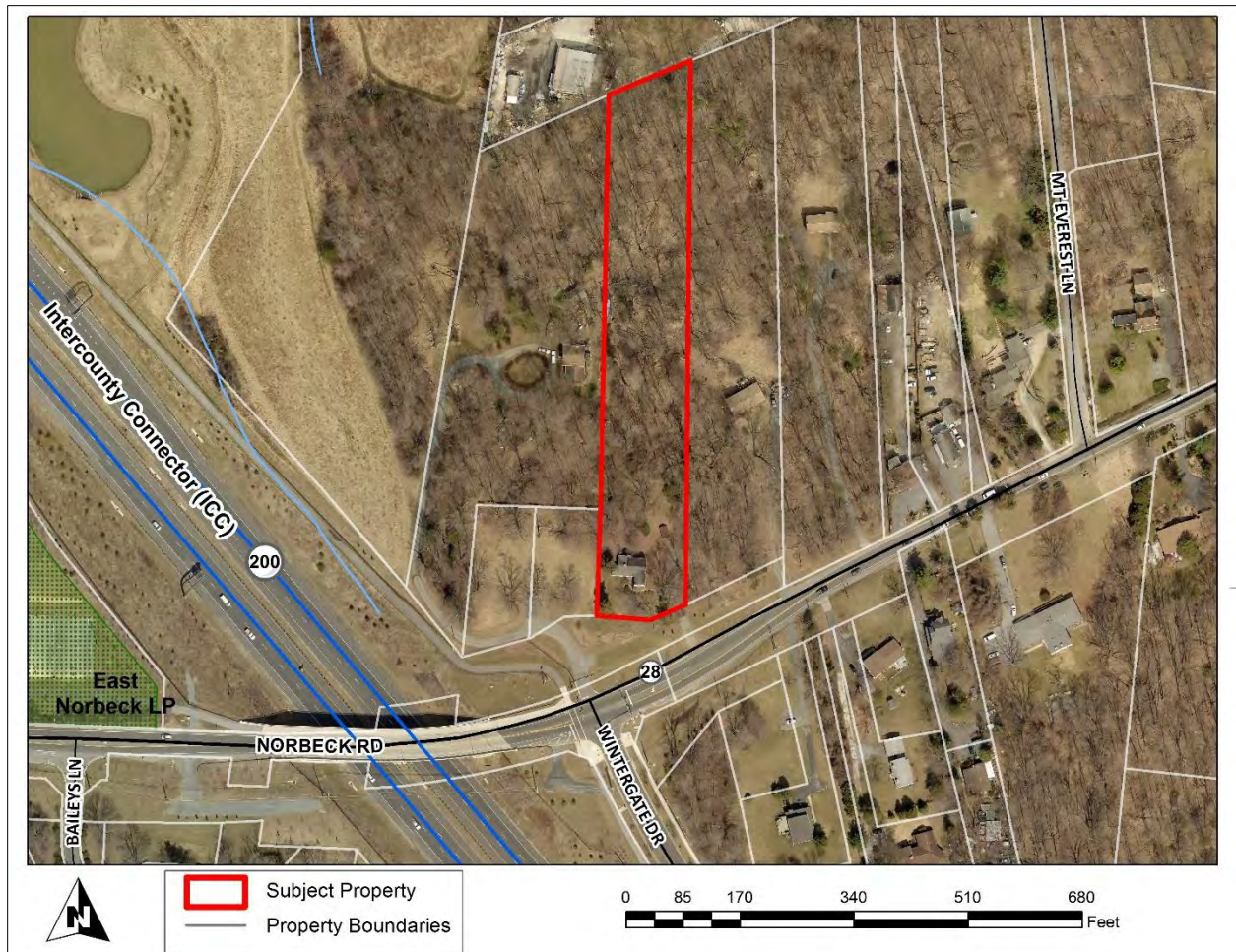


Figure 2 – Aerial View

Site Description

The Subject Property is an unrecorded parcel (P695 on Tax Map HS562) consisting of 2.39 acres (104,044 square feet) of land in the RE-2 zone ("Property" or "Subject Property"). The Property is currently improved with one single family detached dwelling unit and a driveway on Norbeck Road. The Property is located within the Northwest Branch watershed, which is classified by the State of Maryland as Use Class IV-P waters. The Property gently slopes downward in a northwesterly direction with approximately 25 feet of fall between the southeastern and northwestern Property boundaries. The Property contains approximately 1.92 acres of forest and there are no streams, wetlands, 100-year floodplain, stream buffers, highly erodible soils, or slopes greater than 25 percent located on or immediately adjacent to the Property. There are 70 trees greater than or equal to 24" Diameter at Breast Height (DBH) that were identified on or adjacent to the Subject Property, 33 of which are 30" DBH and greater.

SECTION 3 – HISTORY AND PROPOSAL

Proposal

Preliminary Plan Application No.120170220, Son of David (“Application” or “Preliminary Plan”) proposes to create one lot on 2.39 acres (104,044 sq. ft.) of land for a new synagogue (Religious Assembly) with a 236-seat sanctuary (Figure 3 & Attachment 1). A parking lot with 59 parking spaces will be constructed in the rear of the building. The existing house will be demolished prior to the construction of the synagogue. The existing driveway will be removed and a new driveway will be constructed parallel to Norbeck Road and tee into the shared driveway north of the Wintergate Drive/Norwood Road intersection. The Applicant will also construct a 10-foot wide master planned shared use path along the Property frontage and an off-site segment of the path connecting to the ICC trail. The utilities associated with the existing house will remain.

The lot will be served by public water and sewer which is consistent the Property’s W-1 and S-1 category. Stormwater will be managed via bioswales and microbioretention facilities. Forest conservation will be met on-site by providing a Category I Forest Conservation Easement in the northern third of the Property. The Application also includes a tree variance to remove thirteen and impact seven trees that are 30 inches or greater, DBH, and considered a high priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law.

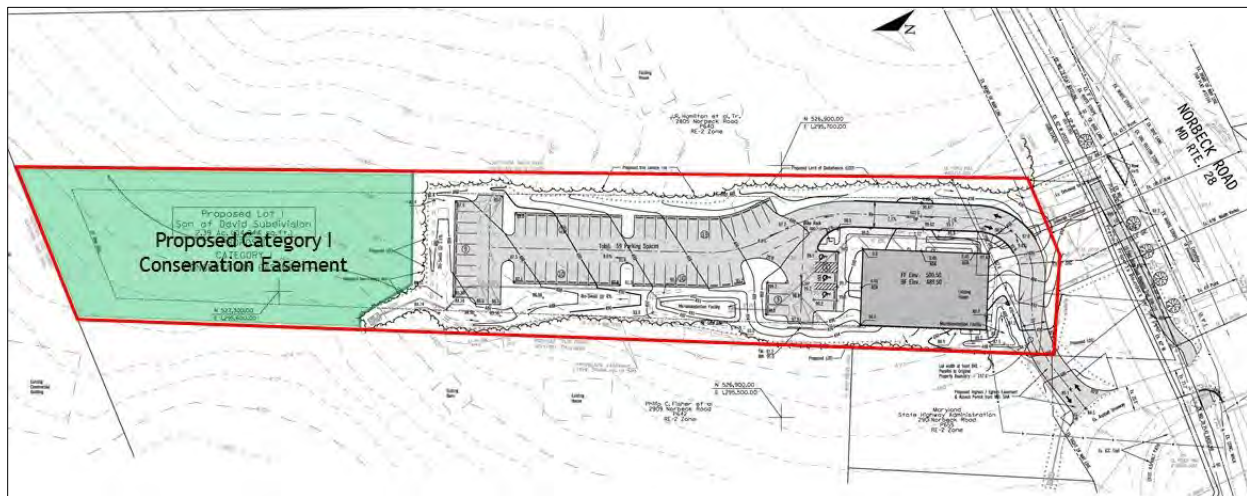


Figure 3 – Preliminary Plan

SECTION 4 – ANALYSIS AND FINDINGS, 50.4.2.D

1. *The layout of the subdivision, including size, width, shape, orientation and diversity of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59*

- a. *The block and lot design is appropriate for the development or use contemplated*

The Preliminary Plan proposes to convert an unplatted parcel into a recorded lot. The block this parcel is located in contains many other unplatted parcels that are similar in size and dimension. The Preliminary Plan does not propose any changes to the configuration of the block or parcel. The proposed lot meets the dimensional standards of the RE-2 zone with regard to size, width, shape and orientation. The lot is narrow and deep, but is suitably wide to accommodate a synagogue building and its associated parking and stormwater management. The synagogue will be located in the front of the lot along Norwood Road, and the parking will be hidden in the rear of the building. The shape of the lot also provides enough room to meet the forest conservation requirements on-site in a conservation easement.

- b. *The Preliminary Plan provides for required public sites and adequate open areas*

No public sites are required to be provided by this Application and the right-of-way for Norbeck Road was previously dedicated by MDSHA Plat 57104.

- c. *The Lot and Use comply with the basic requirements of Chapter 59*

The lot was reviewed for compliance with the dimensional requirements for the RE-2 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. A summary of this review is included in Table 1.

Table 1 – Development Standards in the RE-2 Zone

Standard	Required/Permitted	Proposed
Density	1 unit/2 acres	Sanctuary w/ 236 seats max.
Minimum lot size	2 acres / 87,120 sq. ft.	2.39 acres/ 104,044 sq. ft.
Front setbacks	50 ft. min.	50 ft. or more
Side setbacks	17 ft. min., 35 ft. total	17 ft./35 ft. or more
Rear setbacks	35 ft. min.	500 ft. or more
Min Lot Width at Front Building Line	150 ft.	157 ft. or more
Min Lot Width at Front Lot Line	25 ft.	142 ft. or more
Max Lot Coverage	25 %	not to exceed 10%
Max Building Height	50 ft.	50 ft. or less
Off-Street Parking	1 space/4 seats = 59 spaces	59 spaces
Site Plan Required	No	No

2. *The Preliminary Plan substantially conforms to the Master Plan or Urban Renewal Plan*

The Preliminary Plan substantially conforms to the recommendations within the *2005 Olney Master Plan*.

a. Land Use

The Master Plan states the land use plan “maintains the current distribution of land uses in the Master Plan area” (p.15) and focuses on refining only those areas that have potential to redevelop. The Master Plans recommendations for the southeast quadrant (p.23) focus on the preserving open space, significant forest, streams and preserving the low-density character of the quadrant. The Master Plan does not include any site-specific land use recommendations for the Subject Property and recommends retaining the existing RE-2 zoning for those properties below 5 acres, such as the Subject Property which is 2.39 acres. The Applicant proposes to develop the Property with a modest synagogue (religious assembly); a permitted use in the RE-2 zone and preserve existing contiguous forest on-site consistent with the Master Plan’s recommendations.

b. Environment

The Master Plan acknowledges significant environmental resources in the southeast quadrant of Olney, and its general recommendations are designed to preserve a land use pattern that preserves open space, stream valleys and forests. The Master Plan recommends the use of forest conservation easements to preserve forest in and near stream valleys. The Application includes a forest conservation easement on the forested northern portion of the Property that meets all of its forest conservation requirements. While this area is not in a stream valley, there is existing high priority forest, and its preservation in an easement will contribute to resource protection in this generally developed area.

c. Transportation

In accordance with the *2005 Olney Master Plan* and the *2005 Countywide Bikeways Functional Master Plan*, Norbeck Road (MD 28) is designated as a four-lane divided major highway, M-18, with a recommended 150-foot wide right-of-way and a dual bikeway (signed shared roadway and shared use path), DB-12. The *Countywide Bikeways Functional Master Plan* recommends the shared-use path on the north side of Norbeck Road. The current right-of-way in front of the Subject Property is a minimum of 88 feet from centerline, so no additional right-of-way is required to be dedicated along Norbeck Road.

The Master Plan recommends connecting properties in the southeast quadrant with bikeways, walkways and trails to increase access for pedestrians and cyclists to community facilities. Along the Property frontage on Norbeck Road, there is an existing approximately 5-foot wide bike lane that will remain. The Applicant proposes to complete the bikeway recommendations of the Master Plan by constructing a 10-foot wide shared use path along the Property frontage, and extending it off-site, between the Subject Property and the existing Intercounty Connector Trail to the west (Figure 4). New lead-in sidewalks will provide a pedestrian connection from the shared use path along Norbeck Road to the synagogue.

Bicycle parking is not required, however, given the abundant bicycle facilities in the area, the Applicant is proposing to install a bicycle rack near the building entrance.

3. *Public Facilities will be adequate to support and service the area of the subdivision*

a. Roads and Other Transportation Facilities

Transportation access is adequate to serve the proposed development by this Preliminary Plan. No public roadway improvements are necessary to serve the site. As mentioned in the Master Plan Section above, the existing bike lane along the Property frontage will remain and a new shared use path will be constructed.

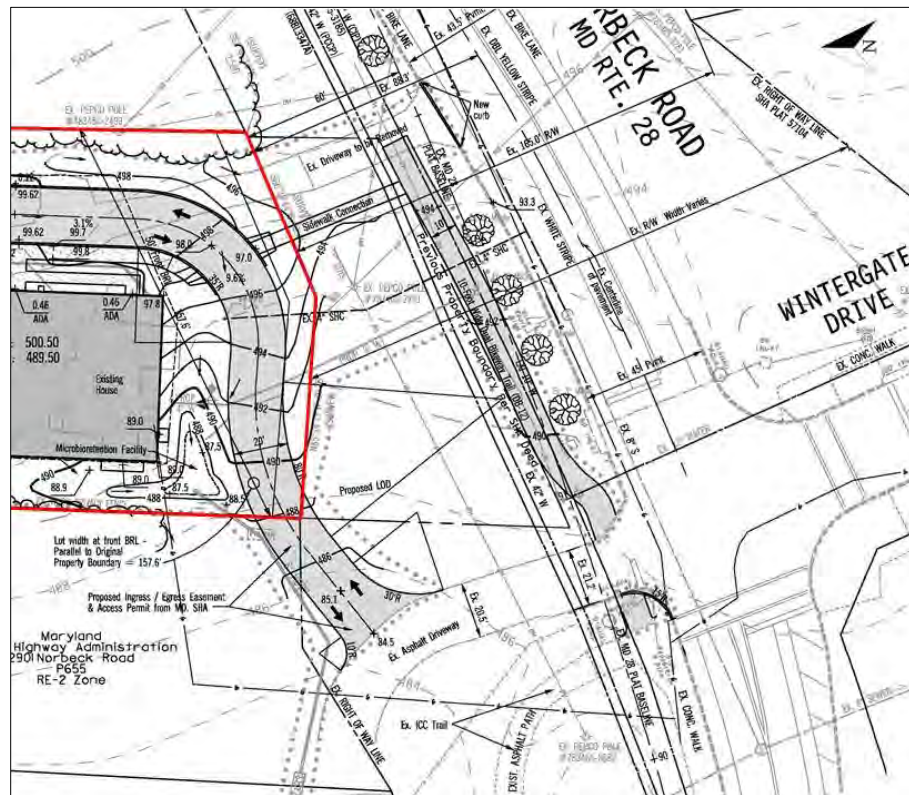


Figure 4 – Access

MDSHA is currently evaluating improvements to Norbeck Road as part of the Norbeck Road/Spencerville Road (MD 28/198) Corridor Study. There are currently two build alternatives along Norbeck Road in front of the Subject Property that include various pedestrian and bike facilities and road upgrades. In addition to these alternatives, there is also an access management option that would provide three access roads, including one on the north side of Norbeck Road between Wintergate Drive and 2801 Norbeck Road along the frontage of the Subject Property. Although the preferred alternative for the Norbeck Road segment in front of the Subject Property has not been decided, both MDSHA staff and M-NCPPC staff support the proposed driveway configuration along the future service road's alignment which links to the existing shared access driveway (or extension of Wintergate Drive) north of Norbeck Road (Attachment 2). The proposed

alignment provides adequate full-movement access for the Subject Property by utilizing the signalized intersection at Wintergate Drive and Norbeck Road.

b. Local Area Transportation Review (LATR)

The Applicant submitted a transportation statement (Attachment 3) which verifies that the proposed house of worship (without a weekday school or daycare facility) generates 50 or fewer additional peak-hour person trips, therefore, the Application is exempt from review under the LATR guidelines.

c. Other Public Facilities and Services

The existing house is served by a 4-inch sewer house connection that tees into an 8-inch sewer main within Norbeck Road. The existing sewer connection will be used to serve the synagogue, subject to WSSC detailed review. Public water is also available via a new waterline that will connect to the existing 10-inch water main within Norbeck Road. The existing electrical service provided by PEPCO will serve the Subject Property.

The Application has been reviewed by the MCDPS, Fire Code Enforcement Section, which determined that the Property has adequate access for fire and rescue vehicles as shown on the approved Fire Department Access Plan dated August 29, 2017 (Attachment 4). All other public facilities and services are available and will be adequate to serve the existing and proposed building.

4. *All Forest Conservation Law, Chapter 22A requirements are satisfied*

a. Environmental Guidelines

The Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) #420170560 for the Property was approved on January 6, 2017. The Property contains approximately 1.92 acres of forest and there are no streams, wetlands, 100-year floodplain, stream buffers, highly erodible soils, or slopes greater than 25 percent located on or immediately adjacent to the Property. There are 70 trees greater than or equal to 24" DBH that were identified on or adjacent to the Subject Property, 33 of which are 30" DBH and greater.

b. Forest Conservation Plan

The Application meets the requirements of Chapter 22A of the Montgomery County Forest Conservation Law. As required by the County Forest Conservation Law, a Preliminary Forest Conservation Plan for the project was submitted with the Preliminary Plan (Attachment 5). The net tract area for forest conservation is 2.62 acres, which includes the 2.39-acre Property and 0.23 acres of offsite disturbance for the removal of the existing driveway, and construction of a new driveway, a shared use path along Norbeck Road, utility connections, and a storm drain outfall. The Application proposes to remove approximately 1.12 acres of existing forest, and protect the remaining 0.80 acres of forest in a Category I Conservation Easement. There is no forest planting requirement for this Application.

c. Forest Conservation Tree Variance

Section 22A-12(b)(3) of the Montgomery County Forest Conservation Law provides criteria that identify certain individual trees and other vegetation as high priority for retention and protection. The law requires that there be no impact to: trees that measure 30 inches or greater DBH; are part of an historic site or designated with an historic structure; are designated as national, State, or County champion trees; are at least 75 percent of the diameter of the current State champion tree of that species; or trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species. Any impact to high priority vegetation, including disturbance to the critical root zone (CRZ) requires a variance. An applicant for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the County Forest Conservation Law. Development of the Property requires impact to trees identified as high priority for retention and protection (Protected Trees), therefore, the Applicant has submitted a variance request for these impacts. Staff recommends that a variance be granted and mitigation be required.

Variance Request – The Applicant submitted a variance request in a letter dated August 29, 2017 for the impacts and removal of trees (Attachment 6). The Applicant proposes to remove thirteen (13) Protected Trees that are 30 inches or greater, DBH, and considered a high priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law. These trees are noted as # 1, 2, 8, 11, 12, 19, 20, 24, 25, 28, 30, 31, and 69 on the FCP, listed in Table 2, and shown graphically in Figure 5. The Applicant also proposes to impact, but not remove, seven (7) Protected Trees that are considered high priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law. These trees are noted as # 5, 22, 26, 29, 34, 36, and 59 on the FCP, listed in Table 3 and shown graphically in Figure 5.

Table 2 - Protected Trees to be removed

Tree No.	Common Name	Botanical Name	Size (DBH)	Tree Condition	Location/Impact
1	Red Oak	<i>Quercus rubra</i>	39"	Good	grading; driveway
2	Red Maple	<i>Acer rubrum</i>	37"	Good	grading; driveway
8	Red Maple	<i>Acer rubrum</i>	40"	Good	grading; building
11	Red Maple	<i>Acer rubrum</i>	32"	Good	building
12	Red Maple	<i>Acer rubrum</i>	42"	Poor	grading; building
19*	Tuliptree	<i>Liriodendron tulipifera</i>	33"	Good	grading; parking lot
20	Tuliptree	<i>Liriodendron tulipifera</i>	33"	Good	grading; parking lot
24	Tuliptree	<i>Liriodendron tulipifera</i>	33"	Good	parking lot
25*	Tuliptree	<i>Liriodendron tulipifera</i>	37"	Good	grading; parking lot
28*	Tuliptree	<i>Liriodendron tulipifera</i>	35"	Good	grading; stormwater management
30*	Tuliptree	<i>Liriodendron tulipifera</i>	33"	Good	grading; storm drain outfall
31*	Tuliptree	<i>Liriodendron tulipifera</i>	52"	Good	grading; storm drain outfall
69	Red Maple	<i>Acer rubrum</i>	31"	Good	grading; driveway

* Trees to be evaluated by licensed tree expert/certified arborist for possible retention to be determined at pre-construction meeting

Table 3 - Protected Trees to be affected but retained

Tree No.	Common Name	Botanical Name	Size (DBH)	CRZ Impact	Tree Condition	Location/Impact
5	Catalpa	<i>Catalpa sp.</i>	32"	21%	Good	offsite; storm drain outfall
22	Tuliptree	<i>Liriodendron tulipifera</i>	48"	13%	Good	offsite; grading for parking lot, swm
26	Tuliptree	<i>Liriodendron tulipifera</i>	54"	8%	Good	offsite; parking lot grading
29	Tuliptree	<i>Liriodendron tulipifera</i>	35"	3%	Good	grading; storm drain outfall
34	Tuliptree	<i>Liriodendron tulipifera</i>	35"	5%	Good	storm drain outfall
36	Tuliptree	<i>Liriodendron tulipifera</i>	33"	3%	Good	offsite; storm drain outfall
59	Tuliptree	<i>Liriodendron tulipifera</i>	37"	3%	Good	grading; swm

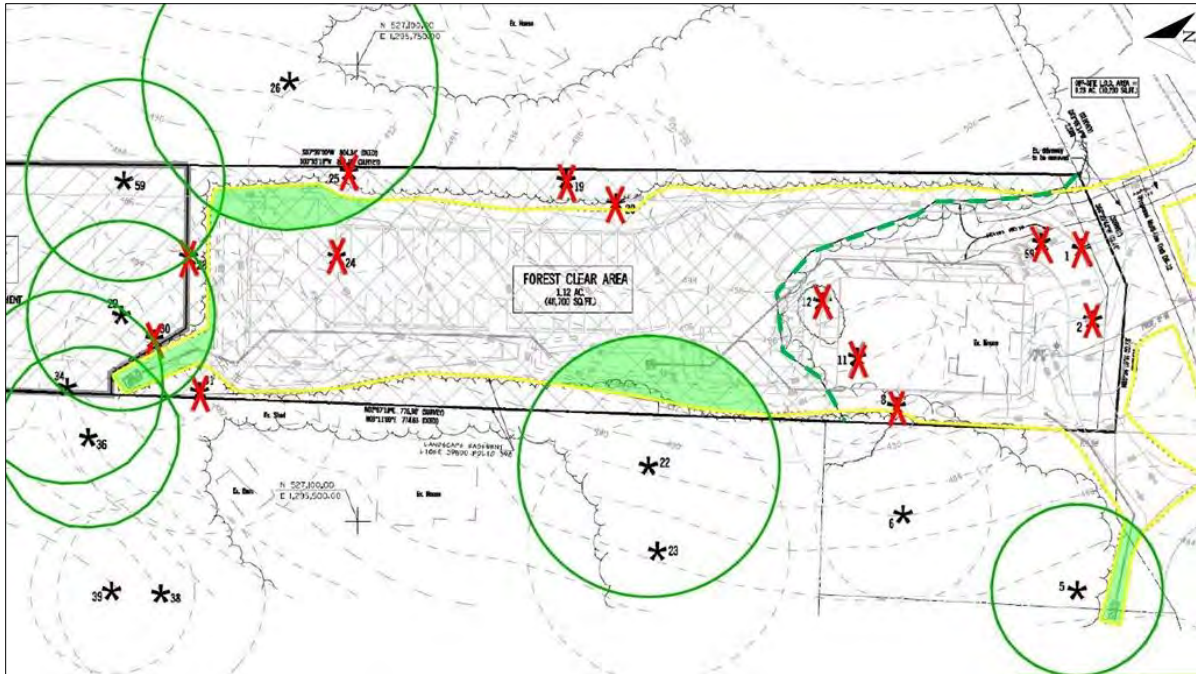


Figure 5 – Tree Variance Exhibit: 13 tree removals; 7 trees affected, but retained

Of the 13 trees to be removed, 7 are located within the existing forest and 6 are in the unforested area surrounding the existing house.

Unwarranted Hardship Basis – Per Section 22A-21, a variance may only be considered if the Planning Board finds that leaving the Protected Trees in an undisturbed state would result in an unwarranted hardship, denying an applicant reasonable and significant use of the Property. The Applicant contends that an unwarranted hardship would be created due to existing conditions on the Property and the zoning and development requirements for the Property.

The Application includes 23 on-site and 10 off-site trees subject to the variance provision, 13 of which will be removed by this Application. The trees to be removed are located on-site, in good condition, except for Tree #12, which is rated in poor condition. The trees being removed lie either within the proposed building footprint, proposed parking envelope or immediately adjacent to the proposed building within areas of grading necessary to tie the first floor of the building or parking to the surrounding ground elevation. Five of the 13 trees included in this variance request for removal will be evaluated by a licensed tree expert/certified arborist and a determination as to whether they may be saved with recommended tree protection measures will be made at the pre-construction meeting. These trees are located outside of but within close proximity to the proposed limits of disturbance. The seven trees proposed to be impacted but retained include four offsite trees, all in good condition.

The 2.39-acre Property is zoned RE-2, and proposes the construction of one 6,000 square foot, one-story building to include a religious sanctuary, and associated classrooms, office space, and parking. The location of the proposed features was dictated to some extent by the narrow, linear shape of the Property and the limited frontage along Norbeck Road. There is an existing vehicular access driveway that enters the site from Norbeck Road. A realigned entrance driveway will serve the Property at the existing traffic signal opposite Wintergate Drive. This, along with the configuration of the Property and limited frontage along Norbeck Road dictates the location of the driveway access which also

provides the necessary fire department access and turn-a-round. Approximately 80 percent of the Property is forested, with the open area located closer to Norbeck Road. There are numerous Protected trees located within the forest and open area. To minimize clearing of trees and forest on the Property, the building was located as close to Norbeck Road as possible. The remainder of the Property is the developable area available for the construction of the required parking lot and required stormwater management features. The 13 trees proposed for removal are located within the open and forested areas closest to Norbeck Road, where development would be expected to occur.

The seven trees that will be impacted, but remain, are either located offsite or within the on-site forest, adjacent to the proposed limits of disturbance. Staff worked with the Applicant to revise the limits of disturbance to minimize the impacts to the critical root zones of these trees as much as possible.

The proposed impacts are due to necessary grading for the proposed parking lot and installation of stormwater management facilities to handle runoff from the development. The number and location of the Protected Trees, along with the existing shape of the Property and development requirements create an unwarranted hardship. If the variance were not considered, the development anticipated on this RE-2 zoned Property would not occur. Staff has reviewed this Application and finds that there would be an unwarranted hardship if a variance were not considered.

Variance Findings – Section 22A-21 of the County Forest Conservation Law sets forth the findings that must be made by the Planning Board or Planning Director, as appropriate, for a variance to be granted. Staff has made the following determination based on the required findings in the review of the variance request and the forest conservation plan:

Granting of the requested variance:

1. *Will not confer on the applicant a special privilege that would be denied to other applicants.*

Granting the variance will not confer a special privilege on the Applicant as the disturbance to the Protected Trees is due to the reasonable development of the Property. The Protected Trees are located in the developable area of the Property. Any residential or other development considered for this Property would be faced with the same considerations of locating the development on a Property with relatively narrow frontage along Norbeck Road and such a wide distribution of Protected Trees. Granting a variance to allow land disturbance within the developable portion of the Property and providing required stormwater management facilities is not unique to this Applicant. Staff believes that the granting of this variance is not a special privilege that would be denied to other applicants.

2. *Is not based on conditions or circumstances which are the result of the actions by the applicant.*

The need for the variance is not based on conditions or circumstances which are the result of actions by the Applicant. The requested variance is based upon existing Property conditions, including the location of the Protected Trees within the developable area of the Property and the location of the existing house, driveway and utilities.

3. *Is not based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property.*

The need for a variance is a result of the existing conditions and the proposed design and layout of the Property, and not a result of land or building use on a neighboring property.

4. *Will not violate State water quality standards or cause measurable degradation in water quality.*

The variance will not violate State water quality standards or cause measurable degradation in water quality. No trees located within a stream buffer, wetland, or Special Protection Area will be impacted or removed as part of this Application. In addition, the Montgomery County Department of Permitting Services has found the stormwater management concept for the proposed project to be acceptable as stated in a letter dated September 26, 2017 (Attachment 7). The stormwater management concept incorporates Environmental Site Design (ESD) standards.

Mitigation for Protected Trees – Mitigation is required for the removal of the six Protected Trees subject to the variance provision that are not within the existing forest. Mitigation for the removal of these six trees is recommended at a rate that approximates the form and function of the trees removed. Therefore, Staff is recommending that replacement occur at a ratio of approximately 1-inch caliper for every 4 inches removed, using trees that are a minimum of 3 caliper inches in size. This Application proposed to remove 221 inches in DBH outside of the forest, resulting in a mitigation requirement of 56 caliper inches of planted, native, canopy trees with a minimum size of 3-inch caliper. As conditioned, the Final FCP must include the planting of approximately 19 native, canopy trees on the Property as mitigation for the removal of the six variance trees. Although these trees will not be as large as the trees lost, they will provide some immediate benefit and ultimately replace the canopy lost by the removal of these trees. The loss of the seven Protected Trees within the forest is included in the forest conservation worksheet calculations as forest clearing and no additional

mitigation for these trees is recommended. Staff does not recommend mitigation for trees affected, but not removed. The affected root systems will regenerate and the functions provided restored.

County Arborist's Recommendation on the Variance – In accordance with Montgomery County Code Section 22A-21(c), the Planning Department is required to refer a copy of the variance request to the County Arborist in the Montgomery County Department of Environmental Protection for a recommendation prior to acting on the request. The request was forwarded to the County Arborist. On September 7, 2017, the County Arborist provided a letter recommending that a variance be granted with mitigation (Attachment 8).

Variance Recommendation – Staff recommends that the variance be granted with mitigation described above.

5. *All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied*

The Preliminary Plan Application meets the stormwater management requirements of Chapter 19 of the County Code. The Applicant received a stormwater concept approval from MCDPS Water Resources Division on September 26, 2017. The Application will meet stormwater management goals through a variety of techniques including bioswales and a microbioretention facilities.

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

This finding is not applicable.

SECTION 6 – CITIZEN CORRESPONDENCE AND ISSUES

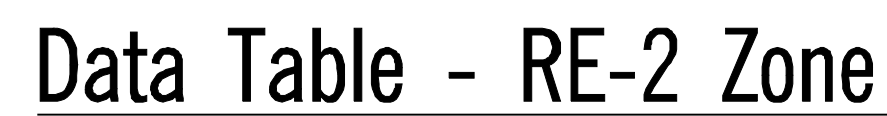
The Applicant has met all proper signage, noticing and pre-submission meeting requirements for the submitted Application. A pre-submission meeting for the Preliminary Plan was held on January 18th, 2017 at the Olney Community Library. To date, Staff has not received any correspondence.

SECTION 7– CONCLUSION

The proposed lot meets all of the requirements established in the Subdivision Regulations and the Zoning Ordinance, and conforms to the recommendations of the *Olney Master Plan*. Access to the lot is adequate and all public facilities and utilities have been deemed adequate to serve this Application. The Application was reviewed by other applicable County agencies, all of whom have recommended approval of the plans. Therefore, staff recommends approval of the Application, with the conditions as specified.

Attachments

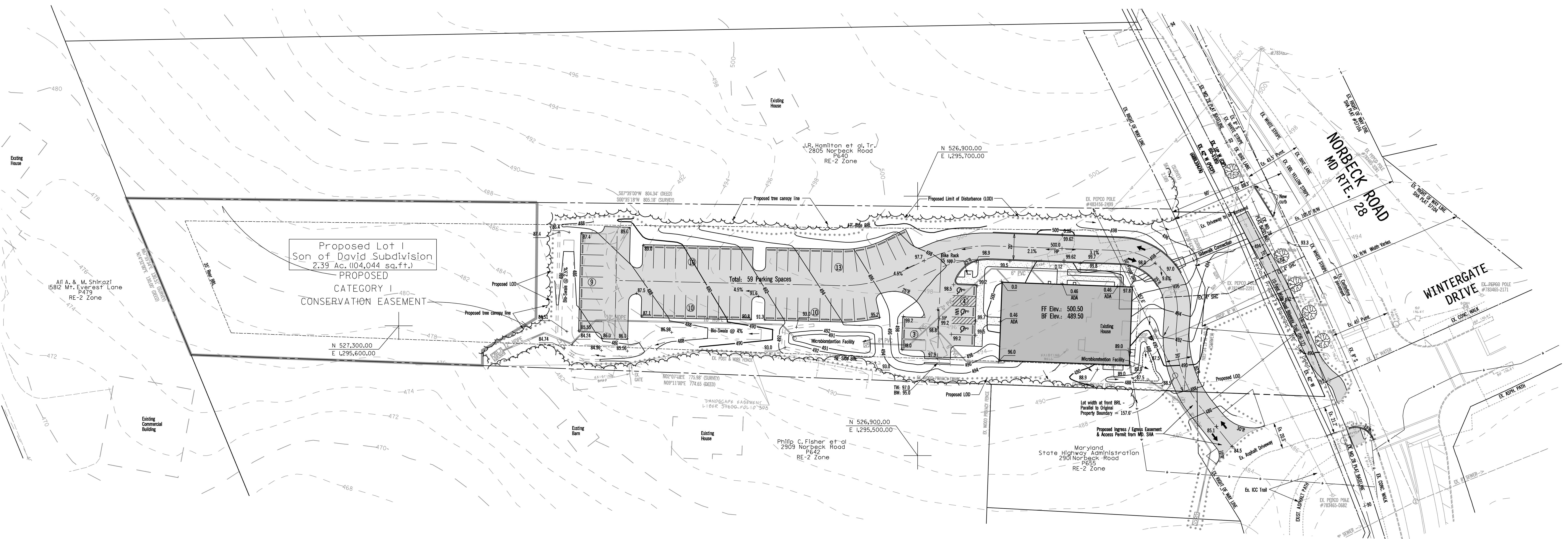
- 1) Preliminary Plan
- 2) MDSHA Email
- 3) Traffic Statement
- 4) MCDPS Fire Department Access and Water Supply Section
- 5) Forest Conservation Plan
- 6) Variance Request
- 7) MCDPS Stormwater Management
- 8) Arborist Recommendation
- 9) MCDOT Letter



STANDARD	REQUIRED	PROPOSED
Minimum Lot Area	87,120 sq.ft.	104,044 sq.ft.
Minimum Lot Width		
- Ø Front Building Line	150 Feet	157 Feet
- Ø Street Line	25 Feet	142 Feet
Minimum Front Setback	50 Feet	50 Feet
Minimum Setback from Adjoining Lot		
- One Side	17 Feet	17 Feet
- Sum of Both Sides	35 Feet	35 Feet
- Rear	35 Feet	500 Feet +
Maximum Building Height	50 Feet	Not to Exceed 50 Feet
Maximum % Building Coverage	25%	Not to Exceed 10%
Off-Street Parking	1 space per 4 seats in the largest sanctuary (1 sanctuary proposed)	59 Spaces (236 seats maximum)

Site Data

1. Zoning: RE-2
2. Gross Tract Area: 2.39 Ac. (104,044 sq.ft.) - per boundary survey
3. Minimum Lot Area Required: 2.0 Ac.
4. Proposed Use: Religious Use Building, a Permitted Use in the Zone
5. Number of Lots Proposed: 1
6. Public Water and Public Sewer Proposed
7. Existing Water & Sewer Categories: W-1 and S-1
8. Watershed: Northwest Branch (State Use IV / IV-P)
9. Primary Utility Service: PEPSCO & Washington Gas
10. Norbeck Road: Designated "M-18", Olney Master Plan, 150' Right-of-Way, R/W width in front of subject property varies



Legend

	Existing Contours (2-foot interval)		Proposed Limit of Disturbance (L.O.D.)
	Proposed Building (Schematic Footprint)		Proposed Contours (2-foot interval)
	Existing Houses & Buildings		Proposed Sidewalks & Other Concrete Pavement
	Proposed Driveways & Parking		Proposed Tree Line - Canopy Edge

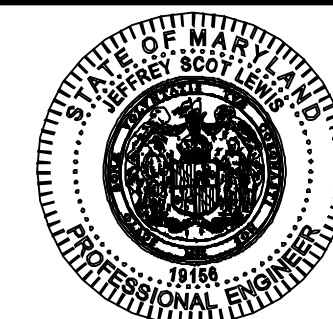
General Notes

1. Boundary data is per a boundary survey prepared by Site Solutions, Inc., in 2014.
2. Topographic and surface feature data is from a topographic survey prepared by Site Solutions, Inc., in 2016.
3. The building footprints shown on the Preliminary Plan are illustrative. Final building locations will be determined during the building permit process. Please refer to the zoning data table for development standards such as setbacks, building restriction lines and lot coverage for each lot. Other limitations for site development may also be included in the conditions of the Planning Board's approval.

I hereby certify that this Preliminary Plan has been prepared in accordance with the Montgomery County Subdivision Regulations adopted October 17, 1961, and amendments thereto.

Signature Jeffrey S. Lewis, P.E. Md. #19156

Date _____



PRELIMINARY PLAN
SON OF DAVID CONGREGATION
2815 NORBECK ROAD / Parcel 695, Tax Map HS562
Preliminary Plan #120170220 - WSSC Grid #221NW03
OLNEY ELECTION DISTRICT NO. 8
MONTGOMERY COUNTY, MARYLAND

DWR	1" = 30'
DESIGN	SCALE
JSL	1 OF 1
CHECKED	SHEET
9/13/2017	1936 E-
DATE	PROJ. NO.

3	Add bike rack	9/13/17
2	Revise DB-12 Bikeway location per MSHA	9/8/17
1	Revise per DRC comments	6/19/17
NO	REVISION	DATE

OWNER:
Son of David Congregation, Inc.
2815 Norbeck Road
Silver Spring, MD. 20906

Professional Certification. I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland License No. 19156, Expiration 06-02-2019.

Casey, Jonathan

From: Kwesi Woodroffe <kwoodroffe@sha.state.md.us>
Sent: Thursday, May 11, 2017 11:17 AM
To: Hodgson, Laura
Cc: Casey, Jonathan
Subject: RE: Norbeck Road Access -- 120170220 - Son of David

Laura,

I was just responding to an email from Jeremy (in which he provided dates he could meet with us), when I received your email below stating he was okay with the alternative access. I am also okay with it, so I don't think a meeting is necessary.

The applicant will need an Access Permit, so will need to submit plans (and any supporting documentation) to us for review.

Let me know if there are any additional questions.

Thanks, Kwesi
(301) 513-7347

From: Hodgson, Laura [mailto:laura.hodgson@montgomeryplanning.org]
Sent: Thursday, May 11, 2017 11:10 AM
To: Kwesi Woodroffe <kwoodroffe@sha.state.md.us>
Cc: Casey, Jonathan <Jonathan.Casey@montgomeryplanning.org>; Hodgson, Laura <laura.hodgson@montgomeryplanning.org>
Subject: RE: Norbeck Road Access -- 120170220 - Son of David

Kwesi,

I was at SHA headquarters on Tuesday for a meeting on the MD 28/MD 198 project and spent a few minutes after the meeting talking with Jeremy Beck about the access to the Son of David project. I figured since I was there in his office, I could follow up in person on the email you sent to him. Jeremy didn't seem to have any issues with the applicant's alternative alignment option onto SHA property to access the Wintergate Drive intersection, provided you didn't have any issues with the property accessing Norbeck via the existing Wintergate intersection. Based on our previous conversation, I assume you do not have issues with the applicant's alternative alignment. Can you please confirm this assumption is correct?

If you do not have issues with the alternative alignment, I am just waiting on an email from Jeremy Beck to get written approval as project manager of the MD 28/MD 198 corridor that he finds the current plan acceptable given the future possible service road option on Norbeck Road at this location.

Given the above, may I reach out to the client to let them know the alternative access alignment is acceptable to MD SHA so they can move forward with resubmitting their application plans?

Please feel free to call me if you want to discuss any of the items above (301-495-4541). Thank you!

~Laura

From: Kwesi Woodroffe [<mailto:kwoodroffe@sha.state.md.us>]
Sent: Thursday, May 11, 2017 6:47 AM
To: Hodgson, Laura <laura.hodgson@montgomeryplanning.org>
Subject: RE: Norbeck Road Access -- 120170220 - Son of David

Good morning Laura.

Just wanted to let you know that I reached out to Jeremy Beck again this morning to see when he could meet with us to discuss the Son of David access. I asked him to provide some dates in the next week or two.

Thanks, Kwesi
(301) 513-7347

From: Hodgson, Laura [<mailto:laura.hodgson@montgomeryplanning.org>]
Sent: Friday, May 05, 2017 1:09 PM
To: Kwesi Woodroffe <kwoodroffe@sha.state.md.us>
Subject: RE: Norbeck Road Access -- 120170220 - Son of David

Thank you, Kwesi!

From: Kwesi Woodroffe [<mailto:kwoodroffe@sha.state.md.us>]
Sent: Friday, May 05, 2017 7:30 AM
To: Hodgson, Laura <laura.hodgson@montgomeryplanning.org>
Cc: Casey, Jonathan <Jonathan.Casey@montgomeryplanning.org>
Subject: RE: Norbeck Road Access -- 120170220 - Son of David

Good morning Laura.

I reached out to Jeremy and will follow up with you as soon as I get a response.

Thanks, Kwesi
(301) 513-7347

From: Hodgson, Laura [<mailto:laura.hodgson@montgomeryplanning.org>]
Sent: Thursday, May 04, 2017 6:08 PM
To: Kwesi Woodroffe <kwoodroffe@sha.state.md.us>
Cc: Casey, Jonathan <Jonathan.Casey@montgomeryplanning.org>
Subject: Norbeck Road Access -- 120170220 - Son of David

Kwesi,

Good evening! Did you hear back from Jeremy Beck on his comments regarding the Son of David access proposals on Norbeck Road? Do we need to set up a meeting with him to discuss?

Please email back or call me at your earliest convenience to discuss, as the applicant is waiting on our answer.

Thank you,

Laura Hodgson (301-495-4541)

From: Don Rohrbaugh [<mailto:dwr@ssimaryland.com>]
Sent: Tuesday, May 02, 2017 4:19 PM
To: Casey, Jonathan <Jonathan.Casey@montgomeryplanning.org>
Cc: Hodgson, Laura <laura.hodgson@montgomeryplanning.org>
Subject: RE: DRC Plan Review Request for 120170220 - Son of David

OK – Thanks Jonathan. I hope to hear from Laura, Kwesi or Jeremy soon since many of the plan revisions will be affected by the site access.

From: Casey, Jonathan [<mailto:Jonathan.Casey@montgomeryplanning.org>]
Sent: Tuesday, May 02, 2017 4:10 PM
To: Don Rohrbaugh <dwr@ssimaryland.com>
Cc: Hodgson, Laura <laura.hodgson@montgomeryplanning.org>
Subject: RE: DRC Plan Review Request for 120170220 - Son of David

Don,

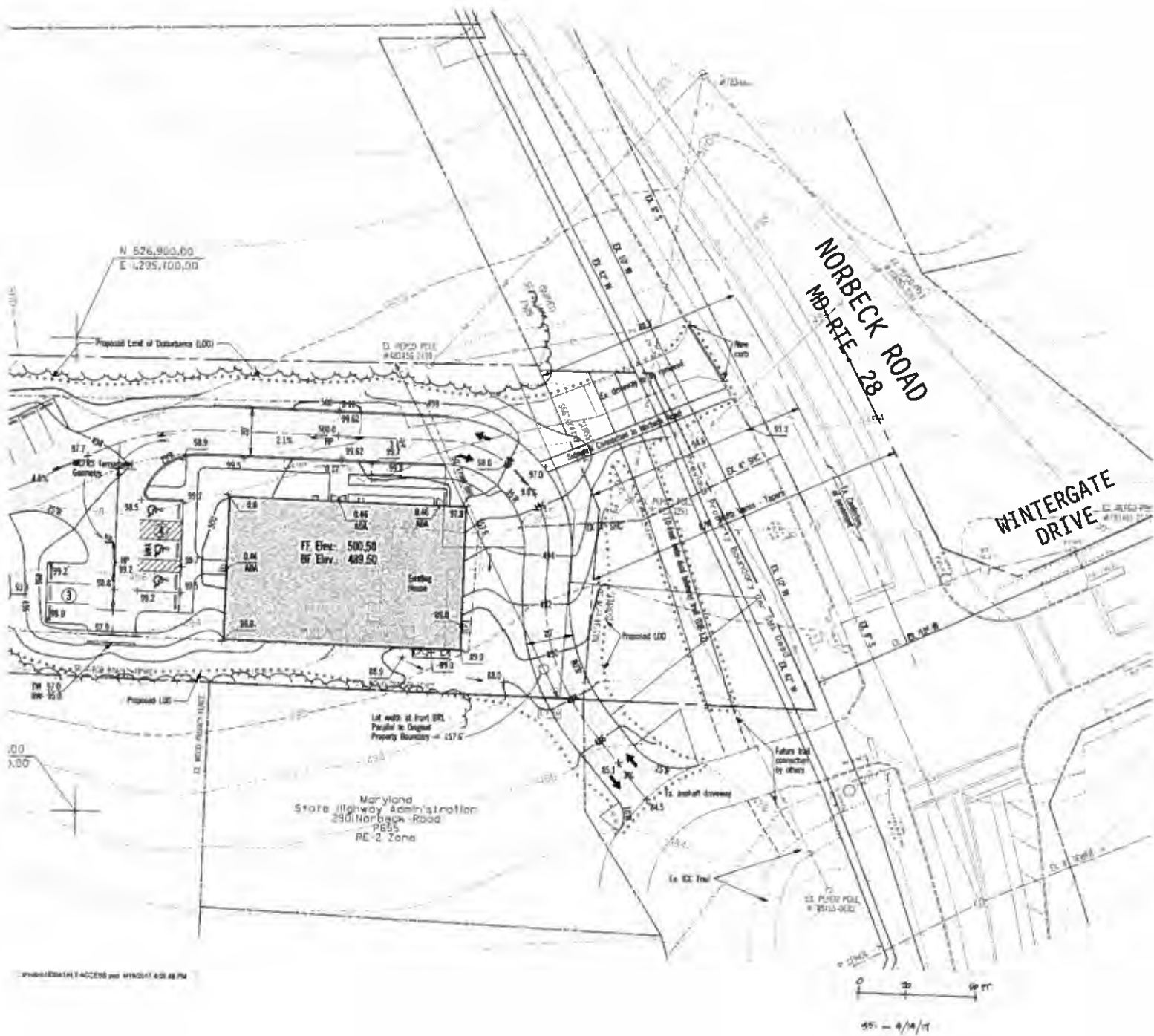
Laura is working with Kwesi to set up a meeting or phone call with the MD 28/198 project manager, Jeremy Beck. Hopefully he can give us a better idea of which alternative will likely be chosen for this segment of the project.

If you end up needing additional time, just submit the plans as is and I can “reject” them. I believe that will give you an additional 10 day correction cycle to work with. Let me know as we get closer and we can work it out.

Jonathan

From: Don Rohrbaugh [<mailto:dwr@ssimaryland.com>]
Sent: Tuesday, May 02, 2017 2:57 PM
To: Casey, Jonathan <Jonathan.Casey@montgomeryplanning.org>
Subject: RE: DRC Plan Review Request for 120170220 - Son of David

Thanks Jonathan. Obviously, our biggest issue is reconciling the access to this property from Norbeck Road. Per the e-mail I forwarded to you, I am waiting for a follow-up from Kwesi Woodroffe at MdSHA. I see from e-plans that we have a “Due Date” of May 29 (a holiday!) to submit our revised plans. Hopefully we can get a resolution on the SHA issue in time to make the e-plans deadline. What flexibility do we have on the deadline?



Date: February 22, 2017

Memorandum:

TO: MNCPPC – Area 3
8787 Georgia Avenue
Silver Spring, MD 20910

FROM: Mike Lenhart

RE: Traffic Statement for Son of David Congregation

The purpose of this report is to provide a Traffic Statement for the proposed Son of David Congregation at 2815 Norbeck Road as required in the Montgomery County Subdivision Staging Policy. The property is currently utilized as a single family residence and is proposed to be developed as a church with a maximum of 252 seats.

The property is located in the Olney Policy Area on the north side of Norbeck Road just north of MD 200 (Intercounty Connector). A site location map is shown on Exhibit 1 and a Subdivision Staging Policy Area map is shown on Exhibit 2. The property is located in the Yellow category.

The recently adopted 2016-2020 Subdivision Staging Policy establishes the “*Local Area Transportation Review (LATR) Guidelines*” which have undergone substantial revisions compared to the previous Subdivision Staging Policy. These Guidelines are utilized by the Montgomery County Planning Board for the administration of the Adequate Public Facilities Ordinance.

The Guidelines require a Traffic Statement to determine the applicability and status of the LATR requirements as it applies to the project.

The site is proposed to be developed as a church with a maximum of a 252 seats. The general notes on the preliminary plan indicate that the building footprint is illustrative. Based on this note, it is assumed that the floor area of the church is not yet finalized, however, the lot is 104,044 square feet and the maximum building coverage is limited to 10%. The concept site plan shows a floor area of approximately 6,000 square feet; however, as a conservative measure, this Traffic Statement has utilized the maximum floor area of 10,404 square feet. The LATR Guidelines require the use of ITE Trip Generation Manual, 9th Edition for the purpose of assessing the volume of traffic generated by the site. The ITE trip generation total shown on the top table in Exhibit 3 indicates that a 10,404 square foot church will generate 6 AM peak hour vehicular trips and 9 PM peak hour vehicular trips.

The LATR Guidelines require the application of ITE vehicle trip adjustment factors which is an 100% adjustment factor for “other” type projects in the Olney Policy area. The resulting LATR adjusted vehicle trips are 6 AM peak hour vehicular trips and 9 PM peak hour vehicular trips. The LATR Guidelines then require the application of an auto driver split of 76.3% for the developments in the Olney Policy Area which translates to a total of 8 AM peak hour person trips and 12 PM peak hour person trips. The application of the transit and ped/bike LATR adjustment factors reveal that the site would generate zero (0) AM and one (1) PM peak hour transit trip, and no ped/bike trips. The site will generate fewer than 50 peak hour person trips; therefore, the site is exempt from LATR.

The site plan is contained in Appendix A and access is planned via Norbeck Road in the vicinity of the existing driveway. Norbeck Road at the location of the property is a two lane roadway with a posted speed limit of 40 MPH.

The site served by transit with a Ride On stop for Route 51 along Norbeck Road at Wintergate Drive although the bus only runs on weekdays. Route 51 runs from Norbeck Park and Ride to Glenmont Metro Station. A copy of the route map and schedule is included in Appendix A.

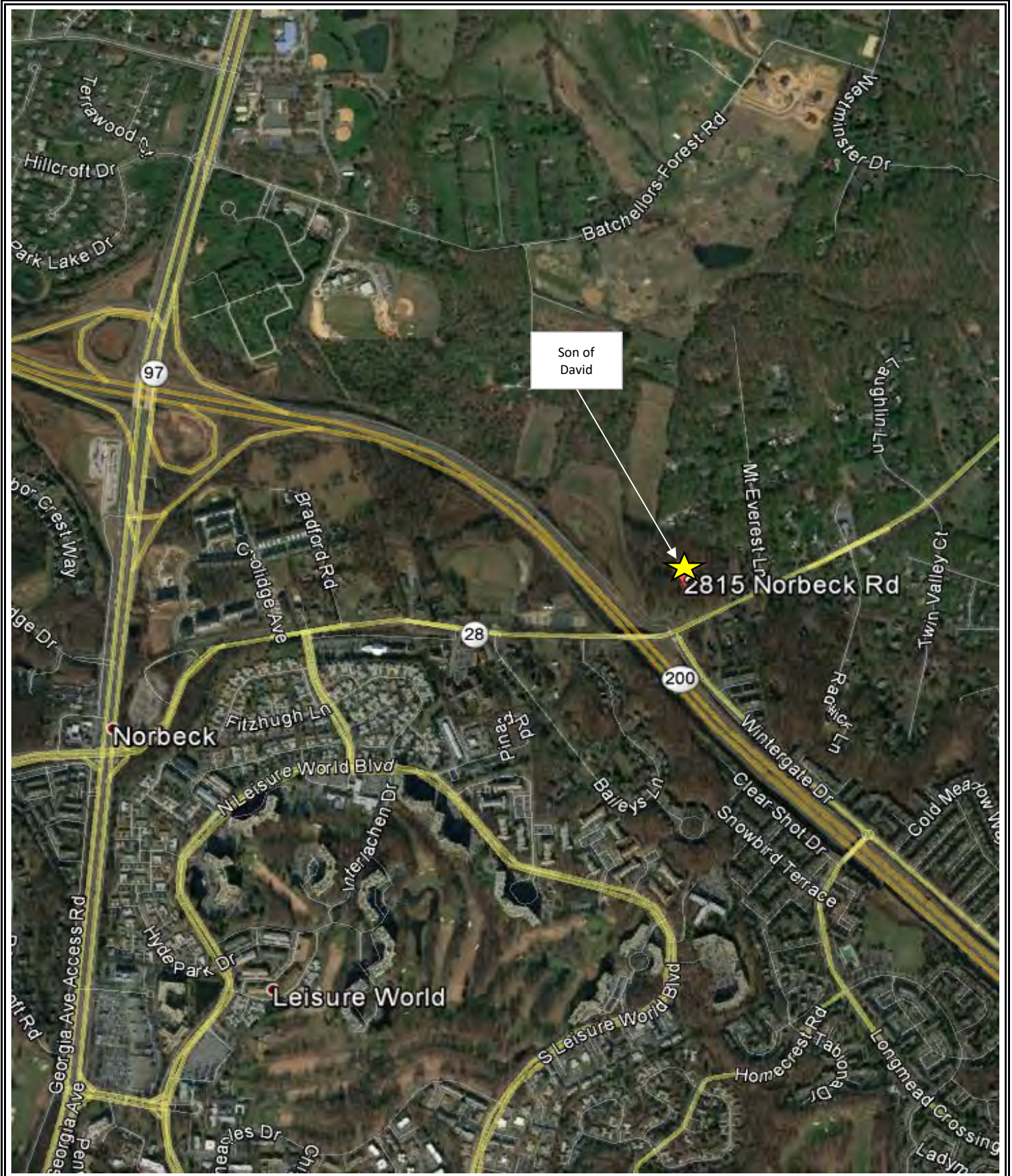
According to the Countywide Bikeways Functional Master Plan (2005), Norbeck Road is identified as a proposed dual bikeway (DB-12) from Georgia Avenue to Layhill Road. There is an existing five to six foot marked bike path along the property frontage.

Based on the information contained in this report:

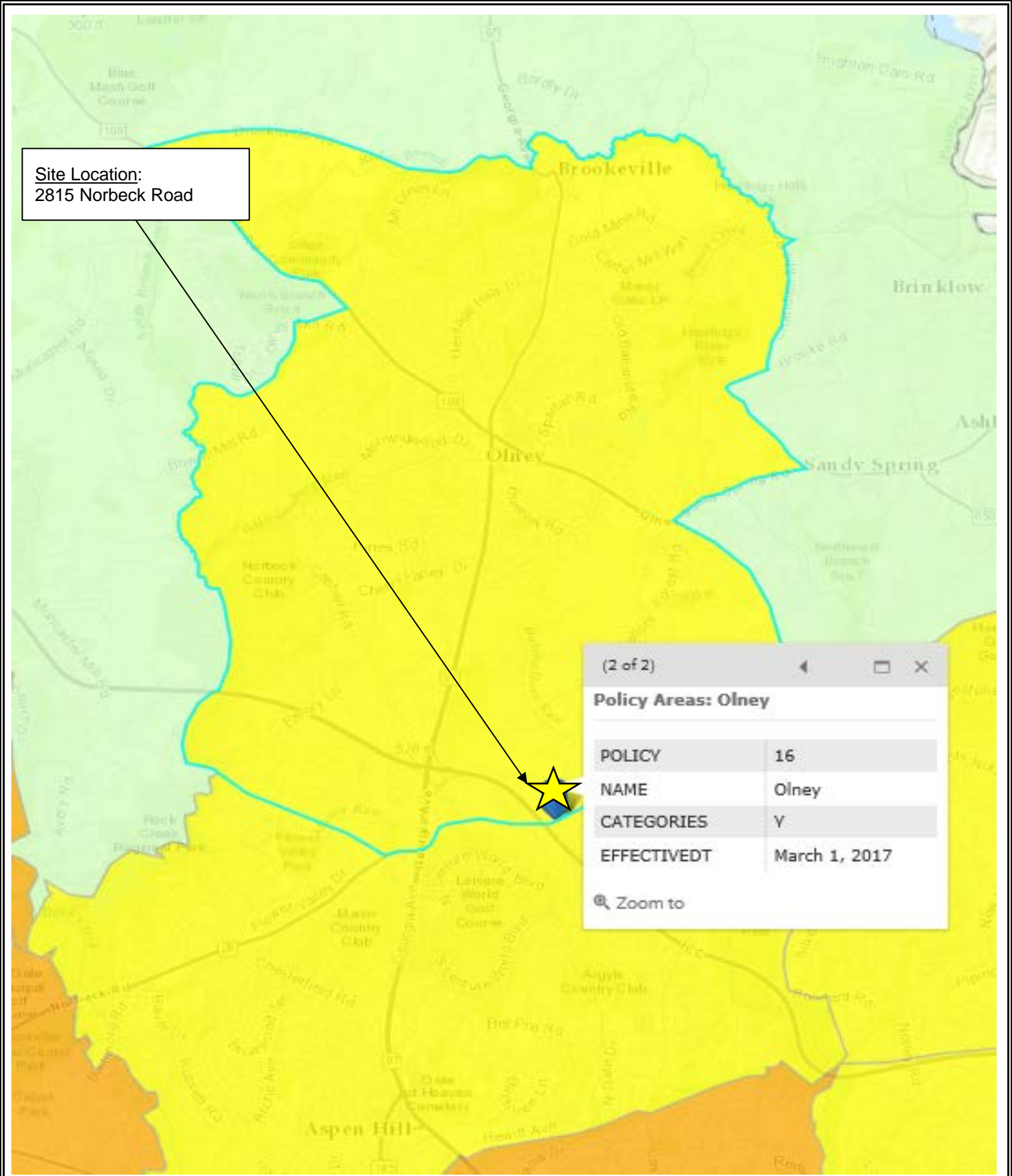
- The project will generate fewer than 50 peak hour person trips, therefore is exempt from LATR.

If you have any questions regarding this matter, please do not hesitate to contact me at the number below.

Thanks,
Mike



Traffic Impact Analysis	Site Location Map	Exhibit 1
Lenhart Traffic Consulting, Inc. Traffic Engineering & Transportation Planning		



Traffic Impact Analysis	Subdivision Staging Policy Area Map	Exhibit 2
Lenhart Traffic Consulting, Inc. Traffic Engineering & Transportation Planning		

Trip Generation Rates**Church (ksf, ITE-560)**

Morning Trips = 0.56 x ksf

Evening Trips = 0.34 x ksf + 5.24

Trip Distribution (In/Out)

62/38

48/52

Trip Generation Totals

			AM Peak			PM Peak		
			In	Out	Total	In	Out	Total
Proposed Use	Church (ksf, ITE-560)	10,404 sq.ft. (Max.)	4	2	6	4	5	9
Total Vehicular Trips per ITE Trip Generation Manual, 9th Edition:			4	2	6	4	5	9
LATR Vehicle Trip Generation Rate Adjustment Factor (Olney):			100%					
Total LATR Adjusted Vehicular Trips per ITE Trip Generation Manual, 9th Edition (Auto Driver at 76.3%):			4	2	6	4	5	9
Total Person Trips:			5	3	8	5	7	12
Auto Driver: 76.3%			4	2	6	4	5	9
Auto Passenger: 19.5%			1	1	2	1	1	2
Transit: 0.7%			0	0	0	0	1	1
Non-Motorized: 3.5%			0	0	0	0	0	0
100.0%								

NOTES:

The Montgomery County Subdivision Staging Policy states that projects with fewer than 50 peak hour person trips are exempt from LATR.

Square footage is an estimated maximum based upon a maximum 10% building coverage on the 104,044 sq ft lot.

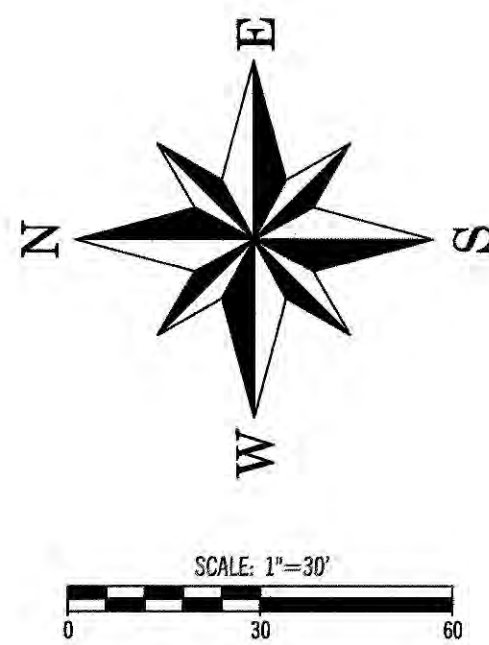
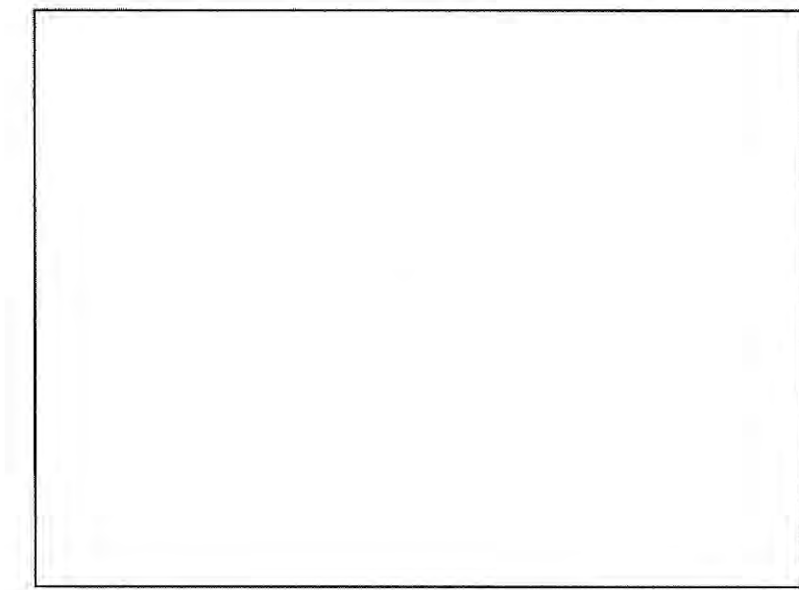
Traffic Impact Analysis

Lenhart Traffic Consulting, Inc.

Traffic Engineering & Transportation Planning

Trip Generation for Site
(Son of David Congregation)

Exhibit
3

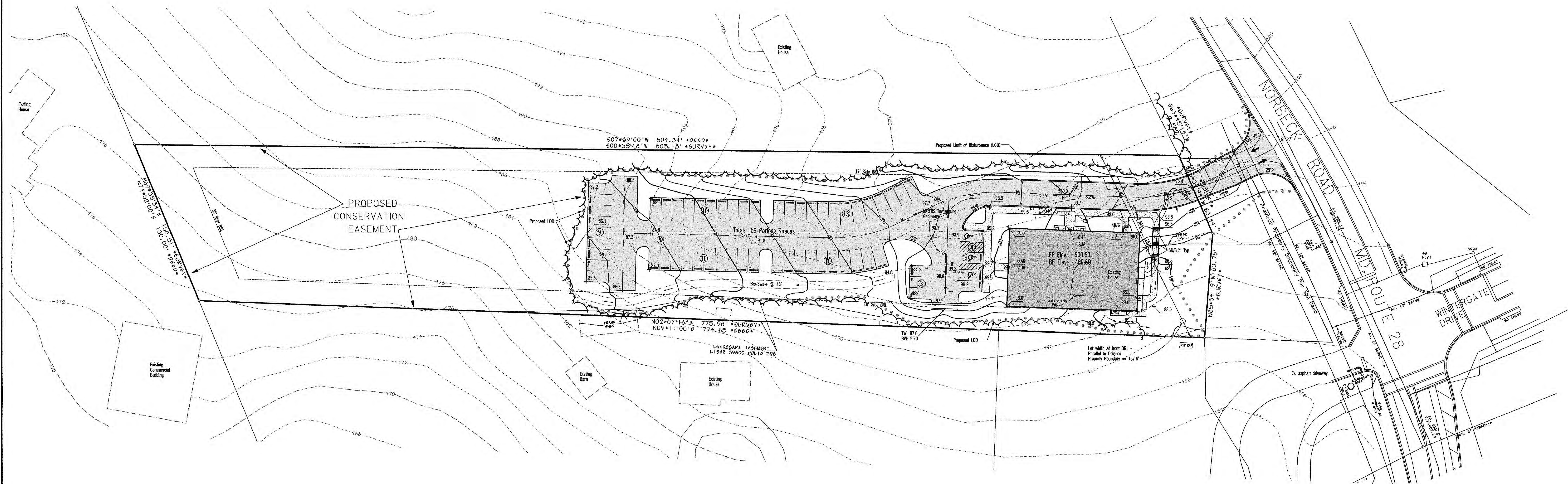
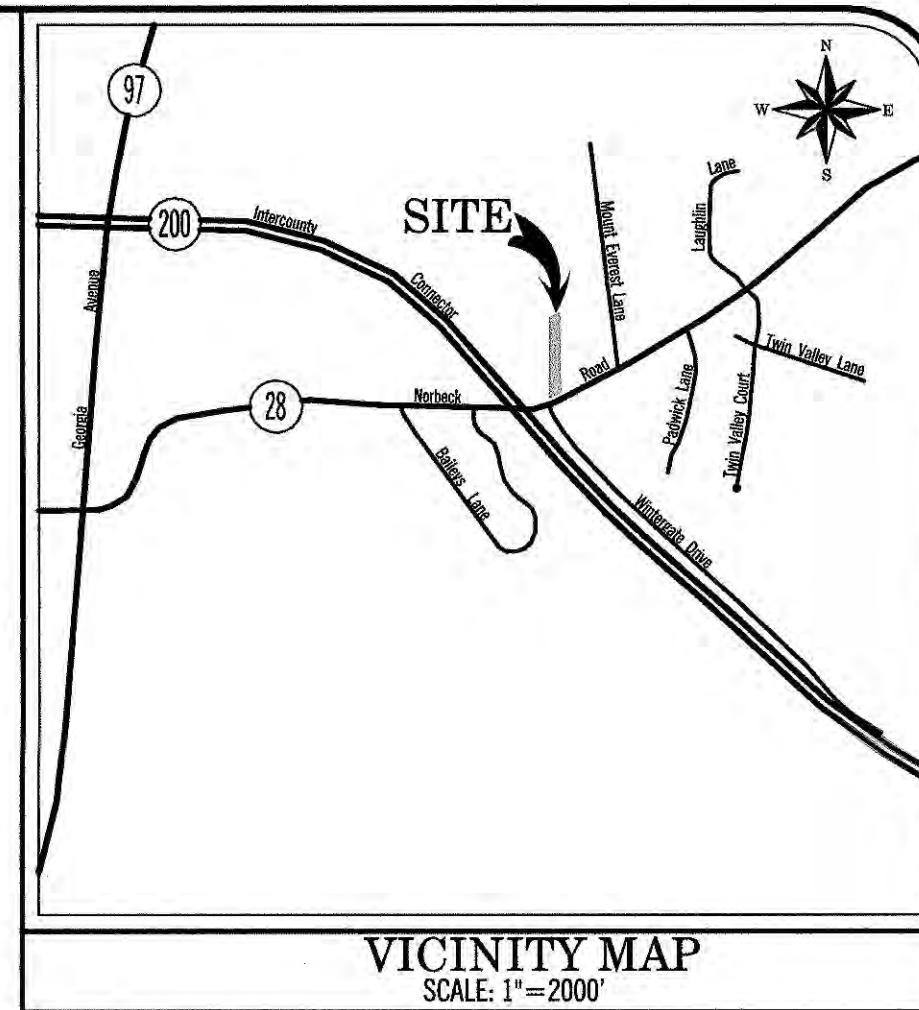


Data Table - RE-2 Zone

STANDARD	REQUIRED	PROPOSED
Minimum Lot Area	87,120 sq.ft.	104,044 sq.ft.
Minimum Lot Width		
- @ Front Building Line	150 Feet	157 Feet
- @ Street Line	25 Feet	142 Feet
Minimum Front Setback	50 Feet	50 Feet
Minimum Setback from Adjoining Lot		
- One Side	17 Feet	17 Feet
- Sum of Both Sides	35 Feet	35 Feet
- Rear	35 Feet	500 Feet +
Maximum Building Height	50 Feet	Not to Exceed 50 Feet
Maximum % Building Coverage	25%	Not to Exceed 10%

Site Data

- Zoning: RE-2
- Gross Tract Area: 2.39 Ac. (104,044 sq.ft.) - per boundary survey
- Minimum Lot Area Required: 2.0 Ac.
- Proposed Use: Religious Use Building, a Permitted Use in the Zone
- Number of Lots Proposed: 1
- Public Water and Public Sewer Proposed
- Existing Water & Sewer Categories: W-1 and S-1
- Watershed: Northwest Branch (State Use IV / IV-P)
- Off-Street Parking Required: 1 space per 4 seats in the largest sanctuary
- Parking Proposed: 63 Spaces (252 seats maximum)



Legend

	Existing Contours (2-foot interval)		Proposed Limit of Disturbance (L.O.D.)
	Proposed Building (Schematic Footprint)		Proposed Contours (2-foot interval)
	Existing Houses & Buildings		Proposed Sidewalks & Other Concrete Pavement
	Proposed Driveways & Parking		Proposed Tree Line - Canopy Edge

General Notes

- Boundary data is per a boundary survey prepared by Site Solutions, Inc., in 2014.
- Topographic and surface feature data is from a topographic survey prepared by Site Solutions, Inc., in 2016.
- The building footprints shown on the Preliminary Plan are illustrative. Final building locations will be determined during the building permit process. Please refer to the zoning data table for development standards such as setbacks, building restriction lines and lot coverage for each lot. Other limitations for site development may also be included in the conditions of the Planning Board's approval.

I hereby certify that this Preliminary Plan has been prepared in accordance with the Montgomery County Subdivision Regulations adopted October 17, 1961, and amendments thereto.

Signature: Jeffrey S. Lewis, P.E. Md. #19156

Date: _____

OWNER:

Son of David Congregation, Inc.
2815 Norbeck Road
Silver Spring, MD. 20906

Professional Certification. I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland, License No. 19156, Expiration 06-02-2017.



51 To Glenmont

MONDAY THROUGH FRIDAY

SEE TIMEPOINT LOCATION ON ROUTE MAP

Norbeck Park & Ride	Wintergate Park Vista Drs	Layhill & Bel Pre Rds	Georgia & Hewit Aves	Glenmont
1	2	3	4	5
5:45	5:48	5:53	6:01	6:05
6:15	6:18	6:23	6:31	6:35
6:45	6:50	6:56	7:04	7:08
7:15	7:20	7:26	7:34	7:38
7:45	7:50	7:56	8:04	8:08
8:15	8:20	8:26	8:34	8:38
8:54	8:59	9:05	9:13	9:17
3:49	3:54	3:59	4:06	4:09
4:19	4:24	4:29	4:36	4:39
4:49	4:54	4:59	5:06	5:09
5:19	5:24	5:29	5:36	5:39
5:49	5:54	5:59	6:06	6:09
6:19	6:24	6:29	6:36	6:39
6:46	6:51	6:56	7:03	7:06

NOTES:

AM

PM

51 To Norbeck Park & Ride

MONDAY THROUGH FRIDAY

SEE TIMEPOINT LOCATION ON ROUTE MAP

Glenmont	Georgia & Hewit Aves	Layhill & Bel Pre Rds	Wintergate Park Vista Drs	Norbeck Park & Ride
5	4	3	2	1
6:15	6:18	6:25	6:30	6:35
6:45	6:48	6:55	7:00	7:05
7:15	7:18	7:25	7:30	7:35
7:45	7:51	7:58	8:03	8:08
8:15	8:21	8:28	8:33	8:38
3:22	3:27	3:35	3:40	3:46
3:52	3:57	4:05	4:10	4:16
4:22	4:27	4:35	4:40	4:46
4:52	4:57	5:05	5:10	5:16
5:22	5:27	5:35	5:40	5:46
5:52	5:56	6:03	6:07	6:12
6:22	6:26	6:33	6:37	6:42
6:52	6:56	7:03	7:07	7:12
7:22	7:26	7:33	7:37	7:42

NOTES:

AM

PM

HOW TO RIDE A BUS

Check schedule for timepoint nearest your location. Wait at the blue and white **RIDE ON** bus stop sign. Arrive several minutes before scheduled time. Have exact fare ready (drivers do not make change).

- Not all stops are listed on a public timetable.
- If you are unfamiliar with your stop, sit or stand behind the line near the front of the bus and ask the bus driver to notify you when your stop is approaching.
- Ask the bus driver if you are not sure if the bus goes to your stop.
- If you have internet access (at home or somewhere else, such as a public library), it may be easier for you to use an online trip planner rather than a paper timetable.
- Be mindful of changes in the schedule, for holidays or bad weather.
- Please observe the following rules for all patrons: No eating, drinking, or smoking.
- Electronic devices may be played with earphones set *at low level*.

HOW TO READ A TIMETABLE

- Find the schedule for the day of the week and the direction you wish to ride.
- Find the timepoints closest to your origin and destination. The timepoints are shown on the route map and indicate the time the bus is scheduled to be at the particular location. Your nearest bus stop may be between timepoints.
- Read down the column to see the times when a trip will be at the given timepoint. Read the times across to the right to see when the trip reaches other timepoints.

FARES ATTACHMENT 3	
Regular Fare, Token, or SmarTrip®	\$1.75
SmarTrip® Fare Transfer from MetroRail	\$1.25
Seniors and persons with disability with valid ID (including attendant-eligible) except during free periods:	
Cash	\$0.85
Senior/Disabled SmarTrip®	\$0.85
Senior/Disabled SmarTrip® Transfer from Metrorail	\$0.35
Seniors age 65 years or older with a Senior SmarTrip® card or valid Metro Senior ID Card or with valid Medicare Card and Photo ID from 9:30 am - 3:00 pm, Mon-Sat	FREE
Person with disability with Metro Disabled Identification Card from 9:30 am - 3:00 pm, Mon-Sat	
Person with disability with Metro Disability ID Card - Attendant Eligible from 9:30 am - 3:00 pm, Mon-Sat Attendant rides half fare or free depending on time	
MetroAccess - Certified Customer with ID MetroAccess - Companion	FREE
Children under age 5 Limit 2 children per paying passenger	
Local Bus Transfer with SmarTrip®	
Children 5 to 18 with a student ID or Youth Cruiser SmarTrip® Card Monday to Friday, 2:00 - 8:00 pm	

GUARANTEED RIDE HOME

When you take Metrobus, Metrorail and Ride On to work, you are eligible to participate in the free Commuter Connections Guaranteed Ride Home Program. To register and to receive program details call:
Commuter Services at **301-770-POOL(7665)**.

METROACCESS

Alternative paratransit service to this Ride On route for people with certified disabilities is available. Call MetroAccess at **301-562-5360**.

Please arrive at your stop several minutes ahead of your bus' scheduled arrival. Since safe service is a priority at Ride On, buses may be delayed due to traffic or weather.

There is NO Saturday or Sunday service on this route



51

Norbeck Park & Ride - Layhill Rd -
Rippling Brook Dr - Glenmont **M**



NORBECK

ASPEN
HILL

LAYHILL

GLENMONT

KEY

- BUS ROUTE
- CERTAIN TRIPS
- EXPRESS SERVICE
- METRO STATION
- SCHOOL
- LIBRARY
- POINT OF INTEREST
- HOSPITAL

January 2017 Subject to change

WELCOME TO RIDE ON

RIDE ON is a community bus service operated by the Montgomery County Department of Transportation.

RIDE ON operates over 75 routes that serve all 13 Montgomery County Metrorail stations and 7 MARC stations.

For detailed information, or to have timetables mailed, call **311**.

Outside Montgomery County **240-777-0311**
TTY (for hearing impaired) **301-251-4850**

Visit our web site at:
www.rideonbus.com

Real Time information is available at:
www.rideonrealtime.com

Regular Mailing Address:
Montgomery County DOT
Division of Transit Services
101 Monroe Street, 5th Floor
Rockville, MD 20850

HOLIDAY SCHEDULE

New Year's Day.....	Sunday Schedule
Martin Luther King, Jr. Day.....	Special Schedule
Presidents' Day.....	Special Schedule
Memorial Day.....	Sunday Schedule
Independence Day.....	Saturday Schedule
Labor Day.....	Sunday Schedule
Columbus Day.....	Weekday Schedule
Veterans Day.....	Special Schedule
Thanksgiving Day.....	Sunday Schedule
Christmas Day.....	Sunday Schedule

For special schedules, consult our website,
www.rideonbus.com, or call **311**

f Like us on Facebook facebook.com/RideOnMCT **t** Follow us on Twitter twitter.com/RideOnMCT

e Subscribe to email alerts at www.montgomerycountymd.gov/govdelivery

y YouTube youtube.com/c/RideOnMCT

Thank You for Riding with Us!



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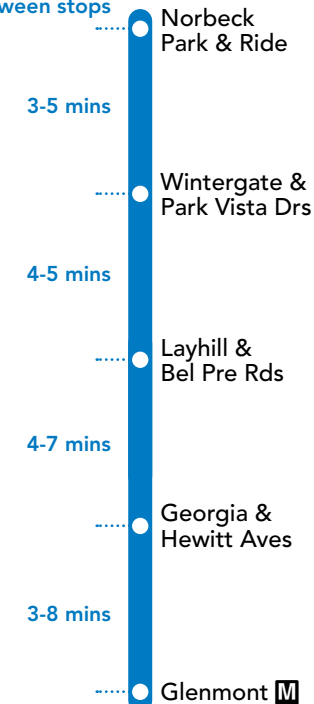
EFFECTIVE: JANUARY 8, 2017

ATTACHMENT 3



51

Approximate travel
time between stops



SERVICE DAYS

MONDAY - FRIDAY



Telephone **311**

Online at **www.rideonbus.com**
Real Time Info at **www.rideonrealtime.com**



Department of Permitting Services
Fire Department Access and Water Supply Comments

DATE: 29-Aug-17
TO: Don Rohrbaugh - dwr@ssimd.net
Site Solutions, Inc.
FROM: Marie LaBaw
RE: Son of David
120170220

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **29-Aug-17**. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

SPECIMEN TREE IMPACT TABLE (Revised 8/18/17)

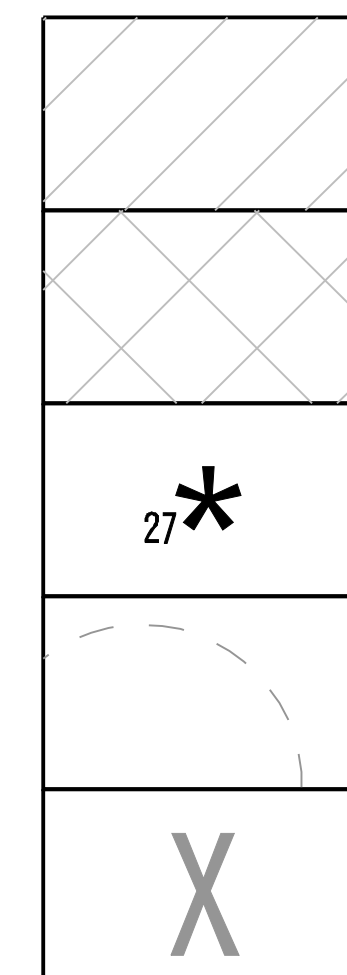
TREE #	BOTANICAL NAME	COMMON NAME	D.B.H.	CONDITION (Per NR/FSO)	CRZ AREA	% CRZ SAVED	SAVE / REMOVE	REMARKS
1 *	Quercus rubra	Red Oak	39"	Good	10,751 s.f.	0	Remove	Within graded area
2 *	Acer rubrum	Red Maple	37"	Good	9,677 s.f.	0	Remove	Within graded area
3 *	Catalpa bignonioides	Catalpa	32"	Good	7,238 s.f.	79	Save	Off-Site
4 *	Acer rubrum	Red Maple	32"	Good	7,238 s.f.	100	Save	Off-Site
5 *	Acer rubrum	Red Maple	40"	Good	11,310 s.f.	0	Remove	Within graded area
11 *	Acer rubrum	Red Maple	32"	Good	7,238 s.f.	0	Remove	Within graded area
12 *	Acer rubrum	Red Maple	42"	Poor	12,489 s.f.	0	Remove	Within graded area
19 *	Liriodendron tulipifera	Tulip Poplar	33"	Good	7,698 s.f.	70	Remove	Within graded area
20 *	Liriodendron tulipifera	Tulip Poplar	33"	Good	7,698 s.f.	50	Remove	Within graded area
22 *	Acer rubrum	Red Maple	48"	Good	16,286 s.f.	81	Save	Off-Site
23 *	Acer rubrum	Red Maple	48"	Good	16,286 s.f.	100	Save	Off-Site
24 *	Liriodendron tulipifera	Tulip Poplar	33"	Good	7,698 s.f.	0	Remove	Within graded area
25 *	Liriodendron tulipifera	Tulip Poplar	37"	Good	9,677 s.f.	64	Remove	Arborist measures needed
26 *	Liriodendron tulipifera	Tulip Poplar	54"	Good	20,612 s.f.	92	Save	Off-Site
28 *	Liriodendron tulipifera	Tulip Poplar	35"	Good	8,659 s.f.	84	Save	Arborist measures needed
29 *	Liriodendron tulipifera	Tulip Poplar	32"	Good	6,659 s.f.	84	Save	Arborist measures needed
30 *	Liriodendron tulipifera	Tulip Poplar	33"	Good	7,698 s.f.	58	Remove	Arborist measures needed
31 *	Liriodendron tulipifera	Tulip Poplar	52"	Fair	18,113 s.f.	56	Remove	Arborist measures needed
34 *	Liriodendron tulipifera	Tulip Poplar	35"	Good	8,659 s.f.	95	Save	Off-Site
36 *	Liriodendron tulipifera	Tulip Poplar	33"	Good	7,698 s.f.	97	Save	Off-Site
38 *	Liriodendron tulipifera	Tulip Poplar	38"	Good	10,207 s.f.	100	Save	Off-Site
39 *	Acer rubrum	Red Maple	30"	Good	6,362 s.f.	100	Save	Off-Site
44 *	Liriodendron tulipifera	Tulip Poplar	37"	Good	9,677 s.f.	100	Save	Off-Site
47 *	Liriodendron tulipifera	Tulip Poplar	33"	Good	7,698 s.f.	100	Save	Off-Site
49 *	Liriodendron tulipifera	Tulip Poplar	31"	Good	6,362 s.f.	100	Save	Off-Site
51 *	Liriodendron tulipifera	Tulip Poplar	32"	Good	7,238 s.f.	100	Save	Off-Site
52 *	Liriodendron tulipifera	Tulip Poplar	32"	Good	7,238 s.f.	100	Save	Off-Site
53 *	Liriodendron tulipifera	Tulip Poplar	38"	Good	10,207 s.f.	100	Save	Off-Site
55 *	Liriodendron tulipifera	Tulip Poplar	35"	Good	8,659 s.f.	100	Save	Off-Site
56 *	Liriodendron tulipifera	Tulip Poplar	30"	Good	6,362 s.f.	100	Save	Off-Site
59 *	Liriodendron tulipifera	Tulip Poplar	37"	Good	9,677 s.f.	97	Save	Off-Site
64 *	Acer rubrum	Red Maple	31"	Good	6,793 s.f.	0	Remove	Within graded area

* = Denotes Specimen Tree Impacted and subject to Specimen Tree Variance (20 trees)

Note that there are no trees on or adjacent to this property that are 75% or larger of the size of county or state champion trees for their species.

ARBORIST: Trees #19, 25, 28, 30 and 31 are to be evaluated by a licensed tree expert / certified arborist for potential retention as part of the Final Forest Conservation Plan preparation.

LEGEND



FOREST SAVE AREA

FOREST CLEAR AREA

SPECIMEN TREE SYMBOL AND IDENTIFICATION NUMBER

CRITICAL ROOT ZONE LIMIT - SPECIMEN TREES

SPECIMEN TREES TO BE REMOVED

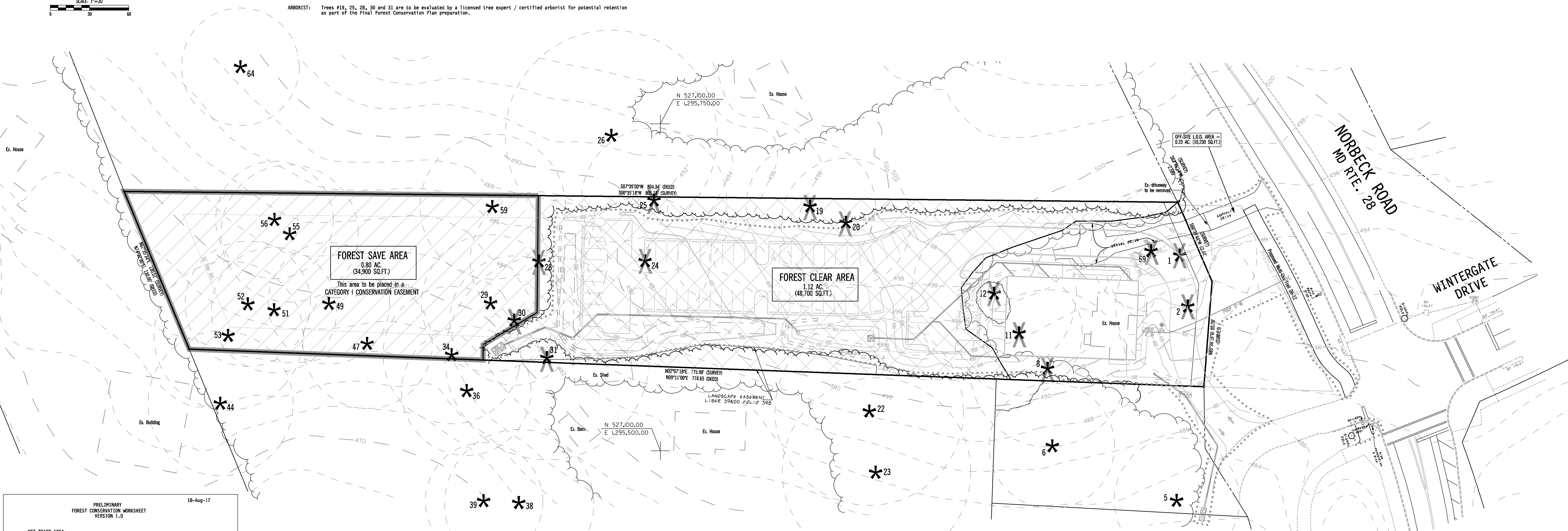
IMPORTANT NOTE:
Trees to be removed outside the L.O.D. (Trees #19, 20, 25, 28, 30 & 31) are to be removed by hand (no machinery) with stumps sawed off at ground level so as not to disturb adjacent trees.)

EXISTING TREE CANOPY EDGE

EXISTING BUILDINGS

PROPOSED LIMIT OF DISTURBANCE (LOD)

PROPOSED CATEGORY I CONSERVATION EASEMENT BOUNDARY

VICINITY MAP
SCALE: 1"=200'

PRELIMINARY FOREST CONSERVATION WORKSHEET VERSION 1.0		18-Aug-17
NET TRACT AREA:		
A. Total tract area....."	2.39	
B. Off-Site LOD Area....."	0.23	
C. Area within WSSC R/W or road R/W constructed by public fund....."	0.69	
D. Net tract area....."	2.62	
LAND USE CATEGORY: (from Table 2, page 42, "Trees" Manual)		
Input the number "1" under the appropriate land use zoning, and limit to only one entry.		
ARA	MOR	IDA
0	0	1
HOR	MPD	CIA
0	0	0
E. Afforestation Threshold.....	15% X D =	0.39
F. Conservation Threshold.....	20% X D =	0.52
EXISTING FOREST COVER:		
G. Existing forest cover (excluding floodplain)....."	1.92	
H. Area of forest above afforestation threshold....."	1.53	
I. Area of forest above conservation threshold....."	1.40	
BREAK EVEN POINT:		
J. Forest retention above threshold with no mitigation....."	0.80	
K. Clearing permitted without mitigation....."	1.12	
PROPOSED FOREST CLEARING:		
L. Total area of forest to be cleared....."	1.12	
M. Total area of forest to be retained....."	0.60	
PLANTING REQUIREMENTS:		
N. Reforestation for clearing above conservation threshold....."	0.28	
P. Reforestation for clearing below conservation threshold....."	0.00	
Q. Credit for retention above conservation threshold....."	0.28	
R. Total reforestation required....."	0.00	
S. Total afforestation required....."	0.00	
T. Total reforestation and afforestation required....."	0.00	

FOREST CONSERVATION DATA TABLE

ACREAGE OF TRACT (Gross)	2.62 (Incl 0/S LOD)
ACREAGE OF TRACT (Net)	2.39 (Not Incl 0/S LOD)
ACREAGE OF TRACT REMAINING IN AG. USE	0
ACREAGE OF ROAD & UTILITY R/W'S THAT WILL NOT BE IMPROVED AS PART OF THE DEVELOPMENT APPLICATION	0
ACREAGE OF STREAM VALLEY BUFFER	0
ACREAGE OF TOTAL EXISTING FOREST	0.92
ACREAGE OF FOREST RETENTION	0.80
ACREAGE OF TOTAL FOREST CLEARED	0.12
LAND USE CATEGORY	INSTITUTIONAL DEVELOPMENT AREA
CONSERVATION THRESHOLD (20%)	0.49 ACRES
AFFORESTATION THRESHOLD (15%)	0.37 ACRES
WETLAND FOREST:	
RETAINED	0
CLEARED	0
PLANTED	0
100 YEAR FLOODPLAIN FOREST:	
RETAINED	0
CLEARED	0
PLANTED	0
STREAM BUFFER FOREST:	
RETAINED	0
CLEARED	0
PLANTED	0
PRIORITY AREA FOREST:	
RETAINED	0
CLEARED	0
PLANTED	0
LINEAR FEET OF STREAM BUFFERS	NONE
AVERAGE WIDTH OF STREAM BUFFERS	N/A

PLAN NOTES

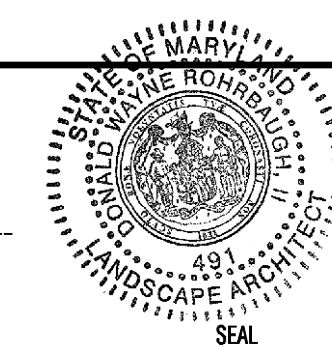
1. Tract Area: 2.39 Ac. (104,044 sq.ft.) per boundary survey
2. Area of Proposed R/W's & Easements: None Proposed
3. Gross Tract Area: 2.62 Ac. (Includes Off-Site L.O.D. Area of 0.23 ac.)
4. Zoning: RE-2
5. Planning Area: Olney
6. Area of Existing Forest Cover: 1.92 Ac.
7. Watershed: Northwest Branch (State Use IV - IV-P)
8. This property is not located in a Special Protection Area.

120170220

Signature and Seal of Qualified Preparer

Donald W. Rohrbough, II M.D. R.L.A. #491

Date



NO	REVISION	DATE
4	Adjust location of DB-12 Multi-Use Trail, Off-Site LOD Area remains the same	9/8/17
3	Revised per 8/23/17 M-MPCPC Staff comments	8/23/17
2	Revised per 7/17/17 M-MPCPC Staff comments	8/18/17
1	Revised per SWM Concept changes and revised access road	6/16/17
NO		

OWNER:

Son of David Congregation, Inc.
2815 Norbeck Road
Silver Spring, MD. 20906

Preliminary Forest Conservation Plan
SON OF DAVID CONGREGATION
2815 NORBECK ROAD / Parcel 695, Tax Map HS562
Preliminary Plan #120170220 - WSSC Grid #221NW03
OLNEY ELECTION DISTRICT NO. 8
MONTGOMERY COUNTY, MARYLAND

OWNER	1" = 30'
DESIGN	SCALE
JSL	1 of 1
CHECKED	SHEET
9/11/2017	PROJ. No. 1936
PLOT DATE	E-

**STATEMENT OF THE SON OF DAVID CONGREGATION
FOR A VARIANCE IN ACCORDANCE WITH SECTION 22A-21
OF THE MONTGOMERY COUNTY CODE**

PRELIMINARY PLAN #120170220

February, 2017 (Rev. August 29, 2017)

I. BACKGROUND INFORMATION.

The Applicant for a variance pursuant to the provisions of Section 22A-21 of the Montgomery County Code is the Son of David Congregation, the owner of the property. The owner proposes to subdivide an existing parcel into one recorded lot in order to build a religious facility. The property consists of 2.39 acres. The site is located on the north side of Norbeck Road (Md. Route 28), opposite Wintergate Drive just east of the Intercounty Connector. There is 1.92 acres of forest cover within the property boundary. There are no priority environmental features on or adjacent to the subject property.

II. APPLICANT'S PROPOSAL.

Attached is a copy of the proposed Preliminary Plan of Subdivision (see e-file) indicating the proposed religious building and a required on-site parking facility. An existing house located on the subject property is to be removed. There is an existing vehicular access driveway that enters the site from Norbeck Road. A realigned entrance driveway will serve the subject property at the existing traffic signal opposite Wintergate Drive. The current driveway access will be removed. A significant part of the property will be retained in forest cover and will be placed into a Category I Conservation Easement. In addition, required stormwater management facilities will be implemented as shown on the drawing.

III. EXPLANATION FOR NEED TO REMOVE THIRTEEN TREES AND IMPACT SEVEN TREES THAT ARE IDENTIFIED IN STATE LAW FOR PROTECTION

Attached to this variance application is a copy of the Preliminary Forest Conservation Plan (PFCP) (see e-file), on which thirteen protected specimen trees are proposed to be removed and seven additional impacted specimen trees to be saved have been identified.

The seven impacted trees are described as follows (Numbering is per the Preliminary FCP):

Please note that the "Condition" is per the approved NRI/FSD

Tree #5	Catalpa	32" DBH	Good Condition	79% CRZ Saved
Tree #22	Tulip Poplar	48" DBH	Good Condition	87% CRZ Saved
Tree #26	Tulip Poplar	54" DBH	Good Condition	92% CRZ Saved

Tree #29	Tulip Poplar	35" DBH	Good Condition	97% CRZ Saved
Tree #34	Tulip Poplar	35" DBH	Good Condition	95% CRZ Saved
Tree #36	Tulip Poplar	33" DBH	Good Condition	97% CRZ Saved
Tree #59	Tulip Poplar	37" DBH	Good Condition	97% CRZ Saved

The thirteen specimen trees to be removed are as follows:

Tree #1	Red Oak	39" DBH	Good Condition	Within graded area
Tree #2	Red Maple	37" DBH	Good Condition	Within graded area
Tree #8	Red Maple	40" DBH	Good Condition	Within graded area
Tree #11	Red Maple	32" DBH	Good Condition	Within graded area
Tree #12	Red Maple	42" DBH	Poor Condition	Within graded area
Tree #19	Tulip Poplar	33" DBH	Good Condition	Close to LOD
Tree #20	Tulip Poplar	33" DBH	Good Condition	Within graded area
Tree #24	Tulip Poplar	33" DBH	Good Condition	Within graded area
Tree #25	Tulip Poplar	37" DBH	Good Condition	Close to LOD
Tree #28	Tulip Poplar	35" DBH	Good Condition	Close to LOD
Tree #30	Tulip Poplar	33" DBH	Good Condition	Close to LOD
Tree #31	Tulip Poplar	52" DBH	Good Condition	Close to LOD
Tree #69	Red Maple	31" DBH	Good Condition	Within graded area

Trees number 19, 25, 28, 30 and 31 are to be evaluated by a licensed tree expert / certified arborist for potential retention. Final determination of whether to save or remove these five trees will be made at the time of the Pre-Construction site meeting by the M-NCPPC forestry inspector in conjunction with the arborist.

The trees being removed lie either within the proposed building footprint, proposed parking envelope or immediately adjacent to the proposed building within areas of grading necessary to tie the first floor of the building or parking to the surrounding ground elevation.

The Final FCP will specify temporary tree protection fence or super silt fence to be placed along the limit of disturbance that lies within the critical root zones of the impacted trees. Root pruning will be specified where soil cut is to occur for grading or utility installation.

IV. SATISFACTION OF THE CRITERIA LISTED IN SECTION 22A-21(b) OF THE MONTGOMERY COUNTY CODE.

Section 22A-21(b) lists the criteria for the granting of the variance requested herein. The following narrative explains how the requested variance is justified under the set of circumstances described above.

- “(1) describe the special conditions peculiar to the property which caused the unwarranted hardship.”*

The Son of David congregation desires to construct a sanctuary with up to 236 seats and associated supporting classrooms and office space. In order to do so, an approximately 6,000 square foot, one-story, building footprint must be constructed, as indicated on the Preliminary Plan. Given that specimen trees are scattered throughout the limit of disturbance area, it is unavoidable that some trees will be removed and some will be impacted. In order to minimize the proposed amount of impervious area, it is desirable to minimize the length and minimize the width of the required parking facility. Therefore, the proposed building and parking area are to be located as close to Norbeck Road as possible. The proposed building is to abut the front building restriction line at Norbeck Road. The parking and vehicular access is to be the minimum distance possible from the building. Specimen trees are located throughout the subject property and any alternative design would also impact a similar number of specimen trees. The property configuration is long and narrow and doesn't offer any viable alternative possibilities in configuring the building and parking locations that would result in less impact to specimen trees.

- “(2) Describe how enforcement of these rules will deprive the owner of rights commonly enjoyed by others in similar areas.”*

Any alternative site design would impact a similar number of trees as the proposed design and would probably impact more trees if the development envelope (building & parking) was moved deeper into the property. Not granting this variance would prohibit this applicant from implementing their plans to construct this religious building and parking area. Other religious facilities in Montgomery County have been constructed prior to the implementation of Sec. 22A-21 and have not been required to receive a variance for impact on specimen trees on similar properties.

- “(3) Verify that State water quality standards will not be violated or that a measurable degradation in water quality will not occur as a result of the granting of the variance.”*

In conjunction with its proposed development of the subject property, the Applicant has prepared a stormwater management concept plan which will improve water quality measures on the subject property and in the surrounding area. The concept complies with current Environmental Site Design to the Maximum Extent Possible stormwater management regulations.

The Applicant confirms that the impact on the twenty affected trees will cause no degradation to water quality associated with development of the proposed religious facility as a result of the granting of the requested variance.

“(4) Provide any other information appropriate to support the request.”

The information set forth above, the Applicant believes, is adequate to justify the requested variance to impact the twenty protected trees on the subject property. Furthermore, the Applicant’s request for a variance complies with the “minimum criteria” of Section 22A-21(d) for the following reasons:

1. This Applicant will receive no special privileges or benefits by the granting of the requested variance that would not be available to any other applicant.
2. The configuration of the subject property, regulatory requirements, and the location of the protected trees are not the result of actions by the Applicant, since any similar development of the subject property as a religious facility would encounter the same constraints.
3. The requested variance is not related in any way to a condition on an adjacent, neighboring property, and
4. Impact on the CRZ’s of the twenty affected trees will not violate State water quality standards or cause measurable degradation in water quality (which is being improved by the Applicant’s overall proposal).

On behalf of Son of David Congregation,
Site Solutions, Inc.,
Donald W. Rohrbaugh, II, R.L.A.
February, 2017, Rev. August, 2017



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Diane R. Schwartz Jones
Director

September 26, 2017

Mr. Jeffrey Lewis
Site Solutions, Inc.
19508-A Amaranth Drive
Germantown, MD 20874

Re: **COMBINED STORMWATER MANAGEMENT
CONCEPT/SITE DEVELOPMENT
STORMWATER MANAGEMENT PLAN** for Son
of David
Preliminary Plan #: 120170220
SM File #: 282793
Tract Size/Zone: 2.39 Acres
Total Concept Area: 2.39 Acres
Lots/Block: Lot 1
Parcel(s): 695
Watershed: Northwest Branch

Dear Mr. Jeffrey Lewis:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above-mentioned site is **acceptable**. The stormwater management concept proposes to meet full ESD stormwater management goals via Bioswale and Microbioretention construction.

The following items will need to be addressed during the detailed sediment control/stormwater management plan stage:

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. Any Microbioretention facility proposed within the 100ft Well radius must be a planterbox.
3. Because of the relatively high percolation rates at the subject property, infiltration practices may require additional filtering elements. This will be reviewed in detail at the engineered design plan.

This list may not be all-inclusive and may change based on available information at the time.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

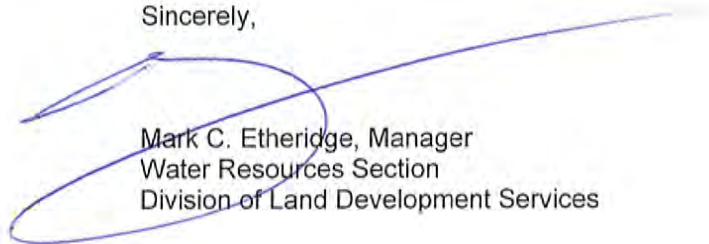


255 Rockville Pike, 2nd Floor, Rockville, Maryland 20850 | 240-777-0311
www.montgomerycountymd.gov/permittingervices

Mr. Jeffrey Lewis
September 26, 2017
Page 2 of 2

If you have any questions regarding these actions, please feel free to contact Andrew Kohler at 240-777-6275.

Sincerely,



Mark C. Etheridge, Manager
Water Resources Section
Division of Land Development Services

MCE: me Andrew Kohler

cc: C. Conlon
SM File # 282793

ESD Acres:	2.39 Acres
STRUCTURAL Acres:	N/A
WAIVED Acres:	N/A



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Isiah Leggett
County Executive

Lisa Feldt
Director

September 7, 2017

Casey Anderson, Chair
Montgomery County Planning Board
Maryland National Capital Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

RE: Son of David Congregation, ePlan 120170220, NRI/FSD application accepted on 11/17/2016

Dear Mr. Anderson:

All applications for a variance from the requirements of Chapter 22A of the County Code submitted after October 1, 2009 are subject to Section 22A-12(b)(3). Accordingly, given that the application for the above referenced request was submitted after that date and must comply with Chapter 22A, and the Montgomery County Planning Department ("Planning Department") has completed all review required under applicable law, I am providing the following recommendation pertaining to this request for a variance.

Section 22A-21(d) of the Forest Conservation Law states that a variance must not be granted if granting the request:

1. Will confer on the applicant a special privilege that would be denied to other applicants;
2. Is based on conditions or circumstances which are the result of the actions by the applicant;
3. Arises from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; or
4. Will violate State water quality standards or cause measurable degradation in water quality.

Applying the above conditions to the plan submitted by the applicant, I make the following findings as the result of my review:

1. The granting of a variance in this case would not confer a special privilege on this applicant that would be denied other applicants as long as the same criteria are applied in each case. Therefore, the variance can be granted under this criterion.
2. Based on a discussion on March 19, 2010 between representatives of the County, the Planning Department, and the Maryland Department of Natural Resources Forest Service, the disturbance of trees, or other vegetation, as a result of development activity is not, in and of itself, interpreted as a condition or circumstance that is the result of the actions by the applicant. Therefore, the variance can be granted under this criterion, as long as appropriate mitigation is provided for the resources disturbed.

Casey Anderson
September 7, 2017
Page 2

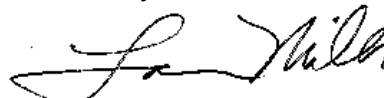
3. The disturbance of trees, or other vegetation, by the applicant does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property. Therefore, the variance can be granted under this criterion.
4. The disturbance of trees, or other vegetation, by the applicant will not result in a violation of State water quality standards or cause measurable degradation in water quality. Therefore, the variance can be granted under this criterion.

Therefore, I recommend a finding by the Planning Board that this applicant qualifies for a variance conditioned upon meeting 'conditions of approval' pertaining to variance trees recommended by Planning staff, as well as the applicant mitigating for the loss of resources due to removal or disturbance to trees, and other vegetation, subject to the law based on the limits of disturbance (LOD) recommended during the review by the Planning Department. In the case of removal, the entire area of the critical root zone (CRZ) should be included in mitigation calculations regardless of the location of the CRZ (i.e., even that portion of the CRZ located on an adjacent property). When trees are disturbed, any area within the CRZ where the roots are severed, compacted, etc., such that the roots are not functioning as they were before the disturbance must be mitigated. Exceptions should not be allowed for trees in poor or hazardous condition because the loss of CRZ eliminates the future potential of the area to support a tree or provide stormwater management. Tree protection techniques implemented according to industry standards, such as trimming branches or installing temporary mulch mats to limit soil compaction during construction without permanently reducing the critical root zone, are acceptable mitigation to limit disturbance. Techniques such as root pruning should be used to improve survival rates of impacted trees but they should not be considered mitigation for the permanent loss of critical root zone. I recommend requiring mitigation based on the number of square feet of the critical root zone lost or disturbed. The mitigation can be met using any currently acceptable method under Chapter 22A of the Montgomery County Code.

In the event that minor revisions to the impacts to trees subject to variance provisions are approved by the Planning Department, the mitigation requirements outlined above should apply to the removal or disturbance to the CRZ of all trees subject to the law as a result of the revised LOD.

If you have any questions, please do not hesitate to contact me directly.

Sincerely,



Laura Miller
County Arborist

cc: Mary Jo Kishter, Senior Planner



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

Al R. Roshdieh
Director

September 20, 2017

Mr. Jonathan Casey, Senior Planner
Area 3 Planning Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan Letter
Preliminary Plan No. 120170220
Son of David

Jonathan
Dear Mr. Casey:

We have completed our review of the revised Preliminary Plan – most recently dated September 8, 2017. This plan was reviewed by the Development Review Committee at its meeting on April 18, 2017. We recommend approval for the plan based to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Department of Permitting Services in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. We recommend the applicant install a shared use path along the Norbeck Road (MD-28) property frontage and shall be extended to the west to connect to the existing intercounty connector trail. Please coordinate location of the shared use path with Ms. Patricia Shepherd of our Division of Transportation Engineering at patricia.shepherd@montgomerycountymd.gov or at 240-777-7231
2. We recommend a lead walk within the property between the building and the proposed shared use path. If MDSHA approves the lead walk in the right-of-way, the maintenance of the lead walk shall be the responsibility of the applicant by Maintenance and Liability Agreement.
3. Access and improvements along and Norbeck Road (MD-28) as required by the Maryland State Highway Administration (MDSHA). We defer to MDSHA for the sight distance for the proposed access.

Office of the Director

101 Monroe Street 10th Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178 FAX

www.montgomerycountymd.gov


Located one block west of the Rockville Metro Station

Mr. Jonathan Casey
 Preliminary Plan No. 120170220
 September 20, 2017
 Page 2

4. Please coordinate with Mr. Jeremy Beck at MDSHA on MD 28 / MD 198 Corridor Study.
5. Storm Drain Analysis:
 - Based on the storm drain report submitted via email on August 18, 2017 and the revised drainage area map dated September 13, 2017 the proposed site does not drain to any Montgomery County maintained storm drain system.
 - Since the proposed site drains to storm drain system under the maintenance of MDSHA and any relocations of the storm drain/inlet shall be approved by MDSHA.
6. The owner will be required to submit a recorded covenant for the operation and maintenance of any private storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Deepak Somarajan, our Development Review Team Engineer for this project at deepak.somarajan@montgomerycountymd.gov or (240) 777-7170.

Sincerely,



Gregory M. Leck, Manager
 Development Review
 Office of Transportation Policy

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cc:	Dennis Karp	Owner
	Donald Rohrbaugh	Site Solutions, Inc.
	Kwesi Woodroffe	MDSHA District 3
	Jeremy Beck	MDSHA PMD
	Preliminary Plan folder	
	Preliminary Plan letters notebook	
 cc-e:	Atiq Panjshiri	MCDPS RWPR
	Sam Farhadi	MCDPS RWPR
	Marie LaBaw	MCDPS Fire Dept. Access
	Patricia Shepherd	MCDOT DTE
	Deepak Somarajan	MCDOT OTP