



Guru Nanak Foundation of America: Preliminary Plan 120120160

BCB Benjamin Berbert, Senior Planner, Area 3 Benjamin.Berbert@montgomeryplanning.org, (301) 495-4644

RAW Richard Weaver, Supervisor, Area 3 Richard.Weaver@montgomeryplanning.org, (301) 495-4544

JAC John Carter, Chief, Area 3, John.Carter@montgomeryplanning.org, (301) 495-4575

Staff Report Date: 11-27-13

Description

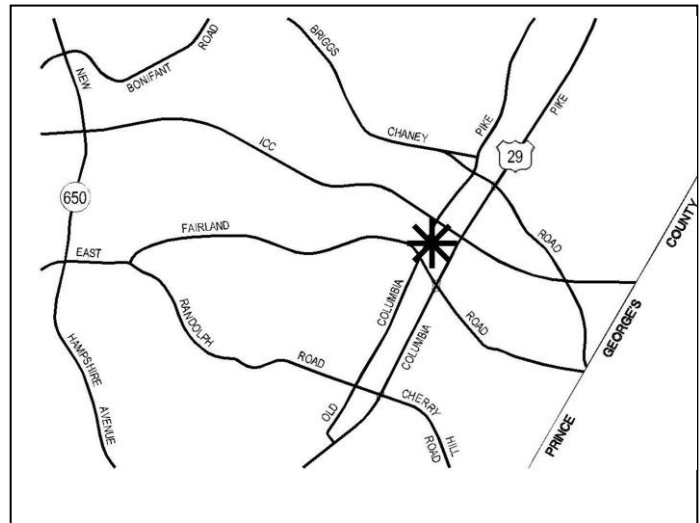
**Guru Nanak Foundation of America
Preliminary Plan 120120160**

Request to create one lot from Parcels 905, 908 and 961 on Tax Map KR31 for a 19,000 square foot Gurdwara, and a 23,740 square foot Sunday School and a multi-purpose building located on the east side of Old Columbia Pike approximately 1,500 feet north of Randolph Road, 11.07 acres; R-90 and R-200 Zones; Fairland Master Plan

Staff Recommendation: *Approval with Conditions*

Applicant: Surinder Singh, EMC2, Inc.

Submitted: 04/16/2012



Summary

- Combine three parcels into one lot for a religious institution
- Circulation for vehicles will be provided to the existing parking lot and entrance point for the existing Gurdwara to the north of the Subject Property
- Exempt from APF per Section 50-35(k)(6) in the Subdivision Regulations
- Reserve space for future uses on the Property that may require an amendment to the Preliminary Plan

RECOMMENDATION

Approval, subject to the following conditions:

1. Approval under this Preliminary Plan is limited to one (1) lot for a religious institution including a sanctuary, religious education (Sunday School) and multi-purpose space. No weekday child daycare or weekday private school sessions are permitted.
2. The Applicant must comply with the conditions of approval for the preliminary forest conservation plan No. 120120160, approved with this Application. Conditions of the preliminary forest conservation plan include:
 - a. Approval of Final Forest Conservation Plan consistent with the approved Preliminary Forest Conservation Plan prior to any clearing, grading or demolition on the site.
 - b. The Final Sediment Control Plan must be consistent with the final limits of disturbance as approved by the M-NCPPC staff.
 - c. Prior to clearing and grading occurring on site, the record plat must show a Category I conservation easement over all areas of forest retention and environmental buffers as specified on the approved Final Forest Conservation Plan.
 - d. The Applicant must install permanent Category I Forest Conservation Easement signage along the perimeter of all forest conservation easements.
 - e. The Applicant must obtain Staff approval of a Certificate of Compliance Agreement for the offsite planting requirement prior to any clearing, grading or demolition on the site.
3. The Planning Board has accepted the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated November 15, 2013, and hereby incorporates them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the MCDOT Letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
4. The Applicant must satisfy the provisions for access and improvements as required by MCDOT prior to recordation of plat(s).
5. The Planning Board has accepted the recommendations of the Montgomery County Department of Permitting Service ("MCDPS") – Water Resources Section in its letter dated May 31, 2013, and hereby incorporates them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the MCDPS 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.
6. Prior to issuance of building permits, a landscape and lighting plan must be submitted for review and approval by the M-NCPPC technical staff that includes the following elements:
 - a. The lighting distribution and photometric plan with summary report and tabulations must conform to IESNA standards for residential development.
 - b. All on-site down light fixtures must be full cut-off fixtures.
 - c. Deflectors must be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties.

- d. Illumination levels must not exceed 0.5 footcandles (fc) at any property line abutting county roads and residential properties.
 - e. Landscaping should conform to the provisions under Section 59-E-2.7 on landscaping for off-street parking facilities.
 - f. Landscaping provided along the frontage of Columbia Pike (US 29) must contain an adequate number of shade trees and shrubs to provide buffering of the proposed development per the Master Plan recommendations.
7. The Applicant must dedicate and show on the record plat the following dedications:
 - a. Forty (40) feet from the existing pavement centerline along the property frontage for Old Columbia Pike (0.39 acres).
8. Prior to recordation of the plat the Applicant must satisfy MCDPS requirements to ensure the construction of the eight (8) foot wide shared use path as shown on the preliminary plan along the property frontage on Old Columbia Pike.
9. The record plat must show necessary easements.
10. The Certified Preliminary Plan must reflect the following changes:
 - a. Remove reference to a “future medical clinic” and instead label this as a future use.
11. 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. Other limitations for site development may also be included in the conditions of the Planning Board’s approval.”

SITE DESCRIPTION

The Subject Property currently consists of three unplatted parcels, identified as Parcel 905, Parcel 908, and Parcel 961 on Tax Map KR31, totaling 11.07 acres and located on the east side of Old Columbia Pike, approximately 1,500 feet north of the intersection of Old Columbia Pike and Randolph Road (“Property” or “Subject Property”). The Property is split zoned with Parcel 905 in the R-90 zone and Parcels 908 and 961 in the R-200 zone, and is located in the Fairland Master Plan area (Figure 1).

The Subject Property is bordered to the north by an existing religious institution that is affiliated with the Applicant, and a special exception for a medical office building, both located in the R-90 zone. Abutting the Property to the east is Columbia Pike (US 29), with a special exception for a nursing home, and one-family detached housing in the R-90 TDR on the opposite side of Columbia Pike. To the south of the Property is a special exception for a senior housing apartment building in the R-200 Zone, and to the west is Old Columbia Pike and one-family detached housing in the R-90 and R-200 Zones. The Subject Property is located in the W-1 and S-1 water and sewer service categories which allow for access to public water and sewer services



Figure 1

The Subject Property is unimproved, with a small area of disturbance in the northeast corner which serves as overflow parking for the existing Gurdwara (sanctuary) immediately to the north. There are 6.54 acres of forest on the Property, mainly in the southern and western areas (Figure 2). A drainage divide separates approximately 1.02 acres of the Property in the northeast corner which drains to Little Paint Branch, (Use I) and the remaining 10.14 acres that drains to Paint Branch, (Use III, non-SPA). There are two small streams that originate in the northwest corner of the Property within the Paint Branch watershed. The streams converge into one and flow in a northwest direction where exits the Property in a culvert under Old Columbia Pike. There are no other significant environmental features on the Property.



Figure 2

PROJECT DESCRIPTION

The application is designated Preliminary Plan No. 120120160, Guru Nanak Foundation of America ("Application" or "Preliminary Plan") and was submitted on April 16, 2012 by Surinder Singh, EMC2 Inc. ("Applicant"). The Application requests one 10.68 acre lot to accommodate a religious institution, including a sanctuary, Sunday School, and multi-use space. There will be a dedication of 0.39 acres to meet the master planned road right-of-way requirements. (Figure 3, Attachment A). The Application currently proposes a Gurdwara of approximately 19,000 square feet, capable of occupying 780 people at one time, and 23,740 square feet of additional building space for use as a Sunday School and unspecified multi-purpose uses. Currently, the Applicant intends to construct buildings in two phases, with the first phase being the Gurdwara, and a second building for a Sunday School. The second phase will expand the building to accommodate a larger Sunday School and add multi-purpose space, for a total area of approximately 23,740 square feet. The Preliminary Plan also reserves building space for future uses for which the Applicant does not seek approval of with this Application. It is the Applicant's current desire is to construct a medical clinic in this reserved space, however the Applicant will need to amend this Preliminary Plan and will need to apply for a special exception in order to operate a medical clinic in the R-90 Zone. Currently, the Application is exempt from Adequate Public Facilities ("APF") review as a place of worship under Section 50-35(k)(6) in the Subdivision Regulations. An APF review will be required for any future uses not exempted under the Subdivision Regulations.

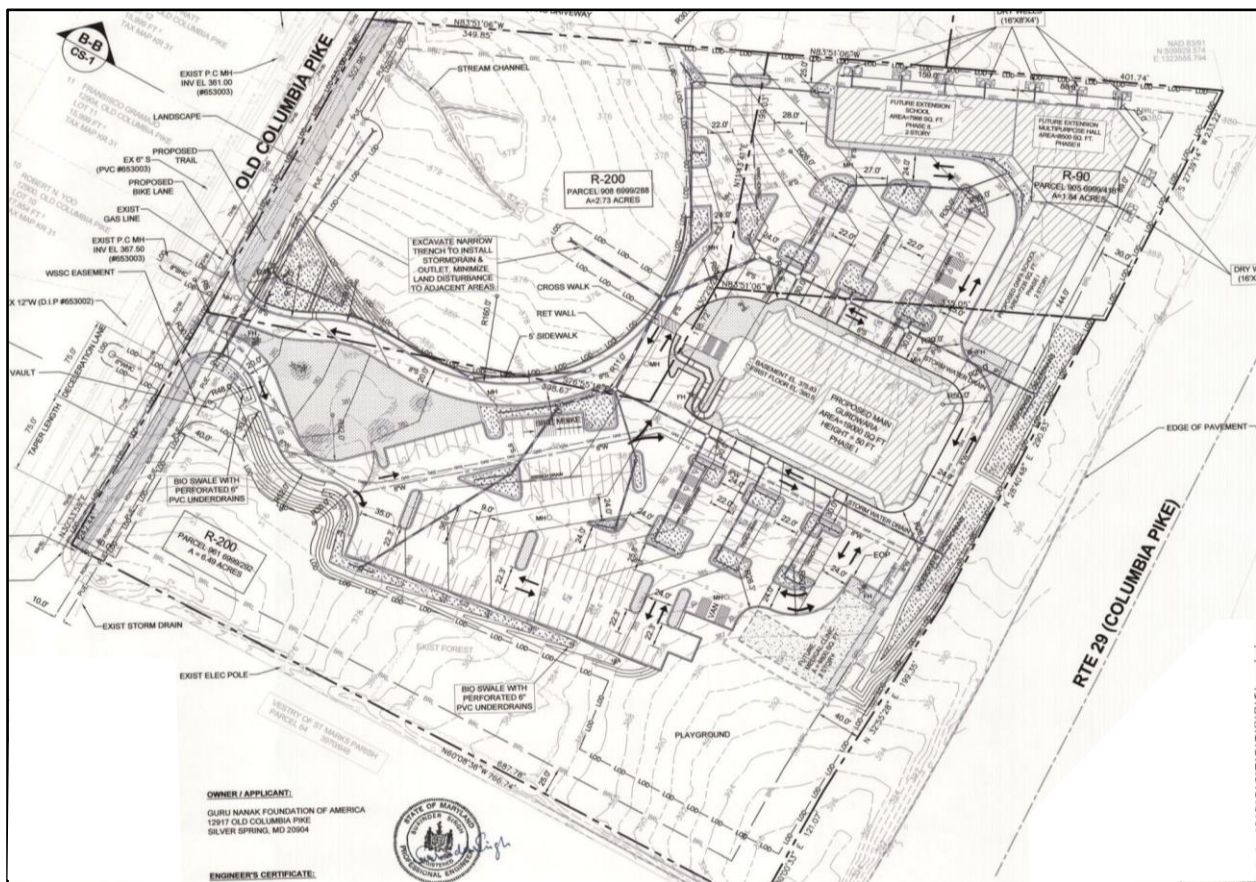


Figure 3

The Preliminary Plan shows 219 new parking spaces, including 8 handicap spaces, 6 motorcycle spaces and parking for 10 bicycles. The vehicular circulation proposed for the facilities includes a connection of the new parking lot to the existing Gurdwara parking lot adjacent to the Subject Property's northern border. The Property will have access to public water and sewer service, and the Applicant will construct an off-road bike path along the Property's frontage along Old Columbia Pike in accordance with the Fairland Master Plan.

ANALYSIS AND FINDINGS

Conformance to the Master Plan

The Preliminary Plan substantially conforms to the recommendations of the 1997 Fairland Master Plan ("Master Plan"). There are no specific recommendations for the Property in the Master Plan, however there were a few general recommendations as guidelines to future development in this area. The Master Plan recommends providing adequate buffering of new development from US 29. The Master Plan also recommends that if sidewalks or bike paths are placed along Old Columbia Pike that they be located far enough from the existing pavement edge to allow for street tree planting. The Preliminary Plan shows the required building setbacks along the frontage with US 29, and the Application will be subject to a Landscape and Lighting Plan approval by Staff, as outlined in the conditions of approval. The Landscape Plan will address the buffering recommendations within the Master Plan. The Preliminary Plan also proposes an off-road bike path setback 6 to 15 feet from the edge of existing pavement, allowing for landscaping and the potential for street tree placement per MCDPS.

Old Columbia Pike is designated in the Master Plan as a Primary Road with an 80 foot right-of-way, two travel lanes, and a sidewalk or shared-use path. This Application will dedicate 40 feet from the roadway centerline to implement half of the right-of-way. The Master Plan acknowledges an existing Class II, on-road bikeway across the Property frontage, but it also recommends on page 95 that where possible, a shared use path should be located along the east side of Old Columbia Pike. The Application labels the existing on-road bike lanes and proposes an eight foot wide, shared use path that will connect to the existing sidewalks to the north and south of the Property.

Public Facilities

Transportation Facilities

Access to the Property will be from Old Columbia Pike and the Preliminary Plan shows a new deceleration lane on northbound Old Columbia Pike at the proposed access point. As previously discussed, an off-road bike path will be constructed along the Old Columbia Pike frontage, and it will tie into existing sidewalks at the northern and southern edges of the Property. Although this Property also has a second frontage along US 29, the State Highway Administration prohibits access to that road.

The traffic statement submitted by the Applicant indicates that the proposed religious institution will hold worship services and religious education services on the weekends. Occasional evening activities typical of most religious institutions may occur late in the evenings after the afternoon peak hour. Because of the negligible traffic impacts to the weekday peak hours, Houses of Worship are exempt from APF findings under Section 50-35(k)(6) in the Subdivision Regulations, therefore, pursuant to the submitted traffic statement and as conditioned, Staff finds that the Application is exempt from LATR and TPAR adequacy tests for transportation.

Other Public Facilities and Services

The Property is in water and sewer categories W-1 and S-1. This facility will access existing water and sewer lines in the right-of-way for Old Columbia Pike. All other utilities including telecommunications and electricity providers have adequate service available to the Property. The Fire Marshal's office approved the Application for fire department access with a letter dated March 11, 2013. All other public facilities and services, such as police stations, and health services are currently operating within the standards set by the Subdivision Staging Policies currently in effect. The Application does not include new residential units; therefore a school facility payment is not required.

Environment

The Preliminary Forest Conservation Plan submitted with this Application meets all applicable requirements of Chapter 22A of the County Code. Staff recommends that the Planning Board approve the Preliminary Forest Conservation Plan with the conditions cited in this staff report. A Tree Variance has been submitted with the Preliminary Forest Conservation Plan and is evaluated below.

Natural Resources Inventory/Forest Stand Delineation

This Application is subject to the Montgomery County Forest Conservation Law. NRI/FSD #420110820 was approved on July 13, 2011. The NRI/FSD identifies the environmental constraints and forest resources on the Subject Property.

The 11.16 acre Property is currently undeveloped except for occasional use as overflow parking for the existing Gurdwara to the north. A drainage divide dissects the Property, where approximately 1.02 acres in the northeast corner drains to the Little Paint Branch, classified as Use I waters, and the remaining 10.14 acres drains to the Paint Branch, classified as Use III waters. The Property is not located within the Upper Paint Branch Special Protection Area. There is one stream that originates in the northwestern portion of the Property and flows northwest, under Old Columbia Pike. The stream headwater is located in a mostly forested area that will be included in a stream valley buffer. There are no wetlands, 100-year floodplains, steep slopes or highly erodible soils located on the Property.

There are 6.85 acres of existing forest that was divided into three forest stands based on their characteristics as identified by the approved NRI/FSD. The overall forest resource is generally dominated by red maple (*Acer rubrum*), with the exception of one stand of approximately 1.6 acres, located parallel to Columbia Pike (US 29) that is dominated by Bradford Pear (*Pyrus calleryana*). Along the southern property line there is a 0.31 acre stand that was planted in 2004. This area was cleared by the adjacent property to the south in 2003 and was required to be replanted as part of a corrective action stemming from Administrative Civil Penalty #04-01. The final inspection of this area was conducted by M-NCPPC forest conservation inspectors in 2009 and the case was closed. Approximately 1.71 acres of the existing forest is located within the 2.03 acre environmental buffer in the northwestern corner of the Property. There are fifteen (15) trees on the Property that are 24 inches and greater in diameter at breast height (DBH), nine of which are 30 inches DBH or greater.

Forest Conservation

As required by the Montgomery County Forest Conservation Law (Section 22A of the County Code), a Preliminary Forest Conservation Plan (FCP) for the Application was submitted with the Preliminary Plan application (Attachment B). The Preliminary FCP proposes to clear 4.10 acres of forest onsite for the construction of a Gurdwara building to hold worship services, a Sunday School, multi-use building space,

playground, parking, drive aisles and stormwater management features. Approximately 0.21 acres of the total forest clearing will occur within the environmental buffer to allow the construction of two stormwater outfalls. The forest conservation worksheet shows a 0.51 acre forest planting requirement, of which 0.33 acres is proposed to be met onsite with the remaining 0.18 acres to be met offsite. Approximately 0.25 acres of the onsite planting will occur within the environmental buffer located around the stream in the northwest corner of the Property. The 2.75 acres of forest retention and the 0.33 acres of proposed onsite forest planting will be protected in a Category I conservation easement. Staff finds that with the recommended conditions of approval, the Application is in compliance with the Forest Conservation Law.

Forest Conservation Variance

Section 22A-12(b) (3) of the Montgomery County Forest Conservation Law provides criteria that identify certain individual trees, shrubs and plants as high priority for retention and protection. The law requires 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 a 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 any resource identified under this Section, including removal of the resource or 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 Montgomery County Forest Conservation Law.

Variance Request - The Applicant submitted a variance request in a letter dated October 29, 2013, requesting removal of four (4) trees that are 30 inches and greater, DBH, and to impact, but not remove, two (2) trees that are considered high priority for retention under Section 22A-12(b) (3) of the County Forest Conservation Law ("Protected Trees").

Unwarranted Hardship – As per Section 22A-21, a variance may only be considered if the Planning Board finds that avoiding impact to, or removal of, Protected Trees would result in an unwarranted hardship. Development on the Property for a House of Worship and buildings for related uses is constrained by the existing conditions on the Property and the requirements of the applicable zoning standards. Access is denied to the Property from US 29 by the Maryland State Highway Administration. This results in access to the Property being provided from Old Columbia Pike, along the western Property boundary. The northwestern corner of the Property contains a stream channel and associated environmental buffer which covers almost the entire northern half of the Property along Old Columbia Pike. Avoidance of this sensitive area and the numerous Protected Trees within it pushed the Applicant to consider access only in the southern half of the Property along Old Columbia Pike. Within the southern half of the Property, access was further restricted to a specific location due to safe sight distance requirements for the access driveway. The location of the access drive as shown on the Preliminary Plan is the only safe location available for this facility. The construction of this access driveway is in close proximity to five of the six Protected Trees.

The Applicant has stated that it their intent is to try to save the four Protected Trees (ST-12, ST-13, ST-14, ST-15) that are designated for removal by this variance request, noting that the Trees would provide an attractive entrance feature for the facility. Given the amount of unavoidable impact to construct the entrance driveway and the current condition of the four Protected Trees, the long term survivability of these four Trees may not be possible even with the protection measures that are to be used. The

variance requests that these four Trees be removed so that they can be removed in the future, without the need to amend the variance. The fifth Protected Tree (ST-9) will be impacted, but not removed. Disturbance to the Tree’s CRZ is unavoidable due to the necessary curvature and alignment of the driveway. The sixth Protected Tree (ST-9) to be affected is located within the environmental buffer and will be impacted, but not removed, for construction of the proposed storm drain outfall. The outfall must be located at a topographical low point, where it can drain to an existing swale or stream and avoid creating an erosive condition.

Staff has reviewed this Application and based on the amount of forest on the Property, the environmental constraints and applicable development standards, finds that there would be an unwarranted hardship if a variance were not considered.

Trees To Be Removed or Potentially Removed				
Tree Number	Species	Tree Condition	DBH (Inches)	Status
ST-12	American Sycamore	Good	39	Entrance driveway and parking lot grading
ST-13	Red Maple	Poor/Fair	37	Entrance driveway grading
ST-14	Norway Maple	Poor/Fair	39	Entrance driveway and parking lot grading
ST-15	Red Maple	Poor/Fair	38	Entrance driveway and parking lot grading

Trees To Be Affected But Retained				
Tree Number	Species	DBH (Inches)	CRZ Impact	Status
ST-1	Red Maple	34	7%	Fair condition; storm drain outfall
ST-9	White Ash	40.1	24%	Fair condition; entrance driveway

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, in order for a variance to be granted.

Variance Findings - Staff has made the following determination based on the required findings that 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 since the removal or disturbance to the Protected Trees is due to the development of the Property. The Protected Trees are generally located within the developable portion of the Property. Five of the six Protected Trees will be disturbed due to the construction of the access driveway that must be built in the location specified on the Preliminary Plan for reasons discussed above. The sixth Protected Tree is within an environmental buffer but must be disturbed to meet the stormwater management requirements. Granting a variance to allow impacts to the six Protected Trees that are generally located in the developable portion of the site or must be impacted due to stormwater regulations 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 requested variance is not based on conditions or circumstances which are the result of actions by the Applicant. The requested variance is based upon existing site constraints that are unique to the Property, and complying with applicable development standards.

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

The requested variance is a result of the proposed site design and layout on the Subject Property and not as 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. The four Protected Trees being removed are not within a stream buffer, wetland, or a special protection area. They are located within forest; therefore, their removal is accounted for in the Forest Conservation Plan by onsite and offsite planting requirements that will mitigate any potential water quality impacts. The retention of the two other Protected Trees will allow the water quality benefits that they currently provide to remain. The Montgomery County Department of Permitting Services (MCDPS) has found the stormwater management concept for the proposed project to be acceptable and conditionally approved it in a letter dated May 31, 2013.

Mitigation for Trees Subject to the Variance Provision – This variance request includes four (4) Protected Trees proposed for removal. These four Trees are located within the forest, and their removal is accounted for in the forest conservation worksheet calculations. No additional mitigation is recommended for the loss of these Trees. The two other Protected Trees will receive adequate tree protection measures. No mitigation is recommended for trees impacted but retained.

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 October 30, 2013, the County Arborist issued a letter recommending that the variance be granted, with mitigation (Attachment C).

Stormwater Management

A stormwater management concept for the Application was approved by MCDPS on May 31, 2013. The concept proposes to meet the required ESD stormwater management goals through dry wells, micro bioretention and bio swales.

Compliance with the Subdivision Regulations and Zoning Ordinance

The Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, Subdivision Regulations. This Application meets all applicable sections of the Chapter. The proposed lot size, width, shape and orientation are appropriate for the location of the Property in this part of the Fairland Master Plan. The Application proposes the creation of one lot for a religious instructional use, located between two roadways and surrounded on three sides by other commercial or institutional uses.

The Preliminary Plan was reviewed for compliance with the dimensional requirements for the R-90 zone and R-200 zone, if applicable, as specified in the Zoning Ordinance. As a lot that is split between two zones, it meets all of the dimensional requirements for both zones. There will be sufficient room to locate buildings and parking facilities that meet the standards of either zone depending on the setbacks that are applied. The parking requirements have also been reviewed for a sanctuary capable of holding 780 people. The Application is providing 212 new spaces, which is slightly more than the 195 spaces required. The Application has been reviewed by other applicable county agencies, all of whom have recommended approval of the Preliminary Plan.

Data Table for the R-90 Zone

PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan
Minimum Lot Area	9,000 Sq Ft	1.84 acres**
Lot Width at building line	75 ft.	Must meet minimums*.
Lot Frontage	25 ft.	
Setbacks		
Front	30 ft. Min.	Must meet minimums.*
Side	8 ft. / 25 ft. both	Must meet minimums*
Rear	25 ft. Min.	Must meet minimums*
Height	35 ft. Max.	35 ft. or less*
Max building coverage	30% coverage	Must meet minimums*
Site Plan Req'd?	No	No

**To be finally determined at building permit by MCDPS*

***represents the portion of the total 10.68 acre Lot located in the R-90 zone*

Data Table for the R-200 Zone

PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan
Minimum Lot Area	20,000 Sq Ft	8.84 acres**
Lot Width at building line	100 ft.	Must meet minimums*
Lot Frontage	25 ft.	
Setbacks		
Front	40 ft. Min.	Must meet minimums*
Side	12 ft. / 25 ft. both	Must meet minimums *
Rear	30 ft. Min.	Must meet minimums *
Height	50 ft. Max.	50 ft. or less*
Max building coverage	25% coverage	Must meet minimums*
Site Plan Req'd?	No	No

**To be finally determined at building permit by MCDPS*

***represents the portion of the total 10.68 acre Lot located in the R-200 zone*

Data Table for Parking

Type	Required for 780 seats	Provided
Regular (1 space per 4 seats)	195	212*
Handicap	7	8
Bicycle	10	10
Motorcycle	5	6

* Represents number of new spaces provided as part of this Application, does not include the existing spaces on the adjacent site.

CITIZEN CORRESPONDENCE

This Application was submitted and noticed in accordance with all Planning Board adopted procedures. A sign referencing the Application was posted along the Property frontage on Old Columbia Pike and US 29. A presubmission meeting was held at the existing Gurdwara located at 12917 Old Columbia Pike on November 21, 2011. According to the minutes of that meeting there were nine total attendees and no major issues were raised. Staff to date has received two correspondences; one as a phone call from a citizen in the neighborhood to the west of the Subject Property, who raised concerns about present and future enforcement of traffic, noise and hours of operation. Staff directed the citizen to the proper agencies for reporting those concerns and the citizen had no further comments. The second was a written letter from the owner of the medical clinic to the north of the Subject Property, raising concern over the proposed medical clinic shown on the Preliminary Plan drawing. The letter asked that we require the proposed medical clinic be subject to a special exception as required by the Zoning Ordinance. The Statement of Justification with the Application acknowledges the need for a special exception in the future and will not build or operate the medical clinic as part of this approval. The conditions of approval recommended by this Staff Report do not support a “medical clinic” as an approved use for this Property, at this time.

CONCLUSION

The proposed lot in this Application meets all requirements established in the Subdivision Regulations and the Zoning Ordinance, and substantially conforms to the recommendations of the Fairland Master Plan. Access and public utilities will be adequate to serve the proposed lot, and the Application has been reviewed by other applicable county agencies, all of whom have recommended approval of the Preliminary plan. Therefore, approval of the Application with the conditions specified above is recommended.

ATTACHMENTS

- Attachment A – Preliminary Plan
- Attachment B – Preliminary FCP
- Attachment C – Tree Variance
- Attachment D – Arborists Letter
- Attachment E – MCDPS stormwater concept approval
- Attachment F – Fire and Rescue approval
- Attachment G – MCDOT approval

Attachment A



VICINITY MAP



emc2, Inc.
 Suite 314
 10110 Molecular Drive
 Rockville, MD 20850
 (301) 424-8696
 emc2@emc2engineers.com

© copyright 2012
 emc2, Inc. EXPLICITLY RESERVES ITS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS. THESE PLANS ARE NOT TO BE CHANGED, COPIED OR REPRODUCED IN ANY FORM WHATSOEVER, NOR ARE THEY TO BE ASSIGNED TO ANY THIRD PARTY, WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PERMISSION OF emc2, Inc. ANY INFRINGEMENT WILL BE SUBJECT TO LEGAL ACTION.

Klebasko Environmental, LLC
 8373 Piney Orchard Parkway,
 Suite 207
 Odenton, Maryland 20772
 Phone: (410) 672-5990
 Fax: (410) 672-5993

GURU NANAK FOUNDATION OF AMERICA
 12917 OLD COLUMBIA RD, SILVER SPRING, MD 20904

PRELIMINARY PLAN

- NOTES:**
- THE TOPOGRAPHY AND BOUNDARY INFORMATION SHOWN IS TAKEN FROM A FIELD RUN SURVEY PREPARED BY KRIS CONSULTANTS, LLC WITH 1' CONTOUR INTERVAL AND SUPPLEMENTED WITH AVAILABLE UTILITY RECORDS.
 - WATER AND SEWER CATEGORIES ARE W-1 AND S-1, RESPECTIVELY.
 - PROPERTY SHOWN ON TAX MAP KR-31.
 - PROPERTY SHOWN ON WSSC 200' SHEET 217 NE 03.
 - PROPERTY SHOWN ON MONTGOMERY COUNTY SOILS SURVEY MAP NO. 24. SOIL TYPE(S): 1B, 2B, 5A, 5B, 57B, 57B.
 - A NATURAL RESOURCES INVENTORY MAP/FORREST STAND DELINEATION PLAN (#420110820) WAS APPROVED FOR THIS PROPERTY ON JULY 13, 2011.
 - A STORMWATER MANAGEMENT CONCEPT (SM # 241796) FOR THIS PROPERTY WAS APPROVED BY MCDPS ON MAY 31, 2013.
 - THIS SITE IS WITHIN THE FAIRLAND MASTER PLAN AREA.
 - THE PROJECT SITE IS LOCATED IN PAINT BRANCH WATERSHED.
 - REFER TO THE ZONING DATA TABLE FOR DEVELOPMENT STANDARDS SUCH AS SETBACKS, BUILDING RESTRICTION LINES AND LOT COVERAGE.
 - SERVING UTILITY COMPANIES INCLUDE:
 WATER AND SEWER: WSSC
 NATURAL GAS: WASHINGTON GAS
 ELECTRIC: PERCO
 TELEPHONE: VERIZON
 - THE PRELIMINARY PLAN APPROVAL IS FOR THE ENTIRE DEVELOPMENT AS SHOWN. HOWEVER, THE BUILDINGS WILL BE CONSTRUCTED IN 2 PHASES. APPLICATION FOR MEDICAL CLINIC WILL BE FILED IN FUTURE. THE BUILDING FOOTPRINT(S) 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.

	PARCEL 905	PARCEL 908	PARCEL 961
ZONING	R-90	R-200	R-200
ACREAGE	1.85	2.73	6.49
EX USE	VACANT	VACANT	VACANT
PROP USE	PARKING & BUILDING	PARKING & STREAM BUFFER	PARKING & BUILDING

PARKING TABULATION
 TOTAL SEATING CAPACITY = 780

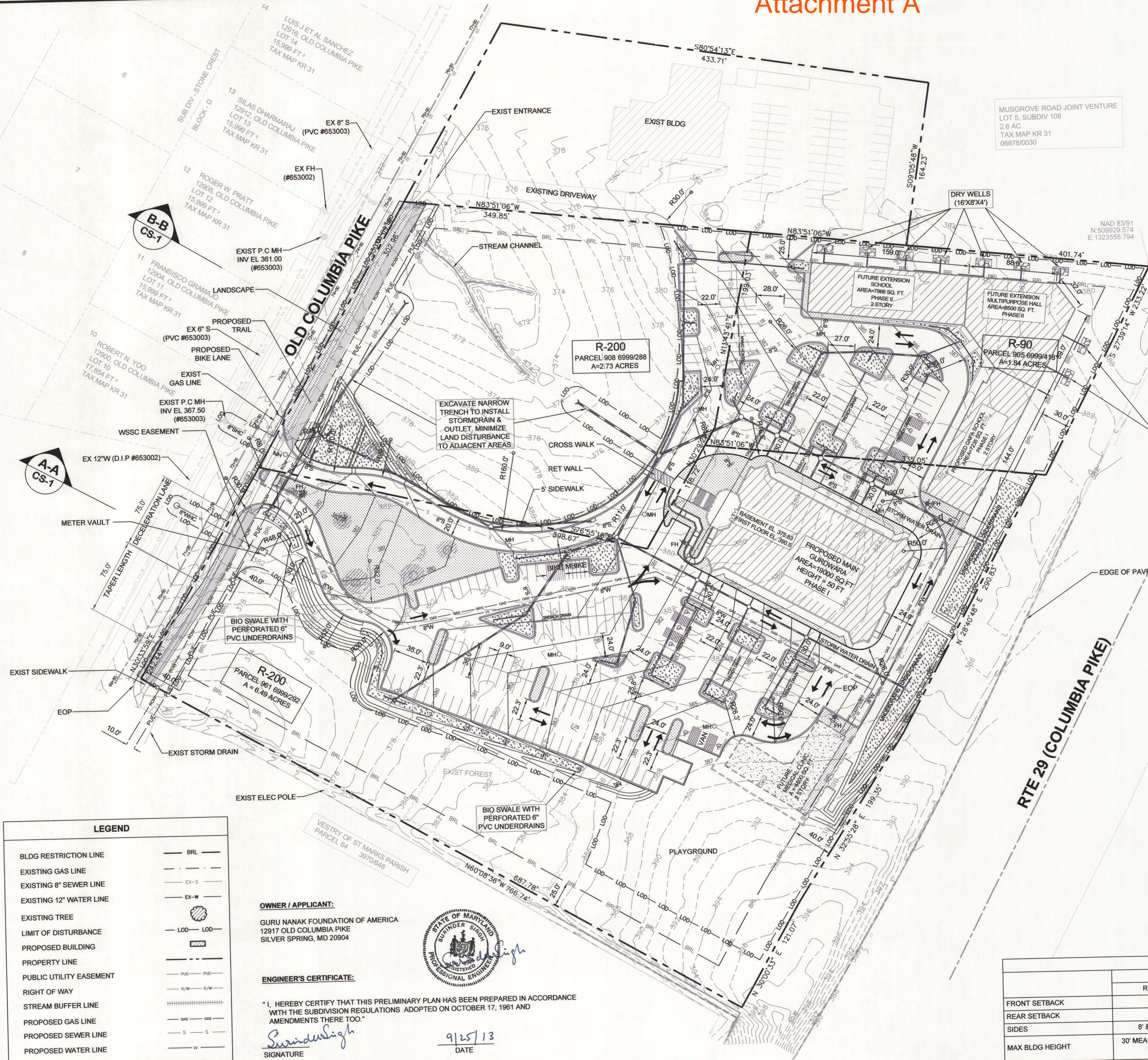
	REQD	PRVD
REGULAR	200	212
HANDICAP	7	8
VAN	N/A	1
BIKE	10	10
MOTORBIKE	5	6

AREA TABULATION

	PHASE 1		PHASE 2		TOTAL	
	ACRES	SQ. FT	ACRES	SQ. FT	ACRES	SQ. FT
TOTAL SITE					11.07	482209
GURDWARA	0.44	19000				
SUNDAY SCHOOL	0.17	7235				
CLINIC (FUTURE)			0.11	4800		
AUDITORIUM			0.20	8500		
SUNDAY SCHOOL			0.18	7966		
DRIVEWAY & PARKING	3.62	157472			6.36	277236
TOTAL PERVIOUS AREA					4.71	204973
TOTAL IMPERVIOUS AREA					0.39	16845
TOTAL DEDICATION AREA						

ZONING TABULATION

	R-90		R-200	
	REQUIRED	PROVIDED	REQUIRED	PROVIDED
FRONT SETBACK	30'	30'	40'	40'
REAR SETBACK	25'	25'	30'	N/A
SIDES	8' & TOTAL 25'	> 8' & TOTAL > 25'	12' & TOTAL 25'	> 12' & TOTAL > 25'
MAX BLDG HEIGHT	30' MEAN, 35' PEAK & 2 1/2 STORIES	30' & 2 STORIES	50' MAX TO MEAN	48'
MAX BLDG COVERAGE	30%	27%	25%	9.34%
FAR	N/A	N/A	N/A	N/A



LEGEND

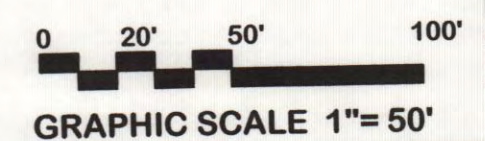
BLDG RESTRICTION LINE	---	BRL
EXISTING GAS LINE	---	EX-G
EXISTING 8" SEWER LINE	---	EX-S
EXISTING 12" WATER LINE	---	EX-W
EXISTING TREE		
LIMIT OF DISTURBANCE	---	LOD
PROPOSED BUILDING		
PROPERTY LINE	---	P.L.
PUBLIC UTILITY EASEMENT	---	P.U.E.
RIGHT OF WAY	---	R.O.W.
STREAM BUFFER LINE	-----	S.B.L.
PROPOSED GAS LINE	---	G
PROPOSED SEWER LINE	---	S
PROPOSED WATER LINE	---	W
PROPOSED STORM DRAIN	---	SD
PROPOSED MICRO BIORETENTION		

OWNER / APPLICANT:
 GURU NANAK FOUNDATION OF AMERICA
 12917 OLD COLUMBIA PIKE
 SILVER SPRING, MD 20904

ENGINEER'S CERTIFICATE:
 "I, HEREBY CERTIFY THAT THIS PRELIMINARY PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS ADOPTED ON OCTOBER 17, 1961 AND AMENDMENTS THERE TO."
 Signature: *Sunderwigh*
 DATE: 9/25/13



PRELIMINARY PLAN
 SCALE: 1" = 50'



12:27 PM .\Concept submittal\ Prelim\PP-1 Preliminary Plan.dwg 9/25/13

NOTE: THE FOREST RETENTION AND PLANTED AREAS WILL BE PROTECTED IN A CATEGORY I CONSERVATION EASEMENT. ALSO, THE STREAM BUFFERS WILL BE PROTECTED IN A CATEGORY I CONSERVATION EASEMENT EXCEPT WHERE STORMWATER MANAGEMENT EASEMENTS AND UTILITY EASEMENTS WILL EXIST.

Forest Conservation Areas	
Forest Retention Area #1	1.50 ac.
Forest Retention Area #2	0.94 ac.
Violation Area	0.31 ac.
Total	2.75 ac.
Reforestation Area #1	0.25 ac.
Reforestation Area #2	0.05 ac.
Reforestation Area #3	0.03 ac.
Total	0.33 ac.
Forest Mitigation to be purchased at an Onsite Mitigation Bank	0.18 ac.

FOREST CONSERVATION WORKSHEET					
NET TRACT AREA:					
A. Total tract area ...					11.16
B. Land dedication acres (parks, county facility, etc.) ...					0.00
C. Land dedication for roads or utilities (not being constructed by this plan) ...					0.00
D. Area to remain in commercial agricultural production/use ...					0.00
E. Other deductions (specify) ...					0.00
F. Net Tract Area					11.16
LAND USE CATEGORY: (from Trees Technical Manual) Input the number "1" under the appropriate land use, limit to only one entry.					
ARA	MDR	IDA	HDR	MPD	CA
0	0	1	0	0	0
G. Afforestation Threshold ... 15% x F = 1.67					
H. Conservation Threshold ... 20% x F = 2.23					
EXISTING FOREST COVER:					
I. Existing forest cover ... 6.85					
J. Area of forest above afforestation threshold ... 5.18					
K. Area of forest above conservation threshold ... 4.62					
BREAK EVEN POINT:					
L. Forest retention above threshold with no mitigation ... 3.16					
M. Clearing permitted without mitigation ... 3.69					
PROPOSED FOREST CLEARING:					
N. Total area of forest to be cleared ... 4.10					
O. Total area of forest to be retained ... 2.75					
PLANTING REQUIREMENTS:					
P. Reforestation for clearing above conservation threshold ... 1.03					
Q. Reforestation for clearing below conservation threshold ... 0.00					
R. Credit for retention above conservation threshold ... 0.52					
S. Total reforestation required ... 0.51					
T. Total afforestation required ... 0.00					
U. Credit for landscaping (may not exceed 20% of "S") ... 0.00					
V. Total reforestation and afforestation required ... 0.51					

emc2, Inc.
 Suite 314
 10110 Molecular Drive
 Rockville, MD 20850
 (301) 424-8696
 emc2@emc2engineers.com

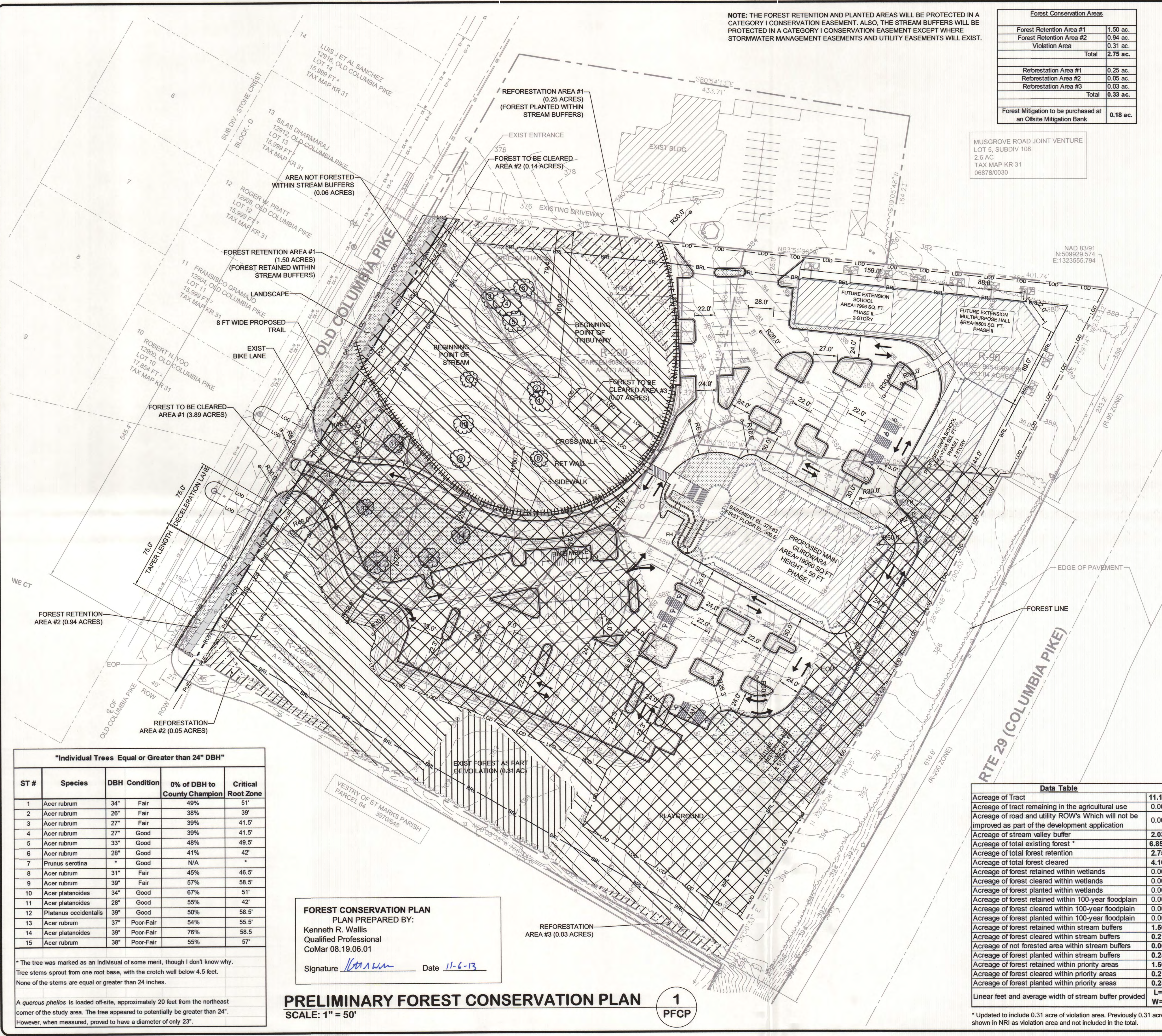
© copyright 2012
 emc2, Inc. EXPLICITLY RESERVES ITS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS. THESE PLANS ARE NOT TO BE CHANGED, COPIED OR REPRODUCED IN ANY FORM WHATSOEVER, NOR ARE THEY TO BE ASSIGNED TO ANY THIRD PARTY, WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PERMISSION OF emc2, Inc. ANY INFRINGEMENT WILL BE SUBJECT TO LEGAL ACTION.

Klebasco Environmental, LLC
 8373 Piney Orchard Parkway,
 Suite 207
 Odenton, Maryland 20772
 Phone: (410) 672-5990
 Fax: (410) 672-5993

GURU NANAK FOUNDATION OF AMERICA
 12917 OLD COLUMBIA RD, SILVER SPRING, MD 20904

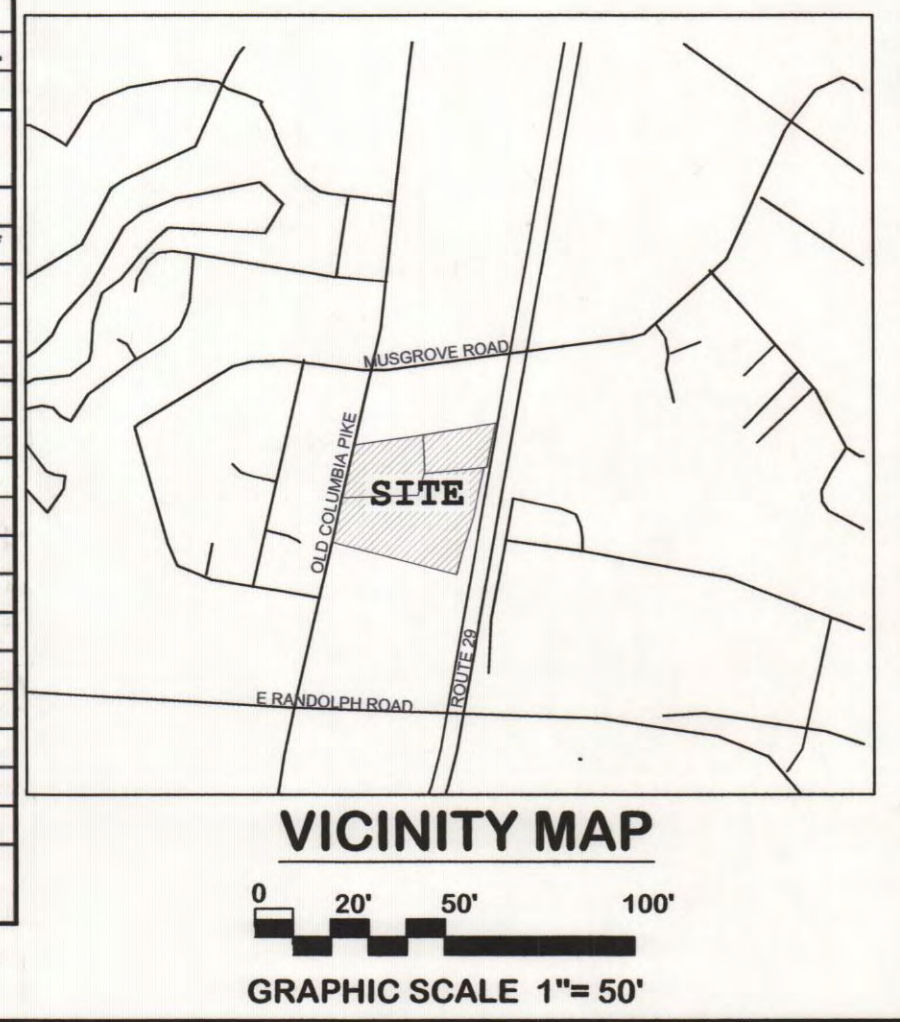
PRELIMINARY FOREST CONSERVATION PLAN

Revisions	
Designed	PKL
Drawn	KRR
Checked	SS
Approved	SS
Job	0941.000
Scale	1" = 50'
Date	03/12/13
Sheet No.	1 of 1
Dwg No.	Rev No.
PFPC	0



LEGEND	
BLDG RESTRICTION LINE	BRL
EXISTING GAS LINE	---
EXISTING SEWER LINE	---
EXISTING WATER LINE	---
SPECIMEN TREE	⊙
TREES TO BE REMOVED	⊙
CRITICAL ROOT ZONE	⊙
LIMIT OF DISTURBANCE	LOD
PROPOSED BUILDING	▨
PROPERTY LINE	---
PUBLIC UTILITY EASEMENT	---
RIGHT OF WAY	---
STREAM BUFFER LINE	-----
FOREST LINE	---
FOREST RETENTION	▨
REFORESTATION	▨
FOREST TO BE CLEARED	▨

Data Table	
Acree of Tract	11.16 ac.
Acree of tract remaining in the agricultural use	0.00 ac.
Acree of road and utility ROW's Which will not be improved as part of the development application	0.00 ac.
Acree of stream valley buffer	2.03 ac.
Acree of total existing forest *	6.85 ac.*
Acree of total forest retention	2.75 ac.
Acree of total forest cleared	4.10 ac.
Acree of forest retained within wetlands	0.00 ac.
Acree of forest cleared within wetlands	0.00 ac.
Acree of forest planted within wetlands	0.00 ac.
Acree of forest retained within 100-year floodplain	0.00 ac.
Acree of forest cleared within 100-year floodplain	0.00 ac.
Acree of forest planted within 100-year floodplain	0.00 ac.
Acree of forest retained within stream buffers	1.50 ac.
Acree of forest cleared within stream buffers	0.21 ac.
Acree of not forested area within stream buffers	0.06 ac.
Acree of forest planted within stream buffers	0.25 ac.
Acree of forest retained within priority areas	1.50 ac.
Acree of forest cleared within priority areas	0.21 ac.
Acree of forest planted within priority areas	0.25 ac.
Linear feet and average width of stream buffer provided	L=343' W=312'



"Individual Trees Equal or Greater than 24" DBH"					
ST #	Species	DBH	Condition	0% of DBH to County Champion	Critical Root Zone
1	Acer rubrum	34"	Fair	49%	51'
2	Acer rubrum	26"	Fair	38%	39'
3	Acer rubrum	27"	Fair	39%	41.5'
4	Acer rubrum	27"	Good	39%	41.5'
5	Acer rubrum	33"	Good	48%	49.5'
6	Acer rubrum	28"	Good	41%	42'
7	Prunus serotina	*	Good	N/A	*
8	Acer rubrum	31"	Fair	45%	46.5'
9	Acer rubrum	39"	Fair	57%	58.5'
10	Acer platanoides	34"	Good	67%	51'
11	Acer platanoides	28"	Good	55%	42'
12	Platanus occidentalis	39"	Good	50%	58.5'
13	Acer rubrum	37"	Poor-Fair	54%	55.5'
14	Acer platanoides	39"	Poor-Fair	76%	58.5'
15	Acer rubrum	38"	Poor-Fair	55%	57'

* The tree was marked as an individual of some merit, though I don't know why. Tree stems sprout from one root base, with the crotch well below 4.5 feet. None of the stems are equal or greater than 24 inches.

A quercus phellos is loaded off-site, approximately 20 feet from the northeast corner of the study area. The tree appeared to potentially be greater than 24". However, when measured, proved to have a diameter of only 23".

FOREST CONSERVATION PLAN
 PLAN PREPARED BY:
 Kenneth R. Wallis
 Qualified Professional
 CoMar 08.19.06.01
 Signature KWallis Date 11-6-13

PRELIMINARY FOREST CONSERVATION PLAN
 SCALE: 1" = 50'
 1 PFCP



October 29, 2013

Ms. Mary Jo Kishter
Montgomery County Park and Planning-Area 3 Staff
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Guru Nanak Foundation of America
Montgomery County, Maryland

Dear Ms. Kishter,

Please consider this letter a formal request for a Tree Variance to impact/remove specimen trees on the above reference property as part of the Guru Nanak project located off of Old Columbia Pike in Montgomery County, Maryland. The variance is requested from Section 22A-21 of the Montgomery County Code which requires that all trees 30-inches or greater be retained onsite.

A variance is requested to impact six (6) specimen trees during the proposed development of the site. A total of 15 significant/specimen trees were identified on the property as shown on the NRI/FSD Plan which was approved by Montgomery County Park and Planning on July 13, 2011. As depicted on the Preliminary Forest Conservation Plan, the construction of a proposed access road and storm drain outfall will impact the critical root zones of six (6) specimen trees. All six trees are currently located in classifiable forest.

Four specimen trees will have at least 30% of their Critical Root Zone impacted by the construction of two access drives which provide vehicle access in and out of the site. The engineers have designed the road so that it splits as it enters the site in an attempt to avoid the trees and keep them as part of an entrance/site feature. The four trees include a 39-inch American Sycamore (*Platanus occidentalis*) (#12) in "Good" condition, a 37-inch red maple (*Acer rubrum*) (#13) in "Poor-Fair" condition, a 39-inch Norway maple (*Acer platanoides*) (#14) in "Poor-Fair" condition, and a 38-inch red maple (*Acer rubrum*) (#15) in "Poor-Fair" condition. It is the intent of the applicant to save these four trees as an entrance feature. However, permission is requested from Park and Planning to remove these trees if they do not survive.

The construction of the access road will also impact the critical root zone of a 39-inch red maple (*Acer rubrum*) (#9) in "Fair" condition. Approximately, 24% of this trees critical root zone will be impacted during construction. The last tree impacted will be specimen tree #1, a 34-inch red maple (*Acer rubrum*) in "Good" condition. The installation of a storm drain will impact 7% of this trees critical root zone.

The variance criteria and a response can be found below:

(1) Describe the special conditions peculiar to the property which would cause the unwarranted hardship.

The applicant was denied access to the property from Columbia Pike (MD Route 29) along the east side of the property by the Maryland State Highway Administration. Access was granted into the site from Old Columbia Pike which runs along the west side of the property. However, there are issues with gaining access to the property from Old Columbia Pike. The northwestern corner of the site contains a stream channel and associated stream buffer which covers almost the entire northern half of the site along Old Columbia Pike. Accessing the property through the buffer would not only cause impacts to the stream buffer itself but the numerous specimen trees located within this sensitive area. The only potential access to the site from Old Columbia Pike is along the southern half of the property. The southern half of the property is not without problems as well. Due to sight distance issues, access could not be attained along this stretch of the property as well. Because of stream buffer and sight distance issues the engineer has placed the access road in its current location. If the applicant is not able to access the property with the road in its current location then it makes accessing the site extremely difficult. In addition, due to the maximum allowed curvature of the proposed access road it is not possible to avoid the critical root zones of the specimen trees.

Typically, storm drain outfalls are installed at topographic low points within a swale to allow for positive flow. This storm drain outfall will be installed at the bottom of the swale and will extend to a point where it will outfall above the head of the stream channel. By doing this it will impact the critical root zone of specimen tree #1.

(2) Describe how enforcement of these rules will deprive the landowner of rights commonly enjoyed by others in similar areas.

The Columbia Pike corridor is a high density development corridor. The proposed Gudwara adequately fits into the industrial zoning as is proposed. Due to the limited access points it makes avoiding the specimen trees difficult. Prohibiting the development of the site due to the presence of the specimen trees would deprive the landowner of rights commonly enjoyed by others in a similar situation.

(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.

The applicant is required to submit stormwater management plans which depict the quantity and quality treatment being provided for the proposed project. This project will need to have Sediment

Ms. Mary Jo Kishter
October 29, 2013
-Page 3-

and Erosion Control Plans approved by the Department of Permitting Services before construction can begin on this project. Having approved Sediment and Erosion Control plans ensures that State water quality standards have been met and that there will be no measurable degradation in water quality onsite.

(4) provide any other information appropriate to support the request.

The applicant has avoided six (6) specimen trees to the maximum extent practicable. It is the case however, that since more than 30% of each of the trees critical root zones will be disturbed during construction, and the fact that three of the four trees are in "Fair-Good" condition, it would be prudent to allow them to be removed if they do not survive. However, it is the intent of the applicant to allow the trees to remain as a entrance/site feature after the project is constructed and to remove the trees if they do not survive. The construction of access drive will also impact the critical root zone of Specimen tree #9. The construction of the storm drain outfall will impact the critical root zone of specimen tree #1. I would expect both specimen trees #1 and #9 to survive the impacts.

I trust that this information is sufficient for your office to render a decision regarding this variance request. If you have any questions or require any additional information please do not hesitate to contact me.

Sincerely,



Kenneth R. Wallis

cc:
Surinder Singh, EMC2



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Isiah Leggett
County Executive

Robert G. Hoyt
Director

October 30, 2013

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

RE: Guru Nanak Foundation - Revised, DAIC 120120160, NRI/FSD application accepted on 11/28/2010

Dear Ms. Carrier:

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.

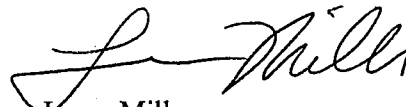
3. The disturbance of trees, or other vegetation, by the applicant does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property. Therefore, the variance can be granted under this criterion.
4. The disturbance of trees, or other vegetation, 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 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 revisions to the LOD 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.

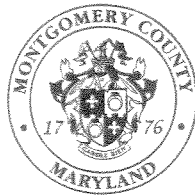
If you have any questions, please do not hesitate to contact me directly.

Sincerely,



Laura Miller
County Arborist

cc: Mary Jo Kishter, Senior Planner



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

May 31, 2013

Diane R. Schwartz Jones
Director

Mr. Surinder Singh
emc2, Inc.
10110 Molecular Drive
Rockville, MD 20850

Re: Stormwater Management **CONCEPT** Request
for Guru Nanak Foundation of America
Preliminary Plan #: 120120160
SM File #: 241796
Tract Size/Zone: 11.06 acres / R-90, R-200
Total Concept Area: 11.06 acres
Lots/Block: NS
Parcel(s): P905, P908, P961
Watershed: Paint Branch

Dear Mr. Singh:

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 required stormwater management goals via ESD practices, to include Dry Wells, Micro Bioretention, and Bio Swales.

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

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.

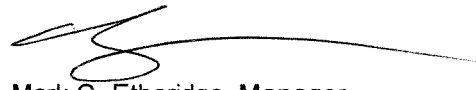
This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 **is not required**.

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.

If you have any questions regarding these actions, please feel free to contact me at 240-777-6338.

Sincerely,



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

MCE: jb mce

cc: C. Conlon
SM File # 241796

ESD Acres:	11
STRUCTURAL Acres:	na
WAIVED Acres:	na

Attachment F



FIRE MARSHAL COMMENTS

DATE: 11-Mar-13
TO: Surinder Singh - emc2@emc2engineers.com
emc2, Inc.
FROM: Marie LaBaw
RE: Guru Nanak Foundation of America (GNFA)
120090260 120120160

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **11-Mar-13** .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.



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

November 15, 2013

Arthur Holmes, Jr.
Director

Mr. Benjamin Berbert, Senior Planner
The Maryland-National
Capital Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan No. 120120160
Guru Nanak Foundation of America

Beu:
Dear Mr. Berbert:

We have completed our review of the March 12, 2013 revised preliminary plan. An earlier version of this plan was reviewed by the Development Review Committee at its meeting on May 21, 2012. We recommend approval of the plan subject to the following comments:

1. The revised plans should be signed and sealed prior to the Planning Board hearing.
2. Necessary dedication along Old Columbia Pike and US29 in accordance with the master plan.
3. Per the meeting on February 28, 2013, grading within the public right-of-way shall comply with our Context Sensitive Road Design (CSRD) Standards. Any deviations from these standards shall be justified through a design exception. Design exceptions shall document the design constraints prompting the change & clarify the benefit to the public for the modification. Additional information on design exceptions:

http://www6.montgomerycountymd.gov/content/dot/traffic/drp_faq.asp#Question12

Per an email received on April 5, 2013, the intention has been stated that grading will meet CSRD standards. This grading shall be reflected on plans before issuance of a building permit.

4. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
5. Record plat to reflect denial of access along US 29.
6. Submit revised storm drain capacity and impact analyses study (of the downstream County-maintained storm drain system on Old Columbia Pike) prior to submission of the record plat. Analyze the capacity of the existing downstream public storm drain system and the impact of the post-development ten (10) year storm runoff on same. Prepare storm drain calculations in accordance with the MCDOT Storm Drain Criteria and errata. If the proposed subdivision drains to an existing closed section street, include spread computations in the impact analysis.

Division of Traffic Engineering and Operations

100 Edison Park Drive, 4th Floor • Gaithersburg, Maryland 20878
Main Office 240-777-2190 • TTY 240-777-6013 • FAX 240-777-2080
trafficops@montgomerycountymd.gov

7. Prior to approval of the record plat by the Department of Permitting Services, submit a completed, executed and sealed MCDOT Sight Distances Evaluation certification form (with exact field-measured sight distances) for the proposed driveway(s), for our review and approval.
8. This site is located in a Use III watershed. In accordance with Section 49-33(l) of the Montgomery County Code, curb and gutter may not be installed in an environmentally sensitive watershed unless certain waiver criteria have been satisfied.

To the best of our knowledge, a waiver to allow curb and gutter has not been granted for this site. (The applicant will need to provide documentation which satisfactorily demonstrates the use of curb and gutter will not significantly degrade water quality. This documentation is to be submitted in triplicate to Mr. Atiq Panjshiri of MCDPS, for subsequent review and comment by this Department and the Maryland-National Capital Park & Planning Commission.) This action should be completed prior to submission of the record plat.

In consideration of other nearby closed section improvements on Old Columbia Pike, the Department of Transportation supports allowing the use of curb and gutter along the project's site frontage.

9. Record plat to reflect a reciprocal ingress, egress, and public utilities easement to serve the lots accessed by the adjacent (northern) private common driveway.
10. The parking layout plan will be reviewed by the Department of Permitting Services at the site plan or building permit stage, whichever comes first. To facilitate their review, that plan should delineate and dimension the proposed on-site travel lanes, parking spaces, curb radii, disabled parking spaces and access facilities, and sidewalks. The applicant may wish to contact Mr. Sam Farhadi of that Department at 240-777-6333 to discuss the parking lot design.
11. For any parking facility containing more than fifty (50) parking spaces, the applicant needs to furnish bicycle parking facilities as required Section 59 E-2.3 of the Montgomery County Code. Accordingly, the applicant should provide either bike lockers or inverted "U" type bike racks.
12. Relocation of utilities along existing roads to accommodate the required roadway modifications shall be the responsibility of the applicant.
13. If the proposed development will alter any existing County-maintained street lights, signing, and/or pavement markings, please contact Mr. Dan Sanayi of our Traffic Engineering Design and Operations Section at 240-777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
14. If the proposed development will alter or impact any existing County-maintained transportation system management component (i.e., traffic signals, signal poles, handboxes, surveillance cameras, etc.) or communication component (i.e., traffic signal interconnect, fiber optic lines, etc.), please contact Mr. Bruce Mangum of our Transportation Systems Engineering Team at 240-777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.

15. Spacing and species of trees in the County rights-of-way shall be in accordance with the applicable MCDOT standards. Tree planning within the public right of way must be coordinated with Brett Linkletter, Chief of the Division of Highway Services, Tree Maintenance Section at 240-777-7651.
16. At or before the permit stage, please coordinate with Ms. Stacy Coletta of our Division of Transit Services to coordinate modifications to the RideOn bus facilities in the vicinity of this project. Ms. Coletta may be contacted at 240-777-5800.
17. Permit and bond will be required as a prerequisite to DPS approval of the record plat. The permit will include, but not necessarily be limited to, the following modifications:
 - A. Street grading, paving, curbs and gutters, shared use trail, pedestrian ramps, storm drainage and appurtenances, and street trees along Old Columbia Pike site frontage as a closed section primary/principal secondary residential street with parking on one side (Standard MC-2003.11 modified). These improvements should connect to the existing closed section facilities immediately north of the site.

We recommend this standard be modified to reflect the following dimensions:

- o Eleven (11) foot travel lane
- o Eleven and a half (11.5) foot curblane – which may be used as an acceleration and deceleration lane – **in lieu of on-street parking**
- o Seven and a half (7.5) foot lawn panel
- o Eight (8) foot shared use path
- o Two (2) foot sodded maintenance strip

NOTE: the Public Utilities Easement is to be graded on a side slope not to exceed 4:1.

- B. Additional improvements to the downstream County-maintained storm drain system may be required as a result of the review of the aforementioned amended storm drain study.
- C. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
- D. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.
- E. Developer shall ensure final and proper completion and installation of all utility lines underground, for all new road construction.
- F. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the MCDOT Division of Traffic Engineering and Operations.

Mr. Benjamim Berbert
Preliminary Plan No. 120120160
November 15, 2013
Page 4

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at greg.leck@montgomerycountymd.gov or (240) 777-2197.

Sincerely,



Gregory M. Leck, Manager
Development Review Team

m:\correspondence\FY14\traffic\active\120120260, Guru Nanak Foundation, MCDOT plan review ltr.doc

cc: Daljit Sawhney Guru Nanak Foundation
Surinder Singh EMC2, Inc.
Pema Lama EMC2, Inc.
John Carter M-NCPPC Area 3
Rich Weaver M-NCPPC Area 3
Katherine Holt M-NCPPC Area 3
Catherine Conlon M-NCPPC DARC
Scott Newill MSHA AMD
Preliminary Plan folder
Preliminary Plan letters notebook

cc-e: Atiq Panjshiri MCDPS RWPR
Sam Farhadi MCDPS RWPR
Mark Etheridge MCDPS WRM
Bill Campbell MCDPS WRM
Marie LaBaw MCFRS
Andrew Bossi MCDOT DO
Stacy Coletta MCDOT DTS
Brett Linkletter MCDOT DHS
Patricia Shepherd MCDOT DTE
Dan Sanayi MCDOT DTEO
Fred Lees MCDOT DTEO
Will Haynes MCDOT DTEO
Khursheed Bilgrami MCDOT DTEO