



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

**MCPB  
ITEM #  
2/28/08**



**MEMORANDUM**

**DATE:** February 4, 2008

**TO:** Montgomery County Planning Board

**VIA:** Rose Krasnow, Chief *RK*  
Catherine Conlon, Supervisor *CC*  
Development Review Division

**FROM:** Erin Grayson, Planner (301-495-4598) *EG*  
Development Review Division

**REVIEW TYPE:** Request for Extension of the Adequate Public Facilities (APF) validity period

**PROJECT NAME:** Islamic Center of Maryland  
**CASE NO.** 120020410  
**REVIEW BASIS:** Pursuant to Chapter 50, the Subdivision Regulations

**ZONE:** RE-1  
**LOCATION:** On the east side of Woodfield Road, approximately 500 feet north of Cypress Hill Drive  
**MASTER PLAN:** Gaitherburg & Vicinity

**APPLICANT:** Islamic Center of Maryland  
**ENGINEER:** Bazikian Consultants Ltd.

**FILING DATE:** January 25, 2008  
**HEARING DATE:** February 28, 2008

**Staff Recommendation:** Approval of a waiver of Section 50-20(c)(5) of the Subdivision Regulations pursuant to Section 50-38, to permit a 3-year extension of the validity period for the adequate public facilities (APF). approval for Preliminary Plan No. 120020410, until February 28, 2011.

**SITE DESCRIPTION and SURROUNDING AREA:**

The subject property, referred to as the Islamic Center of Maryland (ICM), is located on the east side of Woodfield Road (MD 124), approximately 500 feet north of Cypress Hill Drive (shown below). It is zoned RE-1 and contains 9.90 acres. Directly north of the site is a 13.05-acre site containing the Church of the Redeemer, across Woodfield Road to the west is a residential neighborhood zoned R-MH, a residential neighborhood zoned RE-1 is located to the east, and undeveloped State Highway Administration (SHA) right-of-way is located directly south of the site. Since the frontage of the subject property is located along Woodfield Road the preliminary plan is subject to the on-going SHA Capital Transportation Program (#MO632A11) project to widen this highway between Midcounty Highway and Warfield Road.



## **BACKGROUND**

The Preliminary Plan (#120020410) for ICM was approved by the Planning Board on December 12, 2002, with the conditions specified in the Planning Board Opinion dated January 30, 2003. As stated in the Opinion (Attachment A), approval of the plan allowed for a 650-seat sanctuary, an on-site Imam's residence, a weekday educational institution for a maximum of 53 students in grades K-12, and a weekday child daycare center for students attending the institution. The record plat for the property was recorded on May 13, 2004. An application for a sediment and erosion control permit, which must be granted prior to issuance of building permit, was filed with the Montgomery County Department of Permitting Services (MCDPS) on August 30, 2004.

According to information provided by the applicant's representative, ICM has been unable to get their requested sediment control permit because of delays caused by SHA's failure to make a determination on the appropriate access to the property. The original preliminary plan showed three options for access to the property: two access points directly from MD 124; and a shared access with the adjacent Church of the Redeemer from an existing driveway to the north of the property opposite Brenish Drive (Attachment B – Original Preliminary Plan). The approval was conditioned upon coordination with SHA as to which of these would ultimately be used.

After reviewing the options, SHA decided they wanted to eliminate the northern access point directly from MD 124 in favor of joint access via the existing driveway opposite Brenish Drive. On October 26, 2005 via letter to ICM, SHA indicated that such a joint access road for the Church of the Redeemer and the Islamic Center of Maryland would be constructed by SHA if an agreement could be reached between the two institutions. An agreement could not be reached. During the negotiations over access, MCDPS could not issue a sediment and erosion control permit because the design of the road and location of the stormwater management pond could not be finalized.

On May 7, 2007, SHA agreed to construct an alternative access road for ICM from Cypress Hill Drive to the southern boundary of the ICM site (Attachment C – SHA Letter & Access Road Design). However, ICM representatives did not receive a copy of the complete design or notification of ICM's responsibilities following completion of the road until January 28, 2008. This decision process left no time for ICM to complete their sediment control permit and get a building permit prior to the expiration of the project's adequate public facilities (APF) approval.

On December 27, 2007 ICM filed for an extension of the APF validity period that was established by the Opinion dated January 30, 2003. On February 28, 2008 the APF validity period for the preliminary plan will expire.

## **DISCUSSION**

The applicant requests an extension of the APF validity period based on the delays they have experienced in trying to work with SHA to determine the appropriate access for the

property. While the stated delays have obviously kept the project from obtaining the necessary building permit(s), they are not grounds for an APF extension as outlined in the Subdivision Regulations. Section 50-20(c)(5) of the Subdivision Regulations states:

*“(5) The Planning Board may extend a determination of adequate public facilities for a preliminary plan of subdivision for nonresidential development beyond the otherwise applicable validity period if:*

- (A) At least 40% of the approved development has been built, is under construction, or building permits have been issued, such that the cumulative amount of development will meet or exceed 40%;*
- (B) All of the infrastructure required by the conditions of the original preliminary plan has been constructed or payments for its construction have been made; and*
- (C) The development is an “active” project, meaning that either occupancy permits have been issued or a final building permit inspection has been passed for at least 10 percent of the project within the 4 years before an extension request is filed, or occupancy permits have been issued for at least 5 percent of the project within the 4 years before an extension request is filed if 60 percent of the project has been built or is under construction. If occupancy permits are not typically issued for the type of development for which an extension is requested, a part of the development can be treated as complete when its final inspection has been approved. The Board may treat a building as complete even if occupancy permits have been issued for only part of the building.”*

Since the subject development consists of only one building, and the applicant has been unable to reach final design and obtain a building permit because of access issues, the application does not meet the grounds for extension as specified above. There are, however, waiver provisions that can be applied. Section 50-38(a)(1) of the Subdivision Regulations states:

*“The Board may grant a waiver from the requirements of this Chapter upon a determination that practical difficulties or unusual circumstances exist that prevent full compliance with the requirements from being achieved, and that the waiver is: 1) the minimum necessary to provide relief from the requirements; 2) not inconsistent with the purposes and objectives of the General Plan; and 3) not adverse to the public interest.”*

In staff's opinion, the subject property meets the requirements for a Subdivision Regulations waiver under this section. The delays encountered by this applicant, as outlined in the applicant letter dated January 22, 2007 (Attachment D – Applicant's Justification Letter), constitute an unusual circumstance that prevented the applicant from obtaining their building permit by February 28, 2008. Therefore, staff recommends that the Board waive the 50-20(c)(5) requirements for APF extension, and grant this application a limited extension of its APF validity period. Since SHA's planning and design work for the MD 124 widening has taken the better part of three years, staff recommends that the extension be limited to three additional years, or until February 28, 2011.

In reviewing this extension request, staff considered the original APF approval for the preliminary plan, and evaluated the current and future capacity of roads and transportation facilities. The following is a summary of this review.

#### Site Location and Vehicular Access Points

The site's vehicular access points are currently proposed from MD 124 as follows (Attachment E – Updated Preliminary Plan):

1. An access road from Cypress Hill Drive east of the signalized intersection of Woodfield Road and Cypress Hills Drive. This vehicular access point is the alternative chosen by SHA as part of their final design work.
2. A right-turn-in/right-turn-out only access point to/from northbound Woodfield Road located south of the unsignalized intersection with Brenish Drive. This access point has not changed from the original preliminary plan approval.

#### Master Plan Roadway

According to the *Upper Rock Creek Master Plan* and adjacent *Gaithersburg Vicinity Master Plan*, Woodfield Road is designated as a major highway, with a 120-foot right-of-way. Cypress Hills Drive is not listed in the Master Plan and is classified as a secondary residential street with a 60-foot right-of-way.

#### Transportation Improvement Project along Woodfield Road

SHA's CTP Project No. MO632A11, Woodfield Road (MD 124) is an on-going project to widen this highway between Midcounty Highway and Warfield Road. Phase I of this SHA project is to widen Woodfield Road from south of Airpark Road, to north of Fieldcrest Road, including the segment along the western property line. Phase I is projected to start in Spring 2008.

#### Available Transit Service

Ride-On route 90 operates along the subject property frontage of Woodfield Road. This Ride-On route runs from the Shady Grove Metrorail Station to Damascus and then along Ridge Road (MD 27) to Germantown.

#### Pedestrian Facilities

Sidewalks exist on both sides along the property frontage of Woodfield Road. A sidewalk exists along the south side of Cypress Hill Drive between Woodfield Road and the driveway for the Inter-Denominational Church of God parking lot.

#### Local Area Transportation Review (LATR)

Places of worship are subject to APF review if they include related land uses that generate traffic during the weekday morning peak period (6:30 a.m. to 9:30 a.m.) and the evening peak period (4:00 p.m. to 7:00 p.m.). The approved preliminary plan for ICM includes a weekday educational institution and child day care center that will generate vehicular peak-hour trips during the weekday morning and evening peak periods. Other educational and social programs that may be associated with this place of worship are not subject to APF review because they typically start after 7:00 p.m. on weekdays or occur on weekends.

When the original preliminary plan was approved in 2002 and the APF validity was granted, the approved land uses generated up to 49 weekday peak-hour trips, which was fewer than the LATR 50-trip criterion at that time. Thus, a traffic study was not needed to satisfy LATR in 2002. Staff has determined that if a traffic study was submitted to satisfy LATR today, the analyzed intersections along Woodfield Road should not exceed the Critical Lane Volume (CLV) standard of 1,425 because the additional through lane in each direction that will be constructed by the SHA funded CTP project results in increased intersection capacity.

## **CONCLUSION**

It is staff's determination that the unanticipated delays experienced by the applicant while working with SHA to obtain site access permits constitute an unusual circumstance that prevented the applicant from obtaining a building permit within the APF validity period. In staff's opinion, this delay provides reasonable justification upon which the Planning Board can base the approval of a waiver of Section 50-20(c)(5) of the Subdivision Regulations, pursuant to Section 50-38(a)(1), to permit the APF validity period for the application to be extended. The applicant has requested a 120 month extension (5 additional years), however, Staff does not support an extension for this period. SHA's planning and design work for the MD 124 widening has taken the better part of three years and staff is not willing to consider an extension of more than 3 years without APF review under the applicable Growth Policy. In Staff's opinion, 3 years is a sufficient period of time for the applicant to complete the final design of the facility and apply for a building permit.

In conclusion, Staff recommends that the Board approve a waiver of Section 50-20(c)(5) of the Subdivision Regulations pursuant to Section 50-38(a)(1), and grant a 3 year extension of the APF validity period for this application, until February 28, 2011. Staff finds that the waiver is the minimum needed to provide relief from the requirements. Staff further finds that it is not inconsistent with the purposes and objectives of the General Plan, and is not adverse to the public interest.

### **Attachments:**

- Attachment A – Preliminary Plan Opinion dated January 30, 2003
- Attachment B – Original Preliminary Plan
- Attachment C – SHA Letter & Access Road Design
- Attachment D – Letter of Justification from Applicant
- Attachment E – Updated Preliminary Plan
- Attachment F – Transportation Planning Memorandum



**Date Mailed: January 30, 2003**

**Action: Approved Staff Recommendation**

**Motion of Comm. Bryant, seconded by  
Comm. Perdue with a vote of 5-0;**

Comms. Berlage, Bryant, Perdue,  
Robinson and Wellington voting  
in favor

## MONTGOMERY COUNTY PLANNING BOARD

### OPINION

Preliminary Plan 1-02041

NAME OF PLAN: ISLAMIC CENTER OF MARYLAND

On 10/16/01, ISLAMIC CENTER OF MARYLAND submitted an application for the approval of a preliminary plan of subdivision of property in the RE-1 zone. The application proposed to create 1 lot on 9.90 acres of land. The application was designated Preliminary Plan 1-02041. On 12/12/02, Preliminary Plan 1-02041 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form, attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-02041 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-02041.

Approval, Subject to the Following Conditions:

1) Limit the preliminary plan approval to a house of worship with the following limitations:

- A 650-seat sanctuary
- An on-site Imam's residence
- A weekday educational institution for a maximum of 53 students in kindergarten through 12<sup>th</sup> grade with a weekday child daycare center for those attending the educational institution. A weekday child daycare center with a maximum of 58 children would have the equivalent traffic impact
- Any future increase in the maximum number of children for either the educational institution or child daycare center (as a Phase 2) will require further APF review

2) Coordinate with the Maryland State Highway Administration (SHA) regarding the following:

- The two site accesses from Woodfield Road (MD 124)  
A new access limited to right-turn-in and right-turn-out only south of Brenish Drive. Joint use of the existing access for the Church of Redeemer opposite Brenish Drive.

- SHA's Consolidated Transportation Program (CTP) Project to widen Woodfield Road along the western property line of the site which includes five-foot sidewalks on both sides and a Class I bikeway

- 3) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits
- 4) Record plat to show delineation of a Category I conservation easement over the area of forest conservation
- 5) Compliance with the conditions of MCDPS stormwater management approval dated, May 9, 2002
- 6) Access and improvements as required to be approved by MDSHA prior to issuance of access permits
- 7) Prior to recordation of plat, a final landscape, lighting and sidewalk circulation plan including a five-foot sidewalk leading-in from Woodfield Road to the site which are not shown on the current plans must be submitted for review and approval by MNCPPC technical staff
- 8) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to this date, a final record plat must be recorded for all property delineated on the approved preliminary plan, or a request for an extension must be filed
- 9) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion
- 10) Other necessary easements







Martin O'Malley, Governor  
Anthony G. Brown, Lt. Governor

John D. Porcari, Secretary  
Neil J. Pedersen, Administrator

Maryland Department of Transportation

January 28, 2008

RE: MD 124 (Woodfield Road)  
SHA Project No.: MO632B31  
Property: Islamic Center of Maryland, Inc.  
Item No.: 93448

Mr. Khursheed Bilgrami  
c/o Islamic Center of Maryland, Inc.  
19401 Woodfield Road  
Gaithersburg, MD 20879

Dear Mr. Bilgrami,

Thank you for your inquiry regarding the Islamic Center's access road from Cypress Hill Drive. It is my pleasure to respond to your request.

Based upon The State Highway Administration's (SHA) meeting with the Islamic Center of Maryland's Building Committee and the Board of Trustees on May 7, 2007, SHA has agreed to construct an access road from Cypress Hill Drive to the rear of the Islamic Center's property on Woodfield Road in place of the access that will be cut off as part of the SHA project to widen MD 124. Attached is a drawing of the design for the proposed access road. It should be noted that since this access will also be used by SHA to access the Stormwater Management pond, it will be signed to prohibit parking within SHA right-of-way. SHA will be responsible to maintain the structure of the roadway within SHA right-of-way, but would require the Islamic Center to perform all routine maintenance, such as snow removal.

Also attached is a Project Update on MD 124, which includes an invitation to the First Pre-Construction Open House. The open house was originally scheduled for Thursday, January 17. Due to inclement weather, the open house has been rescheduled for Thursday, February 7, from 5:30PM-8:00PM at the Judith A. Resnick Elementary School.

My telephone number/toll-free number is \_\_\_\_\_

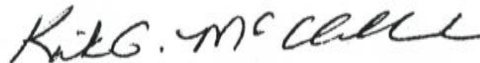
Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street · Baltimore, Maryland 21202 · Phone: 410.545.0300 · www.marylandroads.com

Mr. Khursheed Bilgrami  
Page Two

Thank you again for your inquiry. If you have any further questions, please do not hesitate to contact me or Mr. Eric E. Marabello, Chief, Highway Design Division, SHA, at 410-545-8770, toll-free 888-228-5003 or via email at [emarabello@sha.state.md.us](mailto:emarabello@sha.state.md.us).

Sincerely,

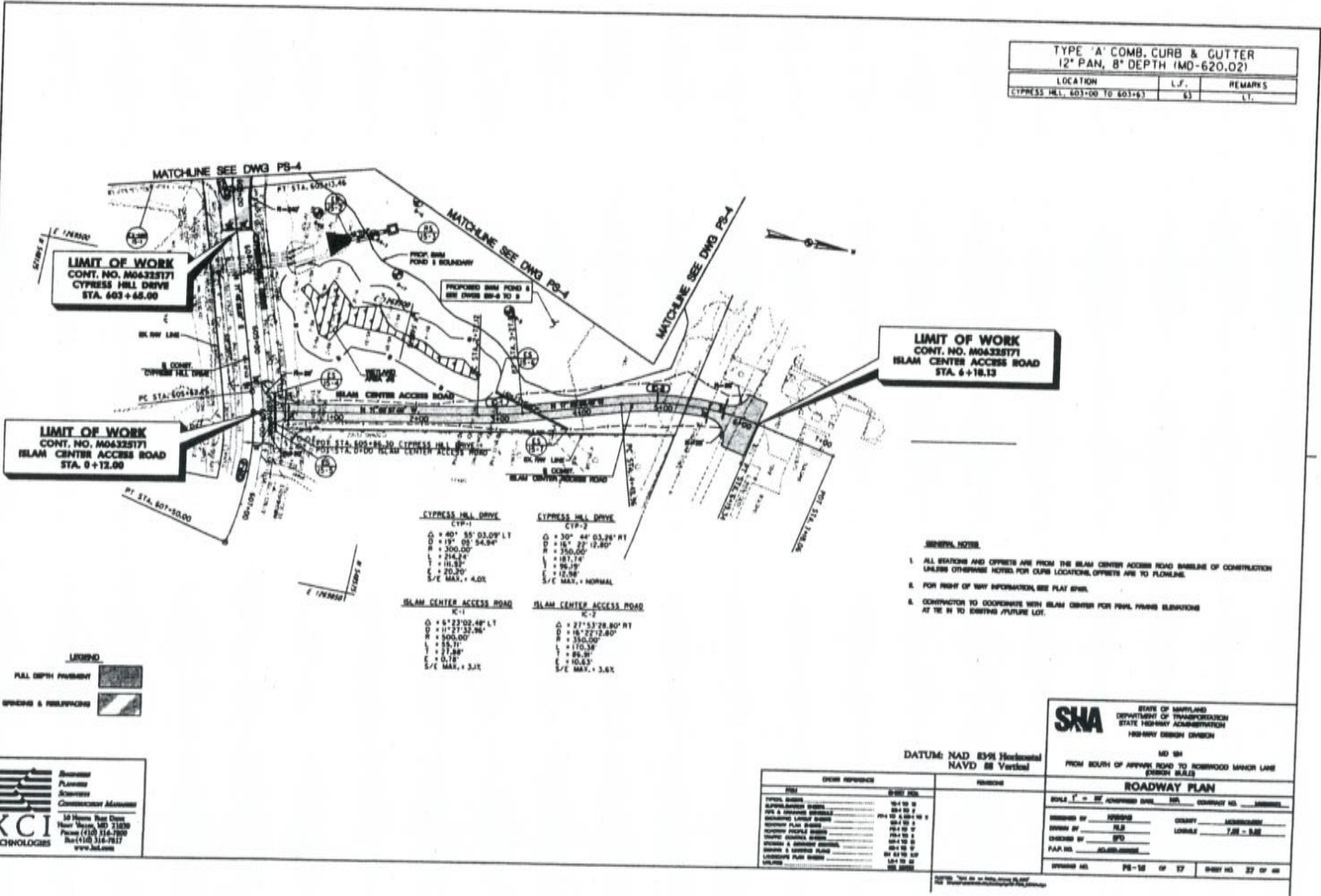


Kirk G. McClelland, Director  
Office of Highway Design

Attachments

cc: Mr. Eric E. Marabello, Chief, Highway Design Division, SHA

TYPE A COMB. CURB & GUTTER 12" PAN, 8" DEPTH (MD-620.02)		
LOCATION	L.F.	REMARKS
CYPRESS HILL, 603+00 TO 603+45	63	LT.



**LIMIT OF WORK**  
CONT. NO. M0432871  
CYPRESS HILL DRIVE  
STA. 603+68.00

**LIMIT OF WORK**  
CONT. NO. M0432871  
ISLAM CENTER ACCESS ROAD  
STA. 0+12.00

**LIMIT OF WORK**  
CONT. NO. M0432871  
ISLAM CENTER ACCESS ROAD  
STA. 0+16.13

CYPRESS HILL DRIVE CIP-1		CYPRESS HILL DRIVE CIP-2	
Q = 40° 55' 03.00" L1	Q = 30° 44' 03.20" R1	Q = 40° 55' 03.00" L1	Q = 30° 44' 03.20" R1
D = 15' 00" S4.84°	D = 15' 00" S4.84°	D = 15' 00" S4.84°	D = 15' 00" S4.84°
R = 300.00'	R = 300.00'	R = 300.00'	R = 300.00'
L = 24.84'	L = 24.84'	L = 24.84'	L = 24.84'
T = 11.33'	T = 11.33'	T = 11.33'	T = 11.33'
E = 25.20'	E = 25.20'	E = 25.20'	E = 25.20'
S/E MAX. = 4.0%	S/E MAX. = 4.0%	S/E MAX. = 4.0%	S/E MAX. = 4.0%

ISLAM CENTER ACCESS ROAD IC-1		ISLAM CENTER ACCESS ROAD IC-2	
Q = 5° 23' 02.40" L1	Q = 27° 53' 28.80" R1	Q = 5° 23' 02.40" L1	Q = 27° 53' 28.80" R1
D = 11' 37' 32.84"	D = 11' 37' 32.84"	D = 11' 37' 32.84"	D = 11' 37' 32.84"
R = 500.00'	R = 170.00'	R = 500.00'	R = 170.00'
L = 15.31'	L = 15.31'	L = 15.31'	L = 15.31'
T = 37.88'	T = 88.38'	T = 37.88'	T = 88.38'
E = 0.18'	E = 0.18'	E = 0.18'	E = 0.18'
S/E MAX. = 3.1%	S/E MAX. = 3.1%	S/E MAX. = 3.1%	S/E MAX. = 3.1%

- GENERAL NOTES**
- ALL DIMENSIONS AND OFFSETS ARE FROM THE ISLAM CENTER ACCESS ROAD CENTERLINE OF CONSTRUCTION UNLESS OTHERWISE NOTED FOR CURB LOCATIONS, OFFSETS ARE TO FLOORLINE.
  - FOR RIGHT OF WAY INFORMATION, SEE PLAN SHEET.
  - CONTRACTOR TO COORDINATE WITH ISLAM CENTER FOR POLE FRAME ELEVATIONS AT THE 10' TO EXISTING FUTURE LOT.



**SNA** STATE OF MARYLAND  
DEPARTMENT OF TRANSPORTATION  
STATE HIGHWAY ADMINISTRATION  
HIGHWAY DESIGN DIVISION

DATUM: NAD 83/96 Horizontal  
NAVD 88 Vertical

DATE	DESCRIPTION	BY	CHKD BY
08/18/09	ISSUE FOR PERMIT	...	...
08/18/09	DESIGN	...	...
08/18/09	CHECK	...	...
08/18/09	APPROVE	...	...

ROADWAY PLAN	
PROJECT NO.	MD 84
SECTION NO.	PS-12
DATE	08/18/09
SCALE	1" = 20' HORIZONTAL 1" = 4' VERTICAL
DESIGNED BY	...
CHECKED BY	...
APPROVED BY	...

**KCI TECHNOLOGIES**

32 Hovens Road Drive  
Hagerstown, MD 21750  
Phone: (410) 314-7000  
Fax: (410) 314-7817  
www.kci.com

**ISLAMIC CENTER OF MARYLAND**

19411 WOODFIELD ROAD  
GAITHERSBURG MD 20879

TEL: 301 840 9440  
FAX: 301 987 8915  
WWW.ICOMD.ORG

Montgomery County Department of Park and Planning  
Maryland National Capital Park and Planning Commission  
8787 Georgia Ave  
Silver Spring, MD 20910

January 22, 2008

**RE: Amendment to Preliminary Plan 1-02042  
Islamic Center of Maryland (ICM)**

ICM requests the withdrawal of the Adequate Public Facilities (APF) approval extension request submitted by our engineer Bazikian Consultants on December 27, 2007 for the above-referenced plan, and hereby submits the application for amendment to the Preliminary Plan 120020410 changing the APF validity to 120 months from mailing of the planning board opinion in accordance with section 8.B of the Development Review Manual (DRM), 12-4-07. Following is justification for this request:

- The request for extension APF validity duration should have been made during the initial issuance of 60 months period, at that time, if requested with proper justification, the APF validity period could have been extended for 120 months, however, at that time, ICM did not anticipate and request additional time for APF validity.
- One of the Preliminary Plan approval conditions was to get the Record Plat approved. ICM got the Record Plat approved within the specified time.
- In the meantime the State Highway Administration (SHA) launched a major expansion program for the Woodfield Road (Route 124). In this program a common access road for the Church of Redeemers and ICM was proposed towards east boundary of ICM.
- To expedite the process and gain some time, based on the proposed common access road alignment, ICM applied to the Montgomery County for a sediment control permit on August 30, 2004.
- Due to excessive delay in the finalization of the access road for approximately three years, by the SHA, the County could not issue the permit; consequently implementation of the Preliminary Plan was held up. ICM was in no position to start implementation of the Preliminary Plan until the access road location is finalized and based on that location site grading is completed according to the County approved sedimentation control plan.
- Recently, on May 7, 2007 SHA changed the location for the access road connecting from east to the west boundary of the ICM property. This resulted in major changes in the sedimentation control plans, which tied up the sediment control permit. ICM is in process of submitting the revised sediment control plans to the County for issuance of a sediment control permit. ICM plans to submit it within this month
- To cater for the immediate needs of the community, during this time, ICM had to build two transitional structures with building permits from the Montgomery County and the Planning Commission. Cost of these structures was approximately half a million dollars.
- ICM is a non-profit religious organization and implementation of the Preliminary Plan is a community driven project with all the usual constraints that similar projects face. ICM plans to implement the project in a phased approach

**ISLAMIC CENTER OF MARYLAND**

19411 WOODFIELD ROAD  
GAITHERSBURG MD 20879

TEL: 301 840 9440  
FAX: 301 987 8915  
WWW.ICOMD.ORG

- The requested extension of APF validity to 120 months is based on the planned phased implementation of the Preliminary Plan in the following phases:

<u>Facility</u>	<u>Permit Application</u>	<u>Construction</u>
○ Gymnasium	April 2008	24 months
○ Multipurpose Hall & Cafeteria	May 2010	12 months
○ School	June 2011	12 months
○ Sanctuary	May 2012	12 months


- Initial APF was approved based on the traffic study Park and Planning memorandum dated November 25, 2002. The study established that no more than 50 peak hours trips will be generated by ICM. The Park and Planning memorandum dated December 6, 2002 for APF review determined that :

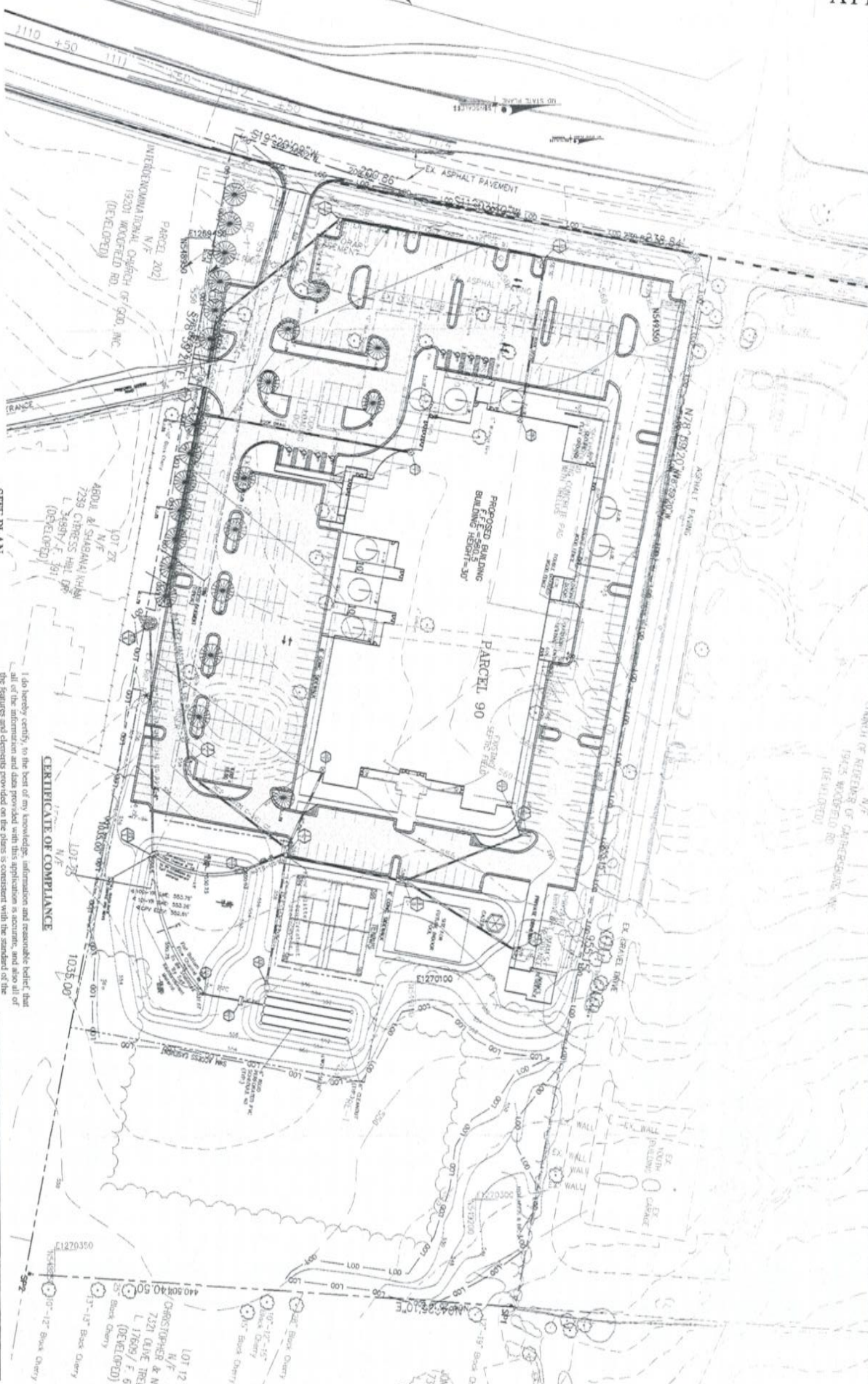
“A Traffic Study (to analyze the traffic impact nearby intersection) is not required to satisfy Local Area Transportation Review because the proposed land use generates fewer than 50 total peak-hour trip during the weekday morning and evening peak periods.”

The conditions, for the APF validity extension have not changed except the new proposed access through Cypress Road which intersects Woodfield Road at a signaled intersection. Additionally, Woodfield Road is being widened to a four lane road which will greatly improve the traffic flow.

In view of the circumstances describe above, ICM would request five years extension of APF validity up to February 26, 2013. During this period ICM will continue to work to complete the sediment control project and implement the preliminary plan in propose phases. Your early action in this regard will be highly appreciated.

Sincerely,

  
Syed A. Bokhari, P.E. Chairman  
ICM Engineering and Construction Committee



**LIST OF AMENDED/REVISED ITEMS**

1. REMOVED TWO ACCESS POINTS FROM CORNER OF RECEIVERS ACCESS ROAD
2. GMA PROVIDED AN ACCESS ROAD FROM CYPRESS HILL DRIVE
3. REVISED SWM FACILITY GRS APPROVED SWM CONCEPT NO. 200452

DATE: JANUARY 22, 2008

**SITE PLAN**

SCALE: 1" = 40'

**CERTIFICATE OF COMPLIANCE**

I do hereby certify, to the best of my knowledge, information and reasonable belief, that all of the information and data provided with this application is accurate, and also all of the features and details provided on the plans is consistent with the standard of the applicable zone. The certification includes, but is not limited to boundary information, property information and ownership, topography, historic resources, etc.

I agree that the submitted plans may be rejected or return by the Maryland Capital Park and Planning Commission if the plans are found to be inaccurate, false or misleading.

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. 17028, Expiration Date: 08-16-08

*[Signature]*  
 Title: Professional Engineer

Company Name: Bazikian Consultants, LTD.  
 License No. 12468

MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES APPROVED FOR:	
Project No. 120020410	Administrative Review
Project No. 120020410	Engineering Review
Project No. 120020410	Permitting Review
Project No. 120020410	Final Review
Project No. 120020410	Approval

LIMITED PLAN AMMENDMENT TO PRELIMINARY PLAN NUMBER 120020410

**BAZIKIAN CONSULTANTS, LTD.**  
 ENGINEERS  
 1034 WASHINGTON COLLEGE CAMPUS, MD 20707  
 TEL: (301) 487-9031 FAX: (301) 417-1155  
 WWW.BAZIKIAN.COM

LIMITED PLAN AMMENDMENT TO PREL. PLAN NUMBER 120020410  
**ISLAMIC CENTER OF MARYLAND**  
 19401 WOODFIELD RD.  
 GAITHERSBURG, MARYLAND 20879  
 MONTGOMERY COUNTY, MARYLAND



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

February 7, 2008

**MEMORANDUM**

TO: Erin Grayson, Planner  
Development Review Division

VIA: Shahriar Etemadi, Supervisor  
Transportation Planning *[Signature]*

FROM: Ed Axler, Planner/Coordinator *EA*  
Transportation Planning

SUBJECT: APF Validity Period Extension  
Preliminary Plan No. 1-02041  
Islamic Center of Maryland  
Rock Creek (Rural East) Policy Area

This memorandum is Transportation Planning staff's Adequate Public Facilities (APF) review for the validity period extension of the subject preliminary plan. The original preliminary plan was approved on December 12, 2002, for a house of worship with Imam's residence, a weekday educational institution for up to 53 students, and a weekday child daycare center for up to 58 children. The recommended APF validity extension of three years corresponds to the equivalent time that the applicant was delayed by the Maryland State Highway Administration (SHA) in the planning and designing of their Capital Transportation Program (CTP) project to widen Woodfield Road (MD 124) along the frontage of the applicant's property.

**RECOMMENDATION**

We recommend the following condition as part of the APF test for transportation requirements related to the extension of the APF validity period of the subject preliminary plan:

The APF review for the preliminary plan will remain valid for an additional 36 months from the date of the Planning Board's opinion.

**DISCUSSION**

Site Location and Vehicular Access Points

The site, Parcel 90, is located in the southeastern quadrant of Woodfield Road (MD 124) and Brenish Drive. The site's vehicular access points are proposed from Woodfield Road as follows:

1. An access road from Cypress Hill Drive east of the signalized intersection of Woodfield Road and Cypress Hills Drive. This vehicular access point was changed from the original preliminary plan approval. Originally, the site access was off a shared driveway from



Woodfield Road into the adjoining Church of the Redeemer property located on eastern leg of the intersection with Brenish Drive.

2. A right-turn-in/right-turn-out only access point to/from northbound Woodfield Road located south of the unsignalized intersection with Brenish Drive. This access point did not change from the original preliminary plan approval.

#### Master Plan Roadway

According to the *Upper Rock Creek Master Plan* and adjacent *Gaithersburg Vicinity Master Plan*, Woodfield Road is designated as a major highway, M-21, with a 120-foot right-of-way. Cypress Hills Drive is not listed in the Master Plan and is classified as a secondary residential street with a 60-foot right-of-way.

#### Transportation Improvement Project along Woodfield Road

SHA's CTP Project No. MO632A11, MD 124- Woodfield Road is an on-going project to widen this highway between Midcounty Highway and Warfield Road (CTP page attached). Phase I of this SHA project is to widen Woodfield Road from south Airpark Road to north of Fieldcrest Road and includes the segment along the western property line. Phase I is in design and construction is projected to start in Spring 2008.

#### Available Transit Service

Ride-On route 90 operates along the subject property frontage of Woodfield Road. This Ride-On route runs from the Shady Grove Metrorail Station to Damascus and then along Ridge Road (MD 27) to Germantown.

#### Pedestrian Facilities

Sidewalks exist on both sides along property frontage of Woodfield Road. A sidewalk exists along the south side of Cypress Hill Drive between Woodfield Road and the driveway for the driveway into the Inter-Denominational Church of God parking lot.

#### Local Area Transportation Review (LATR)

Places of worship are subject to APF review according to the provisions in the Montgomery County Code, Section 50-35(k)(7) "Exemptions" if they are located on an unrecorded parcel which changed its size or shape since June 1, 1958. However, APF review would be required for places of worship if related land uses generate traffic during the weekday morning peak period (6:30 a.m. to 9:30 a.m.) and the evening peak period (4:00 p.m. to 7:00 p.m.).

The subject house of worship was approved preliminary plan for a weekday educational institution and child day care center that would generate vehicular peak-hour trips during the weekday morning and evening peak periods. Other educational and social programs that may be

associated with this place of worship are not subject to APF review because they typically start after 7:00 p.m. on weekdays or occur on weekends.

When the original preliminary plan was approved in 2002 and the APF validity was granted, the approved land uses generated up to 49 weekday peak-hour trips that was fewer than the LATR 50-trip criterion at that time. Thus, a traffic study was not needed to satisfy LATR in 2002. Since 2002, the criterion that the proposed land uses generate fewer than 50 weekday peak-hour trips was reduced to 30 trips before a traffic study will be required.

If a traffic study was submitted to satisfy LATR today, the analyzed intersections along Woodfield Road should not exceed the CLV standard of 1,425 because the additional through lane in each direction constructed by SHA funded CTP project results in increased intersection capacity.

#### Policy Area Mobility Review

As a preliminary plan filed before January 1, 2007, the applicant is not required to mitigate 5% of the new site-generated peak-hour trips by developments located within the Rural West policy area.

EA: tc

cc: Uzair Asadullah  
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mmo to Grayson Islamic Center of MD 1-02041 Extension.doc