

Resolution No. 16-09

RESOLUTION: To approve, with conditions, Project Plan Application No. PJT2009-00001, Kol Shalom

WHEREAS, Kol Shalom, c/o Deb Finkelstein, 10301 Grosvenor Place, #L6, Rockville, Maryland 20852, (the "Applicant"), filed a Project Plan Application PJT2009-00001 ("PJT2009-00001" or "Application"), requesting approval of a Project Plan for a 4.812 acre parcel of land located on the south side of Darnestown Road between Dav Road and Glenora Lane (9104, 9110 and 9150 Darnestown Road) for a single story, 30,379 square foot, freestanding, place of worship with 102 at-grade parking spaces in accordance with the Project Plan procedures in the R-200 zone, set forth in Article 7, Sections 25.07.01, 25.07.02, 25.07.03 and 25.07.08; and

WHEREAS, pursuant to Section 25.07.08.6 of the Zoning Ordinance, the Planning Commission at its meeting on July 22, 2009, and the Mayor and Council at its meeting on July 27, 2009, were briefed on the application by the applicant; and

WHEREAS, pursuant to Section 25.07.08.2 of the Zoning Ordinance, the Applicant held a pre-application area meeting on September 24, 2008; and

WHEREAS, pursuant to Section 25.08.08.5, the Applicant held a post-application meeting on July 9, 2009; and

WHEREAS, pursuant to Sections 25.07.08.8 and 25.07.08.9 of the Zoning Ordinance, the Planning Commission, at its meeting of October 14, 2009, reviewed the subject Application and unanimously recommended the Mayor and Council approve the

application subject to certain conditions as set forth in a memorandum dated November 3, 2009; and

WHEREAS, in compliance with Section 25.07.08.12, the Mayor and Council gave notice that a public hearing on said Application would be held by the Mayor and Council of Rockville in the Council Chambers at Rockville City Hall on November 23, 2009, at 7:00 p.m. or as soon thereafter as it may be heard, at which parties in interest and citizens would have an opportunity to be heard; and

WHEREAS, on November 23, 2009, the said Application came on for hearing at the time and place indicated in said notice; and

WHEREAS, this matter having been fully considered by the Mayor and Council, the Mayor and Council having found and determined that approval of the application, subject to the conditions, limitation, additions and modifications set forth herein, would promote the health, safety and general welfare of the citizens of Rockville, and the Mayor and Council having made the further findings set forth herein based upon the Application for Project Plan PJT2009-00001, the Staff Report dated October 2, 2009, the Planning Commission Recommendation dated October 14, 2009, the public hearing of November 23, 2009, as well as the entire record; and

WHEREAS, the Mayor and Council having found and determined, pursuant to Sections 25.07.08.15 and 25.07.01.b.2, and Article 7 referenced herein, that the proposed development and Application, subject to the conditions, limitations, additions and modifications set forth herein will not:

1. *Adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use.* A place of worship is designated as a permitted use in

the R-200 Zone in the Zoning Ordinance. The site will be occupied by the staff only, except for when either services or religious classes are conducted. On-site parking proposed for this project complies with the Zoning Ordinance requirement. The amount of parking provided is adequate to meet the normal operations of the project. Therefore, there will be no impact upon the surrounding neighborhood with regards to parking. There is, however, the possibility that there may not be enough parking on the high holy days. To accommodate this overflow, the applicant has reached an agreement with the Jewish Social Service Agency located on Blackwell Road, to allow parking on their site, with shuttle bus service provided to the synagogue. As a result, the proposed development will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use;

2. *Be detrimental to the public welfare or injurious to property or improvements in the neighborhood.* Most of the time, staff will be the only occupants of the site. The building is low in stature and meant to blend into the site. The site design and plantings provide privacy to both the site and the surrounding neighbors. The building's height, at 14 to 24 feet, is lower in height than many of the homes surrounding the property. The development will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood;

3. *Overburden existing and programmed public facilities as set forth in Article 20 of the Zoning Ordinance and as provided in the adopted Adequate Public Facilities Standards.* The roadway system around the site is more than adequate to serve the proposed use. The primary uses of the facility will not take place during the morning or afternoon rush hours. According to the applicant, the primary uses will take place on a

couple of nights during the week and for weekend services. Other functions that may take place at the facility will not be during the standard rush hours. The application received conceptual approval from the Department of Public Works of a request for extensions of and connections to the City's water and sanitary sewer systems in a letter dated September 25, 2009. The approval letter lists project specific conditions of approval. This is a nonresidential use. There will be no impact upon County schools. The City's Adequate Public Facilities Standards places a specific level of service upon certain "higher-risk" uses. Such uses include "places of assembly seating more than 500", which includes the proposed project. The level of service required is a full response from 3 fire stations within 10 minutes. Based upon information provided by the Montgomery County Fire and Rescue Service, the subject site complies with this level of service standard. The project will not overburden existing and programmed public facilities as set forth in Article 20 of the Zoning Ordinance and as provided in the adopted Adequate Public Facilities Standards;

4. *Constitute a violation of any provision of the Zoning Ordinance or other applicable law.* A place of worship, a synagogue, is a permitted use in the R-200 Zone. Approval of the final site layout will become the subject of a Level Two Site Plan Application. The Project Plan/Concept Site Development plan included in this application reflects a project that is in compliance with the Zoning Ordinance. The site plan includes the required amount of parking for the use. The proposed building meets or exceeds all the required setbacks, does not exceed the maximum lot coverage limitation of 25 percent and is well below the maximum height limitation of 40 feet. Impervious surface improvements in the front yard are also well below the 25 percent maximum

allowed. The improvements as shown on the Project Plan/Concept Site Development plan and the use will not constitute a violation of any provision of the Zoning Ordinance or other applicable law;

5. *Adversely affect the natural resources or environment of the City or surrounding areas.* The site contains many trees. There are no other natural features that have been identified that may be affected by this development. Based on the number of trees that will be replanted on the site and the green roof and pervious surfaces, where possible, the proposed development will have no adverse impact upon natural resources or the environment;

6. *Will not be in conflict with the Plan.* The Master Plan designates the properties as appropriate for Low Density Detached Residential uses. Places of worship are considered to be acceptable development in residential neighborhoods based on the fact that they are permitted uses in the R-200 Zone. A nonresidential use, however, seems to have been anticipated for these properties based on the fact that an Alzheimer's facility and a day school were approved for the three properties shortly after annexation. In evaluating these types of uses in a location like this it is often thought that they act as a buffer between a high volume road and an interior neighborhood. For these reasons, and because the proposed development complies with the requirements of the Zoning Ordinance and other applicable law, the development, as proposed, will not be in conflict with the Plan; or

7. *Will not be incompatible with the surrounding uses or properties.* Places of worship are permitted uses in the R-200 Zone. The building is low in stature and nestled in among the trees on the property. The property will experience limited activity most of

the time. Higher volume activities will be measured in hours when religious instruction or services are taking place.

Forest preservation, reforestation/afforestation and supplemental tree planting will provide a buffer between the site and the surrounding single-family lots along the southern and eastern property lines. Additional tree planting is proposed along the western property line. The proposed buffering, in addition to the limited activity on the site, should protect against any significant incompatibility with surrounding properties and uses. The proposed use and improvements will not be incompatible with the surrounding uses or properties.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, that Project Plan Application PJT2009-00001, be and the same is hereby approved, in accordance with the terms, conditions and limitations set forth herein.

1. APPROVED PROJECT PLAN APPLICATION

For the purposes of this Resolution, the Approved Project Plan (also referred to as the "Approved PJT") shall mean this Resolution and all Exhibits to this Resolution listed below and attached hereto, including notation, references, description and writings on the Exhibits.

- Revised Project Plan/Concept Site Development plan, dated December 4, 2009 (Exhibit A)
- Conceptual Landscape Plan, dated December 4, 2009 (Exhibit B)
- Conceptual Building Elevations, dated February 23, 2009 (Exhibit C)
- Stormwater Management Concept letter dated May 29, 2009 (Exhibit D).

- Traffic and Transportation memo dated October 2, 2009 (Exhibit E)
- Sewer and Water letter dated September 25, 2009 (Exhibit F)

The subject property shall be developed in accordance with the Project Plan/Concept Development Plan dated December 4, 2009, attached hereto and incorporated herein as Exhibit "A". To the extent that there is a conflict between any of the written items and conditions in the body of this Resolution and any exhibits attached hereto, the written terms and conditions in the body of this Resolution shall control.

2. DEVELOPMENT DENSITY, HEIGHT AND STANDARDS:

The following development standards shall apply:

- (a) Maximum height: 40 feet
- (b) Minimum setbacks: A minimum 35 foot front yard setback, a minimum 13 foot side yard setback and a minimum 35 foot rear yard setback.
- (c) Impervious surface: No more than 20 percent of the front yard may be impervious surface.

3. LANDSCAPE PLAN: The Applicant must submit a detailed landscape plan for approval by the Planning Commission at the Level 2 Site Plan stage. The landscape plan must be generally consistent with the conceptual landscape plan attached hereto as Exhibit "B" (the "Conceptual Landscape Plan").

4. PARKING: The Project must comply with the minimum parking requirements of the Zoning Ordinance.

5. FOREST CONSERVATION: The Applicant must submit, for the approval of the City Forester, a Forest Conservation Plan (FCP). A Forestry Permit, as conditioned below, must be obtained prior to the release of a Building Permit.

Submit for review and approval the Final Forest Conservation Plan (FCP).

- a. The Final FCP will be reviewed concurrently with the detailed engineering drawings that are submitted to the Department Public Works.
- b. The Final FCP shall be based on the Preliminary FCP and provide tree plantings consistent with the Preliminary FCP.
- c. The Landscape Plan shall match the landscaping shown on the Final FCP.

6. SIGNS: All signs must comply with the requirements of the Zoning Ordinance and other applicable provisions of the Rockville City Code.

7. STORMWATER MANAGEMENT. The Applicant must comply, to the satisfaction of the Director of Public Works, with the conditions set forth in the conditional approval of the stormwater management concept letter dated May 29, 2009 (Exhibit D), unless otherwise approved by the Department of Public Works.

8. TRAFFIC AND TRANSPORTATION. The applicant must comply, to the satisfaction of the Director of Public Works with the conditions outlined in the attached correspondence dated October 2, 2009 (Exhibit E), except for Condition 4 related to offsite sidewalk construction.

9. SEWER AND WATER. The applicant must comply, to the satisfaction of the Director of Public Works, with the conditions outlined in the attached correspondence dated September 25, 2009 (Exhibit F).

10. SITE ACCESS. Access to the site shall be provided from Darnestown Road. The final location and design shall be determined as part of the Level 2 Site Plan approval. Permits for work within the Darnestown Road right-of-way, including access permits, must be obtained from the Montgomery County Department of Permitting Services.

11. PROJECT PLAN IMPLEMENTATION PERIOD. This Project Plan approval shall expire if a Site Plan Application implementing all or a portion of this Project Plan is not filed within six months of the date of the Mayor and Council's approval, or if construction has not commenced on the project, pursuant to a validly issued building permit, within the implementation period set by the Site Plan Application approval.

I hereby certify that the foregoing is a true and correct copy
Of a resolution adopted by the Mayor and Council at its
Meeting of December 14, 2009.


Claire F. Funkhouser, City Clerk

KOL SHALOM

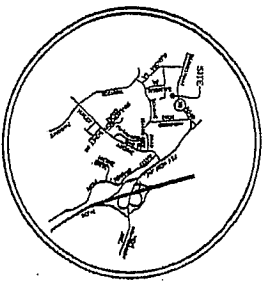
(PROPOSED) LOT 17, BLOCK A, IVY WOODS
CITY OF ROCKVILLE, MARYLAND
LEVEL II - SITE DEVELOPMENT PLAN SDP
ASSOCIATED APPROVAL PROJECT/CONCEPT DEVELOPMENT PLAN PJ172009-00001

DESIGN TEAM:

OWNER:
Kol Shalom
10301 Grosvenor Place #16
Rockville, MD 20852
Phone: 240-301-493-8198

DESIGNER:
Maacris, Hendricks & Glascock, P.A.
9220 Wightman Road, Suite 120
Montgomery Village, MD 20886
Phone: 301-670-0840

LANDSCAPE ARCHITECT:
Maacris, Hendricks & Glascock, P.A.
9220 Wightman Road, Suite 120
Montgomery Village, MD 20886
Phone: 301-670-0840



VICINITY MAP
SCALE 1" = 2,000'

SHEET INDEX

- SP-1 Site Development Plan - Cover Sheet (1 of 2)
- SP-2 Site Development Plan (2 of 2)
- LS-1 Landscape Plan (1 of 2)
- LS-2 Landscape Plan (2 of 2)
- FCP-1 Final Forest Conservation Plan (1 of 4)
- FCP-2 Final Forest Conservation Plan (2 of 4)
- FCP-3 Final Forest Conservation Plan (3 of 4)
- FCP-4 Final Forest Conservation Plan (4 of 4)
- Stormwater Management Concept Plan
- A11 Architectural Floor Plan
- A30 Architectural Elevation
- A31 Architectural Elevation

NO.	DATE	REVISION

Professional Certifications
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. 1479, Registration Date 7/20/10

Sonal D. Bhatt

EXISTING	PROPOSED

- NOTES:**
- THE PROJECT SHALL BE SUBJECT TO ALL CITY AND STATE REGULATIONS.
 - THE PROPOSED PLAN SHALL BE SUBJECT TO ALL CITY AND STATE REGULATIONS.
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THE MAP IS AS SHOWN ON SHEET SP-1

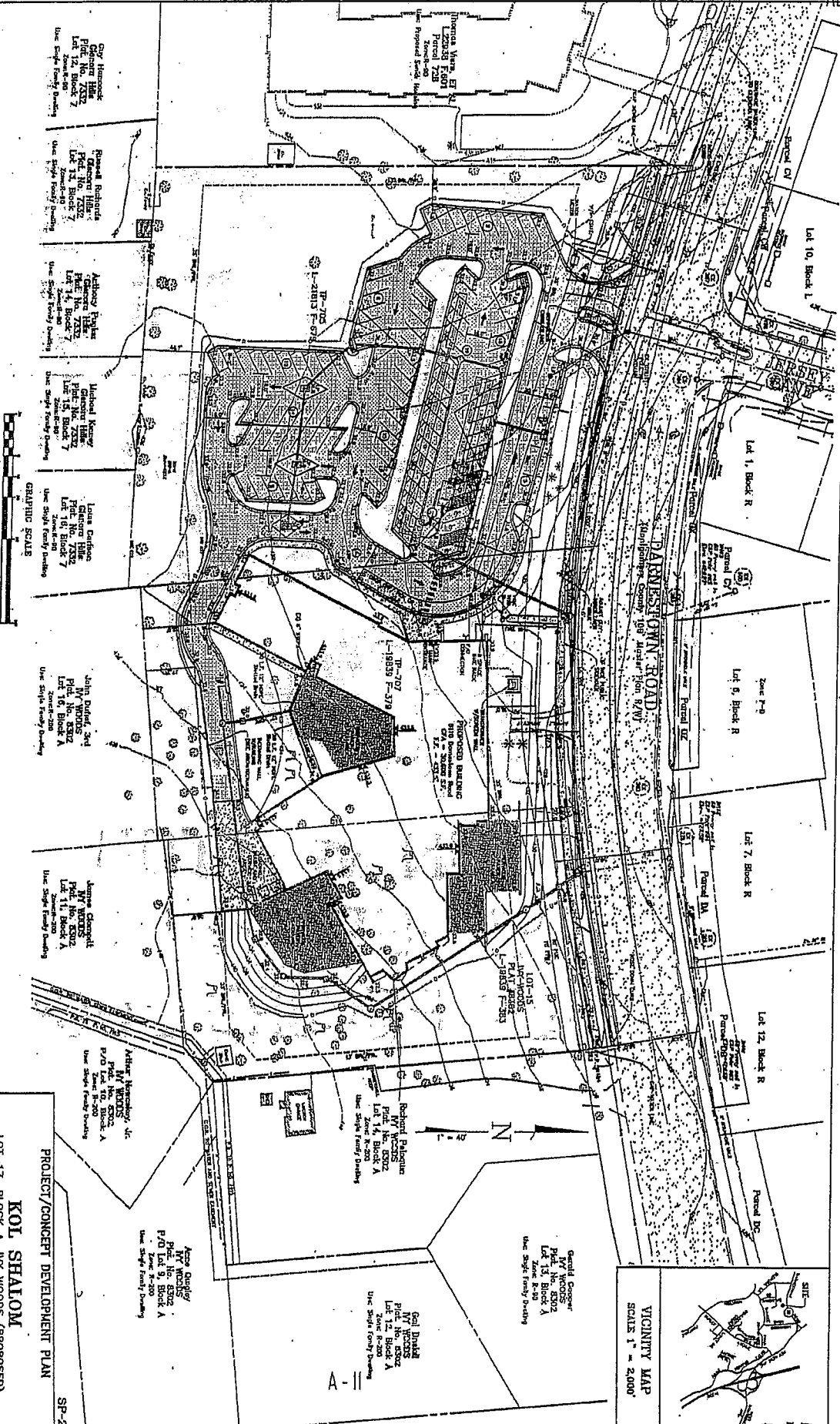
KOL SHALOM

LOT-17, BLOCK A, IVY WOODS (PROPOSED)
4TH ED CITY OF ROCKVILLE - MONTGOMERY COUNTY - MARYLAND

MHG
Maacris, Hendricks & Glascock, P.A.
9220 Wightman Road, Suite 120
Montgomery Village, MD 20886
Phone: 301-670-0840

DATE: 11/11/10
DRAWN BY: [Name]
CHECKED BY: [Name]
SCALE: AS SHOWN

FOR LOCATIONS OF CITY WATER AND SEWER CALL CITY UTILITIES SUPERVISOR AT 740-314-8887. FOR LOCATIONS OF AT 740-327-4333. CALL CITY UTILITIES BEFORE BEGINNING CONSTRUCTION.



GRAPHIC SCALE
1" = 200'

Professional Certifications
I hereby certify that these documents were prepared or approved by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of Maryland. License No. 15279. Expiration Date: 2/28/18.

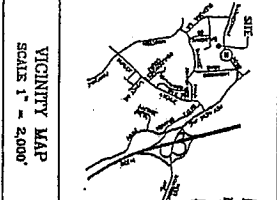
NO.	DATE	REVISION

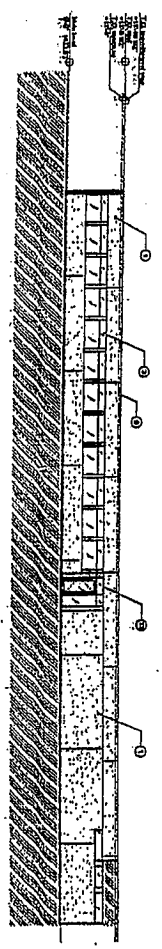
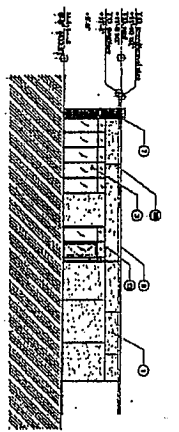
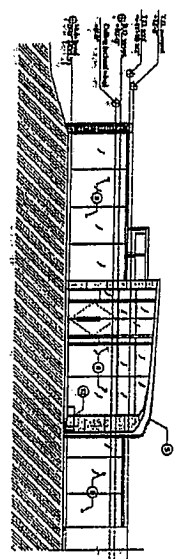
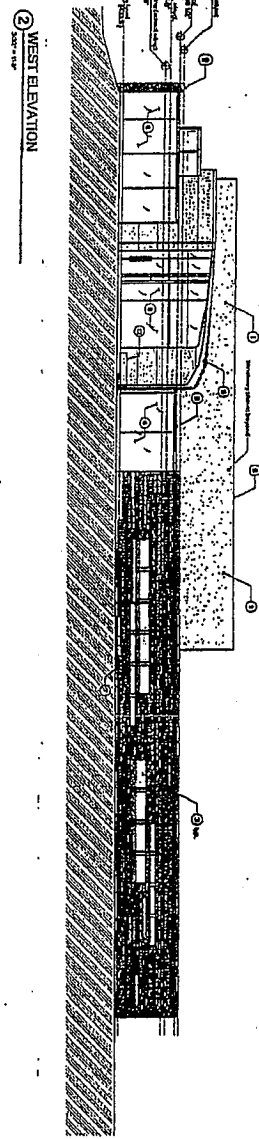
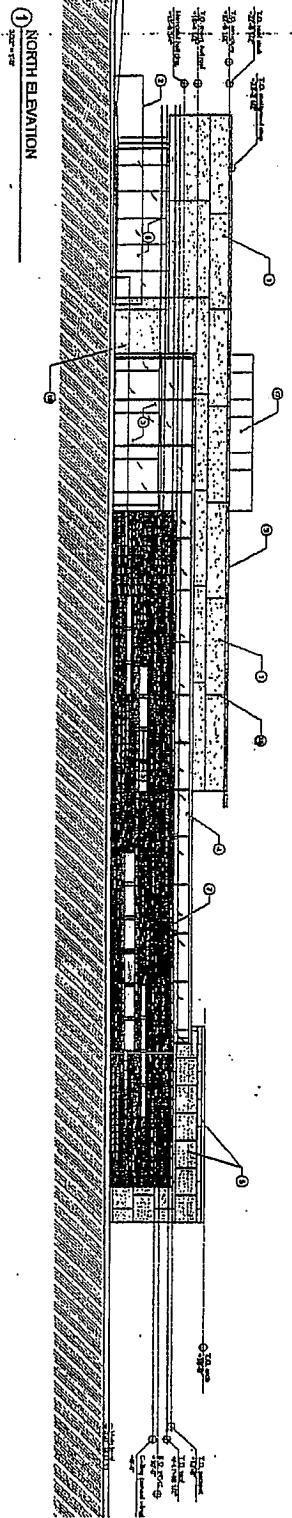
PROJECT/CONCEPT DEVELOPMENT PLAN
SP-2

KOL STATION
LOT-17, BLOCK A, IVY WOODS (PROPOSED)
4TH ED CITY OF ROCKVILLE - MONTGOMERY COUNTY - MARYLAND

MHG
MARCUS, HANDELICK & GILSON, P.A.
Engineers & Planners - Montgomery/Prince George's County, MD

PREP. BY	DATE	SCALE





- NOT ALL DETAILS SHOWN**
- 1. General appearance with appropriate materials and colors.
 - 2. Details of the building's exterior walls, including masonry, stone, and brickwork.
 - 3. Details of the building's roof, including gables, dormers, and chimneys.
 - 4. Details of the building's windows, including casements, awnings, and shutters.
 - 5. Details of the building's doors, including transoms, pediments, and surrounds.
 - 6. Details of the building's exterior stairs, including balustrades and handrails.
 - 7. Details of the building's exterior lighting, including sconces and bollards.
 - 8. Details of the building's exterior landscaping, including trees, shrubs, and lawns.
 - 9. Details of the building's exterior furniture, including benches and tables.
 - 10. Details of the building's exterior signage, including signs and lettering.

ShmbergLevinAS
 4222 Lee Road, Suite 200
 Rockville, MD 20854
 Tel: 301.251.1100
 Fax: 301.251.1101
 www.shmberglevin.com

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Date	Revised	By	For
02/23/08	Pre-application package		

Kol Shalom Synagogue
 Rockville, MD
 Pre-Application Meeting Submission

A3.0
 ELEVATIONS



City of Rockville
111 Maryland Avenue
Rockville, Maryland
20850-2364
www.rockvillemd.gov

Public Works
240-314-8500
TTY 240-314-8137
FAX 240-314-8539

Public Works Operations
240-314-8570
FAX 240-314-8589

Environmental Management
240-314-8870
FAX 240-314-8886

Fleet Services Division
240-314-8485
FAX 240-314-8499

Water Treatment Plant
240-314-8555
FAX 240-314-8564

MAYOR
Susan R. Hoffmann

COUNCIL
John B. Britton
Piotr Gajewski
Phyllis Marcuccio
Anne M. Robbins

CITY MANAGER
Scott Ullery

CITY CLERK
Claire F. Funkhouser

CITY ATTORNEY
Debra Vary Daniel

May 29, 2009

Mr. Steve Wilde
Macris, Hendricks & Glascock, P.A.
9220 Wightman Road, Suite 120
Montgomery Village, MD 20886-1279

Re: Kol Shalom
Stormwater Management (SWM) Concept
PAM2009-00001/SMP2009-00009

Dear Mr. Wilde: *Steve*

The Stormwater Management (SWM) Concept, received May 19, 2009 for the above referenced site is conditionally approved. The proposed development at Lot 15, Block A, Ivy Woods and P.705 and P.706 on Tax Map FR53 includes the following: construction of a synagogue (one building) with associated drive aisles, parking, service drive, loading area, sidewalks, communal amenities and infrastructure. The property is zoned R-200 and is in the Watts Branch watershed.

Based on your application, the proposed development contains approximately 3.61 acres (157,300 sq.ft.) of disturbed area. The overall site area, before street dedication, is approximately 5.06 acres (220,254 sq.ft.). Since the disturbed area is more than 50 percent of the entire site area, SWM is required for the site's total impervious area of 2.32 acres, which includes the green roof areas (7950 sq.ft. on the east and 5360 sq.ft. on the west) and the porous paver area (10,120 sq.ft. on the east). However, for purposes on this approval and subsequent detailed design, the green roof and porous paver areas can be considered to be pervious if designed in accordance with applicable standards. SWM also is required for an additional 0.17 acres of impervious area located within the adjacent right-of-way (ROW). The submitted SWM Concept proposes the following:

1. **Channel Protection Volume (Cpv)** - Channel Protection Volume for the site will be provided as follows:
 - a. West subarea
 - i. An on-site, underground facility with storage in CMP pipes and a concrete control structure for 1.3 acres of impervious area in the western subarea (which does not include the green roof), and
 - ii. Approximately 4090 sq.ft. (0.09 acres) of green roof.
 - b. East subarea
 - i. "Over compensation" in the underground facility utilizing compensatory over storage for the 0.52 acres of impervious area (which does not include the green roof or porous paver areas),
 - ii. Approximately 10,120 sq.ft. (0.23 acres) of porous pavers for the paved plaza areas, and
 - iii. Approximately 7950 sq.ft. (0.18 acres) of green roof.

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2. **Overbank Flood Protection (Op10)** - Overbank Flood Protection Management for the site will be provided by SWM alternative, monetary contribution, in lieu of on-site management due to vertical and horizontal constraints that make the implementation of measures to provide this management impractical. The total impervious area used in the calculation includes all of the paved areas, as well as the entire roof areas (green and non-green) and the porous paver areas.
 - a. West subarea - 1.39 impervious acres
 - b. East subarea - 0.93 impervious acres
3. **Pretreatment** - Pretreatment of runoff prior to water quality treatment is proposed to be provided via an hydrodynamic type structure that will be located between the flow splitter pipe and the StormFilter vault for the West subarea. Pretreatment for the service area in the Eastern subarea will not be required as several filtration measures are being proposed with this SWM Concept.
4. **Water Quality Volume, Non- Recharge (WOV)** - Water Quality Non-Recharge for the site will be provided as follows:
 - a. West subarea
 - i. An on-site, underground filtering system (StormFilter) housed in a concrete vault. A CMP pipe system will be utilized for storage, and
 - ii. Approximately 4090 sq.ft. (0.09 acres) of green roof.
 - b. East subarea
 - i. Off-line manhole StormFilter(s) for the non-green roof area utilizing flow based design,
 - ii. Approximately 7950 sq.ft. (0.18 acres) of green roof,
 - iii. Approximately 10,120 sq.ft. (0.23 acres) porous pavers for the paved plaza areas, and
 - iv. A catch basin StormFilter for the paved loading, trash and service areas utilizing flow based design.
5. **Water Quality Volume, Recharge (Rev)** Water Quality Recharge for the site will be provided for both the 1.3 impervious acres from the West subarea and 0.52 impervious acres from the East subarea via additional stone below the porous paver plaza areas.
6. **Darnestown Road Right-of-Way** - In accordance with the City of Rockville's SWM Ordinance, SWM is required for the existing, replaced or new impervious area within 30' of the contiguous ROW of Darnestown Road. The SWM Concept proposes a SWM alternative, monetary contribution, in lieu of providing on-site SWM due to the inability to collect and management runoff in this portion of the ROW.

This SWM concept is approved subject to the following conditions, which must be addressed at the stages in the process as indicated below:

1. Perform infiltration tests and prepare a report for all measures that utilize filtering methods (i.e. porous paver.). The report must be furnished to the Department of Public Works

Mr. Wilde
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(DPW). An infiltration rate of ≥ 0.52 inches/hour will be required in order for the proposed practice to be utilized. If the minimum infiltration rate is not achieved, the applicant must present alternative water quality measures for approval by DPW. The use of porous pavers as supported by the infiltration testing or the alternative measures (if rates are found to be below the minimum acceptable) must be accepted by DPW prior to the approval by the authorizing body.

2. Provide pre-treatment of storm flows prior to underground filtering system utilizing a hydrodynamic system and method allowed and approved by the DPW for the West subarea. Pretreatment of the runoff for the East subarea will not be required.
3. Applicant shall contribute to the City Stormwater Fund as a SWM alternative to providing on-site Q_{p10} management. This monetary contribution has been computed to be approximately \$46,400 based on the on-site impervious area that cannot be managed onsite, which is 2.32 impervious acres at a rate of \$20,000 per impervious acre. The actual contribution shall be determined at the time of detailed engineering and must be based upon the final site plan and the fees in place at the time of permit issuance. Payment of the monetary contribution is required prior to DPW permit issuance.
4. In order to qualify for the monetary contribution for Q_{p10} , the applicant must demonstrate, at detailed engineering, that the ten-year storm event (utilizing the rational method) can be safely conveyed through the existing storm drain system to Falls Grove Stormwater Management Facility #2. Upgrades to the existing storm drain system may be required if safe conveyance cannot be demonstrated.
5. Provide computations to support the use of green roof areas and porous pavers areas at detailed engineering. These areas can be considered to be pervious if designed in accordance with applicable standards. A minimum of 6" depth will be required for all green roof areas.
6. Applicant shall contribute to the City Stormwater Fund as a SWM alternative to providing on-site Water Quality, Channel Protection and Q_{p10} SWM for the impervious acres within 30' of the contiguous ROW of Darnestown Road that cannot be managed on-site. This monetary contribution has been computed to be approximately \$8,840 based on the impervious area in the ROW at a rate of \$52,000 per impervious acre. The actual contribution shall be determined at the time of detailed engineering and must be based upon the final improvement plan and the fees in place at the time of permit issuance. Payment of the monetary contribution is required prior to DPW permit issuance.
7. Provide an analysis of the affect of ponding due to the adjacent low point and high point in the Darnestown Road at Site Plan stage and demonstrate that runoff from the proposed development will not adversely impact the properties that front Darnestown Road.
8. Provide grading that does not include low points or low point inlets in the porous paver areas. Demonstrate how safe overland flow away from the buildings will be achieved at

Mr. Wilde
May 29, 2009
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detailed engineering. Building foundations must be designed to address proximity to porous paver materials and must be certified by a geotechnical engineer or other qualified professional at detailed engineering.

9. Provide an exhibit and computations for all areas showing the impervious areas being treated (quantity and quality), as well as the areas covered by a SWM alternative (monetary contribution) including the Darnestown Road ROW at detailed engineering. Show all proposed SWM structures, measures and features on this exhibit.
10. Submit a detailed storm drain plan with computations and a supporting drainage area map for use by DPW in review of the detailed engineering. Montgomery County Department of Permitting Services (MCDPS) will approve and permit permanent work in the Darnestown Road ROW.
11. Submit a Rockville SWM permit application, permit fees and SWM Database Sheet associated with the SWM plans.
12. Post financial security based on the approved construction estimate in a format acceptable to the City Attorney. Approval by the City Attorney is to be coordinated through DPW.
13. Submit a SWM Easement/Maintenance Agreement for all features, including the green roof areas, signed (executed) by the property owner(s) for review and approval by DPW and the City Attorney's Office. The approved and executed SWM Easement/Maintenance Agreement must be recorded in the Montgomery County Land Records prior to DPW permit issuance.
14. Submit a Forest Conservation Plan (FCP) to the Assistant City Forester for review and approval. The FCP must be approved prior to DPW issuing SWM and sediment control permits.

COMAR 26.17.02.03 requires each county and municipality to adopt, by May 4, 2010, a revised ordinance that complies with the recently enacted revisions to the Maryland Department of the Environment (MDE), 2000 Maryland Stormwater Design Manual Volumes I & II. As mandated, the revisions must be applied to all new development and redevelopment projects that do not have final approval for erosion and sediment control and SWM plans by May 4, 2010. Therefore, the applicant is strongly urged to consider this State mandated deadline and potential impacts and implications to the project timing, detailed engineering plan approvals and costs.

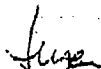
This SWM Concept approval will be considered void on May 4, 2010 unless the detailed engineering plans are approved by that date. In addition, this concept approval does not guarantee that an approval of an Erosion and Sediment Control Plan or a SWM Plan will be issued by DPW before May 4, 2010.

Mr. Wilde
May 29, 2009
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Any significant modification, revisions or alterations to the approved types, methods, locations and sizes of SWM measures approved with this SWM Concept may result in the requirement to submit a revised SWM Concept for approval by DPW.

If you have any questions, please contact Mary Fertig, Civil Engineer II, of my staff at 240-314-8535.

Sincerely,



Susan T. Straus, P.E.
Chief Engineer/Environment

cc: Deb Finkelstein, Kol Shalom
Donald Silverstein, Blake Real Estate Inc.
Mike Plitt, MHG
Jim Wasilak, Chief of Planning
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Margaret Hall, Planner II
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Mark Wessel, Civil Engineer III
Mary Fertig, Civil Engineer II
Permit Plan
Day File



City of Rockville

MEMORANDUM

October 2, 2009

TO: Jim Wasilak, Chief of Planning

FROM: Rebecca Torma, Transportation Planner II *RT*
Mark Wessel, Civil Engineer III *MW*

VIA: Emad Elshafei, Chief, Traffic and Transportation Division *EE*

SUBJECT: Transportation Staff Report
Kol Shalom, 9104, 9110 and 9150 Darnestown Road, PJT2009-00001

This memorandum presents the Traffic and Transportation Division's recommendation on the subject Project Plan application, PJT2009-00001. These recommendations incorporate and address comments and concerns expressed by the City staff and the applicant as part of the review process.

BACKGROUND:

The 4.812-acres subject property previously had three single-family homes on the site, all of which were demolished in 2007. This site has previously been approved for a 64-unit Alzheimer's home, a daycare center and six single-family homes. All of these approvals have expired.

PROPOSED DEVELOPMENT:

The applicant proposes to construct a one-story, 30,000 square foot synagogue with a 105-space surface parking lot. The synagogue will have an administrative wing with offices, two meeting/conference rooms, sanctuary, social hall and eight classrooms for a religious school. The applicant will construct a new vehicular entrance directly across from Jersey Lane that will be right in/right out. In addition, the applicant will dedicate a small portion of their property to public use and construct a five-foot wide sidewalk, with a seven-foot tree lawn, curb and gutter along their Darnestown Road frontage. The property dedication is required because the County Master Plan shows Darnestown Road as a 100-foot wide roadway dedication. At this time, there is no traffic signal at the entrance since it does not meet the signal warrants. The applicant was required to conduct a traffic impact analysis to identify the effect of the proposed synagogue on

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the surrounding area roads, pedestrian and bicyclist systems. Under the total traffic volumes, the analysis results indicate that the study area intersections will continue to operate at acceptable levels as specified in the CTR.

The synagogue will have religious services, office space for staff, and a religious school. The services will occur on Friday 6:30 PM to 8 PM, and Saturday from 9 AM to 1 PM. The office will have a permanent staff of four to six full-time employees, which will be working Monday through Thursday, from 9 AM to 5 PM and Fridays from 9 AM to 3 PM. The proposed religious school, which includes eight to ten teachers will allow for 40 students, and operate on Wednesdays from approximately 4 PM to 6:15 PM and on Sundays from 9 AM to noon.

SITE ANALYSIS:

The subject property is situated along the south side of Darnestown Road, between Glenora Lane and Dav Road and directly across from the Falls Grove community. The Darnestown Road right-of-way is located in the County along with the properties along Dav Road and Hiwood Drive. The site is currently vacant, but in 2007 the two buildings that were on the site were demolished. The site currently has no sidewalk, curb or gutter along Darnestown Road and is not located in a Transit Oriented Area (TOA).

Roadway Network Analysis:

The analysis examined the vehicular traffic operations, safety of pedestrians, bicyclists, and transit facilities at the five intersections listed below that are within 0.35-mile radius of the site. Staff directed the applicant to study the following intersections:

1. Darnestown Road and Glen Mill Road
2. Darnestown Road and Glenora Lane
3. Darnestown Road and Jersey Lane
4. Darnestown Road and West Montgomery Avenue
5. West Montgomery Avenue and Crofton Hill Lane/Research Boulevard

These intersections were studied for intersection capacity and traffic volumes using three different scenarios: (1) existing year traffic conditions; (2) background traffic conditions; and (3) total future traffic conditions. A two (2) percent annual growth rate to account for regional traffic growth along Darnestown Road was used. Intersection capacity analyses were conducted utilizing the Critical Lane Volume (CLV) method as required per the Comprehensive Transportation Report (CTR). In addition, if an intersection is operating near capacity, the applicant was required to study the intersection using the Highway Capacity Manual (HCM).

The report shows that the existing and background traffic volumes of the study area intersections operate at acceptable levels during the PM peak hours and Saturday peak hours with the exception of the West Montgomery Avenue and Crofton Hill Lane/Research Boulevard. The

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West Montgomery Avenue and Crofton Hill Lane/Research Boulevard is operating above the capacity level during PM peak hours.

Traffic volumes generated by the site were calculated using the Institute for Transportation Engineers (ITE) Trip Generation Report (8th Edition). Peak hour trip generation for the proposed synagogue are shown below:

	PM Peak			Saturday Peak Hour (vehicle/hr)		
	In	Out	Total	In	Out	Total
Proposed 30,000 square foot synagogue	40	40	80	35	47	82

Under the total future traffic volumes, the analysis results indicate that the study area intersections will continue to operate at same levels as the existing and background traffic volumes currently do. Therefore, there is no mitigation required by the applicant.

Pedestrian operations are currently being evaluated for intersections within 0.35-mile radius of the site. The pedestrian safety ratings of adequate or better are considered acceptable according to the CTR.

Heavy Vehicle Traffic on Darnestown Road

The applicant was required to assess the truck traffic on Darnestown Road between Glen Mill Road and West Montgomery Avenue. The applicant conducted a bi-directional tube count during the PM peak hour to determine the amount of heavy truck traffic along Darnestown Road. The results show that during the PM peak hour trucks account for six percent of the total average daily traffic volume (ADT) along Darnestown Road.

Traffic Signal Warrant Analysis

As a result of the review of the Transportation Report, the applicant was requested by City staff to complete a traffic signal warrant analysis for the Darnestown Road at Jersey Lane/site access intersection. A traffic signal warrant analysis was completed using the worst case scenario based on the total future traffic volumes as outlined in the Manual on Uniform Traffic Control Devices (MUTCD). Total future traffic volumes are compiled using existing traffic volumes along Darnestown Road and Jersey Lane, background developments that consist of approved but not built developments in Falls Grove and the impact from Kol Shalom. There are eight warrant conditions that could allow for a traffic signal to be installed, and none of the warrants were met. Montgomery County concurred with the findings that a traffic signal should not be installed.

Access and Circulation:

- A. Passenger Vehicle: The applicant proposes one vehicular access point into the site, which will be directly across from Jersey Lane and will be a right in/right out.
- B. Heavy Vehicle (Trucks): The dumpster location is proposed at the rear of the building. Loading and trash pickup will use the proposed vehicular access point along the Darnestown Road frontage. Staff reviewed the circulation through the site and access to trash pick up and found it satisfactory.
- C. Pedestrian Access: The applicant has identified and evaluated pedestrian facilities within 0.35-mile of the study area as required by the CTR. Sidewalk is currently missing along the south side of Darnestown Road from Windy Knoll Court to West Montgomery Avenue. The Adequate Public Facilities Ordinance (APFO) states: "no development shall be approved without a determination that the public facilities are adequate.... Public facilities and services to be examined for adequacy will include but not necessarily be limited to roads and public transportation facilities...." In addition, the CTR, which is the transportation test for the APFO, states that at a *minimum* standards for sidewalk connectivity of pedestrian facilities consist of ensuring availability of sidewalks along the site's frontage. The CTR further discusses that access and circulation design must be designed well to the site from abutting roadways.

The City has also created a Sidewalk Prioritization Policy and Pedestrian Policies. The Sidewalk Prioritization Policy identifies missing sidewalks and determines in what order they should be constructed. The stretch of road between Windy Knoll Court and West Montgomery Avenue has a rating of "B" on a scale from A to E. In addition, more recently the Mayor and Council adopted the Pedestrian Policies, which is a "unified" policy composed of a series of individual policy statements that provides consistency with the established City goals. The Pedestrian Policies document states: "new buildings should be pedestrian oriented" and "new proprietors should be encouraged to provide facilities that enhance pedestrian circulation and accessibility on previously developed sites."

The goal of evaluating each mode of transportation as required in the CTR, including pedestrian facilities within the 0.35-mile radius is to ensure that the site can be accessed safely and efficiently through various modes and that adequate transportation facilities are in place to support the subject development without detriment to the overall transportation system. Therefore, in addition to the sidewalk frontage, staff is requesting the applicant to design and construct a sidewalk from their eastern property boundary along Darnestown Road to Dav Road. Staff has determined that if the applicant constructs sidewalk along frontage only, then it will not meet the APFO requirements for adequacy since pedestrians will not be able to access the site. Additionally, connecting the frontage to Dav Road will connect transit users and residents from Dundee Road to the site. Since there is no transit service along Darnestown Road, transit users will be

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able to use the bus stops along Dundee Road, and then walk along Dav Road to get to the site using the sidewalk connection to Dav Road. Lastly, the adjacent property on Darnestown Road is proposing to develop a senior care facility. They will be required to construct sidewalk along their frontage in addition to a sidewalk section connecting their site to Glenora Lane. The sidewalks required from the two applicants will complete the sidewalk from Glenora Lane to Dav Road.

- D. Bicycle Access: The applicant has identified and evaluated bicycle facilities within 0.35-mile of the study area as required by the CTR. All of the bicycle amenities in the 0.35-mile area have been completed that are shown in the Bicycle Master Plan, including a shared-use path along Darnestown Road, Wootton Parkway, Glen Mill Road and a signed shared roadway along Dundee Road.

To comply with the City's bicycle facilities requirement, the applicant is required to provide four (4) bicycle lockers (8 long-term spaces) and 15 bicycle racks (30 short-term spaces). Long-term spaces can be either bicycle lockers or a covered locked room and short-term spaces are considered to be an inverted "U" bicycle rack.

- E. Transit Access: The applicant has identified that the bus routes and stops within 0.35-mile of their site. Currently, there are no bus routes that operate along Darnestown Road. There are however, two routes 45 and 56 that operate along Dundee Road and Wootton Parkway. The majority of the bus stops have less than 25 riders per day; therefore, the applicant is not required to pay for or install bus shelters.

CONDITIONS OF APPROVAL:

Based on our review, which took into account the needs of motorists, bicyclists, pedestrians, and transit users; City Staff recommends the following conditions of approval for the subject development application, PJT2009-00001:

1. All internal traffic control devices (i.e. signs, marking and devices placed on, over or adjacent to a roadway or pathway) to regulate, warn or guide pedestrians and/or vehicular traffic shall comply with the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD). The signing and pavement marking plans shall be submitted to DPW and approved by the Chief of Traffic and Transportation. *(This plan shall be approved and included with the signature set.)*
2. Provide four (4) bicycle lockers (8 long-term spaces) and 15 bicycle racks (30 short-term spaces). A locked bicycle room with racks or a covered locked cage is required for long-term storage. Short-term spaces are considered to be an inverted "U" bicycle rack and must be spaced four feet apart. These spaces shall be provided at a safe and secure location that is approved by DPW. The location of the short-term spaces shall be approved by DPW at the detailed engineering stage. Bike lockers and racks must be installed prior to issuance of the occupancy permit.

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3. During construction, the contractors and construction vehicles will not be permitted to park in the residential neighborhoods. All parking for contractors must be provided on-site.

4. The applicant shall design and construct a five-foot wide sidewalk along the south side of Darnestown Road from the eastern boundary of the sidewalk constructed along the site's frontage to the intersection of Dav Road. This sidewalk shall be completed prior to the issuance of the occupancy permit. The sidewalk design shall be accepted by DPW prior to submittal for approval and permits from Montgomery County. If DPW and Montgomery County determines the project cannot be constructed, the applicant must construct a comparable project in the City's Planning Area or contribute an equivalent dollar amount based on a cost estimate that is approved by DPW.



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September 25, 2009

Ms. Deb Finkelstein
Kol Shalom
10301 Grosvenor Place, #16
Rockville, Maryland 20852

Re: Kol Shalom
Project Plan #PJT2009-00001

Dear Ms. Finkelstein:

The Engineering Division of the Department of Public Works (DPW) has completed its review of the above referenced plan, received on July 31, 2009, for the requested extension of and connections to the City's water and sanitary sewer systems. This letter sets forth the conditions under which that request has been conceptually approved.

The following is a list of conditions that apply to Kol Shalom, #PJT2009-00001:

- 1) Provide service to the property by extending the existing City water system. Service may be achieved by either connecting to and extending the existing 8" main in the vicinity of the intersection of Darnestown Road and MD Route 28, or by connecting to the existing 12" main in Darnestown Road in the vicinity of Glenora Lane and extending it as an 8" main. Regardless of which extension provides service to the property, an 8" main also will be required along the entire property frontage.
- 2) Provide a water loop by connecting to and extending the existing 6" water main in Jersey Lane to the 8" main required along the property frontage.
- 3) Provide a separate water house connection off of the looped portion of the water main to serve the building.
- 4) Extend the existing 8" City sewer main in Jersey Lane across Darnestown Road ending in a manhole in order to provide service to the property.
- 5) Extend the 8" sewer main across the frontage of the property to the west. This extension can end in a stub instead of a manhole.
- 6) Provide a separate sewer house connection off of the sewer 8" main to service the building.
- 7) Construct the above water and sewer mains in existing or dedicated public right-of-way or an easement that has been granted to the City.
- 8) Assess the need for fire hydrants at detailed engineering stage and provide them if determined to be necessary.


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Attach A

- 9) Submit water and sewer construction documents to DPW for the review, approval and permitting of the detailed engineering.
- 10) All work within the Darnestown right-of-way is subject to review, approval and permitting by the Montgomery County Department of Permitting Services.
- 11) Any substantial changes or revisions to the proposed development information, as shown on the plan received July 31, 2009, may require a modification, revision or deletion to these conditions.

If you have any questions, please contact Mary Fertig, Civil Engineer II, of my staff at 240-314-8535 or mfertig@rockvillemd.gov.

Sincerely,



Susan T. Straus, P.E.
Chief Engineer/Environment

STS/MF/mbw

cc: Donald Silverstein, Blake Real Estate Inc.
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