



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

MCPB
Item # _____
June 10, 2010

MEMORANDUM

Date: May 28, 2010

To: Montgomery County Board of Appeals

From: Renée M. (Miller) Kamen, AICP, Senior Planner
Development Review Division (301-495-4723) *RMK*

VIA: Rose Krasnow, Chief, Development Review Division
Ralph D. Wilson, Zoning Supervisor *RK*

Subject: Special Exception Request (S-2759 Darnestown Development, LLC t/a Goddard School)

Master Plan: Clarksburg Master Plan and Hyattstown Special Study Area

Filing Date: October 14, 2009

Planning Board: June 10, 2010

Public Hearing: June 21, 2010

STAFF RECOMMENDATION: The applicant is proposing to construct a 13,000 square foot child daycare center, and a 7,500 square foot annex to house an after-care program. The daycare facility and annex would have a residential-type appearance that is compatible with the surrounding neighborhood. The proposed use satisfies all applicable Code standards, subject to a parking waiver, which is approved by the Board of Appeals. Staff supports the parking waiver, and recommends **approval** of the application with the following conditions:

1. The operation of the child daycare facility is limited to the following:

- (a) 163 day-care children and 120 school-aged children in the after-school or the summer camp program, for a maximum of 283 children on-site at any one time;
 - (b) 41 staff members on-site at any one time;
 - (c) Hours of operation to be Monday through Friday, 7 A.M. until 6:30 P.M.; and
 - (d) Up to three weekday evening events per week, ending no later than 9:00 P.M.
2. Construction of the child daycare facility and accessory structures, are limited as shown in the provided site and landscape plans of Attachment X.
 3. The applicant must file a preliminary plan of subdivision, at which time the APF test will be done.

I) Application Summary

Site Size and Location: The subject site size is approximately 5 acres and is described as Lots 9 and 10, Block A “Musgrove’s Addition” subdivision. The site is located on the west side of Frederick Road (MD 355), just north of its intersection with Old Baltimore Road. (See Circle Page 1.)

Zone and Proposed Use: The site is classified in the R-200 zone. The applicant is seeking approval of a child daycare facility special exception. .

Scope of Operations: A maximum of 41 employees is proposed. There will be up to 283 children. Sixty (60) standard parking spaces, including 8 drop-off, 2 motorcycle, and 3 handicapped spaces, are being provided. Hours of operation will be from 7:00 A.M. until 6:30 P.M, Monday – Friday, and trash pick-up will occur twice per week only during off-peak traffic hours.

Master Plan: The proposed use conforms to the land use objectives of the 1994 Clarksburg Master Plan.

Applicant: Darnestown Development, LLC t/a Goddard School

II) Background Information

Special exception application S-2759 is a request by Darnestown Development, LLC t/a Goddard School (Goddard) to locate a child daycare facility with an after-school/summer program at 22010 and 22014 Frederick Road, Clarksburg. The applicant currently operates two child daycare centers, one in Columbia and the other in the King Farm subdivision in Rockville. The summer program is an extension of the academic year, and is a program for enrolled students of the Goddard School. No large-scale events are associated with the proposed summer program; rather the program is intended to be a more relaxed school year program with activities developed around themes suitable for children.

The applicant plans to construct a 13,000 square-foot daycare center and a 7,500 square-foot annex, which will house the after-school/summer programs. Three separate play areas are planned, as well as a basketball court and play field for the after-school/summer programs. (See Circle Page 2.) The scope of this request includes the following operational and physical aspects:

- (1) 163 daycare children and 120 school-aged children in the after-school or the summer program, for a maximum of 283 children on-site at any one time;
- (2) 41 staff members on-site at any one time;
- (3) A 13,000 square-foot daycare center to house the infant, toddler and pre-kindergarten programs and a 7,500 square-foot annex building to house the after-school and summer programs for school-aged children;
- (4) Outdoor play areas, which include separate areas for infants, toddler and school-aged children, and a basketball court and playing field;
- (5) 60 parking spaces for parents, visitors and employees, which include 8 drop-off spaces, 2 motorcycle spaces, and 3 handicapped spaces;
- (6) Two outdoor storage sheds and one open pavilion;
- (7) A "trike trail" around the infant and toddler outdoor play areas;
- (8) An outdoor trash enclosure to screen the trash and recycling bins;
- (9) Hours of operation¹ to be Monday through Friday, 7 A.M. until 6:30 P.M.;
- (10) Up to three weekday evening events, ending no later than 9:00 P.M.;
- (11) On-site staff training, during regular business hours;
- (12) Lawn maintenance Saturdays and/or Sundays, after 9:00 A.M.;

¹ Hours of operation are intended to be year-round. Staff arrival is anticipated to be 6:30 A.M., 30 minutes prior to the arrival of children attending this school, with the last staff departure at 7:00 P.M., except for the occasional evening event and cleaning crew.

Deliveries, other than mail, are anticipated to occur once weekly, and up to two trash/recycling pick-ups will occur during off-peak hour traffic periods. Up to four monthly office/food service supply deliveries will occur after 9:00 A.M.

The property was formerly part of approved Preliminary Plan 120050950, known as the "Tapestry" subdivision, which included seventy-eight lots for sixty-six, one-family detached dwelling units and twelve, one-family semi-detached dwelling units. A site plan application was subsequently filed; but action was deferred by the Planning Board. A new preliminary plan of subdivision will need to be filed for the proposed child care facility to consolidate the lots and address necessary dedications.

The application also includes a request for a parking waiver of 29 spaces. Section 59-E-3.7 requires one parking space for each non-resident staff member and 1 parking space for each 6 children served at the facility. Accordingly, this standard would require 89 parking spaces. The applicant; however, seeks to provide only 60 parking spaces, which include 8 drop-off spaces, 2 motorcycle spaces, and 3 handicapped spaces. The applicant believes a parking waiver is justified since approximately 30% of the clientele pick-up and drop-off more than one child per visit, and there are staggered drop-off and pick-up times throughout the day, which is not typical of a standard school setting. In addition, the site is within the Clarksburg Special Protection Area (SPA). Environmental guidelines for SPAs require consideration of various tools designed to minimize stormwater run-off and site imperviousness. Staff is in support of the waiver.

III) Neighborhood and Site Conditions

The neighborhood as defined by staff is generally described as West Old Baltimore Road to the south, Rose Crest Drive and Canterfield Way to the north, generally Canterfield Terrace to the east, and generally Diller Lane to the west. (See Circle Page 1.) Properties within the neighborhood are zoned R-200 (Residential, one-family) and R-200/TDR (Residential, transferable development rights). There are no special exceptions within the defined neighborhood. The subject site is surrounded primarily by one-family detached residential homes.

The topography of the site is for the most part relatively shallow, with the high point located in the eastern corner of the site, including a small ridge running east to west from that point. The site gently slopes at approximately an 8% to 9% slope from the ridge to both the northern and southern corners of the site. (See Circle Page 5.)

IV) Analysis

(A) Master Plan Conformance

This site is located within the “Brink Road Transition Area” of the 1994 Clarksburg Master Plan. There are no specific recommendations for this site. The Master Plan’s general land use provisions applicable to the overall “Brink Road Transition Area,” emphasize the planned character of the area. The Master Plan designates this area a transition area between Germantown and Clarksburg, characterized by low density residential development that is sensitive to (nearby) greenways and parkland. (See Circle Pages 6- 11.)

Vision staff supports the proposed special exception, stating that it is a compatible use in its immediate neighborhood and consistent with the land use provisions of the Brink Road Transition Area. Additionally, the Master Plan specifically addresses the need for daycare uses associated with the planned growth of Clarksburg. Further, while the intention of the Master Plan is to provide for the full complement of community facilities which are accessible by transit, the Plan states also that facilities including child dare care should be provided throughout the Master Plan area. (See Circle Page 6-11.)

(B) Transportation Review

Transportation Planning staff states that the proposed special exception satisfies the LATR/PAMR requirements of the Adequate Public Facilities Ordinance, subject to conditions outlined in their memorandum dated February 3, 2010. (See Circle Page 12-14.) Two intersections were identified as critical intersections affected by the proposed child daycare facility. These intersections were examined to determine to what extent the volume of traffic would be increased. The results of this test are below in Table 1.

Table 1: Calculated Critical Lane Volumes

Intersection	Weekday Peak Hour	Traffic Condition		
		Existing	Background	Total
Frederick Rd (MD355) & Little Seneca Pkwy	A.M.	1,159	1,366	1,380
	P.M.	908	1,238	1,251
Frederick Rd (MD355) & W. Old Baltimore Rd	A.M.	1,363	1,570	1,570
	P.M.	1,365	1,577	1,437

**Note- Total development conditions with proposed intersection improvements.*

As described above, both intersections currently operate below the critical lane volume (CVL) of 1,425 trips. However, it is anticipated that the intersection of Frederick Road (MD355) and West Old Baltimore Road will operate above acceptable volume of trips, under the “background development” scenario, prior to applying the trips generated as a result of this special exception use. Background traffic conditions are the existing trip volumes, plus trips from approved, unbuilt developments. However, with intersection improvements that are proposed,² which the applicant is a participant in, the intersection is expected to function better than anticipated in the background traffic conditions.

Additionally, this site is located in the Clarksburg Policy Area, in which 10% of new trips must be mitigated as part of the Policy Area Mobility Review (PAMR). In order to satisfy the PAMR requirement, the applicant has proposed construction of a 1,400 foot bike path extension along Frederick Road (MD 355), south towards West Old Baltimore Road.

Based on the review of the proposed plan and traffic analysis submitted by the applicant, transportation planning staff concluded that with the proposed improvements, the applicant’s proposal satisfies both LATR and PAMR requirements. (See Circle Page 14.) However, this will be reviewed again at preliminary plan.

(C) Environmental Planning Review

A Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) for the site was approved by Environmental Planning staff in August 2009. This property is located within the Clarksburg Special Protection Area. There are no streams or environmental buffers on the subject property. The site lies within the Upper Little Seneca Creek sub-watershed. The upper Little Seneca Creek is classified as being in excellent condition in the 1998 Department of Environmental Protection’s County Stream Protection Strategy (CSPS). (See Circle Page 17.)

The vegetation on the subject property consists of 4.21 acres of mature forest. There are 68 specimen sized trees 24” DBH and greater, with 23 of these being 30” DBH and greater. There are also two rare, threatened and endangered

² As a condition of approval for this special exception, the applicant must participate in the construction of a southbound right-turn lane, an eastbound right turn lane and a northbound left-turn lane at the intersection of Frederick Road (MD355) and West Old Baltimore Road. See Circle Page 12, for further information.

species of American chestnut (*Castanea dentate*) located on the property. The applicant is proposing to hand remove the American Chestnuts and donate them to the American Chestnut Society.

This site is subject to the forest conservation law and special protection area water quality plan review. As part of the review requirements, the Montgomery County Department of Permitting Services (DPS) and the Planning Board have different responsibilities in the review of a water quality plan. The Planning Board responsibility is to determine if environmental buffer protection, SPA forest conservation and planting requirements, and site imperviousness minimization goals have been satisfied, while DPS review includes stormwater management, sediment control, monitoring, and establishing performance goals. (See Circle Page 21.)

The preliminary forest conservation plan indicates the removal of 3.03 acres of forest and the preservation of 1.20 acres of forest. All retained forest and plants will be protected in a category I forest conservation easement (FCE). Additionally, this project has a reforestation requirement of 0.62 acres to be met with 0.54 acres of on-site plantings and 0.08 acres of landscape credit. Environmental Planning staff is recommending approval of the Water Quality Plan, and approval, with conditions, of the preliminary forest conservation plan. (See Circle Page 16.)

(D) Zoning Ordinance Review

(1) Inherent and Non-Inherent Effects (§59-G-1.21)

The standard for evaluation under 59-G-1.21 requires consideration of the inherent and non-inherent effects of the proposed use at the proposed location. Inherent adverse effects are the physical and operational characteristics necessarily associated with the particular use, regardless of its physical size or scale of operations. Inherent adverse effects, alone, are not a sufficient basis for denial of a special exception. Non-inherent adverse effects are the physical and operational effects not necessarily associated with the particular use, or adverse effects created by unusual characteristics of the site. Non-inherent adverse effects, alone or in conjunction with inherent effects, are a sufficient basis to deny a special exception.

The inherent characteristics of the child care center, including after-school care are as follows; (1) buildings and structures, as well as outdoor areas for the children to play; (2) early and long hours of operation; (3) traffic to and from the site by the staff and parents; (4) deliveries of supplies and trash pick-up; (5) drop-off and pick-up areas for the students who attend after-school and the summer camp programs; and (6) noise from the children playing in the play areas.

There are no non-inherent adverse effects likely to result from the physical changes and activities associated with the application. Staff finds that adequate parking would be available for parents and employees under the special exception proposal. The proposed traffic/pedestrian circulation is adequate, safe, and efficient. The architecture and scale of the proposed buildings are in keeping with the surrounding, one-family dwellings.

(2) **General Conditions (§59-G-1.2.1)**

(a) A special exception may be granted when the Board, the Hearing Examiner, or the District Council, as the case may be, finds from a preponderance of the evidence of record that the proposed use:

(1) Is a permissible special exception in the zone.

Staff Analysis: A child daycare center is permitted by special exception in the R-200 zone, under §59-C-1.31 of the Montgomery County Zoning Ordinance.

(2) Complies with the standards and requirements set forth for the use in Division 59-G-2. The fact that a proposed use complies with all specific standards and requirements to grant a special exception does not create a presumption that the use is compatible with nearby properties and, in itself, is not sufficient to require a special exception to be granted.

Staff Analysis: The proposed application for a child daycare facility has been reviewed under the applicable requirements of §59-G-2. Staff has found that the application complies with all the applicable standards.

(3) Will be consistent with the general plan for the physical development of the District, including any master plan adopted by the Commission. Any decision to grant or deny a special exception must be consistent with any

recommendation in a master plan regarding the appropriateness of a special exception at a particular location. If the Planning Board or the Board's technical staff in its report on a special exception concludes that granting a particular special exception at a particular location would be inconsistent with the land use objectives of the applicable master plan, a decision to grant the special exception must include specific findings as to master plan consistency.

Staff Analysis: The application is within the Brink Road Transition Area of the 1994 Clarksburg Master Plan. The proposed special exception is consistent with the land use objectives of the Community Facilities section of the Master Plan, which specifically encourages child daycare facilities to be dispersed throughout the residential areas.

- (4) Will be in harmony with the general character of the neighborhood considering population density, design, scale and bulk of any proposed new structures, intensity and character of activity, traffic and parking conditions and number of similar uses. The Board or Hearing Examiner must consider whether the public facilities and services will be adequate to serve the proposed development under the Growth Policy standards in effect when the special exception application was submitted.

Staff Analysis: The proposed child daycare center will be in harmony with the general character of the neighborhood considering population density, design, scale and bulk, proposed new structures, character of activity, traffic and parking conditions, and number of similar uses. The zoning code requires that student density be no more than one student per 500 square feet of land area. The Goddard School is requesting a total of 283 students for the combined child daycare center and afterschool or summer program uses, which is less than the maximum density allowed on the site for the special exception. See Table 2, "Development Standards" below in §59-G-1.23 for further information. Adequate space is being provided for the students, both indoors and out, and the character of the activities is inherent to the daycare and after-school/summer programs.

Staff finds the proposed parking area to be adequately screened and set back from the surrounding homes. The proposed building is architecturally in scale

with the adjacent homes, utilizing pitched roofs and varying textures giving the appearance of a residential house. (See Circle Pages 27-29.)

- (5) Will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or the general neighborhood at the subject site, irrespective of any adverse effects the use might have if established elsewhere in the zone.

Staff Analysis: Staff finds the applications will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or the general neighborhood. Staff notes that this site is located along a major transportation route, which provides the only access points to the site.

- (6) Will cause no objectionable noise, vibrations, fumes, odors, dust, illumination, glare, or physical activity at the subject site, irrespective of any adverse effects the use might have if established elsewhere in the zone.

Staff Analysis: The proposed child daycare center is not expected to cause any unacceptable noise, vibrations, fumes, odors, dust, illumination, glare or physical activity at the subject site. The daycare center will be used primarily during the day-time hours, Monday through Friday, and the majority of activity will be within the building. Play areas located along the southern side of the proposed building are screened by a forest conservation area.

The proposed lighting will have 0.0 foot-candles along the property line, which is in compliance with §59-1.23(h). The lighting is proposed to have lighting shields that will direct the glare directly onto the special exception site. (See Circle Page 30.)

- (7) Will not, when evaluated in conjunction with existing and approved special exceptions in any neighboring one-family residential area, increase the number, intensity, or scope of special exception uses sufficiently to affect the area adversely or alter the predominantly residential nature of the area. Special exception uses that are consistent with the recommendations of a master or sector plan do not alter the nature of an area.

Staff Analysis: This special exception will not increase the number, intensity or scope of special exception uses, nor will it alter the predominantly residential nature of the area. There are no special exceptions within the defined area of this request. In addition, the proposed use is consistent with master plan recommendations, which recommends that child daycare be located in areas of concentrated residential development.

- (8) Will not adversely affect the health, safety, security, morals or general welfare of residents, visitors or workers in the area at the subject site, irrespective of any adverse effects the use might have if established elsewhere in the zone.

Staff Analysis: All child care operations are typical of similarly sized daycare facilities and are not expected to adversely affect the health, safety, security morals or general welfare of the residents and the visitors at the subject site.

- (9) Will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public facilities.

- (A.) If the special exception use requires approval of a preliminary plan of subdivision the adequacy of public facilities must be determined by the Planning Board at the time of subdivision review. In that case, subdivision approval must be included as a condition of the special exception.

- (B.) If the special exception does not require approval of a preliminary plan of subdivision, the Board of Appeals must determine the adequacy of public facilities when it considers the special exception application. The Board must consider whether the available public facilities and services will be adequate to serve the proposed development under the Growth Management Policy standards in effect when the application was submitted.

- (C.) With regard to public roads, the Board or the Hearing Examiner must further find that the proposed development will not reduce the safety of vehicular or pedestrian traffic.

Staff Analysis: This application is subject to approval of a preliminary plan of subdivision. The adequacy of the public facilities that serve the site will be determined by the Planning Board at the time of subdivision review. With respect to findings related to the public roads, the applicant has submitted a traffic study, which has been reviewed by Transportation Planning staff. In their memorandum, staff has determined that all intersections impacted by the special exception are currently operating at an acceptable level and anticipated to continue to do so, subject to the applicant providing roadway improvements. (See Circle Page 12.) Transportation Planning staff concludes that the proposed special exception satisfies the LATR/PAMR requirements of the APF review with conditions as described in the attached memorandum.

(3) General Development Standards (§59-G-1.23, applicable subsections only)

(a) **Development Standards.** Special exceptions are subject to the development standards of the applicable zone where the special exception is located, except when the standard is specified in Section G-1.21 or in Section G-2.

Staff Analysis: This site is located in the R-200 zone. After review of the proposed site plan, staff finds that the proposed special exception satisfies the required development standards of the R-200 zone. **(See Circle Page 2.)**

Table 2: Development Standards, R-200 Zone.

Development Standards	Requirement	Provided		
Minimum Tract Area (§59-C-1.321(a))	Not applicable	217,795 sq. ft.		
Lot Area (§59-C-1.322(a))	20,000 sq. ft.	217,795 sq. ft.		
Lot Width (§59-C-1.322(b)): @ Front of Bldg Line @ Street	100-ft 25-ft	±450 ft. ± 447 ft.		
Yard Requirements (main building): From Street (§59-C-1.323(a)) From Adjoining Lot Side Yards (§59-G-2.37(b)(3)) Rear Yard (§59-C-1.323(b))	30-ft 12-ft (one side) 25-ft (both sides) 30-ft	59 ft 74 ft 221 ft 122 ft		
Yard Requirements (accessory building) (§59-C-1.326) ³ : From Street From Rear Lot Line From Side Lot Line	65-ft 7-ft 12-ft	Pavilion 189 ft 360 ft 51 ft	Shed (1) 242 ft 320 ft 69 ft	Shed (2) 395 ft 107 ft 70 ft
Building Height (maximum) (§59-C-1.237)	50 ft.	±24 ft		
Coverage (maximum net lot area) (§59-C-1.328)	30%	10.7 %		
Parking Facility Setbacks (§ 59-E-2.83) Front Yard Side Yard Rear Yard	30-ft 24-ft 30-ft	75 ft. 30 ft. – 222 ft (left/right) 229 ft		
Density Requirements (total students per acre and sq. ft.) §59-G-2.13.1(b)(1)	1 student per 500 sf (283 students * 500 sf = 141,500sf)	217,795 sf or 1 child per 960 sf		

(b) **Parking Requirements.** Special Exceptions are subject to all relevant requirements of Article 59-E.

Staff Analysis: The required parking for the proposed child care facility is as follows:

Non-Resident Employees:	41 parking spaces
Students:	48 parking spaces
<u>Residents:</u>	<u>0 parking spaces</u>
Total:	89 spaces (required)

³ An accessory building or structure must be located in a rear yard and must not occupy more than 20% of the rear yard.

The applicant's site plan indicates that sixty parking spaces (three handicapped and fifty-seven standard spaces) will be provided. Parking space is also provided for bicycles and motorcycles, consistent with code requirements. The applicant is requesting a waiver of 29 parking spaces, with the justification being that 30% of students attending will be sibling pairs, drop-off and pick-up times will be staggered due to the nature of the operation and the reduced impervious area will benefit the Clarksburg Special Protection Area.

There is no overlay zone or master plan recommendation imposed impervious cap for developments in this portion of the Clarksburg SPA; however, the County's SPA law requires a plan to minimize impervious area for a proposed project. One way to accomplish a reduction on impervious areas is to reduce the number of parking spaces, which the applicant has done. In addition to reducing the number of parking spaces, the applicant has included pervious pavers, and pour-and-play areas. For stormwater management purposes, credit is given towards these surface types; however for purposes of the water quality plan, pervious credit is not given. Staff can support the reduction in total parking spaces for several reasons, including furthering the impervious goals of the Clarksburg Master plan and the County's special protection area laws.

Additionally, the applicant provided more information regarding parking utilization at their two other similarly sized daycare sites, one in the King Farm subdivision in Rockville and one in Columbia. Based on these numbers, they have found that the parking area proposed on this site should be more than sufficient. Staff can also support the reduction of parking, understanding that the evening events are primarily focused around one grade level, as opposed to an entire school event, and that the applicant is proposing off-site parking areas, should it become necessary to park overflow vehicles.

The proposed special exception complies with the parking and loading standards for a special exception in a residential zone, subject to a waiver granted by the Board of Appeals. Appropriate screening is being provided by the applicant, utilizing an existing forested area and fortifying these areas with additional trees and shrubbery. Where the parking facility is closest to the residential homes, additional low-lying shrubs and evergreens are being used to further block any obtrusive light that may occur with a parking vehicle. The applicant is also proposing a 6-foot stockade fence along the entire boundary, with the exception of the front yard, where an aluminum picket fence is proposed. (See Circle Page 4.) The applicant satisfies the shading and paving requirements of §59-G-2.83(d).

(c) **Minimum Frontage.** In the following special exceptions, the Board may waive the requirement for a minimum frontage at the street line if the Board finds that the facilities for ingress and egress of vehicular traffic are adequate to meet the requirements of section 59-G-1.21:

- (1) Rifle, pistol and skeet-shooting range, outdoor;
- (2) Sand, gravel or clay pits, rocks or stone quarries;
- (3) Sawmill;
- (4) Cemetery
- (5) Public utility buildings and public utility structures, including radio and TV broadcasting stations and telecommunication facilities;
- (6) Equestrian facility;
- (7) Heliport and helistop.

Staff Analysis: A waiver is not required. The proposed special exception meets the applicable frontage at the street line.

(d) **Forest conservation.** If a special exception is subject to Chapter 22A, the Board must consider the preliminary forest conservation plan required by that Chapter when approving the special exception application and must not approve a special exception that conflicts with the preliminary forest conservation plan.

Staff Analysis: This property is subject to Chapter 22A, Montgomery County Forest Conservation Law. A Preliminary Forest Conservation Plan (PFCP) for the entire site has been submitted for approval. The preliminary forest conservation plan indicates the removal of 3.03 acres of forest and the preservation of 1.20 acres of forest. All retained planted forest will be protected in a category I forest conservation easement. Additionally, this project has a reforestation requirement of 0.62 acres to be met with 0.54 acres of on-site plantings and 0.08 acres of landscape credit. Environmental Planning staff has reviewed the preliminary forest conservation plan and is recommending approval, with conditions.

(e) **Water quality plan.** If a special exception, approved by the Board is inconsistent with an approved preliminary water quality plan, the applicant, before engaging in any land disturbance activities, must submit and secure approval of a revised water quality plan that the Planning Board and department find is consistent with the approved special exception. Any revised water quality plan must be filed as part of an application for the next development authorization review to be considered by the Planning Board, unless the Planning Department and the department find that

the required revisions can be evaluated as part of the final water quality plan review.

Staff Analysis: The applicant has provided preliminary water quality plan, in conjunction with the application for a child daycare special exception. The special exception is consistent with the approved water quality plan.

(f) **Signs.** The display of a sign must comply with Article 59-F.

Staff Analysis: The applicant is proposing one monument sign at the subject site's entrance, which is similar in stature to a monument sign in a residential area. §59-F-4.2(a) allows two entrance signs and the area for each sign may not exceed forty square feet. The applicant meets the requirements with regards to the sign area allowed in the zone.

(g) **Building compatibility in residential zones.** Any structure that is constructed, reconstructed or altered under a special exception in a residential zone must be well related to the surrounding area in its siting, landscaping, scale, bulk height, materials and textures, and must have a residential appearance where appropriate. Large building elevations must be divided into distinct planes by wall offsets or architectural articulation to achieve compatible scale and massing.

Staff Analysis: The proposed child daycare building is being constructed to have a similar bulk, height, materials and textures as the surrounding residential structures. The building proposed is divided into distinctive planes and offsets that make the building appear smaller than actually provided. Additionally, the applicant will retain 1.2 acres of forested area and provide additional landscaping to buffer the parking areas. (See Circle Pages 27-29.)

(h) **Lighting in residential zones.** All outdoor lighting must be located, shielded, landscaped or otherwise buffered so that no direct light intrudes into an adjacent residential property. The following lighting standards must be met unless the Board requires different standards for a recreational facility or to improve public safety:

- (1) Luminaries must incorporate a glare and spill light control device to minimize glare and light trespass.
- (2) Lighting levels along the side and rear lot lines must not exceed 0.1 foot-candles.

Staff Analysis: The applicants are proposing six different types of light fixtures within the site. Staff notes that the proposed light fixtures in the parking area are similar to street lamps that are pedestrian in scale and incorporate shields to direct light onto the parking areas. (See Circle Page 30.) The light fixtures can be adjusted on an angle to minimize the glare. The lighting levels along the side and rear lot lines do not exceed 0.1 foot-candles; therefore, the proposed lighting and photometrics are in compliance with §59-G-1.23(h). Other lighting on-site consists of wall-mounted light fixtures, which provide lighting for safety around the entrances and exits to the buildings.

(4) Child Daycare Facility (§59-G-2.13.1)

(a) The Hearing Examiner may approve a child daycare facility for a maximum of 30 children if:

- (1) A plan is submitted showing the location of all buildings and structures, parking spaces, driveways, loading and unloading areas, play areas and other uses on the site;

Staff Analysis: In addition to other requirements, an applicant for a child daycare facility special exception for more than 30 children must satisfy all requirements applicable to a child daycare facility for 30 or fewer children. The applicant has submitted the required site plan depicting all proposed structures and parking areas, in addition to describing the proposed parking areas and play area and other uses on the site.

- (2) Parking is provided in accordance with the Parking Regulations of Article 59-E.

Staff Analysis: The application satisfies the parking requirements of Article 59-E. The applicant's parking plan and waiver request are discussed under Section IV.D. of this report.

- (3) An adequate area for the discharge and pick-up of children is provided;

Staff Analysis: In order to determine if the site has "adequate area" for discharge and pick-up of students, staff used the parking and loading requirements for a child daycare facility under 59-E-3.7, which requires one (1) space per six (6) students. Based on this standard, staff calculated that the number of spaces needed to satisfy the "adequate area" requirement is forty-eight. Assuming a 30% reduction due to sibling pairs, which is typical for this

school, and given the varying drop-off/pick-up times, approximately 33 spaces may be more appropriate. The plans submitted for this application depicts sixty standard parking spaces, which more than satisfied the adequate area requirement, six of which are specifically dedicated for drop-off/pick-up purposes. Staff finds that adequate area for the discharge and pick-up of children is provided.

- (4) The petitioner submits an affidavit that the petitioner will
- (A) Comply with all applicable State and County requirements;
 - (B) Correct any deficiencies found in any government inspection; and
 - (C) Be bound by the affidavit as a condition of approval for this special exception; and

Staff Analysis: The applicant has submitted such documentation, which is attached to this report (Circle Page 31).

- (5) The use is compatible with surrounding uses and will not result in a nuisance because of traffic, parking, noise or type of physical activity. The Hearing Examiner may require landscaping and screening and the submission of a plan showing the location, height, caliper, species, and other characteristics, in order to provide a physical and aesthetic barrier to protect surrounding properties for any adverse impacts resulting from the use.

Staff Analysis: The proposed application is compatible with the surrounding neighborhood, as discussed under §59-G-1.2.1(3) through §59-G-1.2.1(6) and §59-G-1.23(g) of this report.

- (b) A child daycare facility for 31 or more children may be approved by the Board of Appeals subject to the regulations in subsection (a) and the following additional requirements:

- (1) A landscaping plan must be submitted showing the location, height or caliper, and species of all plant materials;

Staff Analysis: The applicant has submitted a landscape plan depicting the location, height and species of plant material. Several types of oak and maple trees are proposed, as well as several species of evergreen trees, which will be

planted along the periphery of the parking area, and will provide good shade for the parking areas. The applicant also proposes to install multiple types of shrubs and other ornamental trees as groundcover. (See Circle Page 4.)

- (2) In the one-family residential zones, facilities providing care for more than 30 children must be located on a lot containing at least 500 square feet per child. The Board may reduce the area requirement to less than 500 square feet, but not less than 250 square feet, per child if it finds that:
- (A) The facility will predominately serve children of an age range that require limited outdoor activity space;
 - (B) The additional density will not adversely affect adjacent properties;
 - (C) Additional traffic generated by the additional density will not adversely affect the surrounding street; and
 - (D) Adequate provision for drop-off and pick-up of students will be provided.

The Board may limit the number of students outside at any one time.

Staff Analysis: The applicant is proposing a maximum student enrollment of 283 children. Staff has calculated the proposed density and finds that the number of students per square of lot area is 960 square feet, which satisfies the density requirement.

V) Community Comments

Sever letters have been received in support of the application. The reasons cited for the support include new and exciting child development programs for families within the Clarksburg area, job creation, and options for after-school care. (See Circle Pages 32 – 44.) No letters of opposition have been received.

VI) Conclusion

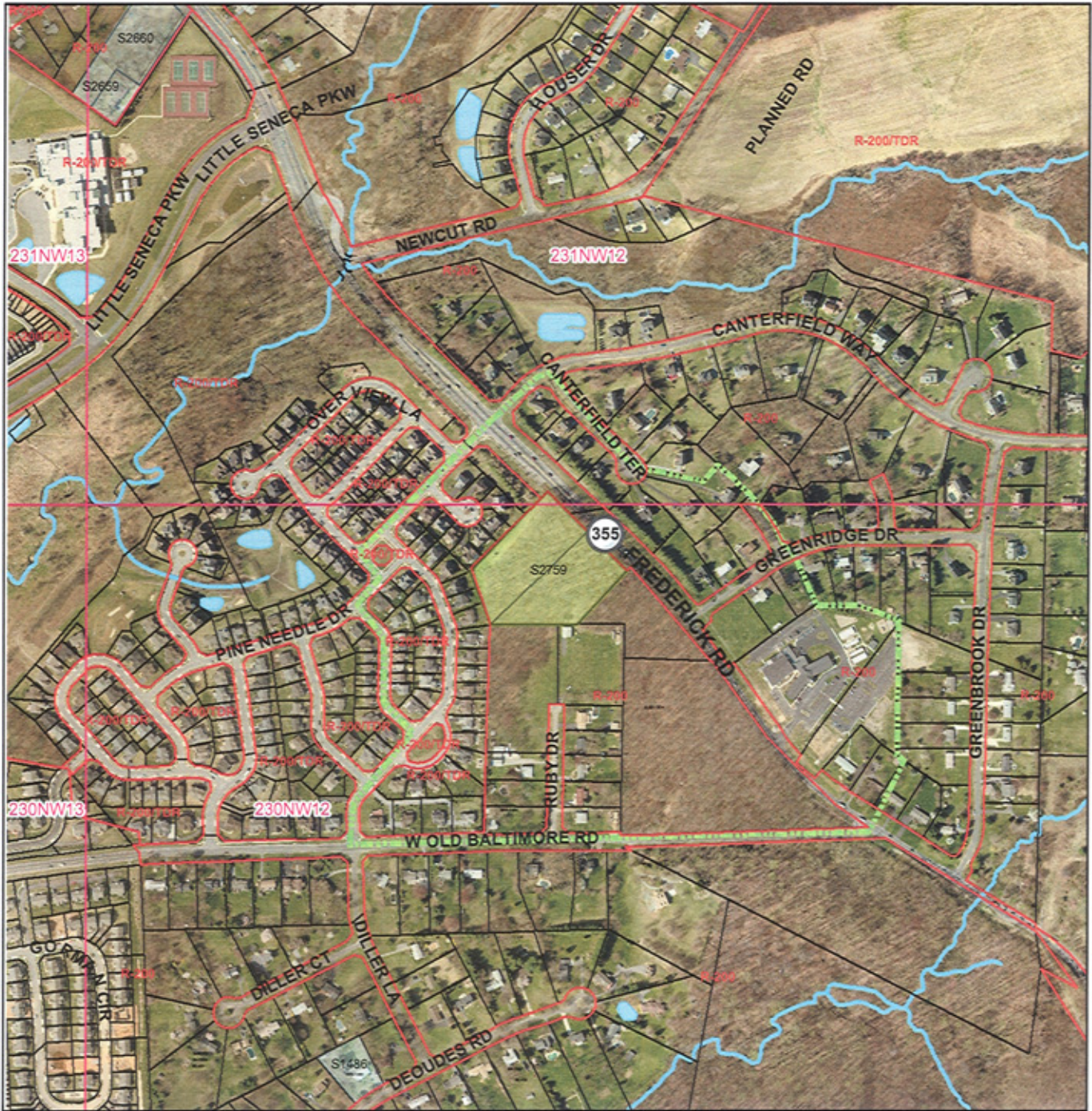
Based on review of the application and all information of record, staff concludes that the application, with the conditions imposed by staff, satisfies all relevant standards for granting a child daycare center special exception. For these reasons, staff recommends that application S-2759 for a child care center special exception at 22010 and 22014 Frederick Road, Clarksburg, be approved, with conditions.

ATTACHMENTS

No.	Circle Page	Attachment Name
1	1	General Location and Neighborhood Conditions Map
2	2 - 4	Special Exception Site and Landscape Plans
3	5	Aerial Photography & Site Photographs
4	6- 11	Memorandum from Ronald Cashion, AICP, Planner Coordinator, Vision Team to Renée M. Miller, AICP, Development Review Division, February 3, 2010
5	12 - 14	Memorandum from Ki H. Kim, Planner Coordinator, Transportation Planning Division to Renée M. Miller, AICP, Development Review Division, February 2, 2010
6	15 - 26	Memorandum from Doug Johnson, Planner, Environmental Planning Division to the Montgomery County Planning Board, May 28, 2010
7	27 - 28	Architectural Renderings, submitted by applicant
8	30	Photometric/Lighting Plan, submitted by applicant
9	31	Affidavit of Compliance
10	32	Correspondence from Tia H. Conrad, resident to Renée M. Miller, AICP, Development Review Division, December 24, 2009
11	33	Correspondence from Tracey N. Stephens, resident to Renée M. Miller, AICP, Development Review Division, January 20, 2010
12	34	Correspondence from Linda Wu, resident to Renée M. Miller, AICP, Development Review Division, January 28, 2010
13	35	Correspondence from Celia Molina, resident to Renée M. Miller, AICP, Development Review Division, January 29, 2010
14	36	Correspondence from Shareece Stewart, resident to Renée M. Miller, AICP, Development Review Division, February 1, 2010
15	37	Correspondence from Stacey Berk, resident to Renée M. Miller, AICP, Development Review Division, February 3, 2010
16	38	Correspondence from Veronica Brenowitz, resident to Renée M. Miller, AICP, Development Review Division, February 4, 2010
17	39	Correspondence from Vinita Goring, resident to Renée M. Miller, AICP, Development Review Division, February 1, 2010
18	40	Correspondence from Janice Kupersmith, resident to Renée M. Miller, AICP, Development Review Division, February 1, 2010
19	41	Correspondence from P. Divya Parika, resident to Renée M. Miller, AICP, Development Review Division, February 5, 2010
20	42 - 43	Email Correspondence from Summerfield Crossing Homeowners Association Board of Directors to The Montgomery County Planning Board, February 12, 2010
21	44	Correspondence from Christine Avalone, resident to Renée M. Miller, AICP, Development Review Division, March 13, 2010

ATTACHMENT 1

General Location and Neighborhood Conditions Map



LEGEND

- Special Exception Request
- Zone Boundary
- Parcel
- Lake and Pond
- Stream and River
- Defined Neighborhood

NOTICE:

The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland-National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NPPC.

Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended.

1 inch = 600 feet

Address: 22010 & 22014 Frederick Rd, Clarksburg

Key Map

NTS



GODDARD SCHOOL - CLARKSBURG

(PROPOSED) LOT-11, BLOCK A, MUSGROVE'S ADDITION TO NEELSVILLE CLARKSVILLE, MARYLAND SPECIAL EXCEPTION REF

②

DESIGN TEAM:

CONTRACT PURCHASER:
Darnestown Development, LLC
900 Gather Road
Rockville, MD 20850
Phone:

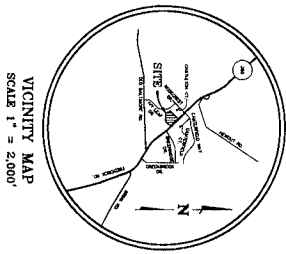
DEVELOPER:
Darnestown Development, LLC
900 Gather Road
Rockville, MD 20850
Phone:

ARCHITECT:
MVA Architects
7910 Woodmont Ave.
Bethesda, MD 20814
Phone: 301-652-7196

ATTORNEY:
Linowes & Blocher, LLP
7200 Wisconsin Ave.
Bethesda, MD 20814
Phone: 301-654-0504

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

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



SHEET INDEX

- SE-1 Special Exception Plan - Cover Sheet
- SE-2 Special Exception Plan
- LS-1 Landscape Plan (1 of 2)
- LS-2 Landscape Plan (2 of 2)
- FOP-1 Forest Conservation Plan
- Stormwater Management Concept Plan
- Approved NRI/FSD

SITE DATA

LOT 11 IS BLOCK A, PART WITH MUSGROVE'S ADDITION TO NEELSVILLE

LOT AREA	69,654.37 SQ. FT. = 1.59 AC.
ZONING CLASSIFICATION	RS-1 (RESIDENTIAL SINGLE-FAMILY)
PROPERTY ADDRESS	CLARKSBURG, MARYLAND
PROPOSED USE	SCHOOL BUILDING
DEVELOPMENT REQUIREMENTS	SEE ZONING REGULATIONS
PERMITTED BY	SPECIAL EXCEPTION REF #
APPROVED BY	CLARKSBURG, MARYLAND
DATE	10/12/11

EXISTING AND PROPOSED

EXISTING	PROPOSED
EXISTING IMPROVEMENTS	PROPOSED IMPROVEMENTS
EXISTING PAVEMENT	PROPOSED PAVEMENT
EXISTING UTILITIES	PROPOSED UTILITIES
EXISTING TREES	PROPOSED TREES

OFF-STREET PARKING AND LOADING

TYPE	AREA (SQ. FT.)	REMARKS
PARKING	15,000	SEE PLAN
LOADING	500	SEE PLAN

Professional Certifications

I, Scott D. Rouse, 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. 14073, Expiration Date: 7/20/12.

Scott D. Rouse

TAX MAP - P. 242

SPECIAL EXCEPTION - COVER SHEET SE-1

GODDARD SCHOOL - CLARKSBURG

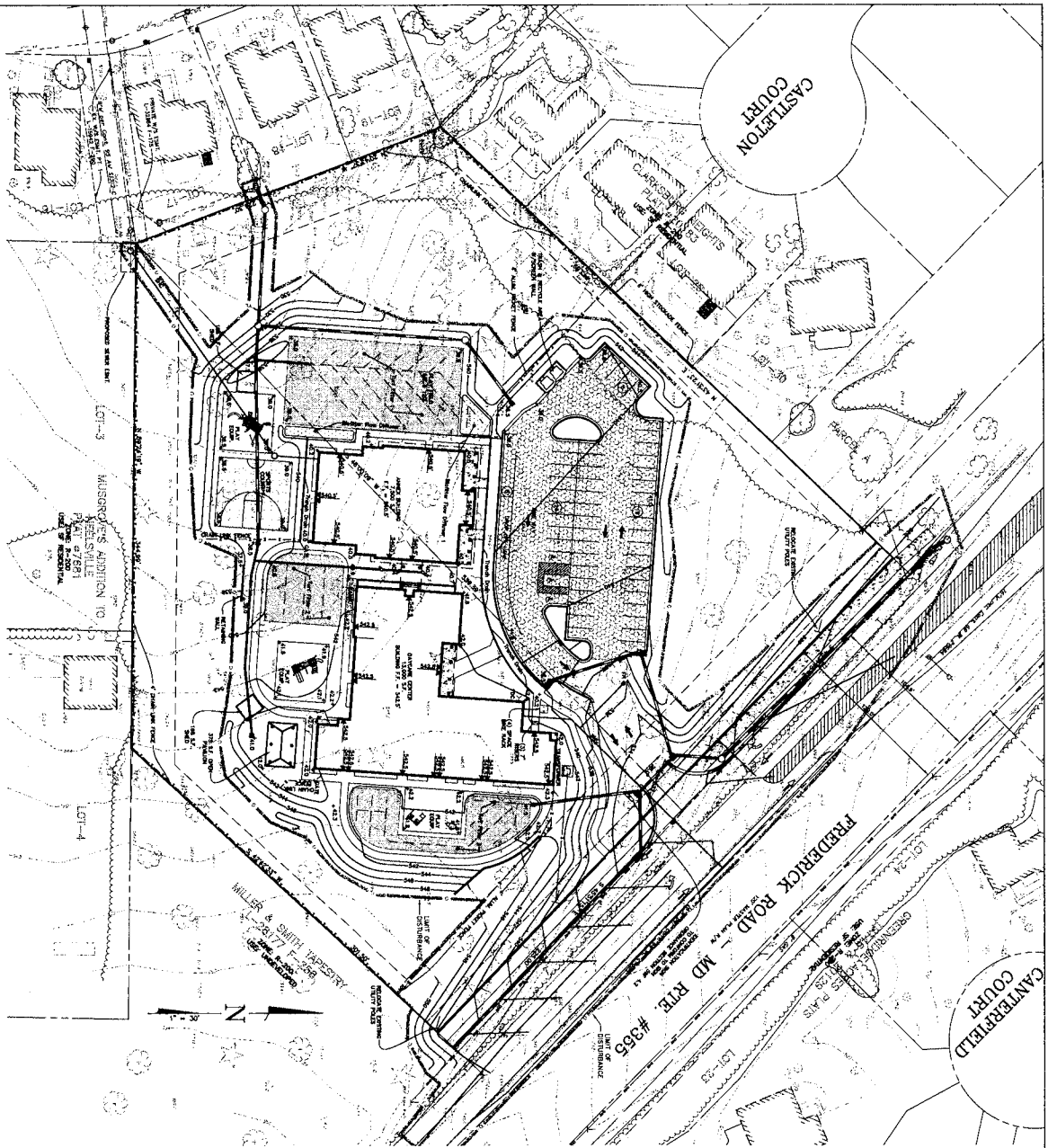
MUSGROVE'S ADDITION TO NEELSVILLE

LOT 11, BLOCK A (PROPOSED)

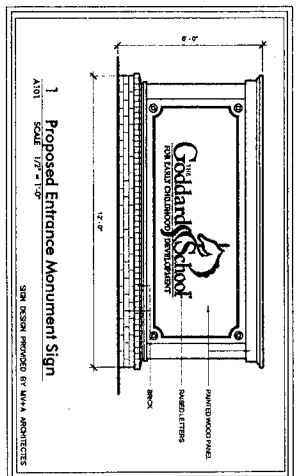
2ND ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

MHC
Morrin, Hendricks & Glascock, P.A.
Landscape Architects • Surveyors
10555 Old Columbia Road
Columbia, MD 21046
Tel: 301-279-1100
Fax: 301-279-1101
www.mhcinc.com

Proj. No. 11
Sheet No. 1
1 of 2



Professional Certificate:
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. 12223. Expiration Date: 12/31/23.
Scott D. Bower



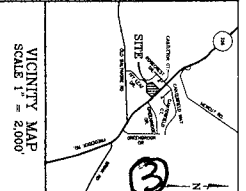
EXISTING	PROPOSED
Property	Property
Curbs & Sidewalk	Curbs & Sidewalk
Sign	Sign
Utility Pole	Utility Pole
Landmark	Landmark
Point of Interest	Point of Interest
Tree	Tree
Drainage	Drainage
Overhead Wire	Overhead Wire
Sanitary Sewer	Sanitary Sewer
Storm Drain	Storm Drain
Water Line	Water Line
The Parcel	The Parcel
Setback	Setback
Building	Building
Concrete	Concrete
Spot Elevation	Spot Elevation
Contour	Contour
Substation Tower	Substation Tower
Autonomous Rail	Autonomous Rail
Outdoor Service	Outdoor Service

THIS MAP IS BY 542
SPECIAL EXCEPTION - SITE PLAN
SE-2
GODDARD SCHOOL - CLARKSBURG
MUSGROVE'S ADDITION TO NEELSVILLE
LOT 11, BLOCK A (PROPOSED)
2ND ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

MHG Merit, Harbortek & Griesco, P.A.
Engineers & Planners
Landmarks Architects

Project No. 20190400
Phase 2A, 20190400
Date: 01/13/21

Scale: 1" = 30'
Scale: 1" = 30'
Scale: 1" = 30'



ATTACHMENT 3





ATTACHMENT 4

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

April 6, 2010

MEMORANDUM

TO: Renée M. Miller, AICP, Zoning Team
Development Review Division

FROM: Ronald Cashion, RA, AICP, Planner Coordinator, Urban Designer *RC*
North Central Transit Corridor Team
Vision Division

SUBJECT: **The Goddard School: S-2759 Proposed Special Exception
Private Child Daycare Facility
Clarksburg Planning Area**

RECOMMENDATION: Vision staff recommends approval of the Applicant's proposed Special Exception for a child daycare facility for pre-school aged children, after-school and summer programs in the Brink Road Transition Area of Clarksburg.

The application and special exception site plan meet the primary land use provisions of the Brink Road Transition Area of the 1994 Clarksburg Master Plan. The Master Plan calls for reinforcement and continuation of the existing low density residential character in this designated entry, transitional location. The 20,500-square foot use as proposed will result in a relatively low scaled development on the five-acre site and will fit this immediate neighborhood characterized by single-family detached houses.

BACKGROUND

The proposed child daycare facility in Clarksburg would be part of The Goddard School, an established private pre-school, after-school and early childhood daycare and educational organization with existing locations in Maryland including two child daycare centers, one in the King Farm development and one in Columbia.

Goddard School facilities offer a wide range of educational and childhood development programs for children from infant and toddlers through preschool, kindergarten, and post kindergarten. The proposed child daycare facility is planned for a maximum of 163 pre-school daycare children and 120 school aged children for after-school and summer camp programs. The maximum total enrollment on site at any one time would be 283.

The School has sought a site in Clarksburg for over six years and has judged the subject site as the best of those previously considered and well suited for the planned facility. Staff and the Clarksburg Citizens Association have followed The Goddard School's interest in locating a child daycare facility in the community.

LAND USE/MASTER PLAN GUIDANCE

The five-acre (4.539 net acres) subject property is located in the Brink Road Transition Area within the adopted 1994 Clarksburg Master Plan. It is generally located on the northwest quadrant of Frederick Road (MD 355) and West Old Baltimore Road and is bordered by residentially zoned subdivisions with single-family detached houses. The site consists of two wooded undeveloped lots with frontage on MD 355.

The northwest and southwest property lines border the rear yards of houses in the Clarksburg Heights subdivision accessed by Castleton Court and Ivy Leaf Drive to the west. The site's south property line borders two lots accessed by the Ruby Drive cul-de-sac via West Old Baltimore Road.

The site's southeast property line borders the undeveloped Miller & Smith at Tapestry, LLC property and proposed residential subdivision. A Preliminary Plan had been approved for this project for 78 residential units; however, a new Conceptual Development Plan has been developed and is under review for 30.6 acres that excludes the proposed Goddard School site. The revised Conceptual Plan for the Tapestry project proposes 68 single-family residential units with 10 MPDU's and 58 detached units. The revised Tapestry plan includes a forest conservation area that borders the entire southeast property line of the proposed Goddard School site and the eastern segment of the lots at the Ruby Drive cul-de-sac.

The Brink Road Transition Area Land Use Plan

Land use provisions applicable to the site, and emphasizing the planned character of the area, are included within the Brink Road Transition Area and section of the Master Plan (pgs. 75-77).

Specific recommendations within the Master Plan objectives for the area include:

- Designating the area as an important low density "transition from Germantown to Clarksburg;"
- Creating "a transition...that helps reinforce each community's identity;"
- Proposing this entry area to "be characterized by low density residential development (two to four units per acre);"
- Supporting "the existing residential land use pattern along MD 355;"
- Providing development that is "sensitive to" (nearby) parkland and greenways; and
- Providing at MD 355 "as it traverses this portion of Clarksburg" - "a scale and character which supports the continuation of the traditional land use pattern in this area: residential uses fronting the road."

Vision staff supports the proposed Goddard Special Exception as a compatible use in its immediate neighborhood and being consistent with the land use provisions of the Brink Road Transition Area for the following reasons:

- The physical and functional characteristics of the use at the proposed site will fit the immediate neighborhood and this designated low density transition area;
- The perceived massing and vertical profile of the building will be mitigated by aspects of its design including:
 1. The configuration of the facility and its central location on the site;

2. The resulting setbacks of the building from the property lines, adjacent houses, and the MD 355 frontage;
 3. Sensitive site placement of the building with only one corner relatively near the MD 355 frontage. The wooded southeastern MD 355 frontage and planned forest conservation area on the adjacent Tapestry site will provide a well screened view of the facility from northbound vehicles; and
 4. The segmented building plan, limited to one floor plus the roof, together with the sloped roof lines, the understated cupolas and gable end features, will be architecturally compatible with the roof lines of the adjacent houses.
- Vision staff generally concurs with the Applicant's presentations and narrative submittal statement that the facility as proposed "gives the structure a rural residential character."
 - The illustrative site plan shows wooded buffer areas at the perimeter of all of the property line boundaries. These wooded and landscaped areas, together with the proposed six-foot stockade fence at the parking area, will provide significant screening of the facility and parking area and will add to the fit of the use to the residential neighborhood.

The Applicant's architect has provided scaled site cross section drawings of the proposed facility, which assist in supporting the illustrative plan and subsequent exhibits by illustrating the generally low profile, somewhat residential character of the proposed structures. The exterior components of the facility are all well within the building restriction lines, with the closest building corner approximately 60 feet from the right-of-way line, and 75 feet from the edge of roadway pavement at the northeast Frederick Road (MD 355) site side. Additionally, the majority of the building facades are set back significantly from the MD 355 frontage and rear yard of the adjacent houses.

Child Daycare in Clarksburg

The Community Facilities section of the Master Plan specifically recognizes the need for daycare uses associated with the planned growth of Clarksburg. The Plan states that as the community grows "the demand on social services, including child daycare, will increase." While the intention of the Master Plan is to provide for the full complement of community facilities "accessible by transit to maximize their ability to be served by transit" the Plan states that facilities including child daycare "should be provided throughout the Clarksburg Master Plan area" (Master Plan, pg. 166).

In the Community Facilities Recommendations and Master Plan Locational Guidelines the Plan specifically recommends that child daycare be "Dispersed throughout the Study Area with concentrations near transit, employment areas, and concentrations of housing" (Master Plan, pg. 167). The proposed facility will have excellent access with frontage along Frederick Road (MD 355). Vision staff is supportive of the proposed special exception, because the Master Plan recommends approximately 15,000 residential units for the build out of Clarksburg, and there is already an existing lack of child daycare facilities.

ZONING

Before the development of the 1994 Clarksburg Master Plan, the area including the subject site did not have sewer availability resulting in subdivisions with well and septic systems. Therefore, the average residential lot size for this area has generally ranged from one to two acres. To accommodate planned growth and to reinforce the established low density residential character of this transition area, the Master Plan recommended the density range of two-to-four units per acre.

While some existing lots in the immediate R-200/TDR-4 zoned subdivision west of the site are less than one-half acre, the Master Plan designates the proposed Goddard site and most of the remaining adjacent areas north, east, and south of the proposed site for the R-200 Zone.

The R-200 Zone under standard development requires an approximate one-half acre minimum lot size. The proposed use, as a child daycare facility, is a permitted use in the R-200 Zone subject to standards and findings required in Sec. 59-C-1.3 and Sec. 59-G of the Zoning Ordinance.

ADDITIONAL CONSIDERATIONS

Vision staff notes the following development considerations that have arisen during reviews and discussions related to the proposed special exception. These considerations are important aspects of the Special Exception Application and also must be resolved during Preliminary Plan review. Additionally, these considerations are also issues judged to be important to residents and community representatives. Vision staff recommends that these issues be considered as conditions of approval for the proposed special exception.

Vehicular Access at Frederick Road (MD 355)

Access to the facility is appropriately proposed at one central site location at Frederick Road. The Master Plan designates Frederick Road as an arterial and places emphasis upon maintaining the character of the road as “compatible with existing and proposed residential uses” (Master Plan, pg. 121).

The Goddard application is submitted with documentation that describes adequate access for all of the surrounding intersections upon completion and operation of the facility. The Applicant’s submittal also proposes deceleration and acceleration lanes and intersection improvements.

Transportation staff has determined that access conditions would be adequate and is supportive of the proposed use with approval conditioned on compliance with Policy Area Mobility Review (PAMR) requirements. Additional review of transportation facilities will be required at the time of Preliminary Plan including consideration of:

- Adequate vehicular operational conditions at the site access intersection, particularly for northbound vehicles entering the site; and
- Retention of the existing residentially compatible character of the MD 355 roadway, at and beyond the site’s road frontage area.

Parking Waiver

With the provision of 60 parking spaces the Applicant is requesting a waiver of 29 spaces resulting in a 32.5 percent reduction from the submitted requirement of 89 spaces.

The site is in the Clarksburg Special Protection Area (SPA) therefore excess parking with imperviousness should be avoided. However, the adequacy of on-site parking facilities must be assured. A fully detailed analysis of year-round child attendance and operational requirements, including peak demand periods is necessary. The application justification statement related to the parking waiver indicates that approximately 30% of Goddard's current daycare clients typically pick up and drop off more than one student and that site arrivals are at staggered times. The Applicant also intends to use off-site satellite parking at churches and schools when needed for special events. These factors must be further detailed in a Transportation Management Plan for the facility that includes a carpooling program and added supporting detail for the operations and adequacy of the parking provisions and requested waiver.

Stormwater Management

Due to the site's location in the SPA, the importance of protecting water quality in Clarksburg as specified in the Master Plan, and new and evolving standards for water quality, staff expects that the Applicant will provide environmental site design (ESD) and low impact development (LID) techniques for sediment and erosion control and stormwater management.

CONCLUSION

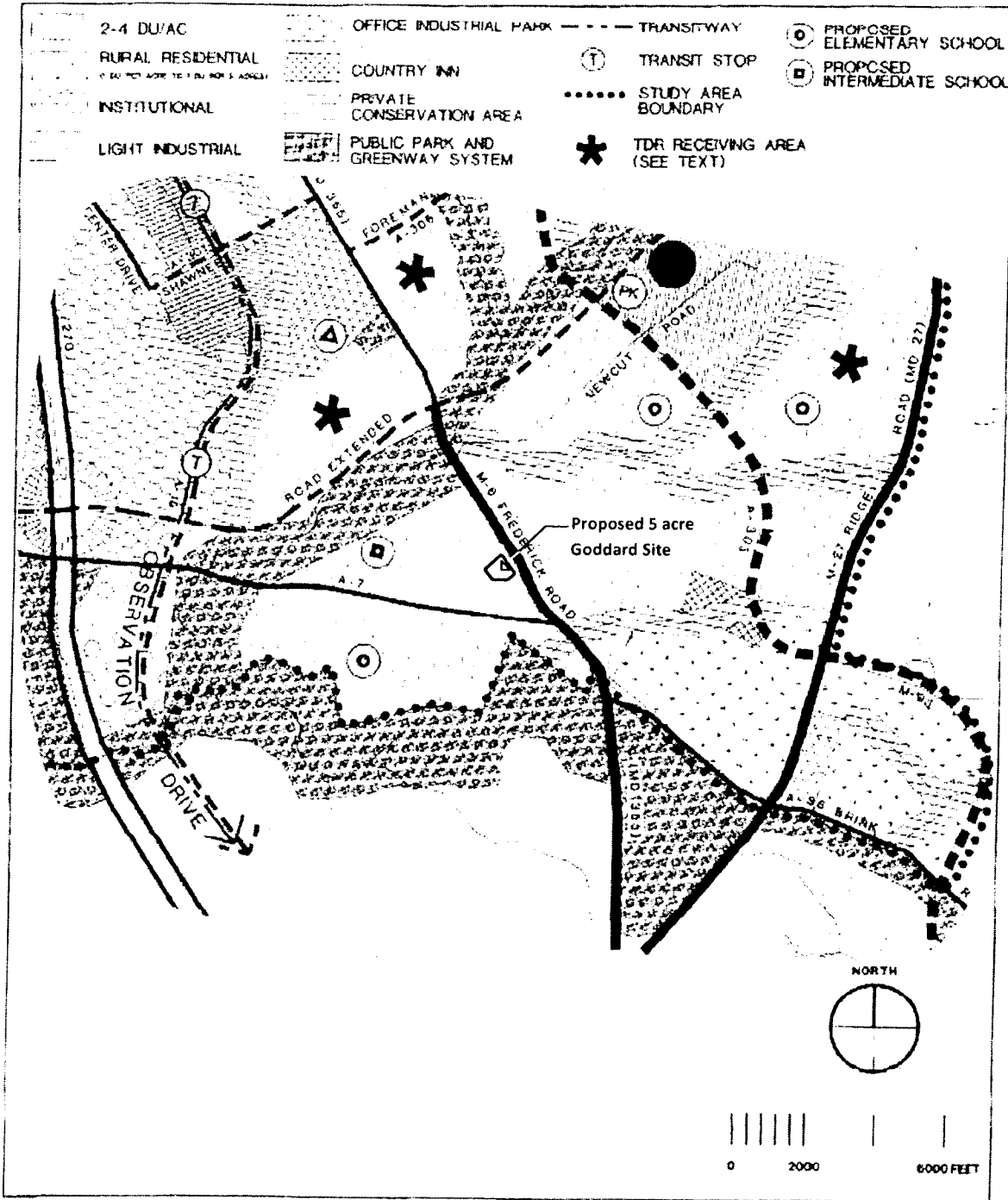
Pending submittal and staff approval of a Transportation Management Plan for the facility, Vision staff recommends approval of the Goddard child daycare use at the Frederick Road (MD 355) location:

- The facility as proposed is consistent with the Brink Road Transition Area provisions of the Master Plan;
- The use will provide a development that "helps reinforce" the designated low density residential pattern and character of this southeastern portion of the planning area; and
- The presence of the facility as planned will fit and be in harmony with its neighborhood and provide an attractive land use that will contribute to the identity of Clarksburg as envisioned in the Master Plan.

Attachment

Brink Road Transition Area Land Use Plan

Figure 29





ATTACHMENT 5

MONTGOMERY COUNTY PLANNING DEPARTMENT

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

February 2, 2010

MEMORANDUM

TO: Renee Miller, Senior Planner
Build/Development Review Division

VIA: Shahriar Etemadi, Supervisor
Move/Transportation Planning

FROM: Ki H. Kim, Planner/Coordinator
Move/Transportation Planning

SUBJECT: Goddard School - Clarksburg
Special Exception Case No. S-2759

FEB 03 2010

This memorandum represents Transportation Planning staff's Adequate Public Facilities (APF) review and recommendations on the subject special exception application for a proposed child day care facility located on the west side of Frederick Road (MD 355), south of Rosecrest Drive/Canterfield Way in the Clarksburg area.

RECOMMENDATION

Based on our review of the site plan and the traffic analysis submitted by the applicant, staff recommends the following conditions as part of the APF test related to approval of the subject special exception application:

1. Total development under this special exception is limited to 163 day care children and 120 students after school program.
2. The applicant must participate in construction of a southbound right-turn lane, an eastbound right-turn lane, and a northbound left-turn lane at the intersection of MD 355 and West Old Baltimore Road to satisfy the requirements of Local Area Transportation Review (LATR). If any applicant conditioned to participate in construction of this road improvements advance their project first, he/she must complete the improvements and be open to traffic prior to obtaining the building permit.

3. The applicant must construct an approximate 1,400 foot extension of the existing bikepath along MD 355, south towards West Old Baltimore Road, to satisfy the requirements of Policy Area Mobility Review (PAMR). This improvement must be constructed completely and open to traffic prior to obtaining the building permit

DISCUSSION

Local Area Transportation Review (LATR)

Two intersections were identified as critical intersections affected by the proposed child day care facility and were examined in the traffic study to determine whether they meet the applicable congestion standard for this area. The congestion standard in the Clarksburg Policy Area is 1,425 Critical Lane Volumes (CLV). The result of the CLV analysis is summarized in Table 1.

Table 1: Calculated Critical Lane Volume Values at Studied Intersections

Intersection	Weekday Peak Hour	Traffic Condition		
		Existing	Background	Total**
Frederick Road (MD 355) & Little Seneca Parkway	Morning	1,159	1,366	1,380
	Evening	908	1,233	1,251
Frederick Road (MD 355) & W. Old Baltimore Road	Morning	1,363	1,570	1,570
	Evening	1,365	1,677	1,437

** Total development conditions with proposed intersection improvements

As shown in the above table, all intersections are currently operating at an acceptable CLVs level of 1,425. Under the background development (the existing traffic plus traffic from the approved/unbuilt developments), the MD 355/W. Old Baltimore Road intersection is projected to operate at unacceptable CLVs level during both the weekday AM and PM peak hours. Under the total future development (the background traffic plus traffic from the site) with implementation of the intersection improvements to be participated by the applicant, the MD 355/W. Old Baltimore Road intersection would operate at better level of traffic conditions than the background development during both the weekday AM and PM peak hours. Therefore, this special exception application meets the LATR requirements of the APF review.

Policy Area Mobility Review (PAMR)

The site is located within the Clarksburg Policy Area where 10% of new trips must be mitigated as part of the PAMR requirements according to the Growth Policy. In order to satisfy this PAMR requirement, the applicant proposed to construct an approximate 1,400 foot extension of the existing bikepath along Frederick Road (MD 355), south towards W. Old Baltimore Road. Staff

finds that with construction of the proposed bikepath extension as described above, this special exception application meets the PAMR requirements of the APF review.

Site Access and Vehicular/Pedestrian Circulation

The site is proposed to gain one access from Frederick Road (MD 355). Staff finds that the proposed access point to be adequate to accommodate the site-generated traffic. Staff has also reviewed the proposed internal traffic/pedestrian circulation system shown on the site plan and finds them to be adequate.

Summary

Transportation Planning staff concludes that the granting of the Special Exception for proposed child day care facility satisfies the LATR/PAMR requirements of the APF review with conditions as described in this memo.

KK:tc

ATTACHMENT 6



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

MCPB
Item #
June 10, 2010

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Mark Pfefferle, Acting Chief, Environmental Planning *MP*
Stephen D. Federline, Master Planner, Environmental Planning *SA*

FROM: Doug Johnsen, Planner Coordinator, Environmental Planning *dj*

DATE: May 18, 2010

REVIEW: Goddard School: Special Protection Area (SPA) Preliminary Water Quality Plan and Preliminary Forest Conservation Plan

TYPE: Special Exception # S-2759

LOCATION: 22010 and 22014 Frederick Road, Clarksburg, MD

APPLICANT: Mr. Ross Flax, Goddard School

RECOMMENDATION

This recommendation for the above referenced special exception is based upon review of the SPA Preliminary Water Quality Plan submitted to MNCPPC on December 18, 2009 and review of the Preliminary Forest Conservation Plan submitted to MNCPPC on March 12, 2010. Staff recommends:

APPROVAL of the SPA Preliminary/Final Water Quality Plan, subject to the following conditions:

1. Impervious surface is limited to no more than 1.40 acres as shown on the *Impervious Area Exhibit Plan* dated February 16, 2010.
2. Use of alternative surfaces, including but not limited to porous pavers and turf filters as may be approved by Montgomery County, Department of Permitting Services (MCDPS), are required per *Impervious Area Exhibit Plan* to minimize the storm water effects of imperiousness on receiving waters.

3. Compliance with all conditions of the MCDPS Water Quality Plan approval letter dated May 4, 2010.

APPROVAL of the Preliminary Forest Conservation Plan (PFCP) subject to the following conditions:

1. Applicant to comply with the conditions of approval of the Preliminary Forest Conservation Plan.
2. Applicant to submit a Final Forest Conservation Plan in accordance with Forest Conservation Regulations 22A.00.01.09(B).
3. Applicant to record a Category I Forest Conservation Easement(s) over all areas of retained and planted forest prior to any land clearing activities occurring on-site.
4. Applicant to install permanent forest conservation fencing and signage along the FCE line contained within the property boundaries as shown on the Final Forest Conservation Plan.
5. Applicant to install the required reforestation material by the first planting season following the release of the first grading permit.
6. Applicant to install the required landscape planting material being used for reforestation credit by first growing season following building completion.
7. Applicant to remove all existing structures, fencing, play equipment and debris from the proposed Category I Forest Conservation Easements.

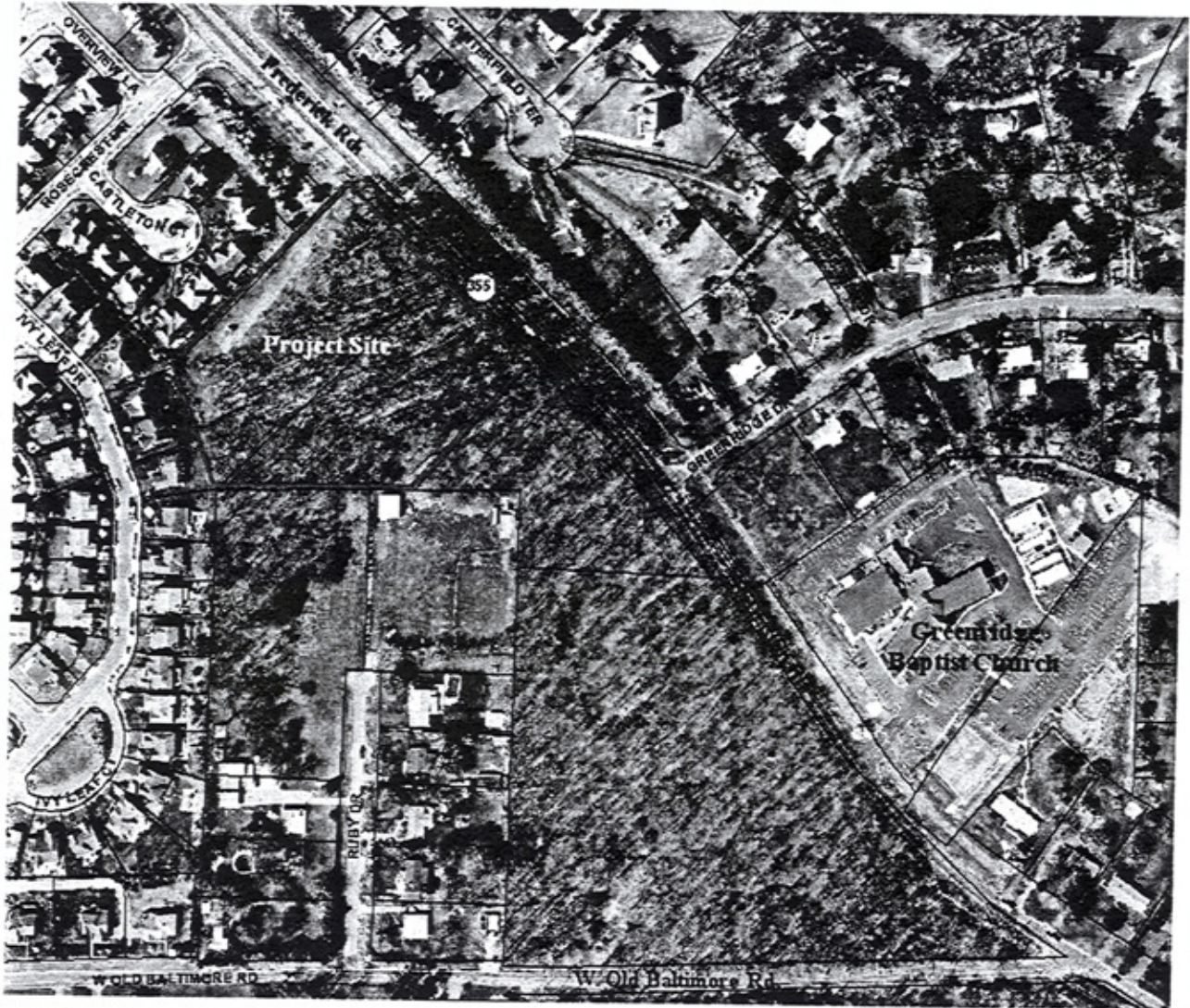


Figure 1: Vicinity Map

BACKGROUND

The 4.70 acre property consists of two lots located at 22010 and 22014 Frederick Road, located on the west side of Frederick Road (State Route 355) approximately 1000 feet north of the intersection of Frederick Road and W. Old Baltimore Road (*Figure 1*). The property is zoned R-200. The subject property is bounded on the north and east by Frederick Road with single family residential located across Frederick Road; on the southeast by a vacant forested lot, and on the south, southwest and northwest by single family detached residential dwellings. The property is located entirely within the Clarksburg Special Protection Area (SPA).

The applicant is seeking a special exception to construct a child day care center for approximately 283 children as allowed under Section 59-G-2.13.1 of the Montgomery County Zoning Ordinance.

There are three items for Planning Board review for the special exception project: the special exception; the Special Protection Area (SPA) Preliminary Water Quality Plan; and the Preliminary Forest Conservation Plan. This memorandum covers staff's review and recommendations on the SPA Preliminary Water Quality Plan and the Preliminary Forest Conservation Plan.

The Board's actions on the SPA Water Quality Plan and Forest Conservation Plan are regulatory and binding. The Planning Board must act on the SPA Water Quality Plan and Forest Conservation Plan before it can act on the special exception application.

Environmental Inventory

A Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) for the 4.70 acre site was approved by Environmental Planning staff in August 2009. This property is located within the Clarksburg Special Protection Area.

The topography of the property is considered gently sloping with the high point located in the eastern corner of the site and a small ridge running east to west from that point. The site gently slopes at approximately an 8 to 9 percent slope from the ridge to both the northern and southern corners of the site.

The eastern portion of the site sheet flows to Frederick Road, and the west side drains towards the existing residential development: both are handled by a storm drain system. There are no streams or environmental buffers on the subject property. The site lies within the Upper Little Seneca Creek subwatershed within the Little Seneca Creek watershed designated as Use IV-P waters. The upper Little Seneca Creek within is classified as being in excellent condition in the 1998 version of the Department of Environmental Protection's County Stream Protection Strategy (CSPS).

The vegetation on the subject property consists of 4.21 acres of existing mature forest. There are 68 specimen sized trees 24" DBH and greater, with 23 of these being 30" DBH and greater. There are also two rare, threatened and endangered species of American Chestnut (*Castanea dentate*) located on the property. The applicant is proposing to hand remove the American Chestnuts and donate them to the American Chestnut Society.

SPA PRELIMINARY WATER QUALITY PLAN REVIEW

The applicant has submitted a preliminary water quality plan for review by both Montgomery County Department of Permitting Services (DPS) and M-NCPPC. As part of the requirements of the Special Protection Area law, a SPA Water Quality Plan should be reviewed in conjunction with a special exception¹. Under the provision of the law, DPS and the Planning Board have different responsibilities in the review of a water quality plan. DPS has reviewed and

¹ Section 19-62 (b) of the Montgomery County Code states that "...the requirements for a water quality inventory and a preliminary and final water quality plan apply in any area designated as a special protection area to a person proposing land disturbing activity on privately owned property: (1) who is required by law to obtain approval of a ...special exception...."

conditionally approved the elements of the Preliminary Water Quality Plan under its purview. The Planning Board's responsibility is to determine if environmental buffer protection, site imperviousness minimization goals and SPA forest conservation and planting requirements have been satisfied.

Environmental Planning Staff has reviewed and recommends Planning Board approval of the elements of the SPA water quality plan under its purview:

Compliance with Environmental Guidelines

Full compliance with the Environmental Guidelines, particularly Chapter V – Guidelines for Special Protection Areas – is accomplished through compliance with proposed conditions. There are no environmental or stream buffers on this site.

Site Imperviousness

There is no overlay zone or master plan recommendation that sets an impervious cap for developments in this portion of the Clarksburg Special Protection Area. However, Section 19-63(a)(4) of the County SPA Law requires a plan to minimize impervious area for a proposed project.

In reviews of imperviousness for other projects in this SPA, Environmental Planning compares a proposed project's imperviousness with the range of expected imperviousness that would result in a typical development allowed in the underlying zoning of the property. Staff uses studies that have calculated countywide impervious surface averages for different zones as the basis for comparison. Staff also assesses the proposed development to look for ways to attempt to reduce the amount of impervious surfaces in the subdivision consistent with SPA and the new SWM Environmental Site Design (ESD) requirements.

According to the Preliminary Water Quality Plan dated December 18, 2009 and the Impervious Area Exhibit Plan dated February 16, 2010, the applicant proposes approximately 1.49 acres of impervious surface on the 5.30 acre property which incorporates the original 4.70 acre site plus 0.60 acres of off-site improvements. This represents a proposed total impervious surface coverage of approximately 28.1 percent (1.49 acres/5.30 acres) for the site. The R-200 zone has a countywide average of 22 percent to 29 percent impervious surface. This project falls within the countywide average.

Staff's calculations of impervious surfaces closely follows the methodology applied by the State Department of Natural Resources (MD DNR) in Maryland's Critical Areas, and reflects the consensus definition of County agencies. Specific to this project, staff counts all pavement, rooftop, and pedestrian surfaces as impervious, including the proposed porous surfaces used for motor vehicle parking or driving. Although considered impervious, we do note and support the use of alternative surfaces and methods, where appropriate to mitigate the effects of imperviousness and to meet stormwater management requirements. It is important to note, however, that although traditional stormwater management is based on infiltration and runoff volume calculations, overall watershed protection and Environmental Site Design (ESD) (now required by new State regulations) are based on additional considerations including minimizing

grading, soil compaction and imperviousness, and maximizing protection of natural vegetated areas.

Further, staff supports the waiver of the 29 parking spaces for the benefits of reduced imperviousness it provides. Staff suggests employee carpooling, peak time pickup and drop-off lanes (using proposed drive aisles) and other feasible operational options, in lieu of the additional spaces.

Expanded and Accelerated Forest Conservation

Forest has been protected, and reforestation/landscaping will be planted on the site to meet all forest conservation requirements onsite. No priority areas for planting exists onsite, but reforestation does adjoin existing forest.

County DPS Special Protection Area Review Elements

DPS has reviewed and conditionally approved the elements of the SPA preliminary water quality plan under its purview with a synopsis provided below (see Attachment X).

Site Performance Goals

As part of the preliminary water quality plan, the following performance goals were established for the site:

1. Minimize storm flow run off increases.
2. Minimize sediment loading.
3. Minimize nutrient loading.
4. Control insecticides, pesticides and toxic substances.

Stormwater Management Concept

DPS is requiring channel protection, quality control and recharge to be provided on-site via a combination of pretreatment biofilters, turf filters, porous pavement and non-rooftop disconnections. Each turf filter will be designed with an infiltration reservoir below the organic and sand filter that will sized for full treatment thereby providing redundancy for water quality.

Sediment and Erosion Control

DPS is requiring the use of redundant sediment controls to be used throughout the site, sediment traps with forebays that provide 125% of the normally required storage volume and the use of super silt fence for small areas of disturbance.

Monitoring of Best Management Practices

The monitoring will be in accordance with the BMP monitoring protocols established by the Department of Environmental Protection (DEP) as based in the DPS conditional approval letter dated May 4, 2010.

PRELIMINARY FOREST CONSERVATION PLAN REVIEW

Forest Conservation

There are 4.21-acres of existing forest on this property. The on-site forest consists of overstory hardwoods including Black Oak (*Quercus velutina*), White Oak (*Quercus alba*) and Red Oak (*Quercus rubra*) with a mix of Tulip Tree (*Liriodendron tulipifera*) and Pignut Hickory (*Carya glabra*). The understory trees consist of Red Maple (*Acer rubrum*) and some Black Gum (*Nyssa sylvatica*). Typical tree sizes range from saplings to 44" diameter breast height (DBH).

There are sixty-eight (68) trees 24" DBH or greater in size identified on the NRI/FSD with twenty-three (23) of these trees 30" DBH or greater. These trees are about evenly scattered throughout the site. Fifty-four (54) of these trees (sixteen (16) of which are 30" DBH and greater) lie within the limits of disturbance (LOD) of the project and are proposed to be removed.

The preliminary forest conservation plan indicates the removal of 3.03 acres of forest and the preservation of 1.20 acres of forest which generates a reforestation requirement of 0.62 acres. This requirement shall be met onsite with 0.54 acres of on-site forest planting and 0.08 acres of landscape credit. All retained forest and planted will be protected in a category I forest conservation easement (*Figure 2*).

The preliminary forest conservation plan shows building footprints, sport courts, play equipment and play fields within 30 feet of forest conservation easements. The proximity encourages encroachments into the conservation easement areas. In order to demarcate the forest conservation easement (FCE) Environmental Planning recommends a preliminary forest conservation plan condition requiring the applicant to install permanent forest conservation fencing and signage along the FCE line contained within the property boundaries.

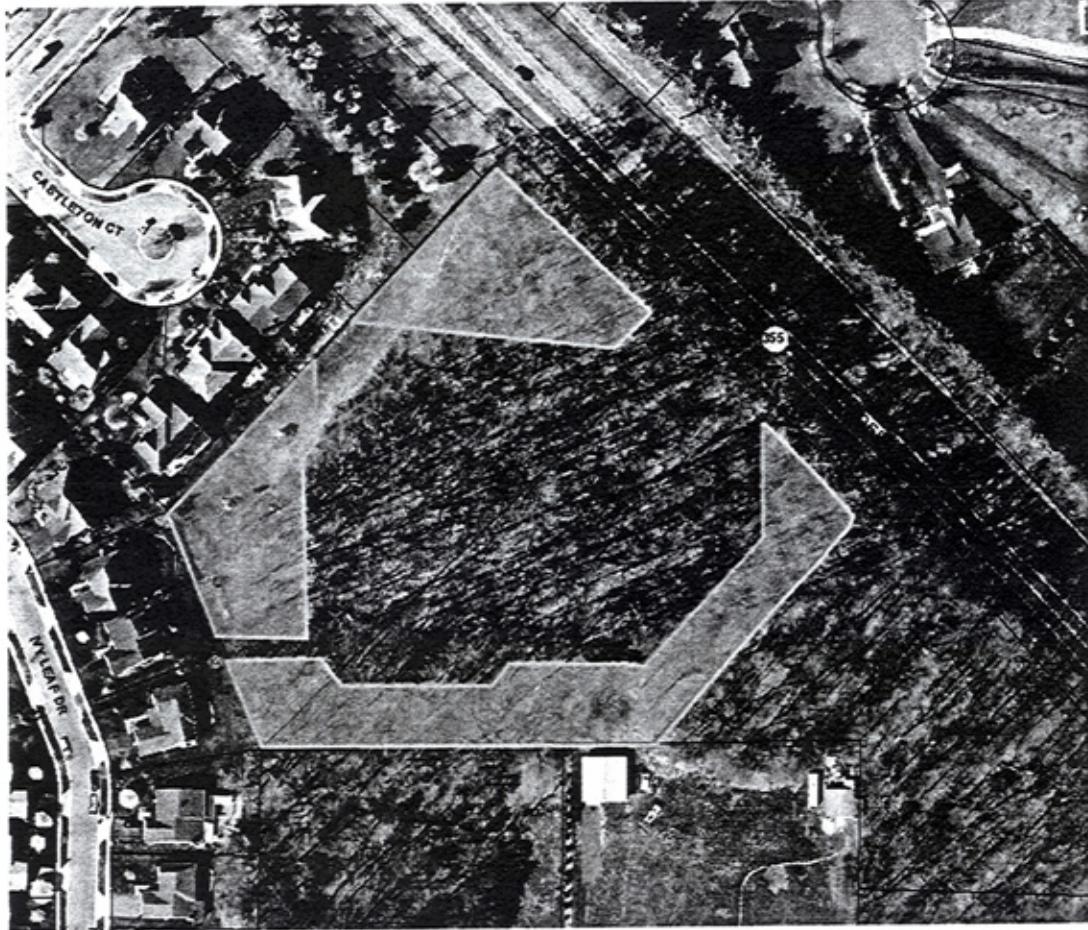


Figure 2: Location of Proposed Forest Conservation Easements

Forest Conservation Variance

Section 1607(c) of the Natural Resources Article, MD Ann. Code, identifies certain individual trees as high priority for retention and protection. Any impact to these trees, including removal or any disturbance within a tree's 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 Code. The law requires no impact to, and the retention and protection to the greatest extent possible of all trees that measure 30" diameter at breast height (DBH) or greater; any tree designated as the county champion tree; trees with a DBH 75% or greater than the diameter of the current State champion for that species; trees associated with a historical site or structure; and rare, threatened and endangered species. Since this project did not obtain approval of a Preliminary Forest Conservation Plan (PFCP) prior to October 1, 2009 and the applicant is proposing to affect/impact eighteen (18) trees, the applicant must request a variance to impact those 18 trees as shown on the submitted PFCP.

In accordance with Montgomery County Code, Section 22A-21(c) the Planning Board referred a copy of the variance request to the County Arborist in the Montgomery County Department of

Environmental Protection for a written recommendation prior to acting on the request. The County Arborist has 30 days to comment. In this case, the variance request was referred to the Montgomery County Arborist on November 18, 2009. The County Arborist responded to the variance request on November 19, 2009 by stating that their office had no recommendations (Attachment A).

In accordance with Section 22A-21(e), Environmental Planning staff recommends a finding by the Planning Board that the Applicant has met all criteria required to grant the variance.

- 1). *Will confer on the applicant a special privilege that would be denied to other applicants.*

The requested variance will not confer on the applicant any special privileges that would be denied to other applicants. The loss of certain large trees, and need for a variance, is often a necessary and unavoidable consequence of development and redevelopment to realize master plan objectives, housing goals, and the application of other land use policies and regulations affecting site development. Staff consistently applies a review of reasonable and feasible avoidance and minimization options to each unique site situation. Therefore, staff believes that granting this variance is not 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.*

The requested variance is based on site layout and design for a day care center within an R-200 zone. The site layout and design necessitates the removal of the 18 trees for the day care center, associated parking and open play areas. The special exception land use does provide some clustering of disturbance that may not have occurred with development under the existing zoning. Further, the applicant has worked to reduce the impact of the development by decreasing the parking area and using porous pavement where possible.

- 3). *Arises from a condition relating to land or building use, either permitted or nonconforming, 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 violate State water quality standards or cause measurable degradation in water quality.*

The requested variance will not violate State water quality standards or cause measurable degradation in water quality. The subject property is located within the upper reaches of the Little Seneca Creek watershed which has a use IV-P designation. Use IV-P have water quality standards set that if met make them suitable for water contact recreation, recreational trout and public water supply. Readily available information on Total

Maximum Daily Loads (TMDLs) from MDE and EPA indicate that there is no approved sediment or other TMDLs established for Little Seneca Creek or this portion of the Great Seneca Creek watershed.

The trees in question are located in an upland area on relatively flat ground far removed from any stream or associated buffer. Therefore, removal of the specimen trees does not directly impact stream temperature or stream quality. The subject property is being designed under new stormwater management regulations required by the Stormwater Management Act of 2007. Environmental Site Design (ESD) will be used to limit the runoff from the site after development to the equivalent of "woods in good condition". The conceptual Soil Erosion and Sediment Control Plan proposes a two-stage Sediment Control Trap as well as Super Silt Fence and Inlet Protection in series. Additional sediment controls include double rows of super silt fence will be added to the final plan where appropriate to control sediment runoff from the site during construction. Silt socks may also be used in certain areas to limit tree root impacts.

Staff finds that the development impacts will not cause measurable degradation in water quality because: 1) the removal of the requested trees will not directly impact the stream; 2) the site runoff will be designed to mimic that from the existing wooded condition; 3) there are no stated TMDLs for this portion of the Little Seneca Creek; and 4) additional soil erosion and sediment control measures will be used during construction which include the use of redundant sediment control measures throughout the site and the use of sediment traps with forebays that provide 125% of the normal required storage volume.

As a result of the above findings, staff recommends approval of the applicant's request for a variance from Forest Conservation Law to remove or otherwise impact specimen (and/or certain other specified) trees on-site. The variance approval is assumed into the Planning Board's approval of the final forest conservation plan.

CONCLUSION

Environmental Planning recommends the Planning Board approval of the Preliminary Water Quality Plan and approval with conditions of the Preliminary Forest Conservation Plan (PFCP) which shall be reviewed concurrently with the above referenced special exception.

ATTACHMENT A

County Arborist's Forest Conservation Variance Recommendations



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Isiah Leggett
County Executive

Robert Hoyt
Director

November 19, 2009

Royce Hanson, Chairman
Montgomery County Planning Board
Maryland National Capital Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

RE: Victory Oaks at St. Camillus, S-2751 (NRI/FSD approved on 5/22/2009)
Farmland Elementary School, MR09709 (NRI/FSD applied for on 9/24/08)
Brooke Park, DAIC 120100030 (NRI/FSD applied for on 4/24/2009)
Montgomery Knolls Elementary School, MR2009743 (NRI/FSD applied for on 10/23/08)
New Hampshire Gardens, S-1424A (NRI/FSD approved on 9/3/2009)
Piedmont Road, DAIC 120090330, (NRI/FSD applied for on 7/24/2006)
Goddard School – Clarksburg, S-2759, (NRI/FSD applied for on 6/22/09)

Dear Dr. Hanson:

As stated in a letter to you from Bob Hoyt, dated October 27, 2009, the County Attorney's Office has advised me that the new provisions of the Forest Conservation Act do not apply to any application required by Chapter 22A of the Montgomery County Code submitted before October 1, 2009. Since the applications for the above referenced requests were submitted before this date, I will not provide a recommendation pertaining to these requests for variances.

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

Sincerely,

Laura Miller
County Arborist

cc: Robert Hoyt, Director
Walter Wilson, Associate County Attorney
Mark Pfefferle, Acting Chief

Division of Environmental Policy and Compliance

255 Rockville Pike, Suite 120 • Rockville, Maryland 20850 • 240-777-7770 • 240-777-7752 FAX
www.montgomerycountymd.gov

20

ATTACHMENT 7



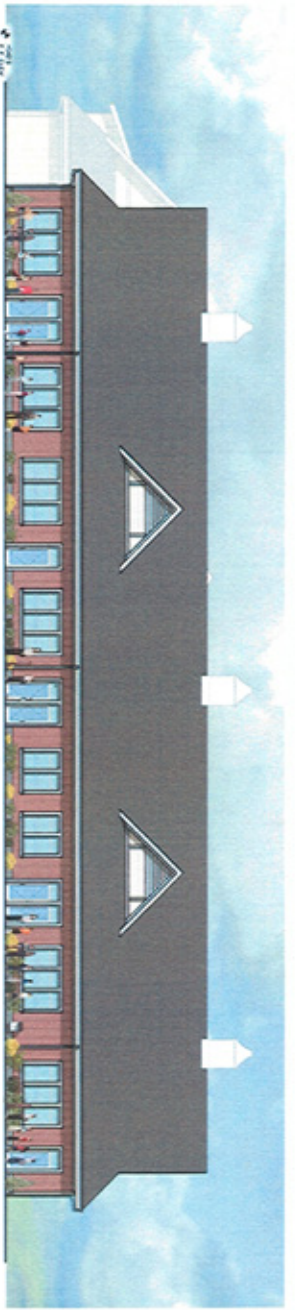
1 North Elevation
 A301 Scale: 1/8" = 1'-0"



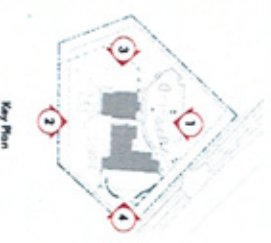
2 South Elevation
 A301 Scale: 1/8" = 1'-0"



3 West Elevation - Annex Building
 A301 Scale: 1/8" = 1'-0"



4 East Elevation - Main Building
 A301 Scale: 1/8" = 1'-0"



MVA
 MICHIGAN VEHICLE ASSOCIATION
 10000 E. GRAND AVENUE
 ANN ARBOR, MI 48106
 TEL: 734.769.1234
 FAX: 734.769.1235
 WWW.MVA-MI.COM

27

The Goddard School
 CATHOLIC LEARNING

Elevations

8/21/2025

8/21/2025

NO.	DATE	BY	DESCRIPTION
1	8/21/2025

NO.	DATE	BY	DESCRIPTION
1	8/21/2025

A301



1 Perspective - Northwest
SCALE NTS



2 Perspective - North
SCALE NTS



3 Bird's Eye View
SCALE NTS



4 Site Plan
SCALE 1" = 40'-0"



MASSACHUSETTS
REGISTRATION BOARD
100 STATE STREET, SUITE 100
BOSTON, MA 02109
TEL: 617-725-2000
WWW.MVA.CA



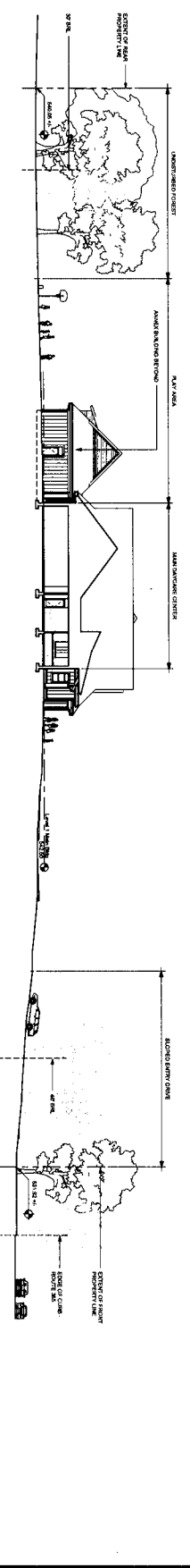
The Goddard School

OXFORD, MASSACHUSETTS

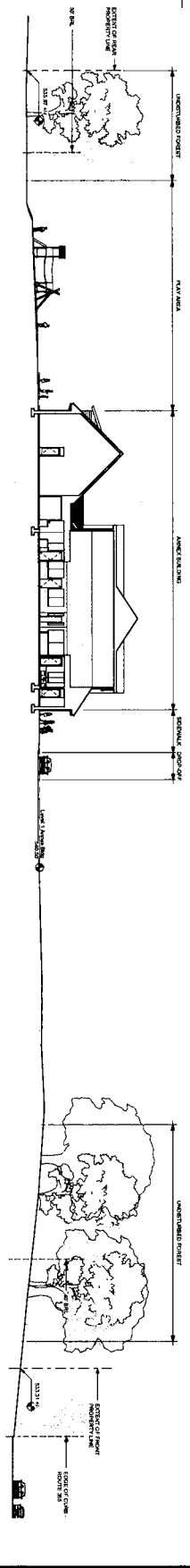
Site Plan and Renderings

DATE: 08/27/08

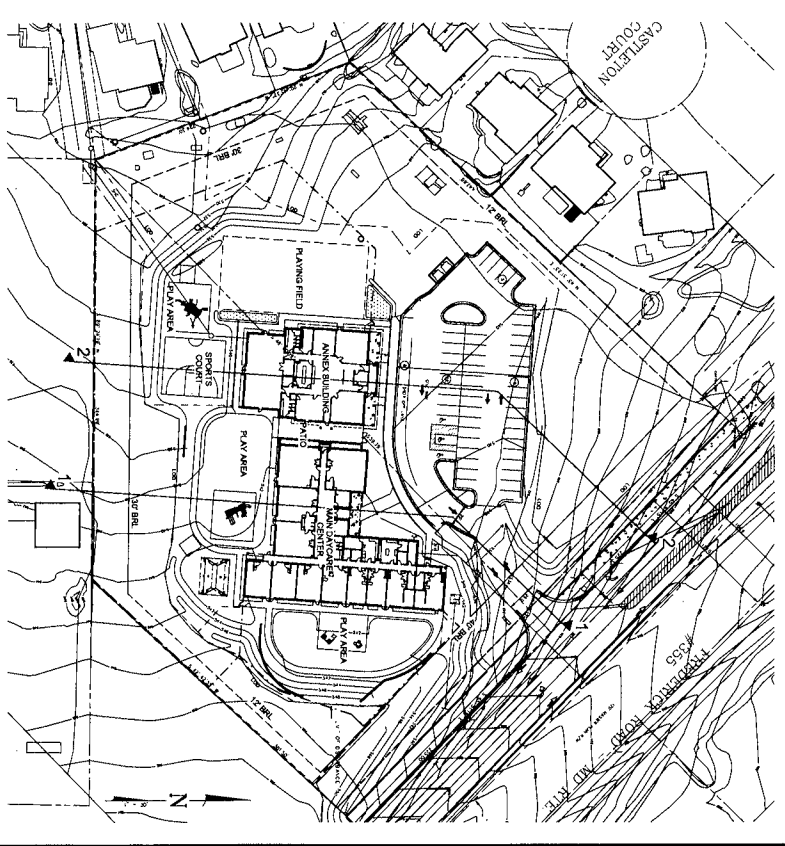
NO.	NAME	DATE
1	OWNER	08/27/08
2	ARCHITECT	08/27/08
3	ENGINEER	08/27/08
4	PLANNING	08/27/08
5	LANDSCAPE	08/27/08
6	INTERIOR	08/27/08
7	MECHANICAL	08/27/08
8	ELECTRICAL	08/27/08
9	PLUMBING	08/27/08
10	HAZARDOUS WASTE	08/27/08
11	ASBESTOS	08/27/08
12	LEAD	08/27/08
13	ENVIRONMENTAL	08/27/08
14	ARCHITECTURAL	08/27/08
15	CONSTRUCTION	08/27/08
16	OPERATION	08/27/08
17	MAINTENANCE	08/27/08
18	REPAIR	08/27/08
19	RENOVATION	08/27/08
20	DEMOLITION	08/27/08



1 Site Section 1-1 (Through Main Building)
 A101.a SCALE 1/8" = 1'-0"



2 Site Section 2-2 (Through Annex Building)
 A101.a SCALE 1/8" = 1'-0"



3 Key Plan
 A101.a SCALE 1" = 40'-0"



The Goddard School
 CAMBRIDGE, MARYLAND

Site Sections

DATE: 08/07/09
 08078 00

NO.	DATE	DESCRIPTION	BY	APP.
1	08/07/09	START		
2	08/10/09	CLIENT REVIEW		
3	08/11/09	PROGRESS SET		
4	08/20/09	PROGRESS SET		
5	08/21/09	PROGRESS SET		
6	08/24/09	PROGRESS SET		
7	08/27/09	PROGRESS SET		
8	08/28/09	PROGRESS SET		
9	08/28/09	PROGRESS SET		
10	08/28/09	PROGRESS SET		
11	08/28/09	PROGRESS SET		
12	08/28/09	PROGRESS SET		
13	08/28/09	PROGRESS SET		
14	08/28/09	PROGRESS SET		
15	08/28/09	PROGRESS SET		
16	08/28/09	PROGRESS SET		
17	08/28/09	PROGRESS SET		
18	08/28/09	PROGRESS SET		
19	08/28/09	PROGRESS SET		
20	08/28/09	PROGRESS SET		
21	08/28/09	PROGRESS SET		
22	08/28/09	PROGRESS SET		
23	08/28/09	PROGRESS SET		
24	08/28/09	PROGRESS SET		
25	08/28/09	PROGRESS SET		
26	08/28/09	PROGRESS SET		
27	08/28/09	PROGRESS SET		
28	08/28/09	PROGRESS SET		
29	08/28/09	PROGRESS SET		
30	08/28/09	PROGRESS SET		
31	08/28/09	PROGRESS SET		
32	08/28/09	PROGRESS SET		
33	08/28/09	PROGRESS SET		
34	08/28/09	PROGRESS SET		
35	08/28/09	PROGRESS SET		
36	08/28/09	PROGRESS SET		
37	08/28/09	PROGRESS SET		
38	08/28/09	PROGRESS SET		
39	08/28/09	PROGRESS SET		
40	08/28/09	PROGRESS SET		
41	08/28/09	PROGRESS SET		
42	08/28/09	PROGRESS SET		
43	08/28/09	PROGRESS SET		
44	08/28/09	PROGRESS SET		
45	08/28/09	PROGRESS SET		
46	08/28/09	PROGRESS SET		
47	08/28/09	PROGRESS SET		
48	08/28/09	PROGRESS SET		
49	08/28/09	PROGRESS SET		
50	08/28/09	PROGRESS SET		

A101.a

ATTACHMENT 9

AFFIDAVIT OF COMPLIANCE

I HEREBY CERTIFY that I will comply with and satisfy all applicable State and County requirements, correct any deficiencies found in any government inspection, and be bound by this affidavit as a condition of approval for the special exception.

I understand that if I fail to meet State or County requirements, this special exception may be declared invalid.



Petitioner

Subscribed and sworn to me, a Notary Public for Montgomery County, Maryland, this 12th day of October, 20 09.



Notary Public

My Commission Expires: Aug. 24, 2012

ATTACHMENT 10

December 24, 2009

Jan 04 2010
Rell

Renee Miller
Development Review Division
Montgomery County Planning Department
8787 Georgia Avenue
Silver Spring, MD 20910

Dear Ms. Miller,

I am writing to express my support of the proposed Clarksburg Goddard School. As a resident of Boyds, I believe our area needs additional childcare infrastructures to accommodate the growing number of working parents and school age children in this community.

As a parent of two sons who attend Clarksburg Elementary School and the Rockville Goddard School facility, I have faced my fair share of childcare issues as a working mother and student. The options for after-care specifically in this community are not particularly learning focused nor do their schedules accommodate working parents in this area. The proposed schedule for the Clarksburg Goddard School and their pattern of reliability from my experience over the past three years will provide my family and other dual-career families who seek stimulating and reliable childcare the opportunity to place their children in a safe and well-structured environment within our community.

I look forward to continuing my relationship with The Goddard School and Mr. Flax as my 5-year-old son enters kindergarten this fall at Clarksburg Elementary School.

Sincerely,

Tia H. Conrad

ATTACHMENT 11

January 20, 2010

To Whom it May Concern,

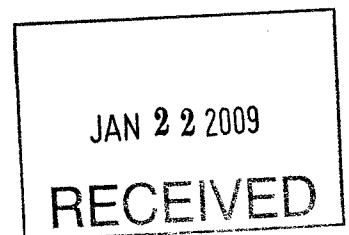
Re: Case#S-2759

I have been a resident of Montgomery County for over 30 years. Recently I've been made aware of a new pre-school being built in Clarksburg. I've seen 1st hand the growth in Clarksburg, and applaud any and all new businesses being built in and around that area. I feel this would be a great opportunity for not only the economy but also offer new employment opportunities as well.

Thank you,



Tracey N. Stephens
18003 Cloppers Mill Terrace #E
Germantown, MD 20874



ATTACHMENT 12

January 28, 2010

To Whom It May Concern:

I am aware that there is the consideration of building a Goddard School in Clarksburg (case #S-2759). As a Montgomery County resident, I feel that this would be beneficial to the community. The Goddard School provides a wonderful education program that would benefit the children of the local area. In addition, it would provide jobs to those living in Clarksburg and the surrounding area. The Goddard School receives my support in their future expansion plans.

Sincerely,

Linda Wu

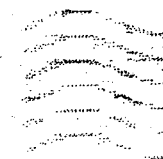
Linda Wu

FEB - 1 2010
RECEIVED

L. Wu
5801 Nicholson Ln.
Suite 503
N. Bethesda, MD 20850

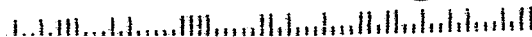
BALTIMORE MD 212

15.500.000 000 000



Renée M. Miller, AICP
Development Review - Zoning
M-NCPPC
8787 Georgia Ave.
Silver Spring, MD 20910

3A



ATTACHMENT 13

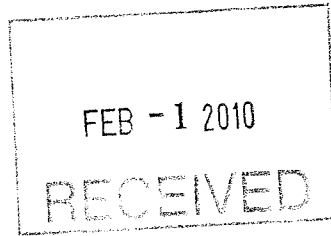
January 29, 2010

To Whom It May Concern:

I am writing in regards to The Goddard School that is in consideration to be built and open by September 2011 in Clarksburg, Maryland (#S-2759). As a Montgomery County resident I feel that The Goddard School would be a great addition to the Clarksburg community. The Goddard School would provide great benefits to the community and economy by providing jobs and education. I support The Goddard School construction in the Clarksburg community.

Sincerely,

Clelia Stephanie Molina



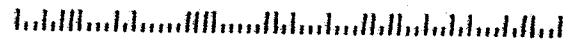
Clelia Stephanie Molina
9902 Tambay Court
Montgomery Village, MD 20886

MONTGOMERY MD 222
FEB 01 2010 PM 5:1



Renee M. Miller, AICP
Development Review Zoning
M-NCPPC
8787 Georgia Avenue
Silver Spring, MD 20910

20910+3716



ATTACHMENT 14

Shareece Stewart
18801 Bent Willow Cir. #1238
Germantown, MD 20874
January 29, 2010

Renee M. Miller, AICP
Development Review - Zoning
M-NCPPC
8787 Georgia Ave
Silver Spring, MD 20910

To Whom It May Concern:

I have been a resident of Montgomery County for over 20 years. I have recently learned that The Goddard School is going to be building a new site in Clarksburg. I would like to state that I support the construction of this school. I believe that this school will bring a new and exciting child development program for the families in the Clarksburg area. Not only will families in the community benefit from this school, the construction of this school will bring job opportunities to teachers and administrators in the area. I support case #S-2759.

Sincerely,

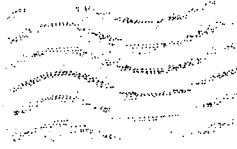


Shareece Stewart

FEB - 1 2010
RECEIVED

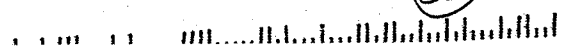
Shareece Stewart
18801 Bent Willow Cir. -38
Germantown, MD 20874

RECEIVED
JAN 29 2010 PM 3 1



Renee M. Miller, AICP
Development Review - Zoning
M-NCPPC
8787 Georgia Ave
Silver Spring, MD 20910

36



ATTACHMENT 15

FEB 03 7:10

Stacey Berk

11111 Potomac Oaks Drive

Rockville, MD 20850

February 1, 2010

Renee Miller, Development Review-Zoning

M-NCPPC

8787 Georgia Avenue

Silver Spring, MD 208910

Dear Ms. Miller,

I am pleased to support Ross Flax of the Goddard School, case **S#2759**, in his quest for expanding a second school in Montgomery County, specifically a 5 acre parcel of land in Clarksburg. We have known Ross and his staff for four years and have enjoyed the quality education program that the Goddard School at King Farm has provided to our son and his peers. The Goddard School at King Farm, in my opinion, sufficiently prepares children for kindergarten, including their readiness in social skills, math, reading and languages.

Please let me know if you have any questions via email at sberk@yahoo.com or 301.502.1191. Thank you.

Sincerely,

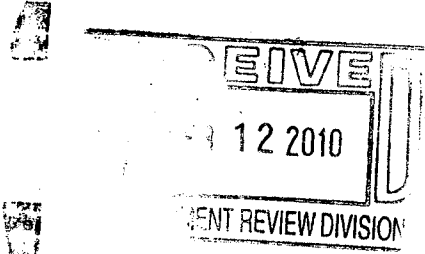


Stacey Berk

ATTACHMENT 16

Renée M. Miller, AICP
Development Review - Zoning
11-AICPPC
1737 Georgia Avenue
Poolesville, MD 20910

Case # S-2759



February 4, 2010

Dear Ms. Renée M. Miller,

I would like to express my support for the opening of a new school in Clarksburg, Maryland. My two sons attend the Goddard School at King Farm since 2007 and we are extremely happy with the superb quality of the children care provided, the excellent curriculum and the commitment to keeping an impeccable modern facility such as that of the Goddard School at King Farm. It is my understanding that the new school at Clarksburg will have a similar preschool program and before and after school care for older kids with the addition of exciting new programs such as chess club, club scout, cooking club, and school tutoring. I am confident that the community will benefit enormously from having a school like this in the neighborhood and we are hoping we can also take advantage of some its new programs.

Don't hesitate to contact me if you have questions about our experience with the Goddard School.

Sincerely,

Veronica A. Brenowitz

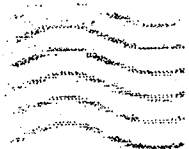
(301) 605-7217

Mr. Stephan Brenowitz
1502 Baylor Ave
Rockville, MD 20850

30

SUBURBAN, MD 208

FEB 12 2010 11:11 AM

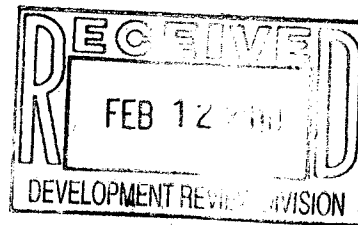


ATTACHMENT 17

208 Watkins Circle
Rockville, MD 20850

February 1, 2010

Renee Miller, AICP
Development Review - Zoning
M-NCPPC
8787 Georgia Ave.
Silver Spring, MD 20910



Dear Ms. Miller,

This letter is in reference to Case #S-2759. Our daughter Kaitlin has attended the King Farm Goddard School since Fall 2006 and our daughter Lauren has attended the same school since Fall 2007. Both girls have benefited from and enjoyed the curriculum at the King Farm Goddard School owned by Ross Flax. We support the development of a Goddard School in Clarksburg, MD and the addition of the after-school programming for children 5-12 sounds like a wonderful enhancement.

Please let us know if we can answer any further questions about the King Farm Goddard School or our experiences with the program.

Sincerely,

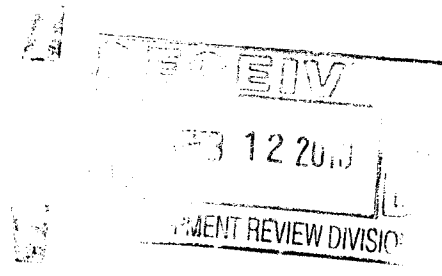
A handwritten signature in cursive script that reads "Vinita Gotting".

Vinita and Eric Gotting
Phone: 301-990-6765
E-mail address: vinitagotting@westat.com

ATTACHMENT 18

February 2, 2010

Renee M. Miller, AICP
Development Review-Zoning
M-NCPPC
Georgia Avenue
Silver Spring, MD 20910



Dear Mrs. Miller,

My husband and I have been parents at Goddard School in Rockville, since August of 2007. Our daughter began at the school when she was 7 months old and has currently been in 7 of the classrooms. Each classroom has allowed our daughter to flourish and build skills that we find important to her socially and academically.

As a current teacher in Montgomery County I know the expectations students must achieve to reach success for the academic future. My husband and I feel that our daughter continues to receive a good foundation for her learning at The Goddard School which will help her achieve the 7 Keys to Success when she enters as a Montgomery County Public School student.

With the opening of another Goddard School in Clarksburg my husband and I hope that other younger children will get the same opportunity to build their foundation both academically and socially. As well, with the addition of facilitating programs for older children before and after school, these children will have a place to study and complete homework and develop hobbies and interests.

Please consider special exception for The Goddard School case #S-2759.

Cordially,

Janice Kupersmith

Janice Kupersmith

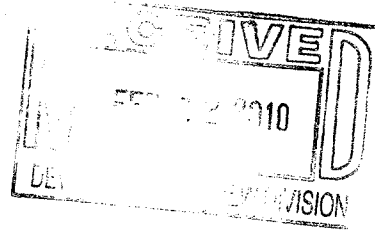
Kupersmith
922 Paulsboro Dr
Rockville MD 20850

ATTACHMENT 19

February 5, 2010

Re: #S-2759

Renée M. Miller, AICP
Development Review – Zoning
M-NCPPC
8787 Georgia Avenue
Silver Spring, MD 20910



Dear Ms. Miller:

This letter is in support of the construction of a new Goddard School in Clarksburg (case #S-2759). Our children attend the Goddard School in King Farm. If you need any additional information from us, please do not hesitate to contact me.

Sincerely,

P. Divya Parikh
210 Watkins Pond Boulevard
Rockville, Maryland 20850

ATTACHMENT 20

Leo M. Galanko, Plan Reviewer
Department of Permitting Services
Land Development Services, Water Resources
255 Rockville Pike, 2nd Floor
Rockville, Maryland 20850
leo.galanko@montgomerycountymd.gov

Montgomery County Board of Appeals
Stella B. Werner Council Office Building
100 Maryland Avenue, Room 217
Rockville, Maryland 20850
BOA@montgomerycountymd.gov

Planning Board
M-NCPPC
8787 Georgia Ave.
Silver Spring, MD 20910
MCP-Chair@mncppc-mc.org

Councilmember Mike Knapp
100 Maryland Ave
Rockville, MD 20850
Councilmember.Knapp@montgomerycountymd.gov

To Whom it May Concern,

I am writing on behalf of the Summerfield Crossing Homeowners Association Board of Directors. Our community is located near the 12700-12800 block of West Old Baltimore Road in Boyds, MD. It has recently come to our attention that Goddard Day Care is in the very early stages of building a day care facility at a location within approximately ½ mile of our community. We understand that the proposed facility will sit at the northern end of the former "Miller and Smith / Tapestry" site, close to the Hurley Ridge community near the intersection of West Old Baltimore Road and Frederick Road.

The purpose of this message is to formally request that our community be kept informed of this project and given adequate notice for future public participation in the process, as this proposed facility will have a substantial affect on the surrounding community, including Summerfield Crossing. Also, we would like to take this opportunity to provide input that we sincerely hope will be considered during the process for approval of this project. If this is not the appropriate distribution list to direct this communication to at this time, or if we should be communicating with another county authority, please let us know so that we can direct our communications appropriately.

All follow up communication regarding this subject should be directed to our management company at the following contact info:

**Summerfield Crossing Homeowners Association
c/o The Management Group Associates
20440 Century Blvd., Suite 100**

Germantown, MD 20874
Email: TMGAInc@TMGAInc.com

In terms of the proposed project, the community understands that with the state of the housing market as it is, Miller and Smith's plans to develop this site as residential have fallen through. It is also our understanding that one of the requirements of the original Tapestry site plan, was that the intersection of Frederick Road and West Old Baltimore Road would be "improved" by Miller and Smith as part of the proposed residential development.

It is safe to say that our residents feel that a nearby day care center will be a huge plus for our community, however, we also felt that it is our responsibility as neighbors of this proposed facility to ensure that the county officials responsible for allowing this project to move forward are reminded of the traffic "quagmire" that occurs at this intersection on a daily basis, and that it is our sincere request that conditions of this project's approval include appropriate improvements to the West Old Baltimore and Frederick Roads intersection, and the nearby intersection of Brink and Frederick Roads, to support the additional traffic.

Certainly, if the original plan for 66 one family detached and 12 one-family duplex units with residents coming and going throughout the day warranted improvements to the intersection, a proposed institutional use anticipating 283 children (i.e parents dropping off their children) plus 49 staff members all arriving/leaving at the same time of day should require the same improvements or better!

Thank you for your consideration of our input, and we look forward to hearing back from you regarding specifically how our input will be considered in the approval process for this project.

Sincerely,

Joe Wolski

On behalf of the Summerfield Crossing HOA Board of Directors

ATTACHMENT 21

MAR

Christine Avallone
1901 Piccard Drive
Rockville, MD 20850

Renée M. Miller, AICP
Development Review – Zoning
M-NCPPC
8787 Georgia Avenue
Silver Spring, MD 20910

2/5/2010

RE: Case # S-2759

Dear Ms. Miller,

I was delighted to hear that the Goddard School is interested in building a new school in Clarksburg. A new Goddard school will fill a great community need by expanding options for Clarksburg-area parents. It will also help open spaces at the existing Goddard schools and other daycare facilities in our area—where, as many of us parents know, the waiting lists are usually quite long.

My daughter attends the Goddard School in King Farm, a half-mile down the road from my home. Being able to fill our daycare need so close to home greatly improves the quality of life for me and my family.

Additionally, the school building architecture nicely complements the neighborhood; grounds are always kept neat and tidy; and seeing the children at play while walking or driving by adds to a positive neighborhood feel.

Please approve the Goddard building project for Clarksburg so other local parents can benefit from the quality-of-life enhancement (and peace of mind) that comes with having quality daycare close by.

Sincerely,



Christine Avallone

P.S. I believe many parents will be interested in the proposed after-school program.

cc: Office of Zoning and Administrative Hearings
Stella B. Werner Council Office Building
100 Maryland Avenue, Room 200
Rockville, MD 20850