



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

Staff Report: Subdivision Waiver Amendment No. SRW 01106 and Site Plan Amendment 82001018A, The Woods Academy

ITEM #: _____

MCPB HEARING DATE: June 12, 2008

REPORT DATE: June 2, 2008

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief
 Development Review Division

FROM: Cathy Conlon, Supervisor
 Robert Kronenberg, Supervisor
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APPLICATION DESCRIPTION:

Continuation of the January 10, 2008 hearing for a Subdivision Waiver Amendment and for an increase in enrollment of students from 302 to 410, in the R-200 Zone; located in the northern quadrant at the intersection of Green Tree Road and Burdette Road, in the Potomac Master Plan area

APPLICANT: The Woods Academy

FILING DATE: June 7, 2006

RECOMMENDATION: Approval with conditions

EXECUTIVE SUMMARY:

The Woods Academy application was heard by the Planning Board on January 10, 2008 for a subdivision waiver amendment and for an increase in the student enrollment from 302 to 362 with an opportunity to request an increase to 410. After discussion and opposition by the residents and members of the BBKA (Bradley Hills Citizen's Association), the Planning Board deferred the application and urged the two parties to address concerns related to the proposed Transportation Management Plan ("TMP"), resident traffic concerns, access to the site and compatibility. The Woods Academy and the BBKA are presenting a consolidated report accepting the increase in enrollment with specific conditions and a revised TMP that is acceptable to all parties.

Revised Proposal

As noted in the executive summary, the BBCA, residents and the Woods Academy are in agreement with the revised conditions (Attachment A) and the revised TMP (Attachment B). Both parties have expended numerous hours in the drafting of language to provide assurances to the community that the conditions of approval, as amended, address the concerns related to compatibility, traffic impacts and operations, landscaping, lighting, and signage in and around the site.

The Applicant and the BBCA have held numerous meetings to discuss the various issues associated primarily with the revised TMP. The revised TMP incorporates additional enforcement measures, assessments needed to facilitate enrollment increases, and language regarding access and transportation related to the immediate surrounding neighborhood. Most significantly, the revised TMP addresses the BBCA's comments and concerns and allows the citizens a voice in the operations of the school, as they relate to transportation, with the intent to promote a healthier relationship between the school and community. The TMP continues to include language regarding special events management, on-site queuing and parking policies.

Staff continues to support the subdivision waiver request due to the fact that it presents an unnecessary practical difficulty for the Applicant because the review of the preliminary plan would be duplicative to the site plan amendment. The waiver to subdivision is the minimum required to provide the necessary relief, is not adverse to the public interest because the review of the submitted site plan amendment covers the applicable aspects of a subdivision review, and is not inconsistent with the objectives of the General Plan. A description of the waiver request and relevant information is provided in the January 10, 2008 staff report located in Attachment C. The platting and dedication may be needed prior to issuance of any future building permits for the Property, but this issue does not need to be addressed now since the enrollment increase does not require any building. A condition of approval in attachment A notes the support of the subdivision waiver request.

The findings remain in support of the application for an increase in enrollment and further expand on the specific findings for landscaping and lighting, vehicular and pedestrian circulation and compatibility. The TMP addresses the needs of the community and The Woods Academy for safe and adequate circulation and access in and around the site, and provides for a check system for the residents in order to monitor traffic operations for compliance. Landscaping and lighting is enhanced with additional planting on the western boundary, which also enhances the compatibility of the school with surrounding properties. The Applicant has removed the signs from their site with respect to use of the fields, as requested by the Planning Board and residents.

Staff commends the BBCA and The Woods Academy in reaching an agreement and negotiating in a spirit of cooperation to revise the TMP and conditions of approval.

ATTACHMENTS

- A. Revised Conditions of Approval
- B. Revised Transportation Management Plan dated May 18, 2008 and correspondence
- C. Staff Reports from the January 10, 2008 hearing

ATTACHMENT A

Revised Conditions of Approval

STAFF RECOMMENDATION for Subdivision Review Waiver SRW01006A: Approval of the request to waive submittal of a preliminary plan and record plat, subject to the following condition:

1. Issuance of any future building permit(s) for this property will be subject to the applicable record plat requirements of Chapter 50 of the County Code.

STAFF RECOMMENDATION for Site Plan Amendment 82001018A: Approval of a phased increase in enrollment of students from 302 to 362, with permission to request an amendment to increase enrollment to a maximum of 410 students, with the following conditions:

1. **Site Plan Conformance**

The proposed development shall comply with the conditions of approval for Preliminary Plan 120010180 as listed in the Planning Board opinion dated August 16, 2001, or as amended by this application [Attachment C] as approved with conditions by the Planning Board.

2. **Transportation Management Plan**

The Applicant shall be bound by and shall implement in good faith the terms and conditions of the Transportation Management Plan ("TMP") dated June 2008 [Attachment B]. All provisions of the TMP are subject to enforcement in accordance with the terms of the TMP. Should the Planning Board find, after a public hearing that the Applicant is not in compliance with the TMP, the Planning Board may modify the conditions of Site Plan approval, including the permitted enrollment.

3. **Community Liaison Council:**

- a. The Applicant shall continue to participate in the meetings of the Community Liaison Council ("CLC") as provided in the TMP.
- b. The Applicant shall prepare and present to the CLC reports as provided in the TMP to permit assessment of its performance.
- c. The CLC shall evaluate the TMP annually to assess compliance and allow for improvements. Any TMP revisions shall be made in accordance with the terms of the TMP.

4. **Enrollment-The phased increase shall be permitted to begin in the fall of 2008 and shall be subject to the following terms:**

- a. The Applicant may increase its enrollment by no more than 20 students per year up to 362 students.
- b. The Applicant shall not enroll any students above the level of grade 8.
- c. Beginning with the 2008-2009 academic year, the Applicant shall take such measures as are necessary to ensure that it does not exceed the Trip Caps established through the TMP. The terms "Trip" and "Trip Cap" shall have the meanings set forth in Section IV of the TMP.
- d. Beginning with the 2009-2010 academic year and for subsequent years thereafter, the Applicant shall implement and maintain a Trip reduction program that shall require Carpooling (as defined in the TMP), busing or both. It is understood that Carpooling and busing will not be feasible or practicable for all students, and that the decision whether to

require Carpooling or busing for a particular family or student will be in the Applicant's discretion.

- e. Prior to increasing the enrollment for any academic year after 2008-2009, the Applicant shall submit to the Planning Board or its designee (through submission to the Chief of Development Review and the Chairman's office no later than March 15) a written report including a letter of intent to increase the enrollment by no more than 20 students in the coming year. The letter shall be accompanied by a copy of this condition, the current TMP, an annual summary of the quarterly reports presented to the CLC and an evaluation by the CLC of the Applicant's compliance with the TMP. The Planning Board or its designee shall notify the Applicant within 45 days whether the request is subject to further proceedings.
- f. If the Applicant seeks to increase its enrollment above 362 students, then:
 - i. The Applicant shall file an application for a Site Plan amendment which must comply with all the terms and conditions of the TMP and include a condition to establish or continue bus transportation for students in grades 1-8 if the increase is granted.
 - ii. The Applicant must hold a public meeting with the CLC, including the Bradley Boulevard Citizens Association, at least 60 days prior to submission of such request to the Planning Board. At the public meeting, the Applicant must present a report prepared by a professional transportation engineer that contains a Trip count, queuing and parking analysis with conclusions as to the adequacy of the Trip reduction program, the current and projected queuing and parking conditions, and any proposed remedial measures if related problems exist or are projected to exist (the "Transportation Report").
 - iii. If the Bradley Boulevard Citizens Association and the neighborhood representatives on the CLC do not request a hearing before the Planning Board on the amendment to the Site Plan, the Applicant may submit the Site Plan amendment for possible consideration on the Planning Board's Consent Agenda.

5. Parking

The Applicant shall provide a minimum of seven visitor parking spaces, marked and signed, in the front of the school.

6. Transportation Planning

The Applicant shall comply with the following conditions of approval in the memorandum dated November 27, 2007 from M-NCPPC Transportation Planning:

- a. Limit the access points on Greentree Road as one-way in and one-way out circulation.
- b. Should the site become private property in the future, the Applicant shall provide a covenant for an easement of future dedication of 35 feet of right-of-way from the centerline of Greentree Road, a primary master planned road.
- c. The Applicant shall consult with the CLC regarding a proposal for a crosswalk(s) across Greentree Road at the Burdette Road intersection. If the CLC agrees to the provision of a crosswalk(s), the Applicant shall submit a request for DPWT approval of the provision of a crosswalk(s), to be provided at the expense of the Applicant. Since the potential crosswalk(s) will be primarily (or solely) off-site in the Greentree Road public right-of-way, the Site Plan will not need to be amended to show any potential future crosswalk(s). However, the Applicant shall forward the CLC meeting minutes regarding the crosswalk(s) and any relevant correspondence with DPWT and M-NCPPC for inclusion in the Site Plan file.

7. Certified Site Plan

Prior to Staff approval of the certified site plan, the following revisions and information shall be included and/or information provided:

- a. Site plan index, site plan resolution and development program to include the TMP dated June 2008, and the proposed conditions related to, but not limited to, landscaping, lighting, drainage and signage.
- b. Provide a minimum of seven visitor parking spaces, marked and signed in the front of the school.
- c. The certified Site Plan shall require the Applicant to replace the shade and maple trees referenced in Condition 3.E of the Planning Board's August 16, 2001 Opinion no later than thirty (30) days after approval of the certified Site Plan. The type, caliper and location of such trees shall be determined in consultation with M-NCPPC staff and the residents of Lot 2 on Renshaw Drive. Such trees shall be replaced by the Applicant in accordance with American Nursery Standards if they die within five (5) years of the approval of the Site Plan Amendment.
- d. The certified Site Plan shall require the Applicant to replace the Leyland Cypress trees planted on the western property line in August 2007 in accordance with American Nursery Standards if they die within five (5) years of the approval of the Site Plan Amendment.
- e. The certified Site Plan shall require the Applicant to maintain the drainage system established along the western boundary of its property so that the drainage system maintains a positive flow away from the adjoining residential properties (provided that the grade of such adjoining properties has not been materially altered).
- f. The certified Site Plan shall require the Applicant to maintain its lighting in a manner that does not create any glare or reflection into adjoining homes and does not highlight the façade of the school building.
- g. The certified Site Plan shall preclude any signs on the site with respect to restrictions on public use of the fields without the prior approval of the M-NCPPC staff.

ATTACHMENT B

Revised Transportation Management Plan dated May 18, 2008

April 8, 2008

Mr. Robert Kronenberg
Development Review

Debra Yerg-Daniel, Esquire
Associate General Counsel
Legal Department

Maryland-National Capital Park & Planning Commission
8787 Georgia Avenue
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**Re: The Woods Academy: Site Plan Amendment, Subdivision
Waiver Amendment; Site Plan No. R-1018A; SRW 01106**

Dear Mr. Kronenberg and Ms. Yerg-Daniel:

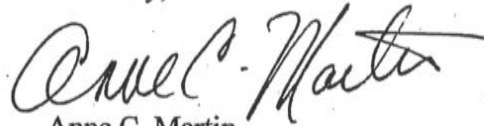
As you know, the Planning Board held a hearing in early January on The Woods Academy's application to amend its Site Plan to permit an enrollment increase. At that hearing, the Bradley Boulevard Citizens Association ("BBCA") and community residents strongly opposed the amendment, and the Planning Board granted The Woods Academy's request for a deferral to provide the parties an opportunity to resolve their differences. We are pleased to report that, after extended negotiations, the parties have reached an agreement that would permit The Woods Academy to increase its enrollment while addressing the community's concerns. That agreement involves extensive revisions to both the proposed Conditions of Approval and the Transportation Management Plan ("TMP") that were presented at the January hearing.

We have enclosed copies of the revised proposed Conditions of Approval (Staff Recommendations) and revised TMP. The Woods Academy requests that any approval of its application for a Site Plan amendment be made subject to these revised proposed Conditions of Approval and TMP, and the BBCA is pleased to say that it supports The Woods Academy's application as modified by these revised Conditions of Approval and TMP. Each revision to the proposed Conditions of Approval and TMP was the subject of extensive negotiation and was carefully crafted to meet the concerns of both parties. We recognize that M-NCPPC staff or the Planning Board may make changes to these proposed documents, and that Planning Board approval of the Site Plan amendment may be based upon such changes. It is understood that the BBCA's support of the application is premised on the approval of these documents as proposed, and that the BBCA reserves the right to oppose the application if there are material changes to the documents that BBCA believes are detrimental to the interests of the community. Similarly, The Woods Academy reserves the right to oppose material changes that are detrimental to the interests of the school.

We thank you both for your patience and cooperation during this process and hope that you will find that the results of our efforts merit your approval. If you intend to propose modifications to the TMP or to propose Conditions of Approval that differ from those we have enclosed, we would very much appreciate the opportunity to meet with you to discuss them.

We look forward to hearing from you.

Sincerely,



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ATTACHMENT A

TRANSPORTATION MANAGEMENT PLAN

THE WOODS ACADEMY

6801 Greentree Road
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Tele: 301-365-3080

Fax: 301-469-6439

Mrs. Mary Worch, Head of School
Mr. John DeMarchi, Associate Head of School

Last Updated
June 2008

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I. INTRODUCTION

(a) **Goals:** The Transportation Management Plan (TMP) presents the transportation-related management and community commitments of The Woods Academy. The goals of the TMP are:

- To ensure that vehicular traffic movements to and from the school are made in a safe and efficient manner and that no off-site queuing occurs;
- To ensure that on-site queuing and circulation of vehicles are conducted in an organized, safe and efficient manner;
- To reduce the number of vehicle Trips to and from the school so as to minimize the school's impact on the volume and flow of traffic in the surrounding community; and
- To ensure that school-related parking does not interfere with the circulation of traffic on the surrounding streets or neighbors' access to their homes.

(b) **TMP Policies, Guidelines and Procedures:** The TMP provides policies, guidelines and procedures for the following components:

- Access and Circulation
- School Transportation Coordinator
- Trip Reduction
- Driver Operations
- Morning Drop Off
- Afternoon Dismissal
- Parking Policies
- Delivery and Service Vehicles
- General Safety Provisions
- Community Relations
- Enforcement Measures for Driver Infractions
- Special Events Management
- Assessment and Enrollment Increases
- TMP Evaluation
- School Performance Evaluation
- Appendices: *Guide for Drivers, TMP Infraction Recording, Reporting and Assessment Procedures*
- Forms: *Vehicle Registration and Traffic Policy Agreement Signature Form, Form for Recording TMP Infractions, TMP Reporting Form*

The policies, guidelines and procedures in the TMP are intended to address the goals set forth above and in the Transportation Mission Statement in the attached *Guide for Drivers*. Specific information provided in the TMP with respect to school program activities, such as current commencement and ending times for the academic program, and drop-off and dismissal/pick-up times may be adjusted in the future, provided such adjustment is made in accordance with Section IV of this TMP. Methods of Special Event parking may be adjusted in accordance with Section XV. While this TMP is intended to apply to the operations of The Woods

Academy (including contracted sublessors of all or part of the Site) during the entire calendar year, it is understood that it will not be feasible or practicable to implement and enforce all of the provisions and terms herein during the summer period (see Section V(b)).

- (c) History: The TMP was first introduced in draft form at a May 2006 community meeting where The Woods Academy announced its plan to seek a Site Plan Amendment to increase its enrollment cap, was annexed as a part of the Site Plan Amendment application, was voluntarily implemented by the school effective September 2006, and has been amended to incorporate enhancements and additional assessment and enforcement measures proposed by the community, Montgomery County Planning Board Staff, the Montgomery County People's Counsel and the Montgomery County Planning Board. The TMP was significantly revised in early 2008. During this time period, The Woods Academy coordinated with the Bradley Boulevard Citizens Association (BBCA) and incorporated the BBCA's comments in the TMP.

II. ACCESS AND CIRCULATION

- (a) Access to The Woods Academy site ("the Site") is provided via Greentree Road with one entry point (east access point) and one egress point (west access point) on the campus.
- (b) Generally, right and left turns are allowed into the school via the east access point. However, during the morning and afternoon peak periods, cars must enter the east access point by approaching westbound on Greentree Road and making a right turn into the Site to minimize congestion and the possibility of queuing on Greentree Road. This left-hand turn restriction shall be included in the *Guide for Drivers* as applicable and may be removed only after approval by a majority of the Community Liaison Council ("CLC") (See Section XI), which majority must include the consent of the BBCA and The Woods Academy.
- (c) The Woods Academy (and all contracted sublessors of all or part of the Site) shall use their best efforts to prevent: (i) off-site School-related vehicle parking, stopping, waiting, queuing, pick-up and drop-off within any public rights-of-way within the Neighborhood, and (ii) off-site School-related vehicle parking, stopping, waiting, queuing and turning movements on private driveways within the Neighborhood. For purposes of this TMP, "Neighborhood" shall mean the geographical area bounded by Greentree Road, Michaels Drive, Fernwood Road, Bradley Boulevard and Burdette Road and includes the properties and streets encompassed within those boundaries as well as the properties on both sides of the Greentree Road, Michaels Drive, Bradley Boulevard and Burdette Road boundaries.
- (d) During the regular academic year, The Woods Academy shall employ an off-duty law enforcement officer, security personnel and/or school staff, and during the summer any contracted sublessor of all or part of the Site shall employ its staff (or

use Woods Academy staff), to assist with the implementation of this TMP and with the arrival/drop-off and dismissal/pick-up operations to ensure safe and smooth traffic flow.

III. SCHOOL TRANSPORTATION COORDINATOR (STC)

- (a) The Woods Academy shall appoint one staff member to be the School Transportation Coordinator (STC) to manage and implement the TMP. The STC can currently be contacted at (301) 365-3080 or at stc@woodsacademy.org. The STC contact information and the TMP shall be posted on The Woods Academy website, together with contact information for a Neighborhood representative if one is designated by the CLC (See Section XI). The website shall invite anyone with school-related traffic concerns to contact the STC (and the Neighborhood representative, if one is so designated by the CLC).
- (b) The STC shall utilize no fewer than three staff members, and may use more, to efficiently implement the TMP.
- (c) The STC shall administer the vehicle registration for family and faculty/staff drivers, including the distribution and collection of registration forms, the distribution of registration stickers, and the maintenance of current registration records. Vehicle registration shall commence in the summer mailings and shall be updated as changes occur throughout the school year.
- (d) The STC will be the primary point of contact for all traffic and parking-related issues, and shall be responsible for investigating complaints to determine whether a TMP infraction has occurred. The STC shall maintain all TMP records, including a log of any calls and correspondence regarding traffic and parking issues, as well as any actions taken thereon, including the payment of fines, together with the relevant dates. The STC shall transmit this log to The Woods Academy Head or Acting Head of School every month; however, the STC shall report to the Head or Acting Head of School within 3 business days any matter that constitutes a repeat infraction.
- (e) The STC shall maintain a record of all Trip counts that are performed pursuant to Section XIV of this TMP.
- (f) Assessment and Promotion of Carpool and Busing.
 - (i) The STC shall assess the use of Carpooling through (1) an annual Carpool survey in the fall and (2) the Trip counts performed pursuant to Section XIV of this TMP. In the event that The Woods Academy implements a busing program, the STC shall also assess the use of buses through a mechanism developed in consultation with and approved by a majority of the CLC, which majority shall include the consent of The Woods Academy and the BBCA. The STC shall maintain a current list of the Carpool groups (and bus users, if a busing program is implemented).

- (ii) The STC shall promote and facilitate Carpooling (and busing, if implemented) through education and incentive programs:
 - The Carpool education programs will include instruction at parent functions on how to use the available address information, including the search features in the school's online directory that parents can use to identify clusters of families to form convenient Carpooling groups. If busing is implemented, the busing education programs shall include instruction through mailings and at parent functions on available bus routes. The STC will regularly promote the advantages of Carpooling (and busing, if implemented), including the convenience, environmental, economic, and traffic reduction benefits.
 - The STC shall develop and promote incentives to encourage families to Carpool (and use bus transportation, if implemented).
 - The STC shall promote, and The Woods Academy shall provide, financial and other incentives to encourage faculty/staff to use public transportation, walk or bike to the school.

IV. TRIP REDUCTION AND DEFINITIONS

- (a) The Woods Academy agrees that, beginning with the 2008-2009 academic year, it will take such steps as are necessary to ensure that, except in the event of unplanned school closings due to weather or other unforeseen circumstances, it does not generate more than 381 A. M. Peak Period Trips and 325 P. M. Peak Period Trips; provided, however, that occasional variances of 5% from these Trip Caps shall not constitute a Trip Cap violation so long as A. M. Peak Period Trips do not exceed 400 and P. M. Peak Period Trips do not exceed 341. The Woods Academy agrees that it will notify the CLC prior to implementing any Schedule Changes and further agrees that no Schedule Changes shall be made without a corresponding adjustment to or expansion of the relevant Peak Period(s) by the CLC. It is understood that such adjustment or expansion shall not require an amendment to this TMP under Section XV of the TMP.
- (b) Beginning with the 2009-2010 academic year and for subsequent academic years thereafter, The Woods Academy agrees to implement and maintain a mandatory trip reduction program which shall require Carpooling, busing, or both. It is understood that Carpooling and busing will not be feasible or practicable for all students, and that the decision whether to require Carpooling or busing for a particular family or student will be in the School's discretion.
- (c) For purposes of this TMP, the following definitions shall apply:
 - (i) A "Trip" means a one-direction vehicle movement with either the origin or destination inside the school Site. For example, one vehicle entering the Site,

dropping off or picking up student(s), and then exiting the Site is considered two Trips: one Trip entering the Site and one Trip exiting the Site.

- (ii) "Trip Cap" means the permitted number of Trips established by Section IV (a).
 - (iii) The "A. M. Peak Period" means the period in the morning beginning thirty (30) minutes before the first scheduled morning drop-off for the regular academic program and ending with the latest scheduled morning start time for the regular academic program, provided, however, that the A. M. Peak Period shall in no event end less than sixty (60) minutes after it begins. That period is currently 7:30 a.m. to 8:30 a.m. but may be readjusted or expanded (i) under the circumstances set forth in Section IV (a) of this TMP or (ii) pursuant to Section XV of this TMP if the CLC determines there is credible evidence that the morning period during which the School generates the highest number of Trips has shifted even though no Schedule Changes have been implemented by The Woods Academy.
 - (iv) The "P. M. Peak Period" means the period in the afternoon beginning fifteen (15) minutes before the first scheduled afternoon dismissal of the regular full-day academic program and ending fifteen (15) minutes after the latest scheduled dismissal time, provided, however, that the P. M. Peak Period shall in no event end less than sixty (60) minutes after it begins. That period is currently 2:30 to 3:30 p.m. but may be readjusted or expanded (i) under the circumstances set forth in Section IV (a) of this TMP or (ii) pursuant to Section XV of this TMP if the CLC determines there is credible evidence that the afternoon period during which the School generates the highest number of Trips has shifted even though no Schedule Changes have been implemented by The Woods Academy.
 - (v) "Schedule Changes" means any change to the scheduled commencement and/or dismissal time(s) for the regular academic program for part or all of the student body and any change to the scheduled time(s) for drop-off and/or pick-up of part or all of the student body.
 - (vi) A "Carpool" means a group of two or more families with children enrolled at The Woods Academy who transport those children to or from the Site in one vehicle or a family with two or more children enrolled at The Woods Academy who transports those children to the Site in one vehicle.
- (d) In the event The Woods Academy anticipates a programmatic change that does not involve Schedule Changes but may reasonably be expected to cause a shift in a Peak Period, it shall inform the CLC of the proposed change to allow for such study as may be required to determine whether an adjustment in a Peak Period should be made.

V. DRIVER OPERATIONS

- (a) All families and faculty/staff drivers shall be required to register with the STC any car that will be regularly driven onto the Site and shall be issued (1) The Woods Academy's *Guide for Drivers* (see Appendix A) and (2) a numbered registration sticker for each such vehicle. The registration sticker shall be affixed in a position readily visible from the rear of the vehicle, and only vehicles bearing a registration sticker shall be authorized to enter the drop-off and pick-up lines, except in unusual circumstances. Agreement to abide by the policies in the Guide for Drivers and acceptance of the enforcement terms of this TMP shall be conditions of enrollment for families at the school and a condition of employment for faculty/staff (see Section XII, *Enforcement Measures for Driver Infractions*).
- (b) All contracted sublessors of all or a part of the Site shall be issued The Woods Academy's Guide for Drivers and this TMP, and adherence to the policies and relevant procedures therein shall be required by the contract between the sublessor and The Woods Academy, provided that Section V (a) and Section XII of this TMP will not be applicable to such sublessor. The STC shall continue to serve as the primary contact point for traffic and parking related issues during the contract term of any sublessor, shall provide timely notice to the sublessor of any complaints received, and shall report to the CLC at the subsequent CLC meeting the number of such concerns that were received by the STC and communicated to the sublessor. The Woods Academy agrees that it will not renew any contract with a sublessor that the CLC determines has failed to use best efforts to comply with the provisions of the TMP and The Woods Academy's Guide for Drivers.

VI. MORNING DROP -OFF

- (a) Except in unique circumstances, faculty and staff shall be required to arrive before the commencement of the morning drop-off, approximately 30 minutes before class begins for students. (Class activities begin at 8:20 a.m. for Grades 1-8 and 8:30 a.m. for half-day and full -day Montessori, so faculty and staff must arrive before 8:00 a.m.)
- (b) The Woods Academy shall maintain separate drop off areas for the morning operations. During the A.M. Peak Period, vehicles with students in grades M-4 shall enter the Site and proceed directly to the designated drop-off points at the front of the school to discharge students from the passenger (right) side of the vehicle. Vehicles with students in grades 5-8 shall enter the Site and proceed directly to the designated drop-off points at the rear of the school to discharge students from the passenger (right) side of the vehicle.

VII. AFTERNOON DISMISSAL

- (a) The Woods Academy shall maintain a staggered afternoon dismissal for students, which is currently 11:30 a.m. for Montessori half-day students, 2:45 p.m. for

Montessori full-day students, 3:00 p.m. for students in grades 1-4 and 3:15 p.m. for students in grades 5-8.

- (b) Faculty and staff members shall assist Montessori students into their cars. Vehicles picking up Montessori students shall proceed directly to the West Door for pick-up and shall exit onto Greentree Road after students are loaded.
- (c) Students in Grades 1-8 shall line up along the front sidewalk with their teachers. Cars picking up these students shall enter the campus and proceed to the rear parking lot to form a “stack” (on-site queue) until the start of dismissal. The dismissal pickup process currently ends around 3:30 p.m., approximately 45 minutes after the start of the staggered dismissal.
- (d) Persons picking up students may not park their cars and enter the building to meet children during dismissal times.
- (e) Students that participate in after school activities, such as interscholastic sports, clubs, Extended Care and tutoring shall be picked up at the end of their afternoon programs.
- (f) Except in unique circumstances, faculty and staff may not leave the Site during the afternoon pick-up/carpool operations.

VIII. PARKING POLICIES

- (a) Adequate parking shall be provided to meet the daily parking demands of faculty, staff, parents and other visitors driving to The Woods Academy to prevent any parking on the adjacent residential streets. The Woods Academy shall designate a minimum of seven visitor parking spaces near the front of the school. If, at increased levels of enrollment, more than seven spaces are repeatedly needed to accommodate visitors, the school shall designate additional visitor spaces on-site. For any academic year during which the number of school faculty and staff exceeds the number of remaining parking spots available to faculty and staff on-site, The Woods Academy shall secure arrangements for satellite parking for the overflow faculty and staff and/or include in the faculty and staff employment contracts provisions requiring sufficient faculty and staff participation in carpool programs or public or alternative transportation arrangements to reduce the number of parking spaces needed to accommodate faculty and staff to the number of remaining parking spaces available to faculty and staff on-site. Documentation of any such arrangements and a copy of any such employment contract provisions shall be provided to the CLC at the first CLC meeting of each academic year, or if implemented during the academic year, at the CLC meeting following such implementation.
- (b) Parents and other visitors should park in the marked “Visitor” spaces located in the front of the school or other available parking spaces on-site, or use designated satellite parking if so directed.

- (c) Faculty and staff shall utilize the on-site areas not designated for visitors or the handicapped (unless such faculty or staff member is handicapped) or park in a designated satellite lot. Faculty and staff will be required to register all cars they will drive on campus and to display a current registration sticker on the vehicle. The faculty vehicle stickers shall be a different color from the family-vehicle stickers. The STC will keep license plate number, make, and model information on file.

IX. DELIVERY AND SERVICE VEHICLES

Refuse collection and delivery and service trips shall be scheduled outside the A.M. Peak Period and P.M. Peak Period whenever possible.

X. GENERAL SAFETY PROVISIONS

- (a) The Woods Academy during the regular academic year, and sublessors of all or a part of the Site at any time, shall provide staff on-site to manage the morning arrival/drop-off and afternoon dismissal/pick-up operations.
- (b) Crosswalks within the Site shall promote clear pedestrian paths across the main internal campus roadway to the visitor parking area. Student crossing guards will assist at pedestrian paths during pick-up and drop-off operations.
- (c) All pick-up and drop-off operations shall occur on-site curbside along the building and from the passenger (right) side of the vehicles.

XI. COMMUNITY RELATIONS

- (a) The Woods Academy shall continue to use its best efforts to be a good neighbor and maintain communication and coordination with the adjacent residential neighbors and community.
- (b) The Woods Academy shall support Neighborhood-initiated efforts to decrease or control parking on surrounding streets, including advocating the implementation of parking permits or the installation of additional signage restricting hours or location of parking.
- (c) The Woods Academy also shall support Neighborhood-initiated efforts that address Neighborhood traffic control, including advocating the installation by the Montgomery County Department of Public Works and Transportation of appropriate additional school zone signs along Greentree Road, speed limit signs along Greentree and Burning Tree Roads and enhanced speed control measures on Neighborhood streets.
- (d) The Woods Academy will continue to participate as a member of the Bradley Boulevard Citizens Association.

- (e) Community Liaison Council. The Woods Academy shall participate in a Community Liaison Council (“CLC”) to maintain communication between the school and its neighbors and address issues of concern relating to the school’s operations.
- (i) The CLC shall be comprised of the following voting members: Head or Associate Head of The Woods Academy; the STC; one member of The Woods Academy’s Board of Trustees; a representative from the BBCA; and a representative from each of the following streets: Greentree Road, Renshaw Drive, Michaels Drive, Burdette Road and Burning Tree Road. Street representatives shall be identified annually by the BBCA at the first CLC meeting of each academic year or as soon thereafter as feasible, and any replacement representatives shall be identified at the first CLC meeting after the replacement and shall serve until the first CLC meeting of the next academic year. The People’s Counsel of Montgomery County may also participate in CLC meetings as a non-voting member.
- (ii) Unless otherwise agreed to by the BBCA, no Woods Academy alumnus/alumna or employee; parent, grandparent or other close relative of a Woods student or alumnus/alumna; or the child of Woods alumnus/alumna shall serve as the BBCA representative or specified street representative on the CLC.
- (iii) The CLC shall meet quarterly (unless a majority of the members, including one representative from The Woods Academy and the BBCA representative, consent to waive a meeting), and from time to time as deemed necessary, to discuss and attempt to resolve matters of concern to any member relating to The Woods Academy’s operations, whether arising under The Woods Academy’s Site Plan, the TMP or otherwise; to review and discuss The Woods Academy’s performance under the TMP, the Site Plan or any agreements The Woods Academy may have with the BBCA, and to discuss any reports or applications which The Woods Academy proposes to file with the Planning Board. Quarterly meetings shall be scheduled in advance for the upcoming academic year. However, meetings may be requested by any member of the CLC by written notice to all other CLC members (for which purpose an e-mail may be considered written notice) and if a majority of the CLC members agree to a meeting, then such meeting shall be held within ten business days of the written notice, provided that at least one representative from The Woods Academy and the BBCA representative are available to attend. The members of the CLC shall endeavor to rotate the location for CLC meetings among the CLC members, with the first meeting of each academic year to be held at The Woods Academy. All CLC meetings shall be open to the public.
- (iv) Decisions of the CLC shall generally be pursued on a consensus basis. When no consensus can be reached and a decision is required, then unless otherwise specified in this TMP or provided by separate agreement between The

Woods Academy and the BBCA, decisions shall be taken by the vote of a majority of a quorum (defined below), which votes may be cast in person or by proxy (which proxy shall be in writing). If members of the CLC believe that a decision is desirable on an issue not addressed by this TMP or by separate agreement between The Woods Academy and the BBCA, a majority of the CLC, which majority must include The Woods Academy and the BBCA, must consent to a vote before a vote may be taken on the issue. For purposes of voting, a quorum must include the following CLC members, who may be present in person or represented by proxy (which proxy must be in writing): Head or Associate Head of The Woods Academy; the STC; a member of The Woods Academy Board of Trustees; a representative of the BBCA; and three street representatives. If the BBCA should cease to provide a representative to the CLC, The Woods Academy shall provide written notice to the BBCA. If a BBCA representative is not provided within 30 days after the receipt of such notice, then the street representatives on the CLC shall designate a temporary Neighborhood representative to fill the BBCA representative role for the purpose of voting on matters wherein a BBCA representative vote is required, provided, however, that any temporary representative so designated shall have no authority to take any action that subjects the BBCA to any financial or legal liability, and further provided that designation of such temporary representative shall be solely for the purpose of the vote.

- (v) The Woods Academy shall prepare a first draft agenda for each CLC meeting and circulate it to other CLC members at least one week before the next scheduled CLC meeting, and all other CLC members shall be allowed to add items to the agenda. A final agenda shall be circulated no later than one day before the next scheduled CLC meeting. Responsibility for preparation and circulation of meeting minutes shall be rotated among CLC members, with the meeting host serving as the recording secretary for that meeting unless another CLC member is appointed to do so. Draft minutes shall be circulated within two weeks after the CLC meeting, and CLC members shall have two weeks from the date of receipt to request corrections and additions. The final version of the minutes shall be posted on The Woods Academy's website (www.woodsacademy.org).
- (vi) The Woods Academy will assist in coordinating the CLC meetings and will send notice to the adjoining and confronting property owners to the Woods Academy property, the neighbors on Renshaw Drive, Michaels Drive, the 9100 Block of Burdette Road, the 9000 and 9100 blocks of Burning Tree Road and the 6600 and 6700 blocks of Greentree Road, the Bradley Boulevard Citizens Association, the People's Counsel for Montgomery County and will additionally post notice on The Woods Academy website (www.woodsacademy.org). At the first CLC meeting of each school year or as soon thereafter as feasible, the street representatives shall identify the contact name and information of a Neighborhood representative to be listed with the STC contact information on The Woods Academy website. The

school shall send any supplemental community-related communications to the street representatives, a BBCA representative and the People's Counsel.

(vii) At the CLC meetings, the STC will provide updates (from the previous CLC meeting) on the following TMP enforcement information as applicable:

- The current enrollment of the school and number of faculty;
- The number of calls and written communications received by the school that relate to TMP enforcement issues and the nature of the issues;
- The number of reported and recorded TMP infractions and nature of each infraction;
- The number of written notices issued to drivers;
- The number of reported 2nd infractions and the meetings scheduled/held with the Head of School;
- The number of Reported 3rd (or more) infractions resulting in fines;
- The number of fines (and corresponding dollar amounts) resulting from 3rd TMP infractions;
- Any Carpool survey results, lists or promotions (and the number of students/families using bus transportation if busing is implemented); and any Trip count results
- Follow-up from recent special events and the schedule of upcoming special events;
- Follow-up from issues raised at previous CLC meeting; and
- Recent TMP assessment evaluations and actions.

(viii) A copy of this TMP, the current agenda for the CLC meetings (to include Neighborhood issue discussion and question and answer agenda items), and the minutes of the most recent CLC meeting will be posted on The Woods Academy website (and distributed to the CLC notice list if necessary).

(ix) The Woods Academy will make available a school calendar to the surrounding community providing advance notice of CLC meetings and school events scheduled at the school. Current information will be available on the school's website at www.woodsacademy.org, and will be available at the CLC meetings.

(x) The Woods Academy shall consult with the CLC with a proposal for a crosswalk(s) across Greentree Road at the Burdette Road intersection. If the CLC agrees to the provision of a crosswalk(s), then The Woods Academy shall submit a proposal to DPWT for approval of a crosswalk(s) to be provided at the expense of The Woods Academy.

XII. ENFORCEMENT MEASURES FOR DRIVER INFRACTIONS

(a) Each school year, The Woods Academy shall require faculty, staff, parents and others who regularly transport students to and/or from the Site (1) to agree to the policies, guidelines, procedures and penalties stated in the TMP and *The Woods*

Academy's Guide for Drivers as part of the enrollment and employment contracts, and (2) to register their vehicles with the STC. These contracts shall require parents, faculty and staff to obey local traffic and parking laws, to abide by *The Woods Academy Guide for Drivers* and the TMP, and to agree to the penalty provisions set forth in the *Guide for Drivers* and the TMP for violations of the TMP.

- (b) An initial infraction of the TMP policies shall result in a mandatory conference with the STC within ten (10) business days and recordation of the incident in a log regarding traffic and parking issues. A second infraction during the school year shall result in written notice issued to the driver, notification to the Head or acting Head of School of the incident/infraction and a mandatory meeting of the parent or faculty with the Head or acting Head of School within ten (10) business days. A third infraction during the school year shall result in a monetary fine, which fine amount shall be updated annually after consultation with the CLC and provided in the *Guide for Drivers*. Subsequent infractions during the school year shall result in substantially increased fines and may result in other remedial actions such as the suspension of on-site driving privileges or non-renewal of the family's enrollment contract(s).
- (c) The STC shall maintain a log of all calls and correspondence regarding traffic and parking issues, as well as any actions taken thereon, including the payment of fines, together with the relevant dates. The STC shall transmit this log to The Woods Academy Head or Acting Head of School every month; however, the STC shall report to the Head or Acting Head of School within three (3) business days any matter that constitutes a repeat infraction. See Section III(d).

XIII. SPECIAL EVENTS MANAGEMENT

- (a) Occasional school events occur at The Woods Academy that may require special off-site provisions to accommodate traffic and parking needs (a maximum of 12 per year). These events may include the following:
 - (i) First Day of School
 - (ii) Back-to-School Nights
 - (iii) Grandparents' Day
 - (iv) Open House
 - (v) Spring Art Show & Musical Production
 - (vi) Graduation
 - (vii) Last Day of School
- (b) Prior to the beginning of each academic year, The Woods Academy shall enter into one or more agreements that secure satellite parking at off-site locations for the Special Events planned for that academic year. No Special Events shall be held unless and until such agreements are in place. Documentation confirming that such agreements are in place shall be provided to the CLC at the first meeting of each academic year. The Woods Academy currently has such agreements with

the Old Georgetown Swim Club, located at 16501 Fernwood Road, and Our Lady of Bethesda Retreat Center, at 20409 Bradley Boulevard.

- (c) The Woods Academy shall instruct Special Event attendees to use the satellite parking locations provided and shall employ additional law enforcement or utilize staff during these events to assist with traffic flow, parking operations, and transportation, if necessary, from the satellite parking location(s) to the Site.

XIV. ASSESSMENTS AND ENROLLMENT INCREASES

- (a) The Woods Academy shall monitor on-site peak period vehicular operations on an ongoing basis to ensure compliance with the TMP and will discuss with the CLC, at its quarterly meetings, the contents of the TMP Reporting Form prepared by the STC, together with any current concerns of the community.
- (b) The TMP shall be reviewed by the CLC at least annually to consider whether revisions may be needed to improve circulation, reduce the number of Trips to/from the school, strengthen enforcement and update the Guide for Drivers. As part of that annual review, The Woods Academy will undertake additional management and operational steps as appropriate to ensure reasonably prompt compliance with the TMP and coordination with the surrounding community, which steps may include, but not necessarily be limited to, one or more of the following:
 - Make adjustments to the on-site car stacking plan;
 - Identify additional Woods staff and/or law enforcement officers to manage A.M. and P.M. Peak Periods and/or Special Event parking;
 - Implement changes in arrival and dismissal times (increased staggering of student arrival and departures);
 - Enhance efforts and incentives to increase student per vehicle ratios (Trip reduction), which may include mandatory Carpooling and busing;
 - Improve efforts to communicate and promote the policies of the TMP to drivers;
 - Update and re-circulate the Appendix: Guide for Drivers to parents.

Any Schedule Changes shall be made in accordance with Section IV of this TMP, and any changes which require an amendment to the TMP shall be made in accordance with Section XV of this TMP. The Woods Academy shall provide updates regarding any other additional management and operational actions at the CLC meetings.

- (c) If the Planning Board authorizes The Woods Academy to increase its enrollment above 302 students, the following additional provisions shall apply:
 - (i) The Woods Academy shall not increase its enrollment by more than 20 students per year to permit the opportunity, as needed, to adjust its management and operations to ensure continued compliance with the TMP,

and shall not increase its enrollment beyond a total of 410 students for this Site.

- (ii) The Woods Academy shall not enroll any students above the level of Grade 8.
- (iii) During the 2008-2009, 2009-2010, and 2010-2011 academic years, a professional traffic engineer mutually acceptable to and engaged by The Woods Academy and the BBCA shall perform an unannounced Trip count sometime between October 31 and January 31 (the "Annual Trip Count") to determine whether the school is in compliance with the Trip Caps established by Section IV of this TMP. The Woods Academy and the BBCA shall share the cost of the Annual Trip count. In the event the number of Trips counted exceeds one or both of the Trip Caps established by Section IV, The Woods Academy shall use its best efforts to bring the school into compliance with Section IV of the TMP within 45 days. The professional traffic engineer shall perform a second Trip count, also unannounced, within thirty days thereafter to confirm such compliance, and The Woods Academy shall bear the cost of such second count.
- (iv) Beginning with the 2011-2012 academic year and for subsequent academic years thereafter, two representatives each from The Woods Academy and the Neighborhood shall perform an unannounced annual Trip count jointly sometime between October 31 and January 31 (the "Joint Trip Count") to assess whether the school remains in compliance with the Trip Caps established by Section IV of this TMP. At the CLC meeting held prior to the Joint Trip Count(s), the CLC shall determine by majority vote whether one day or an average of several days should be the basis for the count. The Neighborhood representatives shall notify The Woods Academy no later than 4 p.m. the day before the day on which a Joint Trip Count is to be taken. In the event the Trips counted exceed one or both of the Trip Caps established by Section IV of this TMP, The Woods Academy shall use its best efforts to bring the school into compliance with Section IV of the TMP within 45 days. Two representatives from The Woods Academy and two representatives from the Neighborhood shall perform a second joint Trip count within thirty days thereafter to confirm such compliance. The parties shall follow a procedure similar to that of the first Joint Trip Count to ensure that the general Woods Academy community does not have advance notice that the count will be performed. In the event of a dispute as to the actual number of Trips counted in any assessment, The Woods Academy or the BBCA may engage a professional traffic engineer to perform a new Trip count, provided, however, if such Trip count establishes that the school is not in compliance with Section IV, the school shall bear the cost of the count, and if such Trip count establishes that the school is in compliance with Section IV, the BBCA shall bear the costs.

- (v) In any year in which the Annual Trip Count or Joint Trip Count exceeds one or both of the Trip Caps established in Section IV of this TMP, and compliance is not achieved by the second Trip count performed in accordance with Section XIV (c) (iii) or (c) (iv) above, The Woods Academy shall not increase its enrollment for the following academic year, unless the CLC by unanimous consent (a) approves an enrollment increase based on additional measures implemented by The Woods Academy that bring the Trip count into compliance with the Trip Caps established by Section IV of this TMP, or (b) otherwise determines that, in spite of the Trip counts conducted pursuant to this Paragraph C, an enrollment increase is warranted.
- (vi) In the event that any resident of the Neighborhood questions whether The Woods Academy is in compliance with Section IV at any time during the year outside the Annual Trip Count or Joint Trip Count, the resident shall be permitted to perform a Trip count or arrange for a Trip count to be performed, provided that such Trip count is not conducted in a manner that impedes the safe and efficient operations of The Woods Academy. If the resident presents credible evidence to the CLC that the Trip count demonstrates that the school is not in compliance with Section IV of this TMP, the CLC by majority vote which must include the consent of the BBCA may require a Trip count which shall be performed with the same parameters then in effect for the annual Trip count. If such Trip count establishes that The Woods Academy is not in compliance with one or both of the Trip Caps established by Section IV of this TMP, the school shall bear the cost of the Trip count, if any, and if the school is in compliance, the resident or the BBCA shall bear the costs, if any.
- (vii) Beginning with the 2009-2010 academic year and for subsequent academic years, The Woods Academy shall implement and maintain a mandatory Trip reduction program that shall require Carpooling, busing or both. It is understood that Carpooling and busing will not be feasible or practicable for all students, and that the decision whether to require Carpooling or busing for a particular family or student will be in the School's discretion. After the Trip reduction program has been in place for three academic years, the CLC may decide at any regular fall CLC meeting, by a majority of the CLC voting members, to abstain from the Annual or Joint Trip Count(s) outlined in Section XIV (c) (iii) and (c) (iv) of this Section XIV for that academic year, which agreement shall be reflected in the CLC meeting minutes. This decision shall not affect the authority of the CLC to request a Trip count upon a showing that the school is out of compliance with the Trip Caps.

XV. TMP AMENDMENTS

The TMP may be amended by a majority of the voting members of the CLC, which majority must include the consent of The Woods Academy and the BBCA representative, provided, however, that the TMP shall not be amended to permit enrollment of students above Grade 8 nor a total enrollment above 410 students (if approved by the Planning Board) for this Site. All TMP

amendments are subject to approval by the Planning Board or its designee and shall be submitted to the Chief of Development Review and the Chairman's office. The submission shall include the provision(s) for which an amendment is proposed with the proposed changes redlined, and shall be accompanied by a letter including this paragraph. The amendment(s) shall be deemed approved unless rejected in writing by the Planning Board or its designee within forty-five days of submission (unless the accompanying letter fails to include this paragraph, in which case this time limitation shall be void).

XVI. SCHOOL PERFORMANCE EVALUATION

Prior to increasing the enrollment for any academic year after 2008-2009, The Woods Academy shall submit to the Planning Board or its designee (through submission to the Chief of Development Review and the Chairman's office no later than March 15) a written report including a letter of intent to increase the enrollment by no more than 20 students in the coming year. The letter shall be accompanied by a copy of the Planning Board condition (4.e), the current TMP, an annual summary of the quarterly reports presented to the CLC and an evaluation by the CLC of The Woods Academy's compliance with the TMP. The Planning Board or its designee shall notify The Woods Academy within 45 days whether the request is subject to further proceedings. To provide a basis for evaluating the school's performance, The Woods Academy will implement recordkeeping and reporting measures on the following:

- Carpooling by families (if applicable);
- Busing Program participation (if applicable);
- Number of A. M. Peak Period Trips and P. M. Peak Period Trips generated by the school;
- Number of TMP infractions reported/recorded;
- Nature of TMP infractions;
- Remedial measures taken to address violators;
- Number of repeat violators;
- Feedback from/issues raised by the community;
- School's response to community feedback/issues.

**XVII. APPENDIX A: THE WOODS ACADEMY'S GUIDE FOR DRIVERS
(JUNE 2008)**

TRANSPORTATION MISSION STATEMENT

The goal of transportation at The Woods Academy is the safety of all people on the roads, sidewalks and driveways in and around the school including children, faculty, staff, parents, visitors and neighbors. As a school that promotes the value of community, we understand our obligations to our neighbors. In order to ensure that our Neighborhood retains its peaceful and safe character, we seek to minimize the school's impact on the volume and flow of traffic on Neighborhood streets.

Objectives

- The safety of all children and adults
- Orderly morning drop off and afternoon pickup
- Reduction of the number of vehicle Trips to and from the school (Carpooling by all members of the school community is promoted and encouraged)
- Unhindered flow of traffic on Neighborhood roads
- No queuing of cars along Greentree Road
- Courteous behavior from all drivers and school community members
- Obedience to all speed limits and parking ordinances
- Familiarity with the transportation goals, policies and procedures by all drivers in the school community, including grandparents, babysitters, nannies, or others
- No interference with the access of neighboring residents to their property

PROTOCOL FOR DRIVERS

Safety

- All drivers must use extreme caution and be alert.
- Drivers must not talk on cell phones when driving.
- Drivers must not engage faculty/staff in conversation while cars are moving.
- Children must never stand in the driveway or behind cars during drop off or pick up.
- Traffic on the school campus must never exceed 5 mph.
- All adults and children must use crosswalks at all times.
- No one should run along sidewalks or near traffic.

General Procedures

- All family and faculty/staff drivers (including babysitters/nannies who will be transporting students) must register their vehicles with the School Transportation Coordinator ("STC") and obtain a registration sticker. This sticker shall be affixed in a position readily visible from the rear of the car. The STC will maintain a record of all family and faculty/staff drivers. Only vehicles bearing a registration sticker will be allowed to enter the drop off and pick up lines (except in unusual circumstances).

- **No left turns shall be permitted from eastbound Greentree into the school driveway** from 7:45-8:30 a.m. and 2:30-3:30 p.m. The suggested route for drivers approaching the school from Bradley Blvd is to follow Bradley to Fernwood to Greentree.
- Vehicles must form a single lane on the right hand side of the driveway during drop off and pick up.
- Drivers may not leave a car unattended in the “moving lane” at any time during drop off and pick up hours.
- When in the drop off and pick up line, drivers must pull forward as far as possible and remain with the car.
- Drivers must not block or turn around in a neighbor’s driveway at any time.
- Car/Carpool numbers must be displayed in the driver’s side dashboard window:
 - a. Blue cards = families with Montessori children only;
 - b. White cards = families with Montessori plus 1-8
 - c. Yellow = families with children in 1-8 only.
- Child carseats should be installed on the passenger (right) side of cars whenever possible.
- Children should buckle their own seatbelts and carseats as quickly as possible so their car may exit safely.
- No off-site school-related vehicle parking, stopping, waiting, queuing, pick-up or drop-off is permitted on the adjacent residential streets, and no off-site school-related vehicle parking, stopping, waiting, queuing or turning movement is permitted on private driveways within the neighborhood.

Morning Drop-Off Procedures

- Students registered for morning Extended Care (7:15-8:00 a.m.) should ring the doorbell and enter through the Lower School doors.
- Grade M-4 drop-off is allowed only along the blue curb line area; students should enter the building through the Lower School doors.
- A teacher will be on hand to help Montessori students exit cars.
- Grade 5-8 drop-off is allowed at the rear fire hydrant or along the blue curb line area; students dropped off in the rear should enter the building through the Rear East entrance.
- Parents and visitors must enter through the main doors and sign into the office.
- Grade 1-8 students should enter between 8:00 a.m. and 8:18 a.m.
- Students in Grades 1-8 who are not in their classrooms by 8:20 a.m. will be marked tardy.
- Montessori students later than 8:30 a.m. will be marked tardy.
- The northeast vestibule door is closed after 8:18. Lower School doors are closed at 8:30 a.m. Students arriving after that time must enter through the main entrance doors and sign in.

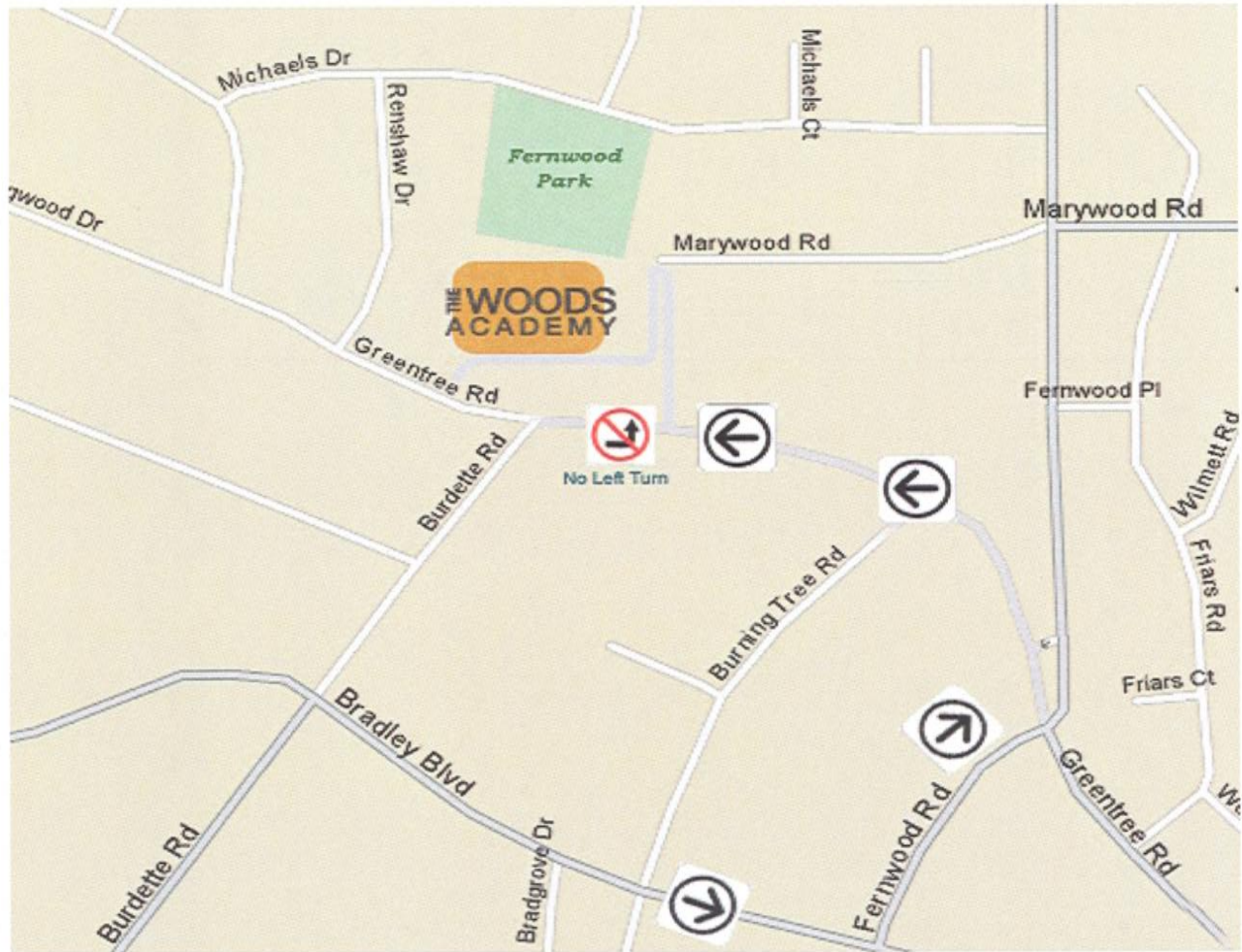
Montessori 11:30 AM Pick -Up Procedures

- Car/Carpool name cards must be displayed on the passenger (right) side of the car.
- Car seats should be placed on the passenger (right) side of the vehicle.

Staggered Afternoon Pick -Up Procedures

- Montessori afternoon dismissal begins at 2:45 p.m. Drivers picking up only Montessori students must proceed directly to the Lower School doors.
- All other cars shall be directed to the back parking lot to prevent queuing on Greentree.
- Grade 1-4 dismissal currently begins at 3:00 p.m. and ends at 3:20 p.m.
- Grade 5-8 dismissal currently begins at 3:15 p.m. and ends at 3:30 p.m.
- If you or your Carpool have children to pick up at different dismissal times, you must utilize the dismissal time for the eldest child for all of the children in the car/Carpool.
- If your child is not outside by the time you reach the Lower School end of the driveway, you must exit onto Greentree Road and re-enter the dismissal line. Note that you may not make a left turn into the school in order to do so.
- If you arrive after dismissal ends, you must park and come in to the front office to pick up your child.
- If your child must be dismissed quickly, we suggest you arrive early so you will be toward the front of the dismissal line. Cars begin lining up as early as 2:40 p.m.
- Parking is extremely difficult at dismissal time. Plan to arrive before 2:45 or after 3:25 if you must park for any reason.
- No teacher appointments may be scheduled between 2:45 and 3:30 p.m. Parking between these times is highly discouraged.
- If you have picked up your children after school ends, but are still in the building on business, your children must remain under your direct supervision. Students are not permitted to be anywhere in the building unsupervised.

Neighborhood Map and Traffic Pattern



EVENT PARKING

During the school year, The Woods Academy hosts special events that require special parking accommodations. To minimize disruptions to traffic in the Neighborhood and prevent interference with neighbors' access to their homes, drivers must comply with the following:

- Drivers must not park on the adjacent residential streets,
- Drivers should carpool whenever possible,
- Drivers must follow the directions of The Woods Academy parking attendants,
- All drivers, including faculty and staff, must use alternate satellite parking arrangements when required and as directed.

The Woods Academy anticipates arranging special event parking for the following occasions:

- First Day of School
- Back-to-School Nights

- Grandparents' Day
- Open House
- Spring Art Show & Musical Production
- Graduation
- Last Day of School

Questions regarding transportation at The Woods Academy should be directed to the School Transportation Coordinator at 301-365-3080 x224 or stc@woodsacademy.org.

ENFORCEMENT

Pursuant to enrollment and employee contracts, family and faculty/staff drivers must obey local traffic and parking laws and must comply with The Woods Academy's *Guide for Drivers*. An initial violation of these policies will result in a mandatory conference with the STC and recordation of the infraction in the STC log. A second infraction during the school year will result in written notice and a mandatory meeting with the Head of School within ten days of the infraction. A third infraction during the school year will result in a monetary fine (currently \$100). Subsequent infractions during the school year will result in the imposition of additional fines, with the dollar amount of each subsequent fine increasing (currently by \$100), and/or may result in other remedial actions such as the suspension of on-site driving privileges or non-renewal of your enrollment contract(s).

**GUIDE FOR DRIVERS – VEHICLE REGISTRATION AND TRAFFIC POLICY AGREEMENT
SIGNATURE FORM:**

Each person who will regularly drive onto the school Site must sign and date this form indicating his/her review of the attached Guide for Drivers and agreement and acceptance to abide by The Woods Academy's Guide for Drivers. Please contact the School Transportation Coordinator if you have any questions. Please note that driver violations of these transportation policies are subject to fines and repeated violations may result in other remedial actions such as the suspension of on-site driving privileges or non- renewal of your enrollment contract(s).

Please provide the make/model, color, and license plate information (number and state) in the table below. This form must be completed and returned to the School Transportation Coordinator prior to the start of school and must be updated if a new car or an additional car will be used on The Woods Academy campus. All staff and faculty cars and cars dropping off or picking up students must be registered. Thank you.

Woods Academy – Vehicle Registration Information		
Make/Model	Color	License Plate Information

I/We have reviewed and agree to abide by The Woods Academy's Guide for Drivers.

Signature: Date:

Name (print)

Signature: Date:

Name (print):

XVIII. APPENDIX B: TRANSPORTATION MANAGEMENT PLAN-ENFORCEMENT PROCESS INCLUDING: INFRACTION RECORDING, REPORTING, AND ASSESSMENT PROCEDURES:

(a) Introduction

The following outlines the Transportation Management Plan's (TMP) infraction recording, reporting, and assessment procedures. These functions will be the responsibility of the School Transportation Coordinator ("STC") in conjunction with the CLC. The STC will maintain a log of the Forms for Recording TMP Infractions and prepare and present the TMP Reporting Form for each CLC meeting. The CLC will use the Report as a platform for discussing the effectiveness of the TMP, transportation issues of current concern, and any needed actions.

This quarterly assessment will serve several broad objectives including but not limited to:

- Mechanism for recording reported infractions of the TMP and School's response to reported infractions;
- Quarterly summary of community transportation concerns and School's actions taken to address concerns; and
- Benchmark for assessing effectiveness of the TMP and determining whether revisions are needed to ensure the TMP goals are met.

(b) TMP Infraction Recording Procedures

The *Form for Recording TMP Infractions* allows for consistent recording and subsequent reporting of information regarding TMP violations. The information should be recorded as completely as possible. It is, however, recognized that certain parents, faculty/staff, or community members may not want to be identified as reporting infractions. In these cases, reports may be made anonymously and therefore, the reporting individual shall be listed as unidentified parent, community member, or faculty. Similarly if there is a dispute, uncertainty, or other special consideration (delivery vehicles, non-Woods community member vehicle, etc.,) regarding the infraction, this information should be reflected in the infraction description and elsewhere on the form as appropriate. The information contained in the form will be summarized for the purposes of reporting to the school administrators, the Woods Academy's Board of Trustees, the Community Liaison Council and the Montgomery County Planning Board.

Instructions for completing the TMP Infraction Record Form are as follows:

- Column 1: Input sequential reference number (allows for tracking and identifying infractions);
- Column 2: Input date (date required), and time (am or pm at minimum) of the infraction;
- Column 3: Input name of violator (name required) and car identification information (color, model, type, license plate number - if known);
- Column 4: Input name of person reporting the infraction (name is optional and may be listed as unidentified parent, community member or faculty), date and time (date

optional - am or pm required at a minimum), and contact information (optional telephone or email);

Column 5: Input brief description of infraction (making left hand turn, speeding, turning around in neighbor's driveway, parking on prohibited areas etc.);

Column 6: Input First, Second, or Third etc. for number of repeat infractions;

Column 7: Input remedial measure taken by school to address violators (Conference, Letter, or Fine) and date taken;

(c) TMP Reporting Form

The STC will prepare this Report quarterly and present the current results at each CLC meeting. The Report summarizes information regarding: 1) Carpooling by families (and bus usage if busing is implemented); 2) recorded infractions of the TMP; 3) remedial measures taken to address infractions; 4) nature of infractions; 5) number of repeat violators; 6) feedback from/issues raised by the community; and 7) school's response to community feedback/issues. In addition, the Report compares the current results to those of the previous Report as a means to assess the effectiveness of the TMP and the school's performance in addressing TMP infractions and community concerns.

Form For Recording TMP Infractions

Woods Academy

Prepared by

School Transportation Coordinator

Form Last Revised 11/1/2007

(1) Ref No.	(2) Date and Time	(3) Name and Car Identification Information	(4) Name, Date, and Contact Info of Person Reporting Infraction	(5) Description of Infraction	(6) First Infraction or Repeat Infraction	(7) Remedial Measure to Address Violators
1						
2						
3						
4						

TMP REPORTING FORM
Woods Academy
Prepared by School Transportation Coordinator
Form Last Revised 2/4/2008

Reporting Component	Previous Reporting Period			Current Reporting Period			Percent – Increase (Decrease)		
Date of Reporting Periods							NA		
Carpooling (annual survey)									
Number/Percentage of Parents Carpooling (2+ students per car)									
Busing (Number/percentage of students/families participating)									
TMP Infractions									
Number of Infractions reported by Parents, Community Members, and Faculty									
Number TMP Infractions									
Nature of Infractions									
Remedial Measures Taken to Address TMP Violators									
Number of Conferences, Letters, and Fines									
Repeat Violators									
Number of Repeat Violators During Current Reporting Period									
Community Feedback/Issues and School Response Reporting									
Feedback From/Issues Raised by the Community on TMP-Related Issues In Previous Reporting Period (Bullet List):									
School's Response to Community Feedback/Issues Raised In Previous Reporting Period (Bullet List).									
Quarterly CLC Evaluation of School's Compliance with TMP (include topics evaluated and comments):									

Form For Recording TMP Infractions

Woods Academy

Prepared by

School Transportation Coordinator

Form Last Revised 11/11/2007

(1) Ref No.	(2) Date and Time	(3) Name and Car Identification Information	(4) Name, Date, and Contact Info. of Person Reporting Infraction	(5) Description of Infraction	(6) First Infraction or Repeat Infraction	(7) Remedial Measure to Address Violators

TMP REPORTING FORM
Wood Academy
Prepared by School Transportation Coordinator
Form Last Revised 2/4/2008

Reporting Component	Previous Reporting Period	Current Reporting Period	Percent – Increase (Decrease)
Date of Reporting Periods			NA
Carpooling (annual survey)			
Number/Percentage of Parents Carpooling (2+ students per car)			
Busing (Number/percentage of students/families participating)			
TMP Infractions			
Number of Infractions reported by Parents, Community Members, and Faculty			
Number TMP Infractions			
Nature of Infractions			
Remedial Measures Taken to Address TMP Violators			
Number of Conferences, Letters, and Fines			
Repeat Violators			
Number of Repeat Violators During Current Reporting Period			
Community Feedback/Issues and School Response Reporting			
Feedback From/Issues Raised by the Community on TMP-Related Issues In Previous Reporting Period (Bullet List):			
School's Response to Community Feedback/Issues Raised In Previous Reporting Period (Bullet List).			

ATTACHMENT B -- PROPOSED CONDITIONS

STAFF RECOMMENDATIONS: Approval of a phased increase in enrollment of students from 302 to 362, with permission to request an amendment to increase enrollment to a maximum of 410 students, with the following conditions:

1. Site Plan Conformance

The proposed development shall comply with the conditions of approval for Preliminary Plan 120010180 as listed in the Planning Board opinion dated August 16, 2001, or as amended by this application [Attachment A] as approved with conditions by the Planning Board.

2. Transportation Management Plan

The Applicant shall be bound by and shall implement in good faith the terms and conditions of the Transportation Management Plan ("TMP"), Attachment B. All provisions of the TMP are subject to regulatory enforcement by the Planning Board.

3. Community Liaison Council:

- a. The Applicant shall continue to participate in the meetings of the Community Liaison Council ("CLC") as provided in the TMP.
- b. The Applicant shall prepare and present to the CLC reports as provided in the TMP to permit assessment of its performance.
- c. The CLC shall evaluate the TMP annually to assess compliance and allow for improvements. Any TMP revisions shall be made by a majority vote of the CLC, which majority vote must include the consent of the Applicant and the Bradley Boulevard Citizens Association (or its designated neighborhood representative as provided in the TMP), and all such revisions are subject to approval by the Planning Board or its designee. Any TMP revisions shall be deemed approved unless rejected in writing by the Planning Board or its designee within 30 days of submission.

4. Enrollment. The phased increase shall be permitted to begin in the fall of 2008 and shall be subject to the following terms:

- a. The Applicant shall not increase its enrollment by more than 20 students per year nor beyond a total enrollment of 410 students for this site.
- b. The Applicant shall not enroll any students above the level of grade 8.
- c. Beginning with the 2008-2009 academic year, the Applicant shall take such measures as are necessary to ensure that it does not exceed the Trip Caps established through the TMP. The terms "Trip" and "Trip Cap" shall have the meanings set forth in Section IV of the TMP.
- d. Beginning with the 2009-2010 academic year and for subsequent years thereafter, the Applicant shall implement and maintain a Trip reduction program that shall require Carpooling (as defined in the TMP), busing or both. It is understood that Carpooling and busing will not be feasible or practicable for all students, and that the decision whether to require Carpooling or busing for a particular family or student will be in the Applicant's discretion.

- e. Prior to increasing the enrollment for any academic year after 2008-2009, the Applicant shall submit to the Planning Board or its designee a written report including a letter of intent to increase the enrollment accompanied by the current TMP as well as an annual summary of the quarterly reports presented to the CLC demonstrating past compliance with the TMP.
- f. If the Applicant seeks to increase its enrollment above 362 students, then:
 - i. It shall file an application for a Site Plan amendment which must comply with all the terms and conditions of the TMP and include a condition to establish or continue bus transportation for students in grades 1-8 if the increase is granted. It is understood that busing will not be feasible or practicable for all students.
 - ii. The Applicant must hold a public meeting with the CLC, including the Bradley Boulevard Citizens Association, at least 60 days prior to submission of such request to the Planning Board. At the public meeting, the Applicant must present a report prepared by a professional transportation engineer that contains a Trip count, queuing and parking analysis with conclusions as to the adequacy of the Trip reduction program, the current and projected queuing and parking conditions, and any proposed remedial measures if related problems exist or are projected to exist (the "Transportation Report"). The Applicant shall propose, and the CLC shall consider, any TMP revisions deemed necessary to address current or projected problems.
 - iii. If the Bradley Boulevard Citizens Association and the neighborhood representatives on the CLC do not request a hearing before the Planning Board on the amendment to the Site Plan, the Applicant may submit the Site Plan amendment for consideration on the Planning Board's Consent Agenda. Such request shall be accompanied by a copy of the Transportation Report and any proposed TMP amendments approved by the CLC, together with a letter of endorsement by the CLC.
 - iv. If the Bradley Boulevard Citizens Association and the CLC neighborhood representatives request a public hearing before the Planning Board, the Applicant shall submit the Site Plan amendment and request that the item be placed on the hearing agenda.

5. Parking

- a. The Applicant shall provide a minimum of seven visitor parking spaces, marked and signed, in the front of the school.

6. Transportation Planning

The Applicant shall comply with the following conditions of approval in the memorandum dated November 27, 2007 from M-NCPPC Transportation Planning:

- a. Limit the access points on Greentree Road as one-way in and one-way out circulation.
- b. Should the site become private property in the future, the Applicant shall provide a covenant for an easement of future dedication of 35 feet of right-of-way from the centerline of Greentree Road, a primary master planned road.
- c. The Applicant shall consult with the CLC regarding a proposal for a crosswalk(s) across Greentree Road at the Burdette Road intersection. If the CLC agrees to the provision of a crosswalk(s), the Applicant shall submit a request for DPWT approval of the provision of a crosswalk(s), to be provided at the expense of the Applicant. Since the potential crosswalk(s) will be primarily (or solely) off-site in the Greentree Road public right-of-way, the Site Plan will not need to be amended to show any potential future crosswalk(s). However, the Applicant shall forward the CLC meeting minutes regarding the crosswalk(s) and any relevant correspondence with DPWT and M-NCPPC for inclusion in the Site Plan file.

7. Certified Site Plan

Prior to Staff approval of the certified site plan, the following revisions and information shall be included and/or information provided:

- a. Site plan index and site plan resolution.
- b. Provide a minimum of seven visitor parking spaces, marked and signed in the front of the school.
- c. The certified Site Plan shall require the Applicant to provide the replacement fence along its western property line behind Lots 1 & 2 on Renshaw Drive no later than thirty (30) days after approval of the certified Site Plan.
- d. The certified Site Plan shall require the Applicant to replace the shade and maple trees referenced in Condition 3.E of the Planning Board's August 16, 2001 Order no later than thirty (30) days after approval of the certified Site Plan. The type, caliper and location of such trees shall be determined in consultation with M-NCPPC staff and the residents of Lot 2 on Renshaw Drive. Such trees shall be replaced in accordance with M-NCPPC standards if they die within five (5) years of the approval of the Site Plan Amendment.
- e. The certified Site Plan shall require the Applicant to replace the Leyland Cypress trees planted on the western property line in August 2007 in accordance with M-NCPPC standards if they die within five (5) years of the approval of the Site Plan Amendment.
- f. The certified Site Plan shall require the Applicant to maintain the drainage system established along the western boundary of its property so that the drainage system maintains a positive flow away from the adjoining residential properties (provided that the grade of such adjoining properties has not been materially altered).
- g. The certified Site Plan shall require the Applicant to maintain its lighting in a manner that does not create any glare or reflection into adjoining homes and does not highlight the façade of the school building.
- h. The certified Site Plan shall preclude any signs on the site with respect to restrictions on public use of the fields without the prior approval of the CLC and M-NCPPC staff.

ATTACHMENT C

Staff Report from the January 10, 2008 hearing



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

Item # **3A**
MCPB 1-10-08

MEMORANDUM

DATE: December 10, 2007
TO: Montgomery County Planning Board
VIA: Rose Krasnow, Chief *RAK*
Development Review Division
FROM: Robert A. Kronenberg, Supervisor *RAK*
Development Review Division
(301) 495-2187



REVIEW TYPE: **Site Plan Review**
CASE #: **82001018A**
PROJECT NAME: **The Woods Academy**
APPLYING FOR: Increase in enrollment of students from 302 to 410
REVIEW BASIS: Div. 59-D-3 of Montgomery County Zoning Ordinance.

ZONE: R-200
LOCATION: Located in the northern quadrant at the intersection of Green Tree Road and Burdette Road
MASTER PLAN: Master Plan
APPLICANT: The Woods Academy
FILING DATE: June 7, 2006
HEARING DATE: January 10, 2008

SUMMARY OF PROPOSED ENROLLMENT INCREASE AND STAFF ASSESSMENT

The Woods Academy is a private school located on publicly owned land in Bethesda. It is surrounded by one-family homes in a residential neighborhood, and has been in operation since 1975. The school is seeking an increase in enrollment to accommodate their changing needs and future growth. The school initiated a dialogue with the surrounding property owners and neighborhood association, and implemented a Transportation Management Plan ("TMP") in anticipation of the increased enrollment. The TMP addresses safety considerations and enforcement and establishes guidelines and policies for parking, access and circulation.

Many letters and emails have been received from adjoining residents and members of the Bradley Hills Civic Association ("BBCA"). Most of the correspondence from the BBKA voices opposition to the increased enrollment with concerns over the proposed transportation management plan, on-site parking, grading and drainage, and after-hour activities associated with

the adjacent ball fields. There were letters of support from some of the nearby residents, families of the school children, the Interagency Coordinating Board (ICB) and the Department of Public Works and Transportation. As discussed within the body of this report, some of the issues raised have been addressed with this proposal.

Staff had concerns about the impact an additional 108 students would have on the surrounding neighborhood, including local traffic congestion from the increase in vehicles dropping off and picking up students, use of off-site recreational facilities and general compatibility within the community. The following recommendation supports an incremental increase of 60 additional students over a 3-year period with the TMP as the guiding document for traffic management and enforcement. Staff recommends that certain criteria be met and an additional public hearing be held before the Planning Board if the school decides to increase their enrollment beyond the additional 60 students.

STAFF RECOMMENDATION: Approval of a phased increase in enrollment of students from 302 to 410, with the following conditions:

1. Site Plan Conformance

The proposed development shall comply with the conditions of approval for Preliminary Plan 120010180 as listed in the Planning Board opinion dated August 16, 2001, or as amended by this application [Attachment A].

2. Enrollment

- a. Permit a phased increase in enrollment of 20 students each year over a three year period for a maximum enrollment of 362 students. The first increase shall begin in the fall of 2008.
- b. The following provisions shall apply in order to increase the enrollment each year:
 - i. Consistent with the approved Transportation Management Plan ("TMP"), quarterly reporting/recording to the Community Liaison Council ("CLC") shall be reported on all of the following information (and a record of this information shall be retained by quarter, to track trends and measure performance): carpooling by parents; recorded violations of the TMP; remedial measures taken to address violations; repeat violators; feedback from/issues raised by community on TMP-related issues; school's response to community feedback/issues.
 - ii. The TMP shall be reevaluated by the Applicant and the CLC on a yearly basis to allow for improvements to circulation, carpooling and enforcement.
- c. The Applicant is permitted to apply for an increase from 362 students to no more than 410 if the following criteria are met:
 - i. The Applicant must hold a public meeting with the BBCA and CLC one month prior to the submittal of the application.
 - ii. The Applicant must present the proposal for the increase to the Planning Board.
 - iii. The Applicant must update the TMP to account for changes to the procedures to include busing, carpooling and feedback from the community.
 - iv. The Applicant must account for additional staff for the increased enrollment in terms of parking and additional trip generation.

3. Parking

- a. The Applicant shall provide seven visitor parking spaces, marked and signed in the front of the school.

4. Transportation Planning

The Applicant must be in accordance with the following conditions of approval in the memorandum dated November 27, 2007 from M-NCPPC Transportation Planning:

- a. Limit the student enrollment to a maximum of 410 students.
- b. Limit the access points on Greentree Road as one-way in and one-way out circulation.
- c. Provide a covenant for an easement of future dedication of 35 feet of right-of-way from the centerline of Greentree Road, a primary master planned road, should the site become private property in the future.
- d. The Transportation Management Plan ("TMP") shall include a provision requiring the Woods Academy to consult with the Community Liaison Council with a proposal for a crosswalk(s) across Greentree Road at the Burdette Road intersection. If the Community Liaison Council agrees to the provision of a crosswalk(s), then the Woods Academy shall submit a request for DPWT approval of the provision of a crosswalk(s), to be provided at the expense of the Woods Academy. Since the potential crosswalk(s) will be primarily (or solely) off site in the Greentree Road public right-of-way, the Site Plan will not need to be amended to show any potential future crosswalk(s). However, the Woods Academy shall forward the CLC meeting minutes regarding the crosswalk(s) and any relevant correspondence with DPWT and M-NCPPC for inclusion in the Site Plan file.

5. Enforcement

The Applicant shall be subject to the guidelines and policies set forth in the TMP for circulation, access, parking, delivery, special events, queuing.

6. Community Outreach

The Applicant shall continue to meet with the BBKA at their regular meetings to provide a status and reporting, and to document concerns related to the implementation of the TMP.

7. Certified Site Plan

Prior to approval of the certified site plan, the following revisions shall be included and/or information provided, subject to staff review and approval:

- a. Site plan index and site plan resolution.
- b. Provide seven visitor parking spaces, marked and signed in the front of the school.
- c. Provide enforcement actions and general policies of the TMP.

BACKGROUND

This site plan was the first site to be reviewed under the regulations for projects that were typically mandatory referrals but whose additions exceed 15% or 7,500 square feet, consistent with Section 59-G-2.19(e)(2) of the Montgomery County Zoning Ordinance. The section is provided below:

(e) **Public Buildings.**

- (1) *A special exception is not required for any private educational institution that is located in a building or on premises that have been used for a public school or that are owned or leased by Montgomery County.*
- (2) *However, site plan review under Division 59-D-3 is required for:*
 - (i) *construction of a private educational institution on vacant land owned or leased by Montgomery County;*
 - (ii) *or any cumulative increase that is greater than 15% or 7,500 square feet, whichever is less, in the gross floor are, as it existed on February 1, 2000, of a private educational institution located in a building that has been used for a public school or that is owned or leased by Montgomery County. Site plan review is not required for (i) an increase in floor area of a private educational institution located in a building that has been used for a public school or that is owned or leased by Montgomery County if a request for review under mandatory referral was submitted to the Planning Board on or before February 1, 2000, or (ii) any portable classroom used by a private educational institution that is located on property owned or leased by Montgomery County and that is in place for less than one year.*

The Site Plan for the Woods Academy was approved for 24,321 square feet of institutional use and a waiver of the front yard setback on May 10, 2001 (site plan opinion dated August 16, 2001). The certified site plan was approved on March 15, 2002. Enrollment was capped at 302 students.

During the review of the original site plan application, the adjoining citizens and the civic association were very involved. Representatives of the Bradley Boulevard Citizens Association expressed concerns about school size, traffic, the proposed use of the gym by private parties and after hours, the drainage problem on the western side of the building, and the need for a sidewalk along Greentree Drive.

The citizens along the western side of the school shared those concerns and were additionally concerned about the possible noise, drainage from the school creating wet back yards, the lighting, the building elevation and the setback of the proposed addition.

PRIMARY CONCERNS RELATED TO THE PROPOSED INCREASE IN ENROLLMENT:

The primary elements of concern from the BBCA and adjacent property owners include, but are not limited to the following:

1. Increased enrollment will have a negative impact on the neighborhood as roads in the area (primarily Greentree Road and Renshaw Road) are narrow open section roads, and the school does not provide any bus transportation for students.
2. Parents of students drop off and pick up their children in the neighborhood, causing congestion problems and blocking driveways.
3. Queuing on Greentree Road is a violation of the original approval and causes traffic delays and congestion issues.
4. The school proposes parking on a County owned field for special activities. According to the approved site plan the community was to have use of this field as well, but the school has made it feel privatized.
5. The drainage system that was to have been installed as part of the original approval was not implemented until very recently and only after the adjacent property owners and Development Review Staff pointed out that they were not in compliance with the original approval.
6. Some plantings that were to provide screening have died and not been replaced.
7. The lighting installed appears to be much brighter than was approved.
8. Existing parking is insufficient.
9. The activities associated with the increased enrollment will be incompatible with the surrounding neighborhood.

Applicant's Proposal (or Position)

The Applicant has attempted to address all of the concerns, including the physical improvements that should have been completed as part of the original approval. The Transportation Management Plan ("TMP") was submitted with the full intention of implementing all of the actions to relieve problems with on-site congestion, queuing and parking. The Applicant has attended numerous meetings with Staff and the BBCA to present the TMP and address concerns regarding the increase in enrollment and the areas of concern noted above. The Applicant believes they have addressed or resolved all of the concerns, and that the implementation of the TMP is a step toward mitigating the overall traffic issues associated with the current and anticipated future enrollment.

The Applicant has a circulation system in place, managed by the school through the use of an off-duty police officer, to specifically address the queuing and prohibited left turns into the site during restricted hours. The school utilizes buses and off-site parking for special activities, such as grandparent's day.

The Applicant has corrected the drainage issue on the western boundary to be in compliance with the original approval and planted the appropriate plant material as a buffer along the edge. Lighting has also been corrected with shields placed on the fixtures to address glare on the adjacent property. Additionally, the Applicant is providing designated visitor parking spaces to accommodate future needs of the increased enrollment, while encouraging carpooling for school staff.

Community Position

The majority of the residents in the surrounding area are not supportive of the Woods Academy proposal for the increased enrollment. Until recently, the application was presented as an increase of 108 students and not as the incremental increase recommended by Staff. Nevertheless, they appear to have continuing concerns with traffic congestion, drainage issues, compatibility, and poor compliance with the approved 2001 site plan. The issues that currently concern area residents are little changed from the initial review in 2001. The concerned parties were able to work out their differences at that time, but the school does not appear to have fulfilled all the terms of that approval.

The lease with the County in 2001 stipulated that the school would provide 59 spaces on-site (they currently are allowed 60 staff members), and that they would not increase parking. This does not provide or allow for visitors and volunteers, and visitors to McCrillis Gardens use the school's parking as well. The lack of parking creates supply problems on weekdays. Visitors tend to park along Renshaw Road, which is a public road but not well designed for this use (open section and narrow).

Certain members of the community have expressed dissatisfaction with the outreach conducted by the school with respect to drainage, scheduled play times on the adjacent ball fields and enforcement of the current circulation and queuing.

Staff Analysis/Position

Staff has analyzed the transportation management plan ("TMP") with respect to on-site queuing and circulation and LATR guidelines for potential impacts of the proposed school expansion on area transportation systems. LATR guidelines and Queuing Analysis were satisfied by the study in terms of congestion standards, critical lane volumes and on-site queuing. The primary concern by Staff, which is reiterated by the community, is the enforcement of the TMP for the increased enrollment and the possible negative impacts that additional students, vehicles and trips would have in a residential neighborhood.

Staff points out that the TMP was submitted voluntarily by the school in anticipation of the concerns related to circulation, traffic and queuing. The TMP has been revised numerous times to address enforcement action related to non-compliance with the policies outlined by the Plan. Staff paid a surprise visit to the school during the a.m. drop off period and did not observe

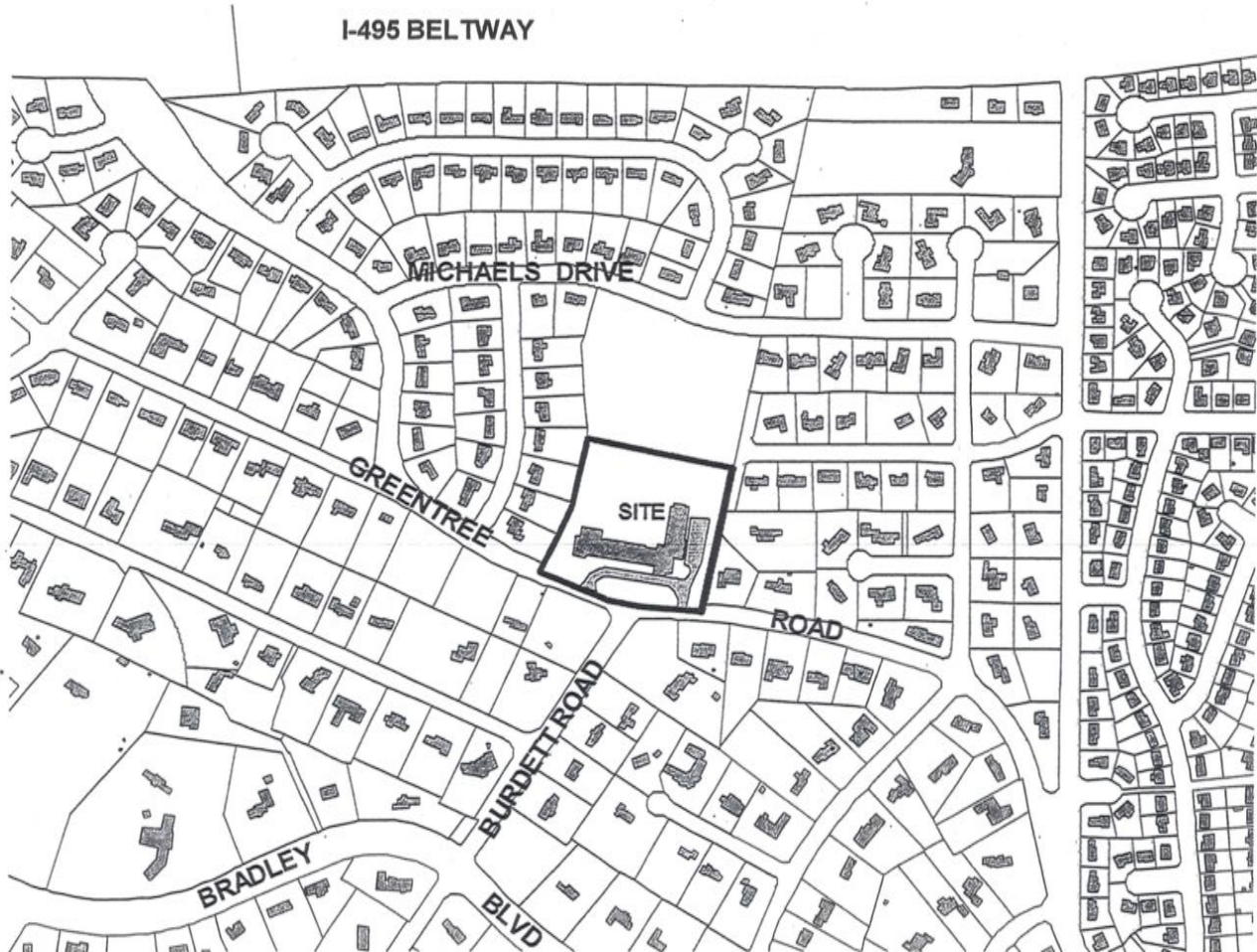
problems with the circulation or queuing. Staff views the TMP as an enforcement tool and not an assessment of the policies and procedures for proper transportation management, and as such believes action is a vital role in the success of the program. Strict compliance of the TMP is a must; however, the policies must be reevaluated on a yearly basis to improve the Plan, as set forth in the conditions of approval.

Staff recommends an incremental increase of 60 students (20 per year) under strict compliance with the TMP and further community outreach to understand and address their concerns.

PROJECT DESCRIPTION: Site Vicinity

The subject property is located in the northern quadrant of the intersection with Greentree Road and Burdett Road in Bethesda, Maryland at 6801 Greentree Road. The school site is bounded by existing homes within the R-200 zone on the eastern and western boundaries, and immediately opposite the school entrance on Greentree Road. Fernwood Park, an M-NCPPC site, is located directly north of the school and is developed with two tennis courts and a soccer field. The park and school site are connected by a path from Marywood Road at the northeastern boundary of the site. The site to the west, MacCrillis Gardens is another M-NCPPC park located opposite the school site.

The existing homes to the west are set back from the shared boundary as follows: 95 feet, 117 feet, 116 feet and 134 feet. The first three lots have existing 6-foot wooden fences along the boundary and the fourth lot has mature white pines. In general the existing homes are lower in elevation than the school site by 4 to 6 feet. The existing homes to the east have side yard setbacks of are setback from the common boundary of 35 feet, 140 feet and 62 feet. The houses sit 4 to 6 feet higher or at the same elevation as the school.

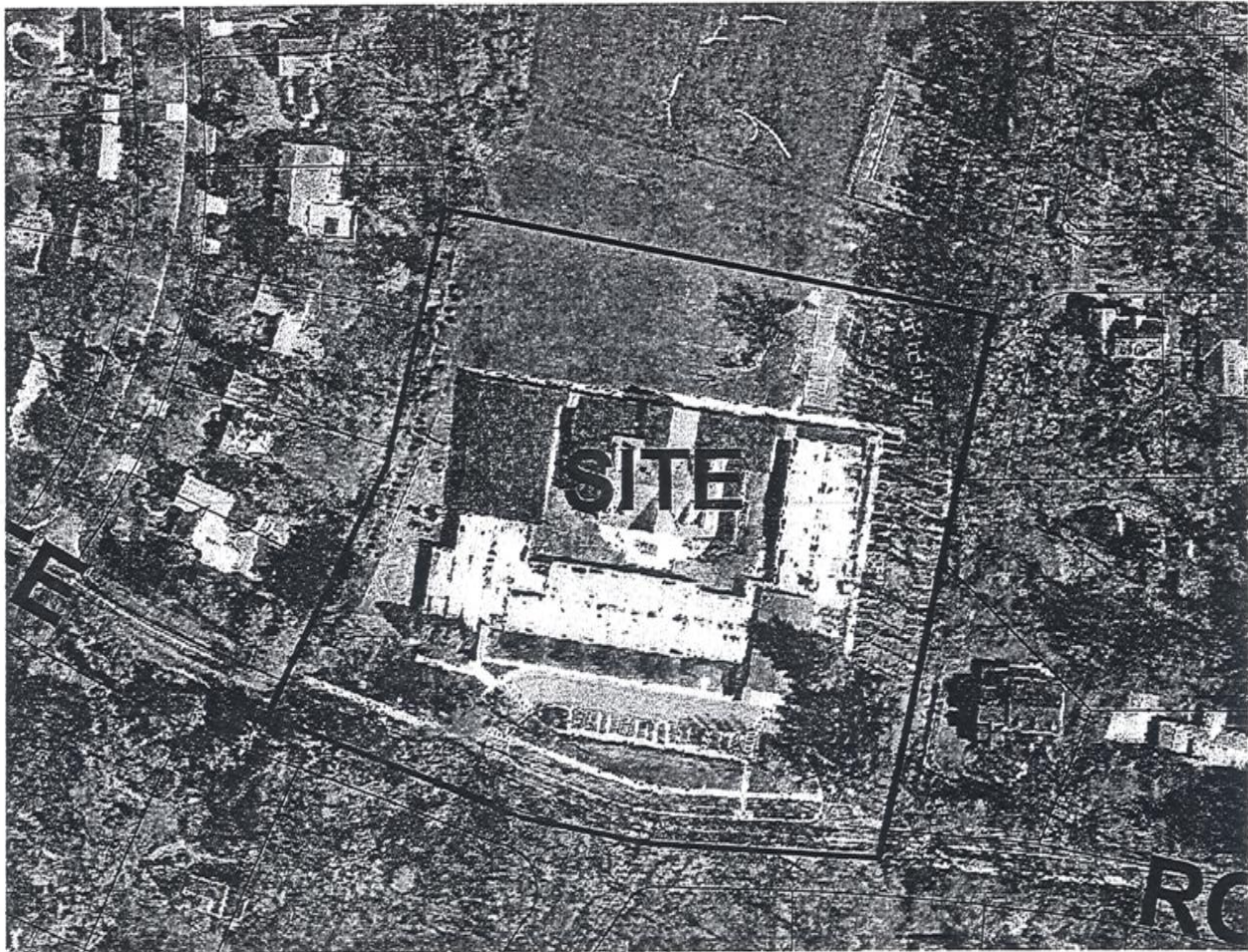


PROJECT DESCRIPTION: Site Description

The school site is slightly higher than Greentree Road. The existing school is “U” shaped, with the building lines parallel to the southern and eastern boundaries. A driveway with head-in parking is in front of the school. A public elementary school with a capacity of 450-532 students was formerly operated on the site. It was closed by the county in 1977.

The elevation of the site drops down to a level play field to the north or rear of the building. A steep slope rises from the play field to meet the level of the soccer field in the adjoining M-NCPPC Park. The western edge of the school contains two pieces of play equipment and two paved areas. There are several existing mature shade trees in the western side yard; however one of those trees was recently removed to address a hazardous situation. The northern end of the site includes a softball backstop and a play field for youth softball or soccer. There is no significant vegetation in this area.

The eastern side of the property includes a double loaded parking lot, play equipment and an enlarged paved play and overflow parking area. An existing asphalt path connects from the parking area to the adjacent tennis courts in the neighboring Fernwood Park. Existing mature deciduous and evergreen trees and shrubs define the eastern boundary.



ANALYSIS: Conformance to Development Standards

PROJECT DATA TABLE (R-200 Zone)

Zoning Ordinance Development Standard	Permitted/ Required	Approved with Site Plan 820010180	Proposed for Approval SP 82001018A
Min. Tract Area (ac.):	N/A	6.16	No Change
Min. Building Setbacks (ft.)			
from street	40	59.7	No Change
rear yard	30	173.2	No Change
side yard	12/25 combined	46/133.3	No Change
Min. Green Area (%)	N/A	65.4%	No Change
Max. Building Height (ft.):	50	27.6	No Change
Parking Spaces*	59	59	65

Number of spaces required per Div. 59-E-3 is one parking space for each employee, including teachers and administrators, plus sufficient off-street parking space for the safe and convenient loading and unloading of students, plus additional facilities for all students parking. The Applicant has designated 7 of the on-site parking spaces as visitor spaces with the intent that school staff will carpool.

ANALYSIS:

Conformance to Master Plan

The Community-Based Planning staff has reviewed the above referenced Site Plan for conformance with the *Bethesda Chevy Chase Master Plan* (1990). The Master Plan offers general guidance for the reuse of closed public schools but does not offer recommendations specifically for this site. The Master Plan “endorses using public school sites as flexible resources to meet a range of community needs.” It notes that “in response to declining enrollment in the 1970’s the Board of Education closed a number of schools in the Bethesda Chevy Chase area”, and that “former schools are providing facilities for special programs of the Montgomery County Public Schools, non-profit community organizations, and private schools”. This site falls into that category. The Plan recommends that schools remain in public ownership in case changing demographics require their reopening.

The Plan states that when new uses are programmed for school sites, compatibility with the neighborhood must be maintained, and “the degree to which the new use is incorporated into the existing community fabric is crucial. Such changes are to be reviewed with a process that ensures that such proposal for modernization, additions, or reuse, are compatible with the surrounding areas, particularly in relationship to:

1. traffic and parking controls;
2. location of modular classrooms, additions, or new buildings, and
3. landscaping and parking lot screening”

The Plan also specifies that playgrounds at closed school sites must be maintained or alternative sites provided, due to their use as community recreation centers.

FINDINGS: For Site Plan Review

1. *The site plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development, if required, unless the Planning Board expressly modifies any element of the project plan.*

An approved development plan or a project plan is not required for the subject development.

2. *The site plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56.*

The Site Plan meets all of the requirements of the R-200 zone as demonstrated in the Project Data Table on page 10; however, the number of parking spaces provided for the request enrollment increase must be addressed for the enrollment above 362, to account for additional teacher and visitor parking and for the convenient loading and unloading of students (queuing) within the surface parking facility.

3. *The locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

- a. Locations of buildings and structures

There are no buildings or structures proposed with this application.

The previous addition formed a U-shaped, one-story building with a gymnasium in the center. The configuration created an efficient layout for the school operations and it keeps the development of the campus within a closely defined footprint.

- b. Open Spaces

The plan retains the same amount of open space, between the courtyard and the addition, landscaping areas and along the perimeter of the property.

Existing drainage problems along the western boundary of the site have recently been addressed in accordance with the original approval and include the installation of a drain, earth berm, yard inlet and a swale to direct water flow away from adjoining rear yards.

- c. Landscaping and Lighting

Landscaping on the site consists of existing shade trees, evergreen trees and shrubs for screening along the eastern and western boundaries. The existing

landscaping efficiently screens the parking areas and play areas from the adjoining properties. The Leyland Cypress along the western boundary were recently removed to construct the earth berm and drain, required with the original approval, and replanted on top of the earth berm.

No additional light fixtures have been installed; however, the "shoe box" type fixtures on the eastern perimeter have been retrofitted with shields to negate glare and address spill-over-light onto adjacent properties.

d. Recreation Facilities

Recreational facilities are not required for this non-residential use; however, the school has a playground on the western boundary and open field on the northern boundary for the use of the students.

e. Pedestrian and Vehicular Circulation Systems

In conjunction with the Preliminary Plan waiver request, and the previously approved site plan, an adequate public facilities analysis and traffic study was provided and a queuing analysis was performed to establish proper queuing for current enrollment and establish the sufficient area needed to accommodate the proposed increase in enrollment. See the memo from the Transportation Planning Division dated June 22, 2007 (Attachment C). Typically, the queuing analysis is the determining factor in whether the operation of the school requires a transportation management plan. Condition 8 of the original M-NCPPC Opinion states: "Provide for on-site vehicular queuing on the east side of the school and continue along the front drive as proposed by the Applicant's consultant. There shall be no off-site queuing."

A Transportation Management Plan ("TMP") was submitted by the Applicant and evaluated by Staff, with surrounding community members, in order to evaluate the queuing, LATR guidelines and policies, and provide recommendations for traffic congestion relating to current and forecasted enrollment. The intent of the TMP is to limit the impact of additional trips generated by the use and site. The TMP is a step forward in addressing the daily traffic impacts and impacts from special school events, as well as adequate parking, circulation and overall enforcement.

Transportation Planning Staff evaluated the on-site queuing and determined vehicular queuing can be accommodated on-site without extending onto Greentree Road. The surrounding and adjacent communities have provided correspondence, including pictures that show vehicles extending into Greentree Road, exacerbating local morning peak hour traffic and in violation of the conditions of approval in the opinion. Staff has visited the site on numerous occasions, both morning and afternoon, and observed occasional incidents where cars have to slow down to turn into the site, which accounts for some of the

questionable queuing on Greentree Road. Staff also observed speeding on Greentree, but the vehicles were not associated with the circulation of the school site.

The existing circulation pattern on site has been enhanced by the provision of a loop for the on-site queue (or line of cars) and increased stacking on site. On-site parking does adequately and sufficiently address the provisions in the zoning ordinance "for the safe and convenient loading and unloading of students, plus additional facilities for all student parking". The Applicant is providing an additional 7 spaces devoted to visitors. Parking will need to be reevaluated for the increase in enrollment above 362.

Consistent with the original approval, the Applicant was required to install a sidewalk along Green Tree Road to improve pedestrian circulation on site and allow for safer access to the park across the street. Any updates to the TMP should address potential conflicts between vehicular and pedestrian circulation, and increased monitoring and enforcement, with a greater importance placed on the potential of cars queuing onto Greentree Road.

4. *Each structure and use is compatible with other uses and other site plans, and with existing and proposed adjacent development.*

The focus of the original site plan was the relationship and desirability of the proposed addition to the existing school building. A 26 percent increase in enrollment (302 to 410) creates a greater impact to the surrounding community, specifically with respect to increased activity and use of the fields, lack of parking spaces for additional teachers and visitors, and an increase in the amount of traffic on local roads, noise and hours of operation. Staff is recommending an incremental increase of an additional 60 students (12 percent increase) over a three-year period, with an opportunity for the school to establish a record of achievement based on the policies and guidelines established with the TMP.

The TMP and condition of approval puts into effect a monitoring system for circulation and potential vehicular conflicts and an enforcement program to solidify the overall intent of the TMP. The incremental increase will assist in a monitoring program to reevaluate the policies of the TMP and provide for improvements to the Plan.

The Applicant has corrected the drainage issue on the western boundary to be in compliance with the original approval and addressed the issue of on-site parking, lighting and landscaping.

5. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

The site has received an exemption from the Forest Conservation Plan requirements for its status as a single lot that contains less than 40,000 square feet of existing forest. The

Applicant received approval for the removal of a large shade tree within the existing play area on the western boundary due to hazardous conditions.

The proposed stormwater management concept consists of on-site water quality control via an infiltration trench and a waiver for water quantity control. The drain on the western boundary was recently retrofitted and replaced along with the earth berm in accordance with the conditions of approval.

ATTACHMENTS

- A. Planning Board opinion for Site Plan 820010180.
- B. Transcript from previous site plan hearing
- C. Memoranda from Agencies
- D. Correspondence from the Applicant
- E. Transportation Management Plan ("TMP") dated November, 2007
- F. Woods Academy Statement of Operations
- G. Correspondence from Citizens



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

MCPB
Item #
01/10/08

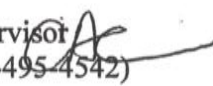


MEMORANDUM

DATE: December 27, 2007

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief
Development Review Division

FROM: Catherine Conlon, Subdivision Supervisor 
Development Review Division (301-495-4542)

REVIEW TYPE: Subdivision Review Waiver
APPLYING FOR: Request for waiver of the requirement to submit a preliminary plan of subdivision and associated record plat

PROJECT NAME: The Woods Academy
CASE #: SRW01006A
REVIEW BASIS: Chapter 50, Sec. 50-38 (a)(1), Montgomery County Subdivision Regulations

ZONE: R-200
LOCATION: Located in the north quadrant of the intersection of Greentree Road and Burdette Road
MASTER PLAN: Potomac Subregion

APPLICANT: The Woods Academy
ATTORNEY: Linowes and Blocher LLP

FILING DATE: June 7, 2007
HEARING DATE: January 10, 2008

STAFF RECOMMENDATION: Approval of the request to waive submittal of a preliminary plan and record plat, subject to the following condition:

- 1) Issuance of any future building permit(s) for this property will be subject to the applicable record plat requirements of Chapter 50 of the County Code.

SITE DESCRIPTION

The subject property ("Property") is an unplatted, 6.15-acre parcel (P 184) located on the north side of Greentree Road at its intersection with Burdette Road in the Potomac Subregion (Attachment A). It is the site of the former Fernwood Elementary School and is owned by Montgomery County. Since 1977, The Woods Academy ("Applicant") has leased the Property from the County for a private educational facility. The Property is zoned R-200 and is surrounded by existing residential lots to the east, west and southeast; and M-NCPPC parkland to the north (Fernwood Local Park) and southwest (McCrillis Gardens Special Park).

BACKGROUND

This is a second request by the Applicant for a Subdivision Regulations Waiver ("SRW" or "Waiver"). A previous Waiver was granted in association with a Site Plan approval in 2001 that permitted expansion of the then-existing facility to construct a gymnasium, a student activity center, additional classrooms, and increased storage. A Mandatory Referral review of the requested changes was also done.

The Applicant and Montgomery County concurrently sought the first Waiver based on the justification that the filing of a subdivision application for the unplatted property would have been duplicative of the processing, review and approvals of the Site Plan application materials. They also argued that publicly-owned properties are typically not required to be platted prior to issuance of building permits. The Planning Board granted the requested Waiver subject to the condition that the school's enrollment be limited to 302 students and that full subdivision review (including Adequate Public Facilities (APF) Ordinance review) be conducted prior to any enrollment increase.

The record of the previous hearing on this application indicates that the Board's primary concern in granting the Subdivision Waiver was that a full APF review (including a traffic study) be done before any future increase in the school's enrollment. The Applicant is now seeking to increase the school enrollment cap to 410 students and has filed this second SRW request along with an amendment to the previously approved Site Plan.

CURRENT REQUEST

In a letter dated June 5, 2006 (Attachment B), the Applicant's representatives outline their belief that the current Waiver request should be granted based on the same reasons that the original Waiver was granted. They point out that the Property will continue to be used as a school operated on publicly-owned land and that the requested increase in the enrollment cap does not include any changes to existing facilities. They argue that submittal of a preliminary

plan of subdivision would be duplicative of the review already taking place as part of the Site Plan amendment and that any aspects of subdivision that are not included, such as platting and dedication, are irrelevant because the proposed amendment does not seek any further expansion of the facility, application for building permits, or changes to the Property's physical conditions. To satisfy the condition of the Board's previous Waiver, Local Area Transportation Review (LATR), including submittal of a full traffic study, is being done as part of the Site Plan amendment.

DISCUSSION

The Planning Board has the authority to grant a waiver pursuant to Section 50-38(a)(1) of the Subdivision Regulations provided certain findings can be made. The section states:

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

In this instance, staff agrees with the Applicant that review of a preliminary plan of subdivision with the current Site Plan amendment would be duplicative. The primary objective of a subdivision review for this Property would be the APFO review of traffic impacts related to the proposed enrollment increase. This review can be done as part of the submitted Site Plan amendment, which is permitted under Chapter 8 of the County Code. Although staff does not agree that the Subdivision Regulations exempt publicly-owned property from the requirement to be platted prior to issuance of a building permit, this aspect of subdivision review does not need to be addressed now since the enrollment increase does not involve any change to existing facilities. In staff's opinion, platting and dedication may need to be provided as part of any future building permit application, but could be addressed by a minor subdivision under Section 50-35A of the Subdivision Regulations.

Staff finds that submission of a preliminary plan of subdivision presents an unnecessary practical difficulty for the Applicant because the review of the preliminary plan would be duplicative to that occurring as part of the submitted Site Plan amendment. As such, staff recommends waiving this requirement. This waiver is the minimum required to provide the necessary relief, is not adverse to the public interest because review of the submitted Site Plan amendment covers the applicable aspects of a subdivision review, and is not inconsistent with the objectives of the General Plan. As previously noted, it is staff's opinion that platting and dedication may be needed prior to issuance of any future building permits for the Property, but this issue does not need to be addressed now since the enrollment increase does not require any building. Staff recommends the waiver condition noted above to highlight the potential need for a future determination.

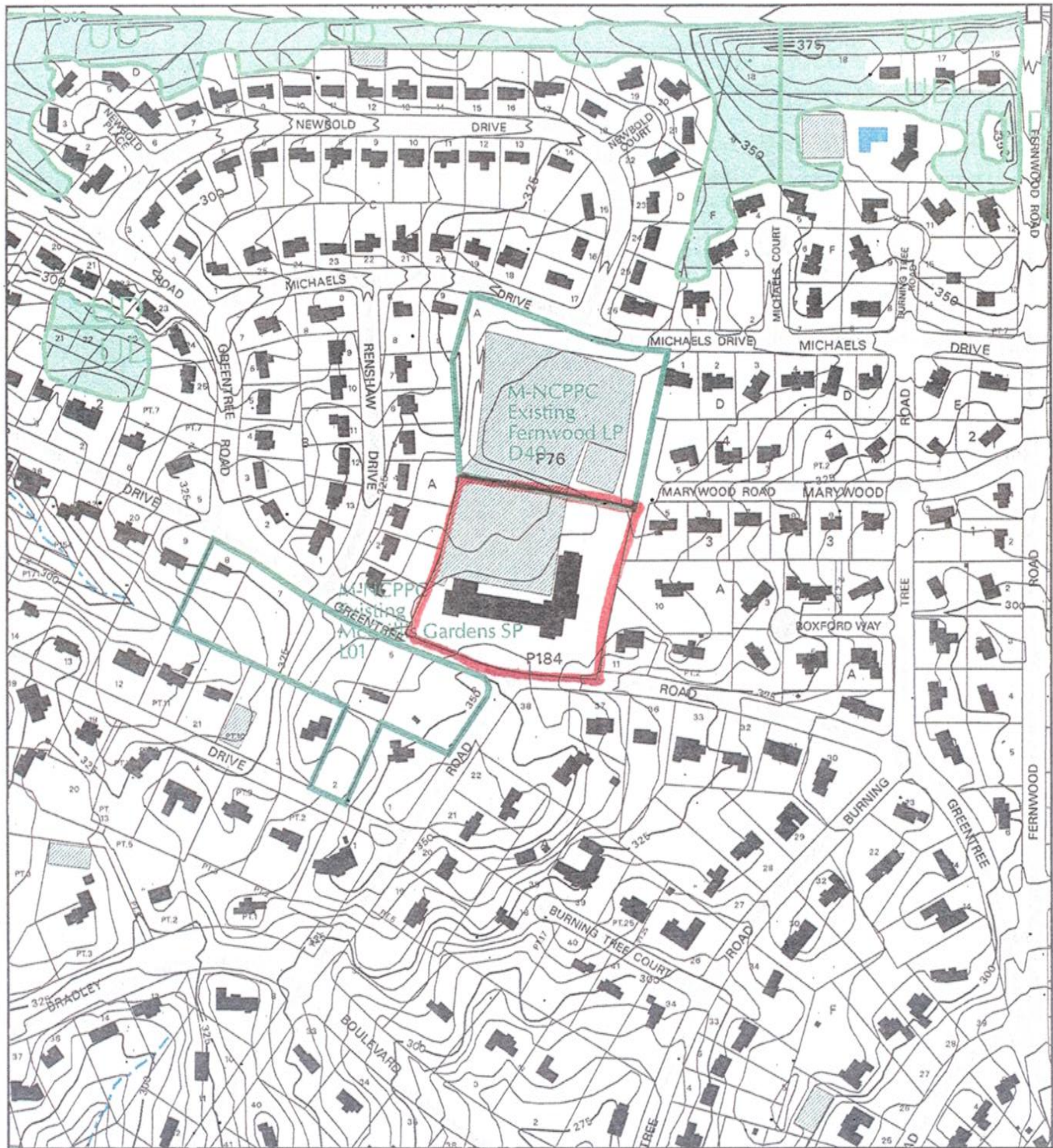
CONCLUSION

Staff recommends approval of a waiver of the requirement to submit a preliminary plan for this Property with the condition specified above.

Attachment A – Vicinity Map

Attachment B – Applicant's Waiver Request

THE WOODS ACADEMY (82001018A & SRW01006A)



Map compiled on November 22, 2006 at 2:55 PM | Site located on base sheet no - 211NW07

NOTICE

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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. - Copyright 1998

MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
 8787 Georgia Avenue - Silver Spring, Maryland 20910-3760

Key Map



N



Research & Technology Center



1 inch = 400 feet
 1:4800



LINOWES
AND BLOCHER LLP
ATTORNEYS AT LAW

Attachment B

June 5, 2006

C. Robert Dalrymple
301.961.5208
bdalrymple@linowes-law.com

Anne C. Martin
301.961.5127
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Derick P. Berlage, Chairman
The Montgomery County Planning Board
The Maryland-National Capital Park
and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: The Woods Academy – Site Plan Amendment/Subdivision Waiver Amendment
Site Plan No. 8-01018, SRW 01006

Dear Chairman Berlage and Members of the Planning Board:

On behalf of the Woods Academy, an independent, Catholic co-educational school (Montessori through eighth grade) and the lessee of the former Fernwood Elementary School owned by Montgomery County and located at 6801 Greentree Road in Bethesda in the R-200 zone (the "Property"), we respectfully request an amendment to one condition of the Site Plan Approval and the corresponding Subdivision Waiver concurrently granted by the Planning Board by Opinion dated August 16, 2001 (the "Opinion", attached hereto as Exhibit "A"). The Woods Academy seeks to raise the limit on the maximum enrollment allowed pursuant to the Site Plan ("enrollment cap") from 302 students to 410 students (which is significantly less than the facility's rated capacity when it operated as a public school); there are no changes proposed to the physical infrastructure of the Property or the school facilities with this Amendment.

The school's request for an increase in the enrollment cap is a necessary component of its strategy to responsibly plan for the future while continuing its tradition of providing a high-quality education. Enrollment at The Woods Academy is currently at or near the Site Plan capacity of 302 students, making any further growth impossible under the existing Site Plan. With the above in mind, The Woods Academy considered several factors in deciding to seek an increase its enrollment cap to 410 students. These factors included: 1) the school's previous rated capacity as a public school; 2) the school's anticipated gradual growth over the next three-to-five years; 3) the school's desire for class sizes that will enhance the learning opportunities for its students; 4) the school's intent to make efficient and economical use of its existing facilities; 5) the school's need for flexibility to manage potential growth over the long term without the need to seek another Site Plan amendment for additional increases in enrollment; and 6) the

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school's strong desire to set its enrollment cap at a level that will not negatively impact its neighbors and surrounding community.

The Woods Academy submits a Local Area Transportation Review ("LATR") in support of its application and to satisfy Adequate Public Facilities ("APF") review (see Exhibit "B"). The LATR includes: 1) a traffic study finding that the additional vehicular trips associated with the proposed enrollment cap increase will not adversely impact traffic on neighboring streets; 2) a Queuing Analysis demonstrating that the projected queues generated by a 410 student population will remain on-site; and 3) a Transportation Management Plan ("TMP") that establishes protocols addressing parking, traffic, and other transportation-related issues. The TMP was developed with input from the M-NCPPC Staff and neighbors and will ensure traffic flow and safety in support of the proposed Site Plan Amendment.

Also included in support of this application are the following additional items: 1) Montgomery County Department of Park and Planning Fee Schedule and Worksheet with check payable to the M-NCPPC in the amount of \$5,410.00 (This includes \$1,390 for the Subdivision Regulation Waiver fee and \$4,020 for the Site Plan; 2) Site Plan Application; 3) a Request for Waiver of Requirement of the Subdivision Regulations Application; 4) List with labels of adjacent and confronting property owners; and 5) certification of the May 2, 2006, community meeting which includes an attendance list, and subsequent community correspondence.

On the basis of these application materials and as set forth below, The Woods Academy requests that its proposed Site Plan Amendment and Subdivision Waiver be granted.

1. Property History

Montgomery County previously used the Property for the Fernwood Elementary School, which opened in 1961 with 18 classrooms and a rated capacity of 532 students. The Fernwood Elementary School facility closed in 1977 with a rated maximum capacity of 450 students and 15 classrooms. Since 1977, The Woods Academy has leased the Property from Montgomery County. The lease was extended in 1999 for an additional twenty five (25) years. The current lease expires in 2024. Over the past 30 years, The Woods Academy has strived to be a good neighbor, an integral part of the community, and a good steward of the County's property. This is evident by the actions and improvements that The Woods Academy undertook starting in 2001. In February 2001, having been an integral part of the surrounding community for 25 years, the Woods Academy sought Site Plan approval (as required by Section 59-G-2.19(e)(2) of the Zoning Ordinance for a private educational institution on land owned or leased by Montgomery County) and Montgomery County sought Mandatory Referral review for an expansion of the existing facility to construct a gymnasium, a student activity center, additional classrooms and increased storage. The Woods Academy and Montgomery County concurrently sought Subdivision Waiver approval (the Property is not a recorded lot of record), which was

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granted with the acknowledgement that the filing of a subdivision application would have been duplicative of the processing, review and approvals of the Site Plan application materials.

The Site Plan approval (and Subdivision Waiver) limited the school's enrollment capacity to 302 students and was conditioned on a requirement to conduct APF review if additional enrollment is subsequently desired. Although the Opinion states that an increase in the student population will require subdivision review, it is clear from the record of the case that the Board would require satisfaction of the subdivision review criteria, namely APF review (and specifically a LATR with a traffic study), should an increase in enrollment be sought; however, full subdivision review, platting and dedication, etc. would not be required with a proposed enrollment increase. Although an APF review was conducted with the original Site Plan and Subdivision Waiver, it is important to note that a traffic study was not required as part of the LATR to satisfy APF review because the enrollment generated less than 50 peak hour trips (the trip generation threshold at that time) during the peak hour. However, with the proposed enrollment cap increase, the Woods Academy has conducted a full traffic study (including traffic counts for six intersections) as part of the LATR, as well as a Queuing Analysis for an assessment of the current and future on-site queuing operations for the drop off and pick up of students. These studies have been conducted and submitted to satisfy the nature of the subdivision review intended by the Board's condition in the Opinion relating to subsequent increases in enrollment.

2. Supporting Documentation

As stated above, the proposed student enrollment increase is only requested for the Woods Academy to more efficiently utilize its existing facilities without any physical changes to the buildings or the facilities on the Property. The Woods Academy wanted to plan for internal growth and potential changes to class sizes or other curriculum changes (although the grade levels will remain Montessori through Eighth grade) in a comprehensive, thoughtful, and long term manner. Therefore, in addition to the traffic study and Queuing Analysis included in the LATR, the Woods Academy has prepared a Transportation Management Plan ("TMP"), based on examples provided by M-NCPPC Transportation Staff, and revised its Guide for Drivers (a guide for parents regarding drop off and pick up procedures and vehicle protocols).

A. LATR – Traffic Study and Queuing Analysis

In support of the proposed amendment, and as part of its desire to substantively fulfill all APF requirements, The Woods Academy commissioned Wells & Associates, LLC, an independent engineering firm, to conduct a LATR, including an extensive traffic study to assess the potential impact on the local transportation network and to conduct a Queuing Analysis to assess the existing and projected queues during drop-off and pick-up of students. The LATR was prepared in accordance with: 1) the LATR Guidelines published July 1, 2004; and 2) the March 28, 2006 Scoping Letter from Scott James, to Lawrence Sefcik.

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Based on the traffic study and Queuing Analysis, Wells & Associates, LLC affirmatively concluded that: 1) the proposed increase of the enrollment cap to 410 students will have a minimal impact to the local area transportation network; 2) the projected queues for drop off and pick up will remain on-site and no queuing will occur on Greentree Road; 3) the pedestrian and vehicular circulation on and around the site will continue to operate in a safe, adequate, and efficient manner; and 4) the proposed student enrollment increase from 302 to 410 students will maintain the compatibility of the school with the adjacent community.

B. Transportation Management Plan & Guide for Drivers

In addition to the traffic study and queuing analysis included in the LATR, the school prepared a Transportation Management Plan ("TMP") and revised its Guide for Drivers. The TMP is based in part on examples provided by M-NCPPC Transportation Staff and includes specific provisions based on input from the school's neighbors. The school received this input at a community meeting held at the Woods Academy on May 2, 2006, and through further exchanges of correspondence with several neighbors. The TMP provisions that were derived from the input at the community meeting include: 1) school support of neighborhood initiatives on parking permits and/or restriction, (2) collection of vehicle information from parent drivers to enhance enforcement, (3) scheduling of regular community meetings to address any transportation questions or concerns, (4) arranging off-site parking accommodations for special events, (5) requiring third-party users to adhere to the TMP and Guide for Drivers, and (6) written protocols that facilitate enforcement of transportation related policies. In addition, the neighbors were given an opportunity to comment on a draft TMP that was provided to them after the May 2nd meeting. Based on this feedback, the TMP also 7) specifies that parents and faculty shall obey local traffic and parking laws (also stated in the Guide to Drivers); 8) includes notice to specified individuals/addressees of the Community Council meetings (a group consisting of the school, neighbors on adjacent streets and the Bradley Boulevard Citizens Association); and 9) provides for more frequent meetings of the Community Council.

As part of its outreach to the community regarding its enrollment cap increase, The Woods Academy has forwarded the interested neighbors a copy of the LATR, which includes the TMP and Guide for Drivers. In addition, The Woods Academy has begun to immediately implement the policies of its TMP including procedures for special event parking. The Woods Academy is pleased to report that it successfully implemented the policies of the TMP relating to special event parking at the recent school-wide events of Literacy Day (May 12th), the Spring Art show and Musical Production (May 18th and 19th), as well the First Communion Liturgy (May 22nd). These events took place without event related parking on the neighborhood streets. While the TMP imposes burdens and measures not typically required for a public school or a private educational institution utilizing a Montgomery County public school property, the implementation of the TMP by The Woods Academy will ensure that the school continues to be an integral part of the Bradley Hills neighborhood and will continue to maintain safe and

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efficient pedestrian and vehicular circulation with minimal impact to the surrounding community.

3. Site Plan Amendment and Subdivision Waiver

The application to amend the Site Plan condition to increase the student enrollment capacity to 410 students remains consistent with the previous Subdivision Waiver approval and the conditions set forth in Section 50-38(a)(1) of the County Code. The amendment is for the limited purpose of resetting the enrollment cap and does not seek any other change to the existing Site Plan. The Property will continue to be used as a school operated on publicly-owned land. An LATR has been completed in connection with the Site Plan Amendment. The LATR includes a traffic study, Queuing Analysis, TMP, and Guide for Drives, thus satisfying the APF condition in the existing Site Plan. Moreover, any aspect of subdivision review, such as platting and dedication are irrelevant because the proposed amendment does seek further any expansion of the facility or change to the physical conditions present on the Site Plan. These factors support renewal of the Subdivision Waiver.

The practical difficulties and duplicative procedures of the subdivision review process (other than APF review) would place an unnecessary burden on Planning Board staff, agency staffs, and The Woods Academy for the subdivision of land that is typically exempt through ownership by Montgomery County. The amendment of the subdivision waiver condition with the Site Plan Amendment is the minimum necessary to provide relief from the subdivision requirements since the APF review that has been provided is the only applicable and relevant review for the proposed student enrollment increase. Requiring full subdivision compliance for this publicly owned parcel would provide absolutely no additional public benefits not already addressed through Site Plan and APF review. The renewal of the Subdivision Waiver with the Site Plan Amendment remains consistent with the recommendations in the Bethesda-Chevy Chase Master Plan, approved and adopted in 1990 (the "Master Plan"), that closed public school facilities may be used for private institutions. Further, the increase in the enrollment cap with the implementation of the TMP will allow for The Woods Academy to continue its successful tradition in educating Montgomery County students while ensuring that the school facilities will remain adequate and available for public uses such as polling, civic meetings and athletic field uses. Lastly, the amendment of the Subdivision Waiver condition with the amendment to the Site Plan enrollment cap condition is in the public interest insofar as the APF review has provided the necessary review processes necessary and any additional measures would be duplicative and a burden on public resources and agencies. The Woods Academy has coordinated with the community before filing this request and is committed to the implementation of the measures included in the TMP, including the regularly scheduled Community Council meetings. Although The Woods Academy would hope to address any concern in advance, the public interest is further served through the opportunity to comment at the public hearing on the Site Plan Amendment.

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4. Conclusion

The Woods Academy appreciates your consideration of this request to amend the Site Plan and Subdivision Waiver condition of the student enrollment cap from 302 to 410 students for this minimal amendment for a private educational institution utilizing Montgomery County public property. It is our hope that a public hearing on the application can be scheduled during July, or as soon thereafter as reasonably possible. Please do not hesitate to contact us if you need any additional information.

Very truly yours,

LINOWES AND BLOCHER LLP

C. Robert Dalrymple, AM

C. Robert Dalrymple

Anne C. Martin
Anne C. Martin

Enclosures

cc: Ms. Catherine Conlon
Mr. Michael Ma
Mr. Scott James
Ms. Mary C. Worch