



Smart Kids Bilingual Learning Day Care LLC, Conditional Use No. CU 2017-10

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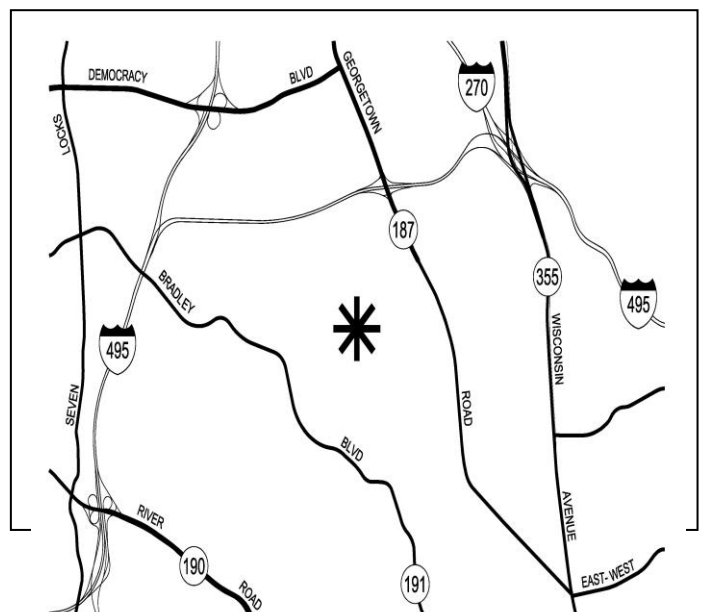
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Staff Report Date: 2/17/17

Description

- Request for a Group Day Care Facility for 12 Children
- Address: 6015 Johnson Avenue
- Zone: R-60
- Master Plan: 1990 Bethesda -Chevy Chase
- Applicant: Damaris Tovar co-owner
- Filing Date: December 13, 2016
- Public Hearing: March 20, 2017 at the Hearing Examiner's Office.



SUMMARY

Recommendation

Staff recommends **Approval** with conditions of Conditional Use CU 2017-10 for a group day care facility for 12 children and three non-resident employees.

Section 59.6.2.10 of the Zoning Ordinance allows an Applicant to request the following parking waivers:

- from Section 59.6.2.4.B for the three required parking spaces;
- from Section 59.6.2.4.C for the one required long term bicycle parking space.

Staff supports both waiver requests from Sections 59.6.2.4.B and 59.6.2.4.C of the Zoning Ordinance.

Section I.: Staff Recommendation:

Staff recommends approval of Conditional Use (CU 2017-10) for group day care facility with the following conditions:

1. The day care facility is limited to up to 12 children and 3 non-resident employees.
2. The hours of operation are Monday through Friday from 6:45 a.m. to 6:00 p.m.
3. Outside play time may not start prior to 9:00 a.m. and may not extend beyond 5:00 p.m.
4. The Applicant must enter into an agreement with each parent and staff to specify assigned arrival and departure times that must be staggered into separate groups. At full capacity, arrival/ departure groups must be structured as follows:
 - i. Group A (up to 5 cars) 6:45 a.m. – 8:30 a.m.; 4:00 p.m. – 4:30 p.m.
 - ii. Group B (up to 5 cars) 8:30 a.m. – 9:00 a.m.; 4:30 p.m. – 5:00 p.m.
 - iii. Group C (up to 5 cars) 9:00 a.m. – 9:30 a.m.; 5:00 p.m. – 6:00 p.m.

Morning drop-off may extend beyond 9:30 a.m., but must not begin before 6:45 a.m.; afternoon pick-up may begin before 4:00 p.m. but must not extend beyond 6:00 p.m.

Section II: Project Description

A. Background

The subject Property (“Property” or “Site”) at 6015 Johnson Avenue, is located at the northeast corner of its intersection with Ewing Drive in Bethesda. It is zoned R-60 and contains 11,580 square feet of land. The Property is recorded in the County Land Records as Plat #1952, Part of Lots 8 and 9, Block 24, Ayrlawn Subdivision.

The Applicant, Damaris Tovar, leases and lives in the dwelling unit on the property. Ms. Damaris Tovar and Ms. Viviana Ocampo are co-owners of an existing family day care facility for 8 children that has operated in the residence since August, 2015. Section 59-3.1.6 of the Zoning Ordinance allows a family day care facility for 8 individuals as a permitted use in the R-60 zone. Additionally, the Applicant submitted a letter from the property owner which grants her permission to use the property for a day care facility.

B. Site Description

The Property, located at 6015 Jackson Avenue, is a rectangular corner lot with approximately 95 feet of frontage on Johnson Avenue and 87 feet of frontage on Ewing Drive. It is developed with a 1-story one-family detached dwelling unit with an attached one-car garage and driveway that access onto Johnson Avenue. Sidewalks are located along both Johnson Avenue and Ewing Drive. Medium to large sized foundation plantings are located along the front of the dwelling unit. There are numerous large and healthy deciduous trees located in the front and rear yard. From the sidewalk on Johnson Avenue, a set of stairs and concrete walkway lead to the main front door. There are small solar light fixtures along the stairs and a light adjacent to the front door. The rear yard is enclosed with a 4-foot high chain link fence which appears to be covered in a deciduous vine. Other large and healthy evergreen trees along the northern property line screen the rear yard from the abutting residential property.



Figure 1: View of Site from Johnson Avenue (looking northeast).

Neighborhood Description

The neighborhood is bounded to the north by Wilmett Road and Adelaide Drive, Hempstead Avenue and Burley Drive to the east; Greentree Road to the south and Bulls Run Parkway and Ridge Road to the west. The neighborhood is developed with one-family detached residential uses in the R-60 zone. Two institutional facilities are in the defined neighborhood: North Bethesda Middle School located at 8935 Bradmoor Drive and the YMCA located at 5650 Oakmont Avenue. Approved conditional uses located in the defined neighborhood are as follows:

- S-944 located at 9203 Ewing Drive for continued use of an accessory apartment approved on September 19, 1984;
- S-1504 located at 9104 Hempstead Avenue for continued use of an accessory apartment approved on July 11, 1988;
- S-1837 located 5623 Johnson Avenue for an accessory apartment approved on February 21, 1991;
- S-1893 located at 8925 Bradmoor Drive for an accessory apartment approved on November 14, 1991; and
- S-1955 located 5907 Conway Avenue for continued use of an accessory apartment approved on July 11, 1997.



Figure 2: Defined Neighborhood Outlined in red, (Subject Site highlighted in blue)

C. Zoning History

The property is located within the *Bethesda-Chevy Chase Master Plan (1990)* area. The Master Plan reconfirmed the R-60 zone for this site. There are no previously approved conditional uses for the site. The Applicant has been operating a group day care facility for 8 children on the property since August, 2015. A child care facility for 8 children is a permitted use in the R-60 zone and is regulated by the Montgomery County Department of Permitting Services (DPS) therefore a conditional use application is not required.

D. Proposed Use

The Applicant is proposing to operate a group day care facility for 12 children in her home. The group day care facility will be in a portion of the house's first floor and will consist of approximately 1,003 square feet. Two non-resident employees and the other non-resident co-owner will be associated with the use. The hours of operation will be 7:00 am to 6:00 pm, Monday through Friday. Ages of the children will range from infant through pre-school.

The Applicant leases and lives on-site in the house. She and her co-owner have been operating a family day care center for 8 children, on the property since August, 2015. In the requested conditional use for 12 children, the Applicant's son, two years of age, will be one of the 12 as permitted under this use.

Arrival times for staff and children will occur between 6:45 a.m. and 9:30 a.m., while departure times will occur between 4:00 p.m. and 6:00 p.m. There will be no more than five parents on-site to either drop off or pick up children during any one hour period. Staff does not drive to the site, but are dropped off and picked up by automobile. This commuting practice by staff will continue under the requested use. There will be no physical changes to the residence. No additional landscaping is proposed. No additional lighting is proposed by the Applicant as the existing lighting, residential in nature, will remain unchanged. There is no signage proposed under this application.

The Applicant is requesting two waivers under Section 59.6.2.10 of the Zoning Ordinance related to parking and bicycle facilities for conditional uses. These waivers are as follows:

- from Section 59.6.2.4.B for the required three parking spaces; and
- from Section 59.6.2.4.C. for the required one-long term bicycle parking space.

Staff supports both waiver requests and an analysis of each requested waiver is discussed more fully under the Parking, Queuing, and Loading Section of this report.

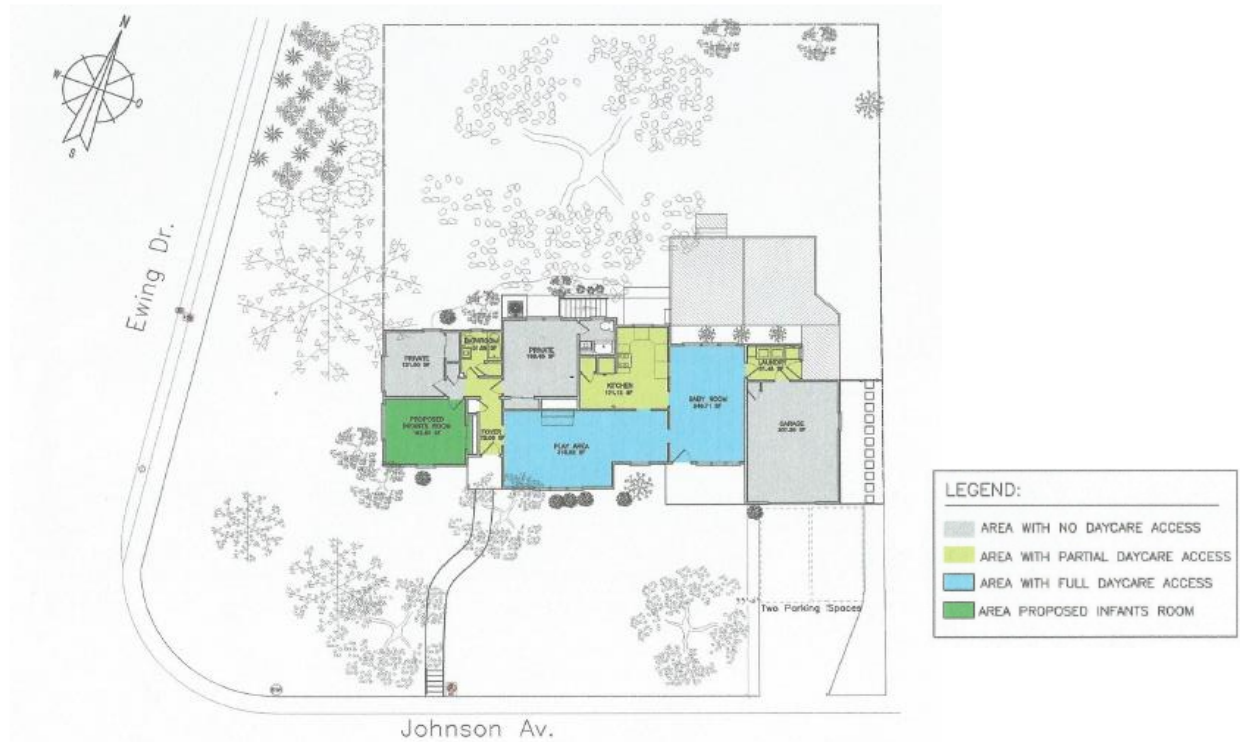


Figure 4: Floor Plan for Proposed Group Day Care Facility

Section III: Analysis and Findings

A. Development Standards

The proposed use meets the R-60 Zone Development Standards as shown in Table 1.

Table 1 Development Standards

Development Standards	Required	Proposed
Minimum Lot Area (59.4.4.9.B.1)	6,000 sf	11,580 sf
Minimum Lot Width (59.4.4.9.B.1) <ul style="list-style-type: none"> At front building line At front lot line 	60 ft. 25 ft.	120 ft. 120 ft.
Maximum Lot Coverage (59.4.4.9.B.1)	35%	18%
Minimum Building Setback (59.4.4.9.B.2) <ul style="list-style-type: none"> Front Side Rear 	25 ft. 8/25 ft. 20 ft.	32 ft. 8/27 ft. 35 ft.
Maximum Building Height (59.4.4.9.B.3)	35 ft.	20 ft.
Parking Requirements (59.6.2.4.B)	5 spaces	2 spaces ¹

¹ The residential use requires 2 parking spaces and the proposed group day care facility requires 1 parking space for each employee, thus 3 employee parking spaces. The applicant is providing 2 spaces for the residential use and requesting a waiver under Section 59-6.2.4. B of the Zoning Ordinance for the 3 required employee parking spaces. Staff supports this waiver request.

Master Plan

The site is located within the 1990 Bethesda Chevy Chase Master Plan area which reconfirmed the R-60 zone for the site. While the Plan contains no specific recommendations for the site, it does offer the following relevant *Goals and Objectives*:

Land Use and Zoning

- *Protect the high quality residential communities throughout the Planning Area, as well as the services and environmental qualities that enhance the area. (p.19)*
- *Reconfirm the zoning for existing single-family detached residential areas. (p.19)*

Public Facility and Community

- *Contribute to a strong sense of community and help reinforce community cohesion. (p.20)*
- *Provide services to meet the special needs of the elderly and for child day care. (p.20)*

Additionally, the Master Plan offered guidelines for the location of special exception land uses (now known as conditional uses) in residential areas. The following Guideline is applicable to this site:

- *Support special exception uses that contribute to the service and health objectives of the Master Plan. In general, the Plan endorses provisions of child day care, group homes, elderly care and nursing homes. It is important to meet health needs through hospital services and hospice centers that are appropriately sized to be compatible with surrounding neighborhoods. (p.31)*

The Master Plan also “supported the locations of child care centers within public and private facilities when they are compatible with the surrounding residential communities.” (p.155)

The Plan continues to state:

- *“Family day care homes and small centers provide accessible child care services through residential neighborhoods within B-CC. By utilizing existing dwelling units, they require minimal additional capital investment to provide services. The family day care homes are currently permitted and the development of small centers should be encouraged”. (p.155)*

The requested conditional use, for a group day care facility, will be in an existing one-family residence located at 6015 Johnson Avenue in Bethesda. The proposed use conforms to the Plan’s recommendations for new conditional uses meeting the social needs of the community through the provision of a group day care facilities and by ensuring these new uses continue to maintain a residential appearance in the community.

B. Transportation

The requested conditional use satisfies the Local Area Transportation Review (LATR) and Transportation Policy Area Review (TPAR) and will have no adverse impacts to existing roadway conditions or pedestrian facilities. Staff recommends approval of the proposed conditional use and offers the following conditions and comments:

1. The conditional use must be limited to:
 - b. A maximum enrollment of 12 children and three non-resident employees.
 - c. Standard hours of operation are Monday through Friday, 6:45 AM to 6:00 PM.
 - d. The Applicant must enter into an agreement with each parent and staff to specify an assigned arrival and departure time that must be staggered into separate groups. At full capacity, arrival/ departure groups shall be structured as follows:
 - i. Group A (up to 5 cars) 6:45 a.m. – 8:30 a.m.; 4:00 p.m. – 4:30 p.m.
 - ii. Group B (up to 5 cars) 8:30 a.m. – 9:00 a.m.; 4:30 p.m. – 5:00 p.m.
 - iii. Group C (up to 5 cars) 9:00 a.m. – 9:30 a.m.; 5:00 p.m. – 6:00 p.m.Morning drop-off may extend beyond 9:30 AM, but must not begin before 6:45 AM; afternoon pick-up may begin before 4:00 PM, but must not extend beyond 6:00 PM,

Master Plan

The *1990 Bethesda Chevy Chase Master Plan* does not recommend any improvements along Johnson Avenue or Ewing Drive. The *2005 Countywide Bikeways Functional Master Plan* does not identify planned bicycle facilities along Johnson Avenue or Ewing Drive.

Site Location and Vicinity

The site is located at the northeast corner of the intersection of Johnson Avenue and Ewing Drive. Johnson Avenue functions as a Secondary Roadway within a 50-foot wide right-of-way. The roadway is 25-feet wide with one 12-foot wide travel lane in each direction and has a posted speed limit of 25 miles per hour within the vicinity of the site. On-street parking is available and unrestricted on Johnson Avenue in front of the site. On Johnson Avenue, west of its intersection with Ewing Drive, parking is not permitted on school days between the hours of 7:00 a.m. and 4:00 p.m. This restriction is in place because this block of Johnson Avenue provides access to North Bethesda Middle School, approximately 300 feet west of the subject site, and school busses need the full lane width to navigate into the school driveway.

Ewing Drive functions as a Secondary Roadway within a 60-foot right of way. This roadway is 36-feet wide with one 13-foot travel lane in each direction, and the posted speed limit is 25 miles per hour. Speed bumps are present along this roadway within the vicinity of the site. Parking is permitted on both sides of the street.

The Johnson Avenue/ Ewing Drive intersection is configured as a four-way stop sign-controlled intersection. Crosswalks are present at the north, south, and west legs of the intersection. See Figure 5. Both Johnson Avenue and Ewing Drive are part of a street network that forms a grid with other primary and secondary residential streets in the neighborhood. This grid network will allow parents to access and exit the site from multiple directions. Given the street connectivity, Staff does not anticipate the net new trips generated by the proposed use will have an adverse impact on the adjacent street traffic.

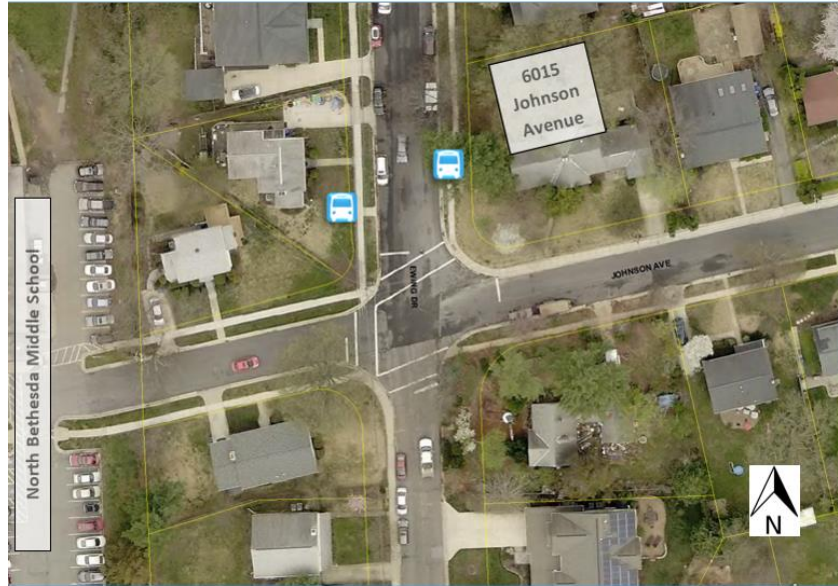


Figure 5: Subject Site (6015 Johnson Ave) located at northeast corner of Johnson Ave and Ewing Drive

Transit service within the vicinity of the site includes two Montgomery County Ride On bus stops; one in each direction just north of the Ewing Drive/Johnson Avenue intersection. Both bus stops are less than 100 feet from the site and are served by Ride-On Route 30 which provides service Monday through Friday from 5:40 a.m. to 9:00 p.m. between the Bethesda and Medical Center Red Line Metrorail Stations.

Both Johnson Avenue and Ewing Drive have sidewalks on each side of the street. These sidewalks provide a designated pedestrian connection between the bus stops and the site. See Figure 6. Each bus stop has an 18-square foot concrete pad that connects the sidewalk to the curb which provides rider queueing space. Thus, trips could be made to the site by either transit or by walking from the adjacent neighborhoods. The Applicant maintains that current non-resident employees do not drive and park at this site, but are dropped off and picked up by automobile. These existing employee commuting patterns are anticipated to continue under the requested use.



Figure 6: Orange circle indicates northbound Ride-On bus stop visible from sidewalk on Ewing Drive abutting subject site.

Site Access, Parking, and Circulation

The existing family daycare operating on-site currently uses the asphalt driveway and Johnson Avenue for loading and unloading. The driveway has capacity for two cars and Johnson Avenue in front of the house has a parallel parking capacity for two cars. Presently, parents are required to comply with the staggered arrival and dismissal schedule such that no more than two cars are arriving and leaving within a 15-minute window. As the site is a corner lot, with sidewalk connectivity, Ewing Drive can also accommodate two temporary parking spaces, just north of the bus stop. After evaluating the available spaces for temporary parking, Staff supports the proposed drop-off and pick-up locations and operations along Johnson Avenue and Ewing Drive for the proposed use. See Figure 7.



Figure 7: Parking is unrestricted along Johnson Avenue in front of the site

Parking requirements for the group day care facility are based on the number of non-residential employees (three), rather than child enrollment in the conditional use. The proposed conditional use requires three parking spaces in addition to the two parking spaces required for the site's primary use, a one-family residence. The required residential parking spaces can be accommodated on-site either in the garage or in the driveway. Section 59-6.2.4. B of the Zoning Ordinance, states onsite parking spaces for a group day care can be located along the street abutting the site. As previously noted, the Applicant is requesting a waiver from the three required employee parking spaces.

Adequate Public Facilities

The proposed development is estimated to generate less than 30 peak-hour trips during the typical weekday morning (6:30 a.m. – 9:30 a.m.) and evening (4:00 p.m. – 7:00 p.m.) peak periods. The Applicant submitted the existing arrival and departure schedules for children and staff. Tables 2 and 3 depict the Applicant's arrival and departure schedules for the existing family day care use.

Table 2: Existing Morning Arrival Operations

Arrival Operations						
Arrival Window			Total Trips			Notes
			In	Out	Total	
Group A	7:00 AM	8:30 AM	4	4	8	Two children, 1 assistant and 1 co-owner are dropped off
Group B	8:30 AM	9:00 AM	3	3	6	Three children are dropped off
Group C	9:00 AM	9:15 AM	1	1	2	Three children are dropped off
Group D	9:15 AM	9:30 AM	1	1	2	One child is dropped off
Cumulative Total			9	9	18	

Notes: 1) One owner lives at the property. The owner's child is one of the eight children in the daycare. Therefore, these people are not included in the trip schedule.

Table 3: Current Evening Departure Operations

Departure Operations						
Departure Window			Total Trips			Notes
			In	Out	Total	
Group A	4:00 PM	4:30 PM	3	3	6	Three children are picked up
Group B	4:30 PM	4:50 PM	1	1	2	One assistant leaves site
Group C	5:00 PM	5:30 PM	3	3	6	Three children are picked up
Group D	5:30 PM	6:00 PM	2	2	4	One child and one co-owner are picked up
Cumulative Total			9	9	18	

Note: 1) One owner lives at the property. The owner's child is one of the eight children in the daycare. Therefore, these people are not included in the trip schedule.

In reviewing the Application, Staff revised the Applicant's submitted schedule proposal to reflect a broader time period for arrivals and departures to the site. The revised staggered schedule allows more flexibility in arrival and departure times for both staff and children. Staff's revised estimated trips are calculated based on this revised staggered drop-off and pick up schedule. To reduce the impact on the existing street network, drop-off and pick-up times are organized into three groups with up to five cars in each group. Using this staggered schedule, there is capacity, along the site's frontage on Johnson Avenue and along a portion of Ewing Drive for loading and unloading. Morning drop-off may extend beyond 9:30 AM, but must not begin before 6:45 AM; afternoon pick-up may begin before 4:00 PM, but must not extend beyond 6:00 PM. Tables 4 and 5 reflect this revised staggered schedule. Staff discussed this revised schedule with the Applicant who agrees with the staggered schedule.

Table 4: Estimated Proposed Morning Arrival Operations

Arrival Operations						
Arrival/Departure Window			Total Trips			Notes
			In	Out	Total	
Group A	6:45 AM	8:00 AM	5	5	10	1 co-owner, 1 assistant, 3 children arrive; up to 5 cars
Group B	8:00 AM	9:00 AM	5	5	10	1 assistant and 4 children; up to 5 cars
Group C	9:00 AM	9:30 AM	5	5	10	5 children arrive; up to 5 cars
Cumulative Total			15	15	30	

Note: 1) One co-owner lives at the property; therefore, this trip is not included in the trip schedule.

2) Morning drop-off can occur beyond 9:30 a.m. and, but it cannot begin before 6:45 a.m.

Table 5: Estimated Evening Departure Operations

Arrival/Departure Operations						
Arrival/Departure Window			Total Trips			Notes
			In	Out	Total	
Group A	4:00 PM	4:30 PM	5	5	10	5 children; up to 5 cars
Group B	4:30 PM	5:30 PM	5	5	10	3 children, 2 assistants; up to 5 cars
Group C	5:00 PM	6:00 PM	5	5	10	4 children, 1 co-owner; up to 5 cars
Cumulative Total			15	15	30	

1). One co-owner lives at the property; therefore, this trip is not included in the estimated departure schedule.

2) Evening pick-up can occur before 4:00 p.m. but it cannot extend beyond 6:00 p.m.

Therefore, based on the proposed arrival and departure schedule the proposed conditional use satisfies the LATR without further analysis. Since the Application does not propose to add square footage to the existing structure, it is exempt from the TPAR.

D. Parking, Queuing and Loading Section 59.6.2

Section 59-6.2.10, of the Zoning Ordinance entitled, Parking Waiver states, *The deciding body may waive any requirement of Division 6.2, except the required parking in a Parking Lot District under Section 6.2.3.H.1, if the alternative design satisfies Section 6.2.1.*

The intent of Section 6.2.1. is to ensure that adequate vehicle and bicycle parking, queuing, and loading requirements are provided in a safe and efficient manner. The applicant is requesting the following parking facility waivers from the Zoning Ordinance:

- from Section 59.6.2.4.B for the required three parking spaces; and
- from Section 59.6.2.4.C. for the required one-long term bicycle parking space.

Section 59.6.2.4.B Vehicle Parking Spaces.

Under Section 59.6.2.4.B, the parking requirements for a group day care facility located in a residential zone are based on the number of non-resident employees associated with the proposed use and required parking spaces may be allowed on the street abutting the site. The

subject application is proposing three non-resident employees which requires three parking spaces.

The Applicant is requesting a waiver from the required parking spaces stating the current employees do not drive to the site. Discussions with the Applicant revealed that these employees are dropped off and picked up at the site. The Applicant does not anticipate current or future employees to change their modes of transportation to the site. There are two Ride-On bus stops located adjacent to the site. Staff supports this parking space waiver request based on the current modes of transportation exhibited by employees, the proximity of adjacent Ride-On bus stops if an employee chooses to use transit and that the site is not located in a Parking Lot District.

Section 6.2.4.C Bicycle Parking Spaces

A group day care use must provide a minimum of one long term bicycle parking space. According to Section 6.2.6. A.1. of the Zoning Ordinance, *“Each long-term bicycle parking space must be provided within a building, covered parking garage, or bicycle locker located near the building or structure and the street or other bicycle right-of-way.”*

The Applicant is requesting a waiver to the required one long-term bicycle parking space on-site. To comply with the bicycle parking requirement either an outdoor bicycle storage locker or storage within the conditional use itself is needed. A bicycle storage locker would need to be constructed in the rear yard and appropriately screened from other residential uses. These site design improvements with additional landscaping could change the appearance of the residential property as outdoor bicycle storage lockers are not usually found on R-60 zoned lots. Additionally, from the submitted floor plan, the layout and square footage will be exclusively allocated to the operation of the group day care facility. Square footage for an indoor bicycle space that will comply with Zoning Ordinance design and maneuverability standards could decrease the amount of square footage allotted to the group day care facility.

Discussions with the Applicant revealed that the current staff do not drive or park at the site, but are driven to and from the site. Clients also drop off and pick up their children by private automobile. Neither staff or clients travel to the property by bicycle. Staff believes that these transportation patterns will continue in the future and it is highly unlikely future clients or staff will bike to the site. Thus, staff supports the Applicant’s waiver request for the one required bicycle parking space.

E. Section 59-6.4.4. E Outdoor Lighting Requirements

Outdoor lighting for conditional uses must be directed or screened to ensure that illumination is 0.1 footcandles or less at any lot lines that abuts a detached building type not located in a Commercial/Residential or Employment zone.

The Applicant is not proposing new outdoor lighting for the group day care facility. The existing small solar lighting fixtures along stairs leading to the front door and above the garage door will remain. The existing on-site lighting is residential in nature and will not create a problem with illumination on abutting properties.

Section 6.5. Screening Requirements

Section 59.6.5.2.B. Agricultural, Rural Residential, and Residential Detached Zones

In the Agricultural, Rural Residential, and Residential Detached zones, a conditional use in any building type, except a single-family detached house, must provide screening under Section 6.5.3. if the subject lot abuts property in an Agricultural, Rural Residential, or Residential Detached zone that is vacant or improved with an agricultural or residential use. All conditional uses must have screening that ensures compatibility with the surrounding neighborhood.

The proposed use will be in a single-family detached house. There are no physical changes to the property or structure under this request. The existing on site landscaping and screening will continue to ensure the compatibility of this conditional use to the surrounding neighborhood.

E. Environment and Forest Conservation

There are no champion trees on or near the property. The Property is exempt from the Forest Conservation Law because it is less than 40,000 square feet. A non-applicability form was signed by Staff on December 1, 2016 and was included in the submittal package. Therefore, no forest conservation or environmental issues are associated with this proposed use.

F. Community Concerns

The Applicant submitted in her application several letters of support for the existing day care and the proposed expansion for 12 children. These letters are included as Attachment D. To date, no other letters from the community have been received.

Section IV: Conditional Use General and Specific Findings

Sec. 59.7.1.E. Necessary Findings

Sec. 59.7.1.E.1- *To approve a conditional use application, the Hearing Examiner must find that the proposed development:*

- (i) **Sec. 59.7.1.E.1.a-** *satisfies any applicable previous approval on the subject site or, if not, that the previous approval must be amended;*

No previously approved conditional uses are associated with this site.

- (ii) **Sec. 59.7.1.E.1.b-** *satisfies the requirements of the zone (Division 59-4), the use standards under Division 59-3, and to the extent the Hearing Examiner finds necessary to ensure compatibility, meets applicable general requirements under Article 59-6.*

The requested group day care facility is allowed as conditional use in the R-60 Zone. As shown previously in Table 1, under the Development Standards section, the proposed use meets the standards for the R-60-zone. The Applicant is requesting waivers from the vehicular and bicycle parking requirements for this use. Staff supports both requests as noted under the Parking, Queuing and Loading Section of this report.

Section 3.4.4.D.2 Group Day Care (9-12 persons)

2. Use Standards

a. Where a Group Day Care (9-12 Persons) is allowed as a limited use, it must satisfy the following standards:

i. The facility must not be located in a townhouse or duplex building type.

The proposed facility is located in a single-family detached residential unit.

ii. In a detached house, the registrant is the provider and a resident. If the provider is not a resident, the provider may file a conditional use application for a Day Care Center (13-30 Persons) (see Section [3.4.4.E](#)).

The Applicant will be the provider of the proposed group day care, along with her co-owner. The Applicant is also a resident of the property as she leases it from the owner. A letter from the owner is included in Attachment A.

iii. In a detached house, no more than 3 non-resident staff members are on-site at any time.

As recommended in the conditions of approval, no more than 3 non-resident staff are permitted on site at any time.

iv. In the AR zone, this use may be prohibited under Section [3.1.5](#), Transferable Development Rights.

Not applicable, the site is located in the R-60 zone.

b. Where a Group Day Care (9-12 Persons) is allowed as a conditional use, it may be permitted by the Hearing Examiner under all limited use standards and Section [7.3.1](#), Conditional Use.

As noted above, the proposed group day care satisfies all the limited use standards for this type of conditional use.

(iii) **Sec 7.3.1.E.1.c-** *substantially conforms with the recommendations of the applicable master plan.*

The property is located in the *1990 Bethesda-Chevy Chase Master Plan* area. As discussed under the Master Plan section of this report, the proposed use substantially conforms with the Master Plan recommendations by addressing social needs of the community by providing child day care facilities and by encouraging conditional uses that maintain the residential character of an area.

- (iv) **Sec. 7.3.1E.1. d.-** *Is harmonious with and will not alter the character of the surrounding neighborhood in a manner inconsistent with the plan.*

The proposed use will be harmonious with the character of the surrounding one-family neighborhood. There are no new structures proposed by this conditional use nor will the scale or design of the existing residential use increase in size. The activities and traffic conditions associated with the use will be limited to specific hours of operation and days of the week, as stated in the recommended conditions of approval. Therefore, the proposed use will not alter the character of the surrounding neighborhood in a manner inconsistent with the Master Plan.

- (v) **Sec. 7.3.1.E.1.e-** *Will not, when evaluated in conjunction with existing and approved conditional uses in any neighboring Residential Detached zone, increase the number, intensity or scope of conditional uses sufficiently to affect the area adversely or alter the predominately residential nature of the area; a conditional use application that conforms with the recommendations of a master plan does not alter the nature of the area.*

The defined neighborhood contains five approved conditional uses for accessory apartments. The requested use does not significantly increase the number of conditional uses in a manner that would affect the area adversely or alter its residential nature. Moreover, the proposed use conforms with the Master Plan recommendation for offering child day care facilities in the Bethesda-Chevy Chase area.

- (vi) **Sec. 7.3.1.E.1.f-** *will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the conditional use is equal or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required and:*
- i. If a preliminary subdivision plan is not filed concurrently or required subsequently, the Hearing Examiner must find that the proposed development will be served by adequate public facilities, including schools, police and fire protection, water, sanitary sewer, public roads, or storm drainage; or*
 - ii. If a preliminary plan of subdivision is filed concurrently or required subsequently, the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage.*

A Preliminary Plan of subdivision is not required, as the property was subdivided in 1947. The property is served by adequate public services and facilities. There are no land disturbing activities associated with the requested use therefore, the existing storm drainage facilities are adequate for the site.

(vii) **Sec. 7.3.1.E.1.g**—will not cause undue harm to the neighborhood as a result of a non-inherent adverse effect alone or the combination of an inherent and a non-inherent adverse effect in any of the following categories:

- i. The use, peaceful enjoyment, economic value or development potential of abutting and confronting properties or the general neighborhood;
- ii. Traffic, noise, odors, dust, illumination or lack of parking; or
- iii. The health, safety or welfare of neighboring residents, visitors or employees.

The proposed development will not cause undue harm to the neighborhood as a result of non-inherent adverse effect alone or in the combination of inherent and a non-inherent adverse effect of the defined categories.

An analysis of inherent and non-inherent adverse effects considers size, scale, scope, light, noise, traffic and environment. Every conditional use has some or all of these effects in varying degrees. What must be determined during the course of review is whether these effects are acceptable or would create adverse impacts sufficient to result in denial. To that end, inherent effects associated with the use must be determined. In addition, non-inherent effects must be determined as these effects may, by themselves, or in conjunction with inherent effects, form a sufficient basis to deny a special exception.

The inherent physical and operational characteristics necessarily associated with a child daycare include: (1) vehicular trips to and from the site; (2) outdoor play areas (3) noise generated by children and (4) outdoor lighting.

With the development conditions as proposed by staff, there are no adverse traffic impacts that would result from the proposed conditional use. The Applicant will use the street frontage along Johnson Ave for drop-off and pick-up of children. Employees do not drive to the site but are picked up and dropped off by automobile. This commuting practice will continue in the future. Outdoor play will not begin before 9:00 a.m. and no outdoor play is permitted after 5:00 p.m. as recommended by staff. No new lighting is proposed and all lighting is adequate and consistent with the residential character of the neighborhood. The site is well landscaped and a four-foot high chain link fence covered with deciduous vine surrounds the entire rear yard.

There are no non-inherent characteristics associated with this proposed conditional use.

2. *Any structure to be constructed, reconstructed, or altered under a conditional use in a Residential Detached zone must be compatible with the character of the residential neighborhood.*

Not applicable as no construction, reconstruction or alterations to the existing residence are proposed by this conditional use.

3. *The fact that a proposed use satisfies all specific requirements to approve a conditional use does not create a presumption that the use is compatible with nearby properties and, in itself, is not sufficient to require conditional use approval.*

The proposed group day care facility use meets the specific requirements for such a use. With the recommended conditions of approval, the proposed use will be compatible with the nearby properties.

4. *In evaluating the compatibility of an agricultural conditional use with surrounding Agricultural or Rural Residential zoned land, the Hearing Examiner must consider that the impact does not necessarily need to be controlled as stringently as if it were abutting a Residential zone.*

Not applicable, as the site is located in the R-60 zone.

5. *The following conditional uses may only be approved when the Hearing Examiner finds from a preponderance of the evidence of record that a need exists for the proposed use to serve the population in the general neighborhood, considering the present availability of identical or similar uses to that neighborhood:*
- a. *Filling Station;*
 - b. *Light Vehicle Sales and Rental (Outdoor);*
 - c. *Swimming Pool (Community); and*
 - d. *the following Recreation and Entertainment Facility use: swimming pool, commercial.*

Not applicable, as the requested use is not among the above listed uses.

6. *The following conditional uses may only be approved when the Hearing Examiner finds from a preponderance of the evidence of record that a need exists for the proposed use due to an insufficient number of similar uses presently serving existing population concentrations in the County, and the uses at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood:*
- a. *Funeral Home; Undertaker;*
 - b. *Hotel, Motel;*
 - c. *Shooting Range (Outdoor);*
 - d. *Drive-Thru*
 - e. *Landfill, Incinerator, or Transfer Station; and*
 - f. *a Public Use Helipad, Heliport or a Public Use Helistop.*

Not applicable, as the requested use is a child day care facility.

Section V: Conclusion

Staff recommends approval of Conditional Use 2017-10 for a group day care facility subject to conditions stated on page 2. Staff recommends approval of the two requested waivers from the Zoning Ordinance provisions for the required vehicular and bicycle parking spaces, Section 59.6.2.4.B and Section 59.6.2.4.C, respectively.

Attachments

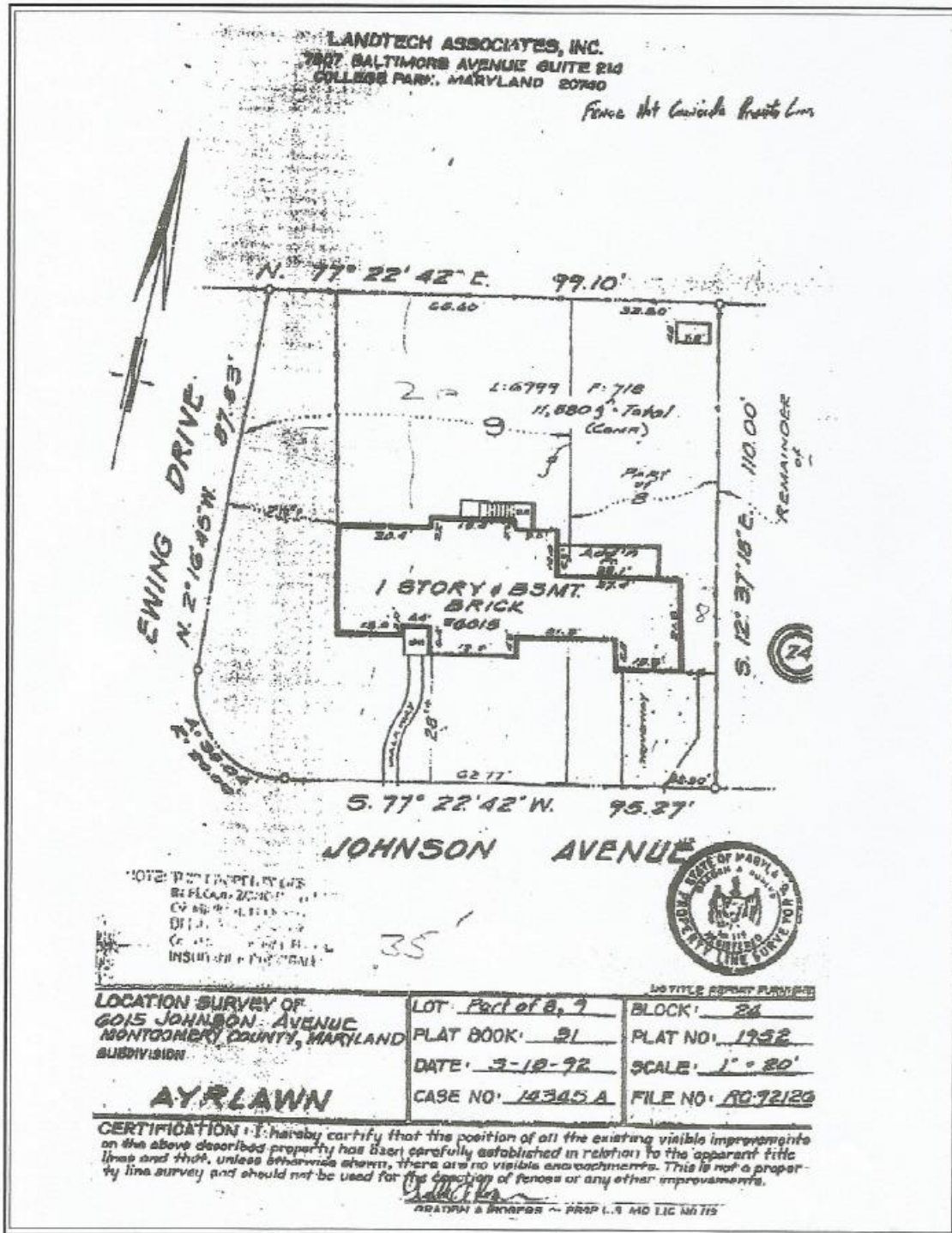
Attachment A: House Plat, Floor Plan

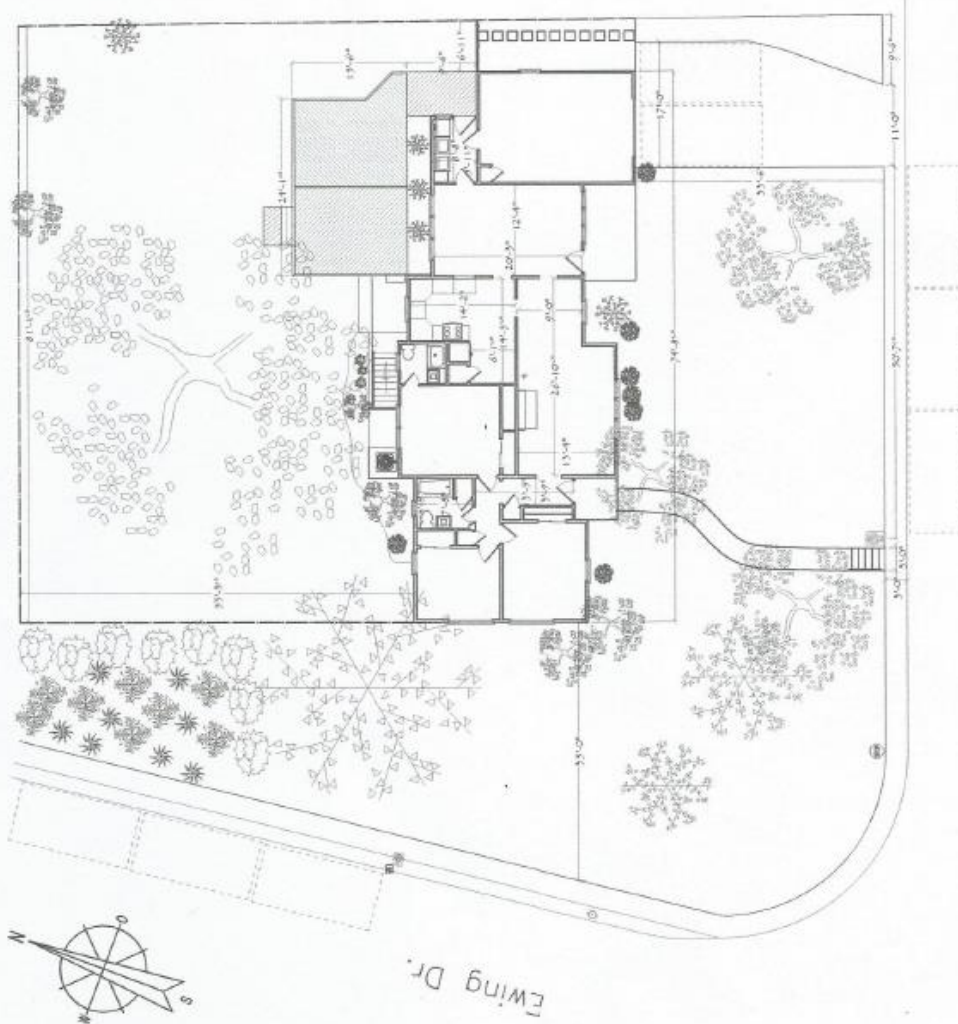
Attachment B Transportation Memo

Attachment C: Environmental Memo

Attachment D: Letters of Support

PLAT

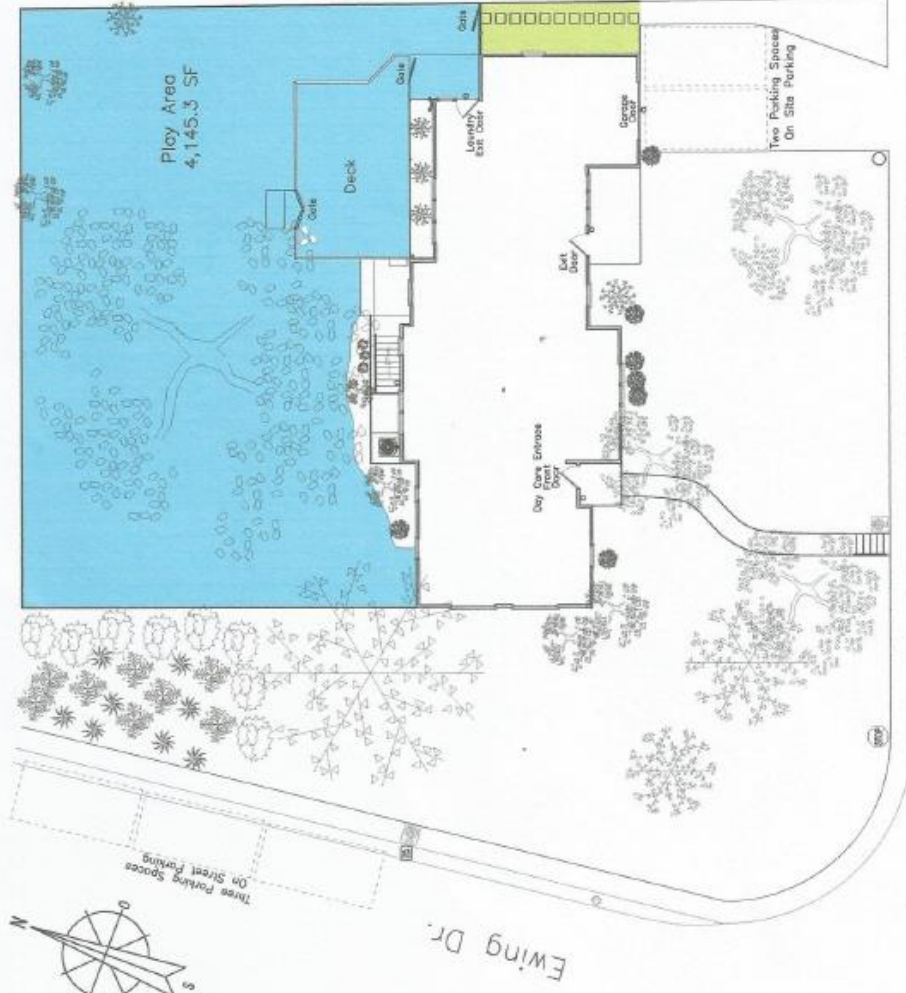




SMART KIDS BILINGUAL DAYCARE
 6015 Johnson Ave, Bethesda, MD 20817
 Current Site Plan
 DATE ISSUED: 10/15/2016 | SCALE: 1" = 20'

Johnson Av.

Ewing Dr.



SQUARE FOOTAGE CALC'S:

AREA WITH PARTIAL DAYCARE ACCESS	149.9 SQF
AREA WITH FULL DAYCARE ACCESS	4,145.3 SQF
DAYCARE ACCESS	4,295.2 SQF

DAYCARE REQUIREMENTS
 75 SF/CHILD X 12 LICENSED CHILDREN = 900 SF REQ'D

LEGEND:

- AREA WITH NO DAYCARE ACCESS
- AREA WITH PARTIAL DAYCARE ACCESS
- AREA WITH FULL DAYCARE ACCESS
- PARKING SPACE

SMART KIDS BILINGUAL DAYCARE
 6015 Johnson Ave, Bethesda, MD 20817
 Existing Exterior Features Plan
 DATE ISSUED 10/15/2016 | SCALE: 1" = 20'

AUGUST 15TH OF 2015

TO:
OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS
MONTGOMERY COUNTY, MARYLAND
100 Maryland Avenue, Room 200
Rockville, Maryland, 20850

SUBJECT: AUTHORIZATION LETTER

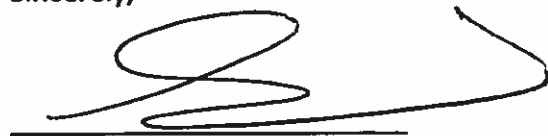
TO WHOM IT MAY CONCERN:

Through this letter I, **ROGER EKTABANI** owner of the house located at 6015 Johnson Avenue, Bethesda, Md, 20817; hereby authorize to MRS. **DAMARIS TOVAR** who is the lessee and resides at the address above, to start the process of application for a Conditional use for the Family Child Care (Number of Registration:250821) which is operating at the house.

Thank you very much for your attention.

Please do not hesitate to contact me, if you have question.

Sincerely,

A handwritten signature in black ink, consisting of a stylized 'R' followed by a long horizontal stroke that curves upwards at the end.

IRAJ EKTABANI

C. 703-626-5939

F. 703-991-3021



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

MEMORANDUM

February 15, 2017

TO: Kathy Reilly, AICP, Planner Coordinator
Area 1 Planning Division

FROM: Katherine Mencarini, AICP, Senior Planner
Area 1 Planning Division

SUBJECT: Conditional Use No. CU 17-10
Group Day Care (Up to 12 Persons)
6015 Johnson Avenue, Bethesda
Bethesda Chevy Chase Policy Area

This memorandum summarizes the Transportation Adequate Public Facilities (APF) review of the subject Hearing Examiner petition. The Applicant is requesting approval to expand an existing conditional use Family Day Care (up to 8 persons), to a Group Day Care (9-12 persons) for up to 12 children and three total non-resident staff, at 6015 Johnson Avenue. The requested use would operate Monday – Friday from 7:00 AM – 6:00 PM and is governed by the definition and use standards set forth in section 59.3.4.4.D of the Zoning Ordinance.

RECOMMENDATIONS

Staff finds that the requested conditional use satisfies the Local Area Transportation Review (LATR) and Transportation Policy Area Review (TPAR) and will have no adverse impacts to existing roadway conditions or pedestrian facilities. As a result, staff recommends approval of the conditional use petition and offers the following conditions and comments:

1. The conditional use must be limited to:
 - a. A maximum enrollment of 12 children and three non-resident employees.
 - b. Standard operating hours of Monday through Friday, 6:45 AM to 6:00 PM.
 - c. The Applicant must enter into an agreement with each parent and staff to specify assigned arrival and departures times that must be staggered into separate groups. At full capacity, arrival and departure groups must be structured as follows:
 - Group A (up to 5 cars) 6:45 a.m. – 8:30 a.m.; 4:00 p.m. – 4:30 p.m.
 - Group B (up to 5 cars) 8:30 a.m. – 9:00 a.m.; 4:30 p.m. – 5:00 p.m.
 - Group C (up to 5 cars) 9:00 a.m. – 9:30 a.m.; 5:00 p.m. – 6:00 p.m.
- Morning drop-off may extend beyond 9:30 a.m., but must not begin before 6:45 a.m.
Afternoon pick-up may begin before 4:00 p.m. but must not extend beyond 6:00 p.m.

DISCUSSION

Site Location and Vicinity

The site is located at the northeast corner of the intersection of Johnson Avenue and Ewing Drive (see Figure 1). Johnson Avenue functions as a Secondary Roadway within a 50-foot wide right-of-way, established by Plat 1952, approved April 24, 1947. The roadway is 25-feet wide with one 12-foot wide travel lane in each direction and has a posted speed limit of 25 miles per hour within the vicinity of the site. On-street parking is available and unrestricted on Johnson Avenue in front of the site. West of Ewing Drive parking is not permitted on school days between the hours of 7:00 a.m. and 4:00 p.m. on Johnson Avenue. This restriction is in place because the block of Johnson Avenue west of Ewing Drive provides access to North Bethesda Middle School (approximately 300 feet from the site), and busses need the full lane width to navigate into the school driveway.

Figure 1: 6015 Johnson Avenue is located on the northeast corner of Johnson Avenue and Ewing Drive



Ewing Drive functions as a Secondary Roadway within a 60-foot right of way. The roadway is 36-feet wide with one 13-foot travel lane in each direction, and the posted speed limit is 25 miles per hour. Speed bumps are present along this roadway within the vicinity of the site. Parking is permitted on both sides of the street.

The Johnson Avenue/ Ewing Drive intersection, located immediately west of the site, is configured as a four-way stop-controlled intersection. Crosswalks are present at the north, south, and west legs of the intersection. Johnson Avenue and Ewing Drive are part of a street network that forms a grid with other

primary and secondary residential streets. Henning Street and Conway Road are located south and north of Johnson Avenue, respectively. Lindale Drive is located a block east from the site and parallels Ewing Drive for several blocks. This grid network will allow parents to access and exit the site from multiple directions. Parents exiting the site have multiple options to access the higher volume collectors without making difficult turning maneuvers. After assessing the street connectivity, staff does not anticipate the net new trips generated by the condition having an adverse impact on the adjacent street traffic.

Transit service within the vicinity of the site includes two Montgomery County Ride On bus stops; one in each direction just north of the intersection of Ewing Drive and Johnson Avenue. Both stops are less than 100 feet from the site. The stops are served by Ride On Route 30, which provides service Monday through Friday from 5:40 a.m. to 9:00 p.m. between the Bethesda and Medical Center Metro Stations, both on WMATA's Red Line.

Johnson Avenue has sidewalks on both sides, and Ewing Drive has buffered sidewalks on both sides of the street. These sidewalks provide a designated pedestrian connection between the bus stops and the site. Each bus stop has an 18-square foot concrete pad that connect the sidewalk to the curb to provide rider queueing space. Thus, trips could be made to the site by either transit or by walking from the adjacent neighborhoods.

Figure 2: The northbound bus stop for Ride On Route 30 is visible from the sidewalk that wraps around the site.



The 2005 Countywide Bikeways Functional Master Plan does not identify planned bicycle facilities along Johnson Avenue or Ewing Drive. The 1990 Bethesda-Chevy Chase Master Plan does not recommend any improvements along Johnson Avenue or Ewing Drive.

Site Access, Parking, and Circulation

The Family Daycare in operation at the site currently uses the asphalt driveway and Johnson Avenue for loading and unloading. The driveway has capacity for two cars and Johnson Avenue in front of the street has a parallel parking capacity of two cars. Presently, parents are required to comply with the staggered arrival and dismissal schedule such that no more than two cars are arriving and leaving within a 15-

minute window. The Applicant proposes a revised staggered schedule to accommodate up to an additional four children. The revised schedule is outlined below.

- Group A (up to 5 cars) 7:00 a.m. – 8:30 p.m.; 4:00 p.m. – 4:30 p.m.
- Group B (up to 5 cars) 8:30 a.m. – 9:00 a.m.; 4:30 p.m. – 5:00 p.m.
- Group C (up to 5 cars) 9:00 a.m. – 9:30 a.m.; 5:00 p.m. – 6:00 p.m.

As the site is a corner lot, with excellent sidewalk connectivity, Ewing Drive, just north of the bus stops, can also be used for temporary parking spaces. As shown in the staggered drop-off and pick-up schedule, five parking spaces will be needed within each window. After evaluating the available spaces for temporary parking, staff recommends approval for the proposed drop-off and pick-up locations and operations.

Figure 3: Parking is unrestricted along Johnson Avenue in front of the site



Parking requirements for the group day care facility are based on the amount of number of non-residential employees (three), rather than child enrollment in the conditional use. The proposed conditional use requires three parking spaces in addition to the two parking spaces required for the site's primary use, a one-family residence. The required residential parking spaces can be accommodated on -site either in the garage or in the driveway. Section 59-6.2.4. B of the Zoning Ordinance, states onsite parking spaces for a group day care can be located along the street abutting the site. As previously noted, the Applicant is requesting a waiver from the three required parking spaces.

Adequate Public Facilities

The proposed development is estimated to generate less than 30 peak-hour trips during one hour within the typical weekday morning (6:30 a.m. – 9:30 a.m.) and evening (4:00 p.m. – 7:00 p.m.) peak periods. As The Applicant submitted the existing arrival and departure schedules for children and staff. Tables 1 and 2 depict the Applicant's existing drop-off and pick-up schedules for the existing and permitted family day care use.

Table 1: Existing Morning Drop-off Operations

Arrival Operations						
Arrival Window			Total Trips			Notes
			In	Out	Total	
Group A	7:00 AM	8:30 AM	4	4	8	Two children, 1 assistant and 1 co-owner are dropped off
Group B	8:30 AM	9:00 AM	3	3	6	Three children are dropped off
Group C	9:00 AM	9:15 AM	1	1	2	Three children are dropped off
Group D	9:15 AM	9:30 AM	1	1	2	One child is dropped off
Cumulative Total			9	9	18	

Notes: 1) One owner lives at the property. The owner's child is one of the eight children in the daycare. Therefore, these people are not included in the trip schedule.

Table 2: Existing Evening Pick-up Operations

Departure Operations						
Departure Window			Total Trips			Notes
			In	Out	Total	
Group A	4:00 PM	4:30 PM	3	3	6	Three children are picked up
Group B	4:30 PM	4:50 PM	1	1	2	one assistant leave site
Group C	5:00 PM	5:30 PM	3	3	6	Three children are picked up
Group D	5:30 PM	6:00 PM	2	2	4	One child and one co-owner are picked up
Cumulative Total			9	9	18	

Note: 1) One owner lives at the property. The owner's child is one of the eight children in the daycare. Therefore, these people are not included in the trip schedule.

Staff revised the proposed schedule to reflect a broader time period for staff and children arrive to and depart from the site. The revised schedule allows more flexibility in arrival and departure times. Staff's revised estimated trips are calculated based on this revised staggered drop-off and pick up schedule. To reduce the impact on the existing street network, drop-off and pick-up times are organized into three groups with up to four cars in each group. Using this staggered schedule, there is capacity, along the site's frontage on Johnson Avenue and along a portion of Ewing Drive for loading and unloading. Morning drop-off may extend beyond 9:30 AM, but must not begin before 6:45 AM; afternoon pick-up may begin before 4:00 PM, but must not extend beyond 6:00 PM. Tables 3 and 4 reflect this revised staggered schedule. Staff discussed this revised schedule with the Applicant who agrees with the staggered schedule.

As a result, the subject conditional use satisfies the Local Area Transportation Review without further analysis. Since the subject conditional use petition does not propose adding square footage to the existing structure, the use is exempt from the Transportation Policy Area Review (TPAR).

Table 3: Estimated Proposed Morning Arrival Operations

Arrival Operations						
Arrival/Departure Window			Total Trips			Notes
			In	Out	Total	
Group A	6:45 AM	8:30 AM	5	5	10	1 co-owner, 1 assistant, 3 children arrive; up to 5 cars
Group B	8:30 AM	9:00 AM	5	5	10	1 assistant and 4 children; up to 5 cars
Group C	9:00 AM	9:30 AM	5	5	10	5 children arrive; up to 5 cars
Cumulative Total			15	15	30	

Note: 1) One co-owner lives at the property; therefore, these people are not included in the trip schedule.

2) Morning drop-off can occur beyond 9:30 a.m. and, but it cannot begin before 6:45 a.m.

3) While a total of 30 trips are estimated during the peak period, the Approved LATR only requires a traffic analysis if 30 trips are estimated within a single hour of the peak period. As shown in the table, a maximum of 10 cars are estimated within any one-hour window of the peak period.

Table 4: Estimated Evening Departure Operations

Arrival/Departure Operations						
Arrival/Departure Window			Total Trips			Notes
			In	Out	Total	
Group A	4:00 PM	4:30 PM	5	5	10	5 children; up to 5 cars
Group B	4:30 PM	5:00 PM	5	5	10	3 kids, 2 assistants; up to 5 cars
Group C	5:00 PM	6:00 PM	5	5	10	4 children, 1 co-owner; up to 5 cars
Cumulative Total			15	15	30	

1). One co-owner lives at the property; therefore, this trip is not included in the estimated departure schedule.

2) Evening pick-up can occur before 4:00 p.m. but it cannot extend beyond 6:00 p.m.

3) While a total of 30 trips are estimated during the peak period, the Approved LATR only requires a traffic analysis if 30 trips are estimated within a single hour of the peak period. As shown in the table, a maximum of 10 cars are estimated within any one-hour window of the peak period.



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

TO: Kathy Reilly, Planner Coordinator, Area 1

FROM: Marco Fuster, Senior Planner, Area 1

SUBJECT: Forest Conservation Review:
Conditional Use 17-10
Petition for Daycare Facility
6015 Johnson Ave, Bethesda MD
Bethesda/ Chevy Chase Policy Area

DATE: January 12, 2017

Mrs. Reilly,

There are no champion trees on or near the subject property and the property is not subject to a previously approved forest conservation plan (furthermore, there is no exterior modifications or disturbance proposed). Therefore, the forest conservation law does not apply to this conditional use, since it is on a property less than 40,000 square feet. A non-applicability form was previously signed by Staff on December 1, 2016 and was included in the submission packet.

There are no forest conservation issues associated with the request and the petition is recommended for approval.

Marco Fuster
Area 1
MNCPPC
301-495-4521
Email: Marco.Fuster@montgomeryplanning.org

September 21st, 2016

Dear OZAH Liaison,

This letter is to recommend the expansion of SmartKids Bilingual Daycare, which would allow the enrolment of additional children into this wonderful daycare program.

Since joining SmartKids, my child's language and social skills have improved tremendously, all thanks to the curriculum followed at SmartKids, which focuses on interactive learning that is age-appropriate and also fun for the kids. Due to our experience at SmartKids, several of my colleagues are interested in enrolling their children as well; however, given the current space constraints, they have not been able to do so yet. Consequently, I believe that an expansion would benefit, not only SmartKids Bilingual Daycare as a business, but also other parents who are interested in providing the best learning environment possible for their children. Furthermore, an expansion would not compromise the care and attention provided to current students, such as my son, as the teacher-to-student ratio would be maintained accordingly.

Please do not hesitate to contact me with any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Yaima L. Lightfoot', with a stylized flourish at the end.

Yaima L. Lightfoot

Cell phone number: 352-219-5841

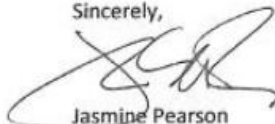
Personal e-mail address: yaima.lightfoot@gmail.com

To Whom It May Concern:

I am writing this letter to express my support regarding the expansion of Smart Kids Bilingual Center and adding children to the maximum of twelve. I believe they should do so for the following reasons: excellent care, safe environment, outstanding developmental activities, cultural awareness and experience, social development, and most of all—love!

Damaris and Viviana provide such excellent care that it shows whenever I pick up my child. It is difficult for my child to want to come home! She enjoys the center so much that she prefers to stay where she is enjoying herself most. Smart Kids has provided a safe environment for the kids and ensures their safety through the proper accessories, tools, and drills needed to maintain a safe place. The providers always teach the kids about different cultures and express it through song, dramatic play, and educational activities that I always find very impressive. The social development and love provided from Smart Kids is undoubtedly the best I have ever known and would absolutely recommend to any parent. I look forward to expanding the center and welcoming more children.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jasmine Pearson', with a large, stylized initial 'J'.

Jasmine Pearson

Alison and Parker Williams
9303 Kentstone Drive
Bethesda, MD 20817

September 12, 2016

Montgomery County - Office of Zoning & Administrative Hearings
Stella B. Werner Council Office Building
100 Maryland Avenue, Room 200
Rockville, Maryland 20850

RE: Smart Kids Bilingual Daycare Recommendation

To Whom It May Concern:

My husband and I started sending our son, Brooks, to Smart Kids Daycare in June 2016. It is hard to fully express how grateful we are to them for the meticulous and loving care they have shown our family. Every day Brooks is happy to be there and we know he is learning so much with the help of Demaris, Viviana and their team of assistants. We spent a lot of time exploring options for in-home daycare and I can honestly say that Smart Kids is the best in the area; their curriculum based schedule, impeccable cleanliness and huge hearts make them second to none.

Recently Smart Kids expressed an interest in expanding their license to include four more children. We think this is a wonderful idea. Their facility has plenty of capacity for additional students, and their staff is more than capable of handling an increase. We also feel strongly that increased success for Smart Kids will only equate to better care for our son.

Thank you for considering our comments on and support of this case. Should you have any questions or require additional information, please contact us.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Alison M. Williams', with a stylized, flowing script.

Alison M. Williams
301-758-6115

To Whom it May Concern:

My wife and I have both of our daughters - ages two and six months - at Smart Kids Bilingual Learning Daycare in Bethesda, Maryland, and we cannot speak highly enough of the care that Damaris Tovar and Viviana Ocampo provide to our children, and would fully support the planned expansion at their center.

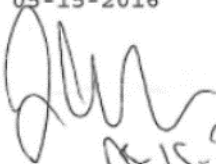
Our daughters are currently in an extremely loving environment with Viviana and Damaris and they would absolutely benefit from having more children around to help socialize them and play and learn with, and we know that additional parents would be thrilled to have the opportunity to have their children under Damaris and Viviana's care.

We so appreciate the nurturing atmosphere that Viviana and Damaris have created and are so happy that our daughters are thriving and enjoying themselves so much at the center. We previously had our oldest daughter at a center that had twelve kids, and we saw first-hand how much a child can thrive in a group that size.

We'd be happy to offer any more perspective on our support for this expansion and our overall happiness with Smart Kids Bilingual Learning Daycare. Thank you,

Jordan and Jamie Robertson
3601 Perry Ave.
Kensington, MD 20895
Jordan cell: 415.852.0063

05-15-2016



05-15-2016

September 13, 2016

Montgomery County
Office of Zooning and Administrative Hearings
100 Maryland Avenue, Room 200
Rockville, Maryland, 20850

To whom it may concern,

My son, Tommy, has been attending Smart Kids Bilingual Daycare for a year now. We are so impressed with the care and love he has been given by the staff there. We feel so fortunate to have found what we consider to be the best daycare.

My wife and I wish to recommend that Smart Kids be able to expand and let other families have the opportunity to attend.

Sincerely,

A handwritten signature in black ink, appearing to read 'Daniel Mahanger', with a stylized flourish at the end.

Daniel Mahanger
(817)723-1923

September 13, 2016

RE: Smart Kids Expansion

Dear Office of Montgomery County Zoning and Administrative Hearing,

Our names are Jon and Sandra Whelan and our son attends day care at Smart Kids Bilingual Daycare (SKBD). We have been extremely happy with our experience at SKBD and feel fortunate to have this outstanding daycare provider right in our neighborhood. Our son looks forward to going to Smart Kids and often names the friends he will see there. This is the primary reason we would like to support Damaris and Viviana in their efforts to expand their center: *an adequate space for more children will enrich our son's life through contact with more children and thus, more learning experiences*. Of course we could enroll our son in a larger center, but we would not want to sacrifice the quality of care or the dedicated time he receives at Smart Kids, one of the very few bilingual programs available.

We sincerely hope an expansion is possible and are happy to make ourselves available to provide any further information that would be helpful as you consider your decision.

Sincerely,



Jon Whelan
301-775-4860



Sandra Whelan
512-965-7105



MONTGOMERY COUNTY CHILD CARE
RESOURCE AND REFERRAL CENTER



September 22, 2016

To Whom It May Concern:

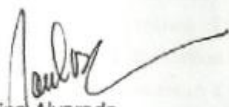
Damaris Tovar-Barrera is a registered family child care provider and has been added to Locate: Child Care data base on 08/03/2015. Locate: Child Care offers free counseling and referrals for parents looking for license child care program in Montgomery County.

Mrs. Tovar-Barrera has been providing child care services for an average of 2,860 total hrs a year, from Monday through Friday starting as early as 7:00 am until 6:00 pm

Mrs. Tovar-Barrera is currently pursuing the National Family Child Care Accreditation and is registered in the Quality Rating & Improving System, Maryland EXCELS.

I strongly recommend Damaris' Bilingual Family Child Care to expand to a large Family Child Care to meet the great demand for quality child care in the Bethesda Community.

If you have any questions, please contact me at 240-777-3249 or via email.


Paulina Alvarado
Quality Enhancement Coordinator
DHHS/Early Childhood Services/MCCCR&RC
Paulina.alvarado@montgomerycountymd.gov

Early Childhood Services, Department of Health and Human Services
Children's Resource Center, 1401 Rockville, suite 200, Rockville, Maryland 20852
240/777-3249 x FAX 240/777-4497 x TTY 301-279-1810



Member agency of the
Maryland Child Care
Resource Network with
funding provided by the
Maryland Department
of Human Resources

Patricia S. Larson
10 Granby Ct.
Derwood, MD 20855

September 24, 2016

Office of Zoning and Administrative Hearings
Montgomery County
100 Maryland Avenue, Room 200
Rockville, Maryland 20850

To whom it may concern:

I'm writing to endorse the expansion of Smart Kids Bilingual Learning Daycare, a licensed family child care business owned by Damaris Tovar and Viviana Ocampo located at 6015 Johnson Avenue, Bethesda, MD, 20817, from eight to 12 children.

From June-September 2016, Ms. Tovar and Ms. Ocampo were students in my "English for Child Care Providers" class that was held in the Smart Kids daycare center. During the class, we used the Smart Kids daycare space and its policies, procedures and practices as part of the class's "real life" lessons. I was fortunate to get to know Ms. Tovar and Ms. Ocampo and can attest to their dedication and commitment to providing high-quality child care, to operating their business in a professional manner and to the development of their community.

Please feel free to contact me at 240-355-5140 should you need any additional information.

Sincerely,

Patricia S. Larson