



MCPB
Item #7
4/11/02

MEMORANDUM

DATE: April 5, 2001
TO: Montgomery County Planning Board
VIA: John A. Carter, Chief, Community-Based Planning *JAC*
FROM: Callum Murray, Potomac Team Leader
Kathleen A. Reilly, AICP, Community-Based Planning *KAR*
REVIEW TYPE: Special Exception
APPLYING FOR: Private Educational Institution
APPLICANT: Primary Montessori School
CASE NUMBER: S -2500
REVIEW BASIS: Chapter 59, Zoning Ordinance
ZONE: R-200
LOCATION: 14132-14149 Travilah Road
MASTER PLAN: Potomac, Subregion

FILING DATE: December 10, 2001
PLANNING BOARD REVIEW: April 11, 2002
PUBLIC HEARING: April 19, 2002 at Hearing Examiner

STAFF RECOMMENDATION: DEFERRAL OR DENIAL

DEFERRAL

The staff recommends deferral of the submitted special exception application to allow the applicant the opportunity to address the following:

- Provide sufficient arrangements for off-site parking for special events.
- Dedicate an additional 10 feet of right-of-way along Travilah Road to include the proposed bike path and required utilities within the right-of-way.
- Provide additional landscaping along the eastern and western property lines and relocate the proposed fence 10 feet from the western property line.
- Provide sufficient on site stormwater water management without any waivers.

- Revise the parking area in front of site to show sufficient dimensions for perpendicular parking spaces.
- Relocate three parking spaces closest to the entrance to reduce vehicular conflicts and add additional visitor parking on-site.
- Reduce the enrollment to a maximum of 142 of students.

DENIAL

In the absence of a revised application addressing the previously cited items, the application as submitted does not meet the General Conditions for Granting a Special Exception under Section 59-G-1.21 (a) (2) (3) (4) and (5) of the Zoning Ordinance and Section 57-G-2.19 (a) (1) (3) (4) and (b) (1).

PROPOSAL DESCRIPTION

The applicant, Primary Montessori Day School is requesting a special exception to construct a private educational institution located at 14132 – 14149 Travilah Road in Potomac in the R-200/TDR-3 Zone. This private educational institution proposes an enrollment of 150 children from 3 years of age through 2nd grade. Access to the site will be from Travilah Road, a county maintained public right-of-way.

Site Description - The subject property consists of two parcels and comprises approximately 1.95 acres of R-200/TDR-3 zoned land. It is located on the north side of Travilah Road at its intersection with Piney Meetinghouse Road. The subject property is triangular in shape with its widest side along Travilah Road. It has over 300 feet of frontage on Travilah Road. The site is undeveloped and flat. The front portion of the site contains shrubs, deciduous and coniferous trees. The rear portion of the site is has trees along its eastern property line. A wooden fence is also located along the eastern property line. Adjacent to the western property line is an existing asphalt easement that provides access to Travilah Road for residentially zoned and developed properties. The front yards of two of these properties confront the easement. The easement is 10 feet wide and runs along the majority of the western property line. A portion of the easement, near the rear of the property is located on the subject site. Upon redevelopment of this site, the applicant intends to remove the asphalt from this small portion of the easement and plant grass. There are no streams, floodplains or wetlands on the property.

Neighborhood Description - Across Travilah Road and south of the site, the property is zoned C-4 and developed with a convenience store and a special exception use for an engineering office use. East and west of the site, the properties are zoned R-200/TDR and developed with single family detached residences. North of the site, the properties are zoned R-200/TDR and are developed with large single-family residences. Across Travilah Road and southeast of the site, the properties are zoned R-200/TDR and developed with

townhouse units. The Rockville Crushed Stone Quarry is located on Piney Meetinghouse Road approximately 700 feet south from the subject site. The Quarry is zoned I-2 and is operational. Other special exceptions in the area include: S-2200 for a landscape contractor approved in 1985; SE-327- for general offices; and S-2079 for a landscape contractor approved in 1984.

Elements of the Proposal - The applicant offers the following information in support of this application:

The applicant, Primary Montessori School, (PMDS), requests a special exception for a private educational institution for 150 children. Currently, the applicant operates Primary Montessori Day School for 60 children in leased church space in the city of Rockville. PMDS's current operations include pre-kindergarten (ages 3 and 4) through the first grade, including an extended program before and after the standard school day hours. Under the subject application, the children's ages will range from 3 years up to 2nd grade. Each of the five age levels will include 30 students per class. The extended before and after school program will also continue. Hours of operation including student arrival and student departure will conform to the following schedule:

Teaching and Administrative Staff Hours

<i>Number of Staff</i>	<i>Arrival</i>	<i>Departure</i>
2	7:30 am	3:00 pm
1 (adm.)	8:00 am	2:00 pm
1 (adm.)	8:00 am	4:00 pm
1 (adm.)	8:00 am	5:00 pm
6	8:00 am	3:30 pm
5	8:30 am	3:00 pm
1	noon	6:00 pm
<u>1</u>	3:00 pm	6:00 pm
18 Total		

Student School Hours

<i>Number of Students</i>	<i>Arrival</i>	<i>Departure</i>
22	7:45-8:45 am	
<u>128</u>	8:45-9:15 am	
150 Total		
38		11:40 am – noon
75		2:45 –3:00 pm
<u>37</u>		3:00 –6:00 pm
150 Total		

Total employees associated with this use will be 19. There will be 15 teachers and teaching assistants and 3 administrative staff associated with the use. One

custodial person will work at the school on one weekday from 7:00 am to 2:00 pm and on Saturday. All students will arrive by private automobile to the site. Twenty-six parking spaces are proposed for this use. A drive aisle encircles the building and serves as the queue lane for on-site pick-up and drop-off of students.

The school is a private non-sectarian Montessori school providing a full-day enhanced Montessori curriculum on an eleven-month academic calendar. Approximately 85% of the current student population comes from a non-English speaking household where a language other than English is spoken at home. As a result, the provision of an 11-month curriculum in English is important to ensure the retention of English learned during the academic year. PMDS will also offer optional subject classes in August, extending school operations to 12 months.

The academic school year extends for eleven months from September through July. The school will offer optional classes during August. During the course of the school year there are an established number of evening events. The following describes the evening special events anticipated by PMDS:

Back to School Night is held on two separate evening in the fall; one evening for the parents of pre-school students and one evening for parents of school age children. The event is held between 7:00 p.m. and 8:30 p.m. and is typically attended by 100% of the respective parents.

Parent Workshops are held once a month and focus on a specific academic topic. Only those parents for whom the topic would be relevant are invited. The workshops are typically held between 7:00 pm and 8:30 pm and typically parents of no more than 25 percent of the students.

Mothers Night – This event is held in May on two separate evenings, one evening for the mothers of the pre-school students and one evening for the mothers of the school age students. This event is typically attended by 95% of the respective mothers.

Fathers Night - This event is held in June on two separate evenings, one evening for the fathers of the pre-school students and one evening for the fathers of the school age students. This event is typically attended by 95% of the respective fathers.

Several other special events, which will be held during the normal operating hours of the school, will be held throughout the year.

The proposed school building is to be approximately 10,950 square feet, one story residential in appearance in a "U" shape comprised of two wings that extend back from Travilah Road. The building will include the following facilities: four classrooms, and one junior classroom, one indoor play area for extended

day care, director's office, assistant director's office, teacher's lounge, kitchen/pantry, (no hot meals will be prepared on-site). An outdoor play area will be provided between the two wings of building extending back to the driveway which will be closed for the use as a hard surface play area during the periods of outdoor play. Four outdoor play periods will occur between 10:30 am and 1:15 pm. After school care children will be able to play outside form 3:30 to approximately 4:30 – 5:00 pm, essentially during the remaining daylight hours. At no time during the day will more than 40 children be outside at any one time.

The building's exterior materials will be comprised of wood siding or wood shakes. Residential styled pitched roof shapes such as gables and dormers will be included with roofing materials of either high quality asphalt shingles or wood shingles. Windows will include divided lites with wood trim to enhance the residential appearance. Lighting will be limited to residential style street lamps, eight-foot high within the parking areas and low bollard-style lighting along the driveway that encircles the school building. The lighting would be on only during the school operating hours; motion sensor light would be provided attached to the school building for security purposes.

ANALYSIS

Summary -If approved, this special exception application should be contingent on conditions regarding right-of-way, storm water management, landscaping, a transportation management plan including off-site parking arrangements for special events, and a density cap of no more than 87 children per net lot acre.

The site is very small and close to existing residences. As submitted, the storm water management concept plan requires a waiver of quantity control which is unacceptable. The proposed circulation pattern has conflicting internal movements and does not address potential breakdowns or other emergencies in the queue lane. Parking for special events and visitors is inadequate and information on leasing arrangements with specific locations for off-site parking should be provided. The following sections provide an analysis of the application.

Master Plan – The Community-Based Planning staff has reviewed the submitted special exception in terms of the 2002 Potomac Subregion Master Plan. With an increase in the right-of-way for Travilah Road the application is consistent with Potomac Subregion Master Plan. The Master Plan confirms the existing zoning of R-200/TDR-3, and that of the surrounding area, including the two confronting C-4 (Limited Commercial) parcels on the south side of Travilah Road. The property is within the recommended sewer service envelope and is served by a sewer main in Travilah Road and a sewer line within the western parcel.

This section of Travilah Road is recommended to remain classified as Primary Residential with two lanes. It is the subject of a pending mandatory referral for improvements from Darnestown Road to Dufief Mill Road, including a Class1

bikeway on the north side, abutting the subject property. When the mandatory referral is submitted, staff will recommend dedication of right-of-way from the subject property to include the proposed bike path and required utilities. The section of Piney Meetinghouse Road from Travilah to Shady Grove Road Extended is also programmed for improvements later this year. On completion of these improvements, the trucks traveling to and from the Rockville Crushed Stone Quarry will be precluded from using Travilah Road. This will lead to dramatically improved conditions at the intersection confronting the subject property.

Transportation -The road system is adequate to serve the proposed development. Staff has reviewed the submitted application and offers the following conditions. Based on information contained in the traffic analysis submitted by the applicant, the proposed school would generate 166 peak hour trips (90 inbound and 76 outbound) during the weekday AM peak period and 21 peak hour trips (9 inbound and 12 outbound) during the weekday PM peak period.

The critical lane volume (CLV) impacts of the proposed expansion on critical intersections in the vicinity of the site were analyzed and are summarized in Table 1.

Table 1
Intersection Capacity Analysis with CLV
During the Peak Hour

Intersection	Existing		Background		Total	
	AM	PM	AM	PM	AM	PM
Darnestown Rd /Travilah Rd	1289	969	1464	1071	1483	1074
Travilah Rd /Piney Meetinghouse	1180	864	831	732	906	741
Travilah Rd /Dufief Mill Rd	769	856	851	932	869	934

As shown in Table, 1, the three intersections analyzed are currently operating at acceptable CLVs (below 1,525) and this acceptable level will continue for the background development condition (existing traffic plus approved but un-built subdivisions in the area) and the total development condition (background traffic plus traffic from the site). The background and total development conditions include future roadway improvements from the Travilah Road Widening Project which is fully funded in the current County's Capital Improvement Program.

No date has been set for the mandatory referral public hearing for the Travilah Road Widening Project; however, it is anticipated to be in late Spring 2002.

Access to the site is proposed from Travilah Road which will be improved by the County's CIP Project. The submitted site plan shows dedication of 25-feet of right-of-way and a proposed bikeway outside of the right-of-way along the site's frontage. Discussions with DPW&T staff indicate that dedication along Travilah Road should include the proposed bike path as well the utility poles. This is needed to provide for adequate public access and maintenance.

Circulation System – The application should be revised to provide an adequate, safe, and efficient on-site circulation system. The site plan includes a 10-foot-wide one-way circular drive aisle around the school building that provides a 32-car capacity drop-off/pick-up queue lane. This queue lane should include a paved shoulder or alternate route for a vehicle in the queue to maneuver in response to any unusual circumstance, whether related to unusual loading delays, vehicular breakdown, or actual emergency. If any vehicle in the queue encounters these situations, the queue lane does not function as planned.

The traffic operation at the intersection of the entrance driveway and the queue lane should be improved to reduce vehicular conflicts. At least three parking spaces should be relocated to increase the left turn storage and reduce these conflicts.

Transportation Management Plan (TMP) – The proposed TMP does not provide adequate off-site parking arrangements for special events. The applicant has submitted a Transportation Management Plan (TMP) that adequately describes proposed operations for managing recurring traffic demands for staff, students, and deliveries; as well as an implementation and community involvement plan. Staff does not concur with the TMP statement that parking for special events, including a limited number of nighttime meetings with up to 65 sets of parents, can be accommodated on site through managed parking. The applicant should develop a parking management plan that will include sufficient off-site parking capacity and shuttle services for special events. The parking management plan should be incorporated in the TMP. A copy of the TMP is included as Appendix 1.

Parking Requirements – As shown on the submitted plan, the parking needs to be revised. The site plan includes 18 parking spaces along the site's front with dimensions of 8.5 feet x16 feet. The Zoning Ordinance requires dimensions of 8.5 feet X 18 feet for perpendicular parking spaces. The parking lot layout needs to be revised with the correct dimensions of 8.5 feet x 18 feet. The parking space dimensions for the four parallel parking spaces in front of the school also needs to be revised from 10 feet in width to 8 feet, thus maintaining a 20-foot two-way drive aisle in front of the building.

Employment Staging Ceiling -The current FY02 AGP indicates that the North Potomac Policy Area has sufficient employment staging ceiling capacity available (600 jobs as of January 31, 2002) to accommodate the proposed development.

Environment- The stormwater management concept plan should be revised to eliminate the need for any waiver. The site is located in the Dufief tributary of the Muddy Branch watershed. The *Countywide Stream Protection Strategy (CSPS)* assesses the Dufief tributary as having good stream conditions and good habitat conditions, labeling it a Watershed Protection Area. The applicant has submitted a stormwater management concept plan to the Department of Permitting Services (DPS). The plan proposes to provide water quality via a surface sand filter. The applicant has requested a partial waiver for quantity control with a dry pond for the remaining portion. Discussions with the DPS staff indicate that the submitted concept plan is not acceptable and needs to be revised. If the size of this facility needs to be increased this will require the layout of the proposed use to be revised.

The proposed use is subject to the Forest Conservation Law. The Natural Resources Inventory (#4-02168) has been approved. There are no streams, wetlands or floodplains on-site. A Preliminary Forest Conservation Plan has been submitted and approved subject to conditions. Reforestation requirements are approximately 0.56 acres and shall be met with a mix of on-site landscaping and off-site reforestation. The applicant is proposing 0.47 acres off-site or 83% of their requirement. The use of native trees and plants to fulfill landscaping requirements is encouraged. The underlying bedrock is serpentine with an average soil depth of 33 inches. The applicant is encouraged to bring in soil thus increasing the depth to bedrock to allow for growth of landscaping trees and shrubs.

The Maryland Department of Natural Resources (MD-DNR) believes that the state endangered Potato dandelion (*Krigia dandelion*) may occur on site. Although this species is state endangered it is globally secure. DNR does not require surveying for or protection of state rare, threatened or endangered species on private property unless the owner receives state funding for operational purposes. The applicant has submitted an affidavit stating that they are not receiving state funds at this time.

Finally, a county task force was recently established to study how to safely handle naturally occurring asbestos found in serpentine bedrock during construction. The concern is that construction on serpentine bedrock may disturb the asbestos, releasing it into the air and potentially causing a health threat. It is recommended that the applicant contact the Department of Permitting Service, Division of Building Construction for more information.

If this special exception use were to be approved, the following conditions should be included

- Approval of Final Forest Conservation Plans prior to release of sediment and erosion control or building permit, as appropriate.
- Applicant to comply with Department of Permitting Services requirements for stormwater management and sediment and erosion control.

Subdivision – The site consists of two parcels, the applicant will need to submit a preliminary plan of subdivision.

Compliance with General and Specific Special Exception Provisions - Staff has reviewed the application for compliance with all applicable special exception provisions and finds the following:

Sec. 59-G-2.19. Educational institutions, private.

- (a) **Generally.** A lot, tract or parcel of land may be allowed to be used for a private educational institution upon a finding by the Board:

(1) That such use will not constitute a nuisance because of traffic, number of students, noise, type of physical activity or any other element which is incompatible with the environment and character of the surrounding neighborhood; and

The submitted Transportation Management Plan with respect to parking for special events is insufficient. Without this information it can not be determined whether the proposed use will constitute a nuisance based on traffic generated by the proposed private educational institution.

(2) That, except for buildings and additions thereto completed, or for which building permits have been obtained prior to the time of adoption of this section, such use will be housed in buildings architecturally compatible with other buildings in the surrounding neighborhood, and, in the event such building is to be located on a lot, tract or parcel of land of 2 acres or less, in either an undeveloped area or an area substantially developed with single-family homes, that the exterior architecture of such building will be of a residential home design, and at least comparable to existing residential homes, if any, in the immediate neighborhood; and

The subject site is less than two acres, as submitted, the proposed building will have a residential appearance.

(3) That such use will not, in and of itself or in combination with other existing uses, affect adversely or change the present character or future development of the surrounding residential community; and

As submitted, the proposed use would change the present character of the surrounding residential community. However, with a reduction in enrollment to 87 students per acre, an improved on-site circulation system, and a revised landscape plan, the proposed use would not affect adversely the future development of the community.

(4) That such use can and will be developed in conformity with the following area, density, building coverage, frontage, setback, access and screening requirements, where specified:

- a. **Area, Frontage and Setback** - As shall be specified in a site plan of development approved by the Board; provided, that in no event shall such standards be less than the area regulations for the zone in which the private educational institution is proposed to be located; and
- b. **Access Building Coverage and Screening** - As shall be specified in a site plan of development approved by the Board; and
- c. **Density** - Such density, being the allowable number of pupils per acre permitted to occupy the premises at any one time as shall be specified by the Board upon consideration of the following factors:
 1. Traffic patterns, including:
 - a) Impact of increased traffic on residential streets;
 - b) Existence of arterial highways; and
 2. Noise or type of physical activity; and
 3. Character, percentage and density of existing development and zoning within the community;
 4. Topography of the land to be used for the special exception:

Provided that a density in excess of 87 pupils per acre may only be permitted upon a finding that:

(a) the program of instruction, special characteristics of students, or other circumstances justify reduced space and facility requirements:

(b) the additional density will not adversely affect adjacent properties:

(c) additional traffic generated by the additional density will not adversely affect the surrounding streets; and

(d) adequate provisions for drop-off and pick-up of students will be provided.

The applicant has submitted a site plan of development, which indicates that the proposed use will be developed under the development standards of the R-200 zone. The plan shows that the site contains 1.95 acres; the minimum lot size in the R-200 zone is 20,000 square feet. Dedication along Travilah Road to include the bike path and required utilities within the right-of-way will be approximately 15,914 square feet. Thus, the net lot area for this site will be approximately 1.58 acres. The property has frontage in excess of 300 feet on Travilah Road and meets the 25 feet required by the R-200 zone. The building meets the required yard setbacks for the R-200 zone. The proposed building will be 20 feet height and will not exceed 50 feet height limit.

Building coverage in the R-200 Zone cannot exceed 30% of the net lot area and under this application the building coverage is approximately 16%.

Access will be provided via one access point from Travilah Road. With respect to screening, a landscape plan has been submitted which shows a six 6 foot high board on board fence is proposed along a portion of the western property line to screen the proposed use and its associated parking facility from confronting residential uses. The fence needs to be relocated a minimum of 10 feet from the western property line. Staff believes the landscaping and plant materials need to be supplemented on site especially along in the eastern property line in conjunction with an existing fence in this location to adequately screen the proposed use from the adjacent residential properties.

The applicant has specified an enrollment of 150 students On a net lot area of 1.57 acres, 150 students yields a density

of 95 students per acre which is above the density requirement of 87 students per acre permitted for this use.

(b) Site plan.

- (1) In addition to submitting such other information as may be required, an applicant shall submit with this application a site plan of proposed development. Such plan shall show the size and shape of the subject property, the location thereon of all buildings and structures, the area devoted to parking and recreation facilities, all access roads and drives, the topography and existing major vegetation features, the proposed grading, landscaping and screening plans and such other features necessary for the evaluation of the plan.

The applicant has submitted a site plan, including a conceptual landscaping and lighting plan. Staff finds the lighting plan to be acceptable with lighting levels at the property lines to be less than 1. Staff finds that as submitted the proposed landscaping and screening is not sufficient. Additional street trees 30 feet on-center should be provided along the western property adjacent to the existing easement. The proposed fence along the western property line should be located a minimum of 10 feet from this property line. Additional evergreen trees 5 feet on-center should be provided along the eastern property line and adjacent to an existing residence. This additional landscaping will mitigate the views of the proposed use from the adjacent residence.

With respect to parking, the use will require 19 parking spaces. The site plan shows 26 parking spaces that will result in a surplus of 7 parking spaces for visitor parking or special events. Additional visitor parking on-site to accommodate visitors in excess of 7 and sufficient off-site parking for special events is needed. The 18 parking spaces along the site's front do not have the correct dimensions per the Zoning Ordinance and need to be revised with the correct dimensions of 8.5 feet x 18 feet. The parking space dimensions for the four parallel parking spaces in front of the school need to be revised from 10 feet in width to 8 feet.

- (2) No special exception, building permit or certificate of occupancy shall be granted or issued except in accordance with a site plan of development approved by the Board. In reviewing a proposed site plan of development the Board may condition its approval thereof on such amendments to the plan as shall be determined necessary by the Board to assure a compatible development which will have

no adverse effect on the surrounding community, and which will meet all requirements of this chapter. Any departure from a site plan of development as finally approved by the Board shall be cause for revocation of the special exception, building permit or certificate of occupancy, in the manner provided by law.

Not applicable.

- (c) **Exemptions.** The requirements of this section shall not apply to the use of any lot, lots or tract of land for any private educational institution, or parochial school, which is located in a building or on premises owned or leased by any church or religious organization, the government of the United States, the State of Maryland or any agency thereof, Montgomery County or any incorporated village or town within Montgomery County.

Not applicable.

- (d) **Nonconforming uses.** Nothing in this chapter shall prevent any existing private educational institution which obtained a special exception prior to the effective date of this chapter, from continuing its use to the full extent authorized under the resolution granting the respective special exception, subject, however, to division 59-G-4 of this chapter.

Not applicable.

- (e) **Public Buildings.**

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.

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; or
- (ii) 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.

Not applicable.

Sec. 59-G-1.2. Conditions for granting a special exception.

59-G-1.2.1. Standard for evaluation. A special exception must not be granted absent the findings required by this Article. In making these findings, the Board of Appeals, Hearing Examiner, or District Council, as the case may be, must consider the inherent and non-inherent adverse effects of the use on nearby properties and the general neighborhood at the proposed location, irrespective of adverse effects the use might have if established elsewhere in the zone. Inherent adverse effects are the physical and operational characteristics necessarily associated with the particular use, regardless of its physical size or scale of operations. Inherent adverse effects alone are not a sufficient basis for denial of a special exception. Non-inherent adverse effects are physical and operational characteristics not necessarily associated with the particular use, or adverse effects created by unusual characteristics of the site. Non-inherent adverse effects, alone or in conjunction with the inherent effects, are a sufficient basis to deny a special exception.

The inherent adverse characteristics associated with a private educational institution include the size, scale, and institutional character of the facilities including parking and traffic. Based on a review of the submitted plans, the staff finds that the physical and operational characteristics of the proposed application are sufficient for a denial.

This special exception application should address the following non-inherent characteristics to reduce impact on the adjacent residences.

- *Provide sufficient off-site parking for special events;*
- *Provide additional landscaping along the eastern and western property lines and relocate the proposed fence 10 feet from the western property line; and*
- *Reduce the enrollment to provide a maximum of 87 students per acre.*

59-G-1.21. General conditions.

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

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

The proposed use is allowed in the R-200 zone.

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

The proposed use does not comply with the standards and requirements for a private educational institution found under Section 59-G-2.19 of the Zoning Ordinance.

- (3) Will be consistent with the general plan for the physical development of the District, including any master plan thereof adopted by the Commission. Any decision to grant or deny special exception must be consistent with a recommendation in an approved and adopted master plan regarding the appropriateness of special exception at a particular location. If the Planning Board or the Board's technical staff in its report on a special exception concludes that the granting a particular special exception at a particular location would be inconsistent with the land use objectives of the applicable master plan, a decision to grant the special exception must include specific findings as to master plan consistency.

The subject property is covered by the 2002 Potomac Master Plan, which supports the existing R-200/TDR zone for the property, and private educational institutional uses are allowed by special exception in that zone. However, as submitted, with the proposed bike path and required utilities shown outside of the right-of-way along Travilah Road the proposed use is not consistent with the master plan.

- (4) Will be in harmony with the general character of the neighborhood considering population density, design, scale and bulk of any proposed new structures, intensity and character of activity, traffic and parking conditions and number of similar uses.

The proposed use will not be in harmony with the general character of the neighborhood when considering the density of students proposed for the use, the traffic and associated

parking conditions related to special events and the on-site circulation patterns with the potential for vehicular conflicts at the site's access point.

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

The proposed use will have a detrimental effect on the surrounding properties. The proposed landscaping and screening measures do not effectively mitigate the views of this use from the adjacent residential properties. Specifically, additional landscaping is needed along the eastern and western property lines. The proposed fence should be setback a minimum of 10 feet from the western property line.

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

The proposed use will not cause adverse effects with respect to any of these criteria.

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

The proposed use will not increase the number, intensity, and scope of the approved special exceptions in the area.

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

The proposed special exception use will not cause any of these effects.

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

If approved, these issues will be addressed at the time of preliminary plan of subdivision.

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

If approved, this special exception will require a preliminary plan of subdivision.

- (ii) With regard to findings relating to public roads, the Board, the Hearing Examiner or the District Council, as the case may be, must further determine that the proposal will have no detrimental effect on the safety of vehicular or pedestrian traffic.

If approved, this issue will be addressed at the time of preliminary plan review.

59-G-1.25. County need.

In addition to the findings required in Section 59-G-1.21 and Division 59-G-2, the following special exceptions may only be granted when the Board, the Hearing Examiner, or the District Council, as the case may be, finds from a preponderance of the evidence of record that, for the public convenience and service, a need exists for the proposed use due to an insufficient number of similar uses presently available to serve existing population concentrations in the County, and that the uses at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood of the proposed use:

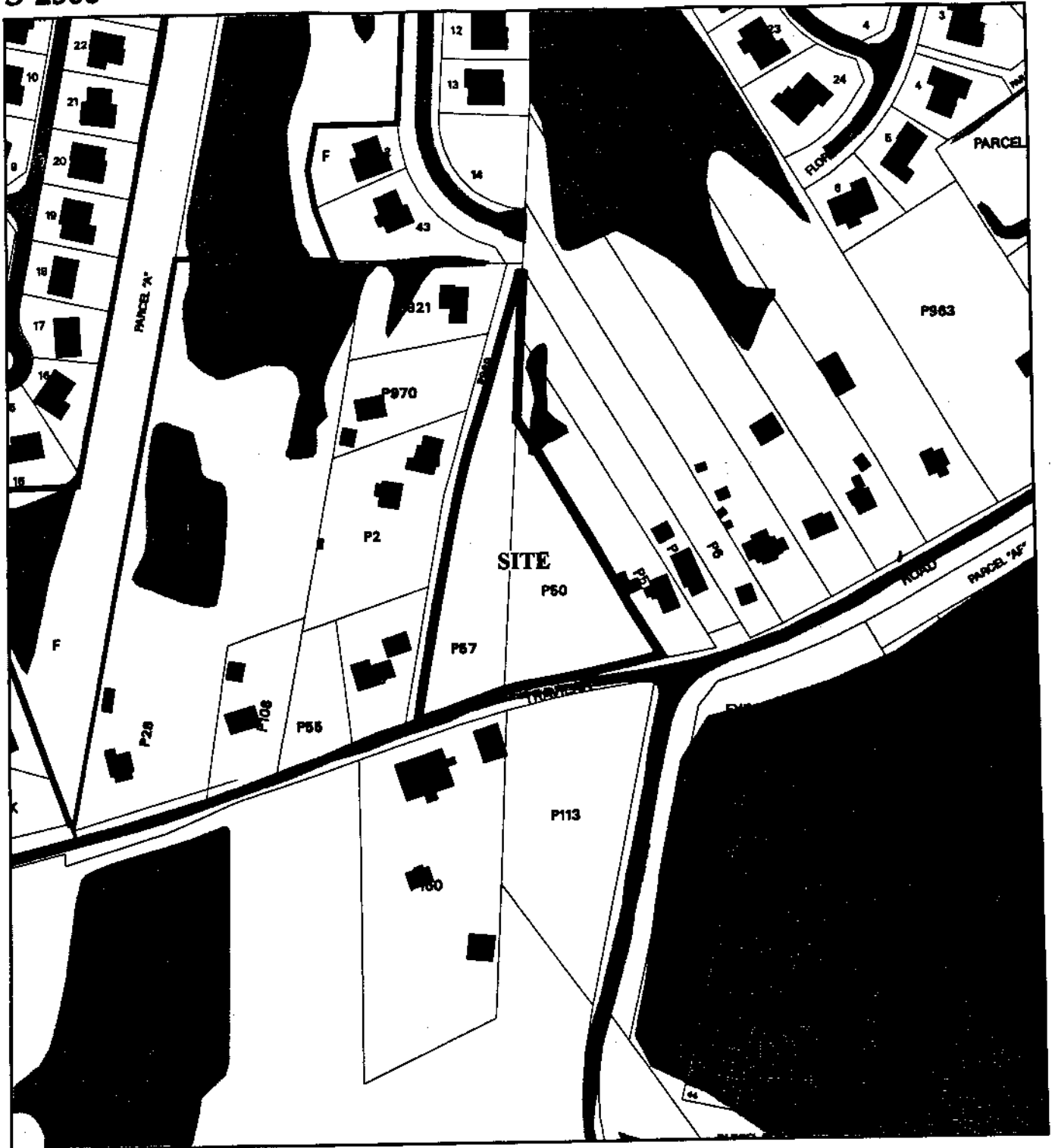
- (2) Educational institution, private.

The applicant has submitted a need statement in support of this application which documents substantial increases in the population of children served by the existing use under its current location in Rockville. It also quotes several sources on the increasing demand for these age groups at independent schools in this area relative to the supply. Many of these schools have waiting lists. The submitted statement makes a clear case for a community need for schools serving young children such as Primary Montessori Day School.

Additionally, the best indicator of community need for the school is the fact that the use has been operating in the same geographic area (about 2 miles away) for almost 4 years. The applicants are contract purchasers on the subject site and are planning an expansion, which is an indication that the community supports this enterprise with their participation. These indications should be taken as proof of community need for this school. However, while a need may exist for this use, staff does not support the use at this intensity on the subject site and believes a less intense use would be appropriate at this location.

Conclusion – Based on the previous cited conditions the application does not satisfy the requirements of Section 59-G-1.21 for Granting a Special Exception and does not satisfy the requirements of Section 57-G-2.19 for private educational institutions. Thus, staff recommends deferral to address the concerns or denial of this subject application.

VICINITY MAP FOR
S-2500



Map compiled on April 04, 2002 at 2:22 PM | Site located on base sheet no - 216NW11

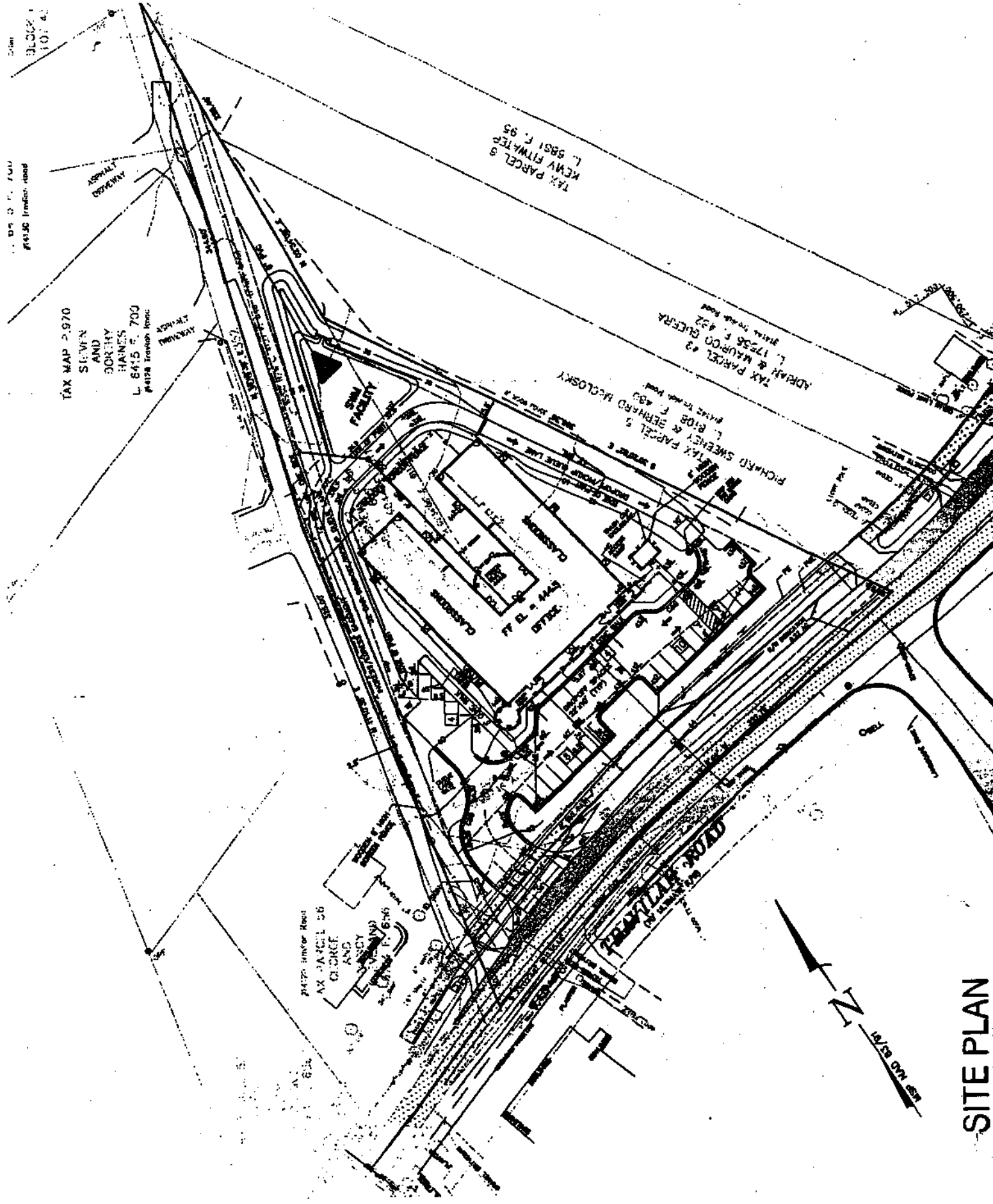
NOTICE

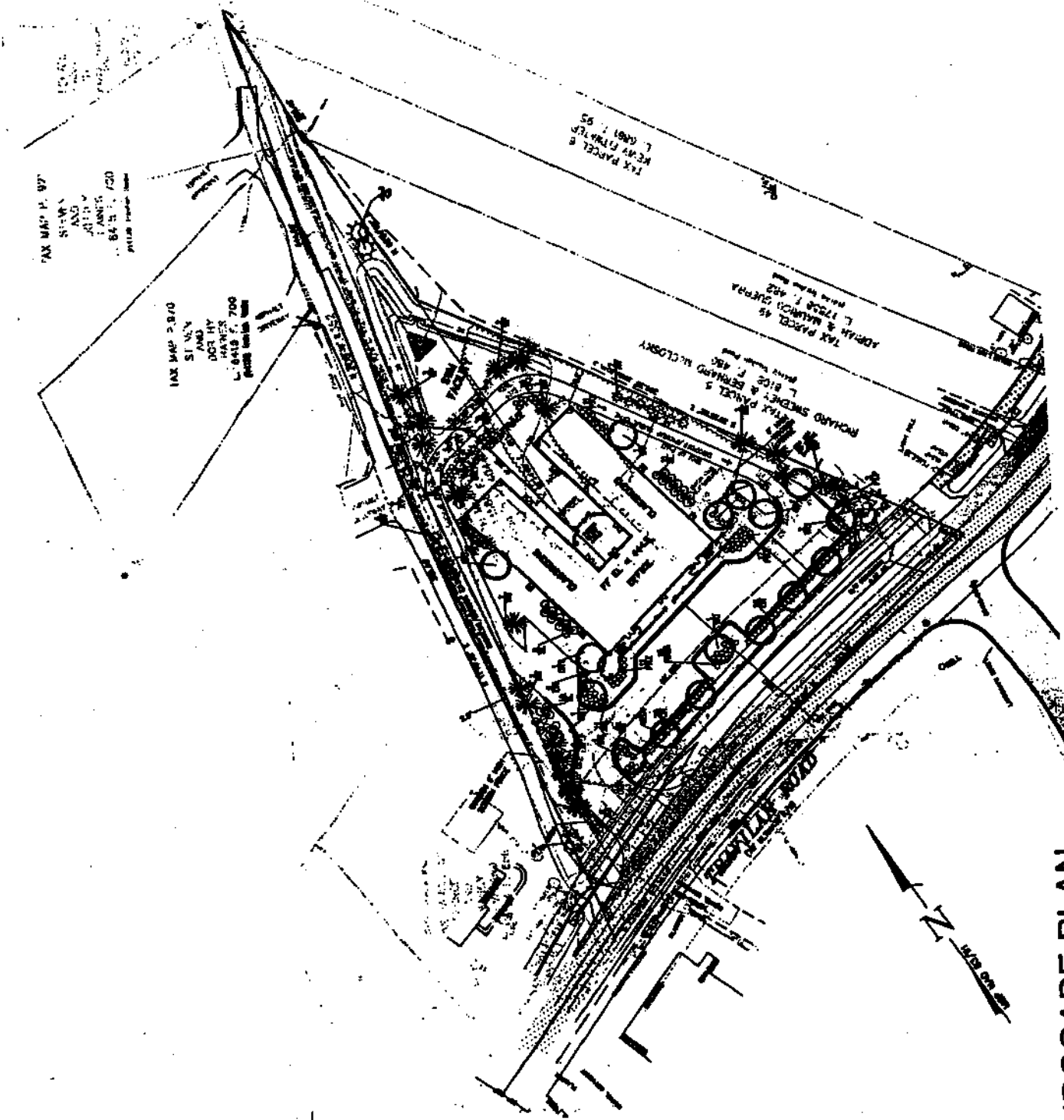
The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland-National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NCPPC.

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







TAX MAP P. 97
ST. MEN
AND
DOT HY
HAYES
L. 8418 P. 700
Public Utility Map

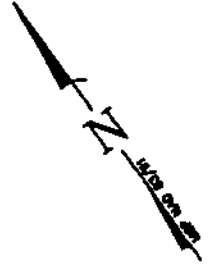
TAX MAP 2.870
ST. MEN
AND
DOT HY
HAYES
L. 8418 P. 700
Public Utility Map

TAX PARCEL 8
L. 1702 P. 492
Public Utility Map

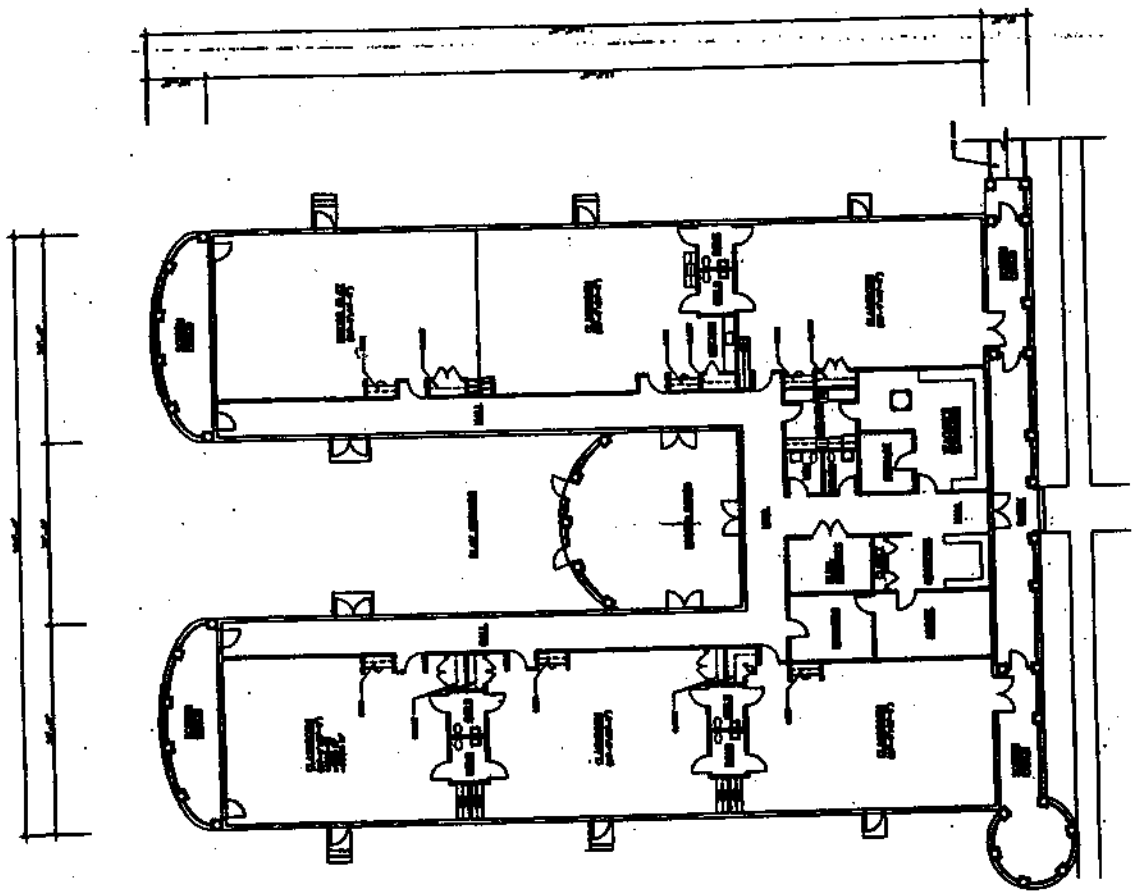
TAX PARCEL 15
ADAM & MARGON STREET
L. 1702 P. 492
Public Utility Map

TAX PARCEL 5
RICHARD SWINNEY & EDWARD BLOOMBY
L. 810 P. 492
Public Utility Map

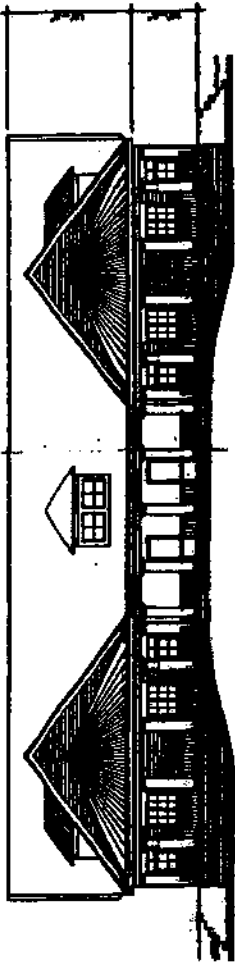
BRANDY ROAD



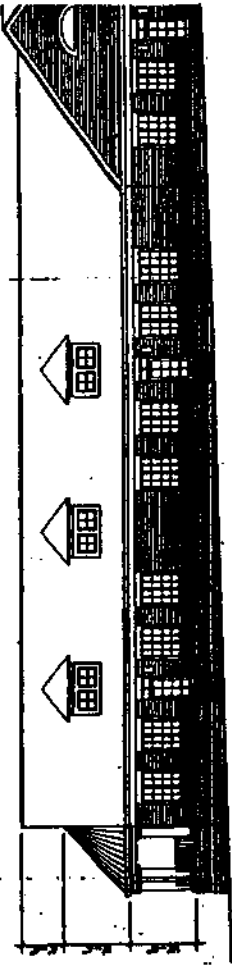
LANDSCAPE PLAN



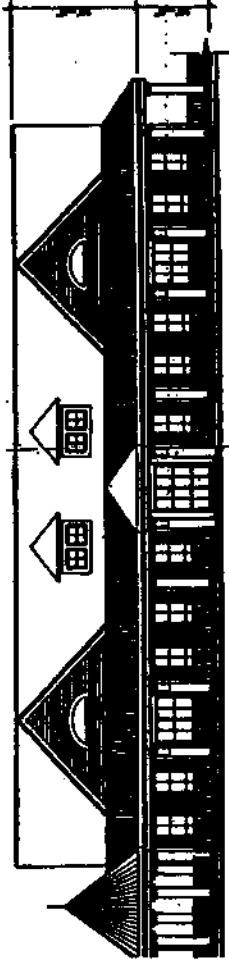
N
▲
FLOOR PLAN



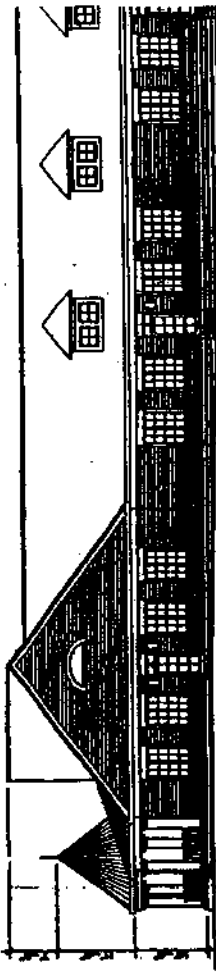
NORTH ELEVATION



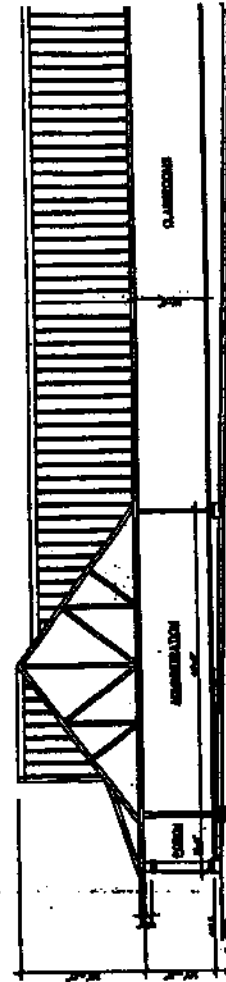
WEST ELEVATION



SOUTH ELEVATION

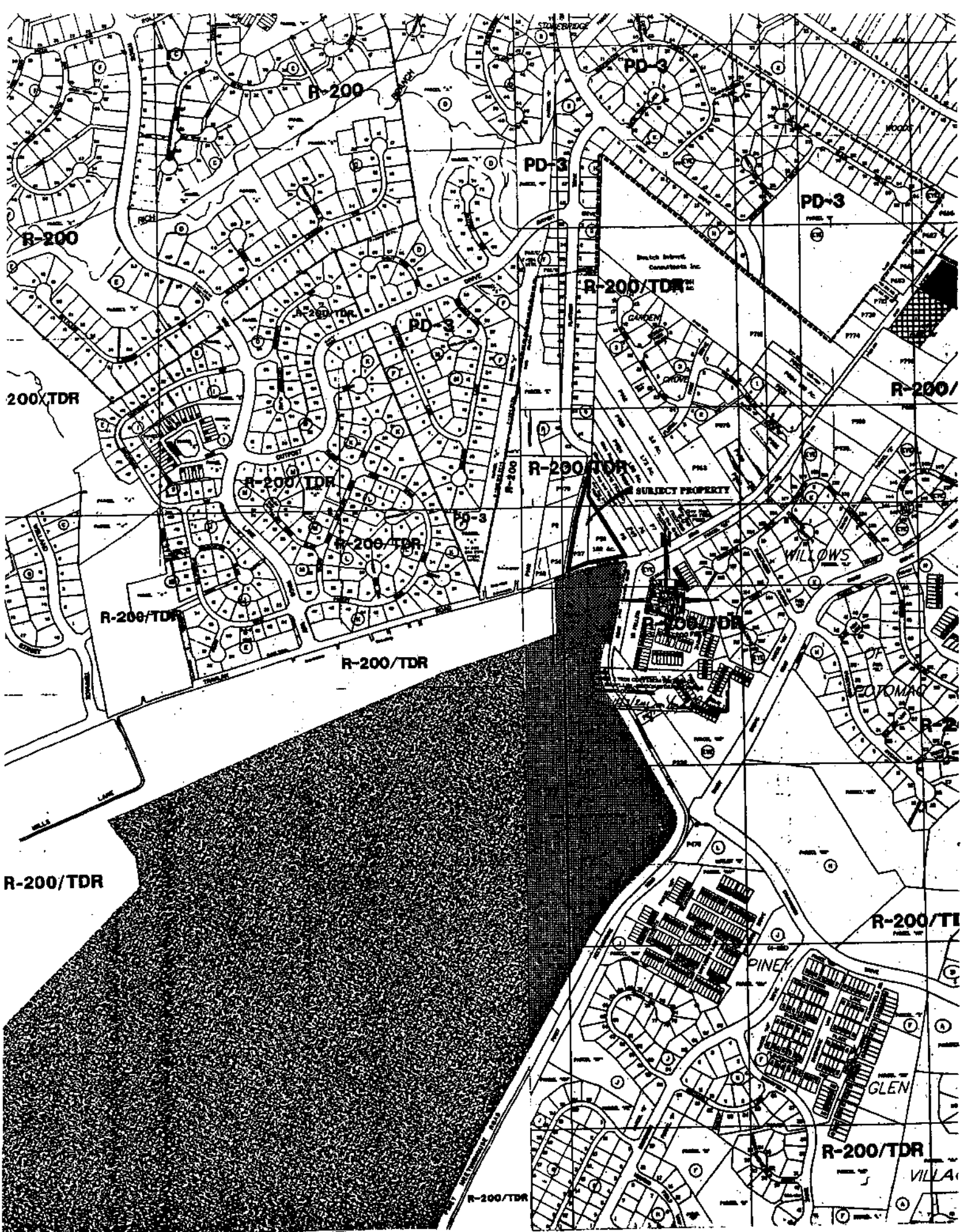


EAST ELEVATION



CROSS SECTION

ELEVATIONS



**Transportation Management Plan
Primary Montessori School
Travilah Road**

The Transportation Management Plan provides guidelines for facilitating a successful transportation program for the Primary Montessori Day School.

- I. **Scope of Operations**
 - A. **Maximum Enrollment – 150 students**
 - B. **Eighteen (18) staff**
 - C. **Peak Arrival Time – 8:40 a.m. – 9:15 a.m. – 128 students**
 - D. **Peak Departure Time – 2:45 p.m. – 3:00 p.m. – 75 students**

- II. **Access and Circulation**
 - A. **Thirty (30) foot wide driveway located in southern most corner of property via Travilah Road**
 - B. **Unrestricted left and right turns in and out of property**
 - C. **One-way circulation drive wraps perimeter of property**
 - D. **Queue to accommodate 30 vehicles**
 - E. **No queuing under any circumstances to be permitted on Travilah Road**
 - F. **Additional directional and parking signs will be installed at the direction of the Board of Appeals**

- III. **Transportation Point Person - The Director, or a staff member appointed by the Director, will be primarily responsible for any issue relating to the implementation of the Transportation Management Plan**

- IV. **Carpool Program**
 - A. **Promotion of Carpooling**
 1. **Identification and introduction of families from proximate geographic areas to encourage carpooling**
 2. **Annual distribution of student address list that highlights benefits of carpooling**
 - B. **Continuation of sibling discounts with enrollment preferences given to siblings**
 - C. **Applicants commitment to carpooling included as selection criteria for new students**
 - D. **Preferential parking for special events given to carpoolers**

- V. **Queue Management**
 - A. **Queue to accommodate 30 cars to run in clockwise direction around perimeter of property**
 - B. **Pick up and drop off to occur at the front of the building**

- C. Up to 6 staff people will be assigned during peak drop off and pick up periods with fewer, but sufficient number of staff people, at all other times to assist children in getting in and out of vehicles
- D. The four parallel parking spaces located at the front of the building shall not be used during peak morning and evening hours in order to facilitate drop offs and pick ups. At all other times, these spaces will be reserved for visitor parking.
- E. Staff prohibited from arriving during peak morning 8:40 a.m. to 9:15 a.m. or peak afternoon 2:45 p.m. to 3:00 p.m. periods

VI. Delivery and Service Vehicles

- A. All deliveries shall be scheduled to occur outside the school's morning and afternoon peak periods
- B. Refuse collection shall be scheduled to occur outside the school's morning and afternoon peak periods

VII. Implementation and Community Involvement

- A. Primary Montessori will distribute to all new parents written information regarding the carpooling procedures, including a site diagram. The materials will also promote carpooling
- B. At the request of the Willows and Neighbors Citizen's Association or the North Potomac Citizen's Association or any other interested civic association in proximity to the site, Primary Montessori will initiate regularly scheduled Neighborhood Transportation meetings to identify and address any school related transportation concerns
- C. Primary Montessori will send an annual report of compliance with the Transportation Management Plan to the Board of Appeals

VIII. Special Events

- A. Monthly parent workshops attended by approximately 25 percent of parents
- B. Back to School Night, Mother's Night, and Father's Night are each held on two separate evenings; one evening for the parents of pre-school aged children and one evening for school aged children
- C. Special Events involving the entire school shall be limited to four times a year, with advanced written notice provided to the adjacent property owners, the North Potomac Citizen's Association and the Willows and Neighbors Citizen's Association
- D. Although not anticipated, in the event parking for a special event cannot be accommodated on site through the use of managed parking, Primary Montessori will make arrangements for off-site parking at a nearby religious institution or commercial shopping center and provide a shuttle to and from the school for the parents.

E. **The school building and facilities will not be available for non-school events.**

Primary Montessori Day School Description of Special Events

The following describes the evening special events anticipated by Primary Montessori Day School.

1. **Back to School Night** – This event occurs in the fall and is held on two separate evenings, one evening for the parents of the pre-school students and one evening for the parents of the school age students. The event is held between approximately 7:00 p.m. and 8:30 p.m. and is typically attended by 100 percent of the respective parents (approximately 65 sets of parents).
2. **Parent Workshops** – Parent workshops are held once a month and focus on a specific academic topic. As such, only those parents for whom the topic would be relevant are invited. The workshops are typically held between 7:00 p.m. and 8:30 p.m. and typically, parents of no more than 25 percent of the students (approximately 32 sets of parents) attend at any one time.
3. **Mother's Night** – This event is held in May on two separate evenings, one evening for the mothers of the pre-school students and one evening for the mothers of the school age students. This event is typically attended by 95 percent of the respective mothers (approximately 62 parents).
4. **Father's Night** – This event is held in June on two separate evenings, one evening for the fathers of the pre-school students and one evening for the fathers of the school age students. This event is typically attended by 95 percent of the respective fathers (approximately 62 parents).

It is important to note that in determining the actual number of parents participating in these events, approximately 25 percent of the student body (based on current and projected sibling enrollment) will be comprised of siblings. Therefore the 150 students represent approximately 130 families.

Several special events, which will be held during the normal operating hours of the school, will be held throughout the year.