



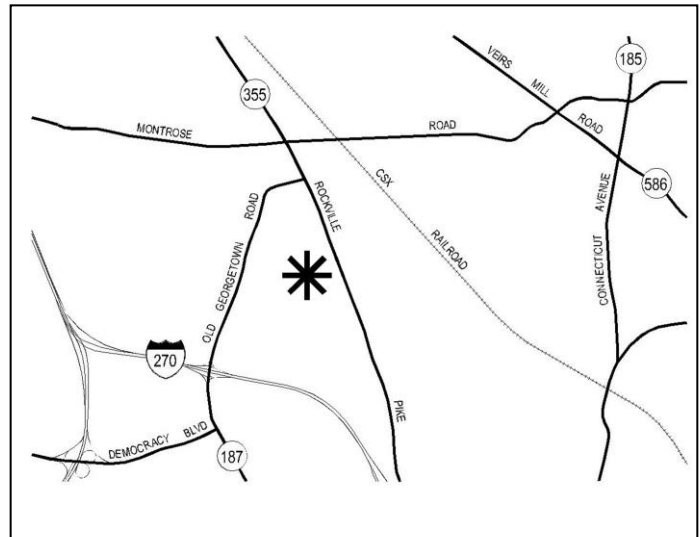
**The Goddard School in North Bethesda
Preliminary Plan Amendment 11996015B and Site Plan Amendment 82006005A**

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Completed: 04/17/15

Description

- Construction of up to 14,465 square feet for a child day care facility with associated surface parking;
- Current uses: vacant building;
- Located on the south side of Edson Lane, 500 feet west of the intersection with Rockville Pike;
- 0.679-acre site zoned CRN 0.5 C0.5 R0.25 H35 in the *White Flint Sector Plan* area;
- Applicant: Edson Lane Development, LLC;
- Application Acceptance Date: December 3, 2014.



Summary

- Staff recommends approval with conditions of the Preliminary and Site Plan amendments.
- The Planning Board approved Preliminary Plan No. 11996015A by Opinion dated October 25, 2006, and Site Plan No. 820060050 by Resolution No. 06-72 dated October 8, 2007 for an office building of 13,150 square feet.
- The application is filed pursuant to the grandfathering-exemptions allowed in Section 7.7.1.C.1. and therefore reviewed under the standards of the C-T Zone, the property’s zoning as of October 29, 2014.
- Pursuant to Section 7.7.1.B.3.b., the application is reviewed for compliance with the parking requirements of Section 6.2.3. and 6.2.4.
- On January 8, 2015, pursuant to Section 7.3.4.C., the Planning Director approved a 30-day extension of the review period at the Applicant’s request.

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SECTION 1: RECOMMENDATIONS AND CONDITIONS

PRELIMINARY PLAN

Staff recommends approval of Preliminary Plan Amendment No. 11996015B, subject to the following conditions:

1. Approval is limited to one (1) lot for a maximum of 14,465 square feet of child day care use to accommodate up to 225 children and 32 staff/faculty.
2. Prior to the issuance of any Use and Occupancy Certificate, the Applicant must amend the existing Traffic Mitigation Agreement with the Montgomery County Department of Transportation (MCDOT) and the Planning Board to update it with the approved land use and square footage and bring it in compliance with the *White Flint Sector Plan*.
3. The Planning Board accepts the recommendations of the MCDOT in its letter dated March 13, 2015 and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
4. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS) - Water Resources Section in its letter of stormwater management concept acceptance dated October 29, 2014. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
5. No demolition, clearing, grading, or submission of plats can occur prior to Certified Site Plan approval.
6. In the event that a subsequent Site Plan approval substantially modifies the subdivision shown on the approved Preliminary Plan with respect to lot configuration or right-of-way location, width, or alignment (except the modifications required by these conditions), the Applicant must obtain approval of a Preliminary Plan Amendment prior to approval of the Site Plan.
7. The Certified Preliminary Plan must contain the following note: "Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of Site Plan review. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for this lot. Other limitations for site development may also be included in the conditions of the Planning Board's approval."
8. All necessary easements must be shown on the Record Plat.
9. The Adequate Public Facility (APF) review for the Preliminary Plan will remain valid for eighty-five (85) months from the date of mailing of the Planning Board Resolution.

SITE PLAN

Staff recommends approval, with conditions, of Site Plan No. 82006005A, for up to 14,465 square feet of child day care use on 0.679 acre. All site development elements shown on the latest electronic version as of the date of this Staff Report, April 20, 2015, submitted via ePlans to the M-NCPPC are required unless specifically noted on the Certified Site Plan and except as modified by the following conditions:

1. **Preliminary Plan Conformance**
The development must comply with the conditions of approval for Preliminary Plan No. 11996015B.
2. **Forest Conservation & Tree Save Plan**
The development must comply with the tree preservation measures and planting, as shown on the Tree Save Plan approved concurrently with this application.
3. **Staging Allocation Request (SAR)**
Prior to issuance of building permit, the Applicant must receive a Staging Allocation Request approval from the Planning Board for the increased density.
4. **Maintenance of Public Amenities**
The Applicant is responsible for maintaining and ensuring the long term maintenance of all publicly accessible amenities including, but not limited to, paving, plantings, lighting, and bike racks as shown on the Certified Site Plan.
5. **Vehicular Circulation**
The Applicant must implement measures to prevent traffic overflow onto Edson Lane, to include but not limited to:
 - a. Provide a minimum of 18 spaces reserved and signed for Parent Pick-up/Drop-off as shown on the Certified Site Plan.
 - b. Provide a schedule of staggered program start and end times to disperse vehicular arrivals and departures.
6. **Pedestrian & Bicycle Circulation**
 - a. The Applicant must provide a 5-foot wide sidewalk with green panel along the Property's frontage of Edson Lane, as shown on the Certified Site Plan.
 - b. The Applicant must provide a minimum of 3 public bicycle spaces, which must be inverted-U racks, or equivalent approved by Planning Staff, and shown on the Certified Site Plan.
7. **Fire and Rescue**
The Planning Board accepts the recommendations of the Montgomery County Fire and Rescue Service – Fire Code Enforcement Section in its letter dated March 13, 2015, and hereby incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by Montgomery County Fire and Rescue Service – Fire Code Enforcement Section provided that the amendments do not conflict with other conditions of Site Plan approval.

8. Site Plan Surety and Maintenance Agreement

Prior to issuance of the first building permit, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance, with the following provisions:

- a. A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b. The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, recreational facilities, site furniture, trash enclosures, retaining walls, fences, railings, paths and associated improvements of development.
- c. The bond or surety shall be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by inspection and potential reduction of the surety.

9. Development Program

The Applicant must construct the development in accordance with a development program that will be reviewed and approved by Planning Staff prior to the approval of the Certified Site Plan.

10. Certified Site Plan

The following revisions must be made and/or information provided subject to Staff review and approval for inclusion on the Certified Site Plan:

- a. Include the exemption letter from submitting a Forest Conservation Plan, stormwater management concept approval letter, development program, and all previous and new Planning Board resolutions for Preliminary Plan and Site Plan approvals in the Certified Site Plan set.
- b. Add a note stating that "M-NCPPC Staff must inspect all tree-save areas and protection devices prior to demolition, clearing and grading."
- c. Add a note stating that "Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services."
- d. Remove unnecessary sheets as identified by Planning Staff.
- e. Make corrections and clarifications to details, calculations, recreation facilities, labeling, data tables, and schedules as needed and directed by Planning Staff.
- f. Ensure consistency of all details and layout between architectural, site, and landscape plans.

SECTION 2: SITE DESCRIPTION

Site Vicinity

The subject property, at 5420 Edson Lane, is located on the south side of Edson Lane, approximately 500 feet west of the intersection with Rockville Pike (MD 355). Edson Lane is an existing 70-foot right-of-way with 36 feet of paving and sidewalk on both sides of the street. Directly across Edson Lane is a four-story residential condo building (Edson Park), to the northeast is a 12-story office building. A separate three-story townhouse community is located to the west of Edson Park development. The seven-story Brit-Beco building is located approximately 40 feet east of the subject property line.

Directly to the west of the site is a two-story, single-family dwelling currently being used as a home office. It has a circular drive with surface parking to the rear. This site received approval for office, tourist home, and an institutional use (Site Plan No. 820060060-Peace Palace). Further to the west is the Wellness Center (Site Plan No. 81998010A).



Vicinity Aerial

Site Analysis

The subject property is currently occupied by a two-story one-family detached residence set back approximately 40 feet from the Edson Lane right-of-way. The subject property is accessed by a circular driveway from Edson Lane that provides access and parking to the building. Overhead utilities exist along the Edson Lane property frontage. A number of large and specimen trees are situated primarily along the eastern property line, and the property falls in grade from south to north by approximately five feet. The Site is approximately 0.679 acres and was rezoned from Commercial-Transition (C-T) to CRN 0.5 C0.5 R0.25 H35 as part of the zoning rewrite's District Map Amendment G-956.

SECTION 3: AMENDMENT DESCRIPTION

Previous Approvals

On April 17, 1995, the Planning Board approved Site Plan No. 8-95025 for 2,086 square feet of office space on the subject property.

On October 6, 1995, the Planning Board approved Preliminary Plan No. 119960150 to create one lot for 2,080 square feet of commercial office.

The Planning Board approved Preliminary Plan Amendment No. 11996015A by Certified Plan dated March 12, 2007, concurrently with Site Plan No. 820060050 by Resolution No. 06-72 dated October 8, 2006, for the construction of 13,150 square feet of general office. The buildings were to be 35 feet in height, stepping down to approximately 20 feet in height for the southernmost office unit to provide compatibility and a sense of scale to the adjacent residential property. The approved surface parking lot accommodated 45 spaces with access from Edson Lane. The parking was buffered from the adjacent property to the west with shrub plantings, as well as shade trees within the parking lot islands. Pedestrian circulation included internal sidewalk connections to the multiple office units as well as a connection to Edson Lane.

Additional on-site evergreen screening included deciduous trees along the southern boundary to screen the building and parking, and off-site evergreen planting in an agreement with the adjacent property owner (Brit-Beco) to the east. The approved plan limited the height of the southern portion of the building to 20 feet; restricted the location and operation of the dumpster; and specified the type of HVAC compressors to be used.



Conceptual sketch of previously approved Site Plan No. 820060050

Proposal

Use and Density

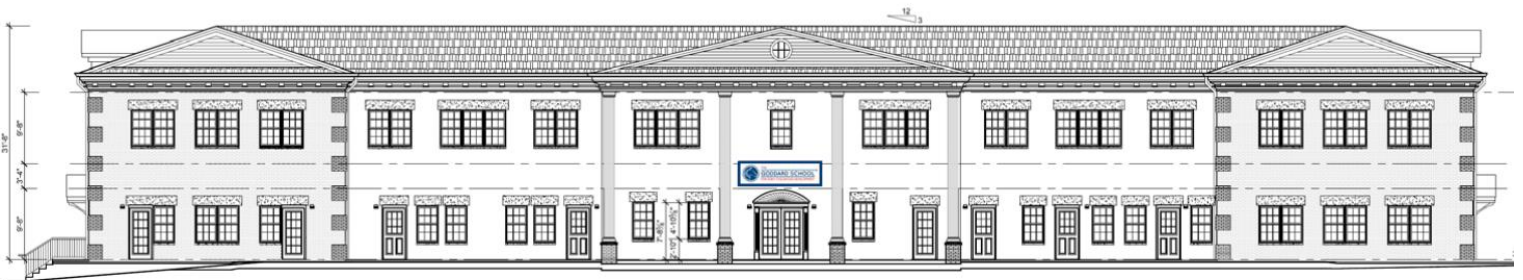
The amendments propose to eliminate the approved general office use, and increase the approved density from the previously approved 13,150 square feet to a maximum of 14,465 square feet of child day care facility under the approved C-T Zone. This change is in compliance with the allowed uses and maximum density (0.5 FAR) of the C-T Zone.

Serving ages six weeks through six years, the Goddard School is the largest private preschool system in the nation with over 425 locations including six locations in Montgomery County. The proposed North Bethesda facility will accommodate up to 225 children and 32 staff/faculty at any one point in time.

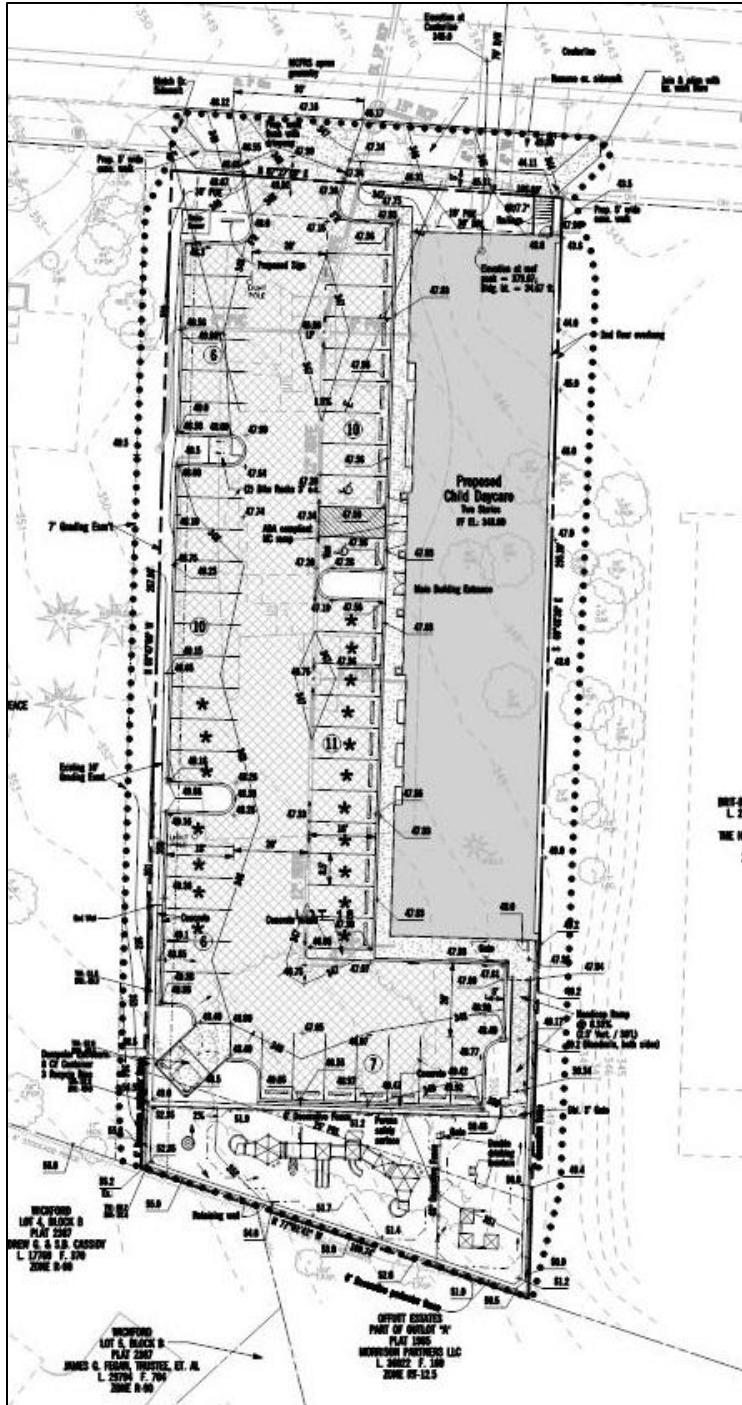
The proposed amendments modify the massing and height of the building. The proposed structure is shorter in length, approximately 195 feet compared to the approved building footprint of approximately 250 feet. The proposed amendment seeks to increase parking from 45 spaces to 50 spaces. The amendment also adds approximately 2,950 square feet dedicated to the preschool and toddler playground area outfitted with play equipment.



North elevation illustrative (along Edson Lane)



West elevation illustrative



Proposed site layout

Community Outreach

The Applicant has met all proper signage, noticing, and pre-submission meeting requirements. The Applicant held the required pre-submission community meeting at the North Bethesda Marriott Conference Center on August 13, 2014. Staff has not received any correspondence on this application.

SECTION 4: PROJECT ANALYSIS AND FINDINGS

Preliminary Plan Findings

1. *The Preliminary Plan substantially conforms to the Sector Plan.*

The proposed project substantially conforms to the 2010 *Approved and Adopted White Flint Sector Plan*. The Site is located in the NoBe District on Block 4 as identified by the Plan. The recommendations for this area provide opportunities for new mixed-uses and public use spaces while maintaining residential and office uses and ensuring a buffer for existing residential communities. (p.34)

The proposed project directly fulfills one of the Plan's area-wide land use priorities of providing child daycare. The Plan states, "One difficulty working families face is finding child daycare near work or home. Child daycare is an optional incentive in the CR Zone. Child daycare should be incorporated in new office and residential development, especially near transit facilities" (p.25).

While there are no specific recommendations for the subject property in the *White Flint Urban Design Guidelines*, the proposed project is consistent with its general recommendations, which include maintaining continuity with adjacent buildings and transition to adjacent, lower density neighborhoods (p.17). The proposed project also includes pedestrian facilities to ensure continuity of the pedestrian network (p.34).

2. *Public Facilities will be adequate to support and serve the area of the approved subdivision.*

Site Location and Access Points

The subject property has frontage on Edson Lane with proposed vehicular and pedestrian access into the Site. The proposed project provides pedestrian access across the entire frontage along Edson Lane. The proposed project would close the easternmost existing driveway entrance and reconstruct the westernmost entrance (slightly east of its current location) to be in accordance with commercial driveway standards.

Transportation Demand Management

The subject property is within the boundary of the North Bethesda Transportation Management District (TMD). The *White Flint Sector Plan* recommends that the TMD establish a 50% non-auto driver mode-share (NADMS) goal for employees. The TMD currently has a 26% transit mode-share. The Applicant must update the existing traffic mitigation agreement to reflect the proposed change in land use, and participate in the TMD through a traffic mitigation agreement to achieve the NADMS goals of the Sector Plan.

Sector Plan Roadways and Bikeways

In accordance with the *White Flint Sector Plan* and *Countywide Bikeways Functional Master Plan*, the recommended roadways and bikeways are as follows:

1. Edson Lane is designated as a business street, B-5, with a recommended 70-foot right-of-way, no additional right-of-way dedication is required. The Sector Plan recommends a dual bikeway, DB-13. A shared use path exists on the north side of Edson Lane. A bicycle

lane will be striped from Woodglen Road to Rockville Pike (MD 355) as part of a future MCDOT project, not in conjunction with this development.

Site Generated Traffic

According to the Applicant’s submitted traffic data , the arrival times of children will be staggered with a 7:00 AM start time for children of the full-day program (70% of children), 9:00 AM for children of both the half-day program (15% of children), and early afternoon release program (15% of children). Similarly, the departure times of children will also be staggered with half-day programs letting out at noon, early afternoon releasing at 3:00 PM, and full-day ending at 6:00 PM. Based on the proposed staggering of start/end times, there is adequate space and circulation on-site for pick-up/drop-off traffic to prevent overflow onto Edson Lane.

The table below provides a comparison of trips generated by the existing land use, the previously approved but unbuilt office building, and the proposed child daycare/pre-school facility. As shown below, a daycare will generate 35 more weekday AM peak hour trips and 43 more weekday PM peak hour trips as compared to the previously approved office building. This increase in site-generated traffic will not result in an adverse impact to the surrounding transportation network.

<i>Trip Generation Table for The Goddard School in North Bethesda</i>			
Type of Facility	Size/Unit for Trip Generation Calculation	Weekday Trips *	
		AM Peak	PM Peak
Residential (Existing)	1 Detached House	1	1
Office (Approved, Unbuilt)	13,150 SF	18	29
Daycare (Approved)	32 Staff/Faculty	53 **	72 **
Net Change (Approved vs Proposed)		+35	+43
Notes: * Source of trip generation rates: LATR & TPAR Guidelines Tables 1-1 & 1-9. ** Includes pass-by reductions of 27% (AM) and 12% (PM) per Table 1-9 of LATR & TPAR Guidelines.			

Transportation Adequate Public Facilities Test

The White Flint Special Taxing District, established by Council Bill No. 50-10 and Resolution No. 16-570, excludes the typical Local Area Transportation Review (LATR) and Transportation Policy Area Review (TPAR) requirements for development within the White Flint Sector Plan area.

Other Public Facilities and Services

All other public facilities and services are available and will be adequate to serve the proposed development. The Subject Property is served by public water and sewer. Gas, electric and telecommunications services are also available to the Subject Property. Police stations, firehouses, and health services are currently operating within the standards set by the effective Subdivision Staging Policy. The application has been reviewed and conditionally approved by the Montgomery County Fire and Rescue Service (MCFRS), which must verify that the proposed development has adequate access for emergency vehicles prior to recordation of the plat.

3. The size, width, shape, and orientation of the approved lot are appropriate for the location of the subdivision, taking into account the recommendations included in the applicable master plan, and for the type of development or use contemplated.

The proposed amendment does not alter the size, width, shape, and orientation of the proposed lot. It remains appropriate for this type of subdivision and continues to comply with the dimensional requirement of the C-T Zone as specified in the Zoning Ordinance. The application meets the requirement and standards of all applicable sections of Chapter 50 of the Montgomery County Code.

4. The application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A.

The Subject Property received a Forest Conservation Plan Exemption (No. 42015025E) on August 15, 2014. The approval is confirmed with a tree save plan required pursuant to Chapter 22A-5(s)(2) and Chapter 22A-6(b). Staff finds the submitted tree save plan to be acceptable.

5. All stormwater management requirements shall be met as provided in Chapter 19, Article II, title "Stormwater Management", Section 19-20 through 19-35.

The Department of Permitting Services issued a letter accepting the revised Stormwater Management Concept for the proposed amendment on October 29, 2014. The Stormwater Management Concept proposes to meet required stormwater management goals through ESD to the maximum extent practicable (MEP) with the use of permeable pavement.

Site Plan Findings

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

There is no approved development plan, diagrammatic plan, schematic development plan, or project plan for the subject development.

2. The Site Plan meets all the requirements of the zone in which it is located.

The Amendment meets the development standards of the C-T Zone in Section 59-C-4.30, as shown in the Data Table below.

Project Data Table			
Section	Development Standard	Permitted/ Required	Proposed
59 - C			
	Gross Tract Area (sf)	n/a	29,574
4.304	Maximum Density (FAR)	0.5	0.49
	<i>Non-residential (sf)</i>	14,787	14,465
	<i>Residential (sf)</i>	0	0
	TOTAL	14,787	14,465
4.303	Maximum Building Height (ft)	35	Up to 35
4.303	Maximum Building Coverage (%)	35	Up to 24
4.305	Minimum Setback (ft)		
	<i>-From any street ROW</i>	10	10
	<i>-From rear property line</i>	15	79
	<i>-From side property line (East)</i>	0	0
	<i>-From side property line (West)</i>	0	64
4.306	Minimum Green area (%)	10	26
*6.2.4.	Minimum Parking (spaces)		
	<i>-Vehicular (3.00 per 1,000 sf)</i>	43	50
	<i>-Bicycle (1.00 per 5,000 sf)</i>	3	4

* Zoning Ordinance enacted October 31, 2014

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

Buildings and Structures

The proposed building footprint is linear in nature and set directly on the eastern property line. The proposed building setback of 10 feet from Edson Lane contributes to the street wall that frames the right-of-way. Another building set back of 79 feet is proposed from the shared rear property line with the adjoining single-family residential use. The dumpster enclosure is located in the southwest corner of the Site with access from the proposed drive aisle. The locations of the buildings and structures are adequate, safe, and efficient.

Open Spaces

The proposed project proposes 26 percent of the Site for open space (green area), the majority of which is located on the northern and southern boundaries. The required green area along the southern boundary includes children’s play equipment for outdoor recreation. The locations of proposed green areas are adequate, safe, and efficient.

Landscaping and Lighting

The proposed landscaping and lighting for the Site will ensure the area will be safe, adequate, and efficient for year-round use and enjoyment. The proposed lighting fixtures will illuminate the parking lot, sidewalks, and building. A mix of shrubs, shade trees, ornamental trees and foundation plantings are proposed throughout the Site.

Recreation Facilities

The proposed project provides approximately 2,970 square feet of playground area covered in synthetic surface. The area is separated with approximately 1,000 square feet allocated to toddler play and equipment and approximately 1,970 square feet allocated to preschooler open play and equipment. While the project is not subject to the on-site recreation amenities requirements of the M-NCPPC Recreation Guidelines, it does meet the guidelines for multi-age playground including minimum area and setback. The proposed recreation facility is adequate, safe, and efficient.

Pedestrian and Vehicular Circulation Systems

The Site's pedestrian and vehicular access will be from Edson Lane. One vehicular access is proposed to/from the parking lot in accordance with commercial driveway standards. Based on the Applicant's proposed staggering of program start/end times and parking plan, there is adequate space and circulation on-site to prevent pick-up/drop-off traffic overflow onto Edson Lane.

A five-foot wide sidewalk with a green panel is proposed along the site frontage on Edson Lane. A pedestrian connection into the site is provided by a five-foot walk between Edson and the building's frontage along the parking lot. This walkway continues along the entire frontage of the building and provides access to the playground area in the southern portion of the Site. The proposed pedestrian and vehicular circulation systems are adequate, safe, and efficient.

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

The proposed project is compatible with other adjacent existing and approved development. The location of the proposed building is setback 79 feet from the property line shared with residential use. The approved use to the west is a rectangular commercial building with surface parking in the rear. The parking for the adjacent site abuts the proposed parking on this Site, separated by plantings in a mulched bed.

The four to seven-story Brit-Beco commercial building to the east is separated from the site by a grove of larger trees, with the seven-story portion fronting Rockville Pike. The 35 foot-height of the proposed building provides an appropriate transition between the four-story portion of the Brit-Beco building to the east and the approved, unbuilt 28-foot-tall proposed building to the west.

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

See Page 13 of this report for findings of compliance with Chapters 22A and 19.

Conclusion

Staff recommends approval of the Preliminary Plan Amendment and Site Plan Amendment based on the conditions and analysis contained in this report.

ATTACHMENTS

1. MCPB Opinion on Approved Preliminary Plan No. 1-96015
2. Certified Preliminary Plan Amendment No. 11996015A
3. MCPB Opinion on Approved Site Plan Resolution No. 820060050

ATTACHMENT 1

Date of mailing: October 6, 1995

file



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring Maryland 20910-3760

Action: Approved Staff Recommendation with Modifications
(Motion of Comm. Richardson, seconded by Comm. Baptiste, with a
vote of 5-0; Comms. Richardson, Baptiste, Aron, Holmes, and
Hussmann voting in favor).

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-96015

NAME OF PLAN: THE HIGGINS ESTATE

On 08-22-95, MARGARET P. BASSETTE, submitted an application for the approval of a preliminary plan of subdivision of property in the CT zone. The application proposed to create 1 lots on .68 ACRES of land. The application was designated Preliminary Plan 1-96015. On 10-02-95, Preliminary Plan 1-96015 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-96015 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-96015, subject to the following conditions:

- (1) Prior to recording of plat, submit agreement with Planning Board limiting development to 2,080 square feet of commercial office as approved by Site Plan No. 8-95025
- (2) Dedication of Edson Lane for 70' right-of-way
- (3) Other necessary easements
- (4) This preliminary plan will remain valid until November 6, 1998. Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded or a request for an extension must be filed.

ATTACHMENT 3



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring Maryland 20910-3750

MONTGOMERY COUNTY PLANNING BOARD

O P I N I O N

DATE MAILED: April 17, 1995 *AS*

SITE PLAN REVIEW #8-95025

PROJECT: 5420 Edson Lane

Action: Approval subject to conditions. Motion was made by Commissioner Aron, seconded by Commissioner Holmes, with a vote of 5-0, Commissioners Aron, Baptiste, Holmes, Hussmann and Richardson voting for. All Commissioners were present.

The date of this written opinion is April 17, 1995 (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal, as provided in the Maryland Rules of Procedure, on or before May 17, 1995 (which is thirty days from the date of this written opinion). If no administrative appeal is filed, this site plan will then validate pursuant to applicable law.

On February 1, 1995, EDSROCK LLC submitted an application for the approval of a site plan for property in the C-T zone. The application was designated Site Plan Review #8-95025.

On March 16, 1995, Site Plan Review #8-95025 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based on the testimony and evidence presented by the staff and on the staff report with modifications to the conditions hereby adopted by the Montgomery County Planning Board, and which is make a part hereof, the Montgomery County Planning Board finds:

1. The Site Plan meets all of the requirements of the zone in which it is located.
2. The locations of the buildings and structures, the open spaces, the landscaping, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient.
3. Each structure and use is compatible with other uses and other

site plans and with existing and proposed adjacent development.

The Montgomery County Planning Board approves Site Plan Review #8-95025 as follows:

Staff recommends APPROVAL of the Site Plan including 2,086 square feet of office space on 0.68 acre subject to the following conditions:

1. Prior to approval of the signature set of Site/Landscaping Plan, the applicant shall submit a Site Plan Enforcement Agreement and Development Program to the Maryland-National Capital Park and Planning Commission (M-NCPPC) for review and approval as follows:

Development Program to include a phasing schedule as follows:

- a. Landscaping and exterior lighting fixtures associated with the proposed parking areas shall be completed as construction of the parking areas is completed.
 - b. Pedestrian pathways and ramps between the proposed parking areas and the main entrance of the building shall be completed as construction of the parking areas is completed.
 - c. Clearing and grading schedule.
2. Prior to approval of the signature set of Site/Landscaping Plan, a Stormwater Management (SWM) Concept Plan for the proposed development shall be approved by the Department of Environmental Protection (DEP), or a fee-in-lieu shall be paid by the applicant if it is determined by the DEP that an on-site SWM facility is not required.
3. The following items shall be incorporated into the signature set of site /landscaping/lighting plan prior to approval of any permit:
 - a. Additional evergreen trees near the parking lot and a mixture of evergreen and deciduous tree seedlings between the parking lot and the southern property line;
 - b. Arborist recommendations for saving specimen oaks and other trees;
 - c. Methods and location of tree protection;
 - d. Conditions of DEP SWM Concept approval unless a waiver is granted by the DEP;
 - e. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and

grading;

- f. The development program inspection schedule.
 - g. Note stating a 3-foot-high berm will be provided along the southern edge of the proposed parking lot and the exterior lighting fixture for the parking lot will be oriented northeastward to minimize the impact of the light on the adjacent residential properties.
4. No clearing or grading prior to Planning Department approval of signature set of plans.



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

Al R. Roshdieh
Acting Director

March 12, 2015

Mr. Michael Brown, Senior Planner
Area 2 Planning Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan No. 11996015B
The Goddard School

Michael
Dear Mr. Brown:

We have completed our review of the revised preliminary plan dated February 4, 2015. An earlier plan for this project was reviewed by the Development Review Committee at its meeting on December 22, 2015. We recommend approval of the revised plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Department of Permitting Services in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
2. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
3. The storm drain analysis has been accepted. No storm drain analysis shows that no improvements are needed.
4. For safe simultaneous movement of vehicles, we recommend a driveway pavement width of no less than twenty four (24) feet to allow vehicles to enter and exit the site without encroaching on the opposing lanes. This pavement width will permit an inbound lane width of fourteen (14) feet and an exit lane width of ten (10) feet.
5. Curb radii for intersection type driveways should be sufficient to accommodate the turning movements of the largest vehicle expected to frequent the site.

Division of Traffic Engineering and Operations

100 Edison Park Drive, 4th Floor · Gaithersburg, Maryland 20878
Main Office 240-777-2190 · TTY 240-777-6013 · FAX 240-777-2080
trafficops@montgomerycountymg.gov

6. The applicant needs to submit a truck circulation plan for review by the M-NCPPC. This plan should delineate the proposed movements on-site between the anticipated access locations, the proposed truck loading spaces, and the proposed dumpsters. The truck circulation pattern and loading position should be designed for counter-clockwise entry and for a left-side backing maneuver. Passenger vehicle travel ways should be separated from the expected truck patterns and storage areas. The applicant may also need to provide documentation of their proposed delivery schedules.
7. Provide on-site handicap access facilities, parking spaces, ramps, etc. in accordance with the Americans with Disabilities Act.
8. Where perpendicular parking spaces border a sidewalk, a two (2) foot vehicle overhang is assumed. The applicant should either provide a seven (7) foot wide sidewalk or wheelstops within those parking spaces.
9. For any parking facility containing more than fifty (50) parking spaces, the applicant needs to furnish bicycle parking facilities as required Section 59 E-2.3 of the Montgomery County Code. Accordingly, the applicant should provide either bike lockers or inverted "U" type bike racks.
10. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
11. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Dan Sanayi of our Traffic Engineering Design and Operations Section at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
12. Trees in the County rights of way – spacing and species to be in accordance with the applicable MCDOT standards. Tree planning within the public right of way must be coordinated with DPS Right-of-Way Plan Review Section.
13. Prior to issuance of the building permit, the applicant will need to enter into a Traffic Mitigation Agreement with the Planning Board and this Department. Within MCDOT, the applicant should coordinate with Ms. Sandra Brecher, Chief of the Division of Transit Services/Commuter Services Section. Ms. Brecher may be contacted at 240-777-5800.
14. Permit and bond will be required as a prerequisite to DPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:

Mr. Michael Brown
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- A. Curbs and gutters, sidewalks, storm drainage and appurtenances, and street trees along Edson Lane.

NOTE: the Public Utilities Easement is to be graded on a side slope not to exceed 4:1.

- B. Additional road improvements may be required as a result of a review of a traffic study if such study is required by the Planning Board staff.
- C. Enclosed storm drainage and/or engineered channel (in accordance with the MCDOT Storm Drain Design Criteria) within the County rights-of-way and all drainage easements.
- D. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
- E. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.
- F. Developer shall ensure final and proper completion and installation of all utility lines underground, for all new road construction.
- G. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the MCDOT Division of Traffic Engineering and Operations.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Ms. Rebecca Torma our Development Review Senior Planning Specialist for this project at rebecca.torma-kim@montgomerycountymd.gov or (240) 777-2118.

Sincerely,



Gregory M. Leck, Manager
Development Review Team

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Enclosure

cc: James Worley, Edson Development LLC
Jeffrey Lewis, Site Solutions Inc.
Ed Axler, M-NCPPC Area 2
Preliminary Plan folder
Preliminary Plan letters notebook

cc-e: Sam Farhadi, MCDPS RWPR
Pat Shepherd, MCDOT DTEO
Dan Sanayi, MCDOT DTEO
Sandre Brecher, MCDOT DTS
Rebecca Torma, MCDOT DTEO

FIRE MARSHAL COMMENTS

DATE: 11-Mar-15
TO: Don Rohrbaugh - dwr@ssimd.net
Site Solutions, Inc.
FROM: Marie LaBaw
RE: Goddard School North Bethesda
82006005A 11996015B

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **11-Mar-15** .Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.



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

August 15, 2014

Jim Worley
Edson Lane Development, LLC.
12309 Galesville Drive
Gaithersburg, MD 20878

Re: Forest Conservation Exemption Request and Simplified NRI/FSD # 42015025E
Property Name: Goddard School in North Bethesda
Action Taken: Confirmed and Approved with Tree Save Plan Provision on 08/15/2014

Dear Jim Worley:

On August 14, 2014, the Development Applications and Regulatory Coordination staff of the Montgomery County Planning Department received a revised forest conservation exemption request for the Goddard School in North Bethesda. The requested forest conservation exemption, a Chapter 22A-5(s)(2) exemption request, is for an activity on a tract of land less than 1 acre that will not result in afforestation requirements in excess of 10,000 square feet and will not result in the clearing of 20,000 square feet of forest or existing specimen or champion tree. This exemption request has been assigned plan # 42015025E. The exemption request is part of a to-be-filed preliminary plan of subdivision application and site plan application for the property.

The subject forest conservation exemption request and Simplified Natural Resource Inventory / Forest Stand Delineation (Simplified NRI/FSD) note that there are specimen sized trees within the project area. Specimen trees will be removed as result of this project. There is no forest on the property. The gross tract area of the project is 0.81 acres.

As a result of the proposed removal of specimen trees, the exemption request cannot be confirmed without a tree save plan pursuant to Chapter 22A-5(s)(2) and Chapter 22A-6(b). This tree save pan is to be submitted and approved at the time of Site Plan review. The tree save plan should include tree preservation measures and a tree planting to mitigate for removal of specimen trees.

Forest Conservation Exemption Request # 42015025E for the Goddard School in North Bethesda is **confirmed with the Tree Save Plan Provision**. Simplified NRI/FSD Plan # 42015025E for the Goddard School in North Bethesda is **approved with the Tree Save Plan Provision**. The Tree Save Plan Provision is the requirement that a tree save plan, as described in Chapter 22A-6(b), be submitted and approved at the time of Site Plan review.

Any changes from the confirmed forest conservation exemption request may constitute grounds to rescind or amend any approval actions taken.

Sincerely,

Stephen Peck
Senior Planner
Development Applications and Regulatory Coordination
M-NCPPC - Montgomery County Planning Department

CC: Don Rohrbaugh, Site Solutions, Inc.



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Diane R. Schwartz Jones
Director

October 29, 2014

Mr. Jeffery Lewis
Site Solutions, Inc.
20410 Observation Dr. Suite 205
Germantown, MD 20876

Re: **Revised** Stormwater Management **CONCEPT**
Request for 5420 Edson Lane/ The Higgins
Estate
Preliminary Plan #: 11996015B
SM File #: 218147
Tract Size/Zone: .68 acres/ C-T
Total Concept Area: .68 acres
Lots/Block: 18
Parcel(s): NA
Watershed: Lower Rock Creek

Dear Mr. Lewis:

Based on a review by the Department of Permitting Services Review Staff, the revised stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept proposes to meet required stormwater management goals via pervious paving and a waiver.

The following **items** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
4. It is acknowledged that you are providing less parking than what is required.
5. The pervious concrete will need an overdrain.
6. In the design phase try to design so that water from the pervious paving does not follow the 6" PVC pipe back to the building.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 **is required**.

255 Rockville Pike, 2nd Floor • Rockville, Maryland 20850 • 240-777-6300 • 240-777-6256 TTY
www.montgomerycountymd.gov

Mr. Jeffrey Lewis
October 29, 2014
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This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact William Campbell at 240-777-6345.

Sincerely,



Mark C. Etheridge, Manager
Water Resources Section
Division of Land Development Services

MCE: wrc

cc: C. Conlon
SM File # 218147

ESD Acres:	.68
STRUCTURAL Acres:	0
WAIVED Acres:	.68