

MANDATORY REFERRAL NO. MR2024010

MBLI PUBLIC CHARTER SCHOOL

Description

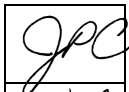
Mandatory Referral for the conversion of an existing office building and the construction of a 10,890 square foot addition, to be occupied by the first public charter school in Montgomery County.

COMPLETED: 5/15/2025

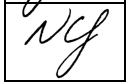
PLANNING BOARD HEARING DATE: 5/22/2025

MCPB ITEM NO. 10

Planning Staff



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LOCATION

20261 Goldenrod Lane, Germantown 20876

MASTER PLAN, ZONE

2009 *Germantown Employment Area Sector Plan*

EOF-0.75 H-100 T Zone

PROPERTY SIZE

2.55 acres (111,078 square feet)

APPLICATION

Mandatory Referral

ACCEPTANCE DATE

March 27, 2025

REVIEW BASIS

Md. Land Use Article, Section 20-301, et seq.



Summary:

- Staff recommends approval of the Mandatory Referral and transmittal of comments to MBLI Charter School and MCPS.
- The Planning Board review of a Mandatory Referral is pursuant to the Land Use Article of the Maryland Annotated Code, Sections 20-301 et seq.
- The Applicant has requested to abandon Site Plan No. 819880100 associated with the Property, with the Mandatory Referral approval replacing the Site Plan as the guiding approval for the new charter school use.
- Forest Conservation Exemption (Plan No. 42025139E) was confirmed on March 24, 2025.

SECTION 1 - RECOMMENDATIONS

Staff recommends Approval of the Mandatory Referral and transmittal of the following comments to MBLI Charter School and Montgomery County Public Schools:

1. Install a 10-foot wide sidepath with an 8-foot-wide buffer along the Property frontage on Goldenrod Lane as recommend in the 2018 *Bicycle Master Plan*.
2. Address all deficiencies identified in the Local Area Transportation Review (LATR) Study.
3. Coordinate with the Montgomery County Department of Transportation (MCDOT) to address the comments provided in their letter dated May 14, 2025.

SECTION 2 – SITE DESCRIPTION

Surrounding Neighborhood

The Subject Property is located at 20261 Goldenrod Lane, approximately 650 feet south of the intersection with Germantown Road, in Germantown, and is known as Lot 2 (Goldenrod Industrial Center) Record Plat No. 15463 (“Property” or “Subject Property”). The Property is within the Germantown East Policy Area and the 2009 *Germantown Employment Area Sector Plan* (“Sector Plan”) area.

The Property is bounded by Goldenrod Lane Road to the west and Montgomery College, Germantown Campus, on all other sides. The surrounding properties are zoned Life Sciences Center (LSC) 2.0 and are developed as part of the college campus.

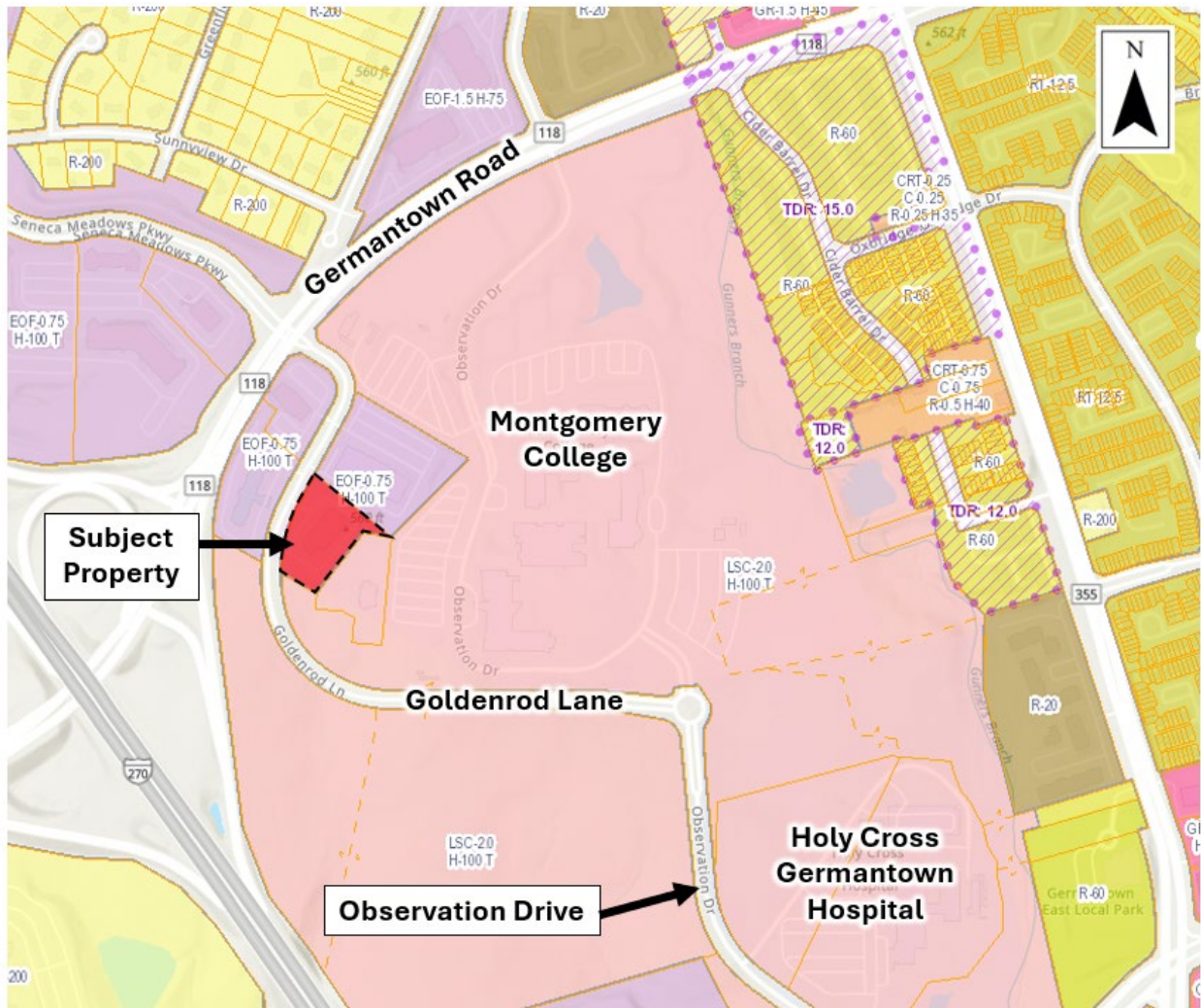


Figure1: Vicinity and Zoning

Site Description

The Subject Property is 2.55 acres (111,078 square feet) of land in the Employment Office (EOF)-0.75 zone. As depicted in Figures 1 and 2, Lot Two is improved with an existing 17,999 square foot office building and associated parking, constructed in 1990. The Property is accessible from two driveways from Goldenrod Lane.

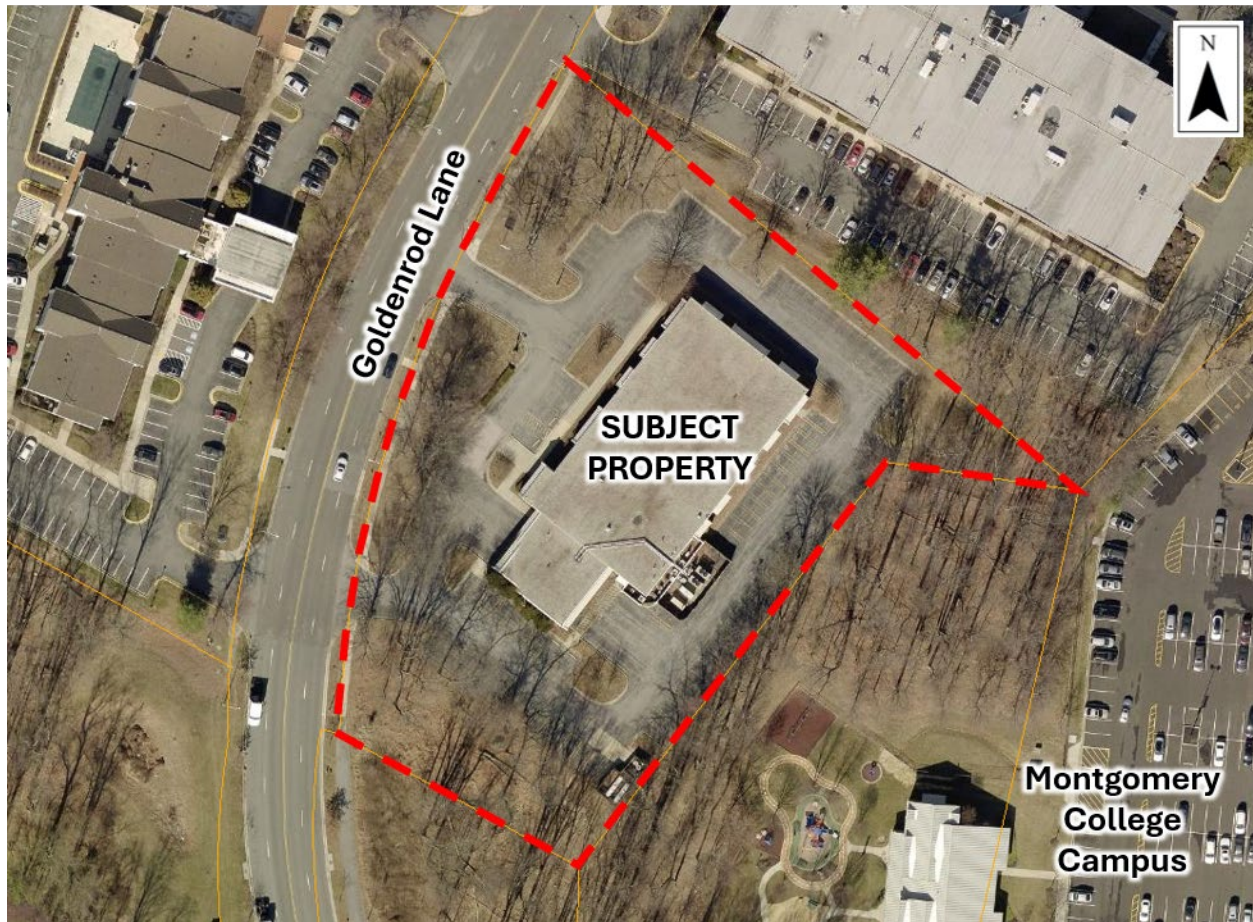


Figure 2: 2024 Aerial View of the Subject Property

The Subject Property is located within the Little Seneca Creek Watershed, classified by the State of Maryland as Use Class I-P waters. Approximately 0.15 acres (6,700 SF) of the Subject Property is forest, located between the existing parking lot and the southern Property line, abutting off-site forest that is protected by an existing Category I Conservation Easement. The Property contains six specimen trees and numerous significant trees.

The Subject Property does not have any wetlands, seeps, or springs and known rare, threatened, or endangered species or habitats. There are no designated historic sites on or adjacent to the Property.

SECTION 3 – PROJECT DESCRIPTION

Prior Approvals

The Property received Preliminary Plan and Record Plat approval in 1984 and Site Plan approval in 1988. In 1990, a 17,999 square-foot office was built according to the I-3 Zone. Civic MD LLC, the new property owner, has requested the abandonment of Site Plan Approval No. 819880100 associated with the Subject Property, which clarifies the public review procedure for the charter school (Attachment A). The proposed Mandatory Referral will replace the previously approved Site Plan.

CHARTER SCHOOL BACKGROUND

Montgomery County Public Schools Board of Education approved the MECCA Business Learning Institute (MBLI) Charter School to begin in the school year 2025-2026 for rising Grade 6 and 7 students. The proposed school will differ from a traditional public school since its curriculum theme will feature the following elements:

- Business-focused career academy
- Integrates business principles, entrepreneurship, and career readiness into the core curriculum.
- Provides hands-on learning, business-centered projects, and career development opportunities.

The proposed charter school will add additional students, up to Grade 12 in the future. A future Mandatory Referral will address this addition.

MBLI is subject to review as a mandatory referral because the Maryland Department of Education states that Maryland charter schools are “public schools operated by independent nonprofit organizations. The charter is awarded by the local board of education and grants the school more operational autonomy than non-charter (traditional) public schools. Public charter schools are tuition-free and open to all students.” In addition, Education Article, Title 9 of the Annotated Code of Maryland, further describes charter schools as public schools and the State’s Office of School Innovations also provides guidance to charter school programs.

PROPOSAL

On March 27, 2025, Civic MD LLC (“Applicant”) filed a Mandatory Referral plan application designated, “MBLI Public Charter School” Mandatory Referral Plan No. MR2024010 (“Plan” or “Application”) (Attachment B).

The Applicant proposes to convert an existing office building into a school and to construct an addition, establishing the first public charter school in Montgomery County. The proposed facility will include classrooms, administrative offices, and shared spaces designed to support educational programs and student activities.

The facility will be used for educational purposes, including classrooms for grades 6-12, administrative offices, and support spaces such as a cafeteria and library. The school will operate Monday through Friday from 7:00 AM to 6:00 PM, with school starting at 8:00 AM and ending at 4:00 PM. Before care will be available starting at 7:00 AM, and extracurricular activities may extend operations until 8:00 PM on weekdays and occasional weekends.

BUILDING, LAYOUT, AND ARCHITECTURE

The Applicant will be modifying an existing one-story office building with a proposed addition for the school. The proposed addition will utilize similar building materials as the existing building for a more cohesive look to fit in with the character of the other buildings on Goldenrod Lane. The site design is existing to remain, including existing entrances on Goldenrod Lane, parking and landscaping with some minor modifications. The Applicant is creating a student drop-off area along the front of the building, taking advantage of the existing plaza area that opens towards the front of the Property near Goldenrod Lane similar to other public school designs.

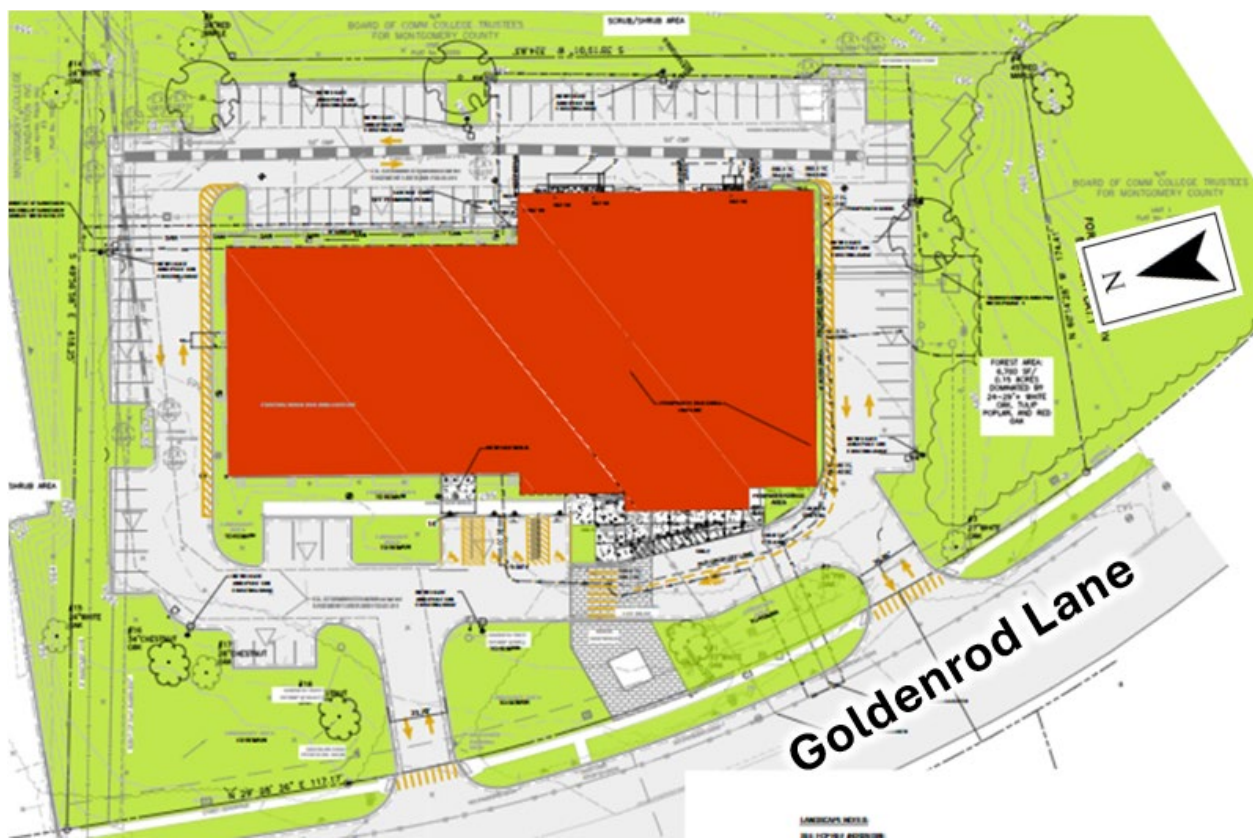


Figure 3: Proposed Building Footprint and Striping

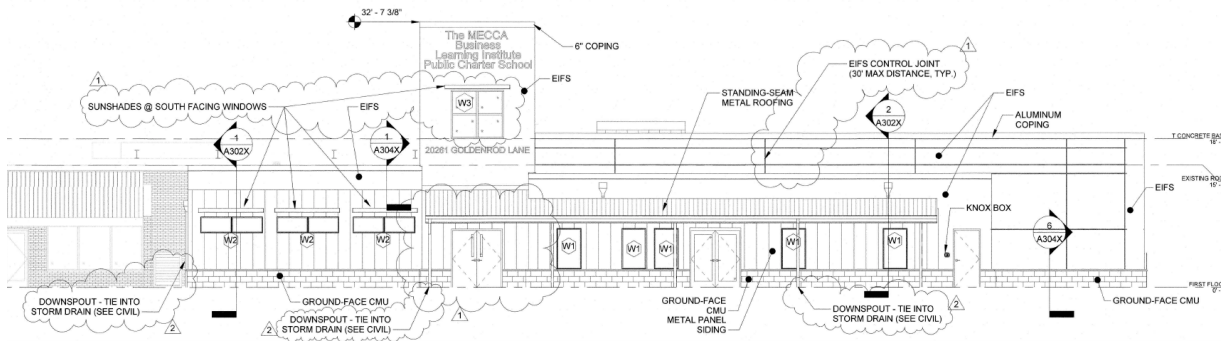


Figure 4: Elevation - Building Addition



Figure 5: Rendering - Addition

TRANSPORTATION

The Property currently has two access points from Goldenrod Lane, and both will remain. Out of the 250 students, it is estimated that around 60% of students will ride school buses, 35% will be dropped off by parents/carpool, and 5% of students will walk or bike. The school is planning to have five to six school buses operating. Further transportation information is provided in the Mandatory Referral Analysis section.

ENVIRONMENT

The Property is generally flat and currently developed as an office building and associated parking. Although the Property does contain significant and specimen trees along the frontage of Goldenrod Lane, none are proposed for removal.

SECTION 4 – MANDATORY REFERRAL ANALYSIS

Mandatory Referral review is guided by the Montgomery Planning Mandatory Referral Review Uniform Standards (December 2022), and the authority granted through the Maryland Land Use Article, Section 20-301, et.seq. As set forth in Sections 20-301 and -302, the Montgomery County Planning Board has jurisdiction over mandatory referral projects presented by Montgomery County government, municipal corporation or special taxing district, and Montgomery County Board of Education/Montgomery County Public Schools, for (i) acquiring or selling land; (ii) locating, constructing or authorizing a road, park, public way or ground, public building or structure, or publicly owned or privately owned public utility; or (iii) changing the use of or widening, narrowing, extending, relocating, vacating or abandoning any of the previously mentioned facilities. The Planning Board, or its Staff pursuant to the adopted Uniform Guidelines, must review such projects and transmit comments on the proposed location, character, grade and extent of the activity.

As described in the Uniform Standards, the Planning Board, or its Staff, considers all relevant land use and planning aspects of the proposal including, but not limited to, the following:

- 1. whether the proposal is consistent with the County's General Plan, functional plans such as the master plan of highways, environmental guidelines, the approved and adopted area master plan or sector plan, and other public plans, guidance documents, or programs for the area;***

2009 GERMANTOWN EMPLOYMENT AREA SECTOR PLAN

The Subject Property is located in the 2009 *Germantown Employment Area Sector Plan* area, which envisioned the Sector Plan area as “a central employment corridor into a vibrant town center and mixed-use uptown districts. The Germantown of the future will be the center of business and community life in upper Montgomery County” (p.8). The Sector Plan made no specific recommendations for the Subject Property. The proposed charter school is in the Montgomery College District in the Sector Plan where the importance of Montgomery College is noted. The reuse of the existing office building furthers the Sector Plan’s recommendations, which focus on employment opportunities in the Plan area. The Sector Plan recognized the different public-school clusters, such as Seneca Valley and Northwest, and indicated the potential of additional school capacities in the future.

The Sector Plan's overall transportation recommendations seek to establish a transit and pedestrian-oriented environment for the Plan area, including new transit infrastructure via the Corridor Cities Transitway (CCT). However, since the Plan's approval, the CCT has not been advanced as envisioned.

The Sector Plan recommended the reclassification of Goldenrod Lane (B-4) to a business street classification (B-4) to reflect the "anticipated commercial and mixed-use character and function" (p.38). The recommended right-of-way is 80 feet and is classified as a Town Center Boulevard, per the Master Plan of Highways and Transitways, and the 2018 *Bicycle Master Plan* recommends a shared use path along Goldenrod Lane. To further advance the Bicycle Master Plan recommendations, staff recommends that the Applicant expand the existing sidewalk along the property's frontage to include a 10-foot-wide share use path.

As proposed, the new charter school advances ideas in the General Plan, such as equity and social justice in the county. Per the Department's Community Equity Index, the proposed school site is located in a Slightly Disproportionate – Disadvantaged area, which is similar to the prior Equity Focus Area designation. The proposed reuse of an existing office building also contributes to General Plan's focus on compact growth and infill development.

2. *whether the proposal is consistent with the intent and the requirements of the zone in which it is located;*

The Property is zoned EOF which is intended for office and employment activity combined with limited residential and neighborhood commercial uses. The EOF allows flexibility in building, circulation, and parking lot layout. The existing building was constructed under the prior I-3 zone and is not subject to the EOF zone development standards. Nonetheless, the proposed use and building addition are consistent with the intent of the EOF zone.

Public schools, as a publicly owned or publicly operated use are permitted uses in the zone. While public schools are not subject to the Zoning Code, the proposed development is consistent with the development standards of the EOF zone, including the maximum lot coverage and front, side, and rear setbacks.

3. *whether the nature of the proposed site and development, including but not limited to its size, shape, scale, height, arrangement, design of structure(s), massing, setback(s), site layout, and location(s) of parking is compatible with the surrounding neighborhood and properties;*

The Property is in the EOF zone and surrounded by LSC zoned properties, including Montgomery College (Germantown campus), office buildings and a hotel. The LSC zone (the adjacent zone) is intended primarily for research, development, education, and related activities. The primary purpose of the LSC zone is to promote research, academic, and clinical facilities that advance the life sciences, health care services, and applied technologies.

Developing the Subject Property as a public charter school serves as a perfect bridge between the elements of the two zones providing employment, neighborhood, and educational uses and using flexibility for an adaptive reuse of an existing underutilized office building.

The Property is surrounded by Montgomery College properties to the north, east, and south and confronts office and hotel uses across Goldenrod Lane. Adding another educational use and the adaptive reuse of the existing structure and parking layout provides seamless integration of the proposed use and facilities into the surrounding neighborhood. The proposed addition is limited to one story and includes only a slight increase in the overall building footprint.

The existing 111,078 square foot lot is adequate for the existing building, proposed addition, and all associated parking.

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

TRANSPORTATION VEHICULAR ACCESS

Vehicular access to the Property is from Goldenrod Lane. Currently, there are two access points for vehicular access and both will remain. The southern access point is intended for busses to enter the site and the northern is intended for the car/parent entrance and exit and the bus exit. Buses will drop students off at the entrance (front of the new addition) a parents will have ample queuing space in the teacher's parking lot, around the perimeter of the building. The Applicant is providing striping around the perimeter of the building addition to clearly delineate a safe space for pedestrians utilizing the existing parking lot. At the entrance to the addition, the student drop-off and pedestrian space will also be identified with additional striping.

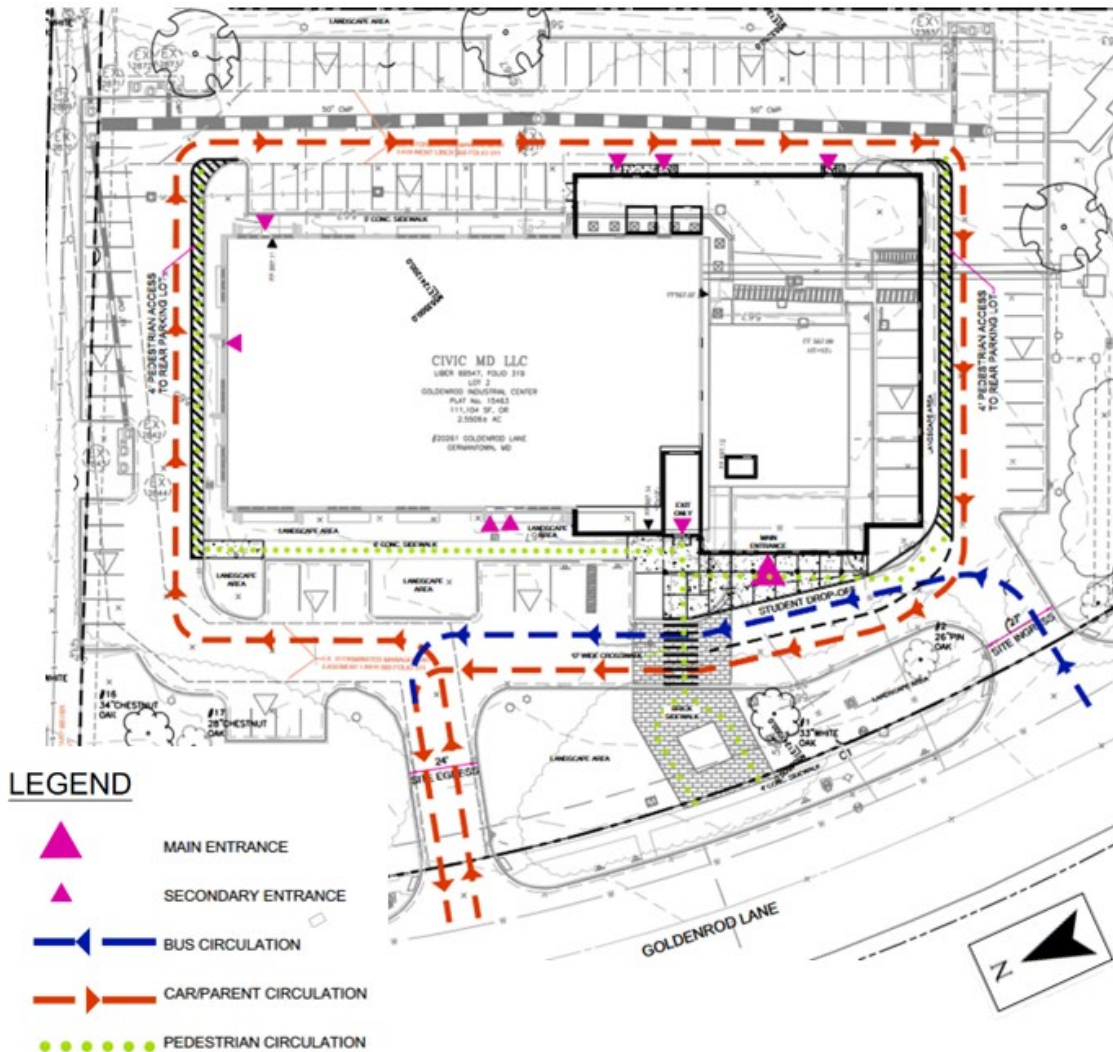


Figure 6: Site Circulation

The Application has been reviewed by the Montgomery County Department of Permitting Services, Fire Department Access and Water Supply Section. The Application has received an approved Fire Access Plan based in the letter dated January 23, 2025 (Attachment C). The Montgomery County Department of Transportation has also reviewed the transportation elements of the Application and provided comments in a letter dated May 14, 2025 (Attachment D).

LOCAL AREA TRANSPORTATION REVIEW

A traffic study is required for this project since it is expected to generate 188 net new AM peak-hour vehicle trips and 142 net new PM peak-hour vehicle trips.

		ITE Trip Generation Vehicle Rates		Adjusted Vehicle Rates Germantown East Policy Area		Total Vehicle Trips	
		AM	PM	AM	PM	AM	PM
Existing	General Office (18,000 sq. ft.)	27	26	26	25	26	25
Proposed	Charter School (250 students)	235	183	214	167	214	167
Net Change						188	142

Motor Vehicle Adequacy

The Subject Site is located within an Orange Transportation Policy Area (Germantown East), and per the Local Area Transportation Review (LATR) Guidelines (January 2025), a motor vehicle adequacy test is required. For intersections in the Germantown East policy area the congestion standard of 55 seconds/vehicle applies. Intersections at or below this standard are considered adequate. The Applicant studied the following four intersections:

1. MD 118 & Goldenrod Lane/Seneca Meadows Parkway
2. Middlebrook Road & Observation Drive
3. Goldenrod Lane & Site Access (North)
4. Goldenrod Lane & Site Access (South)

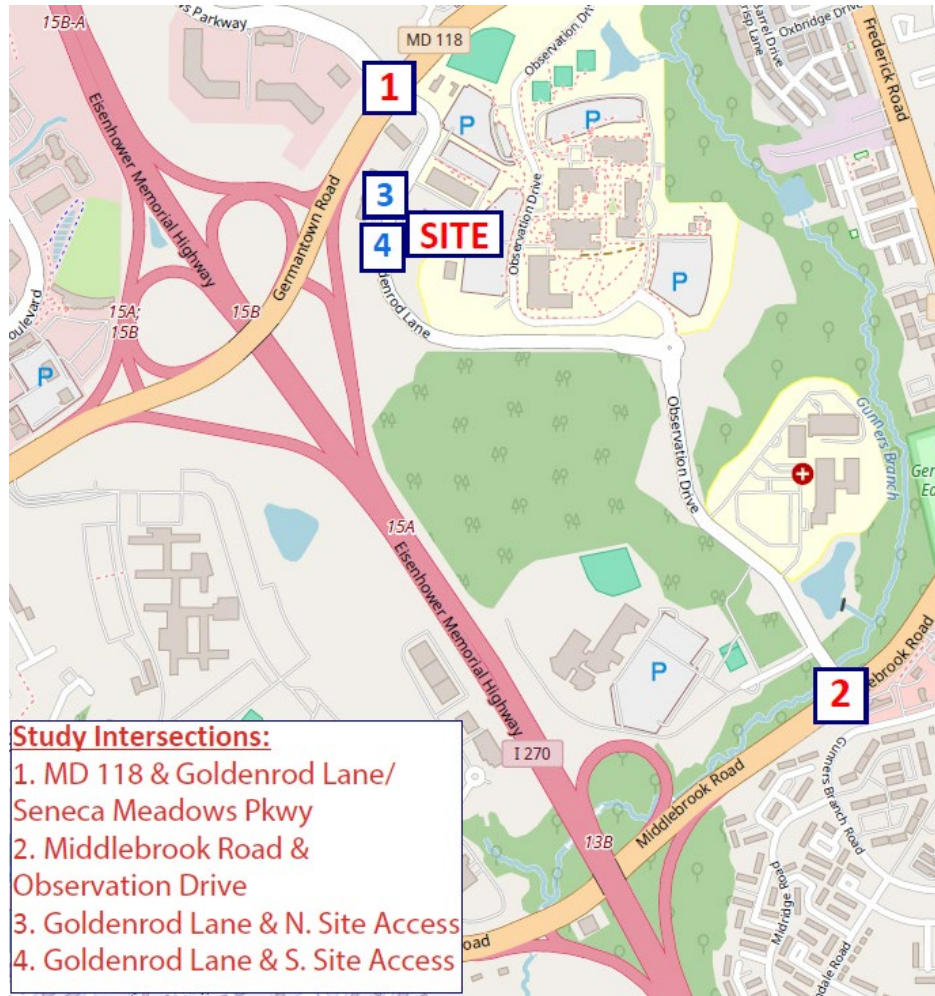


Figure 7: Study Area Intersections

All intersections were found to operate at or below the HCM standard of 55 seconds per vehicle, thus, no roadway improvements are required.

Intersection	HCM Standard	Existing Conditions						Background Conditions						Total Future Conditions					
		AM Peak Hour		School PM Peak Hour		Commuter PM Peak Hour		AM Peak Hour		School PM Peak Hour		Commuter PM Peak Hour		AM Peak Hour		School PM Peak Hour		Commuter PM Peak Hour	
		HCM	LOS	HCM	LOS	HCM	LOS	HCM	LOS	HCM	LOS	HCM	LOS	HCM	LOS	HCM	LOS	HCM	LOS
1. MD 188 & Goldenrod Lane/Seneca Meadows Pkwy	55	13.8	B	25.1	C	28.4	C	25	C	29.5	C	32.6	C	26.7	C	30.7	C	34	C
2. Middlebrook Road & Observation Drive	55	18.7	B	17.7	B	24.7	C	20.6	C	17.3	B	24.3	B	22.4	C	17.8	B	25.5	C
3. Goldenrod Lane & N Site Access	55	-	-	-	-	-	-	-	-	-	-	-	-	1.5	A	1.6	A	1.6	A
4. Goldenrod Lane & S Site Access	55	-	-	-	-	-	-	-	-	-	-	-	-	0.9	A	0.9	A	0.9	A

Table 1: HCM Analysis

Pedestrian and Bicycle System Adequacy

Per the LATR Guidelines, since the Project is anticipated to generate between 125-224 net new peak-hour weekday motor vehicle trips, the pedestrian level of comfort and illuminance tests must be conducted based on a 500-foot network distance study area from all points on the site frontage, and the ADA compliance must be conducted based on a 250-foot network distance study area. Out of the eleven segments analyzed in the study area for pedestrian level of comfort, eight segments received a score below a 2 (score of 3 is uncomfortable, score of 4 is undesirable). The deficiencies are related to issues regarding unmarked crossings, cracks and tripping hazards, and cross slope inadequacies. For the illuminance test, 12 out of the 19 zones analyzed in the study area were found to be non-compliant with the illuminance standards. Thirteen curb ramps were analyzed in the study area for ADA compliance; all of these were found to have deficiencies related to slopes or missing detectable warnings. It is recommended that the applicant address these deficiencies.

Per the LATR Guidelines, since the Project is anticipated to generate between 125-224 net new peak-hour weekday motor vehicle trips, the bicycle system adequacy test must be conducted based on a 900-foot network distance study area from all points on the site frontage. Bicycle adequacy is deemed to be providing a “Low” (LTS-2) or “Very Low” (LTS-1) Level of Traffic Stress (LTS). Out of the 13 segments analyzed within the study area, 10 were deemed inadequate (LTS-3 and LTS-4).

Transit System Adequacy

Per the LATR Guidelines, since the Project is anticipated to generate between 125-224 maximum net new peak-hour weekday motor vehicle trips, the transit system adequacy test must be conducted based on a 1300-foot network distance study area from all points on the site frontage. There are four bus stops within the study area. All are missing shelters and real-time travel information displays and thus are inadequate.

PEDESTRIAN AND BICYCLE FACILITIES

There is an existing four-foot-wide sidewalk along the Property frontage on Goldenrod Lane that connects to an approximately 8-foot wide sidepath south the Property. The 2018 *Bicycle Master Plan* recommends a ten-foot wide sidepath along Goldenrod Lane. It is recommended that the Applicant replace the existing sidewalk with the master planned sidepath along the Property frontage.

PUBLIC TRANSIT SERVICE

This area is served by Montgomery County Ride-On Bus Routes 55, 70, and 83. The 83 route stops along Goldenrod Lane and the 55 and 70 routes have stops at the nearby intersection of Goldenrod Lane and Germantown Road.

PARKING

There is no minimum parking requirement for public schools in the zoning code. For this Application, the school will only serve middle school students. Since no student drivers are anticipated, no student parking spaces are planned. There will be 87 parking spaces provided which includes four accessible spaces.

- 5. *whether the proposal has an approved NRI/FSD and a preliminary SWM Concept Plan, and meets the requirements of the Forest Conservation Law (Chapter 22A of the County Code). Forest Conservation Plan, if applicable, must be approved by the Planning Board, either before or at the time of the Board's mandatory referral review and action on the project. Unlike the mandatory referral review by the Board, the conditions of the Forest Conservation Plan are binding on all county projects and require a Resolution of Approval.***

ENVIRONMENTAL GUIDELINES

The Site is within the Little Seneca Creek Watershed which is a Use I-P watershed and contains no environmentally sensitive resources. The Site is generally flat and currently developed as an office building and associated parking. The Site does contain significant and specimen trees along the frontage of Goldenrod Lane, none are proposed for removal.

FOREST CONSERVATION

This Application is subject to Chapter 22A Forest Conservation Law but is exempt from the requirement to submit a Forest Conservation Plan; a Forest Conservation Exemption (Plan No. 42025139E) was confirmed on March 24, 2025. Forest Conservation Exemption No. 42025139E was confirmed under Section 22A-5(T)(1) for a modification to a non-residential developed property because no more than 5,000 square feet of forest will be cleared at one time or cumulatively after an exemption is issued; the modification does not result in the cutting, clearing, or grading of any forest in a stream buffer or forest located on property in a special protection area which must submit a water quality plan; the development does not occur within an environmental buffer, with the exception of the allowable uses stated in the environmental guidelines; the modification does not require approval of a preliminary plan, administrative subdivision plan, or conditional use/special exception; the modification does not increase the developed area by more than 50%, and any existing principal building, as defined in Chapter 59, is retained; and the pending development application does not propose any residential uses. Since the project will impact significant and specimen trees, the request includes a Tree Save Plan per Section 22A-6(a) of the Forest Conservation Law. The

Tree Save Plan includes tree protection measures and required mitigation for the removal of one specimen trees (Attachment E).

With the approval of the Exemption, and recommendations included in this report, all Chapter 22A Forest Conservation requirements have been met.

STORMWATER MANAGEMENT

The Mandatory Referral Application meets the stormwater management requirements of Chapter 19 of the County Code. The Applicant received a stormwater concept approval from MCDPS, Water Resources Division on February 24, 2025 (Attachment F). A full waiver of stormwater management requirements was granted due to onsite constraints and no net increase in imperviousness.

SUSTAINABILITY

The Applicant is committed to incorporating sustainable building practices and energy efficient designs where feasible to align with best practices in environmental stewardship. These efforts include the potential implementation of high efficiency HVAC systems, LED lighting, and water conserving fixtures to minimize environmental impact and promote sustainability.

- 6. *whether a Preliminary or a Final Water Quality Plan has been reviewed by the Planning Board if the project is located in a Special Protection Area. In addition, for a Water Quality Plan for a project on public property, the Board must determine if the plan meets any additional applicable standards for Special Protection areas, including the standards of Article V. WATER QUALITY REVIEW IN SPECIAL PROTECTION AREAS, of the County Code (pursuant to Section 19-65(d)(4));***

The Property is not in a Special Protection Area; therefore, this section is not applicable.

- 7. *whether or not the site would be needed for park use if the proposal is for disposition of a surplus school or other publicly-owned property.***

This Property is not a surplus school site; therefore, this section is not applicable.

- 8. *whether alternatives or mitigation measures have been considered for the project if the proposal is inconsistent with the General Plan or other plans and policies for the area, or has discernible negative impacts on the surrounding neighborhood,***

the transportation network, the environment, historic resources (including burial sites) or other resources.

The Application is generally consistent with the General Plan and Master Plan and has no discernable negative impacts on the surrounding neighborhood, the transportation network, the environment, historic resources (including burial sites) or other resources.

SECTION 5 - COMMUNITY OUTREACH

After staff accepted the Mandatory Referral for review, Planning staff notified local civic and homeowners' associations and other interested parties of this proposal. As of the date of this report, staff has had no correspondence about this application.

While Staff has not received any correspondence regarding the Application, the Applicant has been involved with this project and promoting the need for a Charter School since 2020 and has been greeted with overwhelmingly positive responses from parents, educators, local business leaders, and students (Attachment G).

When enrollment applications opened in October 2024 for the 2025-2026 school year, the school received over 500 applications for just 250 planned seats.

SECTION 6 - CONCLUSION

Staff recommends approval of the Mandatory Referral with the recommendations listed above and recommends this be transmitted to MBLI Charter School and Montgomery County Public Schools.

Attachments:

Attachment A: Site Plan Abandonment Request

Attachment B: Statement of Justification and Mandatory Referral Plan Set

Attachment C: MCDPS, Fire Access and Water Supply Section Approval

Attachment D: MCDOT Review Letter

Attachment E: Forest Conservation Exemption No. 42025139E

Attachment F: MCDPS, Stormwater Management Concept Approval