

MCPB  
Item No.:  
Date: 04-08-21

### 23126 Frederick Road (Lovedale Montessori) CU-21-05: Day Care Center

*JP* Joshua Penn, Planner Coordinator, Upcounty  
*PB* Patrick Butler, Chief, Upcounty

[Joshua.Penn@montgomeryplanning.org](mailto:Joshua.Penn@montgomeryplanning.org)  
[Patrick.Butler@montgomeryplanning.org](mailto:Patrick.Butler@montgomeryplanning.org)

301-495-4546  
301-495-4544

Completed: March 26, 2021

### Description

Request for a Conditional Use to operate a Day Care Center (Over 30 Persons) for 42 children, on a 0.60-acre lot located at 23126 Frederick Road, Clarksburg, at the southeast corner of its intersection with Woodport Road, identified as Lot P5, Hammer Hill Subdivision, R-200 Zone, *1994 Clarksburg Area Master Plan*.

**Staff Recommendation:** Approval with conditions

**Application Filed:** December 18, 2020  
**OZAH Public Hearing:** April 19, 2021  
**Planning Board Hearing:** April 1, 2021

**Applicant:** Jayanthi Babu



### Summary

- Staff recommends Approval with Conditions
- The subject use conforms to all applicable requirements and regulations for approval of a Day Care Center (Over 30 Persons) Conditional Use, **Section 59.3.4.4.F.** of Montgomery County Zoning Ordinance and the applicable development standards under the R-200 Zone (**Section 59.4.4.7**)
- The subject use is consistent with the recommendations of the *1994 Clarksburg Area Master Plan* and compatible with the character of the surrounding area.
- Approval of the requested Conditional Use will not cause undue harm or adverse impact on the immediate neighborhood.
- There are no traffic, circulation, noise or environmental issues associated with the Application, provided that the recommended conditions are satisfied.
- This Application complies with the Montgomery County Environmental Guidelines.
- The Conditional Use is supported by Staff recommends approval of a Preliminary Water Quality Plan being reviewed concurrently with this application in a separate report.

## **SECTION I: STAFF RECOMMENDATION AND CONDITIONS OF APPROVAL**

Staff recommends approval of CU-21-05 subject to the following conditions:

1. The proposed Day Care Center (Over 30 Persons) use is limited to a 42-child day care center and 5 employees.
2. No more than 4 employees and 1 administrator should be on site at any one time.
3. Prior to the public hearing with the Hearing Examiner, illustrate on the Conditional Use Plan the location of 1 long-term, secure and weather protected bike parking space.
4. The hours of operation are 7:30 am to 6:30 pm, Monday through Friday.
5. Special events and periodic staff training activities associated with the Day Care Center (Over 30 Persons) use must not exceed six events per calendar year and such events may not extend beyond 9:00 p.m.
6. Outdoor play is limited to 8 am to 6:30 p.m.
7. Landscaping must be in accordance with the Landscape Plan submitted on February 11, 2021.

## **SECTION II: PROJECT DESCRIPTION**

### **A. Site Description**

The Subject Property is located at 23126 Frederick Road in Clarksburg, at the southeast corner of the intersection of Frederick Road and Woodport Road, identified as Lot P5, Hammer Hill Subdivision in the R-200 Zone. The Subject Property is rectangular and is improved with a 2,134 square-foot single family detached dwelling. The Property is generally flat with gently sloping terrain. It has approximately 295 feet of frontage on Westport Road and 100 feet of frontage on Frederick Road. The Property is in the Little Seneca Creek watershed.

There are no streams, wetland areas, 100-year floodplains or highly erodible soils on the Property. There were no known rare, threatened or endangered species identified on the Property.



*Figure 1: Aerial Photograph of Subject Property*

### **C. Neighborhood Description**

For purposes of this Application, staff defines the surrounding neighborhood boundaries as follows:

North: Stringtown Road  
East: Highlands at Clarksburg Parcels E and B



South: Highlands at Clarksburg subdivision and Parcel N888  
West: Garnkirk Farms and Gateway Commons Boundaries



Figure 2: Surrounding Neighborhood

Staff's definition of the surrounding area is bounded by Stringtown Road to the north, then south along the easternmost boundary of the parcels "E" and "B" of the Highlands at Clarksburg subdivision. To the South, the neighborhood demarcation runs along the southern boundary of the Highlands at Clarksburg subdivision, and then follows that general line on the western side of Frederick Road along the southern boundary of Parcel N888. To the West, the neighborhood line runs from its southern border, north, along the Garnkirk Farms and Gateway Commons Land Condominium developments' western borders back to Stringtown Road.

The subject site is located roughly in the center of the neighborhood. It is bounded by R-200 zoned properties. The properties to the northwest and south west have a TDR: 7.0 overlay zone. The subject property has frontages on 23126 Frederick Road (northeast) and Westport Road (northwest). The character of the neighborhood is generally single-family homes with increased density in the TDR overlay areas to the south and west.

There is one special exception/conditional use within the surrounding area. It is located south at 23023 Frederick Road and was approved as a horticultural nursery and commercial greenhouse on December 23, 1976 for Green Gardens, Inc. The approval was subsequently amended on January 11, 1977, May 23, 1979, April 2, 1992 January 27, 1998 and April 28,

1998. GG Property Holdings, LLC received a transfer of the approval from the Board of Appeals on April 10, 2019.



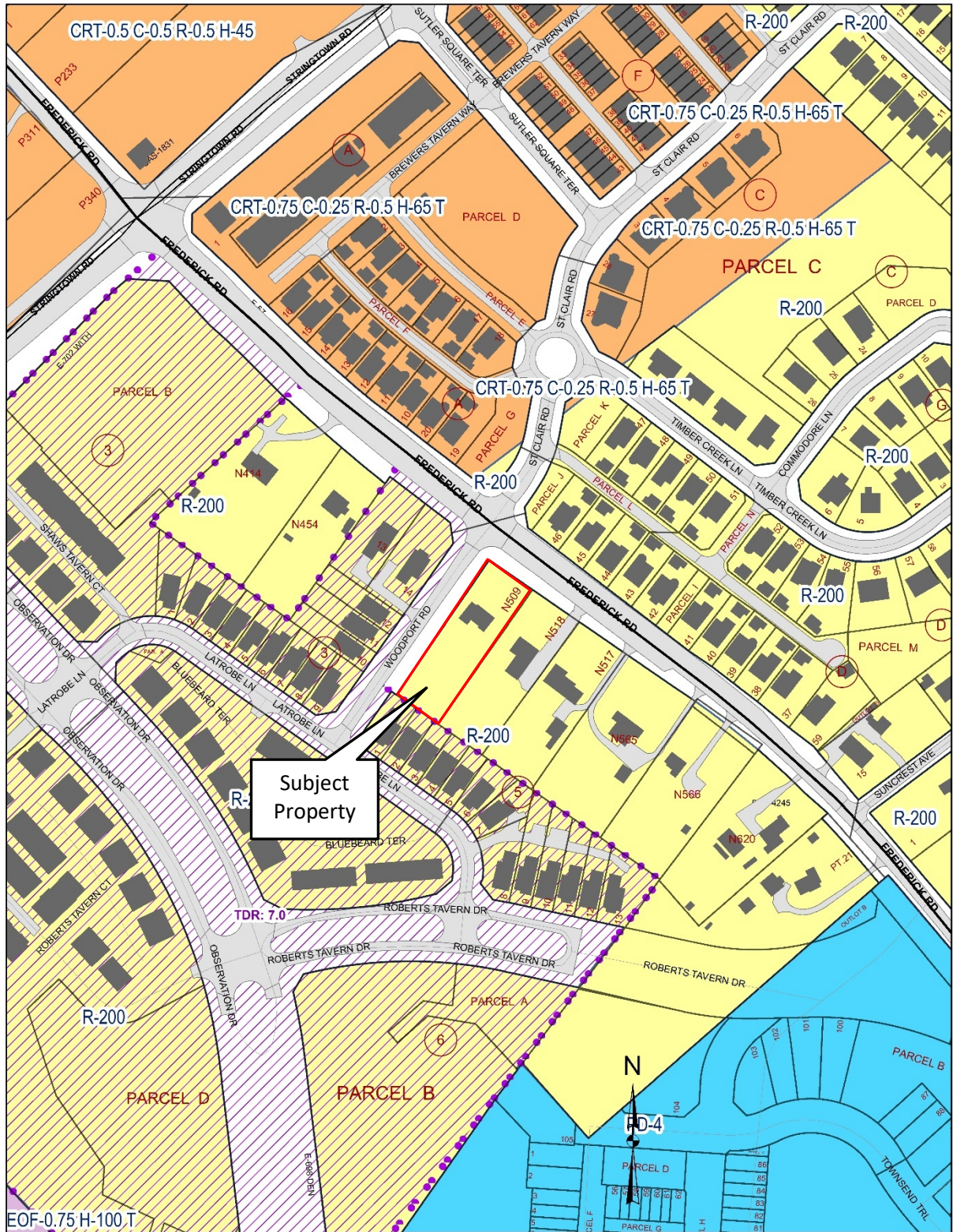


Figure 3: Vicinity Map and Zoning

#### D. Zoning and Land Use History

Prior to the 1994 Clarksburg Master Plan the property was zoned RE-2 and continued to retain the R-200 zoning as recommended in the Plan. There are no previously approved conditional uses for the Property.

#### E. Proposed Use

The Applicant is the owner of the Subject Property. The Applicant proposes to utilize the existing 2,134 square foot building with minimal alterations to the existing building or Site. The Site alterations would include a play area for the children in the rear of the Property, which is currently heavily screened by existing landscaping as well as established set back distance, a proposed deck to the rear of the structure and modifications to the existing parking area to accommodate access onto the property only from Woodport Road and right turn exit only onto Frederick Road.

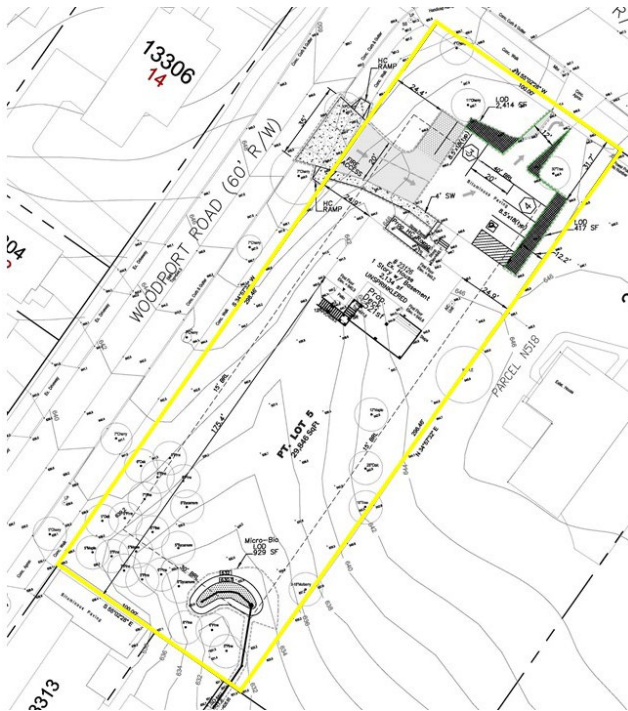


Figure 4: Proposed Site Plan

The facility would house and allow for the operation of a Day Care Center (Over 30 Persons), comprised of a two classroom day care for a maximum of 42 students. The attendees will be children from three years of age to pre-Kindergarten age. The day care will operate from 7:30 am to 6:30 pm. Up to six (6) evening events will be held throughout the year, for social events or employee training sessions. Any evening events will not extend past 9:00 pm.



There will be a maximum of four staff members and one administrator onsite at any one time. On-site staff training and organizational meetings will typically be held during regular business hours.

The outdoor play area for the children will consist of the rear yard. The entire rear of the property is currently fenced and will remain so in the future.

### **SECTION III: ANALYSIS AND FINDINGS**

#### **A. Master Plan**

The Property is within the area covered by the 1994 *Clarksburg Master Plan & Hyattstown Special Study Area*. It is within the Transit Corridor District in the Plan. Two objectives of the Master Plan for the Transit Corridor District are to “continue the present residential character along MD 355” and to “balance the need for increased carrying capacity along portions of MD 355 with the desire to retain a residential character along MD 355” (p. 54). Both of these objectives stress the importance of maintaining the “pleasant residential character” created by the “traditional patterns found elsewhere in the ‘Up-County’: single-family detached lots fronting the road” (p. 54).

The proposed use is to be located within an existing detached house that is part of the very residential character the Master Plan attempts to preserve. The Applicant proposes a parking area in the front yard (existing but modified), which is a significant departure from the traditional pattern of development for single-family detached houses along this segment of MD 355. These properties typically have a lawn and a driveway, but not a parking lot. However, a parking lot has existed in the front yard for at least ten years when the Site was being used as a sales office for the residential neighborhood that developed behind the property. Part of the lot is very well screened from MD 355 and Woodport Road, but the lot is very exposed to drivers heading north on MD 355. The Applicant proposes to remove part of the existing lot closest to MD 355 and to install additional landscaping to screen the southeast corner of the parking area. As proposed, this additional landscaping will mitigate the visual effects of the parking lot in front of the building and is acceptable to staff given the constraints of attempting to add a new parking lot behind the building.

#### **Impervious Surface**

Within the 1994 Clarksburg Master plan area, typical impervious levels for development vary with the zone and the availability of sewer service. The subject property is located within the R-200 zone. The R-200 zone (in general) has a typical impervious level of 19 percent.

The Application proposes an impervious level of 18.7 percent. The Application has a net increase of 1,061 square feet of imperviousness from the existing conditions and is consistent with the average impervious levels in the R-200 zone.



This Application is within the Clarksburg Special Protection Area (SPA) and while no impervious surface cap was set for this SPA, the amount of impervious surface is always considered to see if it is the minimum necessary to achieve the goals of the Project.

**B. Development Standards**

The following table summarizes the R-200 Zone development standards:

**Table 1: Development Standards**

<b>R-200 Zone Development Standards</b>	<b>Zoning Ordinance 59-4.4.7.B</b>	<b>Proposed</b>
<b>Minimum Lot Area</b>	20,000 SF	29,846 SF (0.65 ac)
<b>Minimum Lot width:</b> <ul style="list-style-type: none"> <li>▪ at building line</li> <li>▪ at front lot line</li> </ul>	100 ft. 25 ft.	100 ft. 100 ft.
<b>Maximum lot Coverage</b>	25 percent	18.7 percent
<b>Minimum Building Setback Principal Building:</b> <ul style="list-style-type: none"> <li>• front</li> <li>• side street (Frederick Rd)</li> <li>• side</li> <li>• rear yard</li> </ul>	40 ft. 40 ft. 12 ft. 30 ft.	82 ft. 82 ft. 24.9 ft. 175.4 ft.
<b>Maximum Building Height</b>	45 ft.	25 ft.
<b>Parking: 59-6.2.4</b>		
<b>Min. Vehicle Parking spaces</b> Day Care 3/1000 GFA (See Table 4 below under: D Parking)	5 spaces	7 spaces

### **C. Transportation**

#### **Site Access**

The Subject Property is located on the south quadrant of the intersection of Woodport Road and Frederick Road (MD 355). The Subject Property will be accessed from Woodport Road via an entrance at the front of the building. Vehicular circulation will be one-way from the entrance, immediately connecting to a small parking lot in front of the building, with a right-turn only exit point provided onto Frederick Road. A lead-in walkway will run parallel to the driveway and connect to the existing sidewalk on Woodport Road.

#### **Master-Planned Roadway, Bikeways and Pedestrian Facilities**

Frederick Road is classified as a business district street with planned BRT with a 50 ft ROW according to the 2018 Master Plan of Highways and Transitways. The current 80 ft. ROW is adequate. Woodport Road is a secondary residential street with a 60 ft. ROW, which remains adequate. The 2018 Bicycle Master Plan recommends a side path to run along

the south side of Frederick Road across the property frontage. This improvement is currently being constructed as part of the Frederick Road Bike Path CIP (P501118).

#### **Local Area Transportation Review (LATR)**

A transportation statement (Attachment B) is included with this application. The proposed 42-student Day Care Center (Over 30 Persons) use will generate an estimated 43 AM and 43 PM peak hour person trips using the 2017 LATR guidelines. This is below the threshold to warrant a full transportation study. While the Montessori school use is not a studied ITE use, generation estimates are based off the day care use which has an equivalent drop-off and pick-up operation.

**Table 2: Site Trip Generation**

Use	Development	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Day Care Center (ITE 565)	42 Students	17	16	33	16	17	33
<i>Pass-by (Credit)</i> <i>AM 27%</i> <i>PM 12%</i>		(5)	(4)	(9)	(2)	(2)	(4)
<b>Net New Vehicle Trips</b>		12	12	24	14	15	29
<b>Net New Person Trips</b>		--	--	<b>43</b>	--	--	<b>43</b>

\*Trip generation rates are based on the 10<sup>th</sup> Edition *ITE Trip Generation Report* and adjusted following the 2017 LATR Guidelines

Following Staff's request, the Applicant performed a signal warrant analysis of the currently unsignalized intersection of Woodport Road and Frederick Road based on future assumed traffic volumes (Table 3). No warrant was satisfied for this intersection and therefore signalization is not required.

**Table 3: Signal Warrant Analysis Results**

Intersection	Warrant 1 – Eight-Hour Vehicular Volume	Warrant 2 – Four-Hour Vehicular Volume	Warrant 3 – Peak Hour Vehicular Volume	Warrant 4 – Pedestrian Volume
Frederick Road (MD355) / Woodport Road	Condition A : <i>Not Satisfied</i> Condition B : <i>S Not Satisfied</i>	<i>Not Satisfied</i>	<i>Not Satisfied</i>	<i>Not Satisfied</i>

Source: The Traffic Group Statement dated March 19, 2020

The existing road network is adequate to serve the traffic generated by the proposed use. The internal pedestrian circulation and walkways will provide adequate movement of pedestrian and bicycle traffic. The proposed use, as conditioned, is consistent with the 1994 *Clarksburg Area Master Plan*, the 2018 *Master Plan of Highways and Transitways*, and the 2018 *Bicycle Master Plan*.

#### D. Parking

The Application meets the applicable requirements of Article 59-6 for a 2,134 s.f. Daycare use. The parking table in Section 59.6.2.4 requires a base minimum of 3 spaces per 1,000 s.f. for Daycare use:

**Table 4: Parking**

Section 59.6.2.4 Parking	Required	Provided
<b>Vehicle spaces</b> <b>3 spaced /1,000 s.f. (Day Care)</b>	7 Spaces	7 Spaces
Bicycle parking 1/5,000SF, 85% long term	1 long term space	1 long term space, as conditioned

As conditioned, the Application provides adequate vehicle and bike parking for the proposed use.

#### 1. Section 6.2.5. Vehicle Parking Design Standards

##### 6.2.5.B.

**Location:** Each required parking space must be within ¼ mile of an entrance to the establishment served by such facilities.

All proposed parking is within 65 feet of the entrance to the school building.

##### 6.2.5.C.

**Access: Each parking space must have access to a street or alley open to use by the public. Vehicle access crossing primary pedestrian, bicycle, or transit routes must be limited wherever feasible.**

All proposed parking spaces will be directly accessed from Woodport Road via a one-way circulation through the parking lot and exiting to Frederick Road. Two access points have been provided to limit additional vehicular movement to Woodport Road, a residential street. The current lot has been modified to provide the proposed vehicular movement.

#### **E. Landscaping**

##### **Section 6.2.9.B. Parking Lot Requirements for Conditional Uses Requiring 5 to 9 Spaces**

- 1. Satisfies the minimum specified parking setback under Article 59-4 or, if not specified, is a minimum of 8 feet wide;**
- 2. Contains a hedge, fence, or wall a minimum of 4 feet high; and**
- 3. Has a minimum of 1 understory or evergreen tree planted every 30 feet on center.**

The revised Landscape Plan (revision date 02/11/21) satisfies the requirements of **Section 6.2.9.B.1 through 3: Parking Lot Requirements for Conditional Uses Requiring 5 to 9 Spaces**. The Applicant is showing a total of 7 surface parking spaces. The parking is located in front of the existing structure consisting of 6 standard parking stalls and 1 handicap parking stall. The parking area is set back approximately 25-feet from the western property line, approximately 30-feet from the northern property line and 12-feet from the eastern property line. There is a 5-foot wide landscape buffer between the parking stalls and western, northern and eastern property lines. The total length of this landscape buffer is approximately 118-feet. This buffer contains 2 overstory and 4 understory trees, and a hedge at least 4-feet in height satisfying Section 6.2.9.B. The parking is access via a driveway from Woodport Road with a right out exit onto Frederick Road (Figure 3).



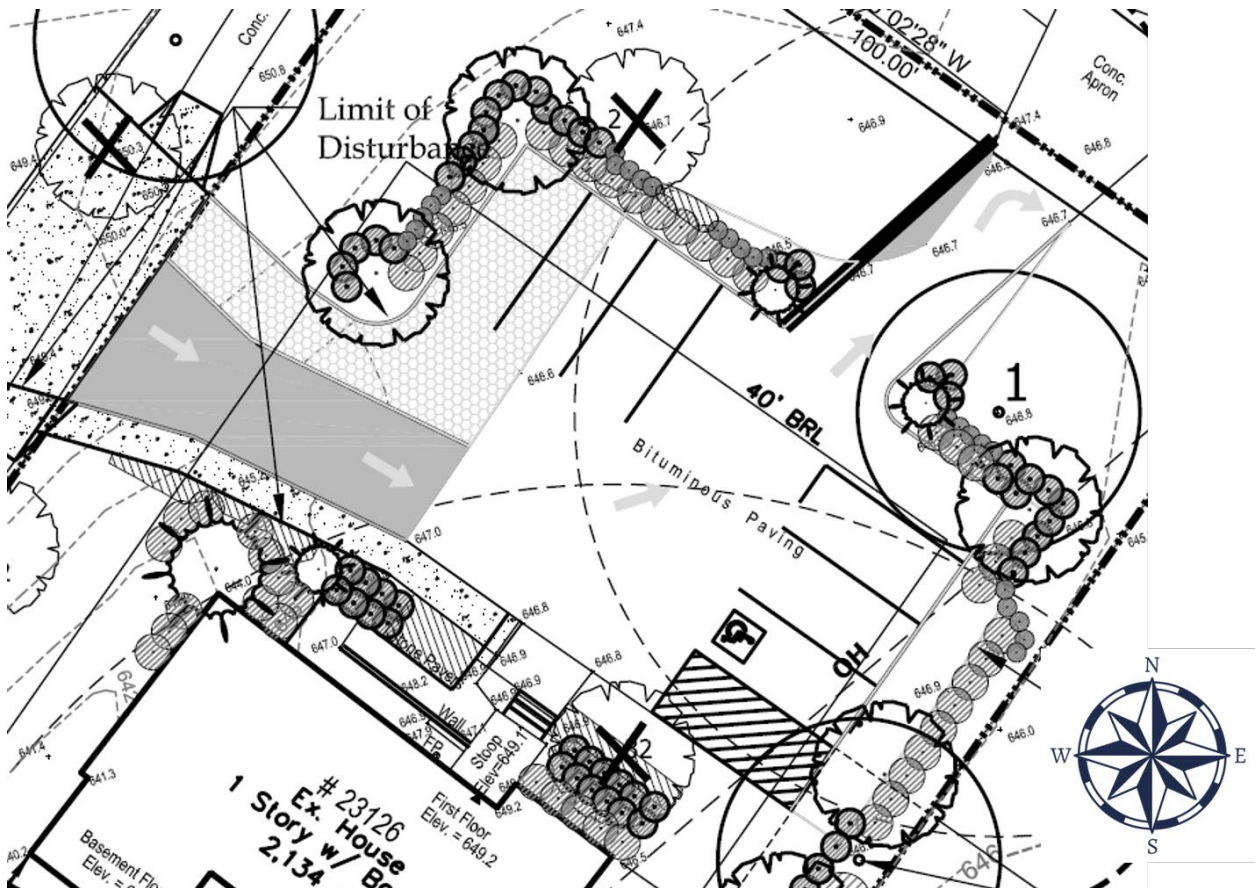


Figure 5: Parking Lot Landscape Buffer

**Section 59-6.4.3: General Landscaping Requirements** specifies and defines the types of plant materials, canopy trees, understory trees, and evergreen trees. In response to Staff's comments, the Applicant had submitted a revised Landscape Plan. The revised landscaping satisfies the General Landscape Requirements as defined and specified under Section 59-6.4.3.

#### F. SCREENING

**Section 6.5.2.B** specifies, in the Agricultural, Rural Residential, and Residential Detached zones, a conditional use in any building type, except a single-family detached house, must provide screening under Section 6.5.3 if the subject lot abuts property in an Agricultural, Rural Residential, or Residential Detached zone that is vacant or improved with an agricultural or residential use. All conditional uses must have screening that ensures compatibility with the surrounding neighborhood.

The landscaping meets or exceeds the requirements under Section 59.6.5.3.C.7. The Property is within a Residential Detached Zone, R-200, and abuts other properties on two sides within the same zone. The properties to the east and south are improved residential properties. Since there are abutting properties improved with residential uses to the east

and south of the Subject Property, the Applicant must ensure adequate screening in these directions under Section 6.5.3.C.7.

Along the eastern property line, the planting provided on the amended Landscape Plan meets or exceeds the minimum requirements of Section 6.5.3.C.7, Option B (**Figure 4**). The landscaping is placed between the lot line and the subject structure extending for the full length of the structure plus an additional 50% in length in each direction beyond the structure. The landscape planting area 92-feet long and 12-foot wide containing 2 canopy trees, 4 understory and evergreen trees, 8 large shrubs and 22 medium shrubs.

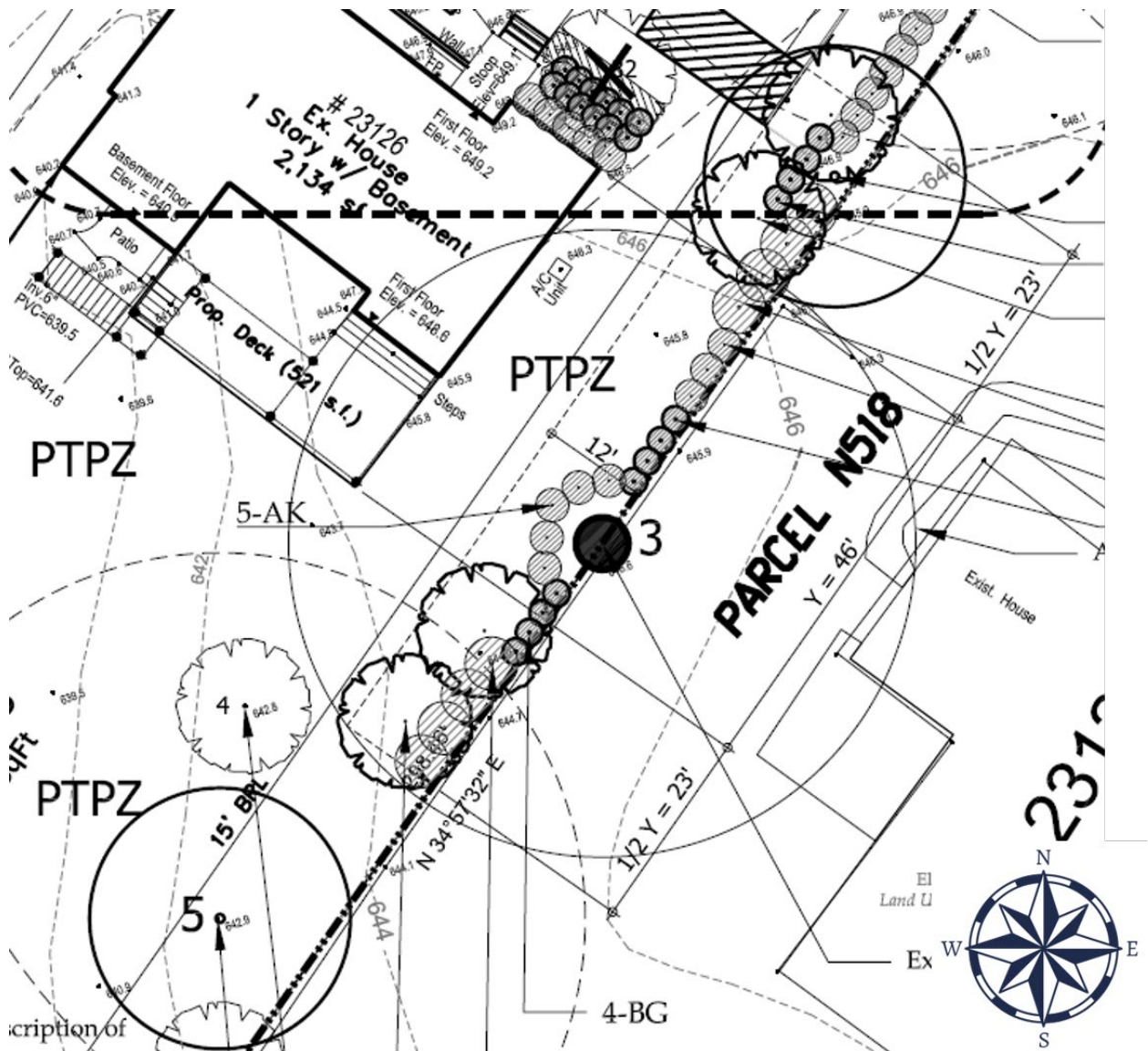


Figure 6: Landscape Screening Eastern Property Line

Along the southern property line the landscaping meets or exceeds the requirements under Section 6.5.3.C.7, Option B (**Figure 5**). There is a distance of 175-feet between the existing structure on the subject property and the residential structures to the south. There is existing screening along the southern property line along with an open grassed area. The existing screening along the south property line is comprised of 5 overstory canopy trees and 8 evergreen trees. The Applicant is also proposing to install 8 large shrubs and 15 medium shrubs along the property line. In addition to the existing and proposed vegetation, the Applicant will be installing one overstory tree, one understory tree, three large shrubs, thirteen medium shrubs, twenty-one small shrubs and groundcover grouped around a SWM micro bio-retention facility within this area adjacent to the southern property line.

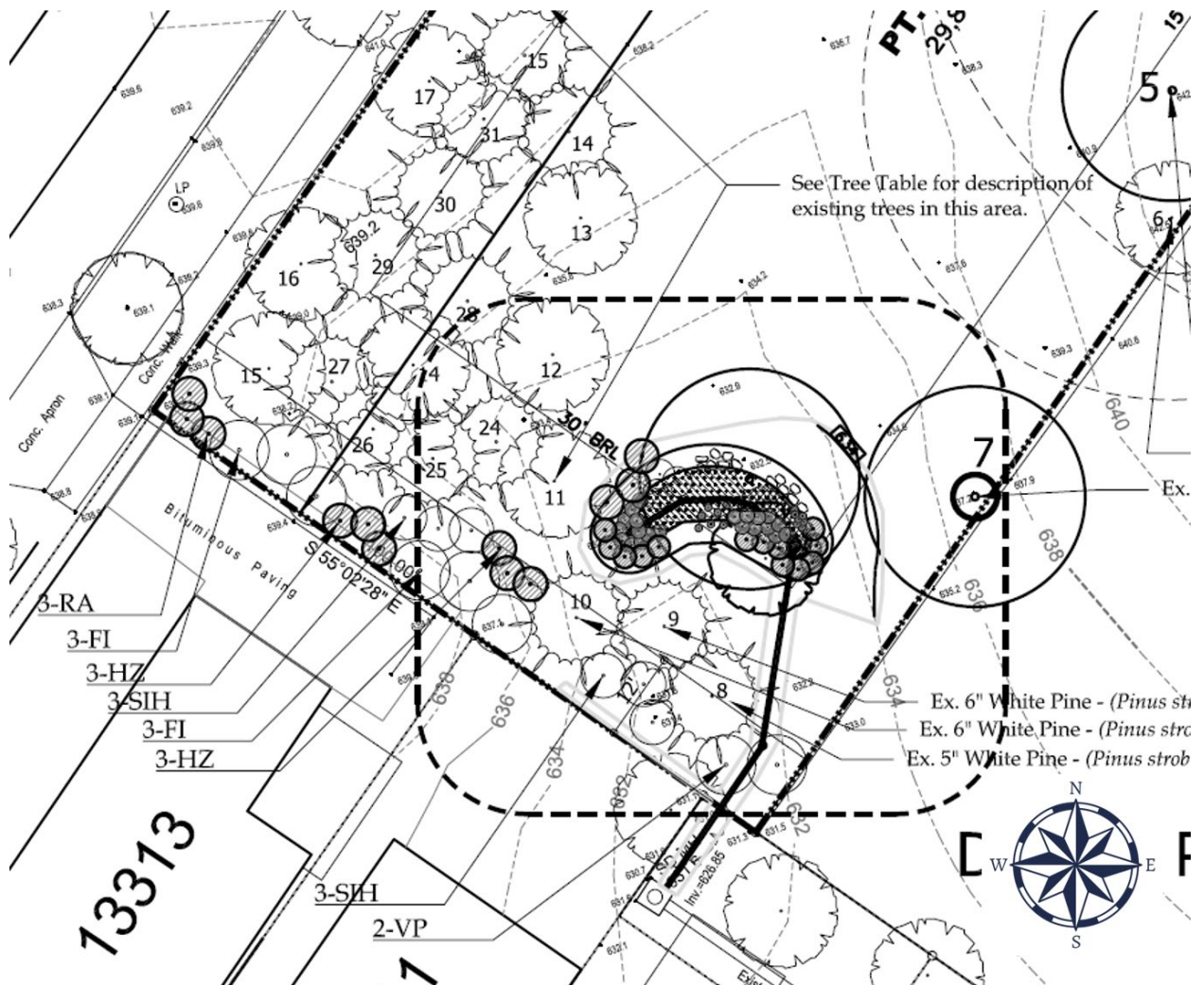


Figure 7: Landscape Screening Southern Property Line

## G. LIGHTING



Pursuant to **Section 59 6.4.4.E**, outdoor lighting for Conditional Uses must be directed, shielded or screened to ensure that the illumination is 0.1 foot-candles or less at any lot line that abuts a lot with a detached house building type, not located in a Commercial/Residential or employment zone.

The Lighting Plan is adequate and safe for vehicular and pedestrian movement and does not unreasonably spill onto adjacent properties. The Applicant proposes to install one wallpack light fixture located at the front entry of the existing building (**Figure 6**). The proposed lighting provides illumination of the site entrance, visibility lighting in the employee parking areas and lighting near the front of the structure. A photometric study submitted with the Application shows measured lighting intensity across the area adjacent to the existing structure in foot-candles, the locations of lighting fixtures and the manufacturer's specifications on the proposed lighting fixtures. The Photometric Plan shows that the lighting will not cause glare on adjoining properties, nor will it exceed the 0.1 foot-candle standard at the side and rear property lines. The lighting, with no direct light or light glare, will not have a negative impact on neighboring properties.

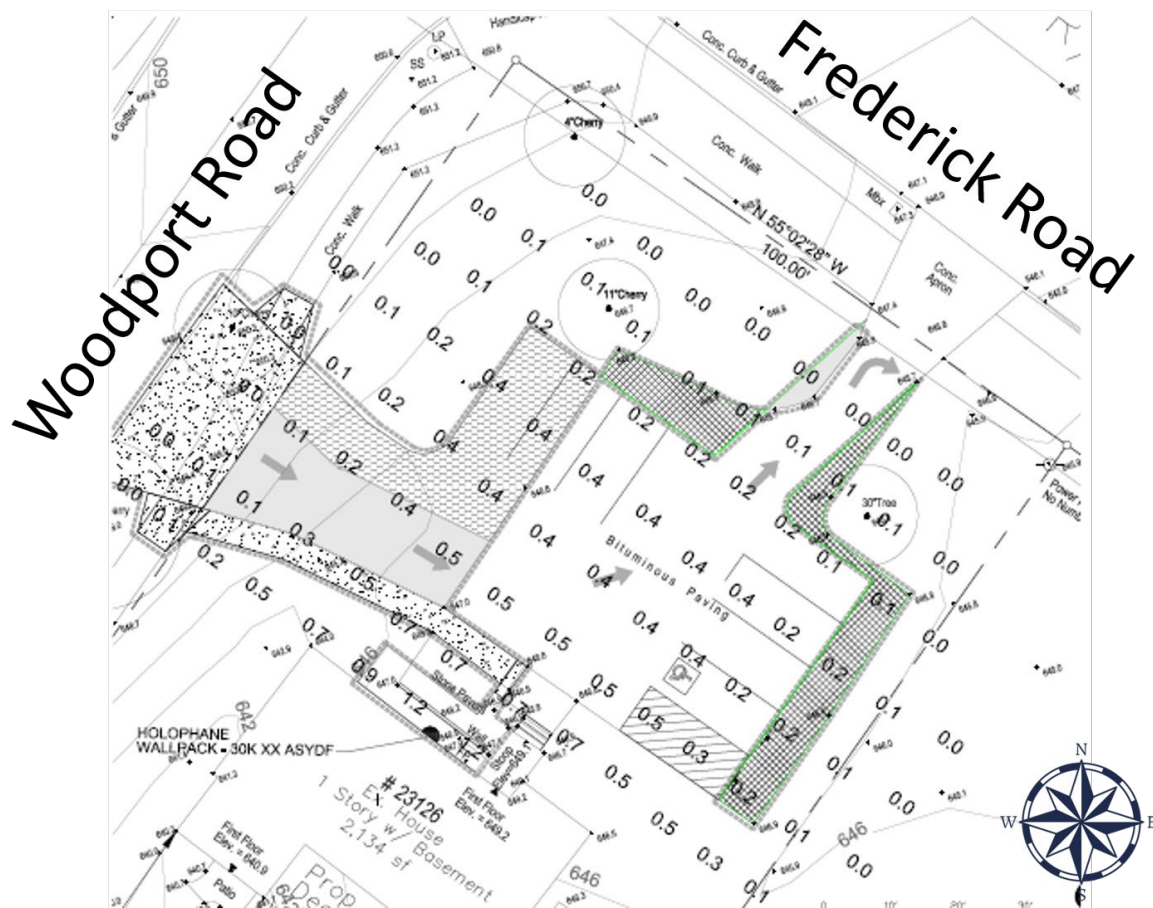


Figure 8: Lighting Plan

## **H. Signage**

The property does not currently include any signage identifying the use. The applicant is not asking for any additional signage herein but will likely upon completion of the Conditional Use process request approval from the County Sign Review Board for a sign larger than permitted without sign variance approval.

Any future signage will be subject to the regulations of Section 59.6.7.8. Residential Zones.

## **I. Environment**

### Consistency with Environmental Guidelines

The site is located within the Clarksburg Special Protection Area (SPA) and the Little Seneca Creek watershed, a Use Class IV-P watershed. The Countywide Stream Protection Strategy (CSPS) rates streams in this watershed as good. There are no streams, floodplains, wetlands, or environmental buffers on or affecting the site.

The site is entirely within the Clarksburg Special Protection Area (SPA), and it is subject to approval of a Preliminary Water Quality Plan (WQP) and a Sediment Control Concept Plan. Under the SPA law, Montgomery County Department of Permitting Services (DPS) and the Planning Board have different responsibilities in the review of the water quality plan. DPS reviews elements of the WQP under its purview (e.g. stormwater management, sediment and erosion control, etc.), while the Planning Board determines whether the site imperviousness, environmental guidelines for special protection areas, and forest conservation requirements have been satisfied.

The Preliminary Water Quality Plan (PWQP) recommendations are reviewed by the Planning Board as a regulatory item separate from the review of the Conditional Use application. Staff is recommending approval of the PWQP, with conditions.

DPS conceptually approved, with conditions, that portion of the applicants' Preliminary Water Quality Plan that is under its purview on January 15, 2021.

### Forest Conservation

A forest conservation exemption request #42021042E was approved on November 10, 2020. The project site is exempt from Article II of the Montgomery County Code, Chapter 22A (Forest Conservation Law), Section 22A-5(s)(2) because the requirements of Article II do not apply to:

(2) an activity occurring on a tract less than 1 acre that will not result in the clearing of more than a total of 20,000 square feet of existing forest, or any existing specimen or champion tree, and reforestation requirements would not exceed 10,000 square feet. Forest in any priority area on-site must be preserved.



The Tree Save Plan submitted in support of the application identifies stress reduction measures designed to minimize construction related impacts to specimen trees on site. These measures will be further refined at the pre-construction meeting, in coordination with the owner's Licensed Tree Expert.

#### **I. Community Concerns**

At the time of the publication of the staff report, six letters of support have been received by staff from members of the public (Attachment C).

### **SECTION IV COMPLIANCE WITH THE NECESSARY FINDINGS IN SECTION 59.7.3.1.E AND SPECIFIC CONDITIONAL USE REQUIREMENTS IN SECTION 59-3**

#### **Section 59.7.1.E. Necessary Findings**

1. Section 59.7.3.1.E.1 states that, to approve a Conditional Use application, the Hearing Examiner must find that the proposed development satisfies the following requirements of Sections 59.7.1.E.a through g.

a. Satisfies any applicable previous approval on the subject site or, if not, that the previous approval must be amended;

There are no applicable prior approvals for the subject site.

b. Satisfies the requirements of the zone under Division 59-3, the use standards (Division 4), and applicable general requirements under Article 59-6.

With Staff's recommended conditions of approval, the proposal satisfies the specific Conditional Use standards and requirements of Section 59. 3.4.4.: Day Care Center (Over 30 Persons). As shown on the Use Standard Table in Section III of this report the Application meets the requirements of the R-200 Zone development standards per Section 59.4.4.7 and the applicable parking, screening, perimeter landscaping, and sign requirements of Article 6.

**Section 59. 3.4.4.F.: Day Care Center (Over 30 Persons):** Specific Conditional Use Requirements:

#### **1. Defined**

**Day Care Center (Over 30 Persons) means a Day Care Facility for over 30 people where staffing, operations, and structures comply with State and local regulations and is not located in a townhouse or duplex building type.**

The Applicant is proposing a day care center for up to 42 children ranging in age from three years old to pre-kindergarten. The Application meets the definition for Day Care Center (Over 30 Persons).

## **2. Use Standards**

**b. Where a Day Care Center (Over 30 Persons) is allowed as a conditional use, it may be permitted by the Hearing Examiner under Section 59.7.3.1, Conditional Use, and the following standards:**

**i. All required parking must be behind the front building line; however, required parking may be located between the structure and the street where the Hearing Examiner finds that such parking is safe, not detrimental to the neighborhood, accessible, and compatible with surrounding properties.**

The location chosen for parking is driven by important factors including that the onsite existing parking is at the front of the property and the noted key environmental champion size tree feature located in the side rear yard of the property. The property currently has significant landscaping around the property and will maintain the residential look and feel by using the existing parking with minor tweaks and additional screening. This design will allow for appropriate and safe circulation and parking that will remain compatible with the surrounding properties and thus not be detrimental to the neighborhood.

**ii. An adequate area for the discharge and pick-up of children is provided.**

The assigned drop off and pick up times, staff assistance at drop off and pick up, projected walking families, families with multiple students, carpooling and the utilization of parking spaces when necessary is more than adequate to handle arrivals and departures of students at the property.

**iii. The Hearing Examiner may limit the number of children outside at any one time.**

The planned outdoor recreational area for the students is designed with reasonable and appropriate fencing for the setting in order to provide privacy and safety. At all such times when children are outside, there will be ample staff

and adult care supervision. Because the play area is setback a significant distance away from other homes for this area, other than the one next door that also houses a day care facility (of up to 8 children), has extensive screening and some elevation change with berm, it is expected that there will be no need to limit the size or timing of outdoor activities at the school.

- i. **In the RE-2, RE-2C, RE-1, R-200, R-90, R-60, and R-40 zones, the Day Care Center (Over 30 Persons) must be located on a site containing a minimum of 500 square feet of land area per person.**

The property contains 678 Square feet of area for each of the proposed 42 children.

**c. Substantially conforms to the recommendations of the applicable Master Plan.**

The Application substantially conforms to the recommendations in *1994 Clarksburg Area Master Plan* as discussed under **SECTION III. A: Master Plan.**

**d. Is harmonious with and will not alter the character of the surrounding neighborhood in a manner inconsistent with the plan.**

With the recommended conditions, the proposed use will be in harmony with the general character of the neighborhood. The Conditional Use Site Plan and the Landscape and Lighting Plan provide for extensive landscaping and, adequate setbacks, meeting code requirements.

**e. Will not, when evaluated in conjunction with existing and approved Conditional Uses in any neighboring Residential Detached zone, increase the number, intensity or scope of Conditional Uses sufficiently to affect the area adversely or alter the predominately residential nature of the area; a Conditional Use application that conforms with the recommendations of a Master Plan does not alter the nature of the area.**

There is one other special exception use located in the surrounding neighborhood. It involves a property nearly 1,000 feet south at 23023 Frederick Road and was approved as a horticultural nursery and commercial greenhouse on December 23, 1976 for Green Gardens, Inc. Therefore, neither alone nor in conjunction with the one other special exception use will the predominantly residential character of the surrounding residential neighborhood be altered and will comply with Master Plan recommendations for the area.

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

**a. Water and Sewer Service**

The subject property, a platted lot, is served by public water and sewer service.

**b. Storm Water Management**

The Preliminary/Final Water Quality Plan proposes to meet required stormwater management by using a combination of micro-bioretenion and dry wells. The Preliminary/Final Water Quality Plan was submitted to the MCDPS Water Resource Section and was approved on January 15, 2021. There will not be a preliminary plan submitted.

**c. Transportation**

**Adequate Public Facilities Review (APF) and Local Area Transportation Review (LATR)**

As noted in Section III C: Transportation the proposed 42-child day care center will create 43 AM peak period person trips and 42 PM peak period person trips as calculated using the 2017 LATR guidelines. This is below the threshold to warrant a full transportation study. While the Montessori school use is not a studied ITE use, generation estimates are based off the day care use which has an equivalent drop-off and pick-up operation

Staff's review of the Applicant's transportation analysis indicates that the proposed access to the site to be adequate to serve the traffic generated by the development. The internal pedestrian circulation and walkways, with the recommended conditions, will provide adequate movement of pedestrian traffic.

- g. Will not cause undue harm to the neighborhood as a result of a non-inherent adverse effect alone or the combination of an inherent and a non-inherent adverse effect in any of the following categories:**
- i. The use, peaceful enjoyment, economic value or development potential of abutting and confronting properties or the general neighborhood;**
  - ii. Traffic, noise, odors, dust, illumination or lack of parking; or**
  - iii. The health, safety or welfare of neighboring residents, visitors or employees.**

The inherent, generic physical and operational characteristics associated with a Day Care Center (Over 30 Persons) are (1) buildings and related outdoor child care equipment (2) parking areas, (3) lighting, (4) noise generated by children (5) drop-off and pick-up areas, (6) outdoor play areas (7) long hours of operation (8) employees of the Day Care Center (Over 30 Persons) facility (9) and vehicular trips to and from the site.

The scale of the proposed Day Care Center (Over 30 Persons) building, the proposed access point, the internal vehicular circulation system and the onsite parking area are operational characteristics typically associated with a Day Care Center (Over 30 Persons) operation.

With the recommended conditions of approval, the proposal is consistent with the residential character of the neighborhood and will not have any non-inherent effects at the site.

- 2. Section 7.3.1.E.2. Any structure to be constructed, reconstructed, or altered under a conditional use in a Residential Detached zone must be compatible with the character of the residential neighborhood.**

The proposal is for the re-use of the existing residential structure (built in 1954) with minor site improvements to it. It currently is designed and will continue to conform to the residential character of the surrounding neighborhood. It will continue to fit harmoniously within the context of the surrounding residential uses and the general neighborhood and will remain so. The existing building complies with development standards of the Zoning Ordinance for the R-200 Zone. The proposed minor alterations include slight modifications to the existing parking area, additional landscaping, and a rear deck and play area.



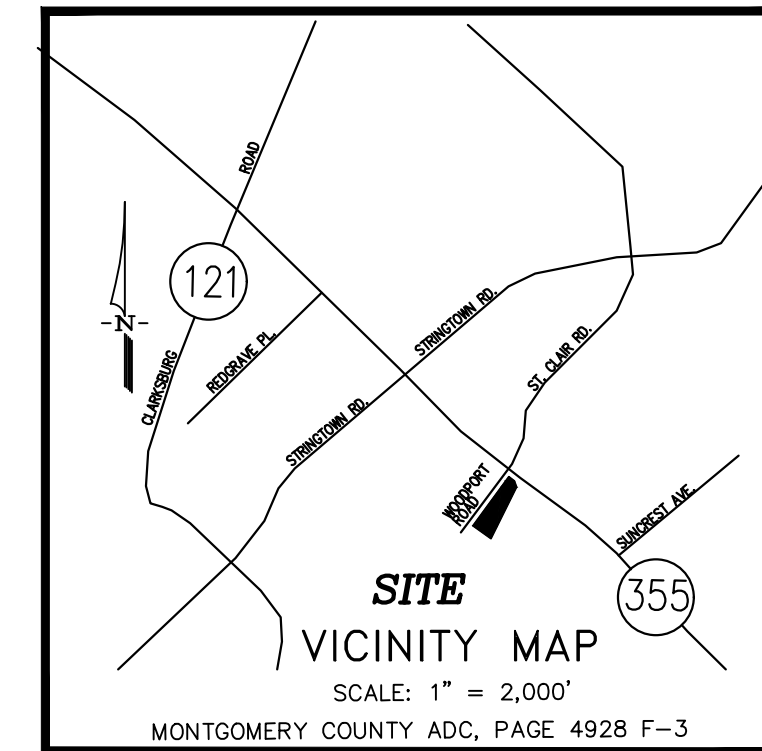
## SECTION V. CONCLUSION

The proposed Conditional Use satisfies all applicable requirements for approval of a Conditional Use as specified in the 2014 Montgomery County Zoning Ordinance. The proposed use is consistent with the recommendations of the *1994 Clarksburg Area Master Plan*. There are no unacceptable traffic, circulation, noise or environmental impacts associated with the Application provided that the recommended conditions are satisfied.

Based on the foregoing analysis, Staff recommends **Approval** of Conditional Use CU-21-05, subject to the conditions found on Page 2 of this report.

## ATTACHMENTS

- A. Plans and Drawings
- B. Transportation Statement
- C. Community Correspondence

[illegible]

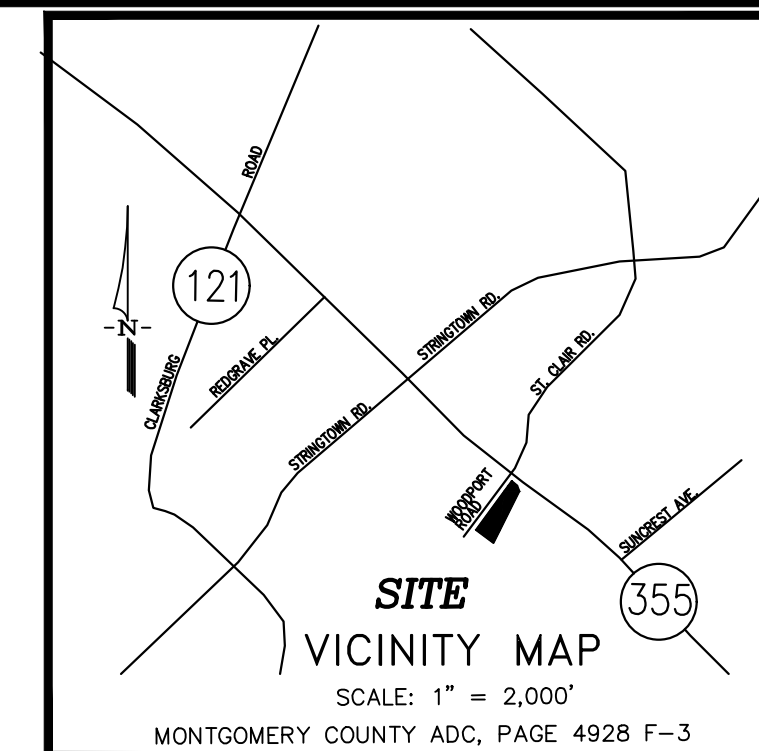
STATE OF MARYLAND  
GEOFFREY LIN CINIERO  
No. 22538  
PROFESSIONAL REGISTERED MECHANICAL ENGINEER  
1/28/2021

**CMS**  
CMS ASSOCIATES LLC  
4925 Ellis Lane  
Ellicott City, Maryland 21043  
Tel. (410) 988-2436  
Contact: Geoffrey L. Ciniero, PE  
[www.cms-engineering.net](http://www.cms-engineering.net)

[illegible]

PLAN NO.:
SCALE: 1" = 2'
DATE: 1/28/20
SHEET C-1
FILE NO: 19-039





GENERAL NOTES

23126 Frederick Road  
Tax Map EW31  
200 Foot Map: 232 NW 13  
Tax Account: 02-00028982  
Total Site area: 29.846 SF OR 0.685 ACRES  
Zoning: R-200  
Lot P5  
L 48037 F. 00065  
Total Building Area: 2,134 S.F. (Gross)  
Existing Use: Unoccupied  
Proposed Use: Children's Day Care  
Existing/Proposed Water & Sewer Designation W-1, S-1 (Tier 1)  
Stormwater Management Concept Number: Exempt  
Limit of Disturbance 3,760 sqft

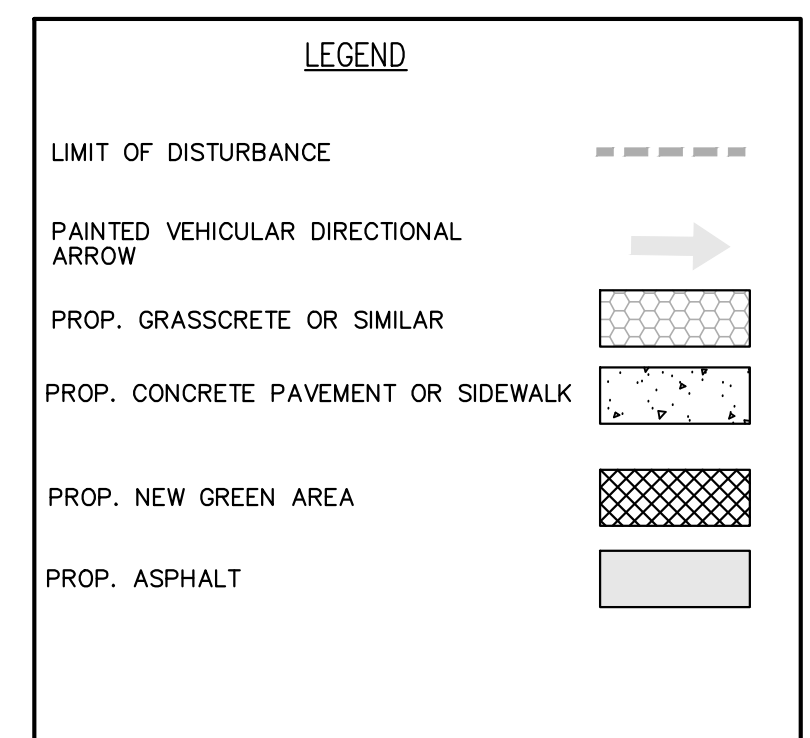
Lot Size:	<u>Minimum</u> 20,000 sf	<u>Proposed</u> 29,846 sf	
Lot Width: (Front BRL)	<u>Minimum</u> 100'	<u>Proposed</u> 100'	
Lot Width: (Front Line)	<u>Minimum</u> 25'	<u>Proposed</u> 100'	
Bldg. Height:	<u>Minimum</u> 45'	<u>Existing</u> 25'	<u>Proposed</u> 25'

Setbacks:	<u>Minimum</u>	<u>Existing</u>	<u>Proposed</u>
Front(street)	40'	82'	82'
Side	15'	24.9'	24.9'
Rear	30'	175.4'	175.4'

Lot Coverage (Impervious):		
<u>Maximum</u>	<u>Existing</u>	<u>Proposed</u>
7,461 sf	4,538 sf	5,599 sf
(25%)	(15.2%)	(18.7%)

Use	Floor Area	Spaces Required
Day Care	2,134 sf	6

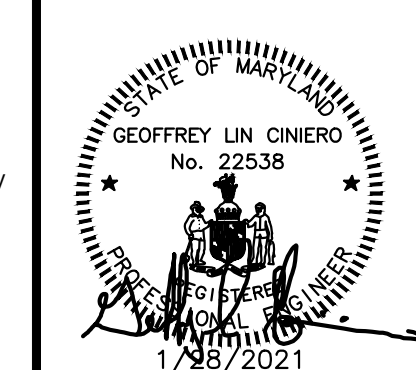
PARKING SPACES PROVIDED = 7  
(6 REGULAR SPACES + 1 ACCESSIBLE SPACE)



### Professional Certification

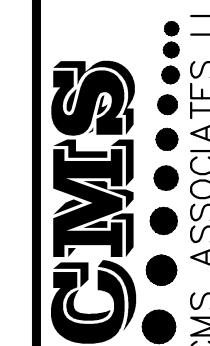
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.

License No.: 22538  
Expiration Date.: 11-24-2



PLAN NO.:	
SCALE:	1" = 20'
DATE:	1/28/2021
SHEET	C-3
FILE NO:	19-039

CIVIL ENGINEER



MS ASSOCIATES LLC

925 Ellis Lane  
Baltimore City, Maryland 21043

el. (410) 988-2436  
Contact: Geoffrey L. Ciniero, PE

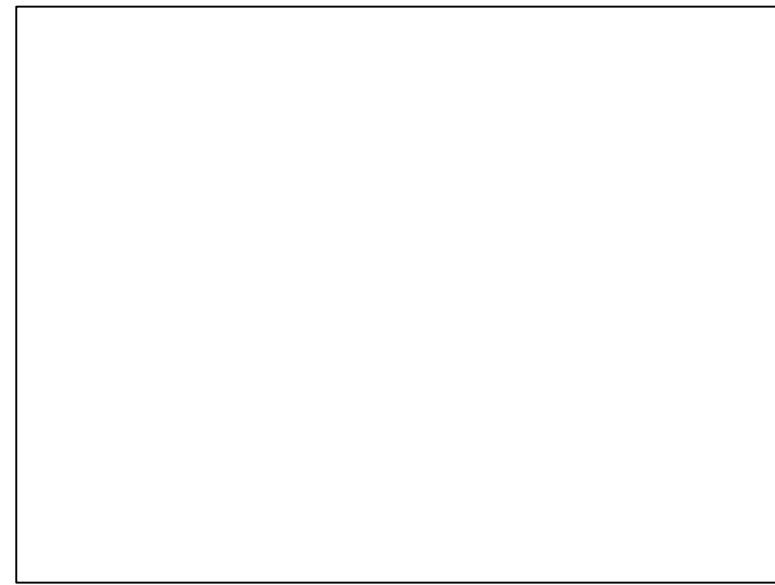
23126 FREDERICK ROAD  
CONDITIONAL USE SITE PLAN

# FUNCTIONAL USE SITE

PARCEL N509 LOT P5  
PLAT No. 289

2ND ELECTION DISTRICT

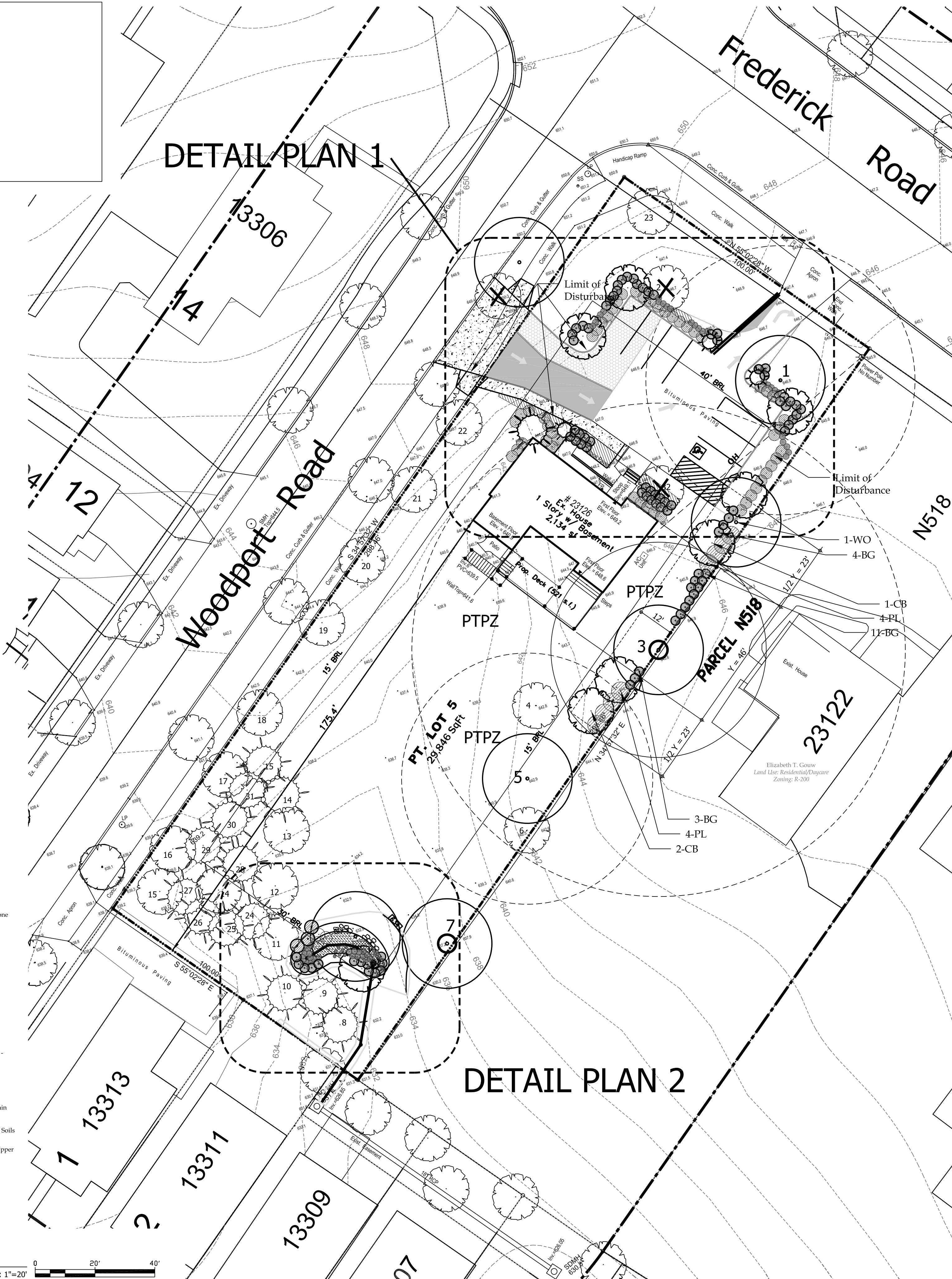
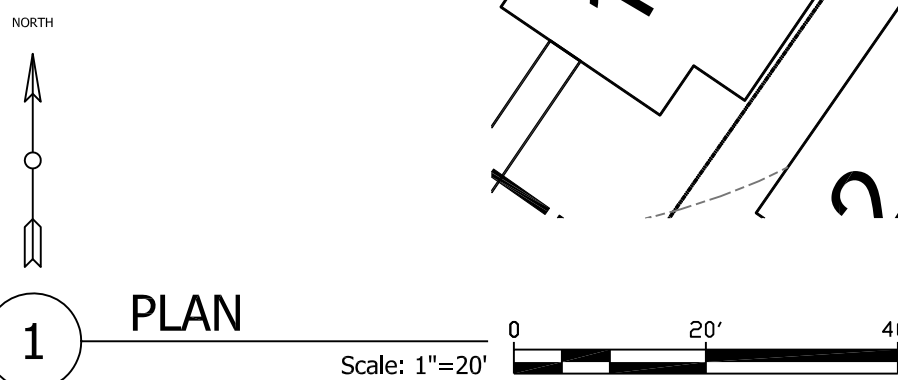




## DETAIL PLAN 1

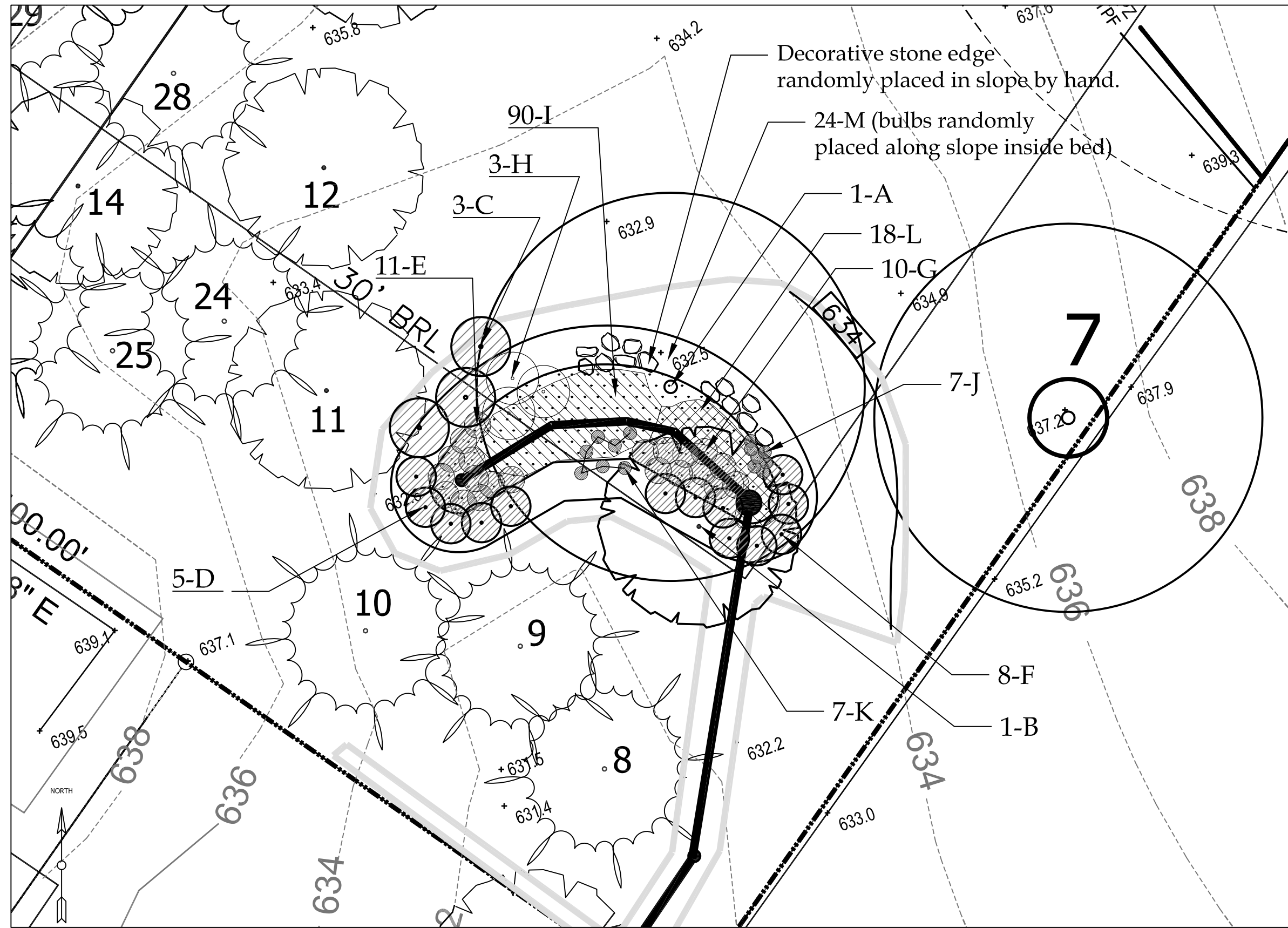
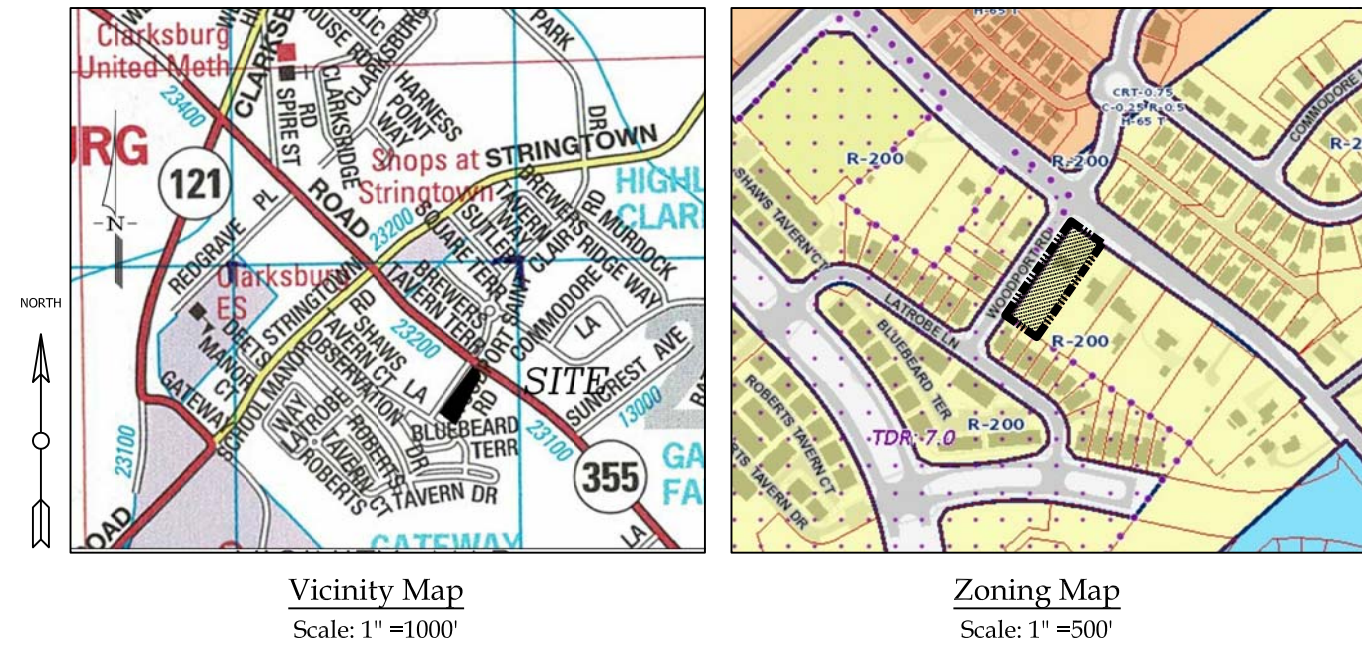
### Legend

- Sign
- Light
- Telephone Box
- Air Conditioner Unit
- Sewer Manhole
- Fire Hydrant
- Water Meter
- Water Valve
- Electric Pole
- Overhead Electric Wires
- Sewer Line
- Water Line
- Storm Drain Line
- Gas Line
- Existing Contour
- Proposed Contour
- Wetland Boundary
- Wetland Buffer Boundary
- 100-Year Floodplain
- 100-Year Floodplain BRL
- Stream Centerline
- Stream Buffer
- Environmental Buffer
- Soil Map Unit Boundary
- Property Line
- Site Boundary
- NRI Study Area Boundary
- Limits of Disturbance
- Primary Tree Protection Zone
- Silt Fence
- Tree Protection Fence
- Existing Tree Line
- Existing Forest Stand
- Specimen Tree - Deciduous/CRZ
- Specimen Tree - Evergreen/CRZ
- Significant Tree - Deciduous/CRZ
- Significant Tree - Evergreen/CRZ
- Significant/Specimen Tree - To Be Removed
- Existing Tree / <24" DBH
- Slopes, 25% or greater
- Slopes, 15% or greater within 100' of Wetlands
- Slopes, 15 to 25%, Erodeable Soils
- Slopes, 15% or greater in Upper Paint Branch SPA



### Miss Utility 811:

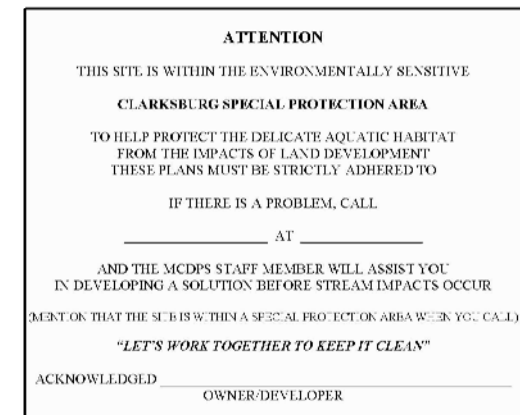
NOTE: The Contractor is responsible for verifying all underground utility locations prior to construction. 800-257-7777 and at www.missutility.net



1 DETAILED PLAN 2  
Scale: 1"=8'

### General Notes:

- Owner: Dinesh and Jayanthi Babu, 4 Stonebridge Court, Gaithersburg, Maryland 20874. Tax Account: 02-00028962.
- Tract Size: Lot P5: 29,846 SF or 0.69 +/- acres. Previous Dedication: 5,977 SF or 0.13 +/- acres (Plat 4927). Tract Size: 35,823 SF or 0.82 +/- acres.
- Legal Description: Lot P5 of Hammer Hill; Plat 289, Liber/Folio: 57934/00165. Master Plan: 1994 Clarksburg Master Plan and Hyattstown Special Study Area. Zoning: R-200.
- Topography: Taken from Montgomery County GIS 5-foot interval and field survey provided by CMS Associates LLC, dated April 8, 2020.
- Boundary: Provided by CMS Associates LLC, dated April 8, 2020.
- Watershed: The project site is located within Little Seneca Creek Watershed, use classification IV-P, MD 12 Digit: 021402080859, Hanson Code: 13.
- Special Protection Area: The project site is located within the Clarksburg SPA.
- Soils: Brinklow-Blocktown channery silt loam, 8-15% slope (16C), Hydrologic Soil Group: Brinklow, C, Blocktown, D.
- 100-Year Floodplain: The site is within Zone X per FEMA Panel Map 24031C0160D dated September 29, 2006. The drainage area to and from the project site is less than 35 acres.
- Wetlands: There are no wetlands and/or wetland buffers on the site.
- RTE: There are no Rare, Threatened or Endangered species on the site.
- Historic: There are no historic properties or districts on the site.
- Streams & Stream Valley Buffer: There are no streams and/or stream valley buffers.
- Forest: There is no forest within the NRI study area. Per mcatlas.org there are no existing forest conservation easements within the NRI study area.
- Significant and Specimen Trees: Existing trees greater than 24-inch DBH are noted. Tree #3 is a Norway Maple and is at least 75% of the current State Champion.
- This plan set is for landscaping purposes only, see civil drawings for all other site information.
- Remove existing purpleleaf plums.
- Care should be taken when removing existing pavement to avoid potential damage to existing roots. When preparing the planting bed, care should be taken to minimize damage to roots.
- Replace damaged and/or removed street trees with like species and variety. Minimum planting size is 3" caliper.
- See sheets 2 and 3 of this set for additional information.



I hereby certify that I am a licensed Landscape Architect in the State of Maryland in good standing and that these plans were prepared by me and/or under my direct supervision. State license #602, expiration September 4, 2021.

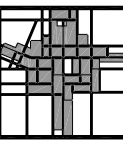
David S. Ager, LA #602  
Townscape Design LLC

Jan. 23, 2021  
Date

Owner / Applicant:  
Jayanthi Babu (dba Lovedale Montessori)  
4 Stonebridge Court  
Gaithersburg, MD 20874  
Contact Person: Geoff L. Ciniero, PE  
(410) 988-2456

LANDSCAPE PLAN  
Lovedale Montessori  
23126 Frederick Road  
Clarksburg, Maryland  
TM EW341 / WSSC 232NIW13

1 SHEET  
OF 3



DRAWN BY: da  
DESIGNED BY: da  
CHECKED BY: da  
DATE: Dec. 3, 2020  
SCALE: As Shown  
REVISIONS  
1-Rev per Intake 12-03-20  
2-Rev per Staff 12-18-20  
3-Rev per Staff 1-23-21

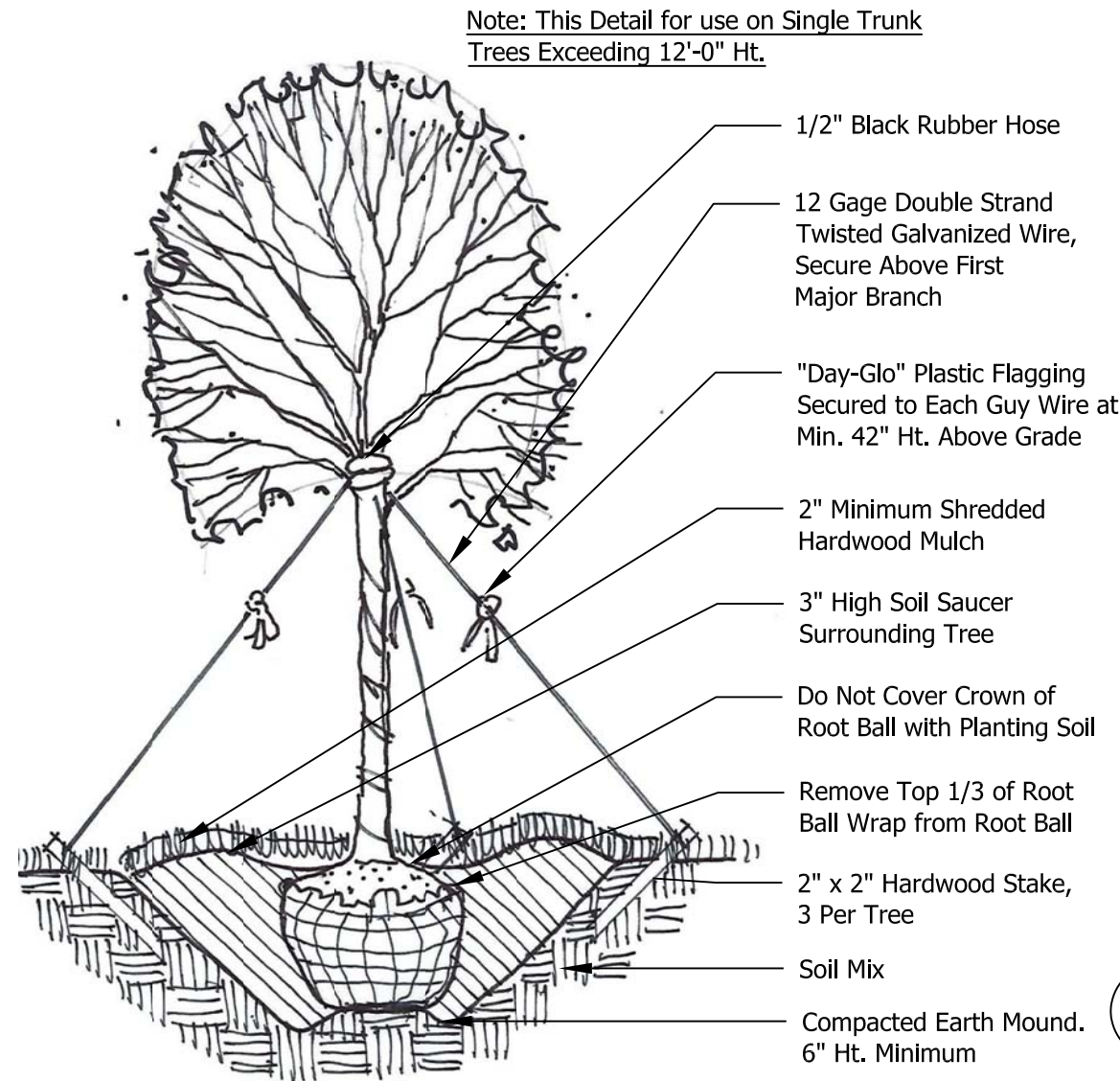
TOWNSCAPE DESIGN LLC  
TOWN PLANNERS AND LANDSCAPE ARCHITECTS

6030 Daybreak Circle, Suite A150-109  
Clarksville, MD 21029  
T. 410. 531. 2621  
F. 410. 531. 9863  
www.townscapedesign.com



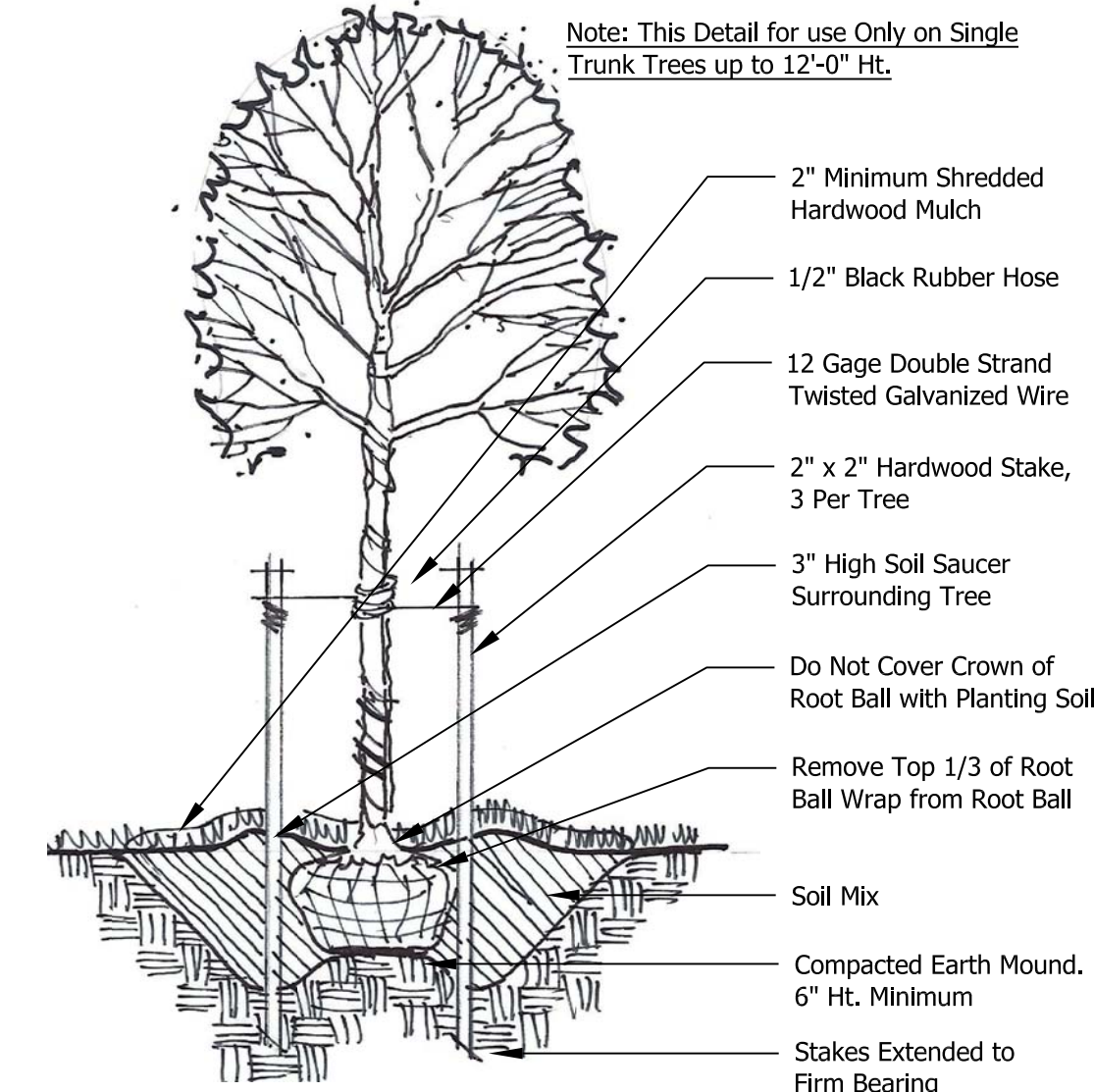






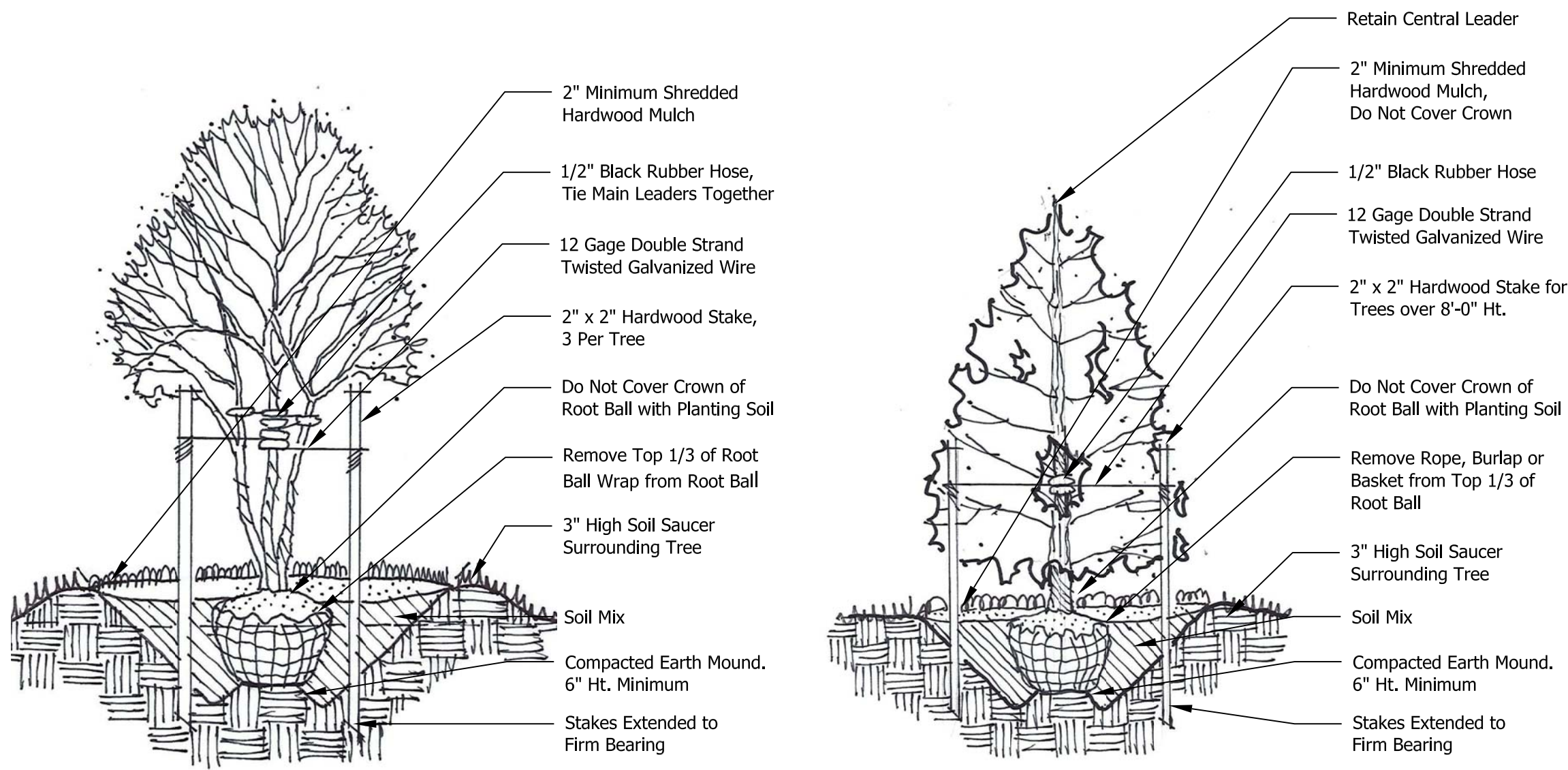
## 1 TREE PLANTING - 12'+ HT.

Scale: NTS



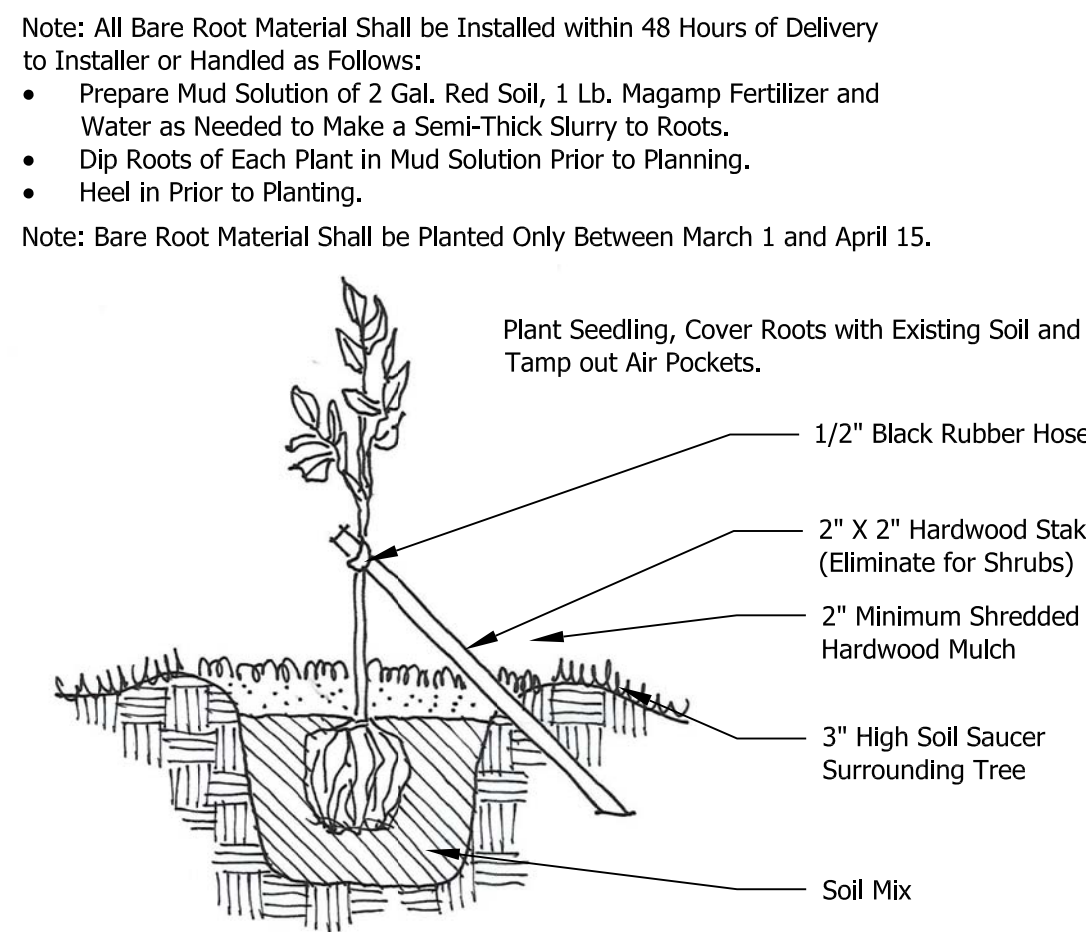
## 2 TREE PLANTING - <12' HT.

Scale: NTS



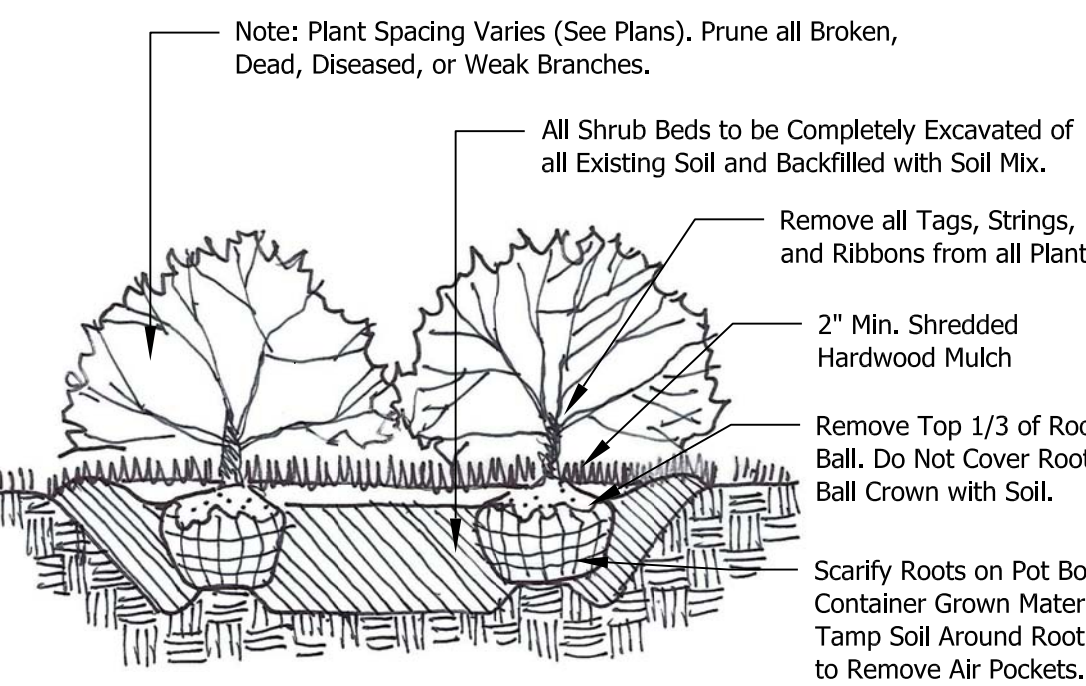
## 3 TREE PLANTING - MULTI-STEM

Scale: NTS



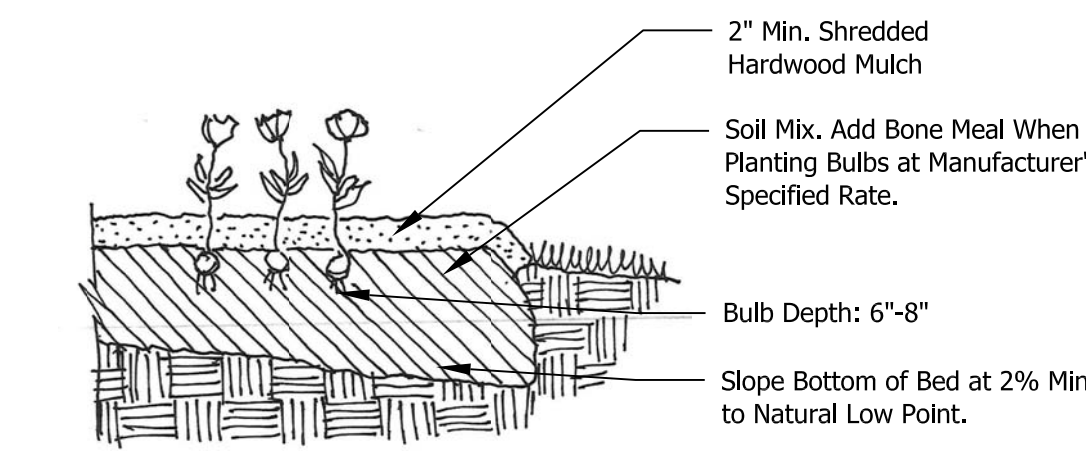
## 4 PLANTING - BARE ROOT

Scale: NTS



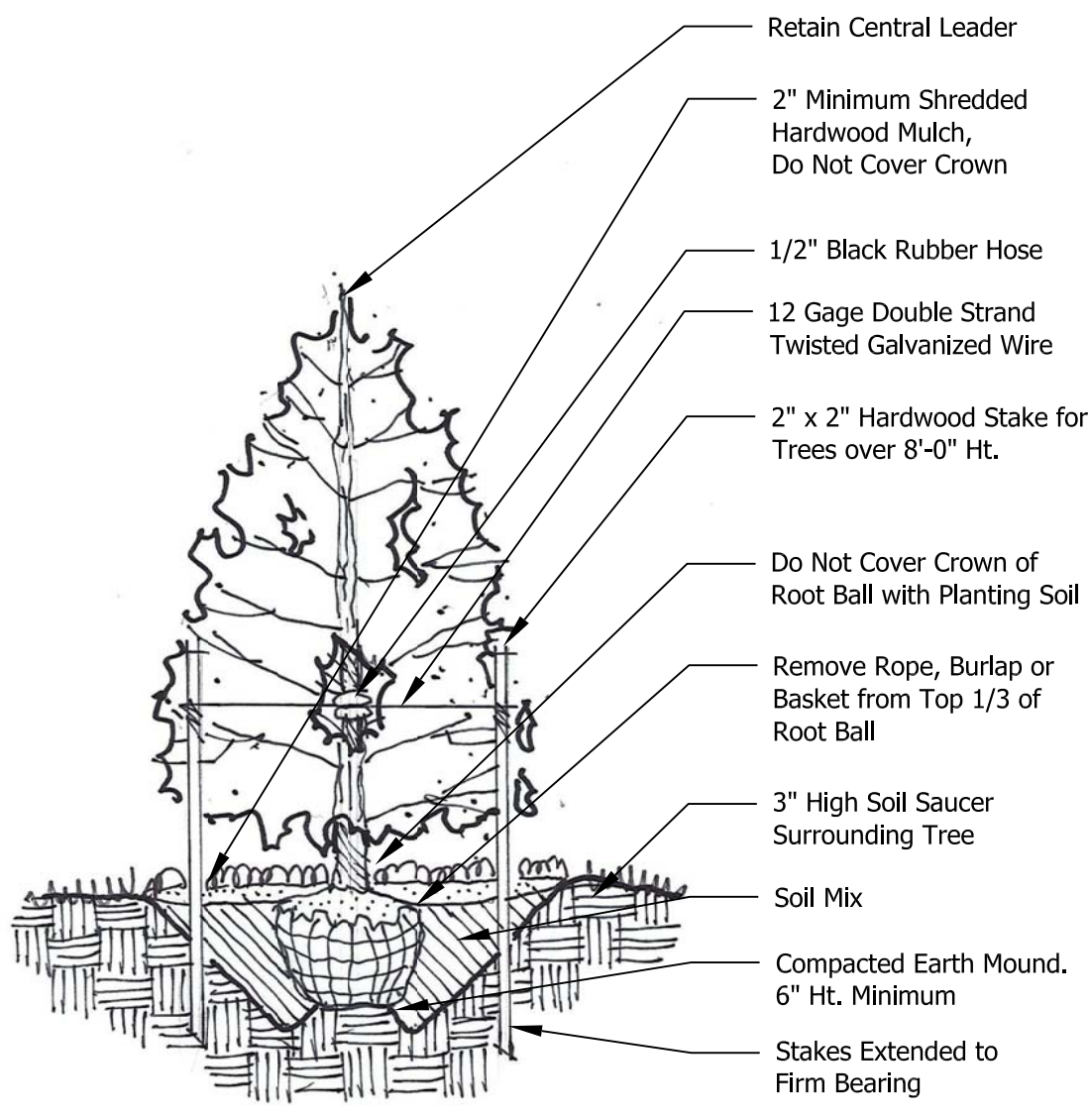
## 5 SHRUB PLANTING

Scale: NTS



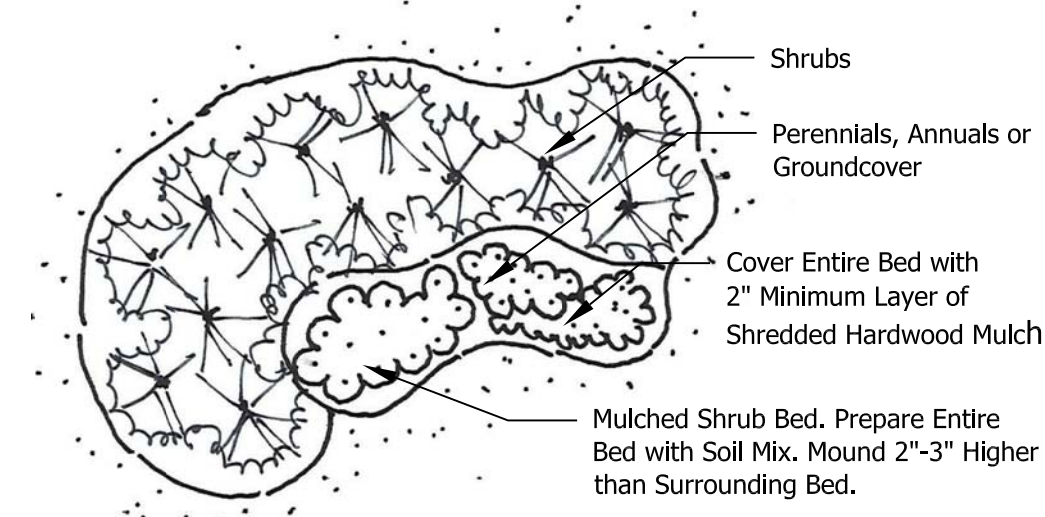
## 6 PLANTING - ANNUALS AND PERENNIALS

Scale: NTS



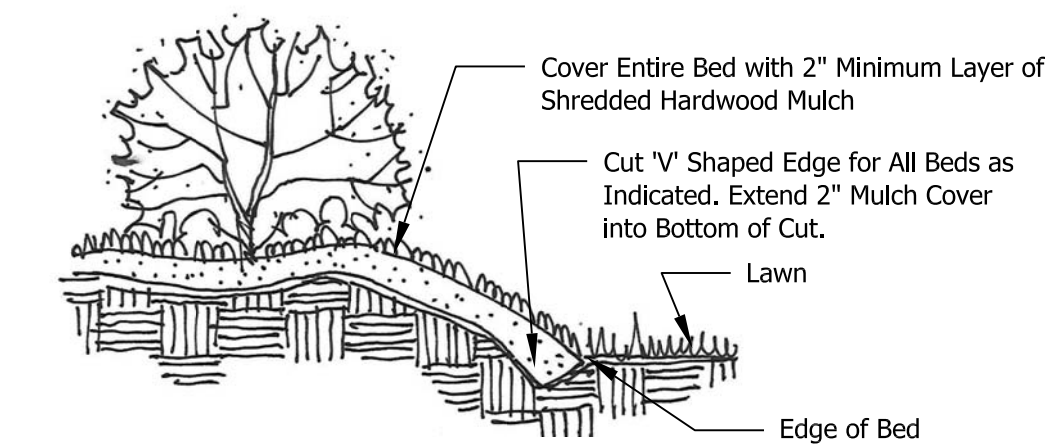
## 7 TREE PLANTING - EVERGREEN

Scale: NTS



## 8 PERENNIAL BED PREPARATION

Scale: NTS



## 9 MULCHED BED EDGE

Scale: NTS

"D"	"A"	Plants/SF
6" O.C.	5.2"	4.60
8" O.C.	6.9"	2.60
10" O.C.	8.7"	1.70
12" O.C.	10.4"	1.15
15" O.C.	13.0"	0.75
18" O.C.	15.6"	0.50
24" O.C.	20.0"	0.30

## 10 PLANT SPACING CHART

Scale: NTS

### MISS UTILITY NOTE:

THE CONTRACTOR MUST CONTACT MISS UTILITY AT 800-257-7777 FOR EXISTING UTILITY LOCATION MARK OUT A MINIMUM OF 72 HOURS PRIOR TO COMMENCEMENT OF ANY EXCAVATION. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PROTECT THE EXISTING UTILITIES, AND TO MAINTAIN UNINTERRUPTED SERVICE. ANY REPAIR OF DAMAGE TO EXISTING UTILITIES SHALL BE AT THE CONTRACTOR'S EXPENSE.



I hereby certify that I am a licensed Landscape Architect in the State of Maryland in good standing and that these plans were prepared by me and/or under my direct supervision. State license #602, expiration date is September 4, 2021.

David S. Ager, RLA #602  
Townscape Design LLC

12-18-2020  
Date

### LANDSCAPE NOTES AND SPECIFICATIONS

#### GENERAL CONDITIONS

##### 1. SCOPE

- The Landscape Contractor shall provide all materials, labor and equipment to complete all landscape work as shown on the plans, plant list and specifications.
- Total number of plants shall be as drawn on the landscape plan. If the total differs from the plan schedule, the landscape contractor is to notify the landscape architect before the bid date.

##### 2. STANDARDS

- All plant material will conform to the current issue of the American Standard for Nursery Stock published by the American Nursery and Landscape Association (ANLA).
- All plant material will conform in general to the representative species.
- The plant material must be selected from nurseries that have been inspected by state or federal agencies. Any certificates required must be provided to the owner or owner's representative upon delivery of materials.

##### 3. SUBSTITUTIONS

- If a plant is found not to be suitable or available, the landscape contractor is to notify the landscape architect before bidding.
- The owner or landscape architect is then required to select a reasonable alternative or to inform all landscape contractors of the availability of the original plant.
- If a substitute is selected, it must be of the same size, value, and quality as the original plant.
- Substitutions are only permitted with written approval of M-NCHPC.
- UTILITIES
- The landscape contractor shall notify utility companies prior to construction and call "Miss Utility" at 1-800-257-7777 in order to locate utility lines.
- If there is a conflict with the utilities and the planting, the landscape contractor shall notify the landscape architect or owner immediately. Any cost of relocating caused by the contractor's failure to notify shall be borne by the contractor.

##### 5. DRAINAGE

- Plants shall not be planted in situations that show obvious poor drainage. Such situations shall be brought to the attention of the landscape architect or owner, and if they deem necessary, the plants shall be relocated or the contract shall be adjusted to allow for drainage correction at a negotiated cost.

##### 6. WORKMANSHIP

- During planting, all areas shall be kept clean and neat, and all reasonable precautions shall be taken to avoid damage to existing plants, turf and structures.
- Upon completion, all debris and waste material resulting from planting operations shall be removed from the project and the area cleaned up.
- Any damaged areas shall be restored to their original condition at the cost of the contractor.
- SOIL TESTING
- Contractor to perform soil testing as per accepted methods by the local agricultural extension service.
- Soil samples are to be tested by a reputable lab.
- Contractor is responsible for notifying the owner of any problems or deficits determined by the soil test results.
- Corrections, if necessary, will be discussed and cost negotiated with owner.
- Plant failure based on soil deficits or problems due to failure of contractor to obtain soil samples and testing, will be replaced at the cost of the contractor after corrections have been made.

#### PLANT MATERIAL

##### 1. STANDARDS

- Bare Root.
  - Bare root shrubs shall be dug with adequate fibrous roots.
  - Roots shall be protected during handling and transit and planted to guard against drying out and damage. If not planted soon after arrival, material must be heeled in and maintained.
- Balled and Burlapped (B&B)
  - B&B plants shall be dug with firm natural balls of earth.
  - Ball sizes shall be in accordance with ANLA specifications.
- Container grown stock shall have been grown in a container long enough for the root system to have developed sufficiently to hold soil together when container is removed.
- All plant material shall be nursery grown unless otherwise specified. Pruning shall be done before planting or during the planting operation.
- All plant material to be transported in a covered container. Locally available material may be covered with a burlap or similar cover to keep from drying out, provided the transport vehicle maintains a speed of 35 mph or less.
- Anti-desiccants shall be applied to all materials dug while in foliage.
- Container stock may replace B&B as long as all other criteria are met.
- Same plant material located near one another shall be similar in appearance. Hedge material will be similar enough in size and shape, etc. to create a uniform hedge.

##### 2. MATERIALS

- Anti-Transpirants.
  - Anti-transpirants shall be an emulsifiable concentrate used to retard excess water loss without harming normal transpiration.
- Back Fill Mixtures.
  - Back fill mixture shall be 1/3 existin soil mixed with 1/3 organic matter (or peat) and 1/3 topsoil.
  - If any other additives are found to be needed at the time of planting, it shall be added only with the approval of the landscape contractor, landscape architect, and owner or owner's representative.
  - Fertilizer is to be added depending on the size of the plant and the manufacturer's recommendation.
  - Use fertilizer as required by the type of plant and the particular species.
- Topsoil.
  - Topsoil shall be sandy loam and uniform in color and composition.
  - Topsoil shall be free of stones, roots, lumps, plants, and other debris over 1/2" in size.
  - Topsoil shall not contain toxic substances harmful to plant growth.
  - Topsoil shall have a pH range of 5.0 to 7.0 and organic matter shall be a minimum content of 1.0%.
- Organic Matter.
  - Organic matter used in back fill shall be peat or other suitable material.
- Peat Moss.
  - Type I sphagnum peat moss, finely divided with a pH of 4.0 to 5.0.
- Leaf Mold.
  - Composted leaf mold to be used only with the approval of the landscape architect.
- Dolomite Lime.
  - This is agricultural grade limestone containing total carbonates of 85% with a minimum of 30% magnesium carbonates.
- Fertilizer.
  - Fertilizer shall be granular, packet or pellet, with 35% to 85%

- of the total nitrogen in a slowly available form. Fertilizer to be applied per manufacturer's recommended methods.
- Fertilizer shall be a complete fertilizer with a minimum analysis as required by soil tests for particular plant material.
- Trace Elements.
  - These slow release materials containing zinc (Zn), molybdenum (Mo), iron (Fe), copper (Cu), boron (B), and magnesium (Mn) to be applied per manufacturer's directions and as deemed necessary by soil tests.
- BACKFILLING A TREE PIT
  - Cut rope or wire on ball of tree and pull burlap back o the edge of the root ball. Remove all plastic wraps and twine. Roll burlap 1/3 of the way down the root ball.
  - Backfill tree pit with soil mixture stated in the specifications.
  - Mix soil amendments in the mixture either prior to filling pit of as pit is being filled.
  - Ensure plants remain straight during backfilling procedure.
  - Backfill sides of tree pit halfway with soil mixture and tamp as pit is being filled.
  - Finish backfilling sides of tree pit and tamp firmly.
  - Do NOT cover top of tree ball with soil. Top of root ball should be 1/4 the root ball height above the top of the tree pit.
  - Form a 4-inch saucer above existing grade and around the outer rim of the tree pit.
  - Mulch top of root ball and saucer within 48 hours to a minimum depth of 2-inches, and not to exceed 3-inches.
  - Water the interior of the tree saucer thoroughly until it is filled, even if it is raining.
  - Provide enough water to ensure saturation of the root ball.
  - Prune out any dead, conflicting, or broken branches.
  - In extremely hot weather, reduce foliage surface by pruning or stripping of foliage.
  - Remove all tags, strings, labels, etc. from the tree.

##### 4. TREES BRACED BY STAKING

- Choose the correct size and number of stakes and size of hose and wire according to the Tree Support Detail and plant requirements. Staking shall be completed within 48 hours of the planting of the tree.
  - Spacing stakes evenly and vertically on the outside of the tree ball and drive rope into the ground. Stakes can be slightly angled away from the tree. Do not drive a stake through the tree ball, as it will damage the root system. Stakes are to be 2/3 above ground and 1/3 below.
  - Cut pieces of reinforced hose long enough to loop around the trunk of the tree.
  - Place the hose around the trunk at the height required to provide optimum support. Then run the 12-gauge wire through the hose and pull both ends horizontally beyond the stake by 2-feet.
  - Cut the wire to a sufficient length and then twist the wire at the rubber hose to keep it in place. Run both ends of wire together around stake twice and then twist wire back onto itself to secure it. Cut off excess wire at stake.
  - These procedures described above are to be followed for each stake.
  - Stakes.
    - Stakes shall be 2" x 2" hardwood, reasonably free of knots, and long enough so that 1/3 may be driven into the soil and properly secure the tree.
  - Wire.
    - Wire shall be 12 or 14-gauge galvanized steel or acceptable equal, depending on the size of the tree.
  - Cable.
    - Cable shall be 1/4-inch or 3/16-inch galvanized steel, depending on the size of tree.
  - Clamps.
    - Clamps shall be galvanized or zinc and large enough to hold wires used.
  - Hose.
    - Hose shall be corded rubber, uniform in color, and 3/4-inch or 1-inch in diameter, depending on the size of the tree.
  - Mulch.
    - Material shall be double shredded composted hardwood bark, such as "Silvabark" or approved equivalent.
    - Material shall be mulching grade, uniform in size, and free of foreign or harmful matter.
- INSPECTION
    - Plants may be subject to inspection and approval by the owner or owner's representative at the place of growth for conformity to specification requirements as to quality, size, and variety. This will be the owner's expense.
    - Plants damaged in handling or transportation may be rejected by the owner or the owner's representative.

#### PLANTING PROCEDURES FOR TREES

##### 1. PREPARING TREE PIT

- The tree pit diameter must be a minimum of two times the size of the root ball at the top.
- The walls of the tree pit shall be dug so that they are scarified.
- Any loose soil at the bottom of the pit shall be tamped by hand or with the backhoe bucket.
- Dig the tree pit 6 inches deeper than required for the root ball. Fill the bottom of the pit with 6 inches of compacted soil mix adjusting depth to insure top of root ball is 1/4 above the surface of the soil.
- PLACING TREE IN PIT
  - Place tree in pit by lifting and carrying the tree by its ball and lower in pit. Never lift tree by branches or trunk. Contractor is responsible for providing any tools or machinery necessary to lift and move plant material and to insure it is not dropped.
  - Set the tree straight and in the center of the pit with the most desirable side of the tree facing toward the prominent view (sidewalk, building, street, etc.).
  - Any dropped material may be rejected by the owner or owner's representative. Any dropped material should be flagged with red flagging tape on its trunk and noted on a plan. Should a tagged plant die, it will be replaced by the contractor at no cost to the owner.

#### PLANTING PROCEDURES FOR SHRUBS

##### 1. PREPARING SHRUB PIT

- For a single shrub, the pit shall be dug large enough for the proper setting of the root ball (4 inches wider than root ball at base; 2 to 3 times the width of the root ball at the top).
- For a shrub mass planting, the entire bed area shall be roto-tilled 3 to 4 inches deep. Each shrub pit shall be excavated for the proper setting of the root ball.
- For a hedge, a trench shall be dug large enough for the proper setting of all the plants' root balls. The trench shall be 2 times wider than the root balls at the top.
- Form a compacted base in the bottom of the hole to adjust plants to proper height and location. Compact sufficiently to prevent settling.
- PLANTING SINGLE SHRUBS AND BACKFILLING PIT
  - Remove all plastic wraps, twine, containers, etc.
  - Place the plant in the pit by lifting and carrying in by the root ball.
  - Set the plant straight and in the center of the pit with the most desirable side facing th most prominent view.
  - Use a soil mixture as specified.
  - Make sure the plan remains straight during backfilling procedure.
  - Backfill side of the pit halfway with soil mixture and tamp as the pit is being filled.
  - Pull burlap back 1/3 of the way down the root ball. Make sure burlap does not become exposed above the soil surface.
  - Finish backfilling the sides of the shrub pit and tamp firmly.
  - Form a saucer above the existing grade and around the planting pit.
  - Mulch top of root ball and saucer to a minimum 2-inch depth but

- not to exceed 3 inches in depth.
- Water the interior of the shrub saucer thoroughly to insure root ball is saturated, even if it is raining.
- Prune out any dead, conflicting, or broken branches.
- Remove all tags, labels, strings, etc. from the plants.
- PLANTING SHRUB MASS
  - Follow the same procedure as for a single shrub mentioned above.
  - Edge and rake the entire planting bed to obtain a uniform surface.
  - Mulch the entire planting bed to a minimum 2-inch depth, not exceeding 3-inch depth.
  - Water entire planting bed thoroughly, even if it is raining, in order to saturate top 2 inches of soil.

#### PLANTING PROCEDURES FOR GROUNDCOVER

##### 1. PREPARING GROUNDCOVER BED

- The groundcover bed shall be loosened prior to planting by one of the following methods: roto-tilling, back-hoeing and roto-tilling, or by picking (generally done on small areas or on slopes). Soil shall be loosened to a depth of 4 to 6 inches.
- Soil additives for the groundcover bed shall be pea and topsoil, placed to a 2-inch depth. After the soil has been loosened, additives are to be worked into the bed by one of the following methods: roto-tilling, back-hoeing and roto-tilling, or by picking when additives are spread by hand into individual plant pockets and worked into soil by pick.
- Apply fertilizer to planting hole or use water soluble fertilizer at base of plants after planting.
- Mulch the entire ground cover bed to a minimum 1-inch depth, not to exceed 2-inch depth.
- PLANTING GROUNDCOVER
  - The groundcover planting holes shall be dug through the mulch with one of the following methods: hand trowel, shovel, bulb planter or hoe.
  - Before planting, biodegradable pots shall be crushed and the top edges broken down below the surface. Non-biodegradable pots shall be removed. Unwrap any bound roots, do not break ball.
  - The groundcover (potted or bare root) shall be planted:
    - So that the roots of the plant are surrounded by soil below the mulch; potted plants being set so that the top of the soil in the pot is even with the existing grade, and bare root plants being covered up to the crown of the plant or soil level.
    - At an equal distance apart based on specified 'on-center' spacing and the spacing guide.
  - The entire groundcover bed shall be edged and thoroughly watered.

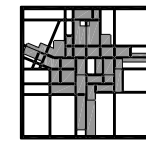
#### SEEDING

##### 1. TEMPORARY SEEDING

- Vegetation. Annual Rye grass or Japanese Millet shall be used to provide cover on disturbed area for up to 12 months. For longer duration of vegetative cover, permanent seeding is required.
- Seed Mixtures for Temporary Seeding.
  - Annual Rye - Winter: 200-300 lbs./acre; with one half of that amount used for overseeding.
  - Japanese Millet - Summer: 25 lbs. acre. This is preferred to minimum competition with native grasses and wildflowers.
- If seed mixtures used are other than those preferred, they must be from Table 26 of "Standards and Specifications for Soil Erosion and Sediment Control" by the Maryland Department of Environmental Protection.
- Temporary plant material must be removed prior to seeding with other material.
- For sites having soil tests performed, the seeding and amendment rates shown in Table 26 shall be deleted and the rates recommended by the testing agency shall be written in. Soil test are not required for temporary seeding.
- PERMANENT SEEDING
  - Seeding grass and legumes to establish ground cover for a minimum period of one year on all disturbed areas generally receiving low maintenance. Seed mixtures:
  - Seed mixtures not from Table 26 of "Standard Specifications for Soil Erosion and Sediment Control" by the Maryland Department of Environmental Protection, must be similar or approved by the landscape architect. Additional planting specifications for exceptional sites such as shore lines, stream banks, dunes, or for special purposes such as wildlife or aesthetic treatment may be found in USDA-SCS Technical Field Office Guide, Section 342 - Critical Area Planting.
  - For sites having disturbed areas over 5 acres, the rates shown in Table 26 shall be deleted and the rates recommended by the soil testing agency shall be written in.
  - For areas receiving low maintenance, apply urea form fertilizer (46-0-0) at 3.5 lbs./1,000 sq. ft. (150 lbs./acre). The above recommended soil amendments and those stated in the soil tests to be performed at the time of seeding, or as recommended by state agency and manufacturer's product instructions.
  - Do not fertilize area to be seeded around stormwater management facilities.
  - Contractor to provide a final product of grass cover creating a lawn of uniform color and texture after three mowings.

#### GENERAL NOTES:

- These plans are for landscape purposes only. See civil/site plan for other site information.
- Utilities and infrastructure improvements shown on these plans are from documents prepared by CMS Associates LLC, and have not been verified as to completeness and accuracy. Verification of the location of existing utilities across or along the line of the proposed work are the responsibility of the Contractor prior to commencement of work.
- This plan does not include the necessary precautions for construction safety. All construction must be performed in accordance with the Occupation, Safety and Health Act of 1970, and all rules and regulations appurtenant thereto.
- All trees within sight triangles will have a minimum branching height of six (6) feet above the ground. All shrubs within sight triangles will be maintained at twenty-four (24) inches or lower.
- All plants will be free from disease, insect infestation, and mechanical injuries, and shall be guaranteed (labor and material) for a period of not less than one (1) year from the date of installation.
- In the case that the plant list quantity does not match the plan, the plan shall govern.
- All landscape areas are to be seeded unless specified elsewhere on the plans.
- Any material and/or work may be rejected by the Owner and/or Owner's Agent if it does not meet the requirements of these plans. All rejected material shall be removed from the property by the Contractor.



DRAWN BY: da  
DESIGNED BY: da  
CHECKED BY: da  
DATE: Sept. 15, 2020  
SCALE: As Shown

#### REVISIONS

1-Rev per Intake 12-3-20

2-Rev per Staff 12-8-20

Owner / Applicant:  
Jayanthi Babu (dba Lovedale Montessori)  
4 51 Onebridge Court  
Gaithersburg, MD 20874  
Contact Person: Geoff L. Ciniero, PE  
(410) 988-2856

LANDSCAPE DETAILS  
Lovedale Montessori  
23126 Frederick Road  
Clarksburg, Maryland  
TM EW341 / WSSC 232NW13

3 SHEET  
OF 3

6030 Daybreak Circle, Suite A150-109  
Clarksburg, MD 21029  
T. 410. 531. 2621  
F. 410. 531. 9863  
www.townscapedesign.com

TOWNSCAPE DESIGN LLC  
TOWN PLANNERS AND LANDSCAPE ARCHITECTS





A SERVICE DISABLED  
VETERAN-OWNED  
SMALL BUSINESS

**CORPORATE OFFICE**  
**Baltimore, MD**

Suite H  
9900 Franklin Square Drive  
Baltimore, Maryland 21236  
410.931.6600  
fax: 410.931.6601  
1.800.583.8411

**DELMARVA OFFICE**  
443.290.4060

**FIELD LOCATIONS**

Arkansas  
Georgia  
Maine  
Maryland  
New York  
North Carolina  
Ohio  
Pennsylvania  
South Carolina  
Texas  
Utah  
Virginia  
West Virginia

November 19, 2020

Attachment B

Mr. Geoffrey L. Ciniero, P.E.  
President  
CMS Associates LLC  
4925 Ellis Lane  
Ellicott City, MD 21043

RE: Montessori School – Clarksburg  
Montgomery County, Maryland  
Our Agreement No. 2019-0811

Dear Mr. Ciniero:

The property at 23126 Frederick Road (MD 355) in Clarksburg, Montgomery County, Maryland, is proposed with an 1,800 Square Foot Montessori School. The Montessori School is located in the Clarksburg Policy Area based on the M-NCPPC 2017 LATR Guidelines. This Montessori School is projected to have 42 students with ages from 18 months (Pre-Kindergarten) to 6 years old (1st Grade) and 2 to 4 staff members. The proposed schedule for the Montessori School is as follows:

- Early Care: 7:30 AM – 8:15 AM
- School Drop-off: 8:15 AM – 8:30 AM
- Toddler Program: 8:30 AM – 12:00 PM
- Primary Program: 8:30 AM – 3:00 PM
- Dismissal: 3:00 PM – 3:15 PM
- Extended Day Program: 3:00 PM – 6:00 PM

The Institute of Transportation Engineers (ITE) Trip Generation Manual (10<sup>th</sup> Edition) was utilized to determine the projected morning and evening peak hour trips for the Montessori School and these can be found on Exhibit 1. As shown on Exhibit 1, the Day Care Center Land Use Code (ITE Code – 565) was utilized to project the trips since this Montessori School would generate trips similar to a Day Care Center. Based on the procedures outlined in the M-NCPPC 2017 LATR Guidelines, the Total Person Trips projected to be generated are 43 AM and PM Trips. Since the Total Person Trips are less than 50 Total Person Trips, an LATR Study is not required.

If you have any questions, please let me know. Thank you.

Sincerely,

Joseph J. Caloggero, P.E., PTOE, PTP  
Vice President

JJC:amr

## Trip Generation Rates

Land Use (Source)	Formula/Rate	Directional Distribution			
		AM Peak Hour		PM Peak Hour	
		In	Out	In	Out
Day Care Center (ITE-565)					
	Morning Trips = 0.78 x Students	53%	47%	47%	53%
	Evening Trips = 0.79 x Students				

Note: Trip rates based on ITE Trip Generation Manual, 10th Edition, 2017.

## Trip Generation for Montessori School in Clarksburg

Land Use	Size	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Day Care Center	42 Students	17	16	33	16	17	33
Adjusted Vehicle Trips by Policy Area (100%)		<b>17</b>	<b>16</b>	<b>33</b>	<b>16</b>	<b>17</b>	<b>33</b>
Pass-by Trips (AM-27%, PM-12%)		<u>-5</u>	<u>-4</u>	<u>-9</u>	<u>-2</u>	<u>-2</u>	<u>-4</u>
<b>New Trips</b>		<b>12</b>	<b>12</b>	<b>24</b>	<b>14</b>	<b>15</b>	<b>29</b>

## Calculations for Multimodal Trips

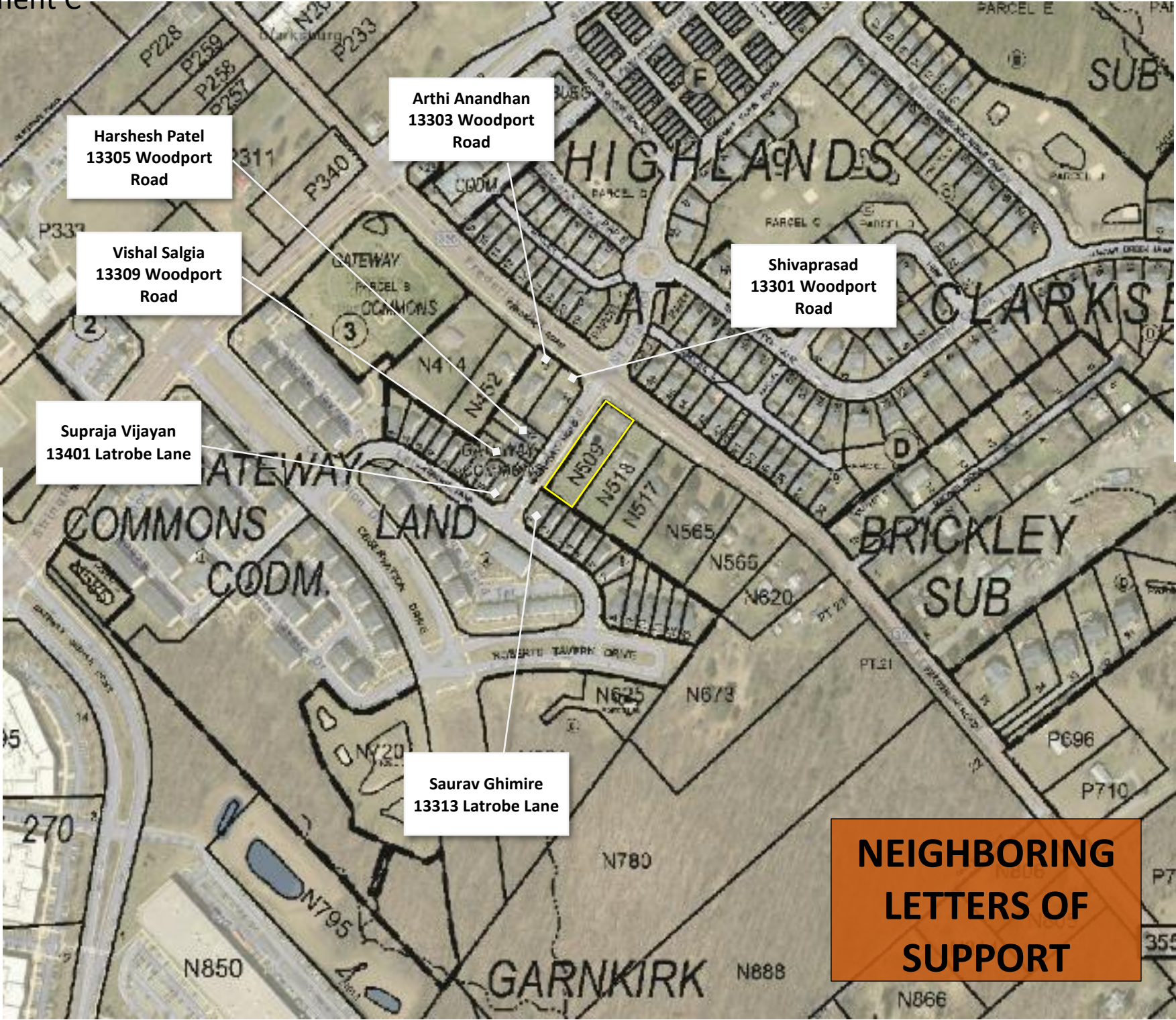
Total Person Trips (Vehicle Trips / 76.2%)	<b>43</b>	<b>43</b>
Auto Passenger Trips (Person Trips x 20.3%)	<b>9</b>	<b>9</b>
Transit Trips (Person Trips x 0%)	<b>0</b>	<b>0</b>
Non-Motorized Trips (Person Trips x 3.5%)	<b>2</b>	<b>2</b>
pedestrian Trips (Transit + Non-Motorized Trips)	<b>2</b>	<b>2</b>

### Notes:

1. Trip adjustment factors and mode split percentages for Clarksburg Policy Area were obtained from M-NCPPC 2017 LATR Guidelines Appendix Tables 1a & 1b.
2. Pass-by trip percentages were obtained from previous LATR Guidelines.







Harshesh Patel  
13305 Woodport  
Road

Vishal Salgia  
13309 Woodport  
Road

Supraja Vijayan  
13401 Latrobe Lane

Arthi Anandhan  
13303 Woodport  
Road

Shivaprasad  
13301 Woodport  
Road

Saurav Ghimire  
13313 Latrobe Lane

**NEIGHBORING  
LETTERS OF  
SUPPORT**

To Whom It May Concern,

We are writing to express our support for our neighbor, the Babu family (dba Lovedale Montessori) and its plan for a Montessori School, to be run by Mrs. Babu with up to (42) children at the Babu property at 23126 Frederick Road, Clarksburg, MD. We feel that this service is one that is greatly needed in our community.

Mr. and Mrs. Babu have informed us that they will be working through the County's land use review process in order to obtain a Conditional Use approval for the Day Care Center, as well as with the State of Maryland on State day care requirements. We understand that their request will be reviewed at public hearing before the County's Planning Board and Office of Zoning and Administrative Hearings (OZAH), which the public can attend and speak to the application. We also understand that there will be County signs posted on the Babu property that will provide information about the request.

Thank you for your consideration.

Sincerely,

SUPRAJA VIJAYAN

Printed Name

11/15/2020

Date

[Signature]

Signature

13401 Katrobe Ln  
Clarksburg MD 20871

Address

To Whom It May Concern,

We are writing to express our support for our neighbor, the Babu family (dba Lovedale Montessori) and its plan for a Montessori School, to be run by Mrs. Babu with up to (42) children at the Babu property at 23126 Frederick Road, Clarksburg, MD. We feel that this service is one that is greatly needed in our community.

Mr. and Mrs. Babu have informed us that they will be working through the County's land use review process in order to obtain a Conditional Use approval for the Day Care Center, as well as with the State of Maryland on State day care requirements. We understand that their request will be reviewed at public hearing before the County's Planning Board and Office of Zoning and Administrative Hearings (OZAH), which the public can attend and speak to the application. We also understand that there will be County signs posted on the Babu property that will provide information about the request.

Thank you for your consideration.

Sincerely,

VISHAL SARGIA

Printed Name

11/15/2020

Date

Vishal Sargia

Signature

13309 Woodport Rd  
Clarksburg, MD - 20871

Address

To Whom It May Concern,

We are writing to express our support for our neighbor, the Babu family (dba Lovedale Montessori) and its plan for a Montessori School, to be run by Mrs. Babu with up to (42) children at the Babu property at 23126 Frederick Road, Clarksburg, MD. We feel that this service is one that is greatly needed in our community.

Mr. and Mrs. Babu have informed us that they will be working through the County's land use review process in order to obtain a Conditional Use approval for the Day Care Center, as well as with the State of Maryland on State day care requirements. We understand that their request will be reviewed at public hearing before the County's Planning Board and Office of Zoning and Administrative Hearings (OZAH), which the public can attend and speak to the application. We also understand that there will be County signs posted on the Babu property that will provide information about the request.

Thank you for your consideration.

Sincerely,

Harshesh Patel

Printed Name

11/15/2020

Date

H. Patel

Signature

13305 Woodport Rd  
Clarksburg, MD 20871

Address



To Whom It May Concern,

We are writing to express our support for our neighbor, the Babu family (dba Lovedale Montessori) and its plan for a Montessori School, to be run by Mrs. Babu with up to (42) children at the Babu property at 23126 Frederick Road, Clarksburg, MD. We feel that this service is one that is greatly needed in our community.

Mr. and Mrs. Babu have informed us that they will be working through the County's land use review process in order to obtain a Conditional Use approval for the Day Care Center, as well as with the State of Maryland on State day care requirements. We understand that their request will be reviewed at public hearing before the County's Planning Board and Office of Zoning and Administrative Hearings (OZAH), which the public can attend and speak to the application. We also understand that there will be County signs posted on the Babu property that will provide information about the request.

Thank you for your consideration.

Sincerely,

ARTHI ANANDHAN

Printed Name

11/15/20

Date

[Signature]

Signature

13303 Woodport Rd  
Clarksburg, MD - 20871

Address

To Whom It May Concern,

We are writing to express our support for our neighbor, the Babu family (dba Lovedale Montessori) and its plan for a Montessori School, to be run by Mrs. Babu with up to (42) children at the Babu property at 23126 Frederick Road, Clarksburg, MD. We feel that this service is one that is greatly needed in our community.

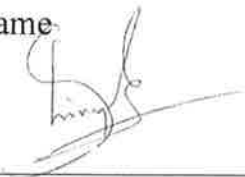
Mr. and Mrs. Babu have informed us that they will be working through the County's land use review process in order to obtain a Conditional Use approval for the Day Care Center, as well as with the State of Maryland on State day care requirements. We understand that their request will be reviewed at public hearing before the County's Planning Board and Office of Zoning and Administrative Hearings (OZAH), which the public can attend and speak to the application. We also understand that there will be County signs posted on the Babu property that will provide information about the request.

Thank you for your consideration.

Sincerely,

SHIVAPRASAD

Printed Name



Signature

11/15/2020

Date

13301 Woodport Road.

Clarksburg MD-20871

Address

To Whom It May Concern,

We are writing to express our support for our neighbor, the Babu family (dba Lovedale Montessori) and its plan for a Montessori School, to be run by Mrs. Babu with up to (42) children at the Babu property at 23126 Frederick Road, Clarksburg, MD. We feel that this service is one that is greatly needed in our community.

Mr. and Mrs. Babu have informed us that they will be working through the County's land use review process in order to obtain a Conditional Use approval for the Day Care Center, as well as with the State of Maryland on State day care requirements. We understand that their request will be reviewed at public hearing before the County's Planning Board and Office of Zoning and Administrative Hearings (OZAH), which the public can attend and speak to the application. We also understand that there will be County signs posted on the Babu property that will provide information about the request.

Thank you for your consideration.

Sincerely,

ANURAG GUPTA

Printed Name

11/18/2020

Date

[Signature]

Signature

13313 Laprobe Ln.  
Clarksburg, MD, 20871

Address