

Georgetown Hill at Woodley Gardens/ Woodley Waves, LLC, Applicant

Project Narrative and Statement of Justification
Major Modification - Special Exception Private Educational Institution
SPX2024-00408

Woodley Waves, LLC, the “Applicant” and “Owner” of the **Property** at 850 Nelson Street on which the Georgetown Hill School and the Woodley Gardens Pool co-locate, requests approval of a major modification of Private Education Institution Special Exception SPX1999-0284, as amended through SPX2014-00388, to permit: i) the (re)construction of a new Georgetown Hill private educational institution (“**School**”) after fire casualty to re-establish operations; ii) an increase in daily student attendance capacity to 198 students; and iii) modifications to its operations. **Georgetown Hill Child Care Center, Inc. (“Georgetown Hill”)**, the private educational facility operator, will be a co-holder of the special exception with Applicant.

Woodley Waves, LLC acquired the property December 14, 2021 by deed recorded in the land records of Montgomery County, MD in Book 64825 at page 048. See attached **Exhibit 1**.

This Special Exception major modification includes comprehensive site modifications to update a majority of the Property including the existing pool house, a school addition, site circulation, parking, and landscaping. See the comprehensive plan attached as **Exhibit 2**. A concurrent Site Plan application for the Property will address stormwater management, forest conservation, parking lot layout, and related site plan development submissions encompassing both the School and the Community Pool. Minor modifications to the Community Pool Special Exception S-54-62 will be by separate application.

Major Modification

This application under Section 25.07.01.c and 25.07.08 meets the criteria in Section 25.15.01.b.2 for a Major Modification of a special exception for a change in intensity of the use for the increase in maximum student attendance from 123 students to 198 students and site modifications for circulation, stormwater management, landscaping, and parking lot updates. The fire damaged school addition that was demolished was 5300 sf. The new School building addition is 9700 sf. The existing club/pool house will be expanded from 3,900 sf to 5,975 sf through a 2,075 sf rear expansion of the existing club/pool house building. The School will utilize 13,450 sf of the total 15,675 SF of building area on the Property. This is an approximate 6500 sf increase over the original square footage of the building on the site prior to fire casualty, which is more than 25%, therefore updates to meet current code have been made throughout the Property wherever School Special Exception modifications are proposed.

For information purposes only, the Community Pool special exception will utilize 2,225 sf of total building area on the Property within the expanded club/pool house.

The nature or character of the Special Exception and the Property is not changed because: i) the use of the property remains the same as established in 1973 as a co-located school and community pool, ii) the replacement school is of similar nature - a 1-story structure extending from the existing poolhouse, albeit within a slightly deeper footprint not visible from Nelson Street, and iii) the retrofit of

the existing club/pool house to accommodate use in part by the school and in part with updated facilities for the community pool preserves the character of the existing structure with the sensitive addition of traditional windows and door; and iii) the replacement of the school with the increase in daily school capacity does not *have an adverse impact on traffic from the use in or on the immediate neighborhood*.

PRIOR APPROVALS

Private Educational Institution –

SPX1998-0274 Georgetown Hill, max 76 student enrollment, max children onsite of 58

SPX1973-00197/SPX75-00001/SPX79-00058 Initial Special Exception for Private Education Institution

Use Permit U-29-76 Initial Early Learning Center site plan

SPX2000-00286 to implement parking standards per TXT2000-0181 and permit year-round operations

Use Permit USA1976-0029A Georgetown Hill site plan amendment

SPX2000-00296 increase student enrollment to 96 with max students onsite of 78

SPX2005-00363 increase student enrollment to 123 with max students onsite of 105, added before and after school care, student profile - ages 3 month to 10 years old

USA1976-0029B to implement SPX2005-00363 Georgetown Hill site plan amendment

SPX 2014-00388 1-story addition

STP2014-00207 Addition and parking lot re-stripe

Pre-Application Meeting PAM2022-00137 Pre-Application community meeting held April 26, 2022. Development Review Committee meeting held June 30, 2022. Comprehensive development plan combined for community pool and school proposed development.

Community Swimming Pool – not part of this SPX Application, background info only

Special Exception – S-54-62 Established swim club special exception on property

Use Permit U-29-76 Addition to Woodley Gardens Pool for early learning center, expand parking lot

Plat 11221 created Lot 6, Block D, Rockville Estates May 6, 1976

SPX2023-00405 Poolhouse Modification – new poolhouse (not implemented)

Property

The “Property” is Lot 6, Block D, Rockville Estates per Plat 11221 with address of 850 Nelson Street, Rockville, Maryland and Tax Parcel Identification No. 00157435. See Plat 11221 attached as **Exhibit 3**. The Property is a 140,515 square feet/ 3.23 acre record lot improved with an existing club/pool house and pool with related improvements, the foundation for a school building demolished due to fire casualty, a 67 space surface parking lot, landscape, lighting and signage. The Property has 497 feet of frontage on Nelson Street with two curb cuts. The western entrance from Nelson Street leads to a circular drive in front of the club/pool house and school site, where it joins the second entrance into the parking lot. See the existing conditions on the approved NRI/FSD attached as **Exhibit 4** and the aerial of the Property attached as **Exhibit 5**.

The Property is zoned R-90 Single Family Detached Residential with two special exceptions – one established in 1962 for a community swimming pool and a second established in 1973 for a private educational institution. See Zoning Map attached as **Exhibit 6**.

The Property is adjacent to Woodley Gardens Park, a 37.5-acre City park that wraps the Property boundaries on the south and west with a mature woodland buffer. See neighborhood aerial attached as **Exhibit 7.** The Park tennis and basketball courts are the closest improvements to the Property with the Park's parking lot further southwest. Adjacent to the east along the Property parking lot is a single family home with address of 800 Nelson Street zoned R-90 buffered from the Property by a row of mature trees. Confronting the Property is the 3-way stop sign controlled intersection of Crocus Drive with Nelson Street with a painted crosswalk box and ADA accessible sidewalk stubs on each leg to connect to the sidewalk along the Property frontage. Confronting the Property are single-family homes (803-811, 901 Nelson Street) zoned R-75 and the Regents Square condominium townhouse community (902-913 Nelson Street) zoned RMD-15.

To the further southwest along Nelson Street is the Woodley Gardens Shopping Center zoned MXC- Mixed Use Commercial. The greater neighborhood surrounding the Property includes the Woodley Gardens, Woodley Gardens West, Regents Square, and West End communities.

Nelson Street runs from Montgomery Avenue through Woodley Gardens with a single lane in each direction within a 70-foot right of way. A four-foot wide sidewalk with a lawn buffer and a painted bike lane runs along the frontage of the Property. On-street parking with a painted bike lane is on the opposite side of the street from the Property. A bus stop with shelter is opposite of the sidewalk leading to the club/pool house.

A sidewalk extends from the public sidewalk to the circular drive. The buildings are set back approximately 100 feet from the Nelson Street right of way. Between Nelson Street and the circular drive is a wide front lawn lined by mature trees. The Woodley Gardens Pool sign sits within the front lawn.

The Property is generally flat, with a gentle grade across most of the Property with the highpoint at the northeast corner along Nelson Street sloping down approx. 10 feet in elevation to the south and west boundaries. Along the southwest corner of the Property beyond the pool deck and amenity area, the site slopes down approx. 10 additional feet to the Park elevation.

Co-Located Woodley Gardens Pool and Existing Club/Pool House

The co-located Woodley Gardens Pool is a membership community swimming pool serving the Woodley Gardens and other City communities. The Woodley Gardens Pool was established and developed in 1962 under SPX54-62. Its membership organization is Woodley Gardens Community Swim & Recreation Association. Currently, the pool operates in the warm weather season, generally Memorial Day to Labor Day with special membership events common to community pool operations. Woodley Gardens Pool has a swim team – the Woodley Waves – that practices before the pool is open to the general membership and hosts several competitive swim team meets during the season.

The existing club/pool house is a one-story gabled brick-faced concrete block building approximately 3,900 square feet in size. The Community Pool locker rooms, guardroom, administrative, storage and equipment, and snack bar facilities and entrance are currently co-located with the School in

the existing club/pool house with an interior demising wall separating the Community Pool uses from the School all-purpose space. The School building on the left side of the club/pool house was extended to the east and south multiple times between 1973 and 2014, however the section beyond the club/pool house was demolished after the School addition was damaged by fire. The prior roofline/footprint of the School can be seen on the pre-fire aerial of the Property on **Exhibit 5**. As noted above and discussed in detail below, the Community Pool space within the existing club/pool house is undergoing a complete interior alteration to provide modern facilities for its members. A separate special exception application will be filed for the Community Pool but the exterior modifications to the club/pool house building are included in this application for the School special exception since it is one building.

The Community Pool obtained approval in SPX2023-00405 for a replacement poolhouse. That special exception modification will not be implemented within the validity period at this time. If implemented in the future the application will be re-filed. In the interim, alterations to the existing club/pool house as illustrated here will permit continued co-location of the Community Pool member and administrative facilities with the School in the existing club/pool house.

PROPOSED SCHOOL SPECIAL EXCEPTION MODIFICATION

This Application is for a year-round Private Educational Institution for 198 maximum student attendance onsite at one time, for ages up to 5th grade. Applicant proposes a new replacement School building, interior and exterior alterations to the existing club/pool house, as well as site-wide modifications to update site circulation, landscaping, and parking for 65 vehicles, to support 10 classrooms and an all-purpose room, to accommodate a maximum student attendance of 198 students onsite at one time, before and after school programs, enrichment programs, and summer camp.

See Special Exception Site Plan Cover Sheet attached as part of **Exhibit 8**.

School Building

The 13,450 sf School includes a one-story, 9,700 sf replacement School building extension and 3,750 sf of retro-fit/expansion space within the existing club/pool house building. The School includes fenced outdoor play area for the students along the rear façade of the School space. The School flat roof (behind the mansard roof parapet) will incorporate a vegetated “green roof” as a sustainable stormwater management practice.

Alterations to Existing Club/Pool House

The existing club/pool house will undergo exterior and interior alterations and an expansion along the rear facade to provide : i) 3,750 sf on the east side of the building for School classrooms and an approx. 1810 sf all-purpose space, and, ii) 2,225 sf on the west side of the existing building for modernized member locker rooms and administrative space for the Community Pool. The addition of two new windows and a door in the eastside front façade, of the same style and scale to the existing mullioned windows and doors on the club/pool house, will serve as the new entrance for the Community Pool facilities. The sensitive addition of the windows and door to the east side will provide a pleasing symmetry to the existing building. The club/pool house expansion along the rear façade accommodates the additional building depth needed for the classrooms, all-purpose room, and

Community Pool facilities. Otherwise, the existing club/pool house architecture is retained with the gable roofs, cupola, and white trimmed windows and doors.

See the Preliminary Building Elevations and Floor Plan attached as **Exhibit 9.**

Construction Phasing

The Project is intended to be developed in one continuous construction period with phased occupancy for the co-located uses. The exterior alterations to the Existing Club/Pool House and the interior alterations for the Community Pool use are intended to be completed for occupancy by May 2025 for the opening of the pool summer season. Construction will continue on the School addition and all site modifications with completion anticipated for occupancy of the School by August 2025.

Site Circulation

The existing ring road in the front along the club/pool house and new school building will be marked as one-way. Nine new parallel parking spaces and a fire access space will be striped on the building side adjacent to the upgraded building sidewalk system that connects the School and Community Pool to the parking lot. The building sidewalk improvements include a bump-out or “bulb-out” at the school main entrance so that public school buses and private school vans picking up and dropping off students from the School’s before- and after-school programs can safely embark and disembark students at the School entrance door.

The sidewalk connection from the public sidewalk along Nelson Street to the internal ring road is relocated to the west to align with the intersection of Nelson Street and Crocus Lane that has a complete cross-walk box from the Woodley Gardens neighborhood to the School and Community Pool.

See Special Exception Site Plan attached as part of **Exhibit 8** and also as **Exhibit 2.** See Fire Access Plan attached as part of **Exhibit 8.**

Parking Update

The existing parking lot is proposed to be updated and restriped to current standards with the addition of internal green area, handicapped spaces, lighting, and circulation. Additional perimeter landscaping will be added along the front and the common property line with the adjacent single-family home on the east side.

New long-term and short term bicycle parking/storage for the School and the Community Pool uses per current code are located as shown on the Special Exception Site plan close to the respective School and Community Pool entrances.

Landscaping

Additional tree canopy and landscaping will be provided and approved throughout the site at Site Plan as part of the amended Forest Conservation Plan. A landscaped “raingarden” style stormwater management facility is proposed in the front yard per the Stormwater Management Concept Plan. Green areas within the parking lot will be provided per code. See Landscape Plan attached as part of **Exhibit 8.**

Statement of Operations

The School operates year-round with a variety of programs and enrollment types to serve the needs of the neighborhood that includes nearby residential communities and employment centers. The School offers:

- i) Full-day, 5-day weekday enrollment;
- ii) Full-day, less than 5-day weekday enrollment;
- iii) Half-day morning and afternoon enrollments;
- iv) Drop-in care enrollments;
- v) Before and after school programs;
- vi) After-school enrichment programs;
- vii) Public School Closures – Full/Half-Day Care/Programming;
- viii) Full-Day and Half-day summer camp enrollments on a weekly basis;
- ix) School Year Weekend 9 am – 3 pm Special Enrichment programs;
- x) Third party enrichment and community use and programs.

The variety of enrollment types described above have children on campus during different enrollment and program periods that do not all overlap or coincide. Therefore, a single enrollment cap does not make sense. The School will cap its maximum student attendance on-site at one time at 198 children. This is the standard that has been used for prior Special Exception approvals for the School since 1998.

In addition, the School will have 35 fulltime teachers and administrators on-site at one time.

Program Operation Hours are as follows:

Year-round Weekday: 7 am – 9:30 am Before School care (approx. 50 students)
9:30 am – 3:30 pm School day Early/Elementary Levels
Two half day Early Ed sessions 9:30 am – noon, 12:30 pm to 3:00 pm
3:30 pm – 6:30 pm After school care, enrichment programs
Summer Camp – full day 9:30 am – 3:30 pm
Summer Camp - before and after Camp care starts 7am, ends 6:30 pm
Public School Closures Full-Day Care/Programming 9:30 am – 3:30 pm with
before and after care starts 7 am, ends 6:30 pm
Occasional evening School events 4pm – 9:30 pm
Occasional late afternoon and evening Community use and events 4pm–9:30 pm

Weekend: School year Sept – June, Saturday/Sunday 9 am – 3 pm for
Special Enrichment Programming and/or community use and programming
Summer – occasional, coordinated not to conflict with Pool Peak Operations

Staggered Student Arrival

The variety of enrollment types, programs, and ages provides for staggered arrivals and departures of both students and teachers in the morning, mid-day, afternoon, and early evening.

All students no matter the age are walked into the school by parents for hand-off to school personnel as the majority of the student population are young. Parent parking for drop-off takes about 3 minutes as the School has a very efficient student intake and discharge system.

Public School and some Private school buses/vans do pick-up and drop-off from the before-school program and to the after-school care program at the School. Bus pick-up and drop-off is right at the School main entrance door.

Off-cycle Activity and Coordination with Community Pool Operations

The School main periods of vehicular activity are the staggered morning drop-off and afternoon pick-ups weekdays. These are off-cycle from peak Community Pool member arrival and departures during the Community Pool Summer season that has the peak usage periods on weekends, holidays, and weekday evenings. The Community Pool operates Memorial Day through Labor Day, 11 am to 8 pm daily and 10 am to 9 pm Saturdays. The Community Pool does small group and private swim training before daily pool opening. The swim team holds swim team practices 7:30 – 11 am, on various days Monday through Fridays through July. The Swim Team hosts 3-4 swim meets during the summer pool season generally on a Saturday 9am-noon and occasionally on a Wednesday between 5-9 pm. The Swim Team is responsible for directing parking to available onsite and on-street parking to manage parking lot usage. The Community Pool is walkable and accessible via bike lanes from the nearby neighborhoods. A bus stop is located across Nelson Street from the Pool as a transit option for pool members.

The School and Community Pool will coordinate their summer weekend and evening events to minimize overlap.

Architectural Narrative

The proposed School is a modern evolution of the Woodley Gardens neighborhood, innovative at the time of its conception, with a building designed with sustainability and the future in mind. The materials and design of the School are a brick masonry veneer with double-hung windows and glazing divisions, with a combination mansard roof and flat roof, are similar to the character and materiality of the existing pool house and surrounding residences. The color palette of the brick veneer, painted trim, roofing materials, and additional zones of composite siding reflect the architectural vernacular of the nearby single family, attached and multi-family home mix in Woodley Gardens. See illustrative elevations included in **Exhibit 9**.

The orientation and location of the main entrance for the School at the northeast corner creates separation with the proposed relocation of the pool house-function spaces to the north-west of the building, with convenient proximity to both the parking lot as well as pick-up and drop-offs from the entrance circle. The location of the School offices and reception desk allows the School personnel to keep an eye on the Property, with attention to activities in the parking lot, vehicular traffic into and out of the Property, and pedestrians and cyclists coming to the School.

The deeper footprint of the new School accommodates the flexible programming for a range of ages within one-story. The combo mansard/flat roof, while maintaining a favorable scale relative to the existing pool house structure, permits the addition of the sustainable stormwater practice of green roof facilities. The floor plan is designed for flexible use of the classrooms to accommodate changing student enrollment ages. See illustrative floor plan included in **Exhibit 9**.

Access to outdoor play space is provided from many of the classrooms directly or by secured access doors at strategic points of the school building. The School proposes interior alterations to the existing Club/Pool house for classrooms and an all-purpose room. The open-truss ceiling height of the all-purpose room will accommodate many activities within the space.

The depth of the existing club/pool house will be increased with an addition facing the Community Pool deck not directly visible from Nelson Street. Otherwise, the existing club/pool house will retain its colonial-inspired features of gabled roofs, mullioned windows, and cupola.

The addition of a second entry for the Community Pool on the west side of the existing club/pool house facing Nelson Street is designed to maintain visual harmony by sensitively replicating existing elements with a divided window door with sidelites of matching style flanked by windows of the size and style of existing windows on the front facade. The one-story scale of the School is complimentary to the existing club/pool house and commensurate with the height of typical single-family houses surrounding the site.

The Woodley Gardens area was designed and constructed as a modern and innovative approach to the neighborhood concept in the early 1960s, introducing a mix of residential offerings and community-benefiting programs such as a public pool, shopping center, and elementary school, not common in the surrounding areas at the time.

There is a diversity of design within the neighborhood such that the School and proposed additions to the existing club/ pool house structure with its proposed mix of traditional elements and contemporary materials and methods will seamlessly fit in. In keeping with the spirit of the original community plan by Monroe Warren Sr. and Monroe Warren Jr., the proposed project aims to continue the use of the site for community-focused amenities, while updating the facilities to meet the needs of a modern community.

Master Plan Compliance

The Property is located within City Planning Area 5 – *Woodley Gardens and College Gardens*. There is no neighborhood plan for this planning area and none pending. The Master Plan describes the architectural style of the neighborhood as Colonial and Federal styled architecture.

The Woodley Gardens Swim Club/School property is identified as Focus Area 1 (“A1”) (page 315) and designated on the Land Use Policy Map as *Open Space Private* (page 317). The Master Plan provides the following recommendations:

1. *Continue the recreation/education use of the site.*
2. *Retain the existing R-90 zone.*
3. *If the current use as a swim club and school become impractical, redevelopment into residential housing compatible in size, scale, and design with the surrounding neighborhood is the Urban Design Recommendation. Preference is that some kind of private community amenity replace the existing uses.*

The proposed Special Exception modification proposes to retain the use of the Property as the co-located community swim club and private educational institution consistent with the Master Plan. Consistent with the Plan’s Urban Design recommendation, the proposed School is designed to a

compatible size, scale and design as the surrounding neighborhood and the existing club/pool house. The periodic community use of the School all-purpose room and other spaces will provide a private community amenity for community use and enrichment.

Zoning Ordinance Development Standards Compliance

The tabulation below demonstrates conformance with the development standards for the Private Education Institution special exception and the zoning ordinance, as shown on the Special Exception/Site Plan:

Private Educational Institution (PEI) in the R-90 Zone						
<u>Metric</u>	<u>Code Ref.</u>	<u>Required</u>		<u>Provided</u>		
Lot Area - PEI (198 students Legal Capacity):	25.15.02.g.2.ii.A	140,160	sf. min.	140,515	sf	
Lot Frontage – PEI	25.15.02.g.2.ii.B	200	l.f. min	497	l.f.	
Lot Width at Front Setback Line:	25.10.05.a.	80	l.f. min.	495	l.f.	
Lot Width at Front Lot Line:	25.10.05.a.	25	l.f. min.	497	l.f.	
Front Building Setback:	25.10.05.a.	50	ft. min.	100+/-	ft.	
Side Building Setback (East side):	25.10.05.g.ii.C.	28	ft. min.	133+/-	ft.	
Rear Building Setback:	25.10.05.g.ii.C	50	ft. min.	50	ft.	
Building Height:	25.10.05.a.	35	ft. max.	14+/-	ft.	
Lot Coverage (buildings):	25.10.05.a.	25%	max. or	11.1%	or	
		35,129	s.f. max.	15,597	s.f.	[2]
Impervious Surface in Front Yard (51,226 s.f.):	25.10.05.a.	30%	max. or	41%	or	[1]
Existing Impervious Surface		15,368	s.f. max.	20,857+/-	s.f.	[3]
School Distance to Property Line and Dwelling:	25.15.02.p.3.					
North (Nelson Street right-of-way)		75	ft. min.	100+/-	ft.	
East (dwelling)		125	ft. min.	175+/-	ft.	
South (parkland property line)		25	ft. min.	53+/-	ft.	
West (parkland property line)		25	ft. min.	133+/-	ft.	
Footnotes:						
[1]	Existing condition affirmed for decades. Nonconforming Alteration Application submitted for consideration with Site Plan approval.					
[2]	Does not include previously approved but unbuilt poolhouse SPX2023-00405.					
[3]	Front yard impervious surface is existing; increase is to improve pedestrian access to School.					

The tabulation indicates an existing, previously affirmed, grandfathered nonconformance with current standards: maximum Impervious Surface in Front Yard. The parking lot and ring road has existed since the inception of the pool use and has been implicitly affirmed with the previous approvals of the various Special Exceptions, Site Plan and Use Permit approvals over the last 62 years as listed on page two of this Statement. The additional front yard impervious area is to provide improved pedestrian and ADA access to the School and Pool. Non-conforming Alteration Application for additional front yard impervious surface resulting from this SPX application will be included in Site Plan application.

Off-street Parking Requirements/ Parking Deferral Request

The School Application complies with off-street parking requirements and parking design standards as set forth in the Zoning Ordinance and shown on the Special Exception Site Plan. However, during the summer pool season, the addition of the total required off-street parking for the Community Pool under the Zoning Ordinance (61 spaces) to the total parking required for the operations of the School under the Zoning Ordinance (18 spaces) is greater than the parking lot capacity. The Zoning Ordinance requires 79 parking spaces for both uses without adjustments for shared use. The Property is proposed to provide 65 parking spaces, including 9 new parallel spaces on the internal ring road.

The Site Plan application includes a Parking Deferral Request for consideration by the Planning Commission with a justification based on a parking demand analysis, Georgetown Hill's own 26 years of operating experience co-located on the Property with the Community Pool, as well as the desire to retain green area in lieu of additional asphalt for unneeded parking. The Parking Deferral Request in the Site Plan Application includes an exhibit for where additional parking would be accommodated on the ring road if required in the future. The parking demand analysis looks at the School parent parking demands during staggered morning, mid-day and afternoon drop-off and pick-up times together with school employees parking demand based on years of operational experience and adds in the Community Pool historical parking demands during the pool summer operating season and demonstrates that adequate parking is available onsite to meet the demands of both uses after an hourly demand analysis and a monthly demand analysis.

The Parking Calculation under the Zoning Ordinance is as follows:

<u>Parking Tabulation - 25.16.03.d.</u>					<u>Required</u>		
Private Educational Institution:							
35 employees @	1.00	space per	2	employees =	17.5	spaces	[1]
				Total Parking Spaces Required =	18.0	spaces	
Community Pool, non-accessory:							
406	persons @	1	space per	7	persons =	58.0	spaces
6	employees @	1.00	space per	2	emplys =	3.0	spaces [1]
				Total Parking Spaces Required =	61.0	spaces	
Total Parking Spaces Required							
School + Community Pool					18 + 61 = 79 spaces	79	spaces
Total Parking spaces provided:					<u>Provided</u>		
	Regular parking spaces			=	63	spaces	
	ADA parking spaces (8' x 18' w/ 8' aisle min.)			=	2	spaces	
				Total parking spaces provided =	65	spaces	

School Bicycle spaces:								
2 Classroom	Grades 2-5	2	Short term per	Classroom		4	spaces	
2 Classroom	Grades 2-5	1	Long term	Classroom		2	spaces	
					Total bicycle spaces required School =	6	spaces	
Community Pool Bicycle spaces:								
20,634 SF	bldg/pool/deck GFA @	2	short term per	2,000	sq. ft. =	20.6	spaces	
20,634 SF	bldg/pool/deck GFA @	1	long term per	4,000	sq. ft. =	5.2	spaces	
					Total bicycle spaces required Pool =	26	spaces	
					Total Short term =	30	spaces	
					Total Long term =	8	spaces	
					Total bicycle spaces provided =	38	spaces	[2]
<u>Parking Design Standards - 25.16.06:</u>								
				Required		Provided		
Drive aisle width:								
	Two way			24	ft. min.	24	ft.	
	One way			14	ft. min.	14	ft.	
Parking Spaces:								
	Width			9	ft. min.	9	ft.	
	Length - perpendicular			18	ft. min.	18	ft.	
	Length - parallel			21	ft. min.	21	ft.	
Footnotes:								
[1]	Based on number of employees when the maximum number of employees is present at any one time other than during changes at shifts (25.16.03.a).							
[2]	Requested to defer (25.16.03.i) implementation until following swim season. Covered (Long Term) spaces to be provided integral with construction of School addition and site modifications.							
[3]	Some parking spaces extend beyond the curb by two feet or less as allowed by 25.16.06.b.4.							

Special Exception Compliance –Additional Requirements

Zoning Ordinance Section 25.15.02.g *Educational Institution, Private* provides the following additional requirements. Statements follow each with how the Special Exception meets the additional standards.

1. *Scope. This subsection applies to private educational institutions, including but not limited to general academics, business, art, music, dance, trade, and job training in all zones where a special exception is required. This section does not apply to any private educational institution located on a lot or parcel that contains a church, synagogue, or other place of worship that is affiliated with the private educational institution.*

The School is a private educational institution in general academics and child enrichment where a special exception is required. No place of worship is located on the lot or parcel.

2. *Special development and use requirements. The following special development and use requirements apply:*

- (a) *Institutions which offer any general academic instruction at levels above the eighth grade must have...*

Not applicable. No general academic instruction for levels above eighth grade are offered.

- (b) *Kindergartens and nursery schools must have:*
 - (i) *A lot area of at least ten thousand (10,000) square feet for up to thirty (30) students;*
 - (ii) *A lot frontage of at least one hundred (100) feet; and*
 - (iii) *Building setbacks of at least thirty-five (35) feet in the front yard, side yards equal to at least the height of the tallest institutional building located on the lot which is proximate to the side yard and a rear yard of at least forty (40) feet.*

These standards are met. The lot area is 140,515 square feet with a lot frontage of 497 feet. The School is at a height of 15'-3" at the existing club/pool house with a new one-story addition of approximately 14 feet height and provides a generous 100+/- foot front building setback. The east side yard closest to a residential home is 133+/- feet. The rear setback is 50 feet.

- (c) *All other private educational institutions must comply with the following:*
 - (ii) *Where the maximum attendance at any one (1) time exceeds forty (40) students, such institution must have:*
 - A. *A lot area of at least one (1) acre plus seven hundred (700) square feet for each student in excess of sixty (60);*
 - B. *A lot frontage of at least two hundred (200) feet; and*
 - C. *Building setbacks of at least fifty (50) feet in the front yard, side yards equal to at least two (2) times the height of the tallest institutional building located on the lot which is proximate to the side yard, and a rear yard of at least fifty (50) feet.*

The School proposes a maximum attendance onsite at any one time of 198 students. The lot area of 140,515 square feet exceeds the lot area standard of 140,160 square feet. The lot frontage of 497 feet exceeds the minimum lot frontage standard of 200 feet. The front building setback of 100 feet exceeds the minimum 50 feet standard. The side yard setbacks of 125 feet to the east and 133.52 feet to the west are significantly greater than the 30.5 foot standard (2 times the 15'-3" height of the school). The rear yard meets the standard of 50 feet.

3. *Additional screening and landscaping requirement. School buses must be garaged or be stored in an area to the rear of the enclosed main building enclosed by such adequate screening as may reasonably be required by the Board of Appeals.*

Not applicable. No school buses are stored or garaged at the site.

ADEQUATE PUBLIC FACILITIES STANDARDS COMPLIANCE

A Comprehensive Transportation Review was prepared by The Traffic Group dated July 7, 2022 and submitted at that time to the City for review and was accepted. After discussions with staff, the Traffic Group updated the traffic counts for the seven (7) intersections in January 2024 and prepared a Memo confirming the conclusions from the 2022 CTR that the proposed increase in students satisfied the City's APFO for Traffic as follows:

2022:

The results of the report demonstrate that all study intersections currently experience acceptable levels of service. In the future with the granting of this Special Exception, each of the study area intersections will continue to maintain acceptable operations. Since the subject site has minimal impact during the peak periods, no physical improvements are required to the road system. Adequate pedestrian and transit facilities exist at the study intersections near the subject site. As a result no improvements are required to satisfy Rockville's requirements.

2024:

Our report dated July 7, 2022, on page 23, Table 3, details the results of the intersection capacity analysis. Attached to this [updated February 2024] memo is a spreadsheet that details that the traffic volumes in 2024 are not dramatically different from those in 2021. With 2024 traffic conditions and 2024 traffic volumes, we would expect to maintain Level of Service "A" or Level of Service "B" conditions during both the morning and evening peak hour at all intersections if new intersection capacity analysis were conducted. It is important to recognize that the increase in traffic is projected to be 68 morning peak hour trips and 69 evening peak hour trips as detailed in Table 2... This results in approximately 1 new peak hour trip per minute which obviously is and results in a de minimis condition. No intersection improvements are required for this Project.

The Water and Sewer Authorization submitted by Applicant in 2023 has been accepted by the City and public water and sewer infrastructure has been determined to be adequate for the proposed Special Exception Modification.

The Application is for a non-residential use so the APFO School test is not applicable.

SIGNS

Zoning Ordinance Section 25.15.01.b provides that as part of a modification of a Special Exception existing as of December 31, 1983, an applicant may request a modification of the allowable signs. Section 25.18.12.b authorizes the Board of Appeals to approve all signs for a special exception use, except that the Board of Appeals is not authorized to approve Prohibited Signs.

The School and Community Pool have an existing freestanding sign in the front yard of the Property along Nelson Street. The Applicant proposes the replacement of the freestanding sign with a monument sign on a base in the front yard perpendicular to Nelson Street in the area shown on the Special Exception site plan. The sign will identify the uses on the Property and include a changeable message sign.

The Applicant proposes a building sign for the School on the canopy of the School main entrance. The Application also proposes two building wall signs, one over the entrance door to the existing club/pool house and a second smaller sign at the Community Pool entrance. These signs are requested in this Application since the new School and renovated existing club/pool house are one building and to provide a comprehensive sign package for the Property for the Board of Appeals.

Additional directional signage will be provided in accordance with code at the entrances and on the Property to provide direction to visitors.

See Sign Plan attached as part of **Exhibit 8.**

Necessary Findings for Special Exception Approval

Zoning Ordinance Section 2.15.01 sets forth the necessary findings for approval of a special exception. The Application meets these findings as follows:

25.15.01.a.2 Findings

(a) *The proposed use does not violate or adversely affect the plan, this chapter or any other applicable law;*

The Application is consistent with the Master Plan by continuing the 62 year long use of the Property and the Plan recommendation for a co-located school and community pool use or other community amenity use. The Application meets the development standards applicable to the Property under the Zoning Ordinance for existing uses and improvements based on their construction dates and those applicable to new construction, and to Applicant's knowledge, other applicable law, and meets the operational parking demand for the co-located uses.

- (b) *The proposed use at the location selected will not:*
(i) *Adversely affect the health and safety of residents or workers in the area;*

The Application does not adversely affect the health and safety of residents or workers in the area as it proposes to replace an existing building and to continue uses that have been established on the Property since 1962 and co-located since 1973. The proposed School use is a neighborhood amenity not a nuisance.

- (ii) *Overburden existing and programmed public facilities as provided in Article 20 of this chapter and as provided in the adopted adequate public facilities standards manual;*

The Application request an increase in school attendance maximum and the traffic study finds that this intensification will not have an adverse effect on neighborhood traffic at the seven closest intersections studied. Public utility service is adequate. Necessary upgrades to the private utility lines to the Property will be made as part of the implementation of the Special Exception. Therefore, it will not overburden existing public facilities currently servicing the Property.

- (iii) *Be detrimental to the use or development of adjacent properties or the neighborhood;*

The Application is for a replacement building for a private educational institution use established in 1973, and operated by this Applicant since 1998, around which the neighborhood has developed and thrived, and for which neighborhood the School is an amenity.

- (iv) *Change the character of the neighborhood in which the use is proposed, considering the services currently provided, population density, character, and number of similar uses; and*

The Application continues an existing use originally established in 1973, and operated by the Applicant since 1998, and the replacement building is designed to be compatible with the architectural vernacular of Woodley Gardens residential neighborhood . At one-story it is at a compatible scale to the building it proposes to replace and the existing club/pool house it will connect to, as well as the closest residential home on the east Property line.

- (v) *Constitute a nuisance because of noise, traffic, number of people, or type of physical activity; and*

The Application proposes to continue a school use established in 1973 that most recently has been approved for student attendance of 123 students. This application proposes an increase of student attendance capacity to 198 students within a similar scaled building. School activities will occur within the school building or the fenced play area behind the school. The

traffic study indicates that the increase in student attendance capacity will not have an adverse impact on neighborhood traffic.

(c) *The proposed use complies with all applicable requirements of this chapter, including but not limited to, the special requirements contained in Section 25.15.02 and the general purposes of this chapter contained in Section 25.01.02.*

The Application complies with all applicable requirements of the Zoning Ordinance. A detailed response of how the Application complies with the special requirements of Section 25.15.02.g *Educational Institution, Private* is set forth above. A detailed response of how the Application complies with the general purposes of the Zoning Ordinance is set forth below.

Meets the General Purposes of the Zoning Ordinance

Zoning Ordinance Section 25.01.02. sets forth the general purposes of the Zoning Ordinance. The Application meets the intent of the purposes as follows:

1. Provide for appropriately scaled, designed, and sited buildings and other structures that are compatible with the natural and built environment;

The Application proposes a replacement of the School that was established in 1973 and successively expanded with increases in student attendance through 2014, and operated continuously until the use was suspended by fire casualty just before COVID, with a similarly scaled, designed and sited building. The Application maintains the deep front setback from Nelson Street and the homes across the street. The one-story School is of similar scale and character as the existing club/pool house that is being retrofitted. At one-story the School is compatible in scale with the 1- to 2-story gabled homes in the neighborhood.

2. Promote environmentally sustainable developments and otherwise provide for the conservation of natural resources and the environment;

The Application replaces a former school building damaged by fire casualty with a new building with modern facilities and site updates meeting current building performance and sustainability standards.

3. Promote the City as an inclusive community by facilitating diversity in housing, building design, and land use;

The Application preserves a community amenity – the neighborhood early learning center – and supports its long-range continuity with much needed updates. The increase in maximum student attendance capacity meets community demand for these services. The school provides much needed before and after school care, early learning programs and lower school-level education opportunities to serve diverse household populations who live in the neighborhood residential communities and work in the employment centers nearby. The

Application proposes periodic community use and third party enrichment program use of the building, mainly the all-purpose room, when not in use by the School as a privately provided amenity to the neighborhood.

3. Promote alternative modes of transportation by providing convenient, safe, and connected accessibility to public transportation, pedestrian and bicycle systems, inviting streetscapes, and a mixture of uses;

The Application is for modernization of a community amenity that is accessible by foot, car, bus, and bicycle along Nelson Street. Street trees and sidewalk along the Nelson Street frontage are part of the Site Plan to be reviewed by the Planning Commission. The site will once again include the co-location of the swim club and the private educational institution, both much needed services and desirable amenities for the families in the neighborhood. Improved bicycle parking, internal circulation and sidewalks, and landscaping will enhance the whole Property.

4. Ensure that development occurs in an orderly fashion consistent with the master plan (the "plan") and the availability of adequate infrastructure capacity and other public facilities;

The Application is consistent with the recommendation of the Master Plan and the specific recommendation for the Property for the continued use as a community amenity co-located with the community pool. The Application satisfies the City's APFO standards.

5. Ensure the most appropriate use of land throughout the City;

The Application is consistent with the historical use of the Property since 1962/1973, the original comprehensive plan for Woodley Gardens community, and the recommendations in the Master Plan.

6. Protect and enhance the aesthetic and visual character of the City and its residential neighborhoods;

The Application preserves the aesthetic and visual character of the decades-long community amenity use of the property with the retention of the existing club/pool house, the one-story School, and the front yard open space with its new vegetated stormwater "rain garden" facility .

7. Preserve sites, structures, and districts of historical, archeological, or architectural significance, and their appurtenances and environmental settings;

The Application preserves the decades-long use of the Property as a co-located community swim club and school as established in 1962 and 1973 as part of the comprehensive development plan for and the early development of Woodley Gardens. The Application proposes retention of the original club/pool house with sensitive exterior window and door

additions, rear expansion, and an interior retrofit to allow continuation of the historical use of the Property as a swim club and school is important to the neighborhood and the original comprehensive plan for the Woodley Gardens development.

8. Secure the public safety;

The Application seeks approval of a special exception major modification to be followed by a Level 2 Site Plan to allow the issuance of applicable permits for the construction of the replacement School building and site improvements in accordance with public safety laws.

9. Provide adequate light and air;

The Application proposes a replacement building sited with setbacks that exceed Zoning Ordinance required minimums. The retention of the front setback with its circular driveway entrance around a wide tree lined lawn provides significant light and air to the nearest single family homes and adjacent uses.

10. Foster innovative, creative, sustainable, and flexible building and site design;

The Application reflects how to integrate modern facilities in order to preserve and continue a swim club that was established over 60 years ago and a school established over 50 years ago so these neighborhood amenities can continue sustainably for the benefit of future families and generations.

11. Provide attractive, high quality development and design that enhances the community's quality of life; and

The Application proposes a modern design that still reflects the architectural vernacular of an established neighborhood. It provides attractive modern facilities to improve the experience and quality of life of its students, teachers, and their families, as well as its surrounding neighbors. The retrofit of the existing club/pool house provides improved amenities and long-term sustainability for the health and welfare of the Woodley Gardens Pool members, the School students and their families, and neighbors in nearby residential communities and employment centers.

12. Otherwise protect and promote the health, safety, comfort, convenience, welfare, and happiness of the Rockville community through the comprehensive regulation of the use and development of land and structures.

The Application is a necessary evolution to maintain a much beloved amenity within the neighborhood by replacing and modernizing the School onsite. It complies with the comprehensive codes and regulations of the City of Rockville to protect and promote the health, safety, comfort, convenience, and welfare of the Rockville community. As to “happiness” of the Rockville community, there could not be many other proposals like this

one that will ensure the continuation of important neighborhood amenities that has created, and will continue to create, so many happy family and childhood memories as the Woodley Gardens Pool and the Georgetown Hill School.

Conclusion and Request

Based on the application materials and the foregoing, the Applicant respectfully requests approval by the Board of Appeals of a Major Modification to existing Private Educational Institution Special Exception to implement the proposed modifications.

Nancy Regelin, Esquire
Shulman Rogers Law Firm
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Potomac, Maryland 20854
301-230-5224
nregelin@shulmanrogers.com
Attorney for Applicant

Kevin A. Foster, RLA, AICP, Principal
GLW
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Burtonsville, MD 20866
301-421-4024
kfoster@glwpa.com
Certified Planner for Applicant

Exhibits to Statement of Justification

- 1 Deed
- 2 Comprehensive Special Exception Site Plan*
- 3 Plat 11221
- 4 Approved NRI/FSD
- 5 Aerial of the Property
- 6 Zoning Map
- 7 Aerial of Neighborhood
- 8 Special Exception/Site Plan* (9 sheets)
- 9 Preliminary Floor Plan and Building Elevations, Sign Plan*

*Plans provided as exhibits to the Statement for convenience, the Plans submitted as part of the application, as amended through review, will control.

Application Submissions. The major modification application submission includes:

Special Exception School Project Narrative and Statement of Justification
Sheet 1 of 8 Special Exception Site Plan Cover Sheet with Parking and Development Stds Tables
Sheet 2 of 8 Approval Sheet
Sheet 3 of 8 Special Exception Site Plan
Sheet 4 of 8 Site Detail Sheet
Sheet 5 of 8 Site Detail Sheet
Sheet 6 of 8 Landscape Plan and
Sheet 7 of 8 Landscape Detail Sheet
Sheet 8 of 8 Fire Access Plan
Architectural Sheet A101 Floor Plan (includes illustrative of Community Pool interior alterations)
Architectural Sheet A201 Exterior Elevations
Architectural Sheet A202 Exterior Elevations
Architectural Sheet 901 Illustrative Colored Perspectives also reflecting sign plan
CTR Traffic Counts Update Memo Traffic Group dated February 2024 with attachments
CTR The Traffic Group dated July 7, 2022 with attachments
Approved NRI/FSD and Stormwater Management Concept plan

EXHIBIT 1

DEED

BOOK: 64825 PAGE: 48

Tax ID# 4-224-157435

THIS DEED

Made this 3rd day of December, 2021, by and between BELL & BECK, LLC, a Maryland limited liability company, party of the first part, and WOODLEY WAVES, LLC, a Maryland limited liability company, party of the second part:

Witnesseth, that in consideration of THREE MILLION AND 00/100 DOLLARS (\$3,000,000.00), the said party of the first part does grant and convey unto WOODLEY WAVES, LLC, party of the second part, its heirs and assigns, in fee simple as sole tenant, all that piece or parcel of improved land situate, lying and being in Montgomery County, State of Maryland, described as follows to wit:

Lot numbered Six (6) in Block lettered "D" in a subdivision known as "ROCKVILLE ESTATES" as per plat thereof recorded in Plat Book 100 at Plat 11221, one of the Land Records of Montgomery County, Maryland.

Being the same property conveyed by deed recorded in Liber 29997 at folio 603.

Subject to the covenants and restrictions of record.

To Have and To Hold said land and premises above described or mentioned and hereby intended to be conveyed, together with the building and improvements thereon erected, made or being, and all and every title, right, privilege, appurtenance and advance thereunto belonging, or in anywise appertaining unto and for the proper use, benefit and behalf of said party of the second part.

Property Address : 850 Nelson Street, Rockville, Maryland 20850
Grantee's Address : 236 Anderson Avenue, Rockville, Maryland 20850
Grantor's Address : 9903 Cable Drive, Kensington, MD 20895
Title Insurance Co. : Old Republic National Title Insurance Company

And the said party of the first part covenants that it will warrant specially the property hereby conveyed; and that it will execute such further assurances of said land as may be requisite.

Witness its hand and seal.

MONTGOMERY COUNTY, MD

APPROVED BY: KJ

DEC 13 2021

\$ 38,200.00 RECORDATION TAX PAID
\$ 30,000.00 TRANSFER TAX PAID

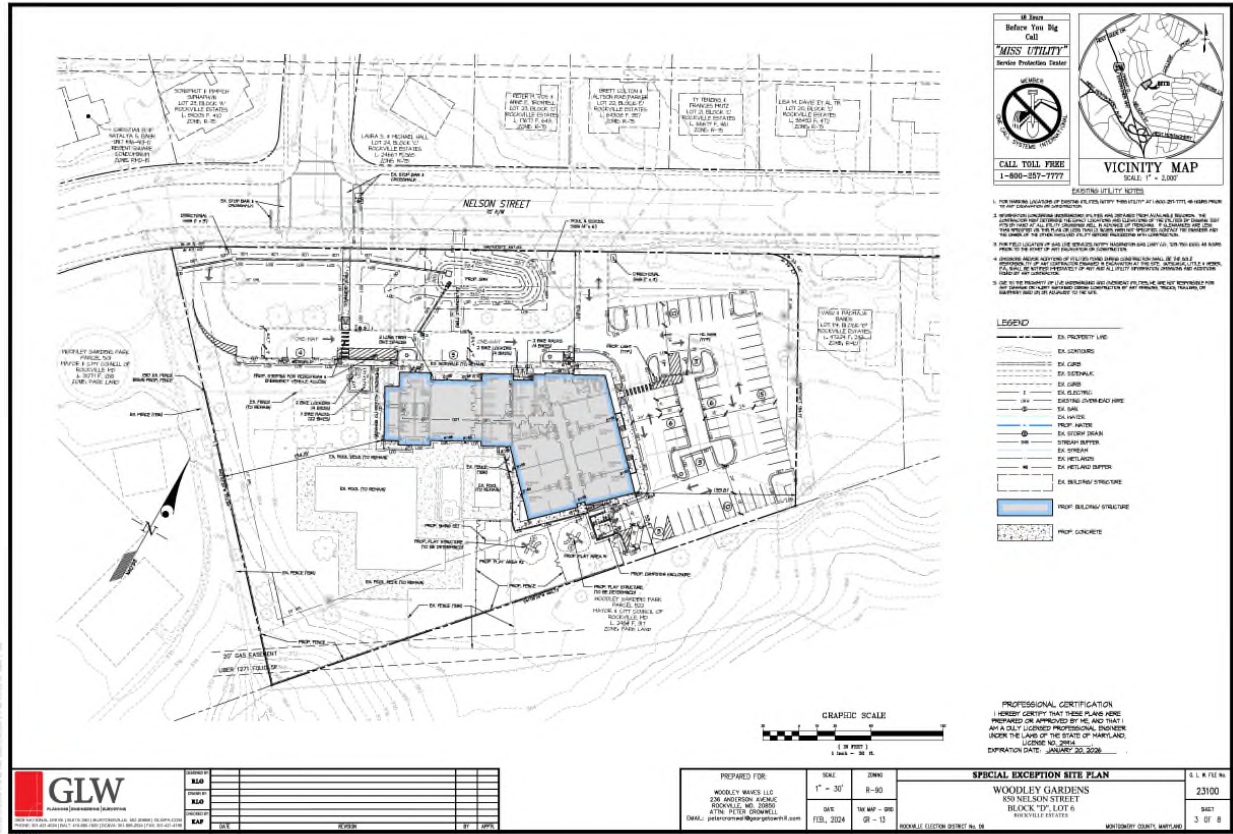
15,000
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Bell & Beck, LLC,
a Maryland limited liability company

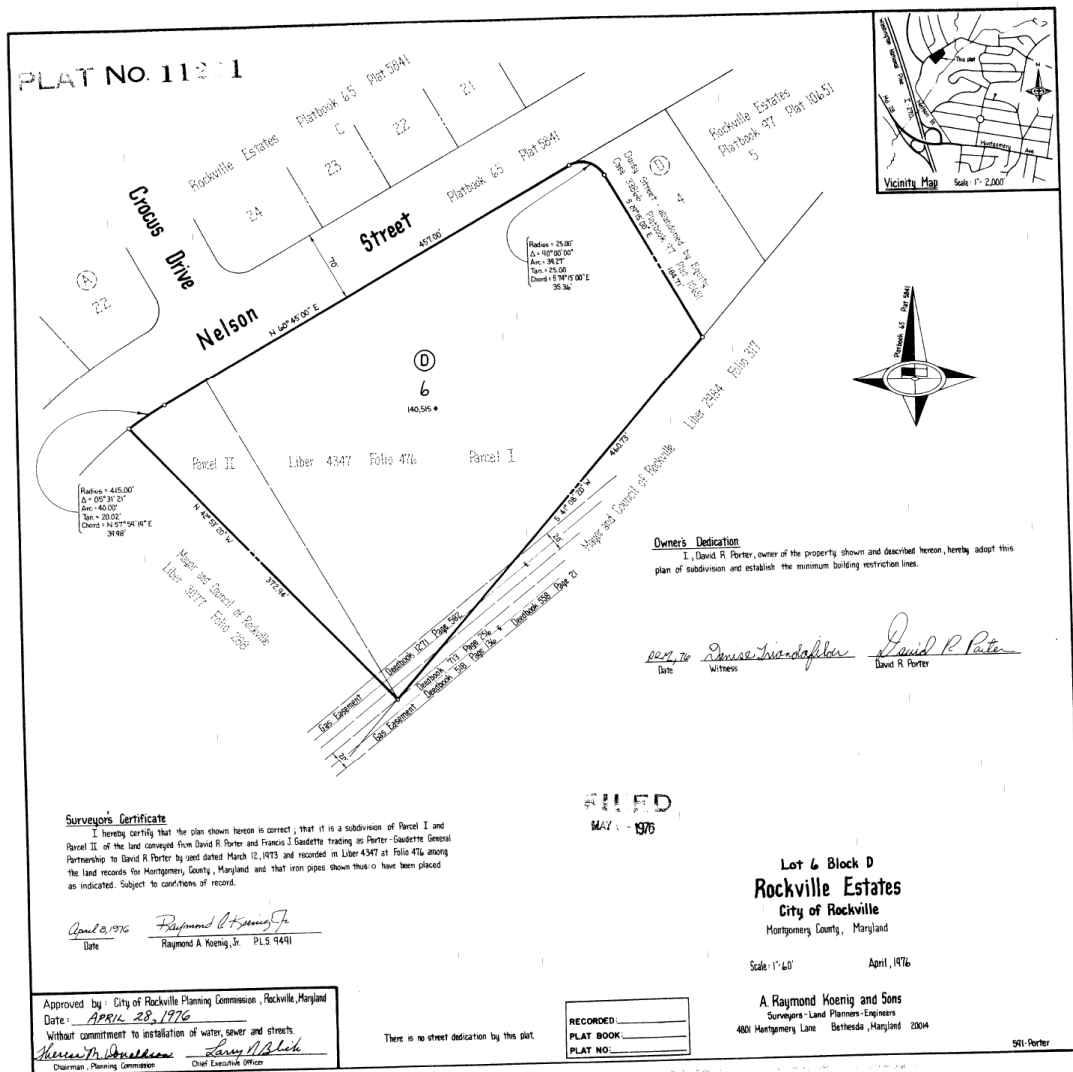
By: [Signature] (SEAL)
Stephen J. Beck, Manager

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) KAB 64825, p. 0048, MSA_CE63_64782. Date available 12/17/2021. Printed 02/05/2024.

EXHIBIT 2
COMPREHENSIVE SITE PLAN



PLAT 11221



EXISTING CONDITIONS APPROVED NRIFSD

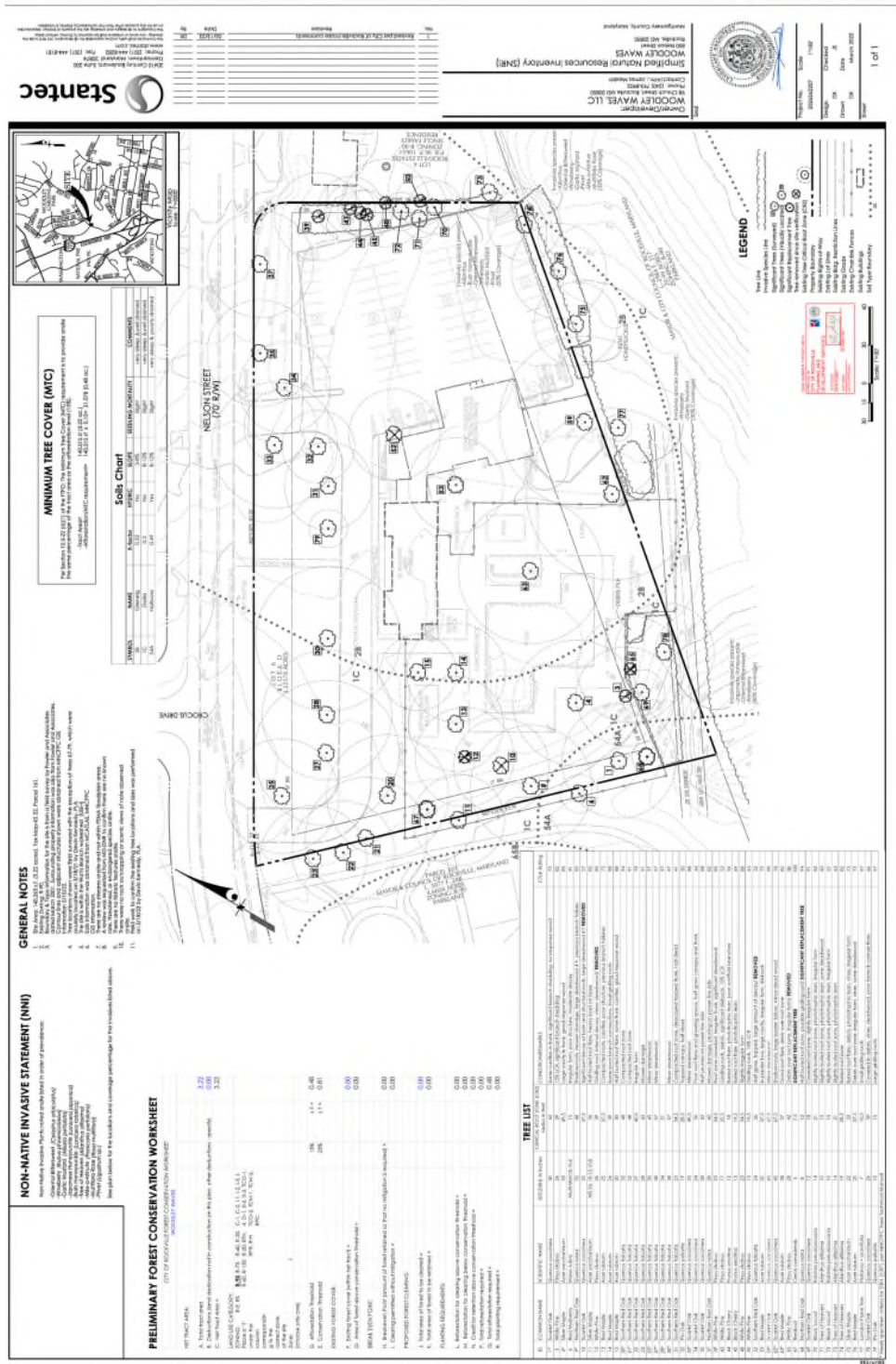


EXHIBIT 5
AERIAL OF PROPERTY



EXHIBIT 6
ZONING MAP

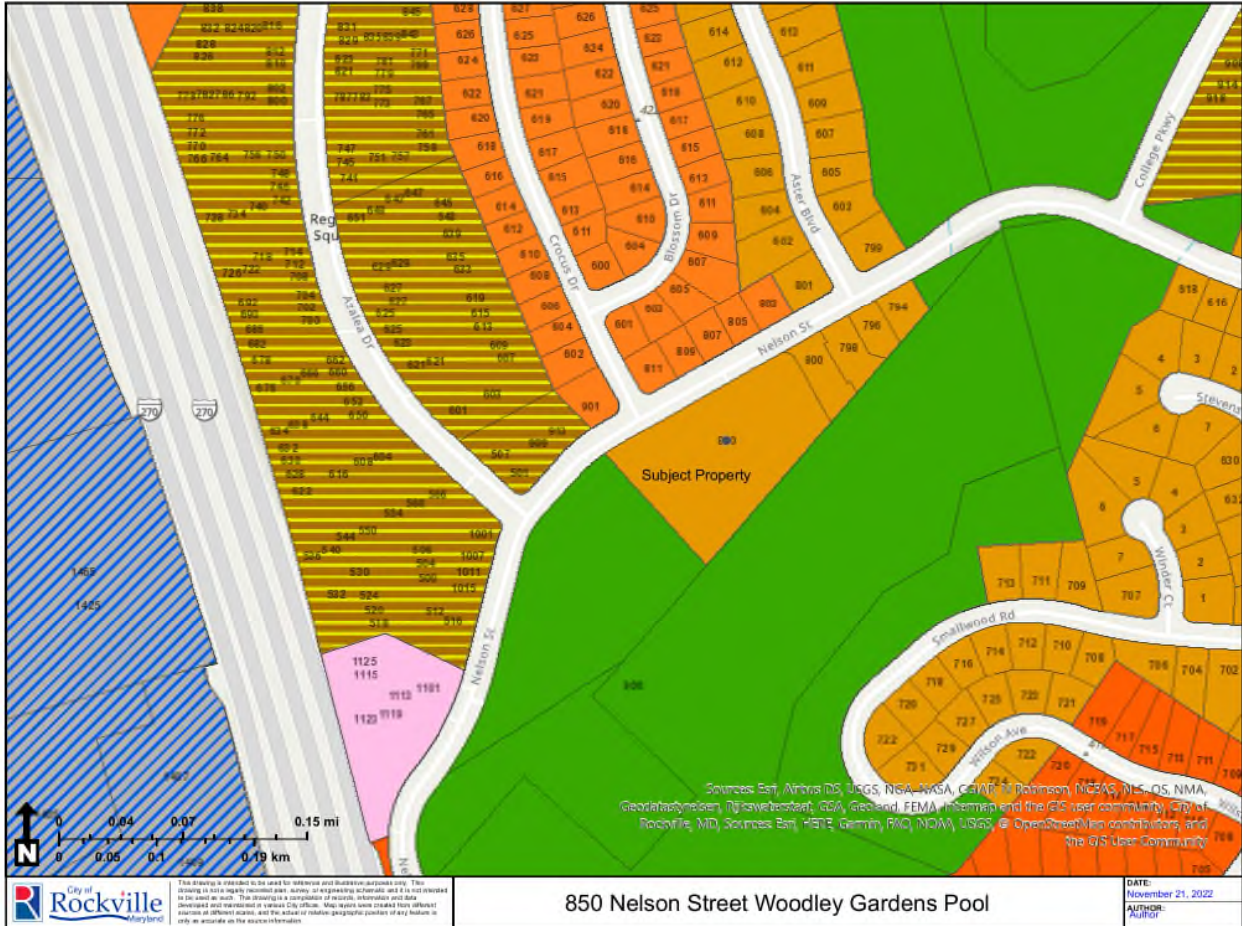


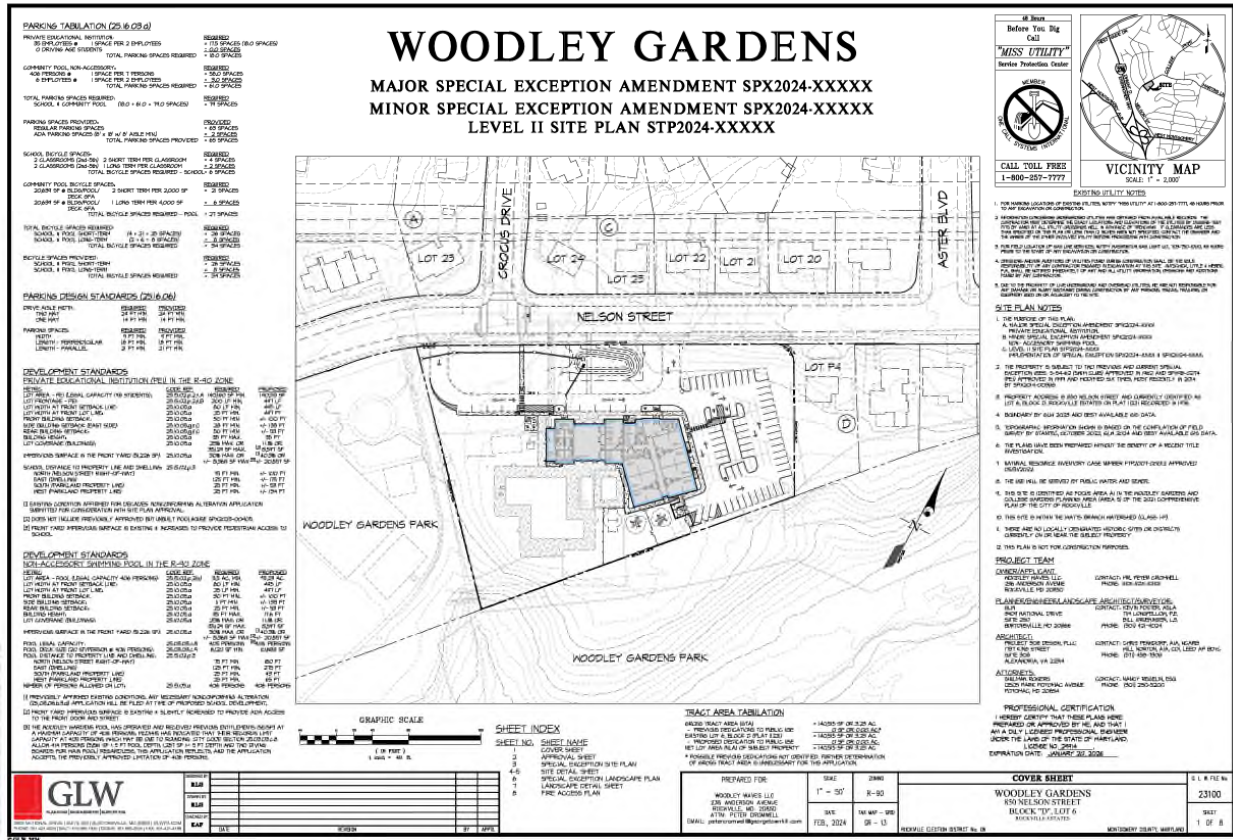
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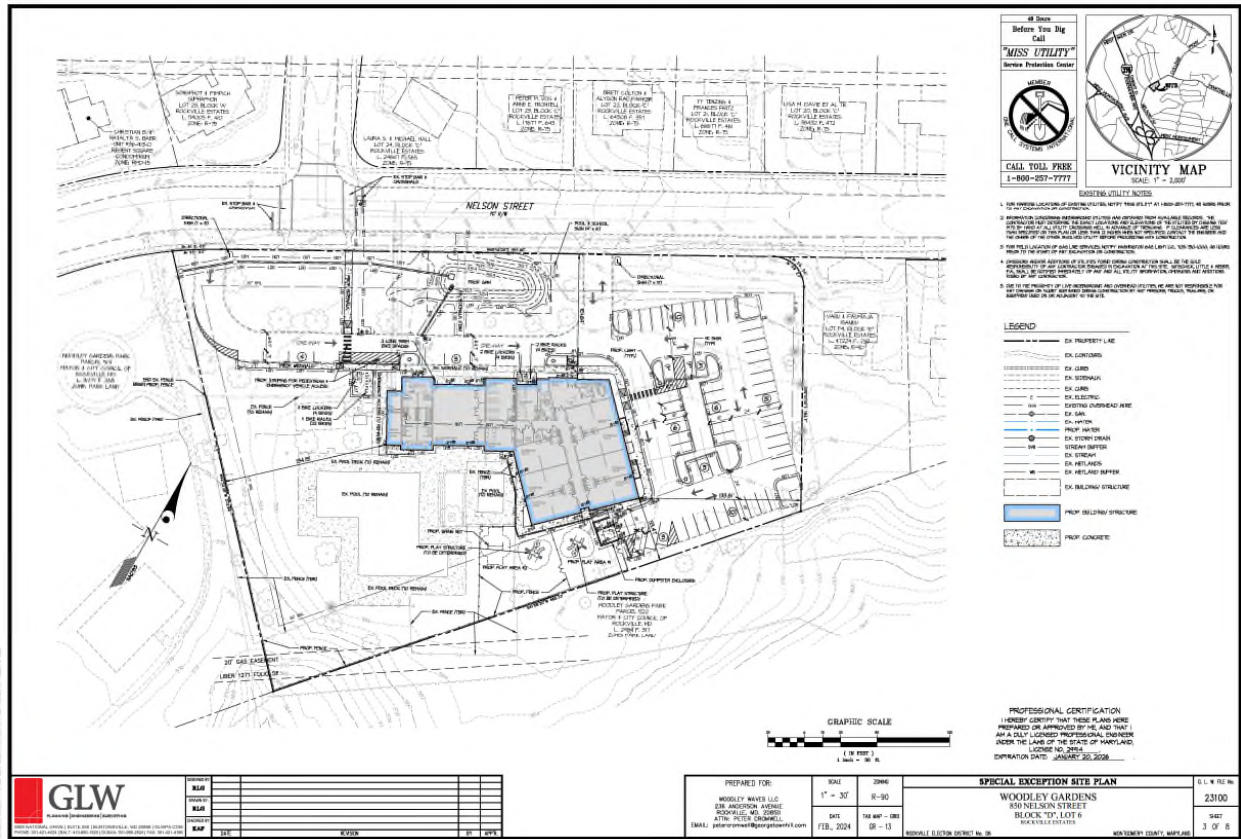
AERIAL OF NEIGHBORHOOD

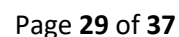


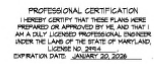
EXHIBIT 8

SPECIAL EXCEPTION SITE PLAN CIVIL SHEETS

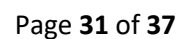








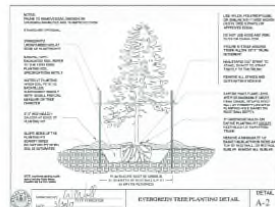
PREPARED FOR: WOODELY NIVELY LLC 234 ANDERSON AVENUE ROCKFORD, IL 60080 ATTENTION: PETER CROWMILL EMAIL: petercrowmill@gogetronicsllc.com	SCALE AS SHOWN	ZONING R-80	SITE DETAIL SHEET WOODELY GARDENS 850 NILSON STREET BLOCK 15 LOT 6 ROCKFORD ILLINOIS	G.L.W. FILE NO. 23100
	DATE FEB. 2024	TAP WET - DRED DR - 13	ROCKFORD ELECTION DISTRICT NO. 06	SHEET 5 OF 8



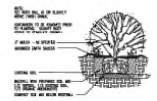


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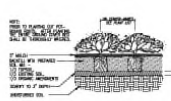
DECIDUOUS TREE PLANTING DET.
FOR PLANTING MATERIAL 2" TO 3 1/2" CALIPER



2 EVERGREEN TREE PLANTING DETAIL



3 SHRUB PLANTING DETAIL



4 GROUND COVER PLANTING DETAIL

[illegible]

INTERNAL LANDSCAPING OF SURFACE PARKING FACILITY - FRONT LOT

- | | |
|-------------------------------------|------------------|
| 1. PARKING LOT AREA | 47- 8,326 SF |
| 2. INTERIOR LANDSCAPE AREA REQUIRED | 34 SF (FBI) |
| 3. INTERIOR LANDSCAPE AREA PROVIDED | 47- 291 SF (FBI) |

INTERNAL LANDSCAPING OF DEFACE PARKING FACILITY - EAST LOT

- | | |
|-------------------------------------|------------------|
| 1. PARKING LOT AREA | 41-25,413 SF |
| 2. INTERIOR LANDSCAPE AREA REQUIRED | 1/14 SF/DM |
| 3. INTERIOR LANDSCAPE AREA PROVIDED | 41-2,455 SF (22) |

INTERNAL LANDSCAPING OF SURFACE PARKING FACILITY - CONCRETE

- | | |
|-------------------------------------|------------------|
| 1. PARKING LOT AREA | 4- 24.4MT OF |
| 2. INTERIOR LANDSCAPE AREA REQUIRED | (ASH OF 250) |
| 3. INTERIOR LANDSCAPE AREA PROVIDED | 4- 32.81 OF (10) |

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1. PARKING LOT AREA EAST LOT LINE 10' REQUIRED: 3 SHADE TREES, 42 SH
PROVIDED: 10 SHADE TREES, 42 SH

PERIMETER LANDSCAPE FROM ROADSIDE ADJACENT PROPERTY (- 80')
(1 SPACE TREE AND 15 SHRUBS PER 40' OF PERIMETER)

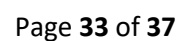
- * 5 EXISTING SHADE TREES BETWEEN LOT LINE AND PARKING LOT

PERMETER LANDSCAPE AREA ADJOINING NON-RESIDENTIAL ZONE - F

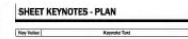
- L. PARKING LOT AREA (SOUTH LOT LINE (IN)). REQUIRED: 4 DRIVE: TREES, 00 SH
PROVIDED: 4 DRIVE: TREES, 00 SH

[illegible]

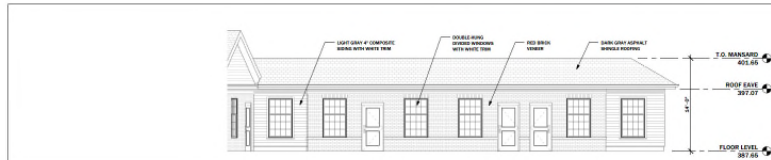
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WOOLLEY WAVES LLC 238 ANDERSON AVENUE ROCKWILE, MD 20850 ATTN: PETER ORRIGHELLI	AS SHOWN	R-90	WOODLEY GARDENS		23100
DRAWN: peter@orrigelli.com	DATE	BY NOT - ONE	850 NELSON STREET		SHEET
	7/16, 2024	CR - 13	BLOCK "D" LOT 6		7 OF 8
			ROCKHILL LOTION		
			FOODABLE SLECTION DISTRICT NO. 06		HANOVER COUNTY, VIRGINIA



ARCHITECTURAL PRELIM FLOOR PLANS AND ELEVATIONS (AND SIGNS)



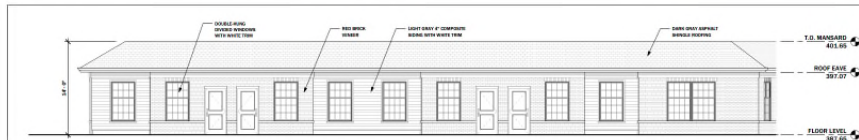
		
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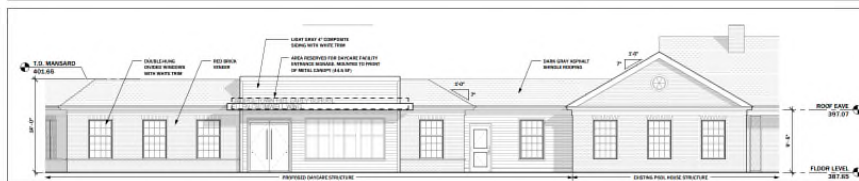
4 WEST ELEVATION A
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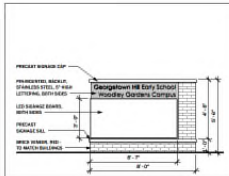
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SCALE: 1/8" = 1'-0"



2 EAST ELEVATION
SCALE: 1/8" = 1'-0"



1 NORTH ELEVATION A
SCALE: 1/8" = 1'-0"



5 WEST ELEVATION
SCALE: 1/8" = 1'-0"

