






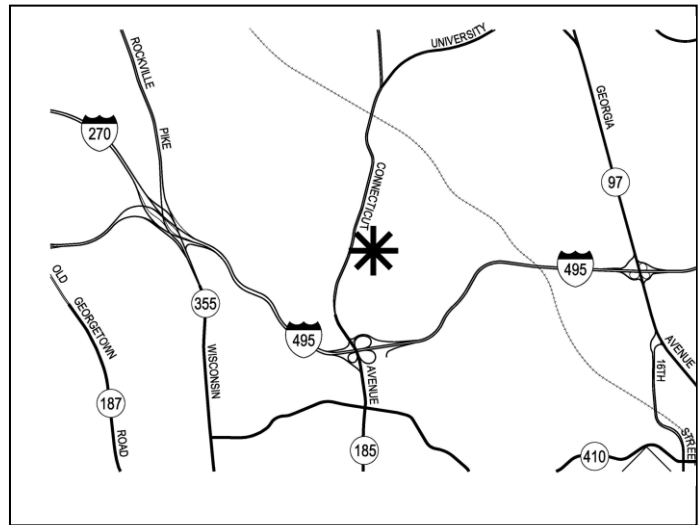
**Bethesda-Chevy Chase Middle School #2, Mandatory Referral, MR2014048**

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Completed: 03/19/15

**Description**

- Mandatory Referral for the construction of a new middle school in the Bethesda-Chevy Chase cluster on the former Rock Creek Hills Local Park site;
- 3701 Saul Road, Kensington, Maryland, 20895;
- 13.39 acres zoned R-90;
- 1989 *Master Plan for the Communities of Kensington-Wheaton*;
- Applicant: Montgomery County Public Schools (MCPS);
- Filing date: May 16, 2014.



**Summary**

Staff recommends approval with comments.

The proposed project removes a significant amount of high priority forest and numerous specimen trees that should be saved.

The proposed project creates compatibility issues by proposing a design that relies on extremely high retaining walls to deal with the steep slopes on the site.

A related Preliminary Forest Conservation Plan has been reviewed and submitted for Planning Board approval in a separate report.

Staff recommends that MCPS staff revise the parent drop-off loop as shown in the alternative layout concept and continue to work with the Planning Department staff to improve the plan in order to reduce environmental, compatibility and safety impacts of the proposed project.

## RECOMMENDATION

Staff recommends approval with the following comments to be transmitted to MCPS:

1. The proposed development must comply with the Final Forest Conservation Plan.
2. Consider further design and circulation improvements in the layout of proposed school building and associated facilities. More specifically, explore more innovative solutions in the design of the parent drop-off and the associated parking area to reduce on-site imperviousness; reduce the number, length and height of retaining walls; and save additional high priority forest and individual specimen trees.
3. Any mandatory referral submission for future improvements at the subject site must include an updated traffic study if those improvements will increase the school's core capacity beyond 1,200 students.
4. Ensure that the parent drop-off and pick-up traffic does not overflow onto the adjacent Saul Road by implementing a program to encourage parents to carpool as much as possible.
5. Provide at least two bike racks (each storing two bikes) at each of the following locations -- in front of the main first-floor western entrance and the second-floor northern entrance. Consider a third location near the northeastern corner of the proposed tennis courts.
6. Consider preparing a traffic circulation study to analyze the local operational and safety issues at Saul Road and Kensington Parkway intersection.
7. Ensure adequate sight distance and clear visibility of exiting vehicles that may be hindered by dense vegetation to the west and topography of the adjacent street to the east.
8. Provide ADA-compliant marked pedestrian crosswalks perpendicular, not diagonal, across Saul Road and a handicap ramp on the south side of Saul Road. In order to make the lead-in sidewalk along the driveway from Saul Road to the parent drop-off/pick-up area ADA compliant, relocate the curb cut such that the grade difference is significantly reduced.
9. There is existing sidewalk only along the west side of Haverhill Drive, and a sidewalk is proposed on the north side of from Haverhill Drive to approximately 100 feet east of Elrod Road. Additional sidewalk connections are needed to provide safe off-site pedestrian circulation.
10. For safe off-site pedestrian circulation, provide the missing sidewalks on the south side of Saul Road approximately 100 feet east of Elrod Road and from the driveway from Haverhill Drive to the houses on the south side of Saul Road.
11. Obtain a Park Construction Permit for all construction related activities within the Kensington Parkway Stream Valley Park.
12. Allow permitted ballfield users to finish their spring season.

## INTRODUCTION

This report consists of staff review of the Mandatory Referral for the proposed construction of Bethesda-Chevy Chase Middle School #2, submitted by the Montgomery County Public Schools (MCPS) pursuant to Section 7-112 of the Regional District Act. A related Preliminary Forest Conservation Plan is reviewed in a separate memo to the Planning Board. A Final Forest Conservation Plan must be submitted for staff review and approval subsequent to the Planning Board review and action. The Planning Board action on a Mandatory Referral is advisory, but the Board decision on the related Forest Conservation Plan is regulatory and binding.

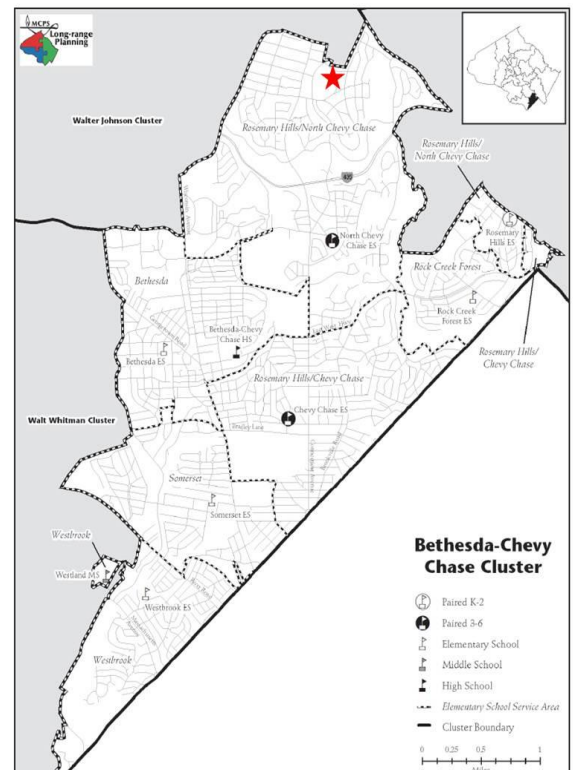
**Site Description**

The 13.39-acre site is located at 3701 Saul Road, south and east of the Town of Kensington, east of Connecticut Avenue. This site is the remainder of the old Kensington Junior High School site, after eight acres were given to the Housing Opportunities Commission for a senior living facility, and is currently developed as Rock Creek Hills Local Park. The site is within the boundary of the 1989 Master Plan for the Communities of Kensington-Wheaton and the Bethesda-Chevy Chase cluster. The property fronts on Saul Road to the south and Haverhill Drive to the east. Kensington Parkway Stream Valley Park (SVP) is to the west and Kensington Park Retirement Community, which includes independent living, assisted living, and memory care facilities, is to the north and northwest. Single-family residential properties confront the site to the east and south.



The site currently functions as Rock Creek Hills Local Park and includes a basketball court, a playground, two tennis courts, two full-sized soccer fields, a gazebo, and a roller hockey rink. There are two parking areas, with separate entrances on Saul Road and Haverhill Drive. Silver Creek flows through Kensington Parkway SVP on the west side of the site and the related stream buffer extends onto the site. The site is partially forested and has numerous specimen trees, including 4 potential County champion trees. The site's high point is located on the northeast portion of the property and slopes to the south and west, with large areas of steep slopes. There is a 62-foot change in height from the playing fields on the upper plateau at the northeast to the base of the lower driveway at the southwest corner of the site.

The site is organized into an upper plateau, with the playing fields, basketball court, tennis courts, playground, gazebo, and parking area and a lower plateau, with roller hockey rink and parking area.



**Site Selection Process**

In December 2010, the Board of Education (BOE) began a site selection process for a new middle school in the Bethesda-Chevy Chase cluster. In April 2011, the Board of Education selected this site (Rock Creek Hills Local Park (RCHLP)) for the proposed school. MCPS staff conducted a study to determine the feasibility of locating a middle school on the site in summer and fall of 2011 (Attachment 1). The final feasibility study presented three options for the basic school design.

Option 2 was selected to be the preferred design to be further explored for schematic design. Sustained criticism of the site as the preferred location for the school, and the process by which it was selected, prompted former Superintendent Joshua P. Starr to recommend that a more inclusive and transparent process be devised for selecting a middle school site. The BOE rescinded its initial decision in November 2011 and the Superintendent of Schools directed the MCPS staff to conduct a second site selection process.



Option 1



Option 2



Option 3

MCPS revised the site selection process in several ways intended to enhance public participation and improve openness. It engaged a facilitator to run meetings, manage discussions and monitor the site ranking process. It broadened participation by including civic representatives along with parent groups, local government experts and MCPS staff. It encouraged these committee members to offer their own candidate sites for consideration. It enabled committee members who disagreed with the selection to prepare responses. It made the committee report—with minority viewpoints—available for public comment prior to the superintendent’s decision on candidate sites.

MCPS staff organized a Site Selection Advisory Committee (SSAC) to allow for community viewpoints and staff expertise to be shared in the study of candidate sites for the school. The SSAC met four times to review a total of 38 candidate sites. Over the course of four meetings in January and February 2012,

the SSAC eliminated 36 sites and voted to recommend two potential sites for the new middle school. Through a scoring process, the SSAC determined Rock Creek Hills Local Park (the subject site) as the preferred site for the new middle school, with North Chevy Chase Local Park as a second choice (Attachment 2). On March 30, 2012, the Superintendent released his report recommending the subject site as the site for Bethesda-Chevy Chase Middle School #2.

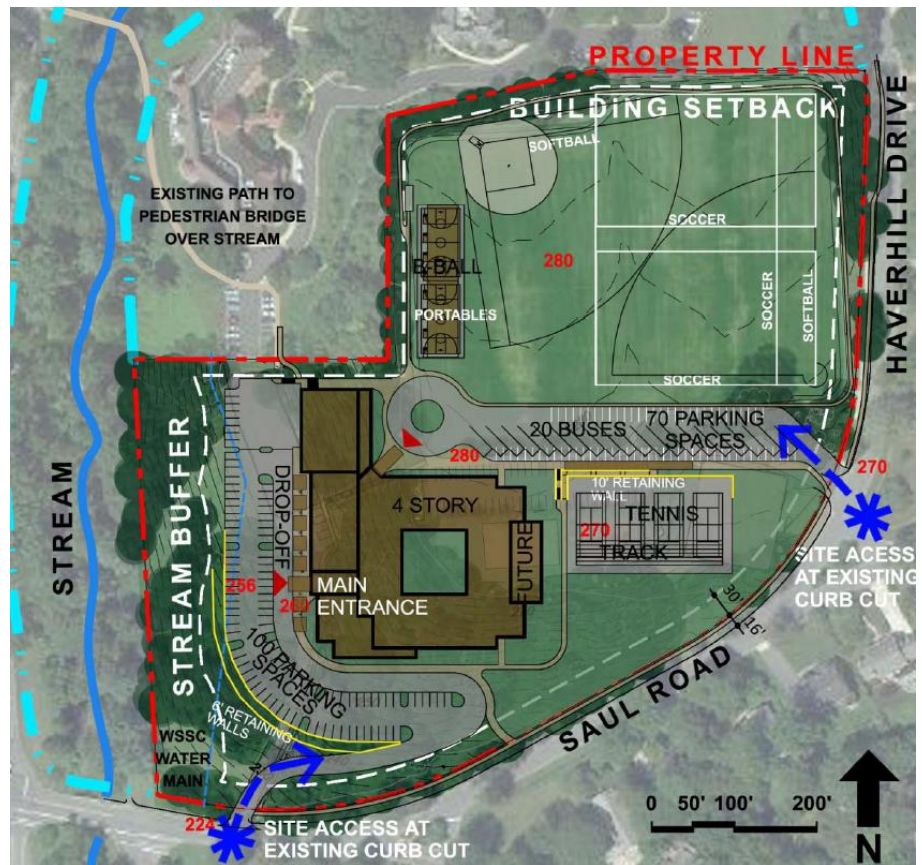
On April 9, 2012, staff from the Department of Planning and the Parks Department presented the Bethesda-Chevy Chase Middle School #2 Site Selection Mandatory Referral to the Planning Board and recommended that the Planning Board not accept the Superintendent’s recommendation and recommended some alternate sites (Attachment 3). In addition to the loss of parkland, staff was opposed to the taking of RCHLP because of the loss of trees and the loss of an adult-sized rectangular field. Staff recommended that MCPS look at three other options:

- Purchase of a private site
- The former Montgomery Hills Junior High School site
- The former Lynnbrook Elementary School site and the adjacent Lynnbrook Local Park

The Planning Board voted four to one, with Commissioner Dreyfuss dissenting, in favor of the following: “MCPS should enter into serious discussion with Parks Staff and the Planning Board to assess the feasibility of locating the middle school on the combined site of the former Lynnbrook Elementary School and Lynnbrook Local Park. While the Board does not support the taking of Rock Creek Hills Local Park for the middle school, it recognizes that MCPS has the right to reclaim the property if the Lynnbrook option proves infeasible upon further study.”

On April 16, 2012, the Planning Board transmitted its comments to the Board of Education (Attachment 4). On April 17, 2012, the Board of Education unanimously voted to select the subject site as the site for Bethesda-Chevy Chase Middle School #2. Even though ownership was transferred to MCPS, the site has continued to be maintained by the Parks Department and function as a park.

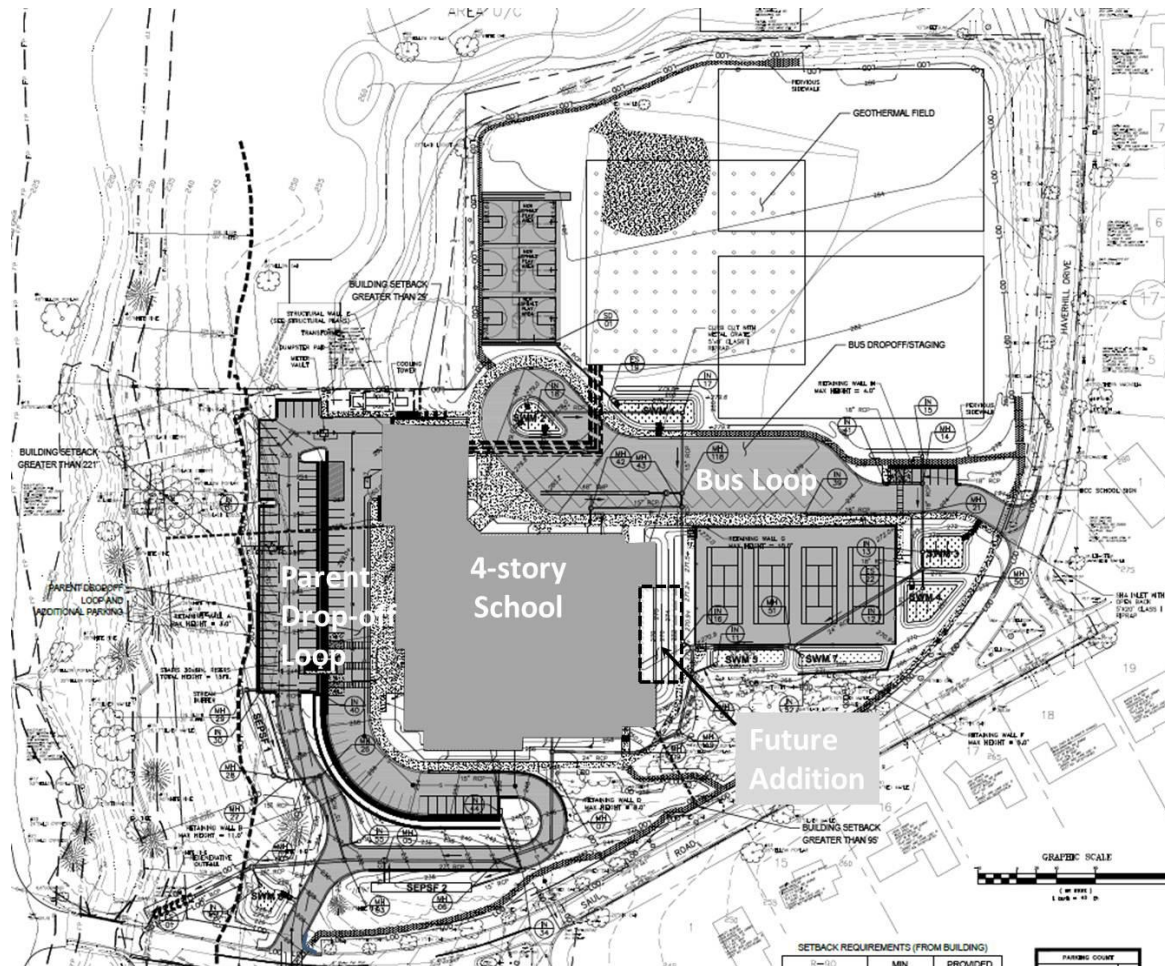
MCPS conducted a schematic design study in fall 2013 to transform and further refine the concept developed in the feasibility study. The schematic design study was completed in November 2013 (Attachment 5) and presented to the community.



The final design showed a four-story building with a parent drop-off loop at the existing curb cut on Saul Road and a bus drop-off loop at the existing curb cut on Haverhill Drive.

### Project Description

The proposed middle school is needed in the Bethesda-Chevy Chase cluster to accommodate growth and help alleviate overcrowding at Westland Middle School (Attachment 6). The project will meet the requirements of the educational specifications for a new middle school by providing 46 teaching spaces for grades six through eight when completed in August 2017.



Proposed site plan

The new building will be designed for 944 students with the core capacity to accommodate up to 1,200 students, which will be with a future expansion of twelve (12) additional classrooms. No additional mandatory referral review will be needed for this potential future expansion.

The proposed school design includes the following elements:

- A four-story building organized around a central courtyard;
- A courtyard designed to promote daylight use;
- 1<sup>st</sup> Floor with a welcoming entry area accessible from the parent drop-off and general parking area on the west side of the building. This floor also contains administration, guidance, and health suites to enhance security and supervision as well as a cafeteria, music suite, kitchen, and service area;

- 2<sup>nd</sup> Floor with a security office for added security and supervision located at the second entrance with access from Haverhill Drive and the adjacent bus loading area;
- 3<sup>rd</sup> and 4<sup>th</sup> floors contain classrooms and other related spaces.
- A geothermal field located under the athletic fields, consisting of 400 to 450 wells;
- Exterior lighting fixture will be Light Emitting Diode (LED), and operate on timers to conserve energy.



East Elevation

The building and site will be in full compliance with the most current applicable Code of Maryland Regulations (COMAR) and Americans with Disabilities Act (ADA), whichever is more stringent. The project will be designed to achieve Leadership in Energy and Environmental Design (LEED) Silver certification or higher by the United States Green Building Council (USGBC) under the LEED for Schools rating system.



North Elevation

6' 18' 30'

In order to minimize the building footprint, the new school has been designed into the existing hill, with four stories visible from the west and three-stories from the east and north. The existing southern vehicular and pedestrian entry and curb cut along Saul Road will be improved to provide access and parking spaces for approximately 110 vehicles, a parent drop-off loop and a service drive providing access to the first floor. The existing eastern vehicular and pedestrian entry and curb cut located on Haverhill Drive will be relocated and reconfigured to provide a separate bus loop for twenty buses, providing access to students entering at the second floor.



South Elevation

In addition to the outdoor active and recreational spaces, the support spaces such as the cafeteria, instructional media center, and gymnasium will be available to the community for use during non-school hours, while the remainder of the building will be secured.



West Elevation



School hours are from 7:00 a.m. to 3:00 p.m. during the school year. During the summer break and winter holidays only administrative staff is present. The school will be available for public use under the Montgomery County Use of Public Facilities Program. No phasing of construction is planned.

The proposed project includes the following pedestrian and bicycle facilities:

1. The internal circulation separates pedestrian and vehicular movements.
2. Lead-in sidewalks from Haverhill Drive into the bus loop and parking area for the recreational fields.
3. ADA-compliant handicap ramps for the sidewalk across the school's Haverhill Drive driveway.
4. Handicapped parking spaces in the parking areas with delineated ADA accessible paths to the school's two entrances.
5. Internal ADA-compliant and marked pedestrian crosswalks and handicap ramps or at-grade sidewalk crossing on the site.
6. Bike racks are provided in front of the main first-floor western entrance and secondary second-floor eastern entrance.



## ANALYSIS

### Conformance to Development Standards

The property is zoned R-90. The proposed project was analyzed for conformance with the applicable development standards as shown in Table 1 below.

**Table 1: Applicable Development Standards – R-90 Zone**

<b>Development Standards</b>	<b>Required</b>	<b>Provided</b>
<b>Minimum Tract Area:</b> (59-4.4.8 Residential – 90 Zone)	9,000 sq. ft.	583,268 sq. ft. (13.39ac.)
<b>Maximum Lot Coverage</b>	30%	10.6%
<b>Minimum Principle Building Setbacks</b>		
Front Setback	30'	95'
Side Setback	8'	221'
Rear Setback	25'	29'
<b>Maximum Building Height</b>	35'	64'+
<b>Parking Count</b>	N/A	112 commuter 5 ADA parking
<b>ADA Parking Requirement</b>	5 with 1 van parking min.	6

### Master Plan

The 1989 Master Plan for the Communities of Kensington-Wheaton identified a portion of the former Kensington Junior High School site for use as a 165-unit elderly housing project and the remainder to be used as a park. While the Plan expected the subject site to be a park, the issue of whether this site should be used for a school was extensively discussed and considered during the site selection process described in this report on page 4. The proposed school will meet the educational needs of the current and future growth in the master plan area and therefore is consistent with the goals and objectives of the Plan.

### Neighborhood Compatibility

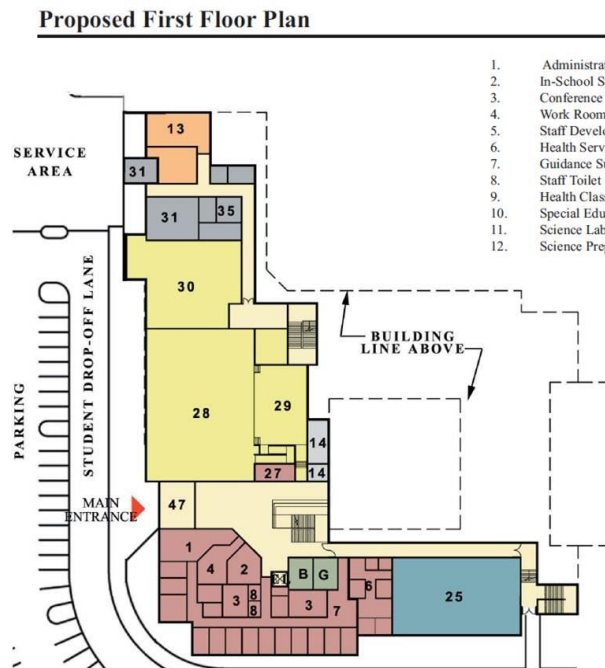
As part of its review, the Planning Board must consider whether the nature of the proposed site and development, including its size, shape, scale, height, arrangement and design of structure, is compatible with the surrounding neighborhood and properties. The subject site is very challenging due to its size, topography with large areas of steep slopes, and environmental buffers.

MCPS proposes to meet these challenges with a four-story school with a compact footprint. The building is articulated to break up the mass, with the volume of the building set back from Saul Road as far as feasible given the topography and other constraints.

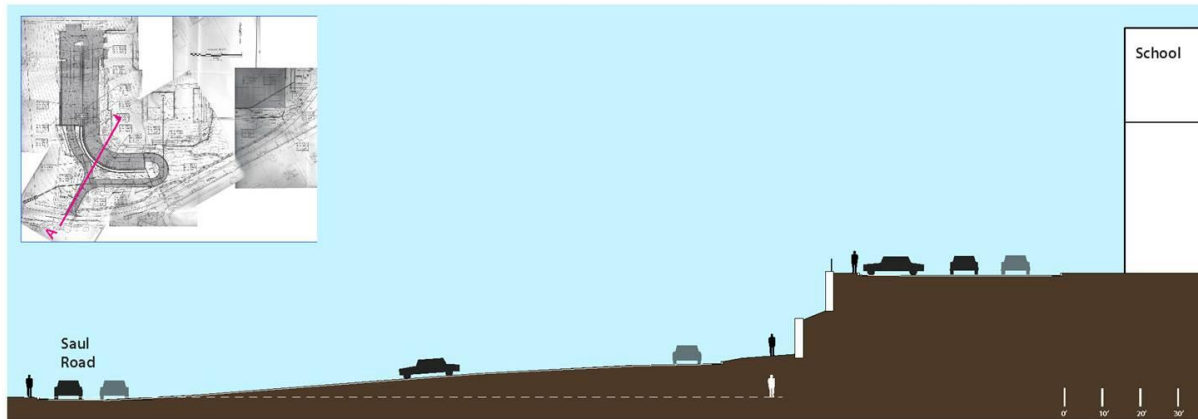


The treatment of building materials also helps break up the mass, so that the building does not appear monolithic in nature. A mix of horizontal and vertical windows creates interesting façades that reinforce the division of the building into separate volumes.

The building responds to the topography of the site by having two entrances on separate levels and placing some of the large interior spaces (cafeteria, music room) with higher than normal floor heights on the ground floor that needs to be taller to address the topographic challenges of the site. The first floor is a partial floor set into the hill, as shown in the proposed first floor plan below.



While the architecture responds to the site, the combination of the building design and site’s constraints of size and topography result in a number of issues. The four-story building and sloping site create a height differential of approximately 100’ from the parent drop-off loop entrance on Saul Road to the top of the west façade of the proposed building.



Highest retaining walls cross section

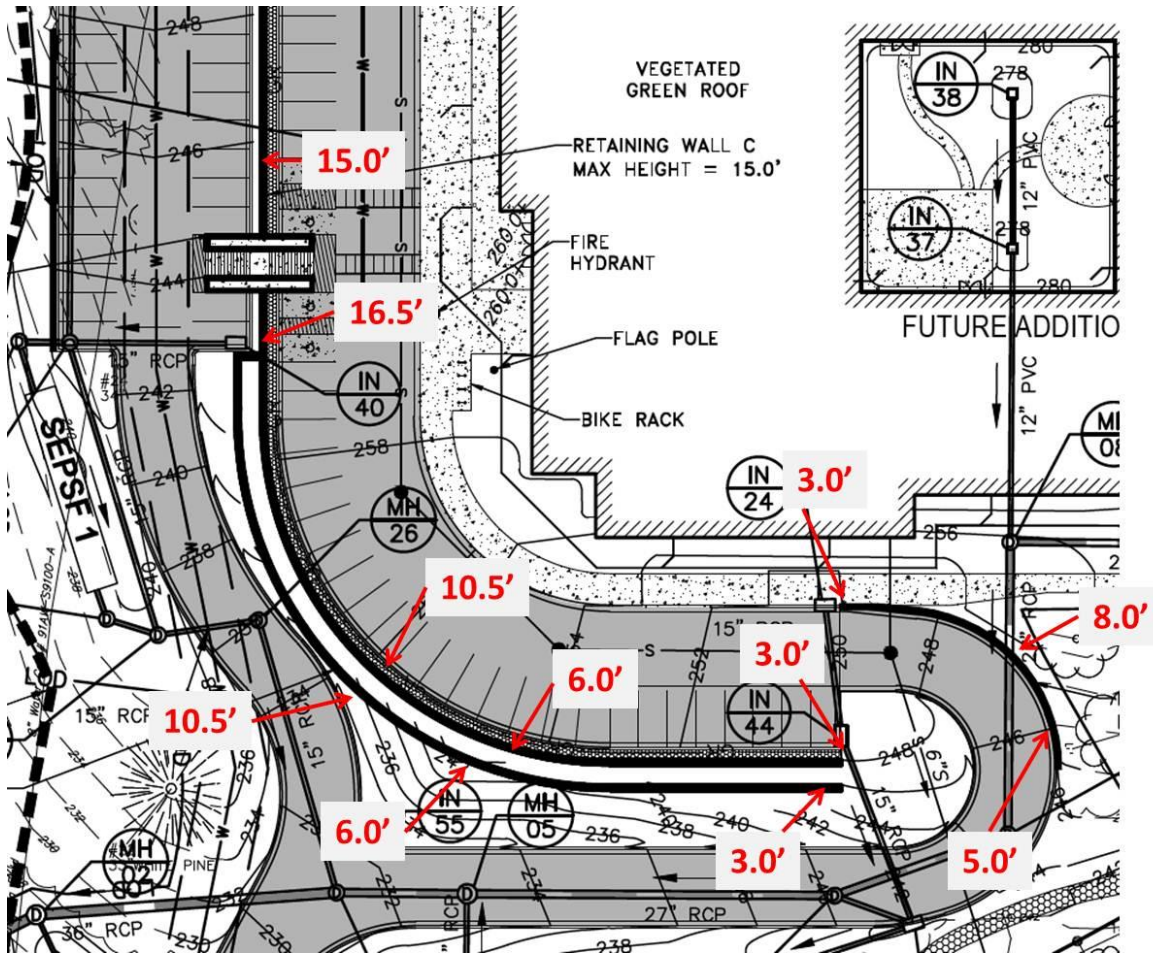
## MAJOR ISSUES

Although MCPS worked diligently with the public on the mandatory referral plan, staff has a number of issues with the plan submitted for mandatory referral.

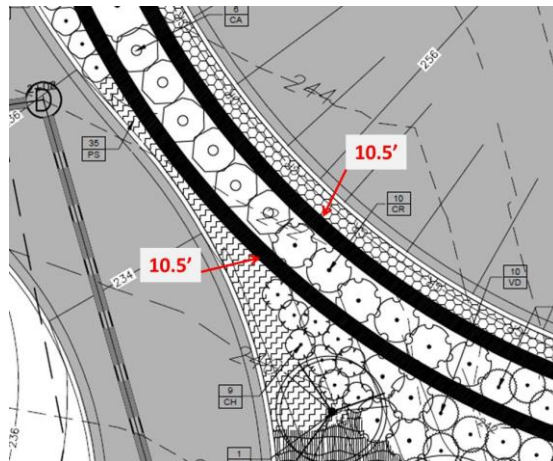
### Retaining Walls

A major issue created by the combination of the school program and site topography is the numerous retaining walls (Attachment 7). The site has less than eight acres of relatively flat area and the rest has steep slopes and forested areas. The MCPS's middle school program will not easily fit in this space without using retaining walls. The highest retaining walls are created by the parent drop-off loop. The plans currently show the entrance to the parent drop-off loop at the lowest point of the site, an elevation of 222', with a first floor elevation of 260'. These two design decisions result in a series of retaining walls with two of the retaining walls at 10.5-foot high each, at one location. When the safety fence is included, the total height from bottom of wall to the top of the visible structural is more than 24' feet.

MCPS proposes to landscape in front of the lower wall and between the two walls, but the area where the walls are highest has the least amount of landscaping. Although the MCPS has used all design and landscape techniques to minimize the negative visual impacts of these walls, staff is concerned that the proposed retaining walls are excessive and can be reduced through further design refinements and changes in design and layout of the parent drop-off and parking area. The figure below indicates the proposed heights of retaining walls. All retaining walls will have fences on top of the walls (for safety reasons) in addition to the heights shown below.



Proposed parent drop-off loop retaining walls



Proposed retaining wall landscaping

While the retaining walls will be faced with brick, they will still be a dominant feature in the final site. As a reference, the photo below is of the walls at Cabin John Middle School. While the retaining walls on the Bethesda-Chevy Chase Middle School #2 will be interior to the school site, they will be significantly taller than the walls shown, in some locations.



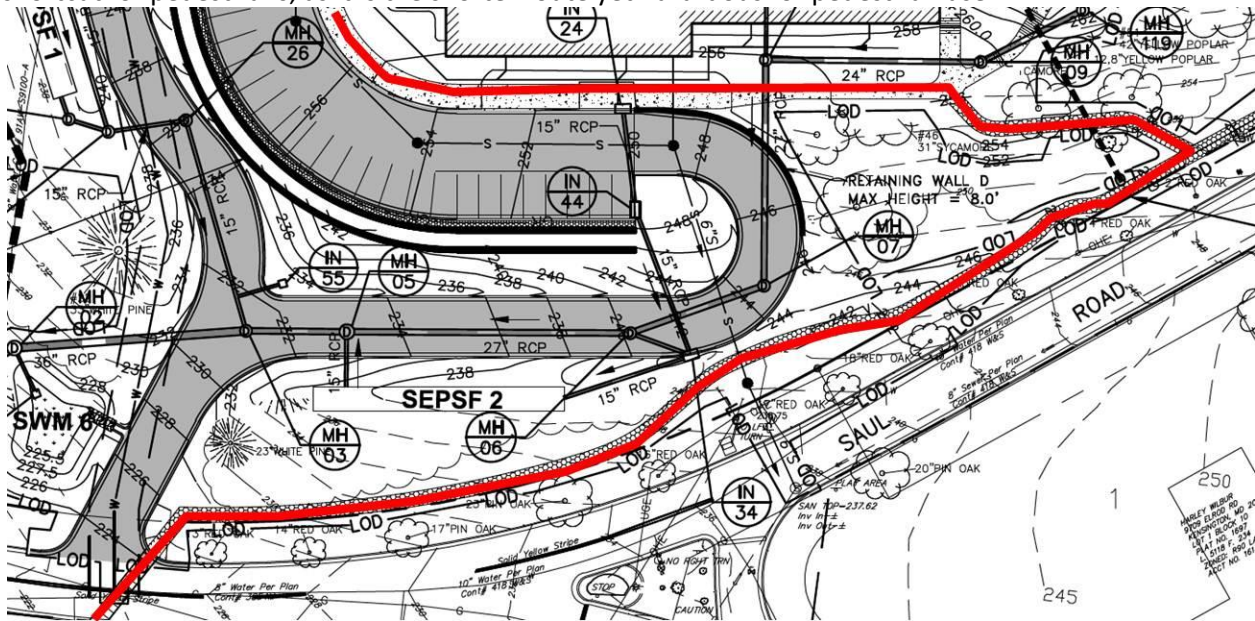
Cabin John Middle School | View of brick walls along Gainsborough Road | Today

### Forest and Tree Loss

In order to construct the middle school as proposed, MCPS will disturb almost the entire site, outside of the environmental buffer. This will necessitate the removal of 2.80 acres of high priority forest and 31 trees requiring a variance, as well as numerous trees smaller than 30" diameter at breast height (DBH). While MCPS has proposed an extensive landscape plan (Attachment 8), the character of the site will change dramatically with the loss of all of the large trees outside of the environmental buffer. The new trees will be at a different scale but will eventually grow and may replace the existing tree cover.

### Pedestrian Access

The access to the site for pedestrians is awkward and inefficient, though ADA-compliant. The surrounding neighborhood does not have sidewalks; there is a short segment of sidewalk on the south side of Saul Road. The only crosswalk is angled from that segment across the parent drop-off loop to the north side of Saul Road and the school site. The pedestrian route continues up Saul Road to a path that enters the site and doubles back to the main school entrance. The parent drop-off loop provides a likely shortcut for pedestrians, as it is the shorter route yet hazardous for pedestrian use.



Pedestrian Access

## Safety

Staff has significant concerns about student safety on this site. The site design creates pedestrian conflicts with the crosswalk on Saul Road angled across the access to the parent drop-off loop, as well as the attractive shortcut students are likely to create up the parent drop-off loop itself. The height of the retaining walls creates a potential hazard and inviting nuisance. While MCPS will provide safety fencing at the top of the retaining walls to prevent accidents, the heights are such that children could suffer serious injury or death by playing on these walls. Additionally, the design of the parent drop-off loop is extremely attractive for skateboarding while the entrance itself has a limited site distance, creating a situation where skateboarders or bicyclists could be exiting the site at a high rate of speed without drivers being able to see them in time.

## Environmental Analysis

### Environmental Guidelines

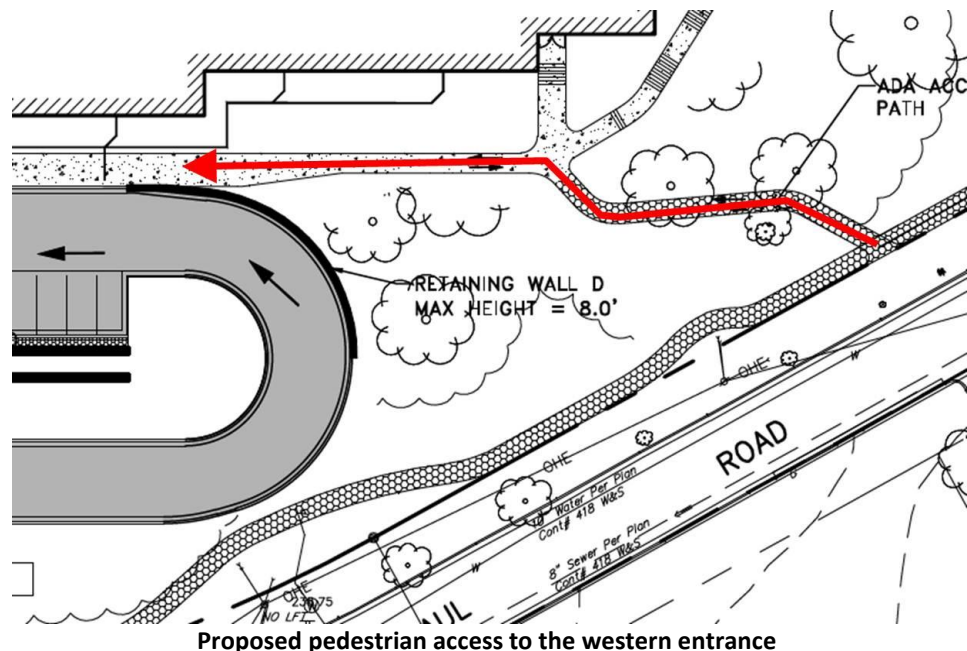
Staff approved a Natural Resource Inventory/Forest Stand Delineation (NRI/FSD #420140980) for the school site on 2/24/2014. The proposed school construction protects all but 0.05 acres of environmental buffer in Category I Conservation Easement. The 0.05 acre encroachment is due to a stormwater management outfall. The proposed plan is in compliance with the Environmental Guidelines.

### Forest Conservation

Forest conservation issues are covered in a separate regulatory memo to the Planning Board. In summary, this property is subject to the Montgomery County Forest Conservation Law (Chapter 22A of the County Code). The PFCP proposes to clear 2.80 acres of forest, 2.78 acres of which is categorized as high priority, retain 0.78 acres of forest, and plant 0.16 acres of forest.

### Stormwater Management

The Montgomery County Department of Permitting Services (DPS) approved a stormwater management concept plan on 2/05/2015 (Attachment 9). The stormwater management concept includes a vegetated roof, micro-biofilters, pervious pavement, underground sand filters and a volume-based storm filter.



### **Department of Parks Comments**

Staff from the Department of Parks reviewed the mandatory referral plans and provided a memo outlining their concerns. (Attachment 10) The major issues covered include stormwater management and the transfer of park maintenance responsibilities.

#### Stormwater Management (SWM)

Virtually the whole school site drains to the 24" outfall (ES01) onto parkland using a "Regenerative Outfall" at the extreme southwest corner of the site. Parks is generally supportive of the "Regenerative Outfall" concept to provide additional treatment beyond the piped system. Additionally, there are portions of the northwestern and southeastern driveway entrances that will bypass any SWM facilities and ultimately discharge directly into Silver Creek via an eroded curb cut along Saul Road.

Parks sees a need for MCPS to comprehensively look at options to capture more of these untreated areas and incorporate the drainage from Saul Road, which currently uses an eroding concrete channel. The Parks Department believes that there is opportunity within this area of the site to provide further treatment of the on-site runoff and capture runoff from Saul Road to provide better treatment prior to discharge into Silver Creek. Parks would be willing to work with the applicant to incorporate these opportunities into the project and create an improved transition into Silver Creek. This effort will improve the project design, provide watershed benefits, and could potentially include an environmental educational component.

#### Park Maintenance and Transition

The "Agreement for Use and Operation of Rock Creek Hills Local Park" between the Maryland-National Capital Park and Planning Commission and the Board of Education of Montgomery County dated December 19, 2013, states in Item 5a, that that term of the agreement shall expire on May 31, 2015 unless the Board of Education states the need to extend the agreement by June 30, 2014. The Board of Education has not asked for an extension. The school project is scheduled for a July 1, 2015 construction commencement. Permitted ballfield users, getting their permits through the Community Use of Public Facilities (CUPF), should be allowed to finish their spring season. Sunday June 21, 2015 will be the last permitted ballfield date for the spring 2015 season at this site. This date will allow 3 full weekends in June for league playoffs or rain date make-ups etc.

There are a number of park components that the Department of Parks would like to salvage from this site with MCPS permission. These components include benches, playground equipment, basketball posts, tennis nets, trash cans, and landscape material. These components will be removed starting, weather permitting, Monday June 22, 2015 and will take no more than 4 weeks ending July 17, 2015. It is anticipated that MCPS will mobilize after that date for construction of the new middle school.

### **Community Notification**

As mentioned in the Site Selection Process on page 4, MCPS worked with parents, neighbors, and school staff since 2010 on the proposed project. After receiving the Mandatory Referral and Forest Conservation Plan applications, the Planning Department notified by mail local citizen associations and other interested parties of the plan submittal and invited comments. Planning staff met with neighbors and concerned citizens four times and received numerous phone calls, letters, and emails on this project, summarized below and included as Attachment 11. Most of the correspondence raised the following issues:

### Retaining walls

*Issue* – The plans show nine retaining walls, whereas the plans presented to the community showed two. Retaining walls were not discussed during the feasibility or the schematic design phase.

*Response* – The feasibility and schematic design studies showed two 6’ retaining walls at the parent drop-off loop and a 10’ retaining wall associated with the tennis courts.

*Issue* – The retaining walls will contribute to a prison-like structure inconsistent with the character of a school.

*Response* – While the retaining walls will be noticeable, MCPS has used an articulated architecture to break up the mass of the building.

### Visual impact

*Issue* – The height of the building and associated light fixtures will be a significant visual impact for the community and Kensington Park.

*Response* – Staff will continue to work with MCPS to reduce visual impact and recommends that a pedestrian-scale light fixture be used.

### Building height in R-90 zone

*Issue* - The building height is significantly above the allowed height in the R-90 zone. The zone allows a maximum building height of 35’ but the building is approximately 64’ in height.

*Response* - Staff acknowledges that the building is over the zoning limit but notes that MCPS is not required to follow zoning standards.

### Community access

*Issue* – MCPS made a commitment to the community about access to the site. What access will the community have?

*Response* – The community will be able to use the walking path around the ballfields after school hours and the fields and gym will be able for use through the Community Use of Public Facilities (CUPF) process. There will be no perimeter fence.

### Kensington Park community impacts

*Issue* – Kensington Park residents use the walking path around the ballfields and wish to continue.

*Response* – Access to the school property will be restricted during school hours. While the current plans show a reduced width path, MCPS has committed to maintaining the width of the path.

*Issue* – Kensington Park is concerned about air quality and noise impacts on residents.

*Response* – MCPS will have to follow Montgomery County standards and ordinances during both the construction and operation phases.

### Queuing on Saul Road

*Issue* – The queuing length on-site is inadequate for the school population.

*Response* – Queuing lengths vary amongst middle schools in Montgomery County.

### Parking

*Issue* – The parking provided on-site is insufficient for faculty and staff.

*Response* – MCPS has provided the maximum parking possible with the proposed design.



### Pedestrian Safety

*Issue* – The surrounding community does not have sidewalks and creates a potentially dangerous situation for the students.

*Response* – MCPS is encouraged to work with MCDOT to provide sidewalks in this neighborhood. The off-site pedestrian circulation improvements above can be funded through the established MCDOT CIP project #506747- Annual Sidewalk Program or project #P509036- Transportation Improvements for Schools.

*Issue* – Pedestrian access to the school creates unsafe interactions with vehicles.

*Response* – Staff will continue to work with MCPS on resolving the pedestrian access so that pedestrians have a safe, efficient route into the facility.

### Safe evacuation routes

*Issue* – Proposed school does not meet MCPS requirement for student quick and safe egress 50' from the building in case of emergency. No egress available except onto vehicular surfaces.

*Response* – Staff will continue to work with MCPS on increasing the safety of the site design.

### Environmental impact

*Issue* – Environmental impact was not addressed in the feasibility study.

*Response* – Staff will continue to work with MCPS on reducing the impact to the environment but cannot require that an environmental impact study be done.

*Issue* – Silver Creek currently floods with no development on the site. The proposed school will add a lot of imperviousness, all draining to Silver Creek.

*Response* – MCPS has an approved stormwater management concept from the Department of Permitting Services. Additionally, MCPS had to demonstrate that the proposed development would not increase the floodplain at Silver Creek.

*Issue* – Almost every tree on the site will be removed. Without an Environmental Impact Study it cannot be declared that that the proposed activity will not degrade water quality.

*Response* – In order to construct the middle school, as proposed, on this site, the disturbance will require the removal of most of the trees outside of the environmental buffer. While Montgomery County does not use an Environmental Impact Study, we do require mitigation for the form and function of variance trees lost. Staff is recommending that MCPS be required to mitigate for the variance tree removals by planting the landscape as shown on the landscape plan. These trees would generally be optional, as the mandatory referral is advisory and not binding.

*Issue* – There are numerous factual discrepancies on the FCP. The plan does not show many trees on the site and the sizes of the trees are misrepresented.

*Response* – The Forest Conservation Plan shows all trees 24" DBH and larger, as required by Chapter 22A Forest Conservation Law. There are numerous trees that are not shown on the plan because they are not legally required to be. The sizes of the trees are correctly shown, according to standard measurement procedures. These measurements were rechecked and found to be correct after citizen comment.

*Issue* – Loss of forest is excessive and will impact water quality of Silver Creek

*Response* – Staff is continuing to work with MCPS to decrease the forest loss. MCPS has an approved stormwater management concept from the Department of Permitting Services. The goal of current

stormwater management is to modify the developed runoff characteristics of a project in such a way that the property hydrology emulates “woods in good condition”.

*Issue* – The sawtooth oaks on this property are evidence of a historic tree planting pattern and date back to the mid-19<sup>th</sup> century. These trees should be considered heritage trees and not removed.

*Response* – Montgomery County does not protect heritage trees specifically. These trees are afforded protection under Forest Conservation Law as requiring a variance to impact or remove.

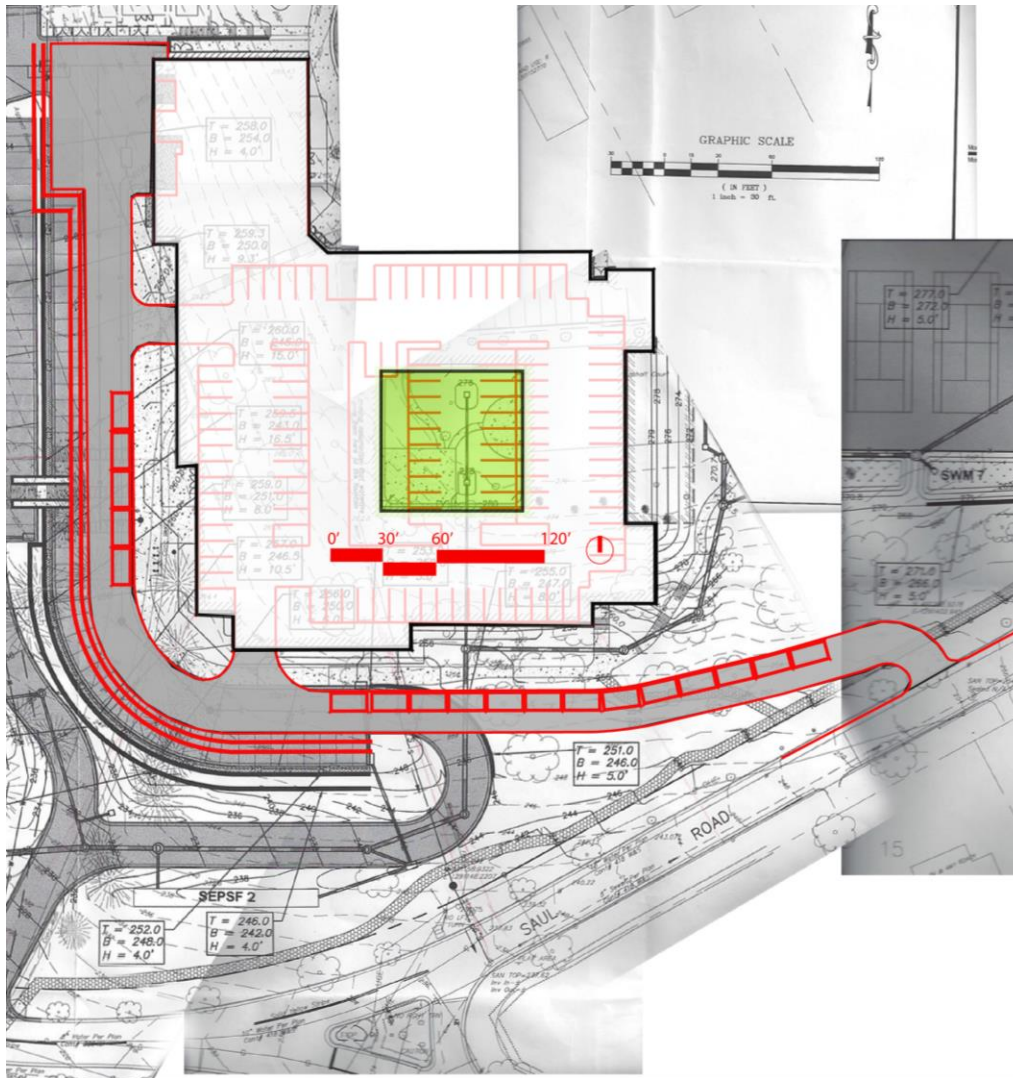
*Issue* – Ornamental trees on the site should be relocated.

*Response* – The Parks Department may transplant some trees prior to disturbance. However, since construction is a two-year process, it is not feasible for MCPS to remove and then replant these trees on this site.

## **ALTERNATIVE LAYOUT**

MCPS has selected a difficult site to build the proposed middle school. The buildable area is extremely limited, with large areas of the site taken up by steep slopes, high priority forest, and environmental buffers. The challenge is to create the best feasible design for the school on this site through innovative solutions using design and construction methods that may not have been part of the MCPS’s standard practice.

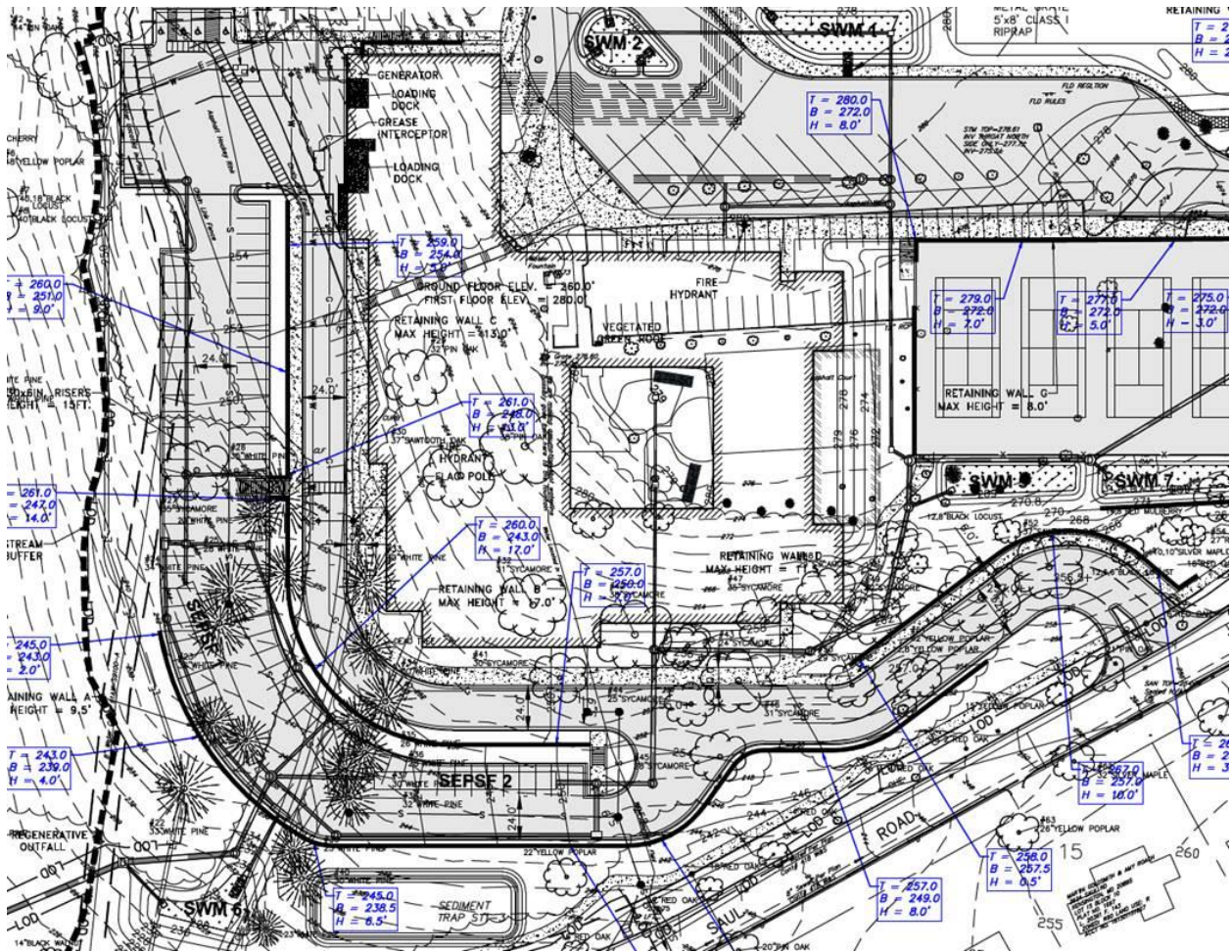
Staff believes that this site and the school program call for outside-the-box solutions such as structured parking to solve some of the site design problems. Staff produced a concept plan that showed that structured parking was a feasible solution and it reduced the impervious area on the site, saved significantly more specimen trees, and reduced the loss of high priority forest while accommodating the same building program and facilities. The figure below shows this concept.



**Alternative concept with structured parking**

Since MCPS did not consider this option and the current schedule does not permit such major revisions to the design of the project, staff has explored other options that can maintain the MCPS's construction schedule and still reduce the development's footprint saving forested areas, reducing the amount and height of proposed retaining walls and reduce the impact to significant trees. At the urging of the Planning staff, MCPS developed an alternative plan (shown below) for the parent-drop-off and parking access areas.

Staff analyzed this alternative for its impact on high priority forest and significant trees and found that, compared to the submitted plans, it saved more high priority forest and variance trees, reduced the retaining wall heights, improved pedestrian circulation, and improved sight distances. Although staff found this alternative to be an improvement over the submitted plan, staff believes that this alternative needs further improvement and can be refined to reduce the height of the retaining walls and increase the forest and tree save areas.



MCPS's alternative layout of the parent drop-off loop

**CONCLUSION**

The proposed school is a much needed project with an aggressive construction schedule (construction start date of June 2015). Staff has numerous concerns about the proposed design and layout of the site as described in this report and the related Preliminary Forest Conservation Plan report. However, staff believes that the proposed plan can be improved to address many of the issues raised by the staff and the community. Staff is therefore recommending that MCPS revise their plans to relocate the parent-drop-off entrance on Saul Road and continue to work with the Planning Department staff to explore additional improvements in the alternative layout developed by MCPS to reduce the negative environmental and community impacts of the proposed project.

**Attachments**

1. Final feasibility study report
2. Site Selection Advisory Committee report
3. Site selection mandatory referral staff report
4. Planning Board letter to Board of Education
5. Final schematic design study
6. Site plan
7. Retaining wall exhibit
8. Landscape plan
9. DPS stormwater management concept plan approval letter
10. Parks Department Memo
11. Correspondence
12. Transportation Planning staff analysis and comments