



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

September 10, 2003

**MEMORANDUM**

**TO:** Montgomery County Planning Board  
**VIA:** John A. Carter, Chief, Community-Based Planning Division *JAC*  
**FROM:** Glenn R. Kreger, Team Leader, Silver Spring/Takoma Park *JK*

**REVIEW TYPE:** Review of Proposed Lease for Closed Public School  
**SUBJECT:** Montgomery Hills Junior High School Reuse  
**APPLICANT:** Montgomery County Department of Public Works and Transportation (DPWT)  
**REVIEW BASIS:** County Council Bill 20-02 and Executive Regulation 4-99

**COUNCIL PUBLIC HEARING:** September 23, 2003  
**ZONE:** R-60  
**LOCATION:** 2010 Linden Lane  
**MASTER PLAN:** North and West Silver Spring Master Plan  
**FILING DATE:** July 29, 2003

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**STAFF RECOMMENDATION:** The Planning Board should request that DPWT a) revise the proposed lease to address all the comments that the Planning Board transmitted after its Mandatory Referral review; and b) provide a more rigorous Transportation Management Plan for review by the M-NCPPC.

**BACKGROUND:**

On January 16, 2003, the Planning Board conducted its Mandatory Referral review of Montgomery County's proposed modifications to the former Montgomery Hills Junior High School (MHJHS) site on Linden Lane in North Silver Spring. Montgomery County plans to relocate the Yeshiva of Greater Washington from the former Belt Junior High School site in Wheaton to MHJHS, thereby enabling the Belt site to be reopened as a public school. The Planning Board heard public testimony regarding the MHJHS reuse and discussed the impact of the modifications to the community. The Planning Board voted 4 to 0 (with one abstention) to transmit the comments listed below to the County. These comments were transmitted to DPWT on January 24, 2003.

The staff report for the Planning Board's Mandatory Referral review and the letter transmitting the Board's comments are attached for the Board's reference. Rather than reiterate this information, this staff report seeks to update the Board on events that have transpired since the Mandatory Referral and assess the extent to which the proposed lease responds to the Planning Board's concerns.

## **STATUS UPDATE**

Three things have occurred concerning the MHJHS site since the Planning Board conducted its Mandatory Referral. First, the Department of Permitting Services granted a building permit for the proposed modifications to the facility. (The Planning staff declined to sign off on this permit because the County did not address any of the Planning Board's requested changes to their plans.) Second, the Jewish Primary Day School (JPDS) moved out of the MHJHS leaving only the Yeshiva as the tenant (expected occupancy in 2004) and the Torah School as a sub lessee. Finally, Montgomery County introduced the draft lease for the MHJHS and the Council scheduled a public hearing on the lease for September 23, 2003.

## **TERMS OF THE PROPOSED LEASE**

Term:	50 year lease ending in 2053, followed by four consecutive ten-year renewal periods
Option to purchase:	None
Lock-out provision:	County cannot reclaim the site for public use during the first 20 years
Take-back provision:	Requires 5-year notification; consequently site could only be available for public use after 25 years
Termination fee:	The County would pay a substantial termination fee based on the fair market value of the property if the lease is terminated at any time after the first 25 years.
Rate:	\$40,000/year adjusted annually for inflation
Assignment/sublease:	Assignment of the lease or subleasing requires written County approval

## **ANALYSIS**

This section of the staff report lists the Planning Board's Mandatory Referral comments and evaluates the extent to which the proposed lease for MHJHS responds to each concern. (Comment #10 pertained specifically to provisions that the Board hoped to see in the lease.) The staff report does not attempt to address other (non-land use) issues that could be raised concerning the proposed lease, e.g., whether or not the rental rates or termination fees are appropriate.

## Planning Board Comments on the Mandatory Referral Compared to the Provisions in the Lease

1. Planning Board Comment: The County should close the Rookwood Road access to Montgomery Hills Junior High School (MHJHS) and provide student drop-offs with adequate queuing within the site.

Lease Provision: Although there is inconsistent information on the circulation plan graphic, the Traffic Mitigation Plan indicates that the driveway from Rookwood Road would be retained as a one-way entrance for Yeshiva carpools and administrative staff. (Cars entering from Rookwood Road would exit via Linden Lane.) The lease states that the tenant "shall work cooperatively with the neighborhood and all interested parties on the matter of future traffic improvements, including the possible closure of Rookwood Road."

2. Planning Board Comment: The existing gravel parking lot along the driveway from Rookwood Road should be replaced with landscaping to buffer the adjoining homes sufficiently from the school building.

Lease Provision: There is no provision for removing the gravel parking area. The lease provides in Section 8 for expansion of the existing parking facilities to support the leased premises; the County's written consent would be needed if the parking expansion costs more than \$100,000.

3. Planning Board Comment: The applicant should provide a sidewalk along the Brookville Road parking lot entrance connecting the existing sidewalk along Brookville Road to the proposed sidewalk along the west side of the building.

Lease Provision: There is no provision for constructing the sidewalk connection.

4. Planning Board Comment: The surface parking lot should be landscaped with shade trees as required by the Zoning Ordinance.

Lease Provision: There is no provision for the landscaping.

5. Planning Board Comment: The applicant should submit for Planning Board approval a Transportation Management Plan that accomplishes the following:
  - a. Establishes an operating plan for both routine school activities and special events that clearly identifies on-site access, circulation, and parking rules and regulations;
  - b. Identifies means by which vehicular traffic associated with school dismissal activities will be contained on site;
  - c. Reduces the reliance on single-occupant vehicles; and
  - d. Establishes regular monitoring activities to facilitate identification and implementation of operational access and circulation improvements. Both the tenants and community associations should participate in these activities.

Lease Provision: These goals are cited in the Traffic Mitigation Plan, but there is no detailed explanation of how they will be accomplished.

6. Planning Board Comment: DPWT should expedite the traffic management assessment for this neighborhood.

Lease Provision: This is not addressed in the lease.

7. Planning Board Comment: Although they are not the applicants in the subject case, Montgomery County Public Schools (MCPS) should prioritize Woodlin Elementary School as a Safe Access to Schools project. Consideration should be given to relocating vehicular access to Brookville Road pursuant to the guidance in the Master Plan and to consolidating such access with the Brookville Road access to MHJHS.

Lease Provision: The proposed lease states that the tenant "shall work cooperatively with the neighborhood and all interested parties on . . . the possible consolidation of access with Woodlin Elementary School."

8. Planning Board Comment: Community access to the recreational facilities on both the MHJHS site and the adjoining Woodlin Elementary School site should be maintained. (The County proposes to relocate the existing basketball courts at MHJHS to the location of the existing tennis courts on the Woodlin property.) Any restrictions on community use of the playing fields during construction should be communicated in a timely way to Community Use of Public Facilities (CUPF). The use of the fields as a construction staging area should be coordinated with CUPF to minimize disruption regarding use of the fields.

Lease Provision: The proposed lease states that the outdoor fields will be available to the community after 5:00 p.m., Monday through Friday and all day on Saturday, "subject to variance by the Park and Planning Commission and/or CUPF." The tenant will be responsible for maintaining the facilities to the standards of the Parks Department or the Recreation Department. If the lessee desires the use of the fields during the times normally reserved for the community, they would schedule such use with the M-NCPPC, the CUPF or the Department of Recreation. (Note: The proposed lease also requires the lessee to make a meeting room available to two local civic groups on a quarterly basis.)

9. Planning Board Comment: Future changes that might increase the intensity of use on the site will require a new Mandatory Referral. Student enrollment is capped at 501; any increase in enrollment beyond 501 would require a new Mandatory Referral. Any additional expansion of the facilities or re-use of the facility for other purposes will also require a new Mandatory Referral.

Lease Provision: Site occupancy (students and staff) is capped at 850. The traffic study submitted as part of the Mandatory Referral last June did not reflect this number.

Staff Recommendation: The proposed lease should include language acknowledging that a new Mandatory Referral—including a new traffic study—will be required if student enrollment exceeds 501.

10. Planning Board Comment: The lease for MHJHS should include the following provisions to ensure neighborhood compatibility.

- a. Use of the site should be limited to education pursuant to master plan language (p. 86) stipulating that educational uses are the preferred uses for closed public schools.

Lease Provision: The lease calls for the premises to be used for private educational use, daycare and worship services and uses which are incidental to the main use, such as a private educational day camp and a private religious education center.

- b. The term of the lease should be limited to 15 years with a take-back provision should the facility be needed once again for use as a public school.

Lease Provision: The term of the lease goes far beyond 15 years and the school could not be reclaimed for public use during the first 25 years.

- c. There should be no option for the tenant(s) to purchase the site except through the County's normal site disposition process.

Lease Provision: The proposed lease contains no option to buy. However, the term of the lease effectively keeps the site in private hands for at least 25 years.

- d. Provision should be made in the lease for community access to the playing fields outside of normal school hours and for coordination with Community Use of Public Facilities (CUPF) during and after construction.

Lease Provision: The proposed lease states that the outdoor fields will be available to the community after 5 pm Monday through Friday and all day on Saturday, "subject to variance by the Park and Planning Commission and/or CUPF." If the lessee desires the use of the fields during the times normally reserved for the community, they would schedule such use with the M-NCPPC, the CUPF or the Department of Recreation. The tenant will be responsible for maintaining the facilities to the standards of the Parks Department or the Recreation Department.

Staff Recommendation: Per the Planning Board's Mandatory Referral comments, community access to the playing fields should be coordinated through CUPF. The maintenance standards for the playing fields should be those of the Montgomery County Department of Recreation.

- e. Tenants should be forewarned of, and be required to cooperate with, the recommended closure of the Rookwood Road entrance to the site. The same provision should be made for the possible consolidation of access with Woodlin Elementary School.

Lease Provision: The lease notes both possible future improvements and encourages the tenant to work cooperatively with the neighborhood and all other interested parties.

- f. The County, MCPS and tenants will cooperate and accommodate road improvements which may be programmed in the future, including reconfiguration of the Seminary/Linden/Brookville intersection.

Lease Provision: The proposed lease states that the tenant "shall work cooperatively with the neighborhood and all interested parties. . . . on the possible reconfiguration of the Seminary/Linden/ Brookville intersection."

- g. The tenant(s) should participate in a Transportation Management Plan for the site, including provision for more extensive busing of the new students to be added to the facility.

Lease Provision: The lease stipulates that the tenant will provide a Traffic Mitigation Plan (TMP) subject to review and modification by the County as needed. The TMP is attached to the lease which notes that the TMP is subject to review and comment by the Planning Board. As described above, the TMP contains the goals in the Planning Board's Mandatory Referral comments without explaining how these goals will be accomplished. While there is no provision for more extensive busing, the TMP states that "carpooling, while highly utilized now, will be promoted even further. . ."

Staff Recommendation: The County should provide a more rigorous TMP for review by M-NCPPC. (The TMP for the Harbor School in Potomac is attached as an example.) At a minimum, the TMP should be modified to do the following:

- a. Describe how parking operations and delivery vehicles will be managed given one-way traffic flow;
  - b. Provide for the designation of a transportation coordinator to provide and coordinate information on carpooling, vanpooling and transit;
  - c. Specify that the TMP should be reviewed and modified as necessary on a quarterly basis, beginning two months prior to the start of the school year, with the participation of the M-NCPPC and community representatives; and
  - d. Indicate that it remains in force in perpetuity.
- h. The lease should provide for a community liaison per Section 6 of Executive Regulation 4-99AM.

Lease Provision: The proposed lease calls for the tenant to meet with members of the surrounding communities on at least a quarterly basis, for the purpose of establishing a neighborly relationship. It calls for the lessee "to keep the community abreast of any activity planned at the school that could substantially impact the communities' use of the facility or the quality of life in the neighborhood." The lessee is also charged with responding to community complaints or concerns "in an expeditious manner."

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**Attachments**

1. January 24, 2003 Planning Board Mandatory Referral letter
2. January 16, 2003 Mandatory Referral staff report
3. Harbor School Transportation Management Plan (TMP)
4. Proposed lease and TMP for the former Montgomery Hills Jr. High School
5. Correspondence

# ATTACHMENT 1



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
Office of the Chairman, Montgomery County Planning Board

January 24, 2003

Mr. Al Roshdieh, Chief  
Division of Facilities and Services  
Department of Public Works and Transportation  
101 Orchard Ridge Drive  
Second Floor  
Gaithersburg, MD 20878

SUBJECT: MR 02107-DPW&T-1  
Montgomery Hills Jr. High School

Dear Mr. <sup>AR</sup>Roshdieh:

At the regular meeting of the Planning Board on January 16, 2003, we reviewed Montgomery County's proposed modifications to the former Montgomery Hills Junior High School (MHJHS) site on Linden Lane in North Silver Spring. Our review was conducted pursuant to Section 7-112 (Mandatory Referrals) of the Regional District Act. We appreciate the assistance of staff from the Department of Public Works and Transportation (DPWT) and the Montgomery County Public Schools (MCPS) in our evaluation of this project.

After discussing the proposed project, the Planning Board voted 4 to 0 (with one abstention) to APPROVE this Mandatory Referral proposal with the comments listed below. We understand that Montgomery County seeks to renovate the MHJHS site in order to facilitate relocation of the Yeshiva and Torah Schools from the former Belt Junior High, thereby allowing Belt to be reopened as a public school. The Executive Branch is also seeking approval of Emergency Bill 20-02 in order to expedite this process. While we understand your goals, we are concerned about the impact that the proposal will have on the community surrounding the MHJHS site, particularly in terms of drop-off traffic. We are also concerned that the proposal submitted for our review was predicated on the existence of three schools at the MHJHS site. This now appears unlikely.

The Planning Board is aware that the County Council will consider the proposed emergency legislation and the terms of the lease at a future date. We have been assured by DPWT staff that the Planning Board will have an opportunity to review the lease before it is finalized. In addition to our comments on the Mandatory Referral application, we are also transmitting our recommendations about provisions that should be included in the lease.



## Comments on Mandatory Referral 02107-DPW&T-1

1. The County should close the Rookwood Road access to Montgomery Hills Junior High School (MHJHS) and provide student drop-offs with adequate queuing within the site.
2. The existing gravel parking lot along the driveway from Rookwood Road should be replaced with landscaping to buffer the adjoining homes sufficiently from the school building.
3. The applicant should provide a sidewalk along the Brookville Road parking lot entrance connecting the existing sidewalk along Brookville Road to the proposed sidewalk along the west side of the building.
4. The surface parking lot should be landscaped with shade trees as required by the Zoning Ordinance.
5. The applicant should submit for Planning Board approval a Transportation Management Plan that accomplishes the following:
  - a. Establishes an operating plan for both routine school activities and special events that clearly identifies on-site access, circulation, and parking rules and regulations;
  - b. Identifies means by which vehicular traffic associated with school dismissal activities will be contained on site;
  - c. Reduces the reliance on single-occupant vehicles; and
  - d. Establishes regular monitoring activities to facilitate identification and implementation of operational access and circulation improvements. Both the tenants and community associations should participate in these activities.
6. DPWT should expedite the traffic management assessment for this neighborhood.
7. Although they are not the applicants in the subject case, Montgomery County Public Schools (MCPS) should prioritize Woodlin Elementary School as a Safe Access to Schools project. Consideration should be given to relocating vehicular access to Brookville Road pursuant to the guidance in the Master Plan and to consolidating such access with the Brookville Road access to MHJHS.
8. Community access to the recreational facilities on both the MHJHS site and the adjoining Woodlin Elementary School site should be maintained. (The County proposes to relocate the existing basketball courts at MHJHS to the location of the existing tennis courts on the Woodlin property.) Any restrictions on community use of the playing fields during construction should be communicated in a timely way to Community Use of Public Facilities (CUPF). The use of the fields as a construction staging area should be coordinated with CUPF to minimize disruption regarding use of the fields.
9. Future changes that might increase the intensity of use on the site will require a new Mandatory Referral. Student enrollment is capped at 501; any increase in enrollment beyond 501 would require a new Mandatory Referral. Any additional expansion of the facilities or re-use of the facility for other purposes will also require a new Mandatory Referral.
10. The lease for MHJHS should include the following provisions to ensure neighborhood compatibility.
  - a. Use of the site should be limited to education pursuant to master plan language (p. 86) stipulating that educational uses are the preferred uses for closed public schools;

- b. The term of the lease should be limited to 15 years with a take-back provision should the facility be needed once again for use as a public school;
- c. There should be no option for the tenant(s) to purchase the site except through the County's normal site disposition process;
- d. Provision should be made in the lease for community access to the playing fields outside of normal school hours and for coordination with Community Use of Public Facilities (CUPF) during and after construction;
- e. Tenants should be forewarned of, and be required to cooperate with, the recommended closure of the Rookwood Road entrance to the site. The same provision should be made for the possible consolidation of access with Woodlin Elementary School;
- f. The County, MCPS and tenants will cooperate and accommodate road improvements which may be programmed in the future, including reconfiguration of the Seminary/Linden/Brookville intersection;
- g. The tenant(s) should participate in a Transportation Management Plan for the site, including provision for more extensive busing of the new students to be added to the facility.
- h. The lease should provide for a community liaison per Section 6 of Executive Regulation 4-99AM.

The Planning Board was told during our worksession that the County would be comfortable with additional site work called for in recommendations #2-4, above, if these measures did not trigger additional environmental requirements due to the additional disturbance to the site. The conversion of the existing gravel parking lot to a landscaped buffer could conceivably cause the amount of disturbed area to exceed 5,000 square feet, which is the point where new sediment control and storm water management plans would be required by DPS. (If you apply for permits prior to July 1, 2003, only a revised sediment and erosion control plan would be required.) Our staff does not expect that exceeding 5,000 square feet of disturbed area would trigger additional environmental controls that would increase your project cost. We expect that DPS would support our recommendation since this particular activity would increase the amount of pervious area on the site. Please confer directly with DPS regarding the potential impact of recommendations #2-4, above, on your project.

Thank you for providing the information needed for this Mandatory Referral and for considering our comments. We look forward to receiving the proposed lease for the MHJHS site.

Sincerely,



Derick P. Berlage  
Chairman

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Cc: Montgomery County Council  
Dr. Jerry Weast, MCPS  
Jerry Pasternak,



MCPB  
Item #16  
1/16/03

## ATTACHMENT 2

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

January 10, 2003

### MEMORANDUM

**TO:** Montgomery County Planning Board

**VIA:** John A. Carter, Chief, Community-Based Planning Division *JAC*

**FROM:** Glenn Kreger, Silver Spring/Takoma Park Team Leader *GK*  
Miguel Iraola, Planner Coordinator, Silver Spring Team *MIR*  
Shahriar Etemadi, Coordinator, County-Wide Planning *SE*

**REVIEW TYPE:** Mandatory Referral

**PROJECT NAME:** Montgomery Hills Junior High School Reuse

**APPLICANT:** Montgomery County Department of Public Works and Transportation (Division of Facilities and Services)

**CASE NUMBER:** 02107-DPWT-1

**REVIEW BASIS:** Article 28, Chapter 7-112 of the Regional District Act

**ZONE:** R-60

**LOCATION:** Linden Lane/Second Avenue/Brookville Road

**MASTER PLAN:** North and West Silver Spring Master Plan

**FILING DATE:** October 17, 2002

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**STAFF RECOMMENDATION:** APPROVAL with comments:

1. The County should consider closing the Rookwood Road access to Montgomery Hills Junior High School (MHJHS) when the Jewish Primary Day School relocates. The Department of Public Works and Transportation (DPWT) should begin planning now for whatever building and site modifications would be needed for efficient and safe on-site circulation given access via Brookville Road and Linden Lane only. The County should provide a new internal traffic circulation design for safe pick-up and drop-off if the Rookwood Road entrance is closed. These changes would be subject to a future Mandatory Referral.
2. The existing gravel parking lot along the driveway from Rookwood Road should be replaced with landscaping to buffer the adjoining homes sufficiently from the school building.

3. The applicant should provide a sidewalk along the Brookville Road parking lot entrance connecting the existing sidewalk along Brookville Road to the proposed sidewalk along the west side of the building.
4. The surface parking lot should be landscaped with shade trees as required by the Zoning Ordinance.
5. The applicant should submit for Planning Board approval a Transportation Management Plan that accomplishes the following:
  - a. Establishes an operating plan for both routine school activities and special events that clearly identifies on-site access, circulation and parking rules and regulations;
  - b. Identifies means by which vehicular traffic associated with school dismissal activities will be contained on site;
  - c. Reduces the reliance on single-occupant vehicles; and
  - d. Establishes regular monitoring activities to facilitate identification and implementation of operational access and circulation improvements. Both the tenants and community associations should participate in these activities.
6. DPWT should expedite the traffic management assessment for this neighborhood.
7. Although they are not the applicants in the subject case, Montgomery County Public Schools (MCPS) should prioritize Woodlin Elementary School as a Safe Access to Schools project. Consideration should be given to relocating vehicular access to Brookville Road pursuant to the guidance in the Master Plan and to consolidating such access with the Brookville Road access to MHJHS.
8. Any restrictions on community use of the playing fields during construction should be communicated in a timely way to Community Use of Public Facilities (CUPF). The use of the fields as a construction staging area should be coordinated with CUPF to minimize disruption regarding use of the fields.
9. Future changes that might increase the intensity of use on the site will require a new Mandatory Referral. Student enrollment is capped at 501; any increase in enrollment beyond 501 would require a new Mandatory Referral. Any additional expansion of the facilities or re-use of the facility for other purposes will also require a new Mandatory Referral.
10. The lease for MHJHS should include the provisions cited on page 4 of this staff report to ensure neighborhood compatibility.

## **PROJECT LOCATION**

The Montgomery County Department of Public Works and Transportation, Division of Facilities and Services, seeks to modify the former Montgomery Hills Junior High School in order to lease it to additional private schools. This facility was originally a public school with a design capacity of 1050 students. It has been leased to private schools since the public school closed in 1976.

The MHJHS site is an 8.67-acre property on Linden Lane at its intersection with Brookville Road in North Silver Spring (see Attachment 1- Vicinity Map). The property is zoned R-60 like the surrounding residential neighborhoods in the Linden/Woodside area (see Attachment 2- Zoning). Woodlin Elementary School adjoins the property on the

south side. Industrial uses on I-1 property exist along Brookville Road south of Warren Street. The 2.2-acre Montgomery Hills Neighborhood Park is located a block north of the site and the Montgomery Hills commercial area is located east of the site along Georgia Avenue.

## **PROJECT DESCRIPTION**

The proposed modifications to MHJHS include the addition of three elevator shafts (indicated by the three circles on Attachment #3 - Site Plan) and the construction of a second floor connection between two existing components of the building (Attachment 4). These improvements would increase the size of the building marginally from 117,828 square feet to 119,728 square feet. Other renovations include new windows, an improved fire protection system, additional lighting, and new mechanical and electrical systems. An existing basketball court behind the school would be converted to surface parking, increasing the number of parking spaces from 67 to 106 after the proposed modifications. The amount of impervious surface will not increase as a result of increasing the number of parking spaces. Existing, deteriorated tennis courts on the adjoining Woodlin school site would be converted to basketball courts.

Currently, the JPDS and a Montessori School occupy about a third of the MHJHS building. Together, they have 186 students (see Attachment 3- Current and Projected Enrollments). The lease for the Montessori School expires in June 2003. After renovation, the MHJHS would be leased to JPDS, the Yeshiva School and the Torah School for a total of 501 students, an increase of 315 students over the current student enrollment on-site.

Staff has been informed that the JPDS plans to relocate in the summer of 2003. If the JPDS relocates, this would bring the future enrollment on-site back down to 355, which is still nearly twice the current student enrollment on-site. The JPDS and the Montessori School have 186 students compared to the 355 students that would be at the Yeshiva and Torah Schools.

The operating hours for the JPDS, Yeshiva and Torah Schools are indicated on Attachment 5 in addition to the enrollments for each school. The site plan for the renovated MHJHS (Attachment 3) provides separate building entrances for the JPDS, Yeshiva and Torah Schools. (Note: The applicant has declined to revise their application to reflect the departure of JPDS since this is not yet considered a certainty; see below.) The separate building entrances for the three schools impacts the vehicular circulation pattern at MHJHS as discussed in Attachment 8 (Transportation Planning staff memo).

## **REGULATORY PROCESS**

The applicant for the proposed project seeks to relocate the Yeshiva School and Torah School from the former Belt Junior High School in Wheaton to the former MHJHS in Silver Spring. This would enable Montgomery County Public Schools (MCPS) to

reclaim the former Belt Junior High School and reopen it as a public school for the 2005 school year, thereby alleviating overcrowding at Parkland Middle School. (MCPS is essentially acting as the applicant's project manager for the modifications to MHJHS.) The Montgomery County Council is considering emergency legislation (Bill 20-02, introduced May 23, 2002) to enable the proposed changes to the Belt and MHJHS sites to proceed on an expedited basis.

DPWT is negotiating a lease for MHJHS based on the scenario described above. A draft lease is not yet available for review. Key issues to be addressed in the lease include the term, take-back provision, any possible provision for sale of the property, and provision for community access to the site. The staff recommends that the following be included in the new lease:

- Use of the site should be limited to education pursuant to master plan language (p. 86) stipulating that educational uses are the preferred uses for closed public schools;
- The term of the lease should be limited to 15 years with a take-back provision should the facility be needed once again for use as a public school;
- There should be no option for the tenant(s) to purchase the site except through the County's normal site disposition process;
- Provision should be made in the lease for community access to the playing fields outside of normal school hours and for coordination with Community Use of Public Facilities (CUPF) during and after construction;
- Tenants should be forewarned of, and be required to cooperate with, the potential closure of the Rookwood Road entrance to the site when the JPDS vacates the site. The same provision should be made for the possible consolidation of access with Woodlin Elementary School. (See "Circulation Issues," below.)
- The County, MCPS and tenants will cooperate and accommodate road improvements which may be programmed in the future, including reconfiguration of the Seminary/Linden/Brookville intersection.
- The tenant(s) should participate in a Transportation Management Plan for the site, including provision for more extensive busing of the new students to be added to the facility.

## **COMMUNITY OUTREACH**

The emergency legislation referred to above would enable the changes to the Belt and MHJHS sites to proceed upon approval of the bill by the County Council and after review of the proposed lease by the Planning Board. The legislation prescribes certain provisions of the lease for MHJHS (e.g., provision for community access to the athletic and recreational facilities).

Montgomery County and MCPS seek to expedite the proposed changes so that Belt can be reopened as a public school in time for the 2005 academic year. Residents in the North Woodside/Montgomery Hills area have indicated that they have concerns about the proposed reuse for MHJHS and want to have input into the ultimate decisions.

Representatives from MCPS and their architect met with community representatives on May 15, August 13, and December 16, 2002, to discuss the plans for MHJHS and to hear the community's concerns. MCPS has assured residents that the modifications to the facility will not change the current situation with regard to community use of the playing fields, although a portion of the field may be used temporarily as a construction staging area.

Community-Based Planning staff participated in the August 13 meeting between MCPS staff, community representatives and their attorney. Along with Transportation Planning staff, we also walked the site on September 30, 2002, with members of the community and Chairman Berlage. As required by the Mandatory Referral guidelines, the staff notified area civic groups in writing on November 27, 2002, that DPWT had submitted a Mandatory Referral application for MHJHS. The staff has received several messages from concerned citizens who wished to communicate their concerns regarding the proposed reuse for MHJHS. These concerns are reflected in the analysis below.

On December 16, the staff convened a meeting between the applicant and community leaders to seek mutually agreeable solutions to the community's concerns. While recognizing that the potential relocation of the JPDS could alter the situation at the MHJHS site, the County declined to revise their Mandatory Referral application given the uncertainty regarding JPDS.

## **PROJECT ANALYSIS AND FINDINGS**

**Finding #1: The proposed project is consistent with the relevant guidance in the August 2000 *Approved and Adopted North and West Silver Spring Master Plan*.**

The Master Plan contains the following generic recommendation for surplus public school sites: "Consider a public or private educational use for closed schools before the County declares these facilities surplus" (page 86). MHJHS has been leased to private schools since it closed as a public school. This would continue to be the case after the proposed reuse is implemented.

The Master Plan also includes the following recommendation concerning traffic congestion: "Analyze traffic management options for the North Woodside-Montgomery Hills neighborhood when the Proposed Concept for Georgia Avenue is implemented" (page 58). Although the State has not yet programmed the comprehensive plan for Georgia Avenue, the Montgomery County DPWT has initiated a traffic study for this neighborhood. This study should be expedited in order to identify any appropriate traffic management options that could be implemented prior to implementation of the overall concept for Georgia Avenue.

**Finding #2: The proposed project is consistent with the intent and standards of the zone to the same extent as the existing facility.**

As indicated in the table below, the MHJHS site is consistent with the standards for the R-60 zone with the exceptions of a) the maximum building height, and b) the minimum parking lot setback. However, the Mandatory Referral proposal reflects the existing building height and parking lot setback; no changes are proposed from the situation which has existed since MHJHS was utilized as a public school. *Although the parking lot satisfies the interior green space requirement in the Zoning Ordinance, these green areas should be planted with shade trees as required by Section 59-E-2.73 of the Ordinance.*

**ZONING ORDINANCE CONFORMANCE**

Existing Zone: R-60  
Gross Site Area: 8.67 acres

Description	Required/ Permitted		Existing Condition		Provided		
Minimum Lot Area:	6,000	sf	378,023	sf	378,023	sf	
Minimum Lot Width:	At Front Building Line	60	ft	276	ft	276	ft
	At Street Line	25	ft	220.68	ft	220.68	ft
Minimum Setback From Street:	Main Building (Linden Lane)	25	ft	63.33	ft	63.66	ft
	Main Building (Brookville Road)	25	ft	59	ft	59	ft
Setback From Adjoining Lot:	One Side	8	ft	49.83	ft	49.83	ft
	Sum of Both Sides	18	ft	108.83	ft	108.83	ft
	Rear From Adjoining Lot	20	ft	260.25	ft	260.25	ft
Maximum Building Height:	35	ft	70	ft	70	ft	
Maximum Lot Coverage:	35	%	17.7	%	17.7	%	
Parking Spaces Required:	105* (N/A)	sp	61	sp	105**	sp	
Parking Lot Minimum Setback:	At Front Yard	25	ft	15.5	ft	15.5	ft
Parking Interior Green Space:		1,839	sf	628	sf	1,968	sf
		5	%	2.7	%	5.34	%

\* Parking requirements are per MCPS standards

\*\* Excludes gravel parking area



**Finding #3: The proposed project will be compatible with the existing adjacent uses and standards if the recommendation identified below in italics is implemented.**

Public and private schools are located in residential neighborhoods throughout Montgomery County. At the same time, schools should be “good neighbors” in terms of ensuring compatibility with the surrounding neighborhood.

The applicant for the subject case has been responsive in terms of addressing the staff’s initial concerns about landscaping and lighting. For example, the applicant has replaced proposed floodlights that could have negatively impacted adjoining properties. The staff continues to be concerned about an existing gravel parking lot along the driveway from Rookwood Road that abuts the rear of several single family homes along Second Avenue. *This gravel parking lot should be replaced by a landscaped area to buffer these homes from the existing driveway. The landscaped area shown on Attachment 6 (Landscaping Plan) as a long rectangle should be extended all the way to Rookwood Road.*

**Finding #4: The circulation systems, landscaping, open spaces and recreational facilities will be adequate, safe and efficient if the recommendations identified in italics are implemented.**

#### Vehicular Circulation Issues

The traffic study for MHJHS indicates that area intersections will pass Local Area Transportation Review (LATR) within the accepted congestion standard of 1650 CLV for the Silver Spring/Takoma Park Policy Area. There continues to be a widespread perception in the community that local roads are overly congested. The North and West Silver Spring Master Plan devotes an entire chapter to the transportation problems in the Montgomery Hills area, which acknowledges the extent of this concern. The improvements recommended in the Master Plan for this area have not been programmed by the State thus far.

At the request of the neighborhood, DPWT has initiated a neighborhood traffic management study. A tag survey was conducted by the community last fall and the County was working during December to identify the percentage of non-local traffic. Staff expect that DPWT will “ramp up” this effort during January. The resulting recommendations will not be known prior to the Planning Board hearing regarding MHJHS.

Staff discussions with community representatives have indicated two primary transportation issues: 1) reducing the number of trips destined for MHJHS and 2) redirecting trips to the Brookville Road entrance to the site.

## A. Trip Reduction

The relocation of the Yeshiva and Torah Schools to MHJHS (and relocation of the Montessori School from MHJHS) will increase student enrollment at the site by 315 students. Few of these students will be able to walk to school and the Yeshiva/Torah Schools make minimal use of busing. *Staff recommends that DPWT provide for Planning Board approval a Transportation Management Plan (TMP) for the Yeshiva, Torah and Jewish Primary Day Schools that requires significantly increased use of non-single occupancy vehicles. A transportation coordinator should be designated to provide information about carpooling, van pooling, transit ridership, and coordination with surrounding communities regarding enforcement. The TMP should also provide guidelines concerning carpool operation, parking policies, delivery and service vehicles, and special event management.*

*If the Jewish Primary Day School (JPDS) relocates from MHJHS per their plans, their space should not be released or subleased without Planning Board review and application of a TMP to any tenant that might replace JPDS.*

## B. Site Access

### Woodlin Elementary School Access

The community has requested that MCPS expedite their effort to study and potentially reorient the access to Woodlin Elementary School from Brookville Road, as recommended in the North and West Silver Spring Master Plan. Although Woodlin is not part of the subject application, this measure could be implemented in such a way as to consolidate the access to both MHJHS and Woodlin via Brookville Road. MCPS has indicated that the Woodlin access issue will be studied through the Safe Access to Schools program. This effort has not yet been funded. Consequently, the possible consolidation of access with Woodlin via Brookville Road cannot be considered as part of the current Mandatory Referral application for MHJHS.

### Rookwood Road Access

The subject application shows separate student entrances for each school – indicated by arrows on the Site Plan (Attachment 3)-- and two vehicular pick-up and drop-off areas. Pick-up and drop-off for JPDS would occur at the parking area and driveway on the southwestern edge of the site with students entering the building via the Brookville Road entrances. Pick-up and drop-off activity for the Yeshiva and Torah Schools would occur on the alleyway along the east side of the campus, with the Yeshiva students walking to the front of the building along Linden Lane to enter the facility. Vehicles would enter from Rookwood Road on the rear of the site and exit the site via Linden Lane. (See Attachment 7- Site Circulation.) Pick-up and drop-off activity for the Yeshiva and Torah Schools would be staggered so that both did not occur at the same time. The proposed operations are likely to cause some vehicular queuing on Rookwood Road during the afternoon school dismissal period for the Torah School.

The community has requested that the Rookwood Road entrance to MHJHS be closed, thereby forcing pick-up and drop-offs for the Yeshiva and Torah Schools to access the site via Brookville Road or Linden Lane. Transportation Planning staff note (in Attachment 8) that closing the Rookwood Road entrance would reduce traffic on Rookwood Road and Second Avenue but would also have an overall adverse effect on operations and safety, as long as all three schools remain in the proposed locations.

The staff identified a range of options with regard to this issue, including:

1. Leave the Rookwood entrance open (two-way) and accept neighborhood impacts from traffic using this access. This is the least acceptable alternative to the neighborhood even though the traffic study indicates that area intersections would operate at acceptable levels.
2. Leave the Rookwood entrance open (in only) and accept neighborhood impacts. This is what the County proposes; it is only marginally more acceptable to the community than the previous alternative.
3. Close the Rookwood entrance and accept poor on-site circulation and safety. The staff has considered this request and determined that this would present unacceptable safety risks for the students who will be dropped off at the Brookville Road entrance for JPDS. Vehicles entering the site to drop off students for the Yeshiva and Torah School would also have no turnaround area.
4. Close the Rookwood entrance and have the applicant re-design the entire site to address on-site circulation impacts from reduced site access. Staff does not see an easy way to do this so long as the three schools to be located at MHJHS require separate entrances. Major redesign of the interior site (interior and exterior) would be needed.
5. Leave the Rookwood entrance open until JPDS relocates. This will provide safe access and circulation for the MHJHS site during whatever time that JPDS, Yeshiva and Torah Schools are all tenants and satisfy their separate access requirements. At the same time, it would provide the community with the certainty of knowing that the Rookwood entrance will be closed whenever JPDS relocates. *The staff recommends that the County begin planning now for whatever building and site modifications will be necessary for efficient on-site circulation and access consistent with the closure of the Rookwood Road entrance when JPDS vacates the site. These changes will be subject to a future Mandatory Referral. DPWT should also coordinate and, if possible, consolidate the Brookville Road access to MHJHS with the access improvements to Woodlin Elementary School as recommended in the Master Plan.*
6. Move the Yeshiva and Torah Schools somewhere else. This alternative is not acceptable to the applicant.

## Pedestrian Access

In addition to maintaining community access to the play fields, the applicant should provide a sidewalk connection from Brookville Road to the fields to facilitate safe pedestrian access.

## Open Spaces and Recreation Facilities

With regard to open spaces and recreational facilities, the applicant proposes to relocate the existing basketball courts to the area on the adjoining lot (i.e., Woodlin Elementary School property) where deteriorated tennis courts presently exist. The basketball courts will be converted to parking. The playing fields will continue to be available for community use. During construction, a portion of the fields may be used for portable classrooms and as a construction staging area.

Since Community Use of Public Facilities (CUPF) schedules the fields for community use, *any restrictions or closings of the fields should be communicated to CUPF in a timely way so that users can be rescheduled at other facilities. The construction staging area and size and location of portable classrooms should also be coordinated with CUPF to minimize field disruption.*

**Finding #5: The applicant has met all applicable environmental requirements (see Attachment 9).**

The site has an approved Natural Resources Inventory/Forest Stand Delineation (NRI/FSD). An exemption has been approved to the requirements of the Forest Conservation Law since the proposed project is a modification to an existing use that would disturb less than 5,000 square feet of forest. It does not clear forest within a stream buffer or Special Protection Area, and it does not require a new subdivision plan. The property is not subject to a Tree Save Plan because no specimen trees will be removed or have greater than 30% of their critical root zone impacted.

The site is located in the Lower Mainstem of the Lower Rock Creek watershed. This Watershed Restoration Area exhibits poor stream conditions and fair habitat conditions. Consequently, full water quality and quantity control in storm water management should be expected to promote the integrity of the watershed.

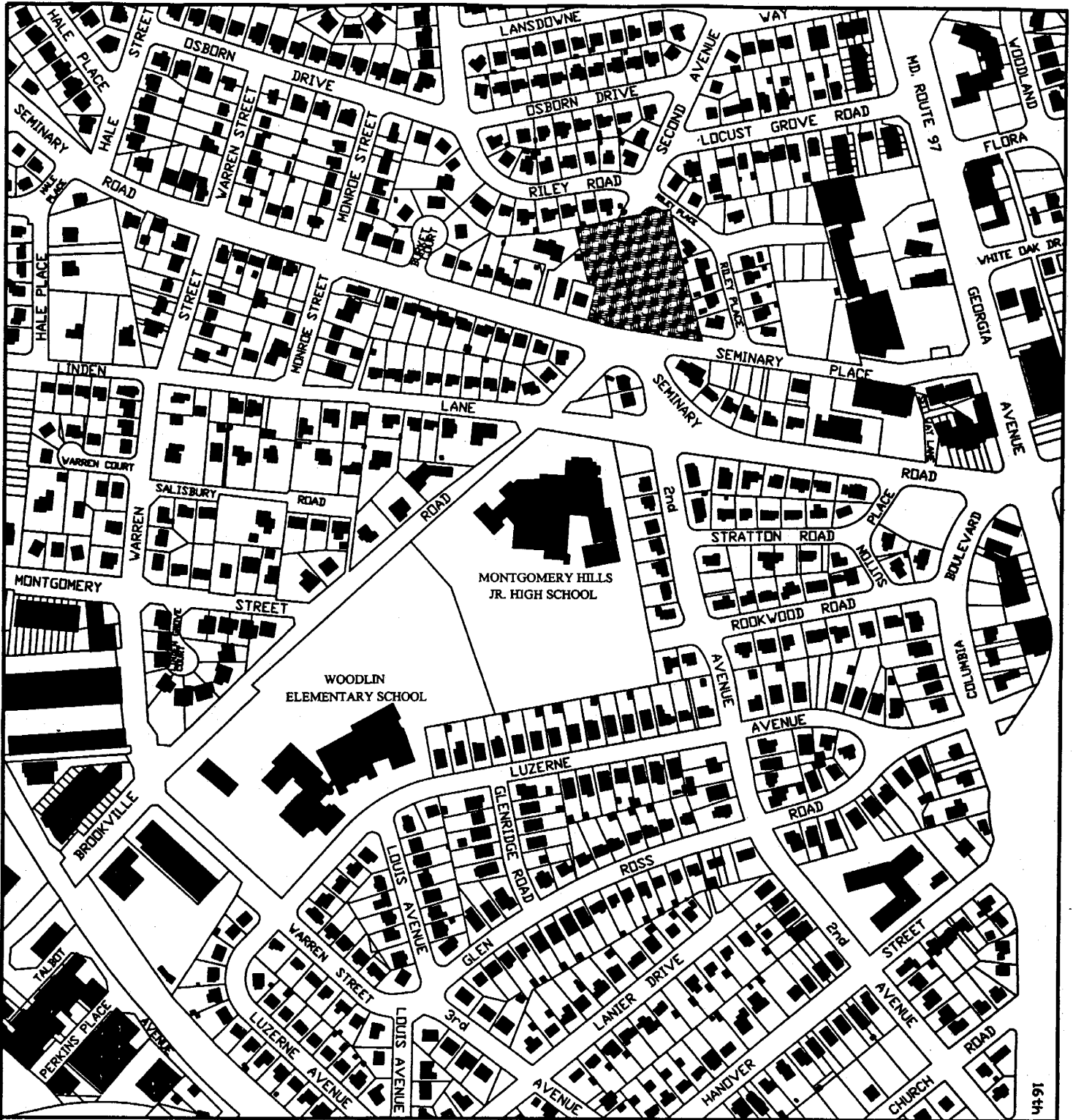
Most of the work associated with the proposed modifications includes interior renovations. Construction will be done in accordance with County noise standards. All of the areas to be renovated will have asbestos abatement.

GK:ha: a:\kreger2\MHJHS staff report.doc

### Attachments:

- 1- Vicinity Map
- 2- Zoning Map
- 3- Site Plan
- 4- Elevation: Proposed Building Modification
- 5- Enrollment Projections/Operating Hours
- 6- Landscaping Plan
- 7- Site Circulation
- 8- Transportation Planning staff memo
- 9- Environmental Planning staff memo

# MONTGOMERY HILLS JR. HIGH SCHOOL SITE

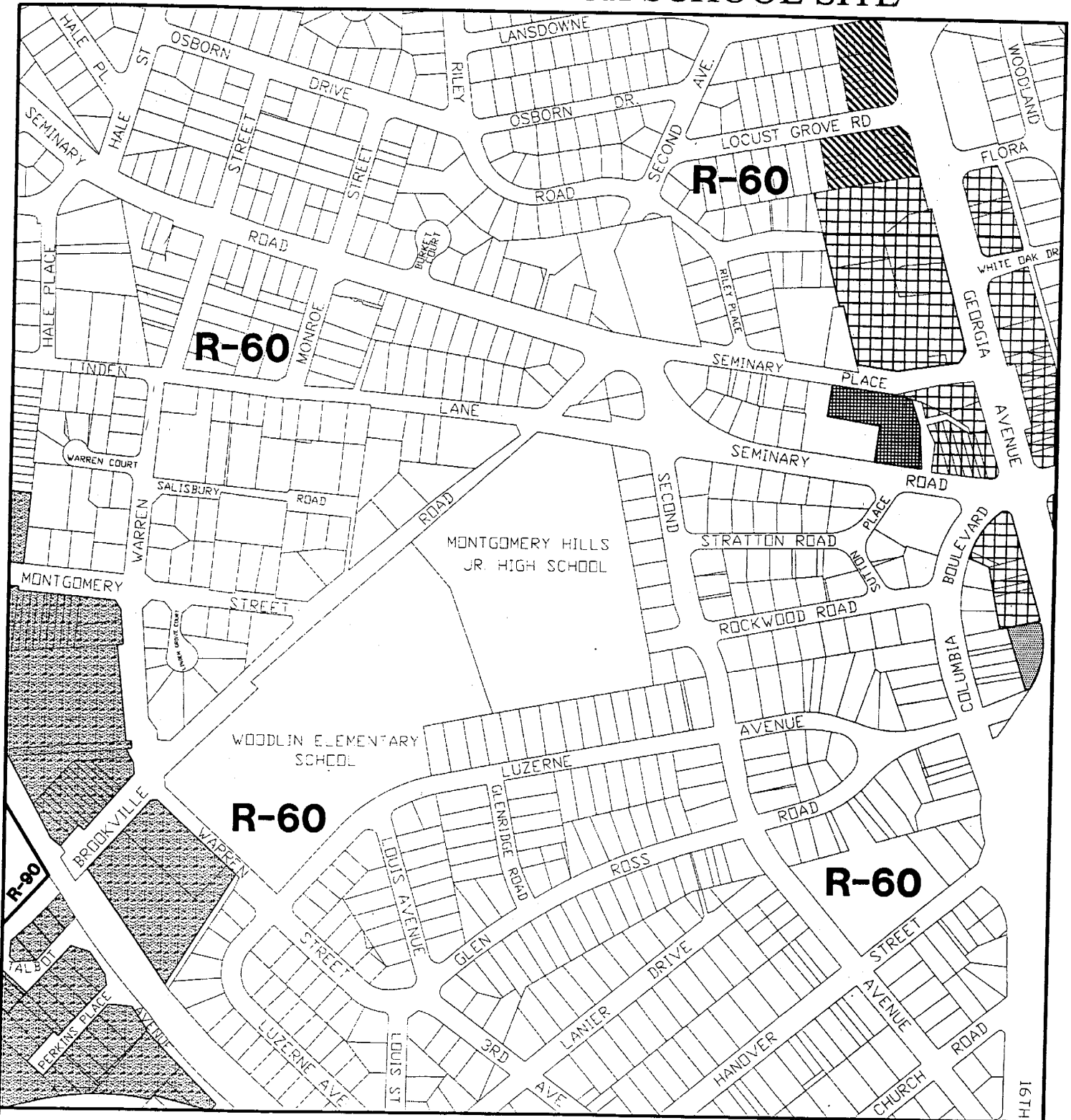







Montgomery Hills Neighborhood Park

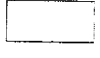

0 200 400 800 Feet

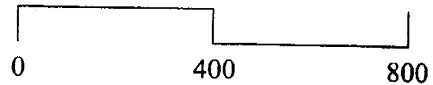


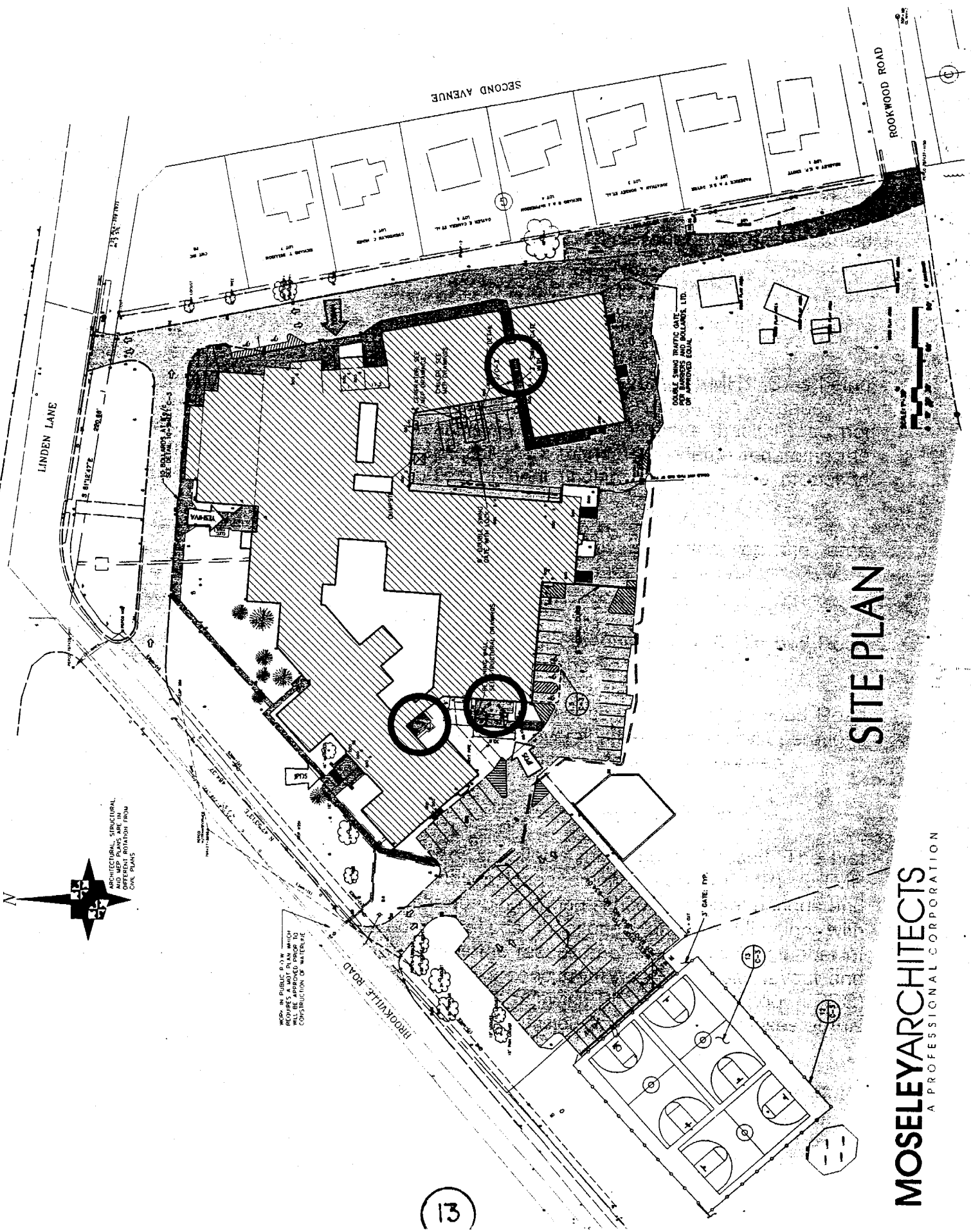
ZONING MAP FOR **ATTACHMENT 2**  
**MONTGOMERY HILLS JR. HIGH SCHOOL SITE**



-  C-1 - Local Commercial
-  C-2 - General Commercial
-  C-O - Commercial Office
-  I-1 - Light Industrial
-  RT-12.5 - Residential Townhouses

-  R-60 - Single Family Residential
-  R-90 - Single Family Residential

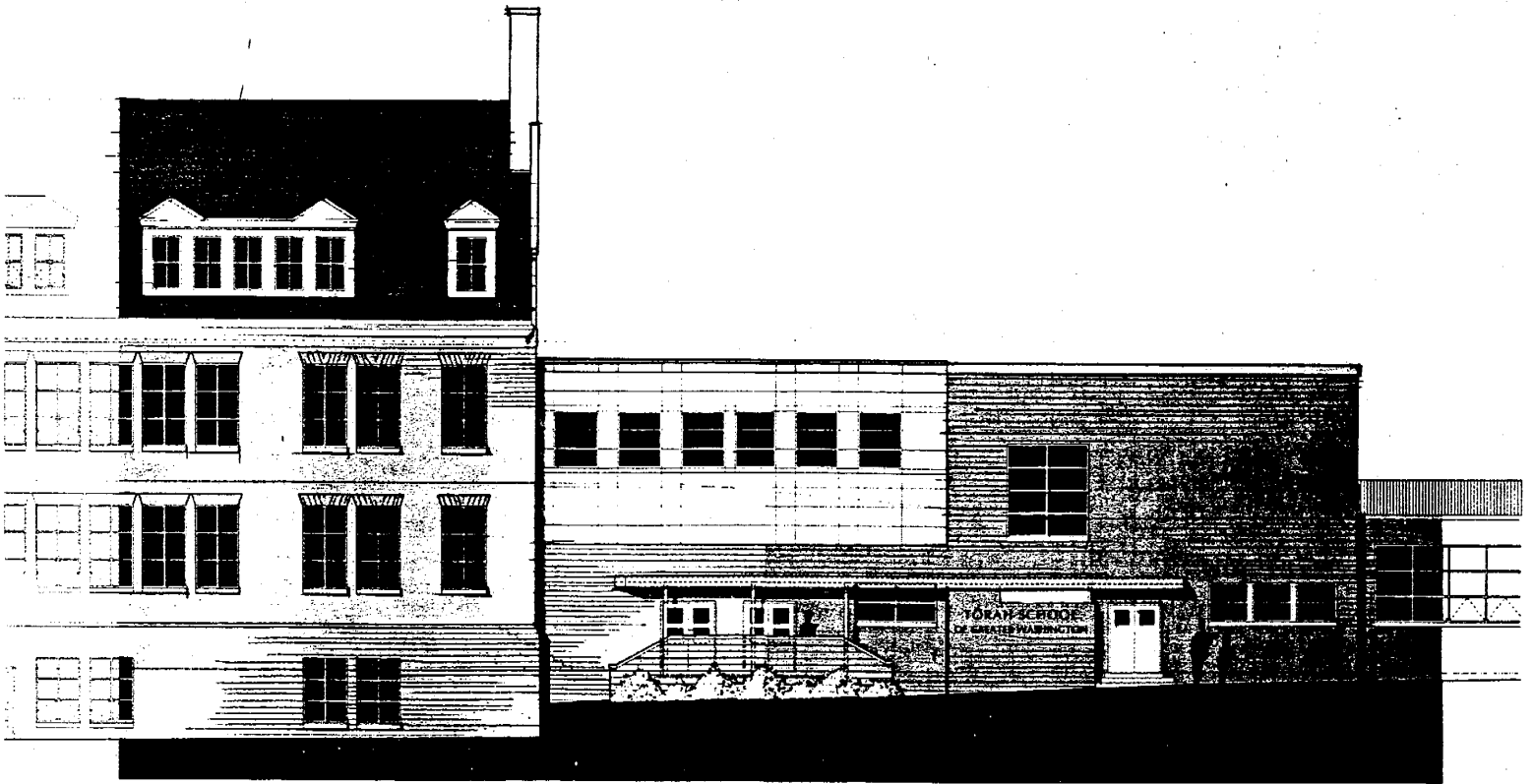




SITE PLAN

MOSELEYARCHITECTS  
A PROFESSIONAL CORPORATION

ATTACHMENT 4





**MOSELEYARCHITECTS**  
A PROFESSIONAL CORPORATION

50 WEST MARKET STREET HARRISONBURG, VA 22801 540.434.1346 FAX: 540.434.7982

Montgomery Hill Junior High School Modifications  
Montgomery County Public Schools

Revised November 20, 2002

Current Enrollments at Montgomery Hills Junior High School

	Jewish Primary Day School	Spring Bilingual Montessori School	Yeshiva School	Torah School	Total
Student Enrollment	146 (1050*)	40	Currently Off Site	Currently Off Site	186 (1050*)
Full Time Staff	34	4			38
Part Time Staff	5	2			7
Hours of Operation					
School Day	(M-Th) 8:00am-3:30pm (F) 8:00am-2:15pm	(M-F) 7:30am-6:00pm			
After School Activities	Daily until 6:00pm				
Weekends	N/A				

\* 1050 was student capacity when the facility operated as a public Junior High School

Enrollments After Modifications to Montgomery Hills Junior High School

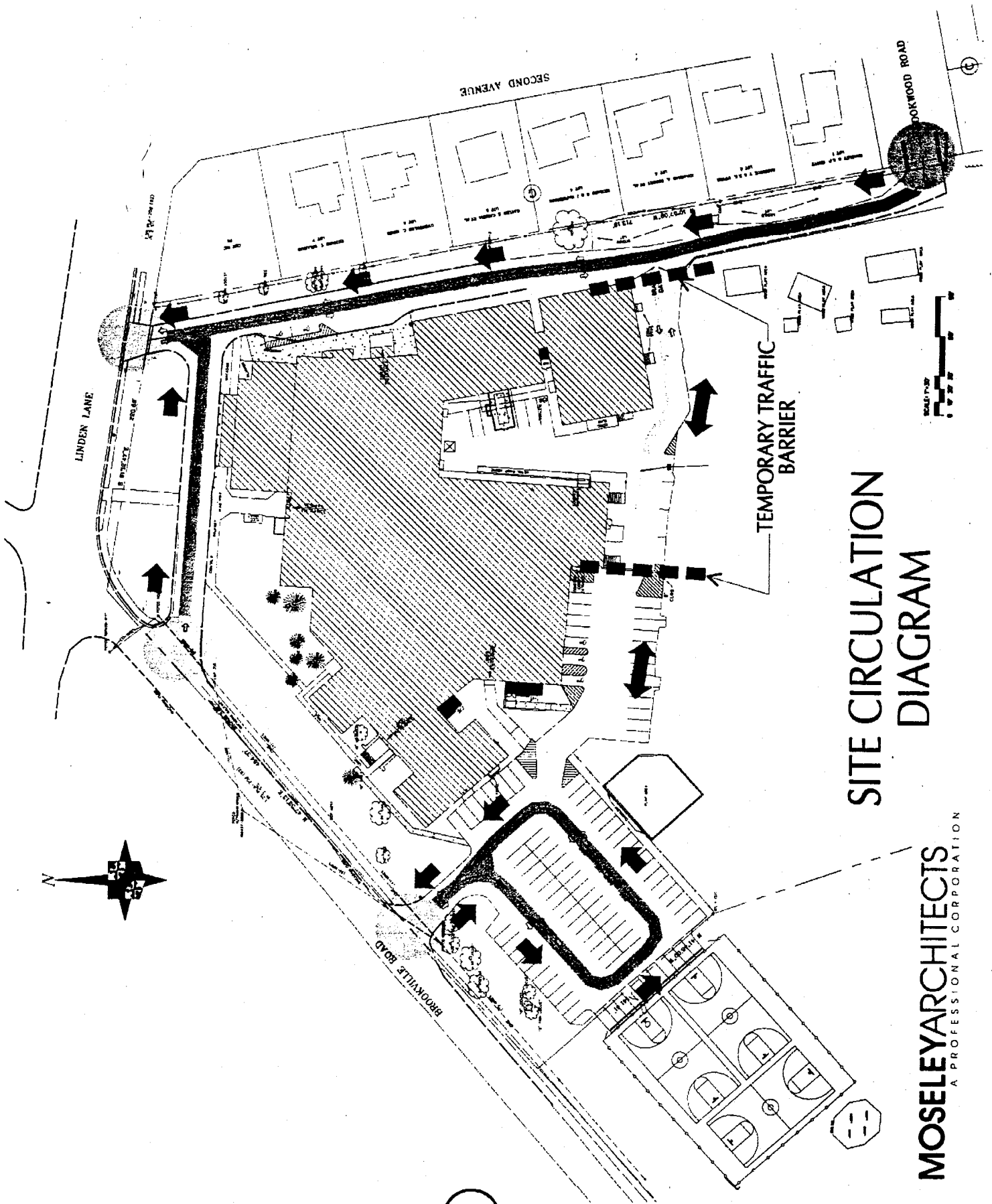
	Jewish Primary Day School	Spring Bilingual Montessori School	Yeshiva School	Torah School	Total
Student Enrollment	146	School Moving Off Site	150	205	501
Full Time Staff	34		30	22	86
Part Time Staff	5		25	28	58
Hours of Operation					
School Day	(M-Th) 8:00am-3:30pm (F) 8:00am-2:15pm			(M-Th) 8:00am-5:15pm (F) 8:00am-12:30pm	(M-F) 8:15am-3:30pm
After School Activities	Daily until 6:00pm			Daily until 10:30pm	Daily until 6:00pm
Weekends	N/A			(Sat) 6:00pm-10:00pm	(Sun) 9:30am-11:30am

Net Enrollment Increase of 315 Students

Traffic Impact

	Before Modifications	After Modifications
Visitor/HC Parking	0/4	0/5
Staff Parking	0	0
Total Car Parking Spaces	63 (+4 HC)	101 (+5HC)
Bus Parking	0	0





SITE CIRCULATION  
DIAGRAM

MOSELEYARCHITECTS  
A PROFESSIONAL CORPORATION