

MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION


8787 Georgia Avenue
Silver Spring, Maryland 20910-3760


Attachment 7

MEMORANDUM

DATE: May 10, 2005

TO: Nkosi Yearwood, Community Based Planning Division

VIA: Mary Dolan, Countywide Planning Division, Environmental 

FROM: Marion Clark, Countywide Planning Division, Environmental 

SUBJECT: Special Exception request No. S-2604
Winchester School

Recommendations:

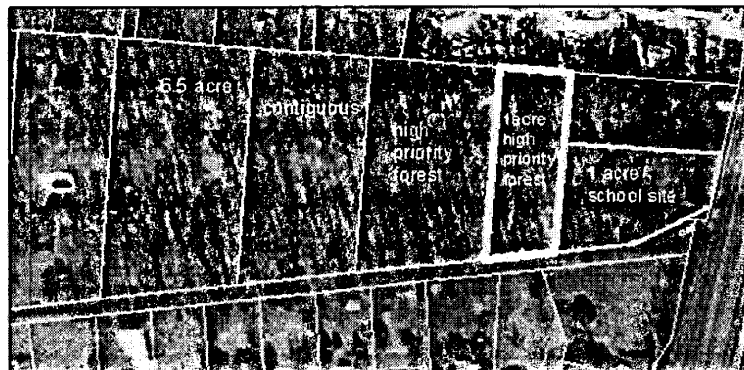
Conditional Approval of Preliminary Forest Conservation Plan for Special Exception request S-2604. Staff recommends the following conditions:

- Final stormwater management plan shall be consistent with the Final Forest Conservation Plan.
- Final Forest Conservation Plan shall show preservation of two-thirds of the critical root zone of trees no. 51 and 52.
- Final Forest Conservation Plan shall show preservation of two-thirds of the critical root zone of tree no. 28.

Approval of Special Exception request No. S-2604.

Discussion

This site is located on Georgia Avenue south of Olney. Half of the site is approximately one acre of healthy mature forest containing 33 healthy specimen and significant trees and contiguous to a 6.5 acre undisturbed forest. This forest is considered high priority in the Forest Conservation Regulations by virtue of its size, composition, and configuration.¹



¹ High priority forest stands are those that exhibit all of the following characteristics: high structural and species diversity; few alien or invasive species present; very good overall stand health; and high potential to

The Planning Board first reviewed the Forest Conservation Plan for this special exception in July 2004. The plan associated with the special exception proposed clearing 1.0 acres out of 1.05 acres of high priority forest and removing 18 specimen trees and 7 significant trees. Planning Board found the submitted plan did not make reasonable efforts to save the high priority forest. The applicant submitted a modified site plan showing removal of 0.63 acres of high priority forest. The Planning Board again found that more highest priority forest could be saved and denied this plan on February 24, 2005. The current submission shows another modified site plan with 0.47 acres of forest removal and 0.58 acres of forest saved. Of 28 specimen trees, 13 will be preserved and 15 removed. In order to preserve three of the 13 specimen trees, the applicant must revise the stormwater management conduit and outfall, and must either shift the playground limits and/or re-grade the area southeast of the playground.

Staff believes this site plan is an efficient layout to preserve high priority forest and specimen trees, provide adequate and safe transportation circulation, and furnish an appropriate school building. Furthermore, this plan shows a better solution for the playground area in terms of size, configuration, and location than the other plans submitted. The playground is larger (approximately 3600 sf) and will accommodate more children. The new rectangular shape makes it easier to site equipment and oversee play activities. It is also located on well-drained higher ground away from standing water or stormwater discharge.

Forest Conservation

An approved NRI/FSD is included in this application. The NRI/FSD indicates two lots on which the development is proposed. The front lot is approximately one acre in size and constitutes half the proposed site. This lot contains a single-family home, facing Georgia Avenue, and is surrounded by a landscape containing many high quality specimen and significant sized trees. The lot can be characterized as a residential landscape having a lawn, scattered shrubs and understory trees.

The second lot (approximately 1 acre) of the site contains a mature Tulip Poplar association forest stand in very good condition, but with some evidence of exotic invasives. This forest is contiguous to 6.5 acres of a healthy mature forest stand on property adjoining the west boundary of the site.

Environmental Guidelines

This property is not located within a Special Protection Area or Primary Management Area. There are no wetlands, steep slopes, erodible soils, and rare, threatened, or endangered species. There are no environmental stream valley or floodplain buffers.

Stormwater Management

The Department of Permitting Services (DPS) has approved a Stormwater Management Concept request for this site.

Regional Water Quality

This site is located in the Cherrywood Manor tributary of the Upper Rock Creek watershed. Upper Rock Creek north of Muncaster Mill Road is designated as a Use III watershed by MDE. A Use III designation means that the waters are suitable for the growth and propagation

provide a significant amount of habitat forest interior dwelling plant, animal and bird species. Additionally individual trees that are specimens of a species are considered highest priority.

of trout, and that they are capable of supporting self-sustaining trout populations and their associated food organisms.

The *Countywide Stream Protection Strategy* (CSPS) designates this subwatershed as a Watershed Protection Area - special. This designation is applied to all subwatersheds currently assessed as supporting excellent or good stream conditions. The special level of protection designation recommends use of protection tools for headwater areas. This includes a recommendation to “pursue imperviousness reduction strategies, targeted to habitat improvements.” The CSPS rates stream quality excellent and habitat conditions good for the Cherrywood Manor tributary.

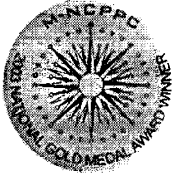
Noise

This use is expected to generate noise that may be a disturbance to surrounding uses. A “passive play area” is indicated on the north side of the school, adjacent to an existing residence. Noise generated by this use would be the normal sounds of 30 –50 children playing. The children would be playing in an open area immediately adjacent to the property line. The applicant proposes a narrow landscaped buffer to mitigate the potential noise disturbance.

Chapter 31B Noise Control of the Montgomery County Code establishes maximum allowable noise disturbance levels at 65 dBA during the daytime in residential areas. The Department of Environmental Protection administers the ordinance and requires a noise study that verifies the noise level of the proposed use. In the absence of a noise analysis, staff is unable to determine the noise impact of the proposed use.

Dust

There should be no objectionable fumes, noise or odors resulting from the proposed use. Dust is not expected to be problematic.



May 25, 2005

MEMORANDUM

TO: Nkosi Yearwood
Community-Based Planning Division

VIA: Daniel K. Hardy, Supervisor *cc for R Hardy*
Transportation Planning

FROM: Cherian Eapen, Planner/Coordinator *CE*
Transportation Planning
301-495-4525

SUBJECT: Special Exception Case No. S-2604
Proposed Private Educational Institution – Winchester School
17320 Georgia Avenue, Olney (Parcels 171, 172 and 173)
Olney Policy Area

This memorandum presents Transportation Planning staff's Adequate Public Facilities (APF) review of the subject Special Exception case to permit a new 126-student private educational institution with a maximum of 17 staff members to be located at 17320 Georgia Avenue (MD 97) in Olney. The proposed school will have students attending grades one through six, and will be open on weekdays between 7:00 a.m. to 6:00 p.m. The property is currently zoned R-200.

RECOMMENDATIONS

Transportation Planning staff recommends the following conditions as part of the transportation-related requirements to grant this Special Exception request (based on our review of updated traffic study dated February 2005 and updated Transportation Management Plan (TMP) dated May 2005 submitted for the subject Special Exception case):

1. The applicant shall satisfy the Local Area Transportation Review (LATR) component of the APF test by entering into a legally binding Trip Mitigation Agreement (TMAG) with the Montgomery County Planning Board (MCPB) to sponsor, develop, implement, and operate a monitored TMP prior to the release of any building permit for the school.

2. Limit hours of operation of the proposed school, and number of students/staff at the proposed school to that described in the Special Exception Statement of Operations.
3. Manage all school-related vehicle queues, as well as any queuing/parking related to student drop-offs/pick-ups on-site within the school property without spillover to Georgia Avenue and/or adjacent local streets.
4. At the time of Preliminary Plan, consistent with the 2005 Approved and Adopted *Olney Master Plan*, dedicate adequate right-of-way along Georgia Avenue to provide 75 feet of right-of-way from the roadway centerline, and locate any proposed on-site improvements outside of the master plan right-of-way.
5. At the time of Preliminary Plan, design the proposed site access driveway to meet Maryland State Highway Administration (SHA) design requirements, with adequate sight distance. The driveway should be designed to permit the largest vehicle anticipated at the school, including a school bus, to safely enter/exit the site from/to Georgia Avenue.
6. Provide an eight-foot wide Class I bikeway (shared-use path) and an eight-foot wide tree panel on Georgia Avenue along the entire property frontage. The design of the shared use path at the proposed site access driveway should meet Americans with Disabilities Act Best Practices.
7. Provide a lead-in sidewalk from Georgia Avenue to the proposed school building.
8. Meet relevant Montgomery County Department of Public Works and Transportation and Department of Permitting Services County on-site requirements, including ability of school buses and student drop-off/pick-up vehicles to safely circulate within the school site.

DISCUSSION

Site Location, Vehicular Access and Pedestrian Facilities

The property is located along the west side of Georgia Avenue just north of the intersection with Rock Hill Lane (a private roadway, along the southern subject property line), between Prince Philip Drive/Hines Road to the north and Cherry Valley Drive and Old Baltimore Road to the south. It is currently developed with a single-family residential unit on approximately 2.0 acres, with driveway access to Georgia Avenue.

Vehicular access to and from the proposed school is designed to be via a new driveway along Georgia Avenue, placed at the southern edge of the property. The driveway provides for approximately 280 feet of queuing on the property (not including approximately 140 feet of queuing available for three buses). A total of 22 parking spaces, including one handicapped parking space, are provided along the south side of the school driveway, to the interior of the property. The bus/auto queuing plan for the school proposes the buses and drop-off/pick-up vehicles to queue/stack along

the north side of the site access driveway, and is anticipated to provide adequate queuing area for three buses and 14 passenger vehicles at any one time.

Georgia Avenue, to the front of the property, is a four-lane divided major highway, and has sidewalks on both sides. Consistent with the master plan recommendations, the applicant will be required to upgrade the existing sidewalk along the site frontage to provide a shared-use path and a tree panel, and to provide a lead-in sidewalk into the property. Georgia Avenue is also proposed to have a future express two-lane, bi-directional, bus-only roadway within its median that will connect the Olney and Aspen Hill communities to the north with Glenmont Metro Station to the south. Currently, Metrobus routes Y8, Y9, and Ride-On bus routes 52, and 53 provide service along Georgia Avenue. Ride-On bus routes 52, and 53 also serve local communities via Prince Philip Drive and Hines Road.

Prior Review of the subject Special Exception Case

The initial Winchester School Special Exception petition for up to 175 students was denied 5-0 by the Planning Board on July 29, 2004. This original petition was subsequently revised for a reduced enrollment of 126 students, and was presented to the Planning Board on March 3, 2005, at which time the Planning Board voted 4-1 to recommend denial of the petition. A basis for the Planning Board denial of the petition in March 2005 was the inadequate mitigation of anticipated future traffic from the school. Since then, the applicant has worked with Transportation Planning staff to address outstanding transportation-related issues and has prepared a draft TMP, which include elements that could satisfactorily mitigate both off-site and on-site school-related traffic impacts.

Master Plan Roadways and Bikeway/Pedestrian Facilities

The 2005 Approved and Adopted Olney Master Plan describes the nearby master-planned roadways, bikeway and pedestrian facilities as follows:

1. Georgia Avenue: as a north-south four-lane divided Major Highway (M-8) with a minimum right-of-way width of 150 feet (between Emory Lane to the south and Spartan Road to the north), and with a Class I bikeway (shared-use path; SP-29) along the west side of Georgia Avenue.
2. Prince Philip Drive: as a two-lane Arterial (A-46) with a minimum right-of-way width of 80 feet (between MD 108 to the north and MD 97 to the south, and with a shared road bikeway; B-30).
3. Hines Road: as a two-lane Arterial (A-49) with a minimum right-of-way width of 80 feet between MD 97 to the east and Cashell Road to the west (and with bike lanes; BL-19).
4. Cherry Valley Drive: as a two-lane Primary (P-3) with a minimum right-of-way width of 70 feet between MD 97 to the east and Wellfleet Drive to the west.

5. Old Baltimore Road: as a two-lane Arterial (A-312) with a minimum right-of-way width of 70 feet between MD 108 to the north and MD 97 to the south. The master plan contemplates adding a third approach lane on Old Baltimore Road at its intersection with MD 97.

Since this Special Exception case is required to submit a Preliminary Plan application, the applicant would be required to dedicate additional right-of-way, as needed, along Georgia Avenue. Associated with this requirement, any proposed on-site improvements should be located outside of the master plan right-of-way.

Local Area Transportation Review

Per the *LATR Guidelines*, the applicant submitted an updated traffic study dated February 2005 for the current proposal of 126 students that assessed impact of the proposed school on the immediate local area roadway network. A traffic study was required since the school was estimated to generate more than 50 total peak-hour trips during the typical weekday morning peak period. The 50 total peak-hour trip threshold applies since the Special Exception case was filed prior to July 1, 2004, under the FY 2004 Annual Growth Policy (AGP). The applicant also submitted an updated TMP in May 2005 for the subject Special Exception petition.

Staff review of the updated traffic study indicated that the study area, the traffic counts, and the description of area pedestrian facilities as presented in the study complied with the requirements of the *LATR Guidelines* and the traffic study scope. The traffic study also identified existing/future roadway features/lane configurations within the study area correctly. In addition, Background traffic conditions presented in the study adequately incorporated traffic associated with background developments identified by the staff.

For the build (Total traffic) conditions, the traffic study estimated that approximately 66% of the proposed 126 students would access the school from the south along Georgia Avenue (assuming approximately 84 students to “reside” to the south of the school). The busing plan presented in the traffic study proffered that these students to the “south” of the school would be bused, and therefore would not impact or add critical lane movements to the Georgia Avenue/Old Baltimore Road intersection (to the south of the school as “new” trips during the morning peak hour). The traffic study estimated that the rest of the student population, to the “north” of the school (assumed to “reside” to the north of the school) would access the school from the north via Georgia Avenue as drop-offs. Since a majority of these trips were assumed to be already on Georgia Avenue in the southbound direction as “pass-by” trips, and the remaining “new” trips were estimated to return north after the drop-off, it was determined that these vehicle trips from the north would not impact or add critical lane movements to the Georgia Avenue/Old Baltimore Road intersection during the morning peak hour. Based on the above, the traffic study determined that the development proposal met the *LATR Guidelines* requirements.

A summary of the CLV analysis results for the study intersections for the weekday morning and evening peak hours during the respective peak periods based on the analysis presented in the traffic study is provided in Table 1. As shown in Table 1, the weekday morning and evening peak-hour capacity analysis presented in the traffic study indicated that under Total traffic conditions, CLV values at the study intersections were either below the Olney FY 04 AGP congestion standard of 1525, or at or below the Background traffic conditions CLV.

**TABLE 1
SUMMARY OF CRITICAL LANE VOLUME (CLV) CALCULATIONS
PROPOSED WINCHESTER SCHOOL**

| Intersection | Existing | | Background | | Total | |
|--------------------------------------------------|----------|-------|------------|-------|-------|-------|
| | AM | PM | AM | PM | AM | PM |
| 1. Georgia Avenue/Old Baltimore Road | 1,759 | 1,238 | 1,786 | 1,308 | 1,786 | 1,327 |
| 2. Georgia Avenue/Site Drive | 1,219 | 1,031 | 1,205 | 1,031 | 1,244 | 1,042 |
| 3. Georgia Avenue/Prince Philip Drive/Hines Road | 1,350 | 1,212 | 1,351 | 1,212 | 1,369 | 1,216 |

Source: Winchester School Traffic Study. ITS, Inc. Updated February 2005.

However, without a comprehensive TMP that addressed all of the staff concerns regarding school’s possible Critical Lane Volume (CLV) impact at the Georgia Avenue/Old Baltimore Road intersection and potential on-site vehicle circulation/queuing deficiencies, staff disagreed with the build conditions presented in the traffic study. The assumed future student population distribution for the school and the busing program (tied to the anticipated future geographical distribution of student population) could not be reasonably expected to fully mitigate the anticipated future traffic impact of the school at the study intersection(s) and within the site. For example, under assumptions incorporated in the traffic study, it was clear that though an overall future increase in the percentage of students “residing” to the north of the school may not affect the CLV at the Georgia Avenue/Old Baltimore Road intersection during the morning peak hour, it could potentially have created on-site queuing issues at the school due to additional drop-offs/pick-ups. Alternatively, if the future percentage of students “residing” to the south of the school were to increase beyond the 66% assumed in the traffic study, this would have required additional busing of students so that CLV at the Georgia Avenue/Old Baltimore Road intersection during the morning peak hour was not affected.

The staff concern regarding mitigation of transportation impacts is predicated on the substandard level of service forecast for the Georgia Avenue intersection with Old Baltimore Road during the morning peak period. Staff has suggested the petitioner provide either capacity improvements for the intersection, such as those contemplated in the 2005 Olney Master Plan, or provide non-automobile transportation amenities such as off-site sidewalks, bike lockers, or bus shelters in the area. The petitioner has repeatedly declined to entertain those options and has previously suggested a series of busing programs to avoid generating any new southbound traffic.

Staff previously determined that those programs were not sufficiently well defined and enforceable to satisfy LATR requirements as described in our prior memoranda of July 21, 2004, and February 25, 2005.

With the above background, Transportation Planning staff worked with the applicant to prepare a draft TMP to satisfy the LATR component of the APF test, which would be executed as a legally binding TMAg with the MCPB to sponsor, develop, implement, and operate a monitored TMP prior to the release of any building permit for the school. This draft TMP will include guarantees to bus all students to the south of the school (so as not to impact the Georgia Avenue/Old Baltimore Road intersection during the morning peak hour), to bus all students to the north of the school in excess of a pre-set number of vehicle drop-offs (that will correlate with the available on-site queuing area), and such guarantees that will ensure that the Georgia Avenue/Old Baltimore Road intersection capacity will not be negatively affected.

Policy Area Transportation Review/Transportation Staging Ceiling Test

The subject Special Exception case was filed prior to July 1, 2004, under the FY 2004 AGP. Since the proposed use for the site was estimated to generate more than five weekday peak hour trips during the morning and evening peak periods, it was required to satisfy the Policy Area Transportation Review (PATR) test to determine adequacy of transportation staging ceiling. The site is located within the Olney Policy Area, which had a net remaining staging ceiling capacity of 1,924 jobs on June 30, 2004. With an estimate of 50 jobs for an elementary school, the proposed Special Exception use therefore satisfies the PATR test.

CE:gw

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