

CITY OF ROCKVILLE PLANNING DIVISION
STAFF REPORT

JULY 21, 2005

SUBJECT:

Use Permit Application USE2004-00677

Applicant: SHW Group, Inc.
Architects + Engineers
c/o Dale Leidich, R.A., AIA
7701 Greenbelt Road, Suite 222
Greenbelt, Maryland 20770

For: Montgomery County Public Schools
c/o Dennis Cross, Project Manager
Division of Construction
283 Muddy Branch Road
Gaithersburg, Maryland 20878



Property
Location: Richard Montgomery Senior High School
250 Richard Montgomery Drive,
Rockville, Maryland 20850

Planning Commission Review Date: July 27, 2005

REQUEST:

The applicant submits the subject use permit and accompanying development proposal in accordance with Section 25-193 of the City of Rockville Zoning Ordinance. The applicant plans to construct a new high school, outdoor athletic fields, new football field and bleachers, new site vehicular entrances, surface parking facilities, install new site infrastructure improvements, and raze the existing high school once the new school is constructed and ready for occupancy. The use permit is also submitted in accordance with previously approved Special Exception SPX2003-00329 and Zoning Variance APP2003-00795. In conjunction with the project's previously approved special exception request to construct a new high school, the applicant was also granted a zoning variance of 13 feet from the 35 foot building height limit of the R-60 Zone, in order to construct a four (4) story (48 foot tall) new high school.

PREVIOUS RELATED ACTION:

Use Permit Application U-637-73, Montgomery County Public Schools – a proposal to construct an auditorium and classroom addition on the existing public senior high school, located in the

then R-S (Suburban Residential) Zone. Approved by the Planning Commission on October 17th 1973.

Special Exception S-8-75, Chatelain, Samperton & Nolan for Montgomery County Public Schools – a request to construct small building additions on the existing high school, install new elevator, and install additional on-site parking spaces. Granted by the Board of Appeals on June 14th 1975.

Use Permit Application U-9-75, Chatelain, Samperton & Nolan for Montgomery County Public Schools – a proposal to construction additions to the auto shop, library, install a new elevator, and additional on-site parking spaces. Approved by the Planning Commission on June 25th 1975.

Use Permit Application U-407-88, Grimm and Parker Architects for Montgomery County Public Schools – a proposal to construct a new entrance lobby, modification of parking areas and driveways, and installation of new landscaping of the subject high school site. Approved by the Planning Commission on May 11th 1988.

Special Exception SPX2002-00317, Antonio C. Vintro for Montgomery County Public Schools - a request to install modular classroom buildings on the existing public high school property located in the R-60 (single family detached, residential) zone. Granted by the Board of Appeals on December 7th 2002.

Special Exception SPX2003-00331, Antonio C. Vintro for Montgomery County Public Schools - a request to install five additional modular classroom buildings on the existing high school property which is located in the R-60 (single family detached, residential) zone. Granted by the Board of Appeals on June 7th 2003.

Special Exception SPX2003-00329 & Zoning Variance APP2003-00795, Bruce G. Mongrain for Montgomery County Public Schools - a special exception request to construct a new high school, outdoor athletic fields, new football field and bleachers, new site vehicular entrances, surface parking facilities, installation of new site infrastructure improvements, and demolition of the existing school once the new school is ready for occupancy. A zoning variance requested from the 35 foot building height limit of the R-60 Zone in order to construct the new school at 48 feet in height. Both granted and approved respectively by the Board of Appeals on June 7th 2003.

STAFF RECOMMENDATION:

Approval is recommend subject to the following conditions:

1. The applicant must submit to the Chief of Planning nine (9) copies of the site development plans, revised to illustrate that the following site development concerns have been satisfactorily addressed:

- a. Proposed site improvements and building construction activity must be conducted in substantial accordance with site development and building plans submitted by SHW Group, Inc. Note, proposed site development and building construction must be done in compliance with all applicable conditions of approval as imposed by the Board of Appeals in its grant of SPX2003-00329 & APP2003-00795.
 - b. Amend/update the overall composite site plan to clearly denote/identify location of student, staff, visitor, and school bus parking spaces.
 - c. In accordance with Section 25-437 of the Ordinance, whenever an extension or relocation of any electric, telephone or utility line, cable, transformer, or equipment locker is required in connection with the development or redevelopment of any land, any such extension or relocation shall be installed underground.
 - d. As represented in the testimony and evidence provided at the public hearing of previously approved SPX2003-00329 and APP2003-00795, in commemoration of the historic past of the old Park Street School, the applicant will construct and install a replica of the school's exterior façade, incorporating it as a prominent design feature of the new high school's interior main building lobby.
 - e. Applicant will submit a final record plat, formally consolidating the subject properties which make up the overall school site, into a single record lot. Said final record plat must be recorded among the Lands Records of Montgomery County prior to the issuance of building permits for construction.
2. The Department of Public Works (DPW) requires the following information be provided and/or action taken:
- a. Obtain applicable permits from DPW.
 - b. Submit detailed engineering plans and computations for DPW review and approval of the following: sediment and erosion control, stormwater management (SWM), site drainage study, and public improvements, including Fleet Street and Richard Montgomery Drive, street lighting, and signing and marking.
 - c. Upgrade public storm drain between the school site and the outfall in Mount Vernon Place as necessary to convey proposed runoff. The public storm drain must be placed in an easement dedicated to the City.
 - d. Dedicate right-of-way for the widening of Fleet Street and provide appropriate easement for a parallel bike path.

- e. Provide a ten (10) foot wide public utility easement (PUE) along the site's Fleet Street frontage and underground existing utility lines, where utility poles are being removed/relocated to accommodate the widening of that street.
 - f. Abandon existing sewer and water house connections and public sewer and water mains in old Fleet Street at the connection to Mount Vernon Place when the existing school is demolished.
 - g. Mill and overlay Fleet Street from the western site property line to Richard Montgomery Drive and at any utility cuts on Fleet Street or Mount Vernon Place.
 - h. The applicant shall enter into an agreement, in a form acceptable to the City Attorney, which is to be recorded among the Land Records of Montgomery County, obligating the applicant and its successors to contribute fifty (50) percent of the cost of any future installation of a traffic signal at the intersection of Richard Montgomery Drive and Fleet Street, not to exceed \$40,000 at the relocated site entrance as approved by the Director of DPW. This contribution will be in the form of cash or the value of the physical improvements/public services as proposed by the applicant and approved at the sole discretion of the Director of DPW.
 - i. Abandon Richard Montgomery Drive at Mount Vernon Place or provide a turnaround at the proposed dead end.
 - j. A five (5) foot wide sidewalk must be provided along Mount Vernon Place from the school to the existing asphalt path.
 - k. Provide and clearly show all proposed bike racks and lockers.
 - l. Convey land or provide an easement to the City of Rockville so that the existing City path (near Mount Vernon Place) is on City Parkland.
3. The City Forester requires the following information be provided and/or action taken:
- a. The project's proposed "forest conservation plan" (FCP) must be approved by the City Forester.
 - b. Separate tree preservation and plating plans are required for FCP submission.
 - c. On-site significant tree replacement and afforestation is required.
 - d. Applicant must maximize off-site afforestation before fee-in-lieu will be considered in accordance with the Forest and Tree Preservation Ordinance.

ANALYSIS:

Property Description

The subject property is located on the south and west side of Fleet Street, the north side of Mount Vernon Place, and at the southern terminus of Richard Montgomery Drive. The school was originally constructed in 1942. The school property is bounded on the north and west by a mixture of institutional, office, and commercial land uses, and on the south and southwest by single-family detached dwellings and city parkland.

The existing school building is approximately 233,318 square feet in size and is of masonry construction. Based on information provided when the project's special exception SPX2003-00329 and zoning variance SPP2003-0795 were approved, it was noted that the building capacity of the existing school is for 1,499 students, while the then current student enrollment was listed at 1,712 students. The school is located on approximately 26.2 acres and is accessed by pedestrians and vehicles via Fleet Street, Richard Montgomery Drive, and Mount Vernon Place. Students or persons walking to the site use sidewalks located on the noted streets.

The existing school is located in the southern area of the site, with on-site surface parking facilities located in the front northeast area of the site. Vehicular access to parking located in the front of the site is via Richard Montgomery Drive and Fleet Street. Additional onsite parking is also located at the rear (south side) of the building, accessed via Mount Vernon Place. Based on the information provided, there are currently a total of 325 parking spaces onsite.

The school's baseball field, and football field which is encircled by a running track, are all located in the northern and central areas of the site. There are tennis courts located in the southwest corner of the site. The site currently has modular classroom buildings located at the rear of the existing school (some but not all previously approved under special exception approval). The modular classrooms were installed to accommodate student growth and programmatic needs of the school.

The site's topography is relatively flat with gentle, but evident sloping, i.e., site surface grades begin to gradually fall from the west side of the site downward towards the rear southwestern area of the site. The site contains an array of mature trees, shrubs, and hedges, flowering and non-flowering plantings, all ranging in species and size.



Aerial View of Richard Montgomery High School

Site Use & Project Proposal

The applicant (SHW Group, Inc.) was retained by Montgomery County Public Schools – MCPS) to act as its agent in the processing of previously approved SPX2003-0000329, APP2003-00795, and the subject use permit. Under the proposal, the high school site will be fully redeveloped in two distinct phases. The first phase of construction and development activity will include demolition of the Park Street School facility, the abutting property at the northwest corner of the site, and construction of the new school, while the existing building is in operation. The first phase of development is scheduled to begin in July 2005 and be completed by July 2007. The second phase of site redevelopment will include demolition of the old high school, construction of new baseball, softball, football and soccer fields, tennis courts, and new site surface parking facilities. The second and final phase of development is scheduled to begin in July 2007 and be completed by August 2008.

The new school will be located in the north, northwest area of the site, fronting Fleet Street (See Exhibit 2). New site entrances will be installed on Fleet Street to allow bus and vehicular access to the school's main front entrance. Under the subject proposal, portions of Fleet Street will be widened and modified, in order to create right turn lanes into the school site, new site street vehicular entry/exit points, and merge lanes. The new school building will be four (4) stories in height, approximately 48 feet tall. In order to construct the new school at the noted building height, the applicant submitted Variance Application APP2003-00795, a request for a zoning

variance of 13 feet from the 35-foot height limit of the R-60 zone. As noted said zoning variance was granted by the Board of Appeals on June 7th 2003.

When completed, the new four (4)-story school will contain 309,284 square feet of floor space and be staffed by 222 staff members, 190 full time and 32 part time staff persons. The new school will be 75,968 square feet larger than the old school, 33 percent larger, i.e., from 233,318 square feet to 309,284 square feet. It is projected that school capacity will increase by approximately 901 students, 62 percent, i.e., from 1,499 to 2,400 students. It was also projected that the school's existing enrollment of 1,712 students for fiscal year 2002 would increase to 1,837 students by fiscal year 2008.

To insure that site generated vehicular traffic not adversely impact traffic flow in and around the subject site area, portions of the site's frontage along Fleet Street will be widened and improved to allow for installation of new site entrances and exits, deceleration and merge lanes, etc. All of the site's surface parking will be accessed from Fleet Street. Students and staff that drive to school, will park their vehicles in the parking lot located in the northeast area of the site, those fronting the intersection of Richard Montgomery Drive and Fleet Street. Under the proposed site redevelopment, there will be no vehicular access to/from Mount Vernon Place. The only access from Mount Vernon will be provided via pedestrian walkways. Visitor parking and parent drop-off parking will be provided in front of the school, adjacent to the new on-site bus loop. These parking lots have been designed to separate and facilitate bus and other vehicular traffic entering and exiting the main entrance area of the school.

Approximately 327 on-site parking spaces are to be provided and allocated as follows: a) 65 spaces for students (seniors on work study) b) 14 spaces for visitors, c) 240 spaces for staff, d) 8 handicapped spaces, and e) 67 vehicle spaces in the after hours car parking spaces in the bus loop. Per the site development plans, the new school bus parking loop is designed to accommodate 30 buses and also provide 67 after hours parking spaces, plus 4 handicapped spaces, designed to be used during off-peak hours for special school/community activities and events. Currently, 33 regular student buses and five (5) special education buses serve Richard Montgomery High School. Under the planned site redevelopment, it is projected that 27 regular buses and five (5) special education buses will be needed to serve the new school in fiscal year 2008.

Based on available information, there are 105 on-site parking spaces allocated for students that drive to school. However, under the planned site redevelopment, only 65 on-site parking spaces will be provided for student drivers (priority given to seniors on work study assignment). In addition to the new school and associated surface parking, other new facilities and site improvements proposed, include a new athletic stadium with bleachers, practice field encircled by a running track, eight (8) new tennis courts, and new baseball and softball fields. As shown on the attached site plans, the new outdoor athletic facilities will be located in the rear of the new school, in the southern area of the site (See Exhibit 2). In order to implement the project's previously approved special exception and redevelop the school property as proposed, the applicant requests that the subject use permit be approved as submitted.

Applicable Sections of the Zoning Ordinance & Staff Assessment

In accordance with Section 25-193 of the Ordinance a use permit shall be issued if the Planning Commission finds that the use proposed will not:

1. Adversely affect the health and safety of persons residing or working in the neighborhood of the proposed use. The subject school is located in the center of the city, surrounded by office, institutional, commercial, and residential land uses. The site is currently served by public water and sewer services provided by the City of Rockville. The site's water and sewer, electric, gas, and other relevant utilities will all be upgraded and/or retrofitted in order to serve the planned new site and building improvements. The applicant's consultants continue to work with the City's Department of Public Works to determine what stormwater management techniques will be utilized to accommodate stormwater generated by the planned site redevelopment.

Several street frontage improvements are proposed on Fleet Street in conjunction with the planned school modernization project. These improvements include but may not be limited to the following: a) installation of new site vehicular entrances and exits on Fleet Street, b) installation of a new right turn/decel and merge lanes and c) dedication of additional right-of-way for future roadway improvements. These improvements were deemed necessary to insure that vehicular traffic flow along the site's Fleet Street frontage is not adversely impacted or altered by site generated vehicular traffic.

The applicant has been working with DPW's Traffic and Transportation Division on transportation issues related to the planned school redevelopment project. At the project's special exception and zoning variance review stage, staff agreed to waive the traffic impact study requirements and perform the traffic analysis as a subset of the traffic analysis work being done for the redevelopment of the town center and identify impacts from the planned school redevelopment project. City staff performed the traffic study and the applicant (MCPS) will be required to mitigate based on the impacts identified through the traffic analysis. As then requested, the applicant submitted a transportation statement addressing on-site circulation as well as multi-modal access to the site. As a result of the traffic study done by staff, a list of recommended conditions of approval were forwarded by the Traffic and Transportation Division and are referenced in the Board of Appeals approval of SPX2003-00329 (See Attachment A).

All vehicular access to the new school facilities is from Fleet Street thereby preserving the residential nature of Mount Vernon Place. The new site layout provides for clear and separate areas for student/staff parking, parent drop-off, visitor parking and the bus loop. Under the subject proposal, it has and continues to be a major goal of both MCPS and City staff to limit vehicular congestion at the intersection of Fleet Street and Richard Montgomery Drive. Thus, it was and is the conclusion of the staff that the new design offers vast improvements over the existing facility layout and vehicular traffic flow.

Under the subject proposal all buses will enter a dedicated bus loop from Fleet Street with angled parking that allows for pass-by capability. The entry into the bus loop will also serve the delivery and service area located at the west end of the school. For parents dropping off students, a dedicated lane is provided parallel to the auditorium wing and leading to a major entry on the building's main circulation route. While students and staff will continue to enter the main parking area from the Fleet Street and Richard Montgomery Drive intersection, school bus, visitor and parent drop-off traffic will no longer utilize this same entry point, as they do at present time.

Hence staff believes that both the on-site and site frontage improvements, as proposed, have been designed to help mitigate potential adverse impacts that site generated traffic would have on neighboring street intersections.

2. Be detrimental to the public welfare or injurious to property or improvements in the neighborhood. The existing school was originally developed 60 plus years ago. The new four-story school has been sited and oriented towards Fleet Street, located in the northern area of the property. The proposed height and mass of the new school will be similar to that of the neighboring office and commercial buildings located on the north side of Fleet Street. Due primarily to its site location, the physical presence of the new taller school will not detract from the character of the site area. The school will be of masonry, glass, and steel construction. The school has been sited well away from any of the neighboring residential properties to the south, and is buffered by the school's proposed new outdoor athletic facilities and on-site parking. With the height variance as granted, there is no evidence the proposed four-story school will impede sunlight, free flow of air, or alter drainage patterns of the site area. The construction of a new larger school and implementation of other accompanying improvements will not be injurious to the health and safety of persons working and living within the site area.

It was the determination of the Board of Appeals in its approval of SPX2003-00329, that the applicant's request to redevelop the site, i.e., construct a new larger high school, new outdoor athletic facilities, new site entrances on Fleet Street, widen and improve the site street frontage along Fleet Street, and other accompanying site and infrastructure improvements, would not be detrimental to other site uses in the neighborhood.

In review and processing of both the previously approved special exception and subject use permit, staff has found no evidence the new larger school will be detrimental to abutting land uses or the neighborhood in which it is located. The proposal to construct a modern school facility will insure that the school continues to be a viable institutional member of the community. The new school has been sited closer towards Fleet Street and all proposed new outdoor athletic facilities have been located in the southern half of the site. The applicant has affirmed that the planned new school has been designed at its maximum building capacity for 2,400 students, with no need for use of modular classroom buildings contemplated under the subject redevelopment proposal.

It is however important to note that in review of the project's forest conservation plan (FCP), as submitted, forestry staff has found that the plans lack key information needed in order to perform a detailed review of the plans. Forestry staff has determined that the proposed site development will result in removal of 70 percent of the half acre of exiting forest now located on site. Based on the information provided, a large number of significant trees will be removed, many in excess of 24 inches in diameter. It is further noted that while reforestation and replacement planting will be met on site, much of the required afforestation planting will need to go off site.

Forestry staff notes that a complete and accurate FCP must be submitted, in order to fully determine that all measures are being taken to maximize forest retention and tree preservation, so that trees proposed for preservation will survive and not pose a hazard to students, school staff, or neighboring residents.

3. Constitute a violation of any provision of the Zoning Ordinance or other applicable laws. As noted, the subject use permit as submitted has been found to be consistent with previously approved SPX2003-00329 and APP2003-00795. All county public schools are deemed to be "publicly owned and operated buildings," which are allowed in the R-60 zone by grant of special exception. Hence, under said special exception approval, along with grant of the referenced zoning variance, the applicant is allowed to redevelop the existing site, construct a new four (4) level high school, develop new site street entrances and surface parking facilities, install new outdoor athletic facilities, and other accompanying site improvements as denoted in the use permit site development and building plans as submitted. To fully comply with all applicable requirements of the Ordinance, the applicant was required to submit and obtain use permit approval in order to implement the special exception as approved by the Board of Appeals on June 7th 2003.

Based on all available information, the application request and accompanying site development proposal does not violate or adversely affect the Ordinance, the Master Plan, or other applicable law.

Based on all of the factors, staff finds adequate justification to recommend Use Permit USE2004-00677 be approved, subject to the conditions referenced on pages two thru four of this staff report.

COMMUNITY NOTIFICATION PROCESS

Notification cards were sent to property owners within the subject site area, informing them of the application request and pending Planning Commission meeting, where the request will be publicly heard and considered. A list of addresses is contained in the project's application file for public review and inspection.

List of attachments:

Attachment "A" – Approval Letter - SPX2003-00329 & APP2003-00795
Exhibit "1" – Existing Site Layout

- Exhibit – “2” Proposed Site Layout
- Exhibit “3” – Site I.D. Plat
- Exhibits “4 thru 7” – Site Grading-Utility Plans
- Exhibits “8 thru 11” – Landscape Plans
- Exhibits “12 thru 15” – Building Elevations