



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
Item # 9
3/12/09



MEMORANDUM

DATE: February 19, 2009 Revised March 5, 2009

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
Catherine Conlon, Subdivision Supervisor *CC*
Development Review Division

FROM: Erin Grayson, Senior Planner (301-495-4598) *EG*
Development Review Division

REVIEW TYPE: Preliminary Plan of Subdivision

APPLYING FOR: 1 recorded parcel for a private educational institution and 1 recorded outlot

PROJECT NAME: The Bullis School
CASE #: 120080030 (originally submitted as 120041070)
REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: RE-2
LOCATION: Northeast quadrant of the intersection of Falls Rd. and Democracy Blvd.
MASTER PLAN: Potomac

APPLICANT: The Bullis School, Inc.
ENGINEER: ADTEK Engineers, Inc.
ATTORNEY: Miller, Miller and Canby

FILING DATE: June 23, 2004
HEARING DATE: March 12, 2009

RECOMMENDATION: Approval subject to the following conditions:

- 1) Approval under this preliminary plan is limited to one recorded outlot and one recorded parcel for a private educational institution with a maximum student enrollment of 900 students. The approval includes expansion/construction of various on-site improvements/facilities including a new Lower School Building and new Upper School Building as shown on the preliminary plan.
- 2) The Applicant must comply with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits, as applicable.
- 3) The record plat must reflect a Category I easement over areas of stream valley buffers and forest conservation.
- 4) The Applicant must comply with the conditions of the MCDPS stormwater management approval dated August 29, 2007. These conditions may be amended by MCDPS, provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 5) The Applicant must comply with the conditions of the Montgomery County Department of Transportation (MCDOT) letter dated July 1, 2008. These conditions may be amended by MCDOT, provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 6) The Applicant must construct an 8 foot-wide shared use path along the Democracy Boulevard property frontage within the preliminary plan validity period as shown on the preliminary plan and as required in the MCDOT letter dated July 1, 2008.
- 7) The Applicant must pay for or construct an 8 foot-wide shared use path along the Falls Road property frontage per CIP Project No. 500905 and according to MCDOT requirements. within the preliminary plan validity period.
- 8) The Applicant must comply with the conditions of the Maryland State Highway Administration (MDSHA) letter dated September 11, 2008.
- 9) The Applicant must create an outlot containing the future dedication area for the Falls Road right-of-way. The Applicant must record a covenant with MDSHA detailing the terms for future transfer of the outlot and relocation of the constructed 8 foot-wide shared use path, and the record plat must reference this covenant.
- 10) The Applicant must satisfy provisions for access and improvements as required by MCDOT prior to recordation of plat(s) and MDSHA prior to issuance of access permits.
- 11) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for one hundred twenty-one (121) months from the date of mailing of the Planning Board resolution by which time building permits must be issued for the new lower school and upper school buildings or an extension request must be filed.
- 12) Other necessary easements must be shown on the record plat.

SITE DESCRIPTION (Attachment A – vicinity map)

The Bullis School site, “Property” or “Subject Property”, is located in the northeast quadrant of the intersection of Falls Road (MD 189) and Democracy Boulevard, in the Potomac Master Plan area. The Property currently consists of three unrecorded parcels and an outlet, and contains an existing private school use approved by special exception, which was later modified in 2004 (Case S687 F&G) to include the facilities and their respective construction/expansion proposed in this preliminary plan. For the latest amendment to the special exception, the Board of Appeals approved an increase in the enrollment cap from 604 to 900 students, additional staff and faculty to accommodate the additional number of students, and various improvement projects.

The Property contains 77.63 gross acres of land and is zoned RE-2. Primary access to the school is from Falls Road and secondary access to the school is from Democracy Boulevard. The site is partially forested and there are three streams on-site, mostly within the forested area of the property. The Property is within the Cabin John Creek, Watts Branch, and Rock Run watersheds; all are Use I-P watersheds.



PROJECT DESCRIPTION (Attachment B – proposed plan)

The Bullis School, Inc., “Applicant”, is proposing to consolidate the unrecorded parcels and outlet and record 1 recorded parcel, 75.31 acres in size, and one outlet for future dedication to

the MDSHA for the re-alignment of Falls Road. A new lower school and a new upper school will be constructed to accommodate future enrollment of 900 students. Other improvements proposed as part of the special exception include renovation of the middle school building; expansion of the dining hall and kitchen; stadium, track and field renovations; reorientation of the baseball field; an expanded athletic center; a renovated indoor tennis facility; a renovated front gate; a new faculty house; new stormwater management areas; and expanded parking areas. The primary access point from Falls Road and secondary access point from Democracy Boulevard are to remain. The applicant will be required to either pay for or construct a shared use path along the Falls Road property frontage, as determined by a Memorandum of Understanding with MCDOT, and will also be required to relocate this path should the road be realigned in the future. The applicant is also required to construct a shared use path along the Democracy Boulevard property frontage.

ANALYSIS AND FINDINGS

Master Plan Compliance

The *2002 Potomac Subregion Master Plan* references public school capacity and identifies sites for new facilities but makes no specific recommendations for private institutional uses. The land use and zoning section of the plan “supports the retention and reconfirmation of existing zoning for all developed, underdeveloped and undeveloped land in the Subregion, except for those sites recommended for change in the Plan” (p. 40). The land use and zoning section of the plan also lists design principles established to preserve the Subregion’s green and rural character while creating a pedestrian and bicycle-friendly environment. The Bullis School preliminary plan satisfies the land use intent of the *2002 Potomac Subregion Master Plan* in that it retains significant open space and the required shared use path construction along the Property’s Falls Road and Democracy Boulevard frontages will expand the pedestrian and bicycle network in the area.

Public Facilities

Roads and Transportation Facilities

Access to the site is provided from Falls Road and Democracy Boulevard. Falls Road is classified as a major highway with a recommended right-of-way of 120 feet. The master plan recommends realignment of Falls Road along the Bullis School property frontage. The applicant has proposed dedication boundaries for re-alignment of Falls Road which have been reviewed and approved by MDSHA.

The proposed plan incorporates all master planned required rights-of-way for Falls Road and Democracy Boulevard. There are no sidewalks existing along either Falls Road or Democracy Boulevard. As a result, the Applicant is required to construct an 8-foot wide shared use path along Democracy Boulevard and either construct or pay for the construction of the Falls Road shared use path along the Property’s respective frontage. There is a Ride-On bus stop along the school’s Falls Road frontage near the main entrance to the school. As required by MCDOT, the

Applicant must provide a concrete bus pad or other improvements deemed necessary by MCDOT. The proposed access to the site and the internal circulation and walkways as shown on the preliminary plan will be safe and adequate for vehicles and pedestrians.

Local Area Transportation Review (LATR)

A traffic study was submitted to determine the impact of the proposed development on the local area transportation system. Three local intersections were identified as critical for analysis to determine whether they meet the applicable congestion standard of 1,450 Critical Lane Volume (CLV) for the Potomac Policy Area. The proposed development trips were added to the existing traffic (no background development was identified in the area) to determine the total future traffic and was assigned to the critical intersections to evaluate the total future CLVs. The result of CLV calculation is shown in the table below.

Intersection Capacity Analysis with CLV Under Various Development Schemes During the Peak Hour						
	Existing		Background		Total*	
	AM	PM	AM	PM	AM	PM
Falls Road (MD 189)/ Bells Mill Road	846	798	846	798	928	817
MD 189/Democracy Boulevard	1,402	1,152	1,402	1,152	1,300	1,188
Democracy Boulevard/ Seven Locks Road	1,258	1,252	1,258	1,252	1,269	1,256

*MCDOT has a CIP project to improve the intersection of MD 189 and Democracy Boulevard and that is the reason for lower CLVs shown under the total future traffic condition.

As shown in the table above, all existing intersections analyzed are currently operating within the acceptable congestion level of 1,450 CLVs during the morning and evening peak hours. Therefore, LATR is satisfied.

Policy Area Mobility Review (PAMR)

The County Council approved the 2007-2009 Growth Policy that applies PAMR requirements to preliminary subdivision plans filed on or after January 1, 2007. The Bullis School preliminary plan was filed prior to January 1, 2007 so it is not subject to the PAMR test.

Other Public Facilities and Services

Other public facilities and services are available and adequate to serve this private institution. The Subject Property is served by existing public water and sewer connections. Gas, electric and telecommunications services are available to serve the property. Police stations, firehouses and health services are currently operating within the standards set by the applicable Growth Policy Resolution currently in effect. The application has been reviewed and approved by the Montgomery County Fire and Rescue Service (MCFRS) who have determined that the Property has adequate access for emergency vehicles.

Extended APF Validity Period (Attachment C – applicant’s phasing plan)

Chapter 50, the Subdivision Regulations, establishes a minimum of 5 years for the validity period of the adequate public facilities (APF) approval. However, this period can be extended if a phasing schedule is submitted and approved by the Planning Board. Per Section 50-20(c)(3)(C) of the Subdivision Regulations, the Applicant requests approval of an APF validity period for a maximum of ten (10) years. The Applicant submitted a phasing plan, as required, and requested that the APF validity period be imposed only on facility improvements which will directly result in an increase in enrollment, and therefore, vehicle trips. Such proposed improvements include a new Lower School with a maximum of 20,000 square feet of gross floor area and a new Upper School with a maximum of 70,000 square feet of gross floor area. Typically, the proposed phasing plan should stipulate the amount of construction an applicant intends to complete within the initial 5 years of the validity period, but in this case, due to the significant fund raising period necessary for a private educational institution project of this size and scope the applicant is uncertain about when construction will start. The applicant plans to construct the Upper School first, and their intent is to begin construction as soon as possible after the plat is recorded.

In staff’s opinion, a ten year validity period is justified even though the start date for construction may occur after 5 years because the APF approval requires no specific road improvements and the bike path construction along Falls Road and Democracy Boulevard will be required to at least be bonded at the time the plat is recorded. Therefore, allowing additional time for school construction to begin is not adverse to the public interest and staff recommends that the Planning Board grant an extended APF validity period for the Bullis School preliminary plan.

Environment

Environmental Guidelines

The Subject Property contains 11.35 acres of stream valley buffer (SVB) of which 8.75 acres are forested. The Applicant has proposed to plant another 1.01 acres of SVB for a total 9.85 acres of forested SVB. The areas of SVB that are not forested or planted are part the pre-existing school. This satisfies the applicable requirements for protection of environmentally sensitive areas.

Forest Conservation

The Applicant has a previously approved forest conservation plan (FCP) that was submitted as part of the special exception case for the site. Because the preliminary plan is considered a new application, a new preliminary FCP was required. The FCP submitted as part of the preliminary plan application addresses the expansion to the school's facilities and required site improvements such as sidewalks and bike paths.

The Subject Property contains 20.53 acres of forest; this number includes 19.43 acres of existing forest and 1.1 acres of forest cleared under the previously approved FCP. The Applicant proposes to clear 3.81 acres of forest and retain 16.72 acres of forest. The required calculations indicate that the FCP includes 0.12 acres on the positive side of the break-even point. As a result, additional planting is not required. The applicant has, however, proposed 1.01 acres of forest planting within the stream valley buffer (SVB) to compensate for encroachments into the SVB that currently exist on the Property.

The submitted FCP complies with the requirements of Chapter 22A the Montgomery County Forest Conservation Law.

Stormwater Management

The MCDPS Stormwater Management Section approved the stormwater management concept for the project on August 29, 2007 which consists of on-site channel protection measures via two underground storage facilities and an existing on-site pond. On-site water quality control is to be provided for a total area equivalent to or greater than the total new impervious area. Water quality for the shared use paths will be provided by adjacent grass swales.

Compliance with the Subdivision Regulations and Zoning Ordinance (Attachment D – agency correspondence)

This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The application meets all applicable sections, including Sections 50-20(b)(3)(C) and 50-34(h)(2)(C) for validity period extensions as discussed on page 6 of this report. The proposed recorded parcel size, width, shape and orientation are appropriate for the location of the subdivision.

The proposed parcel for the school facilities was reviewed for compliance with the dimensional requirements for the RE-2 zone as specified in the Zoning Ordinance. The parcel as proposed far exceeds the dimensional requirements for area, frontage, width and setbacks in the RE-2 zone because it reflects the appropriate boundary of the existing institutional use. A summary of this review is included in attached Table 1. The application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan.

Citizen Correspondence and Issues

Adjacent and confronting property owners and community associations were notified of the plan submission by MNCPPC on September 10, 2007. The submission date of this preliminary plan

preceded the requirement for pre-submission meetings with interested parties. As of the date of this report no citizen concerns have been brought to the attention of MNCPPC staff.

CONCLUSION

The proposed Parcel A for the Bullis School meets all requirements established in the Subdivision Regulations and the Zoning Ordinance and complies with the recommendations of the Potomac Master Plan. Access and public facilities will be adequate to serve the proposed use, and the application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan. Therefore, approval of the application with the conditions specified above is recommended.

Attachments

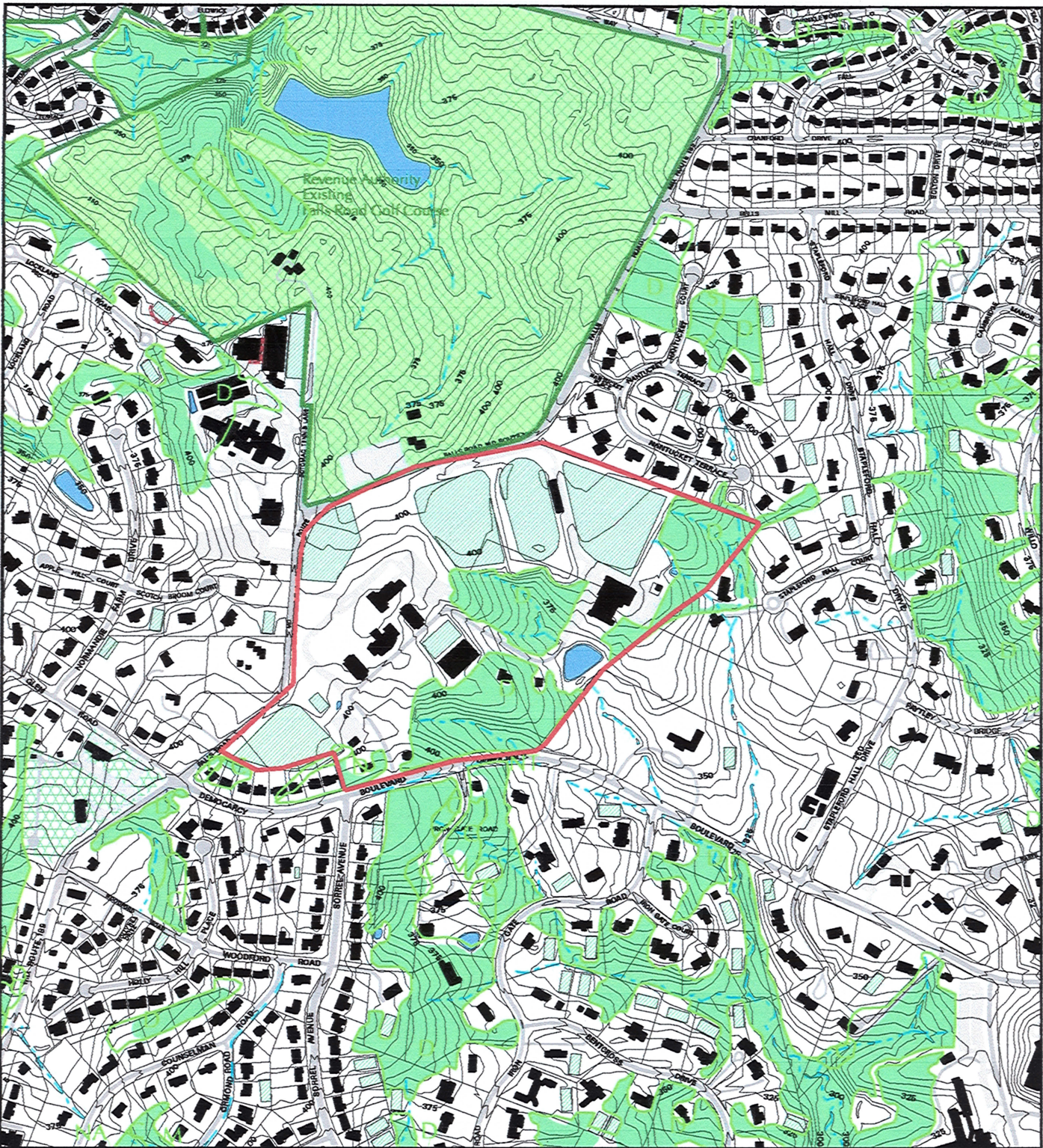
- Attachment A – vicinity development map
- Attachment B – proposed development plan
- Attachment C – applicant’s phasing plan
- Attachment D – agency correspondence

Table 1: Preliminary Plan Data Table and Checklist

Plan Name: The Bullis School				
Plan Number: 120080030				
Zoning: RE-2				
# of Lots: 1				
# of Outlots: 1 (for right-of-way dedication purposes only)				
Dev. Type: Standard				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan	Verified	Date
Minimum Lot Area	2 acres	75.31 acres	EG	2/17/09
Lot Width	150 ft.	1160 ft. or greater	EG	2/17/09
Lot Frontage	25 ft.	1100 ft. or greater	EG	2/17/09
Setbacks				
Front	50 ft. Min.	Must meet minimum ¹	EG	2/17/09
Side	17 ft. Min./35 ft. total	Must meet minimum ¹	EG	2/17/09
Rear	35 ft. Min.	Must meet minimum ¹	EG	2/17/09
Height	50 ft. Max.	May not exceed maximum ¹	EG	2/17/09
Lot Coverage	25%	9.5%	EG	2/17/09
MPDUs	No		EG	2/17/09
TDRs	No		EG	2/17/09
Site Plan Req'd?	No		EG	2/17/09
FINDINGS				
SUBDIVISION				
Lot frontage on Public Street		Yes	EG	2/17/09
Road dedication and frontage improvements		Yes	Agency letter Agency letter	7/1/08 9/11/08
Environmental Guidelines		Yes	Staff memo	2/13/09
Forest Conservation		Yes	Staff memo	2/13/09
Master Plan Compliance		Yes	EG	2/17/09
Other (i.e., parks, historic preservation)				
ADEQUATE PUBLIC FACILITIES				
Stormwater Management		Yes	Agency letter	8/29/07
Water and Sewer (WSSC)		Yes	Agency comments	10/1/07
10-yr Water and Sewer Plan Compliance		Yes	Agency comments	10/1/07
Well and Septic		N/a	EG	2/17/09
Local Area Traffic Review		Yes	Staff memo	2/19/09
Policy Area Mobility Review		N/a	Staff memo	2/19/09
Transportation Management Agreement		No	Staff memo	2/19/09
School Cluster in Moratorium		No	EG	2/17/09
School Facilities Payment		No	EG	2/17/09
Fire and Rescue		Yes	Agency letter	2/29/08
Other (i.e., schools)				

¹ As determined by MCDPS at the time of building permit.

THE BULLIS SCHOOL (120080030)



Map compiled on September 04, 2007 at 3:35 PM | Site located on base sheet no - 213NW09

NOTICE

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Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. - Copyright 1998

Key Map



Research & Technology Center



1 inch = 800 feet
1 : 9600

MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue - Silver Spring, Maryland 20910-3760

M-NCPPC



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SLCHO@MMCANBY.COM

February 5, 2009

Ms. Erin Grayson
 The Maryland-National Capital Park and
 Planning Commission
 8787 Georgia Avenue
 Silver Spring, Maryland 20910

RE: The Bullis School - Preliminary Plan No. 1-20080030;
 Phasing Plan / Request for Extended Preliminary Plan and Adequate Public Facilities
 Review Validity Periods

Dear Ms. Grayson:

On behalf of our client, The Bullis School ("School" or the "Applicant"), the following is a proposed Phasing Plan for Preliminary Plan No. 1-20080030 that requests Planning Board approval of a ten (10) year Adequate Public Facilities review validity period and a five (5) year Preliminary Plan validity period, pursuant to Section 50-20(c)(3)(C) and 50-35(h)(2) of the Subdivision Regulations.

Background

In 2003, The Bullis School embarked on an effort to update and expand an existing 1978 campus master plan to guide enrollment growth and facilities development of the School for the foreseeable future. A new Campus Master Plan was developed and special exception modification applications filed by the School. At its Worksession on June 23, 2004, the Board of Appeals considered and approved the Hearing Examiner's Report and Recommendation relative to Special Exception Case Nos. S-687-F and S-687-G, modifying The Bullis School's existing special exception to allow 1) an increase in the enrollment cap from 604 students to 900 students (for both academic and summer programs), 2) additional faculty and staff to accommodate the 50% increase in student enrollment, and 3)

expansion/construction of various on-site improvements/facilities in accordance with the new Campus Master Plan. The types of on-site facility improvements approved were as follows:

- 1) New Lower School Building (for grades 3-5)
- 2) New Upper School Building (for grades 9-12)
- 3) Renovation of South Hall Building (for grades 6-8)
- 4) Expansion of Dining Hall and Kitchen Located in Founders' Hall
- 5) Stadium, Track and Field Renovations
- 6) Reorientation of Baseball Field
- 7) Expanded Athletic Center
- 8) Renovated Indoor Tennis Facility
- 9) Renovated Front Gate
- 10) New Faculty House/Duplex
- 11) New Stormwater Management Bioretention Areas/Ponds
- 12) Expansion of Parking Areas

Following the Board of Appeals' approval of Special Exception Case Nos. S-687-F and S-687-G, the School promptly filed its Preliminary Plan of Subdivision application with M-NCPPC on or about July 1, 2004. Much of the delay in completing the subdivision approval process to date has been due to the need to resolve certain transportation related issues, requiring detailed interagency coordination, including a) designing and obtaining agreement on an alternative proposal for the future realignment of Falls Road from both the State Highway Administration and M-NCPPC's Transportation Division and b) working with the Montgomery County Department of Transportation to reach agreement on design modifications to lessen environmental impacts of two (2) required hiker-biker paths along the School's Falls Road and Democracy Boulevard frontages.

Request for the Maximum Adequate Public Facilities Review Validity Period of Ten (10) Years, Applicable to Only Certain Specified Improvements

The proposed improvements depicted on The Bullis School's Preliminary Plan are consistent with what was approved by the Board of Appeals in Special Exception Case Nos. S-687-F and S-687-G, which constitute the School's new Campus Master Plan. The purpose of the new Campus Master Plan was to comprehensively show what the School believed would be its facility expansion needs for the foreseeable future, i.e., at least for the next 15-20 years.

Not all of the improvements, however, are directly related to or even required to support an increased student enrollment of 900 students, the impact of which served as the basis of analysis in the Local Area Transportation Review study (dated January 12, 2004) approved by Technical Staff in conjunction with Special Exception Case Nos. S-687-F and S-687-G. The 2004 LATR analyzed the School's estimated new trip generation and resulting impact on the surrounding transportation network, based on an increased student enrollment capacity of 900 students as well as the additional faculty/staff that would be required to instruct/serve the additional students.

An updated Local Area Transportation Review dated March 27, 2008 was prepared and submitted in support of the present Preliminary Plan application, which confirmed that there had been no

significant change in surrounding road conditions and that the results/findings of the original 2004 LATR continued to be valid.

As such, to the extent that Section 50-20(c)(3)(C) of the Montgomery County Code requires that an Adequate Public Facilities review validity period be determined, “[f]or no less than 5 and no more than 10 years after the preliminary plan is approved... for any plan approved on or after August 1, 2007”, the School requests the following:

- (1) that the maximum allowable ten (10) year Adequate Public Facilities review validity period be granted; AND
- (2) that the APF review validity period be imposed only on facility improvements that are directly related to and are required to accommodate an increased student population of 900 students on campus as follows:
 - a. The new Lower School (to accommodate grades 3-5), up to 20,000 square feet of gross floor area
 - b. The new Upper School (to accommodate grades 9-12), up to 70,000 square feet of gross floor area

Of the proposed improvements shown on the Preliminary Plan (listed above in the “Background” section of this letter), the only ones that are necessary to accommodate an increased student enrollment of 900 students on campus are the new Lower School and new Upper School buildings. At the time of the special exception approval, it was estimated that the one-story Lower School building would need to be at least 15,150 square feet to house grades 3-5 and the three-story Upper School would need to total at least 48,990 square feet to house grades 9-12. Since modifying its special exception to include the new Campus Master Plan improvements, the School has re-examined its programmatic needs and has determined that it may need more classroom space than previously estimated to accommodate 900 students. Because the Staff believes the Preliminary Plan approval should specify a square footage limit for the Lower School and Upper School buildings, the School requests up to 20,000 square feet for the new Lower School and up to 70,000 square feet for the new Upper School to allow them the flexibility to obtain approvals for larger buildings if determined to be necessary, without having to amend the Preliminary Plan/APF review period determination. (Again, the size of the buildings is unrelated to the School’s traffic impact which is based on the number of students, not square footage.)

The School has begun a capital fundraising campaign to commence implementation of its new Campus Master Plan with first the new Upper School project and then the new Lower School. However, due to the fact that the School’s ability and timeline for doing so is entirely dependent on the success of its capital fundraising campaign (which under normal circumstances would be difficult to predict, but is even more so under current economic conditions), the School is requesting the maximum APF review validity period of ten (10) years.

Request for an Extended Preliminary Plan Validity Period of 60 Months

The School requests an extended Preliminary Plan validity period of 60 months to allow the School additional time (if determined to be necessary) to design/engineer and construct the hiker-biker path along Democracy Blvd., the construction of which is being required as a condition of Preliminary Plan approval. The reason for requesting that an additional 24 months be added to the standard 36 month validity period for the Preliminary Plan (for a total of 60 months or 5 years) is two-fold:

- (1) to allow the School additional time to raise the funds necessary to proceed with the path; AND
- (2) to allow the School the option of proceeding with the Democracy Blvd. hiker-biker path at the same time it must proceed with the Falls Road hiker-biker path (which is also being required in conjunction with Preliminary Plan approval)

Unlike the Democracy Blvd. path (commencement of which is tied to record plat approval), the Falls Road hiker-biker path is the subject of a separate Memorandum of Understanding that is currently being negotiated between MCDOT and the School. The Department has agreed in concept to a five (5) year timeframe (from the Initiation Date of the Preliminary Plan) within which the School must complete construction of its portion of the Falls Road hiker-biker path. There is no objection from Technical Staff to allowing a similar timeframe for commencement/construction of both paths. Extending the Preliminary Plan validity period to 60 months/5 years would give the School additional time within which it must get its record plat approved, thereby giving the School the flexibility to proceed with the two hiker-biker paths at the same time, if it is determined that doing so would result in reduced design/engineering fees and/or construction costs.

Thank you for your consideration of the above.

Sincerely yours,

MILLER, MILLER & CANBY



Soo Lee-Cho

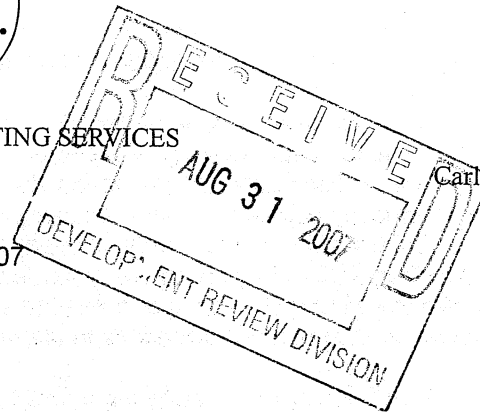
cc: Cathy Conlon
Shahriar Etemadi
Ki Kim
Todd McCreight
Jody S. Kline, Esquire



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

August 29, 2007



Carla Reid Joyner
Director

Mr. Shawn Benjaminson, P.E.
ADTEK Engineers, Inc.
97 Monocacy Boulevard, Unit H
Frederick, MD 21701

Re: Stormwater Management **CONCEPT** Request
for The Bullis School
Preliminary Plan #: 120080030
SM File #: 213198
Tract Size/Zone: 78.3 Acres
Total Concept Area: 15 Acres
Lots/Block:
Parcel(s): P244
Watershed: Cabin John Creek

Dear Mr. Benjaminson:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of on-site channel protection measures via two underground storage facilities and an existing on-site pond. On-site water quality control is to be provided for a total area equivalent or greater than the total new impervious area. Water quality for two bike paths will be provided by adjacent grass swales. Rooftop and non-rooftop disconnect will be used for the new residence. Two separator sand filters are proposed. An undersized biofilter will be converted to a surface sand filter. A biofilter and two additional surface sand filters are proposed. The existing wet pond will provide quality control for a portion of new roof area. On-site recharge is not required for redevelopment.

The following **items** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. Use flow-splitting devices to the water quality facilities where feasible.
6. Provide verification that the existing pond is sized to provided stormwater management for the drainage area conditions as proposed.

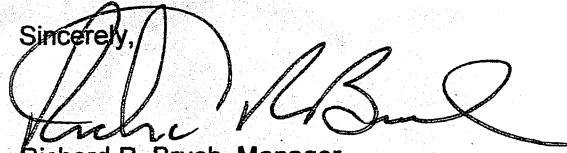
This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is not required.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Ellen Rader at 240-777-6336.

Sincerely,



Richard R. Brush, Manager
Water Resources Section
Division of Land Development Services

RRB:dm CN213198.Bullis,EBR

cc: C. Conlon
S. Federline
SM File # 213198

QN - on-site; Acres: 15.6
QL - on-site; Acres: 15.6
Recharge is not provided



Martin O'Malley, Governor |
Anthony G. Brown, Lt. Governor

State Highway
Administration

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

RECEIVED
SEP 15 2008
DEVELOPMENT REVIEW

September 11, 2008

Ms. Soo Lee-Cho
Law Offices of Miller, Miller & Canby
200-B Monroe Street
Rockville, Maryland 20850

Re: Montgomery County
The Bullis School
MD 189 future alignment

Dear Ms. Lee-Cho:

The State Highway Administration (SHA) received your August 1, 2008 letter and copies of the originally proposed alignment plan sheet and the now adjusted alignment plan sheet. We offer the following comments:

You explain that resulting from further review by MNCPPC staff, it was suggested that the alignment be modified so that there will be less right of way impacts on the neighboring properties. Upon review, less right of way is needed from the Ghardry, Chang, and Srour properties while more right of way is required from the Bullis School property. Based on the plan, we find this revised alignment plan acceptable.

If you have any questions or require additional information, please contact Ms. Corren V. Giles at (410) 545-5595, toll free at (800) 876-4742, or via email at cgiles@sha.state.md.us.

Sincerely,

Steven D. Foster, Chief
Engineering Access Permits Division

SDF/cvg

- Cc: Ms. C. [redacted] / M-NCPPC
- Mr. Jeff Wentz *sent via e-mail*
- Ms. Kate Mazzara *sent via e-mail*
- Mr. Augustine Rebish *sent via e-mail*
- Mr. Mark Loeffler *sent via e-mail*

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street · Baltimore, Maryland 21202 · Phone: 410.545.0300 · www.marylandroads.com





DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

July 1, 2008

Ms. Catherine Conlon, Subdivision Supervisor
Development Review Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan #1-20080030
The Bulis School

Dear Ms. Conlon:

We have completed our review of the preliminary plan signed on 04/11/07. This plan was reviewed by the Development Review Committee at its meeting on October 1, 2007. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to DPS in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. Show/label all existing planimetric and topographic details specifically paving and storm drainage on the preliminary plan.
2. Necessary dedication for Democracy Boulevard and Falls Road in accordance with the Master Plan.
3. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
4. A Public Improvements Easement is necessary along Democracy Boulevard, in order to accommodate the required bike path construction. The applicant will need to either dedicate additional right of way or execute a Declaration of Public Improvements Easement document. That document is to be recorded in the Land Records of Montgomery County, with the liber and folio referenced on the record plat.
5. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
6. The parking lot travel lanes are to be designed to allow a WB-30 truck to circulate without crossing the centerline nor the curbline.

Division of Traffic Engineering and Operations

101 Orchard Ridge Drive, 2nd Floor • Gaithersburg, Maryland 20878
Customer Service 240-777-6000 • Main Office 240-777-2190 • 240-777-6013 TTY • 240-777-2080 FAX
trafficops@montgomerycountymd.gov

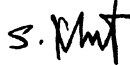
7. The parking layout plan will be reviewed by the Department of Permitting Services at the site plan or building permit stage, whichever comes first. To facilitate their review, that plan should delineate and dimension the proposed on-site travel lanes, parking spaces, curb radii, handicap parking spaces and access facilities, and sidewalks. The applicant may wish to contact Ms. Sarah Navid of that Department at (240) 777-6320 to discuss the parking lot design.
8. For safe simultaneous movement of vehicles, we recommend a driveway pavement width of no less than twenty four (24) feet to allow vehicles to enter and exit the site without encroaching on the opposing lanes. This pavement width will permit an inbound lane width of fourteen (14) feet and an exit lane width of ten (10) feet.
9. Curb radii for intersection type driveways should be sufficient to accommodate the turning movements of the largest vehicle expected to frequent the site. However Driveways curb returns should not encroach adjacent properties frontages. Also provide proper spacing between the driveways curb returns and public utilities features.
10. The applicant needs to submit a truck circulation plan for review by the M-NCPPC and MCDPS. This plan should delineate the proposed movements on-site between the anticipated access locations, the proposed truck loading spaces, and the proposed dumpsters. The truck circulation pattern and loading position should be designed for counter-clockwise entry and for a left-side backing maneuver. Passenger vehicle travel ways should be separated from the expected truck patterns and storage areas. The applicant may also need to provide documentation of their proposed delivery schedules. Also coordinate with Robin Ennis at 240-777-6400 Division of Solid Waste about their requirements for recycle/trash truck access and movement.
11. Truck loading space requirements to be determined in accordance with the County's "Off-Street Loading Space" policy.
12. On the site plan, delineate the location and dimensions of the proposed truck loading and/or dumpster spaces.
13. Provide on-site handicap access facilities, parking spaces, ramps, etc. in accordance with the Americans With Disabilities Act.
14. Where perpendicular parking spaces border a sidewalk, a two (2) foot vehicle overhang is assumed. The applicant should either provide a seven (7) foot wide sidewalk or wheelstops within those parking spaces.
15. For any parking facility containing more than fifty (50) parking spaces, the applicant needs to furnish bicycle parking facilities as required Section 59 E-2.3 of the Montgomery County Code. Accordingly, the applicant should provide either bike lockers or inverted "U" type bike racks.
16. The owner will be required to submit a recorded covenant for the operation and maintenance of private streets, storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
17. Access and improvements along Falls Road (MD 189) as required by the Maryland State Highway Administration.

18. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
19. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Dan Sanayi of our Engineering Design and Operation Team at (240) 777-6000 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
20. Trees in the County rights of way - species and spacing to be in accordance with the applicable DOT standards. A tree planting permit is required from the Maryland Department of Natural Resources, State Forester's Office [(301) 854-6060], to plant trees within the public right of way.
21. Please coordinate with DOT division of Transit Services about their requirements and project impacts on their network. This includes construction of an 8'x22' concrete bus pad at the near side of existing driveway on Falls Road.
22. Access and improvements along Falls Road (MD 189) as required by MSHA.
23. Construct a bike path on the Falls Road frontage according to DOT DTE requirements.
24. Permit and bond will be required as a prerequisite to DPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:
 - A. Construct eight (8) foot wide bike path along Democracy Boulevard according to MC-213.04 standard and along Falls Road per DOT DTE requirements.
 - B. We reviewed storm drain capacity/ impact analysis submitted by the applicant's engineer for the Democracy Boulevard culverts. At this point we are not convinced that the proposed design will not result in future problem with existing downstream system. This issue should be addressed with applicant's engineer and MCDPS during the review of construction drawings. Improvements to the existing public storm drainage system, if necessitated by the previously mentioned storm drain study will be determined at that stage. All improvements should be done in accordance with the DPWT Storm Drain Design Criteria.
 - C. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
 - D. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.
 - E. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the Traffic Engineering and Operations Division.

Ms. Catherine Conlon
Preliminary Plan No. 1-20080030
Date July 1, 2008
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Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at sam.farhadi@montgomerycountymd.gov or (240) 777-6000.

Sincerely,



Sam Farhadi, P.E.
Development Review Group
Traffic Engineering and Operations Division

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Enclosures (1)

cc: Todd McCreight, The Bullis School
Shawn Benjaminson, ADTEK Engineers
Jody Kline, Miller, Miller & Canby
Joseph Y. Cheung; DPS RWPPR
Henry Emery; DPS RWPPR
Sarah Navid; DPS RWPPR
Shahriar Etemadi; M-NCPPC TP
Gregory Leck, DPWT TEOS
Corren Giles, MSHA
Preliminary Plan Folder
Preliminary Plans Note Book