



MCPB
Item # 7
10/28/04

MEMORANDUM

DATE: October 21, 2004
TO: Montgomery County Planning Board
VIA: John A. Carter, Chief, Community-Based Planning Division
FROM: Callum Murray, (301-495-4733) Potomac Team Leader *CM*
Community-Based Planning Division

REVIEW TYPE: Special Exception Modification
APPLYING FOR: Private Educational Institution
APPLICANT: St. Andrews Episcopal School
CASE NUMBER: CBA-1389-F
REVIEW BASIS: Chapter 59, Zoning Ordinance
ZONE: R-90
LOCATION: 8804 Postoak Road, Potomac MD 20854
MASTER PLAN: Potomac Subregion, 2002

FILING DATE: May 27, 2004
PUBLIC HEARING: November 8, 2004, 9:30 A.M.

STAFF RECOMMENDATION: APPROVAL with the following conditions:

1. The applicant is bound by all submitted statements and exhibits.
2. The applicant is bound by all prior conditions adopted by the Board of Appeals, other than those modified by this approval.
3. The student enrollment under the special exception application CBA 1389-F is limited to 495.
4. The number of faculty and staff is limited to a full-time equivalent of 116.
5. Vehicles destined to the school are not permitted to be stacked (queue) on off-site streets during morning drop-off and afternoon pick-up periods.
6. The applicant shall implement a comprehensive traffic management program as described in the submitted Transportation Management Plan.
7. The applicant shall formalize the arrangement with the Hoover Middle School to accommodate any overflow parking during special events.
8. The applicant shall be permitted to conduct accessory programs during the academic year, similar to those codified in Montgomery County Code Section 59-G-2.19(b), with the following limitations: no more than 180 total participants

(including instructors) will be on the School's campus at any one time, including both St. Andrew's and non-St. Andrew's participants. For all activities, participants shall: 1) begin no earlier than 7:00 a.m. and end by no later than 10:00 p.m.; 2) use only the School's front entrance on Postoak Road; 3) park on campus only; and, 4) in any circumstances whereby parking is unavailable on campus, use Hoover Middle School for overflow parking. The School shall also avoid any overlapping between the above activities and normal school operations and school hours.

PROJECT SUMMARY

The petitioner, St. Andrew's Episcopal School, Inc. ("School") has requested modifications to an existing special exception for a private educational institution located at 8804 Postoak Road in Potomac in the R-90 Zone (Residential, One-family, Detached). The property consists of 19.00 acres and is known as Lot C, Block C, Highland Stone Subdivision. The proposed modifications are to the School's enrollment and to the School's summer camp and special activity programs on campus.

The principal component of the School proposal is a request to increase student enrollment from the current ceiling of 450 students to 495 students, and to permit a corresponding increase of 10 additional faculty and staff from 106 to a total of 116. A minimal change to the fencing on the Upper Playing (Brumbaugh) Field is also requested.

SUBJECT SITE

The 19-acre campus is located on the east side of Postoak Road approximately 800 feet north of its intersection with Tuckerman Lane, and in the Potomac-Cabin John Vicinity Planning Area. The general location, configuration of the site and surrounding land use pattern are depicted on Map 1. In 1994, the Board of Appeals approved the transfer of a special exception for a private educational institution from Harker Preparatory School, the original recipient, to the petitioner. The School has operated on the site since 1998, and its predecessor since 1963. The total enrollment is 453 students in grades 6 through 12, with 85 faculty and administrative personnel.

The property is improved with a Main Classroom building, the Kiplinger High School building, a gymnasium, a memorial hall, a two-story single-family dwelling unit, a maintenance shed, four unlit tennis courts, a combination lower playing field, an upper playing field in the northernmost part of the site, and 185 parking spaces. The site rises from the 380-foot contour at Buckhannon Drive to 426 feet at the center, and then falls to the 395-foot contour near Victory Lane. The site and perimeter are extensively vegetated with mature landscaping, consisting of both evergreens and hardwoods. The main access is from Postoak Road, with a secondary access from Harker Drive.

HOURS OF OPERATION

The School's range of activities extends beyond the normal classroom hours of 8:25AM to 3:25PM. Some meetings or sessions occur before school commences or completion

of the academic day. Evening events that occur during the school year include Parents' Night, Back-to-School night, Board meetings and athletic events. Evening events, when they occur, generally conclude by 9:00PM.

NEIGHBORHOOD DESCRIPTION

The neighborhood is predominantly low-density residential in character. The surrounding properties in the Highland and Regency Estates subdivisions are zoned R-90. The properties to the west, north and east on Postoak Road, Bunnell Drive, Victory Lane, Harker Drive and Buckhannon Drive are developed with single-family detached dwelling units. The School is bordered on the southwest by Herbert Hoover Junior High School, which in turn abuts Winston Churchill Senior High School, forming a three-campus contiguous area of 68 acres. The location of these uses is depicted on Zoning Map 2.

LAND USE AND ZONING HISTORY

The property has been classified under the R-90 Zone since the adoption of the 1954 Regional District zoning and this zoning has been confirmed by comprehensive zonings in 1958, 1980, 1987, 1990, and 2002, the last comprehensive zoning for this area of the County. (See Map 4) The Approved and Adopted 2002 Potomac Subregion Master Plan continues to recommend the R-90 zone and the land use map indicates the site as a school/education facility. The Plan text does not specifically address the School site.

1. In 1963 Harker Preparatory School acquired the property. The Harker School was considered by the Board of Appeals in Special Exception Case Numbers 1389, 1390 and 1678, which granted the use of 18.846 acres with a student enrollment of 125 pupils.
2. On June 30, 1988, in Case Number CBA-1389-A, the Board of Appeals granted a modification to permit the construction of a gymnasium.
3. On June 12, 1989, in Case Number CBA-1389-B, the Board of Appeals granted a modification to the special exception to permit removal of four residential lots and the inclusion of an existing tennis court and the Harker Drive driveway in the special exception.
4. On November 5, 1994, in Case Number CBA-1389-C, the Board of Appeals granted a modification to the special exception to permit: (1) the transfer of several special exceptions, including Case Numbers CBA-1389, CBA-1389-A, CBA-1389-B, CBA-1678, S-793 and S-793-A from Harker Preparatory School to St. Andrew's Episcopal School; (2) to increase the enrollment to 450 students; and (3) to increase the faculty and administrative and maintenance staff to 89 employees.
5. On February 7, 2001, in Case Number CBA-1389-D, the Board of Appeals granted a modification to the special exception to permit: (1) the relocation and reconstruction of its Upper Playing Field with associated amenities; (2) the use of the Upper Playing Field for soccer, lacrosse and other sports; (3) the replacement of an existing fence with a variable height fence along the Upper Playing Field; (4) the extension of an existing fence along Hope Field (adjacent to Herbert Hoover Middle School); (5) construction and operation of a

- scoreboard on Hope Field, and (6) construction and operation of a concession stand adjacent to Hope Field.
6. On March 12, 2004, in Case Number CBA-1389-E, the Board of Appeals granted a modification to permit the continuation of the School's existing summer camp program.
 7. On May 27, 2004, the Petitioner filed a petition for proposed modifications, Case Number CBA-1389-F, the case now before the Board.

PROJECT DESCRIPTION AND ELEMENTS OF PROPOSAL CBA-1389-F

A summary of the petitioner's statement is as follows:

The petitioner, St. Andrews Episcopal School, Inc. ("School") seeks to modify its existing special exception to permit an increase in the School's enrollment from 450 to 495 students, to permit a corresponding increase of 10 additional faculty and staff, to permit a modest change to the fencing on the Upper playing (Brumbaugh) Field, and to permit the continuation of certain accessory programs at the School, as authorized by Zoning Text Amendment 02-01.

Enrollment

If an enrollment increase is approved, the hours of operation at the School will remain unchanged, and it will not require any expansion in the School's campus, facilities or parking. Accordingly, no additional construction of buildings or parking is proposed by this proposed modification. If the Board of Appeals approves the enrollment increase, the School agrees not to request any additional changes to enrollment for a period of five years from the date of the Board's approval.

Accessory Programs

The School has requested formal approval to continue certain programs at the School as authorized by Zoning Text Amendment 02-01, and codified at Montgomery County Code section 59-G-2.19 (b). The Board of Appeals is authorized to allow private educational institutions to include the following uses: (i) tutoring and college entrance exam preparatory courses, (ii) art education programs, (iii) artistic performances, (iv) indoor and outdoor recreation programs, and (v) summer day camps, without regard to whether participants are students of the host school, provided that certain findings are made by the Board. The Board must find that the activities, in combination with other activities of the private school, will not have an adverse effect on the surrounding neighborhood due to traffic, noise, lighting, or parking, or the intensity, frequency or duration of activities.

The current accessory programs operated by the School, during the academic year only, are as follows:

SAT prep courses - St. Andrew's offers SAT prep courses on weekends from approximately February through May to assist juniors with preparation for the SAT exam. Currently, approximately 30-50 students attend, which includes St. Andrew's and non-St. Andrew's students.

Driver Education courses - St. Andrew's offers a driver training course in the evenings (approx. 6 - 9 pm) during late winter for approximately 15-25 St. Andrew's students.

Study skills course - St. Andrew's offers a one-week study skills course the week before the academic year begins to help students prepare for the school year. The course is open to all, but priority is given to St. Andrew's students. Currently, approximately 30-50 students attend. General tutoring is also available before and after school and is considered a part of the School's academic program.

Indoor recreation - St. Andrew's offers basketball clinics and yoga. Currently, basketball clinics are offered 2 evenings a week for 8 weeks during the fall and spring for approximately 12-20 participants. The sessions are open to all students, but the School encourages participation by St. Andrew's students. Yoga is offered at various times in the evening and on weekends each season for approximately 12-20 St. Andrew's and non-St. Andrew's participants. Outdoor recreation programs are not proposed.

St. Andrew's does not operate any arts education programs currently, but is considering a limited dance program in the future. The School has requested permission to operate a dance program on a limited basis to be implemented sometime in the future.

At times, the School also offers its facilities to community service organizations - e.g., the local homeowners association.

The School wishes to keep its approval for the accessory programs flexible enough to allow for reasonable changes to the types of programs, times, and number of participants. For example, as indicated in the statement of operations, the School would like to explore the possibility of adding a dance program. Accessory program offerings, times, and sizes vary from year to year depending on demand and resources.

Fencing on Brumbaugh Field

In its February 7, 2001, opinion, the Board of Appeals granted the School permission to extend a variable height fence between the eastern side of Brumbaugh Field and the adjoining residences on Victory Lane from six feet to twelve feet during the spring lacrosse season. The fence proved very effective and the School has requested permission to extend the fence in a similar fashion during the fall soccer season to prevent errant balls from entering the neighboring properties.

ANALYSIS

Master Plan

The property is located within the 2002 Potomac Subregion Master Plan area. The Master Plan confirmed the existing R-90 zone and the land use map indicates the site as a school/education facility. The Plan text does not specifically address the School site. However, a private educational institution is allowed by special exception in the RE-2 Zone.

Parking

Section 59-E-3.7 requires that private educational institutions provide one parking space for each employee, including teachers and administrators, plus sufficient off-street parking space for the safe and convenient loading and unloading of students, plus additional spaces for all student parking. The School anticipates a total of 116 full-time equivalent faculty and staff. Student drivers at complete enrollment are estimated to total approximately 60-65 for a cumulative total of 176-181.

There are 185 parking spaces on campus, including 18 spaces along the circle road ("Ring Road") and 10 spaces alongside the 58-car parking lot near the front entrance. These 185 spaces are not counting a few spaces along the maintenance road that are not used. The School is seeking 495 students and 116 full time equivalent faculty/staff. Only seniors are eligible to drive. At the present time, there are 81 seniors who use approximately 60 parking spaces (with a pass issued from the school). After the enrollment increase is fully phased in, the School anticipates approximately 80-85 total seniors per year, who would require approximately 60-65 parking spaces. Of the faculty and staff, several do not drive at all (between 5-10), the headmaster lives nearby and walks, and approximately 9 arrive after the majority of faculty/staff have already left. Staff finds that the one-way driveway and drop-off zone system operates so efficiently that the residual 4 to 9 spaces are sufficient for the safe and convenient loading and unloading of students. The parking total is therefore in compliance with Sec.59-E3.7.

Community Concerns

The petitioner has notified adjoining and confronting property owners and homeowner and civic associations and posted signs on the property. No community opposition has been raised to date by the proposed modification.

As one of the conditions of approval for Case Number CBA-1389-E, the Board of Appeals required St. Andrew's to form a Community Council to meet to discuss issues of concern related to the school. The Peoples' Council for Montgomery County is an *ex officio* member of the Community Council, which includes Parties of Record, adjoining and confronting property owners, and representatives from local citizen associations.

The Community Council will meet twice a year. The first meeting was held on May 10, 2004, and the minutes of the meeting are attached as an appendix. The second Community Council meeting, attended by the Peoples' Council and planning staff, was held on October 14, 2004.

Landscaping and Lighting

The petitioner has complied with the landscape and lighting plan submitted to technical staff of M-NCPPC as a condition of CBA-1389-D.

Environmental Analysis

Environmental Planning staff has reviewed the special exception application and recommends approval of the petition.

Forest Conservation

There is no site disturbance or forest removal as part of this application. This site is in conformance with the existing forest conservation plan and has no further requirements. Compliance with the Forest Conservation Agreement requires that the applicant maintain the Category I Conservation Easements in a natural condition, allowing other shrubs and trees to naturally regenerate among the planted stock.

Water Quality

This 18.8-acre property is located within the Buck Branch and Snakeden Branch subwatersheds of the Cabin John Creek watershed. According to the Countywide Stream Protection Strategy (CSPS), Snakeden Branch has poor water quality and good habitat conditions. Buck Branch has good stream quality and habitat conditions. There are no remaining streams within close proximity of this site.

Stormwater Management

Stormwater management is provided by surface sand filters and by two existing detention ponds.

Environmental Guidelines

The current impervious level for this site is 21%. No changes to imperviousness will take place as part of this application.

Noise

St. Andrew's School field rules preclude the use of bullhorns, drums, or electronic noisemakers of any kind. There will be incidental noise from children's outdoor activities on playing fields. Planning staff concludes that such noise, created on a 19-acre campus within a contiguous three-school campus area of 68 acres, and on fields with significant setbacks, will not have an adverse effect on the surrounding neighborhood. Based on the submitted information, noise levels generated by this site should not measurably increase because of the proposed modifications.

Fencing

The variable height fence between Brumbaugh Field and the adjacent residences on Victory Lane has effectively prevented errant lacrosse balls from leaving the School property. Staff recommend that the fence be extended from six to twelve feet during the fall soccer season for a similar purpose.

TRANSPORTATION

The following represents Transportation Planning staff's Adequate Public Facilities (APF) review and recommendations on the subject special exception case.

RECOMMENDATION

Transportation Planning staff recommends the following conditions for transportation requirements related to approval of this application:

1. Enrollment under the special exception application should be limited to 495.
2. No vehicles destined to the school are allowed to be stacked (queue) on off-site streets during morning drop-off and afternoon pick-up periods.
3. The School implements a comprehensive traffic management program as described in the submitted Transportation Management Plan.
4. The School makes arrangements with the Hoover Middle School to accommodate the over-flow parking during the non-school day special events.

DISCUSSION

Local Area Transportation Review

Three intersections were identified as critical intersections to be affected by the proposed expansion of the site and were examined in the traffic study to determine whether they met the applicable congestion standard of 1,475 Critical Lane Volume (CLV) for the Potomac Policy Area.

The critical lane volume impacts of the proposed expansion on critical intersections in the vicinity of the site were analyzed and are summarized in Table 1.

Table 1

Intersection Capacity Analysis with CLV During the Peak Hour						
Intersection	Existing		Background		Total	
	AM	PM	AM	PM	AM	PM
Tuckerman Lane/ Gainsborough Rd	996	964	996	964	1,007	973
Tuckerman Lane/ Postoak Drive	792	875	792	875	818	894
Tuckerman Lane/ Falls Rd/Falls Chapel Way	1,338	1,388	1,338	1,388	1,351	1,394

As shown in the above table, the three intersections analyzed are currently operating at acceptable CLVs (below 1,475) and this acceptable level will continue for the background development condition (existing traffic plus approved but not-built subdivisions in the area) and the total development condition (background traffic plus traffic from the site) during both the AM and PM peak hours.

Site Access and Vehicular/Pedestrian Circulation

Access to the school exists on Postoak Road and on Harker Drive. The primary entrance to the School is on Postoak Road where all students, families, visitors and buses come in and out while Harker Drive is only used by faculty and staff. This existing operation will continue with the proposed expansion of the School. There are sidewalks and cross walks on all approaches to the Tuckerman Lane/Gainsborough Road intersection, cross walks on the eastern and northern legs (including a sidewalk on the east side of the northern leg) of the Tuckerman Lane/Postoak Road intersection, and crosswalks on all four legs (as well as sidewalks on both sides of the western leg) of the Falls Road/Tuckerman Lane/Falls Chapel Road intersection. Staff finds that the existing access to the site and the existing sidewalks on nearby roads are safe and adequate.

Transportation Management Program

The St. Andrews Episcopal School submitted a Transportation Management Program (TMP) as a part of the expansion plans to manage the flow of traffic at the School's points of access so that vehicular movements to and from the grounds are made in a safe and efficient manner without impeding the flow of through traffic on either Postoak Drive or Harker Road. Also, the TMP includes the transportation management elements needed to ensure that queuing and circulation of vehicles on campus is conducted in an organized and efficient manner that supports the School's operations. Based on staff's observations of the existing traffic operation, there is currently sufficient vehicle stacking area inside the School and the additional stacking area for the proposed expansion can be accommodated inside the School.

The TMP describes a comprehensive traffic management program, which includes designation of a staff person as Transportation Coordinator who will implement the traffic management elements associated with carpooling, bus transportation, and vehicle operations.

The TMP also includes a component within the traffic management element to ensure that no school-associated vehicles stack (queue) on off-site streets during morning drop-off and afternoon pick-up periods.

Staff finds that the proposed transportation management elements are reasonable to handle the projected school traffic associated with the proposed expansion in a safe and efficient manner.

Summary

Transportation staff concludes that the proposed expansion of the St. Andrew Episcopal School up to an enrollment of 495 can be adequately accommodated with implementation of a traffic management program as described in the proposed

Transportation Management Program without adversely affecting the area roadway system.

ACCESSORY PROGRAMS

Section 59-G-2.19 Educational institutions, private, specific condition (4)(b), requires that accessory programs, in combination with other activities of the institution, will not have an adverse effect on the surrounding neighborhood due to traffic, noise, lighting, or parking, or the intensity, frequency, or duration of activities.

Traffic and Parking – All of the School's traffic is carefully managed as described in the Transportation Management Plan and in the School's statement of operations. Traffic is contained and managed on the campus by a significant number of staff at two drop-off circles and at the parking lots located at the front of the school. There is no overflow of queuing or parking on to neighboring streets.

Planning staff conclude that implementation of the Transportation Management Plan as part of the subject special exception modification will result in no adverse effects on area roadway conditions.

Noise and Lighting – All proposed activities are indoor programs. No additional lighting is proposed by the subject modification.

Intensity, Frequency and Duration of Activities – Existing accessory programs described on page 5 are all indoors and are of varying durations and varying beginning and ending times. Some of the programs are essentially de minimis with a very low intensity of use.

Planning staff concludes that the proposed accessory programs, in combination with the other activities of the institution, and limited in total participants to the parking capacity of the School, will not have an adverse effect on the surrounding neighborhood in terms of the criteria stipulated in specific conditions (4)(b) i.e., traffic, noise, lighting, parking, or the intensity, frequency, or duration of activities.

COMPATIBILITY

The School's 19-acre campus is sufficiently expansive to accommodate 495 students and to ensure a harmonious and compatible use with adjacent properties. By way of comparison, a typical public middle school may have 800-900 students on a site of 20 acres or less. The projected maximum density at full enrollment of 495 is 26 students per acre, compared with the zoning ordinance maximum of 87 students per acre.

PHASING

The School does not plan to rapidly grow student enrollment under a 495-student cap, but rather to continue gradual growth. Partly out of a desire to maintain current admission standards, partly out of the perceived benefits of gradual enrollment growth, St. Andrew's envisions taking five to seven years to grow from 450 to 495 students.

INHERENT AND NON-INHERENT EFFECTS

59-G-1.2.1. Standard for evaluation.

A special exception must not be granted without the findings required by this Article. In making these findings, the Board of Appeals, Hearing Examiner, or District Council, as the case may be, must consider the inherent and non-inherent adverse effects of the use on nearby properties and the general neighborhood at the proposed location, irrespective of adverse effects the use might have if established elsewhere in the zone. Inherent adverse effects are the physical and operational characteristics necessarily associated with the particular use, regardless of its physical size or scale of operations. Inherent adverse effects alone are not a sufficient basis for denial of a special exception. Non-inherent adverse effects are physical and operational characteristics not necessarily associated with the particular use, or adverse effects created by unusual characteristics of the site. Non-inherent adverse effects, alone or in conjunction with inherent adverse effects, are a sufficient basis to deny a special exception.

The inherent adverse characteristics associated with a private educational institution include the size, scale, and institutional character of the facilities including parking and traffic. Based on a review of the Application, planning staff finds that the physical and operational characteristics of the proposed modification are associated more with non-inherent than inherent effects.

The non-inherent characteristics of the proposed modification would be the special activity programs. Although special activity programs are increasingly commonly associated with private educational institutions, Section 59-G-2.19.(b) of the Zoning Ordinance commences with, "If a Private Educational Institution operates or allows its facilities by lease or other arrangement to be used for:.....(i) tutoring and college entrance exam preparatory courses ..." The uses are therefore an option and a non-inherent characteristic.

Planning staff finds that the expansive 19-acre campus, ample setbacks, existing mature landscaping, grading and screening, and the fact that the preponderance of activities will be indoors, mitigate the non-inherent characteristics of the proposed modifications, and that the existing and proposed activities are compatible with the adjacent residential areas. Planning staff finds that the physical and operational characteristics of the proposed modification regarding the special activity programs are reasonable and that the submitted transportation management plan is efficient and will not have an adverse effect on the surrounding neighborhood.

CONCLUSION

The proposed uses are permitted under the provisions of the R-90 Zone and will comply with all standards and requirements of that zoning district. The uses are consistent with the 2002 Potomac Subregion Master Plan and will be in harmony with the general character of the neighborhood in terms of density, scale, bulk, intensity and level of activities, traffic and parking conditions. The proposed modifications will have no external impact on the surrounding community and will not cause any detriment to adjacent properties. The special exception continues to meet the specific standards for

a private educational institution and the modification will not change the character or nature of the special exception. The intensity of use will gradually change but will not cause a nuisance because of the expansive 19 acres that allows for ample setbacks, screening and landscaping. The proposed modification is in conformance with zoning design standards relating to density and will be compatible with adjacent uses. Staff finds that the proposed special exception modification satisfies all of the general and specific requirements for this use found in Sections 59-G-1.21 and 59-G-2.19 of the Zoning Ordinance and recommends approval, subject to conditions.

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ATTACHMENTS

1. General and Specific Conditions
2. St. Andrew's Transportation Management Plan
3. Community Council Meeting Minutes

MAPS/GRAPHICS

1. Vicinity Map
2. Zoning Map
3. Aerial photograph
4. Aerial photograph
5. Aerial photograph