



Rochambeau, The French International School of Washington, DC – Special Exception Amendment No. S-862-C

 Matthew Folden, AICP, Planner Coordinator, DownCounty Planning, matthew.folden@montgomeryplanning.org, 301.495.4539

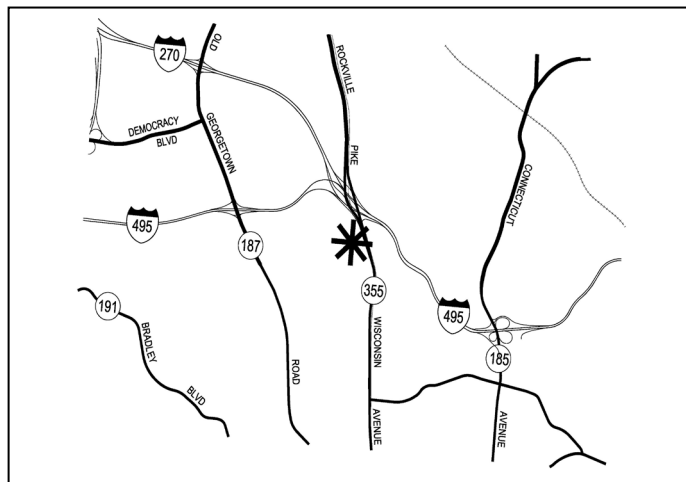
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 Elza Hisel-McCoy, Chief, DownCounty Planning, Elza.Hisel-McCoy@montgomeryplanning.org, 301.495.2115

Description

Completed: 12.17.20

- **Request:** Special Exception Amendment to permit a maximum enrollment of up to 700 students in pre-school through fifth grade and 126 staff (on the largest shift);
- **Located** at 9650 Rockville Pike;
- 11.20 acres (488,287 square feet) of tract area zoned R-60 in the 1990 *Bethesda Chevy Chase Master Plan*;
- **Petitioner:** Rochambeau, The French International School of Washington, DC;
- **Acceptance Date:** April 26, 2018;
- **Review Basis:** 59-G-2.19 of the Zoning Ordinance in effect on October 29, 2014;
- **Hearing Examiner Public Hearing Date:** January 22, 2021 and January 25, 2021.



Summary

- Staff recommends **APPROVAL** of the proposed Special Exception Amendment subject to the conditions contained in this Staff Report.
- This Amendment would maintain the “Private Educational Institution” use on the Site and modify operations to allow a private school with a maximum enrollment of 700 students and up to 126 staff. The Applicant proposes to renovate the existing office buildings, construct several play areas, and modify the Site to accommodate the Private Educational Institution. This Amendment would allow the French School to consolidate classroom space leased at other locations onto this Site, which they own.
- A separate Staff Report, presented to the Planning Board concurrently with the Subject Application, discusses the Forest Conservation Law requirements of Chapter 22A. The Special Exception must comply with the requirements set forth in Preliminary Forest Conservation Plan S-862-C.
- Staff supports the Applicant’s requested waiver for locating a drive aisle within the rear setback, and for the Applicant’s Sign Variance.
- Following Board of Appeals approval of the Subject Special Exception Amendment, the Applicant must receive Planning Board approval of a Preliminary Plan that demonstrates adequate public facilities exist for the proposed use, and update Preliminary Plan No. 12002079A, which considered the previously approved Special Exception use to function as an “office.”
- Staff received correspondence raising concerns about transportation to the Site and within the immediate vicinity of the Site. These concerns are summarized and addressed in the staff report and included in Attachment D.

TABLE OF CONTENTS

SECTION 1: RECOMMENDATION AND CONDITIONS.....	3
SECTION 2: SITE DESCRIPTION AND VICINITY.....	6
Site Description and Analysis	
Previous Approvals and Zoning History	
Neighborhood Description and Analysis	
SECTION 3: PROJECT DESCRIPTION	11
French International School Background	
Proposal	
Typical Operations	
Enhanced Curriculum	
Buildings	
Adaptive Reuse/ Renovation	
Access, Parking, and Circulation	
Subdivision	
Forest Conservation	
SECTION 4: ANALYSIS AND FINDINGS	26
Master Plan	
Transportation	
Environment	
Zoning Ordinance	
Standard for Evaluation (59-G-1.2.1)	
Section 59-G-1.21. General Conditions	
Section 59-G-1.23. Development Standards	
Section 59-G-2.19. Educational Institutions, Private.	
SECTION 5: COMMUNITY ENGAGEMENT	48
SECTION 6: CONCLUSION.....	50

SECTION 1: RECOMMENDATION AND CONDITIONS

Special Exception Amendment S-862-C

Staff recommends approval of Special Exception Amendment S-862-C, to permit a Private Educational Institution with a maximum enrollment of 700 students and 126 staff (on the largest shift), on 11.20 acres of land zoned R-60, subject to the following conditions, which supersede any previous approvals and associated conditions:

1. The Private Educational Institution is limited to the following:
 - a. a maximum total gross floor area of 203,891 square feet, comprised of the Lee Building (121,147 square feet), the East Wing Office Building and Atrium Connector (66,448 square feet), the Beaumont House (15,264 square feet), Outbuilding #1 (768 square feet) and Outbuilding #2 (264 square feet). Excluded from the gross floor area is an existing 85,944 square foot parking garage;
 - b. a maximum enrollment of 700 students, comprised of up to 200 pre-school and up to 500 elementary (kindergarten through fifth grade); and
 - c. a maximum of 126 faculty and staff on-site at any one time.
2. Hours of operation for the Subject Special Exception Amendment use will be limited as follows:
 - a. Academic School Days, including before-school and after-school care, Monday through Friday from 7:00 AM to 7:30 PM with daily enrollment not to exceed 700 students and up to 126 staff;
 - b. Outdoor Play may not begin prior to 8:00 AM;
 - c. Trash pick-up, service, and deliveries will be limited to Monday through Friday between the hours of 8:30 AM and 3:30 PM;
 - d. Supplemental Language Classes ("Saturday School"), offered on Saturdays from 8:30 AM to 5:00 PM, with daily enrollment not to exceed a maximum of 700 students and up to 50 staff;
 - e. Summer Camp, with daily enrollment not to exceed 700 students and up to 126 staff, Monday through Friday from 7:00 AM to 7:00 PM, during the French International School's Academic summer break;
 - f. Special Events occurring outside Academic School Days (as described in Condition No. 2.a.) must be scheduled such that arrival and departure does not coincide with either the weekday morning peak travel period (6:30 AM – 9:30 AM) or weekday evening peak travel period (4:00 PM – 7:00 PM). Examples of such Special Events include, but are not limited to:
 - i. Language Conferences (limited to five occurrences per calendar year with a maximum enrollment of 100 participants);
 - ii. Back to School Night;
 - iii. Admissions Open House;
 - iv. Grandparent's Day;
 - v. Kindergarten and Fifth Grade Graduations;
 - vi. Parent-Teacher Meetings;
 - vii. Information Meetings for Major School Trips;
 - viii. International Meal Evenings;
 - ix. Year-End Chorale;
 - x. School Community Picnic; and
 - xi. Fundraising Events.
3. The playing field and outdoor play areas must not have outdoor lighting, must not be used for competitive or interscholastic events, and must be limited to weekday daytime activities for the School and associated Summer Camp program.

Transportation and Access

4. Prior to the issuance of any Use and Occupancy Certificate associated with the Private Educational Institution use, the Applicant must permanently close the following three vehicular access points:
 - a. the western Site driveway onto Alta Vista Terrace;
 - b. the adjacent parking lot to the north of the Site; and
 - c. the northern Rockville Pike driveway;
5. Prior to the issuance of any Use and Occupancy Certificate on the Site, the Applicant must complete construction of the Site access and frontage improvements, as required by the Maryland State Highway Administration. These improvements include, but are not limited to, consolidation of Rockville Pike driveways, construction of an acceleration and deceleration lane, and increasing the surface area of the bus stop to meet minimum ADA standards.
6. The Applicant must replace the existing Rockville Pike sidewalk with new a five-foot-wide sidewalk, separated from the roadway by a vegetated buffer measuring at least six-feet wide.
7. The Applicant must maintain, in conjunction with the French International School Forest Road campus (the "Secondary School"), a bus fleet of a least 15 buses to reduce Site-generated trips. Busing Operations and trip mitigation strategies will be set forth in the Transportation Management Plan and must achieve the following ridership goals with no more than 330 vehicle trips in the morning peak hour associated with the Special Exception use, 117 vehicle trips in the mid-day peak hour associated with the Special Exception use and 139 vehicle trips in the evening peak hour associated with the Special Exception use;
 - a. On an Academic School Day, the Applicant must bus a minimum of 30% of pre-school students (children aged 5 and older) and 82% of its student body (first grade and above);
 - b. On a Saturday School Day, the Applicant must bus a minimum of 25% of program participants once daily enrollment reaches 150 students; and
 - c. On a Summer Camp Day, the Applicant must bus a minimum of 25% of program participants once daily enrollment reaches 150 students.
8. No vehicles may queue on the adjacent public street(s) while accessing the Site.
9. Any vehicular access gates located on the internal Site driveway must be:
 - a. Located internal to the Site in a manner that does not impede the flow of traffic on the adjacent public street; and
 - b. Open to school-generated traffic for a minimum period of 30 minutes during both the morning and afternoon pick-up/ drop-off periods. The specific time period during which the gates must be open may be designated by the School based on pickup/ drop-off procedures, but cannot be implemented in a manner that circumvents this condition of approval.

Parking

10. Up to 15 buses may be parked on-site overnight within the bus loop on the south side of the Lee Building and on the drive aisle west of the parking garage, as depicted on Sheet C-200.
11. The Applicant must provide 15 long-term bicycle parking spaces for use by faculty and staff in a secure and weather protected area within the East Wing building garage. Any bicycle parking provided for students will be above and beyond this requirement.

Future Preliminary Plan

12. The Applicant must obtain approval of a Preliminary Plan of Subdivision per Chapter 50 of the Montgomery County Code after the final decision of the Board of Appeals on the Subject Application.
13. At the time of Preliminary Plan, the Applicant must dedicate right-of-way necessary to provide 60 feet from the right-of-way centerline along the Site's Rockville Pike frontage.
14. Prior to Certification of the Preliminary Plan, the Applicant must:
 - a. Obtain a variance from the Board of Appeals for locating a parking facility drive aisle within the rear-yard setback. If approved, the drive aisle within this area must be adequately screened from the adjacent residential property;
 - b. Demonstrate conformance with Section 59-G-1.23(h) of the Zoning Ordinance, pertaining to lighting, which limits lighting along the side and rear property line to a maximum of 0.1 foot candles;
 - c. Obtain a sign variance from the Sign Review Board, for exceeding the maximum size, quantity and illumination of the proposed signage; and
 - d. Enter into a binding agreement with the Planning Board to perform in perpetuity a Transportation Management Plan. This Plan must:
 - i. set forth the Private Educational Institution's transportation operations, for the Academic School Day, Saturday School, and Summer Camp, and must include annual reporting to Planning Department Staff in the fall of each year to summarize current and projected enrollment for the year, transportation benefits offered to staff and students, on-site queuing trends, and any transportation issues observed on-site in the previous 12 months;
 - ii. discourage non-local traffic through the Maplewood neighborhood; and
 - iii. include a community liaison, appointed by the Maplewood Citizens Association, to advise the French School on transportation issues present in the surrounding community.

Should the Planning Board find, after a public hearing, that the Applicant is not in compliance with the TMP, the Planning Board may modify the conditions of approval, including the maximum permitted enrollment.
15. Prior to the issuance of the final use and occupancy certificate for the Private Educational Institution use, the Applicant must restore disturbed areas along the former Alta Vista Terrace driveway and Rockville Pike frontage to satisfy screening requirements, set forth in Section 59-E 2.72 of the Zoning Ordinance, and the Green Corridors Policy of the Bethesda Chevy Chase Master Plan, respectively.

SECTION 2: SITE DESCRIPTION AND VICINITY

Subject Property

The subject site ("Subject Property" or "Property") is located just south of the I-495 Capital Beltway at 9650 Rockville Pike (MD 355), approximately 180 feet south of Pooks Hill Road. The Property, recorded as Lot 1 in the "Locus Vitae" Subdivision (Plat No. 22288, dated 2002), consists of approximately 11.2 acres. The Property has approximately 460 feet of frontage on MD 355, 175 feet of frontage on Alta Vista Road and 150 feet of frontage on Alta Vista Terrace. The Property is surrounded by residentially zoned and developed properties along its northern, southern and western property lines. The Property is within the area encompassed by the 1990 *Bethesda – Chevy Chase Master Plan* (Master Plan).

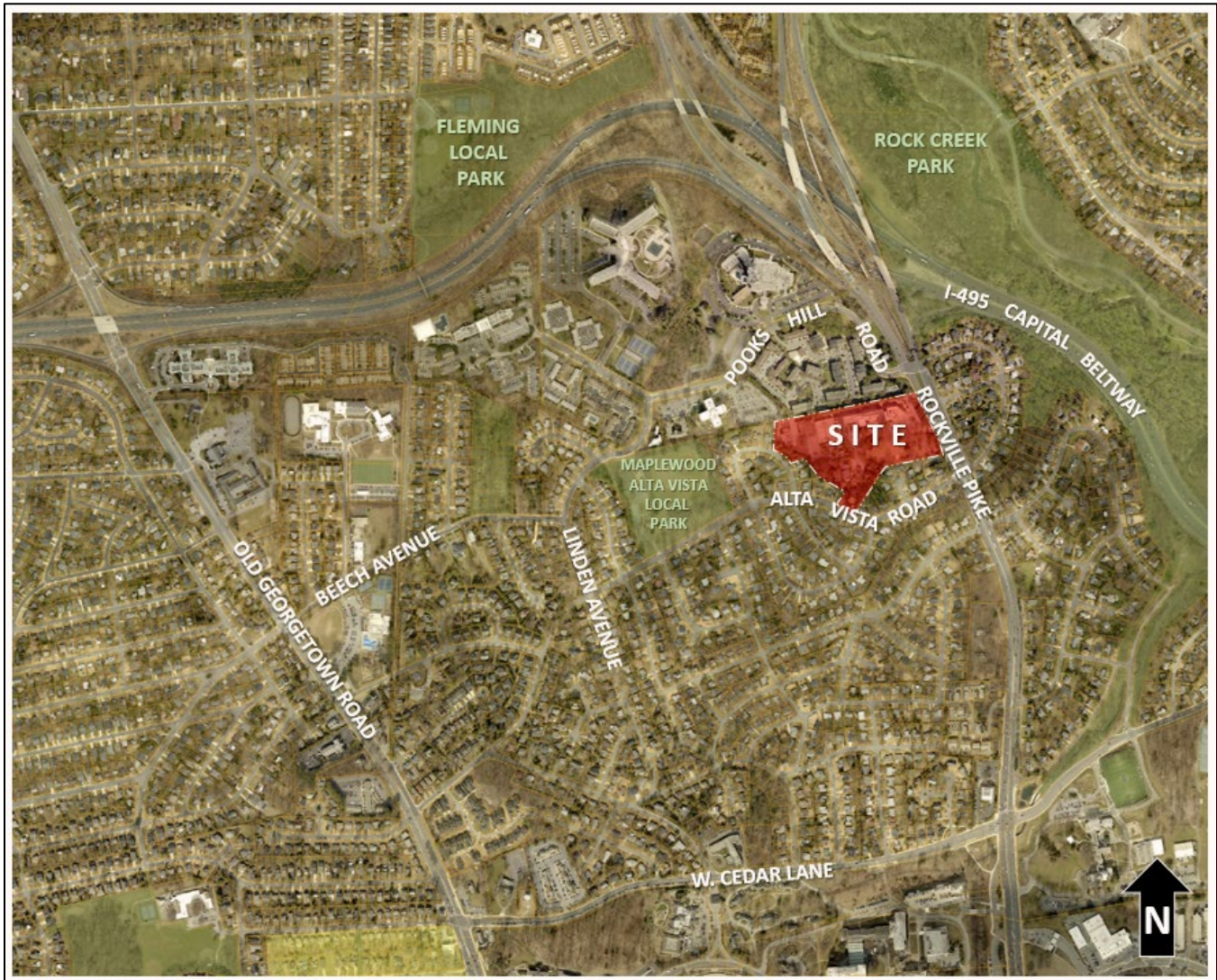


Figure 1 – Vicinity Map

Site Analysis

The Property is zoned R-60 and is currently improved as the Federation of American Societies for Experimental Biology (FASEB) Beaumont campus, comprised of approximately 186,625 square feet of office uses¹ that will be renovated and nominally expanded to accommodate the Project. Existing buildings on the Site will remain as part of the Subject Application, with the exception of an existing barn, residence, and carriage house garage, each of which will be removed to accommodate the School. The Site is currently accessed via two entrances on Rockville Pike, a driveway to an adjacent parking lot along the northern property line and through a limited-use entrance on Alta Vista Terrace. The existing driveway along the northern (side) Property line is constructed within the present-day side yard setback² and will remain in the future condition proposed by the Subject Application.

The irregularly shaped Property consists of rolling terrain and sits atop a hill at an elevation above both Rockville Pike and the surrounding residential communities to the south and west. The Site contains extensive landscaping, with numerous large trees internal to the site and vegetation along all its entire periphery. Stone retaining walls are located along the Rockville Pike frontage to accommodate the public sidewalk and bus stop.



Figure 2 – Site Aerial

¹ The Existing Lee Building has approximately 120,177 square feet of gross floor area and the East Wing office building and Atrium Connector has approximately 66,448 square feet of gross floor area for a total combined office square footage of 186,625 square feet.

² The location of the existing driveway along the northern property line was approved by the Board of Appeals in 1977 through Case No. S-562 (Attachment A, page A-79).

A Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) was approved for the Subject Property on March 19, 2018. The Subject Property is located within the Lower Rock Creek watershed, a Use I watershed¹. There are no known rare, threatened, or endangered species on-site; there are no 100-year floodplains, stream buffers or wetlands on-site. There are generally no environmentally sensitive resources associated with the Site. In total, the Subject Property contains 36 specimen trees, which are 30" or greater in Diameter-at-Breast-Height (DBH), and 35 significant trees, which are at least 24" DBH but less than 30" DBH. Two of the 36 specimen trees on-site are county champion trees as verified in March 2018 by The Montgomery County Forestry Board Register of Champion Trees. There are no state champion trees on or near the site.

Previous Approvals and Zoning History

The Site has served as the headquarters of FASEB since 1954, initially approved through Special Exception S-210, as a "Scientific Society" use and later designated a "Private Educational Institution" use (S-862, 1977) when the former use was eliminated from the Zoning Ordinance. Most recently, the Planning Board approved Preliminary Plan Amendment 12002079A by Resolution, dated February 15, 2006, in accordance with Board of Appeals Case No. S-862-B approved November 18, 2004. This recent action permitted FASEB Phase 3 development on the Site, which was comprised of up to 40,000 square feet of new gross floor area and up to 700 employees, including a portion of leased office space. On December 2, 2020, the Board of Appeals granted a transfer of special exception S-862, as amended, from FASEB to the French International School of Washington, DC. Prior approvals are attached to this Staff Report as Attachment A.

Neighborhood Description and Surrounding Uses

For the purposes of determining the compatibility of the Project, the neighborhood was previously defined (through S-862-B) as including properties bordered by Pooks Hill Road and Linden Avenue to the north and west, Elsmere Avenue to the south, and the single-family detached neighborhood directly across Rockville Pike, due east of the Subject Property (Figure 3). Although the Applicant proposed a slightly different neighborhood for the zoning analysis with the Subject Application, the Applicant and Staff are in agreement that the neighborhood defined through S-862-B should be used for the Subject Application (Figure 3).

The defined neighborhood is developed primarily with single family detached residential dwellings to the east, south, and west in the R-60 zone and with multi-family residential buildings, zoned R-H, to the north. The Subject Amendment does not alter the previously defined neighborhood.

¹ WATER CONTACT RECREATION, PROTECTION OF AQUATIC LIFE. Waters that are suitable for: water contact sports: play and leisure time activities where the human body may come in direct contact with the surface water; fishing; the growth and propagation of fish (other than trout); other aquatic life, and wildlife; agricultural water supply; and industrial water supply.



Figure 3 – Zoning Map with Defined Neighborhood

The Property is unique when compared to the surrounding residential uses for its size, shape, and elevation above the adjacent properties. Abutting the Property to the north are the Bethesda Hill Condominiums (5114 Dudley Lane) and Pooks Hill Road Towers (3 Pooks Hill Road), both of which are zoned R-H (multi-family high-rise). Abutting the Property to the south and west is the Maplewood Estates subdivision, to the southeast, the Longwood subdivision, and confronting to the east, across Rockville Pike, is the Locust Hill Estates subdivision, each of which are zoned R-60 and comprised of single-family detached dwellings.

There are eight known existing special exceptions and conditional uses within the neighborhood. These uses are listed below in Table 1 and shown in Figure 4 for context.

Map ID	Case Number	Use	Location
1	S2555	Accessory Apartment	4909 Asbury Lane
2	CU201501	Accessory Apartment	9605 Rockville Pike
3	S2323	Accessory Apartment	9604 Bellevue Drive
4	S2413	Accessory Apartment	9602 Bellevue Drive
5	S853	Charitable Philanthropic Institution	9604 Rockville Pike
6	S1594	Accessory Apartment	5112 Wickett Terrace
7	SE201203	Group Daycare up to 12 Children	9414 Balfour Drive
8	S1084	Accessory Apartment	5310 Alta Vista Road



Figure 4 – Existing Conditional Uses and Special Exceptions within Defined Neighborhood

SECTION 3: PROJECT DESCRIPTION

The French International School of Washington, DC, also referred to as *Rochambeau*, is a private non-denominational day school that offers a co-educational bilingual curriculum for children two years of age through twelfth grade at three different campuses across the greater Bethesda—Chevy Chase area. These campuses are operated as follows:

- The Pre-School program, serving, two-year-old children through kindergarten, is currently located at 7108 Bradley Boulevard (the “Bradley campus”);
- The Elementary School, serving first grade through fourth grade, is located at 3200 Woodbine Street (the “Rollingwood campus”);
- The Secondary School, serving fifth grade through twelfth grade, is located at 9600 Forest Road (the “Forest Road campus”).

The French International School has operated in the region since 1955 and has used its Forest Road campus for both administrative offices and the Secondary School since approximately 1977¹. As of the beginning of the 2019-2020 academic year, pre-school enrollment at the Bradley campus was 155 children, elementary school enrollment at the Rollingwood campus was 342 children, and fifth grade enrollment at the Forest Road campus was 72 children. In all, the French International School student body is comprised of 569 primary school-aged students and 529 middle and high school-aged students.

Proposal

The Special Exception Amendment Application proposes to modify Special Exception S-862, as amended, to permit a Private Educational Institution (the “French International School of Washington, DC” or “French School”) with a maximum enrollment of 700 students and up to 126 staff (on the largest shift) on the Subject Property. Once this action is completed, the French School would consolidate its Pre-School and Elementary School operations (serving children two years of age through fifth grade), from the Bradley Campus and Rollingwood Campus², onto the Subject Property as a new Primary School. This consolidation would allow the French School to cease operations on both the Bradley and Rollingwood campuses and provide room to expand primary school enrollment to a maximum of 700 students (up to 200 pre-school students and up to 500 elementary school students in grades kindergarten through fifth) on the Subject Property.

In order to realize this vision, the School intends to renovate and nominally enlarge the existing office buildings on the Subject Property (which will be vacated by FASEB ahead of the School’s renovation) and make slight modifications to the grounds. These modifications include demolition of some existing outbuildings and construction of new outbuildings and several play areas, to support the needs of a primary school. In total, the School proposes to demolish approximately 8,455 square feet (the barn (6,007 square feet), the residence (1,157 square feet), and the carriage house (1,291 square feet)) and increase existing square footage by approximately 2,002 square feet. After accounting for buildings removed from the Site, the overall gross floor area on the Site will decrease by approximately 6,453 square feet.

The Secondary School on the Forest Road campus would remain unchanged following approval of the Subject Application with the exception that the fifth-grade program, currently housed on that campus, would be incorporated into the new primary school and relocated to the Subject Property. The Forest Road Campus would

¹ The French International School’s Forest Road campus received its initial Special Exception approval in 1975 through Case No. S-411.

² Due to space constraints, the fifth grade program year is currently housed on the Forest Road Campus.

continue to operate following approval of the Subject Application and is not subject to this Special Exception Amendment.

Based on current enrollment, the School expects to commence operations on the Subject Property with approximately 569 students and will expand to the maximum enrollment of 700 students (200 pre-school students and 500 elementary school students) over the course of several years.



Figure 5 – Special Exception Amendment S-862-C

Buildings

The new primary school will be housed within the existing FASEB office buildings on the Site, commonly referred to as the “Lee Building” and the “East Wing” Office Building, indicated by #4 and #7 in Figure 5 above. Both of these buildings will be renovated and the Lee Building will be nominally expanded to accommodate the proposed Private Educational Institution use. Following the renovations, the Lee Building will increase in size, by approximately 970 square feet (Parking Garage Breezeway (463 square feet), Entrance Vestibule (130 square feet), and a fifth-floor stair penthouse (377 square feet)), to its ultimate size of 121,147 square feet. The final physical alterations to the buildings on-site will include two new outbuildings, designated “Outbuilding 1” (768 square feet) and “Outbuilding 2” (264 square feet), that will house restrooms and storage near the athletic fields and outdoor play areas. As a result of these alterations, the total square footage of new construction on the Site will be approximately 2,002 square feet.

In addition to the Lee Building and East Wing, the Site is also improved with an existing 4-story above-grade parking structure (containing 216 parking spaces) and the existing 15,264 square foot Beaumont House, both of which will be repurposed to serve the French International School’s use of the Site. The parking garage will remain unchanged and the Beaumont House will provide space for administrative offices and event space associated with the Private Educational Institution use.

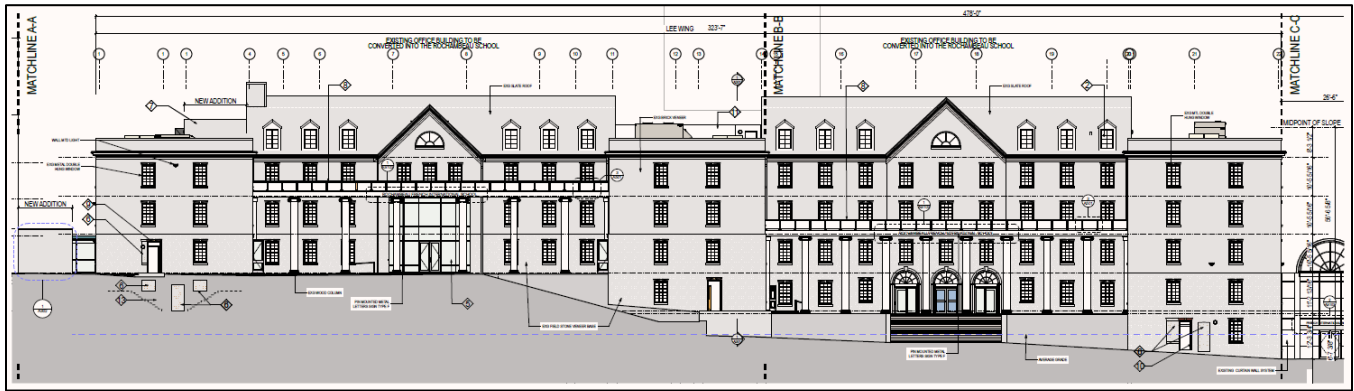


Figure 6 – Architectural Elevation
(Existing Lee Office Building – South Façade)

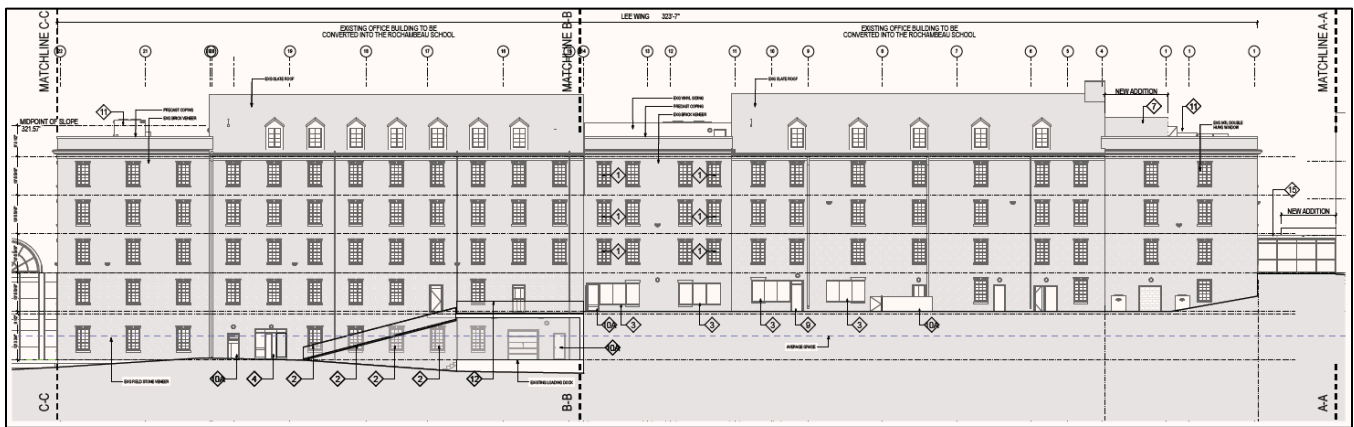


Figure 7 – Architectural Elevation
(Existing Lee Office Building – North Façade)

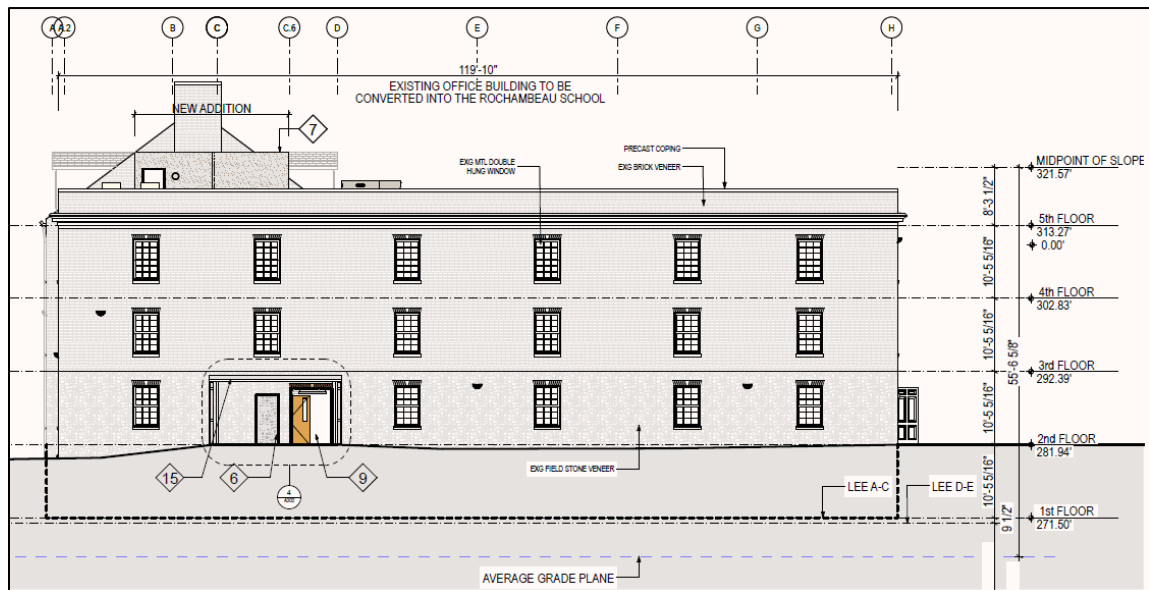


Figure 8 – Architectural Elevation
(Existing Lee Office Building – West Façade)

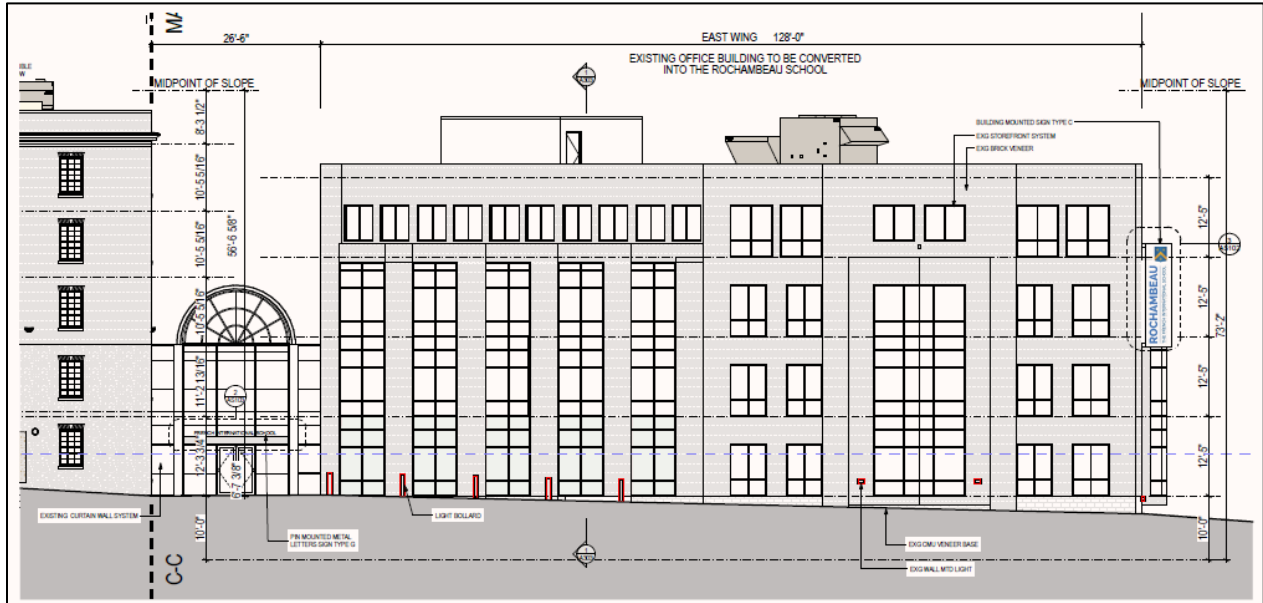


Figure 9 – Architectural Elevation
(Existing East Wing– South Façade)

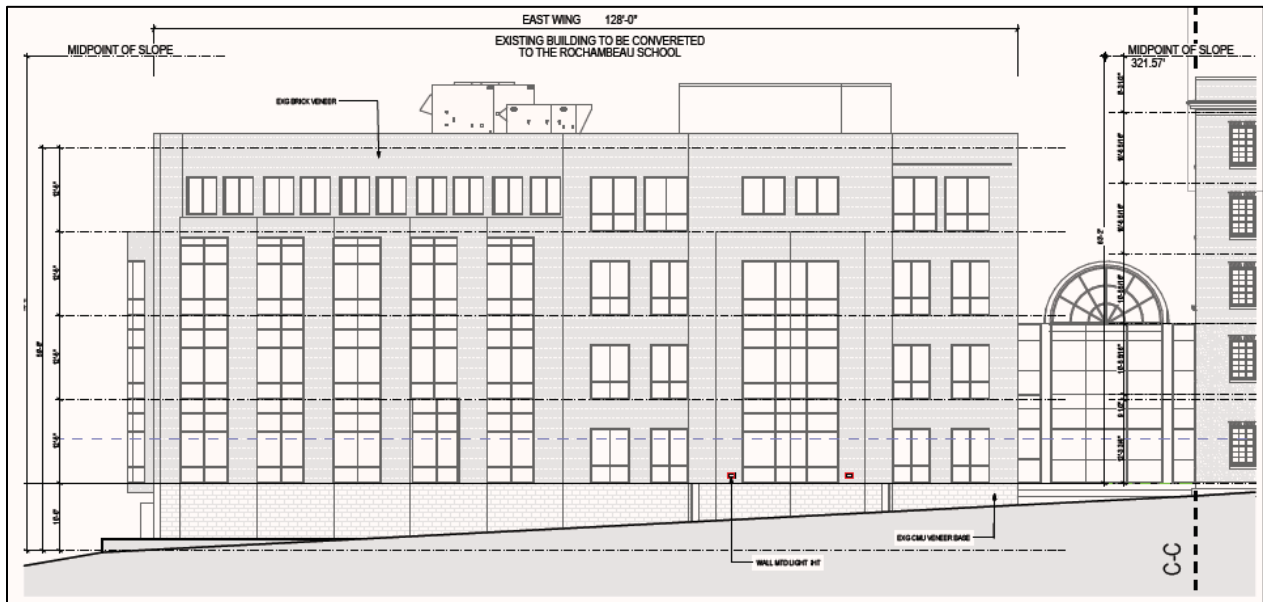


Figure 10 – Architectural Elevation
(Existing East Wing– North Façade)

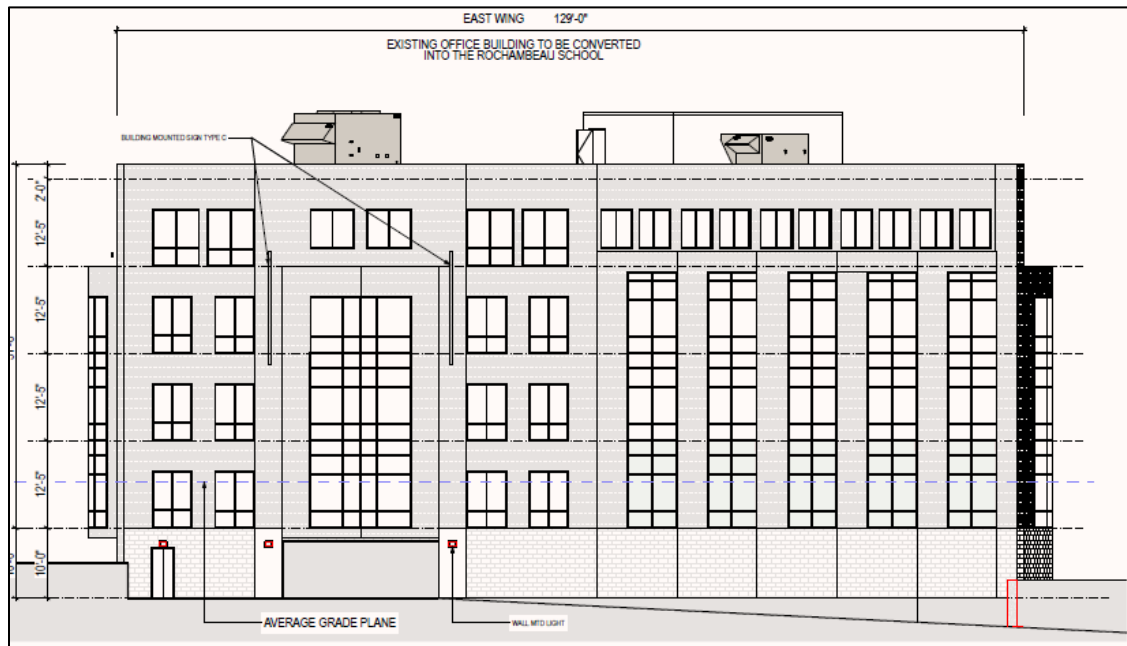


Figure 11 – Architectural Elevation
(Existing East Wing– East Façade)



Figure 12 – Building Placement

Signage

The Applicant proposes signage to announce the presence of the French International School along Rockville Pike, identify buildings on campus, and provide wayfinding within the Site. As proposed, the signage exceeds the requirements for size, quantity and illumination allowed by the Zoning Ordinance in a residential zone. As a result, the Applicant will seek a variance from the Sign Review Board following approval of the Subject Special Exception application. Locations of the primary signs proposed by the Applicant (Building Signs and Monumental Signs) are illustrated in Figure 13, below, and details of the proposed signage are shown in Figures 13-15. Figure 13 does not depict wayfinding signage proposed throughout the Site. Additional details on the waivers sought through this Application are discussed at the end of this section of the Staff Report.



Figure 13 – Sign locations

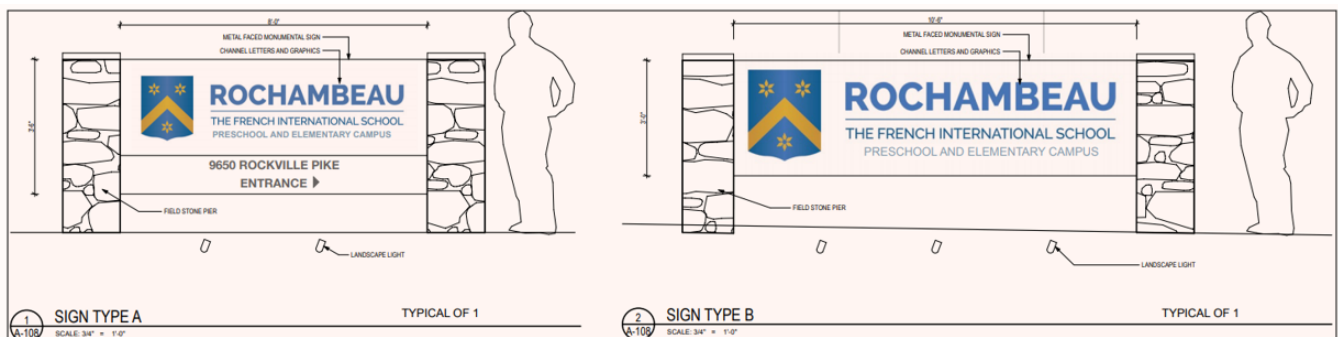


Figure 14 – Sign Details: Monumental Signs – Types A and B

The monumental signage, proposed along Rockville Pike, consists of two types, “Monumental Sign ‘Type A,’” and “Monumental Sign ‘Type B,’” which will be permanent ground-mounted signs with illumination. These monumental signs, in addition to “Building Sign ‘Type C,’” will be the most visible from points adjacent to and confronting the Subject Property. Based on the Site’s topography and vegetation, “Building Sign ‘Type G,’” located above the two building entrances, and internal wayfinding signage will not be visible from points off-site. As proposed, Staff supports the Applicant’s requested sign variance, which must be approved by the Sign Review Board.

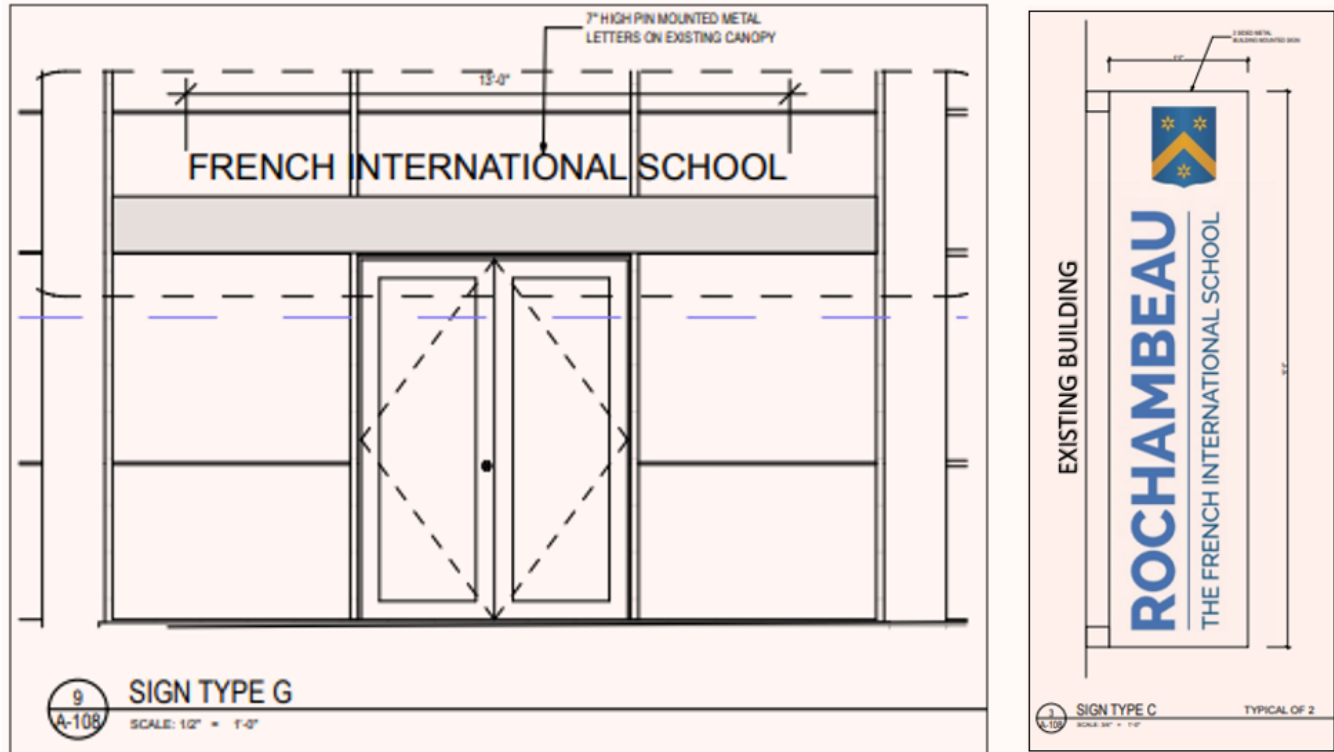


Figure 15 – Sign Details: Building Signs – Type G (Left) and C (Right)

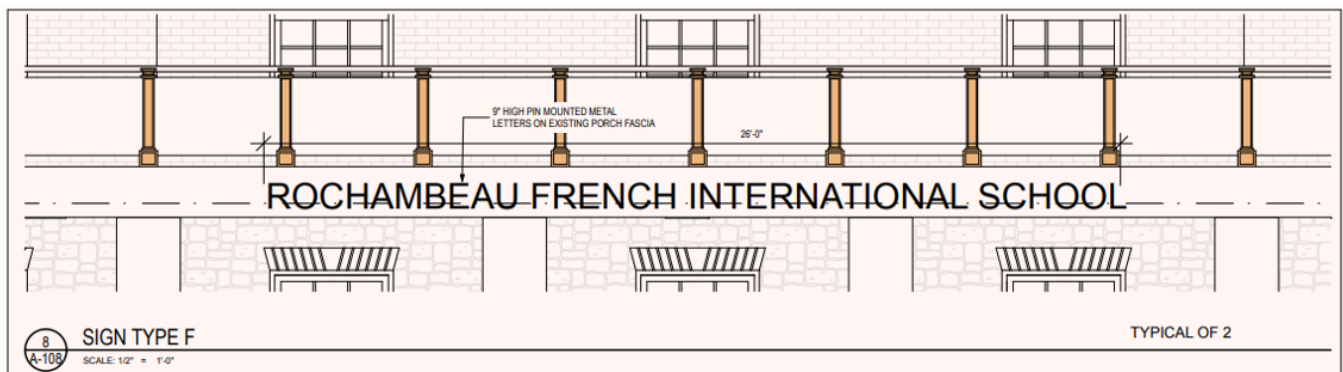


Figure 16 – Sign Details: Building Sign – Type F

Outdoor Play Areas and Improvements

Five new outdoor play areas are proposed to serve the Private Educational Institution use as indicated in Figure 17 and described below¹:

- (1) a synthetic turf field (The “Elementary Playfield”) of up to 18,990 square feet in size and enclosed by a five foot-high chain link fence with 15-foot high field netting, located west of the existing garage;
- (2) a hard surface play area of up to 7,725 square feet in size, located off the southwest corner of the existing parking garage;
- (3) a soft surface play area of up to 5,300 square feet, adjacent to the hard surface court,
- (4) a soft surface play area of up to 6,900 square feet, along the south side of the existing parking garage; and
- (5) a soft surface play area of up to 1,900 square feet on the north side of the Lee Building.

Outdoor activities will be permitted on-site between the hours of 8:00 AM and 7:30 PM with these activities limited by season and available daylight. As conditioned, the playing field and outdoor play areas will not have outdoor lighting, will not be used for competitive sports, and will be limited to weekday daytime activities for the School and associated Summer Camp program.



Figure 17 – Outdoor Playing Areas

Academic Day Operations and Staffing

As previously stated, the Subject Special Exception Application seeks to consolidate existing Pre-School and Elementary School operations onto the Site as a new Primary School (Private Educational Institution use) and seeks a maximum future enrollment of 700 students (up to 200 pre-school students and up to 500 elementary

¹ The submittal materials inconsistently quantified the outdoor play areas. Play area sizes cited in this Staff Report reflect those areas, as presented on Sheet C-200.

school students) and up to 126 staff on-site at a time. Academic School Day operations, Monday through Friday, are outlined in Table 2, below.

Table 2: General Hours of Operation		
Time Period		Activity
Start	End	
6:30 AM		Before School Staff Arrive to Open the Facility
7:00 AM	8:30 AM	Before School Care and Student/ Faculty Arrival
8:00 AM	7:30 PM	Outdoor Play
8:30 AM		School Day Commences
8:30 AM	3:30 PM	Academic School Day (Typical)
3:30 PM		School Day Concludes; Student Dismissal
3:30 PM	5:30 PM	After School Activities
5:30 PM	7:30 PM	After School Care
7:30 PM		Outdoor Play and After School Operations Conclude
8:00 PM		After Care Staff Depart

The French School seeks approval for a maximum of 195 faculty and staff, of which a maximum of 126 personnel may be on-site during any part of an academic school day. The staff positions are provided in Table 3, below, to demonstrate core personnel present during typical school hours and auxiliary staff who will be on campus outside of academic school day hours to support school operations.

Table 3: Staffing		
Core Staff		
	Faculty	83
	Administrators	20
	Nurses	2
	Custodians	5
	Bus Drivers	16
	Total Core Staff	126
Auxiliary Staff		
	Daycare Personnel	18
	Recess/ Bus Monitors	19
	Cleaning Crew	5
	School Club Advisors	27
	Total Auxiliary Staff	69
Total Staff		195

Enhanced Curriculum Operations and Staffing

In addition to Academic School Days, described above, the Applicant has requested permission to hold additional events to enhance the School's curriculum and sense of community and expand the School's program through supplemental language classes throughout the year and during the academic summer recess. These events must not exceed the maximum daily vehicular trip cap of 330 vehicle trips in the morning peak hour associated with the Special Exception use, 117 vehicle trips in the mid-day peak hour associated with the Special Exception use and 139 vehicle trips in the evening peak hour associated with the Special Exception use. Enhanced Curriculum elements include:

- a. Supplemental Language Classes (“Saturday School”)

Supplemental Language Classes may be offered on Saturdays from 8:30 AM to 5:00 PM, with maximum daily enrollment not to exceed 700 students¹ (of which at least 25% of the participants must utilize the busing service once enrollment reaches 150 students) and up to 50 staff;
- b. Summer Camp

The French School may operate a Summer Camp program with a maximum daily enrollment of up to 700 students (of which 25% of the participants will utilize the busing service once enrollment reaches 150 students) and up to 126 staff, Monday through Friday from 7:00 AM to 7:00 PM, during the French International School’s summer break. Summer Camp enrollment may include youth participants up to 18 years of age;
- c. Special Events occurring outside Academic School Days

Typical Academic School Days, defined as Monday – Friday from 7:00 AM to 7:30 PM, may be supplemented with Special Events provided the arrival and departure of participants and staff does not coincide with either the weekday morning peak travel period (6:30 AM – 9:30 AM) or weekday evening peak travel period (4:00 PM – 7:00 PM). Examples of such Special Events include, but are not limited to:

 - i. Language Conferences (limited to five occurrences per calendar year with a maximum enrollment of 100 participants);
 - ii. Back to School Night;
 - iii. Admissions Open House;
 - iv. Grandparent’s Day;
 - v. Kindergarten and Fifth Grade Graduations;
 - vi. Parent-Teacher Meetings;
 - vii. Information Meetings for Major School Trips;
 - viii. International Meal Evenings;
 - ix. Year-End Chorale;
 - x. School Community Picnic; and
 - xi. Fundraising Events.

As conditioned, there is adequate capacity to support the enhanced curriculum activities and Staff has determined that these activities are consistent with the Private Educational Institution use.

Busing Operations

The French School has a long history of providing successful bus operations at its Forest Road (Secondary School) campus and has committed, through the Subject Application, to bus a minimum of 30% of nursery school students (children 5 years of age and older) and a minimum of 82% of its elementary school students in the morning (grades first through fifth) to reduce Site generated trips. In the afternoon peak period, the French School will bus a minimum of 30% of nursery school students and a minimum of 71% of elementary school students. In practice, this level of busing will accommodate a minimum of 471 students arriving by bus in the morning and a minimum of 416 students² departing by bus during the afternoon/ evening peak periods.

¹ Supplemental Language Class enrollment is not limited to students currently enrolled in the French School academic program.

² Based on maximum enrollment of 700 students (200 pre-school through kindergarten and 500 first grade through fifth grade) and accounting for approximately 86% of nursery school students and 75% of elementary school students participating in the after school programs, as recorded in the transportation survey.

In order to accomplish this level of busing, the Applicant proposes expanding its existing fleet of buses to 19 vehicles, comprised of 15 buses¹ owned by the French School, and four buses leased from a private company². These buses will serve a total of 17 routes around the region with specific routes and off-site bus stop locations determined annually based on the addresses of enrolled students. On an Academic School Day, 13 buses will operate on the 17 routes while two buses will remain parked on campus as back-up vehicles. As part of the normal bus operations, four bus routes will overlap with routes serving the Forest Road campus and will “shuttle” students between the two campuses. Based on historical enrollment data and anticipated future operations, the Applicant believes this will decrease the total number of bus trips to the Forest Road campus. Similar strategies will be incorporated into the Transportation Management Plan to govern busing operations for the Saturday School and Summer Camp programs once enrollment of those programs reaches a minimum of 150 students. Final details of the Transportation Management Plan will be determined as part of the future Preliminary Plan review.

The Applicant proposes parking up to 15 buses overnight on the Subject Property where they can be stored and monitored in a secure environment. Thirteen buses will be stored within the bus loop on the south side of the Lee Building and the remaining two buses will be stored on the drive aisle to the west of the existing parking garage, where their visibility and noise impacts will be minimized from surrounding residential properties.

Access, Parking, and Circulation

All access to the Property will be provided through a consolidated curb cut on Rockville Pike, in accordance with direction from MDOT SHA and MCDOT. In order to achieve this configuration, the existing northern driveway on Rockville Pike will be closed and the existing southern driveway will be shifted approximately 60 feet to the north. Due to the presence of a tree-lined median on Rockville Pike, the consolidated Site driveway will operate as a right-in/right-out from southbound Rockville Pike. In coordination with MDOT SHA and MCDOT staff, the Applicant has also agreed to construct an acceleration and a deceleration lane on either side of the new consolidated driveway for safe movements off and onto Rockville Pike (Figure 18).

¹ Buses owned by the French School have a capacity of 55 students each.

² Four buses will be leased from a private company to provide service to the farthest extent of the French School’s enrollment area.

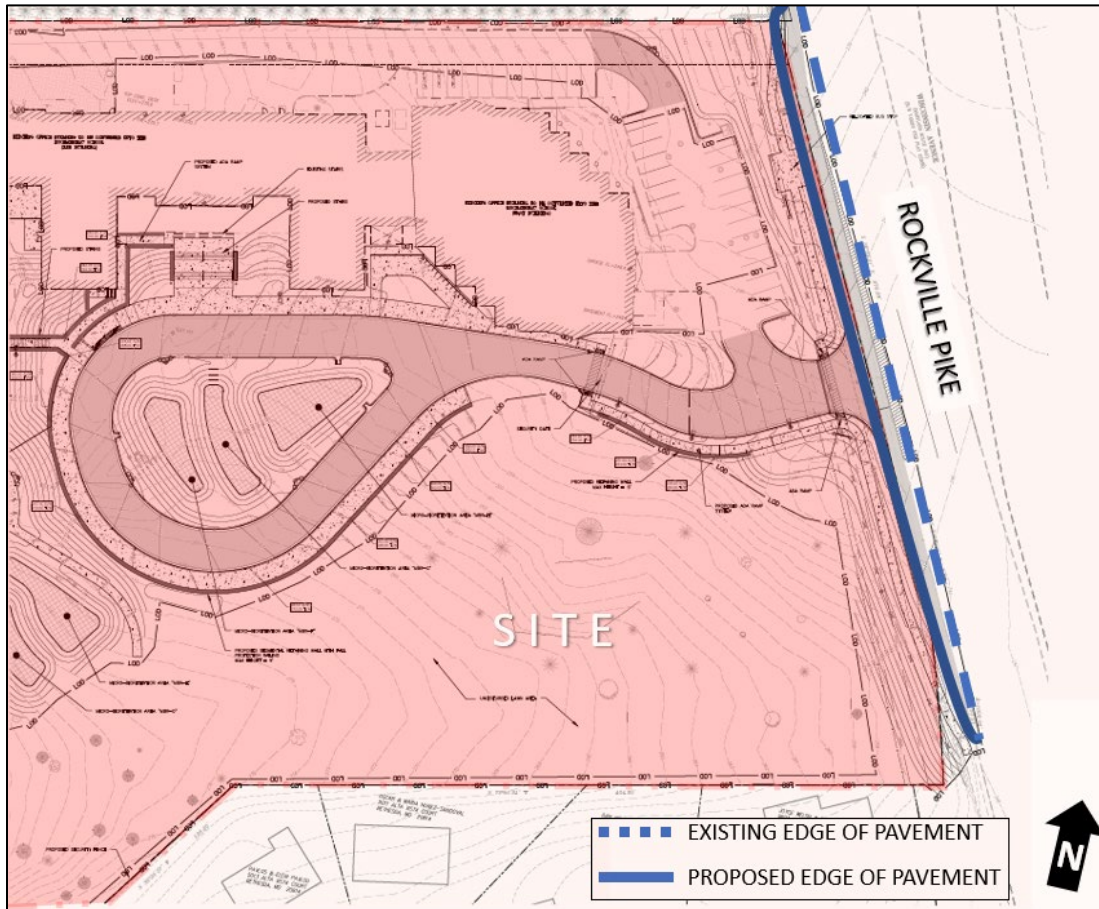


Figure 18 – Conceptual Design of Main School Driveway

At the direction of MDOT SHA, the Applicant conducted supplemental traffic analysis on weaving and queuing to demonstrate that the future site generated traffic volumes would not have an adverse effect on the adjacent state and county roadway network. The Applicant received approval on the conceptual acceleration/ deceleration lane design from MDOT SHA and MCDOT in their letters dated November 16, 2020 and December 16, 2020, respectively. Further refinement and approval of the final design will be required from MDOT SHA at the time of access permit.

On-site circulation is divided into two separate routes; one that will be used by buses operated by the French School and the other by passenger vehicles (parents and staff). Each path is discussed, below:

Parents and Staff

- As shown in Figure 19, parents will make an immediate right from the main driveway and will drive around the back (north) side of the Site to access the drop-off and pick-up loop. After exiting the loop, the parents will turn right to access the underground parking garage or travel back the same route used to access the loop.
- Staff will follow a similar movement through the Site and will park in either the smaller East Wing garage or larger four-story garage.

The Applicant has demonstrated that more than 50 private vehicles can queue on the Site, and there is additional capacity for cars to park on-site in the garage and in the surface lot at the east side of the Site. To ensure safe circulation throughout the Site, the Applicant has proposed stop signs at conflict points and will have eight staff personnel available to assist with traffic control internal to the Site.

Buses

Buses arriving on-site will continue straight along the main driveway to access the designated bus loop. The Applicant has demonstrated that the bus loop has capacity for at least 13 buses to queue, which is sufficient space to accommodate the anticipated highest number of buses on-site during peak operations.

Access Management (Security Gates)

The French School proposes securing the campus both during the day, while children are present, and overnight when the campus is closed. As part of this strategy, the Applicant proposes installing gates along the internal drive aisles to control access. Staff supports this element of the Application and has recommended a condition that requires any gates to be located internal to the Site, in a manner that does not impede the flow of traffic on the adjacent public street, and open to school-generated traffic during periods of peak travel demand for the French School.

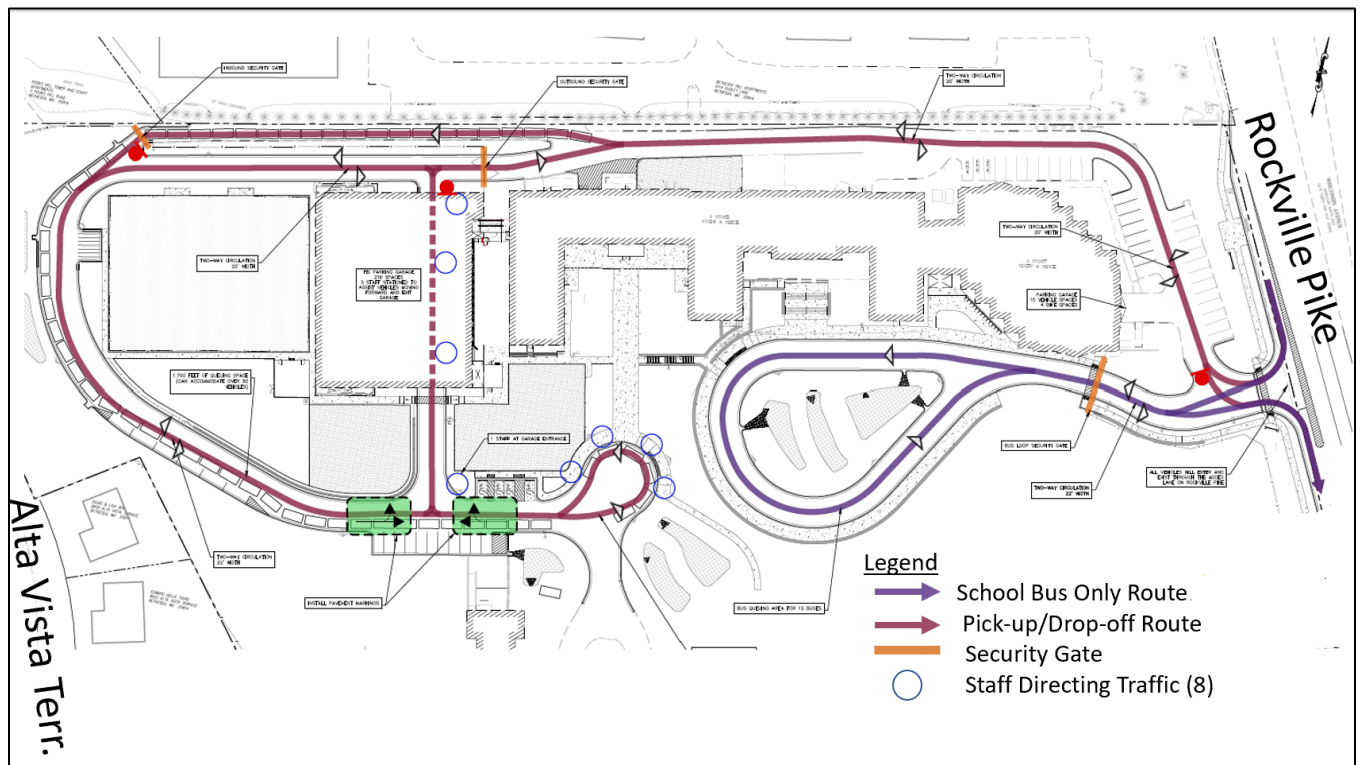


Figure 19 – Access and Circulation

Transportation Management Plan

Given the complexities of the Subject Application and the heavy reliance on busing to manage Site generated trips, the Applicant will be subject to a perpetual Transportation Management Plan (TMP) that will specifically identify strategies to mitigate Site generated trips and set expectations for annual reporting. Final details of the TMP will be determined as part of the future Preliminary Plan application review.

Landscaping

The Property has a sloping terrain and is extensively landscaped with a wide variety of trees, shrubs, grass, and flowering plants. Impacts to landscaping will be minimized where possible with the majority of the existing buildings and grounds maintained in their existing condition. The areas being altered by the proposed redevelopment allow the Subject Property to comply with current standards including ADA, stormwater

management, circulation and access, and current building codes. Locations where the Site will be modified to accommodate the School use will primarily be internal to the Site and not readily visible to the adjacent residential properties. Two exceptions to this statement are: 1) removal of the existing Alta Vista Terrace driveway; and 2) consolidation of the Rockville Pike Driveways. In both cases, the Applicant will restore the disturbed area with grass and other vegetation to meet screening requirements, as set forth in Section 59-E-2.72 and Master Plan recommendations, which call for the maintenance of a Green Corridor Policy along Major Highways within the Master Plan area (p. 30). This screening is proposed to be protected and preserved through its incorporation into proposed Category I and Category II Conservation Easements. The proposed easement areas lie generally at the southern and western edges of the property and will enable the majority of the existing large trees, and any supplemental/replacement canopy tree plantings, to continue remain in place for years to come.

Forest Conservation

This Special Exception Amendment is subject to the Forest Conservation Law, as set forth in Chapter 22A of the County Code. A separate Staff Report, presented to the Planning Board concurrently with the Special Exception Amendment Application, evaluates the Subject Application's forest conservation element and associated tree variance. The Planning Board must take separate action on the forest conservation plan before making a recommendation on the Subject Special Exception Amendment.

Requested waivers

In coordination with the Proposal described above, the Applicant is requesting two modifications to the standards: the first is a sign variance, from the Sign Review Board, for the size, quantity and illumination of signage allowed by the Zoning Ordinance in a residential zone, and the second is a waiver for parking facilities within the rear setback.

- **Signage:**

The Applicant requests that following the Special Exception Amendment process, the proposed signage be found to be appropriate and acceptable subject to necessary sign variances being obtained from the County Sign Review Board. Based on the size of the campus and the limited visibility into the Site from adjacent residential properties, Staff supports the future sign variance, as requested by the Applicant.

- **Parking:**

The Applicant requests that as part of the Special Exception Amendment process, the reconstructed drive aisle within the rear yard setback, be found to be appropriate and acceptable. The specific area subject to the waiver is to the southwest of the existing parking garage, where the drive aisle is located approximately 16 feet from the rear property line. Based on the fact that there is an existing drive aisle within close proximity of this location and the proposed condition will generally continue the existing condition, Staff supports the waiver. As proposed, the drive aisle within this area would be adequately screened from the adjacent residential property through plantings and a combination of Category I and Category II forest conservation easements, as shown on the Landscaping Plan (Sheet L-401).

Subdivision

Following approval of the Subject Special Exception Amendment, the Project must seek the Planning Board's approval of a subdivision to determine adequate public facilities for the proposed change of use,¹ from office to a Private Educational Institution, comprised of a pre-school through fifth grade program. This change is necessary to address the Planning Board's approval, through Preliminary Plan 120020790, as amended, of the former office use.

¹ Although both the existing approval for the FASEB campus and proposed French International School Primary School campus are both considered "Private Educational Institutions" (PEI) for the purposes of zoning, the former FASEB campus operated in a manner more consistent with an office building while the proposed PEI Primary School use will operate as an elementary school.

Agency Approvals

Although not required at the time of Special Exception, the Application was reviewed by public agencies for conformance with the County Code and best practices for site design. A summary of that review is provided below and agency approval letters are included in Attachment C for the record. Formal review of these elements and subsequent approvals letters will be incorporated as conditions as part of the forthcoming Preliminary Plan application.

- The Montgomery County Department of Transportation (“MCDOT”) recommended approval of the Subject Application in its letter dated December 16, 2020;
- The Maryland State Highway Administration (“SHA”) recommended approval of the Subject Application in its letter dated November 6, 2020;
- The Montgomery County Department of Permitting Services (“MCDPS”) – Water Resources Section recommended approval of the stormwater management concept in its letter dated October 22, 2020;
- The Montgomery County Department of Permitting Services (“MCDPS”), Fire Department Access and Water Supply Section recommended approval of the Subject Application in its letter dated November 10, 2020.

SECTION 4: ANALYSIS AND FINDINGS

Master Plan

The Property is within the 1990 *Bethesda-Chevy Chase Master Plan* (Master Plan) area. The proposed use is consistent with the Master Plan, in terms of the nature and the appropriateness of the use, and it will be compatible with other adjacent uses including the residences in the Maplewood Estates subdivision. The Master Plan provides area-wide land use guidelines in order to address land use issues along major highways, including special exceptions (p. 30). The area land use guidelines state that each parcel should be evaluated in the overall context of the Master Plan objectives, and compatibility with the surrounding community in terms of the height and bulk of the structures, buffering by vegetation, topography, and visibility of the use, highway access and buffering, proximity to public or quasi-public uses, proximity to community services or transit, and the comparative density of nearby properties. These issues are stated as the rationale for each recommendation in the Master Plan, as they relate to the "Planning Area" and compatibility with nearby properties.

The Master Plan supports the continued existence of the R-60 zone for the Subject Property and surrounding neighborhood. The use is intended to serve the community and meets the Master Plan objectives. Private Educational Institutions are allowed by special exception in the R-60 zone, and the Master Plan specifically recommends that the FASEB should continue the existing use because it is considered a long-term, stable use¹ that is viewed as a community resource. Aside from supporting the continued use of the Site as a Private Educational Institution, the Master Plan does not have any site-specific recommendations for the Subject Property.

The Subject Application, although different from FASEB's historic use of the Site, continues to meet the overall vision of the Master Plan by bringing a long-term, stable use to the Site and retains the existing vegetation located along Rockville Pike and the Site periphery. This vegetation helps screen the Special Exception use from the adjacent residential neighborhood and reinforces the "green boulevard" character of Rockville Pike. Additionally, the current proposal calls for this vegetation, and any supplemental/replacement landscape or variance mitigation plantings, to be protected in Category I and Category II Conservation Easement. The incorporation of plantings within easements along the Site boundaries, allows for the removal of any non-native, invasive plantings and will help the vegetation continue to grow healthily and remain in place despite the proposed change in use of the site.

Transportation

The 1990 *Bethesda – Chevy Chase Master Plan* specifically discusses neighborhood traffic control for the Maplewood neighborhood, in the form of passenger vehicle turn restrictions on Beech Avenue and Linden Avenue between Rockville Pike and Old Georgetown Road (Master Plan p. 63). Based on their existing configuration, these turn restrictions are intended to handle cut-through traffic between Pooks Hill Road and Old Georgetown Road and not necessarily from Alta Vista Road since that road is not continuous between Rockville Pike and Old Georgetown Road. Neighborhood traffic controls will not be altered by the Subject Amendment and all Site generated trips will access the Site from Rockville Pike.

Master-Planned Roadways and Bikeways

The Site is bounded to the east by Rockville Pike (MD 355), which is designated as a Major Highway with a master-planned right-of-way of 120 feet and a posted speed limit of 35 mph between Cedar Lane and the Capital Beltway. Dedication along the Site's frontage will be needed to achieve the 60 feet of right-of-way from the centerline as recommended in the Master Plan. A two-way separated bike lane is planned on the east side, opposite the Site, along Rockville Pike between Cedar Lane and the Capital Beltway per

¹ The former FASEB campus had been in operation for over 30 years at the time the 1990 Master Plan was adopted.

the *2018 Bicycle Master Plan*. Renovation of the Subject Property as a new campus of the French School does not preclude future implementation of the master planned bikeway.

The Site also has limited frontage on both Alta Vista Road and Alta Vista Terrace. In the existing condition, the Site has gate-controlled access onto Alta Vista Terrace, however, that access will be eliminated as part of the Subject Application. Both Alta Vista Road and Alta Vista Terrace are secondary residential roadways that are owned and maintained by the Montgomery County Department of Transportation (MCDOT) with minimum rights-of-way of 70 feet. No additional right-of-way dedication is required by the Applicant along either Alta Vista Road or Alta Vista Terrace. No bikeways are planned along either Alta Vista Road or Alta Vista Terrace per the *2018 Bicycle Master Plan*.

Access and Circulation

Previous iterations of the Project included driveway access on the Site's western Alta Vista Terrace frontage. Although moderate use of the driveway received prior approval, the Applicant ultimately determined that the access point should be eliminated in favor of a single point of access on Rockville Pike. As proposed, this access concept can safely and efficiently accommodate the forecasted volumes of vehicles on-site. Additionally, the Maplewood residential neighborhood opposed the additional access point on Alta Vista Terrace due to a potential increase of traffic and related impacts on the adjacent residential streets. The driveway will be removed as part of the Subject Application.

Sidewalks are present on the Site's Rockville Pike frontage, but they are substandard (four feet) in width and have no buffer from the roadway. The Applicant will be required to replace the existing sidewalks with five-foot sidewalks and a six-foot grass buffer. The Applicant will also build new and improve existing sidewalks on-site to provide accessible pathways from Rockville Pike to building entrances on the Subject Property.

Transit Service

A Montgomery County RideOn bus stop is located on the west (Site) side of Rockville Pike serving routes 30 and 46, which provide connections between the Bethesda Medical Center and the Germantown Transit Center and the Bethesda Medical Center and the Rockville Transit Center, respectively. The bus stop is furnished with a bench and trash receptacle and the Applicant will be required to increase the surface area of the concrete pad to address Americans with Disabilities Act (ADA) accessibility design guidelines.

Parking, Loading, and Trash

The total vehicular parking capacity available on the Site is approximately 281 spaces. The majority of the parking is provided in an existing four-story parking garage with capacity for approximately 216 spaces. A smaller parking garage, beneath the East Wing provides approximately 16 spaces, and surface lots/ drive aisles located at various points throughout the Site provide an approximately 48 additional spaces. Accessible parking spaces compliant with ADA design guidelines are positioned at all building entrances.

The Applicant will be required to provide bicycle parking on-site, the quantity of which is directly related to the amount of vehicular spaces provided. Based on the 281 vehicular spaces, the Applicant will provide 15 long term bicycle parking spaces for use by faculty and staff. Any bicycle parking provided for students will be above and beyond the bicycle parking requirement for staff. All parking installations will comply with the County's Bicycle Parking Guidelines.

One on-site loading dock is provided on-site. That loading dock is located along the north side of the Lee Building. Delivery and trash vehicles will use the main entrance on Rockville Pike and the parent pick-up/drop-off route to access buildings on-site. Deliveries and trash pick-up will occur during school hours,

outside of peak travel times (between 8:30 AM and 3:30 PM), to address the safety of students and staff on campus and to reduce disturbances to the surrounding neighborhoods.

Local Area Transportation Review (LATR)

Academic School Day Operations

The Applicant is proposing a maximum enrollment of 700 children. As such, the Site is expected to generate approximately 170 peak-hour person trips in the peak travel period, and therefore a traffic study was completed to comply with the 2017 Local Area Transportation Review (LATR) Guidelines.

The trip generation for the French School was estimated based on existing data provided by the French International School transportation survey, which was distributed to parents, faculty, and staff. The data accounts for travel modes, travel times (before- and after-care), and the number of siblings enrolled. From this data, a private vehicle rate per-student was determined. As the auto-driver trips were based on actual user data rather than the ITE Trip Generation Manual as is typically required by the 2017 *LATR Guidelines*, the vehicle rates were not adjusted for the Policy Area. This represents a more accurate and conservative estimate of trips generated by the Site and was approved by Staff at the time of scoping the transportation impact study.

Nearly all of those accessing the Site will travel by either French School-provided buses or personal vehicles. Trips made by public transit, walking and biking are unlikely or estimated to be very few, based on the transportation survey data collected. For this reason, the Applicant was not required to estimate the total number of trips by non-auto driver modes.

Due to the French School's hours of operation, the Applicant studied two evening peak hour periods: one during the French School's afternoon peak hour (3:00-4:00 PM) and the other during the regional travel network's evening peak hour (5:00 PM-6:00 PM)¹, as determined by the observed turning movement counts. This was done to ensure that the Applicant accounted for both the French School's time of peak volume, and the surrounding travel network peak volume. The study determined that the peak trip generation was during the morning peak period (7:30-8:30 AM), which coincides with the regional travel network peak. The breakdown of the trip generation by peak travel period is shown in Table 4.

¹ The French School trip generation is consistent with other elementary schools in that the morning peak trip generation period coincides with the regional travel network peak and the afternoon peak associated with the French School occurs prior to the evening peak period on the regional travel network.

**Table 4: French International School
Academic School Day
Peak Hour Trip Generation**

	AM Peak Hour	School PM Peak Hour	Regional Network PM Peak Hour
Existing			
Office, 170, 000SF	160	113	159
Proposed			
Students, 700 ¹	226	40	64
Buses, 13	11	21	21
Staff/Faculty, 195 ²	93	56	54
Net New Trips			
	170	4	-20

Source: Gorove/Slade Transportation Impact Study dated February 20, 2020

Vehicle Adequacy

With approximately 170 net new trips estimated during the morning peak period, the Applicant was required to study one tier of intersections. The Applicant evaluated a total of nine intersections, including the site driveway, in proximity to the Site. A map of the intersections studied are shown in Figure 20.

¹ As described in the body of the staff report, this number represents the rate at which personal vehicles will be used to transport students to and from the French School. A significant portion of the enrolled students will use buses provided by the French School, as indicated by the transportation survey.

² The conditions of approval limit the number of faculty and staff persons on-site to 126 at any given time, but at the time the traffic study was conducted a conservative estimate of 195 was studied.

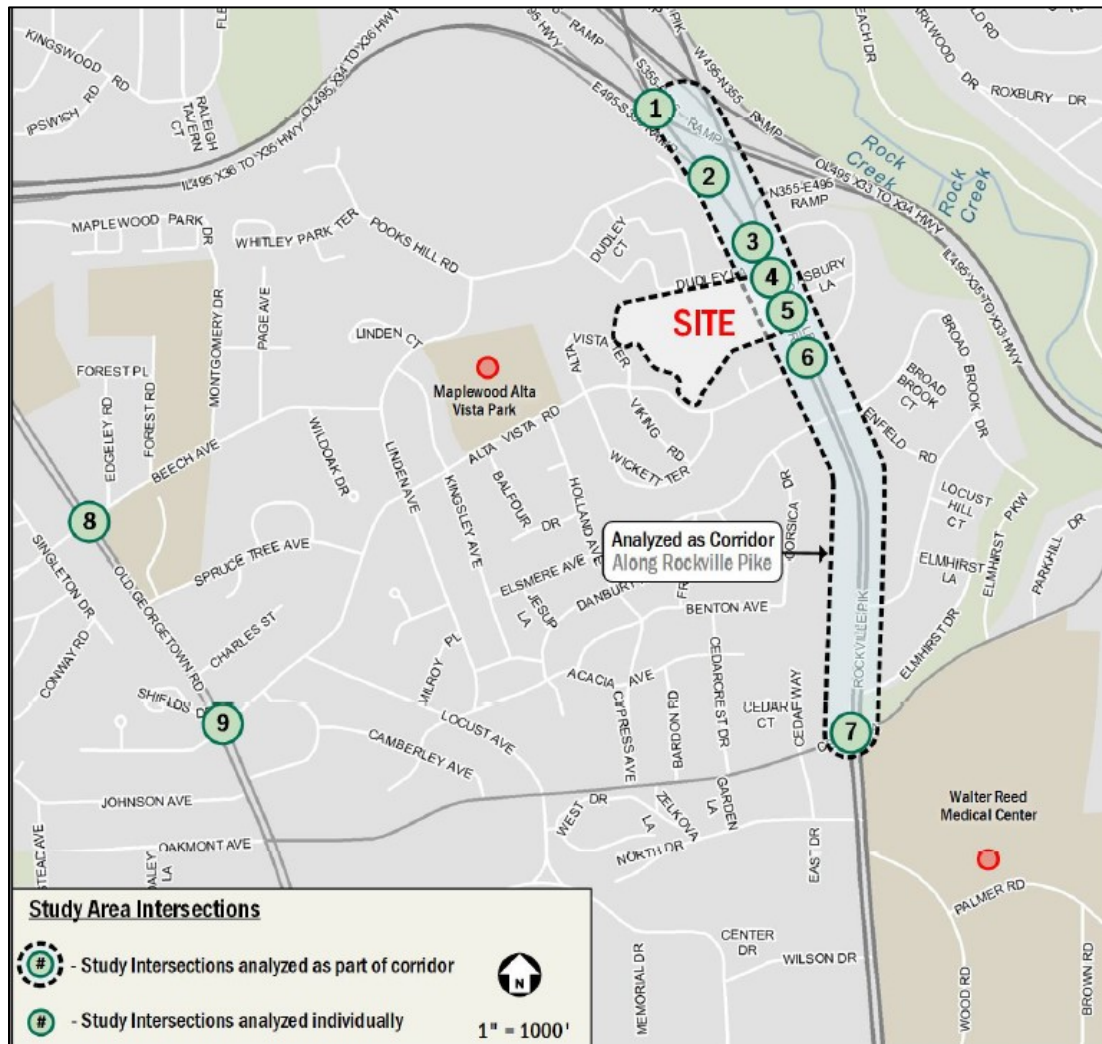


Figure 20 – Intersection Analysis Map

The Site is in the Bethesda/Chevy Chase Policy Area, which is designated as an Orange Policy Area by the 2016-2020 Subdivision Staging Policy. Traffic congestion in Orange Policy Areas is measured using Highway Capacity Manual (HCM) delay-based level of service standards, which applies to all signalized study intersections. The HCM average vehicle delay standard for the Bethesda/Chevy Chase Policy Area is 80 seconds. In compliance with the 2017 *LATR Guidelines*, seven intersections were evaluated collectively as a corridor to determine the average vehicle delay along Rockville Pike between the I-270 on-ramp and Pooks Hill Road. The remaining two intersections were studied as isolated intersections. The Rockville Pike corridor and remaining two intersections were found to be within the 80-second delay standard for the Bethesda/Chevy Chase Policy Area. As a result, no mitigation is necessary to satisfy the vehicular adequacy test. Detailed results of this analysis is included in Table 5.

**Table 5: Intersection Level of Service
Highway Capacity Manual Methodology
Seconds of Vehicular Delay**

Intersection	Congestion Standard	Existing			Background			Total Future		
		AM	School PM	Regional Network PM	AM	School PM	Regional Network PM	AM	School PM	Regional Network PM
1. Rockville Pike Corridor I-270 on-ramp to Pooks Hill Road	80 seconds	12.0	13.0	11.0	45.0	33.0	32.0	57.0	39.0	38.0
8. Old Georgetown Road and Beech Avenue	80 seconds	25.4	30.7	33.5	45.4	38.1	79.8	45.3	37.4	66.9
9. Old Georgetown Road and Alta Vista Road	80 seconds	1.0	4.4	6.6	3.3	4.4	18.0	3.6	4.6	18.0

Source: Gorove/Slade Transportation Impact Study dated February 20, 2020

Supplemental Language Classes (“Saturday School”)

The Applicant proposes offering supplemental language classes on Saturdays. The enrollment of Saturday School is limited to a maximum daily enrollment of 700 students and up to 50 staff. Students will have the option to attend either both morning and afternoon sessions or select a “morning only” or “afternoon only” session, and therefore the Applicant was required to study vehicle adequacy during the morning and afternoon arrival and evening dismissal. Based on participation in Saturday School on the other campuses, the Transportation Impact Study assumed that 65 percent of the 700 students will attend morning classes and the remaining 35 percent will attend the afternoon classes. Bus transport will be provided by the Applicant, once daily enrollment reaches 150 students, with the assumption that 25 percent of students would utilize this service. Consistent with the weekday analysis, a sibling rate of 33 percent was assumed for students driven to and from campus. As a conservative measure, it was assumed that staff would arrive in the morning peak hour and leave during the afternoon peak hour.

The French School is committed to the same trip generation caps for the Saturday School as presented in the LATR for the Academic School Day. The busing and carpool programs for the Saturday school will be implemented as required to ensure that the resulting trip generation falls below the trip generation caps in place for an Academic School Day¹. The French School will also monitor and report the traffic volumes generated by students enrolled in the Saturday School program as part of the annual Transportation Management Plan reporting.

In addition to Saturday School trip generation being less than or equal to trips generated on an Academic School Day, the regional transportation network carries significantly less traffic volume due to the absence of Monday through Friday commuter peak traffic. As a result, the trips generated by the Saturday School program can be absorbed on the local roadway network.

¹ The Site will not generate more than 330 vehicle trips in the morning peak hour associated with the Special Exception use, 117 vehicle trips in the mid-day peak hour associated with the Special Exception use and 139 vehicle trips in the evening peak hour associated with the Special Exception use.

Table 6, below, summarizes data from Maryland State Highway Administration (SHA)¹ Average Annual Weekday Traffic (AAWDT) and Average Annual Daily Traffic (AADT) as a comparison of traffic volumes along Rockville Pike on weekdays and weekends.

The AADT of roadway segments in the study area vicinity are generally 6% lower when compared to the AAWDT (which does not include Saturday and Sunday). When calculated as average weekend daily traffic, all study area roadway segments observe daily volumes that are significantly lower than weekday values, indicating there is capacity on the roadways to handle the Saturday site-generated trips as conditioned.

Table 6: Comparison of AAWDT and AADT at Study Area Intersections

Roadway	Segment	2019 AAWDT	2019 AADT	% of AAWDT	2019 Average Weekend Daily Traffic	Weekday Vs. Weekend Difference
Rockville Pike	I-495 to Strathmore Ave	58,501	55,191	6%	46,916	+ 11,585
Rockville Pike	Alta Vista Road to I-495	63,291	59,711	6%	50,761	+ 12,530
Rockville Pike	Cedar Lane to Alta Vista Road	57,961	54,681	6%	46,481	+ 11,480
Grosvenor Lane	Rockville Pike to Cheshire Drive	7,471	7,051	6%	6,001	+ 1,470
Grosvenor Lane	Off-ramp from NB Rockville Pike	10,025	9,455	6%	8,030	+ 1,995
Pooks Hill Road	Rockville Pike to Roadway End	8,891	8,081	9%	6,056	+ 2,835
W Cedar Lane	Cedarcrest Drive to Rockville Pike	12,371	11,671	6%	9,921	+ 2,450
Cedar Lane	Rockville Pike to Parkwood Drive	14,555	13,725	6%	11,650	+ 2,905

Source: Gorove Slade Supplemental Traffic Memo, November 12, 2020

Summer Camp

The Applicant proposes offering a Summer Camp on the Subject Property outside of the Academic Program offered during the fall and spring semesters. The hours of the camps will extend from 7:00 AM to 7:00 PM and the daily enrollment will be limited to a maximum of 700 students and up to 126 staff, though participants in the Summer Camp program may include youth participants up to 18 years of age. As conditioned, once the daily summer camp enrollment reaches 150 participants, bus transport will be made available by the School and must be utilized at a rate of 25 percent of the students each day. As these capacities are comparable to the fall and spring semesters and traffic volumes are either comparable or lower in the summer, the test for vehicle adequacy in the summer is satisfied by the analysis conducted for the typical weekday trip generation.

¹ MDOT SHA publicizes the recorded traffic volumes at their AADT locators at this web address:
<https://maryland.maps.arcgis.com/apps/webappviewer/index.html?id=223148a698214294a7b43ed612a4e67d>

Standard for Evaluation (59-G-1.2.1)

A special exception must not be granted without the findings required by Article 59-G-1.2.1 of the Zoning Ordinance in effect on or prior to October 29, 2014. 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.

Staff evaluated seven criteria to identify the physical and operational characteristics of the special exception use. Those criteria are size, scale, scope, lighting, noise, traffic, and the environment. Through this evaluation, Staff determined the effects of these criteria are minimal and would not create adverse impacts sufficient to result in denial of the Application. The inherent, generic physical and operational characteristics associated with a Private Educational Institution include buildings with an institutional design dictated by licensing and building code requirements, playgrounds and athletic fields, and parking facilities. From an operational perspective, the use proposes educational activities and events, faculty and support staff, and traffic associated with transporting students and staff.

The Private Educational Institution (PEI) would be housed within an existing office/ institutional campus, which will be modified to include modest additions (i.e. Outbuildings #1 and #2, the entrance vestibule, and the parking garage vestibule) without compromising either the existing building scale or appearance.

The proposed use satisfies the Local Area Transportation Review Guidelines and will have no adverse effect on nearby roadway conditions or pedestrian facilities, after considering the frontage improvements required by MDOT SHA.

Adequate parking is provided to accommodate the parking needs of the facility and there would be no negative impacts on the adjoining residential community. The facility will be substantially distanced from the nearest residences and ample vegetative screening and buffering, much of which is protected in Category I and Category II conservation easements, is provided in the form of landscaping and fences. Noise associated with outdoor play will be limited to daytime hours during the week and will not begin prior to 8:00 AM. Parking and drive aisles on-site will exceed the minimum tree canopy requirement through the provision of 5,306 square feet of mature tree canopy. The existing generator and trash dumpster will remain unchanged as a result of the Subject Application and, as conditioned, trash collection will occur mid-day during the week to limit disruptions to the adjacent properties.

The proposed scale of the building, the access point, the internal vehicular circulation system, and the on-site parking areas shown on the site plan are operational characteristics typically associated with a Private Educational Institution. Based on the traffic analysis, the vehicular and pedestrian movement surrounding the site and on Rockville Pike would be safe, adequate, and efficient. The lighting concept, as depicted on the lighting plan, demonstrates that proposed lighting levels along the perimeter of the Property will exceed the maximum foot candles permitted under Section 59-G-1.23(h) of the Zoning Ordinance, however, the Applicant has committed to bring lighting levels into compliance prior to Certification of the Preliminary Plan. Once these lighting levels have been reduced to within acceptable limits set forth by the

Zoning Ordinance, lighting will be appropriate for the proposed use at the subject location. Outdoor play areas will not be illuminated for evening activities.

The proposed Private Educational Institution Use is consistent with all applicable standards of the R-60 Zone and satisfies all applicable requirements. Staff did not identify any non-inherent adverse impacts associated with the Subject Application.

Compatibility

The Subject Application will be in harmony with the general character of the neighborhood, considering population density, design, scale, and bulk of any new structures, intensity and character of activity, traffic and parking conditions, and number of similar uses.

The existing buildings on the Site were subject to prior Special Exception and Conditional Use approvals and found to be in harmony with the general character of the neighborhood. Alterations proposed as part of the Subject Amendment are minimal, located interior to the Site away from adjacent properties and will not be detrimental to the surrounding neighborhood. Category I and Category II Conservation Easements are proposed to protect and enhance the existing vegetated buffer while maintaining the existing visual and ecological relationship between the site and surrounding properties. The proposed use will not result in excessive concentration of special exception uses along major highway corridors, as the proposal will amend an existing special exception and not result in an increase of special exception uses. There are eight adjacent special exceptions located within the defined neighborhood, six of which are for accessory apartments. The remaining two approvals are "S-853," for a charitable or philanthropic institution, and "SE-201203," for a group daycare with an enrollment of up to 12 children.

Section 59-G-1.21. General Conditions

(a) A special exception may be granted when the Board, the Hearing Examiner, or the District Council, as the case may be, finds from a preponderance of the evidence of record that the proposed use:

1. Is a permissible special exception in the zone.

The proposed use is permitted by special exception in the R-60 zone.

2. Complies with the standards and requirements set forth for the use in Division 59-G-2. The fact that a proposed use complies with all specific standards and requirements to grant a special exception does not create a presumption that the use is compatible with nearby properties and, in itself, is not sufficient to require a special exception to be granted.

As conditioned, the proposed special exception satisfies the standards and requirements for approval of a Private Educational Institution special exception. Further analysis is provided below under the development standards associated with Section 59-G-1.23 and 59-G-2.19.

3. Will be consistent with the general plan for the physical development of the District, including any master plan adopted by the Commission. Any decision to grant or deny a special exception must be consistent with any recommendation in a master plan regarding the appropriateness of a special exception at a particular location. If the Planning Board or the Board's technical staff in its report on a special exception concludes that granting a particular special exception at a particular location would be inconsistent with the land use objectives of the applicable master

plan, a decision to grant the special exception must include specific findings as to master plan consistency.

The Master Plan supports the continued existence of the R-60 zone for the Subject Property and surrounding neighborhood. The use is intended to serve the community and meets the Master Plan objectives. Private Educational Institutions are allowed by Special Exception in the R-60 zone, and the Master Plan specifically recommends that the FASEB Private Educational Institution should continue the existing use because it is considered a long-term, stable use¹ that is viewed as a community resource. Aside from supporting the continued use of the Site as a Private Educational Institution, the Master Plan does not have any site-specific recommendations for the Subject Property.

The Subject Application, although different from FASEB's historic use of the Site, continues to meet the overall vision of the Master Plan by bringing a long-term, stable "Private Educational Institution" use to the Site and retains the existing vegetation located along Rockville Pike and the Site periphery. This vegetation helps screen the Special Exception use from the adjacent residential neighborhood and reinforces the "green boulevard" character of Rockville Pike. Additionally, the current proposal calls for this vegetation, and any supplemental/replacement landscape or variance mitigation plantings, to be protected in Category I and Category II Conservation Easement. The incorporation of plantings within easements along the site boundaries, allows for the removal of any non-native, invasive plantings and will help the vegetation continue to grow healthily and remain in place despite the proposed change in use of the site.

- 4. Will be in harmony with the general character of the neighborhood considering population density, design, scale and bulk of any proposed new structures, intensity and character of activity, traffic and parking conditions and number of similar uses. The Board or Hearing Examiner must consider whether the public facilities and services will be adequate to serve the proposed development under the Growth Policy standards in effect when the special exception application was submitted.**

The use will be in harmony with the neighborhood considering these criteria. The French School will utilize existing structures on the Subject Property, with minor modifications to the grounds, to accommodate the needs of the Private Educational Institution (Primary School) use. The design, scale and bulk of the existing buildings were found to be compatible with the surrounding neighborhood through previous special exception approvals for the Subject Property.

Because of the topography of the Site, the surrounding neighborhood will not have adverse impacts associated with the intensity and character of activity of the proposed use. The new outdoor play areas and athletic field will be situated in areas adjacent to the existing building and screened from adjacent properties by vegetation. The majority of the Site's existing green space will be retained, and further protected by proposed Conservation Easements, to maintain its existing condition. Removal of the existing driveway onto Alta Vista Terrace will further limit impacts to the surrounding community.

- 5. Will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or the general neighborhood at the subject site, irrespective of any**

¹ The former FASEB campus had been in operation for over 30 years at the time the 1990 Master Plan was adopted.

adverse effects the use might have if established elsewhere in the zone.

As conditioned, the proposed Private Educational Institution will not cause detrimental impacts to the surrounding properties or the general neighborhood. The trip generation and intersection capacity analysis associated with the proposed development are within acceptable limits. Landscaping, consisting of a significant number of plant materials, required setbacks, well organized site layout, building orientation, and efficient on and near site circulation patterns will provide adequate screening and buffering of the proposed use and activities from adjoining properties and roads while at the same time providing an environment that is sensitive to the existing residential nature of the surrounding area. The existing screening and buffering will now be maintained and protected by Category I and Category II Conservation Easements, which serve to enhance and maintain the existing condition. Thus, the modification will not result in the use being detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or the general neighborhood.

- 6. Will cause no objectionable noise, vibrations, fumes, odors, dust, illumination, glare, or physical activity at the subject site, irrespective of any adverse effects the use might have if established elsewhere in the zone.**

As conditioned, the proposed use will not cause objectionable noise, vibrations, fumes, odors, dust, illumination, glare, or physical activity on the Subject Property. The use will be adequately screened from the views of neighboring properties, will generate minimal noise, and have minimal lighting and glare once the lighting plan is brought into conformance with standard set forth in Section 59-G-1.23(h) the Zoning Ordinance, which limits lighting to 0.1 foot candles at the property line. There will be no significant traffic impact from the proposed use. The proposed outdoor play areas are located a minimum of 40-feet from the Site's property line and screened with Landscaping around the Site periphery. Outdoor play will be limited to weekdays and will not commence before 8:00 AM.

- 7. Will not, when evaluated in conjunction with existing and approved special exceptions in any neighboring one-family residential area, increase the number, intensity, or scope of special exception uses sufficiently to affect the area adversely or alter the predominantly residential nature of the area. Special exception uses that are consistent with the recommendations of a master or sector plan do not alter the nature of an area.**

Staff has identified eight special exception and conditional use approvals within the defined neighborhood, six of which are residential for accessory apartments. The remaining two approvals are "S-853," for a charitable or philanthropic institution, and "SE-201203," for a group daycare with an enrollment of up to 12 children.

The proposed Special Exception will modify an existing special exception and will therefore not increase the number, intensity, and scope of approved special exceptions and conditional uses in the area enough to affect the area adversely or alter its residential nature. As a Private Educational Institution (Primary School) use, the use and location adjacent to an established residential community is consistent with many comparable public elementary schools in the County.

- 8. Will not adversely affect the health, safety, security, morals or general welfare of residents, visitors or workers in the area at the subject site, irrespective of any adverse effects the use might have if established elsewhere in the zone.**

As conditioned, the proposed Special Exception will not adversely affect the health, safety, security, morals or welfare of residents, visitors or workers in the area.

9. **Will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public facilities.**
- (A) **If the special exception use requires approval of a Preliminary Plan of subdivision, the Planning Board must determine the adequacy of public facilities in its subdivision review. In that case, approval of a Preliminary Plan of subdivision must be a condition of granting the special exception.**

As conditioned, the Special Exception is subject to approval of a subsequent Preliminary Plan of Subdivision. The adequacy of public facilities will be determined by the Planning Board at that time.

- (B) **If the Special Exception:**
- i. **does not require approval of a new Preliminary Plan of subdivision; and**
 - ii. **the determination of adequate public facilities for the site is not currently valid for an impact that is the same as or greater than the Special Exception's impact;**
- Then the Board of Appeals or the Hearing Examiner must determine the adequacy of public facilities when it considers the Special Exception application. The Board of Appeals or the Hearing Examiner must consider whether the available public facilities and services will be adequate to serve the proposed development under the Growth Policy standards in effect when the application was submitted.**

The Special Exception use is subject to approval of a future Preliminary Plan of Subdivision, and the adequacy of public facilities will be determined by the Planning Board at that time. Based upon the traffic analysis submitted with the Subject Application, the Applicant has demonstrated that sufficient transportation capacity exists to serve the proposed Special Exception use.

- (C) **With regard to public roads, the Board or the Hearing Examiner must further find that the proposed development will not reduce the safety of vehicular or pedestrian traffic**

The proposed use will be adequately served by existing public facilities. The Local Area Transportation Review (LATR) Guidelines require that a traffic study be performed if the use generates 50 or more peak hour person trips. Based on the information contained in the Traffic Study submitted by the applicant, the site would generate 170 net new morning peak hour vehicle trips, 4 net new afternoon school peak period vehicle trips, and a net reduction of 20 evening peak period vehicle trips¹ when compared to the existing office use.

Access to the Site will be provided by a consolidated driveway from Rockville Pike (MD 355) and associated acceleration/ deceleration lanes, in accordance with direction from MDOT

¹ Trip generation was estimated based on transportation survey data provided by the French International School. The data accounts for travel modes, travel times (before- and after-care), and the number of siblings enrolled. From this data a private vehicle rate per-student was determined. As the auto-driver trips were based on actual user data rather than the ITE Trip Generation Manual, as is typically required by the 2017 LATR Guidelines, the vehicle rates were not adjusted for the policy area. This represents a more accurate and conservative estimate of trips generated by the Site and was approved by Staff at the time of scoping the transportation impact study.

SHA. The proposed access point and on-site vehicular and pedestrian circulation system shown on the site plan are adequate. As conditioned, there is adequate capacity to support the proposed use and the Private Educational Institution will not reduce the safety of vehicular or pedestrian traffic.

- (b) Nothing in this Article relieves an applicant from complying with all requirements to obtain a building permit or any other approval required by law. The Board's finding of any facts regarding public facilities does not bind any other agency or department, which approves or licenses the project.**

No finding is required.

Development Standards

59-G-1.23 General Development Standards

(a) Development Standards.

Special exceptions are subject to the development standards of the applicable zone where the special exception is located, except when the standard is specified in Section G-1.23 or in Section G-2.19.

The proposed special exception use meets the Development Standards for the R-60 zone, as modified through Board of Appeals Case A-5599. The Lot was platted in 2002 as an irregularly-shaped 11.20 acre site. The following table summarizes the property development standards for the proposed use and development.

Table 7: R-60 Zone Data Table		
	Required/ Approved	Proposed
Lot Area (SF/ Acres)	6,000 SF (0.14)	488,247 SF (11.20)
Yard Requirements		
Main Building		
Front (Rockville Pike)	25 feet (min.)	107 feet
Side	One side: 8 feet (min.)	122 feet (min.); 52 feet (min.)
Rear	20 feet (min.)	77 feet (min.)
Building Height		
Main Building(s)	35 feet (max.)	56' 7" (existing) ¹
Accessory Building(s)⁴	20 feet (max.)	12 feet
Building Coverage	35% (max.)	13.3% (65,172 square feet)
Parking		
Vehicle	126 spaces (min.) ²	281 spaces
Bicycle	7 spaces	15 spaces
Loading	1	1

¹ As approved by Variance A-5599.

² 1 space for each staff member on the largest shift.

The proposed building complies with the development standards of the R-60 Zone, as amended through Variance A-5599, which modified the setback and building height requirements for the existing building.

(b) Parking requirements.

Special exceptions are subject to all relevant requirements of Section 59-E 2.83 and 59-E 2.81 of the Zoning Ordinance.

The provisions of Section 59-E-2.83 state:

Parking and Loading facility standards apply to an off-street parking facility for a special exception use that is located in a one-family residential zone if 3 or more parking spaces are provided. These standards are intended to mitigate potential adverse visual, noise, and environmental impacts of parking facilities on adjacent properties. In addition, these requirements improve the compatibility and attractiveness of parking facilities, promote pedestrian-friendly streets, and provide relief from unshaded paved areas. These provisions are as follows:

Location. Parking facilities must be located to maintain a residential character and a pedestrian-friendly street orientation.

The existing 216 space parking garage was reviewed and approved as part of the original Special Exception approval, as amended, for the Subject Property. As part of the previous review, the height, scale, and massing of the new parking structure were reviewed and found to be compatible with the surrounding neighborhood and adjacent residential properties. As part of the Subject Application, the Applicant seeks to use approximately 48 surface parking spaces placed around the Site's internal driveway. As a result of the Subject Application, the Site will have up to 281 vehicular parking spaces located on the Site in a manner that promotes compatibility with properties in the adjacent residential zone and allows for pedestrian-friendly circulation.

Setbacks. Each parking and loading facility, including each entrance and exit driveway, must be set back a distance not less than the applicable building front and rear yard and twice the building side yard required in the zone.

The Applicant is proposing a total of up to 281 parking spaces for the proposed use. The parking facility will be located primarily within the existing four-story parking structure, however, the existing internal drive aisle will be located within the (northern) side setback, as it is today¹, and a portion of the reconstructed drive aisle will be located within the rear yard setback. The Applicant has requested a waiver from Section 59-E-4.5 of the Zoning Ordinance, from the parking standards with respect to rear yard setbacks to accommodate the reconstructed drive aisle. Staff supports the requested waiver as the drive aisle will be screened from the adjacent single family residential property by vegetation and topography.

Parking Facilities within or adjoining residential zones - Section 59-E-2.81(a)

The Applicant has requested a waiver from Section 59-E-2.81 (a) of the Zoning Ordinance, which states, "parking spaces and drive lanes for a parking facility located in a residential zone must be setback from property line a distance equal to the applicable setback required for the property adjoining the parking facility." Based on this provision the setback for the parking facility and entrance driveway would be determined by the required rear yard setback of 20 feet in the R-60 Zone. The applicant has requested a waiver of 25 feet from the rear yard setback.

¹ The location of the existing driveway along the northern property line was approved by the Board of Appeals in 1977 through Case No. S-562 (Attachment A, page A-79).

In the existing condition, as the Site is developed today, the drive aisle is located approximately 10 feet from the rear property line adjoining the adjacent residential property. Although this drive aisle is being reconstructed and slightly modified, the future condition, as proposed by the Subject Application, is largely consistent with the existing condition. The parking facility will be screened through the use of vegetation. Staff supports the waiver.

Screening. Each parking and loading facility, including driveway and dumpster areas, must be effectively screened from all abutting lots. Screening must be provided in a manner that is compatible with the area's residential character. Screening must be at least 6 feet high, and must consist of evergreen landscaping, a solid wood fence, a masonry wall, a berm, or a combination of them. Along all street rights-of-way, screening of any parking and loading facility must be at least 3 feet high and consist of evergreen landscaping, a solid wood fence, or masonry wall.

The parking and loading facility will be used largely in its existing condition and has been sited away from the street right-of-way and designed to be effectively screened from abutting lots through the use of a mix of ornamental, evergreen and shade trees, and shrubs, and perennials.

Shading of paved areas. Trees must be planted and maintained throughout the parking facility to ensure that at least 30 percent of the paved area, including driveways, are shaded. Shading must be calculated by using the area of the tree crown at 15 years after the parking facility is built.

Based on the 30% requirement set forth in the Zoning Ordinance, the Site requires a minimum of 5,208 square feet of canopy coverage. The Applicant proposes 10 trees with mature canopy sizes of 26 feet in diameter for each tree. Based on this provision, parking and drive aisles on-site will exceed the minimum tree canopy requirement through the provision of 5,306 square feet of mature tree canopy.

Compliance Requirement. For any cumulative enlargement of a surface parking facility that is greater than 50% of the total parking area approved before May 6, 2002, the entire off-street parking facility must be brought into conformance with this Section. An existing surface parking facility included as part of a special exception granted before May 6, 2001 is a conforming use.

Not applicable to the proposed special exception use as the parking facility associated with this Application is existing and minor modifications to the drive aisle will not enlarge the existing surface parking facility.

(c) Minimum frontage. "In the following special exceptions, the Board may waive the requirements for a minimum frontage at the street line if the Board finds that the facilities for ingress and egress of vehicular traffic are adequate to meet the requirements of section 59-G-1.21: (1) Rifle, pistol and skeet-shooting range, outdoor..."

Not applicable to the proposed special exception use.

(d) Forest conservation. If a special exception is subject to Chapter 22A, the Board must consider the preliminary forest conservation plan required by that Chapter when approving the special exception

application and must not approve a special exception that conflicts with the preliminary forest conservation plan.

The proposed project is subject to the Montgomery County Forest Conservation Law (Chapter 22A of the Code) and was reviewed and recommended for approval as part of this application through Forest Conservation Plan S-862-C.

(e) Water quality plan.

Not applicable, the property is not in a Special Protection Area (SPA).

(f) Signs. The display of a sign must comply with Article 59-F.

The proposed Special Exception use proposes two illuminated freestanding signs along Rockville Pike, one wall-mounted sign on the eastern façade of the East Wing building, two signs mounted above the main entrances to the Lee Building and freestanding wayfinding signage located throughout the campus. These signs exceed limitations on illumination and exceed both the maximum quantity and maximum size requirements set forth in Section 59-F-4.2.(a), "Sign requirements by zone," and will require sign variances by the County Sign Review Board following approval of the Subject Special Exception Application. Given the size of the campus, the limited visibility into the Site from adjacent residential properties, and relationship between the site frontage on Rockville Pike with that roadway, Staff supports the future sign variance, as requested by the Applicant, and assuming it comports with the description herein.

(g) Building compatibility in residential zones. Any structure that is constructed, reconstructed, or altered under a special exception in a residential zone must be well related to the surrounding area in its siting, landscaping, scale, bulk, height, materials, and textures, and must have a residential appearance where appropriate. Large building elevations must be divided into distinct planes by wall offsets or architectural articulation to achieve compatible scale and massing.

The scale and bulk of the proposed building additions are minimal and will contribute to the existing institutional appearance of the campus. These additions are the 768 square foot Outbuilding #1, 264 square foot Outbuilding #2, 130 square foot entrance vestibule, 377 square foot stairwell penthouse, and 463 square foot parking garage breezeway. In total, these additions represent a modest increase of 2,002 square feet of new development on the Site.

(h) Lighting in residential zones. All outdoor lighting must be located, shielded, landscaped, or otherwise buffered so that no direct light intrudes into an adjacent residential property. The following lighting standards must be met unless the Board requires different standards for a recreational facility or to improve public safety: (1) Luminaires must incorporate a glare and spill light control device to minimize glare and light trespass; (2) Lighting levels along the side and rear lot lines must not exceed 0.1 foot candles.

As conditioned, the Special Exception use will have minimal lighting and glare once the lighting plan is brought into conformance with standard set forth in Section 59-G-1.23(h) the Zoning Ordinance, which limits lighting to 0.1 foot candles at the property line.

The lighting concept, as depicted on the lighting plan, demonstrates that lighting levels along the northern perimeter of the Property will exceed the maximum foot candles permitted under Section 59-G-1.23(h) of the Zoning Ordinance, however, the Applicant has committed to bring lighting levels into compliance

prior to Certification of the Preliminary Plan. Once these lighting levels have been reduced to within acceptable limits set forth by the Zoning Ordinance, lighting will be appropriate for the proposed use at the subject location.

Section 59-G-2.19. Educational Institutions, Private.

(a) Generally. A lot, tract or parcel of land may be allowed to be used for a Private Educational Institution if the board finds that:

- i. the Private Educational Institutional use will not constitute a nuisance because of traffic, number of students, noise, type of physical activity, or any other element which is incompatible with the environment and character of the surrounding neighborhood;
- ii. except for buildings and additions completed, or for which a building permit has been obtained before (date of adoption [April 2, 2002]), the Private Educational Institution must be in a building architecturally compatible with other buildings in the surrounding neighborhood, and, if the Private Educational Institution will be located on a lot, tract, or parcel of land of 2 acres or less, in either an undeveloped area or an area substantially developed with single-family homes, the exterior architecture of the building must be similar to a single-family home design, and at least comparable to any existing homes in the immediate neighborhood;
- iii. the Private Educational Institution will not, in and of itself or in combination with other existing uses, affect adversely or change the present character or future development of the surrounding residential community; and
- iv. the Private Educational Institution must conform with the following standards in addition to the general development standards as specified in Section G-1.23:

a) Density—The allowable number of pupils per acre permitted to occupy the premises at any one time must be specified by the Board considering the following factors:

1. Traffic patterns, including:
 - a. Impact of increased traffic on residential streets;
 - b. Proximity to arterial roads and major highways;
 - c. Provision of measures for Transportation Demand Management as defined in Section 42A-21 of the Montgomery County Code;
 - d. Adequacy of drop-off and pick-up areas for all programs and events, including on-site stacking space and traffic control to effectively deter queues of waiting vehicles from spilling over onto adjacent streets; and
2. Noise or type of physical activity;
3. Character, percentage, and density of existing development and zoning in the community;
4. Topography of the land to be used for the special exception; and
5. Density greater than 87 pupils per acre may be permitted only if the Board finds that (i) the program of instruction, special characteristics of students, or other circumstances justify reduced space and facility requirements; (ii) the additional density will not adversely affect adjacent properties; (iii) additional traffic generated by the additional density will not adversely affect the surrounding streets.

The Application proposes a maximum of 700 students, which equates to approximately 62.5 pupils per acre. This impact is less than the maximum theoretical zoning capacity (87 pupils per acre) set forth in the Zoning Ordinance and the Applicant has demonstrated that the density will not adversely affect the adjacent residential properties.

The Special Exception will not constitute a nuisance because of traffic, number of students, noise, type of physical activity, or any other element which is incompatible with the environment and character of the surrounding neighborhood. As conditioned, the Private Educational Institution will enter into a Transportation Management Plan (TMP) with the Planning Board and will operate a robust bus service to limit impacts to the public street network. The TMP will specifically identify strategies to mitigate Site generated trips and set expectations for annual reporting.

The facility will be substantially distanced from the nearest residences and ample vegetative screening and buffering is provided in the form of landscaping and fences. Noise associated with outdoor play will be limited to daytime hours during the week and will not begin prior to 8:00 AM.

- b) Buffer—All outdoor sports and recreation facilities must be located, landscaped or otherwise buffered so that the activities associated with the facilities will not constitute an intrusion into adjacent residential properties. The facility must be designed and sited to protect adjacent properties from noise, spill light, stray balls and other objectionable impacts by providing appropriate screening measures, such as sufficient setbacks, evergreen landscaping, solid fences and walls.**

The new outdoor play areas and athletic field will be situated in areas that are centered on the Site adjacent to the existing building and screened from adjacent properties by vegetation which will be protected proposed Category I and Category II Conservation Easements. The outdoor play areas will not be illuminated or used for competitive or interscholastic events. Additionally, outdoor play will not begin prior to 8:00 AM. The majority of the Site's existing green space will be retained to maintain its existing condition. The new playing field will be installed with a five-foot high chain link fence and 15-foot high ball netting to ensure stray balls from the outdoor play areas are not directed onto adjacent properties.

- (b) 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,**
- ii. art education programs,**
- iii. artistic performances,**
- iv. indoor and outdoor recreation programs, or**
- v. summer day camps,**

The Board must find, in addition to the other required findings for the grant of a Private Educational Institution special exception, that the activities 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. In evaluating traffic impacts on the community, the Board must take into consideration the total cumulative number of

expected car trips generated by the regular academic program and the after school or summer programs, whether or not the traffic exceeds the capacity of the road. A transportation management plan that identifies measures for reducing demand for road capacity must be approved by the Board. The Board may limit the number of participants and frequency of events authorized in this section.

The Subject Special Exception application proposes an enhanced curriculum, in addition to Academic School Days, which includes:

- a. Supplemental Language Classes (“Saturday School”)
Supplemental Language Classes may be offered on Saturdays from 8:30 AM to 5:00 PM, with maximum daily enrollment not to exceed 700 students¹ and up to 50 staff. Once daily enrollment reaches 150 students, at least 25% of the participants must utilize the busing service;
- d. Summer Camp
A Summer Camp program with a maximum daily enrollment of up to 700 students and up to 126 staff, Monday through Friday from 7:00 AM to 7:00 PM, during the French International School’s summer break. Once daily enrollment reaches 150 participants, at least 25% of the participants must utilize the busing service Summer Camp enrollment may include youth participants up to 18 years of age;
- e. Special Events occurring outside Academic School Days
Typical Academic School Days, defined as Monday – Friday from 7:00 AM to 7:30 PM, may be supplemented with Special Events provided the arrival and departure of participants and staff does not coincide with either the weekday morning peak travel period (6:30 AM – 9:30 AM) or weekday evening peak travel period (4:00 PM – 7:00 PM). Examples of such Special Events include, but are not limited to:
 - xii. Language Conferences (limited to five occurrences per calendar year with a maximum enrollment of 100 participants);
 - xiii. Back to School Night;
 - xiv. Admissions Open House;
 - xv. Grandparent’s Day;
 - xvi. Kindergarten and Fifth Grade Graduations;
 - xvii. Parent-Teacher Meetings;
 - xviii. Information Meetings for Major School Trips;
 - xix. International Meal Evenings;
 - xx. Year-End Chorale;
 - xxi. School Community Picnic; and
 - xxii. Fundraising Events.

As conditioned, these activities 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 Applicant’s submitted materials included an evaluation of site generated traffic and found the proposed Private Educational Use to be supported by adequate public facilities. Further, as described in this staff report, the lighting, parking, and noise generated by the use will not have adverse effects on the surrounding neighborhood.

¹ Supplemental Language Class enrollment is not limited to students currently enrolled in the French School academic program.

(c) Programs Existing before April 22, 2002.

- 1. Where previously approved by the Board, a Private Educational Institution may continue the operation of (i) tutoring and college entrance exam preparatory courses, (ii) art education programs, (iii) artistic performances, (iv) indoor and outdoor recreation programs, or (v) summer day camps, whether such programs include students or non-students of the school, if the number of participants and frequency of events for programs authorized in 59-G-2.19(b) are established in the Board's approval.**
- 2. Where not previously approved by the Board, such programs may continue until April 22, 2004. Before April 22, 2004, the underlying special exception must be modified to operate such programs, whether such programs include students or non-students of the school. The Board may establish a limit on the number of participants and frequency of events for authorized programs.**

In accordance with this Section, and as described in the analysis of Section 59-G-2.19., above, the Applicant has requested approval to host an enhanced curriculum in addition to Academic School Days. As conditioned, there is adequate capacity to support the enhanced curriculum activities and Staff has determined that these activities are consistent with the Private Educational Institution use.

(d) Site plan.

- 1. In addition to submitting such other information as may be required, an applicant shall submit with his application a site plan of proposed development. Such plan shall show the size and shape of the subject property, the location thereon of all buildings and structures, the area devoted to parking and recreation facilities, all access roads and drives, the topography and existing major vegetation features, the proposed grading, landscaping and screening plans and such other features necessary for the evaluation of the plan.**
- 2. No special exception, building permit or certificate of occupancy shall be granted or issued except in accordance with a site plan of development approved by the Board. In reviewing a proposed site plan of development the Board may condition its approval thereof on such amendments to the plan as shall be determined necessary by the Board to assure a compatible development which will have no adverse effect on the surrounding community, and which will meet all requirements of this chapter. Any departure from a site plan of development as finally approved by the board shall be cause for revocation of the special exception, building permit or certificate of occupancy, in the manner provided by law.**

The Subject Special Exception application submitted a comprehensive application package, including a site plan, demonstrating conformance with the Zoning Ordinance and other applicable regulations. As conditioned, the Site Plan satisfies this requirement.

(e) Exemptions.

The requirements of Section G-2.19 do not apply to the use of any lot, lots or tract of land for any Private Educational Institution, or parochial school, which is located in a building or on premises owned or leased by any church or religious organization, the government of the United States, the State of Maryland or any agency thereof, Montgomery County or any incorporated village or town within Montgomery County. This exemption does not apply to any Private Educational Institution which received approval by the Board of Appeals to operate a Private Educational Institution special exception in a building or on a lot, lots or tract of land that was not owned or leased by any church or religious organization at the time the Board of Appeal's decision was issued.

Not applicable. The Subject Special Exception application is not located on a lot or tract of land owned or leased by any church or religious organization, the government of the United States, the State of Maryland or any agency thereof, Montgomery County or any incorporated village or town within Montgomery County.

(f) Nonconforming uses.

Nothing in this chapter shall prevent any existing Private Educational Institution which obtained a special exception prior to the effective date of this chapter, from continuing its use to the full extent authorized under the resolution granting the respective special exception, subject, however, to division 59-G-4 of this chapter.

Not applicable. Although the Subject Property has been the site of a Private Educational Institution use since at least 1977, the characteristics of the French International School use (a pre-K through fifth grade institution) are different from the Site's use by the Federation of American Societies for Experimental Biology (FASEB). As a result, characteristics of the Subject Application were evaluated as a modification to the previously approved Special Exception.

(g) Public Buildings.

1. A special exception is not required for any Private Educational Institution that is located in a building or on premises that have been used for a public school or that are owned or leased by Montgomery County.
2. However, site plan review under Division 59-D-3 is required for:
 - i. construction of a Private Educational Institution on vacant land owned or leased by Montgomery County; or
 - ii. any cumulative increase that is greater than 15% or 7,500 square feet, whichever is less, in the gross floor area, as it existed on February 1, 2000, of a Private Educational Institution located in a building that has been used for a public school or that is owned or leased by Montgomery County. Site plan review is not required for: (i) an increase in floor area of a Private Educational Institution located in a building that has been used for a public school or that is owned or leased by Montgomery County if a request for review under mandatory referral was submitted to the Planning Board on or before February 1, 2000, or (ii) any portable classroom used by a Private Educational Institution that is located on property owned or leased by Montgomery County and that is in place for less than one year.

Not applicable. The Subject Special Exception application is not located on vacant land owned or leased by Montgomery County or located in a building that has been used for a public school or that is owned or leased by Montgomery County.

(h) Applications filed before May 6, 2002.

Any application filed before May 6, 2002 for a Private Educational Institution special exception or modification of a Private Educational Institutional special exception must comply with the requirements of Article 59-G and Article 59-E in effect at the time the special exception was filed.

Not applicable. The Subject Special Exception application was not submitted prior to May 6, 2002.

SECTION 5: COMMUNITY ENGAGEMENT

The Applicant met with the community several times since submitting the Subject Application, including an initial set of meetings with representatives of the Maplewood Citizens Association (on February 22, 2018 and March 21, 2018), and an informal pre-filing meeting on March 8, 2018. As the review of the Subject Application progressed, the Applicant requested an indefinite continuance from the Office of Zoning and Administrative Hearings and made substantive revisions to the Subject Application in response to Staff comments. Following resolution of Staff comments, the Applicant conducted additional meetings with the community during Fall 2020.

As of the date of this Staff Report, staff received correspondence from the community (Attachment D) raising concerns about potential impacts related to transportation, outdoor play, and perimeter screening of the Private Educational Institution use. These concerns are briefly summarized below.

- **Transportation**

Correspondence expressed concern with the potential for transportation issues that may impact the Maplewood neighborhood, such as cut-through traffic, increased vehicle speed, the difficulty French School buses may have in navigating neighborhood streets, and the need to manage bus operations for the proposed Saturday School and Summer Camp.

Staff response.

- **In response to concerns that the transportation impacts of the Special Exception were not adequately analyzed:** The Applicant was required to conduct and submit a comprehensive transportation impact study (TIS), in accordance with the County's 2016-2020 *Subdivision Staging Policy* and the 2017 *Local Area Transportation Review (LATR)* Guidelines, to ensure safe site access, to analyze the net increase in trips estimated to be generated by the proposed school, and to make a finding that there are no adverse impacts to the adjacent travel network. The study was reviewed by Montgomery County Planning Staff, the Montgomery County Department of Transportation (MCDOT) and The Maryland Department of Transportation State Highway Administration (MDOT SHA). The TIS was revised and revised several times over a period of two years, as all reviewing agencies provided substantial comments. Ultimately, the TIS was approved by all agencies.

As required by the 2017 LATR, the TIS took into account existing travel conditions by conducting traffic counts, incorporated trips associated with approved but unbuilt development, and trips estimated to be generated by the proposed development. The TIS reflects a plan of operations that mandates busing for all students aged 5 and older (not participating in before- and after-school care), and for 30% of nursery school students. With these transportation management measures in place, the motor vehicle adequacy analysis indicated that the average vehicle delay along Rockville Pike, between I-495 and Pooks Hill Road, and at the two intersections studied at Old Georgetown Road would be below the congestion standard of 80 seconds during the morning and evening peak hours. Therefore, Staff determined that adequate transportation capacity exists to serve the proposed private educational institution.

In recognition of the complexity of the transportation network within the vicinity, the Applicant was also required to conduct both a queuing analysis and a weaving analysis along the Rockville Pike corridor in the vicinity of the school to identify potential back-up and safety concerns. Complying with guidance in the 2017 LATR, the Applicant submitted their evaluation, which informed the requirement for a consolidated driveway access on Rockville Pike. As you mentioned in your email, the Applicant and MDOT SHA reached an agreement on the design of the driveway which will include new acceleration and deceleration lanes to improve safety and traffic flow on Rockville Pike.

To reduce the frequency of southbound U-turns at Rockville Pike and Alta Vista Road/Bellevue Drive, the Applicant has committed to routing buses such that this turning maneuver is not necessary. Parents will receive instructions and reminders emphasizing that this turning movement should be avoided at the start of every semester, along with other traffic safety instructions.

- **In response to concerns related to vehicular speed and volume:** These concerns were referred to MCDOT staff, who explained the process for requesting, evaluating, and implementing traffic calming programs through existing MCDOT practices. Under this practice, the Maplewood Citizens Association could request that MCDOT conduct a traffic study to evaluate existing traffic conditions within the neighborhood roads and determine if the results meet the thresholds required for deployment of traffic calming infrastructure. As a matter of practice, MCDOT does not install traffic calming devices until such measures are warranted through an engineering analysis.
- **With regard to the concern that school operated shuttles may not be able to navigate neighborhood streets:** the neighborhood is comprised of public streets that are currently served by larger buses provided by the Montgomery County Public Schools. However, at the Board's direction, the Transportation Management Plan, forthcoming with the future Site Plan, could restrict bus drivers to using West Cedar Lane instead of the residential roadways.
- **In response to cut-through traffic:** Staff at the Planning Department, Department of Transportation, and State Highway Administration have been working closely with the Applicant to address traffic and safety concerns related to the Site. As conditioned, the Applicant will close access points onto the adjacent (northern) offsite parking lot and Alta Vista Terrace and will make significant improvements to the Site entrance along Rockville Pike. These improvements will direct all site generated traffic to the remaining Rockville Pike access point. Any vehicles traversing public streets between the proposed Rockville Pike campus (Subject Property) and the existing Forest Road campus will not be cut through traffic.
- **In response to concerns about the bus operations for the proposed special exception use, including Saturday School and the Summer Camp program:** the School will be required to enter into a binding Transportation Management Plan that sets forth standards for operations and busing. Details of the Transportation Management Plan, including busing and traffic operations for the Saturday and Summer programs, will be determined as part of a future Preliminary Plan application. As conditioned, the bus program will be required for the Academic School Day immediately upon opening the school and busing will be required for the Saturday School and Summer Camp programs once enrollment reaches 150 participants.
- **Outdoor Play**

Correspondence expressed concern with the potential for noise and disruption associated with outdoor play for the proposed Private Educational Institution use.

Staff response.

As conditioned, outdoor play will be limited to weekdays and will not commence before 8:00 AM. Additionally, the playing field and outdoor play areas must not have outdoor lighting, must not be used for competitive or interscholastic events, and must be generally limited to weekday daytime activities for the School and associated Summer Camp program.

- **Perimeter Screening**

Correspondence expressed a desire for maintaining the Site's perimeter screening as a means of limiting impacts of the proposed Private Educational Institution use.

Staff response.

As conditioned in Preliminary Forest Conservation Plan S862C, presented concurrently with this Special Exception Amendment, the Applicant will be placing Category I and Category II Forest Conservation Easements around the periphery of the Site. The proposed easement areas lie generally at the southern and western edges of the property, closest to the existing single family detached dwellings, and will enable the majority of the existing large trees to remain in place for years to come. In addition to these easement areas, the Site will be enhanced with additional landscaping, as shown on the submitted plans.

SECTION 6: CONCLUSION

Staff recommends approval of Special Exception Amendment S-862-C, Rochambeau, The French International School of Washington, DC., for a Private Educational Institution with a maximum enrollment of 700 students, comprised of up to 200 pre-school and up to 500 elementary (kindergarten through fifth grade), subject to the conditions recommended in this Staff Report, the Preliminary Forest Conservation Plan, and associated Tree Variance S-862-C. Staff also supports and recommends approval of the requested parking and signage waivers.

ATTACHMENTS

- A. Previous Approvals
- B. Applicant's Revised Statement of Justification, dated September 22, 2020
- C. Agency Approvals
- D. Community Correspondence