

ROCHAMBEAU, THE FRENCH INTERNATIONAL SCHOOL PRELIMINARY PLAN AMENDMENT NO. 12002079B

Description

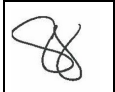
Request to convert previously approved private educational institutional office campus to 203,891 square feet of private school for up to 700 students on an existing lot and to amend the Final Forest Conservation Plan.

Preliminary Plan No. 12002079B
Completed: 07-11-2022

MCPB
Item No. 7
07-21-2022

Montgomery County
Planning Board
2425 Reedie Drive, Floor 14
Wheaton, MD 20902

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LOCATION/ADDRESS

Located at 9650 Rockville Pike

MASTER PLAN

1990 Bethesda Chevy Chase Master Plan

ZONE

R-60

PROPERTY SIZE

11.20 acres

APPLICANT

Rochambeau, the French International School of Washington, DC

ACCEPTANCE DATE

February 25, 2022

REVIEW BASIS

Chapter 50 & 59



Summary:

- This Preliminary Plan was originally approved in 2002 to allow the creation of one lot on 11.4 acres in the R-60 zone for 170,000 square feet of office space, as allowed by the Board of Appeals Case S-862-A and A-5599.
- Special Exception Amendment S862-C was approved by the Board of Appeals in August of 2021 to allow a private school for up to 700 students, comprised of 200 nursery school students and 500 elementary school students. The approval also set limits on school related activities such as Saturday School, Summer Camp, and limits the number of onsite Staff for each type of activity.
- Special Exception Amendment S862-C included a Transportation Management Plan that limits the manner in which students and faculty access the school, including mandatory bussing of students and travel routes.
- The Final Forest Conservation Plan Amendment will modify the shape of the easement, however as conditioned, will result in no net loss of the previously recorded Category II Easement (25,526 square feet). The Applicant will be required to plant up to 24 trees along the southern property line as determined in a field visit dated June 29, 2022 with Staff, Applicant, and the neighboring property owner.

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SECTION 1: RECOMMENDATIONS AND CONDITIONS

PRELIMINARY PLAN 12002079B

Staff recommends approval with conditions of the Preliminary Plan Amendment 12002079B to convert the private educational institutional use from office campus to 203,891 square feet of private school on an existing lot. All site development elements shown on the latest electronic version of the Preliminary Plan Amendment as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions. The following Condition Nos. 1, 10, 11, 12 supersede the previous conditions, and Conditions Nos. 13 through 21 are in addition to all other conditions, which remain in full force and effect:

Modified Conditions

1. ~~Limit development to an expansion of the existing office building to add an additional 40,000 square feet of office use for a total of 210,000 square feet that includes the previously approved 50,000 square foot office building currently under construction, and renovation/reconstruction of the 120,000 square foot Lee Building. The existing lot is limited to a maximum of 203,891 square feet of non-residential density for a private school for up to 700 students.~~
10. ~~The Adequate Public Facilities review for this project shall be extended to nine years pursuant to the following schedule:
Phase I— 50,000 square feet, construction complete
Phase II— 120,000 square foot renovation/reconstruction of the existing Lee Building, expiration 61 months (5 years) from the date of mailing of the Planning Board opinion
Phase III— 40,000 square feet of additional office space, expiration 109 months (9 years) from the date of mailing of the Planning Board Opinion~~
The Adequate Public Facilities (“APF”) review for the Preliminary Plan will remain valid for five (5) years from the initiation date (as defined in Montgomery County Code Section 50.4.3.J.5).
11. All applicable conditions of approval for Special Exception Cases S-862-A, A-5599, S-862-B, and A-6009, as amended, remain in full force and effect.
12. ~~Compliance with conditions of MCDPS stormwater management approval dated November 1, 2004. All prior MCDPS approvals remain in effect.~~

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”) – Water Resources Section in its stormwater management concept letter dated October 22, 2020 and reconfirmed on March 22, 2022, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.

New Conditions

13. Prior to recordation of plat, the Applicant must dedicate right-of-way necessary to provide 60 feet from the right-of-way centerline along the Site's Rockville Pike (MD 355) frontage.
14. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated May 6, 2022, and incorporates them as conditions of the Preliminary Plan approval, with the exception of the monetary contribution for a new traffic signal on Page 4 of the letter. The Applicant must comply with each of the recommendations as set forth in the letter, except for the traffic signal monetary contribution, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
15. The Planning Board has reviewed and accepts the recommendations of the Maryland State Highway Administration ("SHA") in its letter dated June 16, 2022, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MDSHA if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
16. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services ("MCDPS"), Fire Department Access and Water Supply Section in its letter dated November 20, 2020, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.
17. Prior to recordation of plat, the Applicant must receive SHA access permit for the following modal deficiencies in accordance with the 2020–2024 Growth and Infrastructure Policy. All improvements must be constructed within one year of plat recordation.
 - a. Pedestrian System Adequacy Mitigation
 - i. Upgrade an existing curb ramp to meet ADA design standards at the northwest corner of MD 355 and Pooks Hill Road.
 - ii. Improve two existing curb ramps within the median on the southern crossing with MD 355 and Pooks Hill Road to comply with ADA standards. Relocate the Accessible Pedestrian Signal (APS) to the north side of the marked crossing on the eastern side of MD 355.
 - iii. Improve four existing curb ramps (two at the southeast, one at the southwest and one at the northwest corners) at the intersection of MD 355 and S Bellevue Drive.
 - iv. Install a marked crosswalk within the pavement along the east leg of the intersection of Broad Brook Drive and MD 355.
 - v. Install an ADA accessible curb ramp on the southeastern corner of MD 355 and Broad Brook Drive, to connect with the existing bus stop at the same corner.
 - vi. Construct a sidewalk on the east side of MD 355 (Rockville Pike), between Broad Brook Drive and bus stop ID: 25512. The sidewalk will be a minimum of 5 feet wide; 4 feet minimum around pinch-points.
 - b. Bus Transit System Adequacy Mitigation

- i. Upgrade the following bus stop with an accessible bus pad (12ft by 6ft): bus stop ID: 25512 (southeast corner of Broad Brook Drive and MD 355).
- c. If, at the time the Applicant submits for permits to construct one of the required LATR Off-Site Improvements, the improvement is no longer necessary or desirable, because:
 - i) it has been constructed or is under construction by another applicant or as part of a capital improvement project by a government agency, or, ii) the applicable master plan has changed and no longer requires or suggests the improvement, the Applicant can propose an alternative LATR Off-Site Improvement from the priority list of improvements provided in the subject Staff Report that is of similar value, and this alternative improvement, if reviewed and approved by Staff, can be substituted and shown on a revised Certified Preliminary Plan.

18. FOREST CONSERVATION

- a. Prior to certification of the Final Forest Conservation Plan, the Applicant must make the following changes:
 - i. Update plans/notes to show the locations and species of the 24 supplemental landscape plantings as identified in the field on June 29, 2022;
 - ii. Delineate revised fence location to show extension as agreed in the field on June 29, 2022;
 - iii. Add list of amendment items to cover sheet.
- b. Within 30 days of the mailing of date of the Planning Board Resolution, the Applicant must record a revised Category II Conservation Easement which reflects the field adjusted utility easement; the cumulative area of the revised easement must result in no net loss of the conservation area, totaling 25,526 square feet. The new Conservation Easement agreement must be in a form approved by the M-NCPPC Office of the General Counsel and must be recorded in the Montgomery County Land Records by deed prior to recordation of the Deed of Release of Conservation Easement for the existing conservation easement.
- c. Within 60 days of the mailing of date of the Planning Board Resolution, the Applicant must submit a Deed of Release of Conservation Easement for the entirety of the previous Category II Conservation Easement recorded among the County Land Records in Book 64356, Page 10 and identified on Plat 22288 in a form approved by the M-NCPPC Office of General Counsel. The Deed of Release must be recorded in the Montgomery County Land Records. The entirety of the existing easement remains in full force and effect until the Deed of Release has been approved and recorded in the Montgomery County Land Records. The Deed of Release cannot be approved by M-NCPPC until the new easement is recorded.
- d. Within ninety (90) days of the mailing date of the Planning Board Resolution approving the amendment to the Final Forest Conservation Plan, the Applicant must submit a complete record plat application that delineates the new revised Conservation Easement and references the Book/Page of the recorded deed for the new revised

Category II Conservation Easement. The revised Record Plat must be recorded in the Montgomery County Land Records within 365 days of the Planning Board Resolution approving the amendment to the Final Forest Conservation Plan.

- e. Within 60 days of the mailing of date of the Planning Board Resolution, the Applicant must submit a new five-year Maintenance and Management Agreement (“MMA”) in a form approved by the M-NCPPC Office of General Counsel. The updated MMA is required for the additional 24 landscape plantings identified on June 29, 2022.
 - f. Within 60 days of the mailing of date of the Planning Board Resolution, the Applicant must submit financial surety, in a form approved by the M-NCPPC Office of the General Counsel, to the M-NCPPC Planning Department for the additional 24 landscape plantings identified on June 29, 2022.
19. The record plat must show necessary easements.
20. The certified Preliminary Plan must contain the following notes:
- a. *Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of issuance of building permit(s). Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.*
21. Prior to submittal of the Certified Preliminary Plan, the Applicant must make the following changes:
- a) Show resolutions and approval letters on the certified set
 - b) Include the approved Fire and Rescue Access plan in the certified set

SECTION 2: SITE DESCRIPTION

VICINITY

The Property is located on the west side of Rockville Pike, MD Route 355, just south of the Interstate 495 interchange. The surrounding area 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.

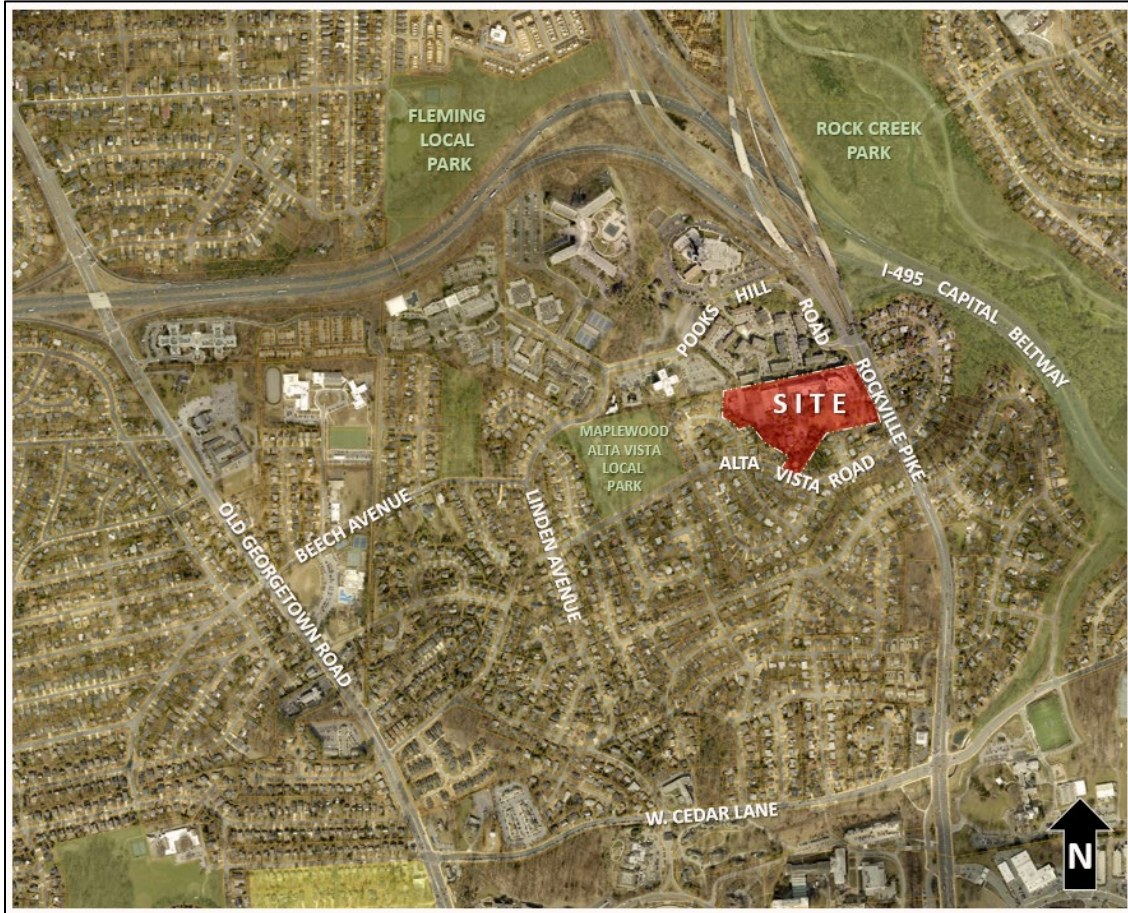


Figure 1 – Vicinity Map

PROPERTY DESCRIPTION

The subject site (“Subject Property” or “Property”) is located 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).

SITE ANALYSIS

The Property is zoned R-60 and is improved as an office campus, comprised of approximately 210,000 square feet of office uses which will be reduced to 203,891 square feet for the private school. The redevelopment for the school is currently underway, including the removal of three buildings (the residence, barn, and carriage house) and renovation and nominal enlargement of the existing office buildings associated with the recently approved Special Exception Amendment S-862-C. Several existing buildings are to remain including 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), two outbuildings totaling 1,032 square feet, and a parking garage. The Site access is currently comprised of 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 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

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.

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.

SECTION 3: PROJECT DESCRIPTION

PREVIOUS APPROVALS

SPECIAL EXCEPTION AMENDMENT S-862

The Site has served as the headquarters of the Federation of American Societies for Experimental Biology (FASEB) Beaumont 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.

On November 18, 2004, the Board of Appeals approved Case No. S-862-B to permit 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.

On August 4, 2021, the Board of Appeals approved Case No. S-862-C to allow the private educational institution to remain on the Subject Property, limited to a maximum total gross floor area of 203,891 square feet and a maximum enrollment of 700 students, comprised of 200 nursery school students and 500 elementary school students. The approval also set limits on school related activities such as Saturday School, Summer Camp, and limits the number of onsite staff for each type of activity. The approval included the removal of several existing buildings including the barn, residence, and carriage house garage.

With the latest Special Exception Amendment, the Final Forest Conservation Plan was approved, which included a Category II Easement totaling 25,526 square feet, located predominantly along the southern Property line adjacent to the single family detached neighborhood. The FFCP also required a total of 143.5 caliper inches of mitigation plantings for the removal of specimen trees, and a reforestation requirement of 0.83 acres of mitigation credit.

PRELIMINARY PLAN 120020790

In July of 2002, the Planning Board approved Preliminary Plan 120020790 to allow the creation of one lot on 11.4 acres in the R-60 zone for 170,000 square feet of office space, as allowed by the Board of Appeal Case S-862-A and A-5599. The Planning Board approved Preliminary Plan Amendment 12002079A by Resolution, dated February 15, 2006, to allow an office expansion up to 210,000 square feet as allowed by the Board of Appeal Case No. S-862-B.

PROPOSAL

The Applicant proposes to amend the previously approved Preliminary Plan to convert the existing private educational institutional use onsite from office campus to a private school, as allowed by Special Exception Case No. S-862-C. The proposal will modify and consolidate the existing access point from Rockville Pike and dedicate 20 feet towards the master planned ROW, and close an existing curb cut from Alta Vista Terrace. The Amendment will also reduce the total density onsite from previously approved 210,000 square feet to 203,891 square feet for a maximum of 700 students (the first three years are limited to 300 students).

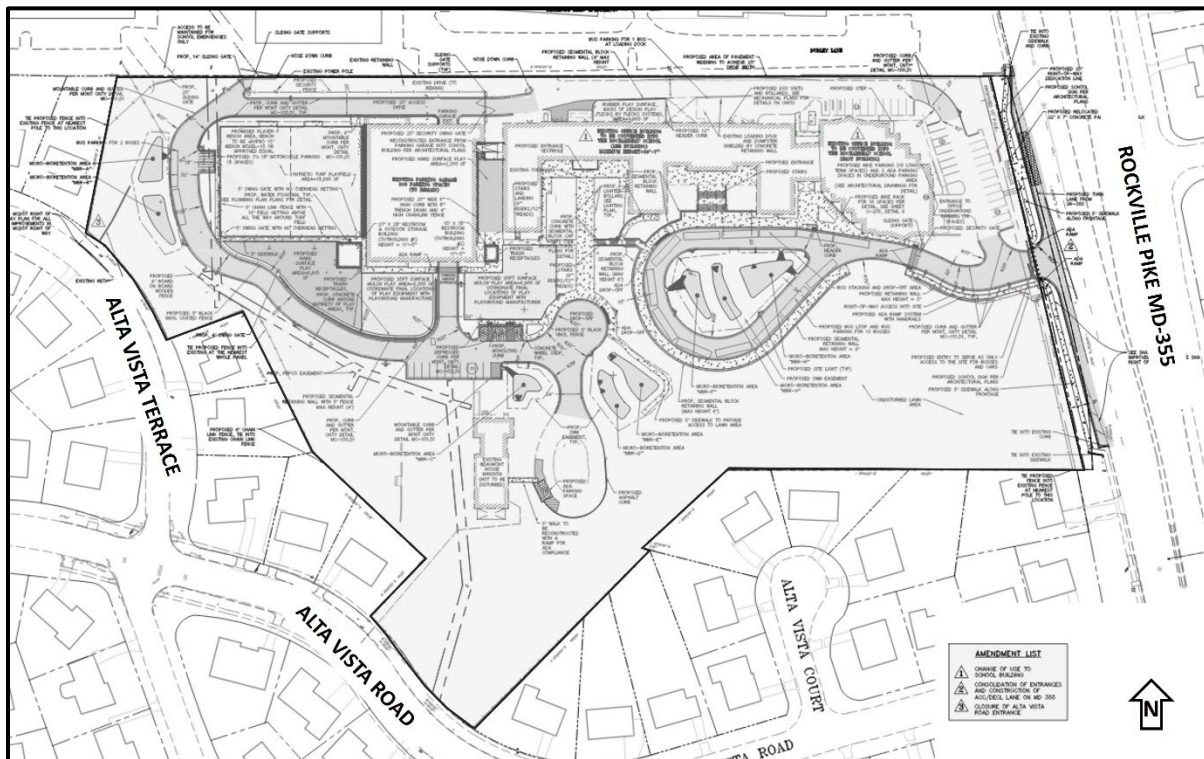


Figure 3 - Proposed Preliminary Plan 12002079B

The Preliminary Plan Amendment will also amend the previously approved Final Forest Conservation Plan to reflect changes that were required in the field subsequent to the BOA action on the Special Exception Case.

TRANSPORTATION

Access, Circulation, and Parking

The access and circulation of the Site is consistent and unchanged from what was presented at the time of Special Exception Amendment S826C. 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 4).

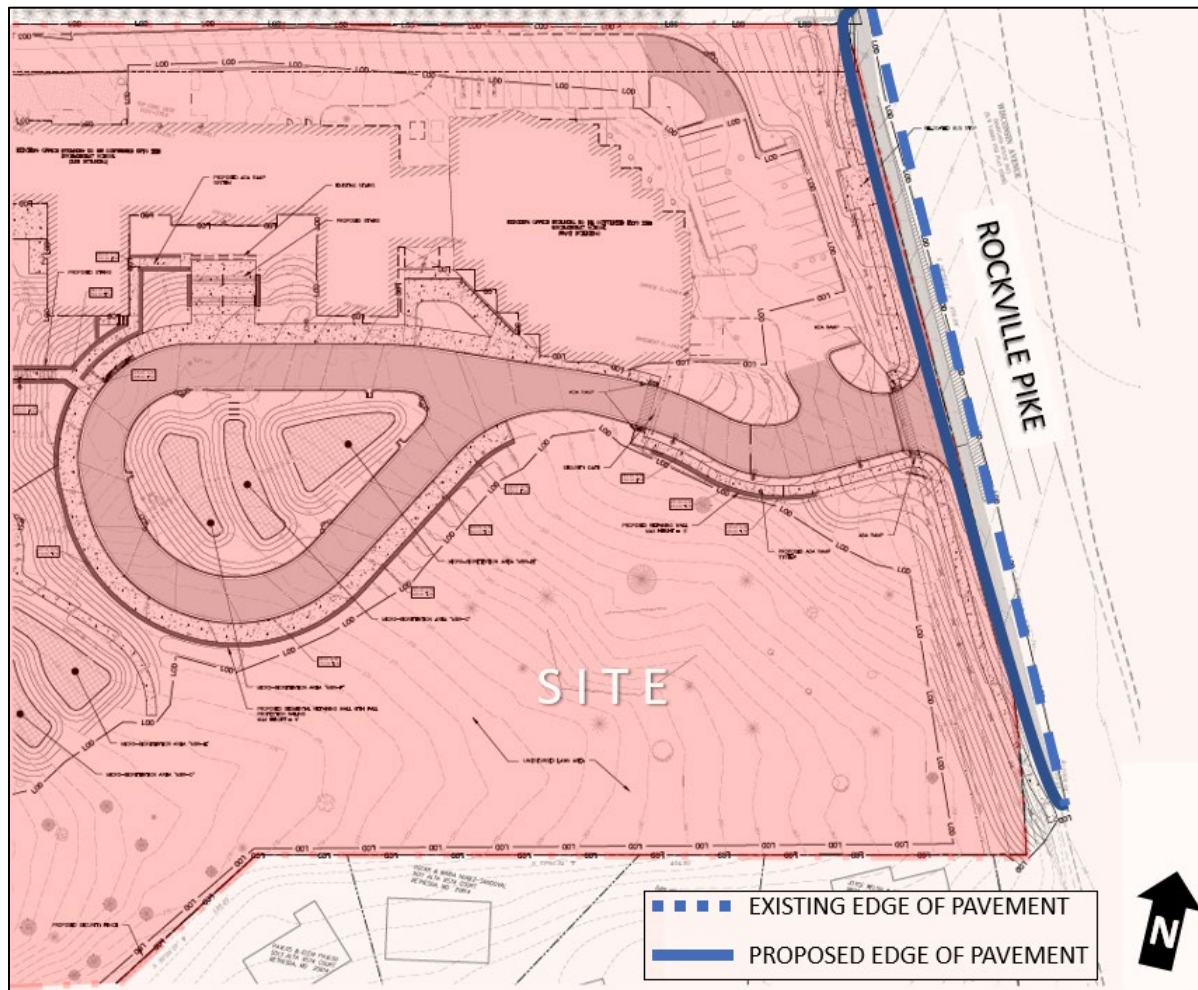


Figure 4 – Conceptual Design of Main School Driveway

At the direction of MDOT SHA, the Applicant conducted a 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 are 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 5, 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 anticipate the highest number of buses on-site during peak operations (700 students).

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.

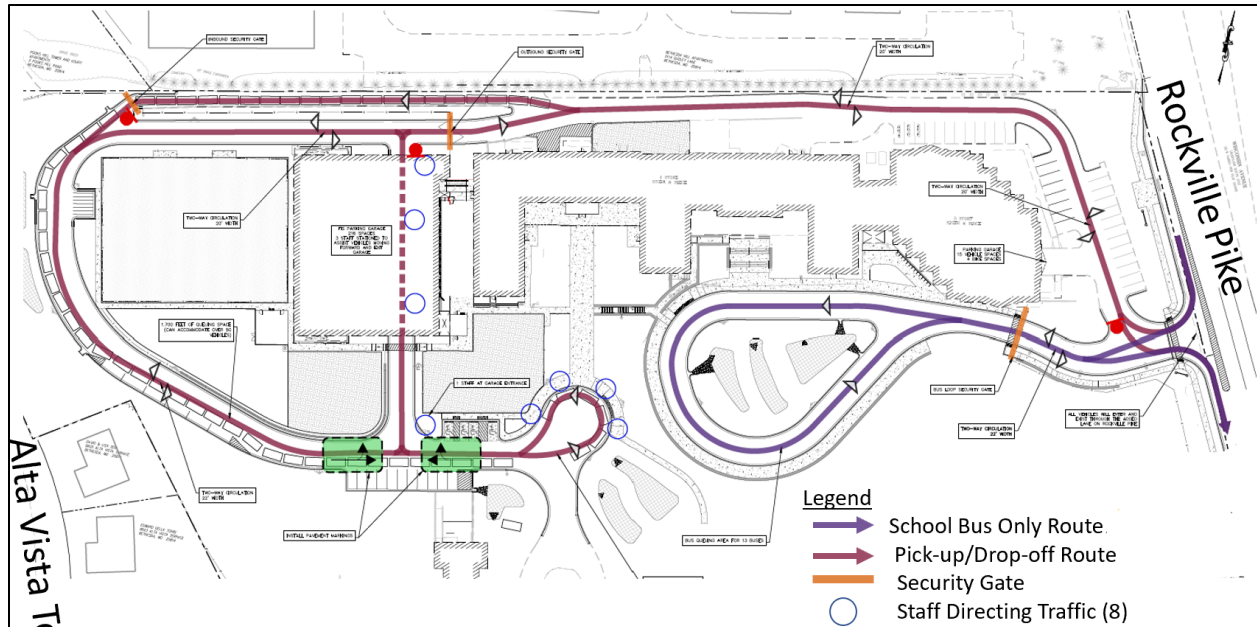


Figure 5 – Access and Circulation

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 number of vehicular spaces provided. Based on the 281 vehicular spaces, the Applicant will provide 15 long term bicycle parking spaces. 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. 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.

Update of the Transportation Impact Study

The Applicant was required to conduct a Transportation Impact Study (TIS) as part of the Special Exception Application (S-862-C). Planning, MCDOT and MDOT SHA reviewed the study and recommended approval at the Planning Board hearing for the Special Exception in January of 2021.

The Planning Board is now required to make an adequate public facilities finding for the Subject Preliminary Plan. Although the proposed enrollment and staffing levels, as well as the hours of operation are consistent with the prior approval of the Special Exception, the Applicant was directed to update the previously approved TIS to reflect the final Transportation Management Plan (approved by the Board of Appeals as part of the Special Exception S-862-C) and the County's recently adopted 2021-2024 Growth and Infrastructure Policy. As approved by the Board of Appeals, the Transportation Management Plan for the French International School identifies routes and roadways they can use to access and exit the school as well as roads that must be avoided. As such, this had implications on the trip distribution of motor vehicles assumptions that were included in the previous TIS. The Applicant reanalyzed the motor vehicle adequacy of the previously studied intersections, assuming that none of the motorists would travel on the neighborhood roadways identified in the TMP as off limits. Where necessary, signal timing and signal phasing mitigation was identified and approved by MDOT SHA. MCDOT has additional concerns about northbound traffic exiting the Site and, in their approval letter dated May 6, 2022 (Attachment C), included a recommendation that the Applicant pay a monetary contribution for the cost of a traffic signal at the Site driveway, which was analyzed but not approved by MDOT SHA. Staff is not supportive of the monetary contribution for the signal as requested by MCDOT, as the study identified that a signal at this location would cause queuing issues elsewhere on Rockville Pike (MD-355), and SHA has not expressed support for the signal on the state-owned right-of-way. More details on the motor vehicle adequacy analysis and mitigation are included in Section 4, Preliminary Plan Findings.

In accordance with the 2021-2024 Growth and Infrastructure Policy, which applies to all Preliminary Plan Applications filed after January 1, 2021, the Applicant conducted adequacy tests for pedestrian, bicyclist and transit user travel modes. The findings and final list of off-site mitigation projects are included in Section 5, Preliminary Plan Findings.

ENVIRONMENT

Violation of Special Exception S862-C

During construction of new Pepco utility poles onsite, the Applicant met in the field with an FCP inspector and Pepco staff to identify the location of the new utility poles. It was determined that 5 trees could be removed to allow the new utility lines. After the trees were removed, Staff received a complaint from the neighboring property owner regarding impacts to their property and screening. It was determined that the Pepco utility lines were constructed outside of the Pepco easement, which encroached into the existing Category II Forest Conservation Easement onsite.

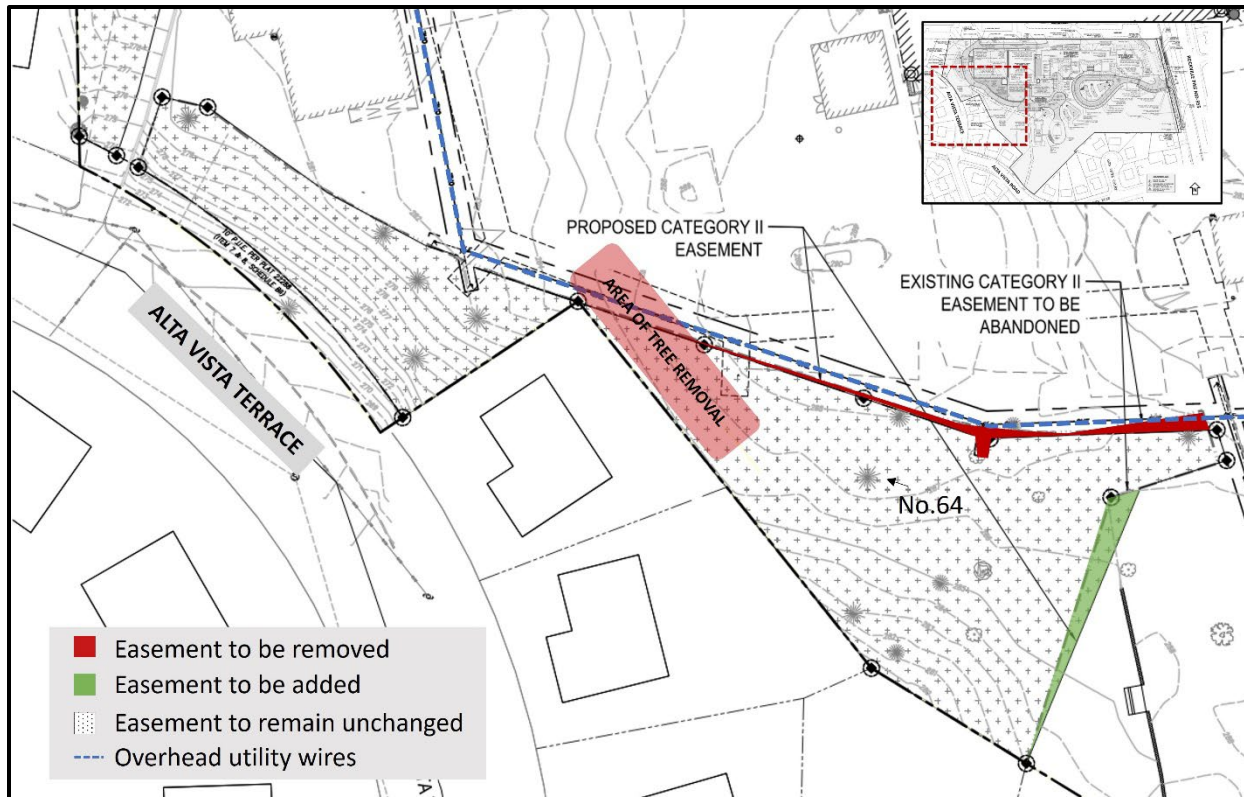


Figure 5 - Amended boundary of Category II Easement

It was determined by Department of Permitting Services that the removal of these trees at the boundary of the Site was a violation of the Landscape Plan for the associated Special Exception Approval. The approved Landscape Plan describes this area as a screening buffer with mature evergreen trees to remain.

On June 22, 2022, the Board of Appeals approved a modified Landscape Plan, which included a description of ongoing efforts with M-NCPPC Staff to provide replantings as appropriate screening for the removed evergreen trees.

The Applicant proposes to amend the Final Forest Conservation Plan to modify the boundary of the recorded Category II Easement to be adjacent to the modified utility easement, and as conditioned, there will be no net loss of the previously recorded easement totaling 25,526 square feet. In addition to the easement modification, Staff determined that replacement trees were necessary for the loss of the 5 trees. As conditioned, the Applicant will be required to plant a total of 24 trees to address the loss of the landscape buffer/screening provided by the 5 mature evergreen trees which were removed. To determine the appropriate location of these trees with respect to the adjacent single-family neighborhood, Staff met onsite with the Applicant and neighboring property owner on June 29, 2022 to stake the appropriate locations. Based on field conditions, a mixture of holly, arborvitae, red cedar, and white pine trees were chosen and staked at the appropriate locations, which will range from 6' to 8' in height. These locations were surveyed shortly after the meeting, as shown in the Applicant's

exhibit (Attachment E). As conditioned, the locations and species will be shown on the certified Final Forest Conservation Plan.

The final placement of the utility poles also required the pruning of a specimen tree, which would have required a variance to address the associated impacts. However, the Planning Board does not retroactively approve variances. In evaluating the work onsite, Staff would have been supportive of the variance to prune tree No. 64, as the impacts associated with the canopy pruning were limited and deemed necessary by PEPCO for the optimal utility location. Therefore, no further mitigation is required beyond the additional 24 replantings.

SECTION 4: PRELIMINARY PLAN 12002079B FINDINGS AND ANALYSIS

The Planning Board approved Preliminary Plan No. 120020790, opinion mailed on July 9, 2002, to create one lot on 11.4 acres on the Subject Property with conditions.

Preliminary Plan Amendment 12002079B requests to modify the Private Educational Institution from office campus to a private school. The proposed Preliminary Plan Amendment does not alter the intent of the previous findings, which remain applicable, except as modified below.

- 1. The layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59.**

a) The Lot(s) and Use comply with the basic requirements of Chapter 59

The Preliminary Plan Amendment proposes to maintain the use of the previously approved private educational institution, with a change from an office campus to a private school for up to 700 students. Private Educational Institutions are allowed as a conditional use (also known as a Special Exception under the Zoning Ordinance in effect on October 29, 2014) within the R-60 zone and must be approved by the Board of Appeals.

The latest Special Exception amendment (S862-C) was adopted by the Board of Appeals on August 4, 2021, subject to certain conditions to be enforced by the Department of Permitting Services. That conditional approval concluded that the Private Educational Institutional use conforms to the basic requirements of Chapter 59, including parking, lighting, screening, landscaping, as shown in the data table below.

Table 1: Rochambeau Preliminary Plan Data Table for R-60 Zone, Section 59.4.5.3.

Development Standard	Permitted/ Required	Approved by 12002079A	Proposed by 12002079B
Tract Area	n/a	497,044 sq ft (11.41 acres)	497,044 sq ft (11.41 acres)
Prior Dedication	n/a	8,796 (0.20 acres)	8,796 (0.20 acres)
Proposed Dedication	n/a		8,846 sq st (0.20 acres)
Site Area/min lot size	6,000 sq ft	488,247 sq ft (11.20 acres)	479,402 sq ft (11.00 acres)
Building Height	35'	57' ¹	56'7" ¹
Minimum Setbacks (ft)			
Front	25'	110'	107'
Side			
One side	8'	43'	122'
Sum of both	18'	289'	53
Rear	20'	417'	77'

¹ Building Height Variance approved per Case No. A-5599

2. The Preliminary Plan substantially conforms to the Master Plan.

a) Land Use

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 use² 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.

b) Environment

The Master Plan recommends retaining 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 Easements. 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.

c) 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

² The former FASEB campus had been in operation for over 30 years at the time the 1990 Master Plan was adopted.

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 Application 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 the *2018 Bicycle Master Plan*. Renovation of the Subject Property as a new campus for 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*.

3. *Public facilities will be adequate to support and service the area of the subdivision.*

Local Area Transportation Review

Consistent with the Special Exception Amendment S286C, the Applicant is proposing a maximum enrollment of 700 children with the Subject Preliminary Plan. The Project is estimated to generate approximately 170 peak-hour person trips in the peak travel period, and therefore a traffic study was required for interagency review at the time of Special Exception S286C.

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. It is worth noting that the Applicant was still required to study and mitigate deficiencies for non-auto driver transportation modes including pedestrians, bicyclists and transit users, per the 2021 LATR Guidelines³. The radius of study for all modes was established by the number of vehicle trips, so a tier-two study was completed for each of the non-auto transportation 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), 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 2.

*Table 2: 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, 000 SF	160	113	159
Proposed			
Students, 700 ⁴	226	40	64
Buses, 13	11	21	21
Staff/Faculty, 195 ⁵	93	56	54
Net New Trips			
	170	4	-20

Source: Gorove/Slade Transportation Impact Study dated February 20, 2020, and March 21, 2022

³ The current LATR was updated in 2022, but the Application was subject to the 2021 LATR Guidelines.

⁴ 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.

⁵ 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.

A finding was made for adequate public facilities at the time of the Special Exception Amendment S-862-C. Agency letters were issued by MDOT SHA and MCDOT approving the Transportation Impact Study (TIS), which concluded that all of the intersections studied had capacity for the enrollment proposed.

In 2021 the County Council adopted an updated Growth and Infrastructure Policy (2021-2024 GIP), which required a new TIS for all preliminary plans filed after January 1, 2021. The 2021-2024 GIP required modal adequacy tests for vehicles, pedestrians, bicyclists, and transit users for all projects estimated to generate 50 or more net new person trips during the peak hour. Additionally, MCDOT requested an updated TIS to reflect the assumptions of the Transportation Management Plan (TMP) approved with conditions by the Board of Appeals in August of 2021, which restricts vehicular access to the Maplewood residential streets to any parent or staff person who does not reside within the Maplewood neighborhood. For these reasons the Applicant submitted an updated TIS which reflected updated vehicular trip distribution per the approved TMP and new modal adequacy tests for the pedestrian, bicycle, and transit modes. A summary of the findings from all modal adequacy tests is included below.

Vehicular Modal Adequacy Analysis

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 6.

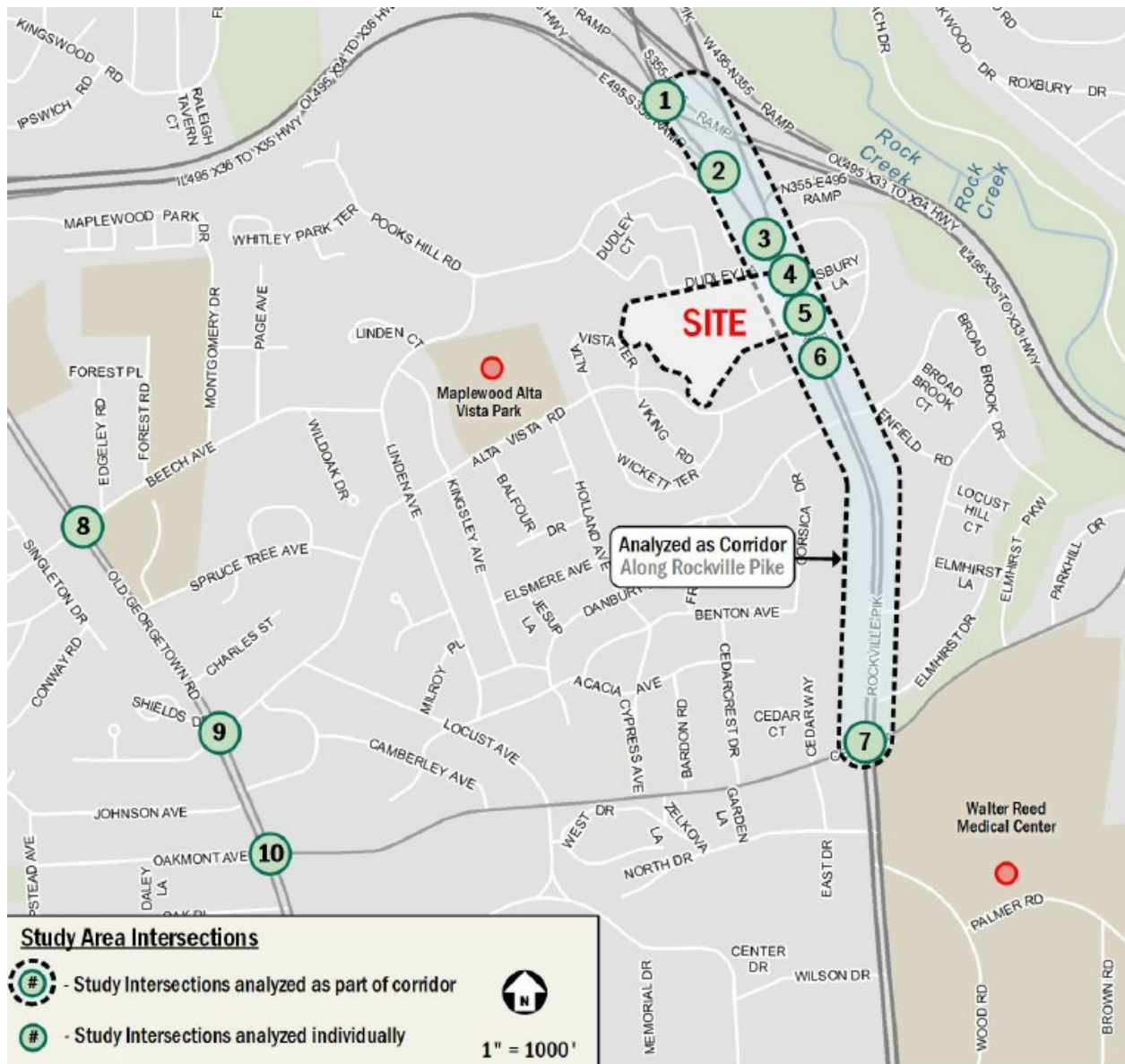


Figure 6 – Intersection Analysis Map

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 and later confirmed with the 2021-2024 Growth and Infrastructure 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 2021 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 three intersections were studied as isolated intersections. The Rockville Pike corridor and an Intersection 9 (Old Georgetown Road at Alta Vista Road) did not exceed the average vehicle delay beyond the Background Scenario, and therefore no mitigation is required at these intersections to satisfy the vehicular adequacy test. The total-future

scenario estimates an increase in average vehicle delay beyond the Background Scenario at Intersection 8 (Old Georgetown Road and Beech Avenue) and Intersection 10 (Old Georgetown Road and Oakmont Avenue and W/Cedar Lane). In accordance with the 2022 LATR Guidelines, the Applicant studied the impact of the additional trips generated by the proposed School. The Applicant determined the analyzed intersections and Rockville Pike corridor satisfy LATR requirements and meet the LATR delay standards with optimized signal timings at two (2) locations: MD 187 at Beech Avenue and MD 187 at Oakmont Avenue/W Cedar Lane. As requested by MCDOT and MDOT SHA, the Applicant also studied a scenario that incorporated a double-left turn cycle for southbound traffic on MD 355 at Cedar Lane and determined that this signal phasing adjustment would address potential queuing impacts for motorists making left turns or U-turns to travel northbound that would otherwise incur with the current signal phasing. While the double-left turn cycle for southbound traffic on MD 355 at Cedar Lane reduces southbound queueing, this intersection processes high volumes of traffic generated by developments to the south and a corridor-wide analysis that extends beyond the scope of the analysis required for the proposed Project and includes traffic signals to the south is recommended to determine if the double-left turn cycle for southbound traffic on MD 355 at Cedar Lane can be incorporated without impact to northbound traffic.

Planning, MCDOT, and MDOT SHA staff reviewed the TIS and accepted the proposed mitigation, which is now a condition of approval for the Subject Application. Therefore, as conditioned, the Subject Application satisfies the vehicle adequacy test. The detailed results of this analysis are included in Table 3.

*Table 3: 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
1-7. Rockville Pike Corridor I-270 on-ramp to Pooks Hill Road	80 seconds	10.0	13.0	12.0	34.0	25.0	29.0	43.0	27.0	32.0
8. Old Georgetown Road and Beech Avenue	80 seconds	40.5	42.6	55.4	169.0	118.8	200.3	167.4	120.4	185.3
8. With Optimized Signal Timing		--	--	--	--	--	--	--	102.1	--
9. Old Georgetown Road and Alta Vista Road	80 seconds	1.4	22.5	15.4	15.1	9.9	17.5	16.5	9.4	15.9
10. Old Georgetown Road and Oakmont Avenue and W/Cedar Lane	80 seconds	33.7	31.6	39.5	93.8	38.3	114.0	93.3	38.9	115.5
10. With Optimized Signal Timing		--	--	--	--	--	--	--	--	113.5

Source: Gorove/Slade Transportation Impact Study dated March 21, 2022

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 Day⁶. 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.

Table 6, below, summarizes data from Maryland State Highway Administration (SHA)⁷ 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.

⁶ 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.

⁷ 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>

Table 4: 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.

Pedestrian, Bicycle, and Bus Transit Adequacy Tests

In March of 2022 the Planning Board updated the Local Area Transportation Guidelines (2022 LATR) to provide guidance on establishing the maximum costs of improvements an applicant is required to construct or fund to address deficiencies identified in the review of Pedestrian System Adequacy, Bicycle System Adequacy, and Bus Transit System Adequacy. Section VIII of the 2022 LATR includes a methodology by which the extent of development determines the maximum cost of mitigation projects.

$$LATR \text{ Proportionality Guide} = \left(\frac{\text{Extent of Development}}{\text{Development}} \right) \times \left(\frac{LATR \text{ Proportionality Guide Rate}}{\text{Guide Rate}} \right) \times \left(\frac{LATR \text{ Proportionality Guide}}{\text{Adjustment Factor}} \right)$$

Source - Page 54 of the 2022 LATR

For the Subject Preliminary Plan, the maximum cost of construction for mitigation project is \$125,393. After evaluating the adequacy of each of the required transportation modes, the Applicant identified a

comprehensive list of deficiencies, by which a prioritized list of mitigation improvements was submitted to staff for review. In compliance with the 2022 LATR, the final list of six prioritized projects which could be feasibly constructed (with the addition of one back-up project, to be constructed if any of the prioritized projects are unable to be constructed), within the proportionality guidance, was finalized by the reviewing agencies and is now conditioned for approval of the Preliminary Plan. The final list of projects is included in Table 5 and a map of the projects is provided on Figure 7 below.

<i>Table 5: French International School</i> LATR Mitigation Project List			
Map ID	Project Location	Project Description	Project Cost
1	Rockville Pike & Pooks Hill Road, Pooks Hill Road crossing	Improve existing curb ramp to comply w/ ADA standards	\$14,411
2	Rockville Pike & Pooks Hill Road, Rockville Pike Crossing	Improve existing curb ramps in median to comply w/ ADA standards and relocate APS pole on east side of crossing	\$37,898
3	Rockville Pike & Bellevue Drive/Alta Vista Road	Improve existing curb ramps to comply w/ ADA standards	\$28,426
4	Rockville Pike & Broad Brook Drive (east side), N-S direction	Install marked crosswalk	\$6,450
5	Rockville Pike & Broad Brook Drive (east side), SE corner	Install curb ramp with detectable warning (1)	\$14,148
6	Rockville Pike & Broad Brook Drive (east side), SE corner	Install 6' wide sidewalk	\$23,605
Total			\$124,938
Proportionality Guide			\$125,393
7 (back-up project)	Rockville Pike & Pooks Hill Road (west side), N-S direction	Widen median at crossing	

As conditioned, all mitigation projects must be constructed prior to the recordation of plat.

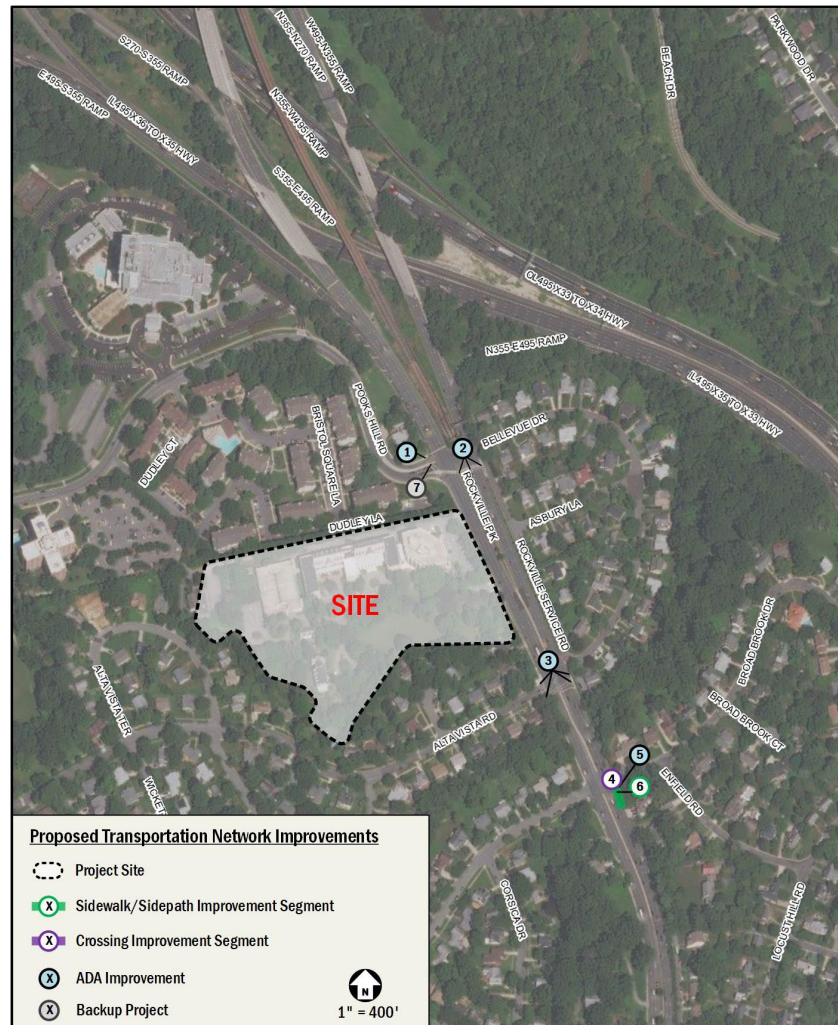


Figure 7 – LATR Mitigation Project Map

Additional Analysis Requests

During review of the updated transportation impact study, MCDOT made three requests for additional study. First, MCDOT made a request for the Applicant to conduct turning moving counts at intersections within the Maplewood Neighborhood for the purpose of establishing baseline traffic volume counts, prior to the FIS occupancy of the Site. The turning movement counts were included as an attachment to the revised and approved TIS (March 21, 2022).

MCDOT also had concerns that motorists leaving the Site would disobey the TMP which prohibits parents and staff from using Maplewood neighborhood residential streets to access the Beltway or to travel north from the Site. Under this assumption, MCDOT staff made two additional requests for analysis; 1) a study of the warrants and impacts of a full and half-signal at the Site entrance on Rockville Pike and 2) a study of the warrants and impacts of a full and half-signal at Elsmere Avenue. The Applicant assessed the warrants in accordance with the Manual for Uniform Traffic Control Devices (MUTCD) and analyzed the potential impact to traffic flow and queuing on the intersections

upstream on Wisconsin Avenue. The results of the analysis were provided to MCDOT, MDOT SHA and planning staff.

At the Site entrance two out of nine warrants for a traffic signal were satisfied; however, it was determined that either a half-signal or a full signal at this location would further introduce delay and queuing storage deficiencies on Rockville Pike. MDOT SHA issued a letter to the Applicant on April 11, 2022, indicating that they would not support a new signal at this location.

At the intersection of Elsmere Avenue and Rockville Pike, MDOT SHA agreed with the Applicant's findings that a full or half-signal does not meet the required warrants for implementation in their letter dated May 26, 2022.

MCDOT approved the Project design and the associated TIS in a letter dated May 6, 2022 but maintained that a signal should be provided at the Site driveway. MCDOT strongly encourages the Board to require the Applicant pay a fee of \$400,000 to cover the costs of installing a full signal at the Site driveway or, if MDOT SHA does not agree to install the signal at this location, the money paid would be used to construct traffic calming devices on surrounding neighborhood streets that are observed to have any traffic impacts or challenges associated with traffic volumes added to the area from the school. Planning staff recommends against including this requirement as a condition of approval because MDOT SHA has already indicated in writing that the Administration does not support a signal at the school driveway due to the potential negative operational impacts on Rockville Pike. Furthermore, this signal is not required for an adequate public facilities finding for the Subject Amendment. Requiring a signal that does not have support from the lead agency (MDOT SHA in this case) goes beyond the scope of the LATR Guidelines. For these reasons, it is recommended that the Planning Board accept the approval letter for the project TIS, excluding the recommendation for an additional fee of \$400,000.

4. All Forest Conservation Law, Chapter 22A requirements are satisfied.

a) Forest Conservation Plan

A Preliminary Forest Conservation Plan was approved with the associated Special Exception Amendment S862-C and the Final Forest Conservation Plan was approved on October 4, 2021. The Final Forest Conservation Plan included a Category II Easement totaling 25,526 square feet, located predominantly along the southern Property line adjacent to the single family detached neighborhood. The FFCP also required a total of 143.5 caliper inches of mitigation plantings for the removal of specimen trees, and a reforestation requirement of 0.83 acres of mitigation credit.

This Application proposes to amend Final Forest Conservation Plan Category II Easement boundary to accommodate a change in the utility easement location, however as conditioned, the easement square footage will remain totaling 25,526 square feet. The change in utility locations also required pruning of a specimen tree, No. 64. In addition to the previously required mitigation plantings, an additional 24 trees will be planted within Category II Easement located at the southern boundary of

the Property. As amended, the Final Forest Conservation Plan will remain in conformance with Chapter 22A.

5. All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied.

The Department of Permitting Services Water Resources Division approved a Stormwater Concept Plan in October of 2020 associated with the Special Exception Case No S-862-C. On March 22, 2022 the concept plan was reconfirmed.

SECTION 5: COMMUNITY OUTREACH

A pre application meeting with the community is not required for a Preliminary Plan Amendment, however a notice regarding the subject Amendment was sent to all parties of record by the Applicant on April 20, 2022. An updated notice was mailed on June 6, 2022 to include the amendment to the Final Forest Conservation Plan. Each notice gave interested parties 15 days to review and comment on the Amended Preliminary Plan per Montgomery County Zoning Ordinance Section 59.7.3.4.J.2.

Staff has had ongoing communication with the neighboring property owner in regards to the tree removal and efforts to update the Special Exception Landscape Plan as discussed in Section 4. However as of date of this Staff Report, no other correspondence has been received.

SECTION 6: CONCLUSION

As conditioned, the Preliminary Plan Amendment continues to satisfy the standards and findings under Section 50 of the Subdivision Ordinance and the applicable standards of the Zoning Ordinance, and substantially conform to the recommendations of the 1990 *Bethesda Chevy Chase Master Plan*. Therefore, Staff recommends approval of Preliminary Plan Amendment No. 12002079B with the conditions specified at the beginning of this report.

ATTACHMENTS

- Attachment A: Board of Appeals approval of S-862-C*
- Attachment B: Preliminary Plan Amendment No. 12002079B*
- Attachment C: Agency Letters*
- Attachment D: FFCP amendment*
- Attachment E: Survey of staked replacement trees*