

STATEMENT OF JUSTIFICATION
SPECIAL USE PERMIT
REQUEST
Revised 11/30/04

THE MONTESSORI COMMUNITY SCHOOL
POPE ROAD, DURHAM, N.C.

Introduction

This is a request for a Special Use Permit to allow the construction of additional buildings, as described herein and on the accompanying plans, on the campus of the existing Montessori Community School. The Montessori Community School is located on the west side of Pope Road in Durham County. This property is within the Chapel Hill Planning District. The proposed use is consistent in use and intensity with the Development Ordinance. The zoning designation of this property is OI-2.



Background

The initial Montessori Community School facility was designed and approved by Durham County prior to the Town of Chapel Hill having planning review in this section of Durham. In 1995 the school desired an expanded facility and applied to Chapel Hill for approval of that expansion. Their application was approved by the Town of Chapel Hill Planning Board in 1996 under a site plan review process. That plan included new classroom space.

In 2003 the Montessori Community School presented a concept plan to the Chapel Hill Town Council for additional school facilities. The Town Council convened a council committee to review issues surrounding the proposed concept plan and the anticipated request for a Special Use Permit. The council committee proposed, and the council approved, a list of critical recommendations to the Montessori School for their application for a Special Use Permit.

(66)

General Site Description

The Montessori Community School is located on a lot containing 407,280 square feet. This lot is identified as TM 481.7.7A. This lot is located on the west side of Pope Road between the intersection of Pope Road and Fountain Ridge to the north and Ephesus Church Road to the south. The area map and site map that accompany this request show the exact location of this lot.

At present this campus is occupied by five (5) buildings. These buildings currently serve the Montessori Community School as classroom, gymnasium and administration space.

This proposed project includes the removal of two existing buildings and the addition of two new buildings. The buildings to be removed consist of a gymnasium and a small classroom building. The new buildings will include a new gymnasium with associated arts activity space and a new middle school building.

These proposed new buildings will enhance the Montessori Community School campus by providing a better, and more energy efficient, gymnasium, additional arts activity space and by providing middle school capability which does not now exist..

Goals and Objectives

The owner's goal is to construct new and improved facilities on this site to replace some and complement others of their existing facilities. The facilities to be removed include:

- 1) An existing gymnasium. This structure is a prefabricated metal building which is not large enough for school purposes. The location of this building also precludes logical development of the site. For these reasons this building will be removed and replaced.
- 2) An existing small mobile classroom building. The functions included in this building will be relocated into the expanded gymnasium/arts building.
- 3) In addition, existing stormwater detention facilities will be removed and replaced with stormwater structures that control quality as well as quantity of the stormwater leaving the site.
- 4) To create a facility which will become even more a part of the greater Chapel Hill community and add to the educational opportunities offered here.

New facilities on the site will include:

- ▶ A new gymnasium/arts building. This building will include a larger gymnasium, arts facilities and storage. This building will be more energy efficient and more functional for the school than the structures it is replacing. It will add much needed space to the arts curriculum.
- ▶ A new middle school building. Students now attend the Montessori Community School from pre-school through 6th grade. This building will enable the Montessori Community School to offer expanded grade levels to interested parents.
- ▶ A new playing field. This relocated playing field will be more serviceable and better engineered than the existing playing field. It will have an underdrain system.
- ▶ A new “constructed wetlands” stormwater management system. This will help manage the quality of storm water leaving the site, as well as providing greater retention capacity than now exists.

Site Constraints and Opportunities

This facility is located on a collector street (Pope Road) on the eastern edge of Chapel Hill. The work proposed here would not increase traffic above the threshold minimum to require a Traffic Impact Statement. We have requested, and received, a waiver for a TIA exemption.

The site is surrounded by developed and semi-developed lots. To the direct south is a community of houses along Newton Drive. To the west is an established part of the Colony Woods. To the north is a residential subdivision that is connected to both Colony Woods and Pope Road. To the east of this site is a large unimproved, uninhabited lot. Please see our area map and site plans for more detailed information about the areas directly surrounding this site.

The site is bisected with a gentle ridge line. Storm water leaves the site toward the north and toward the south-west. The campus is now served by two storm water detention structures, one at the north side of the property and one at the south-west side of the property. Although these structures are designed properly they have not been able to effectively limit storm water during some of the more recent large storms.

There is an ephemeral stream that now extends from the ridge line north and empties into an existing storm water detention basin. See finding No. 2 below for further discussion of this site feature.

FINDING # 1 :

That the use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare of the community.

- ▶ The proposed Montessori Community School project has been designed and planned in accordance with current use regulations. Please see the Project Fact Sheet and the plans for confirmation that this proposal meets the criteria found in the Dimensional Standards of the current Land Use Management Ordinance for the intended use and the zone in which it is located.

The impacts of this proposed project have been studied and designs incorporated to mitigate these impacts. This proposal includes storm water management practices that meet and exceed current Town standards for both quantity and quality of storm water discharge. This proposal includes buffer yard dimensions that meet and exceed current Dimensional Standards required by the Land Use Management Ordinance for this use. The impact of vehicular traffic generated by this proposal has been evaluated by the town's traffic engineer and found to be not consequential.

- ▶ Services and utilities are available at this site. See the accompanying utility plan. Refuse collection will continue to be public. There is an existing OWASA sewer connection on this site and potable water from OWASA is also currently available on this site.

FINDING # 2 :

That the use or development complies with all required regulations and standards of this chapter, including all applicable provisions of Articles 3 and 5 and the applicable specific standards contained in the Supplemental Use Regulations (Article 6), and with all other applicable regulations.

- ▶ This proposed project complies with the Chapel Hill Land Use Management Ordinance with regard to Use and Dimensional Regulations, Article 3; Design and Development Standards, Article 5; and Supplemental Use Regulations, as applicable, Article 6.
- ▶ The principal uses of this structure will be a school, use group B, which is a permitted use in this OI-2 zone.

- ▶ Compliance with Article 3 is evidenced through information contained on the Project Fact Sheet submitted in support of this request and information contained on the scale drawings.
- ▶ Article 5.4.6.d addresses land disturbance within the stream channel of an ephemeral stream. There is an existing ephemeral stream that extends from the ridge line north and discharges into an existing storm water detention basin. This ephemeral stream conducts rain and storm surface water from the upper portion of the site to the detention basin. At other times it is dry.

The planned development of this site includes the replacement of the detention basin with a constructed wetland to better manage rain and storm water. The constructed wetlands are intended to serve a larger watershed area than the ephemeral stream now does and also to manage storm water more effectively in terms of controlling both quality and quantity of storm water discharge than the current detention basin. It is necessary to direct storm water into the new constructed wetlands and discontinue use of the ephemeral stream for conducting rain and storm water. For this reason it is a necessity to disturb the stream channel of this ephemeral stream.

- ▶ Article 5.9.7 describes conditions for the minimum number of off-street parking spaces. An elementary school should have 1 space per faculty member. A secondary school should have 1 space per every 4 students. The Montessori Community School will have 49 faculty and staff when this proposed work is completed. In addition, the school will have 137 very young students (ages 2 through 4). The parents of these very young students need to park, escort the student to their classroom and sign in each day according to state regulations.
- ▶ Article 6.13 describes conditions for the use of a temporary building. Table 3.7 indicates that a temporary building is permitted as an accessory use in this zone. A temporary building is being proposed as a part of this submittal. The purpose of the temporary building is to provide administrative space during the construction period. Article 6.13 stipulates that such a building shall be used for no more than 3 years. The construction period for this proposed work is less than three years and this temporary building will be removed at the end of construction. The Montessori Community School commits to removing this building no more than three years after it is installed on site. The location of this temporary building is indicated in sheet C1-a.

FINDING # 3 :

That the use or development is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property, or that the use or development is a public necessity.

- ▶ This proposed school expansion represents the development of a current school on Pope Road in an OI-2 district. This general area contains other such varied uses such as residences (R), a church (OI) and a new elementary school (OI, Durham). It's closest neighboring properties are existing single family residences.

Buffer yard plans and plantings under this proposal will provide enhanced screening between this use and adjacent residential properties. This request also includes significant material changes to the stormwater management systems on this property which should diminish any adverse storm water impacts originating from this site.

Designed to comply with all of the developmental constraints of applicable portions of the town's current Land Use Management Ordinance, this proposal represents the improvement of a currently occupied piece of property which will enhance the value of contiguous property.

FINDING # 4 :

That the use or development conforms with the general plans for the physical development of the Town as embodied in this chapter and in the comprehensive plan

- ▶ The Chapel Hill Land Use Management Ordinance was written to achieve the goals and objectives of the Comprehensive Plan. This proposed development complies with the Land Use Management Ordinance and conforms with the Comprehensive Plan.

- ▶ General:

A key question regarding conformity with the general plans for the physical development of the Town for this project would have to include a discussion of articles 6A-1 and 6A-2 of the Comprehensive Plan. Article 6A-1 encourages desirable forms of non-residential development, while 6A-2 modifies that encouragement by recommending the town strengthen design standards to ensure that the ensuing non-residential development be compatible with existing development.

6A-2 enlarges on the concept of compatibility by stating that such new development "..... complements Chapel Hill's built and natural environment and promotes transit, pedestrian, and bicycle usage. Issues that should be addressed by these standards include visual character and scale, relationship to adjacent land uses; transportation issues...; and protection of natural resources."

First consider the qualifying factors in 6A-1. The form of non-residential development needs to be desirable. The narrative gives a good description of non-desirable development including heavy industry and “big box” shopping centers. The narrative continues with a description of Berkeley, California which encouraged “green” businesses and continues to suggest that for Chapel Hill “desirable” types of non-residential development could include appropriately scaled office and research facilities and businesses that involve the humanities or the fine arts.

The Montessori Community School, as designed and proposed, is consistent with these suggestions of what uses could be considered desirable. The specific instructional philosophy of this school is embedded in engaging children in the humanities and the fine arts. Children are encouraged to explore their natural environment as well. The constructed wetlands that will provide stormwater management will also be an enhanced, on site, learning tool for children to learn about their ecosystem. The buildings are intended to be “green” architecture and environmentally friendly.

Another facet of 6A-1 is the objective of “retain(ing) existing businesses. The Comprehensive Plan narrative recognizes that as “..land and facilities that can accommodate the various stages of business development should be available in the community”. The Montessori Community School is not a business but we believe that this concept is applicable to the range of desirable, non-residential land uses. Just as our businesses mature, so too, do our institutions of which the Montessori Community School is an important member.

Fortunately, the Montessori Community School is already on a campus that can accommodate this new stage of the school’s development. By utilizing some of the undeveloped land on their existing campus the school can mature and grow in place.

A consideration of 6A-2 would have to include a discussion of scale as well as the protection of natural resources, promotion of transit, pedestrian and bicycle usage, and relationship to adjacent land uses.

The Montessori Community School is proposed to include several new buildings. This course has been chosen specifically in order to retain a small scale for the structures on site. Most other schools attempt to include all of the classrooms, gymnasias, lunchrooms, etc. into a single large structure. The intent here is just the opposite. The Montessori Community School would prefer to have an assemblage of smaller buildings that can provide individual identity and differentiation to the classes and functions within the buildings. The school would prefer to achieve the “feeling” of a small village rather than a single big box. This approach to land planning creates a built environment that supports the educational philosophy of the Montessori system and also creates a development that is compatible in scale with the homes surrounding the school.

- ▶ The Chapel Hill Comprehensive Plan includes several other direct references to the kinds of improvements proposed here. The Comprehensive Plan seeks to:

3: Community Character

3A-3 Reduce Vehicular impacts on Residential neighborhoods. Access to Montessori Community School is from Pope Road, a collector street, and does not funnel traffic through adjacent residential neighborhoods.

8: Land Use and Development

8.2 Institutional Land Use, OI-2: The existing land use plans show this as a continuing, medium intensity, institutional use site. Schools are considered an institutional use in land-use terms. This proposal, when completed, will represent less than 35% of the maximum density allowable on this site under present dimensional standards.

9: Natural Environment

9F-1 Improve existing stormwater management practices. Improve quality of, and decrease the quantity of, stormwater runoff. The constructed wetlands proposed here will improve the quality of stormwater runoff and will also increase the capacity of the on-site storm water retention.

10: Transportation

10C Promote use of.....non-fixed route transit. This facility is in the University Heights Shared Ride Feeder Zone enabling requested bus service that connects to one of the scheduled routes. New middle school students will be able to make use of this amenity.

10 Increase emphasis on transit. The Montessori Community School is within 1 mile of a potential fixed guide way corridor/station study location.

11: Community Facilities

11.1 Under this part of the Comprehensive Plan educational providers are considered "...allied service providers" with the town.

11.2 Provide Community facilities and services which meet the physical, social, and cultural needs of Chapel Hill's population. This school currently serves the Chapel Hill community with a licensed, alternative learning environment for the elementary and pre-school grades. This enhanced facility will enable the Montessori Community School to extend that community service into the middle school grades.