



Olney Theatre Center, Site Plan Amendment No. 82001022A

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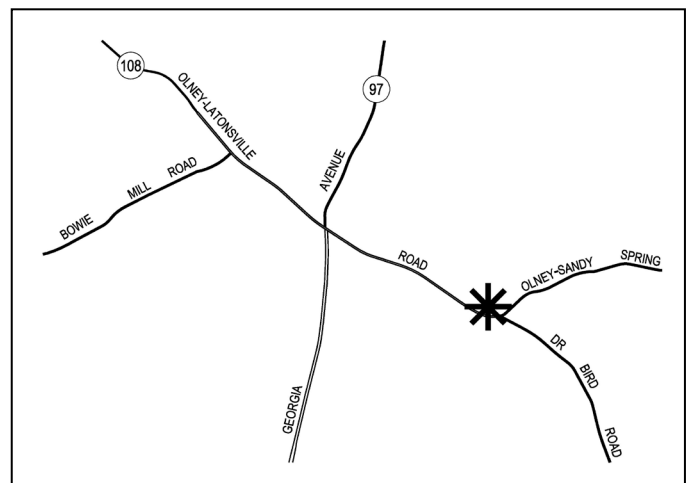
Completed: 03/13/2020

Description

Olney Theatre Center: Site Plan Amendment No. 82001022A

Request to build a 3,393 square foot addition to the existing Multz-Gudelsky Theatre Lab, located at 2001 Olney - Sandy Spring Road, approximately 60 feet west of Doctor Bird Road, PCC zone, 10.6 acres, 2005 *Olney Master Plan*.

Applicant: Olney Theatre Center
Acceptance Date: 11/1/2019
Review Basis: Chapter 59



Summary

- Staff recommends **Approval with conditions** of the Site Plan Amendment.
- The application is being reviewed under the Zoning Code in effect on October 29, 2014 because the Site Plan Amendment qualifies for an exemption under section 59-7.7.1.B.1, which allows any application or project started before October 30, 2014 to proceed through any other required applications or steps in the process within the time allowed by law or plan approval, under the standards and procedures of the Zoning Ordinance in effect on October 29, 2014.
- This amendment proposes to expand the Multz-Gudelsky Theatre Lab building footprint by adding a 3,150 square foot addition on the first floor and a second-floor addition of 243 square feet.
- The addition generates less than 50 peak hour person trips and the existing building was completed 12 or more years ago, therefore the Local Area Transportation Review (LATR) test is met.
- To date, no community correspondence has been received.
- A Notice of Violation (NOV) was issued by the Montgomery County Department of Permitting Services (MCDPS) on March 12, 2020 listing a number of discrepancies between the phasing plan in the Site Plan Enforcement Agreement for Site Plan No. 820010220 and as shown on the Certified Site Plan and as-built conditions, including the parking lot configuration, light fixture location and quantity, and failure to install landscaping.

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SECTION 1 – RECOMMENDATIONS AND CONDITIONS

Staff recommends approval with conditions of Site Plan Amendment No. 82001022A, Olney Theatre Center, to expand the Mulitz-Gudelsky Theatre Lab building with a 3,393 square foot addition;

All conditions of approval of Site Plan No. 820010220 and Site Plan Enforcement Agreement and as amended remain in full force and effect except as modified by the conditions below. All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions:

7. The Planning Board accepts the recommendations of the MCDPS, Fire Department Access and Water Supply Section in its letter dated January 14, 2020, and hereby 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 amendments do not conflict with other conditions of approval.
8. Prior to approval of Certified Site Plan No. 82001022A, the Applicant must submit and receive acceptance by MNCPPC of the “B” amendment to bring the Subject Property into compliance with Site Plan No. 820010220.
9. Prior to issuance of any use-and-occupancy certificate for any building associated with Site Plan No. 82001022A, the Applicant must construct all improvements determined to be in violation of Site Plan No. 820010220, unless modified as part of a future site plan amendment.
10. Site Plan Surety and Maintenance Agreement
Prior to issuance of any building permit, sediment control permit, or Use and Occupancy Certificate, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance, with the following provisions:
 - a) A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
 - b) The cost estimate must include applicable Site Plan elements, including, but not limited to on-site lighting, retaining walls, railings, private sidewalks, paths and associated improvements of development. The surety must be posted before issuance of any building permit of development and will be tied to the development program.
 - c) The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.
11. Development Program
The Applicant must construct the development in accordance with a development program table that will be reviewed and approved prior to the approval of the Certified Site Plan.

12. Certified Site Plan

Before approval of the Certified Site Plan, the following revisions must be made and/or information provided subject to Staff review and approval:

- a) Include the stormwater management concept exemption letter, development program, and Site Plan resolution on the approval or cover sheet(s).
- b) Add a note to the Site Plan stating that "M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading."
- c) Modify data table to reflect development standards approved by the Planning Board.
- d) Ensure consistency of all details and layout between Site and Landscape plans.

SECTION 2 – SITE LOCATION AND DESCRIPTION

Site Location and Vicinity

The subject property is located at the intersection of Olney - Sandy Spring Road (MD 108) and Dr. Bird Road (MD 182), on the northside of MD 108, between Old Vic Boulevard and Dominion Drive (Figure 1). The subject property consists of Part of Parcel A (10.59 acres) shown on Record Plat 18989¹ (“Property” or “Subject Property”). The Subject Property is located east of the Olney Town Center, within the Southern Olney area identified in the 2005 *Olney Master Plan* (“Master Plan”).

The Property confronts the Olney Ale House, which is in the Neighborhood Retail zone, and is situated in the east corner of the MD 108 and Dr. Bird intersection. West of the Subject Property is the Lake Hallowell Subdivision, which contains single-family detached houses in the RE-2/TDR-2 zones. The Olney Theatre Center owns the adjoining undeveloped parcel (P718) of land to the west. The parcel was included in Local Map Amendment (LMA) G-630 which rezoned a portion of the property to the Planner Cultural Center (PCC) zone.

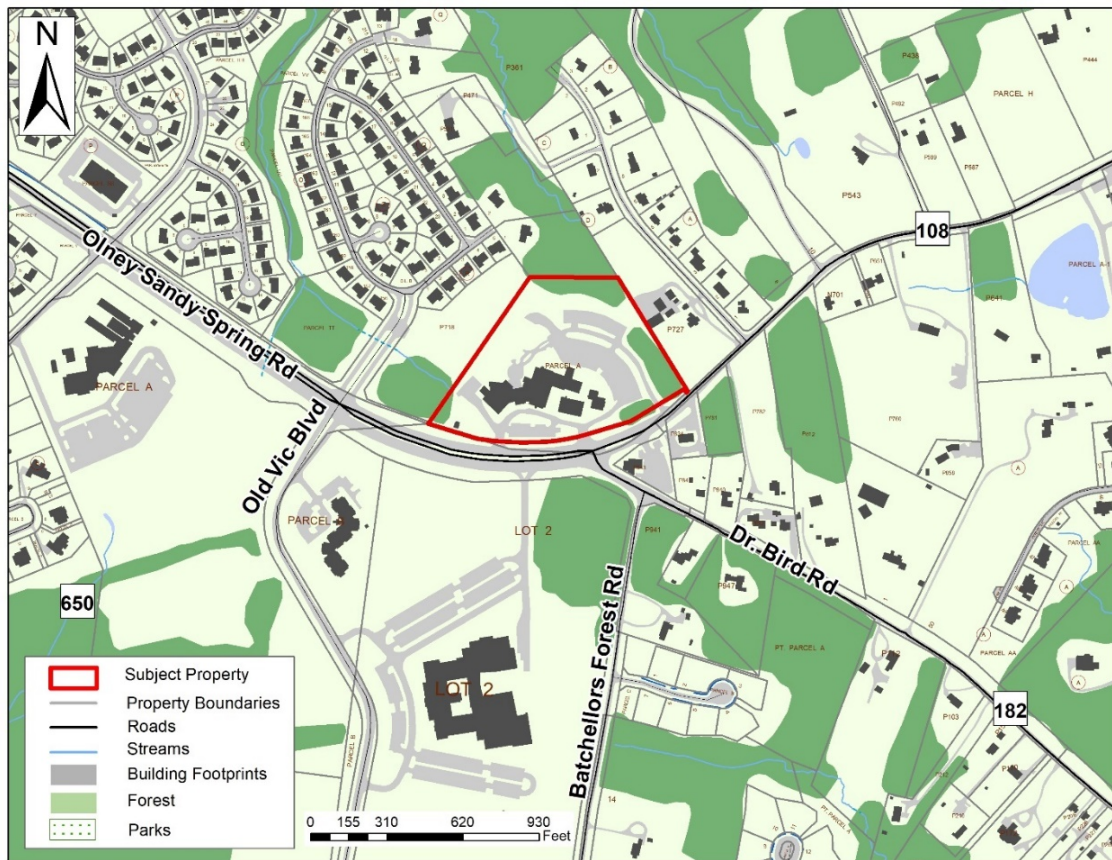


Figure 1: Vicinity Map

¹ Recordation of a plat before issuance of a building permit is not required because Parcel A was previously shown on a record plat, prior to dedication of right-of-way for public use for MD 108.

Site Description

The 10.6-acre Property is the home of the Olney Theatre Center, currently improved with 60,430 square feet of commercial development related to the Olney Theatre Center.

The Theatre Center includes the historic theatre containing 472 seats, a box office, five living quarters and two offices (the “Original Theatre”); separate three-story actor’s residence containing 9 bedrooms and three administrative offices (the “Crawford House”); a scene shop, connected to the Original Theatre parallels the rear parking lot. The location of the buildings creates an L-shaped plaza between the Original Theatre and the Crawford House. At the eastern end of the plaza, east of the Crawford House is a studio, the Multz-Gudelsky Theatre Lab which contains 152 seats (the “Theatre Lab”). Combined, the Original Theatre, Crawford House, Theatre Lab and aforementioned supporting spaces makeup 27,180 square feet. Additional improvements include classroom spaces, offices, a lobby and a second theatre with 428 seats (the “Main Stage”), which is 33,250 square feet in size. An uninhabitable (in disrepair) small stone cottage/gate house occupies the southwest corner of the Property. There are three surface parking lots on the Subject Property. One located between the theatre complex and the two larger lots are located in the rear and side of the building. Combined, there are 232 parking spaces on the Subject Property.



Figure 2: Basic Site Map (from OTC website)

The Property is accessible from MD 108 via three separate entrances. The eastern most access point is accessible from westbound MD 108 and is predominately used to access the rear parking lots. The central or main entrance and exit are at the signalized intersection of MD 108 and Dr. Bird Road. This main access

point connects to the rear parking lots and drive-aisle in front of the main building entrance. The third access point is only accessible from westbound MD 108 and connects to the front parking lot and aforementioned drive aisle. The Property contains existing forest in a Category I Conservation Easement parallel to the northeast and northwest property boundary that provides a vegetated buffer between the parking lot and existing residential area to the north.

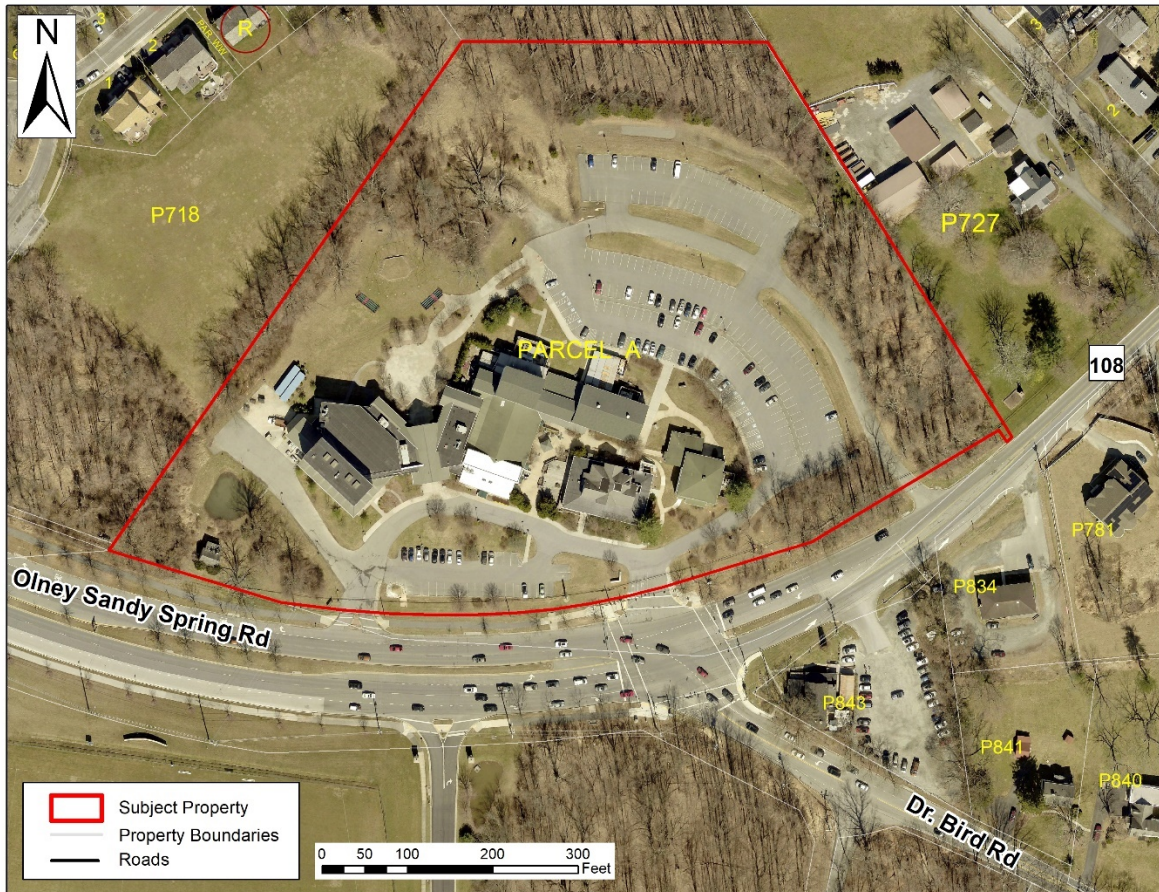


Figure 3: Aerial View

SECTION 3 – APPLICATIONS AND PROPOSAL

Previous Approvals

Local Map Amendment No. G-630

On September 12, 1989, the Montgomery County Council approved Local Map Amendment (LMA) No. G-630, (Resolution No.:11-1608), rezoning 14.95 acres of land, which was known as Parcel 791 and Part of Parcel 301, from RE-2 (12.37 acres) and RE-2/TDR-2 (2.3 acres) zone to the PCC zone (Attachment A and Figure 4).

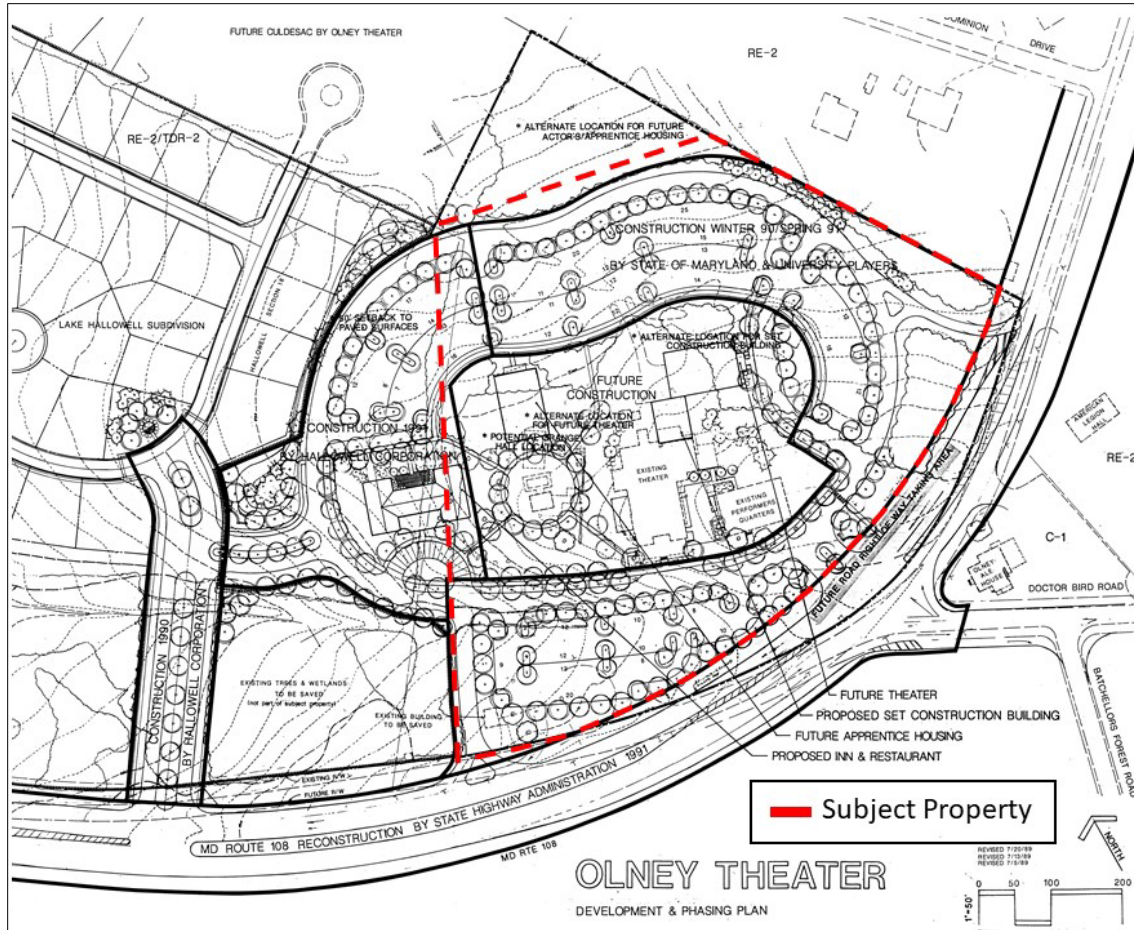


Figure 4: Development Plan G-630

Development Plan G-630 provided for the retention of all existing uses and buildings on the Property including, the Original Theatre which contained 713 seats, a box office, five bedrooms, and two offices; Crawford House which contained a three-story actors' residence with nine bedrooms and three offices; a detached former single-family residence used as a residence for actors; and a stone cottage. In addition to the existing improvements, the Development Plan approved development of a new 452-seat theatre (Main Stage), a new residence for actors and apprentices with 19 apartment units, a new set construction building, a 30-room inn, a 125-seat restaurant, and a 60-seat pub. No specific binding elements were attached to the Development Plan.

Since the Development Plan was approved, the original single-family actors' residence has been razed, the 713-seat main theatre has been renovated (reducing available seating to 472) and the stone cottage is no longer in use. Of the new buildings approved by the Development Plan, the Main Stage and set construction building were implemented, but the inn, restaurant, and pub that were approved have not been implemented to date.

Site Plan No. 820010220

Site Plan No. 820010220 was approved by Planning Board Opinion, mailed on 7/3/2001, to create 30,250 gross square feet of theatre, classroom, lobby, and office; 5,460 gross square feet of recital hall and lobby; a 3,000 gross square foot scene shop expansion; to be added to the existing 27,180 gross square foot art center including theater, studio (Mulitz-Gudelsky Theatre Lab), offices, classrooms, performers' quarters, scene shop and gate house, on 10.6 acres (Attachment B). Of the 65,890 square feet of approved density, the total existing density implemented on the Property, to date is approximately 60,430 square feet.

Proposal

Site Plan Amendment No. 82001022A was submitted on 11/1/2019 to expand the Theatre Lab building and make associated changes to the surrounding landscape and pedestrian system.

The amendment expands the Mulitz-Gudelsky Theatre Lab building footprint by adding a 3,150 square foot addition on the first floor and a second-floor addition of 243 square feet, a total of 3,393 square feet. The first-floor addition will accommodate a new lobby, dressing room, green room, and flex space. The existing 2,535 square foot auditorium is being retained, with no increase in occupancy load. The second-floor addition expands the current control room/mezzanine by 243 square feet. The addition provides much needed space for the actors, actresses to continue providing high quality performances for theatre patrons.



Figure 5: Perspectives of Theatre Lab Addition (Illustrative)

As part of the proposed addition, the exterior of the building will be updated by replacing the existing vinyl siding with fiber cement board and the existing roofline will be modified to incorporate the addition. An additional 1,205 square feet of site work (i.e. land disturbance) is required along the perimeter of the addition in order to regrade, and install sidewalks connecting the building entrances to the existing sidewalk and courtyard to the west.

Outstanding Issues

A Notice of Violation (NOV) was issued by MCDPS on March 12, 2020 (Attachment C) listing a number of discrepancies between the phasing plan in the Site Plan Enforcement Agreement (Attachment D) for Site Plan No. 820010220 as shown on the Certified Site Plan and as-built conditions, including:

1. Failure to install the minimum parking requirements per the proposed phasing plan in the Site Plan Enforcement Agreement and as shown on the Certified Site Plan phase 3.
2. Failure to install the parking lot islands as shown on the Certified Site Plan.
3. Failure to install the correct parking lot light fixtures, including the correct quantities and proposed locations as shown on the Certified Site Plan.
4. Failure to install the seat walls/trellis in phase I as shown on the Certified Site Plan.
5. Failure to install the site landscaping as shown on the Certified Site Plan.

Regarding violation item 1, the minimum parking requirements are not being met on the Subject Property. Table 1, below, summarizes the parking requirements. Currently, 232 parking spaces are available on the Subject Property, however, 241 parking spaces should have been constructed per Site Plan No. 820010220. Based on as-built conditions (which include a slight increase in seating) 247 spaces are required. Because the proposed addition to the Theatre Lab does not increase the number of employees or seating capacity, the Amendment will not add to the parking deficit.

Table 1 – Parking Requirements

Venue	Zoning Ordinance/PCC zone	Approved Site Plan No. 820010220	Existing	Proposed Site Plan No. 82001022A
Original Theatre	1 sp./4 seats	110 spaces (440 seats)	118 spaces (472 seats)	118 spaces (472 seats)
Main Stage	1 sp./4 seats	109 spaces (435 seats)	107 spaces (428 seats)	107 spaces (428 seats)
Class/Office	1 sp./employee	22 spaces (22 Employees)	22 spaces (22 Employees)	22 spaces (22 Employees)
Theatre Lab (“studio”)	1 sp./4 seats	38 spaces** (152 seats)	38 spaces** (152 seats)	38** spaces (152 seats)
Recital Hall (unbuilt)	1 sp./4 seats	38 spaces***	NA - Unbuild	NA - No longer proposed
Total		241 spaces	232 spaces	232 spaces <i>(247 spaces required based on existing seating and employees)</i>

Per the NOV requirements, the Applicant must correct the items of non-compliance within 30 days or submit for a site plan amendment. The current site plan amendment requests additional development rights, which are conditioned on the Applicant rectifying the existing non-compliant items prior to issuance of any new use and occupancy permits.

SECTION 4 – ANALYSIS AND FINDINGS - Site Plan No. 82001022A

The Site Plan Amendment is being reviewed under the Zoning Ordinance in effect on October 29, 2014 because it is subject to grandfathering set forth in Section 7.7.1.B.1 of the Zoning Ordinance. Unless

explicitly discussed below, all Planning Board findings from the previous Site Plan approvals remain in full force and effect.

Findings – Chapter 59-D-3.4(C)

1. *The site plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64.*

The Site Plan with the proposed amendments continue to conform to all non-illustrative elements of the Development Plan (G-630), including the minimum building setbacks, minimum green area and maximum height, enumerated in the Data Table below. There are no binding elements associated with the Development Plan.

2. *The site plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56.*

The Subject Property is approximately 10.6 acres and is zoned PCC. The Amendments meets all of the requirements and development standards of the PCC zone, including building setbacks, building coverage, and green area. The PCC zone also requires off-street parking to be provided, as determined at Site Plan. As discussed above, and as conditioned, the non-compliant parking on-site will be corrected.

Table 2 – Data Table

Development Standard	Permitted/Required PCC zone	Approved LMA G-630	Approved Site Plan No. 820010220	Proposed Site Plan No. 82001022A
Lot and Density				
Lot Area (Minimum)	5 ac		10.6 ac / 461,736 s.f.	10.6 ac / 461,736 s.f.
Setbacks and Screening				
Min. building setback - From confronting or abutting residential property:	100 ft.	Greater than 100 ft.	Greater than 100 ft.	Greater than 100 ft.
- From any boundary line shown on the development plan	30 ft.	Greater than 30 ft.	Greater than 30 ft.	Greater than 30 ft.
Building Height				
- Theatre Lab	50 ft. max.	50 ft. max	26 ft. or less	26 ft. or less
- Theatre and set construction building	75 ft.*	Up to 75 ft.	75 ft. or less	75 ft. or less
Coverage and Green Area				
- Max. building coverage	30% / 3.18 ac	30% / 3.18 ac	11.3% / 1.2 ac	12% / 1.27 ac

Development Standard	Permitted/Required PCC zone	Approved LMA G-630	Approved Site Plan No. 820010220	Proposed Site Plan No. 82001022A
- Max. parking coverage	40% / 4.24 ac	40% / 4.24 ac	28.2%/ 3.0 ac	28.2% / 3.0 ac
- Min. green area	30% / 3.18 ac	30% / 3.18 ac	60.5% / 6.4 ac	60.5% / 6.4 ac

*The maximum building height is 50 feet. However, the building height may be increased 1 foot for every 2 feet of additional setback beyond the minimum required setback, up to a total building height of 75 feet.

3. *The locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

Location of Buildings and Structures

The locations of the buildings and structures, both existing and as amended remain adequate, safe and efficient. The Amendment only affects one existing building, the Muiltz-Gudelsky Theatre Lab, also known as the studio. An addition to the existing Theatre Lab will expand the existing building footprint to the northern and western sides of the building, which still maintains adequate setbacks from other buildings and enough room for circulation and landscaping. The expansion will provide much needed space for the actors and actresses, provide a flex space and add a lobby which will improve the internal flow of the building. The Amendment has been reviewed by the Montgomery County Department of Permitting Services Fire Department Access and Water Supply Section who determined that the Property, with the Theatre Lab addition has adequate access for fire and rescue vehicles by transmittal dated January 14, 2020 (Attachment E).

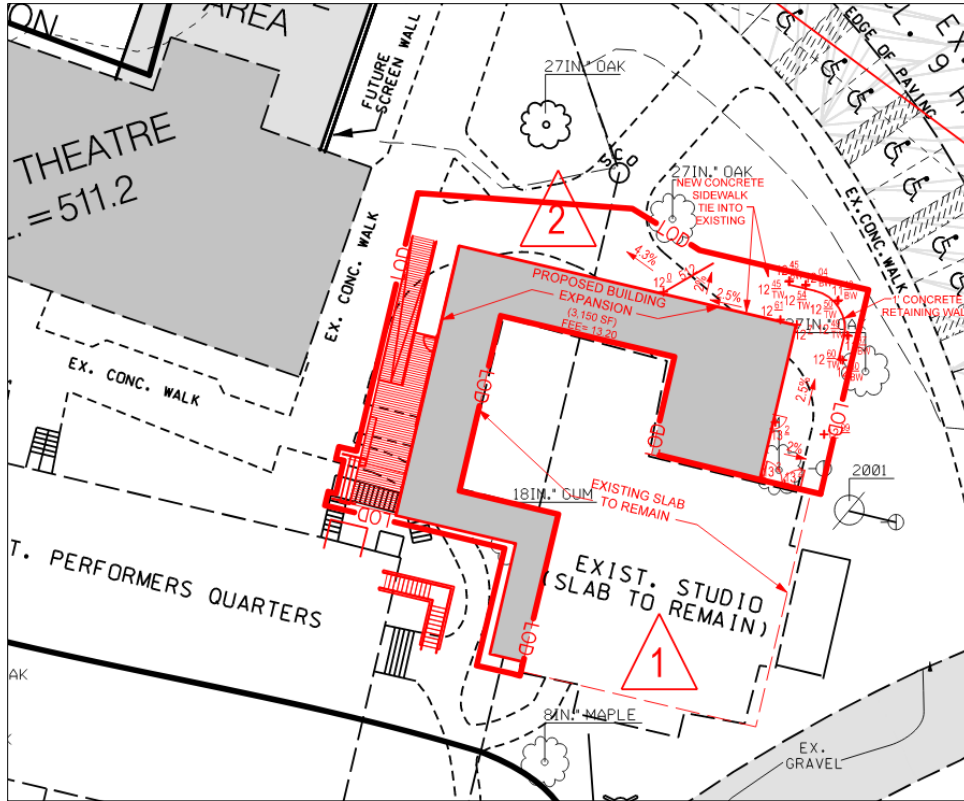


Figure 6: Theatre Lab Addition

Location of Open Spaces, Landscaping and Recreation Facilities

No changes are proposed the landscaping and lighting with the exception of wall mounted lighting fixtures that will illuminate the sidewalks. The PCC zone requires a minimum of the 30% or 3.18 acres of open space on the Subject Property and the Amendment provides 60% or 6.4 acres of green area on-site, continuing to exceed minimum required in the PCC zone.

Pedestrian and Vehicular Circulation

The Amendment will continue to provide for a safe, adequate and efficient circulation pattern on-site. Since the Amendment modifies a limited area around the Theatre Lab, few changes are proposed. The Theatre Lab will be accessible from entrances on the east and west side of the building. A deck, wood ramp and stairs are being installed on the west side of the addition, and tie into the existing pedestrian pathways that meander between buildings. A new leadwalk is being installed to connect the existing sidewalk in the rear of the Theatre Lab to the entrance on the east side of the building. A 1-foot tall retaining wall will be installed to achieve an ADA compliant slope.

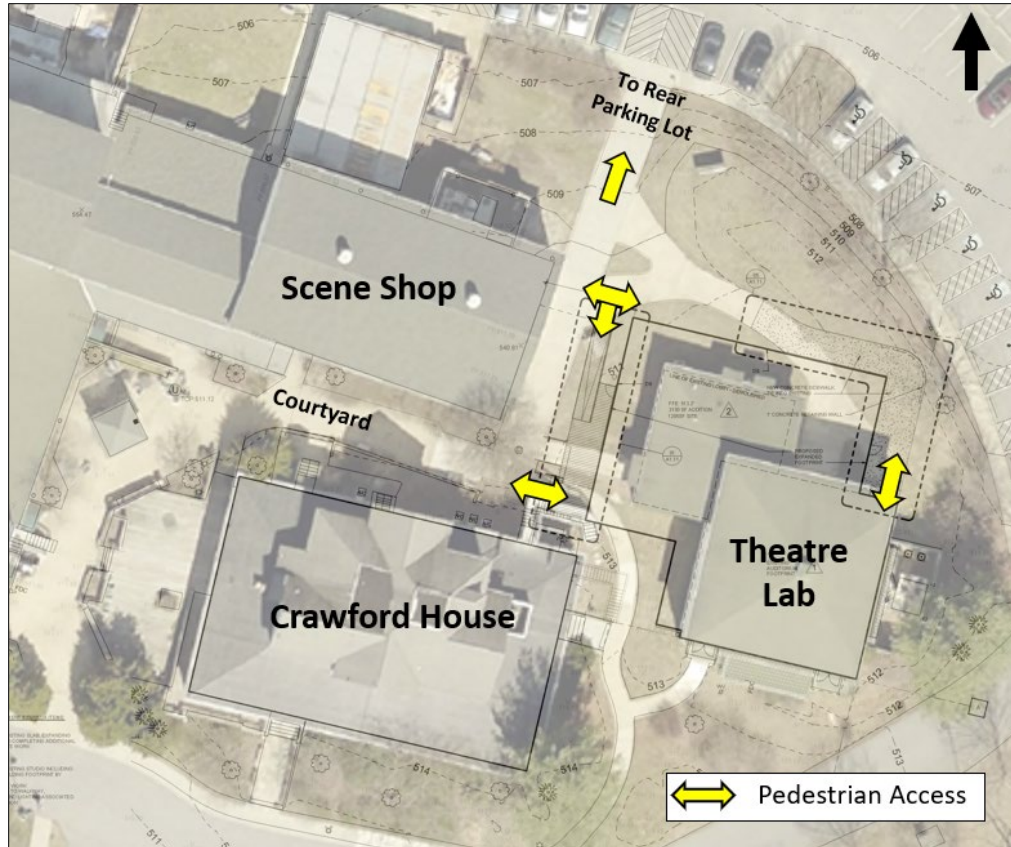


Figure 7: Circulation

Along the frontage of the Property on Olney-Sandy Spring Road and west of Doctor Bird Road, there is an existing shared use path, consistent with the 2018 Bicycle Master Plan recommendations. Along the frontage of the Property to the east of Doctor Bird Road, the Bicycle Master Plan recommends a 10-foot wide shared use path, which is currently unbuilt. These improvements will be requested as part of any future application on the Subject Property that will generate trips, present any impact to the transportation network or if a site plan is submitted under the current Zoning Ordinance, which requires finding master plan compliance as part of site plan approval.

4. *Each structure and use is compatible with other uses and other site plans, and with existing and proposed adjacent development.*

The Theatre Lab addition is compatible with the existing building on the Subject Property. The architecture is simple and modern, taking cues from the existing buildings. The new addition ties into the existing structure, and the new design incorporates large windows on the pedestrian dominated sides of the building (e.g. the courtyard).

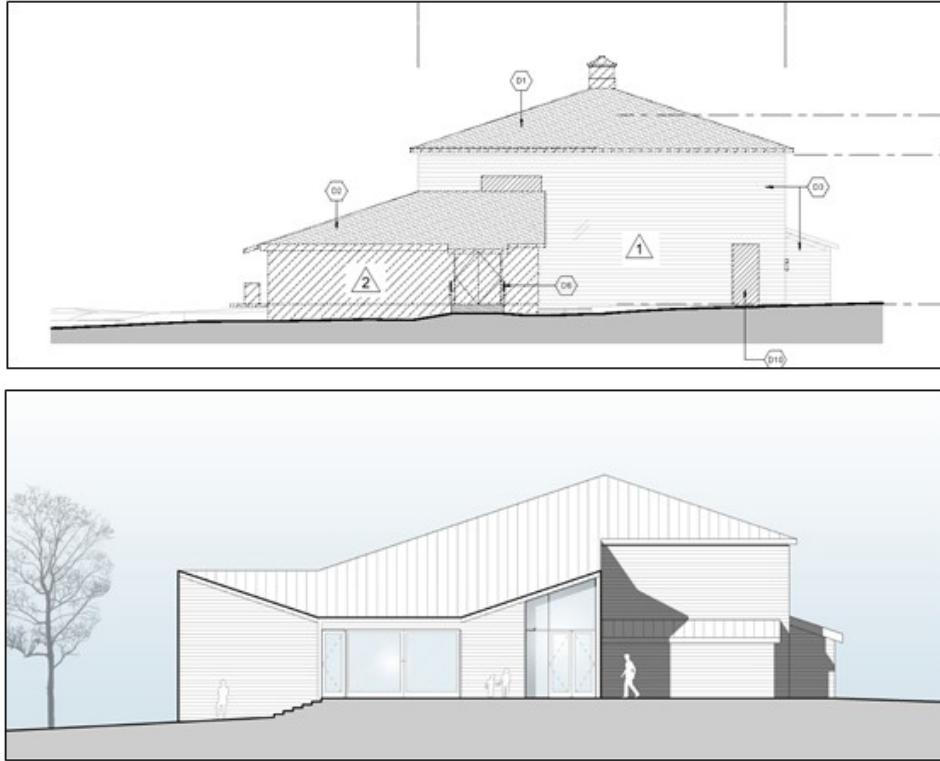


Figure 8: Existing and Proposed Architectural Elevations (West from Courtyard)

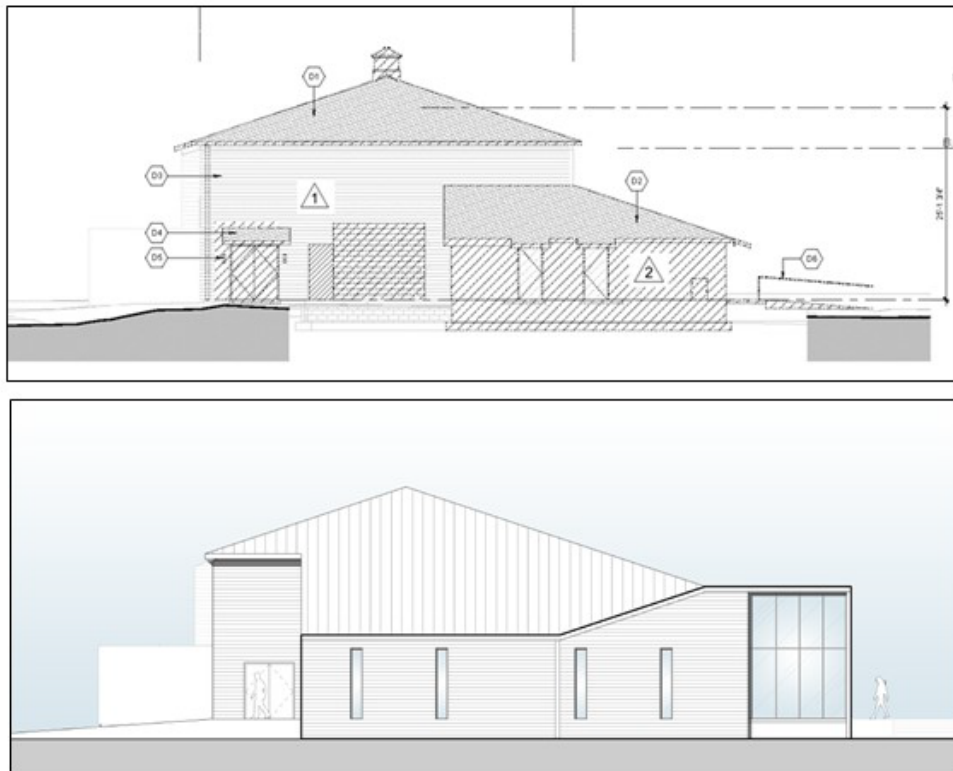


Figure 9: Existing and Proposed Architectural Elevations (North from rear parking lot)

The Amendment retains the existing forest between the parking lot and the adjoining residential subdivision, which continues to provide an adequate visual buffer between the uses. The Olney Theatre is discussed on page 135 of the 2005 *Olney Master Plan*. The Master Plan recommendation is to “support the Olney Theatre’s existing and future plans for potential future expansion.” The Master Plan only slightly elaborates on this recommendation by stating that “[f]uture additions and improvements to the theater should be consistent with the Plan’s vision of the Olney Theatre as a unique cultural facility that can co-exist in harmony with its neighbors and continue to add richness to Olney’s quality of life.” The proposed 3,933-square-foot expansion and 1,205 square feet of site work are in harmony with the existing theater complex and the neighborhood.

5. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable laws.*

A Final Forest Conservation Plan was approved with Site Plan No. 820010220. This Site Plan Amendment does not alter any of the FFCP requirements established and satisfied under the original approval nor does it impact any of the existing Category I or Category II Conservation Easements onsite. Therefore, Staff finds that this Application meets 22A.

The Application has been reviewed by the MCDPS Water Resources Section who, in a letter dated October 11, 2019, determined that the Amendment is exempt from providing a Stormwater Management Concept, per Section 19-31(C) of the Montgomery County Code, because the proposed addition to the existing commercial structure results in less than 5,000 square feet of land disturbance (Attachment F).

SECTION 5 – CITIZEN CORRESPONDENCE AND ISSUES

The Applicant has met all proper signage and noticing requirements for the Site Plan Amendment. An application sign was posted on Property’s frontage on September 3, 2019 and application notices were mailed on November 4, 2019. As of the date of this report, Staff has not received any correspondence regarding this application.

SECTION 7 – CONCLUSION

The Amendment meets all development standards and findings established in the Zoning Ordinance. The proposed improvements as shown are safe, adequate and efficient. The Application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan. Staff recommends approval of this Application, with the conditions as enumerated in this Staff Report.

Attachments

- A. Local Map Amendment No. G-630 – Resolution and Development Plan
- B. Site Plan No. 820010220 Planning Board Opinion – 7/3/2001

- C. MCDPS Notice of Violation – March 12, 2020
- D. Site Plan No. 820010220 – Site Plan Enforcement Agreement
- E. MCDPS Water Resources Section – October 11, 2019
- F. Traffic Exemption Statement – February 6, 2020
- G. MCDPS, Fire Department Access and Water Supply Section – January 14, 2020

Resolution No.: 11-1608
Introduced: September 12, 1989
Adopted: September 12, 1989

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS A DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
IN MONTGOMERY COUNTY

By: County Council

Subject: APPLICATION NO. G-630 FOR AMENDMENT TO THE ZONING ORDINANCE MAP, Linowes and Blocher, Attorneys for the University Players and the Hallowell Corporation, Applicants, OPINION AND RESOLUTION ON APPLICATION
Tax Account Nos. 08/00720981, 08/00701395

OPINION

Application No. G-630 requests the reclassification from the RE-2 Zone and the RE-2/TDR-2 Zone to the Planned Cultural Center (PCC) Zone, of 14.95 acres, plus or minus, of land known as Part of Parcel 791 and Part of Parcel 301, located at the intersection of Maryland Route 108, Olney-Sandy Spring Road, and Doctor Bird Road, approximately 1,000 feet southeast of the intersection of Maryland Route 108 and Old Baltimore Road, Olney, in the 8th Election District.

The Hearing Examiner has recommended that the requested reclassification be granted and that the Development Plan be approved for the following reasons.

The requested reclassification and the Development Plan comply with the purpose clause of the PCC Zone, as provided in Section 59-C-7.60 of the Zoning Ordinance. The requested reclassification and Development Plan would satisfy the compatibility requirement of the PCC Zone, as provided in Section 59-C-7.60. The requested reclassification and the Development Plan satisfy the specific standards and requirements of the PCC Zone, as provided in Sections 59-C-7.6 through 7.63. The requested reclassification and Development Plan are in accordance with the Approved and Adopted Olney Master Plan. The Development Plan contains the contents required pursuant to Division 59-D-1.3 of the Zoning Ordinance. The proposed internal vehicular and pedestrian circulation systems and points of external access

are safe, adequate and efficient pursuant to Section 59-D-1.6(c). The supplemental uses reflected in the Development Plan are appropriate with the specific cultural uses proposed for the subject property, pursuant to Section 59-C-7.62. The granting of the requested reclassification to the PCC Zone and approval of the Development Plan would be in the public interest.

The District Council agrees with the findings, conclusions and recommendations of the Hearing Examiner.

The subject property is irregularly shaped and has approximately 1,400 feet of frontage along MD 108. 12.37 acres, zoned RE-2, is owned by the University Players and is the site of the Olney Theater. The remaining 2.3 acres of the site, zoned RE-2/TDR-2, is owned by the Hallowell Corporation. No other local map amendments have ever been filed for the reclassification of the subject property.

In order to determine whether this application satisfies the purpose clause and compatibility requirement of the PCC Zone, as well as the other findings and conclusions required pursuant to the provisions of the zone, the Surrounding Area deemed to be the appropriate designation of the analysis area is described in the following manner: the land fronting on both sides of MD 108 between Old Baltimore Road on the west, and Marden Lane on the east as well as the land fronting on Doctor Bird Road extending approximately 1,500 feet southeast of MD 108. The area is semi-rural in character and reflects low-intensity development. The Hallowell Lake RE-2/TDR-2 Subdivision, composed of 430 dwelling units containing single-family detached and attached residences, is under construction to the immediate west of the subject property. Lake Hallowell, comprised of 16 acres, will provide stormwater management for the central section of Olney. Fourteen 2-acre lots in the Olney Estates Subdivision front on Dominion Drive to the east of the site. The Olney Ale House, in the C-1 Zone, is located in the eastern quadrant of the Route 108/Doctor Bird Road intersection.

The Development Plan provides for the retention of all existing uses on the subject property. The proposed location of new buildings, in combination with existing structures, will define an open green area and a circumferential access drive will encircle the buildings surrounding this central area. Four access points will lead into the site from 108. The new buildings proposed are a 452-seat theater, a new residence for actors and apprentices with 19 apartment units, a new set construction building and a restaurant, pub and inn in one structure. The inn will contain 30 rooms, the restaurant will have 125 seats and the pub will have 60 seats. The Development Plan additionally reflects alternative site locations for the future theater, the set construction building and the future apprentice housing. Additionally, the Development Plan indicates the potential site for the relocation of the Grange Hall.

The requested reclassification and Development Plan satisfy the PCC Zone development standards since the site is 14.95 acres in size, well above the 5-acre minimum required in this zone. The subject property has direct access onto 108, a roadway master planned for a 120-foot right-of-way, satisfying the access requirement of the PCC Zone. The Development Plan provides for a 200-foot setback from any existing or proposed residential building, satisfying the setback requirement of the PCC Zone. The Development Plan indicates that 47.8% of the property will be green area, satisfying the 30 percent requirement. Additionally, the building coverage will be 7.3% of the site compared to the 40% maximum building coverage allowed. The Development Plan additionally satisfies the height and parking requirements of the PCC Zone. The proposed 397 parking spaces includes sufficient parking to accommodate patrons when both theaters offer presentations at the same time.

The Phasing Plan element of the Development Plan contains 5 stages and indicates that the anticipated dates of commencement are the earliest, anticipated, probable dates. The phasing of the proposed development is dictated by two events

that are unrelated to the theater project itself. The first is the completion of the Hallowell community in 1990 and the monumental entrance road off of 108 that will provide access into the subdivision and will additionally be connected into the circumferential access road. The second event is the reconstruction of 108 as a dual lane highway by SHA beginning in 1991. Curving of 108 to allow for the continued existence of the Olney Ale House has pushed the reconstruction of the roadway near the existing theater and actors' residence and as a consequence the SHA and the Applicants will develop replacement parking prior to the beginning of the road reconstruction project.

The requested reclassification and Development Plan satisfy the PCC purpose clause due to the fact that this proposal will develop a cultural arts area with supporting uses. The Olney Theater will be expanded and existing facilities supplemented in a manner that assists in the development of a cultural center rather than just a theater. The requested PCC reclassification provides for a development plan with established unified relationships and setbacks as opposed to a variety of zones that would be necessary to achieve the same uses requested under the PCC Zone. The Development Plan will allow the Olney Theater to present plays containing more characters, provides more efficient set construction, permits better lighting of the site, allows year-round presentation of plays and provides for better space for the making of costumes.

The provision of a community building such as the relocated Grange Hall will also satisfy the intent of the PCC Zone for the provision of public use space. The proposed supplemental uses are compatible with the cultural uses proposed on the site and will not adversely affect surrounding uses because of traffic or other factors. The supplemental uses proposed in the Development Plan will enhance the expansion and development of the Olney Theater.

The nearest residence from the site in the Lake Hallowell development will be approximately 100 feet away from the northwest property line of the site. The

setbacks of the proposed development for 108, the existing residence to the northeast and from the proposed residences in the Lake Hallowell subdivision, when combined with the height restrictions and amount of green space, provide for the compatibility of the proposed development with surrounding land uses.

The subject property is identified in the Olney Master Plan as being part of a low-density buffer area. The requested reclassification is in conformance with the Master Plan's recommendation for the continuation of the Olney Theater.

The subject property is currently served by septic system and is located in Sewer Service Area S-6. The Applicants will seek a change in sewer service category. The subject property is located in Water Service W-1. The "staggered starting times" for the two theaters as indicated in the Development Plan relates to traffic impact and the constraints imposed by the road network. The number of parking spaces proposed is sufficient to handle the parking needs of all of the patrons of the two theaters. The greatest amount of traffic associated with the Theater occurs between 7:00 and 8:00 p.m., after the traditional evening peak rush hour. Calculations of the Resulting Level of Service take into consideration existing traffic conditions, background traffic conditions, including the Hallowell subdivision and 108 expansion, and the proposed development reflected in the Development Plan. The requested reclassification and proposed development will have no significant impact on intersection operations in the vicinity of the subject property. There is adequate capacity at nearby intersections and available staging ceiling capacity to accommodate the proposed development.

The Olney Theater is presently a nonconforming use in a wooden structure. The granting of this application would assure that should any damage to the structure occur, its replacement, improvement and redesign could be accomplished without difficulty. The existing structure, upon approval of this application, could be altered and expanded to include a lobby and other needed features without being inhibited by the restrictions against improvements of nonconforming uses.

The public interest is served by changing the legal status of the theater and providing for its immediate improvement as well as future development.

The Development Plan additionally provides for the potential relocation of the Grange Hall to the subject property. The preservation of this historic structure and its use for public activities satisfies the basic elements that comprise the public interest.


For these reasons and because the granting of this application will aid in the accomplishment of a coordinated, comprehensive, adjusted, and systematic development of the Maryland-Washington Regional District, this application will be granted.

ACTION

The County Council for Montgomery County, Maryland, sitting as a District Council for that portion of the Maryland-Washington Regional District located in Montgomery County, approves the following resolution.

Application No. G-630, for the reclassification from the RE-2 Zone and the RE-2/TDR-2 Zone to the Planned Cultural Center Zone of 14.95 acres, plus or minus, of land known as Part of Parcel 791 and Part of Parcel 301, located at the intersection of Maryland Route 108, Olney-Sandy Spring Road, and Doctor Bird Road, approximately 1,000 feet southeast of the intersection of Maryland Route 108 and Old Baltimore Road, Olney, in the 8th Election District, is hereby GRANTED for the Planned Cultural Center Zone in the amount requested and the Development Plan (Exhibit No. 36) is hereby APPROVED.

This is a correct copy of Council action.


Kathleen A. Freedman, CMC
Secretary of the Council

NOTES TO DEVELOPMENT PLAN FOR APPLICATION NO. G-630

- The following uses are allowed within designated buildings or other specified locations on the site:

Building/Site	Uses
A. Existing Actors' Residence	Residence hall, business office, and/or community functions
B. Theatres	Theatre activities
C. Proposed Actors' Residence	Lodging facilities for up to 19 actors or apprentice workers
D. Community Building	Community Functions and other similar accessory uses
E. Grounds and Open Space, including Central Courtyard	Special community events, fairs
F. Restaurant/pub	Eating and drinking establishment
G. Inn	Maximum of 30 rooms/suites
H. Existing single-family home	Actors' residences, future business office
I. Set Construction Building	Construction of sets, props and costumes
- The final location of all proposed buildings and parking facilities to be determined at site plan approval. Possible alternate locations of the future actors' residence, the proposed theatre and proposed set construction building are shown on the Development Plan.
- All buildings will be 50 feet or less in height, except for the theatre and set construction building which may be 75 feet in height.
- The two theatres will have staggered start times for performances. Parking for both theatres will be in accordance with all of the requirements of Division 59-E of the Montgomery County Zoning Ordinance.
- No cutting of healthy trees and no clearing and grading of the site prior to site plan approval.
- This development plan recognizes the potential opportunity to relocate the Grange Hall currently sited at the Saint Luke's Episcopal church property in Ashton, to the Olney Theatre Cultural Center location identified on this plan, provided the relocation project is physically possible and sufficient funding is available.

PARKING TABULATION

EXISTING THEATER	179 SPACES REQUIRED
INN (30 ROOMS)	21 SPACES
RESTAURANT (125 SEATS) & PUB (60 SEATS)	50 SP
OUTDOOR TERRACE	15 SP.
	65 SPACES
FUTURE THEATER 452 SEATS	113 SPACES
FUTURE APPRENTICE HOUSING (12 RESIDENTS)	12 SPACES
TOTAL PARKING REQUIRED	390 SPACES
TOTAL PARKING SHOWN	397 SPACES
BUILDING COVERAGE : 1.08 AC 7.3% (30% MAX ALLOWED)	
GREEN AREA : 7.06 AC 47.8% (30% MIN REQUIRED)	
TOTAL TRACT AREA / 14.75 ACRES	
HALLOWELL CORPORATION	2.38 ACRES
UNIVERSITY PLAYERS	12.37 ACRES

Phase	Use/Activity	Anticipated* Date of Commencement
I	Lake Hallowell entrance**	1990
II	Relocation Parking within Olney Theatre property	1990-1991
III	Inn/Restaurant & related parking	1991
IV	State Highway Administration realignment of MD 108	1991
V	Future Theatre, Apprentice Housing, & Set Construction Building	Pending available funding

* Phasing dates indicates earliest, anticipated, probable construction commencement dates; slippage may occur due to unavailability of funding and other factors beyond the applicants control.

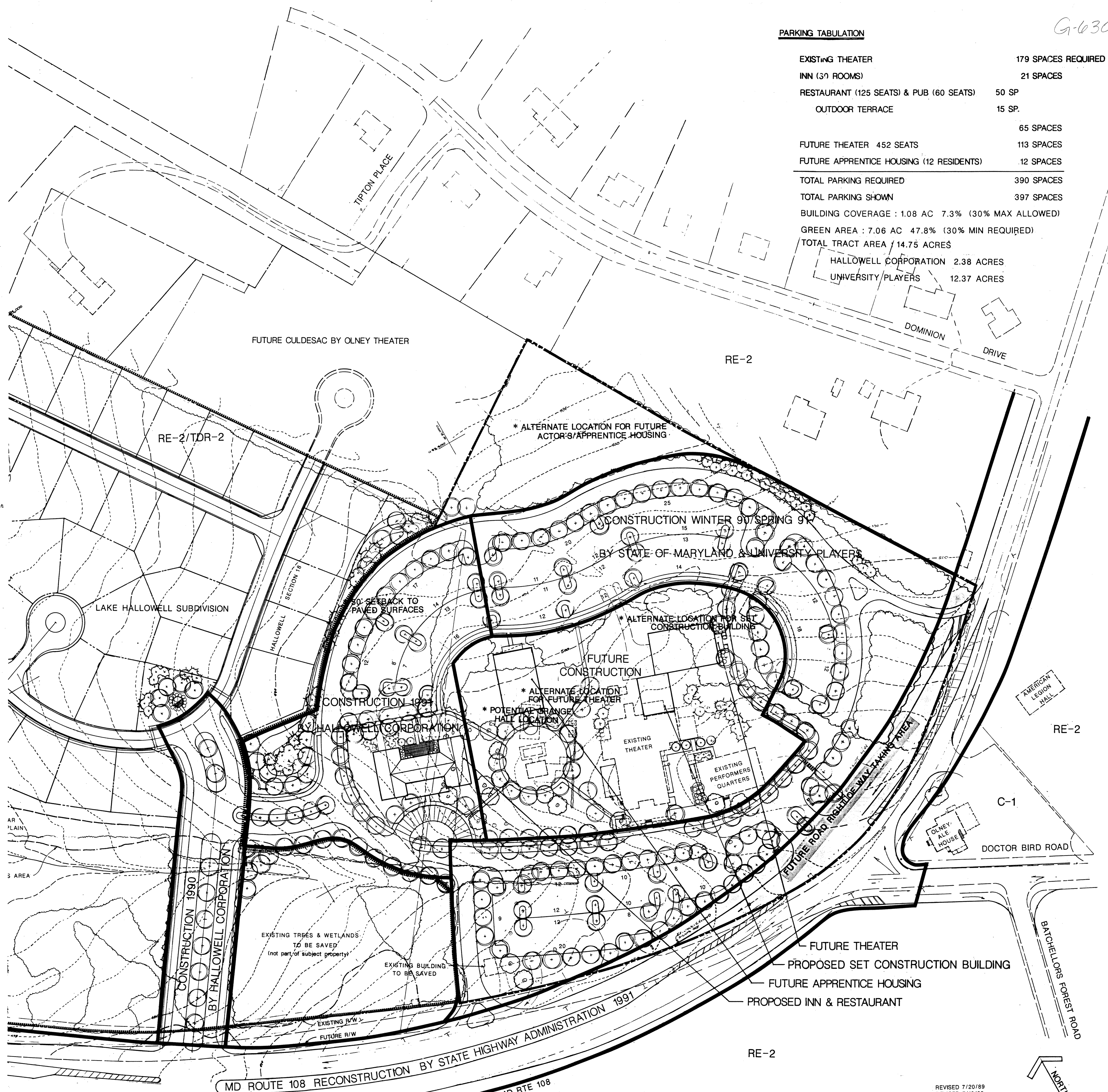
** Lake Hallowell entrance not part of subject property. Entrance to be developed pursuant to Lake Hallowell Subdivision.

OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS

CERTIFICATION

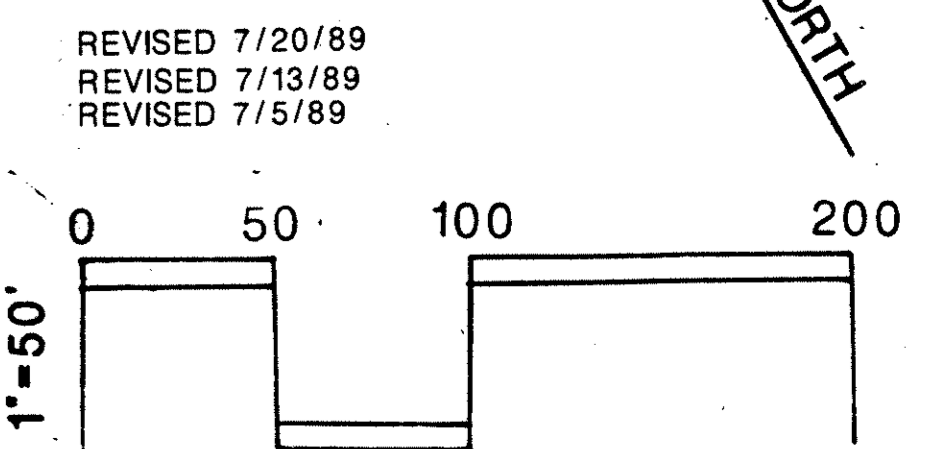
This is a true copy of the Development Plan (Exhibit No. 36) approved by the District Council on September 12, 1989, in Application No. G-630.

Dated: September 25, 1989

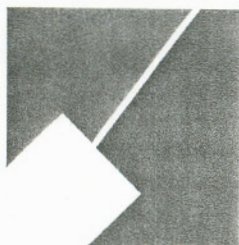


OLNEY THEATER

DEVELOPMENT & PHASING PLAN



M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

MONTGOMERY COUNTY PLANNING BOARD

REVISED OPINION

DATE MAILED: July 3, 2001

SITE PLAN REVIEW #: 8-01022

PROJECT NAME: Olney Theater-Center for the Arts

Action: Approval subject to conditions. Motion was made by Commissioner Bryant, seconded by Commissioner Holmes, with a vote of 5-0, Commissioners Bryant, Perdue, Hussmann, Holmes and Wellington voting for.

The date of this written opinion is July 3, 2001, (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal, as provided in the Maryland Rules of Procedure, on or before August 3, 2001 (which is thirty days from the date of this written opinion). If no administrative appeal is timely filed, this Site Plan shall remain valid for as long as the Preliminary Plan #1-90012, as amended, is valid, as provided in Section 59-D-3.8.

On May 31, 2001 Site Plan Review #8-01022 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and evidence submitted in the record on the application. Based on the testimony and evidence presented and on the staff report, which is made a part hereof, the Montgomery County Planning Board finds:

1. *The Site Plan is consistent with the approved development plan;*
2. *The Site Plan meets all of the requirements of the PCC zone;*
3. *The location of the buildings and structures, the open spaces, the landscaping, and the pedestrians and vehicular circulation systems are adequate, safe, and efficient;*
4. *Each structure and use is compatible with other uses and other Site Plans and with existing and proposed adjacent development;*
5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation;*

Therefore, the Montgomery County Planning Board APPROVES Site Plan #8-01022, which consists of 30,250 gsf theater, classroom, lobby, offices; 5460 gsf recital hall, lobby; 3000 gsf scene shop expansion; to be added to 27,180 gsf existing arts center including existing theater, studio, offices, classrooms, performers' quarters, scene shop and gate house, on 10.6 acres, subject to the following conditions:

1. Standard Conditions dated October 10, 1995:
 - A. Submit a Site Plan Enforcement Agreement and Development Program for review and approval prior to approval of the signature set as follows:
 - a. Development Program to include a phasing schedule as follows:
 - 1) Streets tree planting must progress as street construction is completed, but no later than six months after completion of phase one construction
 - 2) Community-wide pedestrian pathways must be completed in phase one
 - 3) Landscaping associated with each parking lot and building shall be completed as construction of each facility is completed.
 - 4) Pedestrian pathways and seating areas associated with each facility shall be completed as construction of each facility is completed.
 - 5) Clearing and grading to correspond to the construction phasing, to minimize soil erosion.
 - 6) Phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, trip mitigation or other features.
 - 7) Each subsequent phase of development shall be brought back by the applicant to the Planning Board for their approval as an amendment of this Site Plan.
 - B. Signature set of site, landscape/lighting, forest conservation and sediment and erosion control plans to include for staff review prior to approval by Montgomery County Department of Permitting Services (DPS):
 1. Limits of disturbance.
 2. Methods and locations of tree protection.
 3. Forest Conservation areas.
 4. Relocation of stormwater facility outfalls from pond away from forest preservation or other environmentally sensitive areas.
 5. Conditions of DPS Stormwater Management Concept approval letter
 6. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.
 7. The development program inspection schedule.
 8. Conservation easement boundary.
 9. Streets trees along public street.
 10. Location of outfalls away from tree preservation areas.
 - C. Forest Conservation Plan shall satisfy all conditions of approval prior to recording of plat and DPS issuance of sediment and erosion control permit.
 - D. No clearing or grading prior to M-NCPPC approval of signature set of plans.
 2. Concurrent performances may be conducted in both theaters only if the Preliminary Plan condition prohibiting them is removed by Amendment of the Preliminary Plan
 3. Conditions of the memo from Transportation Planning staff dated May 23, 2001, except to the degree that they may be modified by the pending Preliminary Plan Amendment
 4. Site Plan Enforcement Agreement to include description of phasing in Development Program; Later phases shall provide additional Landscape/lighting detail and shall be resubmitted for staff approval as phased signature sets prior to building permit release
 5. Applicant shall construct up to its west property line the ring road and pedestrian connections needed to connect to the adjacent property to the west at the time of construction of the final phase of the Applicant's project, or when either the Applicant or the adjacent property owner requires such a connection. These future connections will be shown on the Signature Set of plans.

6. At any time the studio is used for performance, only one other theater facility may be operated concurrently, except that this condition may be modified by the pending Preliminary Plan Amendment.



MONTGOMERY COUNTY
DEPARTMENT OF PERMITTING SERVICES
 255 Rockville Pike, 2nd Floor
 Rockville, Maryland 20850-4166

NOTICE OF VIOLATION

Case# 420060
 Permit Type
 SITE PLAN

Permit
 Number
 820010220

FOR MONTGOMERY COUNTY, MARYLAND the undersigned issuer, being duly authorized, states that: On March 12, 2020 the recipient of this NOTICE: DENNIS BLACKLEDGE OF OLNEY THEATRE who represents the permittee/defendant, is notified that a violation of Montgomery County Code, Section(s) as noted below exists at: Olney Theatre

	<u>VIOLATION</u>	<u>CORRECTIVE ACTION</u>
Violation 1: 8-26(g)	Violation of conditions and development standards of site plan	Site Plan Violation (Condition of Permit)
Violation 2: 59-7.6.3	Failure to comply with approved site plan.	Comply with approved site plan.

Violation Comments / Remarks:

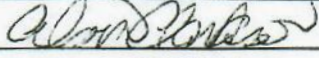

1. Failure to install the minimum parking requirements per proposed phasing plan in the Site Plan Enforcement Agreement and as shown on the Certified Site Plan Phase 3.
2. Failure to install the parking lot islands per site plan/specifications.
3. Failure to install the correct parking lot light fixtures, including the correct quantities and locations per site plan/specifications.
4. Failure to install the seat walls/trellis in Phase I per site plan/specifications.
5. Failure to install the site landscaping per site plan/specifications.

Corrective Action / Remarks:

Correct all violations identified above (1-5) per the certified site plan/spec -or- file for a site plan amendment proposing any changes as appropriate.

Compliance Time: 30 Days Re-Inspection Date(s): 04/13/2020

Failure to comply with this notice may result in the issuance of one or more administrative citations seeking fines of \$500.00.

ISSUED BY:	Alvin Clarkson		03/12/2020
	Printed Name	Signature	Date
Phone No:	(240) 678-1738		
RECEIVED BY:	Dennis A. Blackledge		03/12/2020
	Printed Name	Signature	Date
Phone No:	(703) 622-9235		
		Sent By Email On:	03/12/2020

RECIPIENT'S SIGNATURE ACKNOWLEDGES RECEIPT OF A COPY OF THIS NOTICE OF VIOLATION

SITE PLAN ENFORCEMENT AGREEMENT

THIS AGREEMENT, by and between OLNEY THEATRE-CENTER FOR THE ARTS, INC. (the "Applicant"), and the MONTGOMERY COUNTY PLANNING BOARD OF THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION (the "Planning Board"), is effective the date signed by the Planning Board.

WHEREAS, §59-D-3.3 of the Montgomery County Code (the "Code") requires the Applicant, as part of the site plan review process, to enter into a formal agreement with the Planning Board; and

WHEREAS, the Code requires the Applicant to agree to execute all features of the approved site plan noted in §59-D-3.23 in accordance with the development program required by §59-D-3.23(m).

NOW THEREFORE, in consideration of the mutual promises and stipulations set forth herein and pursuant to the requirements of §59-D-3.3 of the Code, the parties hereto agree as follows:

1. The Applicant agrees to comply with all of the conditions set forth in the Planning Board's Revised Opinion dated July 3, 2001 and to execute all of the features of the approved Site Plan No. 8-01022, attached hereto and incorporated herein as Exhibit "A" (the "Site Plan") and Landscape and Lighting Plan, attached hereto and incorporated herein as Exhibit "B", including all features noted in §59-D-3.23, in accordance with the approved Development Program required by §59-D-3.23(m), attached hereto and incorporated herein as Exhibit "C".

2. This Agreement is binding on the Applicant, its successors and assigns, and on the land and improvements in perpetuity or until released in writing by the Planning Board.

IN WITNESS WHEREOF, the parties hereto have set our hands and seals as of the date and year set forth below.

Approved for Signature:

APPROVED AS TO LEGAL SUFFICIENCY

TAB
M-NCPPC LEGAL DEPARTMENT

DATE 11/18/02

By: [Signature]

Witness:

[Signature]

PLANNING BOARD:

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

By: Joseph R. Davis

Date: 11/20/02 Joseph R. Davis, Chief
Development Review Division

APPLICANT:

OLNEY THEATRE-CENTER FOR THE ARTS, INC.
a Maryland corporation

By: Debra K. Kraft
Name: Debra K. Kraft
Title: Managing Director

EXHIBIT "A"

CERTIFIED SITE DEVELOPMENT PLAN

Oiney Theatre - Center for the Arts
Site Plan No. 8-01022

EXHIBIT "B"

CERTIFIED LANDSCAPE/LIGHTING PLAN

Olney Theatre - Center for the Arts
Site Plan No. 8-01022

EXHIBIT "C"

DEVELOPMENT PROGRAM

Olney Theatre - Center for the Arts
Site Plan No. 8-01022

Applicant agrees to complete site plan features within the time frames stipulated below.

A. The project will be completed in 5 phases as detailed on Exhibit "C-1", attached and incorporated herein by reference.

B. Subject to other provisions of this Development Program, Applicant will complete the following site plan elements prior to occupancy of the building(s) constructed in that constructed phase or section:

1. Paving of roads;
2. Sidewalks (on-site);
3. Lighting (street and parking lot);
4. Grading
5. Landscaping
6. Fences

C. Other stipulations as required by the M-NCPPC staff, and as enumerated in Exhibit C-2 attached and incorporated herein by reference. If no other stipulations are required, Exhibit C-2 to be attached stating "None."

D. Site Inspections:

1. Applicant shall conduct a preconstruction meeting with M-NCPPC staff and MCDPS Sediment Control staff prior to clearing and grading.
2. Prior to occupancy of the building(s), the Applicant shall schedule with M-NCPPC staff an inspection to ensure compliance with this Development Program and Site Plan Enforcement Agreement.
3. Applicant shall send written notice to M-NCPPC's Inspection Unit to initiate scheduling of preconstruction meetings and site inspections.

EXHIBIT "C-1"

DEVELOPMENT PROGRAM

Olney Theatre - Center for the Arts
Site Plan No. 8-01022

Development program to include a phasing schedule as follows:

PHASING

The Development Program for the Subject Property will proceed in five (5) phases. Applicant shall return to the Planning Board to obtain the Board's approval for Phase 2; and, subsequently, Applicant shall obtain separate Board approval for each remaining phase of this development. Each such Board approval will require an amendment to the site plan.

Phase 1

Comprises construction of the new mainstage theatre, classrooms, offices and intermission lobby. In addition, at the rear, the Central Plaza and walkway to the future drop-off area and landscaping will be constructed in this phase. In the front, the pavement widening/drop-off area, the service area to the west and the access road to it, the addition of sidewalks and crosswalks, associated landscaping around the Theatre and the proposed stormwater management facility (sized for the ultimate development) will also be constructed in this phase.

The parking requirements for Phase 1 are as follows:

Required:

Ex. Theatre:	440 seats at 1sp./4 seats =	110
Prop. Mainstage:	435 seats at 1sp./4 seats =	109
Classes/Offices:	22 employees at 1sp./employee =	22
Total parking required - Phase 1 =		241
Existing spaces provided =		281

Phase 2

Contemplates construction of the Recital Hall and Lobby. In addition, the walkway connecting the Hall to the Central Plaza and associated landscaping.

The parking requirements for Phase 2 are as follows:

Required:

From Phase 1 =		241
Recital Hall:	150 spaces at 1 sp./4 seats =	38
Total parking required - Phase 2 =		279
Existing spaces provided =		281

Phase 3

Contemplates the addition of all proposed parking spaces, the rear drop-off area, parking lot lighting and parking lot tree planting.

Phase 4

Contemplates landscape improvements for the amphitheatre/grounds/open space, additional landscaping around the Central Plaza and the Recital Hall and the addition of the screen wall and the information trellis wall.

Phase 5

Contemplates construction of the Scene Shop expansion, service area and its screen wall as well as associated landscaping. No additional parking will be required.

Applicant must receive approval of Planning Board Staff for any changes to the above sequence of the phasing of this project.

LOCAL FEATURES

Foundation plantings, general site landscaping and other site plan features shall be completed for each building prior to occupancy, subject to the planting season. If planting cannot be completed due to weather, landscaping shall be done within three (3) months of occupancy, with written notification to the Maryland-National Capital Park and Planning Commission ("M-NCPPC") upon completion.

COMMUNITY FEATURES

When construction is to occur in areas adjacent to the tree save areas, all tree save areas will be delineated in the field with snow fencing or equivalent and M-NCPPC will be contacted for inspection of these areas prior to issuance of permits. The snow fencing shall be removed once construction has been completed in these areas.

INSPECTION

The M-NCPPC shall be notified in writing for a site inspection of each building phase prior to occupancy to assure compliance with all approved plans in accordance with the Site Plan Enforcement Agreement and this Development Program.

EXHIBIT "C-2

STIPULATIONS

**Olney Theatre - Center for the Arts
Site Plan No. 8-01022**

In accordance with the conditions set forth in the Montgomery County Planning Board's decision approving Site Plan No. 8-01022, the Applicant agrees to the following stipulations:

1. Concurrent performances may be conducted in both theatres only if the Preliminary Plan condition prohibiting them is removed by Amendment of the Preliminary Plan.
2. Conditions of the memo from Transportation Planning staff dated May 23, 2001, except to the degree that they may be modified by the pending Preliminary Plan Amendment.
3. Site Plan Enforcement Agreement to include description of phasing in Development Program; later phases shall provide additional landscape/lighting detail and shall be resubmitted for staff approval as phased signature sets prior to building permit release.
4. Applicant shall construct up to its west property line the ring road and pedestrian connection needed to connect to the adjacent property to the west at the time of construction of the final phase of the Applicant's project, or when either the Applicant or the adjacent property owner requires such a connection. These future connections will be shown on the Signature Set of plans.
5. At any time the studio is used for performance, only one other theatre facility may be operated concurrently, except that this condition may be modified by the pending Preliminary Plan Amendment.

Stormwater Management Concept Exemption
October 11, 2019


Aaron Savage, Planner
Development Applications and Regulatory Coordination
M-NCPPC, Montgomery County Planning Department
8787 Georgia Avenue
Silver Spring, MD 20910
301-495-4619

RE: Stormwater Management Concept
Exemption for (Olney Theatre Center)
M-NCPPC Plan Number: 82001022A

Aaron,

This letter is to confirm that the proposed development activities for Olney Theatre Site Plan Amendment 82001022A, are for additions or modifications to an existing commercial structure that is less than 5,000 square feet of land disturbance, and therefore exempt from Stormwater Management Concept Approval, per Section 19-31 (C) of Montgomery County Code.

Sincerely,


Mark C. Etheridge, Manager

Montgomery County Department of Permitting Services
Water Resources Section
255 Rockville Pike, 2nd Fl.
Rockville, MD 20850-4166
Mark.etheridge@montgomerycountymd.gov

X STORMWATER MANAGEMENT WOULD NOT
BE REQUIRED FOR THE PROJECT AS
DESCRIBED HEREIN.



TECHNICAL MEMORANDUM

To: Chris Van Alstyne
Montgomery County Planning Department

From: David B. Samba P.E., PTOE
Kimley-Horn and Associates, Inc.

Date: February 6, 2020

Subject: Olney Theatre Center Site Plan Amendment No. 82001022A
Traffic Exemption Statement

Introduction

This memorandum serves as a traffic exemption statement for the Site Plan Amendment for the Olney Theatre Center in Olney, Maryland. A traffic exemption statement is appropriate because the proposed action does not result in the generation of an additional 50-person trips to the site. This statement has been written per the requirements of the Montgomery County Local Area Transportation Review Guidelines (2017).

EXEMPTION STATEMENT

Development project location—planning area and policy area;

The site is located at 2001 Olney Sandy Spring Road (the “Property”), approximately one mile east of the intersection of Olney Sandy Spring Road and Georgia Avenue at the town center of Olney.

Planning Area: 3

Policy Area: Olney

Proposed nonresidential square footage;

The Applicant is requesting approval of the following modifications to accommodate an addition to the existing Multz-Gudelsky Theatre Lab on site (the “Theatre Lab”):

Expansion of the building footprint by 3,150 square feet (which allows for an expansion on the first floor of 3,150 square feet, and an addition of a second floor control room/mezzanine of 243 square feet, for a total increase in gross square footage of 3,393 square feet)

Proposed number of dwelling units (single-family or multifamily);

N/A, None

Proposed land uses (as defined by the Department of Permitting Services);

Planned Cultural Center (PCC) (minor expansion to existing theatre lab)

Estimated number of new and total peak-hour person trips generated by the proposed land uses

Based on Current Site operations

New people = 0

Existing people = Approximately 150 people during the theatre performance hours (Wed-Sat evenings – 7:45PM to 10:45 PM; Sat-Sun 1:45PM to 4:45 PM)

Total people = Approximately 150 trips

The proposed building expansion will not increase the occupant load as the existing auditorium floor area (2,535 square feet) is being retained, and only lobby, dressing room, green room, and flex space are being added as part of the (3,150 square foot) expansion. As a result, no additional peak hour person trips will be generated by the proposed action. The expansion is not oriented to support any additional seating or employment.

Rationale for exemption.

The proposed action does not result in any additional person trips (during the peak hours and generally) and thus does not exceed the 50-person threshold for a traffic impact study.



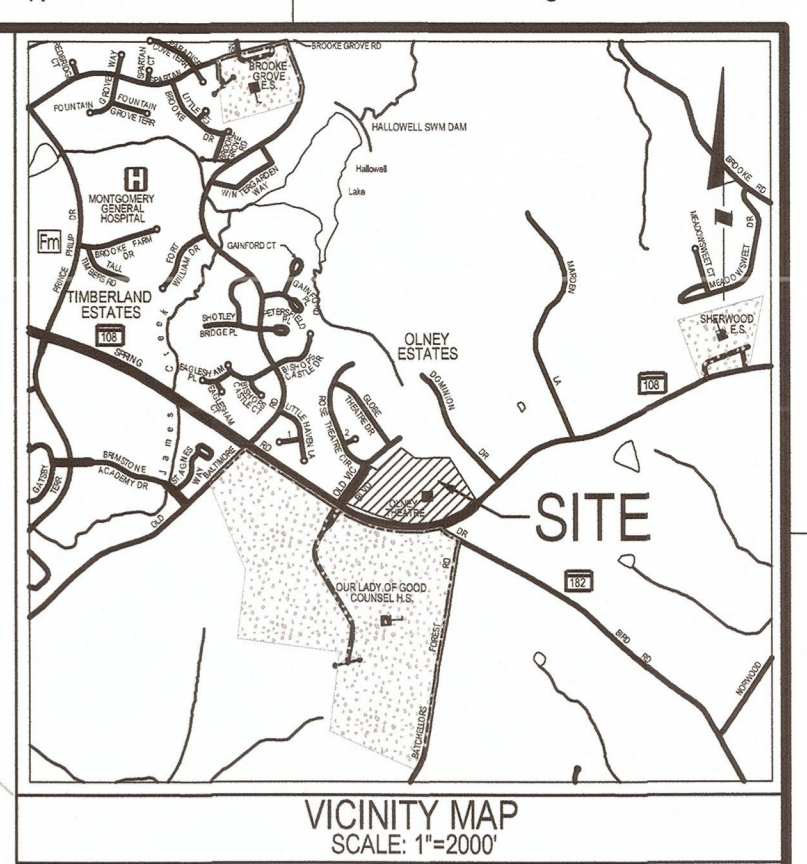
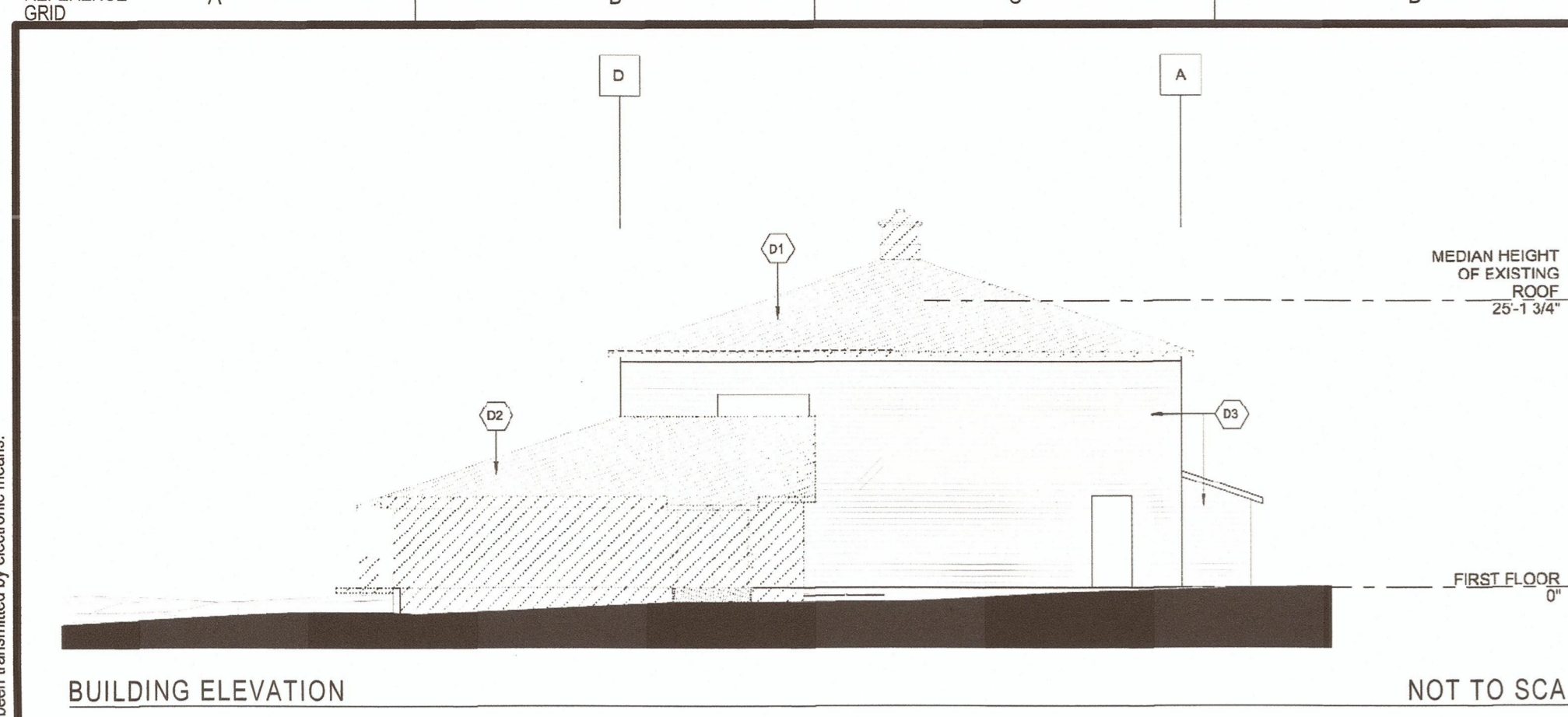
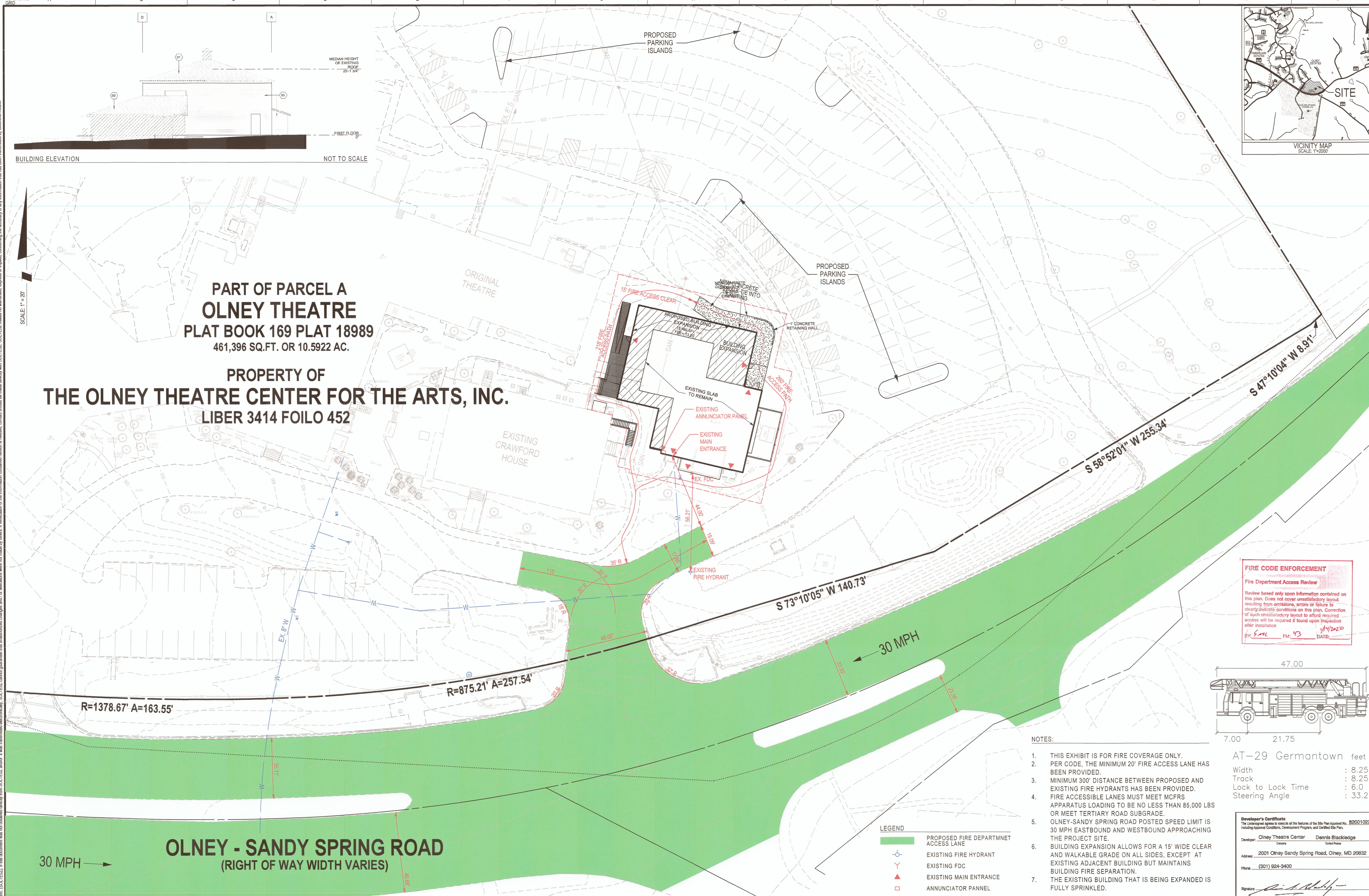
**Department of Permitting Services
Fire Department Access and Water Supply Comments**

DATE: 14-Jan-20
TO: Daniel Pino (LSA)
Loiederman Soltesz Associates, Inc
FROM: Marie LaBaw
RE: Olney Theatre Center
82001022A

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **14-Jan-20** .Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

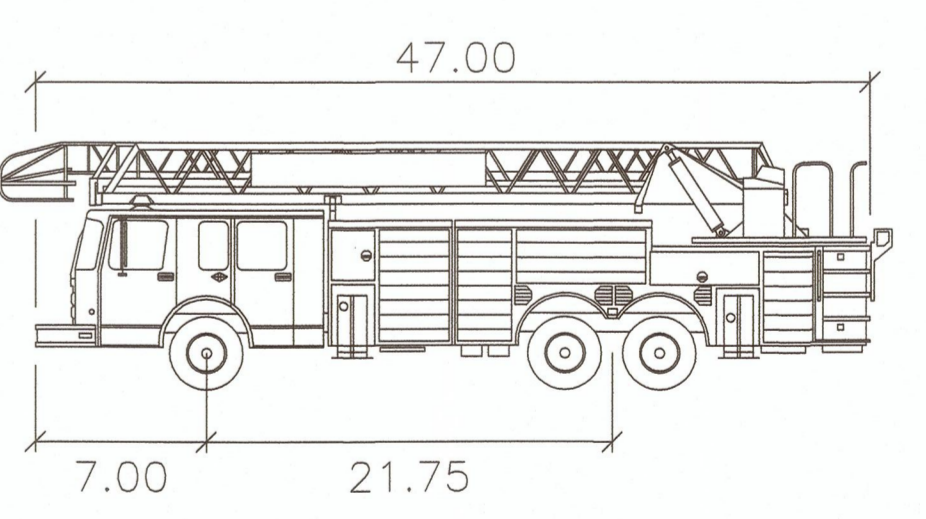
***** See Statement of Performance Based Design: review for addition to existing building *****



**PART OF PARCEL A
 OLNEY THEATRE
 PLAT BOOK 169 PLAT 18989
 461,396 SQ.FT. OR 10.5922 AC.**

**PROPERTY OF
 THE OLNEY THEATRE CENTER FOR THE ARTS, INC.
 LIBER 3414 FOILO 452**

FIRE CODE ENFORCEMENT
 Fire Department Access Review
 Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation.
 BY: *[Signature]* FM: 43 DATE: 1/11/2020



AT-29 Germantown feet

Width	: 8.25
Track	: 8.25
Lock to Lock Time	: 6.0
Steering Angle	: 33.2

- NOTES:
- THIS EXHIBIT IS FOR FIRE COVERAGE ONLY. PER CODE, THE MINIMUM 20' FIRE ACCESS LANE HAS BEEN PROVIDED.
 - MINIMUM 300' DISTANCE BETWEEN PROPOSED AND EXISTING FIRE HYDRANTS HAS BEEN PROVIDED. FIRE ACCESSIBLE LANES MUST MEET MCFRS APPARATUS LOADING TO BE NO LESS THAN 85,000 LBS OR MEET TERTIARY ROAD SUBGRADE.
 - OLNEY-SANDY SPRING ROAD POSTED SPEED LIMIT IS 30 MPH EASTBOUND AND WESTBOUND APPROACHING THE PROJECT SITE.
 - BUILDING EXPANSION ALLOWS FOR A 15' WIDE CLEAR AND WALKABLE GRADE ON ALL SIDES, EXCEPT AT EXISTING ADJACENT BUILDING BUT MAINTAINS BUILDING FIRE SEPARATION.
 - THE EXISTING BUILDING THAT IS BEING EXPANDED IS FULLY SPRINKLED.

- LEGEND**
- PROPOSED FIRE DEPARTMENT ACCESS LANE
 - EXISTING FIRE HYDRANT
 - EXISTING FDC
 - EXISTING MAIN ENTRANCE
 - ANNUNCIATOR PANEL

PROFESSIONAL CERTIFICATION
 I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.
 LICENSE NO. 17731 EXPIRATION DATE: 03-23-2020

FIRE ACCESS PLAN

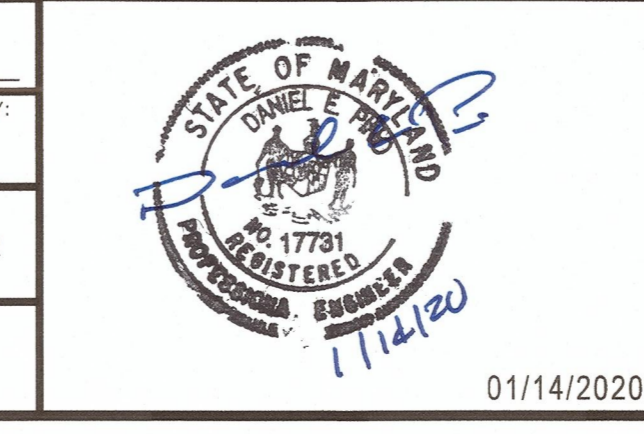
SOLTESZ, INC.
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 ROCKVILLE OFFICE
 2 Research Place, Suite 100
 Rockville, MD 20850
 P. 301.948.2750 F. 301.948.9067
 www.soltesz.com

NO.	DATE	REVISIONS	BY	DATE
1	DECEMBER 2019	CAD STANDARDS VERSION: v8-2000	DC	
	DESIGNED: DC	TECHNICAL: DC	CHECKED: DEP	

MISS UTILITY NOTE
 INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITY CROSSINGS BY DIGGING TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT MISS UTILITY AT 1-800-251-7777, 48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THIS PLAN OR TWELVE (12) INCHES, WHICHEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THIS PLAN.

OWNER/DEVELOPER/APPLICANT
 OLNEY THEATRE CENTER
 2001 OLNEY-SANDY SPRING ROAD
 OLNEY, MD 20832
 (301) 924-3400
 DENNIS BLACKLEDGE
 dblackledge@olneytheatre.org

MAP	JT12	GRID	JT12
TAX MAP	JT.122	ZONING CATEGORY	PCC
WSBC 200 SHEET	224NW02	MASTER PLAN	OLNEY MASTER PLAN
SITE DATUM		XXXX	
HORIZONTAL			
VERTICAL			



**OLNEY THEATRE CENTER
 OLNEY SANDY SPRING ROAD, OLNEY**

OLNEY (8TH) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

PROJECT NO. 3886-00-00

SHEET 1 OF 1

DATE: 01/14/2020

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