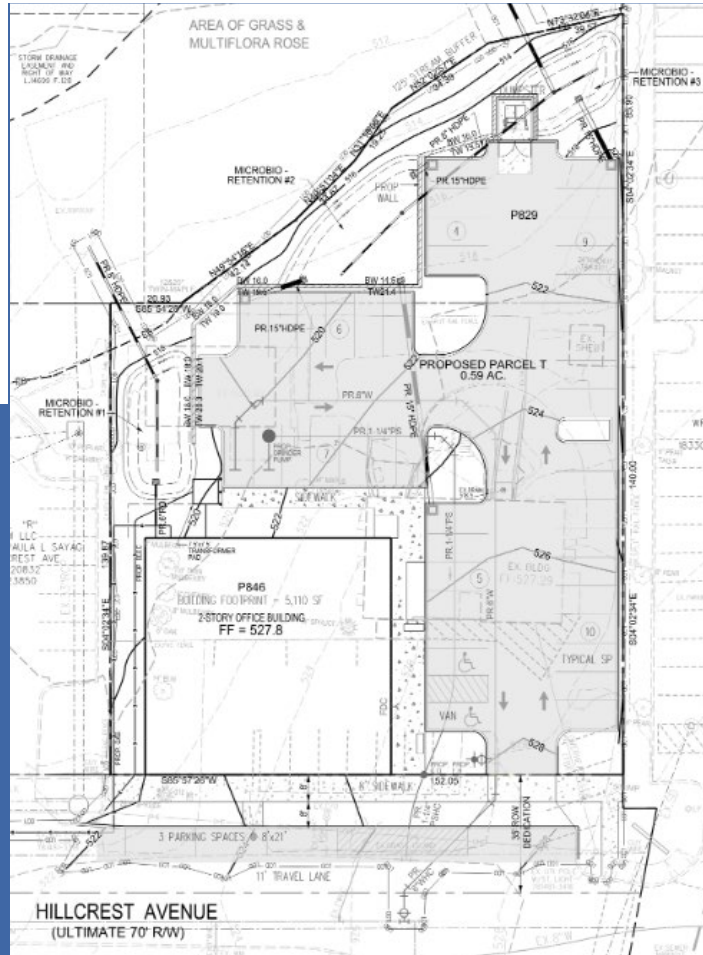


# HILLCREST AVE PRELIMINARY PLAN NO. 120230010



## Description

Application to consolidate two parcels (P829 and P846) into one (1) lot for the construction of a 11,058 square foot medical office building.

Preliminary Plan No. 120230010

Completed: 3-31-2023

MCPB  
Item No. 6

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

## Planning Staff

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## Summary:

- Staff recommends approval with conditions of the Preliminary Plan.
- The Application will consolidate two parcels (P829 and P846) into one (1) lot for the construction of a 11,058 sq ft medical office building, associated surface parking, and improvements along Hillcrest Avenue.
- The Application does not require a site plan as detailed in Section 59.7.3.4.
- As conditioned, the Applicant is making a financial contribution towards the ongoing renovation of the nearby Greenwood Local Park in lieu of providing on-site public use space per Section 6.3.6.C.
- A Tree Save Plan was submitted to fulfill the conditions of the FCP exemption because there are specimen trees onsite. The Tree Save Plan also includes invasive species removal and reforestation of the adjacent northern parcel, Parcel 826, that will be conveyed to the Commission for use as parkland.
- The Application constructs frontage improvements along Hillcrest Ave and stormwater improvements on the Subject Property.

### LOCATION/ADDRESS

18201 Hillcrest Ave in Olney

### MASTER PLAN

2005 Olney Master Plan

### ZONE

CRT 2.0 C-1.0 R-1.0 H-70 T

### PROPERTY SIZE

0.59 Acres (25,718 Square Feet)

### APPLICANT

Hanes Properties Maryland, LLC

### ACCEPTANCE DATE

August 16, 2022

### REVIEW BASIS

Chapters 59, 50 and 22A

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## SECTION 1: RECOMMENDATIONS AND CONDITIONS

### PRELIMINARY PLAN NO. 120230010

Staff recommends approval with conditions of the Preliminary Plan to consolidate two parcels (P829 and P846) into one (1) lot for redevelopment with a two-story office building, associated surface parking, and improvements along Hillcrest Avenue. All site development elements shown on the latest electronic version of the Preliminary Plan as of the date of this Staff Report are required except as modified by the following conditions:

#### GENERAL APPROVAL

1. This Preliminary Plan is limited to one (1) lot for 11,058 square feet of medical office use.

#### ADEQUATE PUBLIC FACILITIES AND OUTSIDE AGENCIES

2. 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).

#### PLAN VALIDITY PERIOD

3. The Preliminary Plan will remain valid for three (3) years from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and prior to the expiration date of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records or a request for an extension filed.

#### OUTSIDE AGENCIES

4. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated November 29, 2022 and amended March 8, 2023 (Attachment C) and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
5. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT’s requirements for access and improvements.
6. 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 November 15, 2022 (Attachment D) and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply

with each of the recommendations 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.

7. The Planning Board has reviewed and accepts the recommendations of the MCDPS, Fire Department Access and Water Supply Section in its letter dated Dec 1, 2022 (Attachment E) and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.

#### OTHER APPROVALS

8. Before approval of a record plat or any demolition, clearing or grading for the Subject Property, the Applicant must receive Staff certification of this Preliminary Plan.
9. Except clearing and grading associated with the demolition of building and paving, there shall be no clearing or grading of the site prior to recordation of plat(s).

#### PUBLIC OPEN SPACE

10. Before issuance of the first above grade building permit, the Applicant must contribute \$35,000 to the Maryland-National Capital Park & Planning Commission (“M-NCPPC” or “Commission”) Montgomery County Department of Parks (Montgomery Parks) towards the ongoing renovation of the nearby Greenwood Local Park in lieu of providing on-site public use space.

#### TRANSPORTATION

##### Frontage Improvements

11. The Applicant must provide the following dedications and show them on the record plat(s) for the following existing road:
  - a) All land necessary to accommodate thirty-five (35) feet from the existing pavement centerline along the Subject Property frontage for Hillcrest Avenue for a total master-planned width of 70 feet.
12. Before the recordation of plat(s), the Applicant must satisfy all necessary requirements of MCDOT to ensure construction of the following road cross-section, as measured from the building front to the existing pavement centerline for Hillcrest Avenue:
  - a. two-foot minimum paved (concrete) maintenance buffer
  - b. eight-foot sidewalk
  - c. eight-foot grass strip
  - d. six-foot tree panel buffer

- e. curb
  - f. eleven-foot-wide travel lane (maintained from existing)
13. Before the issuance of the first above grade building permit or right-of-way permit (whichever comes first), the Applicant must make a de minimis payment of **\$17,510.40** (\$115.20 x 152 linear feet, or the lot width at front building line) to MCDOT towards the construction of bikeway improvements in the Olney Policy Area. The payment will be inflated based on the Federal Highway Administration’s National Highway Construction Cost Index from the mailing date of the Planning Board Resolution to the date of the first above grade building permit or right-of-way permit (whichever comes first). Proof of payment is required.
  14. Before the certification of the Preliminary Plan, the Applicant shall add a notation adjacent to the sidewalks shown along the Property frontage to state “Future bikeway improvements to be built by others. De minimis payment to be provided by the Applicant”.

#### RECORD PLATS

15. The record plat must show necessary easements.

#### ENVIRONMENT

16. The Applicant must schedule the required site inspections by M-NCPPC Forest Conservation Inspection Staff and Montgomery Parks Staff as noted on the approved Tree Save Plan (“TSP”).
17. The Applicant must comply with all tree protection and tree save measures shown on the approved TSP. Tree save measures not specified on the approved TSP may be required by the M-NCPPC Forest Conservation Inspection Staff or the Montgomery County Department of Parks Staff.
18. With the exception of demolition of existing structures for any life safety issues, before the start of any demolition, clearing, grading or construction for this development Application, whichever comes first, the Applicant must:
  - a. Submit financial surety, in a form approved by the M-NCPPC Office of the General Counsel, to the M-NCPPC Planning Department for the new forest planting and landscape trees, and maintenance, including invasive species management controls.
  - b. Execute a five-year Maintenance and Management Agreement (“MMA”) in a form approved by the M-NCPPC Office of the General Counsel. The MMA is required for all forest planting areas and landscape tree plantings. The MMA includes initial invasive species management control measures and follow up measures as deemed necessary by the M-NCPPC Forest Conservation Inspection Staff and Montgomery Parks Staff. All proposed measures should be chosen with consideration of the proximity to the on-site stream and the sensitive nature of this watershed.

19. The Applicant must perform the non-native invasive species management measures within 60 days of the issuance of the first sediment control permit for the Application, or as directed by the M-NCPPC Forest Conservation Inspection Staff. The M-NCPPC Forest Conservation Inspection Staff will determine when the non-native species management control program is complete and the forest planting may begin.
20. The Applicant must install the forest and tree plantings as shown on the approved TSP, within the first planting season after the invasive species management control measures are complete as determined by the M-NCPPC Forest Conservation Inspection Staff, or as directed by the M-NCPPC Forest Conservation Inspection Staff and Montgomery Parks Staff.
21. Before final inspection and acceptance of Parcel 826 through recordation of the deed of conveyance, the Applicant must install permanent Montgomery Parks property boundary markers along the perimeter of the property identified as the Park Conveyance Parcel and known as Parcel Tax Account ID 03867936 (“Park Conveyance Parcel”) as shown on the approved TSP, or as directed by the M-NCPPC Forest Conservation Inspection Staff and Montgomery Parks Staff.

## Parks

22. The Applicant must convey to the Commission the property identified as the Park Conveyance Parcel for Preliminary Plan No. 120230010.
  - a. Before approval of the record plat, an executed deed for the Park Conveyance Parcel, in a form and substance approved by the Commission’s Office of General Counsel, must be provided to the Commission.
  - b. The Commission will hold the deed in escrow until all improvements on the Park Conveyance Parcel are complete and all conditions of the TSP and Park Construction Permit have been completed and accepted by the Commission including the completion of the MMA, at which time the deed will be recorded in the land records to transfer title of the Park Conveyance Parcel to the Commission.
  - c. Before the Commission recordation of the deed and release of any required Park Construction Permit(s) (i.e., after completion of activity pursuant to the permit), the Park Conveyance Parcel must be free of trash and unnatural debris with the boundaries adequately marked and signed to delineate between parkland and private properties. Location and design of boundary markers and signs to be approved by Montgomery Parks Staff. Any encroachments on the Park Conveyance Parcel other than approved stormwater management easements as shown on the Certified Preliminary Plan must be cured.
  - d. From approval of the Preliminary Plan until the recordation of the deed, the Applicant may not place any easements or other restrictions of record on the Park Conveyance Parcel. Any third-party use rights of the Park Conveyance Parcel must be approved in advance by Montgomery Parks.

23. Any activity on the Park Conveyance Parcel may require an approved Park Construction Permit as directed by Montgomery Parks Staff additionally:
- a. All facilities to be constructed by the Applicant on the Park Conveyance Parcel must be acceptable to Montgomery Parks staff and must meet or exceed Montgomery Parks' design standards and specifications.
  - b. Landscape design and vegetative plantings on the Park Conveyance Parcel must meet Montgomery Parks standards, specifications, and native species requirements. Areas of afforestation/reforestation plantings will not be accepted until the required maintenance period is complete and deer fencing removed.
  - c. A stable channel to transport proposed discharges from stormwater outfalls located on and directed towards the Park Conveyance Parcel must be provided.
    - i. No stormwater management facilities may be located on the Park Conveyance Parcel except the outfall pipe from micro-bioretenion facility #1, leading to the step-pool drainage channel shown on the approved preliminary plan or comparable sustainable design as approved by Montgomery Parks Staff.
    - ii. Discharges from the existing MCDOT 33" RCP storm drainpipe and the outfall pipe from micro-bioretenion facility #1 must be managed using a step-pool storm drainage channel or comparable sustainable design that conveys flow all the way to the receiving stream, as shown on the Certified Preliminary Plan. Proposed drainage channel designs must be approved by Montgomery Parks Staff.
    - iii. The need to convey stormwater across steep slopes must be minimized.
    - iv. Discharges from the parking lot inlets must outfall onto the project site and not cause erosive stormwater discharges onto the Park Conveyance Parcel.

#### CERTIFIED PRELIMINARY PLAN

24. 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.*
  - b. *The Applicant must schedule an on-site preconstruction meeting with M-NCPPC inspection Staff before any demolition, clearing, or grading occurs on-site. The Applicant, along with their representatives, must attend the pre-construction meeting with the M-NCPPC inspector. A copy of the approved Certified Preliminary Plan is required to be on-site at all times.*



25. Before 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

### PROPERTY DESCRIPTION AND VICINITY

The 0.59-acre Subject Property (“Property”) is located at 18201 Hillcrest Avenue in Olney. The Subject Property is north of Hillcrest Avenue and east of Georgia Avenue in the Town Center district of the 2005 *Olney Master Plan*. It encompasses a square lot with existing development (P846). There is currently a single-family dwelling previously used as a daycare, a trailer previously used as a portable classroom, and associated surface parking on the lot.



Figure 1 – Aerial Map with Existing Subject Property

The Subject Property is located near several shopping centers and abuts Olney Village Center shopping plaza to the east of the Property. To the west and southwest, the Subject Property abuts an

Orangetheory Fitness and Luxuria Salon. There are medical offices, including a Chiropractic clinic and periodontics, across Hillcrest Avenue from the Subject Property.

The Property is located within the Hawlings River watershed, which is classified by the Maryland Department of the Environment as Use IV-P waters. The Hawlings River is a tributary to the Patuxent River. The entire Property is located within the Patuxent River Primary Management Area (PMA), which includes the land within 660 feet of the offsite stream located north of the Subject Property. The Subject Property and the surrounding parcels are zoned CRT-2.0, C-1.0, R-1.0, H-70 T. Parcels farther north of the Subject Property are zoned PD-9 (Figure 2).

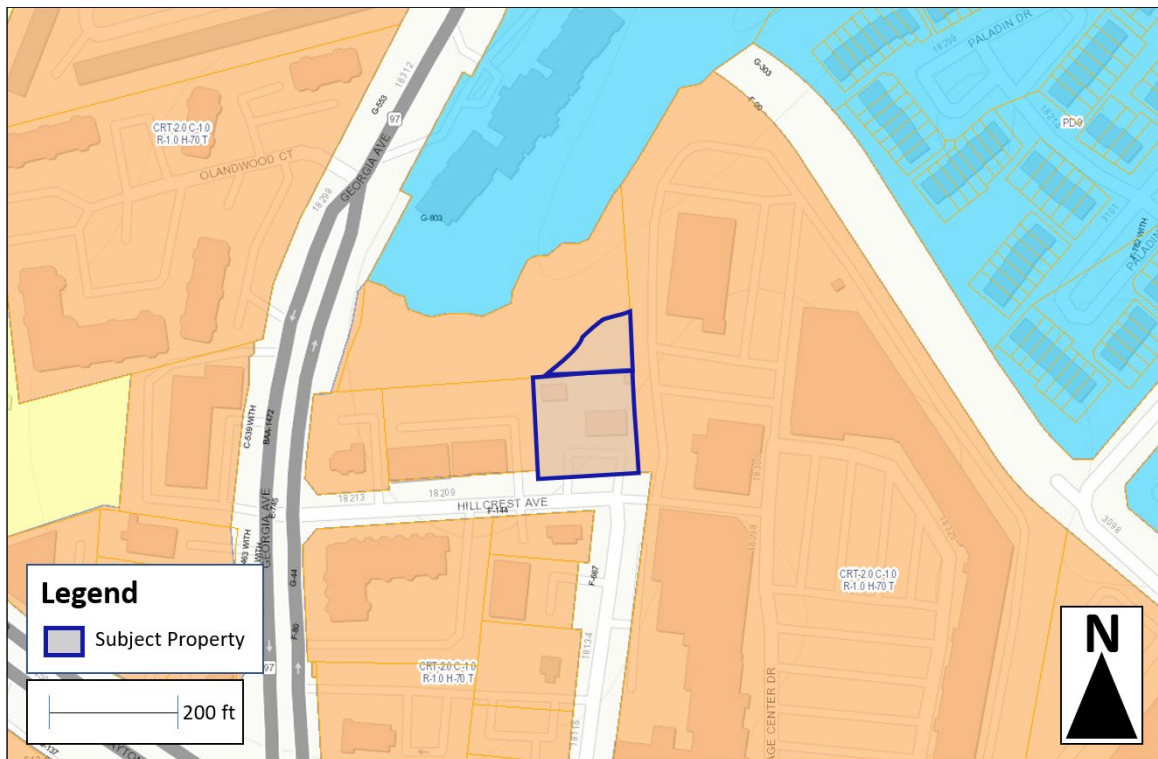


Figure 2 – Zoning for Existing Site (outlined) and Surrounding Properties.

## SECTION 3: PROJECT DESCRIPTION

### PREVIOUS APPROVALS

#### Concept Plan 520220180

A Concept Plan was submitted on February 8, 2022 (Attachment B), proposing the development of a 10,220 square foot medical office building with two (2) stories and associated surface parking. Staff provided extensive feedback on off-site open space requirements, parking, and circulation to improve the overall design, which resulted in the revised layout included in the Subject Application.

## PROPOSAL

### Preliminary Plan 120230010

Preliminary Plan No. 120230010 (“Preliminary Plan” or “Application”), proposes to consolidate two existing parcels (P846 and P829) into one (1) lot (Figure 3). The new lot will be for the construction of an 11,058 square foot, two-story medical office building, associated surface parking, and improvements along Hillcrest Avenue. Public water and sewer will serve all structures associated with the Application. The Applicant is making a financial contribution in the amount of \$35,000 towards the ongoing renovation of the nearby Greenwood Local Park in lieu of providing on-site public use space.



Figure 3 – Aerial Map with Proposed Lot and the Parkland Conveyance Parcel.

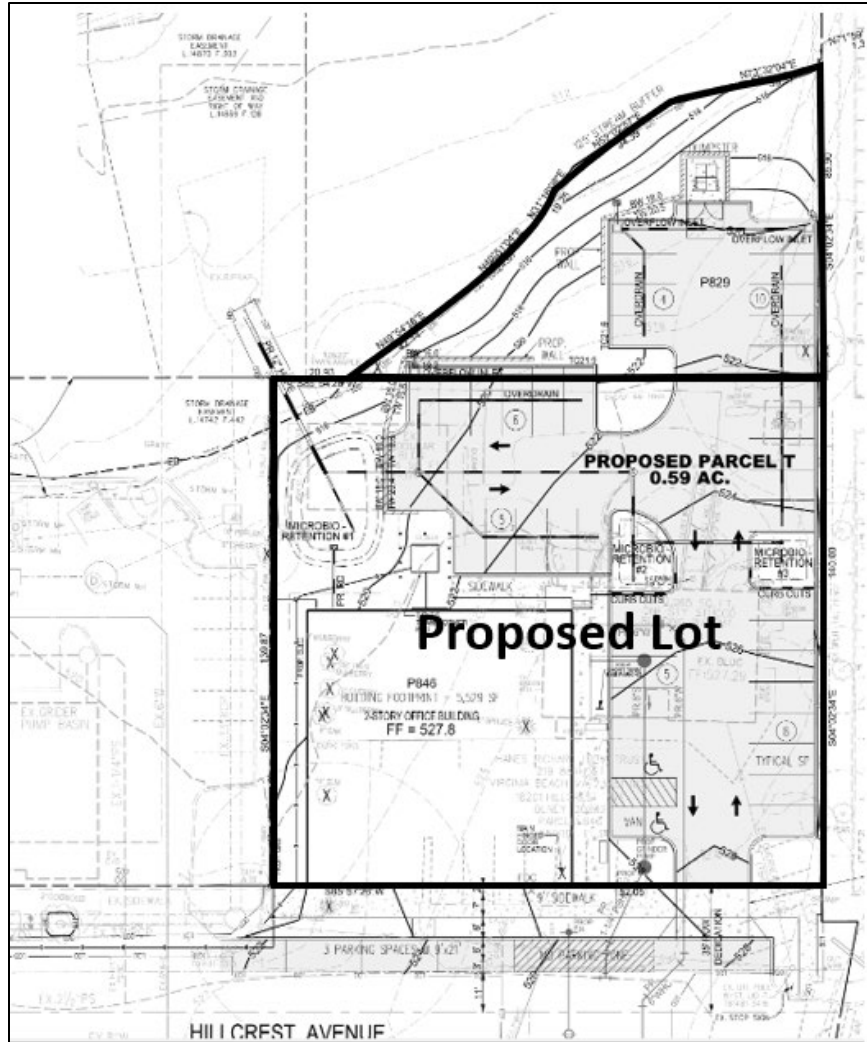


Figure 4 – Preliminary Plan Proposed Lot

## SECTION 4: PRELIMINARY PLAN FINDINGS AND ANALYSIS

The Preliminary Plan would create one (1) lot, measuring approximately 25,744 square feet or 0.59 acres of Site area, for a maximum density of up to 11,058 square feet of medical office uses. This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, Subdivision Regulations. The Application has been reviewed by other applicable State, County and City agencies.

- 1. The layout of the subdivision, including size, width, shape, orientation, and diversity 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.***

The Preliminary Plan meets all applicable sections of the Subdivision Regulations. The size, width, shape, and orientation of the proposed lot is appropriate for the location of the subdivision, considering the recommendations of the 2005 Olney Master Plan, and for the building use (medical office) contemplated for the Property.

The lot was reviewed for compliance with the dimensional requirements for the CRT zone as specified in the Zoning Ordinance. The lot will meet all the dimensional requirements and can accommodate the medical office building with its width and setbacks requirements. A summary of this review is included in Table 1. The Application is proposed under the standard method in accordance with Section 4.5.3.C. of the Zoning Ordinance. The Preliminary Plan has been reviewed by other applicable County agencies, all of whom have recommended approval.

With a Site area of 25,744 square feet and frontage on one public roadway, the Applicant must provide a minimum of 10% of the Property as public open space, which is 2,803 square feet. Given the constrained size of the Property to accommodate a medical office building and associated parking, which is a desirable use in the Town Center, the Applicant will meet this requirement offsite with a financial contribution, consistent with Section 59.6.3.6.C of the Zoning Ordinance. Under the financial contribution provisions (59.6.3.6.C.2), the Applicant will make a contribution in the amount of \$35,000, which equals the cost of constructing the same amount of public open space and associated amenity on-site. This financial contribution will be used towards the ongoing renovation of the nearby Greenwood Local Park, which is also located within the Olney Master Plan area, and which contributes to the open space, recreation, and cultural goals of the applicable master plan.

*Table 1: Hillcrest Ave Preliminary Plan Data Table for CRT Zone, Standard Method, Section 59.4.5.3*

<b>Development Standards: CRT 2.0 C-1.0 R-1.0 H-70 T</b>	<b>Required by the Zone</b>	<b>Proposed for Approval</b>
<b>Lot Area</b>	n/a	25,744 sq ft
<b>Maximum Density</b> Commercial	1.0 FAR (29,220 sf.)	0.395 FAR (11,058 GFA)
<b>Min. Open Space</b>	10%, 2,803 sf.	Fee-in-lieu payment to Montgomery Parks <sup>1</sup>
<b>Principle Building, Min. Setbacks (for all lots)</b>		
<b>Front</b>	0 ft. min.	0 ft.
<b>Side</b>	0 ft. min.	10 ft. and 73 ft.

<sup>1</sup> In accordance with Section 59.6.3.6.C of the Zoning Ordinance, the Applicant will make a financial contribution towards the ongoing renovation of the nearby Greenwood Local Park in lieu of providing on-site public use space.

	<b>Rear</b>	0 ft. min.	69 ft.
<b>Parking Setbacks for Surface Parking Lots (min)</b>			
	<b>Front</b>	Must be behind front building line of building in the BTA	Yes, 12 ft.
	<b>Side</b>	Must accommodate landscaping required under Section 6.2.9	Yes
	<b>Rear</b>	Must accommodate landscaping required under Section 6.2.9	Yes
<b>Max. Building Height</b>		70 ft.	70 ft. or less
<b>Site Plan Required</b>		No	No

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

The Subject Property is within the “Town Center” as described in the 2005 *Olney Master Plan* (Master Plan). There are no site-specific recommendations for the Property, but the broad goal of the Master Plan is to create a mixed-use, pedestrian-oriented Town Center by increasing the number of residential units while still providing retail and service businesses to serve local residents.

While the Application does not propose a mix of uses, it is not practical or necessary for all projects in the Town Center to do so. Although the Master Plan encourages development of residential uses in the Town Center, this recommendation is primarily aimed toward the redevelopment of the large shopping centers or within a consolidation of smaller parcels. There are currently very few medical offices in the Town Center, so the proposed use will add to the mix of uses.

The proposed medical office building is a two-story office building, which will further the Master Plan goal of diversifying building types because so much of the Town Center contains only single-story retail buildings, many in strip malls. The proposed site design is pedestrian-oriented, with the building entrance along the sidewalk and the parking lot to the side and rear, and the project adds to the economic health of the Town Center. The Master Plan encourages uses that generate pedestrian traffic, and a medical office building in proximity to other retail and restaurant uses in the Town Center has the potential to generate synergy and pedestrian traffic between the different uses.

The Master Plan shows potential vehicular and/or pedestrian connections to link Hillcrest Avenue to Appomattox Avenue (northeast of the adjoining shopping center) through the site, although the precise alignment of such connections is to be determined at the time development applications are being reviewed. The aim of these new connections is to create a better pedestrian experience and to make a more porous vehicular network in the Town Center, but most of the proposed connections are only practical with the redevelopment of the larger shopping center. Given the location of existing buildings with no known plans for redevelopment of the shopping center, coupled with environmental buffers behind the site, it would not be feasible for the Applicant to provide a new

vehicular connection here. Pedestrian and vehicular connectivity are both currently accommodated via the parking lots and drive aisles within the adjacent shopping center.

The Master Plan recommends reduced pavement widths, curbside tree panels, and other design features to help create a pedestrian-oriented streetscape and envisions a “Green Town Center” in Olney, with generous landscaping and trees. The Master Plan states that special attention should be paid to parking lots, where large shade trees and landscaping should be used to soften the visual impact of hard surfaces. The Applicant is conveying the adjacent northern parcel (P826) inclusive of a stream valley to the Commission, the Park Conveyance Parcel. The Applicant proposes a nine-foot-wide sidewalk along the site’s Hillcrest Avenue frontage to complete a missing link in the sidewalk from the adjacent property to the west and the shopping center to the east. The Applicant is providing a vegetated buffer between the street and the sidewalk and shade trees in the parking lot islands, as well as extensive reforestation plantings in the stream buffer on the Park Conveyance Parcel to help meet the Master Plan’s vision. The Applicant is also exceeding landscaping requirements for adequate 20-year tree shading canopy.

The Master Plan recognizes that it would not be practical or desirable for some smaller lots to satisfy the public open space requirements onsite, and suggests that projects provide green areas, landscaping, sidewalk widening, and other amenities to satisfy any public use space requirements. Given the relatively small size of the Property and proposed medical office use in the Town Center, it is not practical for public open space requirements to be met onsite. Instead, the Applicant will meet public open space requirements via a fee-in-lieu contribution towards the ongoing renovation of Greenwood Local Park to the north on Georgia Avenue.

The proposed land use and the siting of the building along the sidewalk contribute to a mixed-use, pedestrian-oriented Green Town Center. The combination of the Park Conveyance Parcel, the proposed landscaping, the new sidewalk, and the fee-in-lieu payment for the local park meets the goals of the public use space recommendations of the Master Plan. The Application substantially conforms to the Master Plan.

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

The Adequate Public Facilities (APF) test for existing facilities, including utilities, fire and rescue services, and transportation, is satisfied under the current Growth and Infrastructure Policy (“GIP”). The Property is in the Olney Policy Area.

## **ROADS AND TRANSPORTATION FACILITIES**

Hillcrest Avenue is classified as a Town Center Street under the *Complete Streets Design Guidelines*, with a recommendation of 70 feet of right-of-way from the 2005 Olney Master Plan. The Applicant must dedicate 35 feet of right-of-way as measured from the centerline of the road. The *Bicycle Master Plan* recommends a separated bike lane to be extended along the Property's frontage. In lieu of constructing this facility, as conditioned, the Applicant will reconstruct the curb line of Hillcrest

Avenue to preserve space for future construction, as illustrated in Figures 5 and 6 below. Existing travel lanes will be maintained. For the interim condition, this space will be a grass green panel.

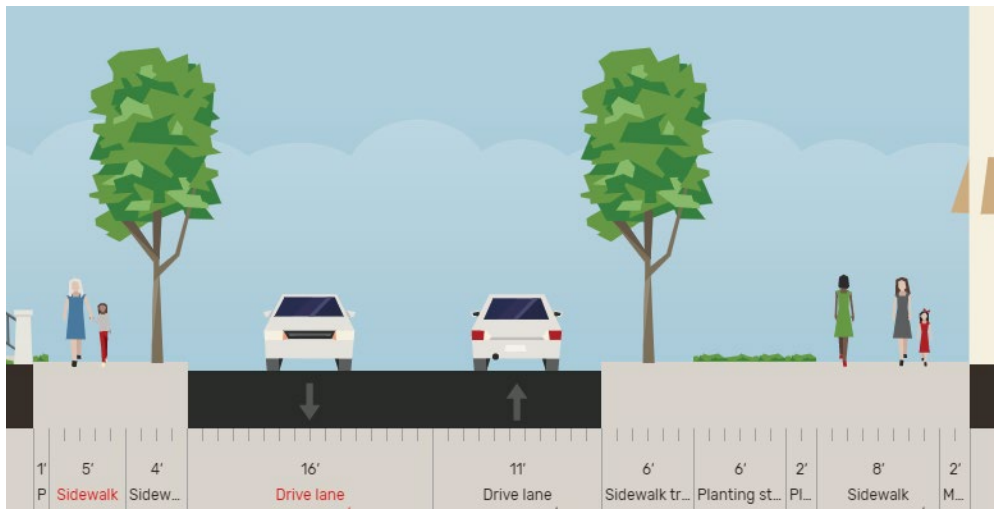


Figure 5 – Interim Hillcrest Avenue Cross Section

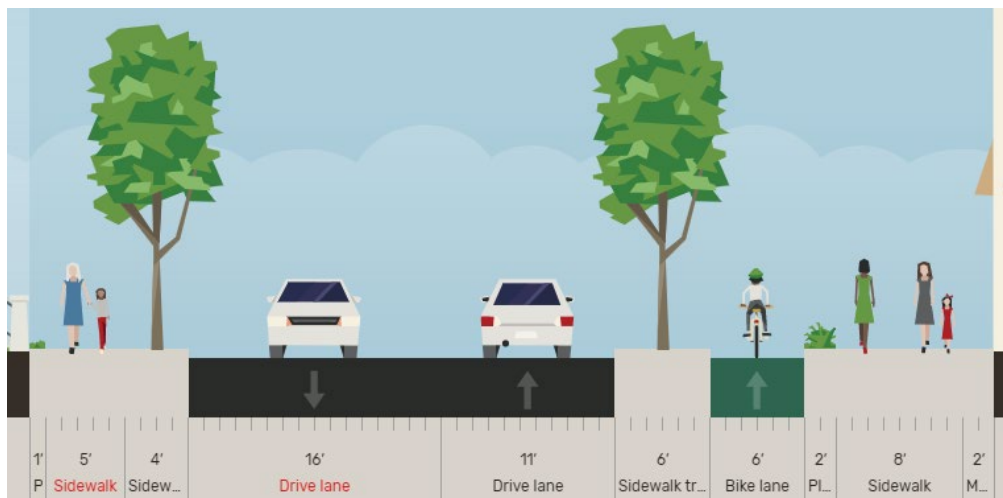


Figure 6 – Ultimate Hillcrest Avenue Cross Section

This Application will reserve the space as this portion of planned bikeway will not be able to connect to the east or west in the near term. To the west, street parking and utilities occupy the space that would be required for the separated bike lane. Reconstruction of this portion of road and relocation of utilities is beyond the scope of the Application. To the east, an existing parking lot and retail buildings occupy the space identified for the location of an extension of Hillcrest Ave, precluding construction at present. Without the ability to connect to a greater bike network, there is no benefit to construction of the bike lane at this time.



As conditioned, before the issuance of the first above grade building permit or right-of-way permit (whichever comes first), the Applicant must make a de minimis payment of \$17,510.40 (\$115.20 x 152 linear feet, or the lot width at front building line) to MCDOT towards the construction of bikeway improvements in the Olney Policy Area. The payment will be indexed to inflation based on the Federal Highway Administration’s National Highway Construction Cost Index from the mailing date of the Planning Board Resolution to the date of the first above grade building permit or right-of-way permit (whichever comes first). Proof of payment is required.



Figure 7 – Hillcrest Ave. Existing

All access to the Property is provided by consolidating the existing 2 access points into one single vehicular access point along Hillcrest Avenue at the current intersection serving the southern leg of Hillcrest Ave. at the eastern side of the Subject Property. As conditioned, public roads, access and circulation for the Property will be adequate for the proposed use.

**LOCAL AREA TRANSPORTATION REVIEW (LATR)**

The Application proposes a 11,058 square feet of medical office building which is estimated to generate 28 net new morning and 46 net new evening peak-hour person trips based on the ITE trip generation rates and adjusted according to the 2022 LATR Guidelines. The Applicant is exempt from providing a Transportation Impact Study as it is estimated to generate fewer than 50 weekday net new peak-hour person trips per the LATR Guidelines.

Table 2: Hillcrest Property  
Medical Office Peak-Hour Trip Generation

AM Peak-Hour			PM Peak-Hour						
Non-Motorized	Auto Driver	Auto Passenger	Transit Trip(s)	Person Trips	Non-Motorized	Auto Driver	Auto Passenger	Transit Trip(s)	Person Trips
1	21	6	0	<b>28</b>	2	35	9	0	<b>46</b>

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

**FOREST CONSERVATION**

The Property is subject to the Montgomery County Forest Conservation Law, Chapter 22A of the County Code. The Applicant submitted a request for a Forest Conservation Plan Exemption which included a plan that identified the existing features on the Subject Property and the proposed development. The Property is located within the Hawlings River watershed, which is classified by the Maryland Department of the Environment as Use IV-P waters. The Hawlings River is a tributary to the Patuxent River. The entire Property is located within the Patuxent River Primary Management Area (PMA), which includes the land within 660 feet of the offsite stream located north of the Subject Property as defined in the Planning Board approved Environmental Guidelines. Based on the zoning of the Property (density greater than RE-2), this Application is subject to the “nonconformance requirements”. The Application meets these requirements through the Tree Save Plan, which proposes the restoration and reforestation of the offsite stream valley located on the adjacent property to the north and is discussed in more detail below. There is no forest on the Subject Property; however, there are two significant trees located on or immediately adjacent to the Property. The Subject Property does not contain any highly erodible soils or slopes greater than 15 percent.

In a letter dated October 27, 2022, Staff confirmed that this project is exempt from Article II of the Montgomery County Code, Chapter 22A (Forest Conservation Law), under Section 22A-5(s)(1) because the activity is being conducted on a tract of land less than 1.5 acres with no existing forest, or existing specimen or champion tree, and the afforestation requirements would not exceed 10,000 square feet (Attachment F). Therefore, a Forest Conservation Plan is not required. Since the project will impact significant trees, the Application requires a Tree Save Plan per Section 22A-6(a) of the Forest Conservation Law. The Tree Save Plan was submitted as part of the Preliminary Plan Application and is discussed below.

**TREE SAVE PLAN**

A Tree Save Plan (“TSP”) was submitted to fulfill the conditions of the FCP exemption, because there are specimen trees onsite, and to provide protection for trees that may be impacted by the proposed construction, including root pruning and tree protection fence, as well as mitigation for the removal of two significant trees located on and immediately adjacent to the Property. The Application proposes to remove one 26” Diameter at Breast Height (“DBH”) Norway spruce and one 24” DBH black walnut tree. Mitigation for the loss of these trees is included in the stream valley restoration and planting portion of the Tree Save Plan.

The Tree Save Plan also includes measures to restore and replant the stream valley buffer located on the adjacent property to the north, identified on the Tree Save Plan as the Park Conveyance Parcel. The Park Conveyance Parcel is almost entirely within the stream buffer of an offsite stream, a tributary to the Patuxent River. This stream buffer contains approximately 0.18 acres of forest. The remainder of this parcel contains many non-native invasive species including Bradford pear and multiflora rose, among others. The Applicant has agreed to implement a program to remove the existing non-native invasive species and to reforest approximately one acre of stream valley buffer with species native to the mid-Atlantic region. After the restoration work is completed, including a 5-year maintenance and management period, the Applicant will convey the land to the Commission for use as parkland.

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

The Preliminary Plan received an approved stormwater concept plan from the Montgomery County Department of Permitting Services, Water Resources Section on November 15, 2022 (Attachment D). The Application will meet stormwater management goals using permeable pavement and microbioretention.

**6. Any burial site of which the applicant has actual notice or constructive notice or that is included in the Montgomery County Inventory and located within the subdivision boundary is approved under Subsection 50-4.3.**

There is no evidence, actual notice, or constructive notice of a burial site on the Subject Property. The Subject Property is not included in the Montgomery County Burial Sites Inventory.

**7. Any other applicable provisions specific to the property and necessary for approval of the subdivision is satisfied.**

There are no other applicable provisions specific to the Property that are necessary for approval of this Application.

## SECTION 5: COMMUNITY OUTREACH

The Applicant held a pre-submittal public meeting on May 11, 2022 related to the Preliminary Plan. The meeting was conducted virtually per COVID-19 Guidelines and complied with all submittals and noticing requirements. In addition to the required public meeting, the Applicant conducted additional outreach.

As of date of this Staff Report, no correspondence has been received.

## SECTION 6: CONCLUSION

As conditioned, the Preliminary Plan application satisfies the findings under Chapter 50, the Subdivision Regulations, and the applicable standards of the Zoning Ordinance, and substantially conforms to the recommendations of the 2005 *Olney Master Plan*. Therefore, Staff recommends approval of the Preliminary Plan with the conditions specified at the beginning of this report.

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### ATTACHMENTS

*Attachment A: Preliminary Plan*

*Attachment B: Concept Plan*

*Attachment C: Montgomery County Department of Transportation Letter*

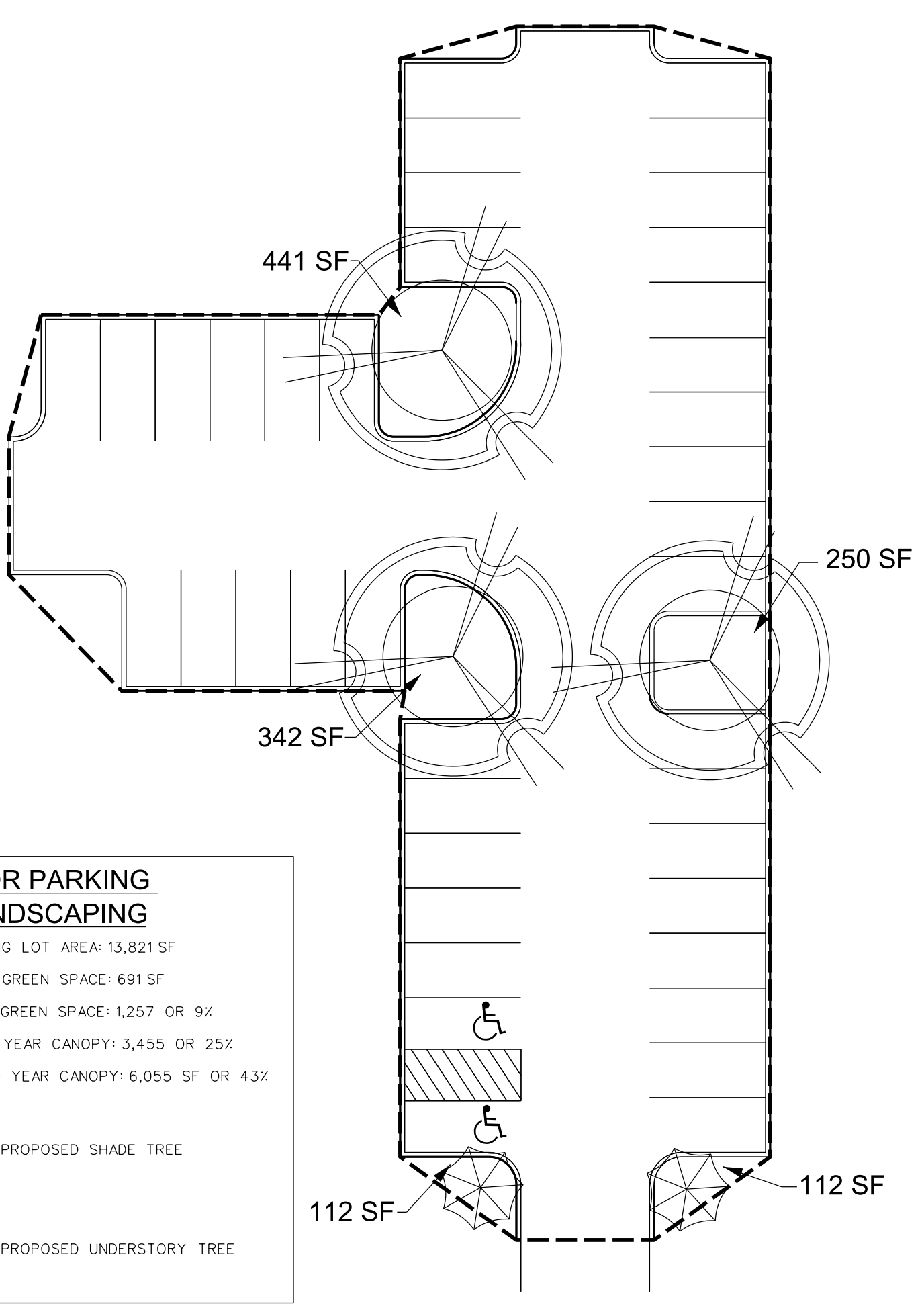
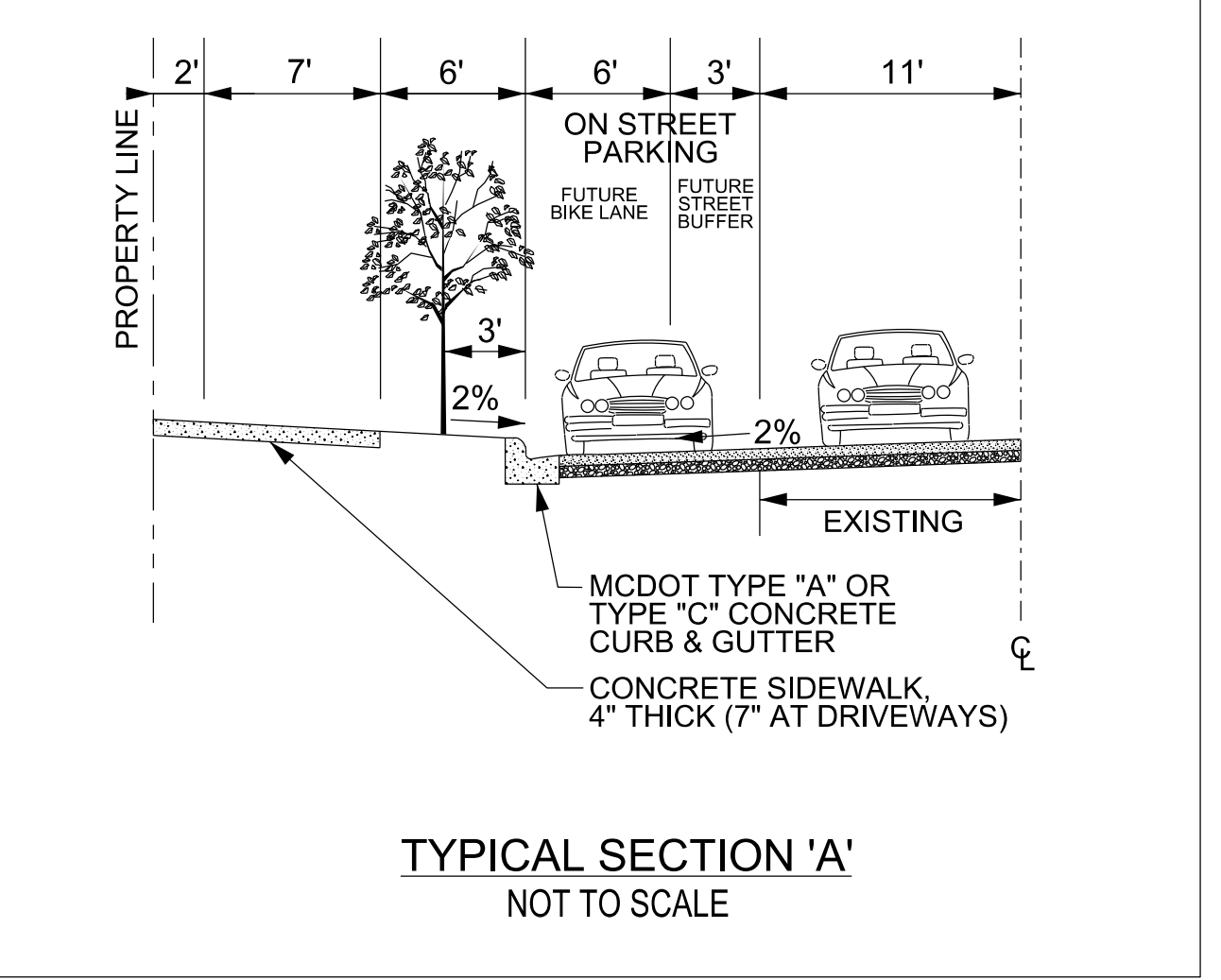
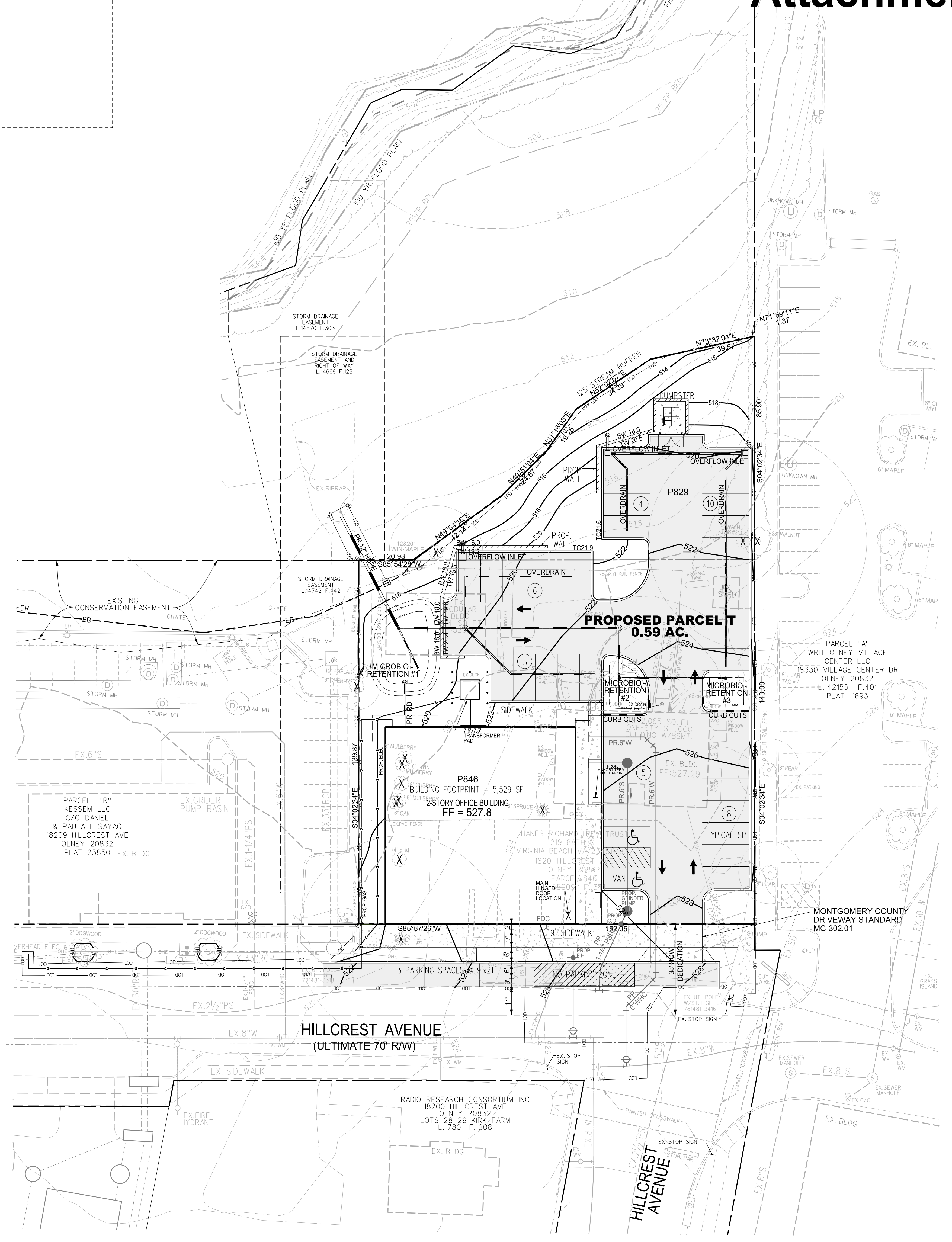
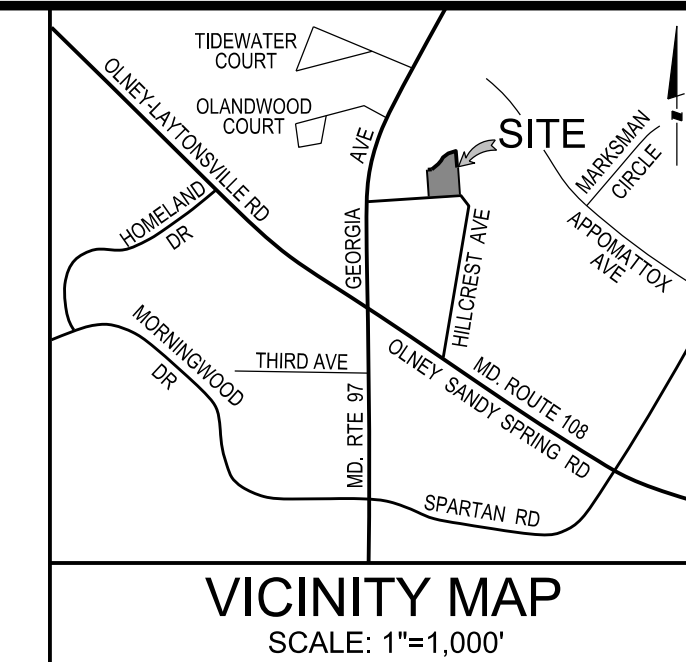
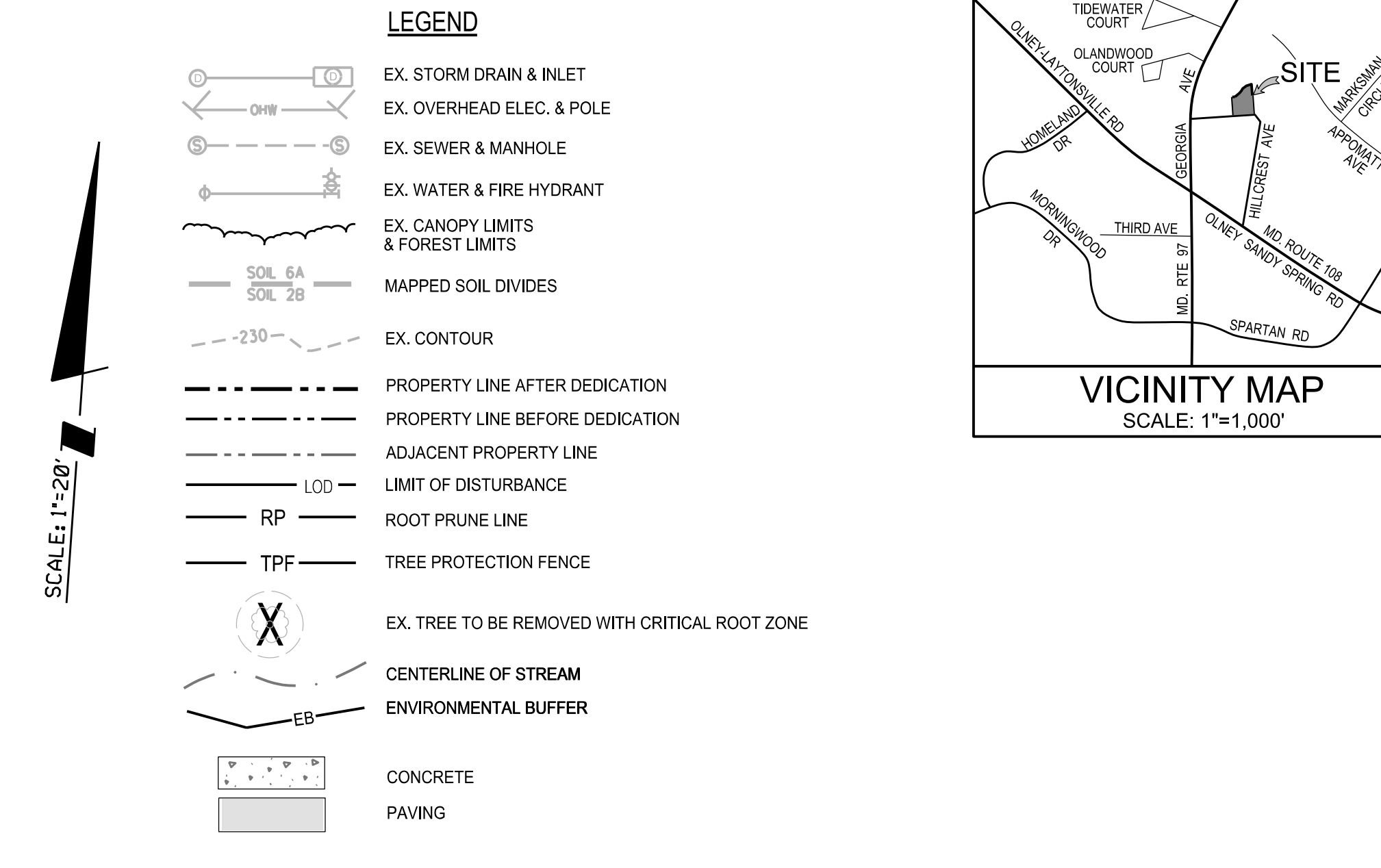
*Attachment D: Montgomery County Department of Permitting Services Stormwater Management Letter*

*Attachment E: Fire and Rescue Letter*

*Attachment F: Forest Conservation Exemption Letter*

# Attachment A

- GENERAL NOTES**
- THE SUBJECT PROPERTY IS IDENTIFIED AS:
    - P846 IN THE LAND RECORDS OF MONTGOMERY COUNTY MARYLAND
    - TAX ID NUMBER - 08-00708636
    - PROPERTY OWNER - HANES PROPERTIES MARYLAND LLC
    - 219 88TH STREET, VIRGINIA BEACH, VA 23451
  - P829 IN THE LAND RECORDS OF MONTGOMERY COUNTY MARYLAND
    - TAX ID NUMBER - 08-0070813
    - PROPERTY OWNER - HANES PROPERTIES MARYLAND LLC
    - 219 88TH STREET, VIRGINIA BEACH, VA 23451
  - THE AREA OF THE SUBJECT PROPERTY IS: P846- 21,278 SF, OR 0.49 AC  
P829 - 6,746 SF, OR 0.15 AC  
TOTAL 28,024 SF OR 0.64 AC  
PROPOSED R/W DEDICATION - 2,280 SF  
PROPOSED LOT AREA - 25,744 SF - 0.59 AC
  - THE CURRENT ZONING OF THE PROJECT IS CRT-2.0, C-1.0, R-1.0, H-70T.
  - THE WSSC 200 SCALE SHEET FOR THIS PROPERTY IS 225NW03. THE TAX MAP REFERENCE FOR THIS PROPERTY IS HT53.
  - NR/FSD 420201830 WAS APPROVED ON MAY 22, 2020. NR/FSD 420222280 WAS APPROVED FOR RECERTIFICATION ON JULY 14, 2022. FCP EXEMPTION 42023056E WAS APPROVED WITH CONDITION ON OCTOBER 27, 2022.
  - THERE IS NO 100 YEAR FLOODPLAIN OR WETLANDS ON THE AREA COVERED BY THIS PRELIMINARY PLAN APPLICATION. THE WETLANDS INFORMATION IS FROM THE NATIONAL WETLANDS INVENTORY MAP.
  - THE SOURCE OF THE TOPOGRAPHY IS A FIELD SURVEY DATED MARCH 2020, BY KIM ENGINEERING FOR THE SUBJECT PROPERTY. OFF-SITE TOPOGRAPHY WITHIN 100 FEET OF THE SITE WAS OBTAINED FROM MONTGOMERY COUNTY GIS IN MARCH 2020.
  - THE SOURCE OF THE BOUNDARY FOR THE SUBJECT PROPERTY IS FROM A BOUNDARY SURVEY BY KIM ENGINEERING DATED MARCH 2020. THE SURROUNDING PROPERTY LINES ARE FROM AVAILABLE RECORDS.
  - THE SUBJECT PROPERTY IS NOT LOCATED ON THE LOCAL ATLAS OF THE INDEX OF HISTORICAL SITES.
  - THE SUBJECT PROPERTY IS IN THE HAWLINGS RIVER WATERSHED, WHICH IS DESIGNATED AS A USE IV-P WATERWAY BY THE MARYLAND DEPARTMENT OF THE ENVIRONMENT (COMAR 26.08.02.02IN). THIS SITE IS LOCATED IN THE PATUXENT RIVER PRIMARY MANAGEMENT AREA.
  - THE SITE IS NOT LOCATED IN A SPECIAL PROTECTION AREA.
  - PROPOSED BUILDING GFA - 11,058 SF (2 FLOORS - 5,529 SF)
  - THIS PLAN PROPOSES TO PROVIDE OFF-SITE PUBLIC OPEN SPACE ON ADJOINING PARCEL P826 AND TO PROVIDE INVASIVE SPECIES CONTROL AND AFFORESTATION FOR THAT PORTION OF ADJOINING P826 THAT IS IN THE ENVIRONMENTAL BUFFER.
  - PARCEL P826 WILL BE CONVEYED TO M-NCPPC FOR PARKLAND.
  - THE SITE IS SERVED BY COMCAST, PEPCO, AND WASHINGTON GAS.
  - PROPOSED LONG TERM BICYCLE PARKING WILL BE PROVIDED INSIDE THE BUILDING.



**DEVELOPMENT STANDARDS CRT 2.0, C 1.0, R 1.0, H-70 STANDARD METHOD**

1. SITE	PERMITTED/REQUIRED	PROVIDED
OPEN SPACE (MIN.)	10%* - 2,803 SF (28,024 x 10%)	* 10% OPEN SPACE REQUIREMENT TO BE MET BY DONATING P826 TO PARKS
2. LOT AND DENSITY	CRT 2.0, C 1.0, R 1.0, H-70 CRT TOTAL - 58,440 SF, C 25,220 SF, R 29,220 SF	C#0.395 FAR (11,058 GFA/27,998)
MAXIMUM DENSITY		
MINIMUM LOT AREA	N/A	125,744 SF/0.59 AC - AFTER R/W DEDICATION
RIGHT OF WAY DEDICATION	N/A	2,280 SF
LOT WIDTH AT FRONT BUILDING LINE	N/A	152 FT
LOT WIDTH AT FRONT LOT LINE	N/A	152 FT
3. PLACEMENT		
PRINCIPAL BUILDING SETBACKS (MIN.):		
FRONT SETBACK - PUBLIC STREET	0 FT	0 FT
SIDE SETBACK (ABUTTING ALL OTHER ZONES EXCEPT AGRICULTURAL, RURAL RESIDENTIAL, RESIDENTIAL DETACHED, RESIDENTIAL TOWNHOUSE ZONES)	0	10 FT/73 FT
REAR SETBACK (ABUTTING ALL OTHER ZONES EXCEPT AGRICULTURAL, RURAL RESIDENTIAL, RESIDENTIAL DETACHED, RESIDENTIAL TOWNHOUSE ZONES)	0 FT	69 FT
PARKING SETBACK FOR SURFACE PARKING (MIN.)		
FRONT SETBACK	MUST BE BEHIND FRONT BUILDING LINE OF BUILDING IN THE BTA	12 FT
SIDE STREET SETBACK	MUST BE BEHIND FRONT BUILDING LINE OF BUILDING IN THE BTA	N/A
SIDE SETBACK	MUST ACCOMMODATE LANDSCAPING REQUIRED UNDER SECTION 6.2.9	
REAR SETBACK	MUST ACCOMMODATE LANDSCAPING REQUIRED UNDER SECTION 6.2.9	
BUILD-TO-AREA (BTA, MAX SETBACK AND MIN. % OF BUILDING FACADE)		
FRONT SETBACK	20 FT	0 FT
BUILDING IN FRONT STREET BTA	70%	70% MIN.
SIDE STREET SETBACK	20 FT	N/A
BUILDING IN SIDE STREET BTA	35%	N/A
4. HEIGHT	70 FT	70 FT MAX.
5. FORM		
MASSING (MAX.)	N/A	N/A
UNITS PERMITTED IN A ROW		
BUILDING ORIENTATION		
ENTRANCE FACING STREET OR OPEN SPACE	REQUIRED	PROVIDED
ENTRANCE SPACING (MAX.)	100 FT	N/A
TRANSPARENCY, FOR WALL FACING STREET		
OR OPEN SPACE		
GROUND STORY, FRONT (MIN.)	40%	40% MIN.
GROUND STORY, SIDE/REAR (MIN.)	25%	25% MIN.
UPPER STORY (MIN.)	20%	20% MIN.
BLANK WALL, FRONT (MAX.)	35 FT	35 FT MAX.
BLANK WALL, SIDE/REAR (MAX.)	35 FT	35 FT MAX.
SPECIFICATION FOR BUILDING ORIENTATION AND TRANSPARENCY		
ALLOWED BUILDING ELEMENTS		
GALLERY/AWNING	YES	TBD
PORCH/STOOP	YES	TBD
BALCONY	YES	TBD
6. PARKING		
MEDICAL/DENTAL: 4 SPACES/1,000 GFA	11,058/1,000=11.06	40 SPACES
CLINIC MEDICAL, DENTAL LABORATORY: 1 SPACE PER 5,000 GFA	11,058/5,000=2.21	3 SHORT TERM SPACES
85% REQUIRED LONG TERM SPACES		3 LONG TERM SPACES (IN BUILDING)
11,058 GFA = 3 SPACES TOTAL ARE REQUIRED		
BICYCLE PARKING		

\*\* TBD - TO BE DETERMINED ONCE ARCHITECTURE IS FINALIZED, WILL COMPLY

\*OPEN SPACE CALCULATIONS  
P 846 21,278 SF  
P 829 6,746 SF  
TOTAL 28,024 SF

10% OPEN SPACE REQD. 2,803 SF  
10% OPEN SPACE REQUIREMENT TO BE MET BY DONATING ADJACENT P826 (57,250 SF) TO PARKS DEPARTMENT AS OFF-SITE PUBLIC OPEN SPACE

**Developer's Certificate**

The Underigned agrees to execute all the features of the Plan Approval No. 120230010, including Approval Conditions, Development Program and Landscape and Lighting Plan.

Developer: HANES PROPERTIES MARYLAND LLC LUDWIG LESKOVAR  
Address: 219 88TH STREET VIRGINIA BEACH, VA 23451  
Phone: 603-381-4888 laleskovar@gmail.com  
Signature: \_\_\_\_\_

**OWNER**  
HANES PROPERTIES MARYLAND LLC  
219 88TH STREET  
VIRGINIA BEACH, VA 23451  
ATT: LUDWIG LESKOVAR  
603-381-4888

**Kim Engineering, Inc.**  
MBE/DBE/SWaM  
1390 Piccard Drive, Suite 340, Beltsville, MD 20850  
www.KimEngineering.com  
Baltimore, MD - Beltsville, MD - Rockville, MD - Sterling, VA  
Civil Engineering - Land Surveying - Geotechnical Engineering

NO.	REVISION	BY	DATE

DATE	JULY 2022
JOB NO.	1199
DESIGNED	KVC
TECHNICIAN	HN
CHECKED	KVC

**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. 26286, Expiration Date: 6/21/2023

**MISS UTILITY**  
Call "Miss Utility" at 1-800-257-7777, 48 hours prior to the start of work. The excavator must notify all public utility companies with underground facilities in the area of proposed excavation and have those facilities located by the utility companies prior to commencing excavation.

**NOT FOR CONSTRUCTION**

**PRELIMINARY PLAN NO. 120230010**

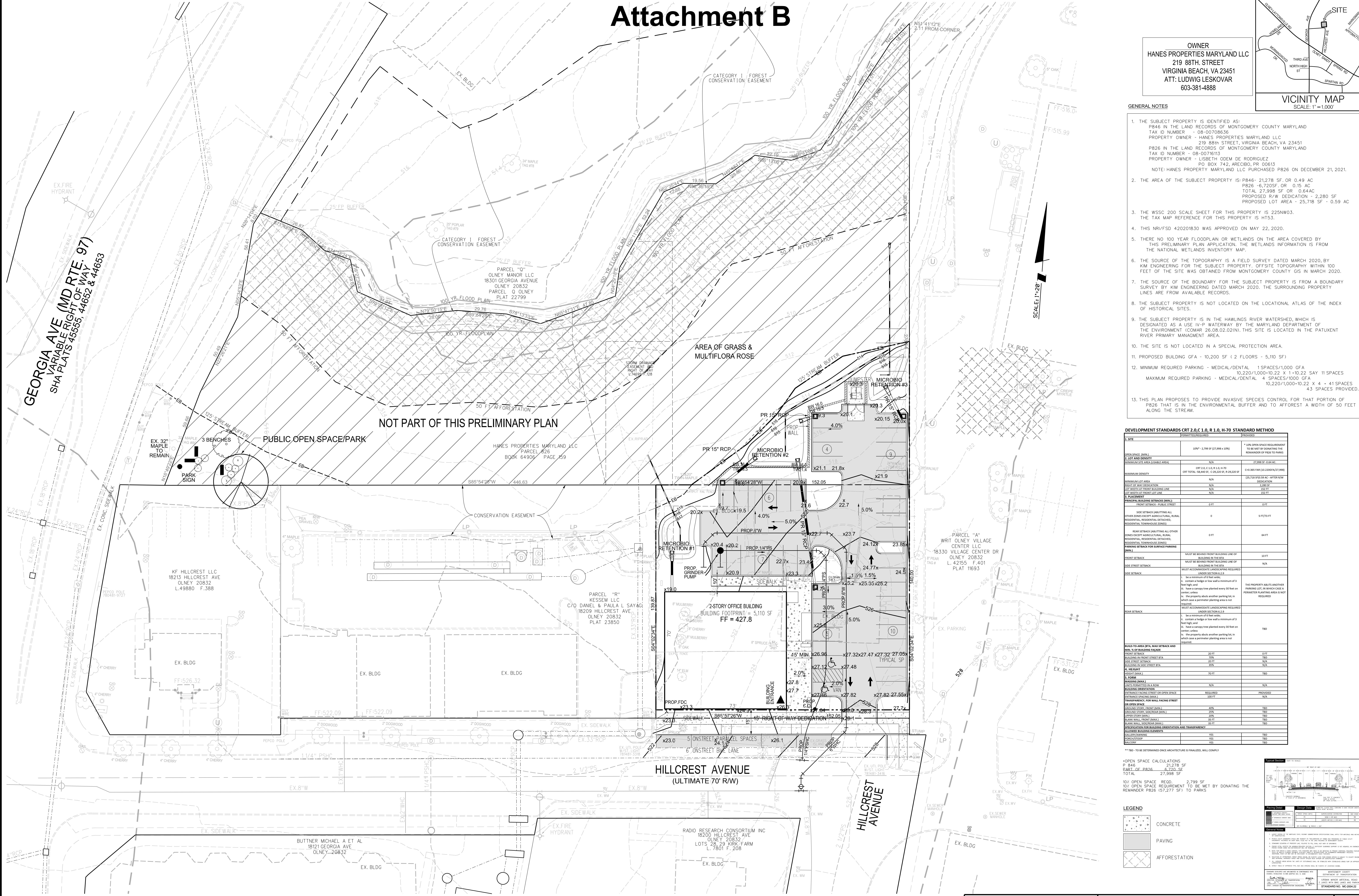
**PRELIMINARY PLAN**

**PRELIMINARY PLAN HILLCREST PROPERTY**  
18201 HILLCREST AVENUE  
OLNEY ELEC. DISTRICT, MONTGOMERY COUNTY

SHEET 2 OF 5  
SCALE 1"= 20'

TOTAL SHEETS IN THIS SET 5

# Attachment B



**OWNER**  
**HANES PROPERTIES MARYLAND LLC**  
 219 88TH STREET  
 VIRGINIA BEACH, VA 23451  
 ATT: LUDWIG LESKOVAR  
 603-381-4888

**VICINITY MAP**  
 SCALE: 1"=1,000'

- GENERAL NOTES**
- THE SUBJECT PROPERTY IS IDENTIFIED AS: P846 IN THE LAND RECORDS OF MONTGOMERY COUNTY MARYLAND TAX ID NUMBER - 08-0070836 PROPERTY OWNER - HANES PROPERTIES MARYLAND LLC 219 88TH STREET, VIRGINIA BEACH, VA 23451 P826 IN THE LAND RECORDS OF MONTGOMERY COUNTY MARYLAND TAX ID NUMBER - 08-0071615 PROPERTY OWNER - LISBETH ODEM DE RODRIGUEZ PO BOX 742, ARECIBO, PR 00613 NOTE: HANES PROPERTY MARYLAND LLC PURCHASED P826 ON DECEMBER 21, 2021.
  - THE AREA OF THE SUBJECT PROPERTY IS: P846- 21,278 SF OR 0.49 AC P826 - 6,720SF OR 0.15 AC TOTAL 27,998 SF OR 0.64 AC PROPOSED R/W DEDICATION = 2,280 SF PROPOSED LOT AREA - 25,718 SF - 0.59 AC
  - THE WSSC 200 SCALE SHEET FOR THIS PROPERTY IS 225NW03. THE TAX MAP REFERENCE FOR THIS PROPERTY IS HT53.
  - THIS NRI/FSD 420201830 WAS APPROVED ON MAY 22, 2020.
  - THERE NO 100 YEAR FLOODPLAIN OR WETLANDS ON THE AREA COVERED BY THIS PRELIMINARY PLAN APPLICATION. THE WETLANDS INFORMATION IS FROM THE NATIONAL WETLANDS INVENTORY MAP.
  - THE SOURCE OF THE TOPOGRAPHY IS A FIELD SURVEY DATED MARCH 2020, BY KM ENGINEERING FOR THE SUBJECT PROPERTY. OFFSITE TOPOGRAPHY WITHIN 100 FEET OF THE SITE WAS OBTAINED FROM MONTGOMERY COUNTY GIS IN MARCH 2020.
  - THE SOURCE OF THE BOUNDARY FOR THE SUBJECT PROPERTY IS FROM A BOUNDARY SURVEY BY KM ENGINEERING DATED MARCH 2020. THE SURROUNDING PROPERTY LINES ARE FROM AVAILABLE RECORDS.
  - THE SUBJECT PROPERTY IS NOT LOCATED ON THE LOCAL ATLAS OF THE INDEX OF HISTORICAL SITES.
  - THE SUBJECT PROPERTY IS IN THE HANGLING RIVER WATERSHED, WHICH IS DESIGNATED AS A USE IV-P WATERWAY BY THE MARYLAND DEPARTMENT OF THE ENVIRONMENT (COMAR 26.08.02.02(N)). THIS SITE IS LOCATED IN THE PATUXENT RIVER PRIMARY MANAGEMENT AREA.
  - THE SITE IS NOT LOCATED IN A SPECIAL PROTECTION AREA.
  - PROPOSED BUILDING GFA - 10,200 SF ( 2 FLOORS - 5,10 SF)
  - MINIMUM REQUIRED PARKING - MEDICAL/DENTAL 1 SPACES/1,000 GFA MAXIMUM REQUIRED PARKING - MEDICAL/DENTAL 4 SPACES/1,000 GFA 10,220/1,000=10.22 X 4 = 41 SPACES 43 SPACES PROVIDED.
  - THIS PLAN PROPOSES TO PROVIDE INVASIVE SPECIES CONTROL FOR THAT PORTION OF P826 THAT IS IN THE ENVIRONMENTAL BUFFER AND TO AFForest a WIDTH OF 50 FEET ALONG THE STREAM. CRT.

**DEVELOPMENT STANDARDS CRT 2.0,C.1.0, R.1.0, H-70 STANDARD METHOD**

USE	PERMITTED/REQUIRED	PROVIDED
OPEN SPACE (MIN)	10% - 2,799 SF (07.99% + 10%)	0% OPEN SPACE REQUIREMENT FOR AN AREA OF 10,200 SF TO BE MET BY DONATING A REMAINDER OF P826 TO PARKS
2. LOT AND DENSITY		
PERMITTED/REQUIRED (MIN)	N/A	27,998 SF (0.64 AC)
MAXIMUM DENSITY	CRT 2.0, C.1.0, R.1.0, H-70 CRT TOTAL: 36,440 SF / 0.20, 20,220 SF / 0.20, 20,220 SF	10,220 SF (0.23 AC) (47.5% R/W DEDICATION)
MINIMUM LOT AREA	N/A	10,220 SF (0.23 AC) (47.5% R/W DEDICATION)
MINIMUM SETBACK	N/A	10,220 SF (0.23 AC) (47.5% R/W DEDICATION)
MINIMUM FRONT SETBACK	N/A	10,220 SF (0.23 AC) (47.5% R/W DEDICATION)
MINIMUM SIDE SETBACK	N/A	10,220 SF (0.23 AC) (47.5% R/W DEDICATION)
MINIMUM REAR SETBACK	N/A	10,220 SF (0.23 AC) (47.5% R/W DEDICATION)
MINIMUM FRONT SETBACK	N/A	10,220 SF (0.23 AC) (47.5% R/W DEDICATION)
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MINIMUM REAR SETBACK	N/A	10,220 SF (0.23 AC) (47.5% R/W DEDICATION)

\* OPEN SPACE CALCULATIONS:  
 P846 - 21,278 SF  
 P826 - 6,720 SF  
 TOTAL - 27,998 SF  
 10% OPEN SPACE REQ. = 2,799 SF  
 50% OPEN SPACE REQUIREMENT TO BE MET BY DONATING THE REMAINDER P826 (57,277 SF) TO PARKS

**LEGEND**

- CONCRETE
- PAVING
- AFFORESTATION

**Kim Engineering, Inc.**  
 MBE/DBE/SWaM  
 1390 Piccard Drive, Suite 340, Beltsville, MD 20850  
 240-614-7678  
 www.KimEngineering.com  
 Baltimore, MD - Beltsville, MD - Rockville, MD - Sterling, VA  
 Civil Engineering - Land Surveying - Geotechnical Engineering

NO.	REVISION	BY	DATE

DATE  
DEC. 2021

JOB NO.  
1199

DESIGNED  
KVC

TECHNICIAN  
HN

CHECKED  
KVC

GRAPHIC SCALE 1"=20'

0 20 40 60

10 20 40

WSSC GRID: 225NW03  
 TAX MAP: HT63  
 ADC MAP: 21-E6

1199/ENG/PRELIM PLAN

1/05/2022

**PROFESSIONAL CERTIFICATION**  
 I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME AND THAT I AM A DULY LICENSED REGISTERED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND.  
 License No. 527, Expiration Date: 07/16/2023

**MISS UTILITY**  
 Call "Miss Utility" at 1-800-257-7777, 48 hours prior to the start of work. The excavator must notify all public utility companies with under ground facilities in the area of proposed excavation and have those facilities located by the utility companies prior to commencing excavation.

**NOT FOR CONSTRUCTION**

**CONCEPT PLAN**

520220180

**CONCEPT PLAN**

**HILLCREST AVENUE**

18201 HILLCREST AVENUE  
 OLNEY ELEC. DISTRICT, MONTGOMERY COUNTY

SHEET 1 OF 1  
 SCALE 1"= 20'

TOTAL SHEETS IN THIS SET



# Attachment C

DEPARTMENT OF TRANSPORTATION

Marc Elrich  
*County Executive*

Christopher R. Conklin  
*Director*

March 8, 2023

Ms. Alexandra Duprey, Regulatory Planner II  
UpCounty Planning Division  
The Maryland-National Capital  
Park & Planning Commission  
2425 Reddie Drive  
Wheaton, MD 20902

**Revised**

RE: Preliminary Plan No. 120230010  
Hillcrest Property

Dear Ms. Duprey:

We have completed our review of the preliminary plan uploaded to eplans on October 31, 2022. A previous version of the plans was reviewed by the Development Review Committee at its August 30, 2022, meeting. This letter supersedes the previous letter dated November 29, 2022. We recommend approval of the plans subject to the following comments:

**Significant Plan Review Comments**

1. Hillcrest Avenue is classified as Town Center Street. Per the Master Plan of Highways and Transitways the minimum required right-of-way (ROW) is 70-foot. We recommend the applicant dedicate to conform to the master plan.
2. MCDOT's November 29, 2022 letter stated the following:

*We **do not agree** with the Applicant's proposed roadway cross section for Hillcrest Road frontage as shown in the plan. The certified preliminary plan shall reflect the following proposed interim frontage improvements from edge of property line to the relocated edge of curb:*

- *2-foot minimum maintenance buffer*

**Office of the Director**

---

101 Monroe Street 10<sup>th</sup> Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178 FAX  
[www.montgomerycountymd.gov](http://www.montgomerycountymd.gov)

*Located one block west of the Rockville Metro Station*

- 8-foot sidewalk
- 8-foot Grass Strip which would be converted to an ultimate cross section in future which would include 2-foot pedestrian/bike buffer with a 6-foot bike lane
- 6-foot tree panel buffer

The applicant has since changed the cross section along their street frontage. Per the cross section shown on the preliminary plan sheet #2 of 5 that is uploaded to eplans on March 3, 2023, the applicant is providing the cross section listed above. MCDOT continues to agree with this cross section.

1. MCDOT's November 29, 2022 letter stated the following:

**Sight Distance:** *The sight distance does not meet the minimum 200-feet required. We **do not approve** the sight distance since the sight distance is obstructed by proposed street parking. We do not agree with the street parking as proposed. Prior to the Certified Preliminary Plan, the sight distance at the driveway shall be revised to meet the minimum requirements based on the interim roadway cross section as per the above comment.*

The applicant has revised the cross section to pull the curb out in the preliminary plan sheet 2 of 5 that was uploaded to eplans on March 2, 2023. This new location of the curb allows for the applicant to meet sight distance. Therefore, MCDOT approves the sight distance with this preliminary plan. The form is enclosed with this letter.

2. **Storm Drain Study:** The revised storm drain analysis dated November 15, 2022, was reviewed and is acceptable to MCDOT. The distance to the nearest public storm drain system from study point 1 is 2,150-feet. Therefore, no improvements are needed to the downstream public storm drain system for this plan.
3. Pedestrian ramps and crosswalk along west leg of Hillcrest Avenue intersection will be reviewed and completed during the signing and marking stage.

#### **Standard Comments**

1. All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Department of Permitting Services (DPS) in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department. Prior to certified preliminary plan the stormwater management in the right-of-way must be approved by DPS.



2. Design all vehicular access points and alleys to be at-grade with sidewalk, dropping down to street level between the sidewalk and roadway.
3. Forest Conservation Easements are NOT ALLOWED to overlap any easement.
4. Stop sign locations, crosswalks and markings will be reviewed and completed during the signing and marking stage at the permit stage.
5. No steps, stoops, balconies or retaining walls for the development are allowed in county right-of-way. No door swings into county ROW.
6. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
7. Trees in the County rights of way – spacing and species to be in accordance with the applicable MCDOT standards. Tree planning within the public right of way must be coordinated with DPS Right-of-Way Plan Review Section.
8. If the proposed development will alter any existing streetlights, replacement of signing, and/or pavement markings, please contact Mr. Dan Sanayi of our Traffic Engineering Design and Operations Section at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
9. Permit and bond will be required as a prerequisite to MCDPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:
  - a. Curbs and gutters, lawn panel, sidewalk, handicap ramps, storm drainage and appurtenances, and street trees along Hillcrest Avenue.
  - b. Permanent monuments and property line markers, as required by Section 50-4.3(G) of the Subdivision Regulations.
  - c. Erosion and sediment control measures as required by Chapter 19 and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.
  - d. Enclosed storm drainage and/or engineered channel (in accordance with the MCDOT Storm Drain Design Criteria) within the County rights-of-way and all drainage easements.
  - e. Developer shall provide streetlights in accordance with the specifications, requirements, and standards prescribed by the MCDOT Division of Traffic Engineering and Operations.

Ms. Alexandra Duprey  
Preliminary Plan No. 120230010  
March 8, 2023  
Page 4

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Ms. Brenda Pardo for this project at (240) 777-7170 or at [brenda.pardo@montgomerycountymd.gov](mailto:brenda.pardo@montgomerycountymd.gov).

Sincerely,

*Rebecca Torma*

Rebecca Torma, Manager  
Development Review Team  
Office to Transportation Policy

[SharePoint\teams\DOT\Director's Office\Development Review\Brenda\Preliminary Plan\PP120230010 Hillcrest Property\Letters\120230010-Hillcrest-DOT Preliminary Plan Letter\\_revised.docx](#)

cc: Correspondence folder FY 2023

cc-e:	Brandon Fritz	Kim Engineering
	Mark Terry	MCDOT DTEO
	Atiq Panjshiri	MCDPS RWPR
	Sam Farhadi	MCDPS RWPR
	Brenda Pardo	MCDOT OTP



# Attachment C

## DEPARTMENT OF PERMITTING SERVICES

Marc Elrich  
County Executive

Mitra Pedoeem  
Director

November 15, 2022

Ms. Briana Shea  
Kim Engineering  
1390 Piccard Drive, Suite 340  
Rockville, MD 20850

Re: **COMBINED STORMWATER MANAGEMENT  
CONCEPT/SITE DEVELOPMENT  
STORMWATER MANAGEMENT PLAN** for  
18201 Hillcrest Avenue  
Preliminary Plan #: 120230010  
SM File #: 288460  
Tract Size/Zone: 28,024 sq ft / 0.64 ac  
Total Concept Area: 34,316 sq ft / 0.78 ac  
Parcel(s): 846 and 829  
Watershed: Patuxent River

Dear Ms. Shea:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above-mentioned site is **acceptable**. The stormwater management concept proposes to meet required stormwater management goals via permeable pavement and microbio-retention.

The following items will need to be addressed during the detailed sediment control/stormwater management plan stage:

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
4. The proposed outfall to stormdrain easement Liber 14742, Folio 442 shown on the concept plan will be required to meet all county right of way design standards.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 **is not required**.



2425 Reedie Drive, 7th Floor, Wheaton, Maryland 20902 | 240-777-0311  
[www.montgomerycountymd.gov/permittingservices](http://www.montgomerycountymd.gov/permittingservices)

*Ms. Shea*  
*November 15, 2022*  
*Page 2 of 2*

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Jean Kapusnick, P.E. at [jean.kapusnick@montgomerycountymd.gov](mailto:jean.kapusnick@montgomerycountymd.gov) or at 240-777-6345.

Sincerely,

*Mark Etheridge*

Mark C. Etheridge, Manager  
Water Resources Section  
Division of Land Development Services

MCE: jak

cc: N. Braunstein  
SM File # 288460

ESD: Required/Provided 3,660 cf / 3,820 cf  
PE: Target/Achieved: 2.2"/2.2"  
STRUCTURAL: 0.0 cf  
WAIVED: 0.0 cf.

# Attachment D



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION



2425 Reedie Drive  
Floor 13  
Wheaton, MD 20902



MontgomeryPlanning.org

October 27, 2022

Mr. Ludwig Leskovar  
Hanes Properties Maryland LLC  
219 88<sup>th</sup> Street  
Virginia Beach, VA 23451

Re: Forest Conservation Exemption: 42023056E  
Property Name: Hillcrest Property

Dear Mr. Leskovar,

Based on the review by staff of the Montgomery County Planning Department, the exemption request submitted for the Hillcrest Property, #42023056E, is confirmed. The project is exempt from Article II of the Montgomery County Code, Chapter 22A (Forest Conservation Law), under Section 22A-5(s)(1) because the activity is being conducted on a tract of land less than 1.5 acres with no existing forest, or existing specimen or champion tree\*, and the afforestation requirements would not exceed 10,000 square feet. \*Since the project will impact significant and specimen trees, the request will require a Tree Save Plan per Section 22A-6(a) of the Forest Conservation Law. **The Tree Save Plan must be submitted and approved as part of the Preliminary Plan application 120230010, and include tree protection measures and required mitigation for the removal of specimen trees, and any additional requirements determined as part of the Preliminary Plan review.**

A pre-construction meeting is required after the limits of disturbance have been staked prior to clearing and grading to verify the limits of disturbance and tree protection measures are in place per the Tree Save Plan. The M-NCPPC forest conservation inspection staff may require additional tree protection measures. **Please contact Michael Sharp at (301) 495-4603 or [michael.sharp@montgomeryplanning.org](mailto:michael.sharp@montgomeryplanning.org) at least 7 days in advance to schedule your pre-construction meeting.** The site supervisor, construction superintendent, forest conservation inspector, a private Maryland licensed tree expert, and the Montgomery County Department of Permitting Services sediment control inspector shall attend this pre-construction meeting.

Any changes from the approved exemption request may constitute grounds to rescind or amend any approval actions taken and to take appropriate enforcement actions. If there are any subsequent modifications planned to the approved plan, a new application must be submitted to M-NCPPC for review and confirmation prior to those activities occurring.

Sincerely,

# Montgomery Planning

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION



Mary Jo Kishter  
Environmental Planner III

cc: Kayla Mosebrook, Kim Engineering, Inc.



2425 Reedie Drive  
Floor 13  
Wheaton, MD 20902



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