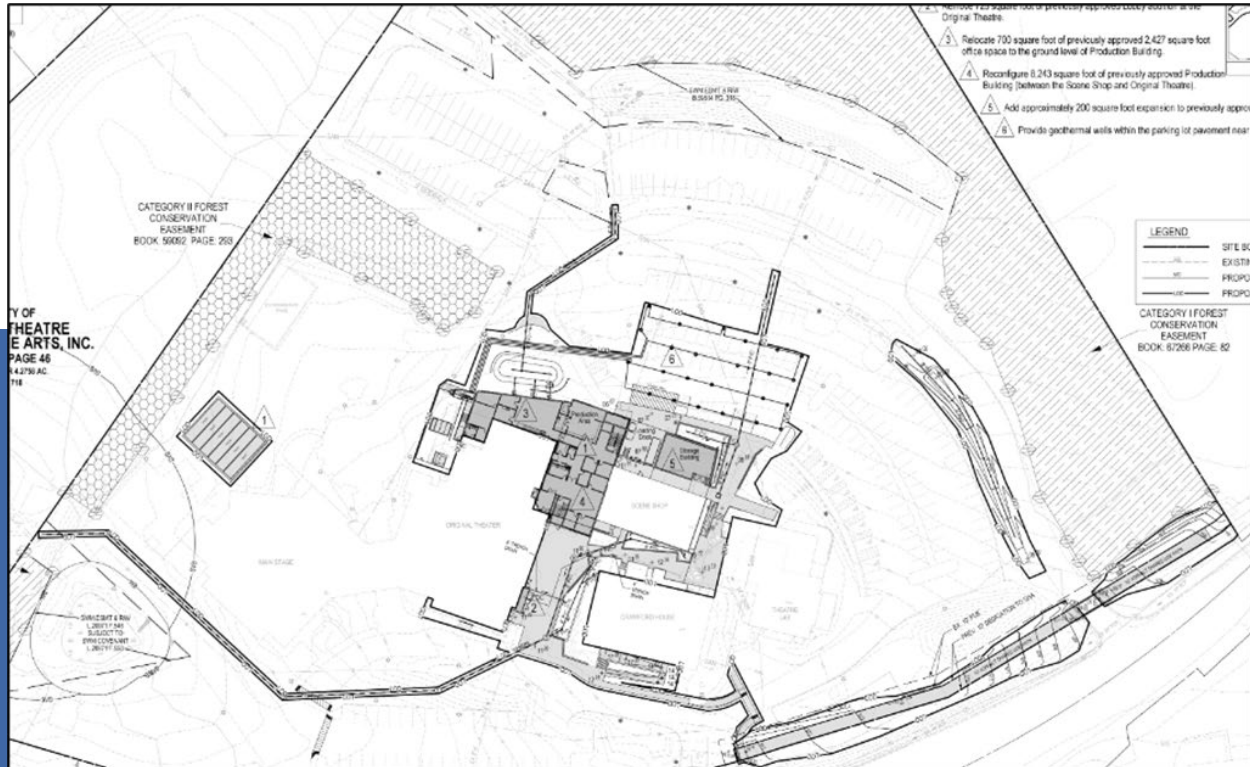


Montgomery Planning  
**OLNEY THEATER CENTER**  
**SITE PLAN AMENDMENT NO. 82001022E AND**  
**FINAL FOREST CONSERVATION PLAN AMENDMENT**  
**NO. F2023004A**



## Description

Amendment to reconfigure the square footages of the approved theater buildings, modify the 10-foot-wide sidepath, install geothermal wells in the parking lot, reconfigure stormwater management facilities, and modify previously approved conditions.

No. 82001022E

Completed: 10/27/2023

MCPB

Item No.

November 9, 2023

Montgomery County  
Planning Board

2425 Reedie Drive, Floor 14  
Wheaton, MD 20902

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### LOCATION/ADDRESS

2001 Olney Sandy Spring Rd, Olney

### MASTER PLAN

2005 Olney Master Plan

### ZONE

PCC (Planned Cultural Center)

### PROPERTY SIZE

10.5 acres

### APPLICANT

Olney Theatre Center

### ACCEPTANCE DATE

September 11, 2023

### REVIEW BASIS

Chapters 59 and 22A

### Summary:

- Staff recommends approval of the site plan amendment and Final FCP with conditions.
- The Applicant is proposing to reconfigure the previously approved building square footages, as well as reduce the overall density by 525 square feet total. These changes would usually qualify as a minor amendment for the Director's review, however these impact previously approved conditions and therefore require a public hearing.
- Per Section 59.7.3.4.B.J, a major amendment requiring a public hearing includes any request to deviate from a binding element or a condition of approval.
- This Application is requesting to modify conditions of approval 1, 7, 9, 11, and 14 from Site Plan No. 82001022C.
- As conditioned, Staff recommends minor revisions to the approved, but not built, sidepath along Olney Sandy Spring Road to ensure the full length is 10 feet wide and the landing area is adequate for bike and pedestrian passage.
- Staff has not received community correspondence pertaining to this amendment.

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## SECTION 1: RECOMMENDATIONS AND CONDITIONS

### SITE PLAN

Staff recommends approval of Site Plan No. 82001022E, for modifications to the square footages of the approved buildings, modifications to the 10-foot-wide sidepath, the addition of geothermal wells in the parking lot, and the reconfiguration of stormwater management facilities. The development must comply with conditions of approval for the Site Plan Amendment No. 82001022C as listed in the MCPB Resolution No. 21-007 dated February 23, 2021, and as amended.

All site development elements shown on the latest electronic version of the Site Plan, as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following conditions.<sup>1</sup> The following Conditions 1, 3, 7, 9, 11, and 14 are modified and supersede the previous conditions. All other conditions remain in full force and effect (Attachment F):

#### Modified Conditions

1. Density

The Site Plan Amendment is limited to a maximum of 18,051 square feet of development on the Subject Property, including: a 14,470 square foot Production Building; a 2,427 square foot office addition to the Original Theatre; and a 1,154 square foot Storage Building.

3. Phasing

Prior to Use and Occupancy Certificate for any building in the first phase of construction, the Applicant must install the internal crosswalk striping and sidewalk connections depicted in Phase 1C on the Phasing Plan.

6. Pedestrian & Bicycle Circulation

c) Prior to issuance of a Use and Occupancy Certificate for any building in the first phase of construction, the Applicant must dedicate a minimum of 10 feet of right-of-way from the existing property line on the frontage of MD 108, as shown on the Certified Site Plan. The area of dedication must provide adequate land to accommodate a 10-foot-wide shared-use-path-and-associated stormwater management facilities.

d) The Applicant must provide the following master planned pedestrian and bicycle facilities. The exact location, design and construction must comply with requirements set forth by the Montgomery County Department of Transportation (“MCDOT”), Division of Transportation Engineering and/or Maryland State Highway Administration:

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<sup>1</sup> For the purposes of these conditions, the term “Applicant” shall also mean the developer, the owner or any successor (s) in interest to the terms of this approval.



- i. Before approval of Certified Site Plan, the Applicant must ~~provide detailed 30% design plans for the 10-foot wide shared-use path~~ revise the proposed sidepath between the signalized intersection of MD 108/Dr. Bird Road to the eastern property line to provide a continuous 10-foot-wide bikeable connection, specifically replacing the existing sidewalk between the landing area of the Doctor Bird Road intersection and the new proposed sidepath with a 10-foot-wide asphalt sidepath. The design plans must provide the following details: grading, clearing, ~~stormwater management~~, 10-foot-wide public utility easement (“PUE”), and utility relocation if needed. The design plans must receive approval from M-NCPPC staff, MCDOT and the Maryland State Highway Administration (“MDSHA”).
- ii. Olney Sandy Spring Road: Before issuance of any Use and Occupancy Certificate for the second phase of development, the Applicant must construct the ~~shared-use path~~ sidepath as shown on the Certified Site Plan ~~CSP and 30% design plans.~~

#### 8. Fire and Rescue

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”), Fire Department Access and Water Supply Section in its correspondence dated ~~November 20, 2020~~ October 17, 2023 (Attachment D), 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 Preliminary Plan approval.

#### 10. Stormwater Management

The Planning Board has reviewed and accepts the recommendations of the MCDPS, Water Resources Section in its stormwater management concept letter dated ~~December 3, 2020~~ September 26, 2023 (Attachment D) and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of Site Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the Storm Water Management easements and facilities.

#### 13. Certified Site Plan

- b) Ensure Green Area calculations in the Site Plan Data Table are accurate per the amendment. ~~Amend the Green Area calculations in the Site Plan Data Table to account for the right-of-way dedication for MD 108, as shown on the CSP.~~
- c) Amend the phasing plan to clearly identify the internal crosswalk striping and sidewalk connections depicted in ~~Phase 1C~~ on the Phasing Plan, that must be constructed in the first phase of development.

\* \* \*

- h) Add a note to the Site Plan stating that “The Applicant must schedule a preconstruction meeting (pre-con), preferably on-site, with staff from the Department of Permitting Services (DPS) responsible for Certified Site Plan conformance and compliance, upon approval of the Certified Site Plan (CSP). The pre-con must occur before any site development work commencement and before any work that is covered by the site plan surety and maintenance agreement. The Applicant, along with their representatives, must attend the pre-con with DPS CSP Staff. A copy of the approved Certified Site Plan along with any subsequent amendments is required to be on-site at all times.”
- i) Add a note to the Site Plan stating that “Specified plant material may be substituted with equivalent alternatives, through coordination with Planning Department staff, without requiring a site plan amendment.”
- j) Revise the proposed sidepath to accommodate a continuous minimum width of 10 feet from the intersection of Doctor Bird Road to the eastern property line and improve the landing area of eastern side of the intersection to provide a minimum of 10 feet of clearance for both legs to accommodate bicycle movement. The design shall be approved by staff of Montgomery Planning and MDOT SHA.

#### **FOREST CONSERVATION PLAN AMENDMENT F2023004A**

Staff recommends approval of Final Forest Conservation Plan Amendment No. F2023004A to allow for the removal, relocation and reconfiguration of some site elements in order to make for better utilization of the area on the site. All site development elements shown on the latest electronic version of the Amended Final Forest Conservation Plan No. F2023004A, as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following conditions. The following Conditions supersede all previous conditions:

1. The Applicant must schedule the required site inspections by the M-NCPPC Forest Conservation Inspection Staff per Section 22A.00.01.10 of the Forest Conservation Regulations.
2. The Applicant must comply with all tree protection measures shown on the approved Amended Final Forest Conservation Plan (“FFCP”). Tree save measures not specified on the FFCP may be required by the M-NCPPC Forest Conservation Inspection Staff.
3. The Limits of Disturbance (“LOD”) shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Amended Final Forest Conservation Plan.
4. Before the start of any demolition, clearing, grading, or construction for this development Application, whichever comes first, the Applicant must:
  - a) 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, mitigation tree plantings, including variance tree mitigation plantings, and landscape plantings credited toward meeting the requirements of the FFCP. The MMA

- includes invasive species management control measures as deemed necessary by the M-NCPPC Forest Conservation Inspection Staff.
- b) Submit financial surety, in a form approved by the M-NCPPC Office of the General Counsel, to the M-NCPPC Planning Department for the planting of variance mitigation trees and maintenance, including invasive species management controls, credited toward meeting the requirements of the FFCP.
  5. The Applicant must plant the variance tree mitigation plantings on the Subject Property with a minimum size of 3 caliper inches totaling 12 caliper inches as shown on the approved FFCP. Adjustments to the planting locations of these trees is permitted with the approval of the M-NCPPC Forest Conservation Inspection Staff.
  6. Within the first planting season following the release of the first Sediment and Erosion Control Permit from the Montgomery County Department of Permitting Services for the Subject Property, or as directed by the M-NCPPC Forest Conservation Inspection Staff, the Applicant must install the variance tree mitigation plantings on the Subject Property as shown on the approved FFCP. The variance tree mitigation plantings must be a minimum size of 3 caliper inches totaling 42 caliper inches, as shown on the approved FFCP. Adjustments to the planting locations of these trees is permitted with the approval of the M-NCPPC Forest Conservation Inspection Staff.
  7. At time of Certified FFCP submittal, the Applicant is to address all outstanding comments on the FFCP.

## SECTION 2: SITE DESCRIPTION

### VICINITY

The Subject Property (“Subject Property” or “Property”) is located at the intersection of Olney - Sandy Spring Road (MD 108) and Dr. Bird Road (MD 182), on the north side 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 18989. 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 faces 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 Planned Cultural Center (PCC) Zone. The property is split zoned with a small RE-2 portion in the southwestern corner (Figure 2).



Figure 1 – Vicinity Map



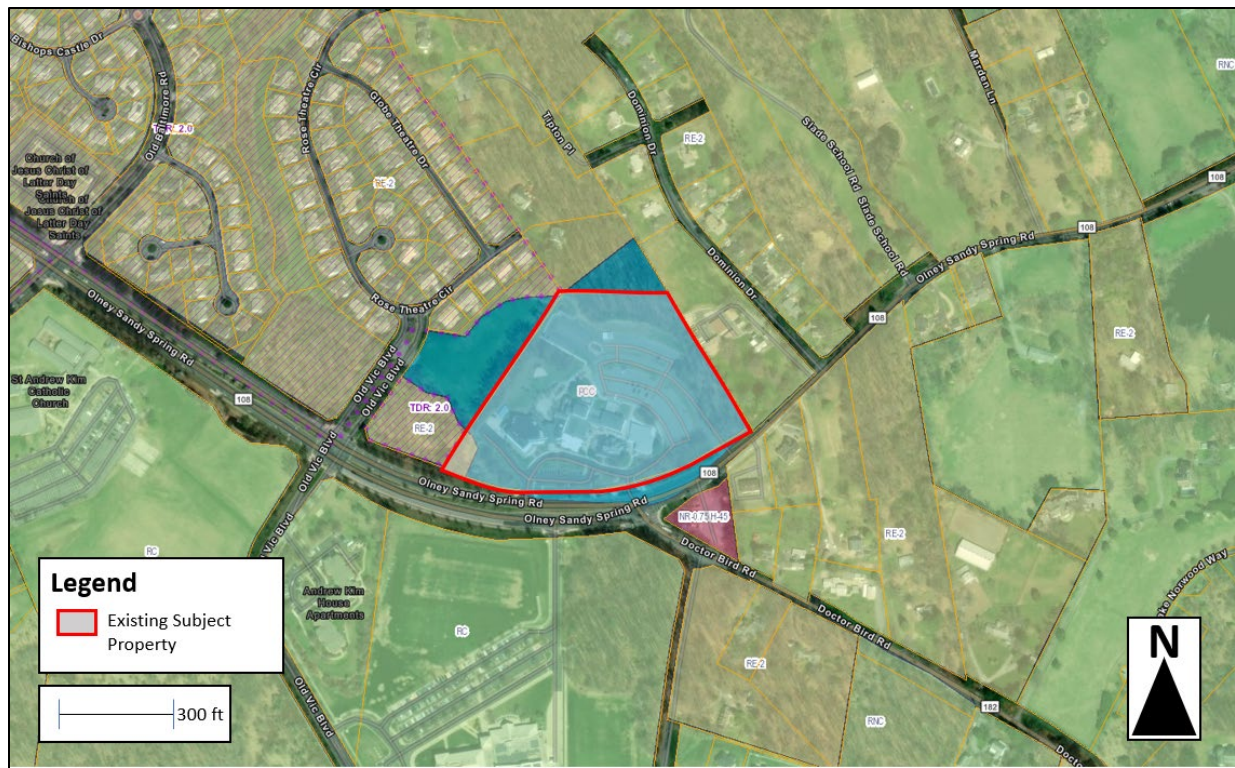


Figure 2 – Zoning Map

## PROPERTY DESCRIPTION

The 10.5-acre Property is home to the Olney Theatre Center, currently improved with 60,430 square feet of institutional development related to the Olney Theatre Center (“Theater 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 263 parking spaces on the Subject Property.



*Figure 3 – Site Plan*

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).

## SECTION 3: PROJECT DESCRIPTION

### 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 Zone (12.37 acres) and RE-2/TDR-2 Zone (2.3 acres) to the PCC Zone. 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; the 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 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 July 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, 11 performers' quarters, scene shop and gate house, on 10.5 acres. Of the original 65,890 square feet of approved density, approximately 60,430 square feet was implemented on the Property.

#### FFCP No. 820010220

Final Forest Conservation Plan No. 820010220 was approved on June 22, 2001 by the Planning Board as part of a Site Plan Application No. 820010220. The total net tract area shown on the FFCP for forest conservation purposes was 10.5 acres split between two zones. 10.44 acres of the Subject Property is zoned PCC and classified as Institutional Development Area as specified in the Trees Technical Manual. This portion of Subject Property contained 1.52 acres of forest. The Applicant retained all 1.52 acres and receive landscape credit of 0.85 acres. The retained forest was proposed to be protected by both Category I and Category II Conservation Easements. The remaining 0.16 acres of the Subject Property is zoned RE-2/TDR and classified as Medium Density Residential as specified in the Trees Technical Manual. This portion of the Subject Property contained 0.16 acres of forest. The theatre met its forest conservation requirement by retaining all the existing forest acreage of 1.68 acres and placing conservation easements over that forest.

#### Site Plan No. 82001022A

Site Plan Amendment No. 82001022A by Planning Board Resolution No. 20-021, mailed on April 9, 2020, approved the expansion of the Theatre Lab building and associated changes to the surrounding landscape and pedestrian system. The amendment expanded 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 included a new lobby, dressing room, green room, and flex space. The existing 2,535 square foot auditorium was retained, with no increase in occupancy load. The second-floor addition expands the current control room/mezzanine by 243 square feet. The exterior of the building was also updated by replacing the existing vinyl siding with fiber cement board and the existing roofline was modified to incorporate the addition. During the review of Amendment A, a Notice of Violation ("NOV") was issued by the 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. Approval of Amendment A included several conditions to address the NOV.

#### FFCP No. 82001022A

FFCP Amendment No. 82001022A, was approved on March 26, 2020 as part of Site Plan Amendment No. 82001022A. This FFCP amendment revised the approved limits of disturbance (“LOD”) and incorporated the Theatre Lab constructions. The FFCP amendment did not alter any of the previously approved forest conservation requirements associated with the original FFCP, Plan No. 820010220.

#### Site Plan No. 82001022B

Site Plan Amendment No. 82001022B was submitted in response to the NOV. Site Plan No. 82001022B was approved by the Director on August 18, 2020. No citations or fees were issued as part of the NOV.

#### FFCP No. 82001022B

FFCP Amendment No. 82001022B was approved by Planning Staff on August 10, 2020. This FFCP amendment revised the LOD consistent with the improvements approved as part of Site Plan No. 82001022B and to provide site furnishings as required under Section 22A.00.01.09.B of the Forest 12 Conservation Regulations. The FFCP amendment did not alter any of the previously approved forest conservation requirements associated with the original FFCP No. 820010220.

#### Site Plan No. 82001022C

Site Plan No. 82001022C was approved by Planning Board Opinion, mailed on February 23, 2021, for a 5,273 square foot addition for the Education Wing, an 8,243 square foot addition for the Production Building, a 954 square foot Storage Building and loading dock, a 725 square foot lobby addition for the Original Theater, and a 2,427 square foot office space addition for the Original Theater, and for associated changes to the surrounding landscape and pedestrian system (“Amendment”).

#### Site Plan No. 82001022D

Site Plan Amendment No. 82001022D was administratively approved on July 1, 2022, for the demolition and reconstruction of the Root Family Stage, an outdoor performance area, and the addition of an ADA-compliant pathway connecting the stage to the existing pedestrian path.

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## PROPOSAL

This Application proposes the following modifications:

1. Reconfigure the square footages of the approved theater buildings with an overall reduction of 525 square feet as follows:
  - Remove the 5,273 square foot Education Wing addition approved in 82001022C;
  - Add 5,273 square feet to the 8,243 square foot Production Building addition approved in 82001022C, for a total Production Building addition of 13,516 square feet;

- Remove the 725 square foot Original Theater Lobby addition approved in 82001022C;
  - Add 200 square feet to the 954 square foot Storage Building approved in 82001022C, for a total of 1,154 square feet;
2. Relocate and consolidate storage trailers to the west of the buildings.
  3. Install geothermal wells within the parking lot pavement near the Production Building; and
  4. Reconfigure stormwater management facilities.



*Figure 4. Locations of the buildings to be altered by this amendment.*

## TRANSPORTATION

The Application does not generate any new trips from the previous approval. Circulation largely remains the same. As previously required, a new segment of sidepath will be constructed as part of this Application along Olney Sandy Spring Road. As conditioned, modifications are proposed to ensure the new path is constructed according to current standards and will accommodate safe and efficient bike and pedestrian movement. As noted below, this segment of path is part of a larger segment of bikeway that when complete will be among the longest in the County. Given the vital nature of the link, conformance to master plan design standards is critical to ensure this section of sidepath is constructed with long term usage in mind and avoid the need for additional publicly funded corrective measures.

## ENVIRONMENT

The Final Forest Conservation Plan Amendment No. F2023004A (“FFCP”) shows forest cover of 1.52 acres on the Subject Property. No forest is proposed to be removed. This results in a reforestation requirement of 0.05 acres. The Applicant has previously met this requirement under the original FFCP by protecting 1.52 acres of forest in a Category I Conservation Easement and protecting 0.45 acres of forest in a Category II Conservation Easement. The Applicant submitted a tree variance request with this submittal to impact three protected trees not previously shown to be impacted on previous Final Forest Conservation Plan Amendments. Please see the analysis in Section 5 of this Staff Report for an expanded discussion of the FFCP and tree variance request.

### SECTION 4: COMMUNITY OUTREACH

The Applicant posted and sent a Notice of Application on July 13, 2023 for affected parties related to the Site Plan Amendment No. 82001022E. The Applicant has complied with all submittal and noticing requirements. As of the date of this Staff Report, no correspondence has been received.

### SECTION 5: SITE PLAN FINDINGS AND ANALYSIS

Site Plan Amendment No. 82001022E requests to reconfigure the square footages of the approved theater buildings, install geothermal wells in the parking lot, modify the side path along the site frontage on MD 108, and reconfigure stormwater management facilities. The proposed Site Plan Amendment does not alter the intent of the previous findings, which remain in full force and effect, except as modified below.

- 1. When reviewing an application, the approval findings apply only to the site covered by the application.***

The findings herein apply only to the Subject Property.

- 2. To approve a Site Plan, the Planning Board must find that the proposed development:***

- a) satisfies any previous approval that applies to the site;***

Exempt as modified herein, the proposed development will continue to satisfy all previous approvals.

- b) satisfies under Section 7.7.1.B.5 the binding elements of any development plan or schematic development plan in effect on October 29, 2014;***

The Amendment continues 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.

- c) satisfies under Section 7.7.1.B.5 any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment;**

The PCC (Planned Cultural Center) Zone under Section 59.8.3.6.C.2.b requires that a minimum of 30%, or 3.18 acres, of the total site area included in the Development Plan be maintained as green area. The Amendment provides 54.3% or 5.70 acres of green area on-site, continuing to exceed the minimum required in the PCC Zone.

- d) satisfies applicable use standards, development standards, and general requirements under this Chapter;**

The Subject Property is approximately 10.5 acres and is zoned PCC. The PCC zone creates appropriate locations for the development of planned cultural centers within the county. The zone uses a more flexible approach to the comprehensive design and development of cultural centers than the procedures and regulations applicable under more traditional zoning categories and other PD zones. The Amendment 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, which the Application provides.

- i. Division 59.8.3.6.C.2.b**

*Table 1: Site Plan Data Table for PCC Zone, Standard Method, Section 59.4.*

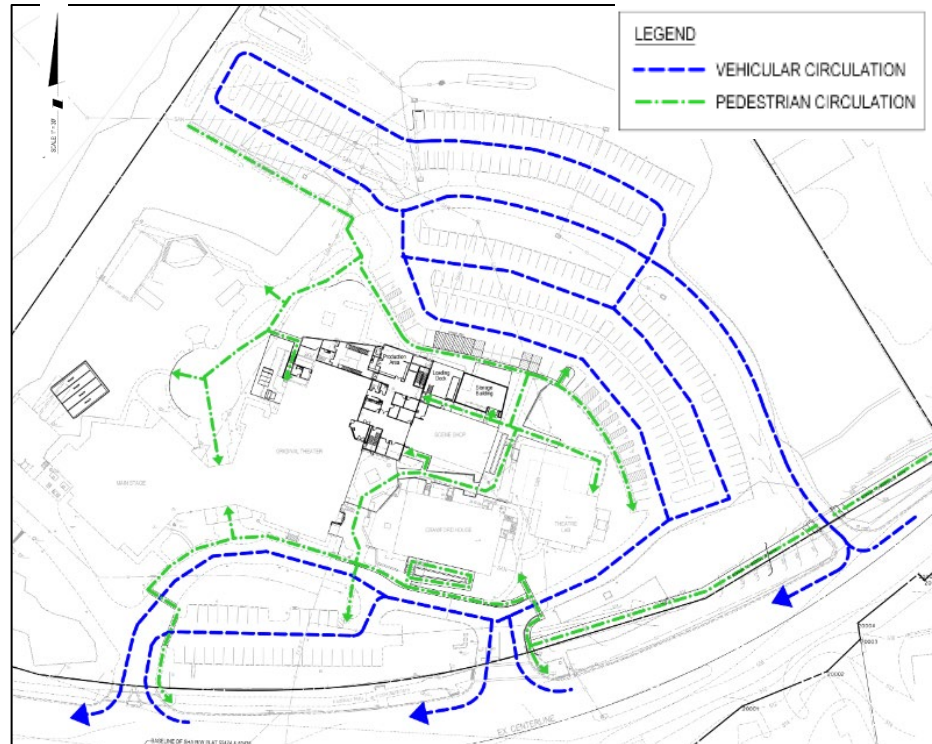
<b>Development Standard</b>	<b>Permitted/ Required</b>	<b>Approved in Site Plan Amendment 82001022C</b>	<b>Proposed in Site Plan Amendment 82001022E</b>
<b>Lot and Density</b>			
<b>Lot area (min)</b>	5 acres	10.5 acres	10.5 acres
<b>Net Tract area</b>		10.59 acres	10.59 acres
<b>Buildings GFA</b>			
Education Wing		5,273 sf	Remove 5,273 sf, added to Production Building
Production Building Addition		8,243 sf	Add 5,273 sf for total of 13,516 sf
Original Theater Office Addition		2,427 sf	2,427 sf (unchanged)
Original Theater Lobby Addition		725 sf	Removed

<b>Development Standard</b>	<b>Permitted/ Required</b>	<b>Approved in Site Plan Amendment 82001022C</b>	<b>Proposed in Site Plan Amendment 82001022E</b>
Storage Building		954 sf	Add 200 sf for total of 1,154 sf
Total		18,576 sf	18,051 sf
<b>Setbacks</b>			
<b>Building setback from confronting or abutting residential property</b>	100 ft min.	284 ft min.	284 ft min.
<b>Building setback from any boundary line shown on the development plan</b>	30 ft min.	76 ft min.	76 ft min.
<b>Building Height</b>			
Education Wing	45 ft max	40 ft	Removed
Production Building	45 ft max	45 ft	45 ft
Original Theater Office	45 ft max	40 ft	40 ft
Original Theater Lobby	45 ft max	40 ft	Removed
Storage Building	45 ft max		20 ft
<b>Coverage and Green Area</b>			
Building Coverage (max)	30%	13.4%	13.8%
Parking Coverage (max)	40%	31.9%	31.9%
Green Area (min)	30%	54.7%	54.3%

ii. ***Division 59-6 General Development Standards***

***(1) Division 6.1 Site Access***

The Amendment will continue to provide a safe, adequate and efficient site access and circulation pattern on-site. The revisions proposed by this Amendment do not alter the placement of existing site access points or vehicular circulation patterns. Internal pedestrian access is adjusted slightly but not meaningfully altered from the prior approval and continues to be adequate (Figure 5).



*Figure 5. Vehicular and Pedestrian Circulations*

**(2) Division 6.2 Parking, Queuing and Loading**

Parking, queuing and loading will not be altered by this Application and will continue to be adequate for the proposed use. The number of parking lot spaces will not be changed by the installation of geothermal wells within the parking lot pavement.

**(3) Division 6.3 Open Space and Recreation**

Open space and recreation will not be altered by this Application and will continue to be adequate for the proposed use.

**(4) Division 6.4 General Landscaping and Outdoor lighting**

The Application is proposing to improve the approved and existing landscaping across the property by providing additional trees internal to the site, between the theater buildings, and around the storage trailers to the west of the buildings. The stormwater management facility to the north of the buildings, as well as the expansion of some of the theater buildings, requires removal of existing trees. The Applicant is planting twenty-six new trees, including



[illegible]

The Applicant is proposing additional light fixtures internal to the site, between the buildings of the Theater. The additional lighting includes mounted tree, wall, canopy, and bench lights. The lights are designed to match existing Theater lights. The lights will offer discrete lighting along the walkways between buildings (Figure 7).



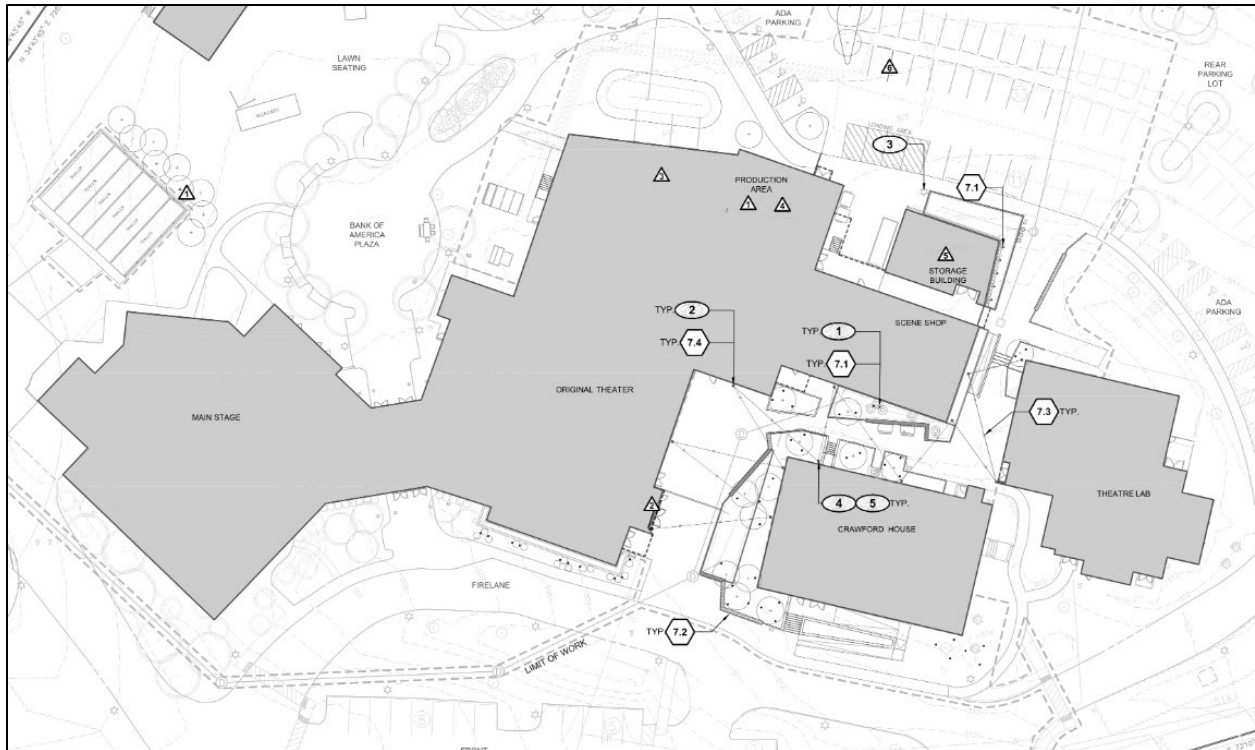


Figure 7. Proposed Lighting Plan

**(5) Division 6.5 Screening**

There are storage trailers on the western side of the Property that will be screened from the Root Stage and plaza area with a row of sweetbay magnolia trees.

**e) Satisfies the applicable requirements of:**

**i. Chapter 19, Erosion, Sediment Control, and Stormwater Management; and**

DPS approved a Combined Stormwater Management Concept/ Site Development Stormwater Management Plan on September 26, 2023 (Attachment D). The plan proposes to meet required stormwater management goals via micro-bioretenention and bio-swale.

**ii. Chapter 22A, Forest Conservation.**

See Section 8: Forest Conservation Plan Findings and Analysis.

**f) Provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities;**

i. **Parking and circulation**

The installation of geothermal wells in the parking area will not alter parking and circulation through this application. Parking and circulation will continue to be adequate for the proposed use.

ii. **Building Massing**

The new additions to the Production Building and Storage Area tie into the surrounding landscaping, frame the northern part of the courtyard, and enhance the architecture of the existing buildings. The location and orientation of the new building additions and the existing buildings remain adequate, safe, and efficient.

iii. **Open space and site amenities**

Changes to the open space include minor landscaping revisions largely internal to the site, between the buildings, as well as for screening of the storage trailers to the west of the buildings.

***g) Substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan;***

**2005 Olney Master Plan**

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 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 changes are reconfigurations of previously approved modifications and are in harmony with the existing theater complex and the neighborhood. The Application substantially conforms to the 2005 *Olney Master Plan*.

The Subject Property is located within the Patuxent Primary Management Area (“PMA”) and is in compliance with the 1993 *Functional Master Plan for the Patuxent River Watershed*. Under normal circumstances there is a 10% impervious cap within the Transition Area of the PMA. However, in this case, the Subject Property is considered to be an existing area in non-conformance with the PMA Guidelines as outlined in Sec. VII.D.d of the Environmental Guidelines and the impervious cap does not apply. The original Olney Theatre layout was approved by Preliminary Plan 119900120 and Site Plan 820010220. At that time, the Subject Property was not within the PMA. It wasn’t until a new Natural

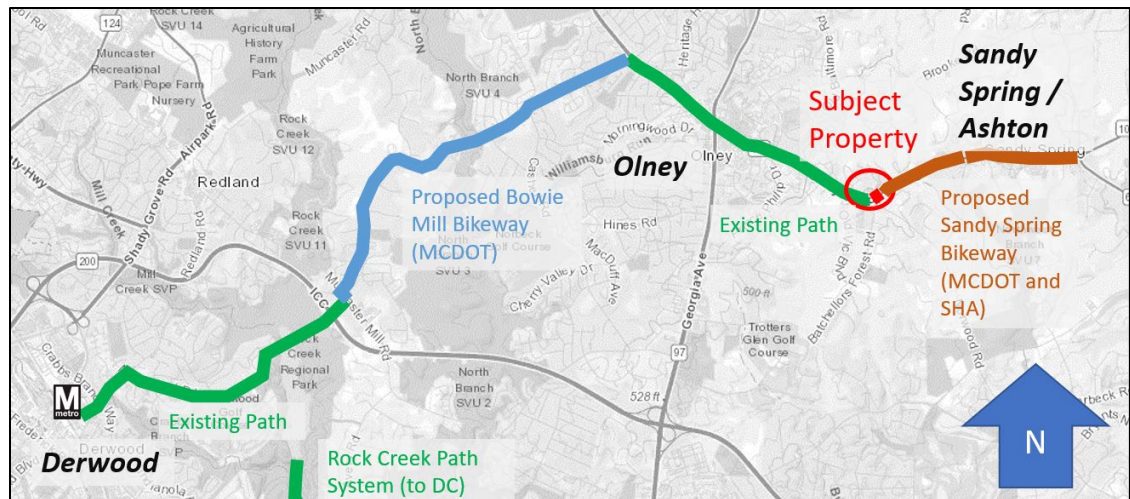
Resource Inventory/Forest Stand Delineation (“NRI/FSD”), Plan No. 420200650, identified a previously categorized ephemeral stream as an intermittent stream with a stream buffer that the Subject Property was placed within the PMA. At the time the new NRI/FSD had been approved, the vast majority of the Olney Theatre had been built and each Site Plan Amendment had made minor modifications to the site but were still in keeping with the approval of the Preliminary Plan. Thus, the impervious surfaces within the PMA were previously existing before the placement of the PMA on the Subject Property. As a result, under Sec. VII.D of the Environmental Guidelines, enforcement of the impervious surface limits for the Subject Project would be deemed an unreasonable hardship since the majority of the Subject Property would be restricted by the 10% impervious surface cap within the Transition Area of the PMA. Under Sec. VII.D.d of the Environmental Guidelines, the Subject Property is considered to be an existing area that is in non-conformance to the Environmental Guidelines because the density for this property is greater than the density under the RE-2 zone. In this case, the Environmental Guidelines deems the Subject Property to be an existing area that is in non-conformance with the PMA guidelines. Given the above reasons of pre-existing impervious surfaces and zoning density, Sec. VII.D.d of the Environmental Guidelines is applicable and the non-conformance requirements for the Subject Property will consist of stormwater management and best management practices applied to the property that will minimize the impacts of higher density, particularly higher levels of imperviousness, on water quality.

### **2018 Master Plan of Highways and Transitways and 2021 Complete Streets Design Guide**

The Complete Streets Design Guide (CSDG) identifies Olney Sandy Spring Road (MD 108) as a Boulevard west of the Dr. Bird Drive intersection, with the Master Plan of Highways recommending a 150-foot right-of-way. To the east of the intersection, Olney Sandy Spring Road is identified as a Neighborhood Connector, with the Master Plan of Highways recommending an 80-foot right-of-way. The Applicant has dedicated all necessary right-of-way along both segments of road; therefore, no additional dedication is necessary.

### **2018 Bicycle Master Plan**

The Plan recommends a sidepath along the north side of Olney Sandy Spring Rd. This section of road is within a section of a series of public bikeway projects that are planned and/or funded to be constructed to form a continuous bikeway system from Derwood (Rockville) in the west, run through Olney, and extend to Ashton Village in the east, for approximately 10 miles.



*Figure 8. Proposed bikeway network linking Derwood to Ashton*

When complete, this network will be among the longest continuous routes in the county, providing a vital east-west link connecting these communities, as well as providing access to Shady Grove Metro and the extensive Rock Creek trail network that runs to and through downtown DC (Figure 8). As the application frontage is part of this network, Staff has placed high priority in ensuring the path is built to meet design standards used through the remaining areas of the network and in line with design recommendations from the Bicycle Master Plan and Complete Streets Design Guide.

An existing 8-foot wide sidepath runs from the intersection of Dr. Bird Road to the western edge of the Property. This portion of frontage is not proposed to be altered with this Amendment, though future amendments may be required to improve the path to current standards. Instead, priority has been given to the portion of frontage to the east of the intersection, where an approximately 420 feet long, 10 feet wide new sidepath will be constructed. As conditioned in the C Amendment, 30% design plans were approved to provide an approximate alignment of this path, with the understanding that additional refinements may be necessary to finalize the design.

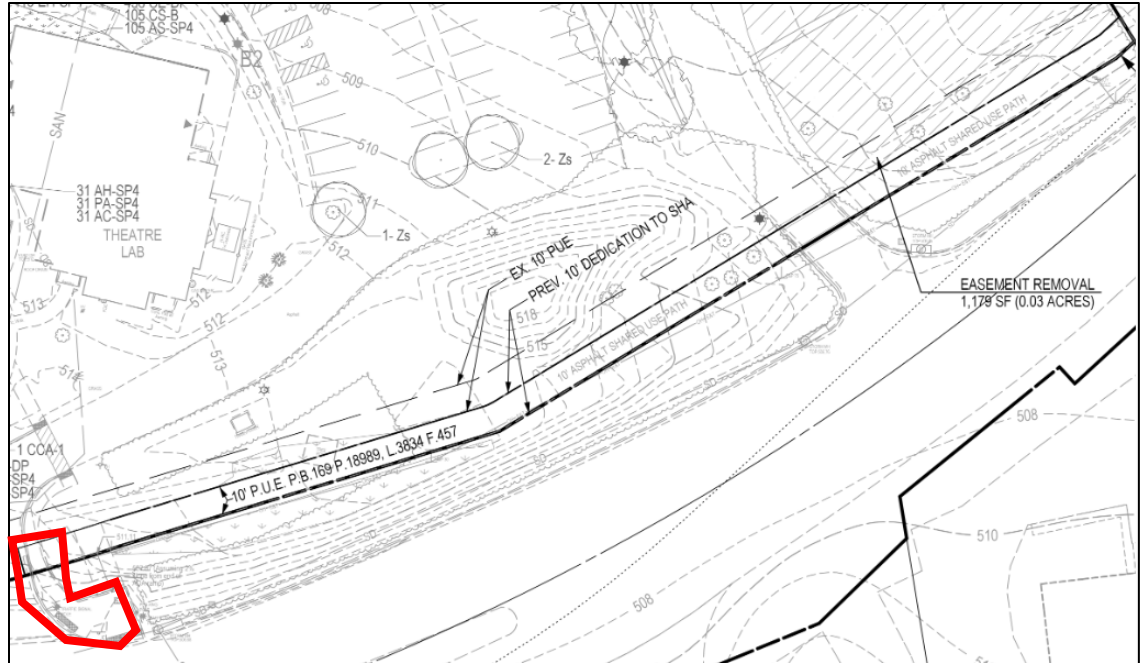


Figure 9. Previously Approved 30% Design for Frontage Sidepath with Red Area to be Revised

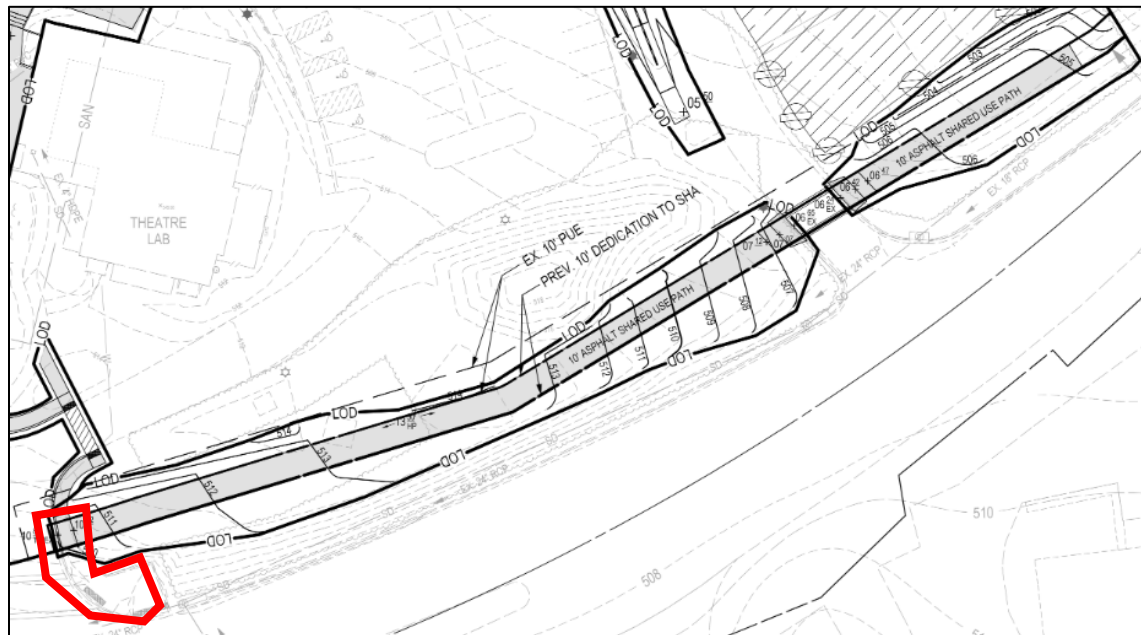


Figure 10. Current Applicant Proposal for Frontage Sidepath with Red Area to be Revised





*Figure 11. Existing Condition of Main Driveway*

As conditioned with this Amendment, a small portion of the path is to be revised to address current standards. In particular, a stretch of approximately 15 feet of existing sidewalk is to be replaced with a 10-foot-wide asphalt sidepath. Additionally, the intersection landing area is to be expanded. This revision is necessary to accommodate safe, comfortable, and efficient bike movement from the intersection landing area to the path. The expansion of the path and landing area into the existing driveway will provide the secondary benefit of reducing the size of the driveway, which presently results in an uncomfortable 60-foot-wide crossing for bicyclists and pedestrians. This location additionally serves as an important junction with the terminus of the proposed Heritage Triangle bike system, which terminates at this location at the intersection of Dr. Bird Road. Without the conditioned revision, the reduced width would result in an uncomfortable and potentially hazardous biking condition that would jeopardize the utility and continuity of the bike system at large. This would additionally impose additional cost to the county as this deficiency would need to be addressed as part of the construction of these public projects.

- h) will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the development is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage;***

**a) Roads and other Transportation Facilities**

**i. Existing Facilities**

Olney Sandy Spring Road is constructed as a four-lane boulevard in this location. Three existing access points along the road will remain for vehicular access. An existing 8-foot wide asphalt sidepath runs from the western edge of the site to the intersection with Dr. Bird Road. Dedication is adequate to support all proposed uses.

ii. **Proposed public transportation infrastructure**

The existing sidepath will be extended as a 10-foot-wide asphalt sidepath from Dr. Bird Road to the eastern property line. As described in the Master Plan section, a condition of approval will result in revisions to the path to ensure the full length is 10 feet wide and the landing area at the intersection is adequate for bike and pedestrian passage.

iii. **Proposed private transportation infrastructure**

Limited revisions are proposed to the internal pedestrian network, in particular between proposed new structures. These revisions are minimal and do not meaningfully alter pedestrian movement, which will continue to be adequate.

**b) Local Area Transportation Review**

As outlined in the Transportation Exemption Statement (Attachment E) submitted with the application, the proposal largely relocates previously approved floorspace. The Application does not result in any net-new person trips and is therefore exempt from additional LATR review.

**c) Schools**

Not applicable to this site plan amendment.

**i) *on a property in a Rural Residential or Residential zone, is compatible with the character of the residential neighborhood; and***

Not applicable, this Site Plan is not on a property in a Rural Residential or Residential zone.

**j) *on a property in all other zones, is compatible with existing, approved or pending adjacent development.***

The proposed additions and renovations are compatible with the existing building on the Subject Property. The architecture is simple and modern. The three buildings being constructed/modified are 40-45 feet tall, below the maximum 50-foot height limit in the Development Plan and the existing buildings on-site. The new additions tie into the

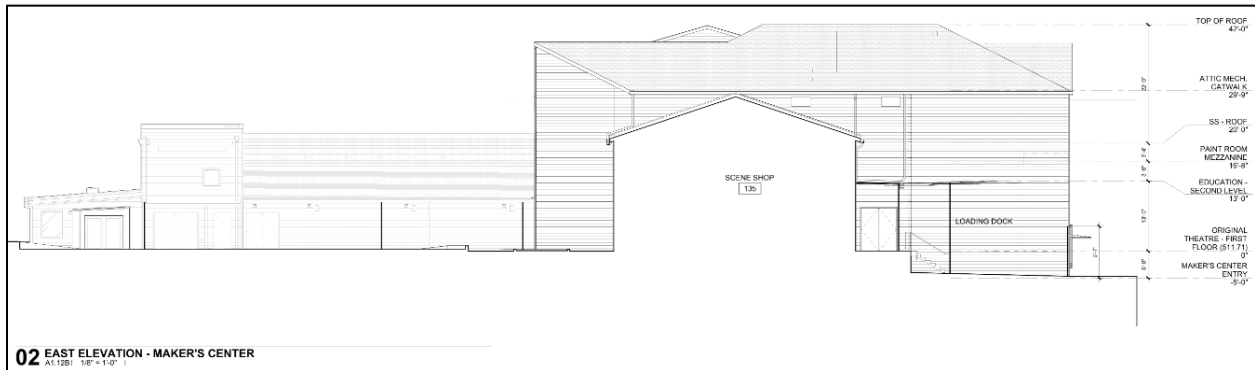


existing structures in a contextual manner that enhances the pedestrian experience and function of the facility.

The proposed building additions and their respective architectural elevations are in keeping with the existing architecture of the theater (Figures 12-14)



*Figure 12. North elevation of the Production Building*



*Figure 13. East elevation of the Production Building*

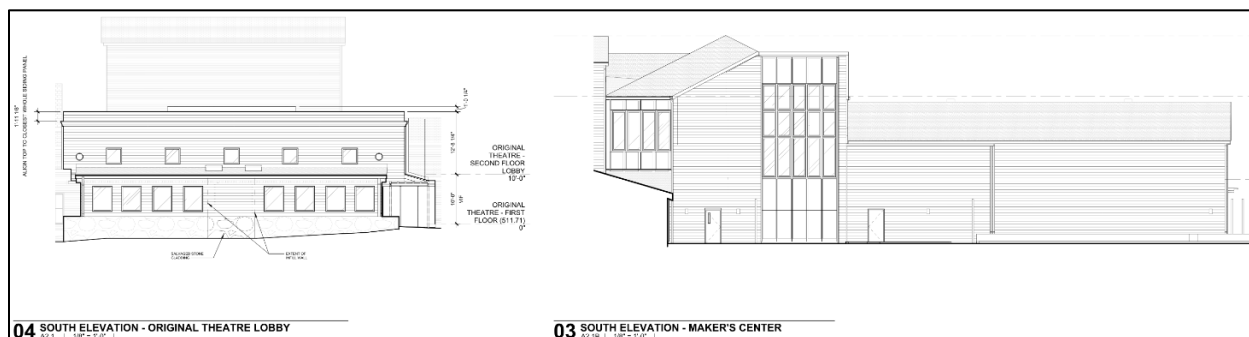


Figure 14. South elevation of the Original Theater Lobby and the south elevation of the Production Building

3. ***To approve a Site Plan for a Restaurant with a Drive-Thru, the Planning Board must also find that a need exists for the proposed use due to an insufficient number of similar uses presently serving existing population concentrations in the County, and the uses at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood.***

Not applicable, this Site Plan does not include a restaurant with a drive-thru.

4. ***For a property zoned C-1 or C-2 on October 29, 2014 that has not been rezoned by Sectional Map Amendment or Local Map Amendment after October 30, 2014, if the proposed development includes less gross floor area for Retail/Service Establishment uses than the existing development, the Planning Board must consider if the decrease in gross floor area will have an adverse impact on the surrounding area.***

Not applicable, the Subject Property was not zoned C-1 or C-2 on October 29, 2014.

## SECTION 6: FOREST CONSERVATION PLAN FINDINGS AND ANALYSIS

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

The Application is subject to the Montgomery County Forest Conservation Law, Chapter 22A of the County Code, and requires a Forest Conservation Plan Amendment. The FFCP was reviewed under Montgomery County Code, Chapter 22A, Forest Conservation Law that was effective on February 25, 2021 because the original Final Forest Conservation Plan and subsequent amendments were reviewed under the older versions of the Forest Conservation Law. This FFCP does not alter the net tract area of the property, so as a result, the newest version of Chapter 22A effective April 3, 2023 is not applicable. Included with this FFCP is a request for a tree variance for impacts to three significant trees. The Plan complies with the Montgomery County Environmental Guidelines and the Forest Conservation Law, as conditioned in the Staff Report and described below.

### ***Natural Resource Inventory/Forest Stand Delineation***

An NRI/FSD, Plan No. 420200650, which covers the Subject Property and the adjacent Parcel 718 (“Overall Property”) was approved on January 15, 2020. The Overall Property is located within the Hawlings River – James Creek watershed a Use Class IV-P stream. The Overall Property contains 5.43 acres of forest and one stream. A small wetland has developed in the southwest corner of the Subject Property near a small stone cottage. This area had previously been designated as a storm water retention pond under the original Site Plan, Plan No. 820010220, and over the years has developed into a small pond with a wetland border. This pond and wetland function as a storm water management facility and are within a storm water management easement. As such, this area is not subject to environmental regulation as would typically be the case. There is a very short segment of an intermittent stream on the Subject Property that flows off-site from the pond/wetland. There is a 125-foot stream buffer associated with this stream.

### ***Forest Conservation Plan Amendment***

The Final Forest Conservation Plan under plan number 820010220 was approved on March 7, 2002 and has been amended 4 times since that approval. A Final Forest Conservation Plan Amendment number F2023004A (Attachment B) was submitted for concurrent review with the Site Plan Amendment No. 82001022E. The Application satisfies the applicable requirements of the Forest Conservation Law, Chapter 22A of the Montgomery County Code, and complies with the Montgomery County Planning Department’s approved *Environmental Guidelines*. This FFCP revises the previously approved limits of disturbance (“LOD”) to provide for minor onsite adjustments for improved utilization of space by removing, relocating and reconfiguring some of the existing structures. The FFCP also shows the currently proposed alterations to the Subject Property as required under Section 22A.00.01.09.B of the Forest Conservation Regulations.

The FFCP does not alter any of the recorded Forest Conservation Easements on the Subject Property or any of the previously approved forest conservation requirements associated with the original FFCP, Plan No. 820010220 or subsequent amendments. The Applicant is still retaining 1.68 acres of forest and all the forest conservation requirements have been satisfied under the original approval.

### ***Forest Conservation Variance***

Section 22A-12(b)(3) of the Montgomery County Forest Conservation Law provides criteria that identify certain individual trees as high priority for retention and protection (“Protected Trees”). Any impact to these trees, including removal of the subject tree or disturbance within the tree’s critical root zone (“CRZ”) requires a variance under Section 22A-12(b)(3) (“Variance”). Otherwise, such resources must be left in an undisturbed condition. A request for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the Montgomery County Forest Conservation Law. The law requires no impact to trees that: measure 30 inches or greater DBH; are part of an historic site or designated with an historic structure; are designated as a national, State, or County champion trees; are at least 75 percent of the diameter of

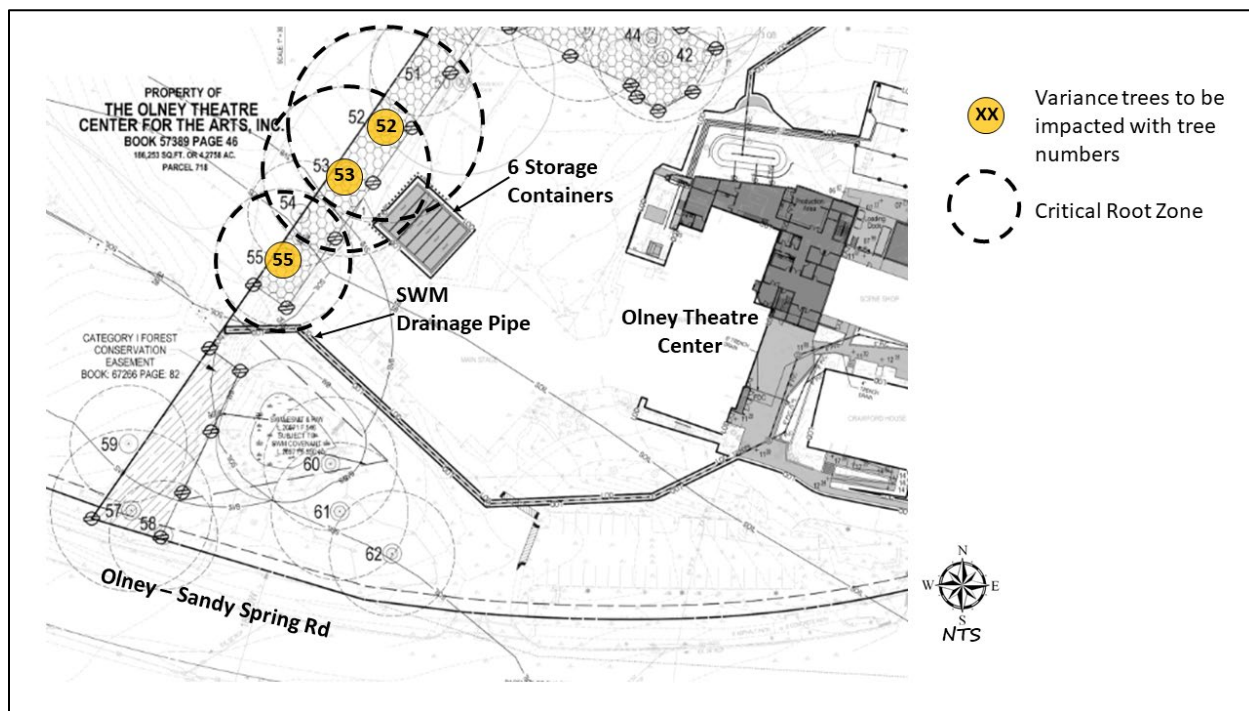
the current State champion tree of that species; or trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species.

### Variance Request

The Applicant submitted a variance request in a letter dated October 11, 2023 (Attachment C). The Applicant proposes to impact three trees that are 30 inches or greater DBH, that are considered high priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law (Table 4).

*Table 1 - Protected Trees to be Impacted*

Tree Number	Botanical Name	Common Name	Size DBH	Tree Condition	% CRZ Impacted	Status
52	<i>Liriodendron tulipifera</i>	Tulip Tree	48"	Good	5%	Retain
53	<i>Liriodendron tulipifera</i>	Tulip Tree	46"	Good	6%	Retain
55	<i>Quercus velutina</i>	Black Oak	34"	Good	0.04%	Retain



*Figure 15 - Tree Variance Exhibit*

### Unwarranted Hardship Basis

Per Section 22A-21, a variance may only be considered if the Planning Board finds that leaving the requested trees in an undisturbed state would result in unwarranted hardship, denying the Applicant reasonable and significant use of its property. To lessen construction impact to the trees, the Applicant redesigned the Project to consolidate two driveways into one driveway, and to locate the new driveway (away from the variance trees) to the south/southwest side of the property. The unwarranted hardship is also caused by the existing site conditions, development standards of the zone, Montgomery County agency requirements, and requirements associated with Master Plan objectives.

Three Protected Trees (Tree Nos. 52, 53 and 55) are being impacted by the limits-of-disturbance (“LOD”) for the project. The CRZs of Tree Nos. 52 and 53 are both impacted by the relocation of six storage containers. This relocation is necessary in order to create area for the new Loading Dock and Storage Building adjacent to the Scene Shop and to provide paved access to the containers from the existing drive on the west side of the Main Stage building. The CRZ of Tree No. 55 is being minimally impacted by the installation of a SWM drainage pipe which is directing storm water runoff from the theatre structures to the existing stream.

The inability to impact these trees would prevent reasonable redevelopment of the layout of the Olney Theatre Center. The six storage containers are being relocated to the only available area on the Subject Property that can accommodate these items. The inability to move these containers to the proposed location would prevent the expansion of the Production Area and the addition of a new Storage Building connected to the Scene Shop and Original Theatre.

Therefore, there is a sufficient unwarranted hardship to justify a variance request because the Applicant would otherwise be denied the ability to use the Property for the redevelopment and layout of the theatre center allowed under the zone, which is a reasonable and significant use of the Property.

Section 22A-21 of the County Forest Conservation Law sets forth the findings that must be made by the Planning Board for a variance to be granted.

### ***Variance Findings***

The following determinations are based on the required findings for granting of the requested variance:

***1. Will not confer on the applicant a special privilege that would be denied to other applicants.***

Granting the variance will not confer a special privilege on the Applicant as the impacts to trees 52, 53 and 55 are due to the reasonable development of the Property and the location of the trees within the property adjacent to the limits-of-disturbance (“LOD”). Granting a variance to allow disturbance within the developable portion of the site is not unique to this



Applicant. Therefore, the granting of this variance is not a special privilege that is granted only to this Applicant and denied to other applicants.

**2. *Is not based on conditions or circumstances which are the result of the actions by the applicant.***

The requested variance is not based on conditions or circumstances which are the result of actions by the Applicant. The requested variance is based upon the existing site conditions, development standards of the zone, and necessary design requirements of this Application.

**3. *Is not based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property.***

The requested variance is a result of the existing conditions and the proposed site design and layout of the Subject Property, and not as a result of land or building use on a neighboring property.

**4. *Will not violate State water quality standards or cause measurable degradation in water quality.***

The variance will not violate State water quality standards or cause measurable degradation in water quality. The Protected Trees are only being impacted and not removed. Therefore, the Application will not violate State water quality standards or cause measurable degradation in water quality.

Mitigation for Trees Subject to the Variance Provisions

No mitigation trees are required for Protected Trees that are impacted, but not removed.

Recommendation on the Variance

Staff recommends approval of the variance request.

## SECTION 7: CONCLUSION

As conditioned, the Site Plan Amendment application satisfies the findings under Section 7.3.4 and the applicable standards of the Zoning Ordinance, substantially conforming to the recommendations of the *Olney Master Plan*. Therefore, Staff recommends approval of the Site Plan Amendment with the conditions specified at the beginning of this report.

As conditioned, the Final Forest Conservation Plan Amendment satisfies all of the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Montgomery County Planning Department's Environmental Guidelines.

Therefore, Staff recommends approval of the Final Forest Conservation Plan Amendment with the conditions as cited in this Staff Report.

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## ATTACHMENTS

*Attachment A: Amended Site Plan*

*Attachment B: Forest Conservation Plan*

*Attachment C: Variance Request*

*Attachment D: Agency Letters*

*Attachment E: Transportation Exemption Statement*

*Attachment F: Draft Proposed Conditions for Resolution*



ATTACHMENT A

PLANNING DEPARTMENT USE ONLY (E-PLANS)

List of Amendment 82001022E Items:

- 1 Relocate 5,273 square foot of Education Wing (Dance Studio) from ground level to second floor of Production Building. Relocate/consolidate existing storage trailers next to the loading dock.
- 2 Remove 725 square foot of previously approved Lobby addition at the Original Theatre.
- 3 Relocate 700 square foot of previously approved 2,427 square foot office space to the ground level of Production Building.
- 4 Reconfigure 8,243 square foot of previously approved Production Building (between the Scene Shop and Original Theatre).
- 5 Add approximately 200 square foot expansion to previously approved Storage Building.
- 6 Provide geothermal wells within the parking lot pavement near the Production Building.

LEGEND

- SITE BOUNDARY
- EXISTING CONTOUR
- PROPOSED CONTOUR
- PROPOSED LIMIT OF DISTURBANCE
- PROPOSED REVISION TO BUILDING PER THIS AMENDMENT
- PROPOSED CONCRETE SIDEWALK

CATEGORY I FOREST CONSERVATION EASEMENT BOOK: 67266 PAGE: 82

CATEGORY II FOREST CONSERVATION EASEMENT BOOK: 59092 PAGE: 293

PROPERTY OF THE OLNEY THEATRE CENTER FOR THE ARTS, INC. BOOK 57389 PAGE 46 186,253 SQ.FT. OR 4.2758 AC. PARCEL 718

CATEGORY I FOREST CONSERVATION EASEMENT BOOK: 67266 PAGE: 82

SWM ESMT & RW L.20971 F.546 SUBJECT TO SWM COVENANT L.20971 F.550

ORIGINAL THEATER

Reconfigured Sprinkler Room

Awning

Education Area (2nd Floor)

SCENE SHOP

CRAWFORD HOUSE

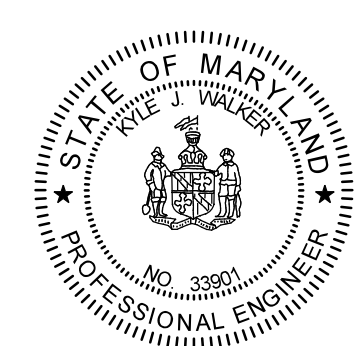
THEATRE LAB

MAIN STAGE

EX. CENTERLINE

DEVELOPER'S CERTIFICATE  
The undersigned agrees to execute all the features of the Site Plan Approval No. 82001022E, including Approval Conditions, Development Program, and Certified Site Plan.  
Developer's Name: Olney Theatre Center Company  
Contact Person: Dennis Blackledge  
Address: 2001 Olney Sandy Spring Road, Olney, MD 20832  
Phone: (301) 924-4485  
Signature: [Signature]

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. 33901 EXPIRATION DATE: 03-05-2024



SITE PLAN

SITE PLAN AMENDMENT 82001022E  
OLNEY THEATRE CENTER  
OLNEY SANDY SPRING ROAD, OLNEY

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



ROCKVILLE OFFICE  
2 Research Place, Suite 100  
Rockville, MD 20850  
P. 301.948.2750 F. 301.948.9067

Rockville  
Lanham  
Waldorf  
Leonardtown  
Frederick  
Soltesz DC, LLC

NO.	DATE	REVISIONS	BY	DATE
5	8/20/2022			09/09/2022
4	8/20/2022			10/13/2021
3	8/20/2022			8/18/2020
2	8/20/2022			4/9/2020
1	8/20/2022			7/3/2001
NO.	DATE	REVISIONS	BY	DATE
DESIGNED:	MAY 2023	CAO STANDARDS VERSION: V8 - 2008	TECHNICIAN:	NC
CHECKED:	NC			

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 DRIVING TEST RITS 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  
Dennis Blackledge

MAP	JT12	GRID	JT12
TAX MAP	JT122	ZONING CATEGORY:	PCC
WBC 200 SHEET	224NW02	MASTER PLAN:	OLNEY MASTER PLAN
SITE DATUM	XXXX		
HORIZONTAL:			
VERTICAL:			



1" = 30'

SHEET T1.1 OF T4.0

PROJECT NO. 3886-00-00



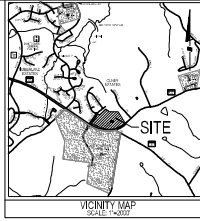
## ATTACHMENT B

# OLNEY THEATRE CENTER

## FINAL FOREST CONSERVATION PLAN AMENDMENT

### F2023004A

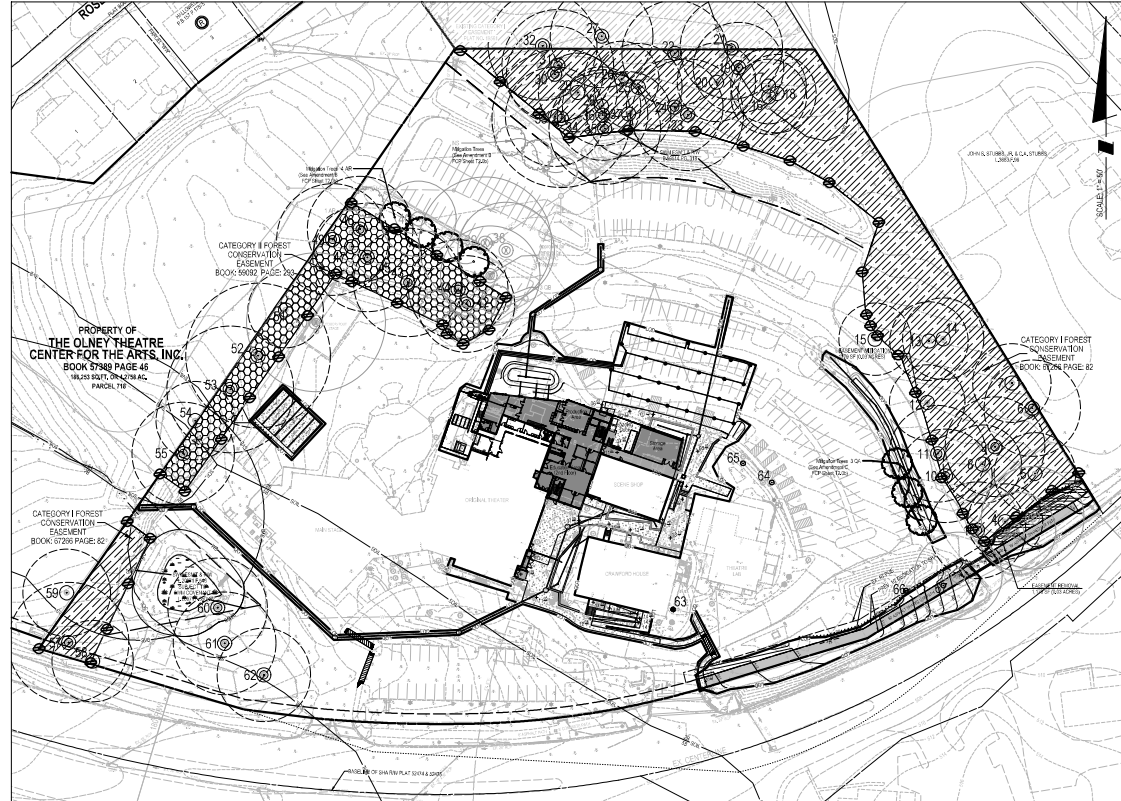
(8TH) ELECTION DISTRICT  
MONTGOMERY COUNTY, MARYLAND



PLANNING DEPARTMENT USE ONLY (E-PLANS)

## GENERAL NOTES

1. SITE AREA: 461,396 SF, (10.59 ACRES)
2. THE SITE IS IDENTIFIED AS N175, PART OF PARCEL A, THE SITE TAX ACCOUNT NUMBER IS 0317314.
3. ZONED: PCC (PLANNED CULTURAL CENTER) AND RE-2 (RESIDENTIAL ESTATE 2).
4. THE SITE IS IN THE HAWLINGS RIVER - JAMES CREEK (021311) WATERSHED, USE CLASS IV/A.
5. THERE ARE NO DESIGNATED HISTORIC SITES ASSOCIATED WITH THIS PROPERTY.
6. THE SITE IS NOT WITHIN A SPECIAL PROTECTION AREA.
7. THERE ARE NO FEMA 100-YEAR FLOODPLAIN EXISTS ON SITE (SOURCE, FEMA: 24031C0220D).
8. THERE ARE NO KNOWN RARE, THREATENED, OR ENDANGERED SPECIES OCCURRING ON THE PROPERTY, PER RTE LETTER FROM MD DNR DATED AUGUST 2019.
9. EXISTING WATER & SEWER SERVICE CATEGORIES: W-1S-1.
10. BOUNDARY INFORMATION DETERMINED BY SOLTESZ, CO. SURVEY.
11. TOPOGRAPHY AT 1' CONTOUR INTERVALS BY SOLTESZ, CO.
12. NO STATE OR COUNTY CHAMPION TREES EXIST ON THE SITE.
13. TREES WERE MEASURED USING STANDARD DBH TAPE MEASURE, AT THE HEIGHT OF 4.5' ABOVE GROUND. FIELD WORK WAS CONDUCTED IN SEPTEMBER OF 2019 BY ELISE POLYDOROFF AND DONALD ZIMMER OF PROPER TREE CARE, LLC.



## LEGEND

- EXISTING BOUNDARY
- EXISTING CONTOUR
- PROPOSED CONTOUR
- PROPOSED LOD
- TSP
- TREE SAVES FENCE
- ROOT PRUNING
- EXISTING CAT I EASEMENT
- EXISTING CAT II EASEMENT
- CAT I EASEMENT REMOVED (PER AMENDMENT F2023004A)
- EXISTING SIGNIFICANT AND SPECIMEN TREES WITH CRITICAL ROOT ZONE
- PROPOSED MITIGATION TREES (PER PREVIOUS AMENDMENTS)
- TREES REMOVED (PER PREVIOUS AMENDMENTS)
- EASEMENT SIGN

## SHEET INDEX

- \* SHEET 1 COVER SHEET
- SHEET 2 APPROVAL AND RESOLUTION
- SHEET 3 APPROVAL AND RESOLUTION
- SHEET 4 APPROVAL AND RESOLUTION
- \* SHEET 5 APPROVAL AND RESOLUTION
- \* SHEET 6 FINAL FOREST CONSERVATION PLAN
- \* SHEET 7 NOTES AND DETAIL
- SHEET 8 NOTES AND DETAIL

\* REVISED SHEETS PER THIS AMENDMENT

## MISS UTILITY NOTE

MISS UTILITY NOTE

## OWNER/DEVELOPER/APPLICANT

OWNER/DEVELOPER/APPLICANT

MISS UTILITY NOTE

OWNER/DEVELOPER/APPLICANT

MISS UTILITY NOTE

OWNER/DEVELOPER/APPLICANT

MISS UTILITY NOTE

OWNER/DEVELOPER/APPLICANT

MISS UTILITY NOTE

OWNER/DEVELOPER/APPLICANT

MISS UTILITY NOTE

OWNER/DEVELOPER/APPLICANT

MISS UTILITY NOTE

OWNER/DEVELOPER/APPLICANT

MISS UTILITY NOTE

OWNER/DEVELOPER/APPLICANT

MISS UTILITY NOTE

OWNER/DEVELOPER/APPLICANT

## Forest Conservation Data Table

Number of Acres	
Tract	10.59
Remaining in Agricultural Use	-
Road & Utility ROWs <sup>1</sup>	-
Total Existing Forest	1.68
Forest Retention	1.68
Forest Cleared	-

Land Use & Thresholds <sup>2</sup>	
Land Use Category	IAD and MDR
Conservation Threshold	20% and 25%
Afforestation Threshold	15% and 20%

Total Channel		Average Buffer	
Length (ft.)	5	Width (ft.) <sup>3</sup>	125

Acres of Forest in Wetlands		Retained	Cleared	Planted
100-Year Floodplain	-	-	-	-
Stream Buffers	0.15	-	-	-
Priority Areas	-	-	-	-

<sup>1</sup> Only Road or Utility ROWs to be improved as part of development application.<sup>2</sup> Information from the Land Use Categories & Thresholds document.<sup>3</sup> Measured from stream edge to buffer edge.

List of Amendment F2023004A Items:

Minor impact to critical root zone of specimen trees for storage trailers. No change to the forest conservation easement is proposed.



Engineering  
Surveying  
Planning  
Environmental Sciences

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Rockville  
Lanham  
Leesburg  
Hawthorne  
Baltimore, DC, LLC

www.soltesz.com

NO.	REVISION/NOTES	DATE	BY	CHKD
1	ISSUED FOR PERMIT	04/10/2023	EL	EL
2	REVISED PER AMENDMENT F2023004A	04/10/2023	EL	EL
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NO.	REVISION/NOTES	DATE	BY	CHKD
1	ISSUED FOR PERMIT	04/10/2023	EL	EL
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COVER SHEET

FOREST CONSERVATION PLAN AMENDMENT F2023004A

OLNEY THEATRE CENTER

OLNEY SANDY SPRING ROAD, OLNEY

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

P:\3000003\F40027\_2019\olneytheatrecenter\F2023004A\F2023004A.dwg User: elise Date: 04/10/2023 10:11:00 AM Plot Date: 04/10/2023 10:11:00 AM

October 11, 2023

Douglas Johnsen  
M-NCPPC  
2425 Reddie Drive  
Wheaton, MD 20902

RE: Olney Theatre Center Site Plan Amendment F2023004A  
Forest Conservation Plan Amendment – Request for Tree Variance  
SOLTESZ Project #3886-00-00

Dear Mr. Johnsen,

On behalf of the applicant, Olney Theatre Center, we are requesting tree variances pursuant to the provisions of Section 22A-21 of the Montgomery County Code for impacts to specimen trees. The applicant is proposing improvement site work on the subject property located at 2001 Olney-Sandy Spring Rd, Olney, Maryland.

## **I. APPLICANT'S PROPOSAL**

The Applicant's proposed changes to the approved Forest Conservation Plan by extending the existing storage to provide adequate storage spaces, production building expansion, renovation of courtyard and original theatre, providing geothermal wells under the parking lot, and reconfiguration of SWM facilities.

There are minor impacts to critical root zone of specimen trees for reconfiguration and addition of SWM facilities. No change to the forest conservation easement is proposed.

This proposal includes a total of three (3) minor impacts to critical root zone of specimen trees, subject to the variance provision of the Forest Conservation Law.

## **II. EXPLANATION FOR NEED TO IMPACT THE TREES THAT IS IDENTIFIED IN STATE LAW FOR PROTECTION**

In 2002, a Forest Conservation Plan was approved as part of Site Plan #820010220. In August 2020, Forest Conservation Plan #82001022B with a variance request for the removal of two (2) specimen trees was approved.

In October 2021, Forest Conservation Plan #82001022C with a variance request was approved. In September 2022, Forest Conservation Plan #82001022D with a variance request for the removal of one (1) specimen tree was approved.

In April 2023, a Forest Conservation Plan (F20230040) was approved as a part of Site Plan Amendment #82001022D with the variance request was accepted to impact two (2) specimen trees.

Related to the current Application; for reasons described in Sections III and IV below, the Applicant respectfully requests approval for tree variance impacts of three (3) specimen trees' impacted CRZ to accommodate requested renovations of theatre and reconfiguration of and expansion storage spaces required the operations of outdoor performances. No removal of specimen trees are proposed.

### **III. GENERAL DESCRIPTION AND JUSTIFICATION FOR TREES FOR WHICH A VARIANCE IS REQUESTED**

This Forest Conservation Plan variance request is for three (3) on-site specimen trees to be impacted by the addition of impervious and SWM facilities.

#### **Critical Root Zone (CRZ) impacts**

There are three (3) trees impacted by the limit of disturbance of this property, however, they will not be removed. These trees show potential impact to their Critical Root Zone, ranging from 0.04% to 8%. The impacts associated with these trees are the result of the storage facilities for development on the property. Tree protection measures will be adopted to protect them from being damaged during and after construction.

Specimen Tree Impact or Removal								
Tree #	Common Name	Latin Name	DBH	CRZ	CRZ Impact	% CRZ Impact	Condition	Save/Remove
52	Tulip Tree	<i>Liriodendron tulipifera</i>	48	16278	1300	8%	Good	Save
53	Tulip Tree	<i>Liriodendron tulipifera</i>	46	14950	1200	8%	Good	Save
55	Black Oak	<i>Quercus velutina</i>	34	8167	3	0.04%	Good	Save

### **IV. SATISFACTION OF THE CRITERIA LISTED IN SECTION 22A-21(b) OF THE MONTGOMERY COUNTY CODE**

Section 22A-21(b) lists the criteria for granting the variance requested herein. The following narrative explains how the requested variance is justified under the set of circumstances described above. This Forest Conservation Plan variance request is for three (3) specimen trees to be impacted.

*“(1) describe the special conditions peculiar to the property which caused the unwarranted hardship.”*

There are several conditions peculiar to the property that limit the placement of the proposed impervious areas needed for permanent installation of storage containers. The configuration of the existing plaza to the east, existing Category II Forest Easement to the north & west, and loading area to the south, limit the open space where the storage can be located.

With the expansion of the Production Area a new Storage Building is required, displacing the existing storage containers. Site-wide, a large portion of the northeast portion of the site was previously conferred as Category I Forest Conservation Easement, and Storm Water Management facilities encumber the southwest corner of the property. There is no other area where the storage spaces can be accommodated.



From an operational standpoint, storage is needed in proximity to the existing Root Stage where equipment and chairs can be accessed for outdoor performances. The proposed location is also where the existing loading area is existing, making it the best logistical location.

*“(2) Describe how enforcement of these rules will deprive the owner of rights commonly enjoyed by others in similar areas.”*

Without the allowance of the proposed minor variance tree impact, operations for outdoor performances would be compromised and the theatre will not be able to provide experience of cultural arts effectively. The intent of further creating a variety of supplemental uses in open spaces, common to other cultural centers, could not be fulfilled.

Denial of this request would deprive this development of rights commonly enjoyed by others with similar properties where tree variances have been granted for the purposes and intent provided above.

*“(3) Verify that State water quality standards will not be violated or that a measurable degradation in water quality will not occur as a result of the granting of the variance.”*

Changes to the local drainage area are reduced to the maximum extent possible and all run-off is treated, and not changes to existing forest conservation easements are proposed. The existing forest conservation easements on all three sides of the property provide long term water quality enhancement and environmental protection. As a result of this amendment new ESD facilities are proposed to further enhance water quality. The proposed stormwater management design will meet current State and Local stormwater management standards. The state water quality standards will not be violated. A measurable degradation in water quality will not occur as a result of the granting of the variance.

*“(4) Provide any other information appropriate to support the request.”*

The Applicant believes the information set forth above is an adequate to justify the requested variance to impact the specimen trees on the subject property. Furthermore, the Applicant’s request for a variance complies with the “minimum criteria” of Section 22A-21(d) for the following reasons:

1. This Applicant will receive no special privileges or benefits by the granting of the requested variance that would not be available to any other applicant.
2. The configuration of the existing facilities and the need for the proposed facilities drive the proposed configuration of the site elements. The location of the subject trees to be removed is not the result of actions by the Applicant, but rather is a pre-existing condition of the property whereby these trees cannot be sufficiently protected and preserved, thus necessitating the tree’s removal.
3. The requested variance is not related in any way to a condition on an adjacent, neighboring property, and



4. Removal of the impacted trees will not violate state water quality standards or because of measurable degradation in water quality in fact the design intent is to enhance the water quality by stormwater management practices proposed on-site.

For these reasons listed above, we believe it is appropriate to grant this request for a variance. Should you have any questions or require additional information, please do not hesitate to contact us.

Respectfully submitted,

Soltesz, Inc.  
Nathan Collier  
Landscape Architect II

cc:  
Daniel Park (Soltesz)  
Dennis Blackledge (Olney Theatre Center)  
Heather Dlhopsky (WireGill)

# ATTACHMENT D

## DPS-ROW CONDITIONS OF APPROVAL

July 19, 2023

### **82001022E Olney Theatre Center**

Contact: Sam Farhadi at 240 777-6333

We have reviewed site plan file:

**“07-RSITE-82001022E-T1.1.pdf”** uploaded on/ dated **“5/30/2023”**.

As there seems to be minimal impact to the County ROW, we do not have any comment at this point.

# ATTACHMENT D



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Department of Permitting Services  
Fire Department Access and Water Supply Comments

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**DATE:** 14-Jan-20  
**TO:** Jane Przygocki - JPrzygocki@solteszco.com  
Soltesz  
**FROM:** Marie LaBaw  
**RE:** Olney Theatre Center - Addition  
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 \*\*\*

\*\*\* 2/9/2021 Amendment C: building additions, relocated FDC \*\*\*

\*\*\* 11/3/2022 Amendment D - outdoor theater \*\*\*

\*\*\* 3/15/2023 Revised pavement for Amendment D \*\*\*

\*\*\* 7/2/2023 Revision: east addition removal, FDC relocation \*\*\*

\*\*\* 10/17/2023 82001022E Building addition \*\*\*

**RE: Olney Theatre - Phase B permit question - 82001022E**

Shanks, Matthew <Matthew.Shanks@montgomerycountymd.gov>

Fri 9/29/2023 9:47 AM

To: Noah Marble <nmarble@eskewdumezripple.com>; Whitney Hudson <whudson@eskewdumezripple.com>

Cc: Jane Przygocki <JPrzygocki@solteszco.com>; Kyle Walker <kwalker@solteszco.com>; Heather Dlhopsky <HDLhopsky@wiregill.com>

Some people who received this message don't often get email from matthew.shanks@montgomerycountymd.gov. [Learn why this is important](#)

Whether the S-1 is its own building or an addition to the existing building is determined by the design professional, not by DPS.

If the design professional says that it is its own building, then it is New Construction and DPS will review it as an independent building.

If the design professional says that it is an addition to the existing building, then it is an Addition and DPS will review the existing building and the addition as one building.

DPS only confirms that the information in the code analysis is consistent with the design of the building, and that the design is compliant with the requirements dictated by the code analysis.

Matt

[Matthew Shanks, CFPS, CBO](#)

Senior Permitting Services Specialist

Montgomery County [Department of Permitting Services](#)

2425 Reedie Drive, 7<sup>th</sup> Floor

Wheaton, MD 20902

240-695-4160 Cellular

[Matthew.Shanks@montgomerycountymd.gov](mailto:Matthew.Shanks@montgomerycountymd.gov)

---

**From:** Noah Marble <nmarble@eskewdumezripple.com>

**Sent:** Friday, September 29, 2023 9:42 AM

**To:** Shanks, Matthew <Matthew.Shanks@montgomerycountymd.gov>; Whitney Hudson <whudson@eskewdumezripple.com>

**Cc:** Jane Przygocki <JPrzygocki@solteszco.com>; Kyle Walker <kwalker@solteszco.com>; Heather Dlhopsky <HDLhopsky@wiregill.com>

**Subject:** RE: Olney Theatre - Phase B permit question - 82001022E

**[EXTERNAL EMAIL]**

Hello Matt,

Marie LaBaw's question was is the S-1 structure its own standalone building or part of a larger building?

Our code analysis supports a single building approach, including the S-1 structure and the covered outdoor connection as part of a larger addition/renovation to the existing structure.

As we get further down the road we can work with you to determine what permits are required, it sounds like we will need both an addition permit and an alteration permit, but both would be for a single building (that contains some renovated existing spaces and some new space).

Thanks,

**Noah Marble, AIA**

Principal | Washington DC Studio Director

**Eskew Dumez Ripple<sup>+</sup>**

AIA National Architecture Firm Award Recipient

1701 Rhode Island Ave NW

Washington DC, 20036

o: 202.968.6100

d: 202.967.3150

[eskewdumezripple.com](http://eskewdumezripple.com)

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**From:** Shanks, Matthew <[Matthew.Shanks@montgomerycountymd.gov](mailto:Matthew.Shanks@montgomerycountymd.gov)>

**Sent:** Friday, September 29, 2023 6:43 AM

**To:** Whitney Hudson <[whudson@eskewdumezripple.com](mailto:whudson@eskewdumezripple.com)>

**Cc:** Jane Przygocki <[JPrzygocki@solteszco.com](mailto:JPrzygocki@solteszco.com)>; Noah Marble <[nmarble@eskewdumezripple.com](mailto:nmarble@eskewdumezripple.com)>; Kyle Walker <[kwalker@solteszco.com](mailto:kwalker@solteszco.com)>; Heather Dlhopsky <[HDlhopsky@wiregill.com](mailto:HDlhopsky@wiregill.com)>

**Subject:** RE: Olney Theatre - Phase B permit question - 82001022E

Whether the S-1 structure is to be considered a separate new building or an addition to the existing structure is up to the design professional; the approach that is taken will drive how the IEBC and IBC are applied. If it is beneficial/preferred that a single-building approach is used (which, from your email, it appears it is), then the building area considered as a single building needs to meet all the requirements for a single building (construction type, height and area, fire protection systems, etc.).

It sounds like you are moving towards a design that views the S-1 as an Addition to the existing building – DPS can accept your application for an Addition (an Alteration permit would also be necessary for changes to the existing building, which you appear to anticipate), but the design will have to comply as an Addition for permit approval.

Let me know if you need to discuss this further, I am free most of today.

Matt

[Matthew Shanks, CFPS, CBO](#)

Senior Permitting Services Specialist

Montgomery County [Department of Permitting Services](#)

2425 Reedie Drive, 7<sup>th</sup> Floor

Wheaton, MD 20902

240-695-4160 Cellular

[Matthew.Shanks@montgomerycountymd.gov](mailto:Matthew.Shanks@montgomerycountymd.gov)

---

**From:** Whitney Hudson <[whudson@eskewdumezripple.com](mailto:whudson@eskewdumezripple.com)>

**Sent:** Wednesday, September 27, 2023 8:19 AM

**To:** Shanks, Matthew <[Matthew.Shanks@montgomerycountymd.gov](mailto:Matthew.Shanks@montgomerycountymd.gov)>

**Cc:** Jane Przygocki <[JPrzygocki@solteszco.com](mailto:JPrzygocki@solteszco.com)>; Noah Marble <[nmarble@eskewdumezripple.com](mailto:nmarble@eskewdumezripple.com)>; Kyle Walker



<[kwalker@solteszco.com](mailto:kwalker@solteszco.com)>; Heather Dlhopsky <[HDLhopolsky@wiregill.com](mailto:HDLhopolsky@wiregill.com)>

Subject: Olney Theatre - Phase B permit question - 82001022E

**[EXTERNAL EMAIL]**

Hi Matt,

We are working through some questions for the site plan fire access review of our latest site plan amendment. We had a meeting yesterday with Marie LaBaw/Fire Department Access and Water Supply. She would like us to confirm with you that our approach to the permit application for Phase 2B will be acceptable. Our intention is to submit Phase B for an Alterations and Additions permit. (Phase A, the theatre and lobby renovation, was already submitted under Interior Alterations.)

All building areas in the scope of this site plan amendment are to be considered one building with separated occupancies per IBC 508.4.

Marie's concern is an 1195sf S-1 unconditioned storage space, which is physically connected via walkway, loading dock and canopy structures to the other sections of the building. She would like to confirm that you will accept the application as one building (additions/alterations) and not want us to submit the storage building as a separate New Building application.

From a code perspective we have calculated the areas included the connecting covered canopy areas and we comply with 508.4.

Please see the attached for drawings/diagrams.

Since it may be easier to talk this through on a call. Please let me know if you have any availability today or tomorrow, and we can get the team on call.

Thank you.

Whitney

**Whitney Hudson**, AIA

Senior Project Architect

**Eskew Dumez Ripple<sup>+</sup>**

AIA National Architecture Firm Award Recipient

1701 Rhode Island Ave NW

Washington DC, 20036

m: 771.999.3004

[eskewdumezripple.com](http://eskewdumezripple.com)

For more helpful Cybersecurity Resources, visit: <https://www.montgomerycountymd.gov/cybersecurity>



For more helpful Cybersecurity Resources, visit:  
<https://www.montgomerycountymd.gov/cybersecurity>



STRATEGIES FOR TODAY. INSIGHT FOR TOMORROW.

October 10, 2023

S. Marie LaBaw, PhD, PE  
Fire Department Access and Water Supply  
Department of Permitting Services  
2425 Reddie Drive, 7th Floor  
Wheaton, MD 20902

Re: Olney Theatre Centre  
Statement of Performance Based Design  
Site Plan Amendment 82001022E

Dear Dr. LaBaw,

On behalf of our client, Olney Theatre Centre, we are requesting review and approval of an amendment to the Approved Fire Department Access Plan for the project, and hereby submit a Statement of Performance-Based Design to address the proposed changes.

The latest Fire Department Access Plan amendment for the Olney Theatre Centre was approved on July 2, 2023. In Site Plan Amendment 82001022E, the owner proposes to relocate the unbuilt 5,273 square foot Education Center (Dance Studio) to the second floor of the Production Building. Storage trailers for the operation will be consolidated next to the loading dock.

The Storage Area will be enlarged by 200 square feet. Additional modifications are internal to the building and are reconfigurations of the space between the scene shop and the theater to allow for office space on the first floor. The expansions will all be constructed as one building, connected by covered walkways and protected by an automatic sprinkler system. Entrances will be to code.

These modifications to the building and trailer pad will not create an operational issue for fire apparatus or firefighters on foot. The vehicular fire lane is not impacted at all by the changes. The Fire Access foot paths have been clearly delineated and are within the prescriptive code requirement of 450-foot maximum length and minimum 15-foot-wide clear walkable path.

Please find attached the proposed Fire Department Access Plan. The previously approved FDA Plan for 82001022D and subsequent sprinkler closet is also attached for your reference. As discussed in our meeting with you and EDR, the architect, we have confirmed with DPS that the proposed additions and modifications will be reviewed as a single building per the code. Attached is correspondence from Matt Shanks of DPS for your reference. If you have any questions, please do not hesitate to contact our office.

Sincerely,

Soltesz, Inc.  
Kyle Walker



2023.10.16  
11:52:30-04'00'

## 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

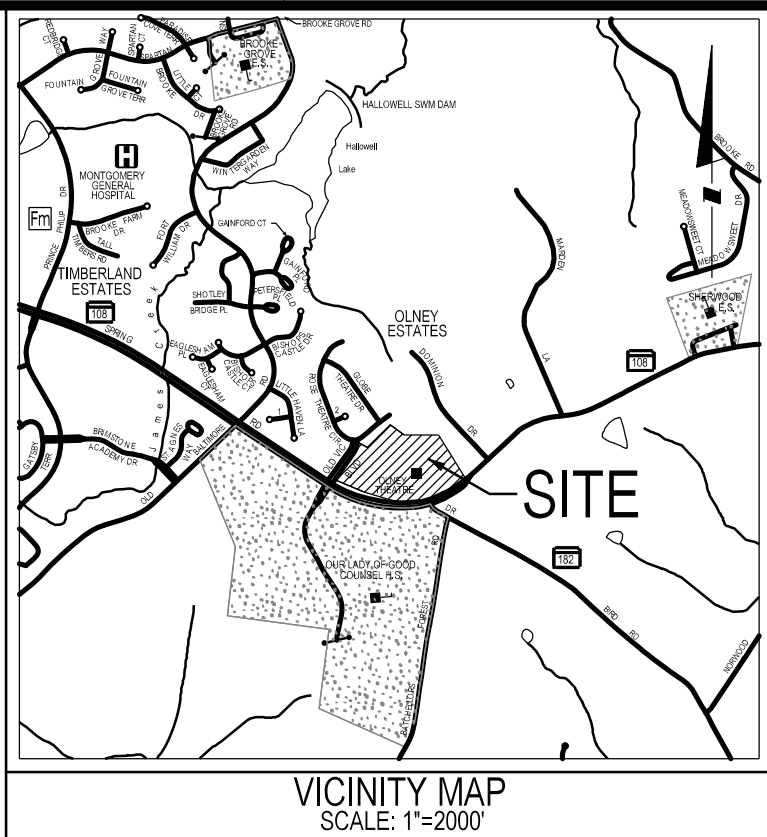
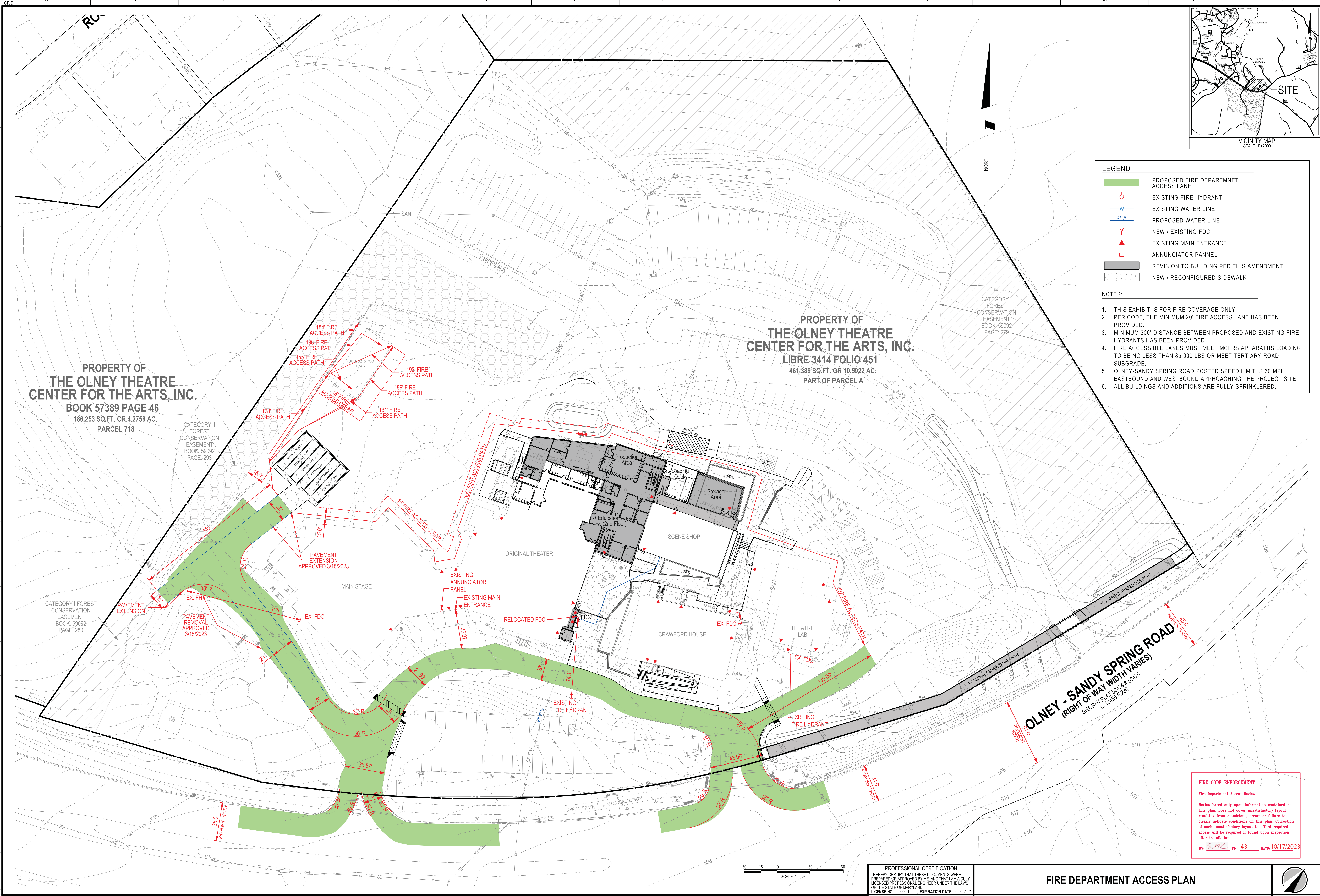
BY: SAC FM: 43 DATE: 10/17/2023

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. 33901, EXPIRATION DATE: 06-06-2024



The original of this drawing document was prepared by Soltesz, Inc. (SOLTESZ). This document was not obtained directly from SOLTESZ and/or it was transmitted electronically. SOLTESZ cannot guarantee that unauthorized changes and/or alterations were not made by others. If verification of the information contained herein is needed, contact should be made directly with SOLTESZ. SOLTESZ makes no warranties, express or implied, concerning the accuracy of any information that has been transmitted by electronic means.



**LEGEND**

- PROPOSED FIRE DEPARTMENT ACCESS LANE
- EXISTING FIRE HYDRANT
- EXISTING WATER LINE
- PROPOSED WATER LINE
- NEW / EXISTING FDC
- EXISTING MAIN ENTRANCE
- ANNUNCIATOR PANEL
- REVISION TO BUILDING PER THIS AMENDMENT
- NEW / RECONFIGURED SIDEWALK

**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.
- ALL BUILDINGS AND ADDITIONS ARE FULLY SPRINKLERED.

**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: *S.M.C.* PG. 43 DATE: 10/17/2023

**SOLTESZ, INC.**

Rockville Office  
2 Research Place, Suite 100  
Rockville, MD 20850  
P. 301.946.2750 F. 301.948.9067  
www.solteszco.com

Rockville  
Lanham  
Waldorf  
Leonardtown  
Frederick  
Soltesz DC, LLC

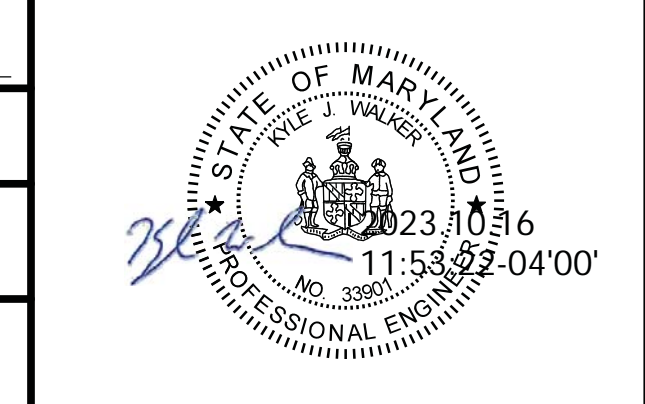
NO.	DATE	REVISIONS	BY	DATE
1	MAY 2023	DESIGNED: NC	TECHNICIAN: NC	CHECKED: KW

**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	JT122	ZONING CATEGORY:	PC
WISC 200' SHEET	224NW02	MASTER PLAN:	OLNEY MASTER PLAN
SITE DATUM	XXXX		
HORIZONTAL:	NAD 83/91		
VERTICAL:	NAVD 88		

**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. 33907 EXPIRATION DATE: 08-06-2024



**FIRE DEPARTMENT ACCESS PLAN**  
**SITE PLAN AMENDMENT 82001022E**  
**OLNEY THEATRE CENTER**  
**OLNEY SANDY SPRING ROAD, OLNEY**  
OLNEY (8TH) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

1" = 30'

SHEET 1 OF 1

PROJECT NO. 3886-00-00





# ATTACHMENT D

## DEPARTMENT OF PERMITTING SERVICES

Marc Elrich  
County Executive

Rabbiah Sabbakhan  
Director

September 26, 2023

Kyle Walker, PE  
Soltesz, Inc.  
2 Research Place, Suite 100  
Rockville, MD 200850

Re: **REVISED COMBINED STORMWATER  
MANAGEMENT CONCEPT/SITE  
DEVELOPMENT STORMWATER  
MANAGEMENT PLAN** for  
Olney Theatre  
Preliminary Plan #: 1-90012 & Site:82001022B  
SM File #: 286089  
Tract Size/Zone: 10.59 ac. / PCC & RE-2  
Total Concept Area: 1.37 ac.  
Lots/Block: N/A  
Parcel(s): 775  
Watershed: Hawlings River  
Redevelopment (Yes/No): Yes

Dear Mr. Walker:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept revision for the above-mentioned site is **acceptable**. The plan proposes to meet required stormwater management goals via the use of Micro-Biorentention and Bio-Swale..

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 project.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
4. Provide written documentation from approving authority that downstream public storm drain is adequate.
5. The final engineering design of all stormwater management practices must comply with Water Resources Technical Policy No. 8.
6. This revision supersedes the previous approval letter dated December 3, 2020.



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

*Mr. Kyle Wallker, PE*  
*September 26, 2023*  
*Page 2 of 2*

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**.

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 Elvina NewtonTryer at 240-777-6342.

Sincerely,



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

cc: Neil Braunstein  
SM File # 286089

ESD: Required/Provided 5,008 cf / 5,791 cf  
PE: Target/Achieved: 1.8"/2.08"  
STRUCTURAL: n/a cf  
WAIVED: n/a cf.



# ATTACHMENT E



## TECHNICAL MEMORANDUM

To: Montgomery County Planning Department

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

Date: April 24, 2023

Subject: Olney Theatre Center (Administrative Site Plan Amendment Number: 82001022E)  
Olney Theatre Center  
Traffic Exemption Statement

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### 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 recently approved Montgomery County Local Area Transportation Review Guidelines (2022).

### 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: Upcounty

Policy Area: Olney

#### Proposed nonresidential square footage;

The Applicant is requesting approval of modifications to the Olney Theatre Property. All of the proposed improvements are minor adjustments:

1. Relocate 5,273 square feet of Education Wing (Dance Studio) from ground level to the second floor of the Production Building.
2. Remove 725 square feet of previously approved Lobby addition at the Original Theatre
3. Relocate 700 square feet of the previously approved 2,427 square feet of office space to the ground level.
4. Reconfigure 8,243 square feet of previous Production Building (located between the Scene Shop and Original Theatre).

5. Add approximately 200 square-foot expansion to the Storage Building.

6. Provide geothermal wells within the parking lot pavement near the Production Building.

**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)

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

Number of New peak hour person trips

New people = 0

Modifications will only focus on the performance space, access to the stage, and back of house office spaces. There is no planned increase in spectator capacity.

Additionally, the performance programming schedule of Olney Theatre and the Root Family Stage does not often generate peak period travel.

Current Site operations

Assuming a “full house,” approximately 400 maximum people during the typical theatre performance hours (Wed-Sat evenings – 7:30PM to 10:30PM; Sat-Sun 10:00AM & 12:00PM; Sun – 5:00PM)

Total person trips = Approximately 400 trips outside the commuter peak hours. This value represents existing maximum visitors. No new people/trips are anticipated to be generated by this project.

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 nor are there any immediate plans for additional 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.

## ATTACHMENT F: DRAFT AMENDED CONDITIONS FOR RESOLUTION

1. Density

The Site Plan Amendment is limited to a maximum of 18,051 square feet of development on the Subject Property, including: a 14,470 square foot Production Building; a 2,427 square foot office addition to the Original Theatre; and a 1,154 square foot Storage Building.

2. Height

The Amendment is limited to a maximum height of 45 feet, as measured from the building height measuring points, as illustrated on the Certified Site Plan ("CSP").

3. Phasing

Prior to Use and Occupancy Certificate for any building in the first phase of construction, the Applicant must install the internal crosswalk striping and sidewalk connections depicted on the Phasing Plan.

### Site Plan

4. Site Design

- a) The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations of the submitted architectural drawings, as determined by M-NCPPC Staff.

5. Lighting

- a) Prior to certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
- b) All onsite down-lights must have full cut-off or BUG-equivalent fixtures.
- c) Deflectors will be installed on proposed fixtures to prevent excess illumination and glare.
- d) Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at the lot line, excluding areas impacted by streetlights within the right-of-way.
- e) Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.

### Transportation & Circulation

6. Pedestrian & Bicycle Circulation

- a) The Applicant must provide 8 short-term bicycle parking spaces.
  - b) The short-term spaces must be inverted-U racks (or Staff approved equivalent) installed (weather protected preferred). A minimum of 4 short-term spaces must be located in close proximity to the main entrance/ front lobby. The specific location(s) of the short-term bicycle rack(s) must be identified on the Certified Site Plan.
  - c) Prior to issuance of a Use and Occupancy Certificate for any building in the first phase of construction, the Applicant must dedicate a minimum of 10 feet of right-of-way from the existing property line on the frontage of MD 108, as shown on the Certified Site Plan. The area of dedication must provide adequate land to accommodate a 10-foot-wide shared-use-path.
  - d) The Applicant must provide the following master planned pedestrian and bicycle facilities. The exact location, design and construction must comply with requirements set forth by the Montgomery County Department of Transportation (“MCDOT”), Division of Transportation Engineering and/or Maryland State Highway Administration:
    - i. Before approval of Certified Site Plan, the Applicant must revise the proposed sidepath between the signalized intersection of MD 108/Dr. Bird Road to the eastern property line to provide a continuous 10-foot-wide bikeable connection, specifically replacing the existing sidewalk between the landing area of the Doctor Bird Road intersection and the new proposed sidepath with a 10-foot-wide asphalt sidepath. The design plans must provide the following details: grading, clearing, 10-foot-wide public utility easement (“PUE”), and utility relocation if needed. The design plans must receive approval from M-NCPPC staff, MCDOT and the Maryland State Highway Administration (“MDSHA”).
    - ii. Olney Sandy Spring Road: Before issuance of any Use and Occupancy Certificate for the second phase of development, the Applicant must construct the sidepath as shown on the Certified Site Plan.
7. The Planning Board accepts the recommendations of the MDSHA in its correspondence dated December 16, 2020, and hereby incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letters, which may be amended by MDSHA provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
8. Fire and Rescue

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”), Fire Department Access and Water Supply Section in its correspondence dated October 17, 2023, 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 Preliminary Plan approval.

9. Right-of-Way

The Planning Board has reviewed and accepts the recommendations of the MCDPS, Right-of-Way Section in its letter dated January 5, 2021, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the memorandum, which MCDPS may amend if the amendments do not conflict with other conditions of Site Plan approval.

10. Stormwater Management

The Planning Board has reviewed and accepts the recommendations of the MCDPS, Water Resources Section in its stormwater management concept letter dated September 26, 2023 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of Site Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the Storm Water Management easements and facilities.

11. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit, sediment control permit, or Use and Occupancy Certificate, for each Phase of development, 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 59.7.3.4.K.4 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 plant material, on-site lighting, site furniture, trash enclosures, retaining walls, fences, railings, sidewalks, paths and associated improvements of development, including sidewalks, bikeways, and storm drainage facilities. 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.

## 12. 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.

## 13. 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 approval letter, development program, and Site Plan resolution on the approval or cover sheet(s).
- b) Ensure Green Area calculations in the Site Plan Data Table are accurate per the amendment.
- c) Amend the phasing plan to clearly identify the internal crosswalk striping and sidewalk connections depicted on the Phasing Plan, that must be constructed in the first phase of development.
- d) 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."
- e) Add a note stating that "Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services."
- f) Modify data table to reflect development standards approved by the Planning Board.
- g) Ensure consistency of all details and layout between Site and Landscape plans.
- h) Add a note to the Site Plan stating that "The Applicant must schedule a preconstruction meeting (pre-con), preferably on-site, with staff from the Department of Permitting Services (DPS) responsible for Certified Site Plan conformance and compliance, upon approval of the Certified Site Plan (CSP). The pre-con must occur before any site development work commencement and before any work that is covered by the site plan surety and maintenance agreement. The Applicant, along with their representatives, must attend the pre-con with DPS CSP Staff. A copy of the approved Certified Site Plan along with any subsequent amendments is required to be on-site at all times."
- i) Add a note to the Site Plan stating that "Specified plant material may be substituted with equivalent alternatives, through coordination with Planning Department staff, without requiring a site plan amendment."
- j) Revise the proposed sidepath to accommodate a continuous minimum width of 10 ft from the intersection of Doctor Bird Road to the eastern property line and improve the landing area of eastern side of the intersection to provide a minimum of 10 feet of clearance for both legs to accommodate bicycle movement. The design shall be approved by staff of Montgomery Planning and MDSHA.