



COPY

ATTACHMENT A

MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

JAN 17 2007

MCPB No. 06-109
Preliminary Plan No. 120060560
Shaare Tefila Congregation
Date of Hearing: 10/26/06

MONTGOMERY COUNTY PLANNING BOARD

RESOLUTION¹

WHEREAS, pursuant to Montgomery County Code Chapter 50, the Montgomery County Planning Board ("Planning Board" or "Board") is vested with the authority to review preliminary plan applications; and

WHEREAS, on 11/16/05, Trustees of Shaare Tefila ("Applicant"), filed an application for approval of a preliminary plan of subdivision of property that would create one lot on 4.09 acres of land located on the west side of Georgia Avenue, approximately 800 feet north of Emory Lane ("Property" or "Subject Property"), in the Olney master plan area ("Master Plan"); and

WHEREAS, Applicant's preliminary plan application was designated Preliminary Plan No. 120060560, Shaare Tefila Congregation ("Preliminary Plan" or "Application"); and

WHEREAS, Staff issued a memorandum to the Planning Board, dated October 11, 2006, setting forth its analysis, and recommendation for approval, of the Application subject to certain conditions ("Staff Report"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and the staffs of other governmental agencies, on 10/26/06, the Planning Board held a public hearing on the Application (the "Hearing"); and

¹ This Resolution constitutes the written opinion of the Board in this matter and satisfies any requirement under the Montgomery County Code for a written opinion.

Approved as to
Legal Sufficiency:

[Signature] 1/5/07

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WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on 10/26/06, the Planning Board approved the Application subject to certain conditions, on motion of Commissioner Bryant; seconded by Commissioner Robinson with a vote of 5-0, Commissioners Chairman Hanson and Commissioners. Bryant, Perdue, Robinson, and Wellington voting in favor.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 50, the Planning Board approved Preliminary Plan No. 120060560 to create one lot on 4.09 acres of land located on the west side of Georgia Avenue, approximately 800 feet north of Emory Lane ("Property" or "Subject Property"), in the Olney master plan area ("Master Plan"), subject to the following conditions:

- 1) Development on the property is limited to a place of worship with a 500-seat sanctuary, a 300-seat social hall, a 150-student nursery school (with no more than 23 staff members), and a 272-student K-9 religious school (with no more than 18 staff members). The nursery school shall not function as a child day care center.
- 2) The hours of operation for the nursery school are restricted to 7:30 AM to 6:00 PM, Monday through Thursday, and 7:30 AM to 4:00 PM Friday; and that of the religious school to 4:30 PM to 6:30 PM on Wednesdays, and anytime on Sundays. On-site activities other than those of the nursery and religious school shall be scheduled to either start, or end, 30 minutes prior to, or subsequent to, the standard weekday peak-periods of 6:30-9:30 AM and 4:00-7:00 PM to minimize the impact of site-related traffic at intersections adjacent to the site.
- 3) The applicant shall re-stripe the eastbound Emory Lane approach to Georgia Avenue to provide a left, left/through/right, right lane combination in place of the existing left, through/right, right lane combination. This intersection improvement shall be implemented prior to issuance of any building occupancy permit for the proposed on-site uses.
- 4) The applicant shall manage all site-related vehicle queues, including those that relate to student drop-offs and pick-ups, within the subject property; and prevent spillover of any site-related traffic to the Georgia Avenue frontage road and/or other adjacent local streets. All parking related to typical activities at the synagogue shall be fully accommodated within the property, without spillover to the Georgia Avenue frontage road and/or other adjacent local streets.
- 5) The applicant shall provide a four-foot wide lead-in sidewalk from the Georgia Avenue frontage road into the site to the proposed buildings. This sidewalk shall be connected to the existing Georgia Avenue sidewalk (that is along the east side of the Georgia Avenue frontage road) with a handicapped access ramp (at

- the driveway), and a crosswalk. All on- and off-site sidewalk ramps, and the crosswalk, shall conform to *Americans with Disabilities Act* standards.
- 6) The applicant shall provide two inverted-U bike racks in front of the sanctuary and two inverted-U bike racks in the front of the classroom buildings.
 - 7) The applicant shall dedicate, and the record plat shall reflect, right-of-way for *Georgia Avenue to the full width mandated by the 2005 Olney Master Plan*.
 - 8) The applicant shall comply with the conditions of the Maryland State Highway Administration (SHA) approval letters dated September 28, 2006 and January 17, 2006, unless otherwise amended.
 - 9) The applicant shall comply with the conditions of the Montgomery County Department of Public Works and Transportation (DPWT) approval letter dated March 24, 2006, unless otherwise amended.
 - 10) The applicant shall comply with the conditions of the preliminary forest conservation plan approval dated October 10, 2006. The applicant shall satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits, as applicable.
 - 11) The applicant shall provide onsite landscaping and lighting, per a final landscape and lighting, plan approved by technical staff prior to recordation of the plat. At a minimum, the plan shall provide a landscape buffer along the south, west and north property boundaries to mitigate the impacts of the proposed parking and building on the adjacent residences. This buffer may be supplemented by efforts to protect and retain existing trees.
 - 12) The applicant shall comply with the conditions of approval of the MCDPS stormwater management approval dated August 21, 2006, including collection of onsite stormwater runoff and redirection into the existing storm drain on Tavenner Court.
 - 13) Access and improvements as required to be approved by MDSHA prior to issuance of access permits.
 - 14) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion.
 - 15) Other necessary easements shall be reflected on the record plat.

BE IT FURTHER RESOLVED, that, having given full consideration to the recommendations and findings of its Staff, which the Board hereby adopts and incorporates by reference (except as modified herein) and upon consideration of the entire record, the Montgomery County Planning Board FINDS, with the conditions of approval, that:

1. The Preliminary Plan substantially conforms to the master plan.

The proposed project is located within the area of the 2005 Olney Master Plan. The Plan does not have any specific guidance or comments about this property. The proposal is consistent with the goals and recommendations of the Plan, which recommends that, "Georgia Avenue between Norbeck Road and the Town Center should have an open semi-rural appearance to mark the transition from more densely populated areas south of Norbeck Road, to the low-density suburban character of Olney. A minimum of 100 foot setback for any dwelling or other structure along this stretch should be provided from the road right-of way. Additional landscaping and vegetation should also be used to make sure that main views along the road are trees and vegetation and not the houses and other buildings." The proposed project provides a front setback of approximately 174 feet from Georgia Avenue with landscaping in the front setback area. The Planning Board finds that the Preliminary Plan substantially conforms to the Olney Master Plan.

2. Public facilities will be adequate to support and service the area of the proposed subdivision.

Vehicular Access

Vehicular access to and from the site is proposed via a 20-foot driveway, off a Georgia Avenue service road along the eastern property boundary, that extends between Emory Lane and Emory Church Road (with no direct connection to either of these roads). The service road is approximately 24 feet wide and has a four-foot wide cement-concrete sidewalk on its east side. The service road is connected to Georgia Avenue (MD 97) at a curb cut approximately 500 feet south of Emory Church Road.

Local Area Transportation Review

- Site Generated Traffic

Shaare Tefila Congregation is planning to construct a place of worship, as well as certain ancillary uses on the property including, a 500-seat sanctuary, a 300-seat social hall, a 150-student nursery (with a staff of 23) and a 272-student religious school (with a staff of 18). Only the nursery and the religious schools were considered for Local Area Transportation Review (LATR) analysis, since these were the only on-site uses that were considered to generate peak-hour trips within the weekday peak-periods.

For analysis purposes, typical hours for the nursery school were considered to be 7:30 AM to 6:00 PM for Monday through Thursday, and 7:30 AM to 4:00 PM on Friday. Most of the nursery school children were expected to leave the school by 3:00 PM, prior to the beginning of the evening peak-period. The applicant indicated that only approximately 10% of the total students will be left at the school after 4:00 PM. These students were expected to leave the nursery school between 4:00 PM and 6:00 PM, within the evening peak-period. The applicant also indicated that the nursery school would not function as a child day care center. The hours of operation for the religious school, with students attending grades K-9, were considered to be from 4:30 PM to 6:30 PM on Wednesdays, and 9:30 AM to 12:15 PM on Sundays. On-site activities (other than that of the nursery and religious schools) shall either start, or end, 30 minutes prior to, or subsequent to, the standard weekday peak-periods of 6:30-9:30 AM and 4:00-7:00 PM, to minimize impact of site-related traffic at adjacent intersections during these peak-periods.

The nursery and religious schools together generate 57 and 202 "total" peak-hour trips (i.e., without any reduction for potential "pass-by" or "diverted" trips permitted for the proposed nursery use) during the weekday morning and evening peak-periods.

- Congestion Levels at Nearby Intersections

A traffic study was required for the subject development per the *Local Area Transportation Review (LATR) Guidelines* since the nursery and religious school components of the proposed development were estimated to generate 30 or more total peak-hour trips during the typical weekday morning and evening peak periods. Other weekday activities at the site were expected to occur outside of the above peak periods.

The applicant is required to implement a roadway improvement to mitigate its site traffic impact at the Georgia Avenue/Emory Lane intersection (re-stripe eastbound Emory Lane approach to Georgia Avenue to provide a left, left/through/right, right lane combination in place of existing left, through/right, right lane combination). With this mitigation improvement, the proposed development meets the *LATR Guidelines* requirements at another intersection (Georgia Avenue/Old Baltimore Road intersection in this study) where the amount of site-generated peak-hour traffic results in an impact of less than 5 CLV's (based on Section TL1 of the 2007 AGP).

The weekday peak-hour CLV analysis presented in the study indicated that the mitigated-build condition CLV values at the study intersections would be

either below the Olney Policy Area congestion standard of 1,475 mitigated, or within the threshold of CLV impact permitted under the current Annual Growth Policy when the applicant is providing a mitigation improvement. Thus, the Planning Board finds that this Preliminary Plan satisfies the LATR requirements of the Adequate Public Facilities test. The Planning Board further finds that the proposed vehicle and pedestrian access for the subdivision will be safe and adequate with the proposed public improvements.

3. *The size, width, shape, and orientation of the proposed lot is appropriate for the location of the subdivision.*

This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The Application meets all applicable sections. Access and public facilities will be adequate to support the proposed lot and uses. The proposed lot size, width, shape and orientation are appropriate.

The lot was reviewed for compliance with the dimensional requirements for the R-200 zone as specified in the Zoning Ordinance. The lot as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. The Application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan.

4. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A.*

The plan meets all applicable requirements of the county Forest Conservation Law. The property contains no existing forest, but there is a 0.61 acre afforestation requirement. The applicant proposes to meet the requirement by providing 0.12 acre of on-site landscape credit, and 0.49 acre of off-site reforestation, or payment of a fee-in-lieu.

There are 14 large trees on the site, some of which are specimens of their species. All of these trees will be removed as a consequence of the proposed development. Hedgerows containing smaller trees are present off-site along the three property boundaries with adjacent residential uses. Due to the grading required for the development, the proposed limit of disturbance is contiguous with the property line in a majority of places. As a consequence, a number of off-site trees will be impacted by the proposed development. The most significant of these trees are a 20" diameter at breast height (DBH) Colorado spruce, and an 18" DBH Norway spruce, both in good condition.

The applicant sent a registered letter and a plan to all surrounding property owners, informing them of the potential affects of the proposed development. The plan was prepared and signed by an ISA certified arborist and includes a detailed evaluation of each tree, down to 6" DBH, and recommendations for protection, based on the development plan and tree health. The applicant is working directly with neighbors to address their tree concerns, and the final forest conservation plan will reflect any additional tree protection measures that may be needed. Accordingly, the Planning Board finds that the Application satisfies all applicable requirements of the Forest Conservation Law.

5. *The Application meets all applicable stormwater management requirements and will provide adequate control of stormwater runoff from the site. This finding is based on the determination by the Montgomery County Department of Permitting Services ("MCDPS") that the Stormwater Management Concept Plan meets MCDPS' standards.*

The MCDPS Stormwater Management Section approved the stormwater management concept for the project on August 21, 2006 which includes onsite water quality and quantity control in a dry pond with a pre-treatment cell. Onsite stormwater management runoff will be directed via the onsite facility into an existing storm drain in Tavenner Court adjacent to the proposed development.

6. *The Application includes a proposed Landscape and Lighting Plan to meet the requirements for sites with parking facilities as contained in Sections 59-E-2.6 and 59-E-2.7 of the Zoning Ordinance, and to buffer the proposed use from existing residential dwellings.*

A preliminary landscape and lighting plan was submitted as part of the preliminary plan application. The plan includes a landscape buffer along the entire southern and western boundaries of the property. Along the northern property boundary, additional landscaping shall be provided for a buffer between the proposed synagogue and adjacent residential. The final details of the landscape and lighting plan will be reviewed and approved by MNCPPC staff prior to recordation of the plat.


BE IT FURTHER RESOLVED, that this Preliminary Plan will remain valid for 36 months from its Initiation Date (as defined in Montgomery County Code Section 50-35(h), as amended) and that prior to the expiration of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded among the Montgomery County Land Records or a request for an extension must be filed; and

BE IT FURTHER RESOLVED, that the date of this Resolution is JAN 17 2007 (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

At its regular meeting, held on Thursday, January 4, 2007, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, on motion of Commissioner Bryant, seconded by Commissioner Wellington, with Commissioners Hanson, Bryant, and Wellington voting in favor, and Commissioners Perdue and Robinson absent, ADOPTED the above Resolution, which constitutes the final decision of the Planning Board and memorializes the Board's findings of fact and conclusions of law for Preliminary Plan No. 120060560, Shaare Tefila Congregation.


Royce Hanson, Chairman
Montgomery County Planning Board



Townscape Design LLC
Town Planners and Landscape Architects

MEMO

To: Preliminary Plan Reviewing Agencies and the Planning Board of Montgomery County

From: David Ager, Principal, on Behalf of the Trustees of Shaare Tefila Congregation

Re: Shaare Tefila Congregation, Lot 2, Preliminary Plan Amendment No. 1-20006056A
Applicant’s Statement of Justification

Subj: Request to Amend Approved Preliminary Plan No. 1-20060560
To Permit a Day Care Center for Over 30 Persons

Date: Revised September 5, 2024

I. Introduction

The Applicant, Trustees of Shaare Tefila Congregation, hereby submits this Preliminary Plan Amendment Application (1-2006056A) under 50-4.2.F.2.a (Subdivision Plans/Preliminary Plan/Approval Procedures/Amendments/Major Amendment) in order to amend Condition No. 1 of the approved Preliminary Plan 1-20060560, to allow for a Day Care Center for over 30 persons as defined by Section 59.3.4.4.F.1 of the Zoning Ordinance; and to amend other associated text. It is the intent of the Applicant to operate the Day Care Center by a non-profit organization. Therefore, the proposed use meets the exemption criteria to the conditional use standards of Sections 3.4.4.F.2.b.i through 3.4.4.F.2.b.v as permitted per Section 3.4.4.B.

The property is owned by the Applicant and is located at 16620 Georgia Avenue, Olney, Maryland 20861. The property is a recorded lot and consists of 4.09 acres, or 178,088 square feet, and is zoned Residential-200 (R-200). The property is herein referred to as the Subject Property, or Property. The existing structure is 27,791 square feet in size. The proposed Day Care Center would occupy 11,700 square feet on the lower level of the building, currently occupied by the nursery school.

The Applicant hereby submits this Statement of Justification in order to provide information about the proposed use and how the proposal will satisfy all applicable requirements of the county Zoning Ordinance and Subdivision Regulations.

The Applicant is proposing a day care center serving 128 persons with 35 staff members, replacing the previously approved 150-student nursery school and 272-student religious after school program. Religious instruction programs will continue on Sundays but not on weekdays. There are no proposed alterations to the exterior of the structure or to the site as a part of this application other than

those improvements required by this approval, which are limited to the addition of 3 bicycle spaces and one painted crosswalk.

The Subject Property received approval by the Planning Board of Montgomery County (Board) on October 26, 2006 (Preliminary Plan 1-20060560). The Board's conditions of approval and findings are memorialized in Resolution MCPB No. 06-109. These conditions of approval are also included on the certified Preliminary Plan for this project in the Development Activity Information Center (DAIC).

The approval allowed the creation of a single lot of 4.09 acres (now Lot 2) and the construction of a house of worship¹ with accessory uses; including a 500-seat sanctuary, a 300-seat social hall, a 150-student nursery school with no more than 23 staff members, and a 272-student K-9 religious school with no more than 18 staff members. That approval, as stated in Condition #1, does not permit the nursery school to function as a day care center. This approval also included development of a 55,665 square foot building, a 125-space parking facility, and a playground.

The Applicant has built phase 1 of this total development based on site plan approvals received in 2013. The amended preliminary plan has been updated to reflect this more current approval. The existing improvements include a 27,791 square foot building, a 100-space parking facility, and a playground. The Applicant retains the right to build future phases of the project as a part of this preliminary plan amendment.

II. Clarifications

As stated above, the 2006 approval includes a 150-student nursery school. The zoning ordinance in place at the time of the approval is commonly referred to as the 2004 Zoning Ordinance. This code was replaced in whole on October 30, 2014 by a comprehensive rewrite, commonly referred to as the 2014 Zoning Ordinance. In the 2004 Ordinance, there is only one reference to 'nursery school', and that is within the larger definition of "Educational institution, private".² Applicant notes that the term nursery school is no longer in use in the 2014 Zoning Ordinance, therefore it is requested that any reference to 'nursery school' be replaced with 'private educational institution', including any condition of approval in order to be consistent with the current code. Also, the former code referred to this property as a 'house of worship', and the new code uses the term 'religious assembly'.

Additionally, in review of the approved Preliminary Plan, it has been noted that certain notes on the approved plan included typographical misspellings or numbering. As a part of this application to amend the Preliminary Plan, it is the Applicant's request that certain 'housekeeping' changes be permitted to the Preliminary Plan in order to correct obvious typographical oversites.

¹ The Subject Property was approved under the 2004 Zoning Ordinance. House of worship was the terminology in that code for Religious Assembly (2014 Code).

² Montgomery County Zoning Ordinance, Section 59-A-2.1. (Definitions), 2004 as amended up to October 29, 2014.

III. Subject Property

As described earlier, the Subject Property is known as Lot 2, and owned by the Applicant. It has frontage on a service road that parallels Georgia Avenue between Emory Lane and Emory Church Road.

Site visits to the Property and review of records available at the Department of Permitting Services indicate that Phase 1 of the building, the parking facility, stormwater management, utilities, landscaping, and lighting appear consistent with the original approval. To date, the Property has been operating in conformance with those approvals.

Preliminary Plan 1-20060560 indicates 'future phases' of building construction that are yet to be built. There is a multi-age playground constructed on a portion of the site slated as a future building phase. It is the intent of the Applicant that this playground remain and be included as a part of this amendment.

Applicant is not proposing changes to the site or building as a part of this request. Staff is proposing the addition of bicycle parking and a painted crosswalk as a part of this amendment to the approved Preliminary Plan.

IV. Master Plan

The Property is located within the Southern Olney Geographic Area of the *Approved and Adopted 2005 Olney Master Plan* (Plan).

The Plan does not have specific land use recommendations for the Property and the original Preliminary Plan was approved shortly after its adoption in 2008 and was found to be in conformance with the master plan at that time. The proposed amendment makes no change to the property configuration, the external building design and/or the current site improvements. The change of use is of a similar character to the previous use it will be replacing. As discussed in the Applicant's traffic statement, the proposed amendment does not increase traffic.

Staff specifically noted in their report on the original approval that "[T]he proposed lot meets all requirements established in the Subdivision Regulations and the Zoning Ordinance, and is not in conflict with the recommendations of the Olney Master Plan. Access and public facilities will be adequate to serve the proposed lot and uses, and the application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan."

Therefore, the Property remains in substantial conformance with the master plan for this area.

V. Day Care Center Operations

As a service to families with working parents, the Day Care Center will open doors at 7:30 AM for children who need to be in early morning care, and will close doors at 6:00 PM for those who need afternoon care, Monday through Thursday, and 7:30 AM to 4:00 PM Friday. These hours of operation are the same hours of operation as the current nursery school and therefore do not depart from the conditions set forth in the original Preliminary Plan.

VI. Other Applicable Provisions

The required findings of Chapter 50-4.2.D.7 states that “any other applicable provision specific to the property and necessary for approval of the subdivision is satisfied.” The following is a summary of those additional applicable provisions, specifically Article 59-6 of the Zoning Ordinance.

Article 59-6. General Development Requirements:

Div. 6.1. Site Access. No changes to site access are proposed under this requested amendment.

Div. 6.2. Parking, Queuing, and Loading.

Vehicular Parking Spaces. Under the 2014 Zoning Ordinance, the new use has a parking requirement of 3 parking spaces per 1,000 GSF of area devoted to the use, which equates to approximately 36 spaces. The former use it is replacing had a parking requirement:

“Educational institution, private. One parking space for each employee, including teachers and administrators, plus sufficient off-street parking space for the safe and convenient loading and unloading of students, plus additional facilities for all student parking.”

The current parking lot was designed for this intended use and has a total of 100 spaces, as is more than sufficient to meet the needs of the proposed use. Therefore the proposed use has a less intense parking requirement and no additional parking is required.

Bicycle Parking Spaces. Under the previous approval, there was no bicycle parking required. Under the new code six spaces may be required.

Div. 6.3. Open Space and Recreation. Not applicable to this application.

Div. 6.4. General Landscaping and Outdoor Lighting. A landscape and lighting plan was approved with the original application and no exterior changes are proposed as a part of this application.

Div. 6.5. Screening Requirements. The requirement for screening per Section 6.5.2.B. does not apply to the proposed amendment since the proposed use meets the exemption criteria set

forth in Section 3.4.4.B. Additionally, the approved and installed landscaping from the original construction was specifically arranged to provide screening to adjoining neighbors and satisfies the intent of Division 6.5 screening.

Div. 6.6. Outdoor Display and Storage. This requirement does not apply to the requested amendment.

Div. 6.7. Signs. Not applicable to the requested amendment.

VII. Traffic Analysis and Other Public Facilities

The traffic analysis of peak-periods pick-up and drop-off have been detailed in the Applicant's Traffic Statement. As indicated therein, there is no peak hour increase in traffic as a result of the proposed change in use.

The capacity of the Day Care Center will be lower than the existing Nursery School and therefore have less impact on other infrastructure such as water and sewer use.

There has been no substantial change regarding other public facilities such as fire, police and emergency services, since the original approval. The proposed change of use does not create an added burden on those facilities.

VIII. Required Findings - Chapter 50-4.2.D

Every Preliminary Plan must be found to be in compliance with Chapter 50-4.2.D of the Subdivision Regulations. The following is a summary statement listing the facts and reasons that Applicant believes would support Planning Board approval of the application.

50-4.2.D.1. The layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59;

This lot was reviewed for compliance with the dimensional requirements for the R-200 zone as specified in the Zoning Ordinance in 2006 and found compliant. This application does not propose any changes to the lot configuration, site improvements or building design of the original approvals. There may be modest improvements required as a part of this approval such as added bicycle parking and a crosswalk. The proposed change of use is internal to the building and hours of operation are consistent with the original approval. The new use is similar to the former it is replacing. No additional traffic is generated by this change.

Therefore, the proposed amendment satisfies the requirements of the R-200 zone and the layout of the subdivision, including the size, width, shape, orientation and density of lots, and location and design of roads is appropriate given its location and the type of use contemplated, and meets the applicable requirements of Chapter 59.

50-4.2.D.2. The preliminary plan substantially conforms to the master plan;

This Application is within the *Approved and Adopted 2005 Olney Master Plan*. As discussed earlier, the original approval and this proposed amendment substantially conform to the master plan.

50-4.2.D.3. Public facilities will be adequate to support and service the area of the subdivision;

As discussed earlier, the proposed amendment will be supported by adequate public facilities, including traffic considerations.

50-4.2.D.4. All Forest Conservation Law, Chapter 22A requirements are satisfied

There is no proposed changes from the original approvals regarding lot configuration, tract area, site improvements, or exterior building design. Therefore the site continues to satisfy the requirements of Chapter 22A and the approval of the Forest Conservation Plan.. Changes requested by Staff do not require amendments to that approval.

50-4.2.D.5. All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied;

As stated earlier, there are no changes proposed to the exterior of the building or to the site in general other than what may be required by this approval (bicycle parking and a crosswalk). Land disturbance associated with those improvements are less than the original approvals, therefore no stormwater amendments are required. There are no wetlands or floodplain on the Property.

Therefore, the proposed amendment to the Preliminary Plan continues to comply with the original approvals and all stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied.

50-4.2.D.6. any burial site of which the applicant has actual notice or constructive notice or that is included in the Montgomery County Cemetery Inventory and located within the subdivision boundary is approved under Subsection 50-4.3.M;

Review of the Montgomery County Cemetery Inventory indicates that the Subject Property has no burial sites located within the subdivision boundary.

50-4.2.D.7. Any other applicable provision specific to the property and necessary for approval of the subdivision is satisfied.

As stated earlier, there are no changes proposed to the exterior of the building or to the site in general as originally approved. The Application therefore, continues to satisfy the requirements of any other applicable standards specific to the property and necessary for approval of the subdivision. There may be a requirement to add bicycle parking, to be determined upon review and approval by the Planning Board.

IX. Conclusion

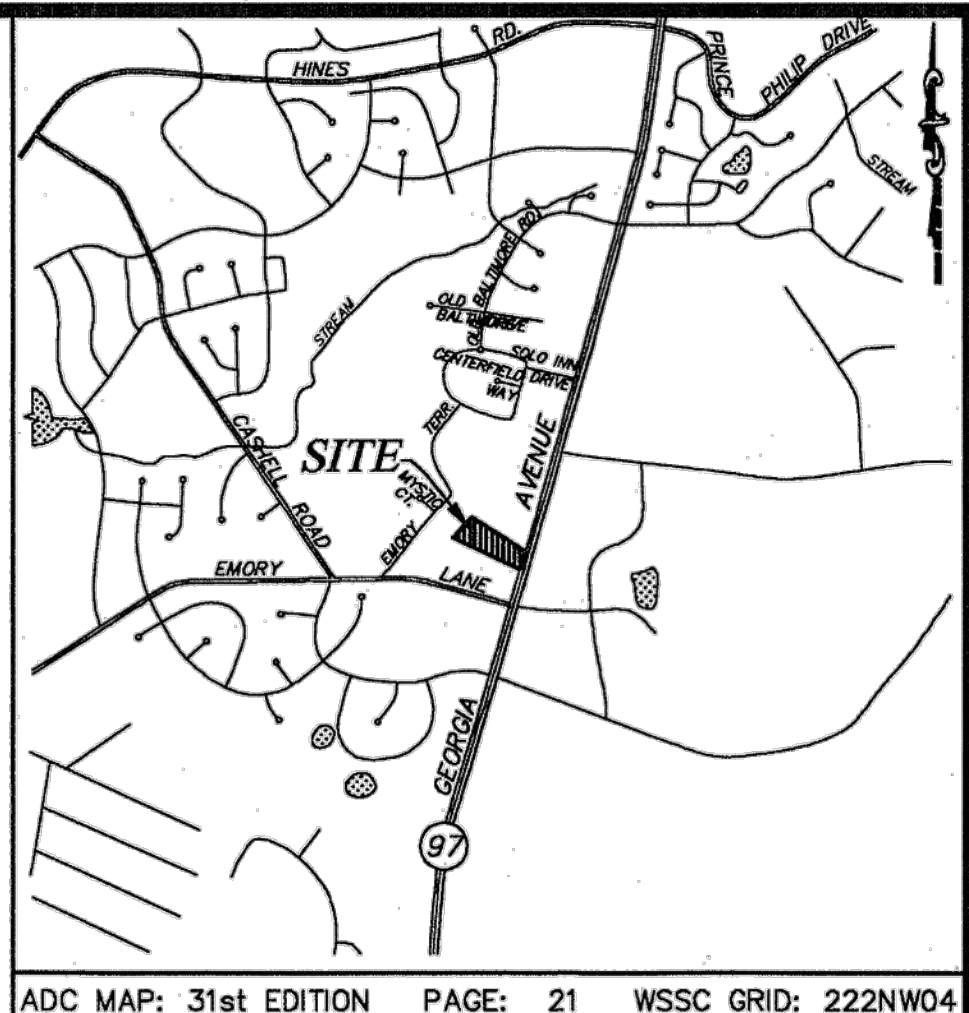
The proposed amendment to Preliminary Plan No. 1-20060560 proposes a new use: Day Care Center, and the removal of a nursery school and the religious after school program. This amendment does not change any exterior elements of the currently approved campus, other than the addition of bicycle parking, and does not increase traffic.

In 2006, when the original Preliminary Plan was approved, Staff recommended approval and specifically noted in their report that “[T]he proposed lot meets all requirements established in the Subdivision Regulations and the Zoning Ordinance, and is not in conflict with the recommendations of the Olney Master Plan. Access and public facilities will be adequate to serve the proposed lot and uses, and the application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan.”

As set forth herein, the requested amendment continues to satisfy the requirements in the Subdivision Regulations and the Zoning Ordinance. Therefore the Applicant respectfully requests approval of amended Preliminary Plan No. 1-2006056A.

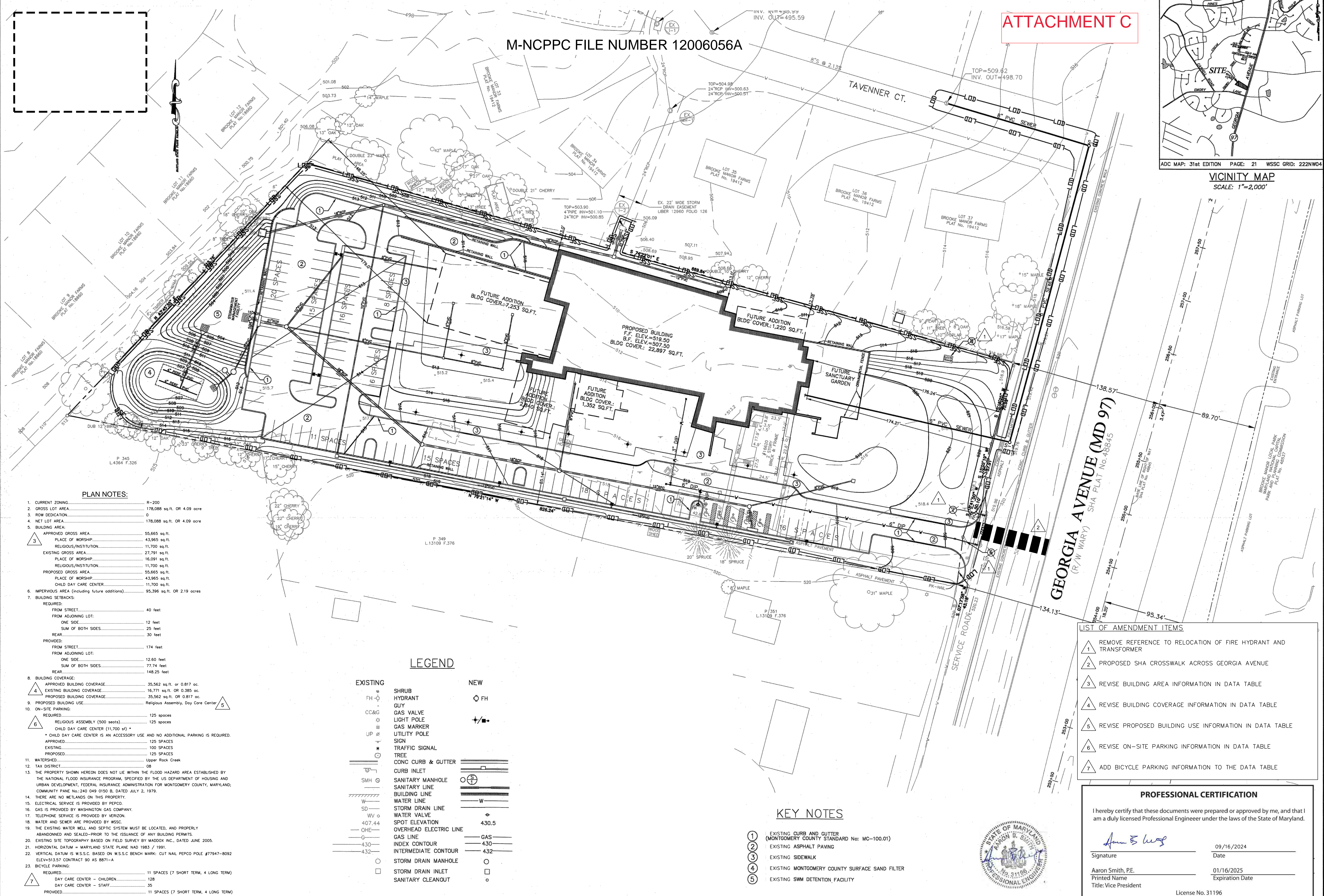
M-NCPPC FILE NUMBER 12006056A

ATTACHMENT C



VICINITY MAP
SCALE: 1"=2,000'

ADC MAP: 31st EDITION PAGE: 21 WSSC GRID: 222NW04



PLAN NOTES:

- CURRENT ZONING: R-200
- GROSS LOT AREA: 178,088 sq.ft. OR 4.09 acre
- ROW DEDICATION: 0
- NET LOT AREA: 178,088 sq.ft. OR 4.09 acre
- BUILDING AREA:
 - APPROVED GROSS AREA: 55,665 sq.ft.
 - PLACE OF WORSHIP: 43,965 sq.ft.
 - RELIGIOUS/INSTITUTION: 11,700 sq.ft.
 - EXISTING GROSS AREA: 27,791 sq.ft.
 - PLACE OF WORSHIP: 16,091 sq.ft.
 - RELIGIOUS/INSTITUTION: 11,700 sq.ft.
 - PROPOSED GROSS AREA: 55,665 sq.ft.
 - PLACE OF WORSHIP: 43,965 sq.ft.
 - CHILD DAY CARE CENTER: 11,700 sq.ft.
- IMPERVIOUS AREA (including future additions): 95,396 sq.ft. OR 2.19 acres
- BUILDING SETBACKS:
 - REQUIRED:
 - FROM STREET: 40 feet
 - FROM ADJOINING LOT: 12 feet
 - ONE SIDE: 25 feet
 - SUM OF BOTH SIDES: 30 feet
 - PROVIDED:
 - FROM STREET: 174 feet
 - FROM ADJOINING LOT: 12.60 feet
 - ONE SIDE: 77.74 feet
 - SUM OF BOTH SIDES: 148.25 feet
- BUILDING COVERAGE:
 - APPROVED BUILDING COVERAGE: 35,562 sq.ft. OR 0.817 ac.
 - EXISTING BUILDING COVERAGE: 16,771 sq.ft. OR 0.385 ac.
 - PROPOSED BUILDING COVERAGE: 35,562 sq.ft. OR 0.817 ac.
- PROPOSED BUILDING USE: Religious Assembly, Day Care Center
- ON-SITE PARKING:
 - REQUIRED: 125 spaces
 - RELIGIOUS ASSEMBLY (500 seats): 125 spaces
 - CHILD DAY CARE CENTER (11,700 sf) *
 - * CHILD DAY CARE CENTER IS AN ACCESSORY USE AND NO ADDITIONAL PARKING IS REQUIRED.
 - APPROVED: 125 SPACES
 - EXISTING: 100 SPACES
 - PROPOSED: 125 SPACES
- WATERSHED: Upper Rock Creek
- TAX DISTRICT: 08
- THE PROPERTY SHOWN HEREON DOES NOT LIE WITHIN THE FLOOD HAZARD AREA ESTABLISHED BY THE NATIONAL FLOOD INSURANCE PROGRAM, SPECIFIED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, FEDERAL INSURANCE ADMINISTRATION FOR MONTGOMERY COUNTY, MARYLAND; COMMUNITY FLOOD INSURANCE MAP NO. 240 049 0150 B, DATED JULY 2, 1979.
- THERE ARE NO WETLANDS ON THIS PROPERTY.
- ELECTRICAL SERVICE IS PROVIDED BY PEPCO.
- GAS IS PROVIDED BY WASHINGTON GAS COMPANY.
- TELEPHONE SERVICE IS PROVIDED BY VERIZON.
- WATER AND SEWER ARE PROVIDED BY WSSC.
- THE EXISTING WATER WELL AND SEPTIC SYSTEM MUST BE LOCATED, AND PROPERLY ABANDONED AND SEALED PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS.
- EXISTING SITE TOPOGRAPHY BASED ON FIELD SURVEY BY MADDOX INC., DATED JUNE 2005.
- HORIZONTAL DATUM = MARYLAND STATE PLANE NAD 1983 / 1991.
- VERTICAL DATUM IS W.S.C. BASED ON W.S.C. BENCH MARK: CUT NAIL PEPCO POLE #77947-8092 ELEV=513.57 CONTRACT 90 AS 8871-A
- BICYCLE PARKING:
 - REQUIRED: 11 SPACES (7 SHORT TERM, 4 LONG TERM)
 - DAY CARE CENTER - CHILDREN: 128
 - DAY CARE CENTER - STAFF: 35
 - PROVIDED: 11 SPACES (7 SHORT TERM, 4 LONG TERM)

LEGEND

EXISTING	SHRUB	NEW
⊕ FH	HYDRANT	⊕ FH
CC&G	GUY	
☆	GAS VALVE	
⊕	LIGHT POLE	
UP	GAS MARKER	
⊕	UTILITY POLE	
⊕	SIGN	
⊕	TRAFFIC SIGNAL	
⊕	TREE	
⊕	CONC CURB & GUTTER	
⊕	CURB INLET	
SMH	SANITARY MANHOLE	⊕
W	SANITARY LINE	⊕
SD	BUILDING LINE	⊕
WV	WATER LINE	⊕
407.44	STORM DRAIN LINE	⊕
OHE	WATER VALVE	430.5
G	SPOT ELEVATION	430.5
430	OVERHEAD ELECTRIC LINE	430
432	GAS LINE	432
⊕	INDEX CONTOUR	⊕
⊕	INTERMEDIATE CONTOUR	⊕
⊕	STORM DRAIN MANHOLE	⊕
⊕	STORM DRAIN INLET	⊕
⊕	SANITARY CLEANOUT	⊕

KEY NOTES

- EXISTING CURB AND GUTTER (MONTGOMERY COUNTY STANDARD No: MC-100.01)
- EXISTING ASPHALT PAVING
- EXISTING SIDEWALK
- EXISTING MONTGOMERY COUNTY SURFACE SAND FILTER
- EXISTING SWM DETENTION FACILITY

LIST OF AMENDMENT ITEMS

- REMOVE REFERENCE TO RELOCATION OF FIRE HYDRANT AND TRANSFORMER
- PROPOSED SHA CROSSWALK ACROSS GEORGIA AVENUE
- REVISE BUILDING AREA INFORMATION IN DATA TABLE
- REVISE BUILDING COVERAGE INFORMATION IN DATA TABLE
- REVISE PROPOSED BUILDING USE INFORMATION IN DATA TABLE
- REVISE ON-SITE PARKING INFORMATION IN DATA TABLE
- ADD BICYCLE PARKING INFORMATION TO THE DATA TABLE

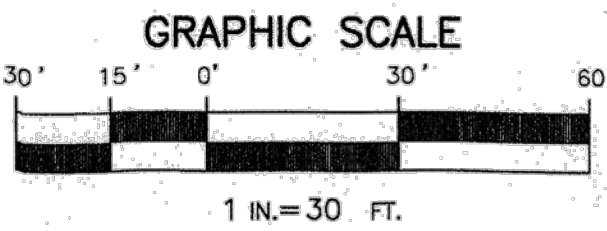
PROFESSIONAL CERTIFICATION

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.

Signature: *Aaron B. Smith* Date: 09/16/2024
Printed Name: Aaron Smith, P.E. Expiration Date: 01/16/2025
Title: Vice President License No. 31196

A. MORTON THOMAS AND ASSOCIATES, INC.
ENGINEERS • PLANNERS • SURVEYORS • LANDSCAPE ARCHITECTS
12750 TWINBROOK PARKWAY - ROCKVILLE, MARYLAND 20852 - (301)881-2545 - FAX: (301)881-0814

RES.	SURV.	COMP.	DES.	DRN.	CHK.	DATE	REVISION	BY	APP'R.
						09/12/2006	PER DRC REVIEW COMMENTS		B.M.
						09/16/2024	REVISED PLAN TO ADD DAY CARE CENTER		



PRELIMINARY PLAN AMENDMENT				SCALE	CONTOUR INTERVAL	A.M.T. FILE No.
SHAARE TEFLA CONGREGATION				1"=30'	2	106-095.001
16820 GEORGIA AVENUE OLNEY, MARYLAND LOT 2, LIBER 25241, FOLIO 132				DATE	TAX MAP No.	SHEET
ELECTION DISTRICT 8				06/14/2006	HS43	PP-1

TECHNICAL MEMORANDUM

To: Eric Marshall
Saul Cohen
Perry Sandler
From: Andrew Sandweiss, AICP
Maribel Donahue
Katie Wagner, P.E., PTOE
Date: February 15, 2024
Subject: Hope Grows Child Development Center – LATR Transportation Study Exemption Statement

Introduction

This memorandum serves as an LATR Transportation Study Exemption Statement for the future operations of the Hope Grows Child Development Center located at the Shaare Tefila Congregation in Olney, Maryland, located within the Olney (Yellow) policy area of Montgomery County. The site is proposing a day care center serving 128 students with 35 staff members located at 16620 Georgia Avenue. The proposed day care center will replace the previously approved 150-student nursery school and 272-student religious after-school program.

As presented below, the proposed project does not increase the site trip generation and is therefore exempt from transportation study requirements per the Montgomery County Local Area Transportation Review (LATR) Guidelines. The proposed project does not generate any new trips as compared to the previously approved land uses during the AM and PM peak hours and will therefore have a negligible impact on the transportation network surrounding the area.

Site Trip Generation

Trip generation for the approved nursery and religious after-school program land uses and the proposed day care center were calculated using the methodology outlined in the Montgomery County Local Area Transportation Review (LATR) Guidelines and the Institute of Transportation Engineers' (ITE) *Trip Generation*, 11th Edition. The Policy Area Adjustment Factor, the rate of vehicle to person trips, and mode splits were used from Montgomery County Local Area Transportation Review (LATR) Guidelines Appendix Tables 1a and 1b.

Trip generation rates for "Day Care Center" (Land Use Code 565) was used for the proposed day care center and the previously approved nursery. Trip generation rates for "Private School (K-8)" (Land Use Code 530) was used for the previously approved after school program.

The trip generation and land use codes in this trip generation analysis are consistent with the methodology reviewed and approved by Staff in the Traffic Impact Study analyzing the previously approved land uses.

For the previously approved development program, the "Private School (K-8)" trips were only added in the PM peak hour, as they are only representing an after-school program. The "Day Care Center", for both the proposed and previously approved scenarios, was applied to both the AM and PM peak hours.

The previously approved uses, when combined, generate 153 person trips in the AM peak hour (81 inbound and 72 outbound) and 132 person trips in the PM peak hour (63 inbound and 69 outbound). The proposed day care center generates 131 person trips in the AM peak hour (69 inbound and 62 outbound) and 132 person trips in the PM peak hour (62 inbound and 70 outbound).

The results of the trip generation analysis are summarized in Table 1. As Table 1 shows, **the proposed day care center generates 22 fewer person trips in the AM peak hour (12 fewer inbound and 10 fewer outbound) and no new net person trips in the PM peak hour (1 fewer inbound and 1 new outbound) than the approved land uses.** Detailed trip generation calculations are included in the Technical Attachments.

Table 1: Trip Generation Comparison

Land Use	Policy Area Adjusted Trip Generation	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Existing Trip Generation							
Approved Uses (150-student Nursery and 272-student Religious School)	Person Trips	81 ppl/hr	72 ppl/hr	153 ppl/hr	63 ppl/hr	69 ppl/hr	132 ppl/hr
	Vehicle Trips	62 veh/hr	55 veh/hr	117 veh/hr	48 veh/hr	53 veh/hr	101 veh/hr
Proposed Trip Generation							
Day Care Center (128 students)	Person Trips	69 ppl/hr	62 ppl/hr	131 ppl/hr	62 ppl/hr	70 ppl/hr	132 ppl/hr
	Vehicle Trips	53 veh/hr	47 veh/hr	100 veh/hr	47 veh/hr	54 veh/hr	101 veh/hr
Net Trip Generation							
Net Trip Generation	Person Trips	-12 ppl/hr	-10 ppl/hr	-22 ppl/hr	-1 ppl/hr	1 ppl/hr	0 ppl/hr
	Vehicle Trips	-9 veh/hr	-8 veh/hr	-17 veh/hr	-1 veh/hr	1 veh/hr	0 veh/hr

Summary and Conclusions

The proposed use (128-student day care center) does not generate any new peak hour person trips as compared to the previously approved uses (150-student nursery & 272-student religious school) in both the AM and PM peak hours. Thus, an LATR is not required, as the proposed use will have a negligible impact on the surrounding transportation network.

Trip Generation - Approved Religious School and Nursery

Policy Area: 24. Olney

Step 1: Base trip generation using ITEs' *Trip Generation* 11th Edition

Land Use	Land Use Code	Quantity	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Day Care Center	565	150 students	62 veh/hr	55 veh/hr	117 veh/hr	15 veh/hr	15 veh/hr	30 veh/hr
Calculation Details:			53%	47%	=0.78X	50%	50%	=0.10X
Private School (K-8)	530	272 students	N/A	N/A	N/A	33 veh/hr	38 veh/hr	71 veh/hr
Calculation Details:						46%	54%	=0.26X

Note: PM Peak hour trip generation for the nursery based on approved estimate of number students leaving in the evening peak hour per approved 2006 TIS.

Religious school hours of operation limited to 4:30-6:30 PM ON Wednesdays

Step 2: Convert to policy area vehicle trips

Land Use	ITE Vehicle-Trip generation Rate Adjustment Factor (Appendix Table 1a)	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Other	100%	62 veh/hr	55 veh/hr	117 veh/hr	48 veh/hr	53 veh/hr	101 veh/hr

Step 3: Convert to total person trips, before applying mode splits

Land Use	People/Car (Appendix Table 1b)	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Other	76.3%	81 ppl/hr	72 ppl/hr	153 ppl/hr	63 ppl/hr	69 ppl/hr	132 ppl/hr

Step 4: Split between modes, per assumed Mode Splits by Policy Area

Land Use	Mode	Split	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Other	Auto Driver	76.3%	62 ppl/hr	55 ppl/hr	117 ppl/hr	48 ppl/hr	53 ppl/hr	101 ppl/hr
Other	Auto Passenger	19.5%	16 ppl/hr	14 ppl/hr	30 ppl/hr	12 ppl/hr	14 ppl/hr	26 ppl/hr
Other	Transit	0.7%	1 ppl/hr	0 ppl/hr	1 ppl/hr	0 ppl/hr	1 ppl/hr	1 ppl/hr
Other	Non-Motorized	3.5%	2 ppl/hr	3 ppl/hr	5 ppl/hr	3 ppl/hr	1 ppl/hr	4 ppl/hr
Total		100.0%						

Trip Gen Summary for Approved Uses

Mode	AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total
Auto Driver	62 veh/hr	55 veh/hr	117 veh/hr	48 veh/hr	53 veh/hr	101 veh/hr
Auto Passenger	16 ppl/hr	14 ppl/hr	30 ppl/hr	12 ppl/hr	14 ppl/hr	26 ppl/hr
Transit	1 ppl/hr	0 ppl/hr	1 ppl/hr	0 ppl/hr	1 ppl/hr	1 ppl/hr
Bicycle (Non-motorized)	2 ppl/hr	3 ppl/hr	5 ppl/hr	3 ppl/hr	1 ppl/hr	4 ppl/hr
Walk (Transit and other walk trips)	3 ppl/hr	3 ppl/hr	6 ppl/hr	3 ppl/hr	2 ppl/hr	5 ppl/hr

Trip Generation - Proposed Day Care

Policy Area: 24. Olney

Step 1: Base trip generation using ITEs' *Trip Generation* 11th Edition

Land Use	Land Use Code	Quantity	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Day Care Center	565	128 students	53 veh/hr	47 veh/hr	100 veh/hr	47 veh/hr	54 veh/hr	101 veh/hr
Calculation Details:			53%	47%	=0.78X	47%	53%	=0.79X

Step 2: Convert to policy area vehicle trips

Land Use	ITE Vehicle-Trip generation Rate Adjustment Factor (Appendix Table 1a)	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Other	100%	53 veh/hr	47 veh/hr	100 veh/hr	47 veh/hr	54 veh/hr	101 veh/hr

Step 3: Convert to total person trips, before applying mode splits

Land Use	People/Car (Appendix Table 1b)	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Other	76.3%	69 ppl/hr	62 ppl/hr	131 ppl/hr	62 ppl/hr	70 ppl/hr	132 ppl/hr

Step 4: Split between modes, per assumed Mode Splits by Policy Area

Land Use	Mode	Split	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Other	Auto Driver	76.3%	53 ppl/hr	47 ppl/hr	100 ppl/hr	47 ppl/hr	54 ppl/hr	101 ppl/hr
Other	Auto Passenger	19.5%	13 ppl/hr	13 ppl/hr	26 ppl/hr	12 ppl/hr	14 ppl/hr	26 ppl/hr
Other	Transit	0.7%	0 ppl/hr	1 ppl/hr	1 ppl/hr	0 ppl/hr	1 ppl/hr	1 ppl/hr
Other	Non-Motorized	3.5%	3 ppl/hr	1 ppl/hr	4 ppl/hr	3 ppl/hr	1 ppl/hr	4 ppl/hr
Total		100.0%						

Trip Gen Summary for Proposed Day Care

Mode	AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total
Auto Driver	53 veh/hr	47 veh/hr	100 veh/hr	47 veh/hr	54 veh/hr	101 veh/hr
Auto Passenger	13 ppl/hr	13 ppl/hr	26 ppl/hr	12 ppl/hr	14 ppl/hr	26 ppl/hr
Transit	0 ppl/hr	1 ppl/hr	1 ppl/hr	0 ppl/hr	1 ppl/hr	1 ppl/hr
Bicycle (Non-motorized)	3 ppl/hr	1 ppl/hr	4 ppl/hr	3 ppl/hr	1 ppl/hr	4 ppl/hr
Walk (Transit and other walk trips)	3 ppl/hr	2 ppl/hr	5 ppl/hr	3 ppl/hr	2 ppl/hr	5 ppl/hr