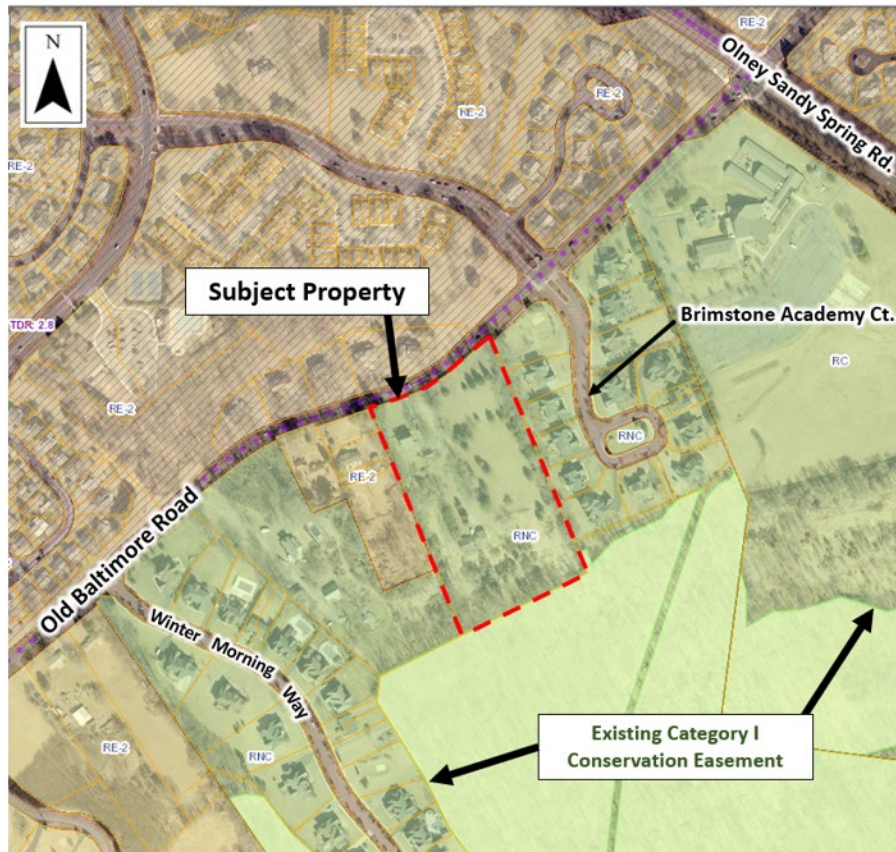


**IGLESIA DE CRISTO MI EL MARYLAND**

**PRELIMINARY PLAN NO. 120220040 AND FOREST  
CONSERVATION PLAN NO. F20260290**



Application to create one lot for a religious assembly building and a parsonage in the RNC zone under the standard method of development, utilizing public water and sewer.

COMPLETED: 3/13/2026

PLANNING BOARD HEARING DATE: 3/26/2026

MCPB ITEM NO. 9

## Planning Staff

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### LOCATION/ADDRESS

17521 Old Baltimore Road in Olney

### MASTER PLAN

2005 *Olney Master Plan*

### ZONE

RNC Zone

### PROPERTY SIZE

7.17 acres

### APPLICANT

Iglesia De Cristo Mi El Maryland

### ACCEPTANCE DATE

May 3, 2023

### REVIEW BASIS

Chapter 50, 59 and 22A

### Summary:

- Staff recommends approval of the Preliminary Plan and Forest Conservation Plan with conditions.
- The Applications are in substantial conformance with the recommendations of the 2005 *Olney Master Plan*.
- All noticing and submittal requirements have been met.

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## SECTION 2: RECOMMENDATIONS AND CONDITIONS

### PRELIMINARY PLAN 120220040

Staff recommends approval with conditions of the Preliminary Plan to create one lot for a religious institution and parsonage. All site development elements shown on the latest electronic version of the Preliminary 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> :

#### GENERAL APPROVAL

1. This Preliminary Plan is limited to 1 (one) lot for 1 (one) parsonage and 1 (one) Religious Assembly Building with up to 680 seats.

#### ADEQUATE PUBLIC FACILITIES

2. The Adequate Public Facilities (“APF”) review for the Preliminary Plan will remain valid for five (5) years from the initiation date (as defined in Montgomery County Code Section 50.4.3.J.5).

#### PLAN VALIDITY PERIOD

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

#### OUTSIDE AGENCIES

4. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated November 21, 2025, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each recommendation in the letter, which may be amended by MCDOT, if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
5. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT’s requirements for access and improvements.
6. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”), Water Resources Section, in its stormwater management concept letter dated September 21, 2020, and incorporates them as

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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.

conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.

7. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”), Fire Department Access and Water Supply Section, in its letter dated October 26, 2025, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.

#### OTHER APPROVALS

8. Before approval of a record plat or any demolition, clearing, or grading for the Subject Property, the Applicant must receive Staff certification of this Preliminary Plan.

#### TRANSPORTATION

##### Frontage Improvements on Existing Roads

9. The Applicant must provide the following dedications and show them on the record plat for the following existing road:
  - a) All land necessary to accommodate thirty-five (35) feet from the existing pavement centerline along the Subject Property frontage for Old Baltimore Road.
10. Before the recordation of plat(s), the Applicant must satisfy all necessary requirements of MCDOT to ensure construction of a six-foot-wide (6 ft) concrete sidewalk with a sixteen-foot-wide (16 ft) street buffer with swale along the Property frontage on Old Baltimore Road, subject to the following additional requirements:
  - a) The Applicant must connect the proposed six-foot-wide (6 ft) concrete sidewalk to the existing concrete sidewalk along Old Baltimore Road north of the Site, as shown on Sheet 07-PREL-120220040-001 of the Preliminary Plan.
  - b) At the proposed driveway entrance, the six-foot-wide (6 ft) concrete sidewalk will drop to street level, provided by two (2) curb ramps (one on each side) and a high-visibility continental crosswalk.

##### Circulation and Access

11. The Applicant must install a six-foot-wide (6 ft) natural surface path connecting the proposed six-foot-wide (6 ft) concrete sidewalk along Old Baltimore Road to the proposed internal sidewalk network surrounding the assembly building, as illustrated on Sheet 07-PREL-120220040-001 of the Preliminary Plan.
12. The Applicant must provide two (2) long-term and twelve (12) short-term bicycle parking spaces.

- a) The long-term spaces must be in a secure and well-lit bicycle room in the building. The exact location and details of the bicycle room must be indicated on the Certified Preliminary Plan and approved by Planning Staff.
- b) The short-term spaces must be provided by installing twelve (12) inverted-U racks (or approved equal) adjacent to the building, as shown on Sheet 07-PREL-120220040-001 of the Preliminary Plan (weather-protected preferred).

## SURETY

- 13. Before approval to release any portion of the performance bond, the Applicant must deliver to the Planning Department, with a copy to MCDPS, certification by a professional engineer licensed in the State of Maryland that the fire access improvements have been constructed and installed per the recommendations from the Fire Department Access and Water Supply Section, and as shown in the approved MCDPS fire access plan, or as amended.
- 14. Before issuance of any building permit or sediment control permit, whichever comes first, the Applicant must enter into a 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 or other form of surety, 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 the planting and maintenance of the proposed meadow within the Rural Open Space.
  - c) Completion of all improvements covered by the surety will be followed by inspection and potential reduction of the surety.
  - d) The bond or surety for each item shall be clearly described within the Surety & Maintenance Agreement, including all relevant conditions.

## RECORD PLATS

- 15. There shall be no clearing or grading of the site before the recordation of the plat.
- 16. Before record plat approval, the Applicant must abandon the existing well and septic system in accordance with MCDPS standards.
- 17. The record plat must show necessary easements.
- 18. Before recordation of a plat for the Subject Property, the Applicant must grant to M-NCPPC a rural open space easement over no less than sixty (60) percent of the net tract area of the Subject Property as shown on the Preliminary Plan. The Applicant must record the easement in a form approved by the M-NCPPC Office of General Counsel, among the Montgomery County Land Records. Reference to the recorded easement must be noted on the record plat(s).

## LANDSCAPE AND LIGHTING PLANS

19. Before issuance of a building permit, a landscape and lighting plan must be submitted to and approved by Staff that includes the following minimum elements:
  - a) The landscape and lighting plan must show the proposed Rural Open Space, meadow planting area, and provide a short and long-term maintenance and management plan.

## CERTIFIED PRELIMINARY PLAN

20. The certified Preliminary Plan must contain the following notes:
  - b) Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of issuance of building permit(s). Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage, for each lot.
  - c) *The Applicant must schedule an on-site preconstruction meeting with M-NCPPC inspection staff before any demolition, clearing, or grading occurs on-site. The Applicant, along with their representatives, must attend the pre-construction meeting with the M-NCPPC inspector. A copy of the approved Certified Preliminary Plan is required to be on-site at all times.*
21. Before submittal of the Certified Preliminary Plan, the Applicant must make the following changes:
  - a) Show resolutions and approval letters on the certified set
  - b) Include the approved Fire Department Access Plan.

## FOREST CONSERVATION PLAN F20260290

1. Before recordation of the plat and the start of any demolition, clearing, grading, or construction, whichever comes first, for development associated with the accompanying Preliminary Plan No. 120220040, the Applicant must:
  - a. Record a Category I Conservation Easement over 1.28 acres of forest planting as specified on the approved Final Forest Conservation Plan. The Category I Conservation Easement must be in a form approved by the M-NCPPC Office of the General Counsel and must be recorded in the Montgomery County Land Records by deed. The Book/Page for the easement must be referenced on the record plat.
  - b. Install permanent conservation easement signage along the perimeter of the conservation easements as shown on the FCP, or as directed by the M-NCPPC Forest Conservation Inspection Staff.
  - c. 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 FCP requirements. The MMA includes invasive species management control measures as deemed necessary by the M-NCPPC Forest Conservation Inspection Staff.
  - d. Submit a cost estimate for the afforestation and other FCP requirements, which includes but is not limited to trees and shrubs, variance mitigation trees, five years of maintenance, including invasive species management controls, permanent easement posts and signage, mulching, staking, and tree protection as shown on the FCP. This cost estimate must be reviewed and approved by the M-NCPPC Planning Department Inspection Staff prior to the submission of financial surety to determine the amount of the financial surety.
  - e. Submit financial surety, in a form approved by the M-NCPPC Office of the General Counsel, to the M-NCPPC Planning Department Inspection Supervisor for the 1.28 acres of new forest planting, mitigation trees, and maintenance, including invasive species management controls, credited toward meeting the requirements of the FCP.
  - f. Record an M-NCPPC approved Certificate of Compliance in an M-NCPPC approved off-site forest bank within the Anacostia Watershed, or Priority Area to satisfy the afforestation requirement of 0.13 acres of mitigation credit. If no off-site forest banks exist within the Anacostia Watershed or Priority Area, then the off-site requirement may be met by purchasing 0.13 acres of mitigation credits from a mitigation bank within Montgomery County outside of Anacostia Watershed or Priority Area, subject to Staff approval. If forest mitigation bank credits are not available for purchase, a fee-in-lieu payment must be made to M-NCPPC for the appropriate mitigation credits outside of the same watershed or Priority Area.

2. The Applicant must schedule the required site inspections with the M-NCPPC Forest Conservation Inspection Staff, per Section 22A.00.01.10 of the Code of Montgomery County Regulations (“COMCOR”), Forest Conservation Regulations.
3. The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC Forest Conservation Inspection Staff.
4. The Limits of Disturbance (“LOD”) shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Final Forest Conservation Plan.
5. Within the first planting season following the stabilization of the applicable disturbed area inside of the LOD, or as directed by the M-NCPPC Forest Conservation Inspection Staff, the Applicant must install the Afforestation plantings, as shown on the approved FCP.
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 FCP. The variance tree mitigation plantings must be a minimum size of 3 caliper inches, totaling 41.25 caliper inches. Adjustments to the planting locations of these trees are permitted with the approval of the M-NCPPC Forest Conservation Inspection Staff.

## SECTION 2: SITE DESCRIPTION

### VICINITY

The subject property is located at 17521 Old Baltimore Road, which is situated on the south side of Old Baltimore Road and approximately 1,100 feet east of the intersection with Winter Morning Way and consists of a 7.21-acre unrecorded parcel (P950 “Rockland Farm” on Tax Maps HT56) in the Rural Neighborhood Cluster (RNC) Zone (“Property” or “Subject Property”). The Subject Property is approximately ¼ of a mile west of Olney Laytonsville Road (MD 108) within the “Olney Planning Area” identified in the 2005 *Olney Master Plan* (“Master Plan”) area.

The area surrounding the Property is a mix of residential development and open space. North of Old Baltimore Road is a residential development in the RE-2 zone and TDR-2.8 Overlay zone. The property abutting the Subject Property to the east is a pocket of residential cluster development (Olney Estates) in the RNC zone, which was developed at the same time as the cluster of single-family dwelling units along Winter Morning Way to the west of the Property. The area to the south is an open space parcel, which was created with the Olney Estates development, and is largely encumbered by a

Category I Conservation Easement. The properties to the west are residential as well and zoned RNC and RE-2.

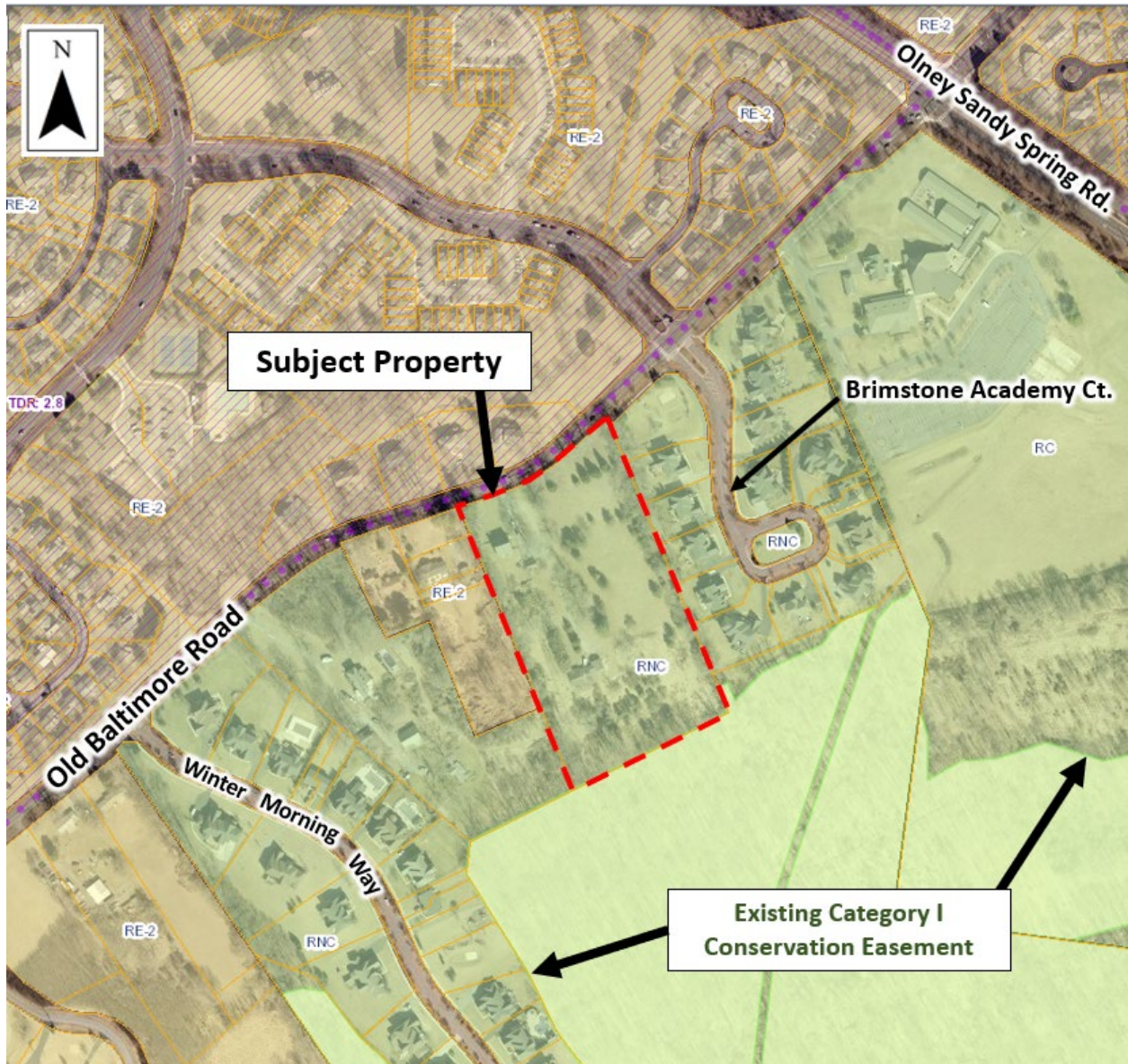
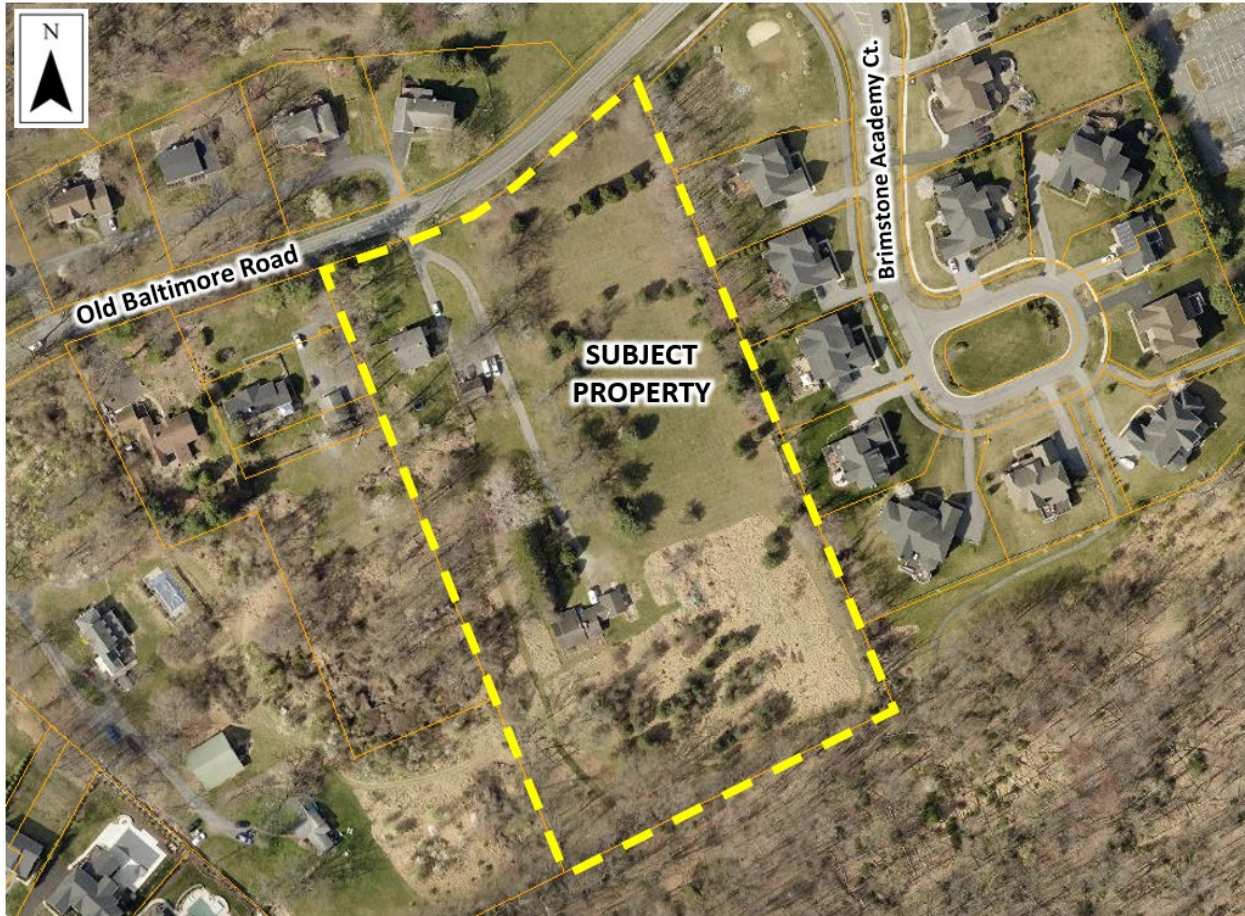


Figure 1: Vicinity and Zoning Map

## PROPERTY DESCRIPTION

The Subject Property has approximately 400 feet of frontage on the south side of Old Baltimore Road and is primarily open lawn with intermittent trees. There are two existing houses and an accessory structure on the Property, all accessible from a driveway off Old Baltimore Road. The smaller of the

two houses is in the northwest corner of the Property, setback approximately 260 feet from the road. The second house is on the southern half of the Property.



*Figure 2: Subject Property*

The Property is located within the headwaters of the Northwest Branch – Batchellors Forest Tributary subwatershed and Hawlings River Watersheds, which the State of Maryland classifies as Use Class IV waters. The Property is not within a special protection area; however, the western half of the Property is within the Patuxent Primary Management area because of its proximity to the mainstem of the Hawlings River, a tributary to the Patuxent River.

There are no streams, wetlands, forest, significant or specimen trees, steep slopes, highly erodible soils, or floodplains on or in near proximity to the Subject Property. Nor are there any known rare, threatened, or endangered species. The Property does include several significant and specimen trees.

## SECTION 3: PROJECT DESCRIPTION

### PROPOSAL

Preliminary Plan Application No.120220040, Iglesia De Cristo Mi El Maryland (“Application” or “Preliminary Plan”) proposes to create one lot on 6.89 acres (300,164 sq. ft.) of land for a parsonage and new Religious Assembly building with up to 680-seats (Figure 3 & Attachment A). The smaller existing house will be retained and converted into a parsonage. The second house and accessory structure will be demolished to accommodate the new assembly building and parking lot. A U-shaped parking lot surrounding the proposed assembly building will provide adequate parking to patrons. The proposed parking lot has 170 parking spaces, including ADA accessible spaces and electric vehicle charging spots. Short and long-term bicycle parking will also be available.

The lot will be served by public water and sewer which is consistent with the Property’s conditional W-3 and S-3 water and sewer categories, respectively. A Site Plan is not required for the future construction of the new Religious Assembly building.

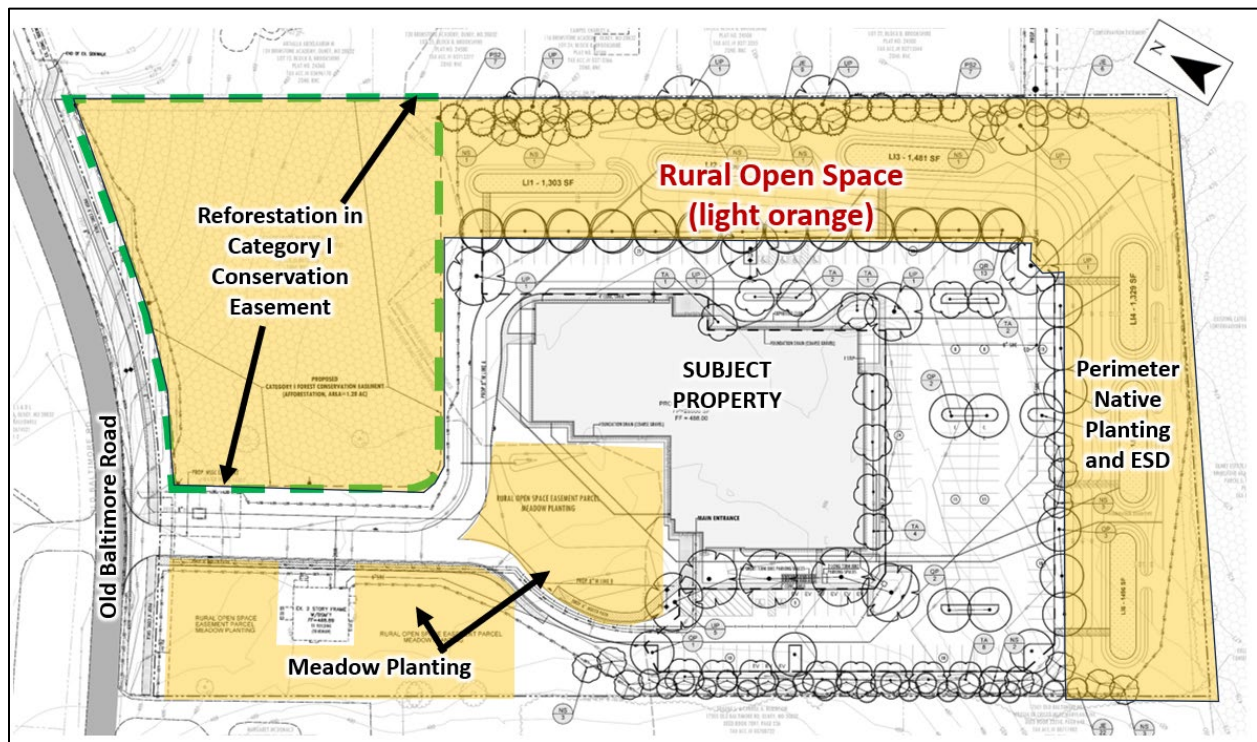


Figure 3: Preliminary Plan showing Rural Open Space and Landscaping

## OPEN SPACE

The Applicant is recording 60% of the Property in a Rural Open Space (ROS) Easement. The ROS will surround the building and parking lot and consists of forest between the new driveway and Old Baltimore Road (1.28 acres of reforestation in a Category I Conservation Easement), meadow planting, and other native plantings.

## TRANSPORTATION

The existing vehicular access point on Old Baltimore Road, a County-owned and maintained public street, will be utilized to serve the Property. However, the existing driveway will be replaced with a new commercial driveway. The Applicant is dedicating 12,298 square feet (0.28 acres) of right-of-way along Old Baltimore Road to meet Master Plan requirements. Internal vehicular circulation is proposed to be one-way (Figure 3 below). Pedestrian access will also be provided to the Site. As part of this Application, the Applicant is required to construct a six-foot-wide (6 ft) concrete sidewalk separated from traffic by a sixteen-foot-wide (16 ft) street buffer with a swale. The proposed six-foot-wide (6 ft) concrete sidewalk will be connected to the internal pedestrian network via a proposed six-foot-wide (6 ft) natural surface path (Figure 3). The internal sidewalk network consists mostly of concrete sidewalks of no less than four (4) feet in width.

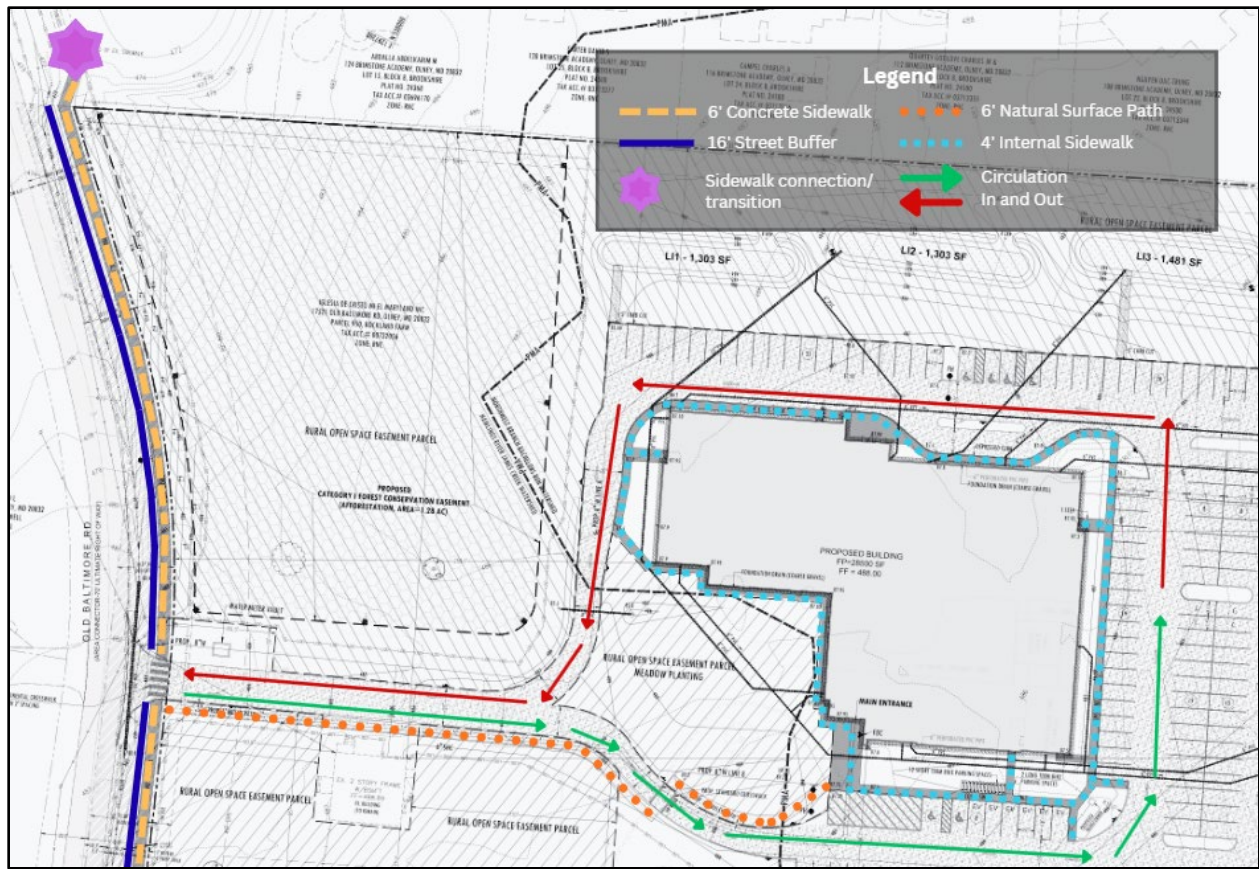


Figure 4: Proposed Circulation, Frontage Improvements, and Connections, as conditioned.

The Site has access to public transit. There is an existing Ride On bus stop within a quarter of a mile from the Property at Brimstone Academy Drive. There will also be both long and short-term bicycle parking spaces provided adjacent to the proposed building structure.

## ENVIRONMENT

Forest conservation will be met on-site by providing a Category I Forest Conservation Easement in the northern third of the Property. The Application also includes a tree variance to impact two (2) trees and remove five (5) trees that are 30 inches or greater, DBH, and considered a high priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law.

Stormwater management goals will be met via landscape infiltration facilities.

## SECTION 4: COMMUNITY OUTREACH

The Applicant has complied with all submittal and noticing requirements. Pre-submission community meetings were held on August 7, 2019 and May 13, 2021.

During the meetings, the Applicant's consultant answered questions regarding access to the Property, drainage from the site, parking lot setbacks, screening and the construction timeline. The Applicant's consultant explained the general construction process and noted that the existing access point will be utilized. He also explained that erosion during construction is controlled with erosion control fencing. Additional information was provided about the proposed stormwater management and landscape screening.

The Application was initially scheduled to go to the Planning Board on December 18, 2025, but after public notices were mailed, it was brought to Staff's attention that additional community engagement was needed, and the Application was postponed. To ensure the community had an opportunity to learn about the Application, the Applicant held an additional pre-application community meeting on February 11, 2026. At the request of the Greater Olney Civic Association's (GOCA) President, the Applicant also attended the monthly GOCA meeting on February 10, 2026.

In both meetings, the Applicant provided a general overview of the project and answered community questions (Attachment B). Similar questions and concerns were raised in both meetings, which generally include:

- Project timeline
- Adequacy of parking
- Traffic and safety
- Lighting
- Facility size
- Noise
- Tree clearing and privacy and
- Water mitigation.

Based on Staff's analysis, the two primary concerns expressed by the community were:

- Traffic and safety
- Adequacy of parking and how the church plans to handle overflow parking and future growth.

The Pastor stated that the proposed facility and associated parking are designed in anticipation that the current 500 parishioner congregation as it grows. Two services are held on Sunday at their current location, with 250-300 congregants attending each service. The Pastor stated that while he does not anticipate rapid growth, he has considered how to handle future growth. If the congregation ever expands to a point where the 170 parking spaces are no longer adequate, additional service times will

be added, and off-site parking or providing shuttles could be incorporated. The Pastor also indicated that a crossing guard or police officer could be hired to direct traffic before and after service to manage ingress and egress to Old Baltimore if needed. As part of this Application, the Applicant submitted a Traffic Exemption Statement showing that the church is estimated to generate viewer than 50 trips during the weekday AM and PM peak hours. In addition, many of the congregants currently utilize public transportation. The Application proposes constructing a 6-foot-wide sidewalk along the Property frontage, connecting to the existing sidewalk to the east and the existing bus stop at Brimstone Court.

The meeting minutes are included in Attachment B.

## SECTION 6: PRELIMINARY PLAN 120220040 FINDINGS AND ANALYSIS

The Preliminary Plan would create one lot, measuring approximately 6.89 acres (300,164 square feet) of Site area, for a detached parsonage in an existing house and a religious assembly building with up to 680 seats and no private school or daycare. This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, Subdivision Regulations. The Application has been reviewed by other applicable State, County and City agencies.

To approve a Preliminary Plan, the Planning Board must make the following findings, outlined in Section 4.2.D of the Subdivision Regulations:

- 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.***

The size, width, shape, and orientation of the proposed 6.89-acre lot is appropriate for the location of the subdivision and religious assembly use in a general building and parsonage in a detached single-family dwelling<sup>2</sup>, considering the applicable technical review criteria in Section 50-4.3. Per Section 59-4.3.5. B, public water and sewer service is generally prohibited under the standard method of development in the RNC; however, it is permitted in instances where it is recommended in the relevant Master Plan. When reviewing suitability of the lot, and type of development, the 2005 *Olney Master Plan* recommendations (see master plan

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<sup>2</sup> The one-family residential/parsonage use is not considered by the Montgomery Department of Permitting Services (MCDPS) to be an accessory structure but rather an instrumental use in conjunction with the religious assembly. As a result, the existing one-family/parsonage structure does not need to meet setback requirements for accessory structures.

discussion below), conditions of water and sewer category change WSCCR17-OLN-02A and all other applicable requirements of Chapter 59 were considered.

As evident in Figure 2 and Table 1, the rectangular shaped lot is able meet the RNC development standards and accommodate the existing and proposed buildings, parking and associated drive aisles, pedestrian walkways, stormwater management facilities, landscape screening, utilities, on-site Conservation Easement, and at least 60 percent rural open space.

**a) The Lot(s) and Use comply with the basic requirements of Chapter 59**

*Table 1: Preliminary Plan Data Table for RNC Zone, Standard Method of Development, Section 59-4.3.5.C*

<b>Development Standard</b>	<b>Permitted/ Required</b>	<b>Proposed</b>
<b>Tract Area</b>	n/a	7.17 acres (312,462 SF)
Proposed Dedication	n/a	0.28 acres (12,298 SF)
<b>Site Area</b>	5 acres	6.89 acres (300,164 SF)
<b>Density</b>	1 lot/5 acres	1 lot/5 acres
<b>Minimum Lot (Site) Area</b>	25,000 SF	6.89
<b>Minimum Lot Frontage</b>	25 feet	415 feet
<b>Minimum Lot width at Front Building Line</b>	100 feet	411 feet
<b>Maximum Lot Coverage</b>	10%	n/a
<b>Principle Building Setbacks (Min.)</b>		
Front (public street)	40 feet	258.1 feet (Parsonage)
Side	15 feet	98.7 feet & 141.2 feet
Rear	35 feet	
<b>Maximum Building Height</b>	35 feet	34 feet
<b>Rural Open Space</b>	60% of Site	60.8% of Site
<b>Site Plan Required</b>	No	No
<b>Vehicle Parking Spaces</b>	170 spaces	170 spaces
Non-ADA Spaces	164 spaces	164 spaces
ADA Auto Spaces	5 spaces	5 spaces
ADA Van Spaces	1 space	1 space
<b>Bicycle Parking Spaces</b>	14 spaces	14 spaces
Long-term Spaces	2 spaces	2 spaces
Short-term Spaces	12 spaces	12 spaces

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

The Subject Property is within the area covered by the 2005 *Olney Master Plan* (“Master Plan”). It is within the Master Plan’s “Southeast Quadrant” plan analysis area. General

recommendations for the Southeast Quadrant that apply to the Subject Property are as follows:

- Preserve open space, streams, significant forests, and the low-density character of the Southeast Quadrant through cluster development, on community sewer where appropriate.
- Connect properties in the quadrant with bikeways, walkways and park trails to enhance pedestrian and bicycle access to parks, schools, and other facilities.
- Determine the exact amount and configuration of open space to be preserved on each property at the subdivision stage. (p. 23)

There are no streams or significant forests on the Subject Property, which is primarily maintained as open area. The proposed church helps maintain the low-density character of the area and precludes the need for a cluster development given that the 5-acre zone would only allow a single use on the 7.2-acre site. The Master Plan reiterates its recommendation for a “new and improved network of sidewalks and bikeways” as part of its recommendations to improve air quality (p. 84). The Applicant proposes a new six-foot-wide sidewalk along the Property’s frontage as a continuation of an existing sidewalk on the property to the north. The RNC zone requires a minimum of 60% rural open space. As conditioned, the Application requires that 60.8% of the site remain as rural open space.

The Property is part of Site #12: “Northwest Investment, McKeever, and Weidner Properties” in the Master Plan’s Specific Property Recommendations (p. 36). The Subject Property is the Weidner property. The largest of these three properties is the 107-acre Northwest Investment property, which has since been developed with a clustered subdivision of houses; a significant amount of existing forest on the Northwest Investment site is protected with a Category I Forest Conservation Easement. The 5.6-acre McKeever property and the 7.2-acre Weidner property remain undeveloped beyond the existing primarily single-family residential uses on those properties. The primary recommendation from the Master Plan for the Weidner property is to rezone it “to RNC on community water and septic with 0.2 units per acre.” The McKeever and Weidner properties were recommended to have a maximum density of 0.33 units per acre and to be served by community sewer only if combined with the Northwest Investment property at the time it was developed.

The Northwest Investment property subsequently developed without including either of the smaller properties, rendering the Master Plan recommendation to consolidate impossible. However, as discussed in Finding 3, a sewer easement for the Weidner Property was established during the development of the Northwest Investment development, anticipating potential use in the future. The Master Plan does not directly support the provision of public sewer service on the Property as a standalone development. However, the Planning Board approved a category change request for both public water and sewer under the *10-Year Water and Sewer Plan’s* Private Institutional Facilities (PIF) policy, and the County Council and

Maryland Department of the Environment agreed, conditioned on the approval of a preliminary plan by the Planning Board that:

- Maintains the proposed water and sewer main alignments as shown on the draft preliminary plan.
- Maintains an impervious area limitation in the Hawlings River watershed of no more than 10 percent as shown on the draft preliminary plan.
- Reduces the impervious area within the Northwest Branch watershed to the maximum extent reasonably possible given the proposed use.

The county's PIF policy applies to buildings constructed for certain tax-exempt entities, such as churches, which wish to locate on properties not currently recommended for public sewer service. As explained in the Water and Sewer Plan (Section II.G.4):

*The PIF policy acts to grant opportunities for the provision of community water and sewer service for non-profit institutions (that can include religious institutions) that are not otherwise afforded to residential and commercial development in areas located outside planned public service envelopes.*

The Applicant's proposed subdivision plan shows a water main extension along Old Baltimore Road and a sewer main extension from the outfall sewer main at the rear of the adjacent Olney Estates subdivision on Brimstone Academy Court, which is consistent with the water and sewer main alignments shown on the draft preliminary plan. The revised drawing also shows the parsonage connected to both public water and public sewer lines, whereas the original drawing did not, but since the parsonage and church are considered one use on the property, and the offsite extensions of both lines remain as before, the Application meets this condition.

The second condition, that the impervious area within the Hawlings River watershed does not exceed 10%, has also been met according to the most recently submitted plan drawings. According to the revised plan, the total imperviousness in this watershed is 9.96%, a slight increase from a previously estimated 9.79%. Given that the total imperviousness is below 10%, the Application meets this condition.

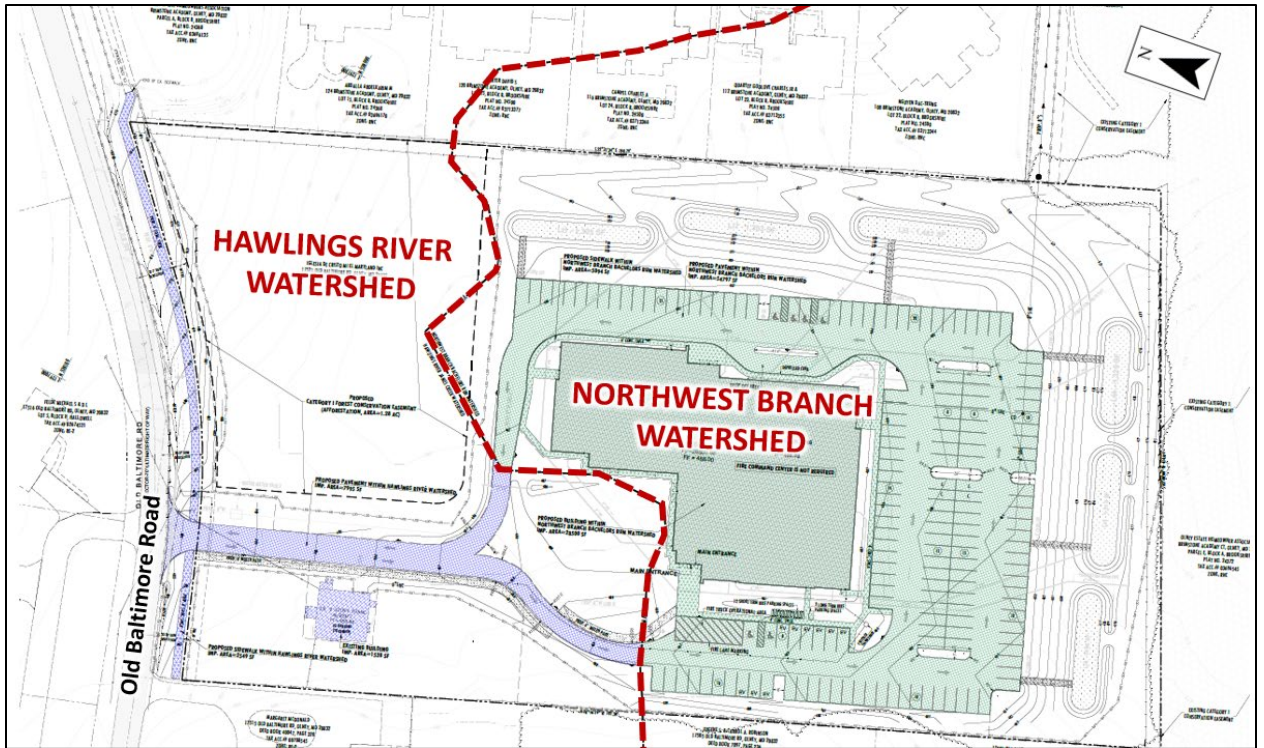


Figure 5: Watershed Map and proposed imperviousness

The final condition requires the Applicant to reduce the impervious area within the Northwest Branch watershed to the maximum extent reasonably possible given the proposed use. The Applicant maintains that the 46.52% impervious area in the Northwest Branch watershed is “the minimum reasonably necessary to include parking, targeted congregation and building size, and other facilities given the restraints on development in the Hawlings River Watershed.” The Applicant is applying BMP and ESD techniques (such as the use of landscape infiltration and micro-bioretention facilities) to minimize imperviousness and maximize environmental protection. The Applicant has reduced imperviousness within the watershed as much as possible given the proposed use, so the Application meets this condition. The revised Application meets the conditions of the water and sewer category change request.

The Master Plan provides design guidelines for RNC-zoned properties in the Southeast Quadrant (p. 25). The Master Plan suggests that new houses be clustered away from sensitive areas. The proposed plan is limited to a church and a house to remain on the site as an accessory structure, so clustering provisions do not apply. However, neither the house nor the church is close to the identified sensitive areas. The Master Plan also encourages the minimization of forest fragmentation, but there is no forest on-site.

The Subject Property straddles two watersheds that are shown on the Master Plan’s Stream Management Strategy map (p. 76): one marked as “watershed restoration” (the Hawlings River watershed) and the other as “remedial level” watershed protection (Batchellors Forest Tributary of the Northwest Branch watershed). The proposed forest planting area is within the Hawlings River watershed, which is part of the Patuxent Primary Management Area and upstream from one of the region’s drinking water supply reservoirs. For water resources in general, the Master Plan encourages ESD techniques that integrate BMPs that maximize stormwater treatment and infiltration. The Applicant has indicated that they are proposing such techniques.

For properties in the Northwest Branch, the Master Plan recommends “maximize forest retention and new forest planting in and adjacent to environmental buffer areas through conservation easements as part of the development process” (p. 79), but no environmental buffers have been identified on-site. The Master Plan specifically recommends improving and restoring parts of the Batchellors Forest stream valley and protecting a green corridor along the streams of the Batchellors Forest tributary of the Northwest Branch. Although locating the proposed forest planting at the rear of the Property would result in new forest closer to the headwaters of the streams that drain to the Northwest Branch, the proposed afforestation area is within the Hawlings River watershed where water quality is extremely important due to being upstream from the region’s water supply and is therefore a suitable location for the new forest.

The Application substantially conforms to the recommendations of the Master Plan.

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

**a) Roads and other Transportation Facilities**

**i. Existing Facilities**

The Property has frontage along Old Baltimore Road, a County-owned and maintained public street classified as an Area Connector with a master planned right-of-way of 70 feet under the *Master Plan of Highways and Transitways*. Old Baltimore Road is a two (2) lane street with existing pedestrian facilities along some segments of the street. There is an existing bus stop facility within a quarter of a mile at Brimstone Academy Drive that provides RideOn service.

**ii. Proposed public transportation infrastructure**

The Applicant must dedicate 35 feet of right-of-way from the Property line to the centerline of the pavement to meet the master planned 70 feet of right-of-way for Old Baltimore Road. In compliance with the requirements under the 2024 *Complete Streets Design Guide* for Area Connectors, the Applicant will install a six-foot-wide (6 ft)

concrete sidewalk separated from traffic by a sixteen-foot-wide (16 ft) street buffer with trees. The 2017 *Bicycle Master Plan* has no recommendations for this area.

**Proposed private transportation infrastructure**

The Applicant will be connecting the proposed six-foot-wide (6 ft) concrete sidewalk to the internal pedestrian network via a proposed six-foot-wide natural surface path (Figure 3 above). The Applicant is unable to provide a hard surface connection due to constraints with their impervious cap set forth by the applicable environmental guidelines. The proposed six-foot-wide (6 ft) natural surface path will allow safe and efficient pedestrian access into the Site.

The Applicant will need to install twelve (12) short-term and two (2) long-term bicycle parking spaces. The short-term bicycle parking spaces will be inverted U-Racks located adjacent to the church building, and the long-term bicycle parking spaces will be located in a room inside the church at a specific location to be determined at the Certified Preliminary Plan, in coordination with Planning Staff.

**b) Local Area Transportation Review (LATR)**

The Applicant submitted a transportation statement on July 15, 2020, under the 2017 *Local Area Transportation Review (LATR) Guidelines*. The Proposed Development falls under the Olney Policy Area and will generate a maximum of 13 net new person-trips during the morning peak hours and 38 net new person-trips during the evening peak hours (Table 2 below). Therefore, the Application is exempt from review under the applicable 2017 LATR Guidelines, as it does not trigger the 50 net new person-trips threshold.

*Table 2: Trip Generation Analysis*

Uses		ITE Trip Generation Vehicle Rates		Adjusted Rates Olney Policy Area		Person Trips	
		AM	PM	AM	PM	AM	PM
<b>Proposed</b>	Church - 976 Seats (ITE-650)	10	29	10	29	13	38
<b>Net New Person Trips</b>						13	38

Source: Transportation Exemption Statement from Lenhart Traffic Consulting, Inc., July 15, 2020<sup>3</sup>.

<sup>3</sup> The initial trip generation was based on 976 seats. The Applicant is now proposing 680 seats. Thus, the numbers provided overestimate the impact of the Proposed Development and still fall under the threshold.

**a) Schools**

The proposed use does not produce any school aged children. Therefore, this Application is exempt from school facilities testing.

**b) Other Public Facilities and Services**

The Subject Property is in sewer category S-6 and water category W-6, respectively, which will be advanced to S-3 and W-3 upon the Planning Board's Approval of the Preliminary Plan, as conditioned in County Council Resolution No.20-482 (adopted on April 23, 2024) for Water and Sewer Category Change request WSSCR17-OLN-02A and discussed in further detail above. Considering the conditionally approved category change and that the Preliminary Plan meets the category change requirements, the use of public water and sewer is appropriate.

Public water and sewer are available and adequate to serve the development.

As illustrated in Attachment C, the Applicant is installing an 8-inch water line within the existing right-of-way between the Subject Property and an existing 12-inch water main at the intersection of Old Baltimore Road and Olney Laytonsville Road. Within an existing 25-foot-wide WSSC easement (Book 17521 Page 399), south of Brimstone Academy, the Applicant is extending an existing 8-inch gravity sewer main approximately 124 feet to a new manhole abutting the Property line. From the manhole, a new sewer house connection will be installed to serve the assembly building and parsonage. As required, the Applicant submitted a Hydraulic Planning Analysis (DA698Z20) to WSSC.

The Application was reviewed by the MCDPS, Fire Department Access and Water Supply Section, and a Fire Access Plan was approved on October 26, 2025 (Attachment D), based on a performance-based design. The Fire Department Access Plan provides fire code compliant access from West Old Baltimore Road to the parsonage and church.

Dry utilities including electricity, cable and telephone are also available to the service the Property by connecting to existing facilities on Old Baltimore Road. Other utilities, public facilities and services, such as telecommunications, police stations, firehouses and health services are operating within the standards set by the Growth and Infrastructure Policy currently in effect.

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

The Application 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 as further discussed in the findings for the accompanying Forest Conservation Plan No. F20260290.

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

The Preliminary Plan Application meets the stormwater management requirements of Chapter 19 of the County Code. MCDPS Water Resources Section approved a Combined Stormwater Management Concept/ Site Development Stormwater Management Plan on September 21, 2020, which remains valid (Attachment D). The plan proposes to meet required stormwater management goals by installing landscape infiltration facilities.

**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.**

The Applicant has no actual or constructive notice of a cemetery on the Property, nor is it included in the Cemetery Inventory.

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

Subsection 50-4.3.N, requires a landscape and lighting plan to be submitted with Preliminary Plans for places of worship and institutional uses. The landscape and lighting plan submitted by the Applicant shows that the parking lot landscaping and outdoor lighting standards in Section 59-6.2.9 are met.

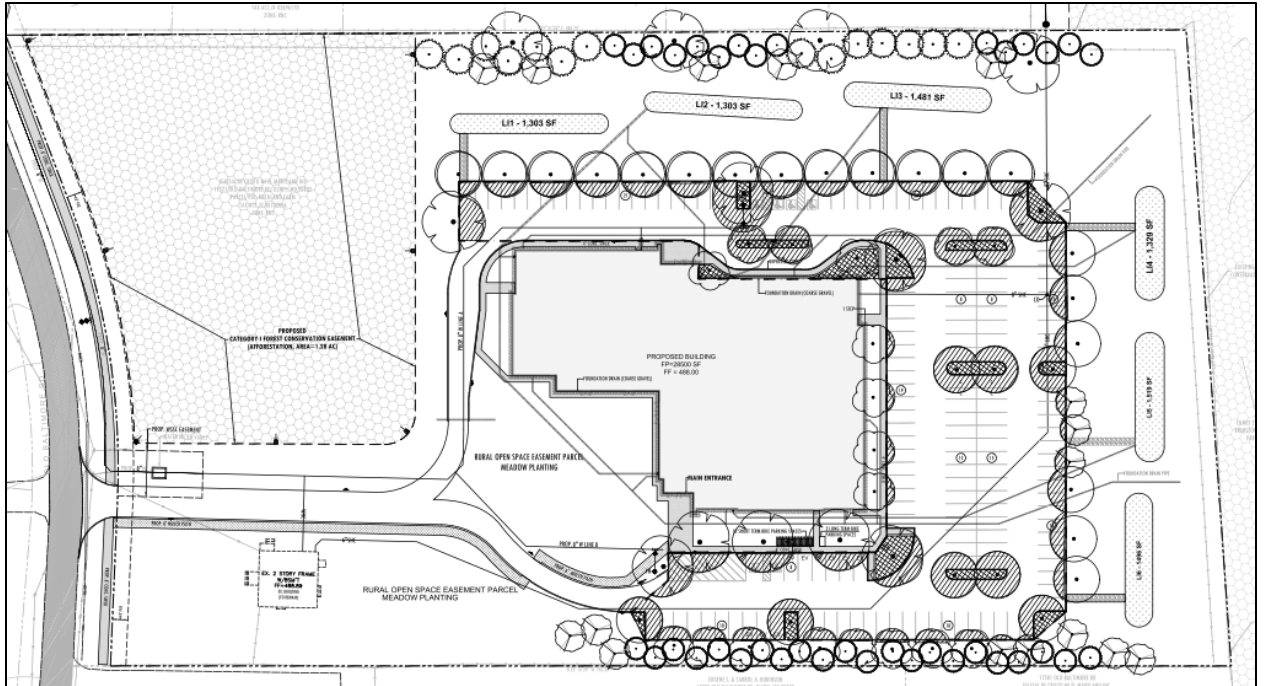


Figure 6: Simplified Landscape Plan

The Applicant is planting a variety of native shade trees such as red oaks, American elms and willow oak along the perimeter of the parking lot and within in the parking islands. The trees will shade approximately 26.1% of the 56,694 square foot surface parking area which exceeds the minimum 25 % shading requirement. Per Perimeter planting between the parking lots and adjacent RNC and RE-2 zone properties to the north and south, is being achieved by planting a variety of evergreens, shades trees, and a hedge, providing a visual buffer that limits vehicle leadlight spillage.

## SECTION 8: FOREST CONSERVATION PLAN F20260290 FINDINGS AND ANALYSIS

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

### FOREST CONSERVATION

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

The Natural Resource Inventory/Forest Stand Delineation (“NRI/FSD”) 420231410 for this Property was approved on March 17, 2023. The NRI/FSD identifies the environmental features and forest resources on the Subject Property. The Subject Property is located within the Hawlings River watershed and the Northwest Branch Watershed classified as a Use Class IV-P/IV (respectively) watersheds by the State of

Maryland. The NRI/FSD identified no forest, wetlands, streams, floodplains, or Stream Valley Buffers on the Subject Property. The site contains 10 specimen trees and 21 significant trees.

### Forest Conservation Plan

The Applicant has submitted a Preliminary/Final Forest Conservation Plan No. F20260290 (“FFCP”) (Attachment A) for concurrent review with the Preliminary Plan No. 120220040. The Application satisfies the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Montgomery County Planning Department’s approved Environmental Guidelines.

The Subject Property is zoned RNC and is assigned a Land Use Category of Institutional Development Area (“IDA”) as defined in Section 22A-3 of the Montgomery County Forest Conservation Law (“FCL”) and in the Land Use Table of the Trees Technical Manual. This results in an afforestation threshold of 20% and a conservation threshold of 25% of the Net Tract Area.

The Net Tract Area for forest conservation purposes is 7.04-acres (7.17 net tract area minus 0.28 acres deductions for unimproved ROW and the addition of 0.15 acres of offsite improvements). There is no existing forest on the Subject Property. This results in a total afforestation requirement of 1.41 acres within the same watershed or Priority Area or 1.41 acres outside of the same watershed or Priority Area. The Applicant proposes to meet this planting requirement by planting 1.28 acres onsite of reforestation and 0.13 acres offsite via an offsite bank or fee-in-lieu.

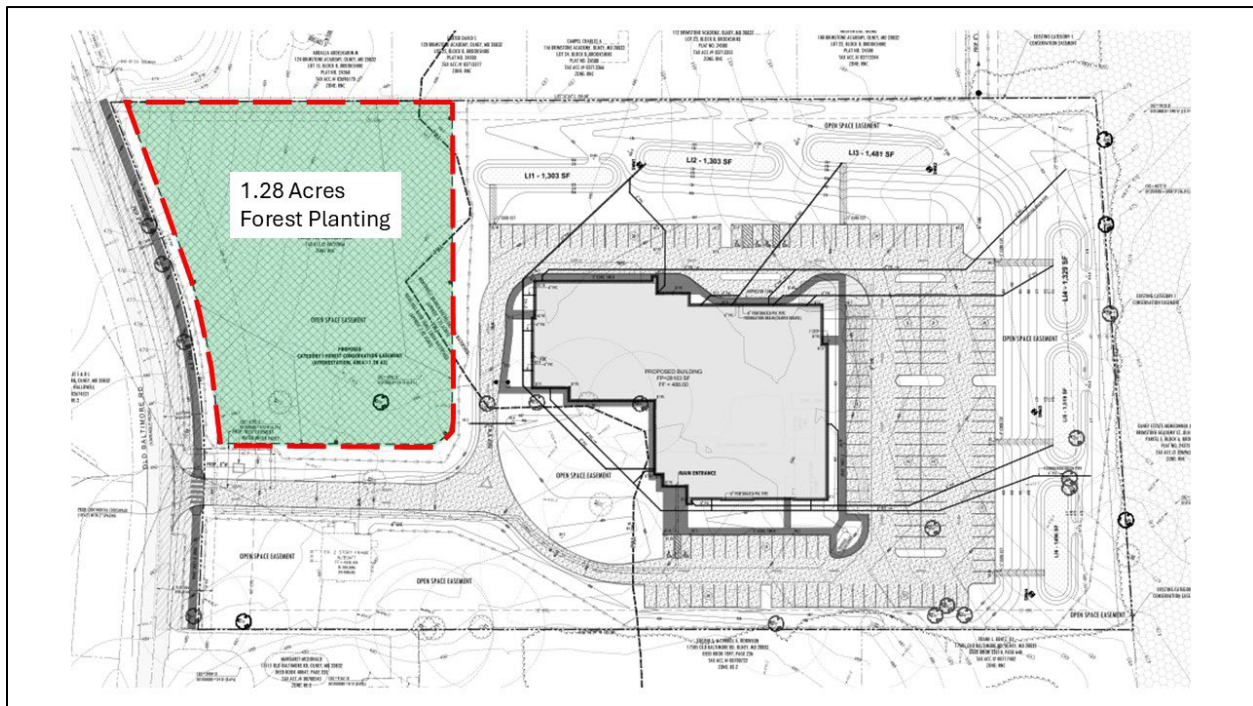


Figure 7: Forest Planting Onsite

## FOREST CONSERVATION VARIANCE

Section 22A-12(b)(3) of 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. An applicant for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the 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 September 15, 2025 (Attachment A). In the request, the Applicant proposes to impact two (2) trees and remove five (5) tree 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 (Tables 3 and 4).

Tree ID	Scientific Name	Common Name	DBH	Condition
ST-85	Morus rubra	Red Mulberry	34	Poor
ST-87	Salix babylonica	Weeping Willow	30	Good
ST-89	Quercus palustris	Pin Oak	34.5	Good
ST-93	Carya cordiformis	Bitternut Hickory	36.5	Good
ST-98	Fraxinus americana	White Ash	30	Poor

*Table 3 – Protected Trees to be Removed*

Tree ID	Scientific Name	Common Name	DBH	Condition
ST-80	Nyssa sylvatica	Black Gum	30	Good
ST-97	Quercus palustris	Pin oak	31	Good

*Table 4 – Protected Trees to be Impacted*

### 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.

An unwarranted hardship is setup from an existing residence will remain post-construction and thus limits the area available for the proposed development and the slope of the site away from Old Baltimore Road precludes the placement of the stormwater management features in areas without specimen trees.

The Applicant has demonstrated that the denial of the Variance request would cause an unwarranted hardship because it would prevent the reasonable and expected development of this property Section 22A-21 of the County Forest Conservation Law sets forth the findings that must be made by the Planning Board or Planning Director, as appropriate, in order for a variance to be granted.

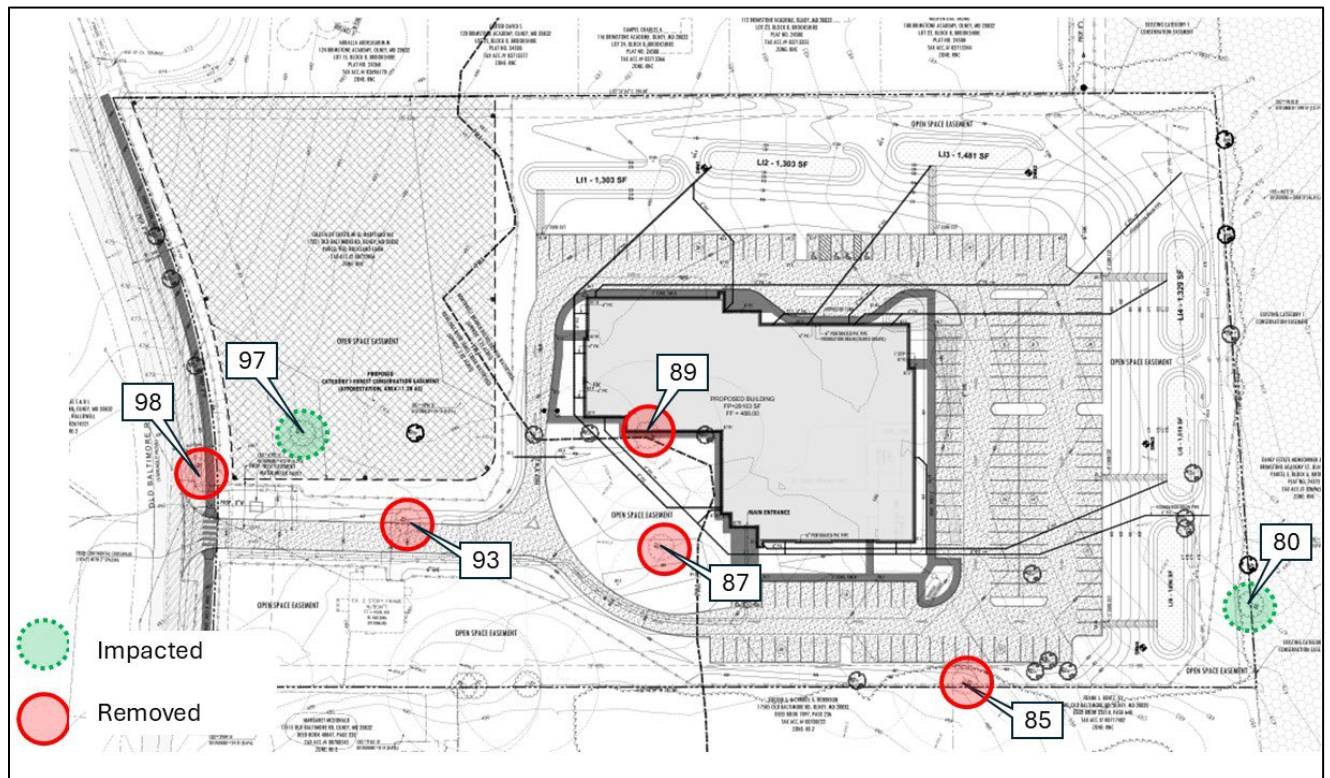


Figure 8: Variance Trees

### Variance Findings

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

- i. ***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 removal and disturbance to the specified trees are due to the development of the Property as allowed by the Master Plan and Zoning Ordinance and anticipated by the granted of water and sewer

category change by the County Council. The Property contains numerous large trees located on the site. Granting a variance request to allow land disturbance within the developable portion of the site is not unique to this Applicant. The granting of this variance is not a special privilege that would be denied to other applicants.

ii. ***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.

iii. ***Is not based on a condition relating to land or building use, either permitted or non-comforming, 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.

iv. ***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. 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

There are five Protected Trees proposed for removal in this variance request, resulting in a total of 165 inches of DBH being removed.

The Applicant has not proposed any mitigation on the plans or in the Variance Request.

A condition of approval has been added that the Applicant include mitigation at a rate that approximates the form and function of the trees removed. These trees will be replaced at a ratio of approximately 1 inch caliper for every four inches removed using trees that are a minimum of three caliper inches in size. This results in a total mitigation of 41.25 inches of trees using a minimum 3-inch caliper overstory trees native to the Piedmont Region of Maryland on the Property outside of any rights-of-way and outside of any utility easements.

Although these trees will not be as large as the trees lost, they will be planted on the Subject Property and provide some immediate benefit, ultimately replacing the canopy lost by the removal of these trees. There is some disturbance within the CRZ of two of the variance trees; however, they will

receive adequate tree protection measures, their roots will regenerate, and the functions they currently provide will continue. Therefore, no mitigation is recommended for trees that are impacted but retained.

#### Recommendation on the Variance

Staff recommends approval of the variance request with the condition of planting the mitigation trees.

## SECTION 9: CONCLUSION

As conditioned, the Preliminary Plan and Forest Conservation Plan applications each satisfy the applicable standards of the Zoning Ordinance, Subdivision Regulations, Forest Conservation Law and substantially conform to the recommendations of the 2005 *Olney Master Plan*. Therefore, Staff recommends approval of the Preliminary Plan and Forest Conservation Plan with the conditions specified at the beginning of this report.

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#### ATTACHMENTS

*Attachment A: Preliminary and FCP Plan*

*Attachment B: Community Correspondence*

*Attachment C: Water and Sewer*

*Attachment D: Agency Letters*