

# Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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**DATE MAILED:**

**May 26, 2026**

MCPB No. 26-31  
Preliminary Plan No. 120250090  
Primrose at 16650 Georgia Avenue  
Date of Hearing: May 7, 2026

## **RESOLUTION**

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on December 24, 2024, Little Steps LLC (“Applicant”) filed an application for approval of a preliminary plan of subdivision of property that would create one lot for one existing 10,552 square foot antique store (non-conforming use) and one day care center (Over 30 Persons) on 2.11 acres of land in the R-200 zone, located at 16650 Georgia Avenue, approximately 150 feet south of Emory Church Road, in Olney (“Subject Property”), in the Olney Policy Area and 2005 *Olney Master Plan* (“Master Plan”) area; and

WHEREAS, Applicant’s preliminary plan application was designated Preliminary Plan No. 120250090, Primrose at 16650 Georgia Avenue (“Preliminary Plan” or “Application”); and

WHEREAS, the Application was submitted for concurrent review and approval with Forest Conservation Plan No. F20240890, and Little Steps Daycare, Conditional Use No. CU202504; and

WHEREAS, following review and analysis of the Application by Planning Board staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board, dated April 27, 2026, providing its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on May 7, 2026, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Pedoeem, seconded by Commissioner Bartley, with a vote of 4-0; Chair Harris, Vice Chair Linden, and Commissioners Bartley and Pedoeem voting in favor; Commissioner Hedrick being necessarily absent.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 120250090 to create one lot for one existing 10,552 square foot antique store (non-conforming use) and one day care center (Over 30 Persons) on the Subject Property, subject to the following conditions:<sup>1</sup>

### **General Approval**

1. This Preliminary Plan is limited to one (1) lot for a 12,000-square-foot day care center with up to 165 students and an existing 10,552-square-foot antique store (registered non-conforming use).
2. This Preliminary Plan approval is contingent on approval of Conditional Use No. CU202504 for a day care center (over 30 persons), for the proposed land use in a manner consistent with the Preliminary Plan Application and findings.
3. The Preliminary Plan must not be certified until Conditional Use No. CU202504 is approved by the Hearing Examiner. If the conditional use approval necessitates minor changes to the Preliminary Plan drawings that do not impact findings or conditions of approval, the certified Preliminary Plan drawings may be updated to reflect those changes but must not be certified until 16 days after the Hearing Examiner issues the Conditional Use approval. If the conditional use approval necessitates major changes to the Preliminary Plan drawings that impact findings or conditions of approval, or if relevant objections are received to the changes within 15 days of the conditional use approval date, the Preliminary Plan may not be certified, and a preliminary plan amendment must be filed.

### **Adequate Public Facilities**

4. 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**

5. 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

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<sup>1</sup> For the purpose 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.

on the approved Preliminary Plan must be recorded in the Montgomery County Land Records or a request for an extension filed.

### **Outside Agencies**

6. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated October 27, 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.
7. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT’s requirements for access and improvements.
8. The Planning Board has reviewed and accepts the recommendations of the Maryland Department of Transportation State Highway Administration (“MDOT SHA”) in its letter dated March 25, 2025, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each recommendation in the letter, which MDOT SHA may amend, if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
9. Before access permits are issued, the Applicant must satisfy MDOT SHA’s requirements for access and improvements.
10. 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 January 24, 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 MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
11. The Planning Board has reviewed and accepts the recommendations of the MCDPS, Fire Department Access and Water Supply Section, in its letter dated March 19, 2025, and incorporates them as conditions of approval. The Applicant must comply with each recommendation in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.

### **Other Approvals**

12. The Applicant must comply with the conditions of Conditional Use No. CU202504 as approved by the Office of Zoning and Administrative Hearings.
13. 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.

14. Before record plat approval, the Applicant must abandon the existing septic system in accordance with MCDPS standards.

## **Transportation**

### **Frontage Improvements on Existing Roads**

15. The Applicant must show the following dedications and easements, and show them on the record plat(s) for the following existing roads:
  - a) All land necessary to accommodate all frontage improvements within the right-of-way, except for the ten-foot-wide (10 ft) sidepath, along Georgia Avenue, as shown on the Certified Preliminary Plan.
  - b) A ten-foot-wide (10 ft) Public Utility Easement (PUE) and overlapping variable width (19 feet maximum) Public Improvement Easement (PIE) to accommodate the ten-foot-wide (10 ft) sidepath and utilities along the Subject Property frontage of the Georgia Avenue access road, as shown on the Certified Preliminary Plan.
16. Before the recordation of plat(s), the Applicant must satisfy all necessary requirements of MDOT SHA to ensure construction of a ten-foot-wide (10 ft) asphalt sidepath with a six-foot-wide (6 ft) street buffer along the Property frontage on Georgia Avenue, connecting to the existing asphalt sidepath north of the Site, as shown on the Certified Preliminary Plan.

### **Pedestrian and Bicycle Circulation**

17. The Applicant must provide three (3) long-term and two (2) short-term bicycle spaces.
  - a) The long-term spaces must be in a secure, well-lit bicycle room/shelter in front of the west side of the daycare building, with a key lock door, as shown on the Certified Preliminary Plan.
  - b) The short-term spaces must be inverted U-racks, installed as shown on the Certified Preliminary Plan (weather-protected preferred).
18. The Applicant must provide a pedestrian connection from the south entrance of the Site, connecting the proposed sidepath to the proposed sidewalk along the proposed daycare building.
  - a) The exact location shall be determined in coordination with Planning Staff at the time of certification of the Preliminary Plan.

### **Off-Site Improvements/LATR**

19. Before the recording of the recordation of the record plat, the following off-site improvements must be permitted and bonded (to ensure construction) pursuant to MDOT SHA requirements:
- a) Installation of a high-visibility crosswalk on the south leg of the intersection of Georgia Avenue Service Road and Emory Church Road.
  - b) Installation of a high-visibility crosswalk on the east leg of the intersection of Georgia Avenue (MD-97) and Emory Church Road.
20. If, at the time the Applicant submits for permits to construct one of the required LATR Off-Site Improvements above, the improvement is no longer necessary or desirable, because: i) it has been constructed or is under construction by another applicant or as part of a capital improvement project by a government agency, or, ii) the applicable master plan has changed and no longer requires or suggests the improvement, the Applicant can propose an alternative LATR Off-Site Improvement as specified in the Applicant's approved LATR Study that is of similar value, and this alternative improvement, if reviewed and approved by Planning Staff, can be substituted and shown on a revised Certified Preliminary Plan.

### **Surety**

21. 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 Applicant's responsibilities. 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 a list of any/all aspects required for the construction of a site element by the Planning Board on the preliminary plan, such as a private road, sidewalks, or other circulation, and any off-site improvements not bonded by other county agencies.
  - c) Completion of all improvements covered by the surety will be followed by inspection and, if warranted, a reduction in the surety.
  - d) The bond or surety for each item shall be clearly described within the Surety and Maintenance Agreement, including all relevant conditions.

- e) 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.

### **Record Plats**

22. There shall be no clearing or grading of the site before the recordation of the plat(s).
23. The record plat must show necessary easements.

### **Certified Preliminary Plan**

24. The certified Preliminary Plan must contain the following notes:
  - a) *Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of issuance of Conditional Use approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.*
  - b) *The Applicant must schedule an on-site preconstruction meeting with M-NCPPC inspection staff before any demolition, clearing, or grading occurs on-site. The Applicant, along with their representatives, must attend the pre-construction meeting with the M-NCPPC inspector. A copy of the approved Certified Preliminary Plan is required to be on-site at all times during construction.*
25. Before submittal of the Certified Preliminary Plan, the Applicant must make the following changes:
  - a) Show resolutions and approval letters on the certified set.
  - b) Include the approved Fire Department Access Plan.
  - c) Update the PIE dimensions to reflect a tapered PIE with a maximum width of 19 feet parallel to the Georgia Avenue access road.

BE IT FURTHER RESOLVED that having considered the recommendations of its Staff as presented at the hearing and/or as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

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 lot size, width, shape and orientation are appropriate for the location of the subdivision, taking into account the Master Plan recommendations, the proposed day care center, and the existing antique store, a non-conforming structure and use<sup>2</sup>. Day care center (Over 30 Persons) is allowed in the R-200 zone as a conditional use. The proposed lot provides sufficient space to accommodate the proposed development, applicable easements, and the infrastructure necessary to support it, such as utilities, parking, stormwater management, and landscape screening, while respecting the established setbacks, as modified.

With the modified parking lot setback, a shared parking agreement and parking waiver are requested as part of Conditional Use No. CU202504, the proposed lot will meet all dimensional requirements for area, frontage, width, and setbacks in the R-200 zone. A summary of this review is included in Table 1.

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<sup>2</sup> The Antique Store was not reviewed for compliance because the use is a Certified non-conforming use.

*Table 1: R-200 Development Standards*

<b>Development Standard</b>	<b>Permitted/ Required</b>	<b>Preliminary Plan</b>
<b>Site Area</b>	N/A	2.117 acres (92,200 SF)
<b>Minimum Lot Area</b>	20,000 SF	2.117 acres (92,200 SF)
<b>Minimum Lot Width at Front BRL</b>	100 ft.	239 ft.
<b>Minimum Lot Width at Front Lot Line</b>	25 ft.	221 ft.
<b>Principal Building, Min. Setback</b>		
<b>Front</b>	40 ft. min.	178 ft.
<b>Side</b>	12 ft. min.	19 ft. (east), 53 ft. (south), 111 ft. (north)
<b>Sum of Sides</b>	25 ft. min.	164 ft.
<b>Rear</b>	30 ft. min.	49 ft.
<b>Max. Building Height Day Care Center</b>	50 ft.	36 ft.
<b>Lot Coverage (max)</b>	25% (23, 050 SF)	22.5% (20,719 SF) (including retained building)
<b>Parking Lot Tree Canopy Coverage</b>	25% (3,607 SF)	25.04% (3,613 SF)

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

The Property is located within the 2005 *Olney Master Plan* (“Master Plan”) area. It is in the Southern Olney plan neighborhood. The Master Plan maintains Olney as a “satellite town” and focuses on improving the land-use patterns “through infill development, preserving open space, and upgrading existing facilities” (p. 3).

The Master Plan generally directs commercial growth to the Town Center and discourages the proliferation of commercial uses outside the Town Center to protect existing communities from potential negative impacts of growth (p. 41). The Master Plan “recommends that the existing low-density character of Georgia Avenue between Norbeck Road and the Town Center be reinforced through careful design of future road improvements and a significant setback from the road for all new developments. Special exceptions with the potential to create a commercial appearance along major roads are discouraged” (p. 4). The Master Plan states 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” (p. 41). It recommends a minimum 100-foot setback from Georgia Avenue along this stretch and recommends that “future special exceptions along this area should be landscaped such that they are not visible from the road” (p. 41). The Master Plan specifically recommends against lighting that produces a halo effect or nightglow.

While a day care is a commercial operation, it is considered an “institutional use” that operates more like a school than the retail-oriented commercial uses the Master Plan discourages outside the town center. A day care would support the residential uses in the area. The Application shows extensive new plantings surrounding the proposed building, playgrounds, and parking areas, including screening of the building from Georgia Avenue, so the impacts on the surrounding neighborhood should be minimal. Because the proposed building will be behind the existing building on the site and the neighboring historic house along Georgia Avenue, it will have a negligible impact on the view from the road. The Applicant will also remove a couple of existing sheds that are visible from Georgia Avenue, which will further improve the appearance from the road. The landscape plan submitted with the associated Conditional Use plan shows sufficient screening in front of the day care building when viewed from Georgia Avenue.

The Master Plan encourages conditional use projects to be compatible with “adjoining uses in terms of height, size, scale, traffic and visual impact of the structures and parking lots” (p. 42). The proposed day care facility is one story tall and includes architectural features typically used on residential buildings. The Day Care will be consistent in appearance and scale with the neighborhood. The new parking areas and traffic circulation will not be visible from the nearby residential uses. The lighting proposed by the Applicant is the minimum amount necessary for safety and will not adversely affect surrounding properties.

The environmental recommendations in the Master Plan emphasize the protection of natural resources. The Property is in the Upper Rock Creek watershed but was not included in the Special Protection Area (SPA). The Master Plan recommends that new developments use environmentally sensitive development techniques to maximize stormwater treatment and infiltration. The Applicant has received an approved stormwater management concept from the MCDPS, Water Resources Section.

The Master Plan recommends Georgia Avenue (MD 97) as a 4-lane, divided road with a 150-foot right-of-way and a shared-use path along Georgia Avenue. The Application shows a 10-foot-wide sidepath along its frontage.

The proposed day care building reinforces the residential character of this section of Georgia Avenue and substantially conforms with the Master Plan recommendations.

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

**a) Roads and other Transportation Facilities**

***Master-Planned Roadways and Bikeway***

The Property fronts on an access road, parallel to Georgia Avenue (MD 97), a State-owned and maintained street. Under the Master Plan, there are no master planned streets for this Site. The 2018 *Bicycle Master Plan* recommends a ten-foot-wide asphalt sidepath along the Site's frontage.

As part of the Application, the Applicant will accommodate all frontage improvements within the existing right-of-way along the Subject Property frontage for Georgia Avenue, except for the ten-foot-wide (10 ft) asphalt sidepat, which will be located in a new variable width (17 to 19 ft) Public Improvement Easement (PIE), as approved by MDOT SHA. The asphalt sidepath will be separated from traffic by a six-foot-wide street buffer, along the Property's frontage, on the west side of the access road. This facility will connect to the existing asphalt sidepath north of the Subject Property.

***Pedestrian Facilities***

Currently, there are no pedestrian facilities along the Property's frontage. However, there is an existing narrow concrete sidewalk in the median, separating the access road and Georgia Avenue (MD 97). Additionally, there is an existing sidepath north of the Site that provides both pedestrian and bicyclist access to areas adjacent to the Site.

The proposed development will provide safe and efficient pedestrian and bicyclist access to the area. The Applicant will construct a ten-foot-wide asphalt sidepath, separated from traffic by a six-foot-wide street buffer. This facility will extend north of the Site, connecting to the existing asphalt sidepath located along the adjacent Property.

The Applicant has obtained permission from the adjacent property owner, the Victoria Springs HOA, to extend the asphalt sidepath. The Victoria Springs HOA will provide the required easement to make this sidepath connection possible, as stated in its letter dated October 8, 2025. This permission will enable the Applicant to extend and connect the proposed asphalt sidepath to the existing asphalt sidepath to the north. Before construction, the Applicant will file the necessary permits with PEPCO to allow construction of the path,

which crosses a portion of the HOA Property that is also encumbered by a PEPCO easement.

***Proposed Private Transportation Infrastructure***

As conditioned, the Applicant is required to provide a minimum of three long-term and two short-term bicycle parking spaces. The long-term bicycle parking spaces will be located in a protected and sheltered bicycle cage adjacent to the parking area, in compliance with Section 59-6.2.6.B of the Montgomery County Zoning Ordinance. An inverted “U-Rack” will be provided to satisfy the requirement for short-term bicycle parking spaces and will be located adjacent to the daycare building.

***Transit Service***

The closest bus stop is located on the opposite side of the Property within 400 feet, across Georgia Avenue. This bus stop provides both RideOn and WMATA service to the neighboring area and to the Shady Grove Metro Station. To the north, and within 500 feet, there is also another bus stop that provides RideOn and WMATA service to the neighboring area and the Wheaton Metro Station.

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

***i. Travel Mode Adequacy Test***

The Proposed Development falls under the Olney Policy Area, a Yellow Policy Area under the 2020-2024 *Growth and Infrastructure Policy (GIP)*. Projects that generate more than 50 net new person-trips are required to submit a full Transportation Impact Study (TIS) that addresses the Local Area Transportation Review (LATR) Guidelines. The Application is expected to generate 162 net new person-trips during the morning peak hours and 153 net new person-trips during the afternoon peak hours, as shown in Table 2.

*Table 2: Trip Generation for the Proposed Use, provided by Lenhart Traffic on September 16, 2024.*

<b>Use</b>	<b>Quantity</b>	<b>AM ITE Vehicle Rates</b>	<b>PM ITE Vehicle Rates</b>	<b>AM Adjusted Policy Area Rates</b>	<b>PM Adjusted Policy Area Rates</b>	<b>AM Person Trips</b>	<b>PM Person Trips</b>
<i>Proposed</i> Day Care Center ITE-565	165 students	127	122	127	122	166	160
<i>Existing</i> Strip Retail Plaza (ITE-822) + Warehouse (ITE- 150)	658 SF + 5,929 SF	3	5	3	5	4	7
<b>Net Change</b>						<b>162</b>	<b>153</b>

For Yellow Policy Areas, the GIP requires motorized and non-motorized adequacy tests. The Project’s estimated transportation impact necessitates that the Transportation Impact Study (TIS) evaluate all four travel mode adequacy tests: Motor Vehicle System, Pedestrian System, Bicycle System, and Bus Transit System. The Applicant performed capacity analysis at three key identified intersections to compare the future street conditions with and without the Proposed Development. The results showed that two key intersections will exceed the Critical Lane Volume (CLV) threshold during the morning peak hours<sup>3</sup>: Georgia Avenue (MD-97) and Emory Church Road, and Georgia Avenue and Emory Lane, as further detailed in Table 3 below.

<sup>3</sup> The CLV threshold for Yellow Policy Areas is 1,350 or less. If an intersection exceeds this threshold, additional analysis is required.

*Table 3: Existing and Future Traffic Impact, Intersection CLV Delay Results*

Intersection	Delay Standard	AM Existing Conditions	PM Existing Conditions	AM Background Conditions	PM Background Conditions	AM Total Conditions	PM Total Conditions
1. Georgia Avenue (MD-97) and Emory Church Road	1350 CLV	1418	1524	1185	1247	1524	1247
2. Georgia Avenue (Service Road) and Emory Church Road	1350 CLV	101	225	107	225	225	225
3. Georgia Avenue (MD-97) and Emory Lane	1350 CLV	1383	1400	1284	1303	1400	1303

The GIP and the LATR Guidelines state that intersections that exceed the CLV threshold are subject to additional analysis using the Highway Capacity Manual (HCM) methodology. Therefore, the intersections that exceeded the CLV threshold were studied during the morning peak hours using HCM analysis. The results of the HCM analysis concluded that both intersections will operate under the 55-second delay threshold, as shown in Table 4 below. As such, all intersections are adequate to support the Proposed Development, and no further analysis or mitigation is required.

*Table 4: Existing and Future Traffic Impact, Intersection HCM Results*

Intersection Number and Name	Existing and Background AM	Total Future AM	Exceeds HCM Threshold?
1. Georgia Avenue (MD-97) and Emory Church Road	37.2	53.5	No
3. Georgia Avenue (MD-97) and Emory Lane	43.8	43.6	No

In addition to the motor vehicle adequacy test, as part of this Application, non-motorized adequacy analyses were completed consistent with the LATR Guidelines.

- The pedestrian system adequacy was evaluated within 400 feet of the Site. Based on the Pedestrian Level of Comfort (PLOC) review performed by the Applicant, several sections of pathway and crossings within the 400-foot walkshed did not meet the PLOC standards. Potential improvements were identified to improve the PLOC standards. Given the cost constraints established with the proportionality guide, most of these improvements were deemed unfeasible. However, within the established proportionality amount, the Applicant is able to provide two (2) high-visibility crosswalks: one (1) on the south leg of the intersection of Georgia Avenue Service Road and Emory Church Road, and one (1) on the east leg of the intersection of Georgia Avenue (MD-97) and Emory Church Road.
- An Americans with Disabilities Act (ADA) compliance review was also conducted within 200 feet of the Site. Results showed that all sidewalks, crossings, and ramps comply with ADA requirements.
- The street lighting review was conducted within 400 feet of the Site. Results showed that the existing street lighting does not meet Montgomery County's adequacy requirements, specifically regarding the light poles spacing. The Applicant identified potential improvements. However, given the cost constraints established with the proportionality guide, most of these improvements were deemed unfeasible, and priority is given to the pedestrian off-site improvements outlined above.
- The adequacy of the bicycle system was evaluated within 400 feet of the Site. Based on the Bicycle Level of Traffic Streets (BLTS) review performed by the Applicant, several sections of the bicycle system do not meet the BLTS adequacy standards. However, along the Site, frontage, BLTS adequacy standards are met. As part of this Application, a ten-foot-wide asphalt sidepath, separated from traffic by a six-foot-wide street buffer, will be constructed, which will contribute to improving BLTS adequacy in the area.
- The transit adequacy system was evaluated within 1,000 feet of the Site. There are two bus stops located within the study area, neither of which includes benches, bus shelters, or real-time information. Given the cost constraints established with the

proportionality guide, most of these improvements were deemed unfeasible. As mentioned below, the set dollar amount will prioritize pedestrian improvements, including the installation of two high-visibility crosswalks.

The Applicant is responsible for providing off-site improvements, as set forth under the GIP and LATR Guidelines. Based on the LATR Proportionality Guide, a maximum cost of improvements of \$4,752.00 was established for this Application. As conditioned, the Applicant must provide two high-visibility continental crosswalks, as detailed below:

*Table 5: LATR Mitigation Project List*

Map ID	Project Location	Project Description	Construct	Project Cost
1	South leg of the intersection of Georgia Avenue Service Road and Emory Church Road	Install a high-visibility crosswalk	Yes	\$1,313.66
2	East leg of the intersection of Georgia Avenue (MD-97) and Emory Church Road	Install a high-visibility crosswalk	Yes	\$2,101.86
<b>Total Cost of Off-Site Improvement Projects</b>				<b>\$3,415.52</b>
<b>Set Dollar Amount by the LATR Proportionally Guide</b>				<b>\$4,752.00</b>
<b>Remaining Dollar Amount for the Project</b>				<b>\$1,336.48</b>

Based on the analyses performed, public transportation facilities will be adequate for the Application, and the aforementioned off-site mitigation projects are sufficient to fulfill their responsibility to mitigate the impact this Project will have on the area.

**c) Other Public Facilities and Services**

**Schools**

This Application does not propose residential development; therefore, this finding does not apply.

### ***Other Public Facilities***

The Property is located within the water and sewer categories W-1 and S-3. It is serviced by an existing on-site septic system and by an existing water line from the 16-inch water line located in the Georgia Avenue right-of-way. Water and sewer needs are expected to be met by the Washington Suburban Sanitary Commission (“WSSC”) through the extension of water and sewer lines. The Applicant has an approved Hydraulic Planning Analysis (HPA) from WSSC approving the Applicant’s request to extend gravity sewer service to the Property from the terminus of Tavenner Court (approximately 325 feet south) via a new eight-inch sewer line. A new on-site private grinder pump will tie on site services to the new gravity sewer line. Other utilities, public facilities and services, such as electric, telecommunications, police stations, firehouses, and health services are currently operating within the standards set by the GIP in effect at the time the Application was submitted. The Applicant has an approved Stormwater Management **Concept** Plan from **the** MCDPS Water Resources and an approved Fire Department Access Plan from **the** MCDPS. Accordingly, all public facilities will be adequate.

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

The Application satisfies all of the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A, and complies with the Montgomery County Planning Department’s Environmental Guidelines as further discussed in the findings for Forest Conservation Plan No. F20240890, which are included in a separately approved resolution and are incorporated herein.

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 January 24, 2025. The Application proposes to meet the required stormwater management goals using micro-bioretenion facilities. A partial waiver has been granted by MCDPS due to site constraints and environmentally sensitive features throughout the Property; however, the required ESD volume cannot be fully provided via ESD practices. Structural practices were explored, and the available vertical fall and utilities make them infeasible.

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 4.3.M.*

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

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

As conditioned, the accompanying Conditional Use No. CU202504 must be approved by the Office of Zoning and Administrative Hearings before the Preliminary Plan can be certified.

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is

**May 26, 2026**

(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 consistent with the Maryland Rules for the judicial review of administrative agency decisions.

\* \* \* \* \*

**CERTIFICATION**

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Pedoeem, seconded by Commissioner Bartley, with a vote of 4-0-1; Chair Harris, Vice Chair Linden, and Commissioners Bartley and Pedoeem, voting in favor of the motion, Commissioner Hedrick abstaining at its regular meeting held on Thursday, May 21, 2026, in Wheaton, Maryland and via video conference.



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Artie L. Harris, Chair  
Montgomery County Planning Board

Approved as to  
Legal Sufficiency: /s/ Allison Myers  
M-NCPPC Legal Department