

Preliminary Plan Application No. 120230010  
Hillcrest Property  
18201 Hillcrest Avenue, Olney, Maryland  
Applicant's Amended Statement of Justification  
July 27, 2022

**Introduction**

Hanes Properties Maryland LLC ("Hanes" or the "Applicant"), a family-owned land investment company, proposes to redevelop an underused property at 18201 Hillcrest Avenue in Olney (the "Subject Property") with a 10,220-square-foot, two-story medical office building, associated surface parking, and a widened, buffered sidewalk. The Subject Property is a consolidation of a parcel and a part of a parcel into a single lot, with a total proposed lot area of 25,718 square feet. It is zoned CRT 2.0, C-1.0, R-1.0, H-70 and located just west of the Olney Village Center shopping mall and one block east of Georgia Avenue. The proposed project is proceeding under the standard method of development and requires approval of a preliminary plan of subdivision.

The proposed office building will contribute to the County's goals of creating an economically healthy, attractive, pedestrian-oriented, well-connected Olney Town Center with a compact, low-scale retail and service center. Further, the Applicant will contribute to the goal of the Olney Master Plan, approved and adopted in 2005 (the "Master Plan"), to create a green Town Center by improving and donating to Montgomery Parks an adjacent, undeveloped tract of land containing more than an acre of valuable urban forest.

**Existing Conditions**

The Subject Property consists of (i) Parcel P846, lots 61-66 as shown on an unrecorded Plat Book Subdivision entitled "Fair Hill Farm," also known as part of the unrecorded subdivision Kirk Farm, as described in the Montgomery County Land Records at Liber 342 folio 154 and Liber 864, folio 61; and (ii) Part of Parcel 826, forming part of Lot 72 of the Kirk Farm as identified above. Parcel P846

measures 21,278 square feet and the Part of Parcel 826 measures approximately 6,720 square feet, for a total tract area of 27,998 square feet. After a right-of-way dedication of 2,280 square feet, the proposed lot area is 25,718 square feet.

The Subject Property is currently improved with a single-family dwelling previously used as a child daycare center, a trailer previously used as a portable classroom, and associated surface parking. It abuts and confronts CRT-zoned property on all sides. To the west, south, east and northeast the Subject Property abuts commercial properties including the rear parking lot of the Olney Village Center shopping mall, retail businesses and two fitness centers. Indeed, Hillcrest Avenue serves as a connection street between busy Georgia Avenue and the Olney Village Center. To the north and northwest the Subject Property abuts the 56,400-square-foot undeveloped tract that the Applicant proposes to dedicate to Montgomery Parks as off-site public open space (the "Off-Site Open Space"). The Subject Property and the Off-Site Open Space are identified on the image below.

Figure 1 – Subject Property and Surrounding Area



The Subject Property is located within the Patuxent River Primary Management Area (the “PMA”). Because the property is classified in the CT zone, it is not subject to the impervious surface cap or other requirements associated with the PMA. The approved Natural Resources Inventory/Forest Stand Delineation (“NRI/FSD”) shows that there are no streams, wetlands, floodplains, or rare, threatened or endangered species on the Subject Property, although there is a small area of stream valley buffer measuring approximately 180 square feet. The Off-Site Open Space contains 100-year floodplain, portions of a stream, and associated wetlands and stream valley buffer. There are no specimen trees on the Project Site or in the Off-Site Open Space.<sup>1</sup>

### **Project Description**

The Applicant proposes to build a 10,220-square-foot, two-story medical office building to be situated on the front property line, with its main entrance facing Hillcrest Avenue, in keeping with applicable Master Plan goals. The project includes a surface parking lot with approximately 43 spaces, a driveway to Hillcrest Avenue, and a 15-foot right-of-way dedication along Hillcrest Avenue with an 8-foot sidewalk and an 8-foot tree panel. The remainder of the dedication is intended to be part of a six-foot on-road bike path, to be built as part of a larger reconstruction of Hillcrest Avenue at an undetermined time in the future. Right-of-way for a bike path has not yet been made available to the east and west of the Subject Property. Planning Department transportation staff and Montgomery County Department of Transportation staff therefore agree that the Applicant should make the dedication and a fee-in-lieu payment rather than constructing the bike path because the street frontage is too short to allow for safe transitions to the east and west. Until Hillcrest Avenue is reconstructed and the bike path is built, the Applicant proposes, as an interim measure, to install three on-street parallel parking spaces, in keeping with of a goal of the Master Plan to increase the availability of on-street parking. These additional parking spaces would be useful to visitors to the Subject Property and surrounding properties until such time as the Hillcrest Avenue reconstruction proceeds. Moreover, with

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<sup>1</sup> A General Note on the approved NRI/FSD states incorrectly that there are two specimen trees located in the area covered by the NRI/FSD. In fact there are none.

the installation of pavement for on-street parking, it will be a simple matter of re-striping to create an on-street bike path at the appropriate time.

As shown on the preliminary plan rendering below, the proposed frontage improvements would match up with the sidewalk, buffer area and on-street parking along the adjacent site to the west. The site layout also includes a trash/recycling dumpster area at the rear of the parking lot and three micro bioretention facilities for stormwater management.

*Figure 2 –Preliminary Plan Rendering*





## **Master Plan Conformance**

The Subject Property is located in the Town Center district of the Master Plan. By redeveloping an underused property with a modern medical office building; improving the sidewalk and on-street parking; dedicating right-of-way and providing a paved surface and fee-in-lieu for a future bike path; and improving and dedicating to Montgomery Parks a significant natural open space, the proposed project will contribute to several Master Plan goals:

- Creating an economically healthy, attractive, pedestrian-oriented, well-connected Town Center.
- Creating a compact, low-scale retail and service center with a mix of commercial and residential uses in a variety of building types and sizes with safe, convenient pedestrian connections, public open spaces and other amenities.
- Providing on-street parking.
- Locating building fronts at or close to the sidewalk.
- Creating a Green Town Center with generous landscaping and reforestation.

The proposed medical office building will contribute directly to creating a compact, low-scale center with a mix of uses that serve the local community and buildings sited directly abutting the sidewalk. The project will also improve pedestrian connections on Hillcrest Avenue and provide a dedicated right-of-way, a paved surface and a fee-in-lieu to improve bicycle connections in the future. Finally, the Off-Site Open Space enhancement and dedication will make a meaningful, permanent contribution to creating a green Town Center.

The Bicycle Master Plan, approved and adopted in 2018, calls for an on-road bike path on the north side of Hillcrest Avenue. As discussed above, the Applicant proposes to dedicate the land necessary for the master planned bike path, install a paved surface, and make a fee-in-lieu contribution

towards future implementation of the path. Because the proposed use generates fewer than 50 person trips in the morning and evening peak hours, no off-site improvements are required.

### **Preliminary Plan Findings**

The proposed preliminary plan satisfies the findings required for approval in Montgomery County Code Chapter 50, Section 4.2.D., quoted below in bold and italics.

- 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 proposed preliminary plan satisfies these requirements. The layout of the proposed lot and the proposed frontage improvements are appropriate for the proposed use in the Olney Town Center area. The surrounding area contains a number of irregularly shaped lots and parcels as well as lots and parcels with a wide variety of sizes. The proposed subdivision will convert a parcel and a part of a parcel into a buildable lot. The proposed subdivision satisfies applicable requirements of Chapter 59, as shown on the submitted preliminary plan cover sheet.

- 2. The preliminary plan substantially conforms to the master plan.***

As discussed above, the proposed project substantially conforms to the Master Plan.

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

All necessary public facilities will be adequate for the area of the subdivision. As a non-residential site, the Subject Property will continue to have no impact on school capacity. The Subject Property is served by public water and sewer systems as well as electric, gas, and telecommunications services. The proposed project is expected to have no impact on the adequacy of other public facilities, such as police and fire stations.

As noted in the submitted Transportation Statement, because the proposed use will generate fewer than 50 person-trips in the morning and evening peak hours, the Applicant is not required to submit a Traffic Study and is not responsible for any roadway or off-site improvements under the County's Growth and Infrastructure Policy. As discussed in detail above, the Applicant proposes to provide a right-of-way dedication, a paved surface and a fee-in-lieu contribution to facilitate the future construction of an on-road bike path on Hillcrest Avenue.

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

The property is exempt from the Forest Conservation law under Section 22A-5, however the applicant is proposing to control the invasive species and afforest the entire stream valley buffer area of the Off-Site Open Space, which measures approximately 41,800 square feet. Due to the size of this tract—nearly double the size of the Subject Property—and the five-year maintenance requirement, this represents a significant commitment of resources by a small family company for the purposes of enriching the Olney Town Center and increasing the amount of dedicated green space.

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

The Applicant proposes to satisfy stormwater management requirements via three on-site micro bioretention facilities, as shown on Figure 2 above. No water quality plan or floodplain requirements apply.

**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 50-4.3M.**

The Applicant is not aware of any burial site within the subdivision boundary, nor is any such burial site listed in the Montgomery County Cemetery Inventory.



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

Not applicable.

**Conclusion**


The proposed preliminary plan will serve County goals in several ways. It will:

- Increase the density of development and the availability of medical services in the Olney Town Center.
- Provide a new, modern office building that meets Master Plan urban design goals.
- Improve pedestrian facilities on Hillcrest Avenue, which connects the Olney Village Center with Georgia Avenue.
- Provide a right-of-way dedication, a paved surface and a fee-in-lieu to contribute to the future construction of an on-street bike path on Hillcrest Avenue.
- Provide a sizeable public stream valley open space with invasive species removed and native forest planted.
- Convert a parcel and part of a parcel into a buildable lot and public open space.

This submission is intended to satisfy the requirements of the Code and the Planning Board's submission standards for preliminary plan applications. If amended or supplemental information becomes necessary to support the present application, the Applicant will make a supplemental submission in a timely fashion.

Respectfully submitted,

BREGMAN, BERBERT, SCHWARTZ & GILDAY, LLC

By:   
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