

Little Steps, LLC

PETITION FOR APPROVAL OF
CONDITIONAL USE APPLICATION NO. _____

16650 GEORGIA AVENUE, OLNEY, MARYLAND

Exhibit 6
OZAH Case No: CU 25-04

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May 8, 2024

Little Steps, LLC

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CONDITIONAL USE APPLICATION NO. _____
16650 GEORGIA AVENUE, OLNEY, MARYLAND**

**MONTGOMERY COUNTY
OFFICE OF ZONING & ADMINISTRATIVE HEARINGS**

May 8, 2024

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CONDITIONAL USE APPLICATION NO. _____
16650 GEORGIA AVENUE, OLNEY, MARYLAND**

CONTACT INFORMATION

Petitioner: Little Steps, LLC
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Clarksville, MD 21029

Attorneys: Christopher M. Ruhlen, Esq.
Vincent G. Biase, Esq.
Lerch, Early & Brewer, LLC
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Bethesda, Maryland 20814

Owner's Representative: Prospera-U.S., Inc.
Attn: Peter F. Chew
901 Commerce Drive
Upper Marlboro, MD 20774

Civil Engineers: Marilee Tortorelli
Morris & Ritchie Associates, Inc.
14280 Park Center Drive, Suite A
Laurel, Maryland 20707

Landscape Architects and
Land Use Planners: Courtney Galiber
Morris & Ritchie Associates, Inc.
3103 Emmorton Road
Abingdon, Maryland 21009

Architects: CASCO
Attn: Kristen DeGreef
12 Sunnen Drive, Suite 100
St. Louis, MO 63143

Traffic Engineers: Michael Lenhart
Lenhart Traffic Consulting, Inc.
645 Baltimore Annapolis Boulevard, Suite
214 Severna Park, Maryland 21146

SUMMARY OF PROPOSAL

Little Steps, LLC (the "Petitioner," as defined herein), in conjunction with its agent Prospera-U.S., Inc., submits this Conditional Use application in order to allow the proposed development of a Primrose early childcare and educational center on the ±2.117 acre property located at 16650 Georgia Avenue in Olney, Maryland (the "Property," as defined herein). The proposed Conditional Use qualifies as a Day Care Center (Over 30 Persons) under Section 59.3.4.4.E of the Montgomery County Zoning Ordinance. The Property is classified in the Residential-200 ("R-200") Zone.

IN THE MATTER OF THE PETITION of *
Little Steps, LLC *
 * **Case No. CU-_____**
for a *
CONDITIONAL USE *

STATEMENT OF LITTLE STEPS, LLC IN SUPPORT OF THE REQUESTED
CONDITIONAL USE

Little Steps, LLC (the "Petitioner"), and the Petitioner’s agent Prospera-U.S., Inc., respectfully submit this request to the Montgomery County Office of Zoning & Administrative Hearings ("OZAH") pursuant to Section 7.3.1 of the Montgomery County Zoning Ordinance ("Zoning Ordinance"). The Petitioner seeks approval for the proposed development of a Primrose early childcare center at 16650 Georgia Avenue in Olney, Maryland (the "Property"), qualifying under the zoning use category for a Day Care Center (Over 30 Persons). The proposed childcare center is anticipated to serve an approximate enrollment of 165 children.

I. PROPERTY DESCRIPTION & PROPOSED CONDITIONAL USE

As stated in the Petitioner's Land Use Report, the Property currently consists of approximately 92,200 square feet of land (±2.117 acres) located along the west side of Georgia Avenue, approximately 80 feet south of its intersection with Emory Church Road. The site is currently improved with multiple buildings and accessory structures, as well as a gravel parking lot. Several of the existing buildings and structures on-site are subject to a non-conforming use certificate for a rural antique shop (#238733). The existing improvements are largely located within the northeastern two-thirds of the Property, with the remainder of the site consisting of lawn and isolated areas of individual trees.

The Property is bounded by the Brooke Manor Farms subdivision to the north, west, and south, and the Georgia Avenue right-of-way to the east. In addition to the confronting Brooke Manor Farms subdivision, the Property is located adjacent to the Hyatt-Jones House, a Master Plan designated historic resource. Two open space parcels are located directly to the north and west of the Property, and residential lots directly abut the site to the south. Notably, an 80' wide, unimproved utility right-of-way overlaps the open space parcel located directly to the north. The Property is more particularly described as Parcel 110, as shown on Tax Map HS53. The attached Certified Zoning Map prepared by the Montgomery County Maryland-National Capital Park and Planning Commission ("M-NCPPC") indicates that the applicable zoning classification is Residential-200 ("R-200").

The Land Use Report describes the Property as being located at the center of a predominately residential and institutional neighborhood generally bounded by the Brooke Manor Farms residential subdivision to the north, west, and south; the Hyatt-Jones House to the southeast; and a commercial strip center known as "Roots Market" to the north (the "Surrounding Neighborhood"). The Land Use Report notes that although predominately residential, the Surrounding Neighborhood also includes various commercial uses located along Georgia Avenue, as well as institutional and civic uses. The properties in the Surrounding Neighborhood are classified in the R-200, NR-0.75 H-45, RNC, and RE-2 Zones.

The proposed childcare center will be compatible with the residential and institutional character of the Surrounding Neighborhood. As discussed in greater detail in the Land Use Report, the Petitioner is proposing remove two of the existing buildings, as well as all of the existing accessory sheds on the Property (including two sheds that partially encroach onto the adjacent parcel to the north). The existing antique shop and its associated outbuilding (totaling ±10,552 square feet) will be retained, along with portions of the gravel parking areas to the north and south of the rural antique building. The western portion of the site then will be improved with a ±12,000 square foot Primrose day care center, a ±6,679 square foot outdoor play area, and a new asphalt parking lot with 28 passenger vehicle parking spaces. Together with the 18 existing gravel parking spaces that will be retained, a total of 46 passenger vehicle parking spaces will be provided on-site.

Future visitors to the Property will be able to enter the site from the existing vehicular access points and circulate around the rear of the existing antique shop to the childcare center parking lot, where a second parking lot loop is proposed to facilitate drop-off for students. In addition to standard parking spaces, the parking lot will contain two van-accessible handicapped parking spaces. Outdoor, secure, long-term parking spaces for three bicycles will also be provided on the Property.

Importantly, the proposed development will satisfy the applicable Conditional Use requirements for a Day Care Center (Over 30 Persons), as provided by Section 59.3.4.4.E.2 of the

Zoning Ordinance. Accordingly, the Land Use Report concludes that the proposed development will be compatible with the Surrounding Neighborhood.

As shown on the Conditional Use Site Plan, the proposed development complies with the applicable development standards of Section 59-4.4.7 of the Zoning Ordinance for the R-200 Zone. The proposed childcare center is planned to serve an approximate enrollment of 165 children in a combination of ages ranging from 2 months to 12 years, as well as up to approximately 32 teachers/employees. The childcare center will serve a basic and essential need for Montgomery County residents, including residents and workers in the Olney community. A detailed description of the childcare center is provided in the Land Use Report, which otherwise demonstrates that the proposed Conditional Use:

- (a) Is permitted in the R-200 Zone;
- (b) Complies with the specific use standards set forth in Divisions 59-3, the development standards set forth in Division 59-4, and the general requirements set forth in Division 59-6; and
- (c) Satisfies the findings required for approval in Division 59-7.

II. LIST OF INITIAL WITNESSES

The Petitioner intends to call the following witnesses at the public hearing, but reserves the right to call additional witnesses as necessary.

1. Mr. Beenish Bhatia, Petitioner [OR] Mr. Peter Chew, Petitioner’s authorized agent, Prospera-U.S., Inc.
2. Ms. Marilee Tortorelli, Morris & Ritchie Associates, Inc. (“MRA”)
3. Ms. Courtney Galiber, MRA
4. Ms. Kristen DeGreeff, CASCO
5. Mr. Michael Lenhart, Lenhart Traffic Consulting


III. ESTIMATED HEARING TIME

The Petitioner anticipates that, excluding questions, the presentation of its case-in-chief for the proposed Conditional Use will take approximately three hours.

IV. FILING FEES

Enclosed are checks in the amounts of \$4,920 (application fee) and \$200 (sign fee) as payment in full of all fees associated with this Petition for Conditional Use.

Respectfully submitted,
Lerch, Early, & Brewer, Chtd.

By: 

Christopher M. Ruhlen, Esq.
Attorney for Petitioner

By: 

Vincent G. Biase, Esq.
Attorney for Petitioner

Dated: May 8, 2024