

October 20, 2025

Mr. Artie Harris, Chair  
And Members of the Montgomery County Planning Board  
2425 Reddie Drive, 14<sup>th</sup> Floor  
Wheaton, Maryland 20902

**Re: Notley Road LMA H-159**

Dear Chair Harris and Members of the Planning Board:

On behalf of Notley Assemblage LLC (the "Applicant"), we are submitting this letter in response to comments received from the Greater Colesville Citizens Association ("GCCA") through its letter titled "GCCA Position on Proposed Notley Road Rezoning" (the "GCCA Letter") and the three letters submitted by The Law Office of Michele Rosenfeld (on behalf of her clients, GCCA and Kyle Smiddie) dated September 17, 2025 (the "September 17 Letter"), October 7, 2025 (the "October 7 Letter") and October 13, 2025 (the "October 13 Letter").

The Applicant is proposing to rezone the properties located in the northwestern corner of the intersection of Notley Road and New Hampshire Road in Silver Spring, Maryland (the "Property") to the Commercial Residential Neighborhood Floating Zone ("CRNF") – CRNF-1.0, C-0.0, R-1.0, H-50' to accommodate desired, corridor-focused residential development. Specifically, the Applicant proposes to redevelop the Property, which fronts on New Hampshire Avenue (a six-lane divided highway), with up to 130 residential units, along with significant open space and frontage improvements (the "Project"). The Project will advance the County's goals expressed by *Thrive Montgomery 2050* and provide much-needed additional housing along a major corridor to help address the County's acute housing needs.

Although not required by the Local Map Amendment ("LMA") process, the Applicant met with the larger community at the GCCA's meeting on July 15, 2025 to discuss its plans and held a follow-up community meeting for abutting and confronting property owners on August 25, 2025. Despite these outreach efforts, and the significant modifications that have been made to the plan in response to community input, we understand a number of people in the community oppose the Project and would like to address some of the arguments of those in opposition below.

**Exhibit 65**  
**OZAH Case No: H-159**

## **Master Plan**

### **1. The Notley Road LMA is in substantial conformance with the relevant recommendations of the 1997 White Oak Master Plan, Thrive Montgomery 2050, and various other applicable County-wide Functional Master Plans.**

The Property is located within the boundaries of the *1997 Approved and Adopted White Oak Master Plan* (the “Master Plan”), which is now almost 30 years old. The Master Plan specifically notes that “Master plans generally look ahead about 20 years from the date of adoption, although it is intended that they be updated and revised about every ten years.” (See Master Plan, page viii). In fact, the Master Plan recognizes “...that the original circumstances at the time of plan adoption will change over time, and that the specifics of a master plan may become less relevant as time goes on.” (See Master Plan, page viii). While GCCA acknowledges that “the statement from the 1997 Master Plan is accurate about conditions evolving over time and master plans needing to be updated...”, it then contends that the “the northern part of the 1997 Plan has not changed and thus no update is needed.” (GCCA Letter, page 1). This is simply not correct.

Countywide policy has evolved substantially since 1997, most notably with the recent adoption of Thrive Montgomery 2050 (“Thrive 2050”), which now serves as the County’s general plan. Thrive establishes a corridor-focused growth framework encouraging compact, infill housing development along major transportation corridors to maximize efficient land use and support multimodal access. Many of the recommendations contained in the 1997 White Oak Master Plan were expressly based on the now outdated land use recommendations contained in the County’s previous General Plan: the Wedges and Corridors Plan. (See 1997 White Oak Master Plan, Page 6). In fact, the 1997 White Oak Master Plan explicitly notes that its recommendations directly support the prior Wedges and Corridors Plan’s “... objective to ‘direct the major portion of Montgomery County’s future growth to the Urban Ring and I-270 Corridor.’ ” (See 1997 White Oak Master Plan, page 6). Thrive 2050, which comprehensively amended the Wedges and Corridors Plan, explicitly rejects this. Thrive 2050, in quoting this previous recommendation of the Wedges and Corridors Plan, recognizes that “the removal of the eastern portion of the county as a location suitable for corridor-focused development discouraged public and private investment in this area.” (See *Thrive 2050*, page 3; see also pages 12 and 68). Thrive 2050 specifically seeks to correct for this mistake “[b]y focusing investment and encouraging development along corridors in the East County... to establish the foundation for Complete Communities and create a more prosperous and equitable future in all parts of the county.” (See *Thrive 2050*, page 77). This recommendation is directly at odds with the 1997 White Oak Master Plan, which has not been updated since the approval of *Thrive 2050*.

Maryland caselaw is clear that older master plan's recommendations remain relevant only to the extent that they are not inconsistent with subsequent comprehensive plans. (See *Archers Glen Partners, Inc. v. Garner*, 176 Md.App 292, 312 (2007); reaffirmed by *Maryland-Nat. Capital Park and Planning Com'n v. Greater Baden-Aquasco Citizens Ass'n*, 412 Md. 73 (2009)). Therefore, while we agree with opponents that some provisions of the Master Plan remain valid, other portions have clearly been superseded by Thrive 2050. Opponents seek to diminish the relevance of Thrive's recommendations, describing them as mere "commentary." (See October 7 Letter, page 5). But it is also important to note that Section 7.2.1.E.2.a specifically requires the floating zone plan to "substantially conform with the recommendations of the applicable master plan, general plan, and other applicable County plans." (*Emphasis added*).

The Applicant's Land Use Report and Pre-Hearing Statement (Attachment "A") provide in-depth discussions regarding the Application's substantial conformance with both Thrive 2050 and the 1997 White Oak Master Plan, including the Master Plan's transportation and environmental recommendations that, contrary to the opponents' assertions, are not "secondary" and less important than the housing and community goals of the Plan. (See October 7 Letter, page 4). In fact, the importance of transportation and environmental planning to the overall health and sustainability of the County and its residents has never been more clear. This importance is documented through the numerous County-wide functional Master Plans adopted in recent years, including the 2018 Bicycle Master Plan and 2023 Approved and Adopted Pedestrian Master Plan, the County Council's Resolution to adopt Vision Zero (Resolution No. 18-390), and the County design guidelines contained in Complete Streets.

## **2. The 2014 White Oak Science Gateway Master Plan does not include the Property and did not re-affirm the 1997 White Oak Master Plan.**

Contrary to what the opponents assert, the 2014 White Oak Science Gateway Master Plan (the "Science Gateway Master Plan") has no relevance to this application and did not reaffirm the unaffected areas of the 1997 White Oak Plan. The Property is not included in the boundaries of the Science Gateway Master Plan, nor is it even included in the larger "study area" for the Science Gateway Master Plan. (See Map 1, page 14). By its own terms, as opponents recognize, the Science Gateway Master Plan provides a "...comprehensive amendment to portions of the approved and adopted 1997 White Oak Master Plan." (*Emphasis Added*) (See page 3 of the PDF, Science Gateway Master Plan). However, the Property was not included within those "portions" of land area included in the update. Any reference to the Science Gateway Master Plan is therefore misleading.

We agree with opponents that "[m]ore often than not, parts of a plan area are updated, not the entire plan." (See GCCA Letter, page 1). But those subsequent master

plan amendments, and the recommendations contained therein, are limited to those properties included in the relevant updated plan boundaries and have no broader effect. This is a well-established planning principle that has specifically been confirmed through previous Local Map Amendment applications. For example, in approving the rezoning for the property located at 7100 Connecticut Avenue (LMA H-148), the Hearing Examiner found that the relevant master plan (*i.e.* the 1990 Bethesda Chevy Chase Master Plan) was “...more than 30 years old...” and acknowledged that the “...specific recommendations may age over time.” (*See* Hearing Examiners Report and Recommendation, H-148, page 18). The 1990 Bethesda Chevy Chase Master Plan has been incrementally updated through amendments over the years. Two of the more recent amendments to the 1990 Bethesda Chevy Chase Master Plan include the 2013 Chevy Chase Lake Sector Plan and the 2017 Bethesda Downtown Plan, both of which were in effect during the review of LMA H-148. However, notably, there is not one mention to either of these more recent master plan amendments in M-NCPPC’s Staff Report, the Hearing Examiner’s Report and Recommendation, or the District Council’s Resolution for that application. This silence is purposeful, as those subsequent master plans did not include the 7100 Connecticut Avenue property and thus, had no relevance to the County’s review of LMA H-148. The same is true here of the Science Gateway Master Plan.

### **Compatibility**

#### **3. The Project is compatible with the Surrounding Neighborhood.**

The proposed infill, residential development is located along New Hampshire Avenue, a six-lane divided highway – not in “the middle of the low density residential community” as opponents try to portray. (*See* October 7 Letter, page 4). Additionally, opponents’ representations that the proposed Project has “incompatible building heights of 50 feet, nominal setbacks, [and] minimal open space primarily located between the rear of the project and the abutting senior housing which already has substantial setbacks...” (*See* October 7 Letter, page 4), are based on incorrect information.

It is important to note that an analysis of compatibility does not require that the Project be “the same” as the properties surrounding it, as opponents seem to allege. Rather, courts have recognized that “[t]he zoning agency in a floating zone case must find, just as it does in a special exception case, that compatibility is shown by the applicant's conformance to express ordinance standards.” *See Richmarr Holly Hills, Inc. v. Am. PCS, L.P.*, 117 Md. App. 607, 640, 701 A.2d 879, 895 (1997) (quoting *Floyd v. Cnty. Council of Prince George's Cnty.*, 55 Md. App. 246, 259, 461 A.2d 76, 83 (1983) (citations omitted)). As discussed in detail in the Applicant’s Land Use Report and demonstrated by the plans submitted concurrently with the LMA, the Project meets all

development standards required under Division 5.3, complies with the pre-requisites required under Section 5.1.3.D, and satisfies the findings contained in Section 7.2.1.E.

***a. The Project's density is compatible with the Surrounding Neighborhood, which contains a diversity of residential and commercial uses and densities.***

Since the time of the original filing, the Applicant has made several modifications to the conceptual site layout to enhance compatibility with the surrounding neighborhood. For example, the building massing along Notley Road has been substantially revised to now reflect more elements of single-family building form and typology, such as façade length and spacing between buildings. Additionally, the Applicant decreased the maximum unit count requested from 150 units to 130 units. This density is compatible with other developments in close proximity to New Hampshire Avenue.

The Surrounding Neighborhood, as defined in the Applicant's Land Use Report and depicted on sheet LAM-1, includes a mix of residential and commercial uses and densities. Notably, there are numerous larger, institutional uses that line the New Hampshire Avenue corridor in close proximity to the Property. The three- and four-story senior living project immediately to the north of the Property (approved as the "Silver Spring Retirement Residence" but now known as "Wilshire Estates"), has a maximum overall height of 47'-8" and is approved for up to 141 units (or 155 beds) on approximately 4.46 acres of land (or 31.6 units/acre). And just a few properties to the north is a three-story facility (approved as the "Silver Spring Healthcare Center"), which contains up to 113 units (or 144 beds) on approximately 5.97 acres of land (or 18.9 units/acre). Both of these projects are significantly more dense than the proposed Project, which results in approximately 13.01 units/acre of Tract area. There is also an existing townhouse community located to the south of the Project. Although approved as part of a larger development that incorporated single-family detached units, the townhouse portion has an effective density of 11 units per acre.

***b. The Project's proposed heights are compatible with the Surrounding Neighborhood.***

The proposed building heights are compatible with the surrounding community. Wilshire Estates, which abuts the property to the north, has a maximum approved building height of 47' - 8". Opponents significantly misrepresent the height of this building and its surrounding grades in their October 13 Letter, in an attempt to diminish the impact of this existing facility. Opponents claim this building has an elevation "...nearly 20 feet lower than the existing grade of the closest residential homes and northernmost boundary of the project" and, based on this representation, conclude that "...the 48.6' building height has the appearance of being less than 30' tall from the

closest homes.” (See October 13 Letter, page 2). This is simply not true. The conceptual grading plan certified for Wilshire Estates (Preliminary Plan No. 12016020A) confirms that the grade surrounding the western portion of the building (*i.e.* the portion closest to the single-family homes) is approximately 460 feet in elevation. In fact, the approved building height measuring point was also located at an elevation of 460 feet. According to MCATLAS topography, the closest home, located at 337 Greenspring Lane, sits at an elevation only eight feet higher than the elevation surrounding the senior living building, not the 20 feet opponents mistakenly suggest.

Furthermore, Greenspring Lane quickly drops in topography toward the west. For example, the property located at 317 Greenspring Lane, which has a direct view across the Property to the senior living building, has a grade of only 442-444’. These lower grades result in perceived building height for the senior living building of 65’ 8” from their yard, which is the exact opposite of what opponents would have you believe.

Opponents also argue that the senior living building “...effectively is less than 40 feet tall when viewed from the Notley Road.” (See October 13 Letter, page 2). This is also not true, and is based on a misrepresentation of the actual grades in the area. The grades along the Property’s Notley Road frontage range from 450 feet in elevation on the eastern end of the site, to 442 feet in elevation on the western end of the site, cresting in the middle at a high point of 462 feet in elevation. Because most of the frontage is actually lower than the elevation of the senior living building, the senior living building has a higher perceived building height (above the 47’-8” approved), as viewed from Notley Road; not lower as the opponents mistakenly suggest.

We would also note that the senior living facility farther to the north, although only approved for 41 feet (Silver Spring Healthcare Center, Preliminary Plan No. 12016011B), sits at an elevation that is 20 feet above the abutting residential home, located at 13925 Pleasant Grove Court, resulting in an effective height of 61 feet as viewed from the neighboring property.

Finally, it should be noted that the Property’s base zone (*i.e.* the R-200 zone) allows for a range of building heights, including by-right heights up to 50 feet on properties larger than 40,000 square feet. (See Section 4.4.7.B.3 of the Zoning Ordinance). There are several sites confronting the Property on Notley Road that have lot areas greater than 40,000 square feet and thus, are eligible for redevelopment with by-right building heights of up to 50 feet, which is the maximum height proposed for the Project.

***c. The Project's setbacks are compatible with the Surrounding Neighborhood.***

Also contrary to opponents' assertions, the Project provides ample setbacks. The Project provides an effective setback of 43.5 feet along Notley Road, as measured from the back of curb. The Applicant is proposing a double row of trees along this frontage, which, in combination with the broken-down massing of the townhouse groupings proffered along Notley Road, will enhance and improve the existing residential character. Abutting the single-family homes to the north and west, the Floating Zone Plan proposes minimum setbacks of 20 to 30 feet (*i.e.* 20 feet, to the north, and 30 feet, to the west). These setbacks, combined with the proposed landscaping and preservation of all off-site trees, will promote a compatible transition to the abutting residential uses.<sup>1</sup>

***d. The Project provides significant open space that has been designed to promote compatibility with the Surrounding Neighborhood.***

The Project also provides generous open space. In response to input received through the application process, the conceptual open space plan has been reconfigured to provide a more public facing open space along Notley Road. Specifically, the Floating Zone Plan proposes an approximately 18,000 square foot open space along Notley Road that visually and functionally expands the Colesville Manor Neighborhood Park and facilitates alternative means of pedestrian connections to the park, both from Notley Road and the internal site. This almost half-acre park can hardly be characterized as minimally sized or tucked "...between the rear of the project and the abutting senior housing..." facility, as opponents suggest. (*See* October 7 Letter, page 4). The minimum 10% of common open space provided on-site is in addition to the substantial green areas provided through the Homeowners Association parcels and individual townhouse lots.

**CRNF Zone and Rezoning Pre-Requisites**

**4. The CRNF zone is appropriate for the proposed redevelopment.**

Contrary to the assertions of the opponents, the CRNF Zone is the most appropriate Floating Zone for the proposed development. While the majority of the Property will be developed with townhouse living units, the Application retains the flexibility to develop triplexes or two-over-two's along New Hampshire Avenue in order to create a strong edge and better buffer along this major highway (while still respecting the 50' height limit of the zone). These uses, although similar in appearance to

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<sup>1</sup> The removal of on-site trees and any necessary variance will be determined on connection with the subsequent, Final Forest Conservation Plan.

townhouses, are technically defined as apartments because of the vertical separation of units and are allowed in the CRFN Zone, but not the Townhouse Floating Zone.

As part of their arguments, opponents contend that the CRNF Zone is not appropriate for the rezoning because only residential uses are proposed on the Property and not a mix of uses. However, the CRNF Zone does not require a mix of uses on-site as opponents allege. Instead, the CRNF zone specifically provides “flexibility in uses for a site.” (See Section 59.5.3.2). The flexibility to accommodate a mix of uses does not necessitate a mix of uses. This has been confirmed numerous times by the District Council in approving other applications of the CRNF Zone<sup>2</sup> where only residential uses were permitted (e.g. H-156 for reclassification of property to the CRNF-1.25, C-0, R-1.25, H-60’ zone; H-143 which included a binding element prohibiting commercial uses; and H-141 which included a binding element limiting uses to multi-family residential).<sup>3</sup> Moreover, the Council has already determined the CRNF zone to be an appropriate Floating Zone for properties with an R-200 residential base zone. (See Zoning Ordinance Section 5.3.5.2) and Section 4.5.2.A.3 of the Zoning Ordinance expressly allows the base commercial density of the CRN Euclidean zone to be set at 0.00, acknowledging the zone is appropriate even where a mix of uses is not provided.

It is not true that there are only “...four Council-approved rezonings to the Commercial/Residential Floating Zone,” as opponents would suggest. (See September 17 Letter, page 2).<sup>4</sup> Further, opponent’s analysis regarding the four other CRNF rezonings cited is a red herring. Opponents try to distinguish this LMA from other CRNF zones approved by the Council on the basis that none of the other applications meet the very specific fact pattern for the Project. (See September 17 Letter, page 2). In reality, many of the previously approved CRNF Zones share striking similarities to this Application. For example, in approving H-148 for Corso Chevy Chase, the District Council found that

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<sup>2</sup> This is no different from the CRN Euclidean zone, for which the stated intent is “for pedestrian-scale, neighborhood-serving mixed-use centers and transitional edges...” (*emphasis added*) (See Zoning Ordinance Section 59.4.5.1.B); and yet, the District Council, through Sectional or District-wide Map Amendments has previously created CR zones with only residential density. For example, Property located at 12607 and 12615 Viers Mill Road was rezoned CRN 1.5, C-0.0, R-1.5, H-45’; 2131 Randolph Road was zoned CRN 1.0, C-0.0, R-1.0, H-75’; a portion of the Property located at 10000 New Hampshire Avenue in Silver Spring is zoned CRN-0.25 C-0.0 R-0.25 H-45’; 11520 Game Preserve Road in Gaithersburg is zoned CRN-1.5 C-0.0 R-1.5 H-65’; numerous properties along the east side of the Silver Spring CBD are zoned CRN-0.75 C-0.0 R-0.75 H-40’, just to name a few). Likewise, the Council has established CRN zones with only commercial density (e.g. the Property in the southwest quadrant of the intersection of Turbridge Drive and Greencastle Road is zoned CRN-0.25 C-0.25 R-0.0 H-45’; the Property at 10230 New Hampshire Ave in Silver Spring is zoned CRN-1.0 C-1.0 R-0.0 H-45’; and the Properties at the Darnestown crossroads are zoned CRN-0.25 C-0.25 R-0.0 H-35’; among others.

<sup>3</sup> Similarly, the District Council has also approved CR Floating Zones that only permit commercial development, including H-147, which has a binding element that limits use of the property to self-storage.

<sup>4</sup> Not included in opponents’ list is H-141 for rezoning to the CRF-1.25, C-0.25, R-1.25, H-85 zone; H-140 for rezoning to the CRTF- 1.6, C-0, R-1.6, H-140 zone; H-131 for rezoning to the CRNF-1.0, C-0.25, R-0.75, H-55; H-135 for rezoning to the CRF-1.5, C-0.75, R-1.5, H-150 zone, to name a few.



significantly increased density (*i.e.* almost three times the existing density, from 250,000 square feet existing to 700,000 square feet approved) was appropriate along the Connecticut Avenue corridor, although the proposed senior living community was surrounded on all four sides by R-60 zoned property. LMA H-143 (for EYA Development LLC) similarly allowed for a substantial increase in density (*i.e.* more than 12 times the existing density, from 38,000 square feet to 482,000 square feet) on a property that was immediately confronting single-family homes in the R-60 zone. And Kingsview Station rezoning (LMA No. H-131) allowed for redevelopment of a vacant parcel, with significant environmental features, with an infill development containing residential townhomes (and two small commercial pads) in close proximity to an existing commercial center.

Opponents also argue that the “sole reason the applicant has filed a 100% residential project using the Commercial/Residential mixed-use zone is to sidestep the legislative standards...” of the Townhouse Floating Zone. (*See* September 17 Letter, page 2). This is untrue. As noted above, the CRNF zone provides flexibility to accommodate various building typologies – including townhomes, triplexes, and two-over-two’s, which would not be available in the Townhouse Floating zone.

For all of these reasons, there is absolutely no basis to allege that the CRNF Zone itself is “objectively incompatible with the surrounding neighborhood.” (*See* September 17 Letter, page 2).

#### **5. The Project satisfies the pre-requisites for approval of a Local Map Amendment.**

As discussed in detail in the Applicant’s Land Use Report, the Project meets a minimum of two of the rezoning pre-requisites from each category under section 5.1.3.D of the Zoning Ordinance.

Opponents challenge the Applicant’s ability to meet the “Transit and Infrastructure” pre-requisites category in the Code. Specifically, opponents argue that the Project no longer meets the requirement for “frontage on and vehicular, bicycle and pedestrian access to at least 2 roads, at least one of which is nonresidential.” However, the Project does have frontage on two roads, one of which (New Hampshire Avenue) is non-residential. While the Project no longer proposes vehicular access to New Hampshire Avenue, vehicular access is not required to be provided on both streets. This fact was verified in H-148, wherein M-NCPPC Technical Staff, OZAH and the District Council all confirmed that this pre-requisite does not require that vehicular access be provided from both streets. Specifically, in H-148, the property had frontage on three streets but vehicular access was limited to one (*i.e.* Connecticut Avenue), which was deemed sufficient. Here, the Property has frontage and vehicular access to two roads today, one of which is non-

residential. Additionally, the Project is currently planned to provide both pedestrian and bicycle access to New Hampshire Avenue, as well as vehicular, pedestrian and bicycle access along Notley Road. This category is satisfied.

Even if this one pre-requisite were not satisfied, however, the Project still satisfies three other pre-requisites from the Transit and Infrastructure category. As discussed in the Land Use Report, the Property is currently served by public water and sewer infrastructure and is within water and sewer categories W-1 & S-1. Water and sewer needs will be met by the Washington Suburban Sanitary Commission ("WSSC") through connections to the 10" water and 8" sewer lines located in the abutting rights-of-way. Specifically, water service is proposed to be established by connecting to the existing 10" line along Notley Road and sewer service is proposed through connections to the existing 8" lines on Notley Road and New Hampshire Avenue. Based on industry standards and accepted engineering practices (*i.e.* the size of infrastructure required for specific product types and density), as well as the age of the existing infrastructure, pipe materials and slope of gravity systems serving the Property, the Engineer of Record has confirmed that the size of the existing lines are sufficient to support the proposed development and the adjacent infrastructure will not require an upgrade. Thus, the pre-requisite requiring that "the site is served by existing water and sewer infrastructure that will not require either an upgrade to the service line or installation of a pump station due to the proposed development," is met.

As acknowledged by opponents, the Project also satisfies the pre-requisite regarding schools, as none of the schools servicing the Property are in moratorium due to school capacity and none will result in a school utilization rate greater than 120% because of the proposed development.

Lastly, as confirmed by the Applicant's Local Area Transportation Report, all intersections studied are operating below the applicable congestion standard. The study area included four intersections in addition to the site access points. Along the New Hampshire Avenue corridor, the study area extends from the signalized New Hampshire Avenue and the ICC interchange over ½ mile from the Property boundary to the north to the signalized New Hampshire Avenue and Randolph Road intersection over ¼ mile from the Property boundary to the south. Because this property is located in the Yellow Policy Area, the applicable congestion standard is critical lane volumes (CLVs) of less than 1350. As shown on the Local Area Transportation Report, all study intersections are operating below this congestion standard (and will continue to operate below this congestion standard, even after accounting for the proposed development). (See Table 6, page 21 of the October 16, 2025 Local Area Transportation Report).

Irrespective, to suggest that the proposed density should not be allowed due to traffic congestion is simply perpetuating the bad planning policies that led to the significant under-investment in the East-County, which Thrive 2050 specifically seeks to correct.

## **Parking**

### **6. The Project provides more than sufficient parking on-site.**

The Project will meet or exceed the minimum parking requirements established under the Zoning Ordinance, which mandates two spaces per dwelling unit for properties zoned CRNF and located outside of reduced parking areas. Parking will be provided through a combination of in-unit garages and driveways, supplemented by on-street visitor parking distributed throughout the internal street network. The Project currently proposes to provide 393 parking spaces on individual residential lots and 30 additional on-street parking spaces, for a total of 423 parking spaces within the Project. This exceeds the Code required parking by 180 spaces (*i.e.* 243 spaces required).<sup>5</sup> As such, more than sufficient parking will be provided on-site to support the resident and visitor demand.

In making their arguments that the Project proposed insufficient parking, opponents again misrepresent the facts. Opponents first incorrectly assert that there will “...only be 10 feet between the back of each townhouse and the alley for parking...”, which will require cars to “... protrude into the alley or [] need to park partly within an existing garage.” (*See* October 13 Letter, page 3). As shown on the Floating Zone Plan, however, all units will have full length driveways that have a minimum depth of 18’, and, as such, can accommodate cars without any protrusion into the abutting alleys and private streets, as alleged. The Opponents then note that “...some of the townhouses will be too narrow to allow t[w]o cars to park” in the garage. (*See* October 13 Letter, page 4). This limitation was already accounted for in the Applicant’s parking totals, however. The Applicant’s parking chart shows that only one car will be parked in the garage for the 16’ and 14’ wide units. As such, opponents’ opinion “...that the ‘379 parking spaces in-unit garages and/or driveways’ that the applicant suggests will be provided simply defies credulity...” is completely devoid of any factual basis. (*See* October 13 Letter, page 4).

Opponents also baselessly assert that “[t]he 30-proposed guest parking spaces are woefully inadequate...” and “substandard, at best, given the number of vehicles in a typical household...” (*See* October 13 Letter, page 4). What the opponents fail to consider, however, is that the Project, which has been designed to include full-length driveways, effectively accommodates visitor parking on each individual townhouse lot. More than half the units are currently planned to have four (4) parking spaces per unit (*i.e.* two in the garage and two in the driveways). The on-street visitor parking spaces are in addition to this parking. In fact, the parking provided on-site significantly exceeds the parking recommended by the parking demand ratios in the Institute of Transportation Engineers (“ITE”) *Parking Generation Manual*, 6<sup>th</sup> edition and Urban Land Institute

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<sup>5</sup> Parking was conservatively calculated assuming all townhouse living units.

(“ULI”) *Shared Parking, 3<sup>rd</sup> edition*. ITE recommends a minimum parking of 295 spaces (assuming all townhouses) and ULI recommends 345 spaces (conservatively using the highest ratio, since the exact number of bedrooms per unit has not yet been finalized). Importantly, these recommended parking rates include spaces for visitors.

Opponents point to the Glenmont Metrocenter development at Layhill Road and Glenallan Avenue as evidence that the proposed development will have inadequate parking. However, the proposed Project is clearly distinguishable from the Glenmont Metrocenter project. Phase 1.1 of the Glenmont Metrocenter project provides a total of 342 spaces (including on-street spaces) for 171 units, which results in a ratio of 2 parking spaces /unit.<sup>6</sup> This results in a significantly lower parking ratio, as compared to the 3.25 parking spaces/unit that the Project provides. This Project is also easily distinguishable, in terms of parking, from the townhomes along Bregman Road, many of which have no garages or driveways. Rather, there are only 172 parking spaces for the 83 townhouse units without garages and 106 spaces for the townhouse units with garages. This ratio of 2 spaces per unit meets code, but is much less than the parking proposed by the Project.

Based on the above, opponents can cite to no objective criteria to support their claims of insufficient parking. As such, their claims that the Project will result in overflow parking that will adversely impact the residents on Petwyn Court and Greenspring Lane are baseless.

### **Transportation and Pedestrian Connectivity**

#### **7. The transportation and school policy areas have no bearing on the appropriate use or density for the Property.**

Contrary to what GCCA alleges in its letter, the Property’s Yellow Policy Area designation for transportation, and Turnover Impact Area designation for schools, have absolutely no bearing on the appropriate density for the Project. The Yellow Policy Area is a transportation analysis zone established by the Growth and Infrastructure Policy for purposes of transportation analysis. This designation establishes the applicable transportation adequacy standards and mitigation thresholds under the County’s Growth and Infrastructure Policy (GIP), but it does not restrict or preclude rezoning or dictate permitted land uses or density. Similarly, the Property, along with the majority of the County, is located in the Turnover Impact Area. This policy area designation is used to determine school capacity for new development projects and similarly, has no bearing on the appropriate uses or density for new development.

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<sup>6</sup> Notably, as opponents point out, the Glenmont Metrocenter project does not provide full-length driveways.

**8. The Applicant's Local Area Transportation Report was based on traffic counts that were conducted in accordance with the County's Local Area Transportation Review Guidelines and an approved scoping form.**

The Applicant submitted a detailed Local Area Transportation Report with the LMA, which has been reviewed extensively by the Maryland State Highway Administration ("SHA"), Montgomery County Department of Transportation and M-NCPPC Transportation Planning Staff. The scope for the Local Area Transportation Report was approved by M-NCPPC Staff in accordance with the Local Area Transportation Review ("LATR") Guidelines. The Applicant's Traffic counts were properly taken in accordance with the approved scoping form and LATR Guidelines.

Opponents allege that the traffic counts are invalid, given that they were taken before the majority of Federal workers were ordered to return to the office. Although not relevant, we would like to note, for the record, that the Executive Order mandating federal departments to end remote work arrangements was given on January 20, 2025 (not February 19 as the GCCA Letter and October 13 Letter indicate). The U.S. Office of Management and Budget issued guidance by Memorandum dated January 22, 2025 that "set a target date of approximately 30 days for full compliance..." (*i.e.* February 19, 2025) (*See* Attachment "B"). While Applicant acknowledges there were federal workers that returned to the office after February 19, based on the above, many federal employees were required to return to the office earlier.

Opponents reference 2012 counts, from a study they did not perform or submit, to allege that the Applicant's counts do not accurately represent the volume on the surrounding roadways (*See* GCCA Letter, page 4 and October 13 Letter, page 12). We cannot analyze the 2012 counts referenced by opponents, as they did not provide them. But GCCA by their own accord note that "[h]aving lived in the community, we have observed that the traffic volume just before the pandemic in 2019 were even higher than in 2012." (GCCA Letter, page 4; October 13 Letter, page 12). To this point, Applicant would direct the Planning Board to historical counts from the SHA websites (*see* Attachment "C") from 2018 at the intersection of New Hampshire Avenue and Notley Road. These counts demonstrate that the Applicant's 2025 counts at the intersection of Notley Road and New Hampshire Avenue are actually higher in comparison to the 2018 historical counts provided by SHA (which by opponents own admission, were taken during a period of higher observed traffic volume). The Applicant also analyzed 2012 and 2023 historical counts from SHA (*see* Attachment "C"), which are similarly lower in comparison to Applicant's submitted counts. The historical counts are summarized in Table 1 and in the "Intersection Peak Hour Volumes at New Hampshire and Notley Road" chart, and are also compared in Table 2 and Table 3 of the attached volume comparison exhibit (*see* Attachment "C"). This data reflects the fact that commuting patterns change over the years. There are inherent fluctuations in volumes but the Applicant's analyzed

volumes are consistent with the volume trends observed at this specific location and in the region.

Per M-NCPPC's June 2021 *Post-Pandemic Traffic Counts Policy Update*,<sup>7</sup> Montgomery County began accepting traffic counts without modification factors starting in the Fall of 2021. This policy affirms that roadway traffic volumes have reached a "new normal" and acknowledges that while some roadways in the County may exhibit volumes below pre-pandemic levels, the observed patterns based on current data collection are considered representative of current conditions. The Applicant's February 2025 counts are in full conformance with the County's adopted policy. These counts reflect real-world conditions and provide a valid and reliable basis for evaluating traffic impacts. Disregarding them would be contrary to established County policy.

The Applicant's traffic study was conducted in full compliance with the County's objective rules and regulations. The Local Area Transportation Report was prepared in accordance with the 2025 M-NCPPC LATR Guidelines and confirms that all the intersections studied operate well within the congestion standards under all existing, background and total future scenarios. Specifically, under future conditions, both with and without the proposed development, the study intersections will operate with critical lane volumes (CLVs) of less than 1350 during both the AM and PM peak hours.<sup>8</sup> As such, no further motor vehicle adequacy analysis or mitigation is required to satisfy the County's adequacy standards. Since a Preliminary Plan will be filed subsequent to the LMA approval, the Montgomery County Planning Board ("Planning Board") will be responsible for making a determination of Adequate Public Facilities at that time.

## **9. The Project will not adversely affect the surrounding roadway network.**

In their submittals to the Planning Board, opponents drastically mischaracterize the conditions of Notley Road. In quoting from the Staff Report for the abutting senior living project, opponents seek to characterize Notley as "...a 'substandard (narrow two-lane and un-striped) residential [street]' "... (See October 13 Letter, page 10, quoting Staff Report dated June 30, 2016 for Preliminary Plan No. 120150200). However, the quote from the Staff Report (which actually appears on page 8) is specifically discussing the conditions of "Notley Road, east of New Hampshire Avenue" which is not the stretch of Notley Road along the Property's frontage. Rather, the portion of Notley Road along

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<sup>7</sup> [https://montgomeryplanningboard.org/wp-content/uploads/2021/06/Post-Pandemic-Traffic-Counts-Policy\\_070121\\_draft-jks\\_eg.pdf](https://montgomeryplanningboard.org/wp-content/uploads/2021/06/Post-Pandemic-Traffic-Counts-Policy_070121_draft-jks_eg.pdf)

<sup>8</sup> The LATR Report conservatively used the trip generation rates for single-family attached. A mix of two-over-two, triplex and townhouse units can be included within the Project without triggering any change to the overall trip generation. In fact, if up to half of the Project's units were two-over-two or triplex units, the total trip generation would actually be lower than what was assumed in the LATR Report. And even if more than half of the units were two-over-two or triplexes, based on the maximum of 130 units proposed, the trip generation would still remain below what was assumed in the LATR analysis.

the Property's frontage is classified as an Area Connector (*see* the Master Plan of Highways and Transitways, 2025 Technical Update), which are intended to carry moderate amounts of traffic and collect traffic from adjacent roadways. Maryland State Highway Administration classifies Notley Road as a major collector road. Notley Road has a Master-Planned right-of-way width of 70 feet and is striped as a two-lane road today (with a double yellow line along the corridor), not a substandard street as opponents would suggest.

Opponents argue that “[b]ecause of the difficulty of the right-hand turn onto New Hampshire Avenue, new residents are highly likely to instead choose to drive down Sherwood Forest Drive, increasing traffic on that street beyond the already heavy traffic that it now handles.” (*See* October 13 Letter, page 7). This argument is flawed for several reasons. First, a new traffic signal proposed at the intersection of Notley Road and New Hampshire Avenue will significantly improve operations at the intersection, providing dedicated green signal time for vehicles to turn onto New Hampshire Avenue from Notley Road, as compared to existing conditions. The cut-through traffic referenced by opponents is an existing issue for the community that is exacerbated by the lack of a traffic signal at the Notley and New Hampshire intersection. The traffic signal at Notley Road and New Hampshire Avenue is warranted in existing conditions and the Applicant will continue to coordinate with SHA to ensure the traffic signal is built either by the Applicant, as part of the off-site improvements that will be conditioned as part of the future Preliminary Plan, or by SHA. This new traffic signal is anticipated to result in a reduction of trips on Sherwood Forest Road (as compared to existing conditions) as it will be easier for vehicles to access New Hampshire Avenue due to the improved intersection conditions.

According to the trip distribution outlined in the LATR Guidelines, 10% of the site generated traffic is anticipated to travel eastbound on Randolph Road and 30% is anticipated to travel southbound on New Hampshire Avenue. It is highly unlikely that these cars would choose to use Sherwood Forest Road for this travel. The intersection of Sherwood Forest Road and Randolph Road is an unsignalized intersection. Vehicles traveling south on New Hampshire Avenue, or eastbound on Randolph Road, would have to cross three lanes of traffic to access eastbound Randolph Road (which would also take them back to New Hampshire Avenue, to continue southbound). Instead, with the new traffic signal at Notley Road, cars are anticipated to choose to use the signalized intersection at New Hampshire Avenue, which provides two dedicated southbound left turn lanes and three southbound through-lanes. Therefore, because of the improvements at the intersection of Notley Road and New Hampshire Avenue, the Project is anticipated to result in fewer cut-through trips on Sherwood Forest Road, as the Notley Road intersection will present a comfortable and more direct connection to New Hampshire Avenue, as compared to today. Regardless, we would note that the intersection of

Sherwood Forest and Notley Road currently operates well below the applicable congestion standards, with a Level of Service A. (See Local Area Transportation Report, Table 6). For all of these reasons, there is simply no basis for opponent's assertion that the Project will result in increased traffic on Sherwood Forest Drive. And as the Courts have previously held, "...unsupported conclusions of witnesses to the effect that a proposed use will or will not result in harm of amount to nothing more than vague and generalized expressions of opinion which are lacking in probative value." (See *Anderson v. Sawyer*, 23 Md. App. 612, 618, 329 A.2d 716, 720–21 (1974) (citing *Rockville Fuel & Feed Co. v. Bd. of Appeals of City of Gaithersburg*, 257 Md. 183, 193, 262 A.2d 499, 505 (1970))).

**10. The Project provides substantial streetscape improvements that will improve pedestrian safety and circulation.**

New Hampshire Avenue currently features a narrow five-foot sidewalk located immediately adjacent to the busy travel lanes, while the north side of Notley Road lacks any pedestrian infrastructure at all. The Project addresses these deficiencies and provides significant streetscape improvements along both frontages. Specifically, along Notley Road, the Project will provide a 10-foot wide sidepath, buffered by a seven (7) foot tree panel and a 7.5-foot landscape strip, to provide additional connectivity to the adjacent park and New Hampshire Avenue. The Project proposes to improve the Property's New Hampshire Avenue frontage by providing an 11-foot shared use path (recommended by the County's *Bicycle Master Plan*), separated from the street by an eight (8) foot buffer. Additionally, the proposed development will reduce the number of vehicular access points from eight existing curb cuts (seven on Notley Road and one on New Hampshire Avenue), to two curb cuts.

GCCA alleges that these streetscape improvements provide no real benefit to the community. (See GCCA Letter, page 4). We strongly disagree. The consolidation of vehicular access and streetscape improvements will significantly improve pedestrian safety and circulation in this area. These improvements are consistent with the County's Functional Master Plans, which require such enhancements to improve pedestrian and bicycle safety, promote multimodal connectivity, and provide safer access to surrounding uses such as the Colesville Manor Neighborhood Park, the Colesville Center, and the planned Bus Rapid Transit (BRT) station along New Hampshire Avenue (near its intersection with Randolph Road). With no sidewalk along the Property frontage, there is currently no safe pedestrian access provided to the Colesville Manor Neighborhood Park. However, the proposed streetscape improvements, coupled with the proposed traffic signal at the intersection of Notley Road and New Hampshire Avenue, will open pedestrian access to the park to the broader community, including the residents of the senior housing buildings to the north, residents to the south of Notley Road, and even residents across New Hampshire Avenue.



Furthermore, as discussed in the Local Area Transportation Report, the Project will provide additional off-site improvements that will be finalized during the Preliminary Plan review.

### **Surrounding Neighborhood Delineation**

#### **11. The Applicant's Surrounding Neighborhood exhibit accurately captures those properties that will experience impacts from the proposed use.**

The Applicant defined the surrounding neighborhood to be evaluated as part of this LMA, which is described in the Applicant's Land Use Report and depicted on sheet LAM-01. The Applicant rejects the surrounding neighborhood exhibit suggested by opponents. Opponent's delineation of the surrounding neighborhood arbitrarily draws the southern boundary through residential neighborhoods – which we can only assume was drawn to exclude the townhomes and commercial center from the analysis area. As previously confirmed by the M-NCPPC Planning Staff and the Hearing Examiner, it is well-established practice that neighborhood boundaries traditionally follow existing transportation networks or environmental features within a perimeter of approximately ¼ to ½ mile from the rezoned tract. (*See e.g.* Hearing Examiner Report and Recommendation H-131 (page 9) where the Hearing Examiner accepted Staff's boundary, although large, because "...the physical barriers of roadways clearly define the direct impact of the proposed development"; and Hearing Examiner Report and Recommendation H-148 (page 7), where the Hearing Examiner notes that "Staff used major roadways..." to establish the neighborhood boundary). Opponents' boundary completely fails to do so and should be rejected.

## **Attachment A**

**BEFORE THE HEARING EXAMINER FOR MONTGOMERY COUNTY, MARYLAND**  
Office of Zoning and Administrative Hearings  
100 Maryland Avenue, Suite 200  
Rockville, Maryland 20850

**IN THE MATTER OF:**  
**Notley Road**

Applicant.

David Muller  
Joshua Sloan  
Logan Kelso  
Katie Wagner

Zoning Application No. H-159

For the Application.

Elizabeth C. Rogers, Esquire  
Erin E. Girard, Esquire  
Vincent G. Biase, Esquire  
Attorneys for the Applicant.

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**APPLICANT'S PRE-HEARING STATEMENT**

In accordance with the provisions of Rule 3.4 of the Rules of Procedure for Zoning Cases, the Applicant, Notley Assemblage LLC (an affiliate of Ryan Stuart Development), submits this Pre-Hearing Statement (the "Statement"). The Applicant hereby incorporates by reference its Land Use Report, submitted with the Local Map Amendment ("LMA") Application, which contains additional information in support of the application and justification for the rezoning request.

**I. STATEMENT OF GROUNDS UPON WHICH THE CASE IS BASED AND JUSTIFICATION FOR THE REZONING APPLICATION.**

**A. The Project Provides a Compatible, Residential Redevelopment that Complies with the Requirements of the Zoning Ordinance.**

The Property consists of approximately 8.97 acres of net lot area located in the northwest corner of the intersection of Notley Road and New Hampshire Avenue in Silver Spring, Maryland. The Property is zoned R-200 and is improved with several single-family detached dwellings units

and associated accessory structures. Access to the Property is currently provided through seven separate vehicular access points along Notley Road and one curb cut on New Hampshire Avenue. Surrounding uses include institutional uses to the north (including two large senior living facilities and the Cambodian Buddhist Temple); commercial and religious uses across New Hampshire Avenue to the east (including an accounting office and a church); single-family residential (including both detached and townhouse building types) and the Colesville Center (a commercial shopping center) to the south; and the Washington Suburban Sanitary Commission (WSSC) facility and Colesville Manor Neighborhood Park to the west. The Surrounding Neighborhood, as defined in the Applicant's Land Use Report and discussed further below, is characterized as a true mixed-use neighborhood.

The Applicant proposes to rezone the Property from the R-200 Zone to the CRNF-1.0, C-0.0, R-1.0, H-50' Floating Zone to accommodate desired redevelopment of the Property with a residential community that will provide much-needed additional housing along a major corridor, to help address the County's housing needs. Specifically, the Applicant is proposing to redevelop the Property with up to 130 residential units (the "Project"). Pursuant to Section 59.5.3.4 of the Zoning Ordinance, any building type is allowed in the Commercial/Residential Floating zones, unless an Applicant voluntarily restricts certain building types through binding elements. While the proposed LMA includes a binding element that limits development on the Property to residential use, it intentionally does not dictate specific residential building typologies. Although the Applicant currently anticipates building townhouses, the application maintains flexibility to provide either townhouses, triplexes, or two-over-two's, particularly in the area proximate to New Hampshire Avenue, based on future market demands.<sup>1</sup> Regardless of what building typology is ultimately selected, all units will conform with the maximum density and height limits established through the binding elements. Final building types will be determined at time of Preliminary Plan and Site Plan approval, where the Applicant and M-NCPPC Staff will be able to comprehensively analyze the building typology, in combination with the final architecture and site design elements, to determine compatibility.

As detailed in the Land Use Report and illustrated on the Floating Zone Plan, submitted with this Local Map Amendment application, the Project layout has been designed to ensure compatibility with the surrounding neighborhood, and the proposed development will satisfy all applicable standards of the Montgomery County Zoning Ordinance (the "Zoning Ordinance") and substantially conforms to the goals and recommendations of the *1997 Approved and Adopted White Oak Master Plan* (the "White Oak Master Plan" or "Master Plan") and the County's General Plan, *Thrive Montgomery 2050* ("Thrive" or "Thrive 2050").

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<sup>1</sup> Footnote number 2 on the Floating Zone Plan (sheet FZP-01) confirms that the final unit building types will be determined during Site Plan.

The sticks of townhouses fronting along Notley Road will be limited to 100 feet in width and will be substantially setback from the street (*i.e.* approximately 40 feet from the curb) to emulate the rhythm of detached homes in the surrounding community. Although the architecture will be finalized at the time of Site Plan, the townhomes along Notley Road will be designed to read as single-family structures, by utilizing traditional single-family design elements and incorporating side and/or rear unit access points (to minimize the number of entrances per stick directly facing Notley Road). The units along New Hampshire Avenue have been oriented to be parallel to and front directly on this major corridor, to help define and activate the streetscape.

The Project also provides significant streetscape improvements along Notley Road (where no sidewalk currently exists) and New Hampshire Avenue (where there currently is only a 5-foot sidewalk with no pedestrian buffer). Along Notley Road, the Project will provide a 10-foot wide sidepath, buffered by a seven (7) foot tree panel and a 7.5-foot landscape strip, to provide additional connectivity to the adjacent park and New Hampshire Avenue. The Project proposes to improve the Property's New Hampshire Avenue frontage by providing an 11-foot shared use path (recommended by the County's *Bicycle Master Plan*), separated from the street by an eight (8) foot buffer. Additionally, the proposed development will reduce the number of vehicular access points from eight existing curb cuts (seven on Notley Road and one on New Hampshire Avenue), to two curb cuts. The consolidation of vehicular access and streetscape improvements will significantly improve pedestrian safety and circulation.

Significant open space will also be provided with the proposed Application. In accordance with the requirements of Sections 59.5.3.5.D.2.a and 59.4.5.3.C of the Zoning Ordinance, the Project will include a minimum of 10% (or  $\pm$  39,081 square feet) of open space. As required by Section 59.6.3.2, this open space will be designed as common open space. The Open Space will be provided through a series of spaces that offer diverse opportunities for residents to gather and recreate. While the open space location and design will be finalized at the time of Site Plan, the common open space is envisioned to include three main components: (1) a linear park connecting New Hampshire Avenue to a central park, with stormwater features, landscaping, and seating; (2) a central park framed by streets and townhouses with natural playground elements; and (3) an approximately 18,000-square-foot expansion of Colesville Manor Park along Notley Road, which will visually expand the neighborhood park and facilitate alternative means of pedestrian connections to the public park. Collectively, these open space areas meet and exceed applicable zoning standards to provide meaningful opportunities for community gathering and interaction.

#### **B. There will be Adequate Public Facilities to Support the Proposed Project.**

Adequate public facilities will be available to serve the proposed development. Since a Preliminary Plan will be filed subsequent to the LMA approval, the Montgomery County Planning Board ("Planning Board") will be responsible for determining whether Adequate Public Facilities ("APF") exist to support the proposed Project at that time. Nonetheless, the Applicant's Land Use

Report confirms the adequacy of transportation, schools, water/sewer, and other public facilities to serve the proposed development.

A Local Area Transportation Report was prepared by the Applicant's traffic consultant, Gorove Slade, which confirms there will be adequate capacity on the surrounding street networks to accommodate the project. The Property falls within the Yellow Policy Area in the current FY 2024-2028 Growth and Infrastructure Policy. An analysis of peak hour vehicular trips generated by the proposed development was performed in accordance with the January 2025 update to the Maryland-National Capital Park and Planning Commission's (M-NCPPC) Local Area Transportation Review (LATR) Guidelines. The Local Area Transportation Report, submitted with the LMA, confirms that all the intersections studied operate well within the congestion standards under all existing, background and total future scenarios. Specifically, under future conditions, both with and without the proposed development, the study intersections will operate with critical lane volumes (CLVs) of less than 1350 during both the AM and PM peak hours.<sup>2</sup> As such, no further motor vehicle adequacy analysis or mitigation is required to satisfy the County's adequacy standards.

The intersection at New Hampshire Avenue (MD 650) and Notley Road does not trigger mitigation as the intersection operates well within the Colesville Policy Area CLV standard. However, a preliminary traffic signal warrant study was conducted as requested by Maryland State Highway Administration (SHA) and results indicate that a new traffic signal is warranted at this intersection under existing conditions without the project. After conducting this analysis, the Applicant was informed that SHA had previously reached the same conclusion. Yet, through additional correspondence with SHA, the Applicant understands that SHA has not begun work on the signal design and no funds have been allocated for the construction of the signal at this time. The Applicant will continue to coordinate with SHA on the timing and funding of the Notley Road traffic signal, which will be reviewed and finalized at the time of Preliminary Plan.

Adequate public school facilities exist to serve the proposed development. The Property is served by Westover Elementary School, White Oak Middle School, and Springbrook High School – all of which have capacity to accommodate the proposed residential community. In accordance with Chapter 50 of the County Code and the 2024–2028 Growth and Infrastructure Policy (“GIP”), the Planning Board adopted the FY2026 Annual School Test on June 26, 2025, effective July 1, 2025, which establishes the adequacy status of all Montgomery County public schools based on enrollment projections for the 2029–2030 school year.

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<sup>2</sup> The LATR Report conservatively used the trip generation rates for single-family attached. A mix of two-over-two, triplex and townhouse units can be included within the Project without triggering any change to the overall trip generation. In fact, if up to half of the Project's units were two-over-two or triplex units, the total trip generation would actually be lower than what was assumed in the LATR Report. And even if more than half of the units were two-over-two or triplexes, based on the maximum of 130 units proposed, the trip generation would still remain below what was assumed in the LATR analysis.

It is important to note that several years ago, in connection with the approval of the 2020-2024 Growth and Infrastructure Policy, the Montgomery County Council eliminated school moratoriums because it was recognized that most of the student generation originates from residential turnover in existing single-family homes, not new development. And it was recognized that new development contributes needed funding toward school capacity projects. Based on this, through the 2020-2024 Growth and Infrastructure Policy the Council instead implemented a requirement for development applications in areas served by overutilized schools (*i.e.* schools identified by the Annual Schools Test as exceeding certain utilization thresholds and seat deficits) to pay a Utilization Premium Payment (which is in addition to any development impact taxes that would otherwise be required), to provide additional funding for school capacity projects. This approach was reconfirmed by the County Council with the adoption of the 2024-2028 Growth and Infrastructure Policy. Given this revised policy, which allows residential development to move forward regardless of school capacity, and the fact that APF will be finalized with the subsequent Preliminary Plan, school adequacy is not a relevant consideration at this early stage of rezoning.

Regardless, the Applicant's Land Use Report confirms that there is adequate school capacity and that no Utilization Premium Payments are currently required for the proposed Project. The Property is located within the Colesville Policy Area, which is designated as an Infill Impact Area under the 2024-2028 Growth and Infrastructure Policy. Based on FY2026–2027 Student Generation Rates for Infill Impact Areas, the proposed development of up to 130 townhouses<sup>3</sup> is estimated to yield 27 elementary school students, 15 middle school students, and 22 high school students. Based on projected student enrollment for 2029-2030, the individual school percent utilization will be 107.2% at the elementary school grade level (available capacity of 54 seats before triggering Tier 1 UPP), 84.5%, at the middle school grade level (available capacity of 273 seats before triggering a Tier 1 UPP), and 87.0% at the high school grade level (available capacity of 432 seats before triggering a Tier 1 UPP). Even with the additional students generated by the Project, all three school levels remain within the adequacy ceilings established in the FY 26 Annual School Test and do not generate any Utilization Premium Payments. As such, adequate public school facilities exist to serve the residential development proposed by this Application. The adequacy of school capacity will be confirmed by the Planning Board at the time of Preliminary Plan approval.

The Property is located within water/sewer categories W-1 and S-1 and will be served by existing public water and sewer. Electricity, gas, and telecommunications services are also available and adequate to serve the proposed development. Other public facilities and services—

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<sup>3</sup> If two-over-two's or triplexes are included in the Project, it would result in a lower student generation. Two-over-two's and triplexes are classified as "apartment" buildings by the Zoning Ordinance. The FY 2026-2027 student generation rates for multi-family low-rise are significantly lower at all school levels (compared to the student generation rates for single-family attached). As such, this analysis represents a conservative approach.

including police, fire, and emergency services—are in close proximity to the Property and have sufficient capacity.

**C. The Project will Provide Stormwater Management, Where None Currently Exists, and Comply with Forest Conservation Requirements.**

The Property contains no existing stormwater management facilities. As such, uncontrolled stormwater runoff from the site currently drains across multiple neighboring properties into Notley Road and New Hampshire Avenue. This unmanaged condition contributes to localized flooding, untreated pollutant loads, and diminished downstream water quality. The proposed redevelopment will significantly improve stormwater management beyond existing conditions through the installation of a modern closed drainage system that will collect runoff from the internal street network and convey it to an outfall on New Hampshire Avenue. Additionally, the Project will incorporate distributed micro-bioretention practices throughout the proposed community, integrated into landscaped areas and open spaces. Implementation on-site will slow runoff, promote infiltration, and filter stormwater prior to discharge. Collectively, the proposed stormwater management facilities will provide significant water quality and quantity control improvements beyond existing conditions. A stormwater management concept plan will be developed and approved in connection with the subsequent Preliminary Plan of Subdivision application.

The Project will comply with the requirements of Chapter 22A of the Montgomery County Code (the "Forest Conservation Law"). The Applicant submitted a Preliminary Forest Conservation Plan concurrently with this LMA. The approved Natural Resources Inventory ("NRI") plan confirmed that there is no existing forest on the Property. However, as shown on the NRI, there are twenty-eight (28) specimen trees (30" DBH and larger) located on-site, and an additional fourteen (14) specimen trees immediately surrounding the site within the 100-foot study area beyond the Property. The Property contains no protected soils, endangered species, or other natural features that would impact development. The Applicant will seek approval of a tree variance in connection with the subsequent Final Forest Conservation Plan Application, once the site layout and design is finalized to confirm tree impacts. However, it is worth noting that with the Applicant's revisions to the site layout and design, as shown on the updated Floating Zone Plan, all off-site trees can be saved. The Applicant will provide mitigation for any specimen trees removed, which will result in a net ecological benefit by introducing new street trees, open space plantings, and landscape buffers where very few currently exist.

**D. The Proposed CRNF Floating Zone Reclassification is Appropriate for the Property and the Project Complies with the Purpose and Intent of the CRNF Zone.**

To qualify for a Floating Zone, a property must first meet strict pre-requisites. These "pre-requisites" were closely analyzed by the County Council in approving the 2014 Zoning Ordinance



Re-Write. In fact, there was detailed discussion about where non-residential floating zones should be allowed and what criteria were appropriate for the pre-requisites. To address concerns expressed about the intrusion of non-residential zones in residential neighborhoods, the Council adopted the specific criteria contained in Section 59.5.1.3.C.2.b of the Zoning Ordinance, which requires the Property (1) front on a nonresidential street or must confront or abut property that is in a Commercial/Residential, Employment, or Industrial zone; and (2) must satisfy a minimum of 2 prerequisites for each of the categories under Section 59.5.1.3.D. It is worth noting that these adopted criteria still significantly limit the number of properties in the County that are eligible for a non-residential Floating Zone, but ensure that growth is aligned with County priorities. As discussed in detail in the Applicant's Land Use Report, this Property is one of the select properties that meets these strict criteria, given its ability to satisfy the locational requirements (with location on a major highway) and pre-requisites (including access to service and amenities) that the Council has deemed important.

The CRNF Zone is the most appropriate Floating Zone for the proposed development. Through this LMA, the Applicant is seeking to redevelop the Property with compatible residential uses, which respond to the Property's specific surroundings. While the majority of the Property will be developed with townhouse living units, the Application retains the flexibility to develop triplexes or two-over-two's along New Hampshire Avenue, to create a strong edge and better buffer along this major highway (while still respecting the height and density limits set forth in the binding elements). These uses, although similar in appearance to townhouses, are technically defined as apartments because of the vertical separation of units and are allowed in the CRNF Zone, but not the Townhouse Floating Zone.

The CRNF Zone does not require a mix of uses on-site, but rather provides "flexibility in uses for a site" and allows development of "communities at a range of density and heights flexible enough to respond to various settings," among others. (See Section 59.5.3.2). The flexibility to accommodate a mix of uses does not necessitate a mix of uses. This has been confirmed numerous times by the District Council, in approving other applications of the CRNF Zone, where only residential uses were permitted (e.g. H-156 for reclassification of property to the CRNF-1.25, C-0, R-1.25, H-60' zone; H-143 which included a binding element prohibiting commercial uses; and H-141 which included a binding element limiting uses to multi-family residential).<sup>4</sup> This is no different from the CRN Euclidean zone, for which the stated intent is "for pedestrian-scale, neighborhood-serving mixed-use centers and transitional edges..." (*emphasis added*) (See Zoning Ordinance Section 59.4.5.1.B); and yet, the Council, through Sectional or District-wide Map Amendments has previously created CR zones with only residential density (e.g. the Property located at 12607 and 12615 Viers Mill Road was rezoned CRN 1.5, C-0.0, R-1.5, H-45'; 2131 Randolph Road was zoned CRN 1.0, C-0.0, R-1.0, H-75'; a portion of the Property located at

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<sup>4</sup> Similarly, the District Council has also approved CR Floating Zones that only permit commercial development, including H-147, which has a binding element that limits use of the property to self-storage.

10000 New Hampshire Avenue in Silver Spring is zoned CRN-0.25 C-0.0 R-0.25 H-45'; 11520 Game Preserve Road in Gaithersburg is zoned CRN-1.5 C-0.0 R-1.5 H-65'; numerous properties along the east side of the Silver Spring CBD are zoned CRN-0.75 C-0.0 R-0.75 H-40', just to name a few). Likewise, the Council has established CRN zones with only commercial density (e.g. the Property in the southwest quadrant of the intersection of Turbridge Drive and Greencastle Road is zoned CRN-0.25 C-0.25 R-0.0 H-45'; the Property at 10230 New Hampshire Ave in Silver Spring is zoned CRN-1.0 C-1.0 R-0.0 H-45'; and the Properties at the Darnestown crossroads are zoned CRN-0.25 C-0.25 R-0.0 H-35'; among others). There are many reasons to apply the CRN zone as a Euclidean or Floating Zone with no commercial or residential component, including the allowed uses within the commercial or residential categories, the building types allowed, the development standards, and other regulations of the code.

As detailed in the Applicant's Land Use Report, the proposed LMA comports with the purpose and intent of the CRNF Zone. The proposed development provides a compatible transition between corridor-scale development along New Hampshire Avenue and the existing single-family neighborhoods to the west. The conceptual layout shown on the Floating Zone Plan takes into account feedback received from numerous stakeholders, including M-NCPPC Planning Staff and residents of the surrounding community, and provides context-sensitive massing along Notley Road; a strong urban design along New Hampshire Avenue; strategically located open-space to provide improved circulation/access; buffering and preservation of existing trees etc.. The resulting design provides for a compatible, context-sensitive infill community. Through the CRNF zone, the proposed Project will have flexibility to accommodate various building typologies – including both townhomes, triplexes, and two-over-two's (flexibility that would not have otherwise been allowed in the Townhouse Floating zone, for example). And importantly, the CRNF zone provides the flexibility necessary to ensure compatibility with the adjacent development and the Property's unique surroundings, a key objective of the zone.

#### **E. The Project Will Not Adversely Affect Character of the Surrounding Neighborhood.**

Section 59.7.2.1.E.2.f requires that the District Council find, in approving a Floating Zone Plan, that, "when applying a non-Residential Floating zone to a property previously under a Residential Detached zone, [it will] not adversely affect the character of the surrounding neighborhood."

Although the Commercial/Residential zone is in fact classified as a non-residential zone, the Applicant is only proposing residential uses in connection with this Local Map Amendment application. Regardless, as discussed in the LMA Application, the proposed development will not adversely affect the character of the surrounding neighborhood. The Surrounding Neighborhood (defined below) is characterized as a true mixed-use neighborhood, including several forms of residential uses (e.g. large senior living facilities, townhouses, and single-family detached homes), as well as commercial (e.g. the Colesville Center and a Park-and-Ride facility), institutional (e.g.

the Cambodian Buddhist temple) uses, and a public park. The Surrounding Neighborhood is depicted on sheet LAM-1 and is bounded by Colesville Manor Road and Hobbs Drive to the North; Hollywood Branch, a tributary of the Paint Branch, and part of the Colesville Farm Estates to the east; East Randolph Road to the south, and the Middle Main Tributary of the Northwest Branch, Leibig Road, Sherwood Forest Drive and Montvale Drive to the west (the “Surrounding Neighborhood”). The Property will not change the character of the surrounding neighborhood, as it will continue to be used for residential use. Importantly, the Project will contribute to the diversity of residential uses, in furtherance of the County’s goals and objectives to increase housing through infill redevelopment along major corridors and in close proximity to existing activity centers. The Project massing and setbacks have been designed to provide a compatible transition to the confronting and abutting residential homes. For example, the proposed massing, design and substantial streetscape buffers along Notley Road will provide a compatible transition to the single-family detached homes confronting the Property across Notley Road – the townhomes fronting on Notley Road have been broken down into smaller sticks that have comparable widths to the confronting single-family detached homes and will be designed to have a cohesive façade that is reminiscent of a single-family detached home. Additionally, the Project layout and design, along with the substantial streetscape improvements proposed, will help to facilitate pedestrian and bicycle connectivity within the surrounding neighborhood. And the Project’s open space has been located and will be designed to provide important pedestrian connections to the Colesville Manor Neighborhood Park.

#### **F. The Project is in Substantial Conformance with the Master Plan and Thrive 2050.**

Floating Zones are intended to provide flexibility to “respond to changing economic, demographic, and planning trends that occur between comprehensive District or Sectional Map Amendments.” (See Section 59.5.1.2.B.1). This is exactly what this LMA seeks to accomplish. As discussed in greater detail below and in the Applicant’s Land Use Report, the *1997 Approved and Adopted White Oak Master Plan* is almost 30 years old. The Master Plan specifically notes that recommendations of the Master Plan were rooted in the County’s prior General Plan – the *1964 Wedges and Corridors Plan*. “The White Oak Master Plan directly supports the Land Use Goal and Wedges and Corridors Concept...” and supports the “General Plan objective to ‘direct the major portion of Montgomery County’s future growth to the Urban Ring and I-270 Corridor.’” (See Master Plan, page 6). The County recently updated its General Plan. *Thrive Montgomery 2050* comprehensively amends the previous General Plan (*Wedges and Corridors*). *Thrive 2050* recognized that not all of the planning approaches outlined in the *Wedges and Corridors Plan* were beneficial. Specifically, *Thrive 2050* notes that the 1993 refinement of the *Wedges and Corridors Plan* “established the residential wedge, identified as an area for ‘maintaining a low-density residential character’ and directed most growth to the ‘urban ring’ and the I-270 corridor” but recognizes that “the removal of the eastern portion of the county as a location suitable for corridor-focused development discouraged public and private investment in this area.” (See *Thrive 2050*,

page 3; *see also* pages 12 and 68). Notably, *Thrive 2050* seeks to correct for this mistake “[b]y focusing investment and encouraging development along corridors in the East County... to establish the foundation for Complete Communities and create a more prosperous and equitable future in all parts of the county.” (*See Thrive 2050*, page 77). The White Oak Master Plan has not been updated since the approval of *Thrive 2050*. And as such, the White Oak Master Plan’s recommendations remain in effect only to the extent that they are not inconsistent with *Thrive 2050*. (*See Archers Glen Partners, Inc. v. Garner*, 176 Md.App 292, 312 (2007); reaffirmed by *Maryland-Nat. Capital Park and Planning Com’n v. Greater Baden-Aquasco Citizens Ass’n*, 412 Md. 73 (2009)). As noted above, and in the Applicant’s Land Use Report, many of the Master Plan’s recommendations are no longer relevant, given that they were specifically based on recommendations contained in the prior *Wedges and Corridors* Plan that were expressly superseded by *Thrive 2050*.

The Master Plan specifically notes that “Master plans generally look ahead about 20 years from the date of adoption, although it is intended that they be updated and revised about every ten years.” (*See Master Plan*, page viii). In fact, the Master Plan recognizes “...that the original circumstances at the time of plan adoption will change over time, and that the specifics of a master plan may become less relevant as time goes on.” (*See Master Plan*, page viii). The age of the Master Plan and the fact that its recommendations were specifically based on a previous General Plan, which has since been comprehensively amended by the Council through *Thrive 2050*, diminishes the relevance of its recommendations. Regardless, the Project still promotes and substantially conforms to many of the general recommendations outlined in the Master Plan, while specifically addressing the County’s current planning initiatives and objectives outlined in *Thrive 2050*. This conformance is discussed in detail in the Applicant’s Land Use Report. Of note, the Master Plan seeks to “[m]aintain housing for people of varying incomes, ages, and lifestyles, and continue to provide a variety of housing types that will permit households with changing needs to find suitable accommodations within the White Oak Master Plan area.” (*See Master Plan*, Page 18). The redevelopment of the Property with an infill residential community accomplishes this by providing for additional, diverse housing opportunities in this area of the County, including Moderately Priced Dwelling Units. This diversity of housing typology, in addition to the diversity of incomes served through the provision of Moderately Priced Dwelling Units, will help accommodate residents with diverse incomes, ages and lifestyles. Additionally, the Plan recommends streetscape improvements along the major highways. (*See Master Plan*, Page 53). Specifically, the Master Plan seeks to “[p]rovide streetscape improvements to strengthen the vitality of adjoining commercial areas, enhance community identity and pedestrian circulation, and improve the roadway experience in general.” (*See Master Plan*, Page 53). The Project accomplishes this by providing significant streetscape improvements along both Notley Road and New Hampshire Avenue, which will improve pedestrian access to the adjacent Colesville Neighborhood Park, as well as the Colesville Shopping Center and the planned Bus Rapid Transit (BRT) station near the intersection of Randolph Road and New Hampshire Avenue. In addition

to these improvements along the Property's frontage, as discussed in the Local Area Transportation Report, the Project will provide additional off-site improvements that will be finalized during the Preliminary Plan review.

Importantly, as discussed in detail in the Applicant's Land Use Report, the Project directly implements the County's current policies as expressed through *Thrive 2050*. "The concept of corridor-focused growth is a fundamental organizing element for Thrive Montgomery 2050..." (Page 70). *Thrive 2050* "...makes a new commitment to promoting growth along major transportation corridors to maximize the efficient use of land and create Complete Communities." (See *Thrive*, Page 70). As noted above, *Thrive 2050* specifically seeks to encourage investment and development along corridors in the East county to "establish the foundation for Complete Communities and create a more prosperous and equitable future in all parts of the county." (See *Thrive 2050*, page 77). Complete Communities are "places that include the range of land uses, infrastructure, services, and amenities that allow them to meet a wide range of needs for a variety of people... [and] include housing suitable for different household types, income levels, and preferences, helping to support racial and socioeconomic integration." (See page 85) (*Emphasis added*). *Thrive 2050* recognizes that a variety of factors all determine what elements should be incorporated in these Complete Communities. However, importantly, *Thrive 2050* makes it clear that "[d]espite the varying needs and conditions of different parts of the county... the concept of encouraging more diversity of use and form is relevant in almost every location." (*Emphasis Added*) (See page 85). While "new or substantially expanded centers of activity should be focused along growth corridors," *Thrive 2050* recognizes that "[l]imited, organic development beyond the corridors and defined growth areas should be allowed to increase the diversity of housing types in existing residential neighborhoods and make these areas more complete, particularly near existing centers of activity or development." (See page 85) (*Emphasis added*). While the Property is located just outside a defined growth area, its location along a major corridor (New Hampshire Avenue) in East county and in very close proximity to an existing activity center (Colesville Village and Neighborhood Center), make this Property ideally situated for the infill residential development that is envisioned by *Thrive 2050*. *Thrive* recognizes that "[o]pportunities for increased housing diversity outside the defined growth areas will allow neighborhoods to evolve over time to address current and future housing needs and become more racially and socioeconomically integrated." (See *Thrive*, page 86). As noted above, *Thrive* specifically seeks to focus investment and encourage development along corridors in the East-county to address the economic and social isolation created by the Wedges and Corridors plan and create a more prosperous and equitable future. (See *Thrive*, page 77). That is exactly what this Project accomplishes. The proposed redevelopment helps to address the housing needs in the County while simultaneously promoting these other very important County objectives.

## II. REPORTS INTENDED TO BE INTRODUCED AT THE HEARING

### 1. Land Use Report;

2. Local Area Transportation Report prepared by Gorove Slade; and
3. Supporting Exhibits.

The Land Use Report (Exhibit 2) has already been submitted into the record in connection with the LMA Application. The Applicant is submitting an updated Local Area Transportation Report in connection with this pre-hearing statement (Exhibit 3). The evidence to be presented will demonstrate that (1) the subject LMA satisfies the purpose and requirements of the CRNF Zone as set forth in Section 59-5.3 of the Zoning Ordinance; (2) adequate public facilities and services will be available to serve the proposed development under the Growth and Infrastructure Policy; (3) the LMA substantially conforms with the recommendations of the *White Oak Master Plan* and *Thrive Montgomery 2050*; and (4) the Application satisfies the required findings for approval of a Local Map Amendment pursuant to Section 59-7.2.1.E of the Zoning Ordinance.

### **III. SUMMARY OF EXPERT TESTIMONY**

At the present time, the Applicant intends to call the following expert witnesses to testify in support of the rezoning application:

1. Josh Sloan, Certified Land Planner and Registered Landscape Architect with VIKA Maryland will testify as to, among other things, the physical characteristics of the Property, the proposed Floating Zone Plan, and the adequacy of public school facilities serving the proposed development. Mr. Sloan will also testify as to the LMA's substantial conformance with the Master Plan and *Thrive 2050*, as well as the Project's compliance with the Zoning Ordinance. Finally, Mr. Sloan will also testify as to the Natural Resources Inventory/Forest Stand Delineation, the Preliminary Forest Conservation Plan, and landscaping and open space provided in connection with the proposed development.
2. Logan Kelso, Professional Engineer with VIKA Maryland will testify to, among other things, the physical characteristics of the Property, the proposed Floating Zone Plan, the proposed storm water strategy for the redevelopment of the Property, and the adequacy of certain public facilities to serve the Project.
3. Katie Wagner, Transportation Engineer with Gorove Slade, will testify as to the Local Area Transportation Report prepared for the LMA and the adequacy of transportation facilities to serve the Project.


The resumes of the above identified expert witnesses are attached. (*See Exhibit 1*). The Applicant reserves the right to amend this list of witnesses and call additional expert witnesses if it deems necessary.

#### IV. ESTIMATED TIME REQUIRED FOR PRESENTATION

It is estimated that one (1) full day will be required for the Applicant to present its case in chief. This submission is intended to satisfy the requirement of the Rules of Procedure for Zoning Cases. If it is subsequently determined that new or supplemental information is necessary, the Applicant will make a supplemental submission in a timely fashion.

Respectfully submitted,  
Lerch, Early & Brewer, Chtd.

By:   
Elizabeth C. Rogers

By:   
Erin E. Girard

By:   
Vince G. Biase

## **Attachment B**





UNITED STATES OFFICE OF PERSONNEL MANAGEMENT  
Washington, DC 20415

The Director

## MEMORANDUM

**TO:** Heads and Acting Heads of Departments and Agencies  
**FROM:** Charles Ezell, Acting Director, U.S. Office of Personnel Management  
**DATE:** January 22, 2025  
**RE:** Guidance on Presidential Memorandum *Return to In-Person Work*.

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The U.S. Office of Personnel Management (OPM) is providing the following guidance to agencies regarding President Trump's Presidential Memorandum (PM), *Return to In-Person Work*.

### I. Authority

OPM is issuing this guidance under the Telework Enhancement Act of 2010, which requires agencies to consult with OPM in developing telework policies<sup>1</sup> and tasks OPM with providing policy and policy guidance,<sup>2</sup> as well as assisting agencies with establishing teleworking goals.<sup>3</sup> This guidance also implements OPM Director's statutory duties to "secur[e] accuracy, uniformity, and justice in the functions of the Office" and "execut[e], administer[], and enforc[e] . . . the civil service rules and regulations of the President and the Office and the laws governing the civil service."<sup>4</sup>

### II. Background

President Trump was elected with the mandate to increase the efficiency and accountability of the federal workforce. A glaring roadblock is that most federal offices presently are virtually abandoned. The vast majority of federal office workers have not returned to in-person work, even though the COVID-19 pandemic ended years ago.<sup>5</sup> Many federal office workers never show up to

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<sup>1</sup> 5 U.S.C. § 6504(a).

<sup>2</sup> *Id.* § 6504(b)(1).

<sup>3</sup> *Id.* § 6504(b)(2). This guidance supersedes entirely and cancels OPM's August 7, 2024 Memorandum entitled "Guiding Factors for Designing Remote Work Policies and Programs," the OPM Memorandum to Heads of Executive Departments and Agencies dated February 9, 2001, and any conflicting sections of OPM's *2021 Guide to Telework and Remote Work in the Federal Government*.

<sup>4</sup> 5 U.S.C. § 1103(a)(1) and (a)(5).

<sup>5</sup> Report of the House Committee on Oversight and Government Reform Majority Staff, *The Lights Are On, But Everyone Is at Home: Why the New Administration Will Enter Largely Vacant Federal Offices* (Jan. 15, 2025), [https://oversight.house.gov/wp-content/uploads/2025/01/011525-Telework-Staff-Report\\_FINAL.pdf](https://oversight.house.gov/wp-content/uploads/2025/01/011525-Telework-Staff-Report_FINAL.pdf).

the federal worksite at all.<sup>6</sup> Federal office buildings sit mostly empty, particularly Washington, D.C.-area agency headquarters offices, devastating the local economy and serving as a national embarrassment.<sup>7</sup> Virtually unrestricted telework has led to poorer government services and made it more difficult to supervise and train government workers.<sup>8</sup>

Fairness requires that federal office employees show up to the worksite each day like most other American workers. In addition, during the Biden Administration, federal unions attempted to abuse the collective-bargaining process to guarantee full-time telework into the indefinite future and forestall any requirement to return to the office.<sup>9</sup>

The President's PM directs agency heads to "take all necessary steps to terminate remote work arrangements and require employees to return to work in-person at their respective duty stations on a full-time basis" "as soon as practicable." It allows agency heads to "make exemptions they deem necessary" and directs that the directive "be implemented consistent with applicable law."

The PM reflects a simple reality. The only way to get employees back to the office is to adopt a centralized policy requiring return-to-work for all agencies across the federal government.<sup>10</sup> Seeking to cajole individual agencies to try to get employees to return to the worksite has not succeeded.<sup>11</sup>

### **III. Steps for Agencies to Return to Workers to the Office**

In light of the PM, agencies should take the following steps to return workers to the office.

No later than **5:00 pm EST on Friday, January 24, 2025:**

1. The agency head or acting agency head should revise their agency's telework policy issued under 5 U.S.C. § 6502(a)(1)(A) to state that eligible employees must work full

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<sup>6</sup> *Id.*

<sup>7</sup> Testimony of Tom Davis, President, Federal City Council to the Committee on Government Oversight and the Workforce (January 15, 2025).

<sup>8</sup> Report of the House Committee on Oversight and Government Reform Majority Staff, *The Lights Are On, But Everyone Is at Home: Why the New Administration Will Enter Largely Vacant Federal Offices* at pp. 27-30.

<sup>9</sup> *Id.* at 15-16, 36-38.

<sup>10</sup> Such a centralized approach by the Washington, D.C. succeeded in getting government workers back to the worksite. By contrast, President Biden's attempts to convince individual agencies to have employees return to work failed to achieve a meaningful return to office work. See Report of the House Committee on Oversight and Government Reform Majority Staff, *The Lights Are On, But Everyone Is at Home: Why the New Administration Will Enter Largely Vacant Federal Offices* at pp. 18-20.

<sup>11</sup> *Id.* at 31-36.

time at their respective duty stations unless excused due to a disability, qualifying medical condition, or other compelling reason certified by the agency head and the employee's supervisor.

2. The agency head or acting agency head should email all employees notifying them of President Trump's PM *Return to In-Person Work*, attach a copy of the PM, and notify employees of the agency's intention to fully comply with the PM. (A copy of the PM is attached as Appendix 1).
3. The agency should notify OPM of the agency's Telework Managing Officer, and assign that individual responsibility for complying with the guidance herein.

Agencies should advise OPM of the date that the agency will be in full compliance with the new telework policy. If an employee's official duty station is more than 50 miles from any existing agency office, the agency should take steps to move the employee's duty station to the most appropriate agency office based on the employee's duties and job function. OPM recommends that agencies set a target date of approximately 30 days for full compliance with the PM, subject to any exclusions granted by the agency and any collective bargaining obligations.

Please send all reports requested by this document to [tracking@opm.gov](mailto:tracking@opm.gov).

Do not hesitate to contact OPM if you have any questions regarding these matters by email to [tracking@opm.gov](mailto:tracking@opm.gov).

cc: Chief Human Capital Officers (CHCOs), Deputy CHCOs, and Human Resources Directors

Appendix 1: President Trump's Presidential Memorandum *Return to In-Person Work*.

Heads of all departments and agencies in the executive branch of Government shall, as soon as practicable, take all necessary steps to terminate remote work arrangements and require employees to return to work in-person at their respective duty stations on a full-time basis, provided that the department and agency heads shall make exemptions they deem necessary.

This memorandum shall be implemented consistent with applicable law.

## **Attachment C**

Table 1: Intersection Peak Hour Volume Total

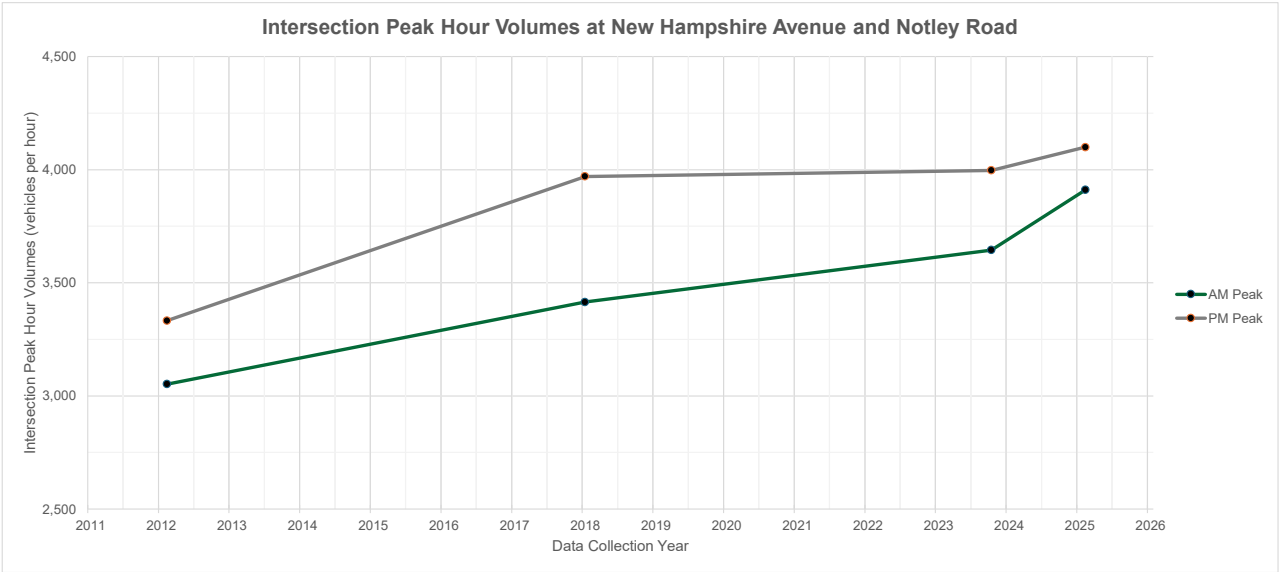
Total Entering Volume/Data Date Peak Hour	2/9/2012 (SHA)		1/10/2018 (SHA)		10/25/2023 (SHA)		2/25/2025 (LATR)	
	AM	PM	AM	PM	AM	PM	AM	PM
New Hampshire Avenue and Notley Road Intersection Peak Hour Volume Total	3,052	3,333	3,415	3,970	3,645	3,997	3,911	4,100

Table 2: Intersection Peak Hour Volume Total Comparison

Data Being Compared Peak Hour	2012 to 2018		2018 to 2023		2023 to 2/2025	
	AM	PM	AM	PM	AM	PM
New Hampshire Avenue and Notley Road Intersection Peak Hour Volume Comparison	+363 +12%	+637 +19%	+230 +7%	+27 +1%	+266 +7%	+103 +3%

Table 3: Intersection Peak Hour Volume Total Comparison (Historical vs. Feb. 2025)

Data Being Compared Peak Hour	2012 to 2/2025		2018 to 2/2025		2023 to 2/2025	
	AM	PM	AM	PM	AM	PM
New Hampshire Avenue and Notley Road Intersection Peak Hour Volume Comparison	+859 +28%	+767 +23%	+496 +15%	+130 +3%	+266 +7%	+103 +3%





Maryland Department of Transportation  
State Highway Administration  
Data Services Division  
Turning Movement Summary Report

Station ID: S1998150327

County: Montgomery

Comments: LOS AM:B PM:A

Date: 2/9/2012 6:00:00 AM

Town: none

Location: MD 650 at Notley Rd

Weather: Clear

Interval: 60 Min

PEAK	AM PERIOD	Start	End	Volume	LOS	V/C	PM PERIOD	Start	End	Volume	LOS	V/C
Hours	6:00AM-12:00PM	07:15	08:00	3052	B	N/A	12:00PM-19:00PM	16:45	17:30	3333	A	N/A

	MD 650					MD 650					Notlev Rd					Notley Rd					
	From North					From South					From East					From West					
Begin Hour	U.Turn	Left	Through	Right	TOTAL	U.Turn	Left	Through	Right	TOTAL	U.Turn	Left	Through	Right	TOTAL	U.Turn	Left	Through	Right	TOTAL	GrandTotal
06:00:00	0	1	191	0	192	0	5	87	1	93	0	1	0	1	2	0	0	0	9	9	296
06:15:00	0	0	254	0	254	0	6	116	0	122	0	1	2	0	3	0	0	1	23	24	403
06:30:00	0	0	366	0	366	1	17	157	0	175	0	0	0	1	1	0	3	1	32	36	578
06:45:00	0	0	375	2	377	1	20	196	1	218	0	2	0	1	3	0	2	0	37	39	637
07:00:00	0	0	460	0	460	0	20	197	0	217	0	0	0	6	6	0	4	0	47	51	734
07:15:00	0	0	511	4	515	0	29	200	2	231	0	0	0	2	2	0	1	0	38	39	787
07:30:00	2	0	421	1	424	2	29	238	0	269	0	3	1	4	8	0	2	0	41	43	744
07:45:00	0	1	443	4	448	0	30	233	1	264	0	0	0	0	0	0	1	0	50	51	763
08:00:00	0	1	464	0	465	1	24	217	4	246	0	1	0	3	4	0	3	0	40	43	758
08:15:00	0	1	431	0	432	3	32	208	1	244	0	1	0	4	5	0	2	0	52	54	735
08:30:00	0	0	409	3	412	0	31	189	1	221	0	1	0	4	5	0	2	0	46	48	686
08:45:00	0	0	430	0	430	5	29	216	1	251	0	1	0	1	2	0	2	0	50	52	735
09:00:00	0	4	362	5	371	4	26	189	0	219	0	0	0	0	0	0	0	1	36	37	627
09:15:00	1	2	349	2	354	1	18	129	0	148	0	1	0	2	3	0	0	0	38	38	543
09:30:00	0	0	305	2	307	0	22	129	0	151	0	2	0	0	2	0	0	0	27	27	487
09:45:00	0	0	260	1	261	1	24	141	2	168	0	1	0	2	3	0	2	1	34	37	469
10:00:00	0	0	229	3	232	1	17	160	1	179	0	2	0	2	4	0	1	1	40	42	457
10:15:00	1	0	249	2	252	3	22	142	2	169	0	4	0	2	6	0	0	0	27	27	454
10:30:00	0	0	233	0	233	2	20	137	2	161	0	3	0	3	6	0	4	1	24	29	429
10:45:00	0	0	234	0	234	2	15	146	0	163	0	1	0	1	2	0	4	0	37	41	440
11:00:00	0	0	184	3	187	1	21	176	0	198	0	2	0	1	3	0	4	0	23	27	415
11:15:00	0	0	198	2	200	0	24	136	0	160	0	0	0	0	0	0	2	0	38	40	400
11:30:00	1	2	187	1	191	2	20	169	1	192	0	0	0	1	1	0	1	0	24	25	409
11:45:00	1	2	174	3	180	3	24	160	2	189	0	1	1	0	2	0	0	0	24	24	395
12:00:00	1	1	188	4	194	2	28	134	0	164	0	0	1	0	1	0	1	0	19	20	379
12:15:00	0	0	188	3	191	0	27	170	1	198	0	1	0	0	1	0	1	0	23	24	414
12:30:00	2	2	176	2	182	1	36	188	0	225	0	1	0	1	2	0	1	0	31	32	441
12:45:00	0	1	181	4	186	2	22	145	3	172	0	0	0	0	0	0	1	0	20	21	379
13:00:00	0	2	178	2	182	2	27	167	2	198	0	1	0	2	3	0	1	0	35	36	419
13:15:00	0	0	185	2	187	1	23	187	1	212	0	0	0	1	1	0	0	0	36	36	436
13:30:00	0	1	159	4	164	2	27	177	1	207	0	0	0	1	1	0	0	0	22	22	394
13:45:00	0	1	191	2	194	1	33	190	1	225	0	2	0	0	2	0	1	0	22	23	444
14:00:00	0	2	181	1	184	3	20	185	2	210	0	1	0	2	3	0	1	0	27	28	425
14:15:00	0	1	221	1	223	2	31	216	1	250	0	0	0	1	1	0	0	0	25	25	499
14:30:00	0	2	196	2	200	1	41	274	2	318	0	0	0	2	2	0	2	0	36	38	558
14:45:00	0	1	215	2	218	2	40	292	0	334	0	0	0	1	1	0	0	0	30	30	583
15:00:00	1	0	219	6	226	5	41	280	2	328	0	2	0	1	3	0	3	0	21	24	581
15:15:00	0	0	255	2	257	0	45	340	2	387	0	1	0	3	4	0	0	0	37	37	685



Maryland Department of Transportation  
State Highway Administration  
Data Services Division  
Turning Movement Summary Report

Station ID: S1998150327

County: Montgomery

Comments: LOS AM:B PM:A

Date: 2/9/2012 6:00:00 AM

Town: none

Location: MD 650 at Notley Rd

Weather: Clear

Interval: 60 Min

PEAK	AM PERIOD	Start	End	Volume	LOS	V/C	PM PERIOD	Start	End	Volume	LOS	V/C
Hours	6:00AM-12:00PM	07:15	08:00	3052	B	N/A	12:00PM-19:00PM	16:45	17:30	3333	A	N/A

	MD 650					MD 650					Notley Rd					Notley Rd					
	From North					From South					From East					From West					
15:30:00	1	1	227	2	231	2	39	341	5	387	0	1	0	0	1	0	0	0	32	32	651
15:45:00	0	1	285	6	292	1	53	334	3	391	0	0	0	1	1	0	3	0	32	35	719
16:00:00	0	1	238	5	244	1	49	370	2	422	0	0	0	0	0	0	1	0	34	35	701
16:15:00	1	3	263	1	268	1	60	415	4	480	0	0	0	1	1	0	0	0	35	35	784
16:30:00	1	3	242	2	248	2	47	434	4	487	0	1	0	3	4	0	3	0	42	45	784
16:45:00	0	6	272	8	286	2	53	421	1	477	0	1	0	1	2	0	1	0	33	34	799
17:00:00	1	2	240	7	250	3	61	421	2	487	0	0	0	1	1	0	5	0	31	36	774
17:15:00	1	3	291	6	301	2	78	502	3	585	0	1	0	1	2	0	4	0	39	43	931
17:30:00	0	0	255	3	258	3	64	466	2	535	0	1	0	1	2	0	1	0	33	34	829
17:45:00	0	1	257	2	260	1	63	430	0	494	0	2	0	1	3	0	1	0	35	36	793
18:00:00	0	1	233	4	238	1	70	422	1	494	0	0	0	2	2	0	0	0	32	32	766
18:15:00	0	2	242	4	248	4	69	451	1	525	0	1	0	0	1	0	1	0	39	40	814
18:30:00	0	0	244	6	250	2	56	401	1	460	0	0	0	1	1	0	2	0	37	39	750
18:45:00	0	0	207	5	212	5	54	400	3	462	0	0	0	0	0	0	1	0	23	24	698
TOTAL	15	52	13948	136	14151	87	1782	12821	72	14762	0	45	5	69	119	0	75	6	1698	1779	30811
AMPEAK	2	2	1839	9	1852	3	112	888	7	1010	0	4	1	9	14	0	7	0	169	176	3052
PMPEAK	2	11	1058	24	1095	10	256	1810	8	2084	0	3	0	4	7	0	11	0	136	147	3333
DAYPEAK	2	11	1058	24	1095	10	256	1810	8	2084	0	3	0	4	7	0	11	0	136	147	3333





Maryland Department of Transportation  
State Highway Administration  
Data Services Division  
Turning Movement Summary Report

Station ID: S1998150327  
Date: 2/9/2012 6:00:00 AM  
Location: MD 650 at Notley Rd  
Interval: 60 Min

County: Montgomery  
Town: none  
Weather: Clear  
Comments: LOS AM:B PM:A

PEAK	AM PERIOD	Start	End	Volume	LOS	V/C	PM PERIOD	Start	End	Volume	LOS	V/C
Hours	6:00AM-12:00PM	07:15	08:00	3052	B	N/A	12:00PM-19:00PM	16:45	17:30	3333	A	N/A

MD 650			MD 650			Notley Rd			Notley Rd		
From North			From South			From East			From West		

Begin Hour	School Children	Pedestrians	Bicycles	School Children	Pedestrians	Bicycles	School Children	Pedestrians	Bicycles	School Children	Pedestrians	Bicycles
06:00:00	0	0		0	0		0	0		0	1	
06:15:00	0	0		0	0		0	0		0	0	
06:30:00	0	0		0	0		0	0		0	1	
06:45:00	0	0		0	0		0	0		0	0	
07:00:00	0	1		0	0		0	2		0	3	
07:15:00	0	0		0	0		0	0		0	1	
07:30:00	0	0		0	0		0	0		0	0	
07:45:00	0	0		0	0		0	0		0	1	
08:00:00	0	0		0	0		0	0		0	0	
08:15:00	0	0		0	0		0	0		0	0	
08:30:00	0	0		0	0		0	0		0	0	
08:45:00	0	0		0	0		0	2		0	0	
09:00:00	0	0		0	0		0	0		0	0	
09:15:00	0	0		0	0		0	0		0	0	
09:30:00	0	0		0	0		0	1		0	1	
09:45:00	0	0		0	0		0	0		0	0	
10:00:00	0	0		0	0		0	0		0	0	
10:15:00	0	0		0	0		0	1		0	0	
10:30:00	0	0		0	0		0	0		0	0	
10:45:00	0	0		0	0		0	0		0	0	
11:00:00	0	0		0	0		0	0		0	0	
11:15:00	0	0		0	0		0	0		0	0	
11:30:00	0	0		0	0		0	0		0	0	
11:45:00	0	0		0	0		0	1		0	1	
12:00:00	0	0		0	0		0	1		0	1	
12:15:00	0	0		0	0		0	2		0	0	
12:30:00	0	0		0	0		0	1		0	0	
12:45:00	0	0		0	0		0	1		0	1	
13:00:00	0	0		0	0		0	0		0	2	
13:15:00	0	0		0	0		0	0		0	1	
13:30:00	0	0		0	0		0	2		0	1	
13:45:00	0	0		0	0		0	0		0	1	
14:00:00	0	0		0	0		0	0		0	0	
14:15:00	0	0		0	0		0	1		0	2	
14:30:00	0	0		0	0		0	0		0	0	
14:45:00	0	0		0	0		0	1		0	0	
15:00:00	0	0		0	0		0	0		0	0	
15:15:00	0	0		0	0		0	2		0	0	



Maryland Department of Transportation  
State Highway Administration  
Data Services Division  
Turning Movement Summary Report

Station ID: S1998150327

County: Montgomery

Comments: LOS AM:B PM:A

Date: 2/9/2012 6:00:00 AM

Town: none

Location: MD 650 at Notley Rd

Weather: Clear

Interval: 60 Min

PEAK	AM PERIOD	Start	End	Volume	LOS	V/C	PM PERIOD	Start	End	Volume	LOS	V/C
Hours	6:00AM-12:00PM	07:15	08:00	3052	B	N/A	12:00PM-19:00PM	16:45	17:30	3333	A	N/A

MD 650			MD 650			Notley Rd			Notley Rd			
From North			From South			From East			From West			
Begin Hour	School Children	Pedestrians	Bicycles	School Children	Pedestrians	Bicycles	School Children	Pedestrians	Bicycles	School Children	Pedestrians	Bicycles
15:30:00	0	0		0	0		0	0		0	0	
15:45:00	0	0		0	0		0	0		0	0	
16:00:00	0	0		0	0		0	1		0	0	
16:15:00	0	0		0	0		0	0		0	0	
16:30:00	0	0		0	0		0	0		0	0	
16:45:00	0	0		0	0		0	0		0	0	
16:45:00	0	0		0	0		0	0		0	0	
17:00:00	0	0		0	0		0	1		0	0	
17:15:00	0	0		0	0		0	0		0	2	
17:30:00	0	0		0	0		0	1		0	0	
17:45:00	0	0		0	0		0	0		0	0	
18:00:00	0	0		0	0		0	0		0	2	
18:15:00	0	0		0	0		0	0		0	0	
18:30:00	0	0		0	0		0	0		0	1	
18:45:00	0	0		0	0		0	0		0	0	
TOTAL	0	1		0	0		0	21		0	24	
AMPEAK	0	0		0	0		0	0		0	2	
PMPEAK	0	0		0	0		0	2		0	3	
DAYPEAK	0	0		0	0		0	2		0	3	



Maryland Department of Transportation  
State Highway Administration  
Data Services Division  
Turning Movement Summary Report

Station ID: S1998150327

County: Montgomery

Comments: LOS AM:B PM:A

Date: 2/9/2012 6:00:00 AM

Town: none

Location: MD 650 at Notley Rd

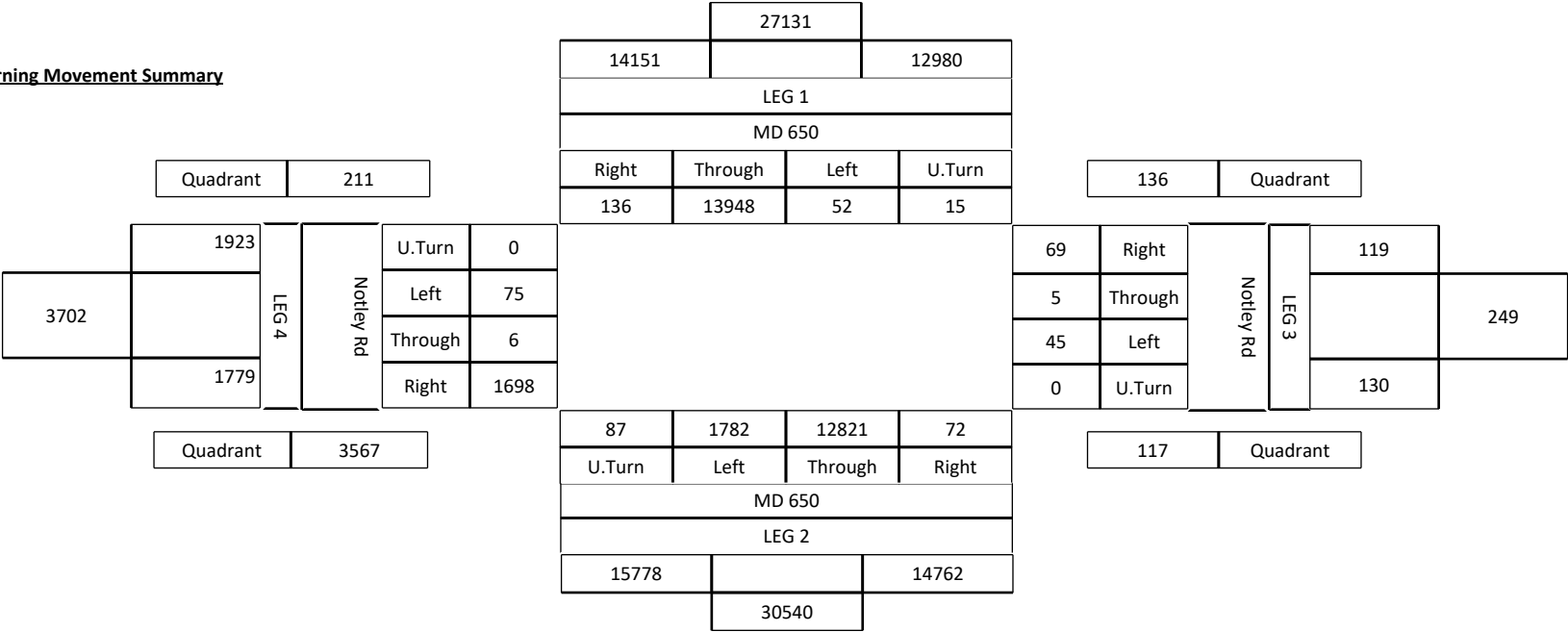
Weather: Clear

Interval: 60 Min

PEAK	AM PERIOD	Start	End	Volume	LOS	V/C	PM PERIOD	Start	End	Volume	LOS	V/C
Hours	6:00AM-12:00PM	07:15	08:00	3052	B	N/A	12:00PM-19:00PM	16:45	17:30	3333	A	N/A



Turning Movement Summary





Maryland Department of Transportation  
State Highway Administration  
Data Services Division  
Turning Movement Summary Report

Station ID: S1998150327

County: Montgomery

Comments: LOS AM:B PM:A

Date: 2/9/2012 6:00:00 AM

Town: none

Location: MD 650 at Notley Rd

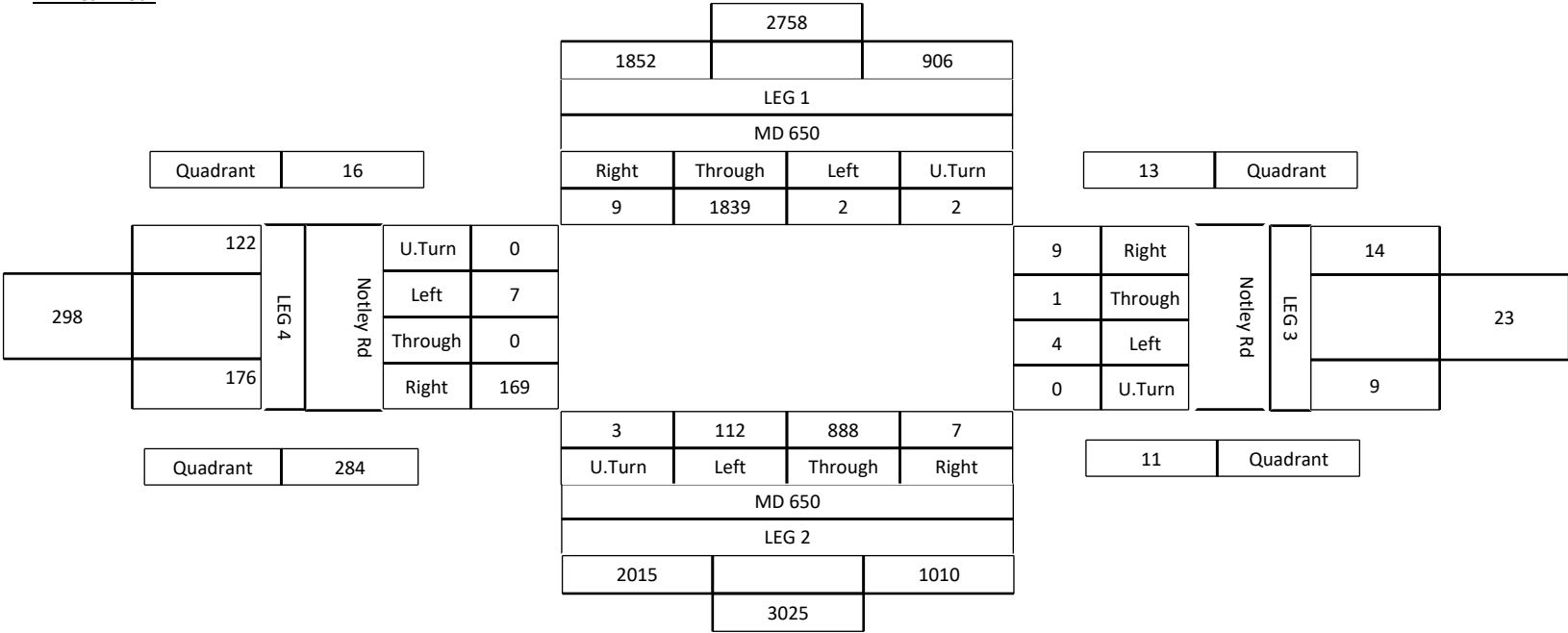
Weather: Clear

Interval: 60 Min

PEAK	AM PERIOD	Start	End	Volume	LOS	V/C	PM PERIOD	Start	End	Volume	LOS	V/C
Hours	6:00AM-12:00PM	07:15	08:00	3052	B	N/A	12:00PM-19:00PM	16:45	17:30	3333	A	N/A



AM Peak Hour



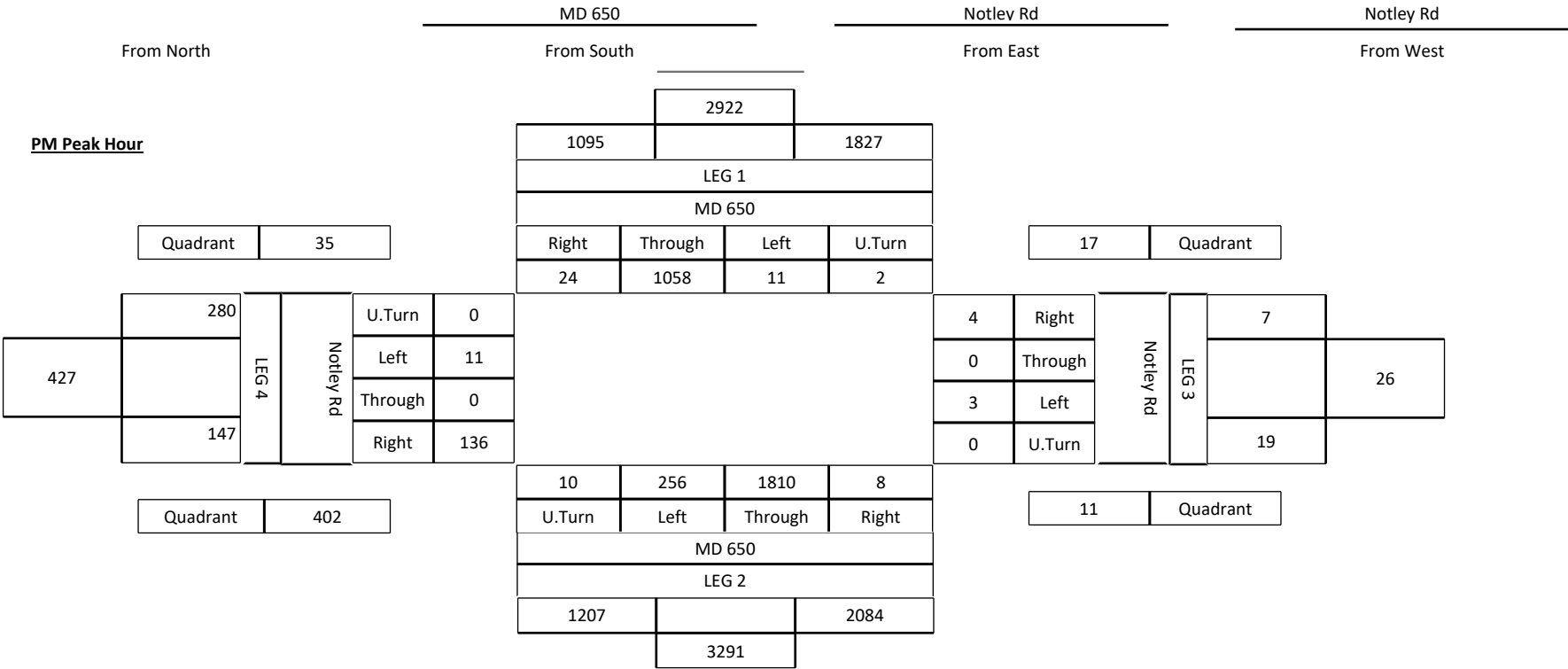


Maryland Department of Transportation  
State Highway Administration  
Data Services Division  
Turning Movement Summary Report

Station ID: S1998150327  
Date: 2/9/2012 6:00:00 AM  
Location: MD 650 at Notley Rd  
Interval: 60 Min

County: Montgomery  
Town: none  
Weather: Clear  
Comments: LOS AM:B PM:A

PEAK	AM PERIOD	Start	End	Volume	LOS	V/C	PM PERIOD	Start	End	Volume	LOS	V/C
Hours	6:00AM-12:00PM	07:15	08:00	3052	B	N/A	12:00PM-19:00PM	16:45	17:30	3333	A	N/A





Maryland Department of Transportation  
State Highway Administration  
Data Services Division  
Turning Movement Summary Report

Station ID: S1998150327

County: Montgomery

Comments:

Date: 1/10/2018 12:00:00 AM

Town: none

Location: MD 650 at Notley Rd

Weather: Sunny

Interval: 60 Min

PEAK	AM PERIOD	Start	End	Volume	LOS	V/C	PM PERIOD	Start	End	Volume	LOS	V/C
Hours	6:00AM-12:00PM	08:00	08:45	3415	B	0.71	12:00PM-19:00PM	18:00	18:45	3970	B	0.67

	MD 650					MD 650					Notlev Rd					Notley Rd					
	From North					From South					From East					From West					
Begin Hour	U.Turn	Left	Through	Right	TOTAL	U.Turn	Left	Through	Right	TOTAL	U.Turn	Left	Through	Right	TOTAL	U.Turn	Left	Through	Right	TOTAL	GrandTotal
00:00:00	0	0	15	1	16	0	3	25	0	28	0	0	0	0	0	0	0	0	9	9	53
00:15:00	0	0	13	1	14	1	6	23	0	30	0	0	0	0	0	0	0	0	6	6	50
00:30:00	0	0	15	0	15	0	5	33	0	38	0	0	0	0	0	0	0	0	4	4	57
00:45:00	0	0	13	0	13	0	3	21	0	24	0	0	0	0	0	0	0	0	2	2	39
01:00:00	0	0	9	0	9	0	5	12	0	17	0	0	0	0	0	0	0	0	7	7	33
01:15:00	0	0	1	0	1	0	2	13	0	15	0	0	0	0	0	0	0	0	2	2	18
01:30:00	0	0	10	0	10	0	4	17	0	21	0	0	0	0	0	0	0	0	2	2	33
01:45:00	0	0	6	0	6	0	3	6	0	9	0	0	0	0	0	0	0	0	0	0	15
02:00:00	0	0	1	0	1	0	3	5	0	8	0	0	0	0	0	0	0	0	3	3	12
02:15:00	0	0	11	0	11	0	2	10	0	12	0	0	0	0	0	0	0	0	1	1	24
02:30:00	0	0	8	1	9	1	1	15	0	17	0	0	0	0	0	0	0	0	0	0	26
02:45:00	0	0	11	1	12	0	2	6	0	8	0	1	0	0	1	0	1	0	2	3	24
03:00:00	0	0	9	0	9	1	1	6	0	8	0	0	0	0	0	0	0	0	1	1	18
03:15:00	0	0	12	0	12	0	1	4	0	5	0	0	0	0	0	0	0	0	1	1	18
03:30:00	0	0	3	0	3	0	0	9	0	9	0	0	0	0	0	0	1	0	1	2	14
03:45:00	0	0	17	0	17	0	0	11	0	11	0	0	0	0	0	0	0	0	0	0	28
04:00:00	0	1	17	0	18	0	0	11	0	11	0	0	0	0	0	1	0	0	1	2	31
04:15:00	0	0	28	0	28	1	2	8	0	11	0	0	0	0	0	0	0	0	1	1	40
04:30:00	0	0	38	0	38	0	4	13	0	17	0	0	0	0	0	0	0	0	7	7	62
04:45:00	0	0	33	0	33	1	4	22	0	27	0	1	0	0	1	0	0	0	6	6	67
05:00:00	0	0	66	0	66	0	1	31	0	32	0	0	0	0	0	0	0	0	11	11	109
05:15:00	0	0	86	1	87	0	8	44	0	52	0	0	0	0	0	0	0	0	13	13	152
05:30:00	0	0	101	1	102	0	3	59	0	62	0	0	0	0	0	0	0	0	24	24	188
05:45:00	0	0	118	1	119	0	6	62	0	68	0	0	0	0	0	0	0	0	11	11	198
06:00:00	0	0	139	2	141	1	5	77	0	83	0	1	0	0	1	0	2	1	19	22	247
06:15:00	0	0	222	1	223	2	11	127	0	140	0	0	0	0	0	0	3	0	25	28	391
06:30:00	0	0	239	0	239	2	10	134	0	146	0	0	0	1	1	0	2	0	22	24	410
06:45:00	0	1	329	0	330	2	17	153	0	172	0	1	0	1	2	0	3	0	38	41	545
07:00:00	1	1	297	2	301	0	19	137	1	157	0	0	0	1	1	0	0	0	39	39	498
07:15:00	0	0	285	0	285	0	18	151	0	169	0	0	0	0	0	0	0	0	39	39	493
07:30:00	0	0	357	2	359	1	24	200	1	226	0	0	0	2	2	0	0	0	36	36	623
07:45:00	0	0	334	3	337	2	34	202	0	238	0	0	0	1	1	0	3	0	43	46	622
08:00:00	0	0	470	6	476	3	30	258	1	292	0	1	0	2	3	0	5	0	54	59	830
08:15:00	0	0	449	4	453	0	30	296	0	326	0	1	0	2	3	0	0	0	66	66	848
08:30:00	0	2	496	0	498	0	29	312	0	341	0	1	0	4	5	0	1	1	72	74	918
08:45:00	1	2	434	3	440	0	42	261	2	305	0	1	0	3	4	0	4	0	66	70	819
09:00:00	0	0	334	3	337	2	34	202	0	238	0	0	0	1	1	0	3	0	43	46	622
09:15:00	0	0	323	0	323	0	23	203	1	227	0	0	0	2	2	0	2	0	45	47	599



Maryland Department of Transportation  
State Highway Administration  
Data Services Division  
Turning Movement Summary Report

Station ID: S1998150327

County: Montgomery

Comments:

Date: 1/10/2018 12:00:00 AM

Town: none

Location: MD 650 at Notley Rd

Weather: Sunny

Interval: 60 Min

PEAK	AM PERIOD	Start	End	Volume	LOS	V/C	PM PERIOD	Start	End	Volume	LOS	V/C
Hours	6:00AM-12:00PM	08:00	08:45	3415	B	0.71	12:00PM-19:00PM	18:00	18:45	3970	B	0.67

	MD 650					MD 650					Notlev Rd					Notley Rd					
	From North					From South					From East					From West					
09:30:00	0	0	363	0	363	2	18	230	0	250	0	1	0	0	1	0	5	0	55	60	674
09:45:00	0	3	383	4	390	0	16	231	0	247	0	1	0	2	3	0	4	0	51	55	695
10:00:00	2	1	332	0	335	2	28	218	0	248	0	1	0	3	4	0	3	0	61	64	651
10:15:00	0	2	327	1	330	4	34	202	2	242	0	0	0	1	1	0	1	0	42	43	616
10:30:00	0	0	310	4	314	0	34	178	2	214	0	2	0	2	4	0	6	0	33	39	571
10:45:00	0	1	297	3	301	3	29	198	3	233	0	1	0	2	3	0	1	0	46	47	584
11:00:00	0	1	255	3	259	2	29	201	5	237	0	0	1	4	5	0	1	0	37	38	539
11:15:00	0	1	237	3	241	3	35	179	1	218	0	1	0	4	5	0	3	0	41	44	508
11:30:00	1	0	206	6	213	1	35	170	0	206	0	1	0	0	1	0	4	0	38	42	462
11:45:00	2	0	180	8	190	3	27	127	1	158	0	0	0	1	1	0	8	0	33	41	390
12:00:00	0	0	163	2	165	3	31	166	2	202	0	1	0	0	1	0	7	0	32	39	407
12:15:00	0	1	199	4	204	2	30	171	3	206	0	3	0	1	4	0	0	0	32	32	446
12:30:00	0	1	168	7	176	1	33	157	0	191	0	0	0	0	0	0	1	0	42	43	410
12:45:00	0	2	180	4	186	2	36	165	0	203	0	1	0	1	2	0	3	1	35	39	430
13:00:00	1	2	201	5	209	8	33	177	1	219	0	0	1	2	3	0	1	0	41	42	473
13:15:00	1	2	209	2	214	1	37	211	1	250	0	2	0	0	2	0	1	0	46	47	513
13:30:00	0	1	187	2	190	3	44	193	1	241	0	0	0	4	4	0	1	0	48	49	484
13:45:00	1	2	176	1	180	0	35	182	5	222	0	1	0	2	3	0	4	0	36	40	445
14:00:00	0	2	161	3	166	4	39	244	3	290	0	0	0	2	2	0	0	0	35	35	493
14:15:00	1	2	210	4	217	3	39	277	0	319	0	2	0	4	6	0	2	0	44	46	588
14:30:00	0	0	253	6	259	0	43	260	1	304	0	0	1	2	3	0	2	0	43	45	611
14:45:00	1	1	257	7	266	1	47	308	0	356	0	0	0	2	2	0	5	0	46	51	675
15:00:00	0	2	232	5	239	1	61	305	4	371	0	1	0	3	4	0	2	0	54	56	670
15:15:00	0	0	235	4	239	2	81	438	3	524	0	0	0	3	3	0	4	0	52	56	822
15:30:00	0	4	236	1	241	0	47	362	6	415	0	1	0	2	3	0	1	0	46	47	706
15:45:00	0	5	261	11	277	1	56	395	3	455	0	2	0	1	3	0	0	0	52	52	787
16:00:00	1	1	254	7	263	3	70	386	5	464	0	3	1	0	4	0	0	0	39	39	770
16:15:00	0	6	308	6	320	3	62	452	4	521	0	2	0	3	5	0	2	0	70	72	918
16:30:00	0	3	307	6	316	1	61	476	1	539	0	1	0	3	4	0	0	0	47	47	906
16:45:00	0	5	278	3	286	6	80	477	1	564	0	1	0	0	1	0	0	0	54	54	905
17:00:00	0	1	312	8	321	1	62	430	0	493	0	0	0	1	1	0	1	0	47	48	863
17:15:00	0	2	267	2	271	2	83	448	2	535	0	0	0	3	3	0	2	0	66	68	877
17:30:00	0	3	259	7	269	1	73	446	1	521	0	1	0	5	6	0	2	0	46	48	844
17:45:00	0	1	241	7	249	3	68	359	2	432	0	1	0	3	4	0	2	0	47	49	734
18:00:00	0	0	354	7	361	2	76	539	5	622	0	0	0	1	1	0	1	0	60	61	1045
18:15:00	0	3	345	7	355	2	90	498	3	593	0	1	0	3	4	0	0	0	54	54	1006
18:30:00	0	1	316	5	322	3	62	520	2	587	0	0	0	2	2	0	0	0	47	47	958
18:45:00	0	3	333	9	345	3	63	492	0	558	0	0	0	0	0	0	0	0	58	58	961
19:00:00	0	1	228	6	235	1	48	342	1	392	0	2	0	0	2	0	0	0	50	50	679
19:15:00	0	2	164	7	173	1	47	292	1	341	0	0	0	2	2	0	2	0	50	52	568



Maryland Department of Transportation  
State Highway Administration  
Data Services Division  
Turning Movement Summary Report

Station ID: S1998150327

County: Montgomery

Comments:

Date: 1/10/2018 12:00:00 AM

Town: none

Location: MD 650 at Notley Rd

Weather: Sunny

Interval: 60 Min

PEAK	AM PERIOD	Start	End	Volume	LOS	V/C	PM PERIOD	Start	End	Volume	LOS	V/C
Hours	6:00AM-12:00PM	08:00	08:45	3415	B	0.71	12:00PM-19:00PM	18:00	18:45	3970	B	0.67

	MD 650					MD 650					Notley Rd					Notley Rd					
	From North					From South					From East					From West					
19:30:00	1	2	170	2	175	1	53	263	0	317	0	0	0	0	0	0	2	0	40	42	534
19:45:00	0	1	173	3	177	2	39	216	3	260	0	1	0	0	1	0	0	0	38	38	476
20:00:00	0	1	157	4	162	3	41	174	0	218	0	0	0	1	1	0	2	0	30	32	413
20:15:00	0	2	146	4	152	0	30	163	0	193	0	0	0	0	0	0	0	0	30	30	375
20:30:00	0	1	140	1	142	1	48	143	0	192	0	0	0	0	0	0	0	0	26	26	360
20:45:00	1	0	143	5	149	2	41	170	4	217	0	0	0	0	0	0	2	0	20	22	388
21:00:00	0	1	130	1	132	2	35	136	0	173	0	0	0	1	1	0	1	0	24	25	331
21:15:00	0	1	128	0	129	8	52	145	0	205	0	0	0	0	0	0	1	0	30	31	365
21:30:00	0	1	100	2	103	3	29	109	0	141	0	0	0	0	0	0	2	0	27	29	273
21:45:00	0	2	120	2	124	2	29	119	2	152	0	0	0	0	0	0	0	0	16	16	292
22:00:00	0	1	68	0	69	4	29	87	0	120	0	0	0	0	0	0	1	0	20	21	210
22:15:00	0	0	73	1	74	1	29	81	2	113	0	0	0	0	0	0	0	0	12	12	199
22:30:00	0	0	37	2	39	4	20	79	0	103	0	0	0	0	0	0	3	0	18	21	163
22:45:00	0	0	40	3	43	1	21	68	1	91	0	0	0	1	1	0	2	0	14	16	151
23:00:00	0	0	37	0	37	0	17	40	1	58	0	0	0	0	0	0	0	0	18	18	113
23:15:00	0	0	41	0	41	0	10	53	0	63	0	0	0	0	0	0	0	0	6	6	110
23:30:00	0	0	21	1	22	0	13	46	0	59	0	0	0	0	0	0	2	0	8	10	91
23:45:00	0	0	22	1	23	1	4	28	0	33	0	0	0	0	0	0	1	0	10	11	67
TOTAL	15	88	17279	252	17634	139	2857	17401	94	20491	0	43	4	97	144	1	131	3	2965	3100	41369
AMPEAK	1	4	1849	13	1867	3	131	1127	3	1264	0	4	0	11	15	0	10	1	258	269	3415
PMPEAK	0	7	1348	28	1383	10	291	2049	10	2360	0	1	0	6	7	0	1	0	219	220	3970
DAYPEAK	0	7	1348	28	1383	10	291	2049	10	2360	0	1	0	6	7	0	1	0	219	220	3970





**Maryland Department of Transportation  
State Highway Administration  
Data Services Division  
Turning Movement Summary Report**

PEAK	AM PERIOD	Start	End	Volume	LOS	V/C	PM PERIOD	Start	End	Volume	LOS	V/C
Hours	6:00AM-12:00PM	08:00	08:45	3415	B	0.71	12:00PM-19:00PM	18:00	18:45	3970	B	0.67

From West

[illegible]



**Maryland Department of Transportation  
State Highway Administration  
Data Services Division  
Turning Movement Summary Report**

PEAK	AM PERIOD	Start	End	Volume	LOS	V/C	PM PERIOD	Start	End	Volume	LOS	V/C
Hours	6:00AM-12:00PM	08:00	08:45	3415	B	0.71	12:00PM-19:00PM	18:00	18:45	3970	B	0.67

[illegible]



**Maryland Department of Transportation  
State Highway Administration  
Data Services Division  
Turning Movement Summary Report**

Station ID: S1998150327

Date: 1/10/2018 12:00:00 AM

Location: MD 650 at Notley Rd

Interval: 60 Min

PEAK	AM PERIOD	Start	End	Volume	LOS	V/C	PM PERIOD	Start	End	Volume	LOS	V/C
Hours	6:00AM-12:00PM	08:00	08:45	3415	B	0.71	12:00PM-19:00PM	18:00	18:45	3970	B	0.67

MD 650

From North

[illegible]



Maryland Department of Transportation  
State Highway Administration  
Data Services Division  
Turning Movement Summary Report

Station ID: S1998150327

County: Montgomery

Comments:

Date: 1/10/2018 12:00:00 AM

Town: none

Location: MD 650 at Notley Rd

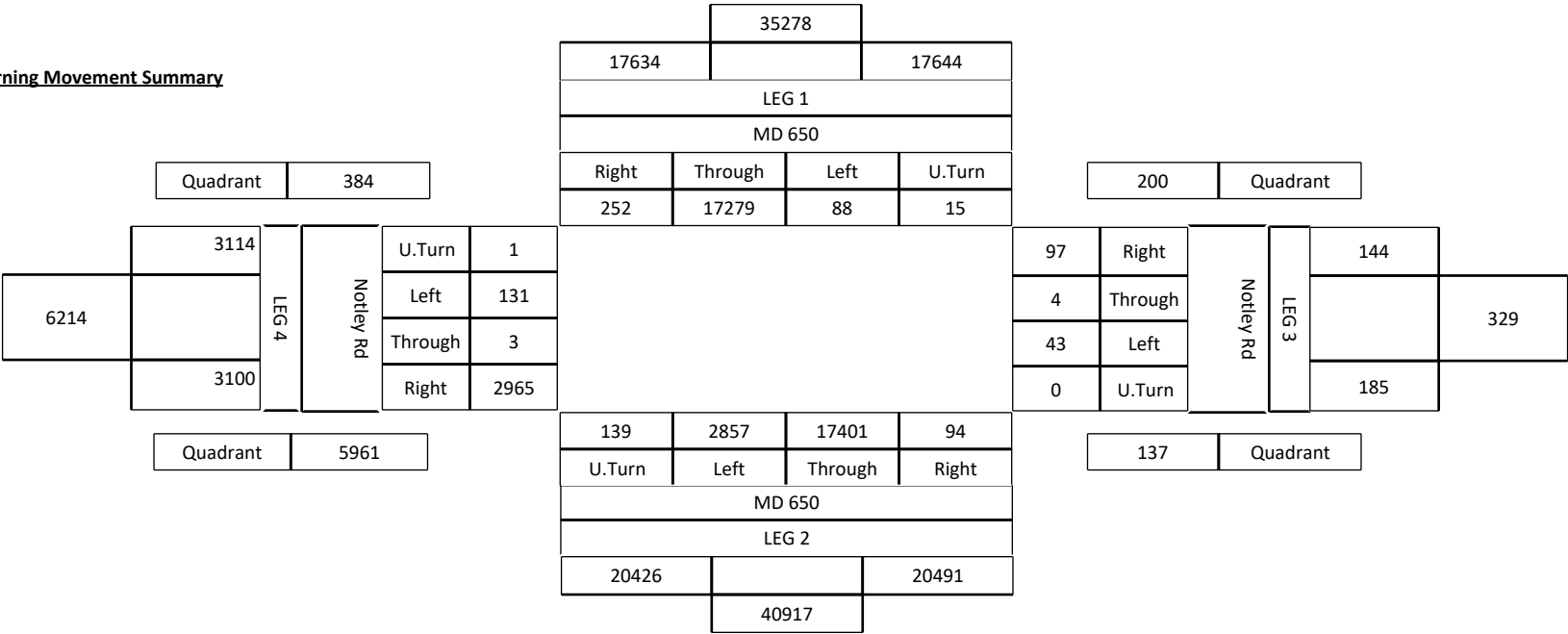
Weather: Sunny

Interval: 60 Min

PEAK	AM PERIOD	Start	End	Volume	LOS	V/C	PM PERIOD	Start	End	Volume	LOS	V/C
Hours	6:00AM-12:00PM	08:00	08:45	3415	B	0.71	12:00PM-19:00PM	18:00	18:45	3970	B	0.67



Turning Movement Summary





Maryland Department of Transportation  
State Highway Administration  
Data Services Division  
Turning Movement Summary Report

Station ID:

S1998150327

County:

Montgomery

Comments:

Date:

1/10/2018 12:00:00 AM

Town:

none

Location:

MD 650 at Notley Rd

Weather:

Sunny

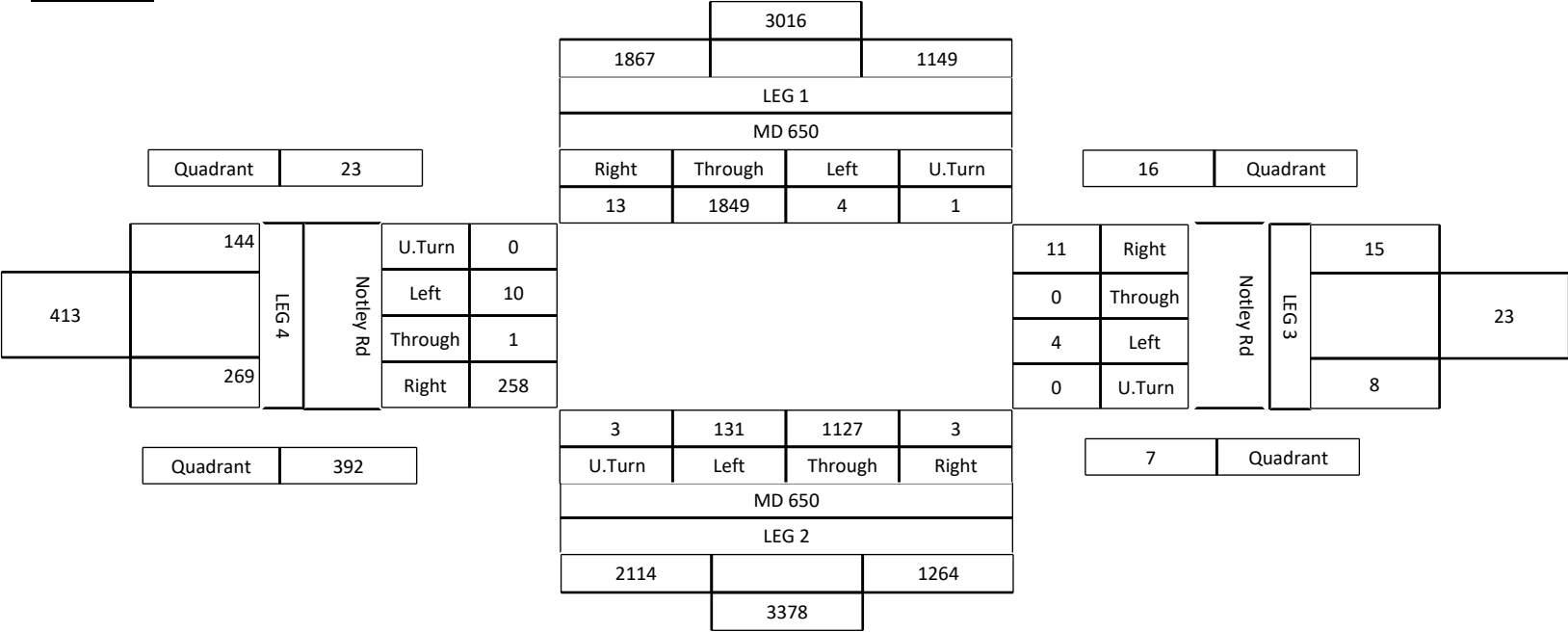
Interval:

60 Min

PEAK	AM PERIOD	Start	End	Volume	LOS	V/C	PM PERIOD	Start	End	Volume	LOS	V/C
Hours	6:00AM-12:00PM	08:00	08:45	3415	B	0.71	12:00PM-19:00PM	18:00	18:45	3970	B	0.67



AM Peak Hour



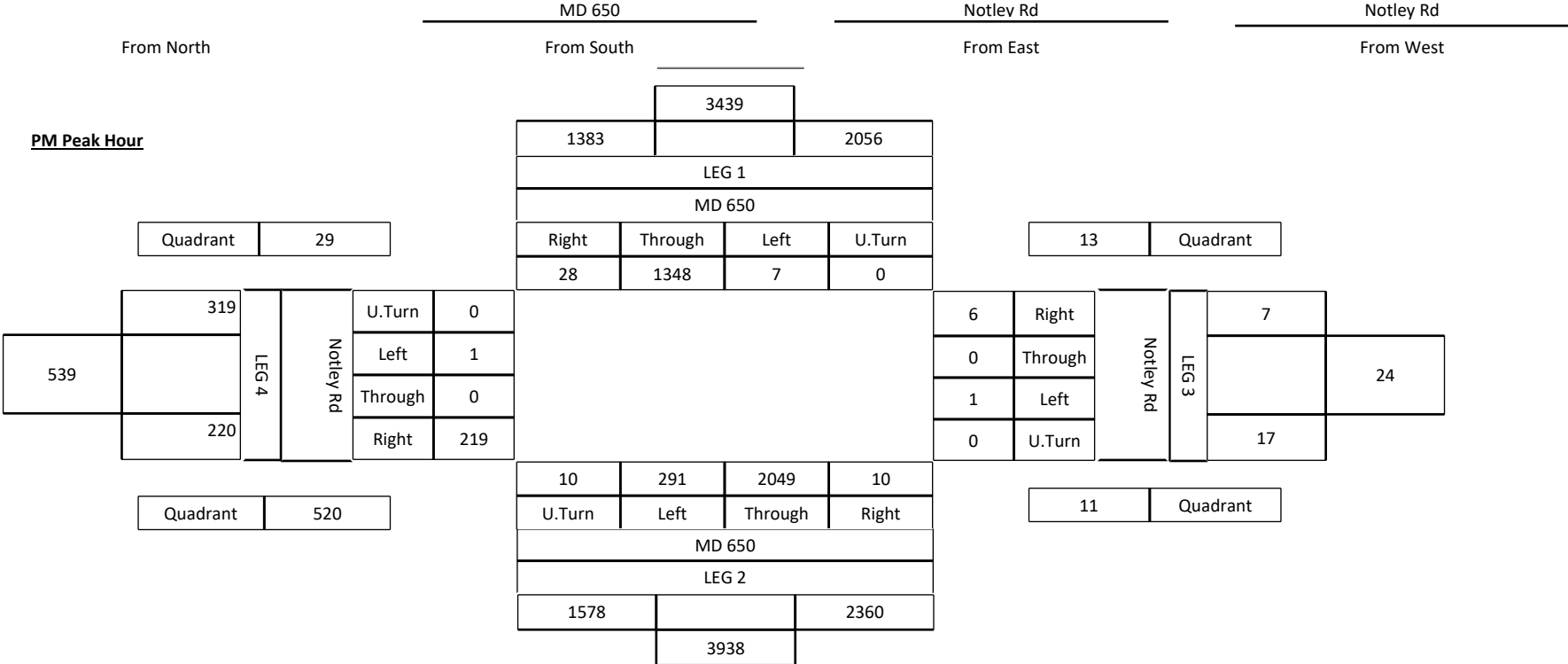


**Maryland Department of Transportation  
State Highway Administration  
Data Services Division  
Turning Movement Summary Report**

Station ID:	S1998150327
Date:	1/10/2018 12:00:00 AM
Location:	MD 650 at Notley Rd
Interval:	60 Min

County:	Montgomery	Comments:
Town:	none	
Weather:	Sunny	

PEAK	AM PERIOD	Start	End	Volume	LOS	V/C	PM PERIOD	Start	End	Volume	LOS	V/C
Hours	6:00AM-12:00PM	08:00	08:45	3415	B	0.71	12:00PM-19:00PM	18:00	18:45	3970	B	0.67





Maryland Department of Transportation  
State Highway Administration  
Data Services Division  
Turning Movement Summary Report

Station ID: S1998150327

County: Montgomery

Comments:

Date: 10/25/2023 12:00:00 AM

Town: none

Location: MD 650 at Notley Rd

Weather: Sunny

Interval: 60 Min

PEAK	AM PERIOD	Start	End	Volume	LOS	V/C	PM PERIOD	Start	End	Volume	LOS	V/C
Hours	6:00AM-12:00PM	07:00	08:00	3645	C	0.74	12:00PM-19:00PM	17:00	18:00	3997	C	0.74

	MD 650					MD 650					Notlev Rd					Notlev Rd					
	From North					From South					From East					From West					
Begin Hour	U.Turn	Left	Through	Right	TOTAL	U.Turn	Left	Through	Right	TOTAL	U.Turn	Left	Through	Right	TOTAL	U.Turn	Left	Through	Right	TOTAL	GrandTotal
00:00	0	0	81	2	83	1	34	86	0	121	0	0	0	0	0	0	1	0	21	22	226
01:00	0	0	31	0	31	1	18	43	0	62	0	0	0	0	0	0	1	0	12	13	106
02:00	0	0	16	0	16	3	7	34	0	44	0	0	0	0	0	0	1	0	8	9	69
03:00	0	0	35	0	35	0	10	27	0	37	0	0	0	0	0	0	0	0	8	8	80
04:00	0	1	125	2	128	2	11	103	0	116	0	0	0	0	0	0	2	0	32	34	278
05:00	0	0	395	0	395	3	32	363	0	398	0	0	0	0	0	0	2	0	81	83	876
06:00	1	2	1157	0	1160	4	90	894	1	989	0	1	0	6	7	0	5	0	170	175	2331
07:00	2	4	1878	12	1896	5	158	1306	2	1471	0	0	0	9	9	0	11	0	258	269	3645
08:00	2	4	1685	18	1709	9	179	1161	4	1353	0	1	0	9	10	0	6	0	218	224	3296
09:00	1	4	1256	11	1272	13	163	930	7	1113	0	0	0	12	12	0	10	0	200	210	2607
10:00	2	5	852	13	872	9	106	725	3	843	0	5	0	2	7	0	5	0	186	191	1913
11:00	1	2	756	10	769	13	117	718	2	850	0	2	0	6	8	0	12	0	155	167	1794
12:00	7	4	860	21	892	12	175	928	9	1124	0	6	1	3	10	0	7	0	161	168	2194
13:00	2	5	838	17	862	9	159	973	8	1149	0	4	0	5	9	0	6	0	169	175	2195
14:00	6	6	1126	25	1163	17	194	1226	3	1440	0	3	1	7	11	0	5	2	206	213	2827
15:00	5	5	1189	29	1228	6	223	1617	14	1860	0	3	0	9	12	1	12	0	235	248	3348
16:00	3	6	1448	21	1478	7	250	1786	13	2056	0	4	0	9	13	0	12	0	229	241	3788
17:00	4	7	1626	36	1673	7	263	1784	2	2056	0	1	0	10	11	0	7	0	250	257	3997
18:00	3	4	1274	33	1314	14	265	1404	6	1689	0	3	0	5	8	0	4	0	227	231	3242
19:00	2	3	890	12	907	7	208	963	5	1183	0	0	0	3	3	0	6	0	169	175	2268
20:00	1	3	579	13	596	5	172	655	3	835	0	2	0	2	4	0	8	0	113	121	1556
21:00	1	0	447	6	454	2	139	470	4	615	0	0	0	0	0	0	6	0	107	113	1182
22:00	3	0	231	10	244	3	74	312	2	391	0	1	0	0	1	0	1	0	59	60	696
23:00	0	0	152	4	156	4	54	159	1	218	0	0	0	0	0	0	2	0	55	57	431
TOTAL	46	65	18927	295	19333	156	3101	18667	89	22013	0	36	2	97	135	1	132	2	3329	3464	44945
AMPEAK	2	4	1878	12	1896	5	158	1306	2	1471	0	0	0	9	9	0	11	0	258	269	3645
PMPEAK	4	7	1626	36	1673	7	263	1784	2	2056	0	1	0	10	11	0	7	0	250	257	3997
DAYPEAK	4	7	1626	36	1673	7	263	1784	2	2056	0	1	0	10	11	0	7	0	250	257	3997



Maryland Department of Transportation  
State Highway Administration  
Data Services Division  
Turning Movement Summary Report

Station ID:

S1998150327

County:

Montgomery

Comments:

Date:

10/25/2023 12:00:00 AM

Town:

none

Location:

MD 650 at Notley Rd

Weather:

Sunny

Interval:

60 Min

PEAK	AM PERIOD	Start	End	Volume	LOS	V/C	PM PERIOD	Start	End	Volume	LOS	V/C
Hours	6:00AM-12:00PM	07:00	08:00	3645	C	0.74	12:00PM-19:00PM	17:00	18:00	3997	C	0.74

	MD 650			MD 650			Notley Rd			Notley Rd		
	From North			From South			From East			From West		
Begin Hour	School Children	Pedestrians	Bicycles	School Children	Pedestrians	Bicycles	School Children	Pedestrians	Bicycles	School Children	Pedestrians	Bicycles
00:00	0	0	0	0	0	0	0	0	0	0	0	0
01:00	0	0	0	0	0	0	0	0	0	0	0	0
02:00	0	0	0	0	0	0	0	0	0	0	0	0
03:00	0	0	0	0	0	0	0	0	0	0	0	0
04:00	0	0	0	0	0	0	0	1	0	0	0	0
05:00	0	0	0	0	0	0	0	4	0	0	0	0
06:00	0	0	0	0	0	0	0	1	0	0	0	0
07:00	0	0	0	0	0	0	0	1	0	0	1	0
08:00	0	0	0	0	0	0	0	2	0	0	0	1
09:00	0	0	0	0	0	0	0	3	0	0	0	0
10:00	0	0	0	0	0	0	0	1	0	0	1	0
11:00	0	0	0	0	0	0	0	0	0	0	3	0
12:00	0	0	0	0	0	0	0	5	1	0	6	0
13:00	0	0	0	0	0	0	0	2	0	0	1	0
14:00	0	0	0	0	0	0	0	0	0	0	1	0
15:00	0	0	0	0	0	0	0	2	0	0	5	2
16:00	0	0	0	0	0	0	0	0	0	0	2	0
17:00	0	0	0	0	0	0	0	3	0	0	7	0
18:00	0	0	0	0	0	0	0	3	0	0	1	0
19:00	0	0	0	0	0	0	0	4	0	0	1	0
20:00	0	0	0	0	0	0	0	1	0	0	2	0
21:00	0	0	0	0	0	0	0	0	0	0	3	0
22:00	0	0	0	0	0	0	0	1	0	0	1	0
23:00	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	34	1	0	35	3
AMPEAK	0	0	0	0	0	0	0	1	0	0	1	0
PMPEAK	0	0	0	0	0	0	0	3	0	0	7	0
DAYPEAK	0	0	0	0	0	0	0	3	0	0	7	0





Maryland Department of Transportation  
State Highway Administration  
Data Services Division  
Turning Movement Summary Report

Station ID: S1998150327

County: Montgomery

Comments:

Date: 10/25/2023 12:00:00 AM

Town: none

Location: MD 650 at Notley Rd

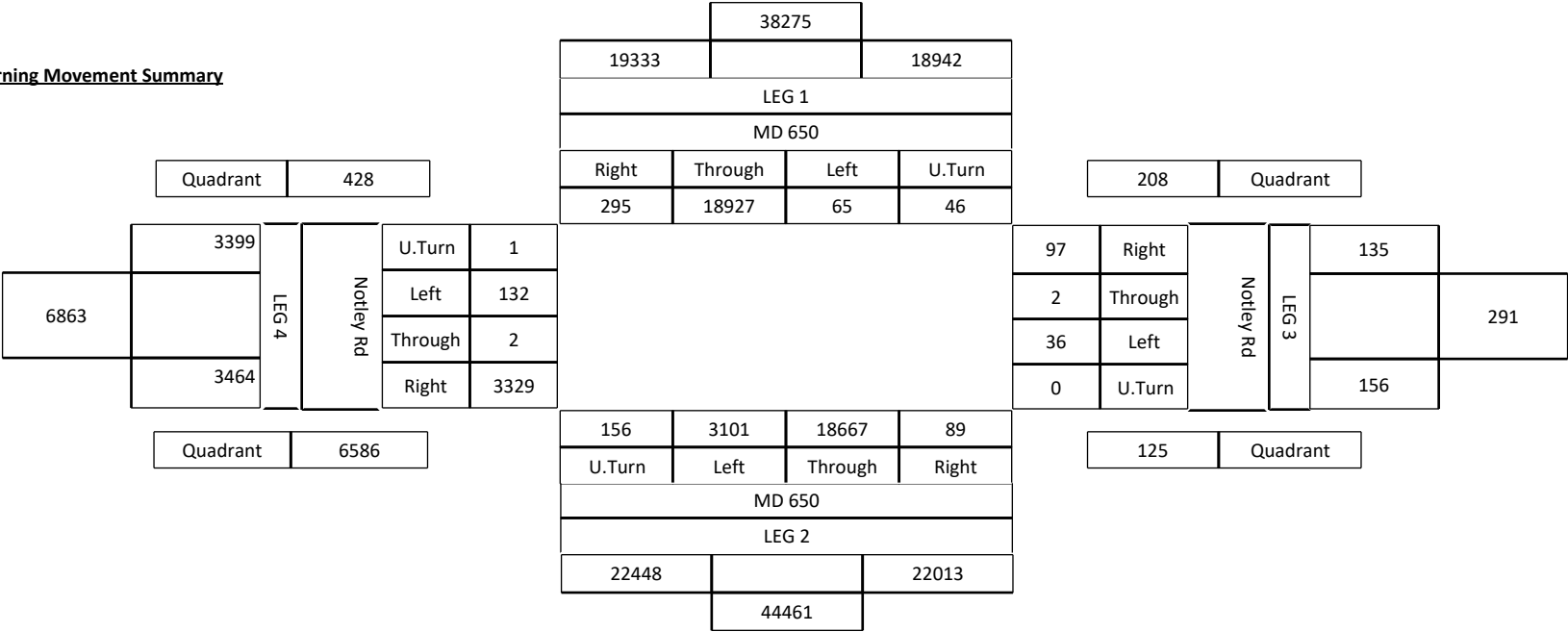
Weather: Sunny

Interval: 60 Min

PEAK	AM PERIOD	Start	End	Volume	LOS	V/C	PM PERIOD	Start	End	Volume	LOS	V/C
Hours	6:00AM-12:00PM	07:00	08:00	3645	C	0.74	12:00PM-19:00PM	17:00	18:00	3997	C	0.74



Turning Movement Summary





Maryland Department of Transportation  
State Highway Administration  
Data Services Division  
Turning Movement Summary Report

Station ID:

S1998150327

County:

Montgomery

Comments:

Date:

10/25/2023 12:00:00 AM

Town:

none

Location:

MD 650 at Notley Rd

Weather:

Sunny

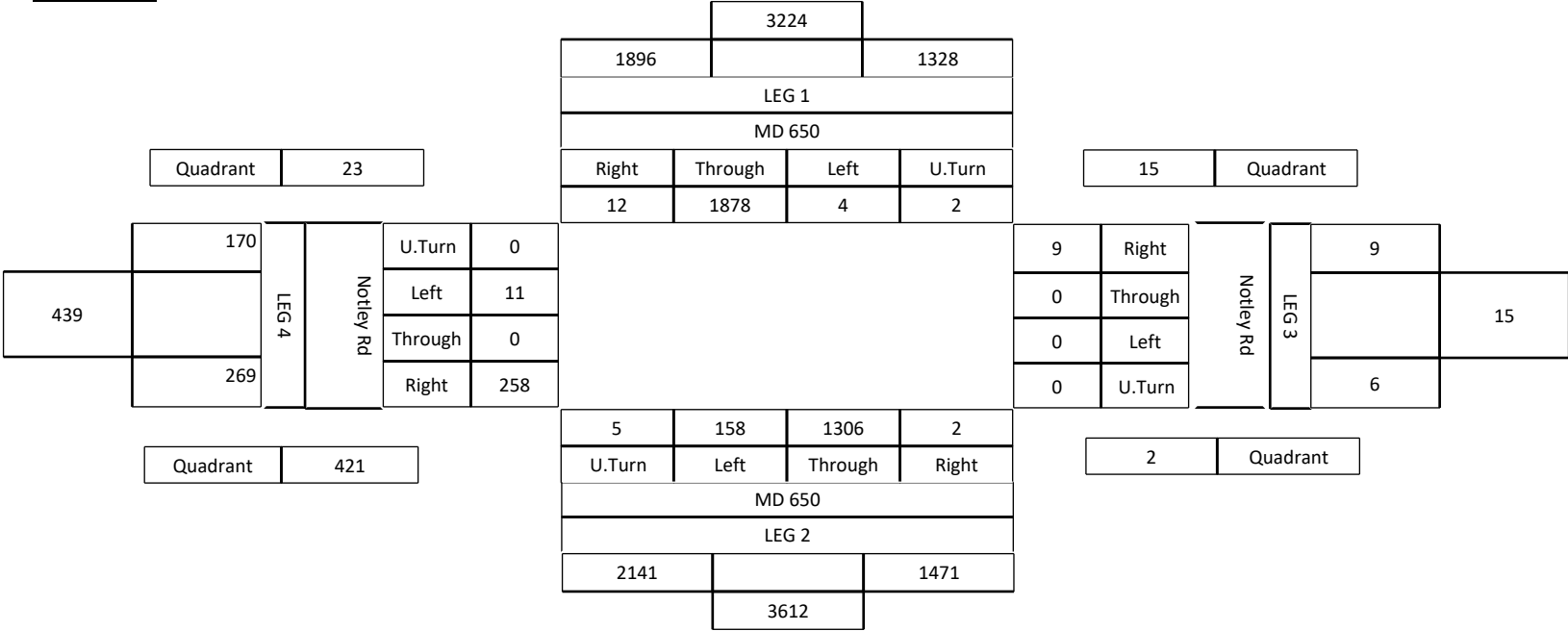
Interval:

60 Min

PEAK	AM PERIOD	Start	End	Volume	LOS	V/C	PM PERIOD	Start	End	Volume	LOS	V/C
Hours	6:00AM-12:00PM	07:00	08:00	3645	C	0.74	12:00PM-19:00PM	17:00	18:00	3997	C	0.74



AM Peak Hour





## Turning Movement Summary Report

Comments:

Town: none

Weather: Sunny

PEAK	AM PERIOD	Start	End	Volume	LOS	V/C	PM PERIOD	Start	End	Volume	LOS	V/C
Hours	6:00AM-12:00PM	07:00	08:00	3645	C	0.74	12:00PM-19:00PM	17:00	18:00	3997	C	0.74

