

MCPB

Item No. 1C

Date: 11/04/2021

Milestone Center Walmart, Site Plan No. 81994029F



Jamey Pratt, Senior Planner, Jamey.Pratt@montgomeryplanning.org, 301-495-4588



Sandra Pereira, Supervisor, Upcounty Planning, Sandra.Pereira@montgomeryplanning.org, 301-495-2186



Patrick Butler, Chief, Upcounty Planning, Patrick.Butler@montgomeryplanning.org

Completed 10/22/2021

Description

Proposal to expand the existing Walmart building by 1,964 square feet to accommodate a pick-up service for online grocery orders, relocate the pallet and bale storage area, and make minor parking lot and landscape revisions.

Location: 20910 Frederick Road, Germantown (east quadrant, intersection of Observation Drive and Shakespeare Boulevard)

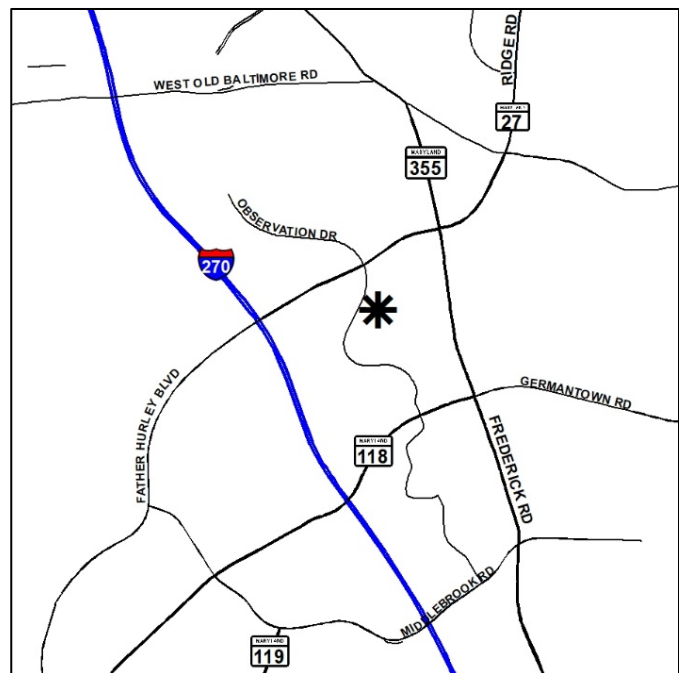
Zone: CRT-0.75 C-0.5 R-0.25 H-65 T and TDR 1.29, but reviewed under the former RMX-3/TDR zone

Policy Area: 2009 *Germantown Employment Area Sector Plan*

Applicant: Walmart Stores, Inc

Acceptance Date: 4/7/2021

Review Basis: Chapter 59, Zoning Ordinance in effect on October 29, 2014



Summary

- Staff recommends **Approval** with conditions.
- The additional 1,964 square feet of gross floor area is within the commercial/retail density limit approved by the amended Project, Preliminary, and Site Plans.
- The Amendment satisfies the applicable standards of the RMX-3 zone, consistent with the grandfathering provisions of Section 7.7.1.B.3 of the Montgomery County Zoning Ordinance for the amendment of a plan approved before October 30, 2014.
- The Amendment is compatible with the existing and adjacent development and meets all applicable requirements of Chapter 22A and Chapter 19 regarding forest conservation and water resource protection.
- Staff has received no community correspondence regarding this amendment as of the date of this report.

SECTION 1 – RECOMMENDATION AND CONDITIONS

Staff recommends approval of Site Plan Amendment No. 81994029F, Milestone Center Walmart, with conditions. All previously approved plans, findings, and conditions of approval of Site Plan Nos. 819940290, 81994029A, and 81994029D, all as amended, remain in full force and effect for the Property, with the following new and modified conditions:

Modified Conditions:

Remove Condition 5.b. from Site Plan No. 81994029D: ~~Total proposed expansion of the Walmart site under the subject Site Plan application is limited to 15,863 square feet shown on the Site Plan and analyzed in the traffic study.~~

New Conditions (numbering based on conditions of approval of Site Plan No. 81994029D):

11. Site Plan

All site development elements shown on the latest electronic version submitted via ePlans to the M-NCPPC as of the date of this Staff Report are required.

12. Density

Total proposed expansion of the Walmart building under the subject Site Plan application is limited to 1,964 square feet as shown on the Site Plan, for a total of 167,262 square feet on the Walmart site and still within the 800,000 square feet approved in Site Plan No. 81994029A for the entire Milestone Shopping Center.

13. Stormwater Management

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Service (MCDPS) Water Resources Section in its stormwater management concept letter dated April 14, 2020 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of Site Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the Storm Water Management easements and facilities.

14. Fire and Rescue

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section in its letter dated August 20, 2020, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Site Plan approval.

15. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit or sediment control permit related to the development proposed by this Application, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel

that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance in effect on October 29, 2014, with the following provisions:

- a) A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b) The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, site furniture, bike racks, walls, fences, sidewalks, and associated improvements. The surety must be posted before issuance of any building permit associated with the development under this Application and will be tied to the development program.
- c) The bond or surety must be tied to the development program, and completion of all improvements covered by the surety will be followed by a site plan completion inspection. The surety may be reduced based upon inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work. The bond or surety shall be clearly described within the Site Plan Surety & Maintenance Agreement including all relevant conditions and specific Certified Site Plan sheets depicting the development.

SECTION 2 – LOCATION AND SITE DESCRIPTION

Vicinity

The subject property is Lot 1, Block C of Milestone Center (Plat 19777), 15.32 acres in size, and is located at 20910 Frederick Road in the northeast quadrant of the Observation Drive/Shakespeare Boulevard intersection (“Property” or “Subject Property”). It is in the southwest corner of the Milestone Shopping Center and is surrounded by commercial development within the shopping center and across Observation Drive to the west. The Germantown Bog is directly across Shakespeare Boulevard south of the Property and an undeveloped lot within the Seneca Meadows Commercial Center is diagonally across both streets to the southwest.

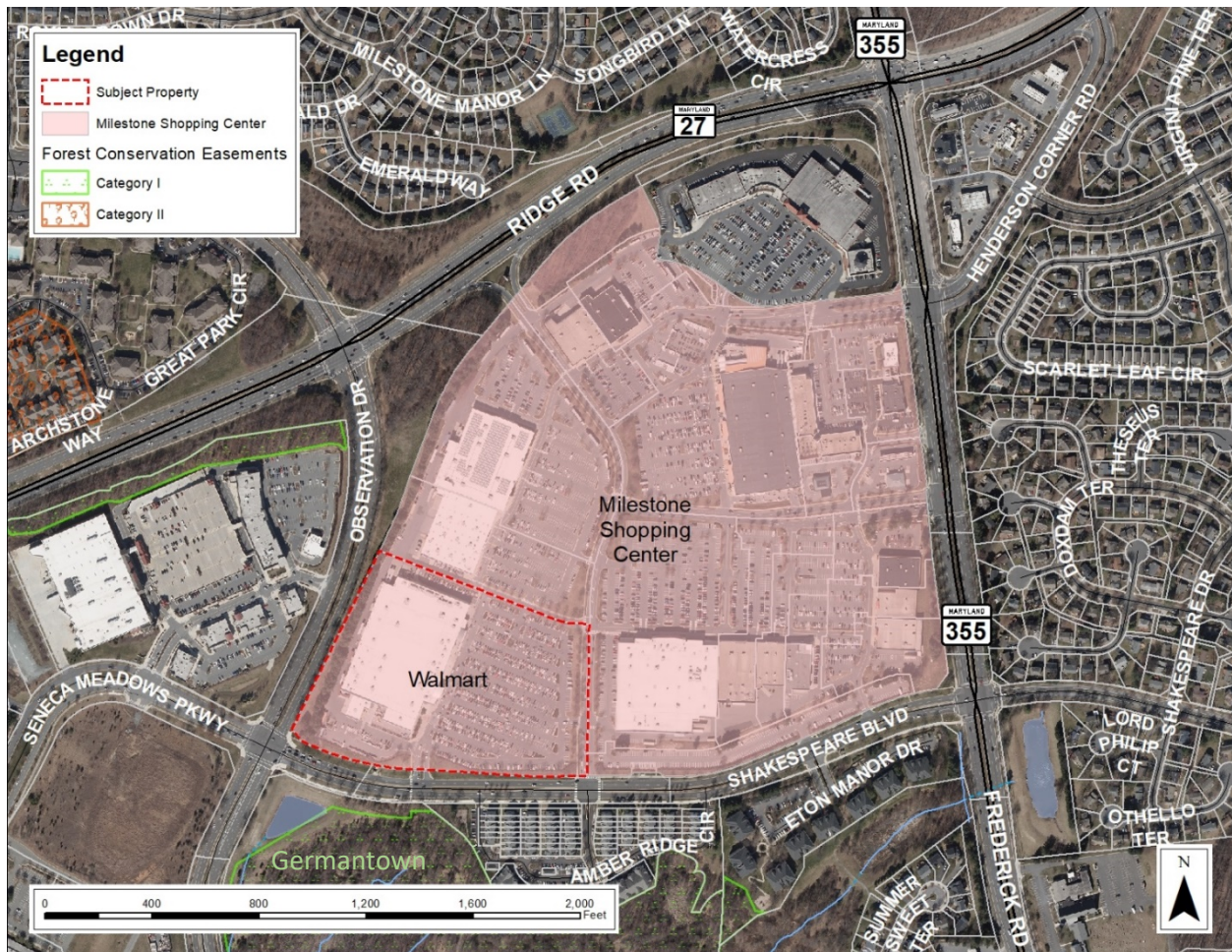


Figure 1. Site vicinity and location.

Site Analysis

The Milestone Shopping Center development has a gross tract area of 136.4 acres of land covered by Site Plan Application No. 819940290, as amended. The Subject Property is currently developed as a Walmart Supercenter and is currently zoned CRT-0.75 C-0.5 R-0.25 H-65 T with a TDR 1.29 overlay zone. However, the Application is being reviewed under the RMX-3/TDR zone, which was the zoning of the Property on October 29, 2014 and the zoning for all previous approvals.



Figure 2. Zoning on October 29, 2014

SECTION 3 – APPROVALS AND PROPOSAL

Previous Approvals

Project Plan No. 919930030 and Preliminary Plan No. 119901710

The Project Plan and the Preliminary Plan were designated Nos. 919930030 (“Project Plan”) and 119901710 (“Preliminary Plan”), respectively. Each was approved by Planning Board Resolution dated March 17, 1994. The Project Plan and the Preliminary Plan each approved a maximum of 750,000 square feet of retail and 313 multi-family residential units on approximately 130 acres.

Site Plan No. 819940290 (as amended)

The first site plan for the Milestone Shopping Center was Site Plan No. 819940290, which was approved by Planning Board Resolution dated August 18, 1994 (“Site Plan”) for 713,060 square feet

of commercial/retail space and 191 dwelling units (115 townhouses and 76 multi-family, including 18 MPDUs¹) on 127.2 acres. The Site Plan has been amended a total of four times:

81994029A – On August 7, 1995, the Planning Board approved a site plan amendment and project plan amendment (No. 919950010) to increase the overall acreage of the development to 133.3 acres with the addition of 6.1 acres in the southeast part of the site and increased the commercial/retail space up to 800,000 square feet. This amendment also clarified that 24 MPDUs should be provided instead of 18 and that they will be located in the multi-family buildings.

81994029B – On November 28, 1995, the Planning Board approved a site plan amendment to allow six (6) of the required 24 MPDUs to be located elsewhere within the larger Milestone Development instead of within the area of this site plan (see Site Plan No. 819950350). Minor modifications to the existing sidewalks and landscape plans for the Target store and restriping of the Kids-R-Us parking lot were also approved by Planning staff under this plan number in 2004.

81994029C – This amendment was withdrawn and the requested modifications were included as part of the D amendment.

81994029D – On April 9, 2012, the Planning Board approved a site plan amendment to expand the existing Walmart store by 15,863 square feet (from 149,435 to 165,298 square feet) along with modifications to the parking facilities, stormwater management, lighting, and landscape plans.

81994029E – On October 10, 2018, the Planning Board approved a site plan amendment to convert a Bob Evans restaurant to a Patient First medical clinic and expand the existing building by 1,428 square feet. Other modifications included minor parking lot reconfiguration, modifications to the façade of the building, and revisions to the landscape and lighting plans.

Table 1. Previous Approvals Data Table

Plan	Approval Date	Brief Description
Project Plan 919900060	July 26, 1991	1,200,000 SF of commercial/retail (regional mall), 790 multi-family dwellings with 99 MPDUs. Phase I was designated not to exceed 900,000 SF upon the approval of the Preliminary Plan 119901710.
Project Plan 919930030 (replaces Project Plan 919900060) and Preliminary Plan 119901710	March 17, 1994	750,000 SF of retail (710,000 SF of regional-scale commercial uses and 40,000 SF of local commercial scale use) and 313 multi-family units on approximately 130 acres of land zoned RMX-1 & RMX-3 (Plat #19777).

¹ The data table on the original site plan shows 143 condominium units and 48 townhouse units for a total of 191 units. The 12.5% MPDU rate was only applied against the condominium units on the plan, yielding 18 units.

Plan	Approval Date	Brief Description
Site Plan 819940290	August 18, 1994	713,060 SF of commercial/retail and 191 dwelling units (115 SFA, 76 MF & 18 MPDUs).
Project Plan 919950010 (Amends 919930030) and Preliminary Plan 119901710	Project Plan: August 7, 1995 Preliminary Plan: August 4, 1995	The total land area was increased by 6.1 acres to 133.3 acres. The retail density was increased to 800,000 SF and the total number of residential units was decreased by 122 units.
Site Plan Amendment 81994029A	August 7, 1995	Proposed to add 86,940 SF of retail for a total of 800,000 SF of commercial/retail, 115 townhouse units and 76 condo units (including 24 MPDUs) on 133.3 acres of land zoned RMX-1 and RMX-3. Parking was increased from 3,962 spaces to 4,376 spaces. The amended Project and Preliminary Plans were noted as approved concurrent to this amendment on July 20, 1995.
Site Plan Amendment 81994029B	November 28, 1995	Minor modifications to the existing sidewalks and Landscape Plans for the Target store. The re-stripping of the Toys-R-Us parking facility was also completed to meet parking requirements.
Site Plan Amendment 81994029C	Application filed September 30, 2005 and withdrawn on January 16, 2006.	Application proposed increases to the building square footage of the Walmart from 149,429 SF to 154,028 SF (4,599 SF addition for storage).
Site Plan Amendment 81994029D	April 9, 2012	Application increased the building square footage of the Walmart store from 149,429 SF to 165,292 SF, adjusted the associated parking and site tabulations, modified stormwater management facilities, and revised the landscape & lighting plans. Parking was reduced from 4,376 spaces to 4,339 spaces.
Site Plan Amendment 81994029E	October 10, 2018	Application converted a Bob Evans restaurant to a Patient First medical clinic, expanded the building by 1,428 SF, and made minor modifications to the parking lot, architecture, lighting, and landscaping. (Plan indicates parking increased by 2 spaces, but this appears to be a calculation error.)

Current Site Plan Amendment Proposal

For Site Plan Amendment No. 81994029F the Applicant requests the following modifications ("Amendment"):

- Expand the existing Walmart building by 1,964 square feet to accommodate a pick-up service for online grocery orders. Ten (10) new parking spaces will be added adjacent to the building addition for customers picking up their orders.
- Reconfigure the side parking lot to accommodate the building addition. The six (6) parking spaces lost to make room for the addition will be replaced by removing six (6) shopping cart corrals from the main parking lot.

- Relocate the pallet and bale storage area that is currently where the building addition is proposed to the southwest corner of the site.
- Provide 17 bicycle parking spaces.
- Conduct minor repairs to the concrete and bollards near the front entrances of the building (replace existing concrete with new detectable warning or patterned concrete).
- Modify the landscaping near the new building addition.



Figure 3. 2020 Aerial view of site

An overview of the proposed changes is shown below in Figure 4. The Amendment includes an addition of approximately 1,964 square feet of building area and ten (10) short-term parking spaces to accommodate a pick-up area for online grocery orders. The addition will displace six (6) existing parking spaces at the north end of the building, which in turn requires a reconfiguration of the exit from this parking area. The addition will also displace the current storage area for pallets and recycling bales along the north end of the building; a new area for this storage is proposed near the southwest corner of the store. Six (6) shopping cart corrals will be removed from the main parking lot to replace the parking

spaces lost to the building addition, leaving the number of regular customer parking spaces the same.² Finally, 17 bicycle parking spaces will be added in front of the store and new patterned concrete and bollard covers will be installed at the front building entries. Some modest landscaping changes are proposed in conjunction with the building addition because of the proposed parking lot changes. Detailed changes are shown beginning with Figure 5.

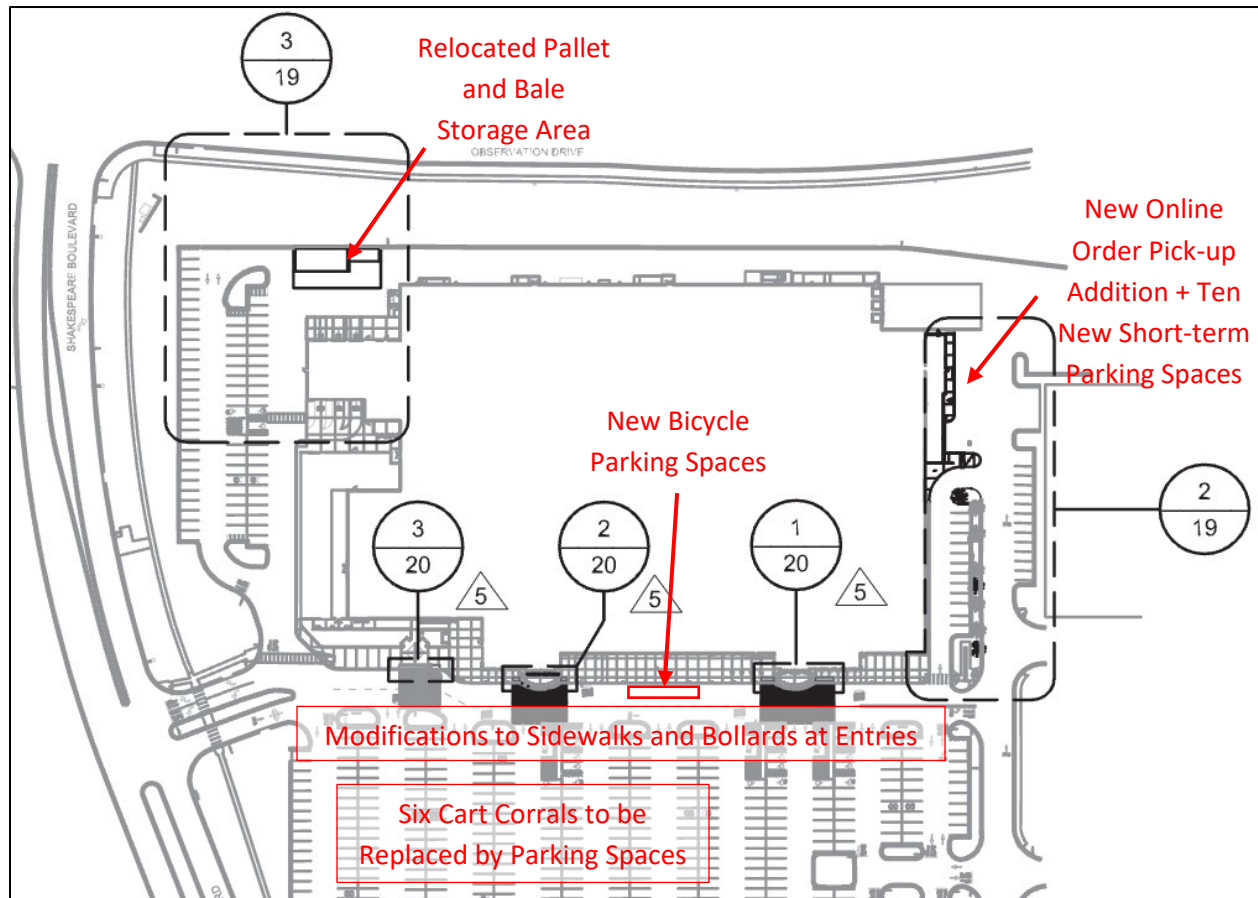


Figure 4. Overview of proposed changes

² The Applicant is physically removing six regular parking spaces and adding ten short-term parking spaces for online order pick-up. The spaces used by the shopping cart corrals are already counted as parking spaces in the data tables, so removing six corrals to revert those spaces back to parking use does not add six spaces to the total; the net change is four additional spaces.

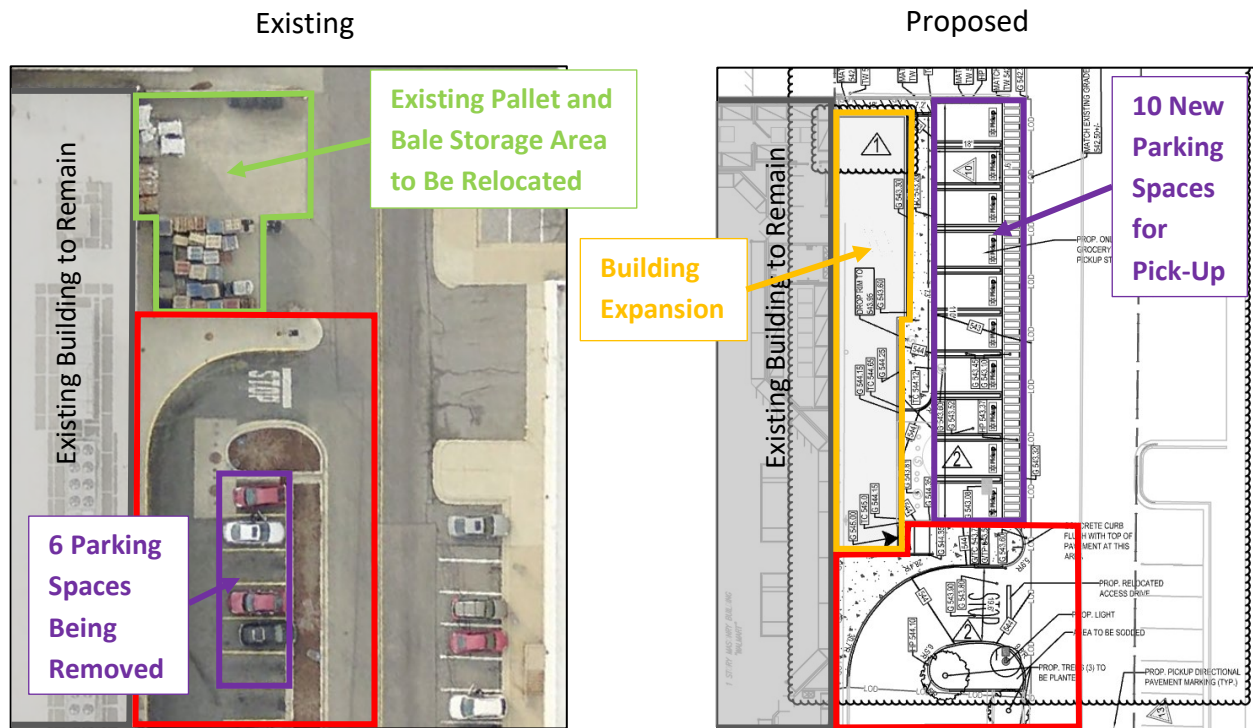


Figure 5. Existing conditions on the left and proposed pick-up area on the right



Figure 6. A rendering of the proposed addition looking south

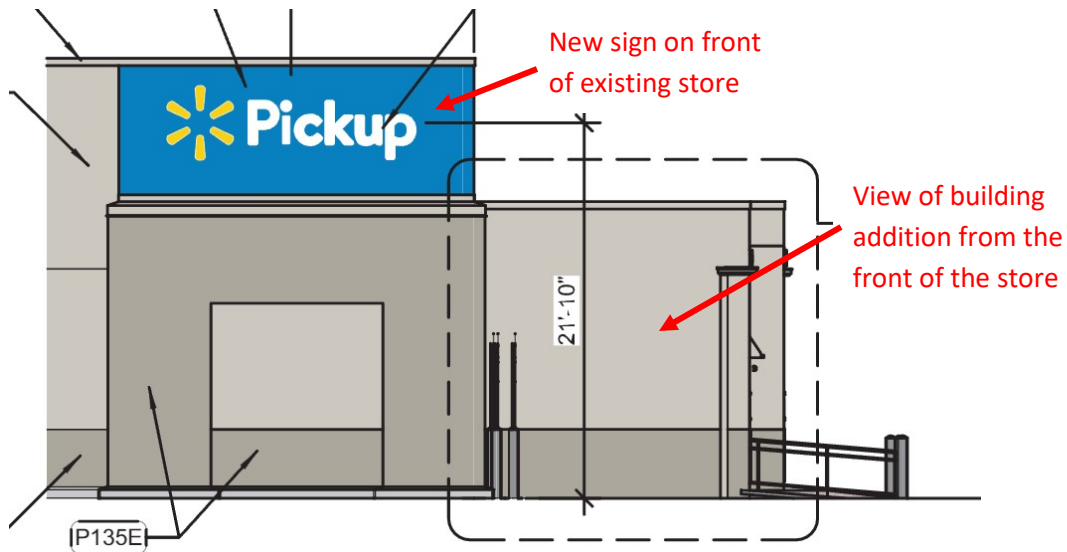


Figure 7. View of building addition and new sign at the front of the store (Note that the addition, to the right, is set back about 170 feet from the front of the store.)

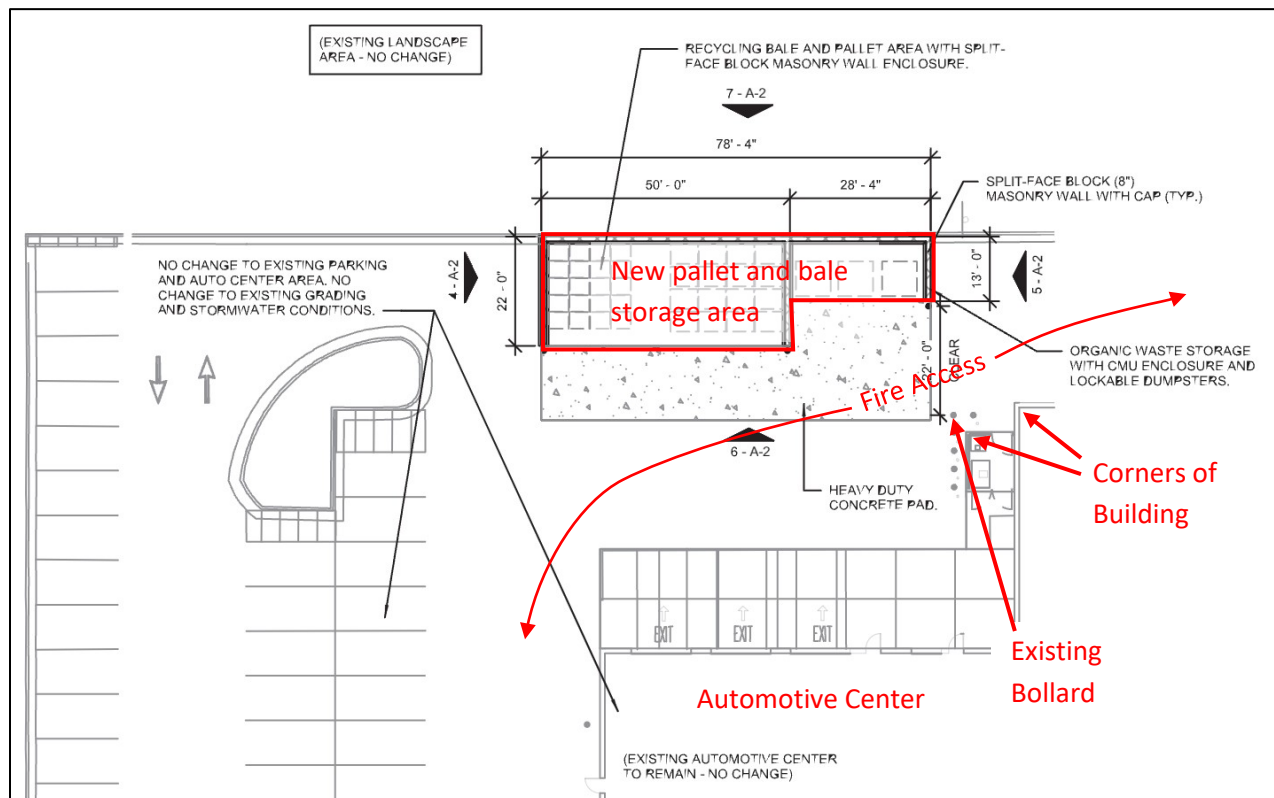


Figure 8. Proposed new pallet and recycling bale storage area. The rear and sides of the facility will be painted split face masonry block walls 10'4" high.

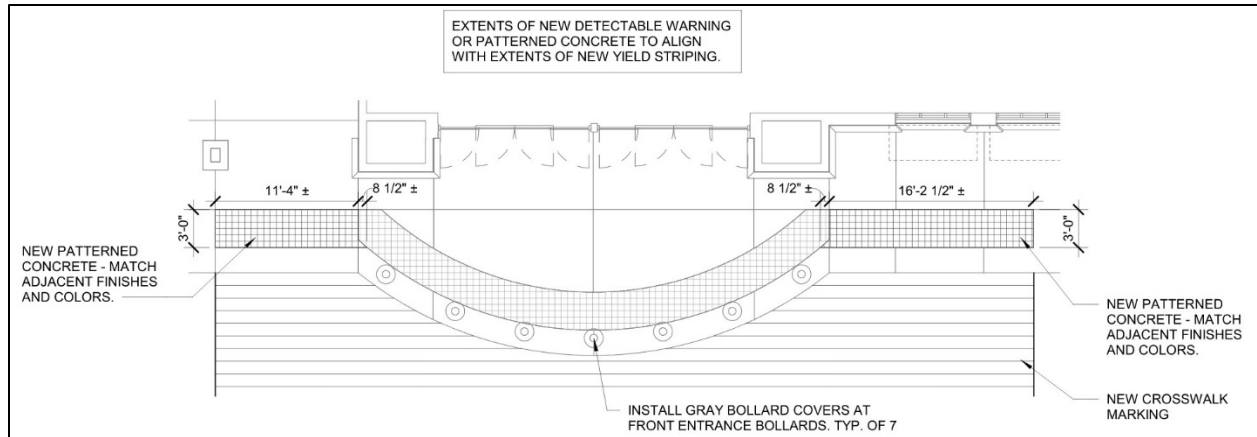


Figure 9. Proposed changes at the three front entries include new patterned concrete and revised bollards.

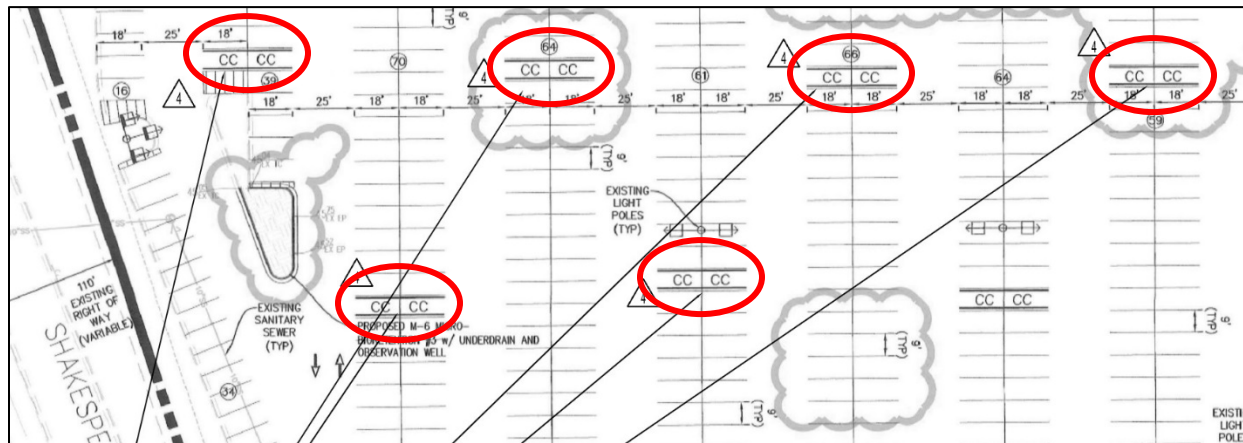


Figure 10. Six shopping cart corrals ("CC") will be removed to provide parking spaces to replace those lost due to the building expansion. One of the two corrals shown in each circled area will be removed.

SECTION 4 - FINDINGS AND ANALYSIS

The Site Plan Amendment is limited in nature and is being reviewed under the Zoning Ordinance in effect on October 29, 2014 subject to the exemption in Section 59.7.7.1.B.3 of the new Zoning Ordinance, which allows for an amendment of a plan approved before October 30, 2014 to continue utilizing the previous Zoning Ordinance. Therefore, the findings for review are those in Section 59-D-3.4 of the Zoning Ordinance in effect on October 29, 2014. All previous findings remain valid and in full force and effect with this Site Plan Amendment except as modified by the following analysis.

1. The site plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional

method of development, if required, unless the Planning Board expressly modifies any element of the project plan.

The Subject Property was originally approved as part of the larger Milestone Shopping Center development. The original Project Plan No. 919900060 and Preliminary Plan No. 119901710 were amended concurrently with new Project Plan No. 919930030, revised Preliminary Plan No. 11901710, and Site Plan Amendment No. 81994029A in 1995 for 800,000 square feet of retail use on 136.4 acres. The additional 1,964 square feet of gross floor area proposed with this Amendment brings the total amount of development to 777,173 square feet on 136.4 acres, which is within the commercial/retail density limit approved by the amended Project, Preliminary, and Site Plans.

2. *The site plan meets all of the requirements of the zone in which it is located and where applicable conforms to an urban renewal plan approved under Chapter 59.*

The Subject Property is currently zoned CRT-0.75 C-0.5 R-0.25 H-65 T/TDR 1.29, but is being reviewed under the RMX-3/TDR zone, which was the zoning in effect prior to October 30, 2014, consistent with the grandfathering provisions of Section 7.7.1.B.3 of the Montgomery County Zoning Ordinance. The Amendment does not propose a change in use.

Table 2 indicates the proposed development's compliance with the Zoning Ordinance. Only the standards that are affected by the proposed amendment are listed; a comprehensive modified data table is included on the Certified Site Plan. The building setbacks along the roadway will remain the same; however, 396 square feet of greenspace will be removed with the Amendment. The total required greenspace for the retail portion of the Milestone development is 20%, or 14.4 acres of the 72-acre shopping center, whereas 15.4 acres, or 21%, of greenspace was provided per amendment 81994029A. This greenspace was divided across the entire shopping center, but the 2.45 acres of greenspace provided on the Walmart site under the "A" amendment still rounds to 2.45 acres with this Amendment and still exceeds the total required amount. No building setbacks have been established from the internal lot lines. As demonstrated in Table 3 below, the Amendment satisfies the applicable standards of the RMX-3 Zone.

Table 2. Project Data Table for overall development³

Development Standard	Zoning Ordinance Allowed/Required	Previously Approved Site Plan for Milestone Shopping Center (81994029E & 919950010)	Proposed for Amendment (81994029F)
Total Property Area	N/A	133.3 acres	133.3 acres
Retail Center		77.0 acres	77.0 acres
RMX-1		5.0 acres	5.0 acres
RMX-3		72.0 acres	72.0 acres

³ The overall development area of the Milestone Shopping Center consists of both RMX-1 and RMX-3 zoning and also includes housing units.

Gross Leasable Area (RMX-1 & RMX-3 combined)	1,300,000 SF	800,000 SF	777,173 SF
Automobile Parking Spaces	4,275 spaces (based on 5.5 spaces per 1,000 square feet for regional shopping center) ⁴	4,339 spaces	4,343 spaces

Table 3. Project Data Table for the RMX-3 Zone, Optional Method of Development (Walmart site only)

Development Standard	Zoning Ordinance Allowed/Required	Previously Approved Site Plan for Walmart (81994029D)	Proposed for Amendment (81994029F)
Property Area	N/A	15.32 acres	15.32 acres
Building Coverage	N/A	165,298 SF	167,262 SF
Max Commercial Density	0.5 FAR	0.25 FAR	0.25 FAR
Minimum Green Space Area	20% (14.4 acres)	16% (2.45 acres)	16% (2.45 acres) ⁵
Automobile Parking Spaces	920 (based on 5.5 spaces per 1,000 square feet for regional shopping center)	827 spaces	831 spaces ⁶
Bicycle Parking Spaces	17 (based on 1 per 10,000 square feet of GFA; 15% long-term) ⁷	N/A	17 (14 short-term and 3 long-term spaces)

3. *The locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

Buildings and Structures

The location of the building remains safe, adequate, and efficient on the Subject Property. The 1,964-square-foot addition is a very modest change given the total size of the building. The expansion does not cause any negative impacts to building massing or setbacks on the Property given the small scope of the Amendment.

⁴ This is a general calculation for the overall site; individual uses within the Milestone Center may have reduced parking rates.

⁵ There will only be a negligible change to the amount of green space on the Walmart property. Per the original approval, the total amount of green space was divided up over the entire Milestone Shopping Center.

⁶ Parking spaces are shared throughout the Milestone Shopping Center. The overall total number of parking spaces provided still exceeds the minimum required number for the shopping center.

⁷ Bicycle parking requirement based on 2014 Zoning Ordinance

Landscaping and Lighting

The landscaping and lighting will remain safe, adequate, and efficient. Due to the reconfiguration of the parking lot near the building expansion, the Amendment proposes to remove five existing young shade trees, but these will be replaced with five shade trees in the rebuilt parking lot close to where the trees are being removed.

The proposed building addition will have new wall-mounted lighting units that provide illumination for the ten (10) new short-term parking spaces for order pick-up.

Pedestrian and Vehicular Circulation

Pedestrian and vehicular access to the site remains unchanged and remains safe, adequate, and efficient. Pick-up directional pavement markings throughout the parking lot and entries have been added to guide customers to the proposed pick-up service area.

The relocated pallet and bale storage area is proposed near the southwest corner of the Property. It will be constructed over existing pavement in the parking lot in an area typically used to store cargo containers. Although this area is located in the path of general circulation for vehicles, it is not heavily trafficked and is located in the rear of the building. The Department of Permitting Services, Fire Department Access and Water Supply Section determined that this Application has adequate access for fire and rescue vehicles as shown on the approved Fire Department Access plan dated August 20, 2020 (Attachment F).

Pedestrian access will be updated to include proposed ADA complaint crosswalks and a 5-foot sidewalk to the entry of building.

The 2018 *Bicycle Master Plan* recommends a sidepath along the frontage of the Subject Property along Observation Drive and separated bike lanes along Shakespeare Boulevard. Due to the limited scope of this Site Plan application, no dedication or bicycle facilities are required as part of this application.

Parking

Six (6) of the shopping cart corrals in the main parking lot will be removed and replaced by regular vehicular parking spaces. The conversion of shopping cart corrals to parking spaces is to replace the six (6) parking spaces being removed due to the new building addition. Therefore, the number of parking spaces for regular customers will remain the same.

Ten (10) short-term parking spaces for order pick-up will be added and will be directly accessed from a drive aisle that sees minimal traffic given its location close to the rear of the store. These ten spaces will access the proposed building entrance via a well-marked crosswalk running behind the parking spaces as can be seen in Figure 5 and Figure 6 above. As a result of this Application, the Property will have 831 parking spaces, an increase of four (4) spaces. As proposed, parking is adequate for this Amendment application.

Although prior site plans for the Milestone Shopping Center have not included bicycle parking, the Applicant has agreed to provide the number of spaces required by the new Zoning Ordinance, even though the Application is being reviewed under the old Zoning Ordinance. The current standard in the C/R zones is 1 space per 10,000 square feet of gross floor area (GFA).

Given the proposed 167,262 square feet under this Amendment, the Applicant has agreed to provide 17 bicycle parking spaces. In addition, 15% of the total bicycle parking spaces are required to be long-term spaces. Therefore, the Applicant proposes 7 bike racks to provide 14 short-term spaces, and 2 bike lockers to provide 3 long-term spaces located near the front entrance. As proposed, bicycle parking is adequate for this Amendment Application.

Local Area Transportation Review (LATR)

The proposed Amendment for the addition of approximately 2,000 square feet of storage area in support of the already existing pick-up delivery service does increase the amount of retail square footage of the building. However, because this Amendment is to support the existing customers of the store, the additional storage area will not increase the number of peak hour person trips, and thus this Application is exempt from additional Local Area Transportation Review (LATR).

4. *Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.*

The proposed changes are compatible with and should have no discernible impact on the adjacent and confronting uses. The building addition is quite small compared to the overall size of the Walmart store and should create a more attractive façade on the side of the building compared to the existing pallet and bale storage area it will replace. The relocated storage area will be well screened by a wide area of existing landscaping between the storage area and the surrounding streets.

5. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

The Amendment meets all applicable requirements of Chapter 22A regarding forest conservation, and Chapter 19 regarding water resource protection. The Milestone Shopping Center development is exempt from the requirements of Chapter 22A (Forest Conservation Law) because the original Preliminary Plan (Plan No. 119901710) was approved prior to the adoption of the Forest Conservation Law in 1992. The Applicant has filed for and received confirmation of a Forest Conservation Exemption request, plan number 42020007E, since the proposed modifications will not remove more than 5,000 square feet of forest, do not affect any forest in a stream buffer or located on property in a special protection area, the modifications do not require approval of a new subdivision plan, the developed area has not increased by more than 50% and the existing development is maintained, and the development does not include residential uses (Attachment D). The Amendment is exempt from stormwater management requirements under Chapter 19, Section 19-31(c) because the overall disturbance is less than 5,000 square feet.

SECTION 5 - COMMUNITY OUTREACH

The Application has met all noticing and signage requirements. Signs were posted along the Property frontages and a notice regarding the Site Plan Amendment was sent to all parties of record by the Applicant. As of the writing of this report, Staff has not received any correspondence regarding the proposed amendment.

SECTION 6 - CONCLUSION

This Site Plan Amendment meets all the requirements of the RMX-3 Zone under the Zoning Code in effect on October 29, 2014 and it is consistent with the previous approvals. The building addition for online order pick-up is modest, the relocated storage area is well located, the parking lot changes are minor, and with the findings, as amended, the use remains safe, adequate, and efficient. These changes are compatible with the existing and adjacent development and meet all applicable requirements of Chapter 22A and Chapter 19 regarding forest conservation and water resource protection, respectively. Staff recommends approval of the Site Plan Amendment subject to the conditions outlined at the beginning of this report.

ATTACHMENTS

- A. Resolution for Site Plan No. 819940290
- B. Resolution for Site Plan No. 81994029A
- C. Resolution for Site Plan No. 81994029D
- D. Forest Conservation Exemption 42020007E Confirmation Letter dated July 29, 2019
- E. Stormwater Management Concept review letter dated April 14, 2020
- F. Fire Department Access review letter dated August 20, 2020

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-7760



MONTGOMERY COUNTY PLANNING BOARD

O P I N I O N

DATE MAILED: August 18, 1994

SITE PLAN REVIEW #8-94029

PROJECT: Milestone Center

Action: Approval subject to conditions. Motion was made by Commissioner Richardson, seconded by Commissioner Holmes, with a vote of 3-1, Commissioners Richardson, Holmes, and Hussmann voting for, and Commissioner Baptiste voting against. Commissioner Aron was absent.

The date of this written opinion is August 18, 1994 (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal, as provided in the Maryland Rules of Procedure, on or before September 18, 1994 (which is thirty days from the date of this written opinion). If no administrative appeal is filed, then this site plan unless otherwise provided for in the adopted Guidelines and Policies for Site Plan Extensions, shall remain valid until April 18, 1997 (which is the date that the validity period associated with the preliminary plan is set to expire as of the date of this opinion).

On June 10, 1994, Germantown Seneca Joint Venture submitted an application for the approval of a site plan for property in the RMX-1 and RMX-3 zones. The application was designated Site Plan Review #8-94029.

On August 4, 1994, Site Plan Review #8-94029 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based on the testimony and evidence presented by the staff and in the staff report including revisions to the staff report and conditions that occurred during the public hearing which

are hereby adopted by the Montgomery County Planning Board, and which is make a part hereof, the Montgomery County Planning Board finds:

1. The Site Plan meets all of the requirements of the zones in which it is located.
2. The locations of the buildings and structures, the open spaces, the landscaping, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient.
3. Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.

The Montgomery County Planning Board conditionally approves Site Plan Review #8-94029 as follows:

- 191 dwelling units (115 single-family attached units and 76 multi-family attached units including 18 MPDU's); and
- 713,060 square feet of retail center

subject to the following conditions:

1. Submit a Site Plan Enforcement Agreement, Development Program, Homeowners Association Documents, for review and approval prior to approval of the signature set as follows:
 - a. Development Program to include a phasing schedule as follows:
 - 1) Community-wide pedestrian pathways and recreation facilities in residential areas must be completed and residential open area conveyed to the HOA prior to the earlier of seventy percent occupancy of each phase of the development or 36 months from the date of issuance of the initial building permit for that phase;
 - 2) Landscaping associated with each parking lot and building shall be completed as construction of each facility is completed;
 - 3) Clearing and grading schedule;
 - 4) Transplanting and tree preservation program for the seven mature specimen trees selected for transplanting;

- 5) 1.8 acre natural area shall be available for public use by 70% occupancy of retail center;
- b. Enforcement Agreement to reference the agreements with Planning Board concerning:
 - 1) ownership and maintenance of the bog, the natural area, the streetscaping, the berm plantings, and the stormwater management, and monitoring of the bog, as described in the revised Legal Department memo of August 4, 1994;
 - 2) terms and conditions of providing funds for Cultural Arts Center as stated in condition 5;
2. Submit a phasing plan as follows:
 - a. Phasing for all clearing and grading that will correspond to the construction schedule and reduce soil erosion;
 - b. Phasing of each section of the development;
 - c. Phasing of stormwater management facilities.
3. Incorporate the following items into the signature set landscaping and lighting plan:
 - a. Screening behind building number 4 with double row of evergreens, a three-five foot height berm and an eight-foot height noise attenuation fence. Berm and evergreens to wrap around eastern end of service drive;
 - b. Screening of dumpsters that are visible to customers or the public with planting and/or fencing;
 - c. Foundation plantings at drive-through bank;
 - d. Hedge between car wash and MD Route 355;
 - e. Sign and lighting locations and design. Signage and lighting to be compatible with the project architecture;
 - f. Typical entrance design at a scale of 1"=10' to include:
 - 1) landscaping with ornamental trees, and shrubs and/or flowers for seasonal color;
 - 2) Lighting locations and details;
 - 3) Signage location and design.

- g. Typical truck loading dock screening at a scale of 1"=10';
 - h. Screening of lower 2/3 of rear wall of buildings along Observation Drive with a berm and a double row of evergreen trees to buffer views from Host-Marriott property.
4. Signature set to include conceptual building elevation drawings and written design guidelines to ensure architectural compatibility between RMX-1 portion of Milestone Center and Neelsville Village Center, and to assure adequate design treatment of rear and end walls of buildings throughout Milestone Center. Architectural guidelines to include, but not be limited to:
- a. Architectural treatment of roof cornices, roof drains, rooftop equipment screens, wall materials on rear and end walls;
 - b. Roof pitch, building materials, roof configuration, pavers, seating, lighting, trash receptacles compatible with Village Center;
 - c. No signage allowed on the rear facades of buildings;
 - d. Lighting to be designed to avoid spillover/glare toward residential area across MD Route 355. Lighting in RMX-1 area to be 30 feet tall maximum;
5. Cultural Arts Center
- a. Applicant shall supply funds for the design, construction, furnishings, fixtures, and equipment of a Community Arts Center (CAC) to be constructed on the TC-1 parcel in the Germantown Town Center. The Applicant will either construct the center himself or escrow the funds for later construction by others, depending upon whether or not certain actions by others are completed before 80% occupancy of the Milestone Center.
 - b. The Applicant will construct the CAC himself if the following events occur before the latter of 12-31-97 or 80% occupancy of the Milestone center:
 - An adequately sized site in TC-1 has been dedicated by its owners for this use and the parking and entrance road are on grade and utility plans have been approved and a utility contract has been awarded;

- A design for the facility has been approved by the Planning Board (Board);
- An operating budget for the CAC has been approved by the Board;
- An entity or entities which will own and operate the CAC has/have been established and approved by the Board;
- A description of the CAC management organization has been submitted to and been approved by the Board;
- The Board has determined that adequate funds have been committed to produce a CAC that can receive a Use and Occupancy Permit.

If these events have not occurred before the latter of 12-31-97 or 80% occupancy of the Milestone Center, the applicant will escrow funds with the Board according to items c-e following, for later construction of the CAC by others.

- c. The Applicant shall commit to a CAC cost of \$2,200,000.00 and to \$610,000.00 for furnishings, fixtures, and equipment. In the event that the Applicant files a Project Plan on the adjacent 6+ acre tract located in the northwest quadrant of Route 355 and Shakespeare Boulevard, any off-site amenity contribution from the Project Plan for the 6+ acre tract which goes to the CAC will replace an equivalent portion of this \$2,200,000.00 commitment.
- d. The funds for the construction and furnishings, fixtures, and equipment of the CAC shall be escrowed with the Board starting with the issuance of the first non-residential Milestone Center building permit, at a rate of \$3.94 per permitted square foot. The contribution rate and the total contribution amount shall change annually in accordance with changes in the Engineering News Record Construction Cost Index, using the 1994 Index as a base. The entire amount with escalation shall be escrowed by the earlier of the following events:
 - Completion of the six aforementioned prerequisites b. above;

and issuance of the final Use and Occupancy Permit for Milestone Center (non-residential).

- e. Applicant shall enter into an agreement with the Board providing that it may be amended only upon the consent of both parties and shall contain a non-severability clause which provides that if CAC funds are not made available according to these conditions then the entire Site Plan approval shall be revoked. Provision of the funds for the CAC is deemed to be an essential component of the Site Plan approval.
6. The following information must be clearly shown on the signature set of site, landscape, and forest conservation plans and must be incorporated into the sediment and erosion control plan for staff review prior to approval by MCDEP:
- a. Undisturbed stream and bog buffers, except for unavoidable sediment and stormwater management control measures;
 - b. Limit of disturbance line;
 - c. Methods and location of tree protection;
 - d. Methods of bog and stream valley buffer protection;
 - e. Conditions of DEP Concept approval (waiver) letter dated July 26, 1994, to the extent that they are consistent with the Board's action;
 - f. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading;
 - g. The development program inspection schedule.
 - i. Conservation easements, with note stating that clearing and grading will not be permitted unless approved by staff.
7. No clearing or grading prior to Planning Department approval of signature set of plans.
8. Applicant shall comply with all conditions of Environmental Planning Division memo of August 4, 1994.
9. Applicant shall prepare documentation as described in the Legal Department memo of August 3, 1994 for an entity to:
- (a) Own (or have perpetual easement rights that provide for control), maintain, inspect, monitor, and manage the area of the Germantown Bog, all bog recharge facilities,

and any associated conservation areas as depicted on the site plan;

(b) Own, maintain, manage, and provide for the common usage of a certain 1.8 acre natural area and berm area as depicted on the site plan;

(c) Maintain certain landscaped features within several road rights-of ways as indicated on the site plan; and

(d) Collect assessments to fund the costs of performing these requirements;

(e) Address responsibilities for complying with these requirements in perpetuity in the event that the initially formed entity is extinguished.

10. Prior to record plat, applicant to submit a copy of a suitable, recorded easement agreement showing rights have been established to utilize well on adjacent property owned by Winchester Homes, in perpetuity.
11. Applicant to identify party agreeing to construct retaining wall to protect natural area's trees from future interchange ramp. Documentation of such to be submitted prior to signature set approval. If staff finds that there would be no impact to significant trees in the natural area without a retaining wall, this condition will be waived.
12. Provide a pedestrian connection from the intersection of M-27 and A-19 to the area between buildings two and three.
13. All findings and conclusions made by the Planning Board in its review of this plan are inter-related with all terms, conditions, requirements, and obligations associated with the Board's action on Site Plan #8-94029, Project Plan #9-93003, and Preliminary Plan #1-90171. Should any term, condition, requirement, or obligation be invalidated other than by way of an amendment approved by the Board, then all findings and conclusions reached by the Board may no longer be accurate and the approvals associated with the site plan, and as applicable, the project plan and preliminary plan, would likewise be invalidated.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring Maryland 20910-3760

MONTGOMERY COUNTY PLANNING BOARD

O P I N I O N

DATE MAILED: August 7, 1995

SITE PLAN REVIEW #8-94029A

PROJECT: MILESTONE CENTER AMENDMENT

Action: Approval subject to conditions. Motion was made by Commissioner Richardson, seconded by Commissioner Baptiste, with a vote of 4-0, Commissioners Richardson, Baptiste, Hussmann and Aron voting for. Commissioner Holmes was absent.

The date of this written opinion is August 7, 1995 (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal, as provided in the Maryland Rules of Procedure, on or before September 6, 1995 (which is thirty days from the date of this written opinion). If no administrative appeal is timely filed, then this site plan shall remain valid until April 18, 1997 (which is the date that the validity period associated with the preliminary plan is set to expire as of the date of this opinion), as provided in Section 59-D-3.8.

On July 20, 1995, Site Plan Review #8-94029A was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based on the testimony and evidence presented by the staff and on the staff report with modifications to the conditions hereby adopted by the Montgomery County Planning Board, and which is made a part hereof, the Montgomery County Planning Board finds:

1. The Site Plan is consistent with an approved development plan or a project plan for the optional method of development, if required;
2. the Site Plan meets all of the requirements of the zone in which it is located;

3. the locations of the buildings and structures, the open spaces, the landscaping, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient;
4. each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development;
5. the site plan meets all applicable requirements of Chapter 22A regarding forest conservation.

The Montgomery County Planning Board APPROVES Site Plan Review #8-94029A which consists of 800,000 square feet of retail, 115 townhouses and 76 condominiums, subject to the following conditions:

1. Unless specifically modified by the Planning Board, all terms, conditions, restrictions and requirements previously imposed on the 1994 Site Plan remain in full force and effect, except as they are necessarily modified by the proposed reconfiguration.
2. Compliance with Forest Conservation Plan including the following revisions prior to approval of signature set of site plans:
 - a. Revise Final Forest Conservation Plan so that off-site Afforestation Planting Plan includes a minimum of five tree species. Number and type of species are to be approved by staff.
 - b. Afforestation Area to be shown on Final Forest Conservation Plan as a Category I Conservation Easement and recorded as such on a Record Plat.
 - c. Required site inspections of afforestation areas by M-NCPPC enforcement staff as specified in the "Trees Technical Manual".
 - d. Submit financial security for afforestation planting prior to clearing and grading.
 - e. Maintenance agreement for reforestation areas to be reviewed and approved by M-NCPPC staff prior to first inspection of planted areas.
3. Applicant to address comments regarding design of the proposed infiltration trench in memo of July 13, 1995 from Coastal Environmental Services to the satisfaction of M-NCPPC and DEP staffs prior to approval of signature set of site plans.
4. Applicant to meet all terms and conditions relating to the maintenance of the Germantown Bog established in the Board's action in 1994 on Site Plan #8-94029 (Milestone Center). This

includes compliance with the Environmental Planning Division memo of August 4, 1994, the requirement to subject this property and its owners to the Declaration of Covenants associated with the Germantown Bog Conservancy, and the requirements to assist in monitoring and maintenance of the bog recharge facilities.

5. In the event that conflicts between commuters turning left from the Shakespeare park-n-ride entrance lane into the Park-n-ride lot and cars exiting the shopping center cause undue congestion in the view of MCDOT staff, applicant will work with MCDOT to reconfigure the area of conflict.
6. Revised signage concept to be reviewed by Germantown Citizens Association and staff for inclusion on signature set.

APR 9 2012

Attachment C



MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 12-11
Site Plan No. 81994029D
Project Name: Milestone Shopping Center - Walmart
Hearing Date: January 19, 2012

MONTGOMERY COUNTY PLANNING BOARD

RESOLUTION

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board") is required to review amendments to approved site plans;

WHEREAS, on August 18, 1994, the Planning Board approved Site Plan No. 819940290 for 713,060 square feet of commercial/ retail space and 191 dwelling units (which included 115 single-family, 76 multi-family, and 18 MPDUs);

WHEREAS, on July 20, 1995 (mailed August 7, 1995), the Planning Board approved the Site Plan Amendment No. 81994029A; which increased the overall density to 800,000 square feet and the total acreage to 133.3 acres. This amendment also decreased the total number of residential units and increased the amount of parking provided for the entire shopping center;

WHEREAS, on November 16, 1995 (mailed November 28, 1995), the Planning Board approved the Site Plan Amendment No. 81994029B; for minor modifications to the existing sidewalks and Landscape Plans for the Target store;

WHEREAS, on January 16, 2006, the Applicant withdrew Site Plan Amendment No. 81994029C; and

WHEREAS, on March 16, 2011, Bowman Consulting Group, Ltd. ("Applicant"), filed a Site Plan amendment application designated Site Plan No. 81994029D, Milestone Shopping Center - Walmart (the "Amendment" or "Site Plan") for approval of the following modifications:

1. The expansion of the existing building by 15,863 square feet;
2. Adjustments to the associated parking facilities and site tabulations;
3. Modification to the stormwater management facilities; and
4. Revisions to the Landscape and Lighting plans.

Approved as to
Legal Sufficiency:

Christina Sonnet 3/21/12
MNCPPC Legal Department

8787 Georgia Avenue, Suite 200, Bethesda, Maryland 20810

Chairman's Office: 301.495.4600 Fax: 301.495.1320

www.MCParkandPlanning.org E-Mail: mcp-chairman@mncppc.org

100% recycled paper

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staff of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated January 6, 2012, setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on January 19, 2012, Staff presented the Amendment to the Planning Board at a public hearing on the Amendment (the "Hearing") where the Planning Board heard testimony and received evidence submitted for the record on the Amendment; and

WHEREAS, on January 19, 2012, the Planning Board approved the Amendment subject to the revised conditions on the motion of Commissioner Dreyfuss, seconded by Commissioner Anderson, with a vote of 5-0, Commissioners Anderson, Carrier, Dreyfuss, Presley, and Wells-Harley voting in favor.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Planning Board hereby adopts the Staff's recommendation and analysis set forth in the Staff Report and hereby approves Site Plan No. 81994029D, subject to the following conditions:

1. Project Plan Conformance
The proposed development must comply with the conditions of approval for the amended Project Plan No. 919950010 (also known as 919930030) as listed in the Planning Board Resolution dated August 7, 1995.
2. Preliminary Plan Conformance
The proposed development must comply with the conditions of approval for the amended Preliminary Plan No. 11990171 as listed in the Planning Board Resolution dated August 4, 1995.
3. Site Plan Conformance
The proposed development must comply with the conditions of approval for Site Plan No. 81994029B as listed in the Planning Board Resolution dated November 28, 1995, except as modified with this Amendment.
4. Stormwater Management
The proposed development must comply with the Stormwater Management Concept approval conditions dated March 2, 2011 unless amended and approved by the Department of Permitting Services (DPS).

Transportation

5. Transportation

- a. The Adequate Public Facilities (APF) review for this Site Plan Amendment will remain valid for 85 months from the date of mailing of the adopted Planning Board Resolution.
- b. Total proposed expansion of the Walmart site under the subject Site Plan application is limited to 15,863 square feet as shown on the Site Plan and analyzed in the traffic study.
- c. In order to mitigate the Policy Area Mobility Review (PAMR) required 27 peak-hour trips, the Applicant must make a lump sum payment of \$305,100.00 prior to obtaining the building permit.

Site Plan

6. Site Design

- a. Existing "long-term" storage facilities currently located within surface parking facilities along the southern façade of the building must be relocated to more permanent areas on-site. The final location will be determined at the review of Certified Site Plan.
- b. Relocate seating areas to the front of the building near the main entrances. The bench and trash receptacle details should be added to the Certified Site Plan.

7. Landscaping

- a. Site storage and dumping facilities must be adequately buffered from the street right-of-way and main entrances. The locations and landscape design for these facilities will be determined at Certified Site Plan.
- b. Provide additional canopy trees and understory plantings in the green space areas within the surface parking facilities. The plant types for stormwater management (SWM) facilities will be approved by DPS.

8. Lighting

- a. The lighting distribution and photometric plan with summary report and tabulations must conform to Illuminating Engineer Society of North America (IESNA) standards for commercial development.
- b. All onsite proposed light fixtures must be full cut-off fixtures.
- c. Deflectors must be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties.
- d. Illumination levels must not exceed 0.5 footcandles (fc) at any property line abutting county roads.
- e. The height of the proposed light poles must not exceed 39 feet including the mounting base. The existing light poles are 42 feet in height; therefore the newly installed light poles will be 3 feet shorter.

9. Development Program

The Applicant must construct the proposed development in accordance with a development program that will be reviewed and approved prior to the approval of the Certified Site Plan. The development program must include the following items in its phasing schedule:

- a. On-site amenities including, but not limited to, sidewalks, benches, trash receptacles, and bicycle facilities must be installed prior to release of any building occupancy permit.
- b. The development program must include the phasing for the removal of the existing storage facilities, and the installation of on-site landscaping and lighting.
- c. Landscaping associated with the northern parking lot (directly adjacent to the proposed expansion) and the SWM facilities must be completed as construction of each facility is completed.

10. Certified Site Plan

Prior to approval of the Certified Site Plan the following revisions must be made and information provided subject to Staff review and approval:

- a. Include the stormwater management concept approval, development program, inspection schedule, and the approved Site Plan Resolution on the cover sheet.
- b. Ensure consistency with all details, development standards and layout between site, lighting and landscape plans.

BE IT FURTHER RESOLVED, that the Planning Board adopts the Staff's recommendation and analysis set forth in the Staff Report and FINDS that the Amendment is consistent with the provisions of § 59-D-3.7 of the Zoning Ordinance and that the Amendment does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board in connection with the originally approved site plan; and

BE IT FURTHER RESOLVED that all site development elements as shown on Milestone Shopping Center - Walmart drawings stamped by the M-NCPPC on September 15, 2011, shall be required, except as modified by the above conditions of approval or otherwise discussed with the Applicant prior to the public hearing; and

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board and incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that this Amendment shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

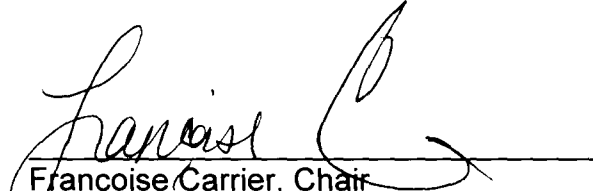
BE IT FURTHER RESOLVED, that the date of this Resolution is APR 9 2012 (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of an Order adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Vice Chair Wells-Harley, seconded by Commissioner Dreyfuss, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Dreyfuss and Presley voting in favor of the motion, and Commissioner Anderson absent at its regular meeting held on Thursday, April 5, 2012, in Silver Spring, Maryland.


Françoise Carrier, Chair
Montgomery County Planning Board



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

July 29, 2019

Mr. Brad Fox
Bohler Engineering
16701 Melford Blvd., Suite 310
Bowie, MD 20715

Re: Forest Conservation Exemption Request
#42020007E – Walmart Germantown

Dear Mr. Fox,

Based on the review by staff of the Montgomery County Planning Department, the Forest Conservation Exemption/Tree Save Plan request for the plan identified above, is confirmed. The project site is exempt from Article II of the Montgomery County Code, Chapter 22A (Forest Conservation Law), Section 22A-5(t)(1) because the site is a modification to an existing non-residential developed property:

- (A) no more than 5,000 square feet of forest is ever cleared at one time or cumulatively after an exemption is issued,
- (B) the modification does not result in the cutting, clearing, or grading of any forest in a stream buffer or located on property in a special protection area which must submit a water quality plan,
- (C) the modification does not require approval of a preliminary plan of subdivision,
- (D) the modification does not increase the developed area by more than 50% and the existing development is maintained, and
- (E) the pending development application does not propose any residential uses.

A pre-construction meeting is required after the limits of disturbance have been staked prior to clearing and grading. The property owner, construction superintendent, forest conservation inspector, and the Montgomery County Department of Permitting Services sediment control inspector shall attend this meeting. If you have any questions regarding these actions, please feel free to contact me at 301-495-4603 or at michael.sharp@montgomeryplanning.org.

Sincerely,

Michael J. Sharp

Michael Sharp
Senior Planner, Forest Conservation Inspector
M-NCPPC



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Hadi Mansouri
Acting Director

April 14, 2020

Mr. Matthew Pohlhaus
Bohler Engineering
901 Dulaney Valley Road, Suit 801
Towson, MD 21204

Re: **COMBINED STORMWATER MANAGEMENT
CONCEPT/SITE DEVELOPMENT
STORMWATER MANAGEMENT PLAN** for
Walmart Store #2357 Grocery Pickup Parking
Preliminary Plan #: N/A
SM File #: 285939
Tract Size/Zone: RMX3TD, CRT075
Total Concept Area: 7,928 sf / 0.182 acres
Lots/Block: 1, C
Watershed: Little Seneca Creek

Dear Mr. Pohlhaus:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above-mentioned site is **acceptable**. The stormwater management concept proposes to meet required stormwater management goals via structural controls provided off-site by an existing stormwater management facility.

The following items will need to be addressed during the detailed sediment control/stormwater management plan stage:

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. An engineered sediment control plan must be submitted for this development.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 **is not required**.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.



255 Rockville Pike, 2nd Floor, Rockville, Maryland 20850 | 240-777-0311
www.montgomerycountymd.gov/permittingervices

Mr. Matthew Pohlhaus
April 14, 2020
Page 2 of 2

If you have any questions regarding these actions, please feel free to contact Jean Kapusnick at jean.kapusnick@montgomerycountymd.gov or at 240-777-6345.

Sincerely,

Mark C. Etheridge, Manager
Water Resources Section
Division of Land Development Services

MCE: jak

cc: N. Braunstein
SM File # 285939

ESD: Required/Provided 82 cf / 0 cf
PE: Target/Achieved: 1.16"/0.0"
STRUCTURAL: 82 cf
WAIVED: 0.0 ac.



Department of Permitting Services
Fire Department Access and Water Supply Comments

DATE: 20-Aug-20
TO: Matthew Pohlhaus - mpohlhaus@bohlereng.com
Bohler
FROM: Marie LaBaw
RE: Walmart Supercenter Germantown - Addition
20910 Frederick Road

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **20-Aug-20**. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

***** Addition at NW corner of existing building *****



901 Dulaney Valley Road, Suite 801
Towson, MD 21204
410.821.7900

August 18, 2020
Via Electronic Mail

Montgomery County, MD
Department of Permitting Services
Fire Department Access and Water Supply
255 Rockville Pike, 2nd Floor
Rockville, MD 20850

Attn: Marie LaBaw, PhD, P.E.

RE: Walmart Supercenter
20910 Frederick Road
Germantown, MD
BE #MD1921511
MNCPPC No. 8-1994-029F

Dear Dr. LaBaw,

On behalf of Walmart Real Estate Business Trust, Bohler is submitting this Statement of Performance Based Design for the proposed improvements at the existing Walmart Supercenter located at 20910 Frederick Road, Germantown, MD. Per our conversation on August 6, 2020, Walmart is proposing to construct a small addition to the existing supercenter, adding storage space necessary to support the grocery pickup service that is proposed. This improvement is currently being reviewed by MNCPPC under Site Plan Amendment No. 8-1994-029F.

The building addition is approximately 1,964 square feet in size and will be fully sprinkled. As designed, the proposed improvements will not exacerbate an existing condition. Emergency water supplies and fire department connections will not be impacted by the proposed improvements. An emergency egress door is proposed in the building expansion directly across from the existing exit. Please reference the attached LS1 Life Safety Plan sheet showing egress from various points within the building and the associated egress calculations. No point along the exterior of the building wall will exceed 450' from an emergency access lane.

Based on the above and the attached Overall Composite Site Plan and LS1 Life Safety Plan provided for reference, we do not believe a revised emergency access plan should be required for this Site Plan Amendment.

Should you have any questions or require additional information, please do not hesitate to contact this office at (410) 821 – 7900, or email us at mpohlhaus@bohlereng.com.

Sincerely,

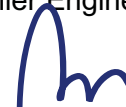
Bohler Engineering VA, LLC



Matthew Pohlhaus
Project Manager

Sincerely,

Bohler Engineering VA, LLC



Brandon Rowe, P.E.
Associate

Attachment(s): Overall Composite Site Plan
LS1 Life Safety Plan

FIRE CODE ENFORCEMENT

Fire Department Access Review

Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation

BY: SML* FM: 43 DATE: 8/20/2020



