

SHOPS AT TRAVILAH SITE PLAN NO. 820220140



Description

Request to construct a 5,681 SF retail/service establishment and 12,927 SF daycare center (over 30 persons).

No. 820220140

Completed: 11-17-2022

MCPB
Item No. 8
12-1-2022

Montgomery County
Planning Board
2425 Reedie Drive, Floor 14
Wheaton, MD 20902

Planning Staff

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LOCATION/ADDRESS

Southside of Travilah Road, approximately 250 feet west of its intersection with Piney Meetinghouse Road

MASTER PLAN

2002 Potomac Subregion Master Plan

ZONE

NR-0.75 H-45

PROPERTY SIZE

1.96 acres

APPLICANT

Travilah-WHM, LP

ACCEPTANCE DATE

April 6, 2022

REVIEW BASIS

Ch.59, Ch. 22A



Summary:

- Staff recommends **approval with conditions**.
- The Application proposes frontage improvements including upgrading an existing bus stop and a new six-foot wide sidewalk, which will be extended off-site along Travilah Road to the intersection with Piney Meetinghouse Road.
- A Site Plan is required because the Application proposes developing more than 10,000 square feet and abuts property zoned residential (R-200).
- The Site Plan is consistent with the recently approved Preliminary Plan No. 120210090 (MCPB Resolution No. 21-096).
- Staff received citizen correspondence on the Application with concerns regarding air quality and the Site's proximity to the Travilah Quarry.

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SECTION 1: RECOMMENDATIONS AND CONDITIONS

SITE PLAN 820220140

Staff recommends approval of Site Plan No. 820220140, for the construction of 18,608 square feet of non-residential development. The development must comply with the conditions of approval for Preliminary Plan No. 120210090 as listed in the MCPB Resolution No. 21-096 dated September 9, 2021. All site development elements shown on the latest electronic version of the Site Plan, as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following conditions.¹

DENSITY & HEIGHT

1. Density

The Site Plan is limited to a maximum of 18,608 square feet total of non-residential development on the Subject Property, including a 5,681 square foot retail /service establishment or restaurant building² and a 12,927 square foot daycare center (over 30 persons).

2. Height

The development is limited to a maximum height of 24 feet, as measured from the building height measuring point, as illustrated on the Certified Site Plan.

OPEN SPACE, FACILITIES AND AMENITIES

3. Amenity Open Space, Facilities, and Amenities

- a) The Applicant must provide a minimum of 10,318 square feet of amenity open space (12.5% of net lot area) on-site.
- b) Before the issuance of the first use and occupancy certificate for any commercial development, all amenity space areas associated with each building must be completed.
- c) Provide a variable width grass panel for street trees between the sidewalk and Travilah Road along the Subject Property frontage, as shown on the Certified Site Plan.

4. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to the paver patio, outdoor seating and landscaping.

¹ For the purposes of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor (s) in interest to the terms of this approval.

² The retail/service establishment or restaurant use space can be changed to other commercial uses if there is no adverse impact on the Site Plan and APF findings and it is approved by Staff.

ENVIRONMENT

5. Forest Conservation & Tree Save

The Applicant must comply with the following conditions of approval for the Final Forest Conservation Plan (FFCP) No. 820220140, approved as part of this Site Plan:

- a) The Applicant must schedule the required site inspections by M-NCPPC Forest Conservation Inspection Staff per Section 22A.00.01.10 of the Forest Conservation Regulations.
- b) The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC Forest Conservation Inspection Staff.
- c) Before to the start of any clearing, grading or construction for this development Application, the Applicant must submit the forest conservation fee-in-lieu payment to the M-NCPPC Planning Department for the 0.32 acres of afforestation/reforestation requirement.
- d) The Limits of Disturbance (“LOD”) shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Final Forest Conservation Plan.

6. 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 November 4, 2022 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.

TRANSPORTATION & CIRCULATION

7. Transportation

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way (MCDPS-ROW) Section in its memo dated August 29, 2022, as amended by the Montgomery County Department of Transportation (MCDOT) email dated November 16, 2022, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in their memo, which MCDPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.

8. Pedestrian & Bicycle Circulation

- a) The Applicant must provide three long-term and two short-term bicycle parking spaces.
- b) The long-term spaces, located in the daycare building, must be in a secured, well-lit bicycle room on the ground floor, and the short-term spaces, located adjacent to the retail building, must be inverted-U racks (or approved equal) installed along the building’s retail

frontage or in a location convenient to the main entrance; weather protected location is preferred. The specific location(s) of the short-term bicycle rack(s) must be identified on the Certified Site Plan.

- c) Before to the release of the first above ground building permit, the Applicant must ensure construction of an offsite sidewalk connection from the Property's frontage on Travilah Road to the intersection of Piney Meetinghouse Road, as shown on the Certified Site Plan and to the standards approved by Staff from Montgomery Planning and MCDOT.

SITE PLAN

9. Site Design

- a) The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the submitted architectural drawings, as determined by M-NCPPC Staff.

10. Lighting

- a) Before to certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
- b) All onsite down-lights must have full cut-off or BUG-equivalent fixtures.
- c) Deflectors will be installed on all proposed fixtures to prevent excess illumination and glare.
- d) Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at the lot line, excluding areas impacted by streetlights within the right-of-way.
- e) Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.

11. Site Plan Surety and Maintenance Agreement

Before to issuance of any building permit, sediment control permit, or Use and Occupancy Certificate, whichever comes first, 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 59.7.3.4.K.4 of the Montgomery County Zoning Ordinance, 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, trash enclosures, fences, private utilities, paths, paved patio areas and associated improvements of development, including sidewalks, curb and gutter, parking areas, storm drainage facilities, street trees and

streetlights. The surety must be posted before issuance of any building permit of development 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 for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon inspector recommendation.

12. Development Program

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved before to the approval of the Certified Site Plan.

13. Certified Site Plan

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

- a) Include agency approval letters, and the MCDOT email dated November 16, 2022, the development program, and Site Plan resolution on the approval or cover sheet(s).
- b) Add the following notes:
 - i. “M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading.”
 - ii. “Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services.”
 - iii. “The Applicant must schedule a preconstruction meeting (pre-con), preferably on-site, with staff from the Montgomery County Department of Permitting Services (MCDPS) responsible for Certified Site Plan conformance and compliance, upon approval of the Certified Site Plan (CSP). The pre-con must occur before to any site development work commencement and before any work that is covered by the site plan surety and maintenance agreement. The Applicant, along with their representatives, must attend the pre-con with MCDPS CSP Staff. A copy of the approved Certified Site Plan along with any subsequent amendments is required to be on-site at all times.”
- c) Modify data table to reflect development standards approved by the Planning Board.
- d) Ensure consistency of all details and layout between Site and Landscape plans.
- e) Modify the Amenity Open Space diagram and calculations.

SECTION 2: SITE DESCRIPTION

SITE LOCATION

The Subject Property is a 1.96-acre Parcel (P160), identified on Tax Map FR32, located on the south side of Travilah Road, approximately 250 feet west of its intersection with Piney Meetinghouse Road, in the NR-0.75 H-45 Zone (“Subject Property” or “Property”) in the 2002 *Potomac Subregion Master Plan* (“Master Plan”) (Figure 1).

VICINITY

The Property is situated to the north of the Rockville Crushed Stone Quarry (owned by Baron Inc.), which is an active quarry (“Quarry”). To the south and southwest of the Subject Property is land zoned IH-2.5 H-70, which is the active portion of the Quarry. To the east, the Subject Property is separated from Piney Meetinghouse Road by a vacant parcel zoned NR-0.75, which is also owned by the Quarry. The R-200/TDR-3 zoned parcel to the northwest of the Subject Property, also owned by the Quarry, is an undeveloped, forested property, which contains wetlands, and is encumbered by a Category I Conservation Easement. Travilah Road abuts the Property to the north. The Primary Day Montessori School (Special Exception S-2500) and single-family detached dwellings in the R-200/TDR-3 Zone confront the Property to the north across Travilah Road (Figure 2).



Figure 1 – Vicinity Map

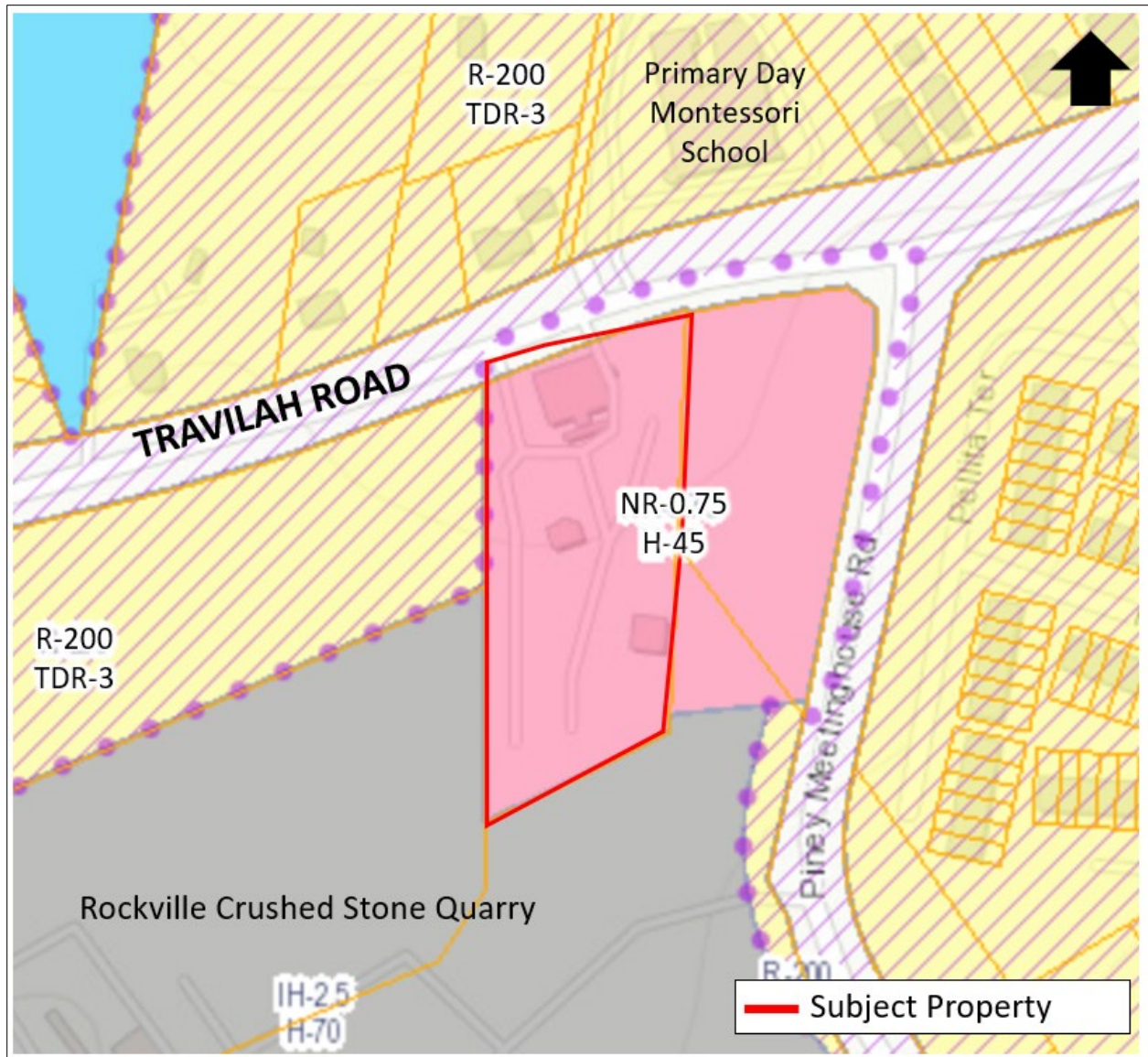


Figure 2 – Zoning

PROPERTY DESCRIPTION

The Subject Property is Parcel 160 and consists of approximately 1.96 acres (85,338 square feet). The Subject Property has frontage on Travilah Road, a two-lane minor arterial road with a 26-foot pavement width. Currently, access to the Property is uncontrolled, with a continuous paved area. The Property is improved with 5,742 square feet of commercial uses; the primary building is a single-story cinder block retail building adjacent to Travilah Road. Other improvements on the Property include a single-story wood frame building, a metal warehouse, and a metal trailer. The Property is largely paved or covered with gravel and surrounded by chain link fences.

The 1.96-acre Property is located within the Muddy Branch watershed, which is classified by the State of Maryland as Use Class I-P waters. There are three existing structures on the Property and some piles of dirt and debris. There is no forest and no trees greater than 24 inches in diameter at breast height (DBH). There are no streams, wetlands, 100-year floodplain, highly erodible soils, or slopes greater than 25% located on the Property. However, there are two small areas of wetland buffer totaling 877 square feet on the Property associated with an offsite stream; one located in the northwest corner of the Property, adjacent to Travilah Road, and the other in the southwest corner, at the rear of the Property.

SECTION 3: PROJECT DESCRIPTION

PREVIOUS APPROVALS

Special Exception S-2803 was approved for a telecommunications facility on the rear of the Property, but the special exception was never implemented.

Concept Plan No. 520200080 was submitted on October 2, 2019, for a 5,896 square foot retail building and a 12,762 square foot daycare with parking on either side of a drive aisle wrapping around the front and side of the proposed retail building. Staff provided layout and circulation comments to move the building closer to Travilah Road.

On September 9, 2021, the Planning Board, by Resolution No. 21-096 (Attachment A), approved Shops at Travilah, Preliminary Plan No. 120210090 ("Preliminary Plan"), for one (1) lot for up to 18,443 square feet of non-residential uses, including a 5,681 square foot retail/service establishment building and a 12,726 square foot daycare center use on 1.96 acres of land in the NR-0.75 Zone (Figure 3). A Preliminary Forest Conservation Plan (PFCP) was approved as part of the Preliminary Plan.

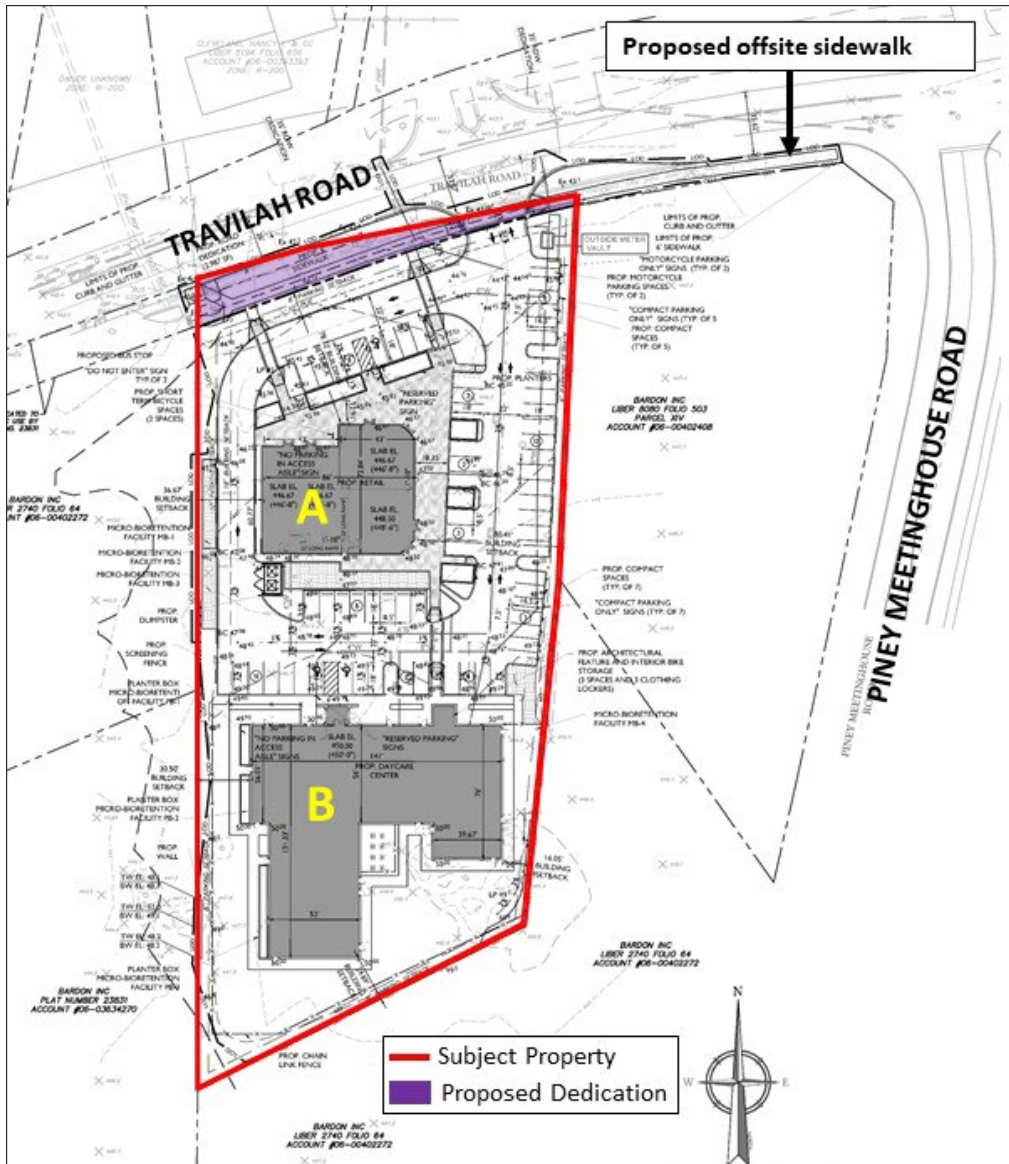


Figure 3 – Preliminary Plan

PROPOSAL

The Application proposes construction of two buildings: Building A is a 5,681 square-foot building with approximately four units/bays to be erected on the northern half of the Property and contains a mix of neighborhood serving retail uses and/or a restaurant. Building B is a 12,927³ square foot day care building to be located on the southern half of the Subject Property.

³ The 12,927 SF daycare building includes 165 square feet dedicated to long-term bicycle storage.



Figure 4 – Site Plan

The Applicant is consolidating access from Travilah Road into a new single driveway apron on the east side of the Property which connects to an internal drive-aisle that loops around the retail/restaurant building. The two buildings will share access and internal drive aisles, as well as 68 surface parking spaces, which includes four ADA accessible spaces close to the entrance of each building, as well as bicycle parking and motorcycle parking spaces.

The existing bus stop located at the western corner of the Property will be upgraded and a six-foot wide sidewalk will be installed along the Property's frontage. As conditioned by the Preliminary Plan, the Applicant is also extending the sidewalk off-site from the proposed driveway east along the frontage of Parcel P113 (Tax Map FR32) to Piney Meetinghouse Road.



Figure 5 – Retail Building Front Elevation (North)



Figure 6 – Retail Building Side Elevation (East)

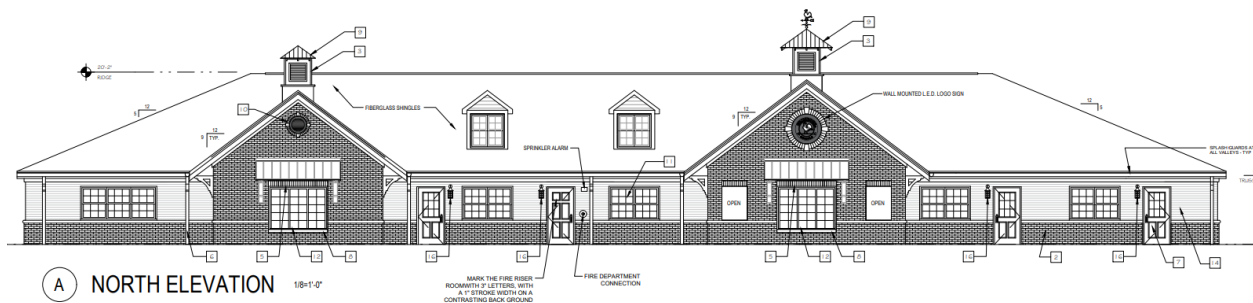


Figure 7 - Daycare Front Elevation (North)

Approximately 10,318 square feet of outdoor amenity space is provided on site, including an outdoor seating area abutting the retail/restaurant building on three sides and pedestrian connection throughout the site that connect the daycare, and retail buildings to the proposed sidewalk on Travilah Road. Approximately 9,468 square feet of outdoor space behind the daycare will be fenced to provide a safe, enclosed playground/recreation area. Stormwater will be managed via micro bioretention facilities, planter boxes and structural sand filters.

SECTION 4: COMMUNITY OUTREACH

The Applicant held a pre-submittal public meeting on January 20, 2022, related to the Site Plan. The meeting was conducted virtually per COVID-19 Guidelines and has complied with all submittal and noticing requirements. No community members attended the pre-submittal meeting.

During the review of the Site Plan, Staff received correspondence from a community member concerned that a daycare is permitted to operate adjacent to a quarry and potential health issues related to airborne silica dust generated by the Quarry (Attachment B). Concern about the transportation (proximity to the site) and use of explosives on the Quarry site was also raised. The same community member also requested an air quality study during the review of the Preliminary Plan. It is important to note, that the Site Plan review is limited to review of the development proposed on the Subject Property, not the neighboring Quarry or its operations, which are generally outside the Planning Board's preview.

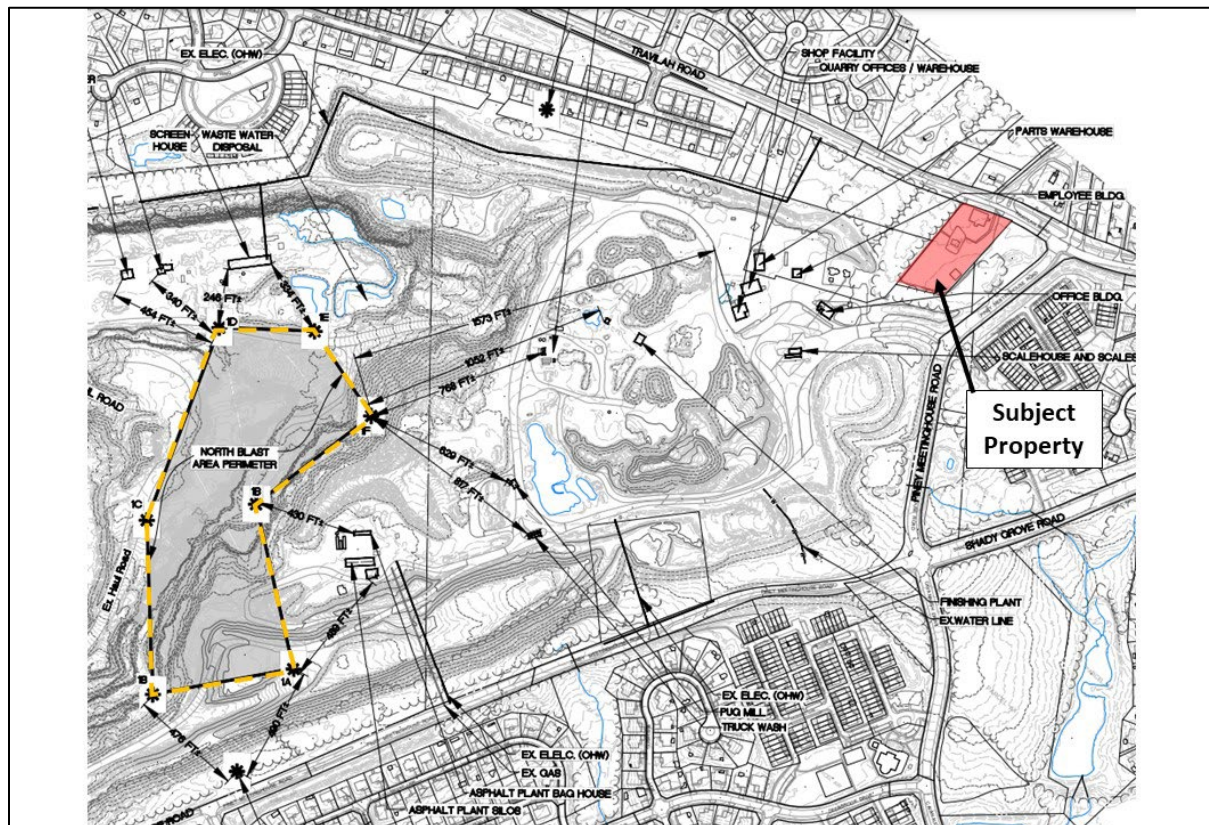


Figure 8 – Quarry Map

There are no known regulations forbidding or limiting a daycare from operating in close proximity to a quarry. As discussed in the correspondence from the Montgomery County Department of Environmental Protection, the Quarry is operated under a permit from the State of Maryland, which

required them to maintain dust suppression measures, which are inspected regularly (Attachment C). Neither State nor County law require the quarry to perform an air quality study (as requested) to operate. In addition to the State permitting requirements, the Quarry is required to obtain a valid surface mining license. The County and regular recertification requires the Quarry to provide a copy of all recent compliance documents (Attachment D). Similarly, an annual permit is required for the use and transport of explosives. A blasting contractor is responsible for the blasting operation on the Quarry site and blasting reports are required to be sent daily as a condition of the permit. Furthermore, the Subject Property is located over 2,600 feet from the closest active blasting area on the Quarry site (North Blast Area in Figure 8).

SECTION 5: SITE PLAN 820220140 FINDINGS AND ANALYSIS

Per Section 59.7.3.4, Site Plan review is required for this development, in addition to the approved Preliminary Plan, because the Application proposes developing more than 10,000 square feet and abuts residentially zoned property (R-200).

1. *When reviewing an application, the approval findings apply only to the site covered by the application.*

The findings herein apply only to the Subject Property.

2. *To approve a Site Plan, the Planning Board must find that the proposed development:*

a) satisfies any previous approval that applies to the site;

The Site Plan satisfies the Preliminary Plan conditions of approval. As part of the Preliminary Plan approval, the Planning Board approved Condition No. 16 regarding off-site improvements:

“16. Prior to the recordation of plat(s), the Applicant must ensure construction of the following off-site improvement(s) by satisfying MCDOT requirements to construct a 6-foot-wide sidewalk on the south side of Travilah Road that extends approximately one hundred and sixty-five (165) feet, from the northeast corner of the Subject Property to Piney Meetinghouse Road. Final details including, but not limited to, dimensions, alignment, and cross-section of the offsite improvements to be determined at Site Plan approval.”

The Site Plan specifically meets Preliminary Plan Condition No. 16 by providing a 6-foot-wide sidewalk between the Subject Property and Piney Meetinghouse Road. This was the result of extensive coordination between the Applicant, Staff, MCDOT, MCDPS-ROW and a utility consultant to creatively address the constraints along the frontage of Parcel P113, including

[illegible]

b) satisfies under Section 7.7.1.B.5 the binding elements of any development plan or schematic development plan in effect on October 29, 2014;

c) satisfies under Section 7.7.1.B.5 any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment;

d) satisfies applicable use standards, development standards, and general requirements under this Chapter;

The Preliminary Plan approved one lot for a Retail/Service Establishment (5,001-15,000 SF) use and a Day Care Center (over 30 persons). As proposed, the Application substantially conforms to the Preliminary Plan, and the Site remains suitable for the proposed uses.

i. ***Division 4.6.3.C - NR Zone***

Table 1: Shops at Travilah, Site Plan Data Table for NR-0.75 H-45 Zone, Standard of Development, Section 59.4.6.3.C

Development Standard	Permitted/Required	Approved Preliminary Plan	Proposed Site Plan
Base Density	0.75 FAR (61,763 SF) non-residential uses	0.22 FAR (18,443 SF) 5,681 SF (Retail/Restaurant) 12,726 SF/195 children (Daycare Center)	0.22 FAR (18,608 SF) 5,681 SF (Retail/Restaurant) 12,927 SF ⁴ /195 children (Daycare Center)
Site Area	N/A	1.89 acres (82,351 SF)	1.89 acres (82,351 SF)
Minimum Lot Area	N/A	1.89 acres (82,351 SF)	1.89 acres (82,351 SF)
Minimum Lot Width at Front Lot Line	N/A	203 ft.	203 ft.
Principle Building, Min. Setback			
Front	0 ft. min.	77 ft.	77 ft.
Side	0 ft. min.	16 ft.	16 ft.
Side (Abutting R-200)	18 ft. min.	29 ft.	29 ft.
Rear	0 ft. min.	24 ft.	24 ft.
Max. Building Height			
Retail/Restaurant	45 ft.	24 ft.	24 ft.
Daycare Center	45 ft.	21 ft.	21 ft.
Min. Amenity Open Space (% of Site Area)	10% (8,235 SF)	12.2% (10,132 SF)	12.5% (10,318 SF)
Permeable Area	10% of provided	10% min.	49% (5,081 SF)
Tree Canopy	10% of provided	10% min.	52% (5,446 SF)
Vehicle Parking (Spaces per 1k GFA)	68 Total	68 Total	68 Total
Retail/Restaurant (5 per 1k GFA)	29 min.	29	29
Daycare (3 per 1k GFA)	39 min.	39	39
Compact (20%)	14 max.	12	12
ADA Accessible	3 min.	3	3

⁴ Pursuant to ZTA19-08, Ordinance 19-11, effective August 10, 2020, bike lockers no longer satisfy the Zoning Ordinance requirement to provide long term bicycle parking spaces. Thus, the long-term bicycle spaces required for the day care center will be provided interior to a day care building, requiring an increase of 165 square feet of gross floor area. Per Section 59.1.4.2, Gross Floor Area (GFA) excludes “Parking”, which per correspondence dated March 29, 2022, MCDPS determined includes long-term bicycle parking (Attachment F). Therefore, the additional 165 square foot bicycle storage room is excluded from the GFA calculations.

Van Accessible Motorcycle (2%)	1 min. 2 min.	3 2	3 2
Min. Vehicle Parking Setbacks			
Abutting R-200	10 ft.	10 ft.	10 ft.
Abutting other	6 ft.	6 – 8 ft.	6 – 8 ft.
Bicycle Parking Short-term Spaces (1 per 1k SF)	1 min.	2 min.	2 min.
Long-term Spaces (1 per 1k SF)	3 min.	3 min. (bike locker)	3 min. ⁵
Loading Space (Retail up to 15 k GFA)	0	0	0

ii. ***Division 59-6 General Development Standards***

(1) Division 6.1 Site Access

The Applicant is consolidating the existing access from Travilah Road into a new single driveway apron on the east side of the Property which connects to a 24-foot-wide internal drive-aisle. The two buildings will share access and internal drive aisles, as well as 68 surface parking spaces, which includes four ADA accessible spaces close to the entrance of each building, and 2 motorcycle parking spaces. The drive-aisle provides full access for emergency vehicles. The new driveway is intentionally aligned with the Montessori School access to mitigate conflicting turning movements on Travilah Road. Vehicular access has been designed to limit crossing distance for pedestrians and slow incoming and outgoing vehicular speeds to improve pedestrian safety.

The existing bus stop located at the western corner of the Property will be upgraded, and a six-foot wide sidewalk will be installed along the Property's frontage and extended off-site to the intersection of Piney Meetinghouse Road. The sidewalk will be separated from the road by a variable width (4.5 to 12 foot wide) green panel. Vehicle and pedestrian access to and from the Site will be adequate with the proposed improvements.

(2) Division 6.2 Parking, Queuing and Loading

As indicated in the Site Plan Data Table, the Site Plan provides adequate vehicle, ADA, bicycle and motorcycle parking to serve the proposed uses. The minimum required parking is being provided on-site, and the minimum vehicle parking

⁵ Long-term spaces are provided in a 165 SF storage room at the front of the Daycare Center building.

requirement for the Retail/Restaurant building was calculated using the Retail rate, which is higher than the restaurant rate. This allows flexibility in the future use of the commercial building. Each parking space meets the minimum 8.5 foot by 18-foot dimensional requirements and are arranged in a location that allows for safe, efficient and orderly maneuvering. A loading space is not required for retail buildings under 15,000 square feet.

(3) Division 6.3 Open Space and Recreation

The Applicant is required to provide 10% or 8,235 square feet of amenity open space on-site because the Subject Property is being developed with General Building types under the standard method of development in the NR zone and the tract area is greater than 10,000 square feet.



Figure 10 – Conceptual Perspective – View of the Retail Building Amenity Open Space from the entrance to the site

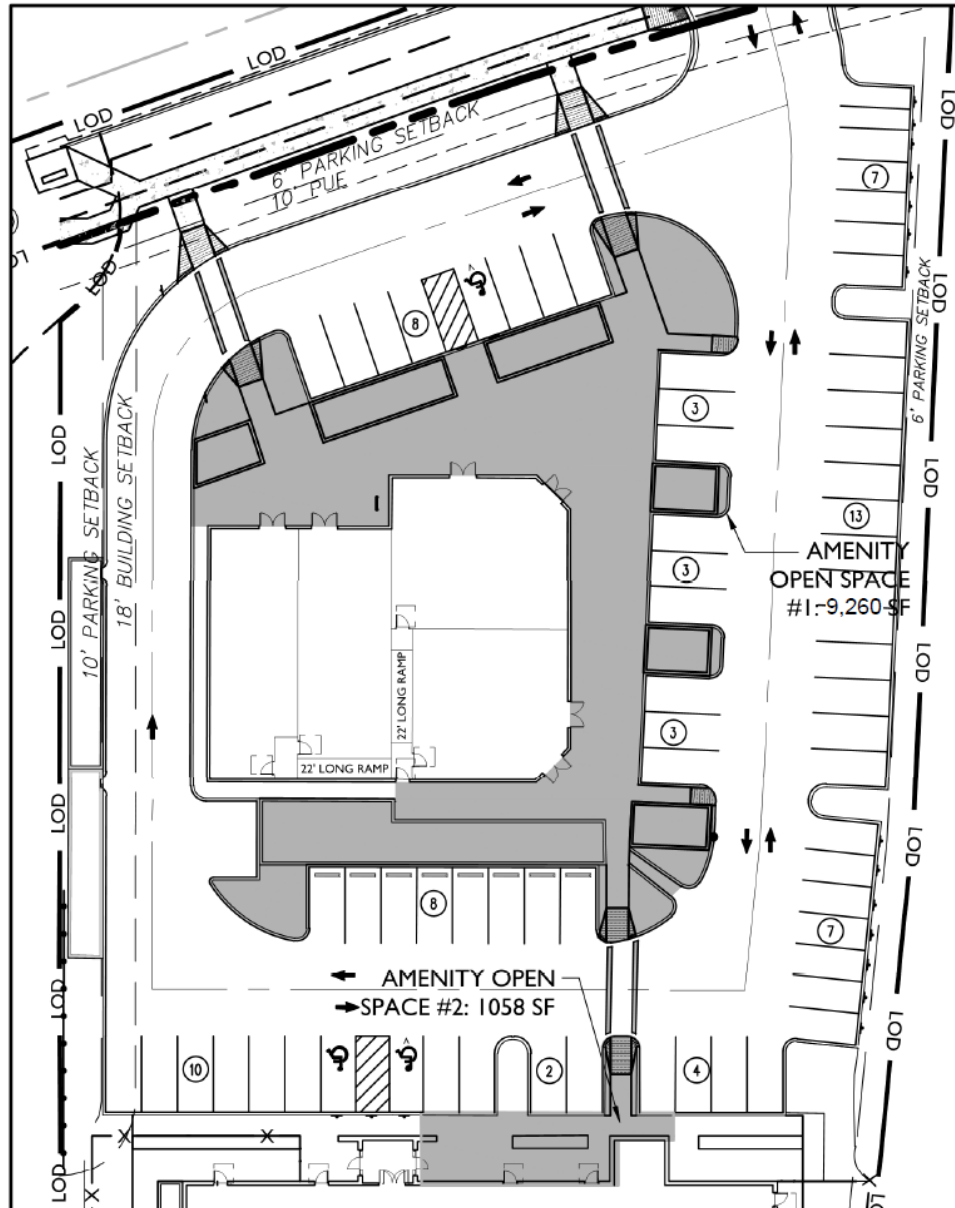


Figure 11 – Amenity Open Space

The Application satisfies the open space requirements by providing approximately 12.5% (10,318 square feet) of amenity space on the Site, exceeding the 10% minimum requirement. The primary amenity space is the 9,260 square foot paver patio that wraps around three sides of the retail building. The patio area is framed by the building face and linear vegetated stormwater planters around the periphery, which provides enclosure and softens the transition between the pedestrian realm and surrounding parking lot and drive-aisles. The space will be activated by seating, canopies/awnings, and vegetation. The amenity open space

The trees will shade approximately 52% or 5,446 square feet of the 10,318 square foot of the amenity open space, which exceeds the minimum 10% (1,031 square feet) open space shading requirement.

(4) Division 6.4 General Landscaping and Outdoor lighting

The Application includes a variety of new landscaping and lighting throughout the Property. Street trees are provided along Travilah Road to enhance the pedestrian environment, provide shade, and create an aesthetically pleasing presence on road.

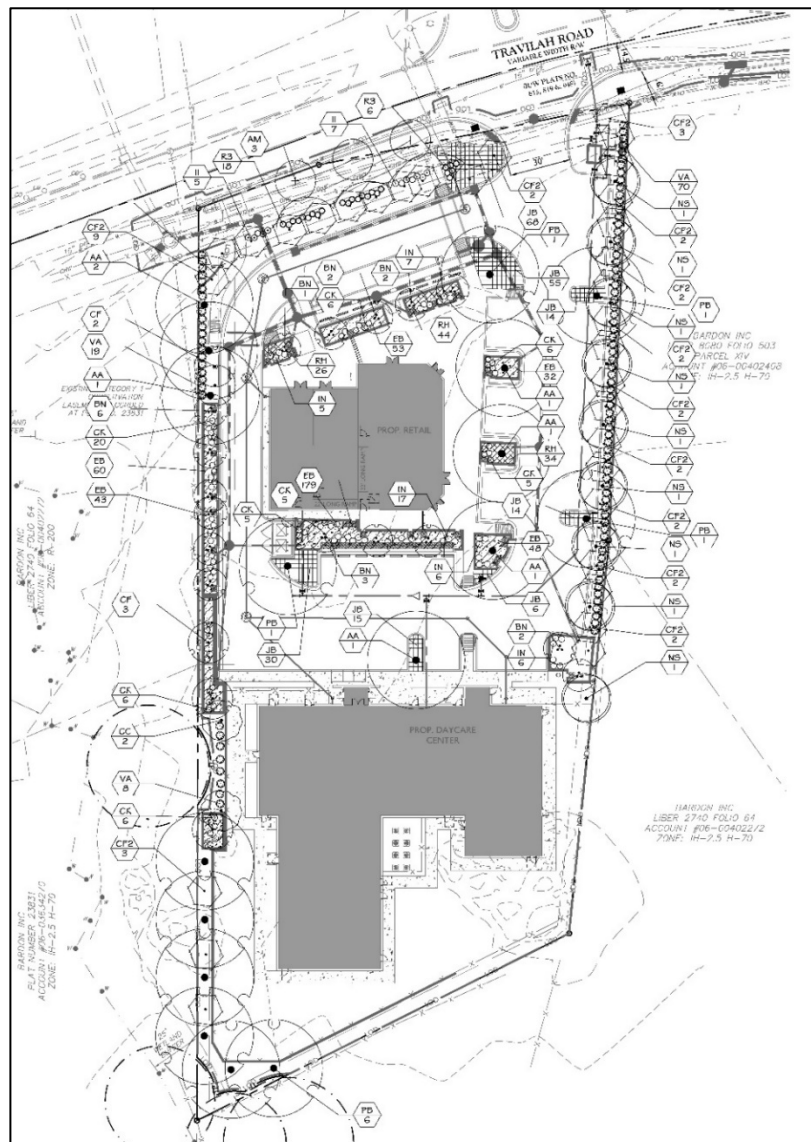


Figure 12 – Landscaping Plan

Additionally, the Applicant will be planting a variety of native deciduous and evergreen trees and shrubs throughout the Property. Red Maples and London Plain Trees planted along the perimeter of the parking lot and in the individual parking islands will provide visual interest and shade for the patio and parking lot.

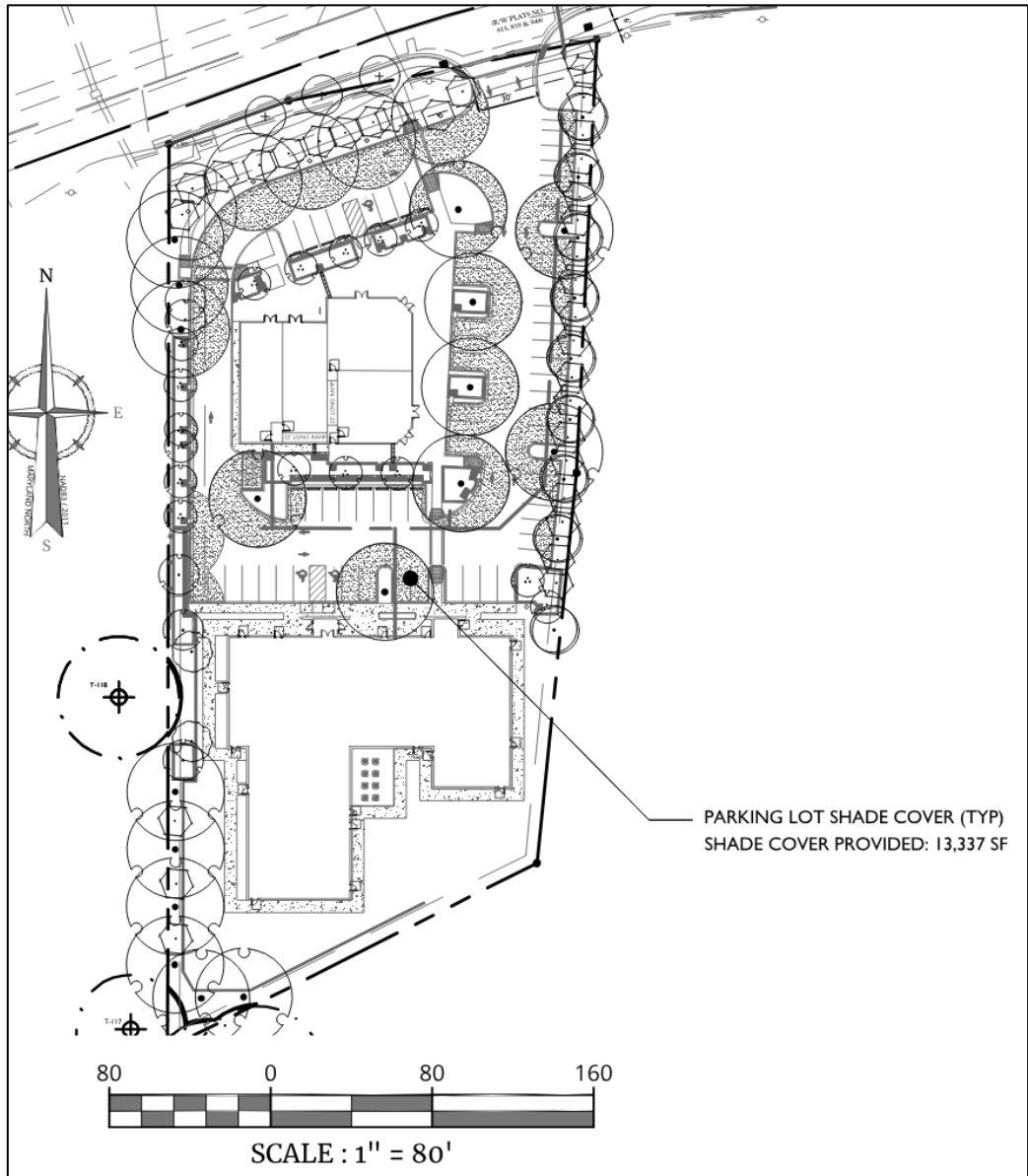


Figure 13 – Parking lot tree canopy cover diagram

The trees will shade approximately 12,000 square feet of the surface parking lot, which exceeds the minimum 25% (6,316 square feet) shading requirement.

Lighting on-site consists of freestanding pole lights positioned on the perimeter of each parking area. Wall sconces on the side of the building will provide illumination to pedestrians entering and exiting each building.

The photometric plan submitted by the Applicant shows that the proposed lighting will adequately illuminate the site creating a safe environment, without creating light spillage or excessive glare on adjacent properties or the rights-of-way. As conditioned, all site lighting provides adequate, safe and efficient illumination.

(5) Division 6.5. Screening Requirements

The Site Plan proposes retail and daycare uses in two general buildings in the NR zone (Employment Zone) and abuts property zoned R-200 to the west. Under Section 59.6.5.2 of the Zoning Ordinance, screening is required between the proposed building and residentially zoned property.

The Site Plan satisfies the screening requirement with a modified version of the planting plan in Section 59.6.5.3.C.7, which includes a 10-foot-wide area with deciduous trees, shrubs and plantings within the linear bio-retention facilities located between the western property line and interior drive-aisle. As proposed, the modified planting plan will provide adequate screening between the retail building and R-200 property. Additional screening is being planted along the front of the Property to diminish the view of the single row of parking and drive-aisle between the retail building and Travilah Road.

e) Satisfies the applicable requirements of:

i. Chapter 19, Erosion, Sediment Control, and Stormwater Management; and

MCDPS approved a Combined Stormwater Management Concept/ Site Development Stormwater Management Plan (revised) on November 4, 2022 (Attachment G). The required stormwater management goals are being met on site via microbioretenion and structural sand filters.

ii. Chapter 22A, Forest Conservation.

The Natural Resource Inventory/Forest Stand Delineation (“NRI/FSD”) No. 420200480 for the Property was approved on October 24, 2019. The Property does not contain any forest. There are no streams, wetlands, 100-year floodplain, highly erodible soils, or slopes greater than 25% located on or immediately adjacent to the Property. There are two small areas of wetland buffer totaling 877 square feet on the Property; one located in the northwest corner of the Property, adjacent to Travilah Road, and the other in the southwest corner, at the rear of the Property. No trees greater than 24” Diameter at Breast Height (“DBH”) were identified on site; however,

seven trees greater than or equal to 24" DBH were identified adjacent to the site, three of which are 30" DBH and greater.

The Application proposes to impact the wetland buffer located in the northwest corner of the Property, along Travilah Road. The impacts were identified on the previously approved Preliminary Forest Conservation, approved as part of the Preliminary Plan No. 120210090. The wetland buffer impacts are within the right-of-way and public utility easement along Travilah Road and are unavoidable for the construction of a sidewalk, bus stop, and storm drain to serve the Property and the surrounding area. The impacts are minimal and within the right-of-way, and no mitigation is recommended.

The Application meets the requirements of Chapter 22A of the Montgomery County Forest Conservation Law. As required by the County Forest Conservation Law (Chapter 22A of the County Code), a Preliminary Forest Conservation Plan was submitted and approved by Planning Board as part of the Preliminary Plan. A Final Forest Conservation Plan ("FFCP") was submitted as part of this Site Plan Application (Attachment H). The FFCP is consistent with the approved Preliminary Forest Conservation Plan, as conditioned by the Planning Board.

The net tract area for forest conservation is 2.15 acres. This is an increase from the net tract area of the approved Preliminary Forest Conservation Plan to account for the additional offsite disturbance for the construction of a more extensive 6-foot-wide sidewalk along Travilah Road that was required as a condition of approval. The net tract area includes the 1.96-acre site and the 0.19 acres of offsite improvements along Travilah Road and utility connections. There is no forest on the Property and the resulting afforestation requirement of 0.32 acres will be satisfied through a fee-in-lieu payment as noted on the FFCP. Per Section 22A-12(g)(2), an Application with a planting requirement of less than 0.5 acres with no on-site priority or other appropriate areas available for planting may meet the planting requirement via fee-in-lieu.

Consistent with the approved Preliminary Forest Conservation Plan, no trees subject to the tree variance provision of the Forest Conservation Law will be impacted, so a request for a tree variance is not included with this Application.

f) Provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities;

The Site Plan provides for safe and well-integrated parking and circulation patterns on the Subject Property. Vehicular access along the entirety of the Travilah Road frontage is being consolidated into a single driveway at the northeastern corner of the Property. The Applicant intentionally located the driveway in alignment with the Montessori School

access to mitigate conflicting turning movements. Two-way internal circulation is proposed throughout the site, except along the western side of the retail building, which is restricted to one-way movement to provide orderly and safe circulation and queuing for parent drop-off at the daycare center.

A six-foot wide sidewalk will be installed along the Property's frontage on Travilah Road to provide a pedestrian connection across the Subject Property. The existing bus stop at the western corner of the Property will be upgraded and connected to the new sidewalks on the Travilah Road frontage.

As conditioned by the Preliminary Plan, the Applicant is extending the 6-foot-wide sidewalk off-site from the right side of the Application frontage along Travilah Road to Piney Meetinghouse Road. This will connect with the existing sidewalk network which runs continuously from the eastern side of the Piney Meetinghouse Road intersection, which will accommodate pedestrian movement to and from the Site.

Internally, a network of sidewalks and crossings will be constructed to provide safe, logical pedestrian circulations between the two new buildings and parking lots. Two lead walks connect the public sidewalk along the frontage, creating a pedestrian corridor which leads from the sidewalk along the frontage directly through the center of the site to access the retail in the front and the daycare center in the back.

Around the retail building, the patio and sidewalks and planting strips between the drive-aisles and parking spaces provide safe pedestrian connections from the parked vehicle to the buildings and amenity open space. The open spaces and buildings are organized to complement one another, while lead walks provide clearly delineated safe connections between the sidewalk on Travilah Road and the retail building and daycare building entrances, minimizing the need for pedestrians to walk through the parking lot aisles. A raised curb also protects pedestrians on the patio and sidewalks from vehicles that are actively parking.

Short term and long-term bicycle parking/storage are provided onsite. An inverted U-rack in a visible location adjacent the retail building will provide two short term bicycle parking spaces. Three long-term bicycle spaces will be located at the front of the daycare building in a bike room. Parking space dimensions and drive aisle width meet the standards set by Section 6.2.5.G. of the Zoning Ordinance. Bicycle access to the Project will be via the existing paved shared use path located on the north side of Travilah Road, which connects to an existing bikeway network.

The building massing for the Application is complementary towards the proposed uses and the surrounding developments. The proposed retail building consists of a single-level building with three in-line retail spaces and an approximate height of 24 feet at the highest point. The façades of the retail building include a material palette of stone, brick,

storefront glazing, and metal awnings and canopies located above openings. The building incorporates a flat roof system with EIFS (“exterior insulation finish system”) parapet walls and metal coping. The retail building is the closest building to front onto Travilah Road. The entrances to the retail spaces are all accessible from a hardscaped open space located along the north, east, and south façades of the building. The proposed daycare center is located at the rear of the Subject Property and is configured with a U-shaped footprint. The building is single story with a masonry base, fiber cement lap siding, and a gabled and hipped roof system with fiberglass shingles. The proposed daycare center is approximately 20’-2” at the highest point of the ridge beam along the main hipped roof. The main roof is punctuated with two bays that are capped with cupolas, to mark the location of the building and identify the primary entrance along the north façade. A portion of the daycare center will be clearly visible from the main entrance to the Subject Property from Travilah Road, with the eastern-most cupola serving as a landmark to distinguish and identify it from the adjacent proposed retail building. The long façades of both building masses are broken up in a manner to reduce the overall scale and impact. Both buildings are further broken up by articulating and punctuating the façade with windows, awnings, and doors. The relationship between the base, middle, and top is clearly defined by both proposed buildings.

g) Substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan;

The Site Plan substantially conforms to the recommendations within the 2002 *Potomac Subregion Master Plan* (“Master Plan”). The Property is within the North Potomac Community Area (Figure 14) and the North Potomac policy area of the Master Plan, which is the most densely developed of all of the Potomac communities. The Master Plan confirmed the commercial (now NR-0.75) zoning for the Property but does not address it with specific recommendations.

The Application substantially conforms to the Master Plan’s general design recommendations with the provision of attractive streetscaping, the installation of a 6-foot-wide sidewalk along the Property frontage and the provision of shade trees within the parking areas.

The plan provides stormwater management on a currently untreated site using bioretention, a structural filtering device and an overall reduction of site imperviousness. Providing stormwater management “according to current standards” to the maximum extent practicable is consistent with the Master Plan’s focus on sustainable development (Pg.33). In addition, the proposed sidewalk along Travilah Road will “encourage community access” to the surrounding neighborhoods and the Property.

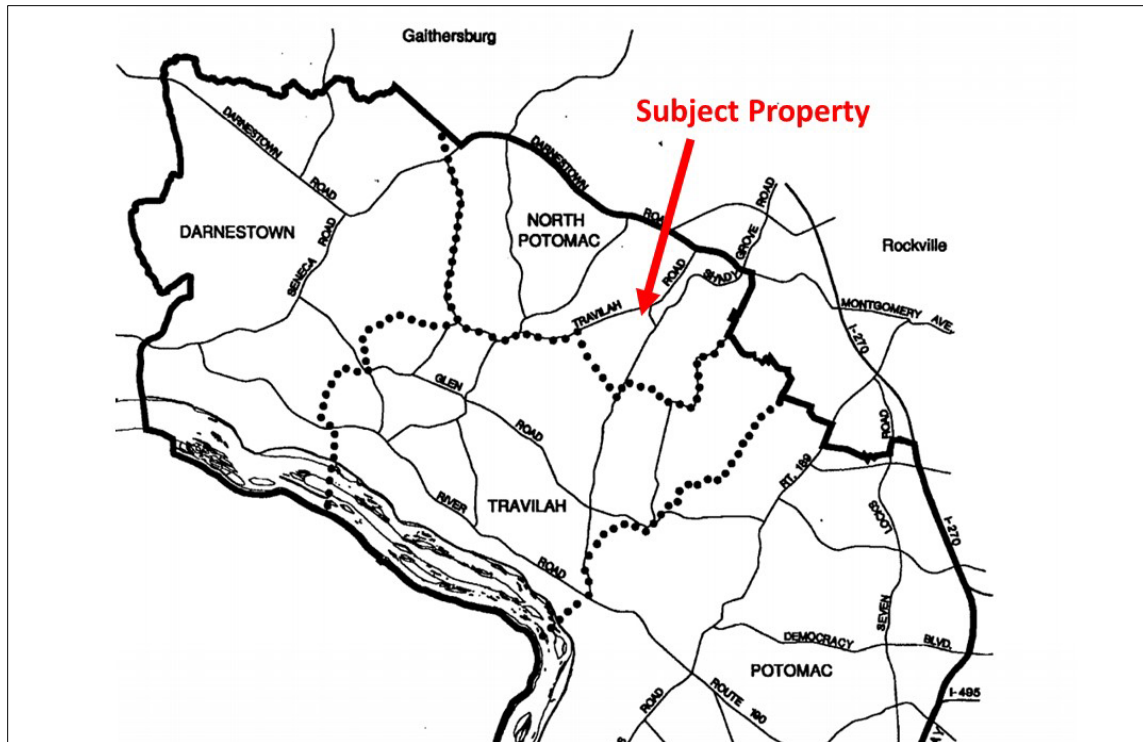


Figure 14 – Master Plan Community Areas (Map 2)

Noise Analysis

A Traffic Noise Impact Analysis was prepared by Sullivan Environmental Consulting for the proposed daycare use on the Property due to its proximity to the nearby Rockville Crushed Stone Quarry and the truck traffic associated with its operation. The results were provided in a report dated November 12, 2021 (Attachment I). A noise analysis is necessary to demonstrate conformance with the 1983 *Staff Guidelines For the Consideration of Transportation Noise Impacts in Land Use Planning and Development* (“Noise Guidelines”) by determining the projected interior and exterior noise levels and whether or not mitigation for the proposed daycare building and outdoor recreation areas is required.

The Montgomery County Noise Guidelines stipulate a 60 dBA L_{dn} maximum noise level for outdoor recreation areas within this suburban residential area of the County and 45 dBA L_{dn} for indoor areas. The analysis provided utilized only the daytime readings and did not include average nighttime readings since the proposed use is for a daycare facility, which differs from a residential use in that it only operates during the daytime hours. Staff agrees with this interpretation for the analysis.

The results of the analysis indicate that future unmitigated traffic noise levels related to truck and other quarry-related operations were between 50-55 dBA, and below the 60 dBA

threshold during the daytime when the daycare center is inhabited. Since standard construction materials typically yield a 20 dB reduction in noise, the interior noise levels will be below the 45 dBA threshold. Therefore, this Application conforms to the Noise Guidelines and no mitigation is necessary for the indoor areas or the exterior recreation areas.

- h) will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the development is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage;***

On September 9, 2021, the Planning Board, by Resolution No. 21-096 (Attachment A), approved Shops at Travilah, Preliminary Plan No. 120210090, including a finding that there are adequate public facilities to serve this development, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. A traffic study was also reviewed, and the Planning Board found that no mitigation is required to satisfy the Local Area Transportation Review. The 5-year Adequate Public Facilities (APF) validity period is valid until November 15, 2026.

- i) on a property in all other zones, is compatible with existing, approved or pending adjacent development.***

The proposed buildings are compatible with the existing adjacent development, including the Quarry to the south, and the residential neighborhood and Montessori School across Travilah Road. The proposed retail and daycare center are neighborhood-serving uses which provide convenient services for the surrounding community. Additionally, the frontage improvements and new development will transform the existing dated retail site into a welcoming and attractive destination along this section of Travilah Road. The proposed buildings are 24 feet tall or less, which is within the prescribed height limits of the NR zone and consistent with the adjacent residential and institutional developments.

- 3. For a property zoned C-1 or C-2 on October 29, 2014 that has not been rezoned by Sectional Map Amendment or Local Map Amendment after October 30, 2014, if the proposed development includes less gross floor area for Retail/Service Establishment uses than the existing development, the Planning Board must consider if the decrease in gross floor area will have an adverse impact on the surrounding area.***

Not applicable. The Subject Property was zoned C-1 on October 29, 2014; however, the development includes more gross floor area for Retail/Service Establishment uses than the existing development.

SECTION 6: CONCLUSION

As conditioned, the Site Plan Application satisfies the findings under Sections 59.7.3.3 & 7.3.4 and the applicable standards of the Zoning Ordinance, substantially conform to the recommendations of the 2002 *Potomac Subregion Sector Plan*. Applications have been reviewed by other applicable county agencies, all of whom have recommended approval of the plan. Therefore, Staff recommends approval of the Site Plan with the conditions specified at the beginning of this Staff Report.

ATTACHMENTS

Attachment A – Preliminary Plan, Resolution No. 21-096

Attachment B – Community Correspondence

Attachment C – Montgomery County Department of Environmental Protection Correspondence

Attachment D – Quarry Certification Documents

Attachment E – MCDPS – ROW Section approval letter dated August 29, 2022

Attachment F – MCDPS Correspondence dated March 29, 2022

Attachment G – MCDPS – Stormwater Management Concept

Attachment H – Final Forest Conservation Plan

Attachment I – Noise Analysis - November 12, 2021

Attachment J – MCDOT email dated November 16, 2022



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

MCPB No. 21-096
Preliminary Plan No. 120210090
Shops at Travilah
Date of Hearing: September 9, 2021

NOV 15 2021

RESOLUTION

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

WHEREAS, on February 24, 2021, Travillah-WHM, LP ("Applicant") filed an application for approval of a preliminary plan of subdivision of property that would create one (1) lot on 1.96 acres of land in the NR-0.75 zone, identified as Parcel (P160), identified on Tax Map FR32, located on the south side of Travilah Road, approximately 250 feet west of its intersection with Piney Meetinghouse Road ("Subject Property"), in the North Potomac Policy Area and 2002 *Potomac Subregion Master Plan* ("Master Plan") area; and

WHEREAS, Applicant's preliminary plan application was designated Preliminary Plan No. 120210090, Shops at Travilah ("Preliminary Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated August 27, 2021, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on September 9, 2021, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on September 9, 2021, the Planning Board voted to approve the Application subject to certain conditions, on motion of Commissioner Cichy, seconded by Commissioner Verma, with a vote of 4-0; Chair Anderson, Commissioners Cichy, Patterson and Verma voting in favor .

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www.montgomeryplanningboard.org E-Mail: mcp-chair@mncppc.org

Approved as to
Legal Sufficiency: /s/ Emily Vaias
M-NCPPC Legal Department

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 120210090 to create one (1) lot on the Subject Property, subject to the following conditions:¹

General Approval

1. This Preliminary Plan is limited to one (1) lot for up to 18,443 square feet of non-residential uses, to include 5,681 square feet of retail or restaurant uses and 12,762 square feet of day care for up to 195 children².

Adequate Public Facilities

2. The Adequate Public Facilities ("APF") review for the Preliminary Plan will remain valid for five (5) years from the date of mailing of this Planning Board Resolution.

Plan Validity Period

3. The Preliminary Plan will remain valid for 36 months from its initiation date (as defined in Montgomery County Code Section 50.4.2.G, and prior to the expiration date of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records or a request for an extension filed.

Reviewing Agencies

4. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated August 13, 2021 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
5. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT's requirements for access and improvements.
6. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services ("MCDPS") – Water Resources Section in its stormwater management concept letter dated December 15, 2020 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section if the

¹ For the purpose of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

² The uses may be changed through a minor amendment to this Preliminary Plan or at the time of Site Plan approval, if applicable, subject to satisfying any relevant adequate public facilities findings.

amendment does not conflict with any other conditions of the Preliminary Plan approval.

7. The Planning Board has reviewed and accepts the recommendations of the MCDPS, Fire Department Access and Water Supply Section in its letter dated June 22, 2021 and 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 amendment does not conflict with other conditions of Preliminary Plan approval.

Other Approvals

Environment

8. Prior to certification of the Preliminary Plan, or acceptance of a Site Plan, whichever comes first, the Applicant must submit a Noise Analysis for the Subject Property to determine the projected interior and exterior noise levels for the proposed development. The results of the Noise Analysis may require a Barrier Analysis at Site Plan with resulting recommended mitigation measures to be included on the Site Plan.
9. Prior to the start of any clearing, grading or construction for this development Application, the Applicant must submit the forest conservation fee-in-lieu payment to the M-NCPPC Planning Department for the 0.31 acres of afforestation/reforestation requirement.
10. The Limits of Disturbance ("LOD") shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Final Forest Conservation Plan.
11. The approved Final Forest Conservation Plan must be consistent with the approved Preliminary Forest Conservation Plan.

Future Site Plan Approval Required

12. Before approval of a record plat or any clearing or grading for the Subject Property, the Applicant must receive Staff certification of any subsequent Site Plan(s) associated with this Preliminary Plan. The number and location of site elements including but not limited to buildings, on-site parking, site circulation, and sidewalks is determined through site plan review and approval.
13. If an approved site plan or site plan amendment for the Subject Property substantially modifies the lot or right-of-way configuration or quantities shown

on this Preliminary Plan, the Applicant must obtain approval of a Preliminary Plan amendment before certification of the site plan or site plan amendment.

Transportation

Existing Frontage Improvements

14. The Applicant must provide the following dedications and show them on the record plat(s) for the following existing roads:
 - a) All land necessary to accommodate thirty-five (35) feet from the existing pavement centerline along the Subject Property frontage for Travilah Road.
15. Unless modified as part of a subsequent Site Plan, prior to the recordation of plat(s), the Applicant must satisfy all necessary requirements of MCDPS to ensure construction of a six (6)-foot wide sidewalk along the Property frontage on Travilah Road.

Off-Site Improvements

16. Prior to the recordation of plat(s), the Applicant must ensure construction of the following off-site improvement(s) by satisfying MCDOT requirements to construct a 6-foot wide sidewalk on the south side of Travilah Road that extends approximately one hundred and sixty-five (165) feet, from the northeast corner of the Subject Property to Piney Meetinghouse Road. Final details including, but not limited to, dimensions, alignment, and cross-section of the offsite improvements to be determined at Site Plan approval.

Record Plats

17. Except for demolition of the existing structures, there shall be no clearing or grading of the site prior to recordation of plat(s).

Easements

18. The record plat must show necessary easements.

Certified Preliminary Plan

19. The Applicant must include all approval letters and the Preliminary Plan Resolution on the approval or cover sheet(s).
20. The certified Preliminary Plan must contain the following note:

Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking,

site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of site plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.

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

1. *The layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59.*

The Application has been reviewed for compliance with Chapter 50, the Subdivision Regulations and the dimensional requirements for the NR zone as specified in the Zoning Ordinance. The lot as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in the NR zone. A summary of this review is included in Table 1 of the Staff Report.

The lot size, width, shape and orientation are appropriate for the location of the subdivision taking into account the recommendations of the Master Plan and proposed retail restaurant and daycare uses. Retail, Restaurant, and Day Care Center (Over 30 Persons) are all permitted uses in the NR zone and the proposed lot provides sufficient space to accommodate the proposed development and the infrastructure necessary to support it, such as parking, stormwater management, landscape screening and open space, while respecting the established setbacks.

The minimum parking requirement for the Retail/Restaurant building was calculated using the Retail rate, which is higher than the restaurant rate. This allows flexibility in the future use of the commercial building.

An illustrative landscaping plan has been provided with the Preliminary Plan to illustrate that the lot can adequately accommodate the use and screening required in accordance with Section 6.2.9.C. for a surface parking lot with 10 or more spaces. Prior to Record Plat, Site Plan approval is required because the Applicant is proposing permitted uses greater than 10,000 SF and abuts property zoned Residential (R-200).

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

The Preliminary Plan substantially conforms to the recommendations within the 2002 *Potomac Subregion Master Plan* ("Master Plan"). The Property is within the North Potomac Community Area and the North Potomac policy area of the Master Plan, which is the most densely developed of all of the Potomac communities. The Master Plan confirmed the commercial (now NR-0.75) zoning for the Property but does not address it with specific recommendations.

The Application substantially conforms to the Master Plan's general design recommendations with the provision of attractive streetscaping, the installation of a 6-foot-wide sidewalk along the Property frontage and the provision of shade trees within the parking areas.

It also provides stormwater management on a currently untreated site using bioretention, a structural filtering device and an overall reduction of site imperviousness. Providing stormwater management "according to current standards" to the maximum extent practicable is consistent with the Master Plan's focus on sustainable development (Pg.33). In addition, the proposed sidewalk along Travilah Road will "encourage community access" to the surrounding neighborhoods and the Property.

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

Roads and Other Transportation Facilities

Transportation access is adequate to serve the development proposed by this Preliminary Plan. The Application has been reviewed by the MCDOT who in their letter dated August 13, 2021, determined that the lot has adequate vehicular access and sight distance.

Existing Facilities

The Subject Property is accessed from Travilah Road identified by the 2018 *Master Plan of Highways and Transitways* (p.47) as a two-lane minor arterial road with a 70-foot right-of-way (ROW). The Applicant is dedicating 2,972 square feet of right-of-way to achieve 35 feet from the centerline, consistent with the Master Plan recommendation.

Public transportation infrastructure

The Applicant is installing a six-foot wide sidewalk along the Property frontage for pedestrians which will connect the Property to an existing bus stop, located at the western corner of the Property, which is being upgraded by the Applicant. The Applicant also plans to extend the sidewalk off-site from the proposed driveway east along the frontage of Parcel 113 to the intersection with Piney

Meetinghouse Road, subject to a third-party agreement to allow grading on the Quarry Property.

Private transportation infrastructure

Short-term and long-term bicycle parking/storage are provided onsite. An inverted U-rack in a visible location adjacent to the retail building will provide two short-term bicycle parking spaces and three long-term bicycle spaces will be located inside the retail building (or daycare building). Parking space dimensions and drive aisle widths meet the standards set by Section 6.2.5.G. of the Zoning Ordinance. Bicycle access to the Project will be via the existing paved shared use path located on the north side of Travilah Road, which connects to an existing bikeway network.

An internal pedestrian corridor leads from the sidewalk along Travilah Road directly through the center of the site to access the retail in the front and the daycare center in the back. The site vehicular access point has been reduced in size to limit crossing distance and slow incoming and outgoing vehicular speeds to improve pedestrian safety. Vehicle and pedestrian access for the subdivision will be adequate with the proposed improvements.

Local Area Transportation Review (LATR)

The transportation Adequate Public Facilities test is satisfied under the 2016-2020 Subdivision Staging Policy as the Preliminary Plan application predates the approval of the 2020-2024 County Growth and Infrastructure Policy. Transportation access is adequate to serve the development proposed by this Preliminary Plan.

The Preliminary Plan for 5,681 square feet of retail and a 12,762 square foot daycare center generates 144 person trips during the AM weekday peak period and 144 person trips during the PM weekday peak period based on the trip generation rates included in the 2017 LATR Guidelines. Because the Application generates over 50 peak hour person trips, a traffic study was required and submitted on December 8, 2020.

Table 2: Site Person Trip Generation

Use	Application	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Existing (Credit) Retail	<i>Driveway Counts</i>	9	5	14	13	11	24
Proposed: Variety Store (ITE 814)	5,681 SF	10	8	18	20	19	39
<i>34% Pass-by</i>		-	-	-	-7	-6	-13

<i>Reduction</i>							
Day Care Center (ITE 565)	12,762 SF	74	66	140	67	75	142
Net New Peak Hour Person Trips		75	69	144	67	77	144

Four intersections were analyzed as shown in Table 3. As per Planning Department Covid-19 Policy, counts were based on previous recent pre-pandemic counts and adjusted to account for predicted growth.

Table 3: Critical Intersection Capacity Analysis

Intersection	Traffic Conditions					
	Existing		Background		Total Future	
	AM	PM	AM	PM	AM	PM
<i>North Potomac Policy Area (CLV 1,450)</i>						
Travilah Road and Lake Winds Way / Potomac Edge Way	720	832	757	893	769	909
Travilah Road and Piney Meetinghouse Road	759	947	780	980	825	1024
Piney Meetinghouse Road, Cavanaugh Drive, and Shady Grove Road	805	847	819	930	846	942
Travilah Road and Site Driveway / School Access	771	701	808	762	953	901

All intersections analyzed will perform well under the 1,450 CLV policy limit; no vehicular mitigation is required for this application.

Transportation access is adequate for the proposed development by this Preliminary Plan. As conditioned, this Preliminary Plan is consistent with the 2018 *Master Plan of Highways and Transitways*, the 2018 *Bicycle Master Plan* and 2002 *Potomac Subregion Master Plan*.

Other Public Facilities and Services

The Subject Property is currently served by existing water lines that will be abandoned as part of the redevelopment. A new 8-inch water line will be extended from the existing 16-inch main in the right-of-way, which according to WSSC is capable of serving the proposed buildings. A new 6-inch sewer line will connect to the existing 8 inch main, also in the right-of-way.

The Application has been reviewed by the MCDPS, Fire Department Access and Water Supply Section, who determined that the Property has adequate access for fire and rescue vehicles. The Application has received an approved Fire Access Plan based on the letter dated June 22, 2021.

A 10-foot public utility easement is being provided parallel to the right-of-way which will be sufficient to accommodate future utility installation. All other public facilities and services including electric, telecommunication, police and health services are available and adequate to support and serve the proposed lot.

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

Natural Resource Inventory/Forest Stand Delineation

The Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) #420200480 for the Property was approved on October 24, 2019. The NRI/FSD identifies the environmental features and forest resources on the Property. The Property does not contain any forest. There are no streams, wetlands, 100-year floodplain, highly erodible soils, or slopes greater than 25% located on or immediately adjacent to the Property. There are two small areas of wetland buffer totaling 877 square feet on the Property; one located in the northwest corner of the Property, adjacent to Travilah Road, and the other in the southwest corner, at the rear of the Property. No trees greater than or equal to 24" DBH were identified on site; however, seven trees greater than or equal to 24" DBH were identified adjacent to the site, three of which are 30" DBH and greater.

Environmental Guidelines

The Application impacts the wetland buffer located in the northwest corner of the Property, along Travilah Road. The impacts are within the right-of-way and public utility easement along Travilah Road for the construction of a sidewalk, bus stop, and storm drain to serve the Property and surrounding area. The impacts are minimal and within the right-of-way, and no mitigation is recommended.

A. Forest Conservation

The Board finds that as conditioned, the Forest Conservation Plan complies with the requirements of the Forest Conservation Law. As required by the County Forest Conservation Law (Chapter 22A of the County Code), a Preliminary Forest Conservation Plan (FCP) for the Application was submitted with the Preliminary Plan. The net tract area for forest conservation is 2.04 acres, which includes the 1.96-acre site and 0.08 acres of offsite disturbance for improvements along Travilah Road and utility connections. There is no forest on the Property and the

resulting afforestation requirement of 0.31 acres will be satisfied through fee-in-lieu as noted on the FCP. Per Section 22A-12(g)(2), an Application with a planting requirement of less than 0.5 acres with no on-site priority or other appropriate areas available for planting may meet the planting requirement via fee-in-lieu.

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

The Preliminary Plan Application meets the stormwater management requirements of Chapter 19 of the County Code. The Applicant received a stormwater concept approval from MCDPS Water Resources Section on December 15, 2020. The Application will meet stormwater management goals through a variety of techniques including micro bioretention and a structural filtering device. As conditioned in MCDPS's letter, necessary revisions to the stormwater concept will be submitted at the time of Site Plan, including investigating additional ESD treatment options that can reduce reliance on the proposed structural device.

BE IT FURTHER RESOLVED that this Preliminary Plan will remain valid for 36 months from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and that prior to the expiration of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records, or a request for an extension must be filed; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is NOV 18 2021 (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 a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Cichy, seconded by Commissioner Verma, with Chair Anderson and Commissioners Cichy, Patterson, and Verma voting in favor of the motion at its regular meeting held on Thursday, October 28, 2021, in Wheaton, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board

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ROCKVILLE, MD 20850
By email lisa.schwartz@montgomerycountymd.gov

MR. MARK BEALL
MCDPS-ZONING
255 ROCKVILLE PIKE, 2ND FLOOR
ROCKVILLE, MD 20850
By email mark.beall@montgomerycountymd.gov

MR. CHRISTOPHER ANDERSON
MPDU MANAGER, DHCA
100 MARYLAND AVENUE, 4TH FLOOR
ROCKVILLE, MD 20850
By email Christopher.anderson@montgomerycountymd.gov

Bill Magruder
12165 Darnestown Road
Gaithersburg, MD 20878

Liane Simpson
22375 Broderick Drive
Suite 110
Sterling, VA 20166
Day Phone: (877)627

William Whelan
101 Monroe Street, 10th Floor
Rockville MD 20850

Mike Magruder
12165 Darnestown Road, Ste L-4
Gaithersburg, MD 20878

Casey Cirner
11 N. Washington Street, Suite 700
Rockville, MD 20850

MR. GREG LECK
MCDOT
101 MONROE ST
10TH FLOOR
ROCKVILLE, MD 20850
By email greg.leck@montgomerycountymd.oov

MR. ATIQ PANJSHIRI
MCDPS-RIGHT-OF-WAY
PERMITTING
255 ROCKVILLE PIKE, 2ND FLOOR
ROCKVILLE, MD 20850
By email atiq.panishiri@montgomerycountymd.gov
MS. CHRISTINA CONTRERAS
MCDPS-LAND DEVELOPMENT
255 ROCKVILLE PIKE, 2ND FLOOR
ROCKVILLE, MD 20850
By email christina.contreras@montgomerycountymd.gov

MR. ALAN SOUKUP
MCDDEP-WATER & WASTEWATER POLICY
255 ROCKVILLE PIKE, SUITE 120
ROCKVILLE, MD 20850
By email alan.soukup@montgomerycountymd.gov

Scott Wolford
22375 Broderick Drive
Suite 110
Sterling, VA 20166

Abigael Owen
14138 Travilah Road
Rockville, MD 20850

Rebecca Torma-Kim
101 Monroe Street, 10th Floor
Rockville MD 20850

Scott Wolford
22375 Broderick Drive
Suite 110
Sterling, Virginia 20166

gireland@endmail.net

MR. MARK ETHERIDGE, MANAGER
MCDPS-SEDIMENT/STORMWATER
INSPECTION & ENFORCEMENT
255 ROCKVILLE PIKE, 2ND FLOOR
ROCKVILLE, MD 20850
By email mark.etheridge@montgomerycountymd.gov

MR. EHSAN MOTAZEDI
MCDPS-SITE PLAN ENFORCEMENT
255 ROCKVILLE PIKE, 2ND FLOOR
ROCKVILLE, MD 20850
By email ehsan.motazedi@montgomerycountymd.gov

MR. GENE VON GUNTEN
MCDPS-WELL & SEPTIC
255 ROCKVILLE PIKE, 2ND FLOOR
ROCKVILLE, MD 20850
By email gene.vongunten@montgomerycountymd.gov

Robert Pease
Maser Consulting
22375 Broderick Dr
Ste 110
Sterling, VA 20166

John Clapsaddle
Maser Consulting
22375 Broderick Dr
Ste 110
Sterling, VA 20166

Donna Anthony
14138 Travilah Road
Rockville, MD 20850

Bill Magruder
12165 Darnestown Road, Ste L-4
Gaithersburg, MD 20878

Katie Wagner
1140 Connecticut Ave., N.W., Ste 600
Washington, DC 20036

120210090 – Shops at Travilah

Casey, Jonathan

From: Glen Ireland <gireland@endmail.net>
Sent: Saturday, April 9, 2022 8:22 PM
To: Casey, Jonathan
Subject: Submitting concerns about Shops at Travilah Day Care Center plan

Follow Up Flag: Follow up
Flag Status: Completed

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hi Jonathan:

I am going to be out of town on August 4th which is the tentative date for the Shops at Travilah site plan hearing.

I have major concerns about this plan and do not think it should be approved:

1. Silica dust generated by rock crushing activities in the quarry coats cars and deck furniture in neighborhoods bordering the quarry year round. Children going in and out of the proposed day care center at Shops at Travilah will be exposed to that silica dust on a regular basis. I don't think it's appropriate for Montgomery County to approve a site plan that will jeopardize the respiratory health of young toddlers.
2. A significant amount of high explosives are transported into the quarry on a regular basis and used to blast 50,000 tons of rock twice a week. At times these explosives will be under 1000ft from the toddlers in the proposed day care center at Shops At Travilah. Is it appropriate for Montgomery County to approve a plan that involves young children being in close proximity to high explosives on a regular basis?

Please put my comments on the record or let me know where to submit them to get them on the record.

Thank you
Glen Ireland

Casey, Jonathan

From: Edwards, Stan <Stan.Edwards@montgomerycountymd.gov>
Sent: Sunday, September 12, 2021 5:38 PM
To: Kishter, Mary Jo; Martin, Steve
Cc: Casey, Jonathan
Subject: RE: Travilah Quarry - Shops at Travilah Development application

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Mary Jo,

I apologize for the delay in responding.

Mr. Ireland is correct that I said an air quality study could be done, but to my knowledge, no air quality study has been done around the Quarry. The County's quarry law is not definitive about when the County is able to require the operator of the Quarry to conduct monitoring. The County does not have the ability or resources to conduct such a study without obtaining outside expertise and, because such a study is not specifically required by either State or County law as a condition to operate, we have not had a compelling reason to pursue one or direct that one be done. Under its State permit, the Quarry is required to maintain dust suppression measures, which are inspected regularly.

The bottom line is this is a grey area. What action does the Planning Department take with regard to a daycare facility proposed to be built adjacent to a major highway, for example? Is there any requirement that the applicant provide information on air quality in the area of the proposed facility?

Stan Edwards
 Energy, Climate, & Compliance Division
 Department of Environmental Protection
 Montgomery County, MD
 Office: 240-777-7748



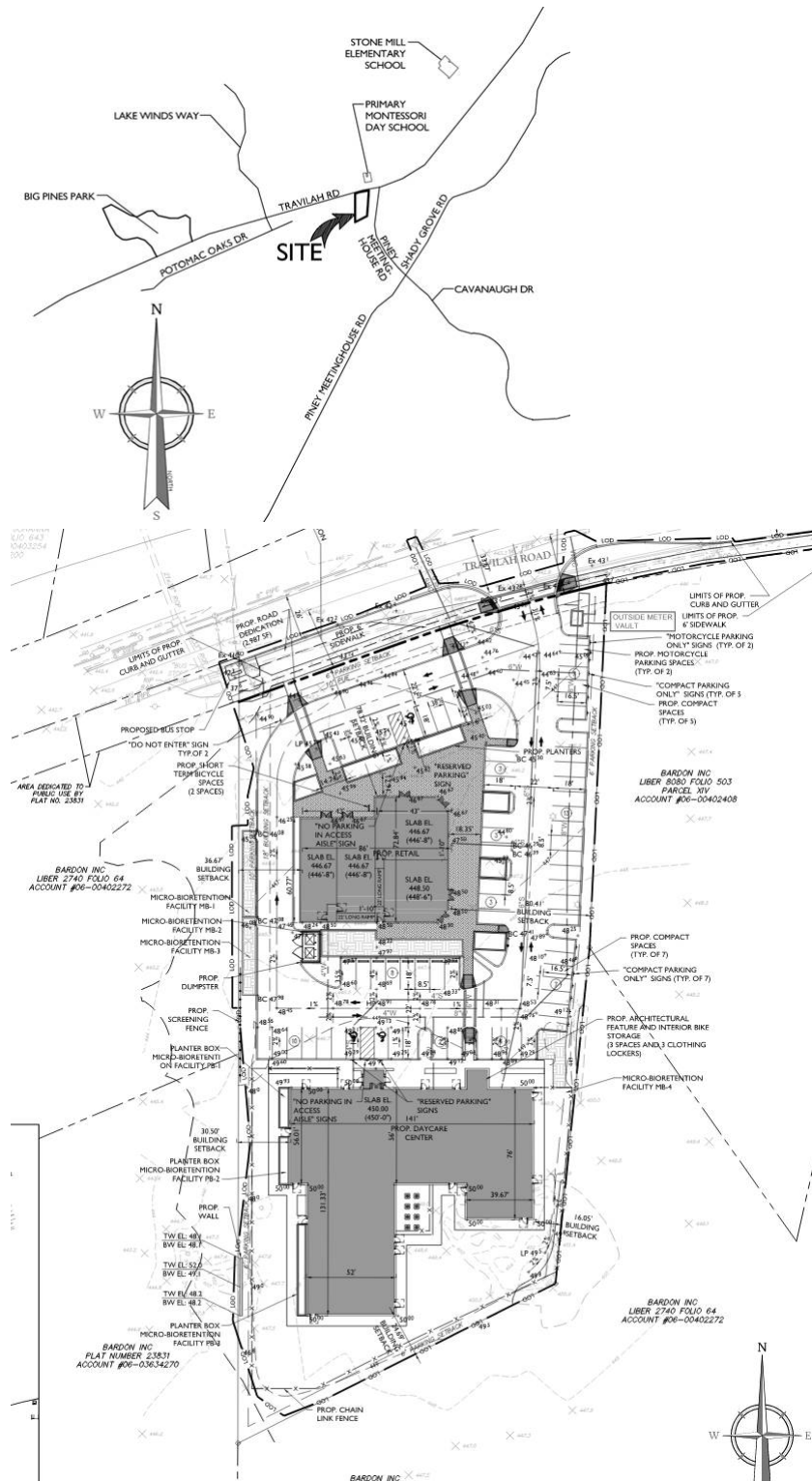
Connect with us!    

From: Kishter, Mary Jo <maryjo.kishter@montgomeryplanning.org>
Sent: Tuesday, September 07, 2021 2:03 PM
To: Edwards, Stan <Stan.Edwards@montgomerycountymd.gov>; Martin, Steve <Steve.Martin@montgomerycountymd.gov>
Cc: Casey, Jonathan <Jonathan.Casey@montgomeryplanning.org>
Subject: Travilah Quarry - Shops at Travilah Development application
Importance: High

[EXTERNAL EMAIL]

Good afternoon,

I am with the Planning Department at M-NCPPC and we have a development application that is scheduled for a public hearing with the Planning Board this Thursday. The property is located on Parcel 160 on Travilah Road, approximately 235 feet west of Piney Meetinghouse Road.



The application includes a daycare facility for children which is the building located in the rear on this development plan (see above). We received correspondence from the community expressing concerns

about a daycare being located in close proximity to the existing Travilah Quarry. The comments provided are below. We'd like to be able to respond to these concerns and appreciate any information you may be able to provide to assist with this.

Comments Provided:

Hi Casey

I have serious concerns about building a daycare right next to the quarry. Residents that close to the quarry post on the Internet about layers of silica dust on their decks and cars.

At the last public information meeting for the Travilah Quarry license recertification, Stan Edwards (Stan.Edwards@montgomerycountymd.gov) indicated an air quality study could be done to determine whether or not the layers of silica settling around the quarry are a health concern.

I suggest contacting Stan and or the state of Maryland to determine if an air quality study has been done for the vicinity where you are planning to approve a day care center. The bronchial tubes of toddlers are many times more sensitive and susceptible to infection than adults. I cannot imagine approving a daycare that has young toddlers go outside and play while breathing silica dust without doing a publicly commissioned air quality study.

Please acknowledge receipt of this email as my comments for the September 9, 2021 public hearing about the Shops at Travilah plan agenda item 10.

Thank you
Glen Ireland

Thank you,
Mary Jo



Mary Jo Kishter

Environmental Planner Coordinator | Upcounty Division

Montgomery County Planning Department
2425 Reedy Drive, 13th Floor, Wheaton, MD 20902
maryjo.kishter@montgomeryplanning.org
o: 301-495-4701
www.montgomeryplanning.org



WE'VE MOVED!

THE NEW PARK AND PLANNING HEADQUARTERS IS NOW LOCATED AT
2425 REEDY DRIVE, WHEATON, MD 20902

Due to the COVID-19 pandemic, our office is closed to the public, but we are still open for business through online services. I'm teleworking and have full access to emails and voicemail.



For COVID-19 Information and resources, visit: www.montgomerycountymd.gov/COVID19

**Aggregate Industries
Mid-Atlantic
Land Services
Memorandum**

To: Steve Martin

From: Tim Bevard

Date: January 5, 2022

Subject: Quarry License Re-Certification Documentation

Enclosed please find the following documents for re-certification of the Quarry License for the Travilah Quarry:

1. Surface Mining License No. SL-0607, expiration date 12-31-21. The license has been renewed pending issuance.
2. Surface Mining Permit No. 77-SP-0061-E, issued by the Maryland Department of the Environment, expiration date 03-31-25.
3. Maryland Department of the Environment, Air and Radiation Management Administration, Operating Permit No. 031-0528, expiration date August 31, 2022.
4. Annual Emissions Certification and Toxic Air Pollutants Emission Certification Report for 2020 required by ARMA Operating Permit No. 031-0528.
5. General Discharge Permit 15MM: Discharges from Mineral Mines, Quarries, Borrow Pits and Concrete and Asphalt Plants NPDES Permit No. MDG491365 – Registration Number 15MM1365A issued by MDE, expires April 30, 2022. The permit was modified effective 06/23/21.
6. NPDES Discharge Monitoring Reports for Outfall No. 1 covering the time period of 10/01/20 through 9/30/21.
7. Quarry Permit Site and Blasting Area Plan updated by Rodgers Consulting, Inc. dated August 2017, the plan and blasting areas remain accurate.
8. Particulate Control Plan dated December 21, 2021.
9. Certificate of Insurance for general liability, automobile liability, and workers compensation and employer's liability for the period 10/01/21 through 10/01/22.
10. Copy of Performance Bond for Quarry License, Bond Number 929517725 in the sum of \$100,735.00.
11. Seismograph Records as submitted to the Maryland Department of the Environment including the Vibration and Air Overpressure data for the time period November 1, 2020 through November 31, 2021.
12. Montgomery County, Department of Permitting Services, Sediment Control Permit No. 203770, expiration date 08-01-24.
13. Performance Bond – Verification of Bond in Force, Exp. 01-06-23.



December 22, 2021

Mr. Steven C. Martin
Environmental Health Specialist III
Montgomery County
Department of Environmental Protection
2425 Reddie Drive, 5th Floor
Wheaton, MD 20902

Re: Bardon, Inc. Travilah Quarry
Quarry License Re-Certification

Dear Mr. Martin:

This letter is written to certify that the Travilah Quarry operations are in compliance with Montgomery County and State of Maryland regulations and the operations remain unchanged since the current license was renewed. Enclosed please find a package of documents as prescribed in the Montgomery County Quarry Ordinance for your review for the Quarry License renewal process.

Should you have any questions concerning this submittal or require additional information please do not hesitate to contact Richard Freedman or Tim Bevard at 301-982-1400.

Respectfully,

A handwritten signature in blue ink, appearing to read "S. Ward", is written over the word "Respectfully,".

Stephen Ward
Vice President – Aggregate Division

Enclosures

AGGREGATE INDUSTRIES
MID ATLANTIC REGION
6401 Golden Triangle Dr. Suite 400
Greenbelt, Maryland 20770
Telephone 301-982-1400
www.aggregate-us.com

A member of the Holcim Group

An AGGREGATE INDUSTRIES company



State of Maryland
Department of The Environment
Land and Materials Administration



2022
SURFACE MINING LICENSE

NUMBER SL-0607

EXPIRATION DECEMBER 31, 2022


This is to certify that

BARDON, INC.

has complied with the Maryland Surface Mining Act of 1975,
specifically Section 15-807 of the Environment Article of the
Annotated Code of Maryland as amended; and is duly licensed as a
surface mine operator in the State of Maryland.

This License:

1. is not transferable
2. must be displayed publicly
3. may be suspended or revoked for cause.


Molly Michaelson, C.P.G. Program Manager
Land and Materials Administration



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Mitra Pedoeem
Director

GENERAL PERMIT

Issue Date: 03/15/2021

Permit No.: 379423
Start Date: 03/15/2021
Expires: 03/15/2022
Customer ID: 1346621

This is to certify permit has been granted to: AGGREGATE INDUSTRIES
13900 PINEY MEETHOUSE RD
ROCKVILLE, MD 20850

This permit is limited to the following:

EXPLOSIVES-ANNUAL

To manufacture, dispose, purchase, store, use, possess, or transport explosives within the jurisdiction. For additional permit requirements for blasting operations, see 65.9.2

PREMISE ADDRESS: 13900 PINEY MEETINGHOUSE RD, ROCKVILLE, MD, 20850

This permit is issued under the authority of the Montgomery County Code ("the Code") and may be forfeited, revoked, or suspended for violation of the provisions of the Code. This license does not constitute an endorsement of this business by Montgomery County.

The permit fee is calculated based on the approved Executive Regulations multiplied by the Enterprise Fund Stabilization Factor for the current fiscal year.

NOTES : Blasting at Rockville Quarry - Blasting reports are required to be sent daily to Patsy.Warnick@montgomerycountymd.gov - An individual with a non-expired State blaster's permit must be on site any time blasting occurs. Any changes to general blasting area must be submitted for review. This permit is not renewable.

A handwritten signature in cursive script that reads "Mitra Pedoeem".

Director, Department of Permitting Services

MARYLAND DEPARTMENT OF THE ENVIRONMENT
LAND AND MATERIALS ADMINISTRATION

SURFACE MINING PERMIT

RENEWAL



SURFACE MINE PERMIT NO.: 77-SP-0061-E

PERMIT EFFECTIVE DATE: June 14, 1977

PERMIT EXPIRATION DATE: March 31, 2025

Pursuant to Title 15, Subtitle 8 of the Environment Article, Annotated Code of Maryland (2014 Replacement Volume), the Land and Materials Administration hereinafter referred to as "the Administration" hereby authorizes the renewal of the above referenced surface mining permit;

PERMITTEE: Bardon, Inc.
6401 Golden Triangle Drive
Suite 400
Greenbelt, MD 20770

The permittee is authorized to engage in a Surface Mining Operation known as Travilah Quarry and located: on Piney Meetinghouse Road between Travilah Road and Shady Grove Road in Montgomery County; as described in the approved Mining and Reclamation Plan dated February 12, 2015 and drawings dated October 6, 2015 and prepared by Rodgers Consulting, Inc. The permit area shall not exceed 302.45 acres as shown on the aforementioned Mining and Reclamation Plan and drawings.

PERMIT TO SURFACE MINE NO. 77-SP-0061-E

Page Two

1. Other Authorizations -- This permit is issued in addition to, and not in substitution of, the requirements of other permits or authorizations granted for the surface mining operation. Issuance of this permit does not relieve the permittee of the obligation to obtain and comply with all other required authorizations.
2. Permit Transfer -- The permit is valid only for use by the Permittee and may not be transferred to another unless written permission for such transfer is obtained from the Administration.
3. Permit on Site -- A copy of the approved Mining and Reclamation Plan, and the permit are to be kept at the mining site available for reference during the period that the permit is in effect.
4. Permit Modification -- Any changes in land areas stipulated in the permit, mining or reclamation practices, schedule of reclamation, and planned land use must have the prior written approval of the Administration. The approval shall be requested by submission of an application for a permit modification or new application.
5. Departmental Modification -- The Administration may modify the permit upon giving the permittee notice and providing an opportunity for an administrative hearing.
6. Compliance with Law/Regulation and Permit: All surface mining operations shall be conducted in compliance with Environment Article 15-801 through 15-834, COMAR 26.23.01 through .06, and the surface mine permit. The permit may be suspended or revoked by the Administration for violation of the surface mine law, regulations, this permit, or any other required approval. The location, dimensions, and type of all structures, reclamation practices and all excavation and filling shall be in accordance with the approved Mining and Reclamation Plan and map.
7. Abandoned Operation -- The surface mining operation shall be considered abandoned if no mineral has been produced or overburden removed for a period of one (1) year and the operator has vacated the site of the operation without having complied with all the requirements of the permit.
8. Halted Operation -- The surface mining operation shall be considered halted if active work has ceased temporarily due to weather or market conditions, or other reasonable cause. An operation may not be halted for a period exceeding twenty-four (24) months. All pollution controls shall be maintained during this period.

PERMIT TO SURFACE MINE NO. 77-SP-0061-E

Page Three

9. Staking Permitted Area -- The permittee shall mark each corner of the perimeter of the permitted area by placing permanent markers. In addition, the permittee shall place markers along the perimeter of the permitted area no more than two hundred feet (200') apart. The markers shall be no less than three feet (3') above the ground. All of the required markers shall be in place no later than ten (10) days from the effective date of this permit and shall be maintained by the permittee throughout the life of the permit.
10. Haul and Access Roads -- No mud may be tracked onto the public roads. All haul and access roads shall be treated for dust and mud control by the permittee as required by approved Mining and Reclamation Plan and drawings. Should these methods fail to control the dust and mud, the permittee shall treat the roads as directed by the Administration.
11. Completion of Reclamation -- Reclamation activities shall be completed in accordance with the approved Mining and Reclamation Plan and drawings no later than two (2) years after termination of mining on any segment of permit area.
12. Annual Mining and Reclamation Report -- At the end of each calendar year, but before March 31 of the succeeding year, the permittee shall submit an annual mining and reclamation report to the Administration on a form prescribed and furnished by the Administration.
13. Compliance with Non-Tidal Wetlands Regulations -- Maintenance, including excavation or dredging, of wash ponds or sediment control structures is authorized under this permit and COMAR 26.23.01.02.F. Non-tidal Wetlands created incidental to the mining activity authorized under this permit may be reclaimed in accordance with the approved Mining and Reclamation Plan. Any wetlands remaining upon completion of the reclamation authorized by this permit will be regulated pursuant to COMAR 26.23.01 through .06.
14. Annual Permit Fee -- The permittee shall remit an annual permit fee of \$1,000. The annual fee is due by March 31, of each year. Failure to submit the fee by the prescribed date shall be considered as a violation of this permit subject to further administrative action.
15. Aerial Photograph -- The permittee shall submit an aerial photograph showing the entire permit area each year with the annual Mining and Reclamation report. The aerial photograph shall be a contact print at a scale no smaller than 1" = 500'.
16. Pond Approval -- The permanent impoundment that will result from the quarry excavation has been reviewed for pond approval in accordance with Section 5-503 Environment Article, Annotated Code of Maryland. If the final water surface elevation rises high enough to require an outfall, the outfall shall be designed to meet the then applicable standards, and approved by the Administration.

17. Blasting -- The permittee shall monitor all blasting, within the permit area as follows:
 - A. All shots shall be monitored with a seismograph.
 - B. The seismograph shall be of the following type: a direct velocity recording seismograph; capable of producing a permanent record of the three (3) components of ground motion (vertical, transverse, and longitudinal); and have the capacity for internal dynamic calibration.
 - C. The permittee shall make available to the Administration upon request, copies of any or all shot and seismograph reports within 30 calendar days of the request. The reports and records shall be retained for at least four (4) years and be available for inspection.
 - D. Any change in the present blasting procedure as described in the approved Mining and Reclamation Plan shall be reported immediately to the Administration.
18. Published Blasting Schedule --
 - I. The permittee shall publish a blasting schedule in a newspaper of general circulation in the Rockville area and distribute a copy to each resident and owner of any occupied dwelling or structure within 1,000 feet of the quarry extraction limit at least 90 days but not more than 120 days from the effective date of the permit renewal. The blasting schedule shall contain the following information and be republished every 12 months:
 - a. The copies of the schedule shall be sent by regular mail or hand delivered and record of notification and certification of publication shall be retained with the blasting records as required by Condition 17;
 - b. Local name, address and telephone number of Bardon, Inc.;
 - c. Identify as accurately as practical the location of the blasting sites and the time periods (expressed in not more than 5 hour segments, not to exceed an aggregate of 10 hours in any one day) when blasting will occur;
 - d. Methods used to control access to the blasting area;
 - e. A description of the audible warnings and all-clear signals to be used before and after blasting.
 - f. Statement advising that any questions concerning the mining operation should be directed to the Maryland Department of Environment- Minerals, Oil & Gas Division at (410) 537-3557.

PERMIT TO SURFACE MINE NO. 77-SP-0061-E

Page Five

- II. If blasting (except for crusher blockages) cannot be conducted in accordance with the published schedule because of weather or other circumstances, the permittee shall notify the Department of the reason and the date and time of blast at least one hour before detonation.
 - III. Prior to Publishing the blasting schedule, a copy of the notice intended for publication shall be submitted to the Administration for review. Upon receipt of written or verbal confirmation of approval from the Administration, the notice may be published.
 - IV. The publication records shall be retained for at least 4 years and be available for inspection.
19. Flyrock -- No flyrock shall leave the permit area. It shall be the responsibility of Bardon, Inc. to prevent flyrock from leaving the permit area. Any noncompliance with this condition shall be immediately reported to the Administration.
20. Performance Bond -- The required bond(s) for the above referenced permit consist of Surety Bond number 929517708 issued by Western Surety Company in the amount of \$378,063. Failure to maintain the required bond may result in the suspension/revocation of the permit and forfeiture of the bond.
21. Off Site Fill -- Off site fill material brought onto the site for incorporation into the final grade must be classified as Category 1 residential clean fill as defined in MDE's "Fill Material and Soil Management Fact Sheet."
22. Verification -- The permittee is responsible for verification that all material is clean. Written documentation must be available to the Department upon request.



STEPHANIE COBB-WILLIAMS, DEPUTY DIRECTOR
LAND AND MATERIALS ADMINISTRATION

09/22/2020

DATE



Maryland

Department of the Environment

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

September 18, 2020

Mr. Stephan Ward
Bardon Inc
6401 Golden Triangle Drive, Suite 400
Greenbelt, MD 20770

RE: Travilah Quarry
No. 77-SP-0061
Surface Mine Permit Renewal

Dear Mr. Ward:

Enclosed please find the Renewal of Surface Mine Permit No. 77-SP-0061. The review of this renewal has been completed pursuant to Title 15, Subtitle 8 of the Environment Article §5-204, Annotated Code of Maryland and COMAR 26.21.01.01 through .30.

You are authorized to conduct surface mining at the site described in the permit. Please become familiar with all conditions attached to the permit.

Your cooperation throughout the process has been appreciated. Please call me if you have any questions at (410) 537-3557.

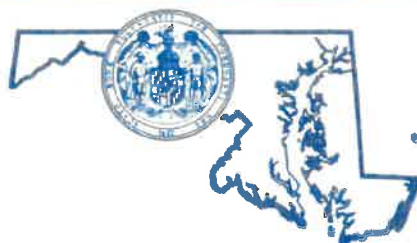
Sincerely,

A handwritten signature in black ink that reads "Molly Michaelson".

Molly Michaelson, Division Chief
Mining Program

Enclosure

State of
Lawrence J. Hogan, Jr.
Governor



Maryland
Ben Grumbles
Secretary

Boyd K. Rutherford
Lt. Governor

DEPARTMENT OF THE ENVIRONMENT

Air and Radiation Administration
1800 Washington Boulevard, Suite 720
Baltimore, MD 21230

☐ Construction Permit

☒ Operating Permit

PERMIT NO. 031-0528

DATE ISSUED September 1, 2017

PERMIT FEE To be paid in accordance
with COMAR 26.11.02.19B

EXPIRATION DATE August 31, 2022

LEGAL OWNER & ADDRESS

Aggregate Industries, Inc.
dba Rockville Crushed Stone, Inc.
6401 Golden Triangle Dr; Ste 400
Greenbelt, Maryland 20770

Attention: Stephen Ward
General Manager

SITE

Aggregate Industries-Rockville Quarry
13900 Piney Meetinghouse Rd
Rockville, MD 20850
AI # 75

SOURCE DESCRIPTION

One (1) electric powered 900 ton per hour stone crushing and screening plant equipped with a wet suppression system and nine (9) baghouses

One (1) electric powered Portable Rex Lo-Go ready-mix concrete plant equipped with a Griffen Environmental model U-216 baghouse and additional silo

One (1) 2.1 MMBtu/hr No. 2 fuel-oil fired water heater

One (1) electric powered 1000 ton per hour pugmill system and one (1) 100 ton cement silo equipped with a C & W Manufacturing CP-1000 pulse-jet dust collector

This source is subject to the conditions described on the attached pages.

Page 1 of 12

DPS-ROW CONDITIONS OF APPROVAL**August 29, 2022****820220140 Shops at Travilah**

Contact: Sam Farhadi at 240 777-6333

We have reviewed site plan files:

“07-SITE-820220140-004.pdf V4” uploaded on/ dated **“8/25/2022”**,
“07-SITE-820220140-005.pdf V3” uploaded on/ dated **“8/25/2022”** and

The followings need to be addressed prior to the certification of site plan:

1. Please address MCDOT preliminary plan 120210090 approval letter dated August 13, 2021 conditions below:
 - a. 1: sidewalk construction (also condition 16 of Planning Board preliminary plan resolution). Please note, any adjustment to the existing curb and gutter locations would require MCDOT approval.
 - b. 2: Conduit and hand boxes installation. Provide MCDOT acknowledgement accordingly.
 - c. 5: Storm drain improvements.
2. Access points on public roads:
 - a. Ensure of the minimum curb radii that will accommodate the site traffic.
 - b. Provide truck turning movement for all (especially right turn) movements.
3. Provide public sidewalk:
 - a. ensure all sidewalks/ handicap ramps have matching receiving counterparts and are aligned with them. Show/ label the existing sidewalks where connection is made.
 - b. The material and design of the proposed retaining wall in ROW need to be acceptable for MCDOT maintenance.
 - c. Please remove the sidewalk that does not connect to any existing/ proposed facilities.
4. Ensure LOD in ROW has been depicted only where is needed and covers the scope of above comments.
5. On landscaping plan, provide street trees per approved tree species list at the required spacing and clearances.

Casey, Jonathan

From: Wolford, Patricia <Patricia.Wolford@montgomerycountymd.gov>
Sent: Tuesday, March 29, 2022 8:22 AM
To: Cirner, Casey L.
Cc: Nichols, Greg
Subject: [EXTERNAL] RE: GFA - Bicycle Parking Exclusion

EXTERNAL

Casey,

Yes DPS would not consider the long term bicycle parking as part of the gross floor area calculation. So based upon our conversation DPS would not consider the additional bicycle parking area would not be counted as part of the gross floor area.

Patricia D. Wolford

Senior Permitting Services Specialist
 Department of Permitting Services
 Division of Zoning and Site Plan Enforcement
 2425 Reddie Drive, 6th Floor
 Wheaton, Maryland 20902
 240-777-6245

From: Cirner, Casey L. <ccirner@milesstockbridge.com>
Sent: Thursday, March 24, 2022 11:00 AM
To: Wolford, Patricia <Patricia.Wolford@montgomerycountymd.gov>
Subject: GFA - Bicycle Parking Exclusion

[EXTERNAL EMAIL]

Tricia,

Thank you for speaking to me on March 22, 2022 regarding the parking exclusion in the definition (calculation) of gross floor area. Specifically, that the term "parking," as excluded from the gross floor area calculation, also excludes bicycle parking.

To summarize our conversation, bicycle parking and vehicle parking are both excluded from the definition of gross floor area in § [59.1.4.2](#) of the Montgomery County Zoning Ordinance.

To reiterate the background we discussed, my client is seeking entitlements to develop 14119 Travilah Road in Rockville with a retail building and a day care center building with surface parking.

During preliminary plan review, long term bicycle parking was added to the day care center building via a bump out on its building façade. This additional 200 +/- square feet of long term bicycle parking was not included in the overall gross

floor area for the overall site and the total gross floor area for the day care center building on the plan and therefore, the preliminary plan was approved subject to the following condition:

This Preliminary Plan is limited to one (1) lot for up to 18,443 square feet of non-residential uses, to include 5,681 square feet of retail or restaurant uses and 12,762 square feet of day care for up to 195 children.

I had assumed that the increase in square footage for the long term bicycle parking would require my client to amend the preliminary plan to increase the building gross floor area. However, upon further consideration and review of the Zoning Ordinance, it appears to me that long term bicycle parking should be exempt from the gross floor area of the site and day care building, for the following reasons:

Section [59.1.4.2](#) of the Zoning Ordinance defines “gross floor area” as “[t]he sum of the gross horizontal areas of all floors of all buildings on a tract, measured from exterior faces of exterior walls and from the center line of walls separate buildings. Gross floor area includes:...Gross floor area excludes...4. parking...”

The definition of “Parking” in § [59.1.4.2](#) of the Zoning Ordinance is the definition in § 59.3.5.9.A of the Zoning Ordinance, which is “[p]arking means a lot or structure that provides parking for motor vehicles where the facility is the principal use and a fee may be charged.”

However, it does not make sense to defined parking in the gross floor area definition as the § 59.3.5.9.A parking definition because § 59.3.5.9.A defines parking as a principal use on the property. This is contrary to the historical interpretation of the meaning of parking when calculating the gross floor area, which is on-site parking for the subject building, where parking is not the principal use.

As such, it is appropriate under the principles of statutory construction to rely on the ordinary definition of parking and the remainder of the Zoning Ordinance (Division 6.2) refers to and requires, both vehicle parking and bicycle parking. As such, the definition of “parking” in gross floor area should include bicycle parking, which is consistent with the purposes of gross floor area.

As such, could you please confirm that bicycle parking is excluded from the definition of gross floor area.

Let me know if you have any further questions.

Regards,
Casey

Casey L. Cirner

Principal

11 N. Washington Street | Suite 700 | Rockville, MD 20850-4229

D: +1 301.517.4817 | C: +1 301.642.3450 | F: +1 301.841.7986



vCard | ccirner@MilesStockbridge.com



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DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Mitra Pedoeem
Director

November 4, 2022

Mr. Robert Pease, P.E.
Colliers Engineering and Design
22375 Broderick Drive, Suite 110
Sterling, VA 20166

Re: **SITE DEVELOPMENT STORMWATER
MANAGEMENT PLAN** for
The Shops at Travilah
Preliminary Plan #: 120210090
Site Plan #: 820220140
SM File #: 286489
Tract Size/Zone: 1.96 Acres NR-0.75, H-45
Total Concept Area: 2.06 Acres
Lots/Block: NA
Parcel(s): NA
Watershed: Muddy Branch I

Dear Mr. Pease:

Based on a review by the Department of Permitting Services Review Staff, the Site Development Stormwater Management Plan for the above-mentioned site is **acceptable**. The stormwater management concept **Revision** proposes to meet required stormwater management goals via Microbioretention and Structural Sand Filter.

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.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.

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



2425 Reedie Drive, 7th Floor, Wheaton, Maryland 20902 | 240-777-0311
www.montgomerycountymd.gov/permittingervices

Mr. Robert Pease, P.E.
November 4, 2022
Page 2 of 2

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.

If you have any questions regarding these actions, please feel free to contact Andrew Kohler at 240-777-6725.

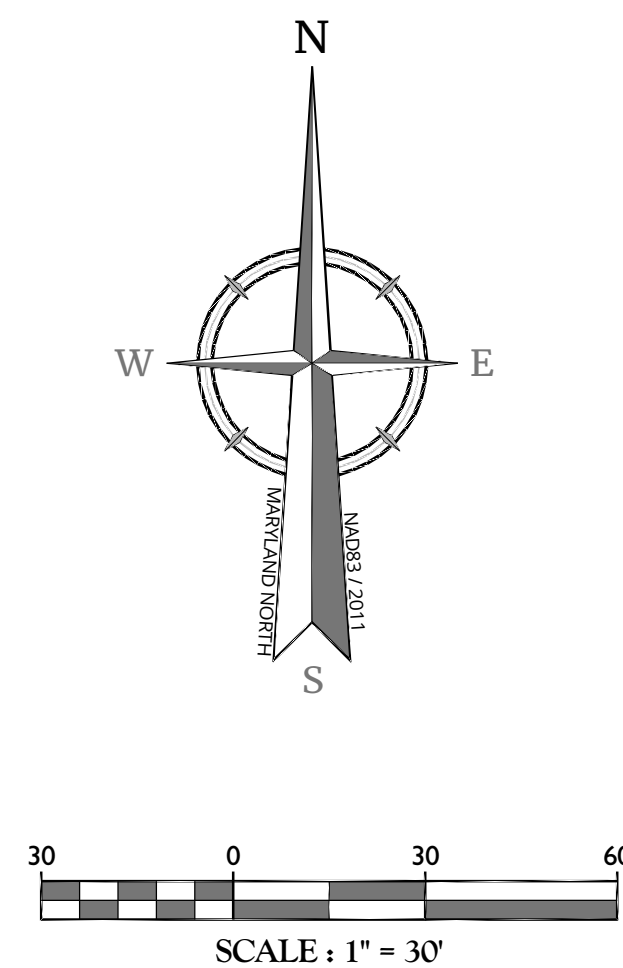
Sincerely,

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

MCE: CN 286489

cc: N. Braunstein
SM File # 286489

ESD: Required/Provided 10160 cf / 8290 cf
PE: Target/Achieved: 2.6"/1.63"
STRUCTURAL: 1870 cf / 2100 cf
WAIVED: N/A cf.



SCALE : 1" = 30'

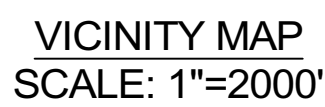


Diagram illustrating the components of a stormwater management system:

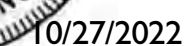
- STORM WATER STRUCTURE (MH-2)
- MICRO-BIORETENTION FACILITY (MB-1)
- DRAINAGE DIVIDE
- STORM DRAIN SYSTEM

DRAINAGE AREA SUMMARY TABLE		
DEVICE	DRAINAGE AREA (SF)	DRAINAGE AREA (AC)
MB-1	3,012	0.0691
MB-2	8,503	0.1952
MB-3	3,202	0.0735
MB-4	1,465	0.0336
MB-5	1,242	0.0285
MB-6	1,028	0.0236
MB-7	1,855	0.0426
MB-8	1,603	0.0368
MB-9	3,560	0.0817
MB-10	3,102	0.0712
MB-11	3,835	0.0880
MB-12	10,599	0.2433
MB-13	6,670	0.1531
A-15	9,141	0.2095
A-16	6,918	0.1588

SWM Concept Summary Table: Each line must be completed. Place table on the first sheet with initial submission.
Contact Information for Design Engineer (for technical issues): Robert.Pease@ColliersEng.com Phone: 571.287.8935
General Property Information: Development of 1.96 Acres for :
SM# 286489
Type of Concept: Combined SWM Concept and Site Development Management Plan
MNCP&PC Process/No: Preliminary Plan - 120210090, Site Plan - 820220140
Property Address: 14119 Travilah Road
Property Legal Description: Piney Grove
Property Size (ac./sq.ft.): 1.96/85,338
Total Concept Area (ac./sq.ft.): 2.06/89,832
Zoning: NR - 0.75, H - 45
Watershed(s) and Stream Class: Rich Branch confluent to Muddy Branch / Use Class I-P
Special Protection Area: N/A
100 YR Floodplain: N/A
Ex. % Impervious/Redevelopment or New Development: 73.74% - Redevelopment
SWM Summary: If more than one study point or lot, provide information for each
Target P_2 /Proposed P_2 : 2.6 inches/1.63 inches
Target ESDv/Provided ESDv: 10, 160 cu ft. / 8,290 cu. ft.
ESD Measures: MB (13)
Structural Storage Required/Provided: 1,870 cu. ft. / 2,100 cu. ft.
Structural Measures: Stormfilter with box culvert storage
Waiver Request/QL/QN/Both: N/A
Provided ESDv + Structural Storage Provided + Requested to be Waived = N/A
Other Information: N/A

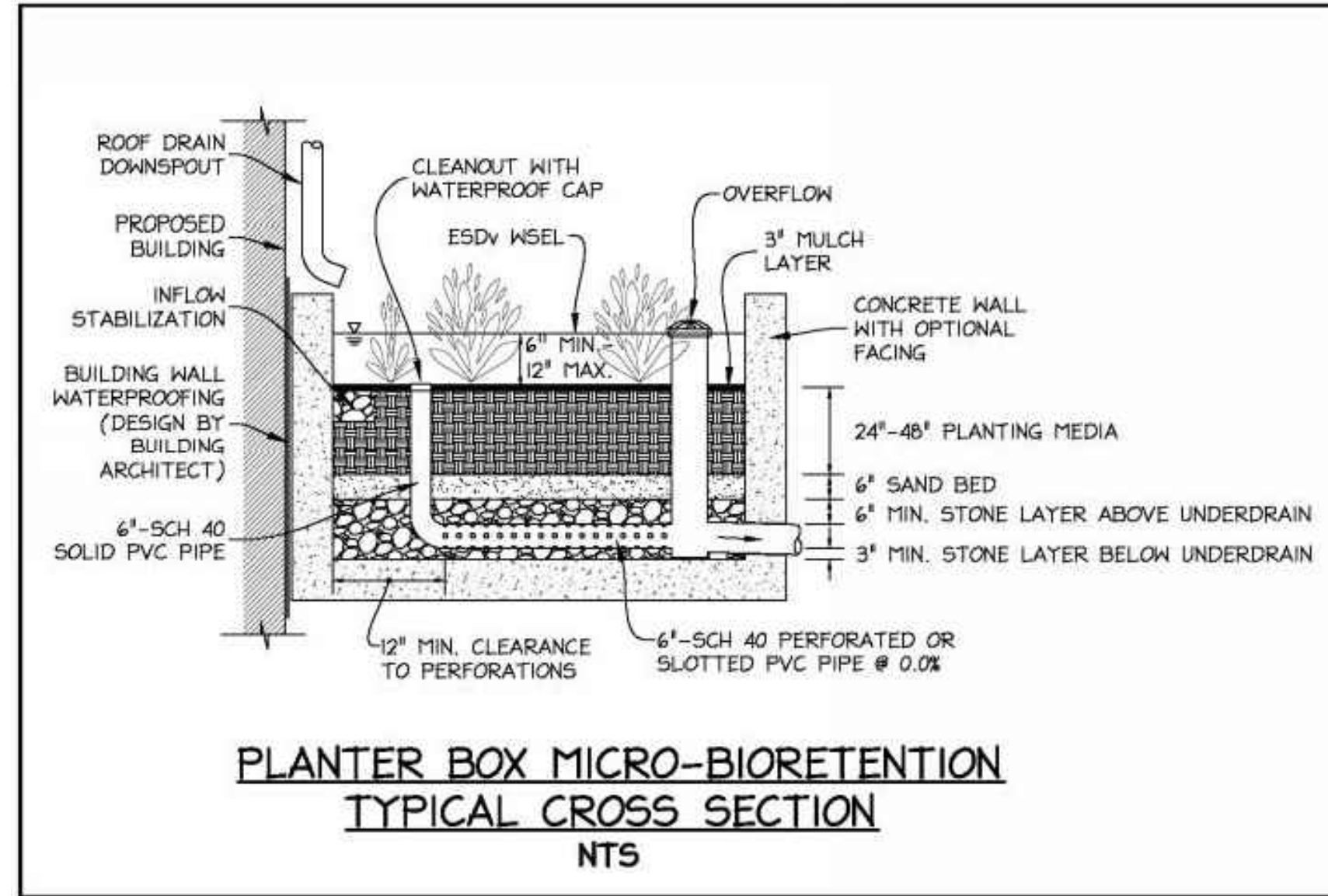
NOTE: DO NOT SCALE DRAWINGS FOR CONSTRUCTION.

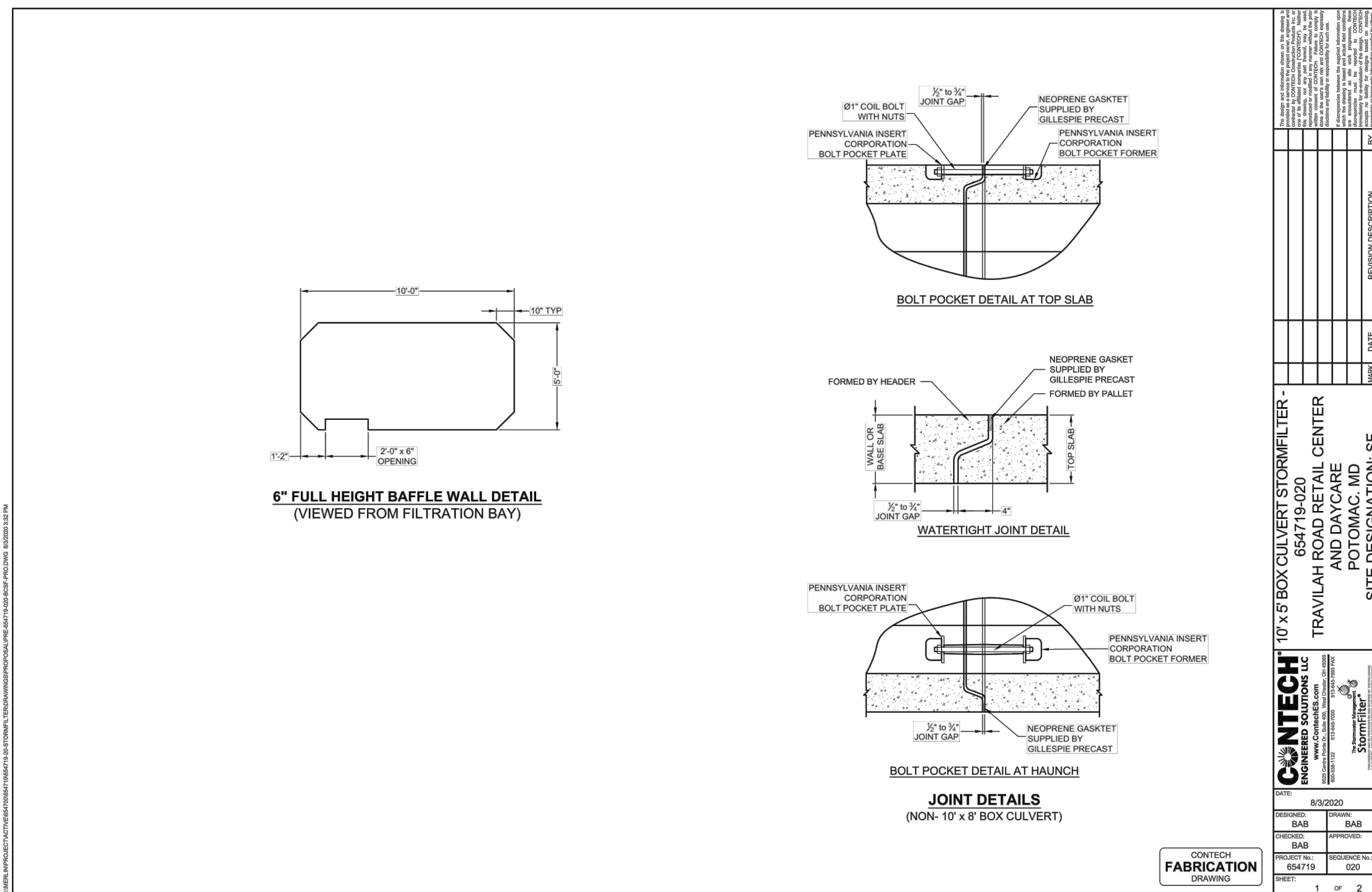
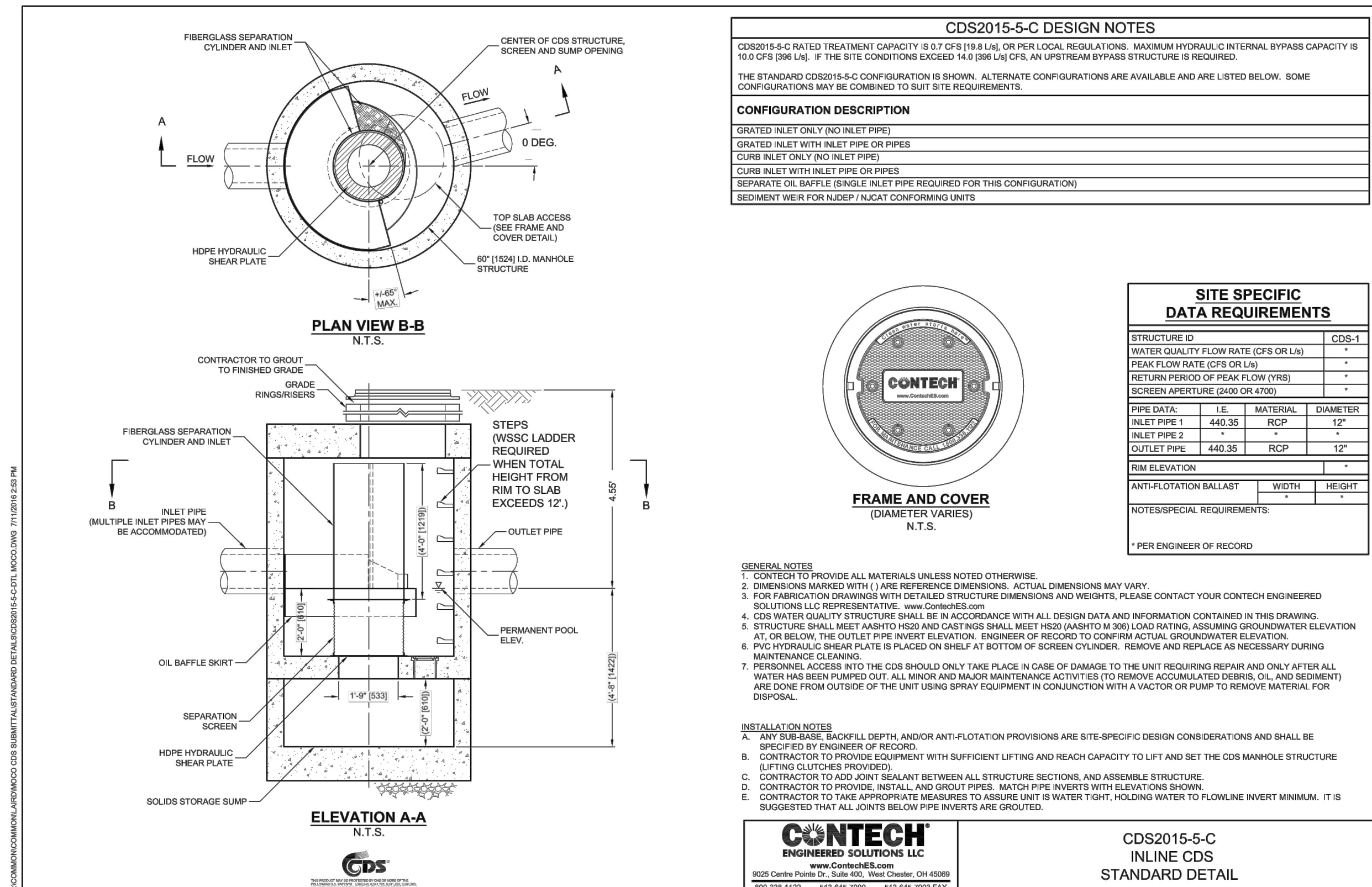
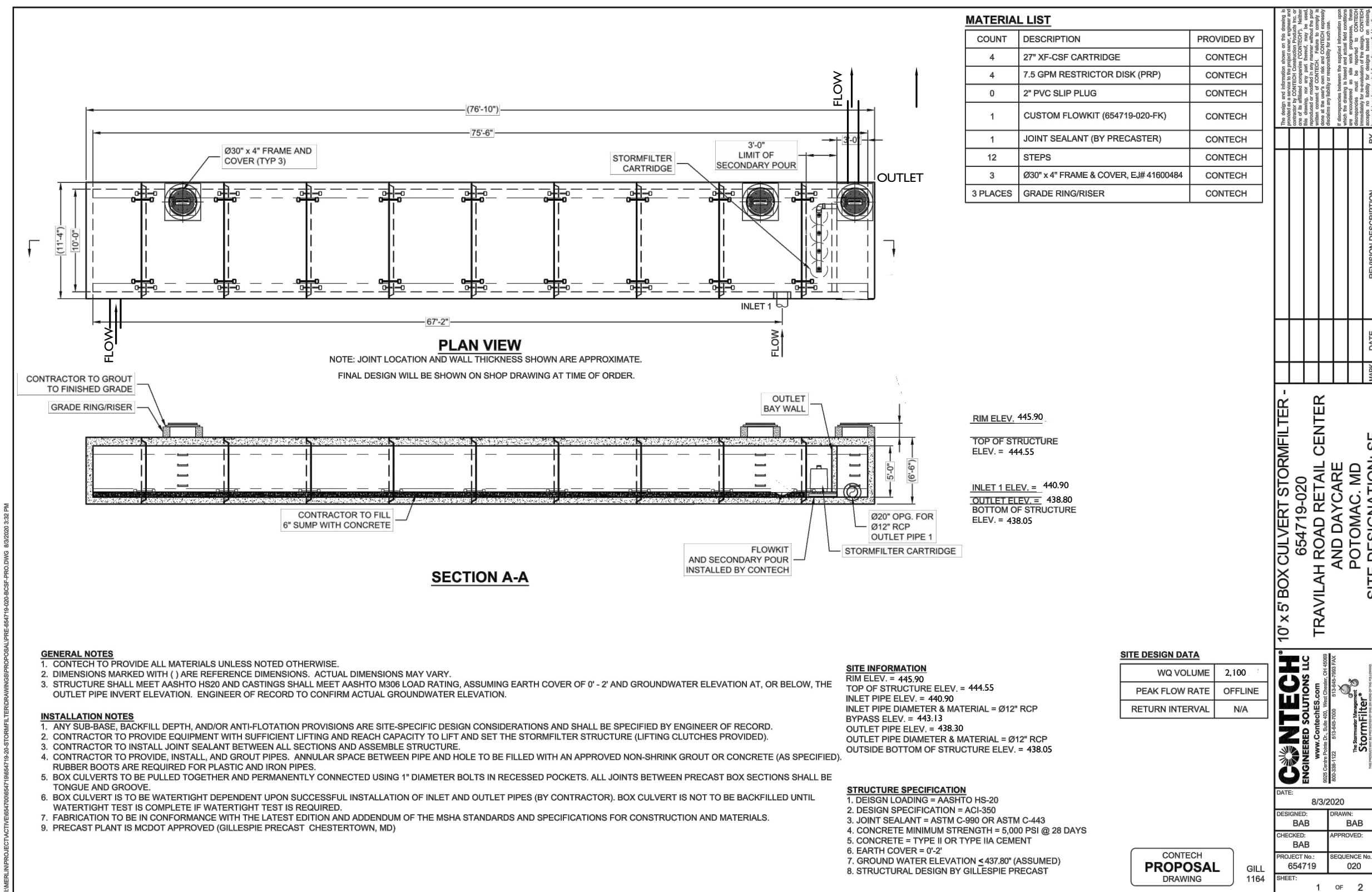
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98	98	98	98
99	99	99	99
100	100	100	100



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SHEET NUMBER: 1 of 4





STORMFILTER AND STORAGE STRUCTURE DETAIL

NTS

Engineering & Design

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[illegible]

Robert Paul Pease
MARYLAND PROFESSIONAL ENGINEER
LICENSE NUMBER: 18890
COLLIERS ENGINEERING & DESIGN, INC.

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REVISED STORMWATER
MANAGEMENT
CONCEPT PLAN
FOR
SHOPS AT TRAVILAH

MAP FR32, PARCEL P160
WSSC GRID: 218NW10
PINEY GROVE
14119 TRAVILAH ROAD

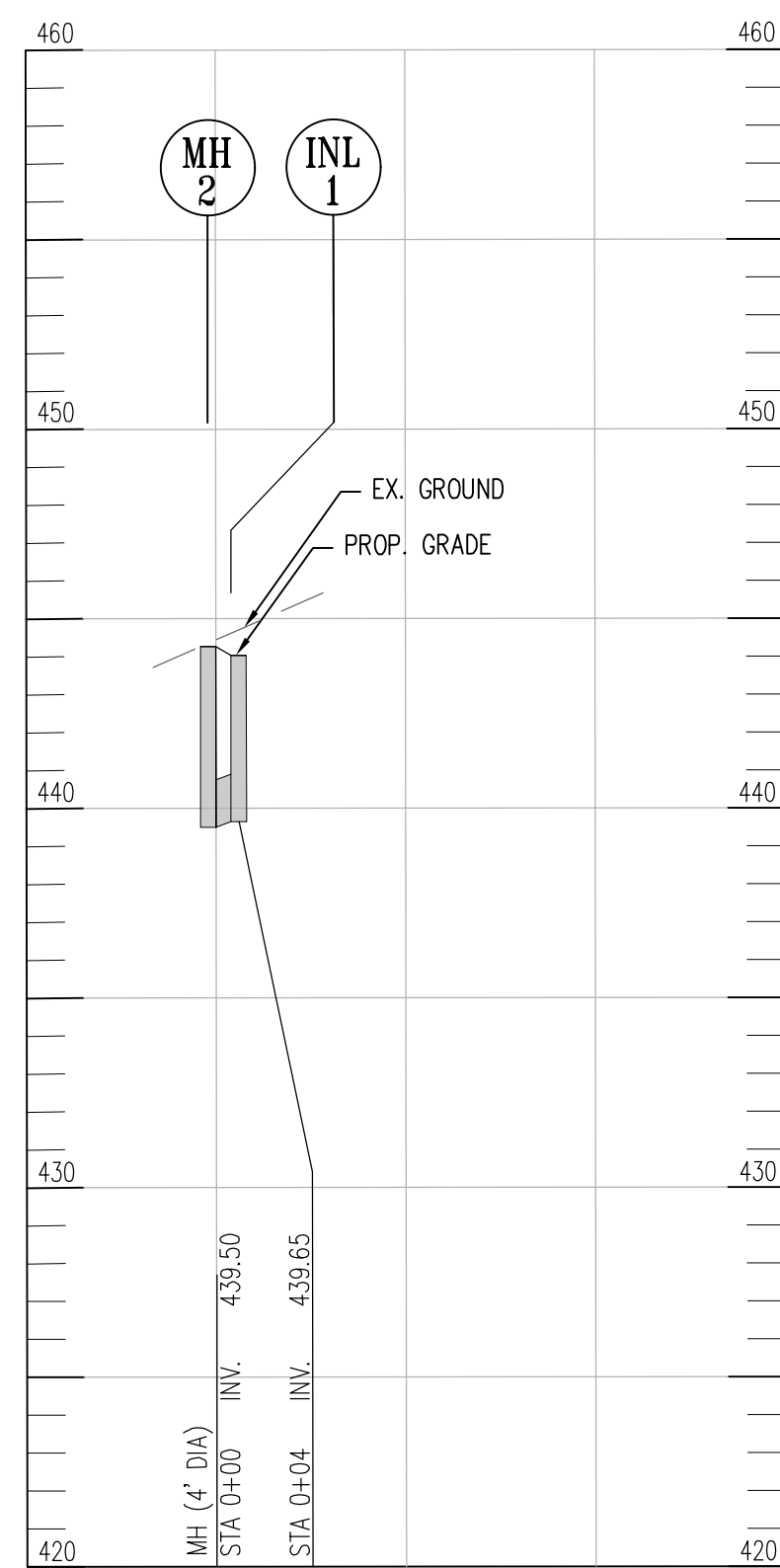
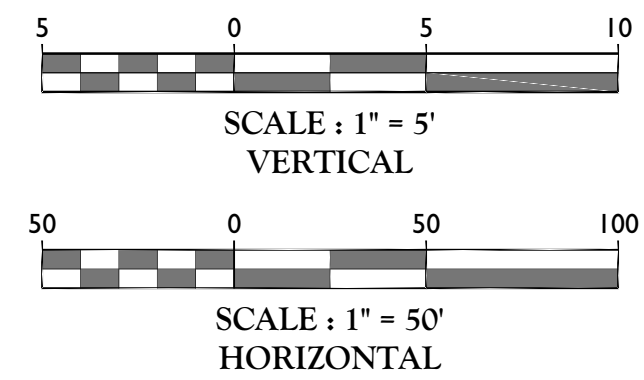
ELECTION DISTRICT 6
MONTGOMERY COUNTY
MARYLAND

Colliers
Engineering
& Design

SCALE: AS SHOWN	DATE: 01/26/2022	DRAWN BY: CME/ER	CHECKED BY: RP
PROJECT NUMBER: 190000433A		DRAWING NAME: C-CSWM-DTLS	

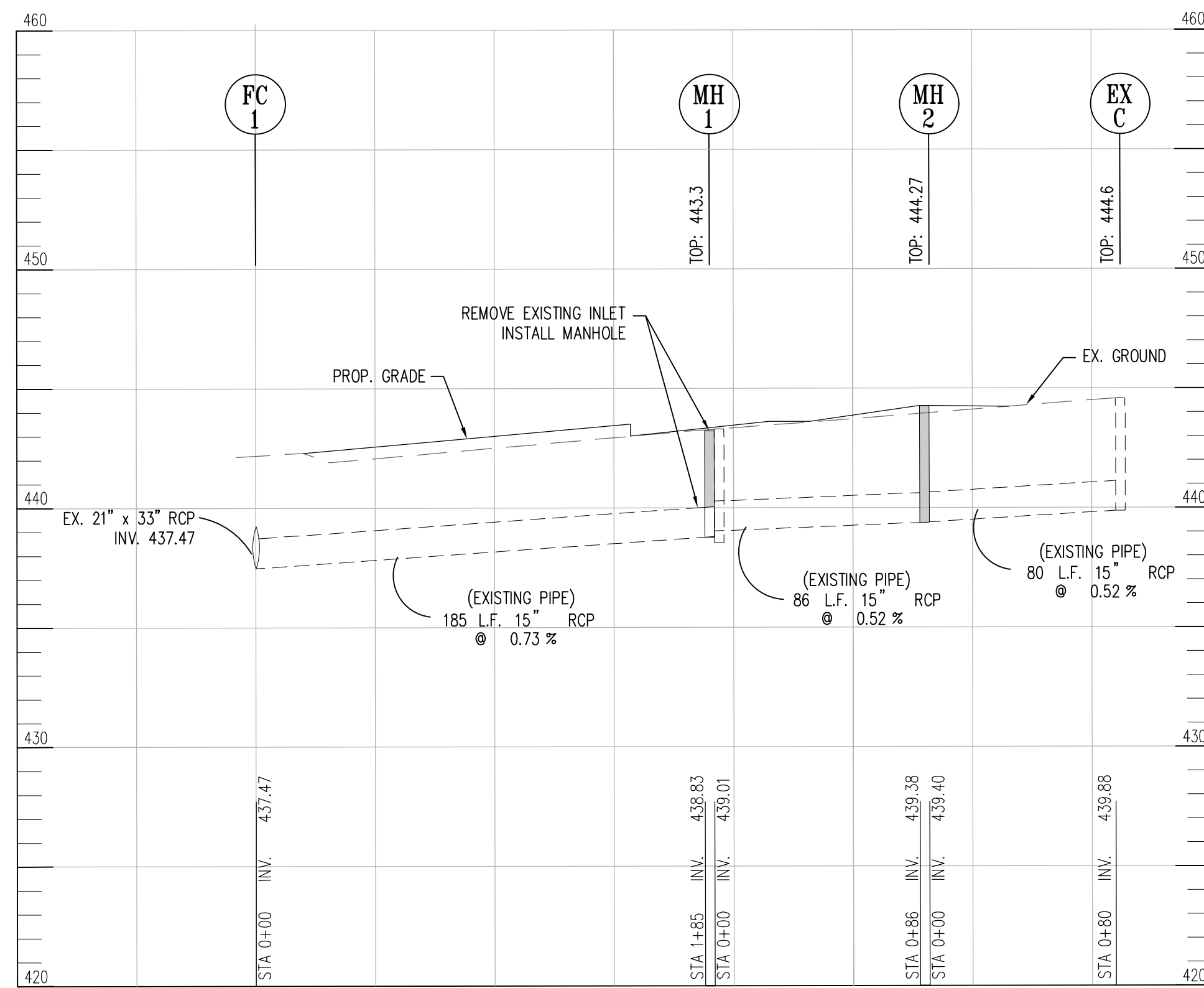
SHEET TITLE: STORMWATER
MANAGEMENT CONCEPT
PLAN DETAILS

SHEET NUMBER: 3 of 4



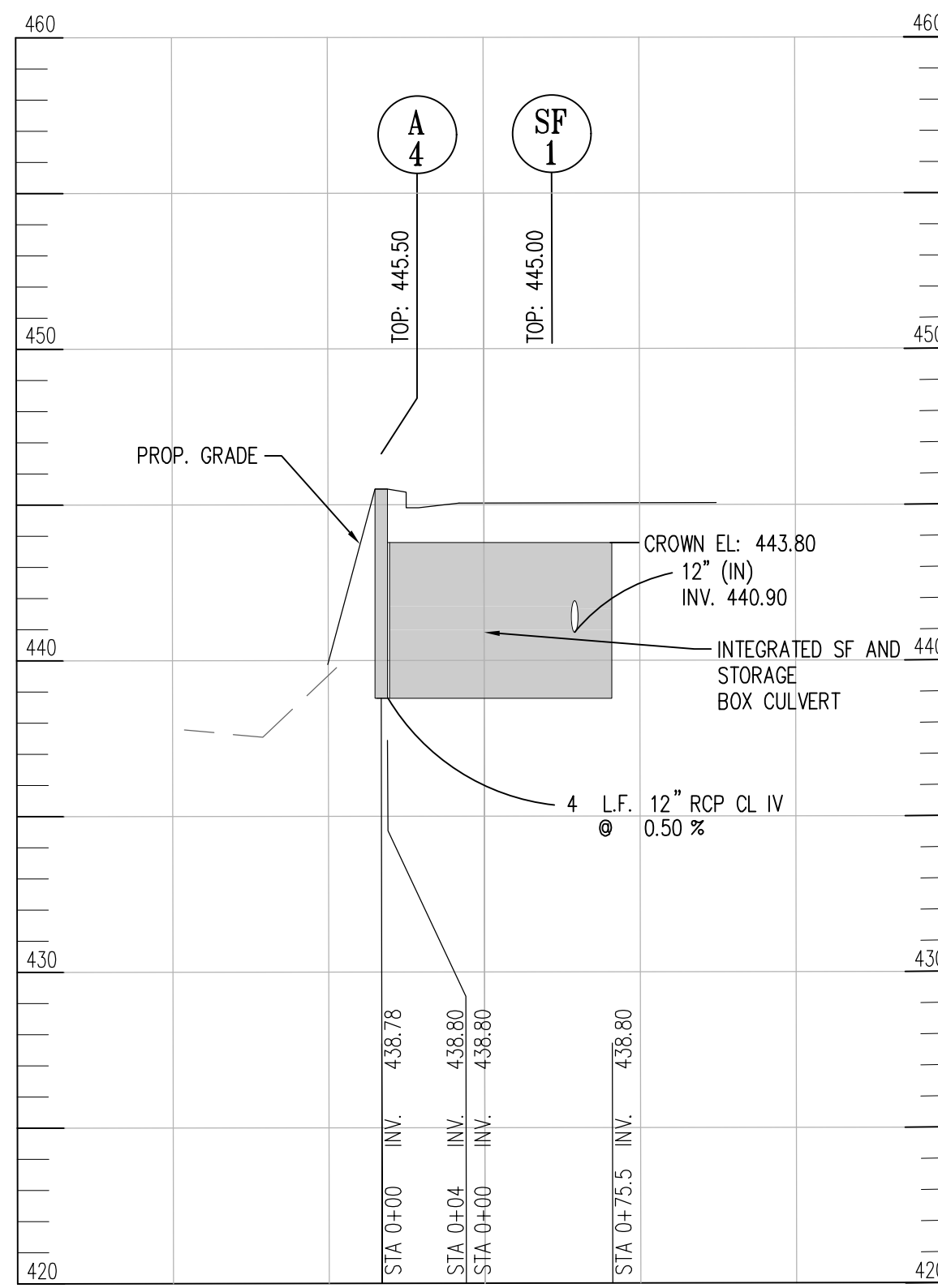
MH2 TO INL1 PROFILE

SCALE : HOR: 1"=50'
VERT: 1"=5'



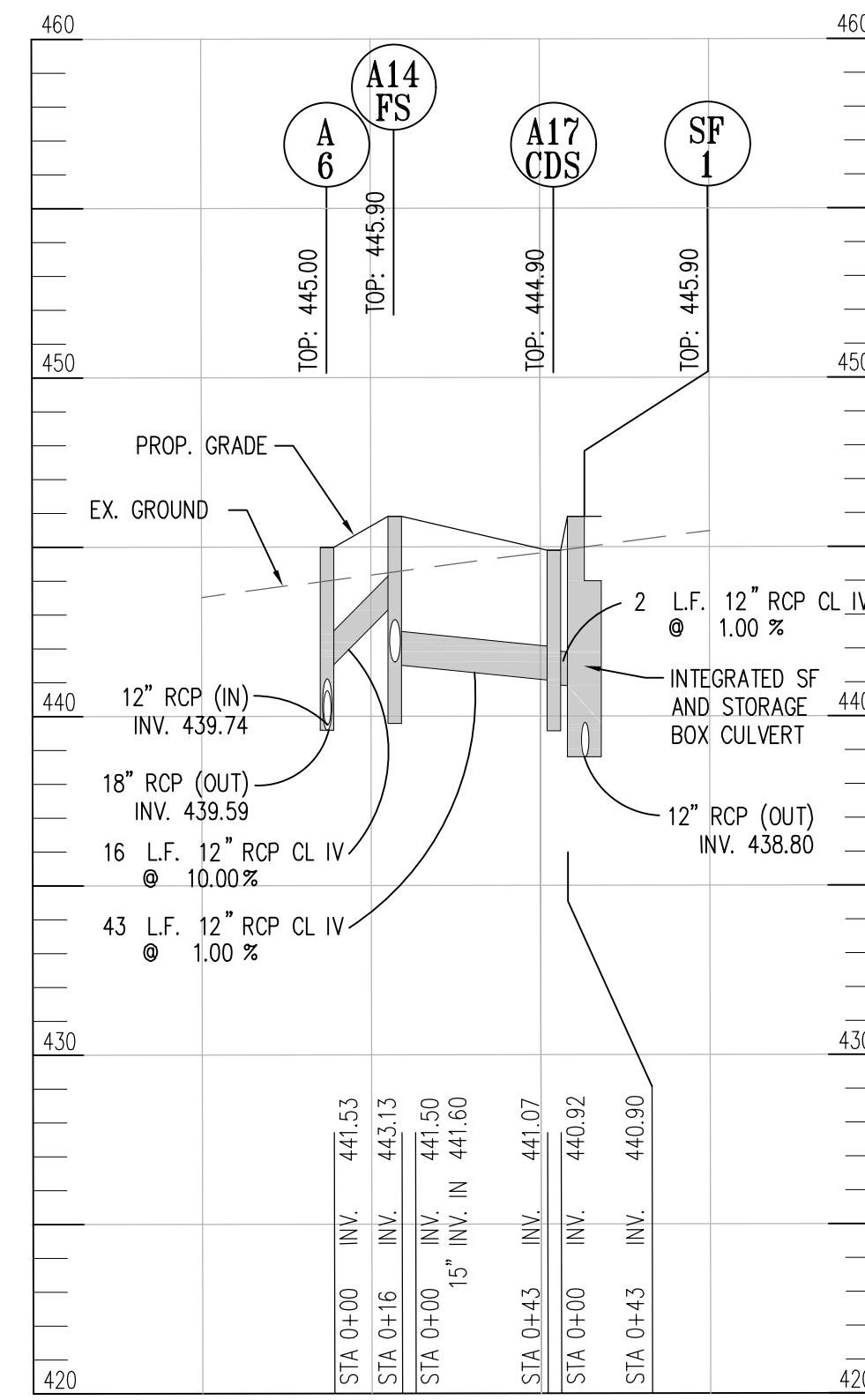
FC1 TO EX. C PROFILE

SCALE : HOR: 1"=50'
VERT: 1"=5'



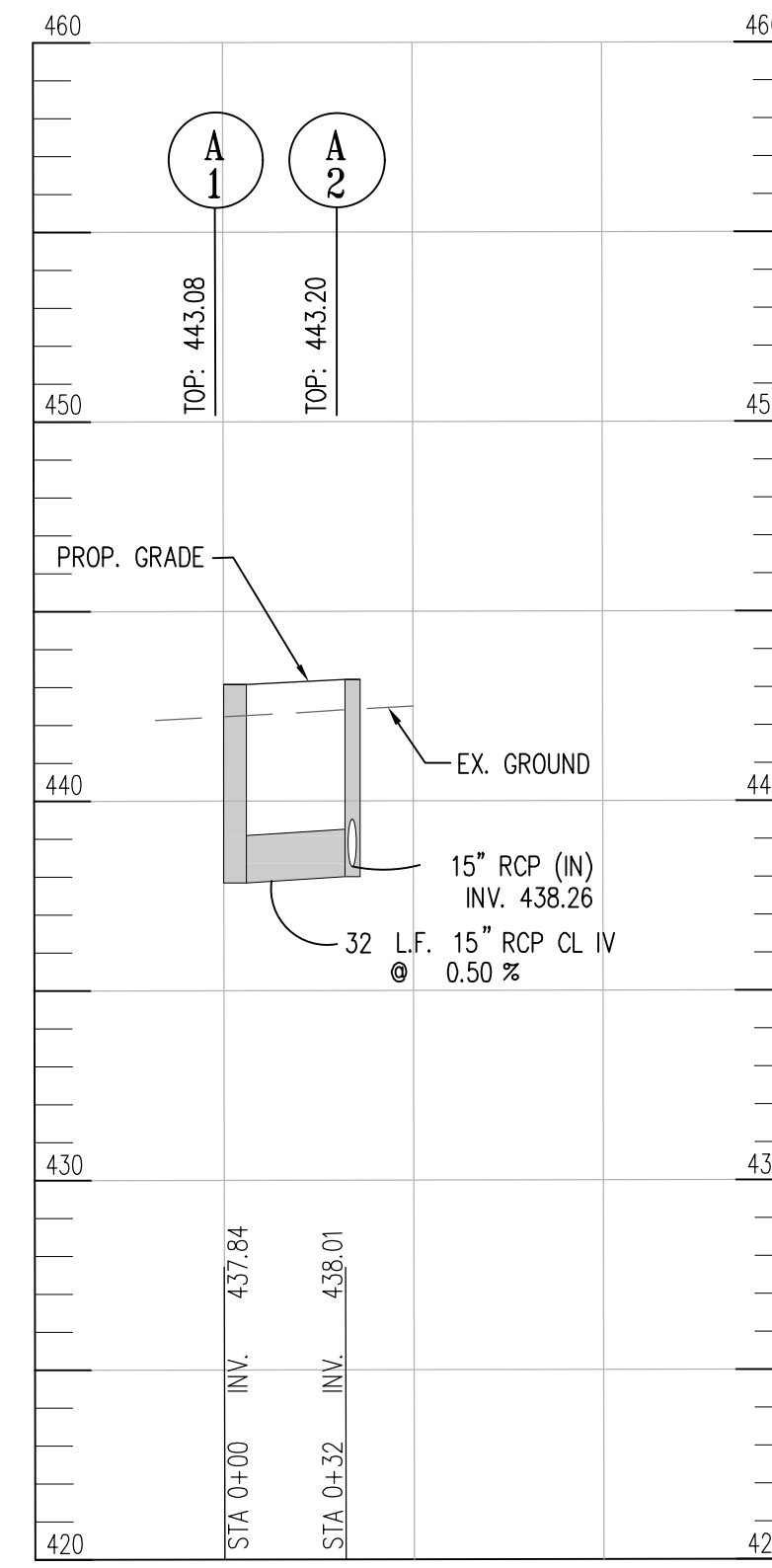
A4 TO SF1 PROFILE

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VERT: 1"=5'



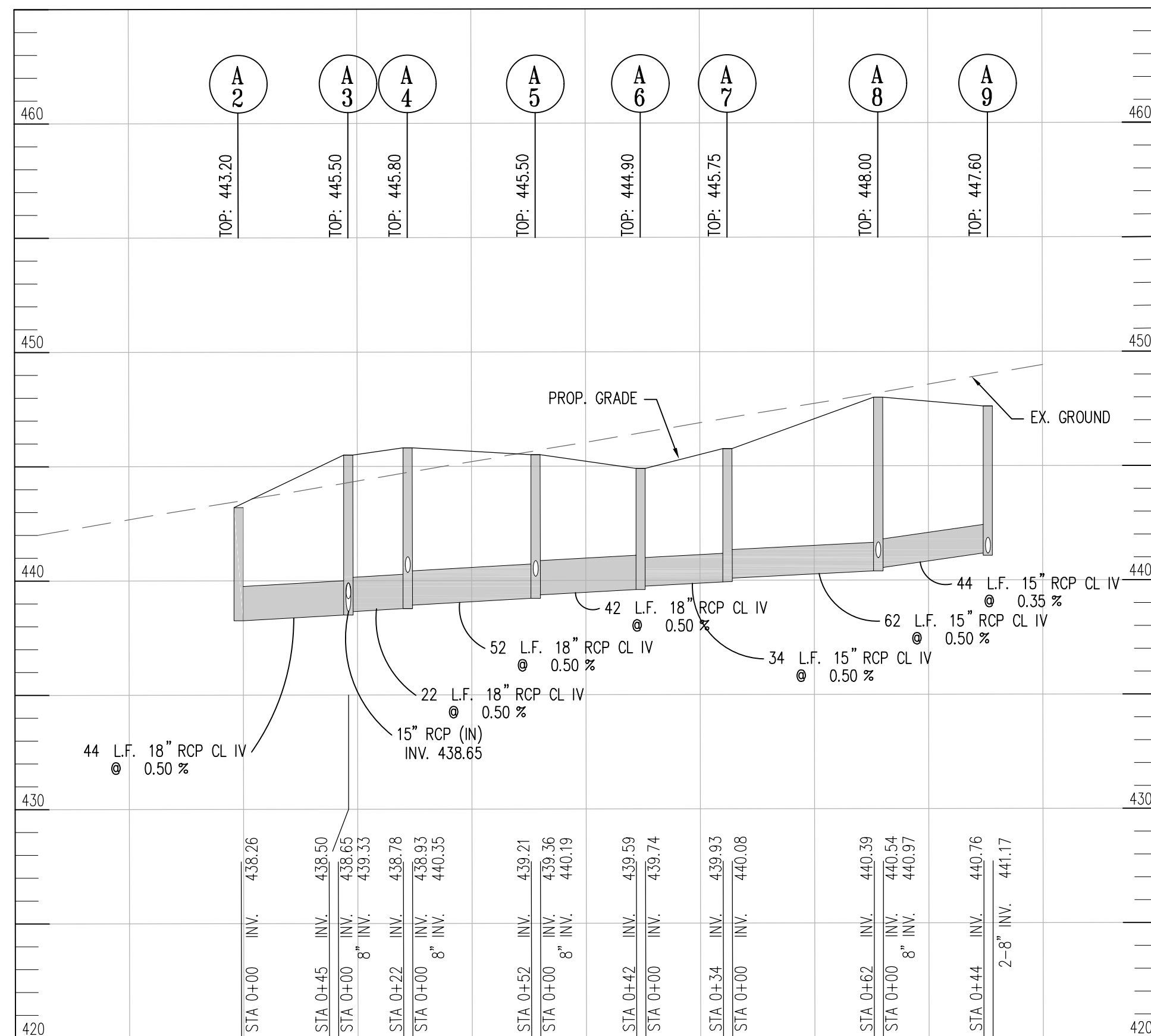
A6 TO SF1 PROFILE

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VERT: 1"=5



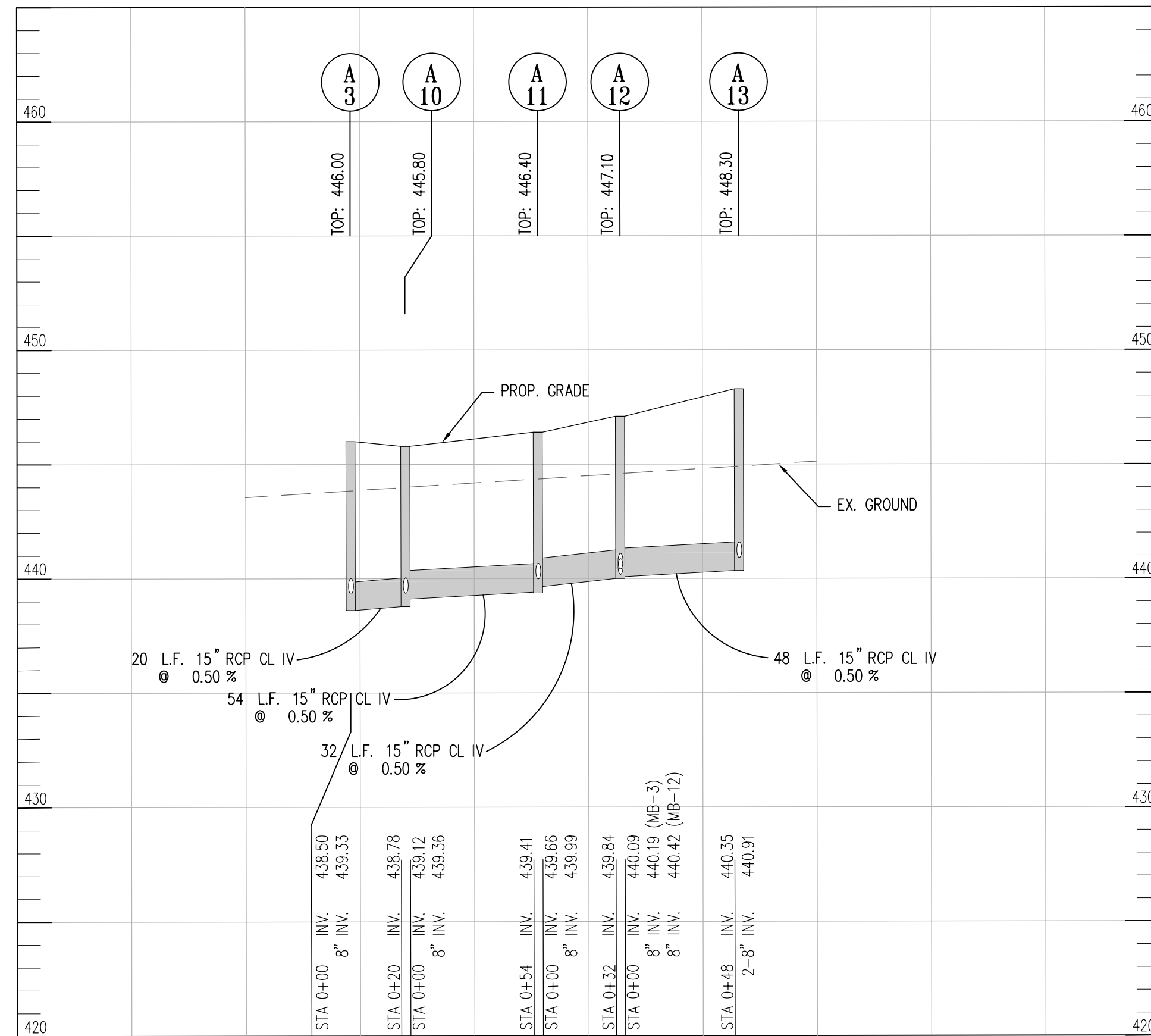
A1 TO A2 PROFILE

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VERT: 1"=5'



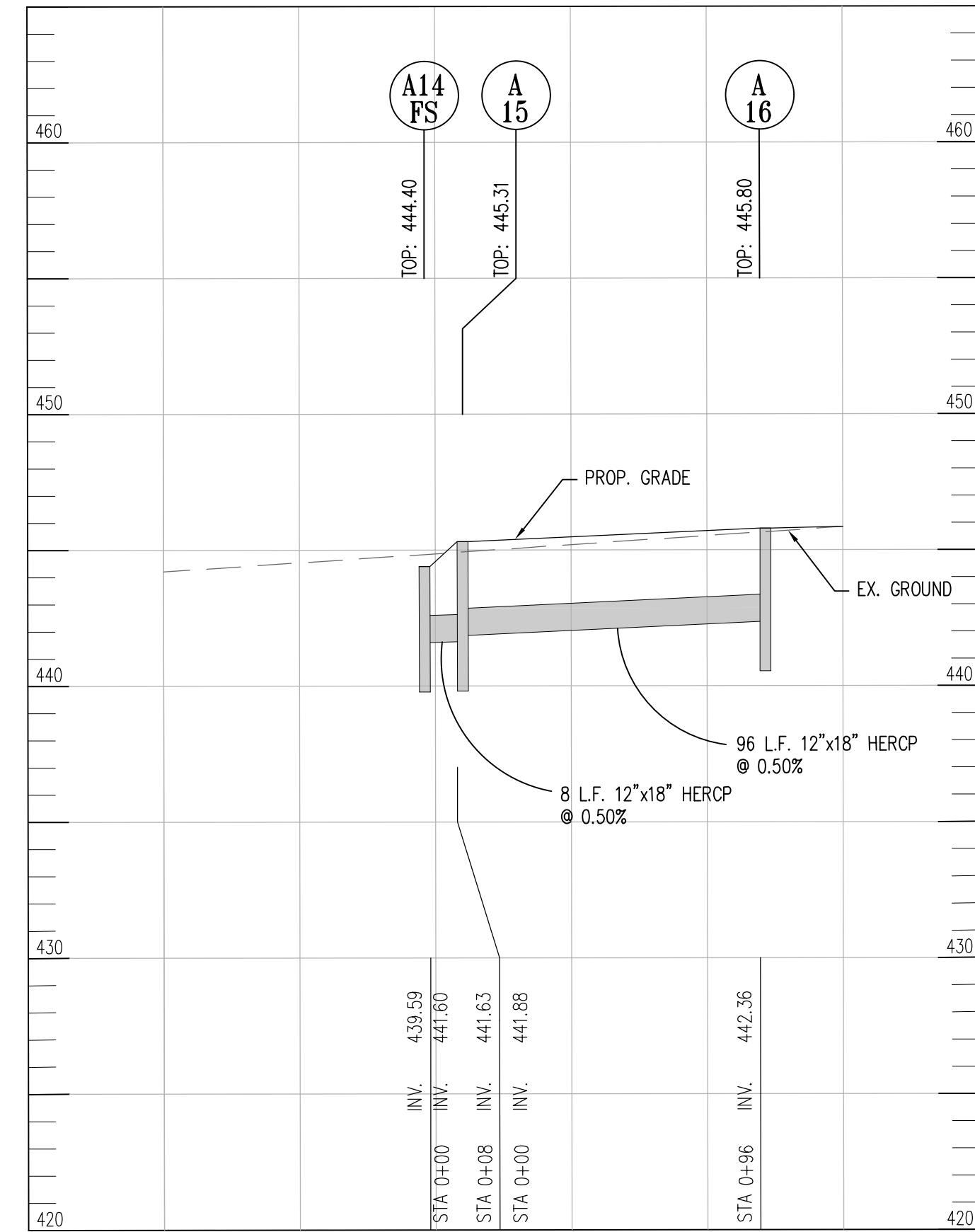
A2 TO A9 PROFILE

SCALE : HOR: 1"=50'
VERT: 1"=5'



A3 TO A13 PROFILE

SCALE : HOR: 1"=50'
VERT: 1"=5'



A14/FS TO A16 PROFILE

SCALE : HOR: 1"=50
VERT: 1"=5

37B SOIL TYPE (SEE SOIL TABLE THIS SHEET)

OF OPEN FIELD

NOTE: NO SOIL BOUNDARIES ARE DEPICTED ON THE MAP BECAUSE THE ENTIRETY OF THE SITE IS COMPOSED OF 37B-TRAVILAH SILT LOAM

SCALE DRAWINGS FOR CONSTRUCTION

Noise Study Conducted From 9/14/2021 – 9/15/2021

At 14119 Travilah Road, Rockville, MD 20850

Submitted by:

Ryan Sullivan, M.S., Meteorologist, Certified Environmental Professional

Sullivan Environmental Consulting, Inc.
1900 Elkin Street, Suite 200
Alexandria VA 22308
703-780-4580



Date Submitted:

Friday, November 12, 2021

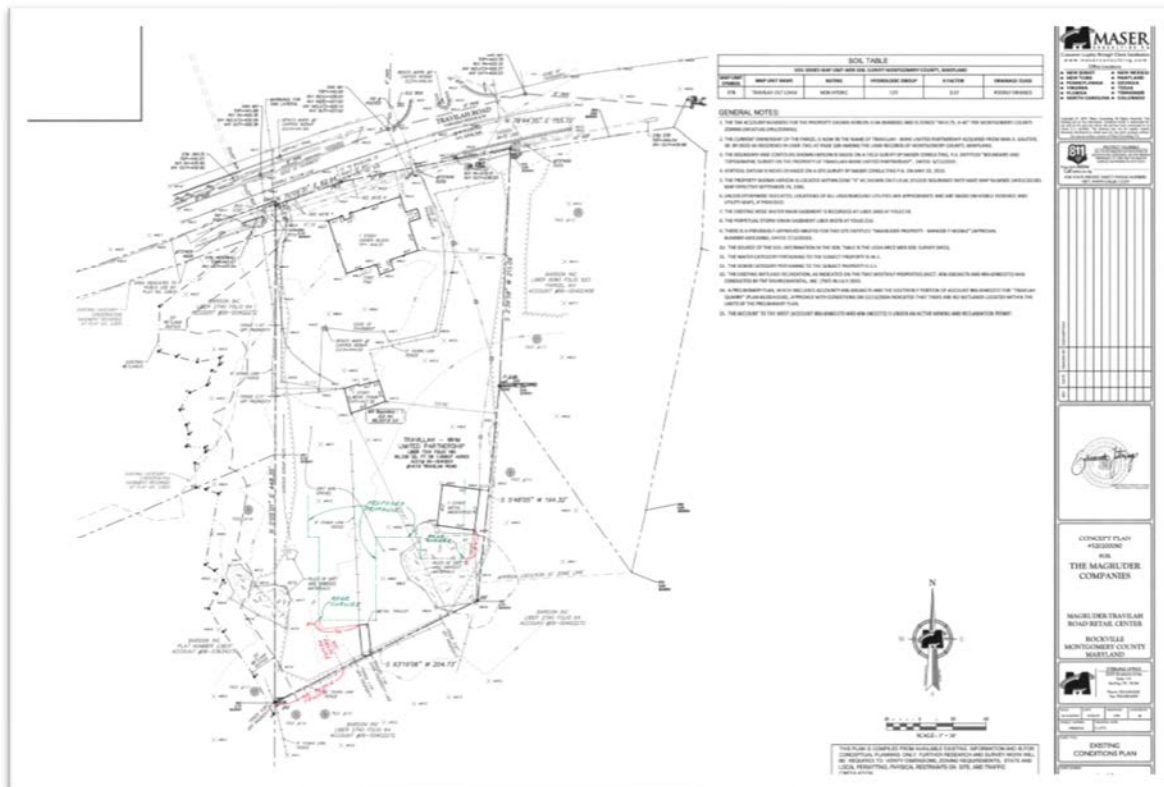
Sound Study Findings: Opinion and Conclusion

The noises related to truck and other quarry-related operations were well below 60 dBA during the daytime at all locations that were monitored. These monitoring locations were representative of the proposed construction location at 14119 Travilah Road in Rockville, MD. Noises related to quarry operations, including its truck traffic, were well below the recommended noise levels that provide for quarry traffic to be under 60 dBA in areas of the County where suburban densities predominate, as set forth in the Staff Guidelines of the Consideration of Transportation Noise Impacts in Land Use Planning and Development, dated June 1983 (the “Guidelines”), and county regulations (<https://www.montgomerycountymd.gov/DEP/contact/noise.html>). The average daytime dBA readings were well below these standards for all monitoring locations and the daytime quarry operation noise emissions, based on the sampling conducted, do not exceed the guidelines or county regulations and will, therefore, not impact the proposed facility at this site. Natural artificially elevated readings during nocturnal periods are related to insects and were not due to quarry operations. They are included and explained in this report and again, are unrelated to the operations of the quarry near the proposed facility at the site. The daytime average dBA readings related to quarry operations or any other source of noise at the proposed site were within the range of approximately 50-55 dBA which is well below any standard for daytime operations for any type of proposed construction site in the state of Maryland. The quarry operations did not exceed any noise ordinance or the guidelines in terms of daytime operation during the time of the sampling at the location of the proposed facility at the site. The noise sampling was conducted on a weekday and is representative of typical quarry operations. The quarry was operating during the time of the noise sampling. Historical meteorological data representative of the research site (sourced from wunderground.com) records that the wind speed and wind direction on 9/14/2021 indicates that the winds were primarily flowing from the south with wind speeds ranging from calm (or 0 mph) to approximately 10 mph. On 9/15/2021, historical records indicate that at the research site, the wind flow was flowing primarily from the south, with wind speeds ranging from 7-16 mph. During both days of the study, the wind flow was primarily flowing from the south (approximately flowing from the direction of 180 degrees, on average) during this research study.

Summary of Study Results

The location of the noise monitors was close to a wooded area (generally near the property line of the facility). At night the readings were artificially and consistently elevated by insects in the woods near the property (primarily nocturnal insects). The readings during the day were as expected, with peaks related to industrial noises coming from the quarry but were significantly below the standard of 60 dBA. At night, and in the morning the natural impacts of wooded insects likely led to an artificial peak in the readings since consistent decibel readings in the mid 50's at night cannot be attributed to any other source on the property or near the property. There is video documentation of the interference of these insects, which is available upon request. The average dBA readings near the woods where the insects were located were higher than the location slightly further from the woods, which further proves the impact of these insects during the night monitoring period. The site plan of the property and the monitoring locations, as instrumented, are presented in the following figures.

Monitoring Site Plan



Noise Sampling Locations ¹



Study Description and Documentation

Four data-logging noise monitors were instrumented on the property of the proposed construction site for the purpose of monitoring the noise coming from nearby sources prior to the potential construction of a facility that is proposed to be built at this location. The study was conducted during the week when typical industrial practice south of the facility was occurring. The noise monitors were instrumented at the proposed site and were programmed to log the decibel readings every five seconds for a period of 24 hours. These units were all calibrated to

¹ Note that the monitor with the serial number ending with 714 was instrumented at the level of 1 foot level (AGL) as a backup monitor and is not included in this report. All other noise monitoring equipment was instrumented at approximately 5 feet AGL.

94.0 decibels before the study (on the day of the study). The sound meters were established on tripods above ground level and instrumented per manufacture instrumentation instructions. The four data logging sound decibel recorders were all within manufacture calibration standards during the time of the study. Documentation of instrument factory calibration is available, upon request. Video documentation of instrument siting and the location of research was recorded during aspects of the study and video documentation is available, upon request. In terms of potential sources for noises, during the study, there were industrial operations beyond the tree line of the address studied. The noises were intermittent and somewhat distant from the facility. There were no other significant sources of noise related to the study research site aside from some insect noises and some aircraft passing overhead during the day. There was no significant vehicular traffic on Travilah Road that would lead to noise impacts above the noise standards and the noise monitors were therefore located near the industrial facility to the south of the property, which is the largest source of potential noise contamination on the property. The results obtained by the noise monitors are representative of the noise at this location, based on typical weekday traffic and nearby industrial operations (operational during the daytime hours).

All of the noise monitors started recording noise data at 11:51 am on 9/14/2021. All of the units were then walked onto the study location site. Readings before 12:05 pm were ignored in interpreting the study since the equipment was during this time being transported to the study site. The active noise monitoring period or study initiation time during which subsequent readings should be interpreted as valid occurs starting at 12:05 pm on 9/14/2021 and ending at 12:05 pm on 9/15/2021.

Upon instrumentation of the noise monitors, a GPS reading was taken (with approximately 16 feet of accuracy) at each of the four monitoring locations. All of the noise monitors used for this study were Extech HD600 noise monitors within factory calibration standards. The data logger with the serial number Z337935 was instrumented at approximately 39.085333 degrees latitude and -77.219584 degrees longitude. The noise monitor with the serial number 130613714 was instrumented at approximately 39.085362 degrees latitude and -77.219372 degrees longitude.

The noise monitor with the serial number 130613706 was instrumented at the approximate location of 39.085054 degrees latitude and -77.219677 degrees longitude. The noise monitor with the serial number 10115680 was instrumented at approximately 39.085192 degrees latitude and -77.219301 degrees longitude. The noise monitors were set to the expected dBA level of 30-80 decibels, which was the expected range of most samples. The noise monitors were also set to the “slow response” feature which is recommended by the manufacture for most applications and is what was used in this study.

The monitors were checked during the day and evening and in the morning to ensure that the units were operating and recording properly. Upon the completion of the 24-hour monitoring period, the decibel recording was stopped on all four units and the data from the units was downloaded for processing. The weather conditions during the study were not a factor in terms of potential impacts to the study in terms of high wind or rain and the conditions during the study should be interpreted as typical conditions at the study site during the weekdays (during the day). Upon completion of the study, the decibel readings were recorded for each of the noise monitors to determine if the calibration had changed during the course of the 24-hour study. The average of the pre-study and post-study calibration was used to assess the decibel readings. (Note that per Map 2-1 of the “Staff Guidelines for the Consideration of Transportation Noise Impacts in Land Use Planning and Development”, dated June 1983, the exterior noise for residential areas and other noise-sensitive land uses cannot exceed 60 dBA. According to Montgomery County Code the nighttime average noise level cannot exceed 55 dBA, including a 10 dBA penalty). As stated in the summary of this report, the night-time readings were skewed due to primarily nocturnal insects in the woods but the daytime readings should be assessed as representative of the conditions at the property with no lesser natural (insect) sound interference. The Ldn assessment, which accounts for daytime and night time noise readings, including 10 dBA added to the night-time readings is included in this report, however, due to insect interference, these readings are skewed far higher than noises attributed to the conditions related to traffic or industrial sources of noise.

The post-study calibration readings and study average dBA including nighttime and daytime readings over the 24-hour monitoring period were used to assess the average dBA reading for each noise meter. The last 3 digits of the serial number of the three monitors included in this report and the pre and post-study calibration readings are displayed below.

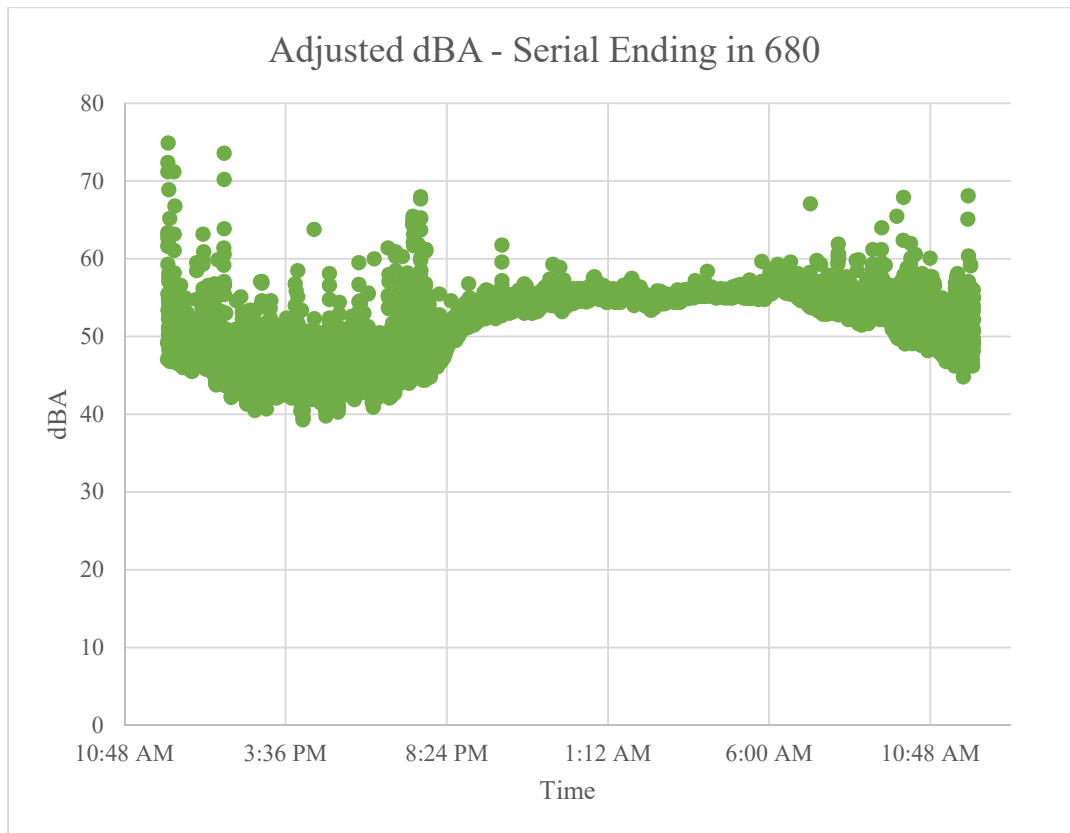
Calibration Readings

Last 3 Digits of S/N	Pre-Study Calibration (dBA)	Post-Study Calibration (dBA)	Adjustment Factor
706	94.0	93.1	0.45
680	94.0	92.1	0.95
935	94.0	92.3	0.85

Study Results

The results of the study in terms of the raw data are presented in the following graphs. The excel spreadsheets used to average the decibel readings based on daytime and nighttime readings and to calculate the Ldn are available, upon request.

Monitor Serial No. Ending in 680 Decibel Readings for the Duration of the Study ²

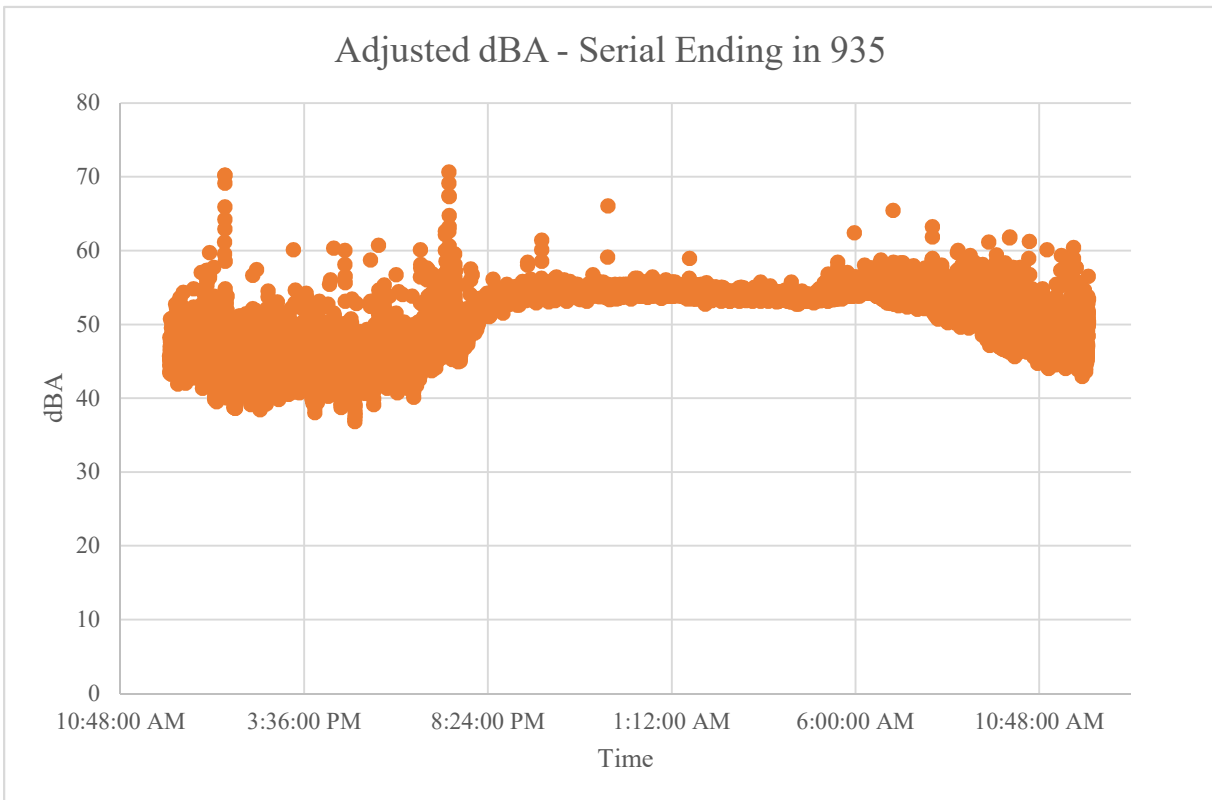


Average Reading Results

Daytime	50.4169477
Nighttime	56.1393672
Ldn	62.0692962

² Note that Adjusted dBA includes adding the adjustment factor to each reading to account for the slight changes in instrument calibration during the study. Note that during the week, “nighttime” is defined as the time period between 9pm - 7am, and hours outside of these times are considered “daytime” in Montgomery County, MD.

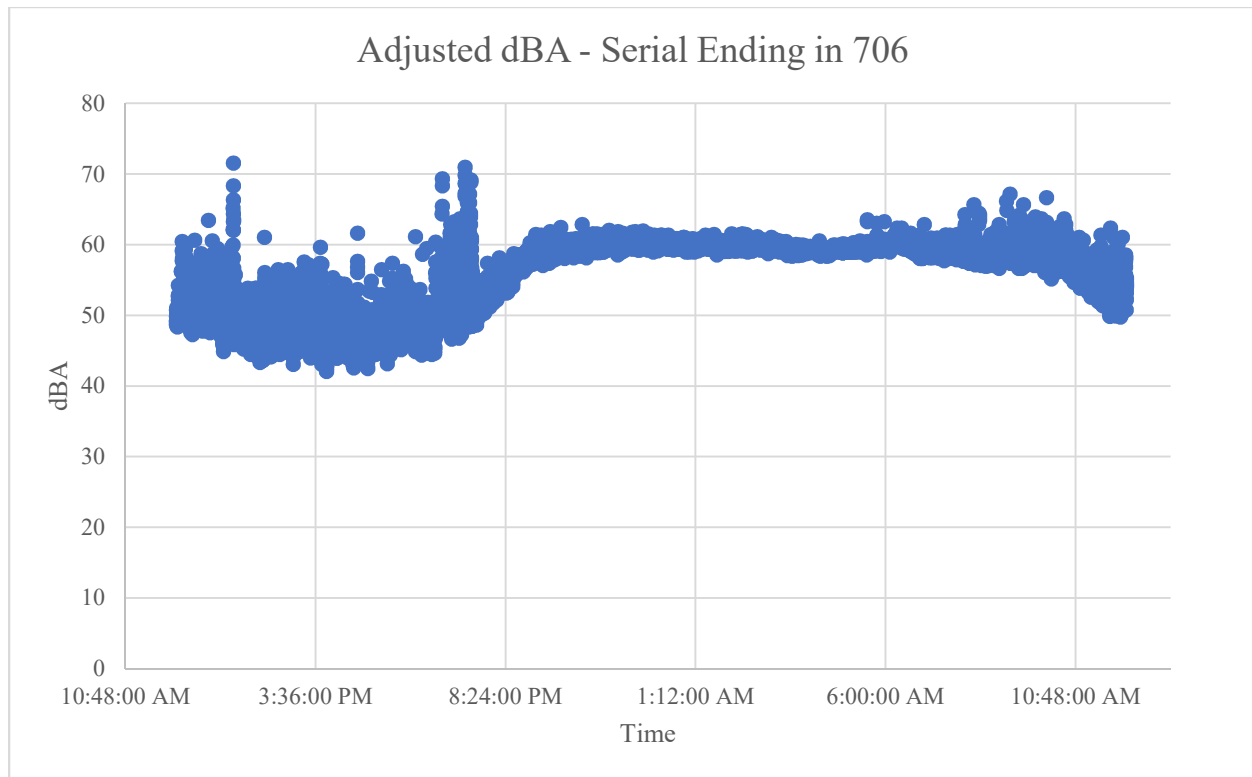
Monitor Serial No. Ending in 935 Decibel Readings for the Duration of the Study



Average Reading Results

Daytime	50.4918039
Nighttime	54.3253408
Ldn	60.3552021

Monitor Serial No. Ending in 706 Decibel Readings for the Duration of the Study



Average Reading Results

Daytime	55.29893882
Nighttime	59.76197961
Ldn	65.75387969

Appendix A. Study Documentation

The electronic video files, pictures, and worksheets used to complete this assessment are available upon request.

Cirner, Casey L.

From: Whelan, William <William.Whehan@montgomerycountymd.gov>
Sent: Wednesday, November 16, 2022 11:43 AM
To: Cirner, Casey L.
Cc: 'Bill Magruder'; 'Scott Wolford'; Robert Pease; Mike Magruder; 'Casey, Jonathan'; Farhadi, Sam; Torma, Rebecca
Subject: [EXTERNAL] RE: Shops at Travilah - 11/16 Staff Report Posting - Request for Confirmation of Storm Drain Improvements
Attachments: 221116 - MDOT STORM DRAIN IMPR PLAN.pdf

[EXTERNAL]

Hi All,

Yes, the attached storm drain alignment revisions are acceptable.

Thank you,

Billy Whelan, PE
Engineer III
Department of Transportation
Development Review Team
101 Monroe Street, 10th Floor
Rockville, MD 20850
240-777-2173 office
240-507-8504 cell

*****Please see the link below for new application process*****

<https://www.montgomerycountymd.gov/dot-dir/Resources/Files/DevRevApplication.pdf>

From: Cirner, Casey L. <ccirner@milesstockbridge.com>
Sent: Wednesday, November 16, 2022 11:37 AM
To: Whelan, William <William.Whehan@montgomerycountymd.gov>
Cc: 'Bill Magruder' <bill@magrudercos.com>; 'Scott Wolford' <scott.wolford@collierseng.com>; Robert Pease <robert.pease@collierseng.com>; Mike Magruder <mmagruder@magrudercos.com>; 'Casey, Jonathan' <Jonathan.Casey@montgomeryplanning.org>; Farhadi, Sam <Sam.Farhadi@montgomerycountymd.gov>; Torma, Rebecca <Rebecca.Torma-Kim@montgomerycountymd.gov>
Subject: RE: Shops at Travilah - 11/16 Staff Report Posting - Request for Confirmation of Storm Drain Improvements

[EXTERNAL EMAIL]

Good morning Billy and Sam,

Please find attached for your review an updated storm drain exhibit with the revisions requested in the November 15, 2022 e-mail directly below.

If you would be so kind as to confirm the attached exhibit amends the storm drain obligations set forth in the DOT August 13, 2021 letter, I would greatly appreciate it.

Regards,
Casey



Casey L. Cirner (She/Her/Hers) | *Principal*
Miles & Stockbridge
direct: +1 (301) 517-4817 | cell: +1 (301) 642-3450

From: Whelan, William <William.WheLAN@montgomerycountymd.gov>
Sent: Tuesday, November 15, 2022 5:15 PM
To: Cirner, Casey L. <ccirner@milesstockbridge.com>
Cc: 'Bill Magruder' <bill@magrudercos.com>; 'Scott Wolford' <scott.wolford@collierseng.com>; Robert Pease <robert.pease@collierseng.com>; Mike Magruder <mmagruder@magrudercos.com>; 'Casey, Jonathan' <Jonathan.Casey@montgomeryplanning.org>; Farhadi, Sam <Sam.Farhadi@montgomerycountymd.gov>; Torma, Rebecca <Rebecca.Torma-Kim@montgomerycountymd.gov>
Subject: [EXTERNAL] RE: Shops at Travilah - 11/16 Staff Report Posting - Request for Confirmation of Storm Drain Improvements

[EXTERNAL]

Hi Casey,

After our conversation this morning, I had a Teams call with Sam to discuss the storm drain revisions. Please see the attached sketch and have the engineering team make the slight modifications. To summarize:

- show a manhole at the existing field connection and relabel as MANHOLE rather than J-INLET
- relocate the proposed manhole near the bus stop as shown for a better angle to the other proposed manhole that replaces the field connection
- realign the pipes and HEADWALL accordingly
- change ENDWALL label to HEADWALL

Thank you,

Billy Whelan, PE
Engineer III
Department of Transportation
Development Review Team
101 Monroe Street, 10th Floor
Rockville, MD 20850
240-777-2173 office
240-507-8504 cell

*****Please see the link below for new application process*****
<https://www.montgomerycountymd.gov/dot-dir/Resources/Files/DevRevApplication.pdf>

From: Cirner, Casey L. <ccirner@milesstockbridge.com>
Sent: Monday, November 14, 2022 10:52 AM
To: Whelan, William <William.WheLAN@montgomerycountymd.gov>

Cc: 'Bill Magruder' <bill@magrudercos.com>; 'Scott Welford' <scott.welford@collierseng.com>; Robert Pease <robert.pease@collierseng.com>; Mike Magruder <mmagruder@magrudercos.com>; 'Casey, Jonathan' <Jonathan.Casey@montgomeryplanning.org>; Farhadi, Sam <Sam.Farhadi@montgomerycountymd.gov>; Torma, Rebecca <Rebecca.Torma-Kim@montgomerycountymd.gov>
Subject: RE: Shops at Travilah - 11/16 Staff Report Posting - Request for Confirmation of Storm Drain Improvements
Importance: High

[EXTERNAL EMAIL]

Good morning Billy,

Please find attached for your review and confirmation an exhibit that outlines the amended scope of the Applicant's storm drain improvements for completing Shops at Travilah Preliminary Plan 120210090 and Site Plan 820220140 per your below e-mail dated September 16, 2022.

If you could kindly confirm that the attached exhibit is consistent with the scope of storm drain improvements outlined in your below e-mail before Jonathan has to post his staff report on 11/16 this week, we would greatly appreciate it.

The September 16th e-mail raised many requests for clarification now and in anticipation of permits when contrasted with DOT's original 8/13/2021 recommendation letter.

Accordingly, the most efficient way to articulate the Applicant's amended scope of storm drain improvements was to prepare the attached exhibit. We hope to incorporate this exhibit into the Site Plan record, but need your confirmation to do so.

Please let me know if you have any questions.

Regards,
Casey



Casey L. Cirner (She/Her/Hers) | *Principal*
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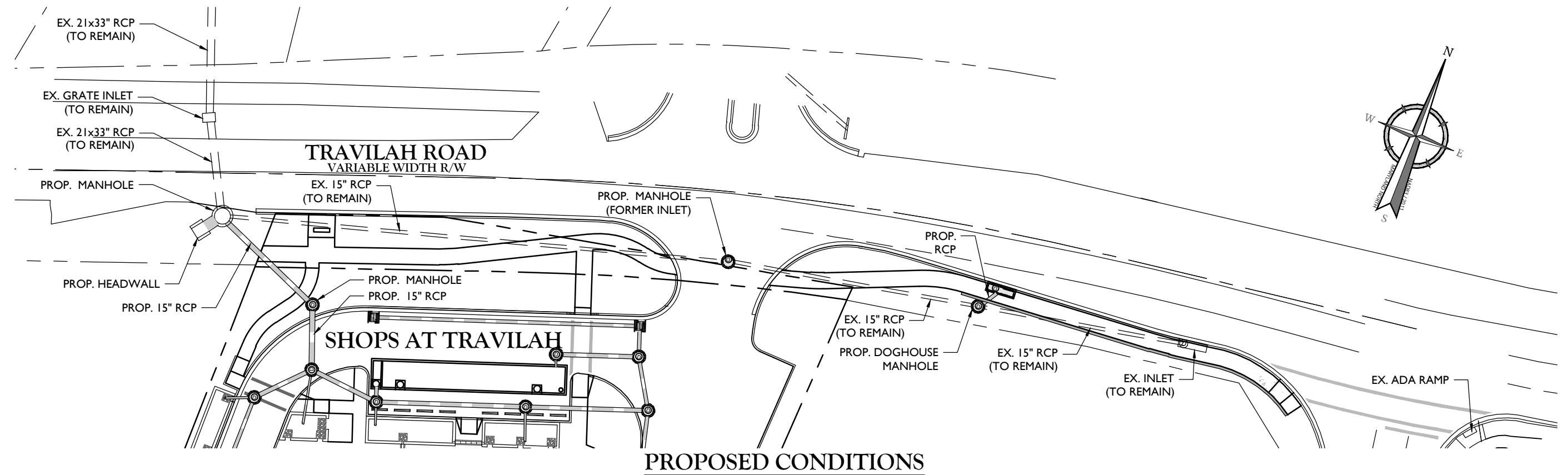
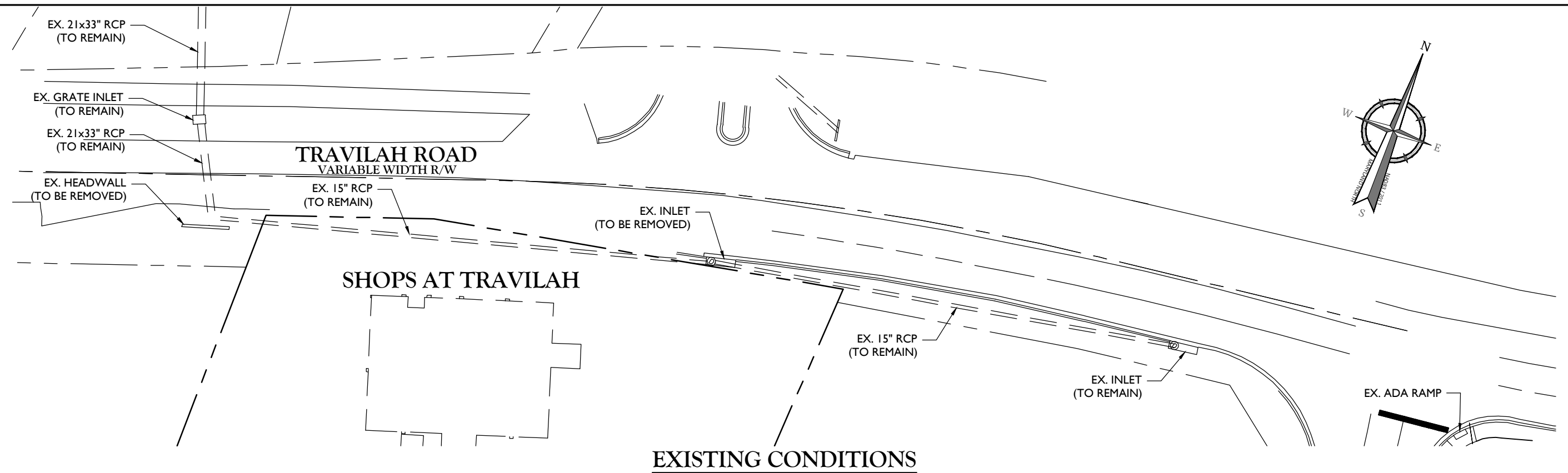


EXHIBIT - PROPOSED DOT STORM DRAIN IMPROVEMENTS
SHOPS AT TRAVILAH

