



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

MCPB
Item No.: 3
Date: 2/7/19

Safeway at Cloverly: Site Plan Amendment 81999004B

New Hampshire Ave. Restaurant Redevelopment: Preliminary Plan No. 120180260 and Site Plan No. 820180090

Jonathan Casey, Senior Planner, Area 3, Jonathan.Casey@Montgomeryplanning.org 301-495-2162

Sandra Pereira, Supervisor, Area 3, Sandra.Pereira@Montgomeryplanning.org 301-495-2186

Richard Weaver, Chief, Area 3, Richard.Weaver@Montgomeryplanning.org 301-495-4544

Completed: 1/25/19

Description

A. Safeway at Cloverly: Site Plan Amendment 81999004B

Request to reduce the number of parking spaces required for the Safeway by 47 and remove the condition requiring shared parking on the former bank site, located on New Hampshire Ave., 200 feet south of Cloverly Street, 3.66 acres, Neighborhood Retail Zone, 1997 Cloverly Master Plan.

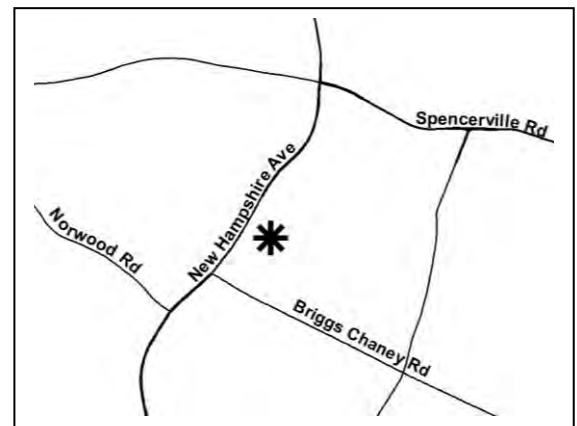
Recommendation – Approval with conditions

B. New Hampshire Ave. Restaurant Redevelopment: Preliminary Plan No. 120180260: Request to create one lot for the construction of a 2,890 square foot eating and drinking establishment (Burger King) with a drive thru, located on the southwest corner of New Hampshire Ave. and Cloverly Street, 0.77 acres, Neighborhood Retail Zone, 1997 Cloverly Master Plan.

Recommendation – Approval with conditions

C. New Hampshire Ave. Restaurant Redevelopment: Site Plan No. 820180090: Request to construct a 2,890 square foot eating and drinking establishment (Burger King) with a drive thru, located on the southwest corner of New Hampshire Ave. and Cloverly Street, 0.77 acres, Neighborhood Retail Zone, 1997 Cloverly Master Plan.

Recommendation – Approval with conditions



Acceptance Date Site Plan Amendment: March 7, 2018

Acceptance Date Site Plan: March 7, 2018

Acceptance Date Preliminary Plan: August 6, 2018

Applicant: Safeway Inc. and Potomac Foods Group

Review Basis: Chapter 50, Chapter 22A, Chapter 59

Summary

- Staff recommends **Approval with conditions** of the Site Plan Amendment 81999004B, Preliminary Plan 120180260 and Site Plan 820160170 with conditions.

- The Application is using the standard method of development but requires a Site Plan because the Zoning Ordinance requires Site Plan approval for drive thrus in the Neighborhood Retail (NR) Zone.
- The proposed lots meet the standards of development in the NR-0.75, H-45 Zone.
- The Application is consistent with the recommendations of the 1997 *Cloverly Master Plan*.
- Forest Conservation Plan Exemption 42019037E under Chapter 22A-5(s)(2) was granted for the Application.
- *Staff has received citizen correspondence in opposition to the Application.*

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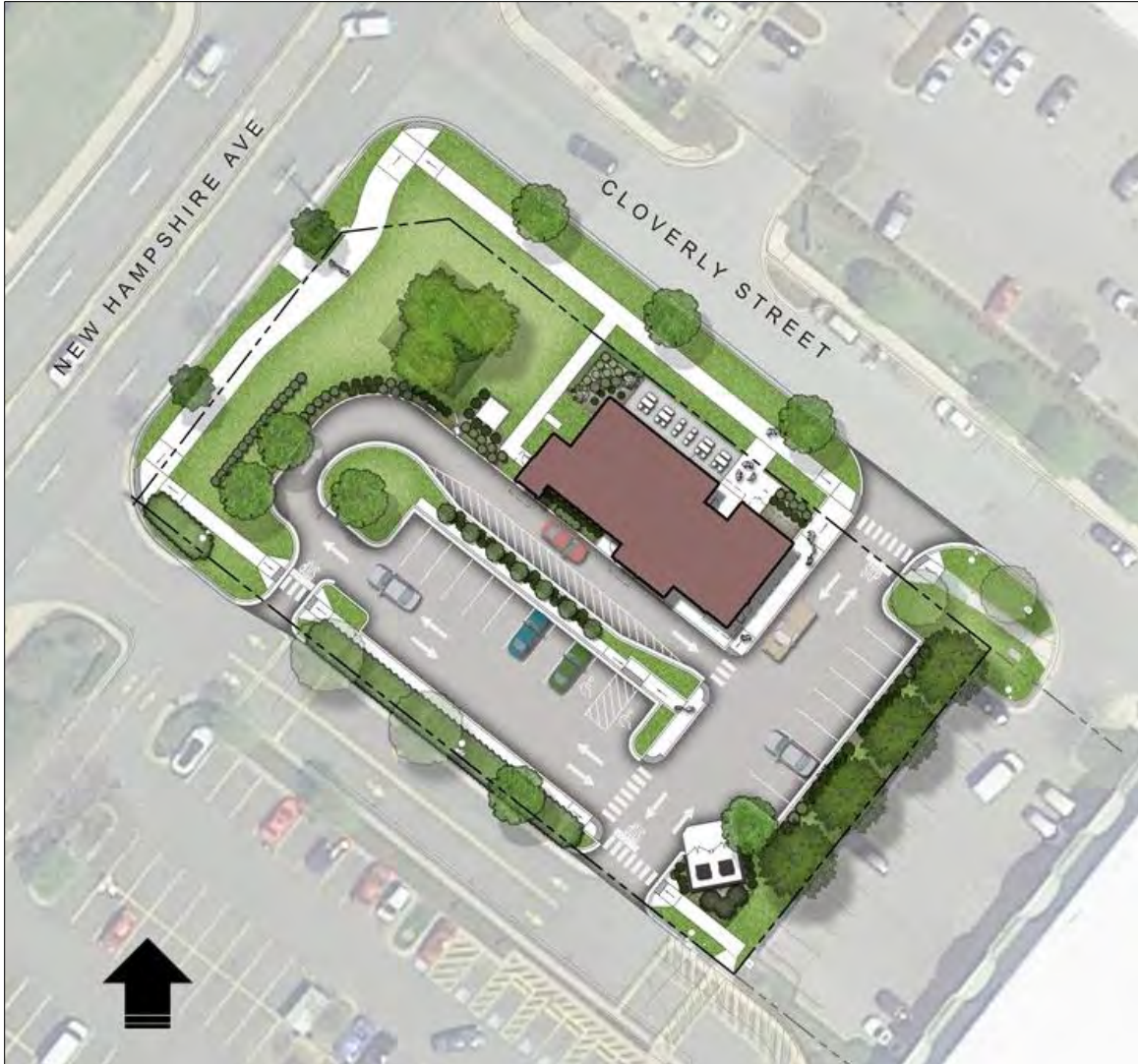


Figure 1 – Rendering

SECTION 1 – EXECUTIVE SUMMARY

The following staff report provides a description, analysis and the necessary findings for Preliminary Plan No. 120180260, Site Plan No. 820180090, and Site Plan Amendment No. 81999004B (“Applications”).

The Applicant, Potomac Foods Group, submitted the preliminary and site plan applications to create a lot for the construction of a Burger King restaurant and drive-thru (Figure 1). The site for the Burger King is identified as part of Parcel A or Parcel N5 (Figure 2). Potomac Foods Group is leasing the property from the property owner, Safeway, Inc. Preliminary Plan review is required because the Property is a part of a parcel, not a recorded lot. Site Plan review is required because the proposed restaurant includes a drive-thru which requires Site Plan approval in the Neighborhood Retail zone, per the limited use standards.

Safeway, Inc. is the applicant for the site plan amendment, requesting a reduction in the number of parking spaces required for the Safeway store. The Site Plan Amendment is required for two reasons. First, the proposed restaurant property is encumbered by an off-site parking easement for the adjacent Safeway grocery store which was required as part of Site Plan No. 819990040. Second, a parking waiver is needed because removing the easement will reduce the number of parking spaces for Safeway below the minimum required by the Zoning Ordinance. Safeway filed the amendment requesting to remove the parking easement on the Burger King site which is the subject of the joint Preliminary and Site Plan Application.



Figure 2 – Application Boundaries

Staff recommends approval of the Site Plan Amendment (parking waiver), Preliminary Plan and the Site Plan, with conditions. Staff has received correspondence from the community in opposition of the Applications. The main concern is parking, specifically the shared parking for Safeway that is the subject of the parking waiver. The Community Correspondence section of this Staff Report provides more detail regarding community concerns.

SECTION 2 – RECOMMENDATIONS AND CONDITIONS

SITE PLAN AMENDMENT NO. 81999004B

Staff recommends approval of Site Plan Amendment 81999004B. The development must comply with the conditions of approval for Site Plan No. 819990040 as listed in the MCPB Opinion mailed on 2/19/1999, except for condition 2 which is being deleted.

All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required.^[1]

PRELIMINARY PLAN NO. 120180260

General Approval

1. This Preliminary Plan is limited to one lot for 2,890 square feet of commercial uses with one drive-thru lane.

Adequate Public Facilities and Outside Agencies

2. The Adequate Public Facility (“APF”) review for the Preliminary Plan will remain valid for sixty (60) months from the date of mailing of this Planning Board Resolution.

Outside Agencies

3. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated January 2, 2019 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.
4. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT’s requirements for access and improvements.
5. Before the issuance of access permits, the Applicant must satisfy the Maryland State Highway Administration’s requirements for access and improvements.
6. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”) – Water Resources Section in its stormwater management concept letter dated December 7, 2018 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,

^[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.

which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.

7. The Planning Board accepts the recommendations of the MCDPS, Fire Department Access and Water Supply Section in its letter dated December 17, 2018 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

Concurrent Site Plan Approval

8. Before submitting a record plat application or clearing or grading the Subject Property, the Applicant must receive Staff certification of Site Plan Amendment No. 81999004B and Site Plan No. 820180090. The number and location of site elements including but not limited to buildings, on-site parking, site circulation, sidewalks and bike facilities is determined through site plan review and approval.
9. If an approved 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 amendment.

Transportation

Existing Frontage Improvements

10. The Applicant must provide the following dedication and show the dedication on the record plat(s) for the following existing roads:
 - a. All land necessary to accommodate one-hundred twenty (120) feet from the opposite right-of-way line along the Subject Property frontage for New Hampshire Avenue.
11. Prior to the recordation of plat(s), the Applicant must satisfy all necessary requirements of MDSHA to construct a ten-foot wide sidepath with a minimum five-foot wide tree panel along the property frontage on New Hampshire Avenue.
12. Prior to the recordation of plat(s), the Applicant must satisfy all necessary requirements of MCDPS to construct a six-foot wide sidewalk along the property frontage on Cloverly Street.
13. Prior to the recordation of plat(s), the Applicant must satisfy all necessary requirements of MCDOT to construct Cloverly Street to create a continuous curb line between the Subject Property and 721 Cloverly Street (Cloverly Parcel "D," Book 25331 Page 00113) as shown on the Certified Preliminary Plan.

Record Plats

14. There shall be no clearing or grading of the site prior to recordation of plat(s).

Easements

15. The record plat must show necessary easements.

Certified Preliminary Plan

16. The Applicant must include the stormwater management concept approval letter, other applicable agency letters, and Preliminary Plan Resolution on the approval or cover sheet(s).
17. 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.

SITE PLAN NO. 820180090

Staff recommends approval of Site Plan 820180090.

All site development elements shown on the latest electronic version 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 & Housing

1. Density
The Site Plan is limited to a maximum of 2,890 square feet of fast food restaurant with one drive-thru on the Subject Property.
2. Height
The development is limited to a maximum height of 22 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 10,540 square feet of amenity space as shown on the Certified Site Plan.

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.

- b. Before the issuance of Use and Occupancy certificate for the restaurant development, all public amenity space areas on the Subject Property must be completed.
 - c. The Applicant must provide a landscape buffer (between sidewalk and street) along Cloverly Street as shown on the Certified Site Plan, unless modified by MCDOT.
4. Maintenance of Public Amenities
The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to outdoor seating/furniture, specialty pavement (patio), and sidewalks.

Site Plan

5. Site Design
a) The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the Certified Site Plan, as determined by M-NCPPC Staff.
6. Lighting
a) Prior 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 fixtures of BUG equivalent.
- c) Deflectors will be installed on all proposed freestanding light fixtures (outside of the right-of-way) to prevent excess illumination and glare.
- d) Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at any property line abutting public roads and residentially developed properties.
- e) Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.

Transportation & Circulation

7. Pedestrian & Bicycle Circulation
a) The Applicant must provide two (2) short-term bicycle parking spaces. The short-term spaces must be inverted-U racks (or approved equal) installed in a well-lit area near the entrance to the building.
- b) The Applicant must construct all sidewalks and sidepaths, both on and adjacent to Subject Property and within the limits of disturbance, to applicable ADA standards.
- c) The Applicant must ensure that access from Cloverly Street and New Hampshire Avenue to Parcel D, Block C (Record Plat 21236) and the proposed lot is maintained via the drive-aisles identified on the Certified Site Plan and Certified Site Plan Amendment.
8. Site Plan Surety and Maintenance Agreement
Prior to issuance of any building permit, sediment control permit, or Use and Occupancy Certificate, 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, outdoor patio, site furniture, mailbox pad sites, trash enclosures, retaining walls, fences, railings, private roads and sidewalks, private utilities, paths and associated improvements of development, including sidewalks, bikeways, storm drainage facilities, street trees and street lights. The surety must be posted before issuance of the 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 and provided that the remaining surety is sufficient to cover completion of the remaining work.

9. Development Program

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

10. 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 the stormwater management concept approval letter and other applicable agency review letters development program, Preliminary Plan resolution and Site Plan resolution on the approval or cover sheet(s).
- b) Add a note stating that "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."
- 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.

SECTION 3 – SITE LOCATION AND DESCRIPTION

Site Location

The subject property is located on the southwest corner of New Hampshire Ave (MD-650) and Cloverly Street (15427 New Hampshire Avenue), approximately 350 feet east of the intersection of Briggs Chaney Road and MD-650, in Cloverly, MD. The subject property, Parcel N5 (Book 14564 Page 217) is part of Parcel A, Block C (2.745 acres) identified on record plat No. 2886 (Attachment 1) and contains approximately 0.77 acres (33,399 square feet) of land in the Neighborhood Retail (NR) Zone (“Property” or “Subject Property”). The Subject Property is within the “Cloverly Commercial Area” of the 1997 *Cloverly Master Plan* (“Master Plan”) and the Cloverly Policy Area. All properties abutting and confronting the Subject Property are zoned NR and improved with a mix of retail, office uses, and associated surface parking.

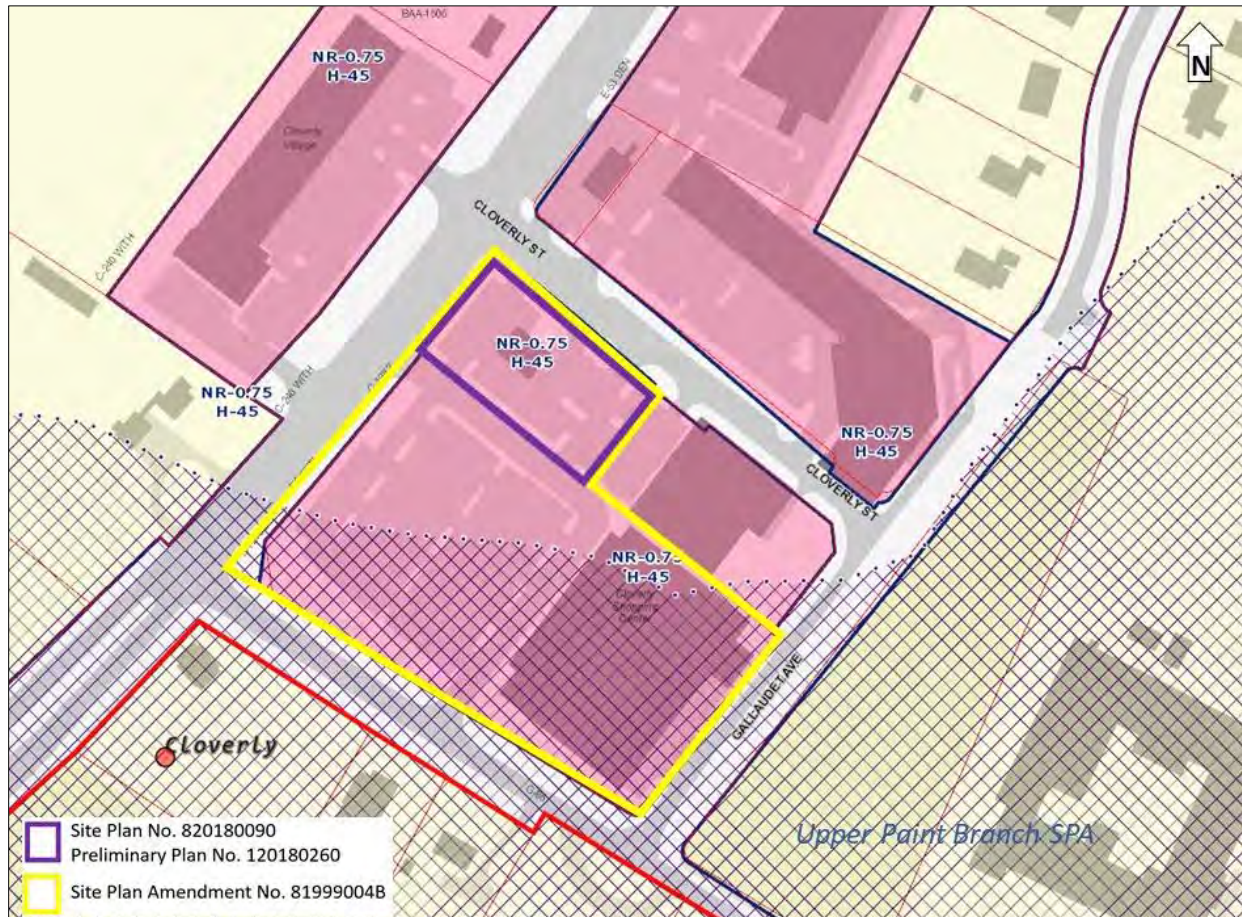


Figure 3 – Zoning



Figure 4 – Birdseye View from the northeast of existing conditions

Site Description

The 0.77 acre Subject Property is rectangular in shape and has approximately 130 feet of frontage on New Hampshire Avenue and 250 feet of frontage on Cloverly Street.

The Subject Property is currently improved with a single-story, 1,750 square foot bank with a drive-thru. The building is surrounded by 50 surface parking spaces. The Safeway Property is Parcel D, Block C (Record Plat 21236), on 3.68 acres improved with a 45,000 square foot grocery store with 184 parking spaces ("Safeway Property") (Attachment 2).

Access to the Property will be provided via Cloverly street and New Hampshire Avenue in the following configuration: The existing access point on Cloverly Street will be maintained; one existing (northern) and one shifted access point to the main drive aisle on the Safeway Property, which itself accesses New Hampshire Avenue. In addition to the access points described above, two additional existing access points on Cloverly Street, located approximately 40 feet and 130 feet east of New Hampshire Avenue will be closed as part of this application.

The Subject Property is located within the Northwest Branch watershed, classified by the State of Maryland as Use IV waters. The Subject Property is not located within a Special Protection Area (SPA) or the Patuxent River Primary Management Area. However, the Safeway Property is partially within the

Upper Paint Branch SPA (Figure 3). The Property does not contain any forest, streams, wetlands, 100-foot floodplain, stream buffer, or trees greater than 24 inches in diameter at breast height (DBH).

History

A portion of the Subject Property contains previous development approvals. Parcel D (Safeway Property) and Part of Parcel A (Burger King Property) were the subject of Preliminary No. 119980010 and Site Plan No. 819990040, Safeway at Cloverly, which were concurrently approved on 10/29/1998 by Planning Board Opinion to create one parcel (Parcel D on Record Plat 21236), on 3.68 acres² of land in the C-1 zone for a 45,000 square foot grocery store with 225 parking spaces (Attachment 3). As part of the preliminary plan, the Planning Board approved its preliminary and final water quality plans and a waiver of the Upper Paint Branch Special Protection Area Environmental Overlay Zones' 10 percent impervious cap. As part of the Site Plan No.819990040 the Subject Property was encumbered by an (off-site) parking easement, reserving 41 parking spaces to fulfill the parking requirements for the adjacent Safeway grocery store (Attachment 4).

On March 25, 2002, Administrative Site Plan Amendment No. 81999004A was approved which made minor clarifications the Road Improvement Plan for Gallaudet Avenue, behind the existing Safeway building.

SECTION 4 – APPLICATIONS & PROPOSAL

Current Applications

Site Plan Amendment No. 81999004B, Safeway at Cloverly ("Amendment") requests a waiver of the minimum parking standards for an existing Safeway, reducing the number of parking spaces required from 225 to 178 by removing the condition which required a shared parking easement for 41 parking spaces on Parcel N5 (also referred to as the Nations Bank site in previous approvals) and an additional 6 parking spaces in the Safeway parking lot . No physical improvements are proposed on the Safeway Property as part of the Amendment, therefore the Water Quality Plan does not need to be amended.

Preliminary Plan No. 120180260 New Hampshire Ave. Restaurant Redevelopment ("Preliminary Plan") proposes to create one lot from a part of a previously recorded parcel for the construction of a 2,890 square foot eating and drinking establishment (Burger King) with a drive thru. As part of the Preliminary Plan, the Applicant is dedicating additional right-of-way along the frontage of New Hampshire Ave (Attachment 5).

² Based on the staff report for Site Plan No. 819990040, "Part of Parcel A" (included in the current Application) was referred to as Lot N5 and Parcel N5. The Planning Board's Opinion does not clearly state that the area of Site Plan No.819990040 included "Lot N5", however the certified site plan includes Lot N5. At the time of approval Lot N5 was not in fact a record lot, but rather part of parcel A, a previously platted parcel was subsequently resubdivided, but never rerecorded on a new record plat. Staff's assumption is that Parcel N5 was incorrectly identified as a recorded lot because it contained an existing structure and was not included in the preliminary plan application, but N5 was included in the site plan for the purpose of streetscape improvements and determining the layout of the shared parking lot.

Site Plan No. 820180090, New Hampshire Ave. Restaurant Redevelopment ("Site Plan") proposes to construct a 2,890 square foot eating and drinking establishment (Burger King) with a drive thru. Site Plan review is required because the proposed restaurant includes a drive-thru which requires Site Plan approval in the Neighborhood Retail zone, per the limited use standards.



Figure 5 – Illustrative Rendering

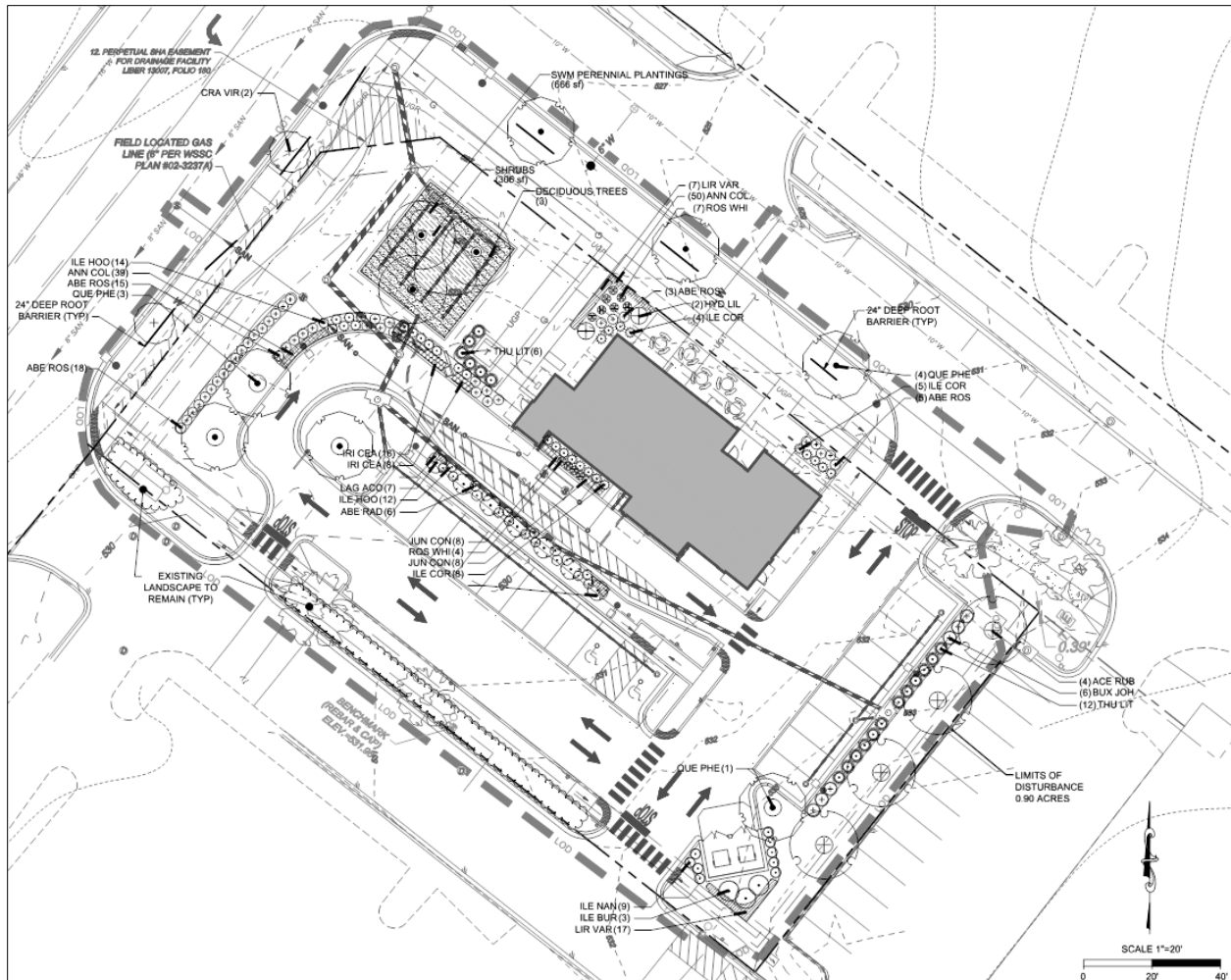
Proposal

Collectively, Preliminary Plan No. 120180260 and the Site Plan No. 820180090 propose to improve the Subject Property by removing the existing bank and replacing it with a 2,890 square foot Burger King restaurant oriented towards Cloverly Street and New Hampshire Ave with a single drive-thru tucked behind the building. Approximately 1,250 square feet of the restaurant will be dedicated to indoor patron area. There will also be a patio with specialty pavement (i.e. stamped concrete), and outdoor seating in front of the building on Cloverly Street.

The Applicant is dedicating a total of 562 square feet/0.013 acres of land along the Property's frontage to achieve the full master planned right-of-way width recommended for MD-650.

The Subject Property will be accessible from an internal drive aisle on the Safeway Property which connects to Briggs Chaney Road and New Hampshire; or from Cloverly Street. The Applicant is consolidating access to Cloverly Street by eliminating the two curb cuts on Cloverly Street closest to MD-650. Eighteen parking spaces will be provided on-site, broken into two rows, perpendicular to the internal drive aisles. The existing curb and gutter system along the Property's frontage on Cloverly Street does not align with the remaining section on the southside of Cloverly street which is slightly narrower from curb to curb. The existing sidewalk directly abuts the road, and the existing street trees are so tightly spaces that the sidewalk is not navigable. To remedy those issues, the Applicant is removing a small section of asphalt on the southside of Cloverly Street and reconstructing a new curb consistent with the remainder of the street. The new layout will provide adequate space for a new 6-foot-wide sidewalk and green panel on Cloverly Street. The Applicant is also upgrading the existing sidewalk along New Hampshire Avenue to a 10-foot wide sidepath with a minimum five-foot wide grass panel consistent with the 2018 *Bicycle Master Plan*. The Applicant is providing 10,540 square feet of Amenity Open Space made up of landscaped/lawn area, sidewalks and an outdoor patio with stamped concrete, seating, bike racks, pedestrian scale lighting, and street trees that will provide shade. The seating area is situated along Cloverly Street next to the front entrance, between the building and sidewalk.

The Property is within the W-1 and S-1 water sewer service categories, respectively, and is currently served by public water and sewer. The existing service lined with be replaced and the new structure will also utilize public water and sewer. Stormwater management goals will be met via pervious pavement and a micro-bioretenention facility.



SECTION 5 – ANALYSIS AND FINDINGS, 59.7.3.4.J – Site Plan Amendment No. 81999004B

The Applicant is requesting to remove the following condition, approved as part of Site Plan No. 819990040 which requires a parking easement on Parcel N5.

Condition 2) Site Plan Enforcement Agreement to reference the joint parking easement located on Parcel N-5.

The approved 45,000 square foot Safeway generates a parking requirement of 225 space or 5 spaces per 1,000 square feet of gross floor area. Only 184 parking spaces could be accommodated on the Safeway Property, and the condition was added to supply the deficit of 41 parking spaces (Per the Certified Site Plan) via a parking easement on Parcel N5 which was in common ownership. As shown on Table 1, the amendment seeks to remove the required easement, including the 41 parking spaces, which then necessitates the need for a parking waiver. All elements in the existing Site Plan Enforcement Agreement

except as amended as part of this proposal will remain in full force and effect. The Applicant is also requesting total reduction to account for the 6 parking spaces that are currently occupied by shopping cart corrals.

Table 1 – Parking Tabulations

Development Standard	Z.O. requirement	Approved with Site Plan No.819990040	Proposed Amendment No.81999004A
Vehicle Parking (total) - On-site - Offsite Parking Easement (Parcel N5)	225 spaces (5 sp/1,000 SF GFA)	225 ³ 184 41	178 ⁴ 178 (3.96 sp/1,000 SF GFA) 0

Section 6.2.10. Parking Waiver

The deciding body may waive any requirement of Division 6.2, except the required parking in a Parking Lot District under Section 6.2.3.H.1, if the alternative design satisfies Section 6.2.1. Any request for a waiver of the vehicle parking space requirement under Section 6.2.4.B requires application notice under Section 7.5.2.D.

The Applicant is not in a Parking Lot District and requests a waiver of 47 vehicle parking spaces required under Section 6.2.4.B. As discussed in Section 8 of this report, the waiver was properly noticed.

Section 6.2.1 states “the intent of the vehicles and bicycle parking, queuing, and loading requirements is to ensure that adequate parking is provided in a safe and efficient manner”. Based on the statement of justification (Attachment 6) and supporting documentation provided by the Applicant, Safeway, Inc., no changes are proposed for the Safeway site and 178 parking spaces will be adequate to support the store. Safeway’s representative stated that because of parking configuration, few if any Safeway patrons park in the spaces on the existing bank property simply because it is inconvenient given its relation to the grocery store entrance versus the expansive parking lot directly in front of the store (to the west). To support the request to reduce parking, on March 13, 2018, the Applicant submitted a comprehensive parking demand study produced by Wells + Associates (Attachment 7).

That analysis demonstrates parking demand for the Safeway grocery store and supports the requested parking waiver. In support of this finding, The Wells + Associates parking study includes parking data, collected on-site over a weeks’ time, identifies the peak parking demand and compares the parking demand with Safeway’s standard parking rates to determine what the actual parking needs are to provide the necessary parking needed to support the grocery. The findings of the parking demand study are summarized in Table 2.

³ The Safeway was approved under the “Old Code” when the property was zoned C-1. The Applicant is seeking an amendment under the “New Code” which requires the same number of parking spaces.

⁴ The Parking Demand Study states that there are currently 178 spaces available onsite because 4-6 spaces are occupied by parking corrals.

Table 2: From Parking Demand Assessment by Wells + Associates.

15411 New Hampshire Avenue Safeway Parking Demand Assessment Recommended Design Hour Parking Supply and Proposed Parking Waiver		
<u>Design Hour Parking Supply:</u>		
<i>Safeway Store:</i>	45,000	<i>SF Building Area</i>
<i>Expected 85th Percentile Parking Demand From Analyses:</i>	96	<i>Spaces Needed</i>
<i>Expected 85th Percentile Parking Demand Ratio From Analysis:</i>	2.13	<i>Spaces/1,000 SF Building Area</i>
<i>Recommended Design Hour Parking Supply:</i>	102	
<i>Recommended Design Hour Parking Ratio:</i>	2.27	<i>Spaces/1,000 SF Building Area</i>
<i>(Includes additional capacity for 5% vacancy) ⁽¹⁾</i>		
<u>Proposed Supply vs. Code Requirement:</u>		
<i>Spaces Provided within Safeway Parking Lot:</i>	3.96	<i>Spaces/1,000 SF Building Area</i>
	178	<i>Spaces</i>
<i>County Code Grocery Store Parking Requirement :</i>	5.00	<i>Spaces/1,000 SF Building Area</i>
	225	<i>Spaces</i>
<i>Difference</i>	47	<i>Spaces fewer than Code Requirement</i>
Notes: (1) Recommended Design Hour parking ratios calculated by dividing the observed peak parking demand by 0.95.		

Table 3: From Parking Demand Assessment by Wells + Associates.

<u>Event</u>	<u>Parking Available</u>	<u>Project Maximum Parking Demand</u>	<u>Predicted Surplus (Vacant) Spaces</u>
•Two days before Christmas	178 spaces	140 spaces	38 spaces
•Day before Thanksgiving	178 spaces	139 spaces	39 spaces

The existing 178 parking spaces in the parking lot west of the store will provide sufficient parking for the grocery store. Even on the busiest grocery shopping days of the year (Table 3) over 30 parking spaces are predicted to be available. Based on the parking demand study, the requested amendment and parking waiver will not be detrimental to the vitality of the existing business, nor will it negatively affect the on-site parking layout, safety or efficiency of the Safeway property or the abutting existing and proposed developments.

SECTION 6 – ANALYSIS AND FINDINGS, 50.4.2.D – Preliminary Plan No. 120180260

1. *The layout of the subdivision, including size, width, shape, orientation and diversity 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*
 - a. *The block design is appropriate for the development or use contemplated*

The Preliminary Plan creates a single lot and will be incorporated into existing Block C, which is consistent with previous approvals.

b. The lot design is appropriate for the development or use contemplated

The Preliminary Plan creates a single lot from part of previously platted parcel (Parcel A). The proposed lot is the last remaining piece of Parcel A that has not be resubdivided. As proposed, the lot is appropriate to accommodate the proposed restaurant, drive-thru and meet the development standards of the NR zone.

c. The Preliminary Plan provides for required public sites and adequate open areas

As discussed below, amenity open space will be provided on the Subject Property to meet the requirements for a general building type constructed under the standard method of development in the NR zone. The Applicant is also dedicating a total of 562 square feet/0.013 acres of land along the Property's frontage to achieve the full master planned right-of-way width recommended for MD-650.

d. The Lot(s) and Use comply with the basic requirements of Chapter 59

The lot was reviewed for compliance with 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 that zone. A summary of this review is included in Table 4.

Table 4 – Development Standards in the NR Zone

Standard	Required/Permitted	Proposed
Tract Area (Existing Parcel)	n/a	33,399 SF (0.766 AC)
Proposed dedication	n/a	561.72 SF (0.013 AC)
Site Area (Net tract area)	n/a	32,837 SF (0.753 AC)
Density (max)	0.75 FAR/ 25,049.45 SF	0.09 FAR/2,890 SF
Front setbacks	0 ft. min.	85 ft.
Side street setbacks	0 ft. min.	12 ft.
Rear setbacks	0 ft. min.	71 ft.
Max Building Height	45 ft. max	22 ft. max
Amenity Open Space	10% Min (3,284 SF)	32% (10,540 SF)
Site Plan Required	Yes	Yes

2. The Preliminary Plan substantially conforms to the Master Plan or Urban Renewal Plan

The Preliminary Plan substantially conforms to the recommendations within the 1997 *Cloverly Master Plan*.

a. Land Use

The Master Plan recommends redevelopment of the Cloverly commercial area in general, and specifically the redevelopment of the commercial properties along Cloverly Street and Briggs Chaney

Road....placing emphasis on strengthening the retail vitality of the area and encouraging its use as a public gathering place. The Master Plan provided two possible development scenarios, non-assemblage and assemblage (p22). Because the property in the Cloverly Commercial Area was owned by multiple entities, making assemblage unlikely, the Master Plan recommended a Main Street design concept to help guide redevelopment along Cloverly Street.

With the guidance provided in the Master Plan, some of the main street design elements such as on-street parking, street trees and special lighting have already been achieved as individual properties with frontage on Cloverly Street have incrementally redeveloped.

“Encourage street-oriented development along Cloverly Street to provide a walkable, pedestrian-friendly commercial area that encourages social gathering. Street oriented development is achieved by locating buildings close to the street with on-street parking. Sidewalks area to be enhanced with tightly space street trees, seating areas, special paving and lighting, visible and safe connections to the proposed park at the eastern end of Cloverly Street” (page 24).

The proposed development will further improve Cloverly Street, and provide elements that haven't yet been implemented, such as providing street-oriented development and outdoor seating with specialty paving which will help active the street. The Applicant is also proposing to realign the curb, recapturing additional space to provide a sidewalk and an adequate tree panel.

“Improve vehicular access and circulation in the Cloverly Commercial Area by providing interconnected parking lots and coordinated driveways between independently owned properties” (page 26).

Access to and from Cloverly Street will be consolidated. The primary inter-parcel connection through the Subject Property will be reconfigured, but function the same way it does today, providing the only vehicular connection between businesses on Cloverly Street and the Safeway drive aisle. In general, the proposed development will provide much needed revitalization and activation to an underutilized property. The proposed frontage improvements will achieve many of the goals envisioned for the Cloverly Commercial Area in the Master Plan.

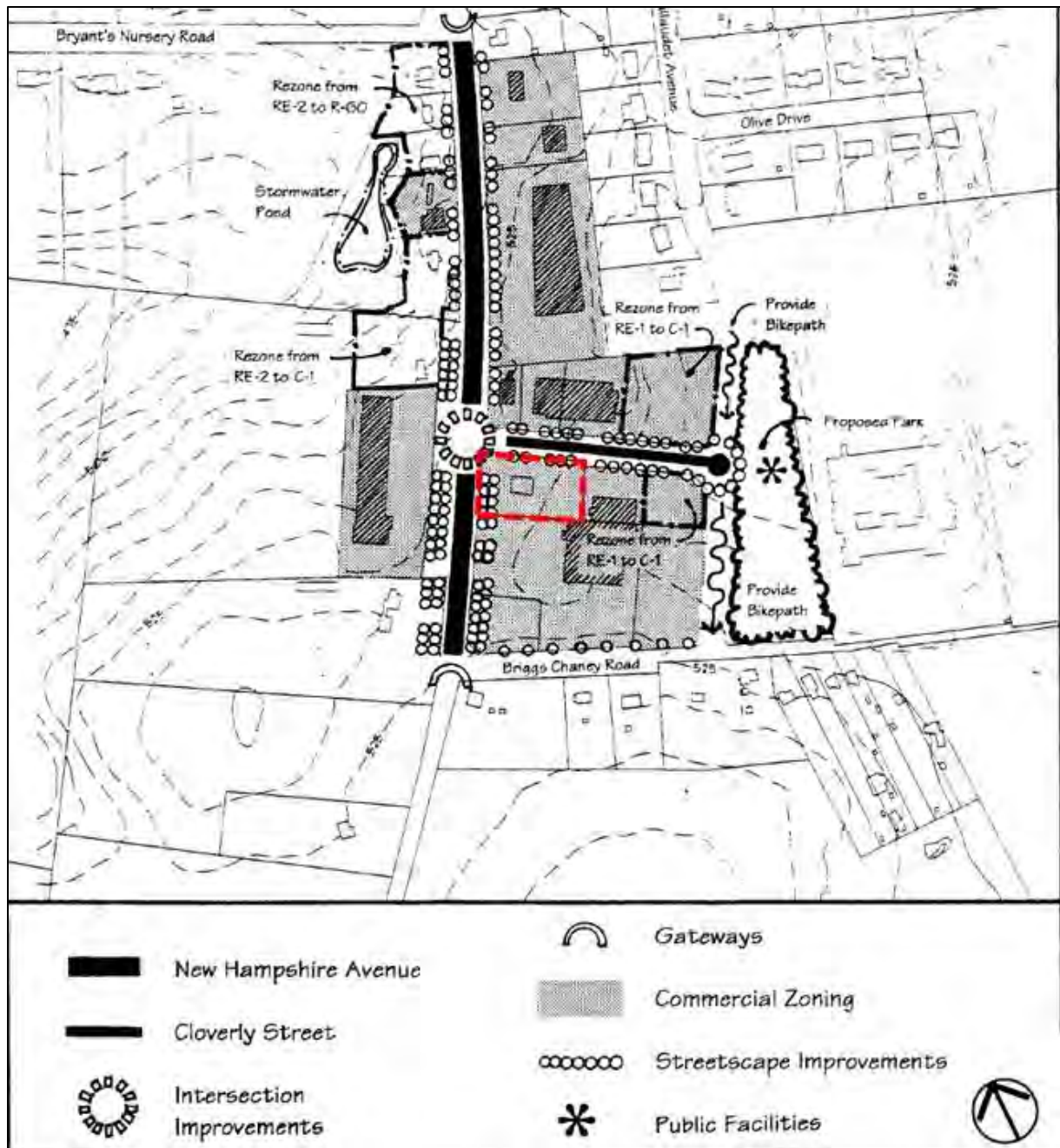


Figure 7 – Cloverly Commercial Area (Figure 12 of the Master Plan)

a. Environment

The Master Plan does not include and site specific environmental recommendations that are applicable to the Preliminary Plan Application.

b. Transportation

Master Planned Improvements

New Hampshire Avenue (MD-650) is a Master Planned Major Highway with a minimum 120-foot right-of-way. In front of the Subject Property, New Hampshire Avenue has four through lanes and two-way center turn lane. The Preliminary Plan is providing the necessary dedication to provide a minimum of 120 feet from the opposite right-of-way line across New Hampshire Avenue, an average dedication of approximately 2 feet. Cloverly Street is a two-lane Business District Street with parking on one side with a minimum right-of-way of 70 feet. Sufficient right-of-way has already been dedicated on Cloverly Street.

In the 2018 *Bicycle Master Plan*, New Hampshire Avenue is designated to have a sidepath on both the east and west sides of the street. The Applicant is proposing to construct a 10-foot wide sidepath along the frontage of the Subject Property on New Hampshire Avenue to comply with this requirement.

Cloverly Street Upgrades

As part of the necessary frontage improvements, the Applicant is reconstructing Cloverly Street to be a width consistent with the remainder of the street and to comply with the appropriate MCDOT Business District street section. The Applicant is moving the existing curb line closer to the street centerline, making a consistent curb line with the properties to the southwest along the same side the of the street and creating a Business District street with parking on one-side. Moving the curb will allow the Applicant to install a 10-foot wide tree panel with street trees, a 6-foot wide sidewalk, and a minimum two-foot wide maintenance strip. This improvement will greatly enhance the aesthetics of this street.

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

a. Roads and Other Transportation Facilities

Transportation access is adequate to serve the proposed development by this Preliminary Plan.

i. *Existing Facilities*

As discussing the Master Plan findings, the Subject Property is accessible from MD-650 and Cloverly Street. A master planned sidepath will be constructed as part of the development and a new sidewalk will be installed along the frontage of Cloverly Street. With the proposed improvements, access to the Subject Property will be adequate to serve the proposed lot.

ii. *Proposed public transportation infrastructure*

Transportation access is adequate to serve the proposed development. The Subject Property has frontage on New Hampshire Avenue and Cloverly Street. Access to the site will be provided via an existing access point on Cloverly Street as well as from one existing and one shifted access point to the main shopping center site drive aisle, which itself accesses New Hampshire Avenue. Two additional existing access points on Cloverly Street will be closed as part of this application.

Metro Bus Route Z2 serves the Subject Property with a bus stop in front of the Property on New Hampshire Avenue, for north and south bound travel to Olney and Silver Spring. The bus

stop and lead-in sidewalk will be relocated with the construction of the sidepath proposed with this project as detailed on the Certified Site Plan

Pedestrian facilities within the area consist of sidewalks on both sides of New Hampshire Avenue and Cloverly Street. Although there are limited bike facilities within the area of the Application, a sidepath exists for approximately 2,400 feet on the north side of Briggs Chaney Road, south of the Subject Property.

New Hampshire Avenue's roadway infrastructure is not centered within the right-of-way; therefore, the Applicant proposes to record a variable width Public Improvement Easement (PIE) along the frontage of New Hampshire Avenue to ensure public access to the full width of the sidepath. The PIE width varies due to a jog in the path to avoid a utility pole but is proposed to be a minimum of four feet wide. Additionally, minimum 10-foot wide Public Utility Easements are proposed along the frontage of both New Hampshire Avenue and Cloverly Street.

The Applicant will upgrade the sidewalk along New Hampshire Avenue to a 10-foot wide sidepath with a minimum five-foot wide grass panel in line with the 2018 *Bicycle Master Plan*. The 6-foot-wide sidewalk will be constructed on Cloverly Street which provides ample room between the curb and sidewalk to accommodate a green panel and street trees, as envisioned by the Master Plan.

b. Local Area Transportation Review (LATR)

The Preliminary Plan was reviewed using the 2016-2020 Subdivision Staging Policy and associated 2017 Local Area Transportation Review Guidelines. The proposed fast-food restaurant with drive-thru replaces an existing drive in bank, therefore the trips generated by the existing bank are subtracted from the trips generated by the proposed development. After subtracting the existing bank trips, the project would generate 65-person trips during the AM weekday peak period and 35-person trips during the PM weekday peak period based on the *ITE Trip Generation Manual*, 10th Edition, adjusted for the Cloverly policy area. Because the project is anticipated to generate 50 or more-person trips during a weekday peak hour, a transportation study was required to satisfy the LATR Guidelines. The project would not generate enough transit, bicycle, or pedestrian person trips to require additional analysis for any of those transportation modes.

The transportation study was finalized on October 17, 2018 and studied four local intersections, including two signalized intersections at New Hampshire Avenue and Briggs Chaney Road and Norbeck/Spencerville Road (MD 198) and New Hampshire Avenue. The remaining two intersections studied were unsignalized intersections on New Hampshire Avenue (MD 650) at the entrance to the Safeway shopping center to the south of the Subject Property and at Cloverly Street. All study area intersections were located within the Cloverly Policy Area, which has a Critical Lane Volume (CLV) standard of 1450. The transportation study examined at existing conditions, background conditions which include approved but unbuilt projects that may send trips through the study area intersections, and total future traffic which adds the projected impact of the subject Application to the background traffic. None of the critical intersections would have a CLV standard that exceeds the policy area standard under the future traffic condition. Therefore, since the CLV analysis was within acceptable levels, no infrastructure improvements are required

to satisfy the LATR guidelines. The critical intersections and the analysis of the CLV standards are shown in Table 5 below.

Table 5: Critical Intersection Capacity

Intersection	CLV Analysis					
	Existing		With Background		Total Future	
	AM	PM	AM	PM	AM	PM
New Hampshire Avenue (MD 650) and Norbeck Road/Spencerville Road (MD 198)	949	1038	969	1094	973	1095
New Hampshire Avenue (MD 650) and Cloverly Street	697	646	750	713	753	729
New Hampshire Avenue (MD 650) and Safeway Shopping Center	710	657	762	724	790	744
New Hampshire Avenue (MD 650) and Briggs Chaney Road	1110	958	1187	1035	1194	1038

Source: Cloverly Burger King Transportation study performed by STS Consulting dated June 5, 2018, revised October 17, 2018.

c. Other Public Facilities and Services

Other public facilities and services are available and will be adequate to serve the proposed restaurant.

The Washington Suburban Sanitary Commission has reviewed the Application and identified a 8-inch gravity sewer main and a 10- inch water main adjacent to the Property that are available to serve the restaurant. The existing water and sewer lines that serve the abandoned building are being abandoned and new service lines will be installed to serve the restaurant. The use of water and sewer is consistent the Property's W-1 and S-1 service category.

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 by transmittal dated December 17, 2018 (Attachment 8).

Electric and telecommunications services as available and adequate to serve the proposed lots. A continuous 10-foot-wide public utility easement has been provided along the Property frontage of Cloverly Street. Where the sidepath is being constructed parallel to MD-650 (within the ROW and PIE), the PUE has been expanded 10 feet behind the sidepath to provide the required 10 feet of space.

Other public facilities and services, such as police stations, firehouses and health services are currently operating within the standards set by the 2016-2020 Subdivision Staging Policy Resolution.

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

Environmental Guidelines and Forest Conservation Plan

On October 30, 2018, a Forest Conservation Plan Exemption 42019037E under Chapter 22A-5(s)(2) was granted for the Application (Attachment 9).

The Subject Property is located within the Northwest Branch watershed, classified by the State of Maryland as Use IV waters. The Property is not located within a Special Protection Area or the Patuxent River Primary Management Area. The Property does not contain any forest, streams, wetlands, 100-floodplain, stream buffer, or trees greater than 24 inches in diameter at breast height.

Staff finds that the Application is in compliance with the Environmental Guidelines and all applicable requirements of Chapter 22A of the Montgomery County Forest Conservation Law.

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 7, 2018. The Application will meet stormwater management goals using pervious pavement and micro-bioretenention (Attachment 10).

SECTION 7 – ANALYSIS AND FINDINGS - Site Plan No. 820180090

Findings – Chapter 59.7.3.4.E

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

The Approval of the Site Plan findings will only apply to the Subject Property being reviewed as part of this Application.

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 does not conflict with the previous approvals that apply to the site. However, as discussed in Section 5 (Site Plan Amendment) of this report, the Applicant is seeking a parking waiver as part of Site Plan Amendment No.81999004B.

- 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;*

This finding is not applicable since there is no development plan or schematic development plan in effect on October 29, 2014 associated with this Property.

- 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;*

This finding is not applicable as the Property's zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

- d. *satisfies applicable use standards, development standards, and general requirements under this Chapter;*

Division 4. Neighborhood Retail Zone

Use and Development Standards

The lot is approximately 0.77 acres and zoned NR. The following table, Table 6, shows the project's conformance to the development standards of the zone.

Table 6: Site Plan Data Table (NR Zone -Standard Method of Development)

Standard	Required/Permitted	Proposed
Tract Area (Existing Parcel)	n/a	33,399 SF (0.766 AC)
Proposed dedication	n/a	561.72 SF (0.013 AC)
Site Area (Net tract area)	n/a	32,837 SF (0.753 AC)
Density (max)	0.75 FAR/ 25,049.45 SF	0.09 FAR/2,890 SF
Front setbacks	0 ft. min.	84 ft.
Side street setbacks	0 ft. min.	12 ft.
Rear setbacks	0 ft. min.	71 ft.
Max Building Height	45 ft. max	22 ft. max
Amenity Open Space	10% Min (3,284 SF)	32% (10,540 SF)
- Lawn/Landscape		7,100 SF
- Sidewalks		2,980 SF
- Patio/outdoor seating		460 SF
Parking Setbacks from street (minimum)		
- MD-650	6 ft. min.	36 ft. min.
- Cloverly Street	6 ft. min.	13 ft. min
Parking	6 spaces total	20 spaces
- Vehicle spaces (4 per 1,000 SF patron area)	5 spaces (1,250 patron area)	18 spaces
- ADA parking (1 per 25 spaces)	1 space	2 spaces
- Bicycle spaces (1 per 10k SF GFA)	1 space	2 spaces
- Bicycle (long-term storage)	0 spaces	1 storage locker

A restaurant is a permitted use in the NR zone, however, the proposed restaurant includes a drive-thru which is a limited use in the NR zone.

Limited Use Standards 59.3.5.14.E – Drive-thru

In addition to the development standards noted above, there are use standards for a drive-thru use. The drive-thru use meets the following limited use standards:

2. Use Standards - *Section 59-3.5.14.E Drive-Thru*

a. Where a Drive-Thru is allowed as a limited use, it must satisfy the following standards:

- i. *A Drive-Thru, including the queuing area, must be located a minimum of 100 feet from any Property that is vacant or improved with a residential use in the Agricultural, Rural Residential, or Residential Detached zones.*

There are no residential uses within 100 feet of the Subject Property.

- ii. *For a Restaurant with a Drive-Thru, access to the site from a street with a residential classification is prohibited.*

The Drive-Thru Restaurant is not accessed from a street with a residential classification.

- iii. *A drive-thru service window, drive aisle, or queuing area located between the street and the front main wall of the main building is prohibited.*

In this case, the main wall (front) of the building is facing Cloverly Street, as envisioned by the Master Plan. The restaurant's drive-thru service window, drive aisle and queuing area are located behind the front main wall of the building.

- iv. *A drive-thru service window, drive aisle, or stacking area may be located between the street and the side wall of the main building on a corner lot if permanently screened from any street by a minimum three-foot-high wall or fence.*

The Subject Property is a corner lot. The drive aisle, service window and stack area are located behind the building on the Safeway Driveway side. At no point is the drive-thru facility directly between the side wall and New Hampshire Ave, however the drive aisle and queuing area protrudes past the side wall building line. The drive-thru queuing area will be screened from New Hampshire Avenue by a visual buffer consisting of a row of flowering evergreen shrubs and a 3-foot-tall vertical board-on-board fence (Figure 6 & 8).

- v. *Site plan approval is required under Section 7.3.4*

Approval of this Site Plan application by the Planning Board will satisfy this requirement.

Division 6 – General Development Standards

i. Division 6.1. Site Access

As discussed in the Preliminary Plan, access to the Subject Property is adequate to serve the proposed development. The Subject Property has frontage on New Hampshire Avenue and Cloverly Street. The site will be accessible from Cloverly Street and the drive aisle on the Safeway Property via an existing inter-parcel connection in the rear of the Property. The inter-parcel connection will remain, in general, as is it is configured today, with minor improvements. The second access point between the Subject Property and the Safeway drive aisle will be shifted further to the southeast (away from MD-650) and converted to an exit only which will improve on-site circulation and eliminate conflict between vehicles entering and exiting the site from multiple access points. The two other existing access points on Cloverly Street will be closed as part of this Application.

ii. Division 6.2. Parking, Queuing, and Loading

The Site Plan provides adequate parking to serve the proposed restaurant. In the NR zone, four parking spaces are required for every 1,000 square feet of patron area. Based on the proposed 1,250 square feet of patron area, the Applicant is required to provide a minimum of 5 parking spaces. Eighteen parking spaces have been provided on-site as requested by the Applicant to meet market demand. Each parking space meets the minimum 8.5' x 18' dimensional requirements and are arranged in a location that allows for safe, efficient and orderly maneuvering.

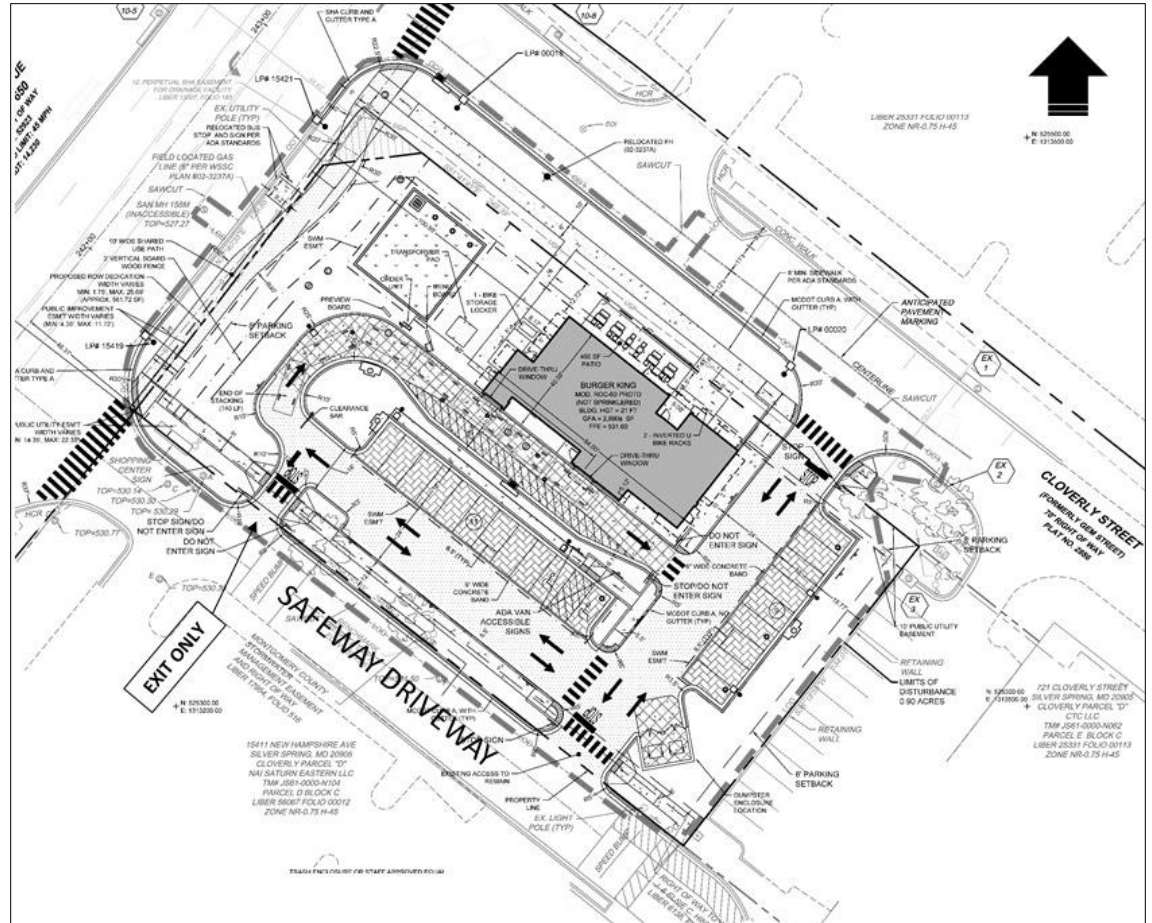


Figure 8 – Proposed Drive-thru design

Section 6.2.7 Queuing Design Standards (Drive-thru)

Drive-thru restaurants are required to accommodate queuing space for at least 5 vehicles. The Burger King drive-thru is designed to accommodate queuing area for 7 standard size vehicles between the pick-up window and the entrance to the drive-thru without impeding the designated exit (only) or vehicles utilizing the parking spaces that are perpendicular to the drive-thru lane. A 4-foot-wide sidewalk and planting strip between the drive-thru lane and parking spaces provides a safe pedestrian path from the parked vehicle to the buildings side entrance, eliminating the need for pedestrians to walk in the drive aisle. A raised curb also protects pedestrians on the sidewalk from vehicles that are actively parking.

iii. Division 6.3. Open Space and Recreation

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

The Application satisfies the open space requirements by providing 32% (10,540 square feet) of amenity space on the Site including landscaped area, lawn, sidewalks, and a patio

area. The amenity open space provided exceeds the 10% (3,284 square feet) required area and it includes amenities for the use and enjoyment of employees and visitors.

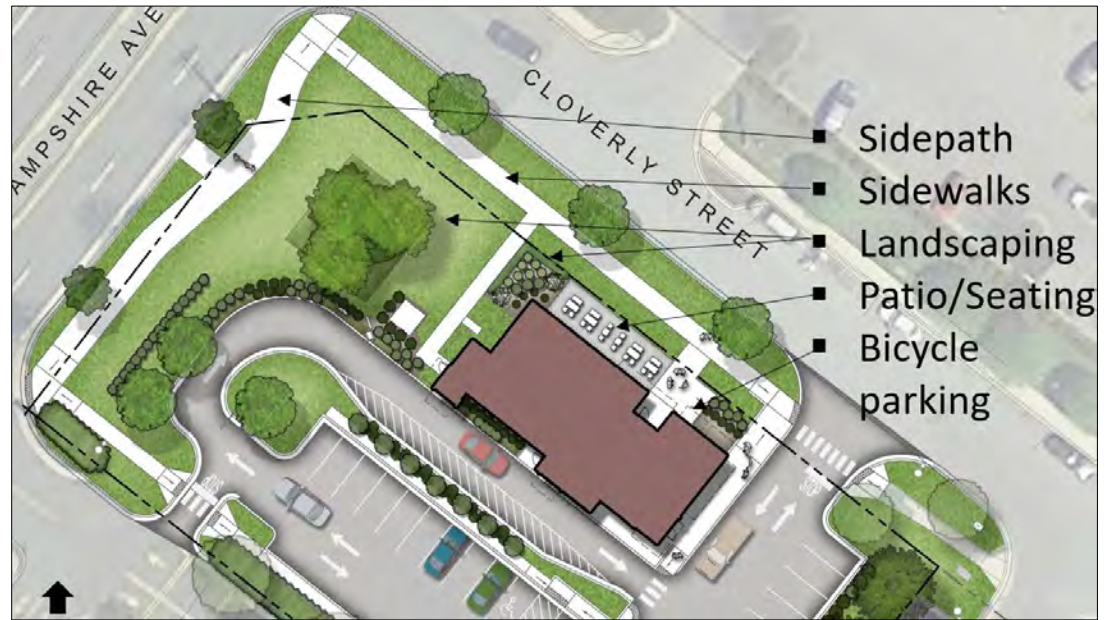


Figure 9 – Amenity Open Space

iv. *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 MD-650 and Cloverly Street to enhance the pedestrian environment, provide shade, and create an aesthetically pleasing presence on road.

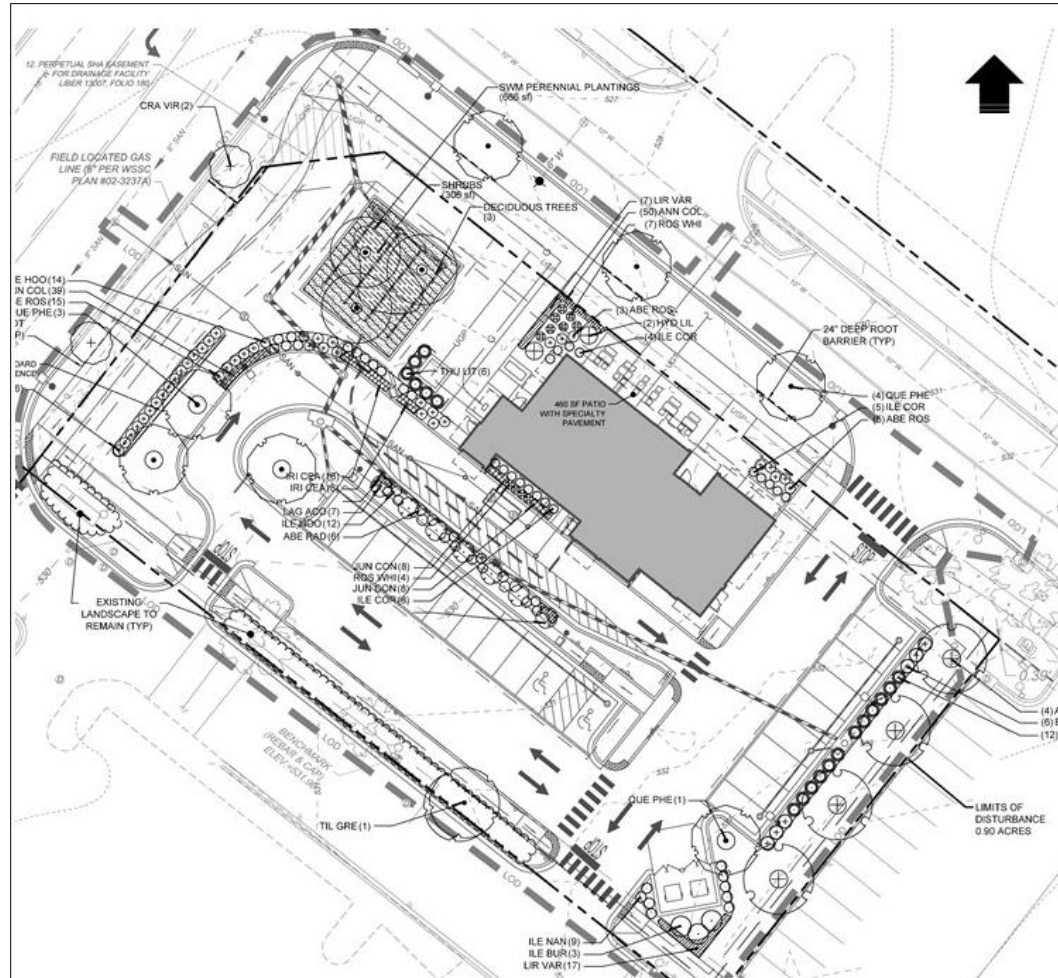


Figure 10 – Proposed Landscaping Plan

The Applicant will be planting a variety of native trees and shrubs throughout the Property. Willow oaks will be planted along the perimeter of the drive aisles and parking lot edge to provide shade. A row of Autumn Glory red oaks will be planted parallel to the rear property line to provide shade and visual interest in the fall. The trees will shade 33% or 4,300 square feet of the 12,950 square foot surface parking lot, which exceeds the minimum 25% (3,238 square feet) shading requirement.

To match the current street lights on Cloverly Street, the Applicant is installing four 13-foot-tall decorative cast iron light poles with residential style Washington Globe luminaries (LED), two on Cloverly Street and two on New Hampshire Avenue. Lighting on-site consists of 5 freestanding pole lights positioned on the perimeter of each parking area and the drive-thru. Wall sconces on the side of the building will provide illumination to pedestrians entering and exiting the restaurant.

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.

v. *Division 6.5. Screening Requirements*

The only screening requirements that apply to the Application are those required for the drive-thru facility which is discussed in detail in the limited use findings above. The Application as conditioned meets the screening requirements of the Zoning Ordinance.

e. *satisfies the applicable requirements of:*

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

The Site 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 7, 2018. The Application will meet stormwater management goals using pervious pavement and micro-bioretenment.

ii. Chapter 22A, Forest Conservation.

On October 30, 2018, a Forest Conservation Plan Exemption 42019037E under Chapter 22A-5(s)(2) was granted for the Application.

f. *provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities;*

i. Parking and circulation

As shown on the Site Plan, pedestrian and vehicular access and circulation is safe, adequate and efficient. Currently, there are multiple vehicular access points from the Safeway drive aisle and Cloverly Street and no clearly defined circulation pattern. As previously discussed, the internal circulation will be redesigned to provide clear circulation patterns and limiting pedestrian and vehicular conflicts by centralizing vehicular access to the Property. The Site Plan continues to provide access between the commercial areas, maintains the inter-parcel connection. The inter-parcel connection is an important feature for the vitality of the Cloverly Commercial Area because it provides a logical, convenient and safe way for vehicles to access individual businesses without requiring them to use MD-650.

The Site Plan shows sidewalks from the proposed 10-foot sidepath along the frontage of New Hampshire Avenue and lead-in sidewalks to the door of the building, a designated pedestrian crossing across the drive-thru lane from the parking area to the building, as well as crosswalk leading from the ADA parking spots adjacent to the drive-thru. The pedestrian crossing area throughout the site will provide a clear path for pedestrians to enter the building from the path and surrounding parking lot.

The proposed building location, parking layout and drive-thru configurations will improve vehicular circulation on the Property and create safer, more controlled site conditions between Cloverly Street and the Safeway drive aisle.

ii. Building massing

The building is compatible with the existing development in the Cloverly Commercial area. The building is single story with a footprint of approximately 2,890 square feet, 1,250 square feet of which is patron area. The building is generally rectangular and approximately 84 feet long and 41 feet wide. The building occupies the northeast side of the Property, oriented with its longest side parallel to Cloverly Street where the main entrance is located. As envisioned in the Master Plan, the building is oriented towards Cloverly Street, with outdoor seating specialty pavement and street trees, which further the overall arching goal of transforming Cloverly Street into a “Mini-Mainstreet”.

The building façade will be finished with multiple materials, including two types of stone, brick and engineered sand finish (like stucco). The body of the façade is made the engineered finish with a horizontal band of stone at the bottom. The entrances and windows to the building are articulated with parapet walls and introduction of stone and brick. The face design gives the building depth and breaks up the longer sections of blank wall where windows are infeasible (such as the kitchen). Metal canopies will overhang the entrances providing shelter from the elements and further defining the access point (Figure 11).



Figure 11 – Illustrative Elevations

iii. Open space, and site amenities

The location of the proposed Amenity Open Space and amenities, such as the patio, sidewalks and sidepath are safe and well-integrated into the Site design. Throughout the Site, the existing and proposed sidewalks provide a safe location for pedestrians to access the restaurant, patio, parking area and surrounding businesses. The patio area located in a logical location, safely within the pedestrian realm, and does not create any conflicts for the public. The short-term bicycle parking racks are located adjacent to the main entrance, visible to patrons. As proposed, location and design of the open space and site amenities will be safe for users.

- g. *substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan;*

As discussed in the Preliminary Plan findings, the proposed development of the Subject Property conforms with the recommendations of the 1997 *Cloverly Master Plan*, including the design recommendations for the “Cloverly Commercial Area”.

- h. *will be served by adequate public services and facilities including, 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, police and fire protection, water, sanitary sewer, public roads, and storm drainage;*

As discussed in the accompanying Preliminary Plan findings, the proposed development will be served by adequate public facilities, including, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.

- i. *on a property in a Rural Residential or Residential zone, is compatible with the character of the residential neighborhood; and*

The Property is not located in a Rural Residential or Residential zone.

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

The proposed general building type is compatible with regard to scale, massing and height with the existing development surrounding the Subject Property. The building orientation and location in relation to Cloverly Street is consistent with the existing pattern of development on the south side of Cloverly Street.

3. *To approve a site plan for a Restaurant with a Drive-Thru, the Planning Board must also find that a need exists for the proposed use due to an insufficient number of similar uses presently serving existing population concentrations in the County, and the uses at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood.*

The Applicant submitted a Needs Study, dated November 2, 2018, which presents market information that demonstrates that there is presently an insufficient number of limited service restaurants in the Market Area to satisfy the current population. In fact, there are no other quick service restaurant with a drive-thru currently serving the Cloverly population (excluding the Starbucks Kiosk within the Cloverly Safeway) based on the identified Market Area (Attachment 11). Based on the information provided in the Needs Study, a need exists for a quick service restaurant with a drive-thru at this location and will not result in a multiplicity or saturation of similar uses in the neighborhood.

4. *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.*

The Subject Property was zoned C-1 on October 29, 2014. According to Maryland State Property records, the existing building contains approximately 1,750 square feet of gross floor area for retail/service establishments. The proposed building is 2,890 square feet of gross floor area for retail/service establishments, therefore, the gross floor area is not being decreased and the surrounding area will not be adversely affected.

SECTION 8 – CITIZEN CORRESPONDENCE AND ISSUES

The Applicant has met all proper signage, noticing and pre-submission meeting requirements for the submitted Applications.

Three pre-submission community meetings were held for the Application at the People's Community Baptist Church, located at 31 Norwood Road in Silver Spring.

A pre-submission meeting for the Site Plan was held on May 31, 2017 at 7:00 pm, which 6 community members attended. Due to a delay in filing, a second community meeting was held on October 11, 2017 at 7:00 pm. Ten community members attended. The Site Plan Amendment is a limited major amendment, which only requires signage and noticing which the Applicant has satisfied. A pre-submission meeting for the Preliminary Plan was held on July 5, 2018 at 7:00 pm. Six community members were in attendance. At each community meeting the Applicant presented the Application and answer questions from residents. Based on the meeting minutes the Applicant addressed all of the community's questions.

Staff has spoken to Quentin Remein, the President of The Cloverly Civic Association on numerous occasions regarding the applications. Mr. Remein was actively involved in the 1997 Cloverly Master Plan, during the same time Safeway was building the existing store. Mr. Remein voiced a concern that Safeway will be negatively impacted by the proposal. More specifically, that reducing the parking, as proposed, will be detrimental to a possible expansion of the store in the future. Stormwater management and water quality were also of particular concern. According to Safeway's representative, there are no plans to expand at this location. Staff discussed the history of the Cloverly Commercial Area, the existing and proposed developments, described how stormwater is being treated. In addition to providing general information, Staff provided contact information for MCDPS Stormwater Staff.

SECTION 9 – CONCLUSION

The Applications meet all requirements established in the Subdivision Regulations and the Zoning Ordinance. The Preliminary and Site Plan substantially conforms with the goals and recommendations of the 1997 *Cloverly Master Plan* and is compatible with existing and approved adjacent development. Access to the lot is adequate and all public facilities and utilities have been provided to serve the restaurant. The Applications have been reviewed by other applicable county agencies, all of whom have recommended approval of the plan. Staff recommends approval of the Site Plan Amendment, Preliminary Plan and Site Plan, with the conditions as enumerated in the Staff Report.

Attachments

- Attachment 1 – Burger King site – Part of Parcel A, Block C
- Attachment 2 – Safeway Property (Parcel D, Block C on Record Plat 21236)
- Attachment 3 – Preliminary Plan & Site Plan No. 819990040 Opinion (Safeway at Cloverly)
- Attachment 4 – Site Plan No. 819990040
- Attachment 5 – Preliminary Plan No. 120180260
- Attachment 6 – Site Plan Amendment SOJ
- Attachment 7 – Parking Study by Wells + Associates
- Attachment 8 – MCDPS Fire Department Access and Water Supply Section
- Attachment 9 – Forest Conservation Plan Exemption 42019037E
- Attachment 10 – Stormwater Concept – MCDPS Water Resources Section
- Attachment 11 – Needs Study, dated November 2, 2018

PLAT No 2886

OWNER'S DEDICATION

We, William J. Hines and Elsie C. Hines, his wife, owners of the property shown and described hereon, hereby adopt this plan of subdivision, establish the minimum building restriction lines and dedicate the streets to public use.

Date: June 25, 1951
By: William J. Hines
Mary Ellen Hines
Witness: Elsie C. Hines
Elsie C. Hines

I assent to this plan of subdivision.
M. Lucile Priest Ethel M. Thompson
WITNESS ETHEL M. THOMPSON, MORTGAGEE

ENGINEER'S CERTIFICATE

We hereby certify that the plan shown hereon is correct, that it is a subdivision of all of the lands conveyed by Ethel M. Thompson, widow, to William J. Hines and Elsie C. Hines, his wife, by deed dated April 5, 1947 and recorded among The Land Records of Montgomery County, Maryland in Liber 1070 at Folio 15, and that iron pipes marked thus o and stones marked thus ■ are in place as hereon delineated.

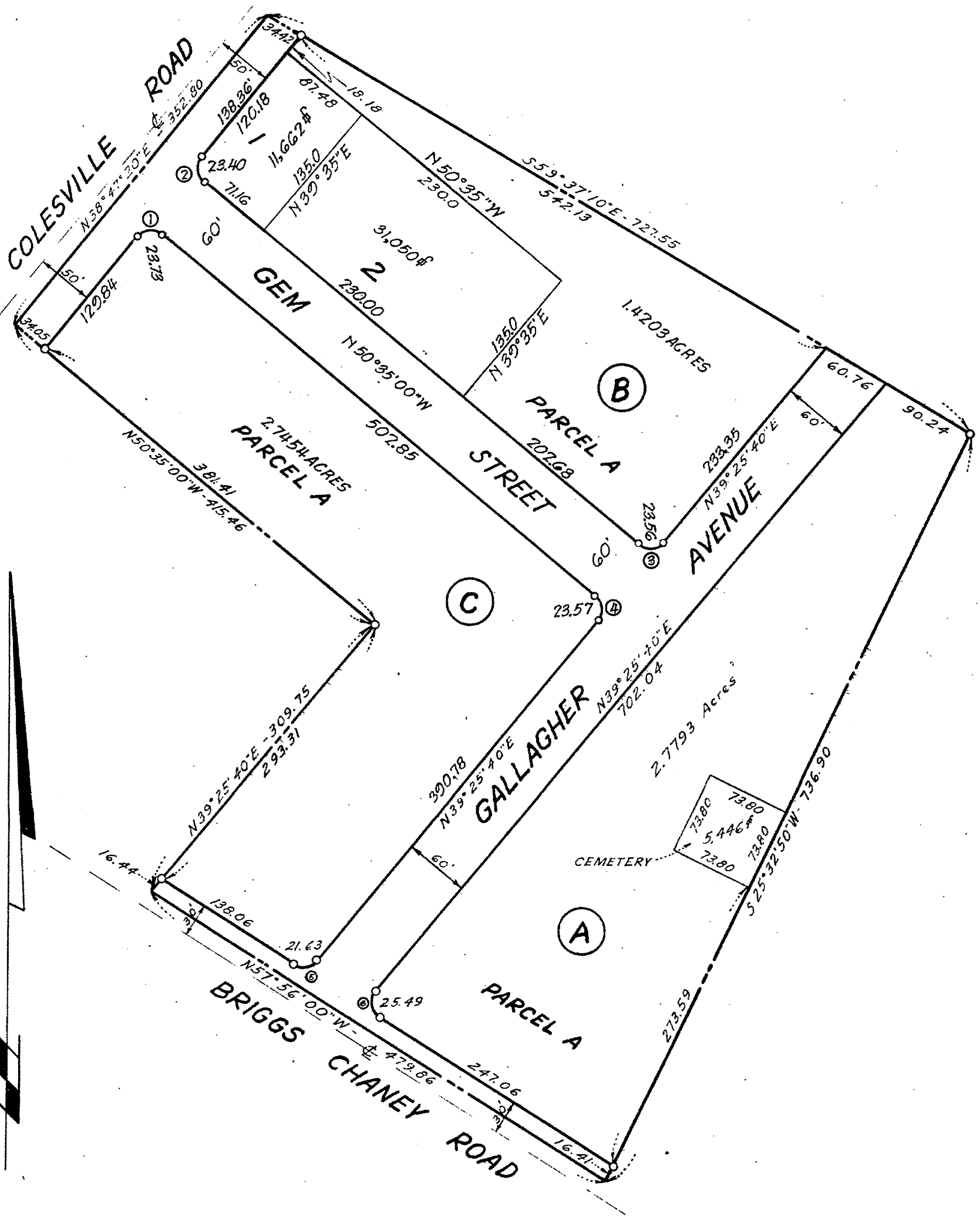
Date: June 26, 1951 MADDOX & HOPKINS INC.
By: [Signature]
PAGE F. HOPKINS
REGISTERED LAND SURVEYOR
NO. 1585

FILED
AUG 14 1951

CLOVERLY
MONTGOMERY COUNTY, MARYLAND
SCALE: 1"=100' JUNE, 1951

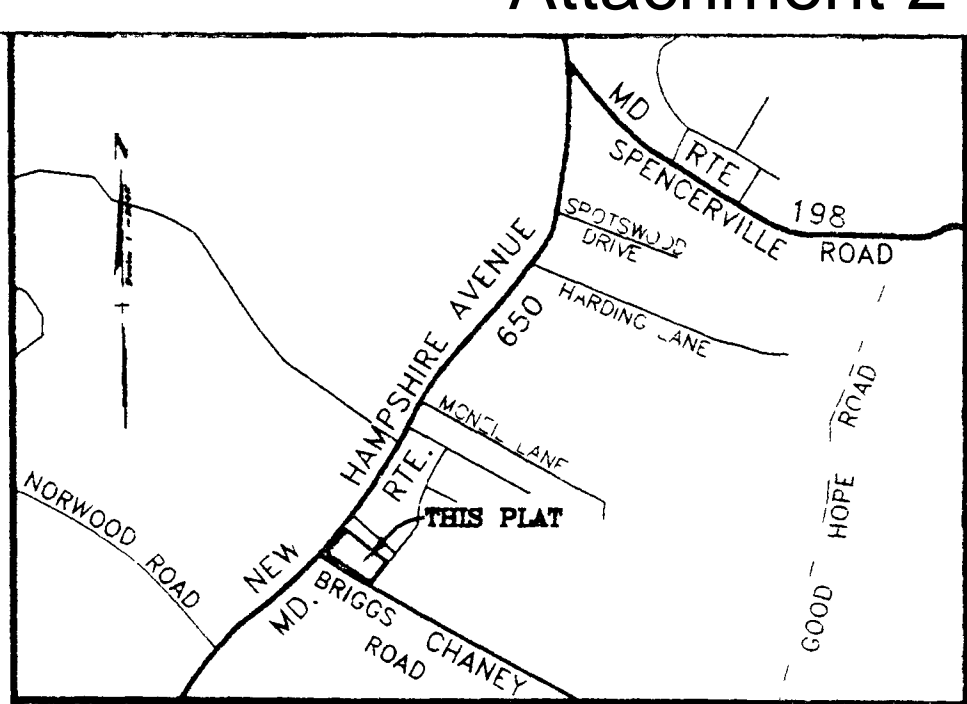
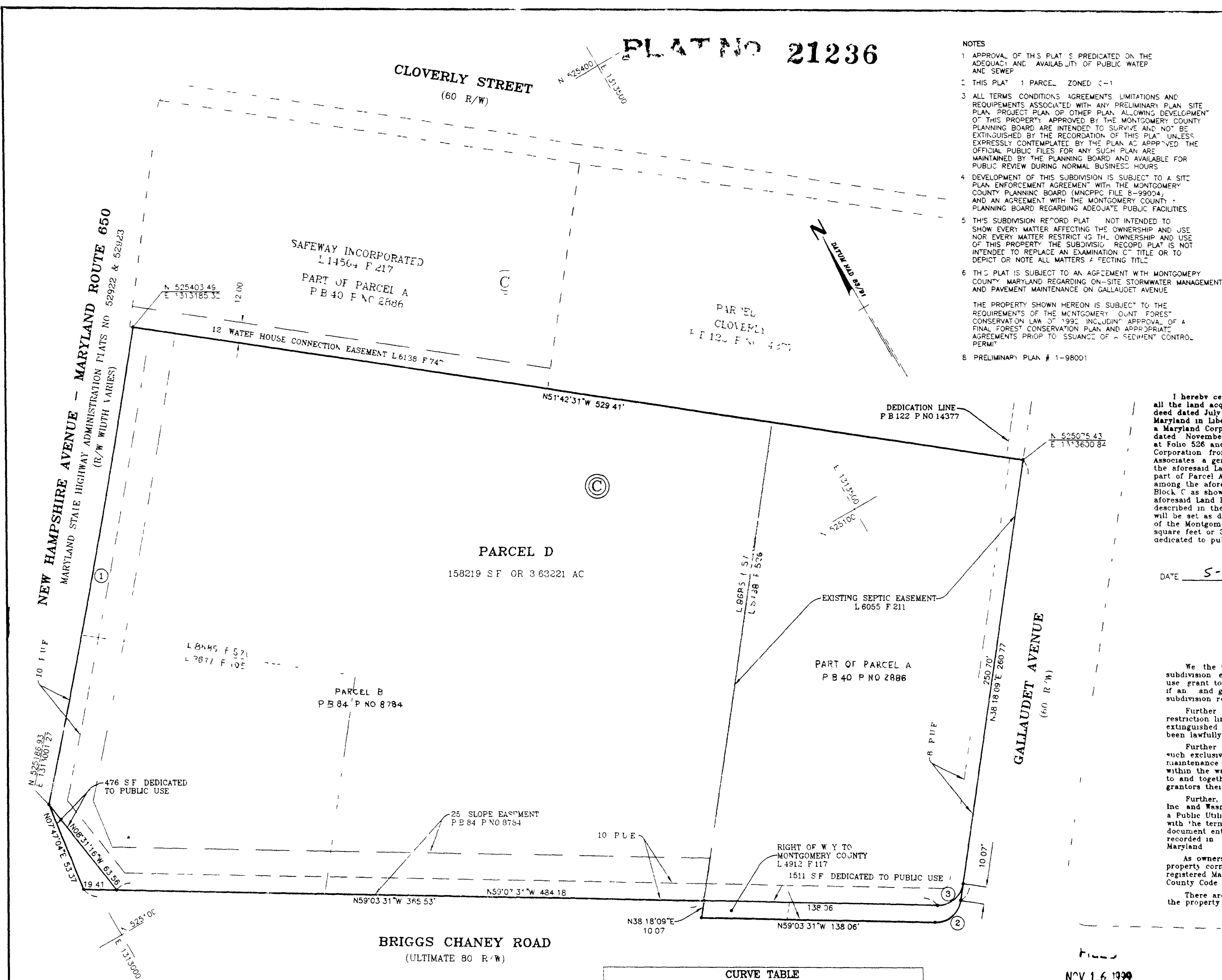
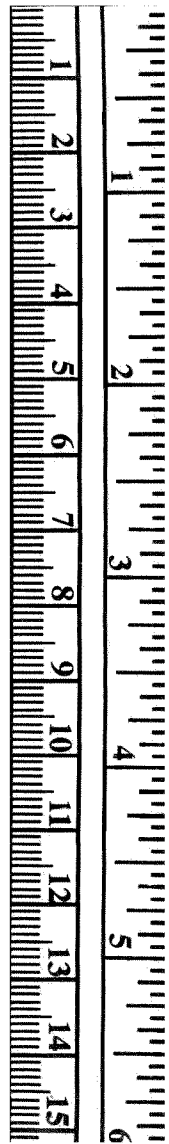
MADDOX & HOPKINS, INC.
CIVIL ENGINEERS
SILVER SPRING, MD.

CURVE DATA					
NO.	RAD.	ARC	Δ	CHORD	
				BEARING	LENGTH
1	15.0	23.73	90°37'40"	N 64°06'10" E	21.34
2	15.0	23.40	89°22'20"	N 5°53'50" W	21.11
3	15.0	23.56	89°59'20"	S 84°25'20" W	21.20
4	15.0	23.56	90°00'40"	S 5°34'40" E	21.22
5	15.0	21.63	82°38'20"	S 60°44'50" W	19.80
6	15.0	25.49	97°21'40"	N 9°15'10" W	22.53



THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION
APPROVED: JULY 5, 1951
[Signature] CHAIRMAN
[Signature] SECRETARY-TREASURER
M.N.C.P.&P.C. RECORD FILE No 136-62

WASHINGTON SUBURBAN SANITARY COMMISSION
APPROVED: JULY 25, 1951
SUITABLE FOR WATER AND SEWER DESIGN
WITHOUT COMMITMENT AS TO INSTALLATION
[Signature] DEPUTY CHIEF ENGINEER



- NOTES
1. APPROVAL OF THIS PLAT IS PREDICATED ON THE ADEQUACY AND AVAILABILITY OF PUBLIC WATER AND SEWER.
 2. THIS PLAT 1 PARCEL ZONED C-1
 3. ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS AND REQUIREMENTS ASSOCIATED WITH ANY PRELIMINARY PLAN, SITE PLAN, PROJECT PLAN, OR OTHER PLAN, ALLOWING DEVELOPMENT OF THIS PROPERTY, APPROVED BY THE MONTGOMERY COUNTY PLANNING BOARD ARE INTENDED TO SURVIVE AND NOT BE EXTINGUISHED BY THE RECORDATION OF THIS PLAT, UNLESS EXPRESSLY CONTEMPLATED BY THE PLAN AS APPROVED THE OFFICIAL PUBLIC FILES FOR ANY SUCH PLAN ARE MAINTAINED BY THE PLANNING BOARD AND AVAILABLE FOR PUBLIC REVIEW DURING NORMAL BUSINESS HOURS.
 4. DEVELOPMENT OF THIS SUBDIVISION IS SUBJECT TO A SITE PLAN ENFORCEMENT AGREEMENT WITH THE MONTGOMERY COUNTY PLANNING BOARD (MNCPPC FILE 8-99004), AND AN AGREEMENT WITH THE MONTGOMERY COUNTY PLANNING BOARD REGARDING ADEQUATE PUBLIC FACILITIES.
 5. THIS SUBDIVISION RECORD PLAT IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING THE OWNERSHIP AND USE NOR EVERY MATTER RESTRICTING THE OWNERSHIP AND USE OF THIS PROPERTY. THE SUBDIVISION RECORD PLAT IS NOT INTENDED TO REPLACE AN EXAMINATION OF TITLE OR TO DEPICT OR NOTE ALL MATTERS AFFECTING TITLE.
 6. THIS PLAT IS SUBJECT TO AN AGREEMENT WITH MONTGOMERY COUNTY, MARYLAND REGARDING ON-SITE STORMWATER MANAGEMENT AND PAVEMENT MAINTENANCE ON GALLAUDET AVENUE.
- THE PROPERTY SHOWN HEREON IS SUBJECT TO THE REQUIREMENTS OF THE MONTGOMERY COUNTY FOREST CONSERVATION LAW OF 1990, INCLUDING APPROVAL OF A FINAL FOREST CONSERVATION PLAN AND APPROPRIATE AGREEMENTS PRIOR TO ISSUANCE OF A SEDIMENT CONTROL PERMIT.
6. PRELIMINARY PLAN # 1-98001

SURVEYOR'S CERTIFICATE

I hereby certify that the data shown hereon is correct that it is a subdivision of all the land acquired by Safeway Stores Incorporated, from A Dement Bonifant et al by deed dated July 16, 1966 and recorded among the Land Records of Montgomery County Maryland in Liber 3671 at Folio 105, all of the land acquired by Safeway Stores Incorporated a Maryland Corporation, from William J. Hines and Elsie C. Hines by corrective deed dated November 20, 1978 and recorded among the aforesaid Land Records in Liber 5498 at Folio 526 and all of the property acquired by Safeway Stores Incorporated, a Maryland Corporation from Algorithm Realty Corporation, a Delaware Corporation, and Crystallgate Associates a general partnership by deed dated December 12, 1988 and recorded among the aforesaid Land Records in Liber 8685 at Folio 571 that it is also a resubdivision of part of Parcel A, Block C as shown on a plat of subdivision entitled "Cloverly" and recorded among the aforesaid Land Records in Plat Book 40 as Plat No 2886 and all of Parcel B Block C as shown on a plat of subdivision entitled "Cloverly" and recorded among the aforesaid Land Records in Plat Book 84 as Plat Number 8784 that once engaged as described in the owners' dedication hereon all property markers shown thus - o - will be set as delineated hereon in accordance with the provisions of Section 50-24 (e) of the Montgomery County Code and that the total area included on this plat is 160206 square feet or 3.67782 acres of land, of which 1987 square feet or 0.04561 acres are dedicated to public use.

DATE 5-10-99

TIMOTHY P. QUINN
PROFESSIONAL LAND SURVEYOR
MARYLAND REGISTRATION NO. 20002

OWNER'S CERTIFICATE AND GRANT OF EASEMENTS

We the undersigned owners of the property described hereon adopt this plan of subdivision establish the minimum building restriction lines and dedicate the streets to public use grant to Montgomery County, Maryland, storm drainage easements as shown hereon if any and guarantee compliance with the provisions of section 50-24 of the subdivision regulations.

Further we grant to Montgomery County, Maryland slope easements to the building restriction line adjacent contiguous and parallel to all streets. Slope easements shall be extinguished at such time as the Public Improvements on the abutting streets have been lawfully completed and accepted for maintenance by Montgomery County, Maryland.

Further we grant to the Washington Suburban Sanitary Commission (WSSC) such exclusive rights as necessary for the construction, reconstruction, operation, maintenance and repair of sanitary sewers and/or water mains and appurtenances within the water and/or sewer rights of ways/easements shown hereon if any, subject to and together with the conditions contained in a right of way document from the grantors their successors or assigns to the WSSC and to be recorded hereafter.

Further, we grant to Potomac Electric Power Company, Bell Atlantic - Maryland, Inc. and Washington Gas Light Co., and to each of them and their successors or assigns a Public Utility Easement in on and over the land designated hereon as "P.U.E.", if any, with the terms and provisions of said grant being those set forth in that certain document entitled "DECLARATION OF TERMS AND PROVISIONS OF PUBLIC UTILITY EASEMENTS" recorded in Liber 3834 at Folio 457 among the Land Records of Montgomery County, Maryland.

As owners of this subdivision we, our successors and assigns will cause all property corner markers and any other required monumentation to be set by a registered Maryland Surveyor in accordance with Section 50-24 (e) of the Montgomery County Code prior to acceptance of public streets for maintenance.

There are no suits or actions at law, leases, liens, mortgages or trusts affecting the property shown hereon.

SAFeway STORES, INCORPORATED

NOV 16 1999

April 29, 1999

DATE

THOMAS D. CASTLEBERRY
VICE PRESIDENT, REAL ESTATE

SUBDIVISION RECORD PLAT
PARCEL D, BLOCK C
CLOVERLY
A RESUBDIVISION OF PART OF PARCEL A AND
ALL OF PARCEL B, BLOCK C
COLESVILLE (5TH) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
SCALE 1"=40' NOVEMBER, 1998

R&A PLAT 1
JOB NO. 648A

MSASSW1249-27148

610-60

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
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3	15.00	21.63	13.19	19.81	N79°37'19"E	82°38'20"

299142198001899009C1031902

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

Approved **DECEMBER 17, 1998**

CHAIRMAN: *William W. Fernstone*
ASST. SECRETARY-TREASURER: *610-60*

MNCP&PC Record File No.

PIA

MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES

Approved **SEPTEMBER 30, 1999**

DIRECTOR: *John H. Hulse*

DRAWN: CEF
COMPUTED: MLC
CHECKED: TPC

RECORDED: _____
PLAT BOOK: _____
PLAT NO: _____

R&A
RODGERS & ASSOCIATES, INC.
9280 GAITHER ROAD
GAITHERSBURG MD 20877
(301) 948-4700 GAITHERSBURG
(301) 263-6809 FREDERICK
(301) 948-6256 FAX

TAX MAP JS561 - PRELIMINARY PLAN 1-98001

Attachment 3



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

**MONTGOMERY COUNTY PLANNING BOARD
OPINION**

Preliminary Plan No. 1-98001 and Site Plan Review No. 8-99004
Project: Safeway at Cloverly
Date of Hearing: October 29, 1998

Action on Preliminary Plan No. 1-98001 and Site Plan Review No. 8-99004:

PRELIMINARY PLAN: APPROVAL SUBJECT TO CONDITIONS. *(Motion to approve Preliminary Plan No. 1-98001, and Preliminary and Final Water Quality Plans, was made by Commissioner Richardson, seconded by Commissioner Bryant, with a vote of 5-0, Commissioners Richardson, Bryant, Hussmann, Holmes and Perdue voting in favor.)*

SITE PLAN: APPROVAL SUBJECT TO CONDITIONS. *(Motion to approve Site Plan No. 8-99004 was made by Commissioner Richardson, seconded by Commissioner Bryant, with a vote of 5-0, Commissioners Richardson, Bryant, Hussmann, Holmes and Perdue voting in favor.)*

INTRODUCTION

On July 15, 1997, Safeway, Inc. ("Applicant") filed an application for Preliminary Plan review designated as Preliminary Plan No. 1-98001 with the Montgomery County Planning Board. The Preliminary Plan application requests the creation of one (1) lot on 3.68 acres of land. As part of its Preliminary Plan application, Applicant seeks approval of its preliminary and final water quality plans for the proposed development and a waiver of the Upper Paint Branch Special Protection Area Environmental Overlay Zone's ten percent 10% imperviousness limit.

On August 21, 1998, in accordance with Montgomery County Code, Applicant filed an application for Site Plan review designated as Site Plan No. 8-99004 with the Planning Board.¹ Applicant's Site Plan proposes a new 45,000 square foot grocery store with 225 parking spaces. As part of its Site Plan application, Applicant requests approval of a partial waiver of the parking lot setback requirements.

After due notice, the Montgomery County Planning Board ("Planning Board") held a public hearing on both applications on October 29, 1998, in accordance with the requirements of Md. Code Ann., Art. 28 ("Regional District Act"), the Mont. Co. Code,

¹

Development of any portion of land zoned C-1 where C-1 zoning is in excess of 15 acres at one location requires approval of a site plan. See Montgomery County Code, Section 59-C-341.2. The Subject Property is within a C-1 zoned area that exceeds 15 acres.

Chapter 50 ("Code")², and the Planning Board's Rules of Procedure. At the public hearing, the Planning Board considered both plans concurrently, and heard testimony from its expert technical staff ("Staff"), representatives of the Applicant, the Cloverly Civic Association, and neighboring property owners and received evidence into the record on the applications. In presenting the application to the Planning Board, Staff prepared packets of information including a Staff report and analysis of the proposal, plan drawings, a vicinity map, and correspondence from the Montgomery County Department of Permitting Services ("DPS"), the Applicant, and the community.

THE SUBJECT PROPERTY

The subject property is located in the northeast quadrant of the intersection of New Hampshire Avenue and Briggs Chaney Road. The property contains approximately 3.68 acres in the C-1 Zone. The site is currently improved with an existing 20,000 square foot Safeway store and parking lot. The adjoining Parcel N5 to the north is developed as a bank and parking lot. To the west, across New Hampshire Avenue, is a single-family house located in the RE-2 Zone and a small shopping center in the C-1 Zone. To the south, across Briggs Chaney Road, are four single-family detached homes within the RE-2C Zone. The 2.9-acre parcel located immediately to the east of the subject property is zoned RE-1 and is undeveloped.

The subject property is located within two watersheds, the Northwest Branch and the Paint Branch. Approximately 1.1 acres drain to the Bryants' Nursery Tributary of the Northwest Branch (Use IV waters) and approximately 2.6 acres lie within the Upper Paint Branch Special Protection Area (Use III waters) ("SPA"). There are no forest, trees, streams, wetlands, floodplains or environmental buffers on the site and there is no landscaping in either parking lot. There are also no existing stormwater management controls for the existing development on the site.

The site is located within the *1997 Approved and Adopted Cloverly Master Plan* and is served by Cloverly Street, New Hampshire Avenue, Briggs Chaney Road and Gallaudet Avenue, which form the northern, western, southern and eastern boundaries of the site. Access to the existing store is from New Hampshire Avenue and Briggs Chaney Road. The drive aisles for the existing store and bank connect to each other and the adjoining streets. Cloverly Street is platted and partially built. New Hampshire Avenue (MD 650)

is classified as a major highway and is four lanes with a two-way turning lane through the Cloverly Commercial Area. Briggs Chaney Road is an open section road with no existing drainage improvements. The Gallaudet Avenue right-of-way is platted, but unbuilt.

THE PRELIMINARY PLAN

In its application for Preliminary Plan review, Applicant requests the Planning Board approve the creation of one (1) lot from three existing parcels (Parcels N57, N59, and N102). Applicant also requests Planning Board approval of its preliminary and final water quality plans in accordance with Section 19-65 of the Code, and approval of a waiver from the Upper Paint Branch SPA ten percent (10%) imperviousness cap in accordance with Section 59-C-18.15 of the Code.

The Subdivision Criteria

An application for subdivision requires the Planning Board to undertake its legislatively delegated authority under the Regional District Act and the Subdivision Regulations. The application must also meet the requirements of Chapter 59 of the Montgomery County Code, the Zoning Ordinance.

Section 50-35 of the Code provides the approval procedure for preliminary subdivision plans. After presentation of the plan to the Planning Board, the Planning Board must act to approve the plan, disapprove the plan, or approve the plan subject to conditions and/or modifications necessary to bring the plan into accordance with the Code and all other applicable regulations.

The general provisions for lot design for a subdivision are set forth in Section 50-29 of the Code. Lot size, width, shape and orientation must be appropriate for the location of the subdivision and for the type of use contemplated in order to be approved by the Planning Board. Lots must also abut a dedicated street or public road. In addition, the depth and width of nonresidential lots must be adequate for the off-street service and parking needed for the proposed use.

At the public hearing, Staff presented information to the Planning Board on the subject application including information about the lot size, width, shape and orientation of the proposed subdivision, the relationship of the proposed lot to public roads, and the off-street service and parking provided. Staff also presented information as to the plan's conformance with the development standards for the C-1 Zone. In addition, the record contains the Applicant's traffic study which analyzed existing conditions and the traffic

impacts and transportation needs generated by the project. The traffic impact study concludes that the projected additional trips can be adequately accommodated at all key intersections.

Staff also presented information regarding stormwater management for the portion of the site within the Northwest Branch Special Protection Area. Stormwater management will consist of underground storage pipes for quantity control and a bio-retention facility for quality control. A stormceptor pre-treatment and filtering device will provide secondary water quality control. Within the Upper Paint Branch SPA, underground storage pipes will provide quantity control and a bio-retention facility and an underground structural sand filter will provide quality control. Two stormceptors will provide secondary water quality control. A pump will convey the runoff from the water quality structures to the underground storage pipes. The Applicant will also implement a monitoring program to be reviewed and approved by DPS and the Montgomery County Department of Environmental Protection.

The Upper Paint Branch Special Protection Area

Approximately 2.6 acres of the Subject Property lies within the Upper Paint Branch SPA. Development in a Special Protection Area must abide by additional requirements enumerated in Code Sections 19-60, *et. seq.* (Water Quality Review in Special Protection Areas) and 59-C-18.151 (Overlay Zone for the Upper Paint Branch Special Protection Area).

The provisions of Section 19-60 *et. seq.* of the Code provide that an application for preliminary plan approval for development within a Special Protection Area must obtain approval of both preliminary and final water quality plans by the Planning Board and DPS. Under the law, DPS and the Planning Board have different responsibilities in the review of the water quality plans, the Planning Board being responsible for determining conformity of Applicant's water quality plans with the Planning Board's Environmental Guidelines and with any legal limits on imperviousness. See Section 19-65(a)(2)(A). To assist the Planning Board in its determination, Environmental Planning Staff provided information to the Board for its review.

Staff reported that Applicant's water quality plans met the requirements of the Environmental Guidelines. Staff stated that Applicant will meet the Environmental Guidelines afforestation requirements by planting 0.56 acres of tree cover on the site, and that there are no streams, wetlands or environmental buffers on the site requiring protection by the Environmental Guidelines. Additionally, regarding legal limits on

imperviousness, Staff informed the Board that Section 59-C-18.151 of the Code imposes a 10% site imperviousness limit on new development in the Upper Paint Branch SPA. Since Applicant's proposal is for 68% imperviousness, Applicant submitted a waiver request to DPS in accordance with Mont. Co. Code Section 59-C-18.152(a)(2).

Section 59-C-18.152(a)(2) authorizes the Director of DPS to grant a waiver of the impervious surface restriction if an applicant shows, by clear and convincing evidence, that: (1) the limitation would result in undue hardship because of events or circumstances not caused or facilitated by the applicant; (2) the applicant complies with all applicable water quality standards; and (3) the relief sought is the minimum needed to prevent hardship. DPS found that the Applicant's waiver request met the requirements but conditionally approved the Applicant's waiver upon the Planning Board's concurrence. (See October 22, 1998 letter from DPS to David S. Ager.)

The Approved and Adopted Cloverly Master Plan Interim Edition July 1997 ("Master Plan") specifically addresses the redevelopment of the subject property and the SPA considerations. The Master Plan identifies the Cloverly Commercial Area as the primary retail area and center of the community. Noting that the existing store is undersized, the Master Plan recommends an expanded full-service grocery store at the same location, as follows:

The current location is the most suitable location for a grocery store in the commercial district. Part of the site is located in the Paint Branch Special Protection Area (SPA) and is subject to SPA environmental management requirements. In considering redevelopment proposals, the Planning Board should carefully weigh the significant benefit to the Cloverly community of an expanded commercial area against the Environmental constraints of the site. If there are requirements of the SPA that cannot be met, then the Planning Board and the Department of Permitting Services should determine if the remaining impacts are balanced or offset by the community benefits of an expanded commercial area. These benefits, together with the ability of the developer to minimize environmental impact through site design and engineering, may support a decision for a waiver from SPA requirements.

At the hearing Staff recommended that the Planning Board grant the waiver of the impervious surface limit. Staff's based its recommendation on its determination that the community benefits of the proposal - including the creation of a new store that is greatly desired by the community, the creation of stormwater management facilities on a commercial site that currently has no existing stormwater controls, and the improved landscaping and lighting - outweigh the environmental impacts. Additionally, Staff informed the Board that the Applicant originally proposed a plan with 75% site imperviousness, but in response to concerns raised during the review process, the Applicant modified that proposal and reduced the site imperviousness to 68%. Staff also explained that the Applicant has reduced the amount of impervious surfaces within the SPA portion of the site as much as feasible, given the Master Plan recommendations for the site, the small size of the property and the design criteria for a functional grocery store. Additionally, Staff informed the Board that the proposed Preliminary Plan complies with all applicable water quality standards.

Additionally, Applicant explained in a submission to the Planning Board that it made every effort possible to minimize impervious surfaces on the site, while meeting all development requirements. Applicant stated that efforts to minimize include narrower drive aisles, sidewalks and bikepaths, a one-way truck access route, the minimum number of parking spaces and the shared parking arrangement with the adjacent bank. The Applicant also noted that the existing condition on the site exceeds the 10% impervious surface cap (32%) and that typical commercial developments within the C-1 Zone have impervious factors ranging from 85 to 90%. Applicant further noted that the current store and parking lot have no stormwater management or other environmental safeguards to protect the Upper Paint Branch Watershed, and that the new development will have an integrated stormwater management system including quantity and quality controls. Finally, the Applicant noted that alternative techniques were considered and studied in accordance with the requirements of the SPA law.

Stormwater Management

At the hearing, neighboring property owners raised concerns regarding the stormwater runoff from the property. In response, Staff and the Applicant assured the Planning Board and the neighbors that the proposed stormwater management measures will provide adequate control and are expected to solve existing drainage problems along Briggs Chaney Road. Applicant noted, however, that in response to one of the property owner's concerns, Applicant will create a curb inlet along the Briggs Chaney Road driveway, rather than a trench drain, which should also assist in alleviating any drainage problems. In addition, in response to other concerns expressed by some neighboring

property owners, Applicant agreed to conduct quarterly monitoring of the stormwater management system to ensure its successful operation.

Recommended Condition No. 10

At the hearing, Applicant stated its agreement with Staff's recommended conditions, with the exception of proposed Condition No. 10. Applicant requested that the Planning Board modify the proposed condition to state "No clearing, grading or demolition of buildings prior to approval of sediment and erosion control plans" rather than "prior to recording of plats" to allow some flexibility regarding the timing of the demolition of the existing building.

Findings

After review and consideration of the evidence of record, including testimony given at the public hearing, the Planning Board finds that Preliminary Plan No. 1-98001 is in accordance with the Subdivision Regulations, the Zoning Ordinance and the Regional District Act. Based on the information contained in the record, the Planning Board finds that: (1) the proposed lot is appropriate with regard to lot size, width, shape and orientation for the location of the subdivision and the contemplated use; (2) the proposed lot abuts public roads; (3) the depth and width of the proposed lot are adequate for the off-street service and parking needed for the proposed use; and (4) the preliminary plan meets the development standards of the C-1 Zone.

Regarding the SPA waiver, the Planning Board adopts Staff's findings and recommendations, and finds that granting a waiver of the 10% limit on impervious surfaces is appropriate. Based upon Preliminary Plan Conditions Nos. 2 and 3, the Master Plan recommendations, the community benefits of the new store, and Applicant's efforts to minimize impervious surfaces in the SPA, the Planning Board finds that (1) imposition of the impervious surface restriction would result in undue hardship on the Applicant because of events or circumstances not caused or facilitated by the Applicant, (2) the Applicant's Preliminary Plan complies with all applicable water quality standards, and (3) the relief sought is the minimum needed to prevent hardship. The Planning Board further finds that the SPA preliminary/final water quality plan provides an acceptable level of control to protect the SPA. The Planning Board notes that it has never waived the SPA imperviousness limit before without a purchase of additional land to offset the imperviousness, and that waiver in this case is only warranted due to the unique circumstances of this case.

Regarding the Stormwater Management issues raised at the hearing, the Planning Board further finds that the stormwater management plan and the conditions of the stormwater management concept approval are adequate to protect adjoining properties. Also, the proposed replacement of the trench drain along the Briggs Chaney Road driveway with a curb inlet is acceptable to the Planning Board. Finally, the Planning Board finds that Applicant's agreement to conduct quarterly inspections of the stormwater management system provides further assurance of effective stormwater management.

Conclusion

Based on the foregoing, the Planning Board APPROVES Preliminary Plan 1-98001, including the Preliminary and Final Water Quality Plans, and the Upper Paint Branch Special Protection Area Imperviousness Limit Waiver, in accordance with Section 59-C-18.152(a)(2), subject to the following conditions:

- 1) The date of this Opinion is February 19, 1999. This preliminary plan will remain valid until March 19, 2002 (37 months from the date of mailing which is February 19, 1999). Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded or a request for an extension must be filed;
- 2) Prior to recording of plat, applicant to enter into an agreement with the Planning Board to limit impervious surface to no more than sixty-eight (68) percent as shown on site plan, revised September 1998;
- 3) Prior to MCPB release of building permit, applicant to demonstrate conformance to impervious surface limits as shown on the site plan revised September 1998. Any modification to these plans which increases site imperviousness will require further Planning Board review.
- 4) Compliance with the conditions of approval of the final forest conservation plan dated October 21, 1998. The applicant must meet all conditions prior to recording of plat or MCDPS issuance of sediment and erosion control permit(s), as appropriate;
- 5) Conformance with the conditions stated in the Department of Permitting Services preliminary and final water quality plan approval letter dated May 8, 1998 and reapproved October 13, 1998;

- 6) Prior to recording of plat, applicant to enter into an Adequate Public Facilities (APF) agreement with the Planning Board limiting development to a 45,500 square foot grocery store;
- 7) Access and improvements to New Hampshire Avenue (MD 650) to be approved by MDSHA prior to building permit release;
- 8) Access and improvements, including reconstruction of sidewalk/bike path along Briggs Chaney Road, to be approved by MCDPW&T prior to recording of plat;
- 9) Dedication of Briggs Chaney Road and New Hampshire Avenue (MD 650) as shown on plan;
- 10) Final landscape, lighting and parking facilities plan (including parking setback waiver) to be approved with site plan;
- 11) No clearing, grading or demolition of buildings prior to approval of sediment and erosion control plans;
- 12) Applicant to replace trench drain along the Briggs Chaney Road driveway with a curb inlet, subject to review and approval of Staff and DPS.
- 13) Stormwater management system to be maintained in good operating condition, with quarterly monitoring.
- 14) Other necessary easements.

THE SITE PLAN

The Applicant's Site Plan proposes a new 45,000 square foot grocery store with 225 parking spaces (41 spaces are on adjoining Parcel N5 reserved for the grocery store by a shared parking easement). The new store will be located toward the rear of the site, with the facade set back 314 feet from New Hampshire Avenue, 17-40 feet from Briggs Chaney Road and 10 feet from Gallaudet Avenue.

Access to the site will be from New Hampshire Avenue (single access point) and Briggs Chaney Road (one access point to the parking lot and one to the service area). The existing entrances to the adjoining Parcel N5 (bank lot) and the internal driveway

connections between the Subject Property and the bank lot will be maintained. Service for the grocery store will be handled by a loading dock to the rear of the store. Access to the loading dock will be provided by a one-way service road the Applicant will construct from the end of Cloverly Street to Briggs Chaney Road in the unimproved right-of-way for Gallaudet Avenue.

The pedestrian system includes sidewalk connections from the front door of the store to Briggs Chaney Road, and a series of crosswalks and sidewalks to New Hampshire Avenue. A sidewalk will be provided along New Hampshire Avenue, set back from the curb and gutter to allow for a row of street trees. Another sidewalk will be provided along Cloverly Street, as needed. A Class I, 8-foot bikepath will be provided along the north side of Briggs Chaney Road. A 7-foot Class I bikepath will run the length of the property along Gallaudet Avenue.

Landscaping will include eight-foot landscape strips on either side of the entry drive from New Hampshire Avenue, shade trees throughout the parking lot, perimeter landscape strips planted with evergreen hedges and shade trees, two bio-retention areas containing a variety of shrubs and trees, buffer planting along the southern wall of the grocery store and loading dock, and accent planting at the entrances to the site and the store. The plan includes more than 5% green space within the parking lots and increased landscaping in the areas subject to the setback waiver request (see below). Street trees will be provided within the rights-of-way for New Hampshire Avenue, Briggs Chaney Road (north side) and Gallaudet Avenue (both sides). Trees will also be planted along the property line on the south side of Cloverly Street. The lighting plan is designed to provide an average of four footcandles of illumination, an emerging industry standard. The fixtures will be traditional and will be aimed downward at cut-offs. Lights in the main parking lot will be directed away from the perimeter and there will be no lights on the south wall of the building.

Site Plan Approval Criteria

In order to approve a Site Plan pursuant to Section 59-D-3 of the Montgomery County Zoning Ordinance, the Planning Board must find that:

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

3. Each structure and use is compatible with other uses and other site plans and existing and proposed adjacent development;
4. The Site Plan meets all applicable requirements of Chapter 22A regarding Forest Conservation; and
5. The locations of the buildings and structures, the open spaces, the landscaping, recreation facilities and the pedestrian and vehicular circulation systems are adequate, safe and efficient.

Mont. Co. Code, Section 59-D-3.3.

Conformance to General Site Plan Approval Criteria

Staff submitted a report to the Planning Board which addresses the conformance of the subject Site Plan to the general approval criteria. The report includes a comparison of the Site Plan to the C-1 Zone development standards and a detailed review of the location of buildings, open spaces, landscaping and lighting, vehicular and pedestrian circulation, compatibility and forest conservation. Staff found that the Site Plan meets all of the applicable standards and regulations. Staff recommended approval of the Site Plan with conditions.

In its testimony on the record and in its report, Staff described the subject Site Plan. Staff explained that the grocery store and parking lot are arranged to provide for optimal use of the site, reasonable setbacks and adequate buffering. The layout provides logical vehicular movement and comprehensive and well-defined pedestrian routes. The building frontage will connect to the end wall of an existing office building, maintaining a uniform setback and optimum visibility to New Hampshire Avenue. The building orientation also will provide improved visibility for access from side streets. The location of the service area and the screening around it will reduce its visual impact on surrounding areas. The lighting is carefully placed to provide well-lit, safe interior spaces and minimal off-site impact. The landscaping is substantial and will create an attractive view from the surrounding streets. Finally, the stormwater management measures will improve drainage in the vicinity of Briggs Chaney Road, which will be of considerable benefit to the surrounding neighborhood.

Regarding forest conservation, Staff explained that there are no existing forest or trees on the site. The Applicant has proposed to satisfy the afforestation requirements by planting 0.56 acres of tree cover on the site, including street trees and trees located in the

parking islands and perimeter landscape strips.

Parking Lot Setback Waiver

Section 59-E-2.81 of the Code requires parking lots adjoining land in a residential zone to be set back at a distance equal to or greater than the applicable front, rear or side-yard setbacks required for the property in the residential zone. In the present case, the required parking lot setback is 50 feet along Briggs Chaney Road and 17 feet along Gallaudet Avenue. The Applicant's proposed setbacks vary from 26.5 to 55.3 feet along Briggs Chaney Road and from 11.5 to 13.3 feet along Gallaudet Avenue. Staff stated that these reduced setbacks are necessary in order to provide more area to the site for adequate parking and sufficient maneuvering space for trucks accessing the loading dock. Applicant therefore is requesting Planning Board approval of a partial waiver of the set back requirement in accordance with Section 59-E-4.5 of the Code.

In exchange for the waiver, Applicant proposes additional landscaping and green area in its plan, including a landscaped green area between the parking lot and the new sidewalk/bikepath along Briggs Chaney Road, and new street trees along the Briggs Chaney Road frontage. In addition, Applicant will provide a double row of trees within the Gallaudet Avenue right-of-way, screening fences and walls along the loading area, and additional landscaping to minimize the visual impact of the reduced setback. Additionally, Applicant noted that the setback along Briggs Chaney Road in its proposed plan is an increase from the existing six foot setback, and further enhances the site.

At the hearing, Staff recommended approval of the requested waiver. Staff based its support of the waiver on the increased setback that will be provided along Briggs Chaney Road from the current setback and the additional screening that Applicant is providing along Briggs Chaney Road and Gallaudet Avenue.

Other Issues

At the public hearing, Applicant testified that it had meet with the citizens in the area and had attempted to address their concerns. In response to their concerns, Applicant proffered additional conditions into the record. The proffered conditions are:

1. Speed humps will be maintained on Safeway's property to discourage cut-through traffic.
2. Overnight use of Safeway's parking lot by third parties will be prohibited.

3. Safeway's property will be maintained free of trash and debris.
4. Landscaping as per the site plan will be provided on Safeway's property along Briggs Chaney Road and will be maintained in good condition.
5. The stormwater management system on Safeway's property will be maintained in good operating condition.

Additionally, neighboring property owners and a representative of the Cloverly Civic Association testified at the hearing. The neighboring property owners located directly across Briggs Chaney Road from the site testified regarding their concern about headlights shining into their homes from cars and trucks exiting the site and trash located on the site. To address their concerns, the neighbors requested that the Applicant place additional plantings on their property to assist in screening their property. Applicant stated its willingness to provide increased landscaping on the neighbors' property and agreed to a condition in the Opinion requiring Applicant to do so. Also, regarding the trash and debris on the site, Applicant explained that the existing open dumpster will be replaced with a fully-sealed through-the-wall trash compactor and submitted information on this system into the record. Applicant further pointed out that its proffered conditions provide that it will maintain its property free of trash and debris. In response to Planning Board's suggestion, Applicant agreed to amend its proffered conditions to include daily removal of trash from the site.

In response to questions from the Planning Board regarding the proposed signage on the store's wall facing Briggs Chaney Road, Applicant explained that the Site Plan shows one standard illuminated sign on the corner of the building. Chairman Hussmann and Commissioner Richardson stated their concerns about placing a sign so close to the neighbors' houses. In response to the Commissioner's concerns, Applicant proposed replacing the sign on the Briggs Chaney Road exposure of the building with a logo that will be illuminated only during the store's business hours.

Finally, regarding noise from the service area of the site, Chairman Hussmann suggested that Applicant raise the wall at the loading bay higher than the trucks to provide a better sound and sight barrier from trucks in the loading bay. Applicant responded that the south wall is designed as an eight-foot masonry wall, and may be raised to twelve feet, which would provide additional screening for neighboring property owners from noise at the loading bay.

Findings

After consideration of the Staff report and analysis, and the testimony of Staff, the Applicant and the neighboring property owners, the Planning Board finds that the Site Plan is consistent with Preliminary Plan No. 1-98001, and is in accordance with the requirements of the Zoning Ordinance, the Regional District Act and the Approved and Adopted Cloverly Master Plan. The Planning Board further finds that the building location, open spaces, landscaping and lighting, and vehicular and pedestrian circulation systems are adequate, safe and efficient, and that the Site Plan meets all applicable requirements for forest conservation. In addition, the Planning Board finds that the proposed use, the attractive design of the project, the provision of a comprehensive pedestrian and bicycle system, and the landscaped buffers along Briggs Chaney Road, New Hampshire Avenue and Gallaudet Avenue result in a Site Plan that is fully in accordance with the Master Plan and that is compatible with existing and proposed surrounding development.

Regarding the requested partial waiver of a portion of the parking lot setbacks, the Planning Board adopts the findings and recommendations of Staff and finds that the waiver is necessary to allow sufficient area for parking and vehicular and pedestrian movements. The Planning Board notes that the proposed parking lot setbacks along Briggs Chaney Road are much larger than the existing setback, and finds that the waiver meets the objectives of the Zoning Ordinance because of the additional landscaping Applicant will provide in the narrower setback area and on the properties located across Briggs Chaney Road.

Conclusion

Based on the foregoing, the Planning Board APPROVES Site Plan 8-99004, consisting of 45,000 square feet of retail, and a partial waiver of the parking lot setback requirement, in accordance with Section 59-E-4.5 of the Code, subject to the following conditions:

- 1) Standard Conditions dated October 10, 1995, Appendix A.
- 2) Site Plan Enforcement Agreement to reference the joint parking easement located on Parcel N-5.
- 3) Applicant to provide additional plantings on the properties located directly across Briggs Chaney Road from the service road exit, subject to Staff review and approval.

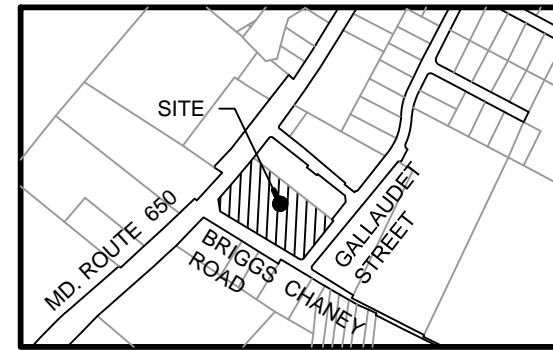
**Safeway at Cloverly
Preliminary Plan 1-98001
Site Plan 8-99004
Page 15**

- 4) Logo on the Briggs Chaney Road exposure of the building is to be illuminated only during the store's business hours.
- 5) Applicant to increase the height of the masonry wall along the southern side of the loading bay to 12 feet.
- 6) Applicant's SPEA to reference Applicant's proffered conditions.

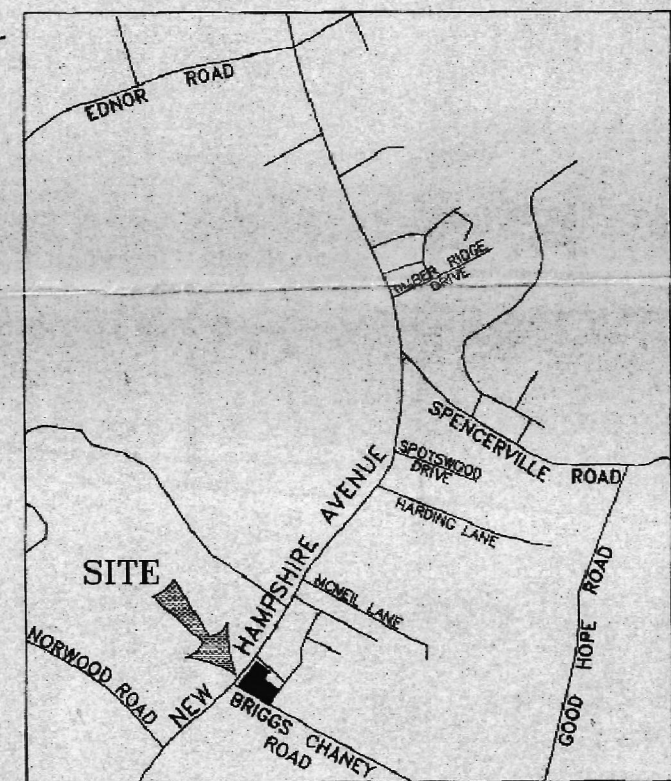
g:\opinions\safeway.pbo

CLOVERLY SAFEWAY
PLAN NO. #81999004A

PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, PETE CLOUTIER, LICENSE NO. 48952, EXPIRATION DATE: 03/10/2018



VICINITY MAP
SCALE 1" = 1,000'



Cloverly Safeway
Site Plan
MNCPPC Site Plan No. 8-99004

PROPOSED LOT 1 IMPERVIOUS SURFACE TABULATION		
	PARTY BRANCH IMPERVIOUS AREA (SF)	NORTHWEST BRANCH IMPERVIOUS AREA (SF)
ON SITE		
Loading Area	8400	0
Parking Lot	42200	35675
Building	41500	3542
Total Impervious	90100	39217
% Impervious	80.0%	86.0%
BRIGGS CHANEY RD.		
Shoulder/Bike Path	(31' x 8') = 4120	0
Entrances	2700	0
Total Impervious	6820	0
% Impervious	45.7%	0
NEW HAMPSHIRE AVE.		
Shoulder/Bike Path	(17' x 5') = 865	(17' x 5') = 865
Entrances	798	0
Total Impervious	885	1383
% Impervious	27.0%	61.2%
GALLAUDET AVE.		
Shoulder/Bike Path	(24' x 7') = 1722	0
Entrances	3678	0
Total Impervious	10422	0
% Impervious	36.7%	0
TOTAL AREA IMPERVIOUS	108227	40600
TOTAL % IMPERVIOUS	68%	85%

General Notes:

- The subject property is comprised of parcels N057, N059 and N102 of the Cloverly subdivision and found on Montgomery County Tax Map J5-61, Montgomery County Topographic Map No. M-221 located in the Cloverly, Norwood Planning Area (P.A. 28). The subject site consists of 4.43 Acres.
- Boundary information shown is taken from a boundary survey prepared by Rodgers & Associates, Inc. dated October 1996.
- Topography within the subject property is 1" contour interval and is from field survey prepared by Rodgers & Associates, Inc. dated October 1996. Topography surrounding the subject property is from the MNCPPC.
- Soils information is taken from Montgomery County Soil Survey 1988 series, map 21.
- The site is to be served by public water and sewer. The current water and sewer classification is W1, S3.
- There are no wetlands or other jurisdictional waters located on the site.
- There is no floodplain located on the site.
- There is no forest located on the site. Trees found on the site are of caliper no larger than 2-24".
- There are no steep slopes located on the property.
- There are no streams located on the property.
- There is only one soil classification on the site (2B - Genesee silt loam and it is not listed as a highly erodible soil by the Montgomery County Soil Survey.
- There are no endangered species located on the site.
- The Property is zoned C-1.
- This plan is a proposed resubdivision of lots N057, N059 and N102 which were recorded on MNCPPC Plat Nos. P.B. 84, page 8784 and P.B. 40, page 2888.
- This site is not in the Locational Atlas and Index of Historic sites nor is it on the Master Plan for Historic Preservation.
- Site Area Summary:
Area of Site Plan (Prop. Parcel D): 3.68 ac. 160,206 s.f.
Area Dedicated to Public Use: 0.05 ac. 2087 s.f.
Total Net Area: (Parcel D) 3.63 ac. 158,219 s.f.
Area of Site Plan (Lot N5): 0.75 ac. 33,399 s.f.
Total Site: 4.38 ac. 191,618 s.f.

- Total Proposed Development:
Commercial Retail: 45,000 s.f.

- Parking Summary:

Required:	
Food Store (45 X 2.83 design hour parking ratio)	128
Bank (1,752 X 9)	10
Total	138

Provided:	
Proposed Parcel D	178
Lot N5	40
Total	218

*The parking spaces required for the Food Store is based on a Parking Study prepared by Wells + Associates, Entitled 15411 New Hampshire Avenue Safeway Parking Demand Study, dated March 13, 2018. The study was prepared for Site Plan Amendment No. 81999004B and the associated parking waiver.

- Green Area:

PARCEL D	
Required: 10% or 15,822 sf.	
Provided: 21% or 33,270 sf.	
LOT N5	
Required: 10% or 3,340 sf.	
Provided: 28% or 9,570 sf.	

- Internal Green Area:

PARCEL D	
Required: 5% or 5,836 sf.	
Provided: 6.7% or 5,150 sf.	
LOT N5	
Required: 5% or 1,119 sf.	
Provided: 7.2% or 1,615 sf.	

- Coverage Parcel D:

Lot N5:	29% or 45,000 sf.
Lot N5:	5.3% or 1,752 sf.

- For lighting improvement, refer to lighting plan proposed by MFA Architects.

Legend

	Property Line		Parking Light
	Adjacent Property Line		Ballast
	Existing Contours		Water Valve
	Proposed Contours		Sign
			Sewer Manhole
			Water Manhole
			Overhead Wire
			Ex. Light Pole
			Square Foot
			Iron Pipe Found (1/4" inch pipe)
			Building Restriction Line

THIS DRAWING PREPARED AT THE
NORTHERN VIRGINIA OFFICE
20110 Ashbrook Place, Suite 100 | Ashburn, VA 20147
TEL 703.726.1342 FAX 703.726.1345 www.timmons.com

APPLICANT ADDRESS INFO:

OWNER ADDRESS INFO:

DATE
11/30/2017

DRAWN BY
J. CAMPOS

DESIGNED BY
J. CAMPOS

CHECKED BY
P. CLOUTIER

SCALE
SEE PLAN

SITE PLAN (REDLINE)

SAFESWAY SITE PLAN AMENDMENT (CLOVERLY SAFEWAY)

15411 NEW HAMPSHIRE AVE, SILVER SPRING, MD 20905 - PARCEL N100 - L5373 F164 - 5TH ELECTION DISTRICT

JOB NO.
37155.005

SHEET NO.
07-001

DRAWING NOT TO SCALE

BEFORE THE MONTGOMERY COUNTY PLANNING BOARD

IN THE MATTER OF THE :
APPLICATION OF CF ALBERT PROPCO LLC : Site Plan Amendment
FOR AMENDMENT OF A SITE PLAN : Application No. 81999004B

APPLICANT'S STATEMENT OF JUSTIFICATION

The Applicant in Site Plan Amendment Application No. 81999004B is CF Albert PropCo LLC ("CF"), successor-in-interest to NAI Saturn Eastern LLC ("NAI"), which is the successor-in-interest to Safeway Inc. ("Safeway"). CF is the owner of the property that is located at 15411 New Hampshire Avenue, Cloverly, Maryland ("Store Site") that it is leasing to NAI for the operation of a Safeway grocery store. CF recently purchased the Store Site from NAI. CF seeks to amend a condition of approval that was imposed by the Planning Board in approving the original site plan for the Store Site and, further, seeks a waiver or a reduction of the required parking spaces that serve its grocery store that is being operated thereon.

In 1999, Safeway, the then owner of the Store Site, applied to the Montgomery County Planning Board for site plan approval to construct and operate a 45,000 square foot grocery store on the 3.68 acre Store Site that is located in the (then) C-1 (Local Commercial) zone. The Store Site was then improved with a 20,000 square foot Safeway grocery store and a parking lot. On an adjacent parcel of land (Parcel N5), at the time also owned by Safeway, there was a bank and additional parking.

At the time of the original site plan application, the parking rate for grocery stores was five (5) spaces per 1,000 square feet of gross building area, thus requiring a total of 225 spaces to

satisfy the parking requirement for the new grocery store. Unfortunately, the Store Site was not large enough to accommodate the required 225 parking spaces so 41 of the required parking spaces were determined to be satisfied on Parcel N5 by a reservation for parking for the use of the grocery store under a shared parking easement on (Parcel N5). A copy of the Planning Board's 1999 Site Plan Approval for the grocery store is attached with highlighting that identifies the relevant parts of the Planning Board's Opinion.

The grocery store approved in 1999 in Site Plan Application No. 8-99004 was constructed and has operated successfully at this location for the past seventeen years. Furthermore, the bank on Parcel N5 closed leaving the building on Parcel N5 vacant and Parcel N5 available for re-use for the past several years.

In early 2016, Potomac Foods Group, the operator of several Burger King restaurants in the Mid-Atlantic region, became aware of the availability of Parcel N5 and determined that there was strong market demand in the Cloverly area for Burger King's product line. Accordingly, NAI and Potomac Foods commenced, and successfully completed, negotiations for Potomac Foods to lease Parcel N5 for a Burger King restaurant with a drive-thru window. Details about the proposed Burger King restaurant are provided in a "sister" site plan application that simultaneously has been filed for Parcel N5. (820180090)

Following the execution of a lease for Parcel N5, Potomac Foods promptly began preparing a site plan application that seeks design approval for the proposed restaurant. Potomac Foods was well into its design efforts when it became aware of, and alerted NAI to the following text of 1999 Site Plan Approval for Application No. 8-99004:

“THE SITE PLAN

The Applicant’s Site Plan proposes a new 45,000 square foot grocery store with 225 parking spaces (41 spaces are on adjoining Parcel N5 reserved for the grocery store by a shared parking easement).

(Opinion, page 9)

and

“CONCLUSION

Based on the foregoing, the Planning Board APPROVES Site Plan 8-99004, consisting of 45,000 square feet of retail, and a partial waiver of the parking lot setback requirement, in accordance with Section 59-E-4.5 of the Code, subject to the following conditions:

*

2) Site Plan Enforcement Agreement to reference the joint parking easement located on Parcel N5.”

(Opinion, page 14)

The present management of NAI were surprised to learn about the requirement in Site Plan Review No. 8-99004 to provide as many as 225 parking spaces for customers of the grocery store and were concerned that a shared parking easement on Parcel N5 and a requirement that Parcel N5 provide 41 parking spaces to support the grocery store would interfere with the redevelopment of Parcel N5 with a Burger King restaurant especially when the burdens that are imposed on Parcel N5 are not needed to support the grocery store operation.

NAI was particularly surprised to learn about the required parking numbers and condition of approval because in the seventeen years that the grocery store has been in operation management has not experienced inadequate parking for customers of the grocery store at any time of the day or any time of the year. The 178 parking spaces that are on the Store Site (a ratio of 4.1 parking spaces per 1,000 square feet of gross floor area) are well within NAI's preferred number of parking spaces for a store of this type and in this type of location. Given the convenient and efficient layout of the parking spaces on the Store Site, management of the grocery store have observed that there are always vacant spaces available in the parking lot on the Store Site to accommodate customers without the need for customers to use the parking spaces in the far reaches of the parking lot. Generally speaking, Safeway customers do not park on Parcel N5 because it is located an inconvenient distance from the grocery store and it is not necessary.

In order to empirically demonstrate that existing parking on the Store Site is more than adequate to serve its customers' needs, NAI engaged the services of Wells & Associates to conduct a parking demand assessment to determine if the 178 parking spaces on the Store Site adequately meets the actual parking demand of the Store Site. The parking utilization study, dated October 10, 2017, is included with this Site Plan Amendment application and provides the most technical and comprehensive explanation of the parking demand for the grocery store. The study determined that only 102 parking spaces are needed to satisfy the theoretical "Design Hour Parking Demand" for the Store Site under normal conditions. The Wells report goes a step further to project that on the two heaviest parking demand days of the year, parking on the Store Site would be more than adequate to serve the needs of the grocery store's customers.

<u>Event</u>	<u>Parking Available</u>	<u>Project Maximum Parking Demand</u>	<u>Predicted Surplus (Vacant) Spaces</u>
•Two days before Christmas	178 spaces	140 spaces	38 spaces
•Day before Thanksgiving	178 spaces	139 spaces	39 spaces

The Wells study has shown that, at least for this site, the County’s standard for the amount of parking for a grocery store (5 spaces @ 1,000 SF) is far in excess of what is the actual or even theoretical demand for the grocery store. Therefore, the site plan condition that requires a total of 225 parking spaces is excessive. Strict application of this excessive parking requirement is preventing the redevelopment of Parcel N5 with an attractive and valuable food service establishment that will improve dining options in the Cloverly area and, due to its design, improve the urban design quality of the Cloverly commercial district.

This site plan amendment application, therefore requests the following:

1. The granting of a waiver or reduction in the amount of required parking for the grocery store on the Store Site from 225 to 178 parking spaces.
2. That the Planning Board approve a Resolution of approval of the subject application to include:
 - a. A condition that requires the maintenance of at least 178 parking spaces on the Store Site; and
 - b. Elimination of the condition that there be a joint parking easement located on Parcel N5.

Under Section 59.6.2.10 (“Parking Waiver”) of the Zoning Ordinance, the Planning Board can grant a waiver of the amount of required parking to serve a particular use during its

review of a site plan. The basis for the granting of such a waiver is that an “alternative design satisfies Section 6.2.1.” Section 59.6.2.1 of the Zoning Ordinance (“Intent”) states the purpose of the regulations contained in Division 6.2 labeled “Parking, Queuing and Loading,” and reads:

“The intent of the vehicle and bicycle parking, queuing and loading requirements is to ensure that adequate parking is provided in a safe and efficient manner.”

(Emphasis added)

The Wells parking utilization study attached hereto conclusively demonstrates that parking is readily available at all times of the day, all days of the year, within the 178 space surface parking lot on the Store Site and a relaxation of the parking required for the grocery store on the Store Site from 225 spaces to 178 spaces would still ensure that adequate, safe and efficient parking is available to serve the customers of the grocery store.

WELLS + ASSOCIATES
MEMORANDUM



To: Tim McNamara

From: William L. Zeid, P.E.

Re: 15411 New Hampshire Avenue Safeway Parking Demand Study

Date: March 13, 2018

1420 Spring Hill Road
Suite 610
Tysons, Virginia 22102
703-917-6620
703-917-0739 FAX
www.mjwells.com

Introduction

This report presents a revised parking demand assessment for the Safeway store located at 15411 New Hampshire Avenue in Silver Spring, Maryland. The site is located within the Cloverly policy area of Montgomery County along the east side of New Hampshire Avenue north of Briggs Chaney Road. This document has been revised to address comments received from Montgomery County Staff regarding the initial submission dated October 10, 2017. The findings of this revised document remain consistent with the initial study submission. Point-by-point comment responses are provided as an attachment.

The Safeway site was originally approved for a 45,000 SF grocery store with 225 parking spaces per Preliminary Plan 1-98001 and Site Plan 8-99004. The conditions accompanying the site plan allowed for 41 of the 225 required spaces to be provided on the adjacent bank property (Parcel N5) via a shared parking easement.

Under the current application, Parcel N5 is proposed to be redeveloped with a fast-food restaurant with drive-through, and while no changes are proposed to the Safeway site, the 41 spaces reserved by Safeway within Parcel N5 would no longer be available for utilization by the Safeway store to count toward meeting the 225 parking space requirement.

The purpose of this assessment is to evaluate the current parking demand for the Safeway store and to determine if the 178 parking spaces available within the Safeway parking lot would adequately meet the parking demand of the site throughout the year. It is noted that four (4) additional parking spaces are currently occupied by shopping cart corrals, and these spaces are not included in the 178 space supply.

This assessment identifies the localized and site-specific peak parking demand ratio of the existing Safeway store. The expected daily peak parking demands throughout the year were estimated by augmenting the observed peak parking demand ratios with the most recent 365 days of transaction records for the site. The full data set was evaluated in order



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MEMORANDUM

to calculate a recommended design hour parking ratio that results in a sufficient number of parking spaces that would accommodate the 85th percentile peak parking demands of the Safeway store, while providing a five (5.0) percent parking space vacancy rate for circulation and turnover.

In summary, the number of daily transactions was used as a reference point to estimate the magnitude of the peak parking demand for each day of the year based on the known data points. Data points were collected for weekdays, Fridays, Saturdays, and Sundays under the assumption that each of these are their own day “type” and may have unique relationships of number of daily transactions to the magnitude of the peak parking demand. In other words, the distribution of when people shop during the day on a Sunday versus a Thursday may be different, therefore different data points were established for each so that the estimates for these days throughout the year would be more accurate than just assuming every day peaks at the same time and with the same relationship of transactions per day to peak parking demand for the day.

Recommended Design Hour Parking Supply

As recommended by ITE, parking facilities are typically designed to accommodate the 85th percentile of the daily peak parking demand over the entire year, rather than providing a parking supply equivalent to the maximum parking demand as this would result in underutilized parking throughout much of the year. Since the projected parking demand represents occupancy (parked vehicles), the recommended design parking supply ratio was developed to provide approximately five (5.0) percent vacancy (or practical capacity) while providing sufficient spaces to accommodate the full 85th percentile parking demand. This accommodation provides additional spaces for circulation, turnover, and minor fluctuations in demand (effective supply). Thus, the effective parking supply is derived by dividing the 85th percentile peak parking demand by 0.95.

Code Requirement and Proposed Parking Ratio

Per the Montgomery County Zoning Ordinance, grocery stores are required to provide parking at a rate of five (5.0) spaces per 1,000 square feet of building area. This results in a total of 225 parking spaces required per the Code in order to accommodate the 45,000 SF Safeway store. The current parking lot layout on the Safeway site provides 178 striped parking spaces, and 41 additional spaces are reserved within the adjacent Parcel N5 site.

The proposed redevelopment of the Parcel N5 site would reduce the parking allocated to the Safeway site to only those parking spaces within the Safeway parking lot (178 parking



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MEMORANDUM

spaces). Thus, the proposed parking supply of 178 parking spaces would result in a parking supply ratio of 3.96 spaces per 1,000 SF of building area and would require approval of a parking waiver by the County.

On-Site Parking Occupancy

Parking occupancy counts were recently collected at the site on Thursday, September 14, 2017 from 10:00 AM to 10:00 PM, on Friday September 15th from 10:00 AM to 10:00 PM, on Saturday September 16th from 10:00 AM to 10:00 PM, and on Sunday September 17th from 10:00 AM to 10:00 PM with the grocery store open and operating under normal conditions.

In addition to the parking occupancy data collected by Wells + Associates, transaction data was provided by Safeway for the subject site that includes 365 consecutive days from September 25, 2016 through September 24, 2017. The total daily transactions corresponding to each day parking occupancy data was collected were used to calculate rates that were then applied to the 365 days of transaction data in order to estimate the daily peak parking occupancy corresponding to the full year of data. Using the daily transaction data provides a more accurate and site-specific assessment of the parking demand throughout the year when compared to simply using the monthly variations published by the Urban Land Institute (ULI) as is used when assessing sites where transaction data is not available. Since the objective is to gain a general relationship of the magnitude of demand for the day, the overall daily transaction totals are utilized for each type of day (weekday, Friday, Saturday & Sunday) as previously discussed. The observed peak parking occupancy and corresponding transactions are shown on Table 1 below.

As an additional note, parking area "J" does not provide any parking spaces; however, some vehicles were observed parking temporarily in this area. Therefore, the vehicles parked in area "J" were tabulated and assumed to be parked within the 178 space parking supply in order to be conservative and not leave any parking demand unaccounted for.

Table 1
15411 New Hampshire Avenue Safeway Parking Demand Assessment
Peak Parking Demand per Daily Transaction Count

Day of Week	Date Counted	Peak Parking Occupancy ⁽¹⁾ (Vehicles Parked)	Daily Transaction Count from Safeway Data ⁽²⁾ (Transactions/Day)	Peak Parking Occupancy per Daily Transaction Count
Thursday	9/14/2017	73	1862	0.039
Friday	9/15/2017	90	2064	0.044
Saturday	9/16/2017	89	2116	0.042
Sunday	9/17/2017	96	2213	0.043

Notes: (1) Daily maximum observed parking occupancy within the Safeway parking lot (178 spaces available).

(2) Total number of transactions for each day parking occupancy was collected (provided by Safeway).



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As shown in Table 1, a peak parking occupancy of 96 parked vehicles was observed on the Sunday when the data was collected. The observed peak parking occupancies translate to existing utilization rates of approximately 0.039 occupied spaces per total patron count on a weekday (Monday, Tuesday, Wednesday, and Thursday), 0.044 occupied spaces per total patron count on a Friday, 0.042 occupied spaces per total patron count on a Saturday, and 0.043 occupied spaces per total patron count on a Sunday.

Forecasted Parking Demand

The parking occupancy observations conducted in September of 2017 were used in conjunction with the transaction records for the site (including 365 consecutive days of data) to estimate the expected daily peak parking demands throughout the year.

The full data set, including separate peak parking demand ratios for weekdays (M-Th), Fridays, Saturdays, and Sundays, was analyzed to identify the localized and site specific 85th percentile peak parking demands (rather than the maximum peak demand when the counts were collected) realized by the Safeway store. The resulting 85th percentile peak parking demand ratio was then used to identify the corresponding design hour parking supply that would be needed to adequately serve the site.

Results and Design Hour Parking Ratio

A summary of the general parking occupancy and demand characteristics for the Safeway store are summarized in Table 2 and indicate that the store currently exhibits an 85th percentile peak parking demand of 96 parking spaces. This translates to a ratio of approximately 2.13 spaces per 1,000 SF of building area, and means that 85 percent of the days of the year experience a peak parking demand of 96 spaces or fewer. Further adjusting the 85th percentile peak parking demand ratio for practical capacity (five (5) percent) results in a recommended design parking supply ratio of approximately 2.27 spaces per 1,000 SF of building area (or 102 spaces). This means that for 85 percent of the days of the year, a 102 space parking supply would accommodate all parked vehicles during all peak periods with a minimum of five (5.0) percent vacant spaces available. Therefore, if the parking were to be designed to accommodate the 85th percentile parking demand while maintaining at least a five (5.0) percent vacant spaces, only 102 spaces would be required compared to 178 spaces currently being provided.

A summary of the full analyses and listing of the complete data set (including 365 consecutive days from September 25, 2016 through September 24th 2017) is provided in the Appendix.



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MEMORANDUM

Table 2
15411 New Hampshire Avenue Safeway Parking Demand Assessment
Recommended Design Hour Parking Supply and Proposed Parking Waiver

<u>Design Hour Parking Supply:</u>		
<i>Safeway Store:</i>	45,000	<i>SF Building Area</i>
<i>Expected 85th Percentile Parking Demand From Analyses:</i>	96	<i>Spaces Needed</i>
<i>Expected 85th Percentile Parking Demand Ratio From Analysis:</i>	2.13	<i>Spaces/1,000 SF Building Area</i>
<i>Recommended Design Hour Parking Supply:</i>	102	
<i>Recommended Design Hour Parking Ratio:</i>	2.27	<i>Spaces/1,000 SF Building Area</i>
<i>(Includes additional capacity for 5% vacancy) ⁽¹⁾</i>		
<u>Proposed Supply vs. Code Requirement:</u>		
<i>Spaces Provided within Safeway Parking Lot:</i>	3.96	<i>Spaces/1,000 SF Building Area</i>
	178	Spaces
<i>County Code Grocery Store Parking Requirement :</i>	5.00	<i>Spaces/1,000 SF Building Area</i>
	225	Spaces
<i>Difference</i>	47	Spaces fewer than Code Requirement

Notes: (1) Recommended Design Hour parking ratios calculated by dividing the observed peak parking demand by 0.95.

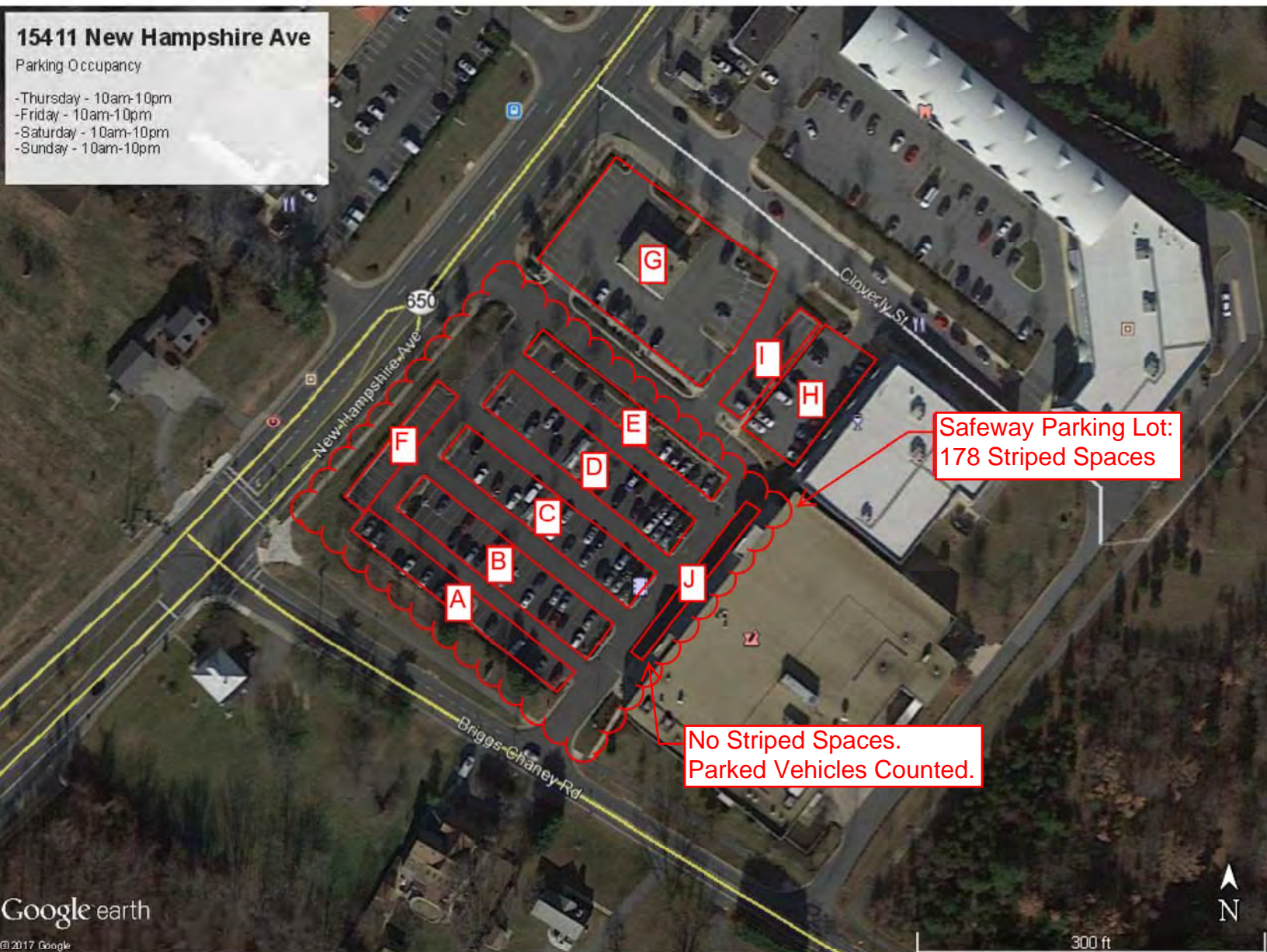
It is noted that recommended Design Hour Parking Supply of 102 spaces calculated in this assessment is 76 fewer spaces than the 178 spaces currently supplied within the Safeway parking lot and 123 fewer spaces than the Montgomery County Code requirement of 225 spaces. A full review of the 365 days of transaction data and corresponding peak parking estimates indicates that the maximum peak parking demand for the site would occur two days before Christmas with approximately 140 parking spaces occupied, and the second highest day would occur the day before thanksgiving with approximately 139 parking spaces occupied.

CONCLUSIONS AND RECOMMENDATIONS

Based on the recommended design hour parking supply ratio and supply of 2.27 spaces/1,000 SF and 102 spaces, respectively, the 178 parking space supply (3.96 spaces/1,000 SF) within the Safeway parking lot would adequately serve the Safeway store without the need for additional spaces reserved off-site.

Questions regarding this document should be directed to Wells + Associates, Inc.

Attachment I
Parking Occupancy Count Data



Attachment I
Parking Occupancy Count Data

Parking Occupancy Count

7306

Surveyor: W+A

Hours: 10AM-10 PM

Date: 14-Sep

Weather: Clear

Lots	Lot A	Lot B	Lot C	Lot D	Lot E	Lot F	Lot G	Lot H	Lot I	Lot J		Safeway Lot Only
Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars		(A, B, C, D, E, F & J)
AM											Total Cars	
10:00 AM	4	13	18	16	3	2	5	8	2	0	71	56
11:00 AM	5	14	20	16	3	3	5	10	2	0	78	61
12:00 PM	7	15	15	20	5	2	5	9	2	0	80	64
1:00 PM	7	8	12	19	4	3	6	12	1	1	73	54
2:00 PM	11	10	9	17	8	3	5	11	1	0	75	58
3:00 PM	8	17	12	18	7	3	9	11	2	0	87	65
4:00 PM	11	16	19	18	7	2	7	12	0	0	92	73
5:00 PM	10	13	20	17	6	2	9	15	4	0	96	68
6:00 PM	14	16	12	15	4	2	5	14	6	0	88	63
7:00 PM	10	15	13	14	4	1	8	12	2	0	79	57
8:00 PM	5	5	6	17	4	0	3	11	1	2	54	39
9:00 PM	2	4	8	12	4	2	2	5	2	0	41	32
10:00 PM	2	4	4	14	5	0	1	0	0	0	30	29
Total Spcs.	24	41	41	40	18	14	40	25	10	0	253	178

Attachment I
Parking Occupancy Count Data

Parking Occupancy Count

7306

Surveyor: W+A

Hours: 10AM-10 PM

Date: 15-Sep

Weather: Clear

Lots	Lot A	Lot B	Lot C	Lot D	Lot E	Lot F	Lot G	Lot H	Lot I	Lot J	
Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	
AM											Total Cars
10:00 AM	8	11	12	16	6	2	6	5	3	1	70
11:00 AM	12	14	11	13	5	1	5	9	4	0	74
12:00 PM	13	19	16	22	9	2	8	7	3	0	99
1:00 PM	10	19	14	17	10	5	7	11	1	1	95
2:00 PM	13	13	15	23	7	3	7	14	2	1	98
3:00 PM	13	14	15	19	8	5	6	11	4	1	96
4:00 PM	13	15	12	26	10	4	9	12	6	1	108
5:00 PM	14	19	20	23	11	2	6	15	4	1	115
6:00 PM	8	18	16	22	8	3	12	18	4	2	111
7:00 PM	9	19	17	19	6	1	8	13	4	0	96
8:00 PM	5	10	9	18	5	0	9	11	4	0	71
9:00 PM	2	2	8	12	4	0	5	5	1	1	40
10:00 PM	1	1	8	14	5	0	0	2	0	0	31
Total Spcs.	24	41	41	40	18	14	40	25	10	0	253

Safeway Lot Only
(A, B, C, D, E, F & J)
56
56
81
76
75
75
81
90
77
71
47
29
29
178

Attachment I
Parking Occupancy Count Data

Parking Occupancy Count

7306

Surveyor: W+A

Hours: 10AM-10 PM

Date: 16-Sep

Weather: Clear

Lots	Lot A	Lot B	Lot C	Lot D	Lot E	Lot F	Lot G	Lot H	Lot I	Lot J	
Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	
AM											Total Cars
10:00 AM	9	10	12	12	2	0	5	12	5	0	67
11:00 AM	10	15	17	18	6	0	7	12	1	0	86
12:00 PM	11	21	24	22	10	1	5	11	6	0	111
1:00 PM	11	14	15	16	8	1	8	12	4	1	90
2:00 PM	9	16	16	17	8	1	9	14	5	0	95
3:00 PM	9	20	19	25	7	3	8	14	4	0	109
4:00 PM	8	14	13	26	7	3	11	13	6	0	101
5:00 PM	1	10	12	19	6	3	8	9	3	3	74
6:00 PM	4	7	13	22	8	2	7	11	5	1	80
7:00 PM	6	14	14	22	6	2	7	11	5	3	90
8:00 PM	0	3	9	19	3	2	5	8	4	0	53
9:00 PM	0	0	5	8	5	1	3	2	1	0	25
10:00 PM	0	0	2	4	3	0	3	1	0	1	14
Total Spcs.	24	41	41	40	18	14	40	25	10	0	253

Safeway Lot Only
(A, B, C, D, E, F & J)
45
66
89
66
67
83
71
54
57
67
36
19
10
178

Attachment I
Parking Occupancy Count Data

Parking Occupancy Count

7306

Surveyor: W+A

Hours: 10AM-10 PM

Date: 16-Sep

Weather: Clear

Lots	Lot A	Lot B	Lot C	Lot D	Lot E	Lot F	Lot G	Lot H	Lot I	Lot J	
Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	
AM											Total Cars
10:00 AM	7	18	19	21	7	0	4	2	4	1	83
11:00 AM	11	15	16	25	9	1	8	2	5	1	93
12:00 PM	13	20	23	26	9	1	5	9	5	0	111
1:00 PM	10	20	24	27	10	0	4	10	5	0	110
2:00 PM	9	16	22	22	10	0	5	14	4	1	103
3:00 PM	16	17	26	22	7	0	4	7	4	1	104
4:00 PM	12	22	24	18	6	3	5	14	5	1	110
5:00 PM	9	21	25	30	10	0	6	12	5	1	119
6:00 PM	4	14	18	18	6	0	8	6	5	1	80
7:00 PM	3	14	10	19	5	1	5	1	3	0	61
8:00 PM	0	4	4	19	0	0	3	1	3	0	34
9:00 PM	0	4	9	14	1	0	1	0	0	1	30
10:00 PM	0	4	6	10	1	0	1	0	0	0	22
Total Spcs.	24	41	41	40	18	14	40	25	10	0	253

Safeway Lot Only
(A, B, C, D, E, F & J)
73
78
92
91
80
89
86
96
61
52
27
29
21
178

Attachment II

Transaction Data and Expected Peak Parking Demand For 365 Consecutive Days

Month	Day Number (1-365)	Rank Order by Transaction Count (1 = Highest, 365 = Lowest)	Full Date	Parking Demand Ratios		Occupancy			
				Weekday: 0.039 peak occ. sp/daily transaction Friday: 0.044 peak occ. sp/daily transaction Saturday: 0.042 peak occ. sp/daily transaction Sunday: 0.043 peak occ. sp/daily transaction					
				Rate Applied	Expected Peak Parking per Daily Transaction	Daily Transaction Count from Safeway Data	Expected Peak Parking Demand (Occupied Spaces)	Percent Occupied (178 Spaces Available)	Max Occupancy? (100%)
September-16	1	17	Sunday, September 25, 2016	Sunday	0.043	2452	107	60%	-
	2	145	Monday, September 26, 2016	Weekday	0.039	2078	82	46%	-
	3	207	Tuesday, September 27, 2016	Weekday	0.039	1995	79	44%	-
	4	197	Wednesday, September 28, 2016	Weekday	0.039	2010	79	44%	-
	5	268	Thursday, September 29, 2016	Weekday	0.039	1925	76	43%	-
	6	63	Friday, September 30, 2016	Friday	0.044	2232	98	55%	-
October-16	7	50	Saturday, October 01, 2016	Saturday	0.042	2261	96	54%	-
	8	44	Sunday, October 02, 2016	Sunday	0.043	2279	99	56%	-
	9	248	Monday, October 03, 2016	Weekday	0.039	1945	77	43%	-
	10	153	Tuesday, October 04, 2016	Weekday	0.039	2068	82	46%	-
	11	205	Wednesday, October 05, 2016	Weekday	0.039	1996	79	44%	-
	12	195	Thursday, October 06, 2016	Weekday	0.039	2014	79	44%	-
	13	28	Friday, October 07, 2016	Friday	0.044	2378	104	58%	-
	14	31	Saturday, October 08, 2016	Saturday	0.042	2337	99	56%	-
	15	192	Sunday, October 09, 2016	Sunday	0.043	2015	88	49%	-
	16	43	Monday, October 10, 2016	Weekday	0.039	2286	90	51%	-
	17	180	Tuesday, October 11, 2016	Weekday	0.039	2029	80	45%	-
	18	276	Wednesday, October 12, 2016	Weekday	0.039	1913	75	42%	-
	19	238	Thursday, October 13, 2016	Weekday	0.039	1953	77	43%	-
	20	78	Friday, October 14, 2016	Friday	0.044	2203	97	54%	-
	21	19	Saturday, October 15, 2016	Saturday	0.042	2425	102	57%	-
	22	25	Sunday, October 16, 2016	Sunday	0.043	2396	104	58%	-
	23	101	Monday, October 17, 2016	Weekday	0.039	2163	85	48%	-
	24	122	Tuesday, October 18, 2016	Weekday	0.039	2119	84	47%	-
	25	163	Wednesday, October 19, 2016	Weekday	0.039	2061	81	46%	-
	26	222	Thursday, October 20, 2016	Weekday	0.039	1971	78	44%	-
	27	98	Friday, October 21, 2016	Friday	0.044	2165	95	53%	-
	28	105	Saturday, October 22, 2016	Saturday	0.042	2147	91	51%	-
	29	29	Sunday, October 23, 2016	Sunday	0.043	2366	103	58%	-
	30	180	Monday, October 24, 2016	Weekday	0.039	2029	80	45%	-
	31	176	Tuesday, October 25, 2016	Weekday	0.039	2034	80	45%	-
	32	195	Wednesday, October 26, 2016	Weekday	0.039	2014	79	44%	-
	33	190	Thursday, October 27, 2016	Weekday	0.039	2018	80	45%	-
	34	46	Friday, October 28, 2016	Friday	0.044	2269	99	56%	-
	35	61	Saturday, October 29, 2016	Saturday	0.042	2238	95	53%	-
	36	85	Sunday, October 30, 2016	Sunday	0.043	2186	95	53%	-
	37	74	Monday, October 31, 2016	Weekday	0.039	2205	87	49%	-
November-16	38	200	Tuesday, November 01, 2016	Weekday	0.039	2006	79	44%	-
	39	232	Wednesday, November 02, 2016	Weekday	0.039	1958	77	43%	-
	40	314	Thursday, November 03, 2016	Weekday	0.039	1859	73	41%	-
	41	103	Friday, November 04, 2016	Friday	0.044	2149	94	53%	-
	42	88	Saturday, November 05, 2016	Saturday	0.042	2177	92	52%	-
	43	56	Sunday, November 06, 2016	Sunday	0.043	2243	98	55%	-
	44	272	Monday, November 07, 2016	Weekday	0.039	1922	76	43%	-
	45	179	Tuesday, November 08, 2016	Weekday	0.039	2032	80	45%	-
	46	255	Wednesday, November 09, 2016	Weekday	0.039	1939	77	43%	-
	47	199	Thursday, November 10, 2016	Weekday	0.039	2009	79	44%	-
	48	40	Friday, November 11, 2016	Friday	0.044	2292	100	56%	-
	49	52	Saturday, November 12, 2016	Saturday	0.042	2257	95	53%	-
	50	53	Sunday, November 13, 2016	Sunday	0.043	2254	98	55%	-
	51	173	Monday, November 14, 2016	Weekday	0.039	2037	80	45%	-
	52	172	Tuesday, November 15, 2016	Weekday	0.039	2042	81	46%	-
	53	201	Wednesday, November 16, 2016	Weekday	0.039	2004	79	44%	-
	54	180	Thursday, November 17, 2016	Weekday	0.039	2029	80	45%	-
	55	109	Friday, November 18, 2016	Friday	0.044	2139	94	53%	-
	56	24	Saturday, November 19, 2016	Saturday	0.042	2401	101	57%	-
	57	26	Sunday, November 20, 2016	Sunday	0.043	2388	104	58%	-
	58	50	Monday, November 21, 2016	Weekday	0.039	2261	89	50%	-
	59	8	Tuesday, November 22, 2016	Weekday	0.039	2587	102	57%	-
	60	1	Wednesday, November 23, 2016	Weekday	0.039	3525	139	78%	-
	61	57	Thursday, November 24, 2016	Weekday	0.039	2241	88	49%	-
	62	362	Friday, November 25, 2016	Friday	0.044	1648	72	40%	-
	63	317	Saturday, November 26, 2016	Saturday	0.042	1856	79	44%	-
	64	214	Sunday, November 27, 2016	Sunday	0.043	1984	87	49%	-
	65	204	Monday, November 28, 2016	Weekday	0.039	2001	79	44%	-
	66	258	Tuesday, November 29, 2016	Weekday	0.039	1938	76	43%	-
	67	278	Wednesday, November 30, 2016	Weekday	0.039	1912	75	42%	-

Attachment II

Transaction Data and Expected Peak Parking Demand For 365 Consecutive Days

Month	Day Number (1-365)	Rank Order by Transaction Count (1 = Highest, 365 = Lowest)	Full Date	Parking Demand Ratios		Occupancy			
				Weekday: 0.039 peak occ. sp/daily transaction Friday: 0.044 peak occ. sp/daily transaction Saturday: 0.042 peak occ. sp/daily transaction Sunday: 0.043 peak occ. sp/daily transaction					
				Rate Applied	Expected Peak Parking per Daily Transaction	Daily Transaction Count from Safeway Data	Expected Peak Parking Demand (Occupied Spaces)	Percent Occupied (178 Spaces Available)	Max Occupancy? (100%)
December-16	68	210	Thursday, December 01, 2016	Weekday	0.039	1993	79	44%	-
	69	118	Friday, December 02, 2016	Friday	0.044	2126	93	52%	-
	70	189	Saturday, December 03, 2016	Saturday	0.042	2021	86	48%	-
	71	63	Sunday, December 04, 2016	Sunday	0.043	2232	97	54%	-
	72	252	Monday, December 05, 2016	Weekday	0.039	1941	77	43%	-
	73	353	Tuesday, December 06, 2016	Weekday	0.039	1766	70	39%	-
	74	283	Wednesday, December 07, 2016	Weekday	0.039	1906	75	42%	-
	75	278	Thursday, December 08, 2016	Weekday	0.039	1912	75	42%	-
	76	92	Friday, December 09, 2016	Friday	0.044	2169	95	53%	-
	77	78	Saturday, December 10, 2016	Saturday	0.042	2203	93	52%	-
	78	99	Sunday, December 11, 2016	Sunday	0.043	2164	94	53%	-
	79	261	Monday, December 12, 2016	Weekday	0.039	1933	76	43%	-
	80	150	Tuesday, December 13, 2016	Weekday	0.039	2072	82	46%	-
	81	184	Wednesday, December 14, 2016	Weekday	0.039	2026	80	45%	-
	82	283	Thursday, December 15, 2016	Weekday	0.039	1906	75	42%	-
	83	18	Friday, December 16, 2016	Friday	0.044	2442	107	60%	-
	84	327	Saturday, December 17, 2016	Saturday	0.042	1839	78	44%	-
	85	65	Sunday, December 18, 2016	Sunday	0.043	2227	97	54%	-
	86	60	Monday, December 19, 2016	Weekday	0.039	2240	88	49%	-
	87	139	Tuesday, December 20, 2016	Weekday	0.039	2095	83	47%	-
	88	81	Wednesday, December 21, 2016	Weekday	0.039	2198	87	49%	-
	89	13	Thursday, December 22, 2016	Weekday	0.039	2499	98	55%	-
	90	2	Friday, December 23, 2016	Friday	0.044	3190	140	79%	-
	91	3	Saturday, December 24, 2016	Saturday	0.042	3145	133	75%	-
	92	364	Sunday, December 25, 2016	Sunday	0.043	1156	51	29%	-
	93	358	Monday, December 26, 2016	Weekday	0.039	1712	68	38%	-
	94	359	Tuesday, December 27, 2016	Weekday	0.039	1706	67	38%	-
	95	330	Wednesday, December 28, 2016	Weekday	0.039	1833	72	40%	-
	96	345	Thursday, December 29, 2016	Weekday	0.039	1799	71	40%	-
	97	115	Friday, December 30, 2016	Friday	0.044	2127	93	52%	-
	98	9	Saturday, December 31, 2016	Saturday	0.042	2579	109	61%	-
January-17	99	352	Sunday, January 01, 2017	Sunday	0.043	1770	77	43%	-
	100	245	Monday, January 02, 2017	Weekday	0.039	1947	77	43%	-
	101	178	Tuesday, January 03, 2017	Weekday	0.039	2033	80	45%	-
	102	159	Wednesday, January 04, 2017	Weekday	0.039	2065	81	46%	-
	103	135	Thursday, January 05, 2017	Weekday	0.039	2099	83	47%	-
	104	133	Friday, January 06, 2017	Friday	0.044	2101	92	52%	-
	105	316	Saturday, January 07, 2017	Saturday	0.042	1858	79	44%	-
	106	225	Sunday, January 08, 2017	Sunday	0.043	1969	86	48%	-
	107	312	Monday, January 09, 2017	Weekday	0.039	1860	73	41%	-
	108	263	Tuesday, January 10, 2017	Weekday	0.039	1931	76	43%	-
	109	287	Wednesday, January 11, 2017	Weekday	0.039	1902	75	42%	-
	110	285	Thursday, January 12, 2017	Weekday	0.039	1905	75	42%	-
	111	16	Friday, January 13, 2017	Friday	0.044	2462	108	61%	-
	112	326	Saturday, January 14, 2017	Saturday	0.042	1840	78	44%	-
	113	255	Sunday, January 15, 2017	Sunday	0.043	1939	85	48%	-
	114	265	Monday, January 16, 2017	Weekday	0.039	1929	76	43%	-
	115	294	Tuesday, January 17, 2017	Weekday	0.039	1891	75	42%	-
	116	292	Wednesday, January 18, 2017	Weekday	0.039	1893	75	42%	-
	117	292	Thursday, January 19, 2017	Weekday	0.039	1893	75	42%	-
	118	145	Friday, January 20, 2017	Friday	0.044	2078	91	51%	-
	119	307	Saturday, January 21, 2017	Saturday	0.042	1867	79	44%	-
	120	160	Sunday, January 22, 2017	Sunday	0.043	2064	90	51%	-
	121	340	Monday, January 23, 2017	Weekday	0.039	1814	72	40%	-
	122	192	Tuesday, January 24, 2017	Weekday	0.039	2015	79	44%	-
	123	299	Wednesday, January 25, 2017	Weekday	0.039	1875	74	42%	-
	124	354	Thursday, January 26, 2017	Weekday	0.039	1759	69	39%	-
	125	152	Friday, January 27, 2017	Friday	0.044	2069	91	51%	-
	126	242	Saturday, January 28, 2017	Saturday	0.042	1951	83	47%	-
	127	108	Sunday, January 29, 2017	Sunday	0.043	2140	93	52%	-
	128	345	Monday, January 30, 2017	Weekday	0.039	1799	71	40%	-
	129	338	Tuesday, January 31, 2017	Weekday	0.039	1820	72	40%	-

Attachment II

Transaction Data and Expected Peak Parking Demand For 365 Consecutive Days

Month	Day Number (1-365)	Rank Order by Transaction Count (1 = Highest, 365 = Lowest)	Full Date	Parking Demand Ratios		Occupancy			
				Weekday: 0.039 peak occ. sp/daily transaction Friday: 0.044 peak occ. sp/daily transaction Saturday: 0.042 peak occ. sp/daily transaction Sunday: 0.043 peak occ. sp/daily transaction					
				Rate Applied	Expected Peak Parking per Daily Transaction	Daily Transaction Count from Safeway Data	Expected Peak Parking Demand (Occupied Spaces)	Percent Occupied (178 Spaces Available)	Max Occupancy? (100%)
February-17	130	336	Wednesday, February 01, 2017	Weekday	0.039	1825	72	40%	-
	131	348	Thursday, February 02, 2017	Weekday	0.039	1795	71	40%	-
	132	156	Friday, February 03, 2017	Friday	0.044	2066	91	51%	-
	133	86	Saturday, February 04, 2017	Saturday	0.042	2183	92	52%	-
	134	12	Sunday, February 05, 2017	Sunday	0.043	2524	110	62%	-
	135	357	Monday, February 06, 2017	Weekday	0.039	1715	68	38%	-
	136	301	Tuesday, February 07, 2017	Weekday	0.039	1872	74	42%	-
	137	249	Wednesday, February 08, 2017	Weekday	0.039	1944	77	43%	-
	138	349	Thursday, February 09, 2017	Weekday	0.039	1790	71	40%	-
	139	174	Friday, February 10, 2017	Friday	0.044	2036	89	50%	-
	140	95	Saturday, February 11, 2017	Saturday	0.042	2166	92	52%	-
	141	125	Sunday, February 12, 2017	Sunday	0.043	2116	92	52%	-
	142	38	Monday, February 13, 2017	Weekday	0.039	2302	91	51%	-
	143	6	Tuesday, February 14, 2017	Weekday	0.039	2787	110	62%	-
	144	324	Wednesday, February 15, 2017	Weekday	0.039	1842	73	41%	-
	145	312	Thursday, February 16, 2017	Weekday	0.039	1860	73	41%	-
	146	119	Friday, February 17, 2017	Friday	0.044	2125	93	52%	-
	147	207	Saturday, February 18, 2017	Saturday	0.042	1995	84	47%	-
	148	151	Sunday, February 19, 2017	Sunday	0.043	2071	90	51%	-
	149	249	Monday, February 20, 2017	Weekday	0.039	1944	77	43%	-
	150	274	Tuesday, February 21, 2017	Weekday	0.039	1921	76	43%	-
	151	297	Wednesday, February 22, 2017	Weekday	0.039	1878	74	42%	-
	152	314	Thursday, February 23, 2017	Weekday	0.039	1859	73	41%	-
	153	132	Friday, February 24, 2017	Friday	0.044	2102	92	52%	-
	154	138	Saturday, February 25, 2017	Saturday	0.042	2097	89	50%	-
	155	95	Sunday, February 26, 2017	Sunday	0.043	2166	94	53%	-
	156	263	Monday, February 27, 2017	Weekday	0.039	1931	76	43%	-
	157	237	Tuesday, February 28, 2017	Weekday	0.039	1954	77	43%	-
March-17	158	267	Wednesday, March 01, 2017	Weekday	0.039	1926	76	43%	-
	159	218	Thursday, March 02, 2017	Weekday	0.039	1974	78	44%	-
	160	154	Friday, March 03, 2017	Friday	0.044	2067	91	51%	-
	161	92	Saturday, March 04, 2017	Saturday	0.042	2169	92	52%	-
	162	82	Sunday, March 05, 2017	Sunday	0.043	2197	96	54%	-
	163	290	Monday, March 06, 2017	Weekday	0.039	1896	75	42%	-
	164	268	Tuesday, March 07, 2017	Weekday	0.039	1925	76	43%	-
	165	258	Wednesday, March 08, 2017	Weekday	0.039	1938	76	43%	-
	166	187	Thursday, March 09, 2017	Weekday	0.039	2023	80	45%	-
	167	103	Friday, March 10, 2017	Friday	0.044	2149	94	53%	-
	168	75	Saturday, March 11, 2017	Saturday	0.042	2204	93	52%	-
	169	15	Sunday, March 12, 2017	Sunday	0.043	2463	107	60%	-
	170	5	Monday, March 13, 2017	Weekday	0.039	2895	114	64%	-
	171	365	Tuesday, March 14, 2017	Weekday	0.039	797	32	18%	-
	172	363	Wednesday, March 15, 2017	Weekday	0.039	1617	64	36%	-
	173	307	Thursday, March 16, 2017	Weekday	0.039	1867	74	42%	-
	174	129	Friday, March 17, 2017	Friday	0.044	2107	92	52%	-
	175	175	Saturday, March 18, 2017	Saturday	0.042	2035	86	48%	-
	176	156	Sunday, March 19, 2017	Sunday	0.043	2066	90	51%	-
	177	233	Monday, March 20, 2017	Weekday	0.039	1957	77	43%	-
	178	281	Tuesday, March 21, 2017	Weekday	0.039	1909	75	42%	-
	179	334	Wednesday, March 22, 2017	Weekday	0.039	1828	72	40%	-
	180	335	Thursday, March 23, 2017	Weekday	0.039	1827	72	40%	-
	181	90	Friday, March 24, 2017	Friday	0.044	2172	95	53%	-
	182	130	Saturday, March 25, 2017	Saturday	0.042	2105	89	50%	-
	183	71	Sunday, March 26, 2017	Sunday	0.043	2212	96	54%	-
	184	307	Monday, March 27, 2017	Weekday	0.039	1867	74	42%	-
	185	240	Tuesday, March 28, 2017	Weekday	0.039	1952	77	43%	-
	186	286	Wednesday, March 29, 2017	Weekday	0.039	1904	75	42%	-
	187	255	Thursday, March 30, 2017	Weekday	0.039	1939	77	43%	-
	188	166	Friday, March 31, 2017	Friday	0.044	2059	90	51%	-

Attachment II

Transaction Data and Expected Peak Parking Demand For 365 Consecutive Days

Month	Day Number (1-365)	Rank Order by Transaction Count (1 = Highest, 365 = Lowest)	Full Date	Parking Demand Ratios		Occupancy			
				Weekday: 0.039 peak occ. sp/daily transaction Friday: 0.044 peak occ. sp/daily transaction Saturday: 0.042 peak occ. sp/daily transaction Sunday: 0.043 peak occ. sp/daily transaction					
				Rate Applied	Expected Peak Parking per Daily Transaction	Daily Transaction Count from Safeway Data	Expected Peak Parking Demand (Occupied Spaces)	Percent Occupied (178 Spaces Available)	Max Occupancy? (100%)
April-17	189	66	Saturday, April 01, 2017	Saturday	0.042	2226	94	53%	-
	190	49	Sunday, April 02, 2017	Sunday	0.043	2264	99	56%	-
	191	183	Monday, April 03, 2017	Weekday	0.039	2028	80	45%	-
	192	171	Tuesday, April 04, 2017	Weekday	0.039	2043	81	46%	-
	193	218	Wednesday, April 05, 2017	Weekday	0.039	1974	78	44%	-
	194	345	Thursday, April 06, 2017	Weekday	0.039	1799	71	40%	-
	195	124	Friday, April 07, 2017	Friday	0.044	2117	93	52%	-
	196	75	Saturday, April 08, 2017	Saturday	0.042	2204	93	52%	-
	197	88	Sunday, April 09, 2017	Sunday	0.043	2177	95	53%	-
	198	280	Monday, April 10, 2017	Weekday	0.039	1911	75	42%	-
	199	339	Tuesday, April 11, 2017	Weekday	0.039	1817	72	40%	-
	200	355	Wednesday, April 12, 2017	Weekday	0.039	1755	69	39%	-
	201	337	Thursday, April 13, 2017	Weekday	0.039	1823	72	40%	-
	202	80	Friday, April 14, 2017	Friday	0.044	2199	96	54%	-
	203	11	Saturday, April 15, 2017	Saturday	0.042	2533	107	60%	-
	204	30	Sunday, April 16, 2017	Sunday	0.043	2343	102	57%	-
	205	342	Monday, April 17, 2017	Weekday	0.039	1808	71	40%	-
	206	205	Tuesday, April 18, 2017	Weekday	0.039	1996	79	44%	-
	207	230	Wednesday, April 19, 2017	Weekday	0.039	1963	77	43%	-
	208	291	Thursday, April 20, 2017	Weekday	0.039	1894	75	42%	-
	209	165	Friday, April 21, 2017	Friday	0.044	2060	90	51%	-
	210	128	Saturday, April 22, 2017	Saturday	0.042	2108	89	50%	-
	211	48	Sunday, April 23, 2017	Sunday	0.043	2265	99	56%	-
	212	254	Monday, April 24, 2017	Weekday	0.039	1940	77	43%	-
	213	233	Tuesday, April 25, 2017	Weekday	0.039	1957	77	43%	-
	214	216	Wednesday, April 26, 2017	Weekday	0.039	1976	78	44%	-
	215	282	Thursday, April 27, 2017	Weekday	0.039	1907	75	42%	-
	216	62	Friday, April 28, 2017	Friday	0.044	2234	98	55%	-
	217	115	Saturday, April 29, 2017	Saturday	0.042	2127	90	51%	-
	218	67	Sunday, April 30, 2017	Sunday	0.043	2225	97	54%	-
May-17	219	233	Monday, May 01, 2017	Weekday	0.039	1957	77	43%	-
	220	170	Tuesday, May 02, 2017	Weekday	0.039	2044	81	46%	-
	221	192	Wednesday, May 03, 2017	Weekday	0.039	2015	79	44%	-
	222	186	Thursday, May 04, 2017	Weekday	0.039	2024	80	45%	-
	223	84	Friday, May 05, 2017	Friday	0.044	2192	96	54%	-
	224	114	Saturday, May 06, 2017	Saturday	0.042	2129	90	51%	-
	225	41	Sunday, May 07, 2017	Sunday	0.043	2291	100	56%	-
	226	110	Monday, May 08, 2017	Weekday	0.039	2137	84	47%	-
	227	127	Tuesday, May 09, 2017	Weekday	0.039	2114	83	47%	-
	228	142	Wednesday, May 10, 2017	Weekday	0.039	2084	82	46%	-
	229	247	Thursday, May 11, 2017	Weekday	0.039	1946	77	43%	-
	230	21	Friday, May 12, 2017	Friday	0.044	2421	106	60%	-
	231	7	Saturday, May 13, 2017	Saturday	0.042	2740	116	65%	-
	232	4	Sunday, May 14, 2017	Sunday	0.043	3009	131	74%	-
	233	107	Monday, May 15, 2017	Weekday	0.039	2143	85	48%	-
	234	145	Tuesday, May 16, 2017	Weekday	0.039	2078	82	46%	-
	235	139	Wednesday, May 17, 2017	Weekday	0.039	2095	83	47%	-
	236	191	Thursday, May 18, 2017	Weekday	0.039	2016	80	45%	-
	237	111	Friday, May 19, 2017	Friday	0.044	2135	94	53%	-
	238	54	Saturday, May 20, 2017	Saturday	0.042	2246	95	53%	-
	239	39	Sunday, May 21, 2017	Sunday	0.043	2295	100	56%	-
	240	176	Monday, May 22, 2017	Weekday	0.039	2034	80	45%	-
	241	231	Tuesday, May 23, 2017	Weekday	0.039	1962	77	43%	-
	242	168	Wednesday, May 24, 2017	Weekday	0.039	2046	81	46%	-
	243	218	Thursday, May 25, 2017	Weekday	0.039	1974	78	44%	-
	244	20	Friday, May 26, 2017	Friday	0.044	2424	106	60%	-
	245	57	Saturday, May 27, 2017	Saturday	0.042	2241	95	53%	-
	246	87	Sunday, May 28, 2017	Sunday	0.043	2179	95	53%	-
	247	45	Monday, May 29, 2017	Weekday	0.039	2276	90	51%	-
	248	143	Tuesday, May 30, 2017	Weekday	0.039	2081	82	46%	-
	249	197	Wednesday, May 31, 2017	Weekday	0.039	2010	79	44%	-

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Month	Day Number (1-365)	Rank Order by Transaction Count (1 = Highest, 365 = Lowest)	Full Date	Parking Demand Ratios		Occupancy			
				Weekday: 0.039 peak occ. sp/daily transaction Friday: 0.044 peak occ. sp/daily transaction Saturday: 0.042 peak occ. sp/daily transaction Sunday: 0.043 peak occ. sp/daily transaction					
				Rate Applied	Expected Peak Parking per Daily Transaction	Daily Transaction Count from Safeway Data	Expected Peak Parking Demand (Occupied Spaces)	Percent Occupied (178 Spaces Available)	Max Occupancy? (100%)
June-17	250	240	Thursday, June 01, 2017	Weekday	0.039	1952	77	43%	-
	251	36	Friday, June 02, 2017	Friday	0.044	2312	101	57%	-
	252	68	Saturday, June 03, 2017	Saturday	0.042	2219	94	53%	-
	253	23	Sunday, June 04, 2017	Sunday	0.043	2404	105	59%	-
	254	167	Monday, June 05, 2017	Weekday	0.039	2052	81	46%	-
	255	136	Tuesday, June 06, 2017	Weekday	0.039	2098	83	47%	-
	256	228	Wednesday, June 07, 2017	Weekday	0.039	1966	78	44%	-
	257	221	Thursday, June 08, 2017	Weekday	0.039	1972	78	44%	-
	258	32	Friday, June 09, 2017	Friday	0.044	2336	102	57%	-
	259	27	Saturday, June 10, 2017	Saturday	0.042	2387	101	57%	-
	260	14	Sunday, June 11, 2017	Sunday	0.043	2464	107	60%	-
	261	131	Monday, June 12, 2017	Weekday	0.039	2103	83	47%	-
	262	133	Tuesday, June 13, 2017	Weekday	0.039	2101	83	47%	-
	263	154	Wednesday, June 14, 2017	Weekday	0.039	2067	82	46%	-
	264	139	Thursday, June 15, 2017	Weekday	0.039	2095	83	47%	-
	265	42	Friday, June 16, 2017	Friday	0.044	2287	100	56%	-
	266	22	Saturday, June 17, 2017	Saturday	0.042	2415	102	57%	-
	267	10	Sunday, June 18, 2017	Sunday	0.043	2549	111	62%	-
	268	320	Monday, June 19, 2017	Weekday	0.039	1852	73	41%	-
	269	188	Tuesday, June 20, 2017	Weekday	0.039	2022	80	45%	-
	270	275	Wednesday, June 21, 2017	Weekday	0.039	1915	76	43%	-
	271	330	Thursday, June 22, 2017	Weekday	0.039	1833	72	40%	-
	272	112	Friday, June 23, 2017	Friday	0.044	2132	93	52%	-
	273	47	Saturday, June 24, 2017	Saturday	0.042	2268	96	54%	-
	274	33	Sunday, June 25, 2017	Sunday	0.043	2321	101	57%	-
	275	245	Monday, June 26, 2017	Weekday	0.039	1947	77	43%	-
	276	272	Tuesday, June 27, 2017	Weekday	0.039	1922	76	43%	-
	277	212	Wednesday, June 28, 2017	Weekday	0.039	1990	79	44%	-
	278	211	Thursday, June 29, 2017	Weekday	0.039	1991	79	44%	-
	279	35	Friday, June 30, 2017	Friday	0.044	2316	101	57%	-
July-17	280	94	Saturday, July 01, 2017	Saturday	0.042	2168	92	52%	-
	281	83	Sunday, July 02, 2017	Sunday	0.043	2194	96	54%	-
	282	71	Monday, July 03, 2017	Weekday	0.039	2212	87	49%	-
	283	75	Tuesday, July 04, 2017	Weekday	0.039	2204	87	49%	-
	284	361	Wednesday, July 05, 2017	Weekday	0.039	1686	67	38%	-
	285	360	Thursday, July 06, 2017	Weekday	0.039	1705	67	38%	-
	286	227	Friday, July 07, 2017	Friday	0.044	1968	86	48%	-
	287	162	Saturday, July 08, 2017	Saturday	0.042	2062	87	49%	-
	288	91	Sunday, July 09, 2017	Sunday	0.043	2170	95	53%	-
	289	265	Monday, July 10, 2017	Weekday	0.039	1929	76	43%	-
	290	271	Tuesday, July 11, 2017	Weekday	0.039	1924	76	43%	-
	291	225	Wednesday, July 12, 2017	Weekday	0.039	1969	78	44%	-
	292	289	Thursday, July 13, 2017	Weekday	0.039	1897	75	42%	-
	293	163	Friday, July 14, 2017	Friday	0.044	2061	90	51%	-
	294	102	Saturday, July 15, 2017	Saturday	0.042	2154	91	51%	-
	295	37	Sunday, July 16, 2017	Sunday	0.043	2309	101	57%	-
	296	229	Monday, July 17, 2017	Weekday	0.039	1964	77	43%	-
	297	303	Tuesday, July 18, 2017	Weekday	0.039	1871	74	42%	-
	298	295	Wednesday, July 19, 2017	Weekday	0.039	1888	75	42%	-
	299	322	Thursday, July 20, 2017	Weekday	0.039	1849	73	41%	-
	300	121	Friday, July 21, 2017	Friday	0.044	2120	93	52%	-
	301	213	Saturday, July 22, 2017	Saturday	0.042	1989	84	47%	-
	302	156	Sunday, July 23, 2017	Sunday	0.043	2066	90	51%	-
	303	203	Monday, July 24, 2017	Weekday	0.039	2002	79	44%	-
	304	262	Tuesday, July 25, 2017	Weekday	0.039	1932	76	43%	-
	305	305	Wednesday, July 26, 2017	Weekday	0.039	1869	74	42%	-
	306	333	Thursday, July 27, 2017	Weekday	0.039	1829	72	40%	-
	307	268	Friday, July 28, 2017	Friday	0.044	1925	84	47%	-
	308	185	Saturday, July 29, 2017	Saturday	0.042	2025	86	48%	-
	309	115	Sunday, July 30, 2017	Sunday	0.043	2127	93	52%	-
	310	258	Monday, July 31, 2017	Weekday	0.039	1938	76	43%	-

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				Weekday: 0.039 peak occ. sp/daily transaction Friday: 0.044 peak occ. sp/daily transaction Saturday: 0.042 peak occ. sp/daily transaction Sunday: 0.043 peak occ. sp/daily transaction					
				Rate Applied	Expected Peak Parking per Daily Transaction	Daily Transaction Count from Safeway Data	Expected Peak Parking Demand (Occupied Spaces)	Percent Occupied (178 Spaces Available)	Max Occupancy? (100%)
August-17	311	296	Tuesday, August 01, 2017	Weekday	0.039	1884	74	42%	-
	312	332	Wednesday, August 02, 2017	Weekday	0.039	1832	72	40%	-
	313	325	Thursday, August 03, 2017	Weekday	0.039	1841	73	41%	-
	314	95	Friday, August 04, 2017	Friday	0.044	2166	95	53%	-
	315	149	Saturday, August 05, 2017	Saturday	0.042	2073	88	49%	-
	316	120	Sunday, August 06, 2017	Sunday	0.043	2124	93	52%	-
	317	356	Monday, August 07, 2017	Weekday	0.039	1742	69	39%	-
	318	305	Tuesday, August 08, 2017	Weekday	0.039	1869	74	42%	-
	319	341	Wednesday, August 09, 2017	Weekday	0.039	1812	72	40%	-
	320	318	Thursday, August 10, 2017	Weekday	0.039	1853	73	41%	-
	321	344	Friday, August 11, 2017	Friday	0.044	1801	79	44%	-
	322	207	Saturday, August 12, 2017	Saturday	0.042	1995	84	47%	-
	323	168	Sunday, August 13, 2017	Sunday	0.043	2046	89	50%	-
	324	310	Monday, August 14, 2017	Weekday	0.039	1865	74	42%	-
	325	343	Tuesday, August 15, 2017	Weekday	0.039	1804	71	40%	-
	326	304	Wednesday, August 16, 2017	Weekday	0.039	1870	74	42%	-
	327	350	Thursday, August 17, 2017	Weekday	0.039	1779	70	39%	-
	328	251	Friday, August 18, 2017	Friday	0.044	1943	85	48%	-
	329	201	Saturday, August 19, 2017	Saturday	0.042	2004	85	48%	-
	330	145	Sunday, August 20, 2017	Sunday	0.043	2078	91	51%	-
	331	329	Monday, August 21, 2017	Weekday	0.039	1834	72	40%	-
	332	299	Tuesday, August 22, 2017	Weekday	0.039	1875	74	42%	-
	333	298	Wednesday, August 23, 2017	Weekday	0.039	1876	74	42%	-
	334	301	Thursday, August 24, 2017	Weekday	0.039	1872	74	42%	-
	335	144	Friday, August 25, 2017	Friday	0.044	2079	91	51%	-
	336	136	Saturday, August 26, 2017	Saturday	0.042	2098	89	50%	-
	337	122	Sunday, August 27, 2017	Sunday	0.043	2119	92	52%	-
	338	252	Monday, August 28, 2017	Weekday	0.039	1941	77	43%	-
	339	351	Tuesday, August 29, 2017	Weekday	0.039	1773	70	39%	-
	340	242	Wednesday, August 30, 2017	Weekday	0.039	1951	77	43%	-
	341	321	Thursday, August 31, 2017	Weekday	0.039	1851	73	41%	-
September-17	342	55	Friday, September 01, 2017	Friday	0.044	2244	98	55%	-
	343	233	Saturday, September 02, 2017	Saturday	0.042	1957	83	47%	-
	344	73	Sunday, September 03, 2017	Sunday	0.043	2209	96	54%	-
	345	34	Monday, September 04, 2017	Weekday	0.039	2317	91	51%	-
	346	318	Tuesday, September 05, 2017	Weekday	0.039	1853	73	41%	-
	347	323	Wednesday, September 06, 2017	Weekday	0.039	1848	73	41%	-
	348	276	Thursday, September 07, 2017	Weekday	0.039	1913	75	42%	-
	349	215	Friday, September 08, 2017	Friday	0.044	1979	87	49%	-
	350	69	Saturday, September 09, 2017	Saturday	0.042	2218	94	53%	-
	351	57	Sunday, September 10, 2017	Sunday	0.043	2241	98	55%	-
	352	244	Monday, September 11, 2017	Weekday	0.039	1948	77	43%	-
	353	288	Tuesday, September 12, 2017	Weekday	0.039	1900	75	42%	-
	354	224	Wednesday, September 13, 2017	Weekday	0.039	1970	78	44%	-
	355	311	Thursday, September 14, 2017	Weekday	0.039	1862	73	41%	-
	356	160	Friday, September 15, 2017	Friday	0.044	2064	90	51%	-
	357	125	Saturday, September 16, 2017	Saturday	0.042	2116	89	50%	-
	358	70	Sunday, September 17, 2017	Sunday	0.043	2213	96	54%	-
	359	216	Monday, September 18, 2017	Weekday	0.039	1976	78	44%	-
	360	238	Tuesday, September 19, 2017	Weekday	0.039	1953	77	43%	-
	361	222	Wednesday, September 20, 2017	Weekday	0.039	1971	78	44%	-
	362	328	Thursday, September 21, 2017	Weekday	0.039	1836	72	40%	-
	363	113	Friday, September 22, 2017	Friday	0.044	2131	93	52%	-
	364	106	Saturday, September 23, 2017	Saturday	0.042	2146	91	51%	-
	365	99	Sunday, September 24, 2017	Sunday	0.043	2164	94	53%	-



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

**MONTGOMERY COUNTY PLANNING BOARD
OPINION**

Preliminary Plan No. 1-98001 and Site Plan Review No. 8-99004
Project: Safeway at Cloverly
Date of Hearing: October 29, 1998

Action on Preliminary Plan No. 1-98001 and Site Plan Review No. 8-99004:

PRELIMINARY PLAN: APPROVAL SUBJECT TO CONDITIONS. *(Motion to approve Preliminary Plan No. 1-98001, and Preliminary and Final Water Quality Plans, was made by Commissioner Richardson, seconded by Commissioner Bryant, with a vote of 5-0, Commissioners Richardson, Bryant, Hussmann, Holmes and Perdue voting in favor.)*

SITE PLAN: APPROVAL SUBJECT TO CONDITIONS. *(Motion to approve Site Plan No. 8-99004 was made by Commissioner Richardson, seconded by Commissioner Bryant, with a vote of 5-0, Commissioners Richardson, Bryant, Hussmann, Holmes and Perdue voting in favor.)*

INTRODUCTION

On July 15, 1997, Safeway, Inc. ("Applicant") filed an application for Preliminary Plan review designated as Preliminary Plan No. 1-98001 with the Montgomery County Planning Board. The Preliminary Plan application requests the creation of one (1) lot on 3.68 acres of land. As part of its Preliminary Plan application, Applicant seeks approval of its preliminary and final water quality plans for the proposed development and a waiver of the Upper Paint Branch Special Protection Area Environmental Overlay Zone's ten percent 10% imperviousness limit.

On August 21, 1998, in accordance with Montgomery County Code, Applicant filed an application for Site Plan review designated as Site Plan No. 8-99004 with the Planning Board.¹ Applicant's Site Plan proposes a new 45,000 square foot grocery store with 225 parking spaces. As part of its Site Plan application, Applicant requests approval of a partial waiver of the parking lot setback requirements.

After due notice, the Montgomery County Planning Board ("Planning Board") held a public hearing on both applications on October 29, 1998, in accordance with the requirements of Md. Code Ann., Art. 28 ("Regional District Act"), the Mont. Co. Code,

¹

Development of any portion of land zoned C-1 where C-1 zoning is in excess of 15 acres at one location requires approval of a site plan. See Montgomery County Code, Section 59-C-341.2. The Subject Property is within a C-1 zoned area that exceeds 15 acres.

Chapter 50 ("Code")², and the Planning Board's Rules of Procedure. At the public hearing, the Planning Board considered both plans concurrently, and heard testimony from its expert technical staff ("Staff"), representatives of the Applicant, the Cloverly Civic Association, and neighboring property owners and received evidence into the record on the applications. In presenting the application to the Planning Board, Staff prepared packets of information including a Staff report and analysis of the proposal, plan drawings, a vicinity map, and correspondence from the Montgomery County Department of Permitting Services ("DPS"), the Applicant, and the community.

THE SUBJECT PROPERTY

The subject property is located in the northeast quadrant of the intersection of New Hampshire Avenue and Briggs Chaney Road. The property contains approximately 3.68 acres in the C-1 Zone. The site is currently improved with an existing 20,000 square foot Safeway store and parking lot. The adjoining Parcel N5 to the north is developed as a bank and parking lot. To the west, across New Hampshire Avenue, is a single-family house located in the RE-2 Zone and a small shopping center in the C-1 Zone. To the south, across Briggs Chaney Road, are four single-family detached homes within the RE-2C Zone. The 2.9-acre parcel located immediately to the east of the subject property is zoned RE-1 and is undeveloped.

The subject property is located within two watersheds, the Northwest Branch and the Paint Branch. Approximately 1.1 acres drain to the Bryants' Nursery Tributary of the Northwest Branch (Use IV waters) and approximately 2.6 acres lie within the Upper Paint Branch Special Protection Area (Use III waters) ("SPA"). There are no forest, trees, streams, wetlands, floodplains or environmental buffers on the site and there is no landscaping in either parking lot. There are also no existing stormwater management controls for the existing development on the site.

The site is located within the *1997 Approved and Adopted Cloverly Master Plan* and is served by Cloverly Street, New Hampshire Avenue, Briggs Chaney Road and Gallaudet Avenue, which form the northern, western, southern and eastern boundaries of the site. Access to the existing store is from New Hampshire Avenue and Briggs Chaney Road. The drive aisles for the existing store and bank connect to each other and the adjoining streets. Cloverly Street is platted and partially built. New Hampshire Avenue (MD 650)

is classified as a major highway and is four lanes with a two-way turning lane through the Cloverly Commercial Area. Briggs Chaney Road is an open section road with no existing drainage improvements. The Gallaudet Avenue right-of-way is platted, but unbuilt.

THE PRELIMINARY PLAN

In its application for Preliminary Plan review, Applicant requests the Planning Board approve the creation of one (1) lot from three existing parcels (Parcels N57, N59, and N102). Applicant also requests Planning Board approval of its preliminary and final water quality plans in accordance with Section 19-65 of the Code, and approval of a waiver from the Upper Paint Branch SPA ten percent (10%) imperviousness cap in accordance with Section 59-C-18.15 of the Code.

The Subdivision Criteria

An application for subdivision requires the Planning Board to undertake its legislatively delegated authority under the Regional District Act and the Subdivision Regulations. The application must also meet the requirements of Chapter 59 of the Montgomery County Code, the Zoning Ordinance.

Section 50-35 of the Code provides the approval procedure for preliminary subdivision plans. After presentation of the plan to the Planning Board, the Planning Board must act to approve the plan, disapprove the plan, or approve the plan subject to conditions and/or modifications necessary to bring the plan into accordance with the Code and all other applicable regulations.

The general provisions for lot design for a subdivision are set forth in Section 50-29 of the Code. Lot size, width, shape and orientation must be appropriate for the location of the subdivision and for the type of use contemplated in order to be approved by the Planning Board. Lots must also abut a dedicated street or public road. In addition, the depth and width of nonresidential lots must be adequate for the off-street service and parking needed for the proposed use.

At the public hearing, Staff presented information to the Planning Board on the subject application including information about the lot size, width, shape and orientation of the proposed subdivision, the relationship of the proposed lot to public roads, and the off-street service and parking provided. Staff also presented information as to the plan's conformance with the development standards for the C-1 Zone. In addition, the record contains the Applicant's traffic study which analyzed existing conditions and the traffic

impacts and transportation needs generated by the project. The traffic impact study concludes that the projected additional trips can be adequately accommodated at all key intersections.

Staff also presented information regarding stormwater management for the portion of the site within the Northwest Branch Special Protection Area. Stormwater management will consist of underground storage pipes for quantity control and a bio-retention facility for quality control. A stormceptor pre-treatment and filtering device will provide secondary water quality control. Within the Upper Paint Branch SPA, underground storage pipes will provide quantity control and a bio-retention facility and an underground structural sand filter will provide quality control. Two stormceptors will provide secondary water quality control. A pump will convey the runoff from the water quality structures to the underground storage pipes. The Applicant will also implement a monitoring program to be reviewed and approved by DPS and the Montgomery County Department of Environmental Protection.

The Upper Paint Branch Special Protection Area

Approximately 2.6 acres of the Subject Property lies within the Upper Paint Branch SPA. Development in a Special Protection Area must abide by additional requirements enumerated in Code Sections 19-60, *et. seq.* (Water Quality Review in Special Protection Areas) and 59-C-18.151 (Overlay Zone for the Upper Paint Branch Special Protection Area).

The provisions of Section 19-60 *et. seq.* of the Code provide that an application for preliminary plan approval for development within a Special Protection Area must obtain approval of both preliminary and final water quality plans by the Planning Board and DPS. Under the law, DPS and the Planning Board have different responsibilities in the review of the water quality plans, the Planning Board being responsible for determining conformity of Applicant's water quality plans with the Planning Board's Environmental Guidelines and with any legal limits on imperviousness. See Section 19-65(a)(2)(A). To assist the Planning Board in its determination, Environmental Planning Staff provided information to the Board for its review.

Staff reported that Applicant's water quality plans met the requirements of the Environmental Guidelines. Staff stated that Applicant will meet the Environmental Guidelines afforestation requirements by planting 0.56 acres of tree cover on the site, and that there are no streams, wetlands or environmental buffers on the site requiring protection by the Environmental Guidelines. Additionally, regarding legal limits on

imperviousness, Staff informed the Board that Section 59-C-18.151 of the Code imposes a 10% site imperviousness limit on new development in the Upper Paint Branch SPA. Since Applicant's proposal is for 68% imperviousness, Applicant submitted a waiver request to DPS in accordance with Mont. Co. Code Section 59-C-18.152(a)(2).

Section 59-C-18.152(a)(2) authorizes the Director of DPS to grant a waiver of the impervious surface restriction if an applicant shows, by clear and convincing evidence, that: (1) the limitation would result in undue hardship because of events or circumstances not caused or facilitated by the applicant; (2) the applicant complies with all applicable water quality standards; and (3) the relief sought is the minimum needed to prevent hardship. DPS found that the Applicant's waiver request met the requirements but conditionally approved the Applicant's waiver upon the Planning Board's concurrence. (See October 22, 1998 letter from DPS to David S. Ager.)

The Approved and Adopted Cloverly Master Plan Interim Edition July 1997 ("Master Plan") specifically addresses the redevelopment of the subject property and the SPA considerations. The Master Plan identifies the Cloverly Commercial Area as the primary retail area and center of the community. Noting that the existing store is undersized, the Master Plan recommends an expanded full-service grocery store at the same location, as follows:

The current location is the most suitable location for a grocery store in the commercial district. Part of the site is located in the Paint Branch Special Protection Area (SPA) and is subject to SPA environmental management requirements. In considering redevelopment proposals, the Planning Board should carefully weigh the significant benefit to the Cloverly community of an expanded commercial area against the Environmental constraints of the site. If there are requirements of the SPA that cannot be met, then the Planning Board and the Department of Permitting Services should determine if the remaining impacts are balanced or offset by the community benefits of an expanded commercial area. These benefits, together with the ability of the developer to minimize environmental impact through site design and engineering, may support a decision for a waiver from SPA requirements.

At the hearing Staff recommended that the Planning Board grant the waiver of the impervious surface limit. Staff's based its recommendation on its determination that the community benefits of the proposal - including the creation of a new store that is greatly desired by the community, the creation of stormwater management facilities on a commercial site that currently has no existing stormwater controls, and the improved landscaping and lighting - outweigh the environmental impacts. Additionally, Staff informed the Board that the Applicant originally proposed a plan with 75% site imperviousness, but in response to concerns raised during the review process, the Applicant modified that proposal and reduced the site imperviousness to 68%. Staff also explained that the Applicant has reduced the amount of impervious surfaces within the SPA portion of the site as much as feasible, given the Master Plan recommendations for the site, the small size of the property and the design criteria for a functional grocery store. Additionally, Staff informed the Board that the proposed Preliminary Plan complies with all applicable water quality standards.

Additionally, Applicant explained in a submission to the Planning Board that it made every effort possible to minimize impervious surfaces on the site, while meeting all development requirements. Applicant stated that efforts to minimize include narrower drive aisles, sidewalks and bikepaths, a one-way truck access route, the minimum number of parking spaces and the shared parking arrangement with the adjacent bank. The Applicant also noted that the existing condition on the site exceeds the 10% impervious surface cap (32%) and that typical commercial developments within the C-1 Zone have impervious factors ranging from 85 to 90%. Applicant further noted that the current store and parking lot have no stormwater management or other environmental safeguards to protect the Upper Paint Branch Watershed, and that the new development will have an integrated stormwater management system including quantity and quality controls. Finally, the Applicant noted that alternative techniques were considered and studied in accordance with the requirements of the SPA law.

Stormwater Management

At the hearing, neighboring property owners raised concerns regarding the stormwater runoff from the property. In response, Staff and the Applicant assured the Planning Board and the neighbors that the proposed stormwater management measures will provide adequate control and are expected to solve existing drainage problems along Briggs Chaney Road. Applicant noted, however, that in response to one of the property owner's concerns, Applicant will create a curb inlet along the Briggs Chaney Road driveway, rather than a trench drain, which should also assist in alleviating any drainage problems. In addition, in response to other concerns expressed by some neighboring

property owners, Applicant agreed to conduct quarterly monitoring of the stormwater management system to ensure its successful operation.

Recommended Condition No. 10

At the hearing, Applicant stated its agreement with Staff's recommended conditions, with the exception of proposed Condition No. 10. Applicant requested that the Planning Board modify the proposed condition to state "No clearing, grading or demolition of buildings prior to approval of sediment and erosion control plans" rather than "prior to recording of plats" to allow some flexibility regarding the timing of the demolition of the existing building.

Findings

After review and consideration of the evidence of record, including testimony given at the public hearing, the Planning Board finds that Preliminary Plan No. 1-98001 is in accordance with the Subdivision Regulations, the Zoning Ordinance and the Regional District Act. Based on the information contained in the record, the Planning Board finds that: (1) the proposed lot is appropriate with regard to lot size, width, shape and orientation for the location of the subdivision and the contemplated use; (2) the proposed lot abuts public roads; (3) the depth and width of the proposed lot are adequate for the off-street service and parking needed for the proposed use; and (4) the preliminary plan meets the development standards of the C-1 Zone.

Regarding the SPA waiver, the Planning Board adopts Staff's findings and recommendations, and finds that granting a waiver of the 10% limit on impervious surfaces is appropriate. Based upon Preliminary Plan Conditions Nos. 2 and 3, the Master Plan recommendations, the community benefits of the new store, and Applicant's efforts to minimize impervious surfaces in the SPA, the Planning Board finds that (1) imposition of the impervious surface restriction would result in undue hardship on the Applicant because of events or circumstances not caused or facilitated by the Applicant, (2) the Applicant's Preliminary Plan complies with all applicable water quality standards, and (3) the relief sought is the minimum needed to prevent hardship. The Planning Board further finds that the SPA preliminary/final water quality plan provides an acceptable level of control to protect the SPA. The Planning Board notes that it has never waived the SPA imperviousness limit before without a purchase of additional land to offset the imperviousness, and that waiver in this case is only warranted due to the unique circumstances of this case.

Regarding the Stormwater Management issues raised at the hearing, the Planning Board further finds that the stormwater management plan and the conditions of the stormwater management concept approval are adequate to protect adjoining properties. Also, the proposed replacement of the trench drain along the Briggs Chaney Road driveway with a curb inlet is acceptable to the Planning Board. Finally, the Planning Board finds that Applicant's agreement to conduct quarterly inspections of the stormwater management system provides further assurance of effective stormwater management.

Conclusion

Based on the foregoing, the Planning Board APPROVES Preliminary Plan 1-98001, including the Preliminary and Final Water Quality Plans, and the Upper Paint Branch Special Protection Area Imperviousness Limit Waiver, in accordance with Section 59-C-18.152(a)(2), subject to the following conditions:

- 1) The date of this Opinion is February 19, 1999. This preliminary plan will remain valid until March 19, 2002 (37 months from the date of mailing which is February 19, 1999). Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded or a request for an extension must be filed;
- 2) Prior to recording of plat, applicant to enter into an agreement with the Planning Board to limit impervious surface to no more than sixty-eight (68) percent as shown on site plan, revised September 1998;
- 3) Prior to MCPB release of building permit, applicant to demonstrate conformance to impervious surface limits as shown on the site plan revised September 1998. Any modification to these plans which increases site imperviousness will require further Planning Board review.
- 4) Compliance with the conditions of approval of the final forest conservation plan dated October 21, 1998. The applicant must meet all conditions prior to recording of plat or MCDPS issuance of sediment and erosion control permit(s), as appropriate;
- 5) Conformance with the conditions stated in the Department of Permitting Services preliminary and final water quality plan approval letter dated May 8, 1998 and reapproved October 13, 1998;

- 6) Prior to recording of plat, applicant to enter into an Adequate Public Facilities (APF) agreement with the Planning Board limiting development to a 45,500 square foot grocery store;
- 7) Access and improvements to New Hampshire Avenue (MD 650) to be approved by MDSHA prior to building permit release;
- 8) Access and improvements, including reconstruction of sidewalk/bike path along Briggs Chaney Road, to be approved by MCDPW&T prior to recording of plat;
- 9) Dedication of Briggs Chaney Road and New Hampshire Avenue (MD 650) as shown on plan;
- 10) Final landscape, lighting and parking facilities plan (including parking setback waiver) to be approved with site plan;
- 11) No clearing, grading or demolition of buildings prior to approval of sediment and erosion control plans;
- 12) Applicant to replace trench drain along the Briggs Chaney Road driveway with a curb inlet, subject to review and approval of Staff and DPS.
- 13) Stormwater management system to be maintained in good operating condition, with quarterly monitoring.
- 14) Other necessary easements.

THE SITE PLAN

The Applicant's Site Plan proposes a new 45,000 square foot grocery store with 225 parking spaces (41 spaces are on adjoining Parcel N5 reserved for the grocery store by a shared parking easement). The new store will be located toward the rear of the site, with the facade set back 314 feet from New Hampshire Avenue, 17-40 feet from Briggs Chaney Road and 10 feet from Gallaudet Avenue.

Access to the site will be from New Hampshire Avenue (single access point) and Briggs Chaney Road (one access point to the parking lot and one to the service area). The existing entrances to the adjoining Parcel N5 (bank lot) and the internal driveway

connections between the Subject Property and the bank lot will be maintained. Service for the grocery store will be handled by a loading dock to the rear of the store. Access to the loading dock will be provided by a one-way service road the Applicant will construct from the end of Cloverly Street to Briggs Chaney Road in the unimproved right-of-way for Gallaudet Avenue.

The pedestrian system includes sidewalk connections from the front door of the store to Briggs Chaney Road, and a series of crosswalks and sidewalks to New Hampshire Avenue. A sidewalk will be provided along New Hampshire Avenue, set back from the curb and gutter to allow for a row of street trees. Another sidewalk will be provided along Cloverly Street, as needed. A Class I, 8-foot bikepath will be provided along the north side of Briggs Chaney Road. A 7-foot Class I bikepath will run the length of the property along Gallaudet Avenue.

Landscaping will include eight-foot landscape strips on either side of the entry drive from New Hampshire Avenue, shade trees throughout the parking lot, perimeter landscape strips planted with evergreen hedges and shade trees, two bio-retention areas containing a variety of shrubs and trees, buffer planting along the southern wall of the grocery store and loading dock, and accent planting at the entrances to the site and the store. The plan includes more than 5% green space within the parking lots and increased landscaping in the areas subject to the setback waiver request (see below). Street trees will be provided within the rights-of-way for New Hampshire Avenue, Briggs Chaney Road (north side) and Gallaudet Avenue (both sides). Trees will also be planted along the property line on the south side of Cloverly Street. The lighting plan is designed to provide an average of four footcandles of illumination, an emerging industry standard. The fixtures will be traditional and will be aimed downward at cut-offs. Lights in the main parking lot will be directed away from the perimeter and there will be no lights on the south wall of the building.

Site Plan Approval Criteria

In order to approve a Site Plan pursuant to Section 59-D-3 of the Montgomery County Zoning Ordinance, the Planning Board must find that:

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

3. Each structure and use is compatible with other uses and other site plans and existing and proposed adjacent development;
4. The Site Plan meets all applicable requirements of Chapter 22A regarding Forest Conservation; and
5. The locations of the buildings and structures, the open spaces, the landscaping, recreation facilities and the pedestrian and vehicular circulation systems are adequate, safe and efficient.

Mont. Co. Code, Section 59-D-3.3.

Conformance to General Site Plan Approval Criteria

Staff submitted a report to the Planning Board which addresses the conformance of the subject Site Plan to the general approval criteria. The report includes a comparison of the Site Plan to the C-1 Zone development standards and a detailed review of the location of buildings, open spaces, landscaping and lighting, vehicular and pedestrian circulation, compatibility and forest conservation. Staff found that the Site Plan meets all of the applicable standards and regulations. Staff recommended approval of the Site Plan with conditions.

In its testimony on the record and in its report, Staff described the subject Site Plan. Staff explained that the grocery store and parking lot are arranged to provide for optimal use of the site, reasonable setbacks and adequate buffering. The layout provides logical vehicular movement and comprehensive and well-defined pedestrian routes. The building frontage will connect to the end wall of an existing office building, maintaining a uniform setback and optimum visibility to New Hampshire Avenue. The building orientation also will provide improved visibility for access from side streets. The location of the service area and the screening around it will reduce its visual impact on surrounding areas. The lighting is carefully placed to provide well-lit, safe interior spaces and minimal off-site impact. The landscaping is substantial and will create an attractive view from the surrounding streets. Finally, the stormwater management measures will improve drainage in the vicinity of Briggs Chaney Road, which will be of considerable benefit to the surrounding neighborhood.

Regarding forest conservation, Staff explained that there are no existing forest or trees on the site. The Applicant has proposed to satisfy the afforestation requirements by planting 0.56 acres of tree cover on the site, including street trees and trees located in the

parking islands and perimeter landscape strips.

Parking Lot Setback Waiver

Section 59-E-2.81 of the Code requires parking lots adjoining land in a residential zone to be set back at a distance equal to or greater than the applicable front, rear or side-yard setbacks required for the property in the residential zone. In the present case, the required parking lot setback is 50 feet along Briggs Chaney Road and 17 feet along Gallaudet Avenue. The Applicant's proposed setbacks vary from 26.5 to 55.3 feet along Briggs Chaney Road and from 11.5 to 13.3 feet along Gallaudet Avenue. Staff stated that these reduced setbacks are necessary in order to provide more area to the site for adequate parking and sufficient maneuvering space for trucks accessing the loading dock. Applicant therefore is requesting Planning Board approval of a partial waiver of the set back requirement in accordance with Section 59-E-4.5 of the Code.

In exchange for the waiver, Applicant proposes additional landscaping and green area in its plan, including a landscaped green area between the parking lot and the new sidewalk/bikepath along Briggs Chaney Road, and new street trees along the Briggs Chaney Road frontage. In addition, Applicant will provide a double row of trees within the Gallaudet Avenue right-of-way, screening fences and walls along the loading area, and additional landscaping to minimize the visual impact of the reduced setback. Additionally, Applicant noted that the setback along Briggs Chaney Road in its proposed plan is an increase from the existing six foot setback, and further enhances the site.

At the hearing, Staff recommended approval of the requested waiver. Staff based its support of the waiver on the increased setback that will be provided along Briggs Chaney Road from the current setback and the additional screening that Applicant is providing along Briggs Chaney Road and Gallaudet Avenue.

Other Issues

At the public hearing, Applicant testified that it had meet with the citizens in the area and had attempted to address their concerns. In response to their concerns, Applicant proffered additional conditions into the record. The proffered conditions are:

1. Speed humps will be maintained on Safeway's property to discourage cut-through traffic.
2. Overnight use of Safeway's parking lot by third parties will be prohibited.

3. Safeway's property will be maintained free of trash and debris.
4. Landscaping as per the site plan will be provided on Safeway's property along Briggs Chaney Road and will be maintained in good condition.
5. The stormwater management system on Safeway's property will be maintained in good operating condition.

Additionally, neighboring property owners and a representative of the Cloverly Civic Association testified at the hearing. The neighboring property owners located directly across Briggs Chaney Road from the site testified regarding their concern about headlights shining into their homes from cars and trucks exiting the site and trash located on the site. To address their concerns, the neighbors requested that the Applicant place additional plantings on their property to assist in screening their property. Applicant stated its willingness to provide increased landscaping on the neighbors' property and agreed to a condition in the Opinion requiring Applicant to do so. Also, regarding the trash and debris on the site, Applicant explained that the existing open dumpster will be replaced with a fully-sealed through-the-wall trash compactor and submitted information on this system into the record. Applicant further pointed out that its proffered conditions provide that it will maintain its property free of trash and debris. In response to Planning Board's suggestion, Applicant agreed to amend its proffered conditions to include daily removal of trash from the site.

In response to questions from the Planning Board regarding the proposed signage on the store's wall facing Briggs Chaney Road, Applicant explained that the Site Plan shows one standard illuminated sign on the corner of the building. Chairman Hussmann and Commissioner Richardson stated their concerns about placing a sign so close to the neighbors' houses. In response to the Commissioner's concerns, Applicant proposed replacing the sign on the Briggs Chaney Road exposure of the building with a logo that will be illuminated only during the store's business hours.

Finally, regarding noise from the service area of the site, Chairman Hussmann suggested that Applicant raise the wall at the loading bay higher than the trucks to provide a better sound and sight barrier from trucks in the loading bay. Applicant responded that the south wall is designed as an eight-foot masonry wall, and may be raised to twelve feet, which would provide additional screening for neighboring property owners from noise at the loading bay.

Findings

After consideration of the Staff report and analysis, and the testimony of Staff, the Applicant and the neighboring property owners, the Planning Board finds that the Site Plan is consistent with Preliminary Plan No. 1-98001, and is in accordance with the requirements of the Zoning Ordinance, the Regional District Act and the Approved and Adopted Cloverly Master Plan. The Planning Board further finds that the building location, open spaces, landscaping and lighting, and vehicular and pedestrian circulation systems are adequate, safe and efficient, and that the Site Plan meets all applicable requirements for forest conservation. In addition, the Planning Board finds that the proposed use, the attractive design of the project, the provision of a comprehensive pedestrian and bicycle system, and the landscaped buffers along Briggs Chaney Road, New Hampshire Avenue and Gallaudet Avenue result in a Site Plan that is fully in accordance with the Master Plan and that is compatible with existing and proposed surrounding development.

Regarding the requested partial waiver of a portion of the parking lot setbacks, the Planning Board adopts the findings and recommendations of Staff and finds that the waiver is necessary to allow sufficient area for parking and vehicular and pedestrian movements. The Planning Board notes that the proposed parking lot setbacks along Briggs Chaney Road are much larger than the existing setback, and finds that the waiver meets the objectives of the Zoning Ordinance because of the additional landscaping Applicant will provide in the narrower setback area and on the properties located across Briggs Chaney Road.

Conclusion

Based on the foregoing, the Planning Board APPROVES Site Plan 8-99004, consisting of 45,000 square feet of retail, and a partial waiver of the parking lot setback requirement, in accordance with Section 59-E-4.5 of the Code, subject to the following conditions:

- 1) Standard Conditions dated October 10, 1995, Appendix A.
- 2) Site Plan Enforcement Agreement to reference the joint parking easement located on Parcel N-5.
- 3) Applicant to provide additional plantings on the properties located directly across Briggs Chaney Road from the service road exit, subject to Staff review and approval.

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- 4) Logo on the Briggs Chaney Road exposure of the building is to be illuminated only during the store's business hours.
- 5) Applicant to increase the height of the masonry wall along the southern side of the loading bay to 12 feet.
- 6) Applicant's SPEA to reference Applicant's proffered conditions.

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**WELLS + ASSOCIATES**
MEMORANDUM

To: Tim McNamara

From: William L. Zeid, P.E.

Re: 15411 New Hampshire Avenue Safeway Parking Demand Study

Date: March 13, 2018

1420 Spring Hill Road
Suite 610
Tysons, Virginia 22102
703-917-6620
703-917-0739 FAX
www.mjwells.com

Introduction

This report presents a revised parking demand assessment for the Safeway store located at 15411 New Hampshire Avenue in Silver Spring, Maryland. The site is located within the Cloverly policy area of Montgomery County along the east side of New Hampshire Avenue north of Briggs Chaney Road. This document has been revised to address comments received from Montgomery County Staff regarding the initial submission dated October 10, 2017. The findings of this revised document remain consistent with the initial study submission. Point-by-point comment responses are provided as an attachment.

The Safeway site was originally approved for a 45,000 SF grocery store with 225 parking spaces per Preliminary Plan 1-98001 and Site Plan 8-99004. The conditions accompanying the site plan allowed for 41 of the 225 required spaces to be provided on the adjacent bank property (Parcel N5) via a shared parking easement.

Under the current application, Parcel N5 is proposed to be redeveloped with a fast-food restaurant with drive-through, and while no changes are proposed to the Safeway site, the 41 spaces reserved by Safeway within Parcel N5 would no longer be available for utilization by the Safeway store to count toward meeting the 225 parking space requirement.

The purpose of this assessment is to evaluate the current parking demand for the Safeway store and to determine if the 178 parking spaces available within the Safeway parking lot would adequately meet the parking demand of the site throughout the year. It is noted that four (4) additional parking spaces are currently occupied by shopping cart corrals, and these spaces are not included in the 178 space supply.

This assessment identifies the localized and site-specific peak parking demand ratio of the existing Safeway store. The expected daily peak parking demands throughout the year were estimated by augmenting the observed peak parking demand ratios with the most recent 365 days of transaction records for the site. The full data set was evaluated in order



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to calculate a recommended design hour parking ratio that results in a sufficient number of parking spaces that would accommodate the 85th percentile peak parking demands of the Safeway store, while providing a five (5.0) percent parking space vacancy rate for circulation and turnover.

In summary, the number of daily transactions was used as a reference point to estimate the magnitude of the peak parking demand for each day of the year based on the known data points. Data points were collected for weekdays, Fridays, Saturdays, and Sundays under the assumption that each of these are their own day “type” and may have unique relationships of number of daily transactions to the magnitude of the peak parking demand. In other words, the distribution of when people shop during the day on a Sunday versus a Thursday may be different, therefore different data points were established for each so that the estimates for these days throughout the year would be more accurate than just assuming every day peaks at the same time and with the same relationship of transactions per day to peak parking demand for the day.

Recommended Design Hour Parking Supply

As recommended by ITE, parking facilities are typically designed to accommodate the 85th percentile of the daily peak parking demand over the entire year, rather than providing a parking supply equivalent to the maximum parking demand as this would result in underutilized parking throughout much of the year. Since the projected parking demand represents occupancy (parked vehicles), the recommended design parking supply ratio was developed to provide approximately five (5.0) percent vacancy (or practical capacity) while providing sufficient spaces to accommodate the full 85th percentile parking demand. This accommodation provides additional spaces for circulation, turnover, and minor fluctuations in demand (effective supply). Thus, the effective parking supply is derived by dividing the 85th percentile peak parking demand by 0.95.

Code Requirement and Proposed Parking Ratio

Per the Montgomery County Zoning Ordinance, grocery stores are required to provide parking at a rate of five (5.0) spaces per 1,000 square feet of building area. This results in a total of 225 parking spaces required per the Code in order to accommodate the 45,000 SF Safeway store. The current parking lot layout on the Safeway site provides 178 striped parking spaces, and 41 additional spaces are reserved within the adjacent Parcel N5 site.

The proposed redevelopment of the Parcel N5 site would reduce the parking allocated to the Safeway site to only those parking spaces within the Safeway parking lot (178 parking



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spaces). Thus, the proposed parking supply of 178 parking spaces would result in a parking supply ratio of 3.96 spaces per 1,000 SF of building area and would require approval of a parking waiver by the County.

On-Site Parking Occupancy

Parking occupancy counts were recently collected at the site on Thursday, September 14, 2017 from 10:00 AM to 10:00 PM, on Friday September 15th from 10:00 AM to 10:00 PM, on Saturday September 16th from 10:00 AM to 10:00 PM, and on Sunday September 17th from 10:00 AM to 10:00 PM with the grocery store open and operating under normal conditions.

In addition to the parking occupancy data collected by Wells + Associates, transaction data was provided by Safeway for the subject site that includes 365 consecutive days from September 25, 2016 through September 24, 2017. The total daily transactions corresponding to each day parking occupancy data was collected were used to calculate rates that were then applied to the 365 days of transaction data in order to estimate the daily peak parking occupancy corresponding to the full year of data. Using the daily transaction data provides a more accurate and site-specific assessment of the parking demand throughout the year when compared to simply using the monthly variations published by the Urban Land Institute (ULI) as is used when assessing sites where transaction data is not available. Since the objective is to gain a general relationship of the magnitude of demand for the day, the overall daily transaction totals are utilized for each type of day (weekday, Friday, Saturday & Sunday) as previously discussed. The observed peak parking occupancy and corresponding transactions are shown on Table 1 below.

As an additional note, parking area "J" does not provide any parking spaces; however, some vehicles were observed parking temporarily in this area. Therefore, the vehicles parked in area "J" were tabulated and assumed to be parked within the 178 space parking supply in order to be conservative and not leave any parking demand unaccounted for.

Table 1
15411 New Hampshire Avenue Safeway Parking Demand Assessment
Peak Parking Demand per Daily Transaction Count

Day of Week	Date Counted	Peak Parking Occupancy ⁽¹⁾ (Vehicles Parked)	Daily Transaction Count from Safeway Data ⁽²⁾ (Transactions/Day)	Peak Parking Occupancy per Daily Transaction Count
Thursday	9/14/2017	73	1862	0.039
Friday	9/15/2017	90	2064	0.044
Saturday	9/16/2017	89	2116	0.042
Sunday	9/17/2017	96	2213	0.043

Notes: (1) Daily maximum observed parking occupancy within the Safeway parking lot (178 spaces available).

(2) Total number of transactions for each day parking occupancy was collected (provided by Safeway).



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As shown in Table 1, a peak parking occupancy of 96 parked vehicles was observed on the Sunday when the data was collected. The observed peak parking occupancies translate to existing utilization rates of approximately 0.039 occupied spaces per total patron count on a weekday (Monday, Tuesday, Wednesday, and Thursday), 0.044 occupied spaces per total patron count on a Friday, 0.042 occupied spaces per total patron count on a Saturday, and 0.043 occupied spaces per total patron count on a Sunday.

Forecasted Parking Demand

The parking occupancy observations conducted in September of 2017 were used in conjunction with the transaction records for the site (including 365 consecutive days of data) to estimate the expected daily peak parking demands throughout the year.

The full data set, including separate peak parking demand ratios for weekdays (M-Th), Fridays, Saturdays, and Sundays, was analyzed to identify the localized and site specific 85th percentile peak parking demands (rather than the maximum peak demand when the counts were collected) realized by the Safeway store. The resulting 85th percentile peak parking demand ratio was then used to identify the corresponding design hour parking supply that would be needed to adequately serve the site.

Results and Design Hour Parking Ratio

A summary of the general parking occupancy and demand characteristics for the Safeway store are summarized in Table 2 and indicate that the store currently exhibits an 85th percentile peak parking demand of 96 parking spaces. This translates to a ratio of approximately 2.13 spaces per 1,000 SF of building area, and means that 85 percent of the days of the year experience a peak parking demand of 96 spaces or fewer. Further adjusting the 85th percentile peak parking demand ratio for practical capacity (five (5) percent) results in a recommended design parking supply ratio of approximately 2.27 spaces per 1,000 SF of building area (or 102 spaces). This means that for 85 percent of the days of the year, a 102 space parking supply would accommodate all parked vehicles during all peak periods with a minimum of five (5.0) percent vacant spaces available. Therefore, if the parking were to be designed to accommodate the 85th percentile parking demand while maintaining at least a five (5.0) percent vacant spaces, only 102 spaces would be required compared to 178 spaces currently being provided.

A summary of the full analyses and listing of the complete data set (including 365 consecutive days from September 25, 2016 through September 24th 2017) is provided in the Appendix.



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Table 2
15411 New Hampshire Avenue Safeway Parking Demand Assessment
Recommended Design Hour Parking Supply and Proposed Parking Waiver

<u>Design Hour Parking Supply:</u>		
<i>Safeway Store:</i>	45,000	<i>SF Building Area</i>
<i>Expected 85th Percentile Parking Demand From Analyses:</i>	96	<i>Spaces Needed</i>
<i>Expected 85th Percentile Parking Demand Ratio From Analysis:</i>	2.13	<i>Spaces/1,000 SF Building Area</i>
<i>Recommended Design Hour Parking Supply:</i>	102	
<i>Recommended Design Hour Parking Ratio:</i>	2.27	<i>Spaces/1,000 SF Building Area</i>
<i>(Includes additional capacity for 5% vacancy) ⁽¹⁾</i>		
<u>Proposed Supply vs. Code Requirement:</u>		
<i>Spaces Provided within Safeway Parking Lot:</i>	3.96	<i>Spaces/1,000 SF Building Area</i>
	178	Spaces
<i>County Code Grocery Store Parking Requirement :</i>	5.00	<i>Spaces/1,000 SF Building Area</i>
	225	Spaces
<i>Difference</i>	47	Spaces fewer than Code Requirement

Notes: (1) Recommended Design Hour parking ratios calculated by dividing the observed peak parking demand by 0.95.

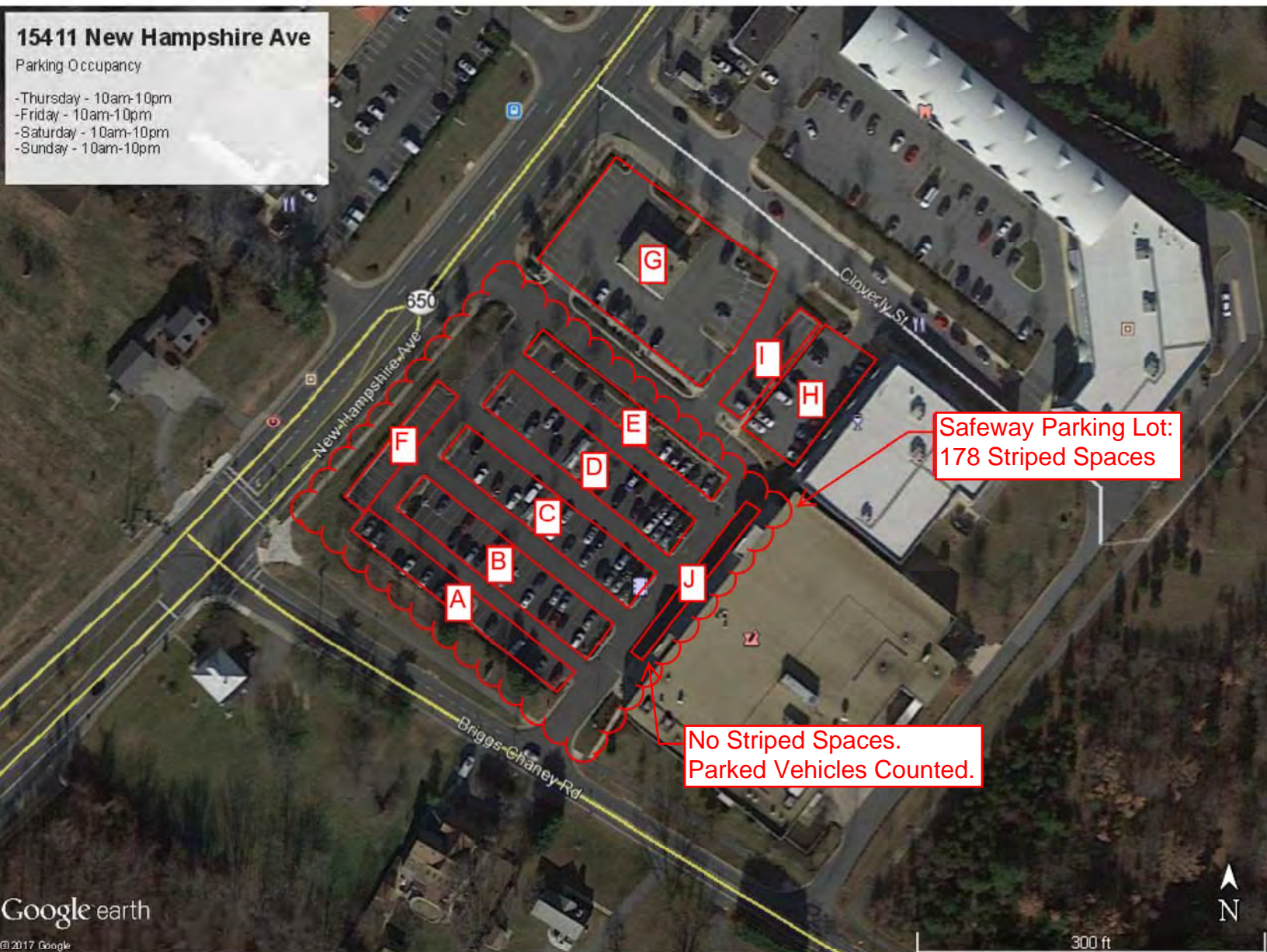
It is noted that recommended Design Hour Parking Supply of 102 spaces calculated in this assessment is 76 fewer spaces than the 178 spaces currently supplied within the Safeway parking lot and 123 fewer spaces than the Montgomery County Code requirement of 225 spaces. A full review of the 365 days of transaction data and corresponding peak parking estimates indicates that the maximum peak parking demand for the site would occur two days before Christmas with approximately 140 parking spaces occupied, and the second highest day would occur the day before thanksgiving with approximately 139 parking spaces occupied.

CONCLUSIONS AND RECOMMENDATIONS

Based on the recommended design hour parking supply ratio and supply of 2.27 spaces/1,000 SF and 102 spaces, respectively, the 178 parking space supply (3.96 spaces/1,000 SF) within the Safeway parking lot would adequately serve the Safeway store without the need for additional spaces reserved off-site.

Questions regarding this document should be directed to Wells + Associates, Inc.

Attachment I
Parking Occupancy Count Data



Attachment I
Parking Occupancy Count Data

Parking Occupancy Count

7306

Surveyor: W+A

Hours: 10AM-10 PM

Date: 14-Sep

Weather: Clear

Lots	Lot A	Lot B	Lot C	Lot D	Lot E	Lot F	Lot G	Lot H	Lot I	Lot J		Safeway Lot Only
Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars		(A, B, C, D, E, F & J)
AM											Total Cars	
10:00 AM	4	13	18	16	3	2	5	8	2	0	71	56
11:00 AM	5	14	20	16	3	3	5	10	2	0	78	61
12:00 PM	7	15	15	20	5	2	5	9	2	0	80	64
1:00 PM	7	8	12	19	4	3	6	12	1	1	73	54
2:00 PM	11	10	9	17	8	3	5	11	1	0	75	58
3:00 PM	8	17	12	18	7	3	9	11	2	0	87	65
4:00 PM	11	16	19	18	7	2	7	12	0	0	92	73
5:00 PM	10	13	20	17	6	2	9	15	4	0	96	68
6:00 PM	14	16	12	15	4	2	5	14	6	0	88	63
7:00 PM	10	15	13	14	4	1	8	12	2	0	79	57
8:00 PM	5	5	6	17	4	0	3	11	1	2	54	39
9:00 PM	2	4	8	12	4	2	2	5	2	0	41	32
10:00 PM	2	4	4	14	5	0	1	0	0	0	30	29
Total Spcs.	24	41	41	40	18	14	40	25	10	0	253	178

Attachment I
Parking Occupancy Count Data

Parking Occupancy Count

7306

Surveyor: W+A

Hours: 10AM-10 PM

Date: 15-Sep

Weather: Clear

Lots	Lot A	Lot B	Lot C	Lot D	Lot E	Lot F	Lot G	Lot H	Lot I	Lot J	
Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	
AM											Total Cars
10:00 AM	8	11	12	16	6	2	6	5	3	1	70
11:00 AM	12	14	11	13	5	1	5	9	4	0	74
12:00 PM	13	19	16	22	9	2	8	7	3	0	99
1:00 PM	10	19	14	17	10	5	7	11	1	1	95
2:00 PM	13	13	15	23	7	3	7	14	2	1	98
3:00 PM	13	14	15	19	8	5	6	11	4	1	96
4:00 PM	13	15	12	26	10	4	9	12	6	1	108
5:00 PM	14	19	20	23	11	2	6	15	4	1	115
6:00 PM	8	18	16	22	8	3	12	18	4	2	111
7:00 PM	9	19	17	19	6	1	8	13	4	0	96
8:00 PM	5	10	9	18	5	0	9	11	4	0	71
9:00 PM	2	2	8	12	4	0	5	5	1	1	40
10:00 PM	1	1	8	14	5	0	0	2	0	0	31
Total Spcs.	24	41	41	40	18	14	40	25	10	0	253

Safeway Lot Only
(A, B, C, D, E, F & J)
56
56
81
76
75
75
81
90
77
71
47
29
29
178

Attachment I Parking Occupancy Count Data

Parking Occupancy Count

7306

Surveyor: W+A

Hours: 10AM-10 PM

Date: 16-Sep

Weather: Clear

Lots	Lot A	Lot B	Lot C	Lot D	Lot E	Lot F	Lot G	Lot H	Lot I	Lot J	
Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	
AM											Total Cars
10:00 AM	9	10	12	12	2	0	5	12	5	0	67
11:00 AM	10	15	17	18	6	0	7	12	1	0	86
12:00 PM	11	21	24	22	10	1	5	11	6	0	111
1:00 PM	11	14	15	16	8	1	8	12	4	1	90
2:00 PM	9	16	16	17	8	1	9	14	5	0	95
3:00 PM	9	20	19	25	7	3	8	14	4	0	109
4:00 PM	8	14	13	26	7	3	11	13	6	0	101
5:00 PM	1	10	12	19	6	3	8	9	3	3	74
6:00 PM	4	7	13	22	8	2	7	11	5	1	80
7:00 PM	6	14	14	22	6	2	7	11	5	3	90
8:00 PM	0	3	9	19	3	2	5	8	4	0	53
9:00 PM	0	0	5	8	5	1	3	2	1	0	25
10:00 PM	0	0	2	4	3	0	3	1	0	1	14
Total Spcs.	24	41	41	40	18	14	40	25	10	0	253

Safeway Lot Only
(A, B, C, D, E, F & J)
45
66
89
66
67
83
71
54
57
67
36
19
10
178

Attachment I
Parking Occupancy Count Data

Parking Occupancy Count

7306

Surveyor: W+A

Hours: 10AM-10 PM

Date: 16-Sep

Weather: Clear

Lots	Lot A	Lot B	Lot C	Lot D	Lot E	Lot F	Lot G	Lot H	Lot I	Lot J	
Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	Cars	
AM											Total Cars
10:00 AM	7	18	19	21	7	0	4	2	4	1	83
11:00 AM	11	15	16	25	9	1	8	2	5	1	93
12:00 PM	13	20	23	26	9	1	5	9	5	0	111
1:00 PM	10	20	24	27	10	0	4	10	5	0	110
2:00 PM	9	16	22	22	10	0	5	14	4	1	103
3:00 PM	16	17	26	22	7	0	4	7	4	1	104
4:00 PM	12	22	24	18	6	3	5	14	5	1	110
5:00 PM	9	21	25	30	10	0	6	12	5	1	119
6:00 PM	4	14	18	18	6	0	8	6	5	1	80
7:00 PM	3	14	10	19	5	1	5	1	3	0	61
8:00 PM	0	4	4	19	0	0	3	1	3	0	34
9:00 PM	0	4	9	14	1	0	1	0	0	1	30
10:00 PM	0	4	6	10	1	0	1	0	0	0	22
Total Spcs.	24	41	41	40	18	14	40	25	10	0	253

Safeway Lot Only
(A, B, C, D, E, F & J)
73
78
92
91
80
89
86
96
61
52
27
29
21
178

Attachment II

Transaction Data and Expected Peak Parking Demand For 365 Consecutive Days

Month	Day Number (1-365)	Rank Order by Transaction Count (1 = Highest, 365 = Lowest)	Full Date	Parking Demand Ratios		Occupancy			
				Weekday: 0.039 peak occ. sp/daily transaction Friday: 0.044 peak occ. sp/daily transaction Saturday: 0.042 peak occ. sp/daily transaction Sunday: 0.043 peak occ. sp/daily transaction					
				Rate Applied	Expected Peak Parking per Daily Transaction	Daily Transaction Count from Safeway Data	Expected Peak Parking Demand (Occupied Spaces)	Percent Occupied (178 Spaces Available)	Max Occupancy? (100%)
September-16	1	17	Sunday, September 25, 2016	Sunday	0.043	2452	107	60%	-
	2	145	Monday, September 26, 2016	Weekday	0.039	2078	82	46%	-
	3	207	Tuesday, September 27, 2016	Weekday	0.039	1995	79	44%	-
	4	197	Wednesday, September 28, 2016	Weekday	0.039	2010	79	44%	-
	5	268	Thursday, September 29, 2016	Weekday	0.039	1925	76	43%	-
	6	63	Friday, September 30, 2016	Friday	0.044	2232	98	55%	-
October-16	7	50	Saturday, October 01, 2016	Saturday	0.042	2261	96	54%	-
	8	44	Sunday, October 02, 2016	Sunday	0.043	2279	99	56%	-
	9	248	Monday, October 03, 2016	Weekday	0.039	1945	77	43%	-
	10	153	Tuesday, October 04, 2016	Weekday	0.039	2068	82	46%	-
	11	205	Wednesday, October 05, 2016	Weekday	0.039	1996	79	44%	-
	12	195	Thursday, October 06, 2016	Weekday	0.039	2014	79	44%	-
	13	28	Friday, October 07, 2016	Friday	0.044	2378	104	58%	-
	14	31	Saturday, October 08, 2016	Saturday	0.042	2337	99	56%	-
	15	192	Sunday, October 09, 2016	Sunday	0.043	2015	88	49%	-
	16	43	Monday, October 10, 2016	Weekday	0.039	2286	90	51%	-
	17	180	Tuesday, October 11, 2016	Weekday	0.039	2029	80	45%	-
	18	276	Wednesday, October 12, 2016	Weekday	0.039	1913	75	42%	-
	19	238	Thursday, October 13, 2016	Weekday	0.039	1953	77	43%	-
	20	78	Friday, October 14, 2016	Friday	0.044	2203	97	54%	-
	21	19	Saturday, October 15, 2016	Saturday	0.042	2425	102	57%	-
	22	25	Sunday, October 16, 2016	Sunday	0.043	2396	104	58%	-
	23	101	Monday, October 17, 2016	Weekday	0.039	2163	85	48%	-
	24	122	Tuesday, October 18, 2016	Weekday	0.039	2119	84	47%	-
	25	163	Wednesday, October 19, 2016	Weekday	0.039	2061	81	46%	-
	26	222	Thursday, October 20, 2016	Weekday	0.039	1971	78	44%	-
	27	98	Friday, October 21, 2016	Friday	0.044	2165	95	53%	-
	28	105	Saturday, October 22, 2016	Saturday	0.042	2147	91	51%	-
	29	29	Sunday, October 23, 2016	Sunday	0.043	2366	103	58%	-
	30	180	Monday, October 24, 2016	Weekday	0.039	2029	80	45%	-
	31	176	Tuesday, October 25, 2016	Weekday	0.039	2034	80	45%	-
	32	195	Wednesday, October 26, 2016	Weekday	0.039	2014	79	44%	-
	33	190	Thursday, October 27, 2016	Weekday	0.039	2018	80	45%	-
	34	46	Friday, October 28, 2016	Friday	0.044	2269	99	56%	-
	35	61	Saturday, October 29, 2016	Saturday	0.042	2238	95	53%	-
	36	85	Sunday, October 30, 2016	Sunday	0.043	2186	95	53%	-
	37	74	Monday, October 31, 2016	Weekday	0.039	2205	87	49%	-
November-16	38	200	Tuesday, November 01, 2016	Weekday	0.039	2006	79	44%	-
	39	232	Wednesday, November 02, 2016	Weekday	0.039	1958	77	43%	-
	40	314	Thursday, November 03, 2016	Weekday	0.039	1859	73	41%	-
	41	103	Friday, November 04, 2016	Friday	0.044	2149	94	53%	-
	42	88	Saturday, November 05, 2016	Saturday	0.042	2177	92	52%	-
	43	56	Sunday, November 06, 2016	Sunday	0.043	2243	98	55%	-
	44	272	Monday, November 07, 2016	Weekday	0.039	1922	76	43%	-
	45	179	Tuesday, November 08, 2016	Weekday	0.039	2032	80	45%	-
	46	255	Wednesday, November 09, 2016	Weekday	0.039	1939	77	43%	-
	47	199	Thursday, November 10, 2016	Weekday	0.039	2009	79	44%	-
	48	40	Friday, November 11, 2016	Friday	0.044	2292	100	56%	-
	49	52	Saturday, November 12, 2016	Saturday	0.042	2257	95	53%	-
	50	53	Sunday, November 13, 2016	Sunday	0.043	2254	98	55%	-
	51	173	Monday, November 14, 2016	Weekday	0.039	2037	80	45%	-
	52	172	Tuesday, November 15, 2016	Weekday	0.039	2042	81	46%	-
	53	201	Wednesday, November 16, 2016	Weekday	0.039	2004	79	44%	-
	54	180	Thursday, November 17, 2016	Weekday	0.039	2029	80	45%	-
	55	109	Friday, November 18, 2016	Friday	0.044	2139	94	53%	-
	56	24	Saturday, November 19, 2016	Saturday	0.042	2401	101	57%	-
	57	26	Sunday, November 20, 2016	Sunday	0.043	2388	104	58%	-
	58	50	Monday, November 21, 2016	Weekday	0.039	2261	89	50%	-
	59	8	Tuesday, November 22, 2016	Weekday	0.039	2587	102	57%	-
	60	1	Wednesday, November 23, 2016	Weekday	0.039	3525	139	78%	-
	61	57	Thursday, November 24, 2016	Weekday	0.039	2241	88	49%	-
	62	362	Friday, November 25, 2016	Friday	0.044	1648	72	40%	-
	63	317	Saturday, November 26, 2016	Saturday	0.042	1856	79	44%	-
	64	214	Sunday, November 27, 2016	Sunday	0.043	1984	87	49%	-
	65	204	Monday, November 28, 2016	Weekday	0.039	2001	79	44%	-
	66	258	Tuesday, November 29, 2016	Weekday	0.039	1938	76	43%	-
	67	278	Wednesday, November 30, 2016	Weekday	0.039	1912	75	42%	-

Attachment II

Transaction Data and Expected Peak Parking Demand For 365 Consecutive Days

Month	Day Number (1-365)	Rank Order by Transaction Count (1 = Highest, 365 = Lowest)	Full Date	Parking Demand Ratios		Occupancy			
				Weekday: 0.039 peak occ. sp/daily transaction Friday: 0.044 peak occ. sp/daily transaction Saturday: 0.042 peak occ. sp/daily transaction Sunday: 0.043 peak occ. sp/daily transaction					
				Rate Applied	Expected Peak Parking per Daily Transaction	Daily Transaction Count from Safeway Data	Expected Peak Parking Demand (Occupied Spaces)	Percent Occupied (178 Spaces Available)	Max Occupancy? (100%)
December-16	68	210	Thursday, December 01, 2016	Weekday	0.039	1993	79	44%	-
	69	118	Friday, December 02, 2016	Friday	0.044	2126	93	52%	-
	70	189	Saturday, December 03, 2016	Saturday	0.042	2021	86	48%	-
	71	63	Sunday, December 04, 2016	Sunday	0.043	2232	97	54%	-
	72	252	Monday, December 05, 2016	Weekday	0.039	1941	77	43%	-
	73	353	Tuesday, December 06, 2016	Weekday	0.039	1766	70	39%	-
	74	283	Wednesday, December 07, 2016	Weekday	0.039	1906	75	42%	-
	75	278	Thursday, December 08, 2016	Weekday	0.039	1912	75	42%	-
	76	92	Friday, December 09, 2016	Friday	0.044	2169	95	53%	-
	77	78	Saturday, December 10, 2016	Saturday	0.042	2203	93	52%	-
	78	99	Sunday, December 11, 2016	Sunday	0.043	2164	94	53%	-
	79	261	Monday, December 12, 2016	Weekday	0.039	1933	76	43%	-
	80	150	Tuesday, December 13, 2016	Weekday	0.039	2072	82	46%	-
	81	184	Wednesday, December 14, 2016	Weekday	0.039	2026	80	45%	-
	82	283	Thursday, December 15, 2016	Weekday	0.039	1906	75	42%	-
	83	18	Friday, December 16, 2016	Friday	0.044	2442	107	60%	-
	84	327	Saturday, December 17, 2016	Saturday	0.042	1839	78	44%	-
	85	65	Sunday, December 18, 2016	Sunday	0.043	2227	97	54%	-
	86	60	Monday, December 19, 2016	Weekday	0.039	2240	88	49%	-
	87	139	Tuesday, December 20, 2016	Weekday	0.039	2095	83	47%	-
	88	81	Wednesday, December 21, 2016	Weekday	0.039	2198	87	49%	-
	89	13	Thursday, December 22, 2016	Weekday	0.039	2499	98	55%	-
	90	2	Friday, December 23, 2016	Friday	0.044	3190	140	79%	-
	91	3	Saturday, December 24, 2016	Saturday	0.042	3145	133	75%	-
	92	364	Sunday, December 25, 2016	Sunday	0.043	1156	51	29%	-
	93	358	Monday, December 26, 2016	Weekday	0.039	1712	68	38%	-
	94	359	Tuesday, December 27, 2016	Weekday	0.039	1706	67	38%	-
	95	330	Wednesday, December 28, 2016	Weekday	0.039	1833	72	40%	-
	96	345	Thursday, December 29, 2016	Weekday	0.039	1799	71	40%	-
	97	115	Friday, December 30, 2016	Friday	0.044	2127	93	52%	-
	98	9	Saturday, December 31, 2016	Saturday	0.042	2579	109	61%	-
January-17	99	352	Sunday, January 01, 2017	Sunday	0.043	1770	77	43%	-
	100	245	Monday, January 02, 2017	Weekday	0.039	1947	77	43%	-
	101	178	Tuesday, January 03, 2017	Weekday	0.039	2033	80	45%	-
	102	159	Wednesday, January 04, 2017	Weekday	0.039	2065	81	46%	-
	103	135	Thursday, January 05, 2017	Weekday	0.039	2099	83	47%	-
	104	133	Friday, January 06, 2017	Friday	0.044	2101	92	52%	-
	105	316	Saturday, January 07, 2017	Saturday	0.042	1858	79	44%	-
	106	225	Sunday, January 08, 2017	Sunday	0.043	1969	86	48%	-
	107	312	Monday, January 09, 2017	Weekday	0.039	1860	73	41%	-
	108	263	Tuesday, January 10, 2017	Weekday	0.039	1931	76	43%	-
	109	287	Wednesday, January 11, 2017	Weekday	0.039	1902	75	42%	-
	110	285	Thursday, January 12, 2017	Weekday	0.039	1905	75	42%	-
	111	16	Friday, January 13, 2017	Friday	0.044	2462	108	61%	-
	112	326	Saturday, January 14, 2017	Saturday	0.042	1840	78	44%	-
	113	255	Sunday, January 15, 2017	Sunday	0.043	1939	85	48%	-
	114	265	Monday, January 16, 2017	Weekday	0.039	1929	76	43%	-
	115	294	Tuesday, January 17, 2017	Weekday	0.039	1891	75	42%	-
	116	292	Wednesday, January 18, 2017	Weekday	0.039	1893	75	42%	-
	117	292	Thursday, January 19, 2017	Weekday	0.039	1893	75	42%	-
	118	145	Friday, January 20, 2017	Friday	0.044	2078	91	51%	-
	119	307	Saturday, January 21, 2017	Saturday	0.042	1867	79	44%	-
	120	160	Sunday, January 22, 2017	Sunday	0.043	2064	90	51%	-
	121	340	Monday, January 23, 2017	Weekday	0.039	1814	72	40%	-
	122	192	Tuesday, January 24, 2017	Weekday	0.039	2015	79	44%	-
	123	299	Wednesday, January 25, 2017	Weekday	0.039	1875	74	42%	-
	124	354	Thursday, January 26, 2017	Weekday	0.039	1759	69	39%	-
	125	152	Friday, January 27, 2017	Friday	0.044	2069	91	51%	-
	126	242	Saturday, January 28, 2017	Saturday	0.042	1951	83	47%	-
	127	108	Sunday, January 29, 2017	Sunday	0.043	2140	93	52%	-
	128	345	Monday, January 30, 2017	Weekday	0.039	1799	71	40%	-
	129	338	Tuesday, January 31, 2017	Weekday	0.039	1820	72	40%	-

Attachment II

Transaction Data and Expected Peak Parking Demand For 365 Consecutive Days

Month	Day Number (1-365)	Rank Order by Transaction Count (1 = Highest, 365 = Lowest)	Full Date	Parking Demand Ratios		Occupancy			
				Weekday: 0.039 peak occ. sp/daily transaction Friday: 0.044 peak occ. sp/daily transaction Saturday: 0.042 peak occ. sp/daily transaction Sunday: 0.043 peak occ. sp/daily transaction					
				Rate Applied	Expected Peak Parking per Daily Transaction	Daily Transaction Count from Safeway Data	Expected Peak Parking Demand (Occupied Spaces)	Percent Occupied (178 Spaces Available)	Max Occupancy? (100%)
February-17	130	336	Wednesday, February 01, 2017	Weekday	0.039	1825	72	40%	-
	131	348	Thursday, February 02, 2017	Weekday	0.039	1795	71	40%	-
	132	156	Friday, February 03, 2017	Friday	0.044	2066	91	51%	-
	133	86	Saturday, February 04, 2017	Saturday	0.042	2183	92	52%	-
	134	12	Sunday, February 05, 2017	Sunday	0.043	2524	110	62%	-
	135	357	Monday, February 06, 2017	Weekday	0.039	1715	68	38%	-
	136	301	Tuesday, February 07, 2017	Weekday	0.039	1872	74	42%	-
	137	249	Wednesday, February 08, 2017	Weekday	0.039	1944	77	43%	-
	138	349	Thursday, February 09, 2017	Weekday	0.039	1790	71	40%	-
	139	174	Friday, February 10, 2017	Friday	0.044	2036	89	50%	-
	140	95	Saturday, February 11, 2017	Saturday	0.042	2166	92	52%	-
	141	125	Sunday, February 12, 2017	Sunday	0.043	2116	92	52%	-
	142	38	Monday, February 13, 2017	Weekday	0.039	2302	91	51%	-
	143	6	Tuesday, February 14, 2017	Weekday	0.039	2787	110	62%	-
	144	324	Wednesday, February 15, 2017	Weekday	0.039	1842	73	41%	-
	145	312	Thursday, February 16, 2017	Weekday	0.039	1860	73	41%	-
	146	119	Friday, February 17, 2017	Friday	0.044	2125	93	52%	-
	147	207	Saturday, February 18, 2017	Saturday	0.042	1995	84	47%	-
	148	151	Sunday, February 19, 2017	Sunday	0.043	2071	90	51%	-
	149	249	Monday, February 20, 2017	Weekday	0.039	1944	77	43%	-
	150	274	Tuesday, February 21, 2017	Weekday	0.039	1921	76	43%	-
	151	297	Wednesday, February 22, 2017	Weekday	0.039	1878	74	42%	-
	152	314	Thursday, February 23, 2017	Weekday	0.039	1859	73	41%	-
	153	132	Friday, February 24, 2017	Friday	0.044	2102	92	52%	-
	154	138	Saturday, February 25, 2017	Saturday	0.042	2097	89	50%	-
	155	95	Sunday, February 26, 2017	Sunday	0.043	2166	94	53%	-
	156	263	Monday, February 27, 2017	Weekday	0.039	1931	76	43%	-
	157	237	Tuesday, February 28, 2017	Weekday	0.039	1954	77	43%	-
March-17	158	267	Wednesday, March 01, 2017	Weekday	0.039	1926	76	43%	-
	159	218	Thursday, March 02, 2017	Weekday	0.039	1974	78	44%	-
	160	154	Friday, March 03, 2017	Friday	0.044	2067	91	51%	-
	161	92	Saturday, March 04, 2017	Saturday	0.042	2169	92	52%	-
	162	82	Sunday, March 05, 2017	Sunday	0.043	2197	96	54%	-
	163	290	Monday, March 06, 2017	Weekday	0.039	1896	75	42%	-
	164	268	Tuesday, March 07, 2017	Weekday	0.039	1925	76	43%	-
	165	258	Wednesday, March 08, 2017	Weekday	0.039	1938	76	43%	-
	166	187	Thursday, March 09, 2017	Weekday	0.039	2023	80	45%	-
	167	103	Friday, March 10, 2017	Friday	0.044	2149	94	53%	-
	168	75	Saturday, March 11, 2017	Saturday	0.042	2204	93	52%	-
	169	15	Sunday, March 12, 2017	Sunday	0.043	2463	107	60%	-
	170	5	Monday, March 13, 2017	Weekday	0.039	2895	114	64%	-
	171	365	Tuesday, March 14, 2017	Weekday	0.039	797	32	18%	-
	172	363	Wednesday, March 15, 2017	Weekday	0.039	1617	64	36%	-
	173	307	Thursday, March 16, 2017	Weekday	0.039	1867	74	42%	-
	174	129	Friday, March 17, 2017	Friday	0.044	2107	92	52%	-
	175	175	Saturday, March 18, 2017	Saturday	0.042	2035	86	48%	-
	176	156	Sunday, March 19, 2017	Sunday	0.043	2066	90	51%	-
	177	233	Monday, March 20, 2017	Weekday	0.039	1957	77	43%	-
	178	281	Tuesday, March 21, 2017	Weekday	0.039	1909	75	42%	-
	179	334	Wednesday, March 22, 2017	Weekday	0.039	1828	72	40%	-
	180	335	Thursday, March 23, 2017	Weekday	0.039	1827	72	40%	-
	181	90	Friday, March 24, 2017	Friday	0.044	2172	95	53%	-
	182	130	Saturday, March 25, 2017	Saturday	0.042	2105	89	50%	-
	183	71	Sunday, March 26, 2017	Sunday	0.043	2212	96	54%	-
	184	307	Monday, March 27, 2017	Weekday	0.039	1867	74	42%	-
	185	240	Tuesday, March 28, 2017	Weekday	0.039	1952	77	43%	-
	186	286	Wednesday, March 29, 2017	Weekday	0.039	1904	75	42%	-
	187	255	Thursday, March 30, 2017	Weekday	0.039	1939	77	43%	-
	188	166	Friday, March 31, 2017	Friday	0.044	2059	90	51%	-

Attachment II

Transaction Data and Expected Peak Parking Demand For 365 Consecutive Days

Month	Day Number (1-365)	Rank Order by Transaction Count (1 = Highest, 365 = Lowest)	Full Date	Parking Demand Ratios		Occupancy			
				Weekday: 0.039 peak occ. sp/daily transaction Friday: 0.044 peak occ. sp/daily transaction Saturday: 0.042 peak occ. sp/daily transaction Sunday: 0.043 peak occ. sp/daily transaction					
				Rate Applied	Expected Peak Parking per Daily Transaction	Daily Transaction Count from Safeway Data	Expected Peak Parking Demand (Occupied Spaces)	Percent Occupied (178 Spaces Available)	Max Occupancy? (100%)
April-17	189	66	Saturday, April 01, 2017	Saturday	0.042	2226	94	53%	-
	190	49	Sunday, April 02, 2017	Sunday	0.043	2264	99	56%	-
	191	183	Monday, April 03, 2017	Weekday	0.039	2028	80	45%	-
	192	171	Tuesday, April 04, 2017	Weekday	0.039	2043	81	46%	-
	193	218	Wednesday, April 05, 2017	Weekday	0.039	1974	78	44%	-
	194	345	Thursday, April 06, 2017	Weekday	0.039	1799	71	40%	-
	195	124	Friday, April 07, 2017	Friday	0.044	2117	93	52%	-
	196	75	Saturday, April 08, 2017	Saturday	0.042	2204	93	52%	-
	197	88	Sunday, April 09, 2017	Sunday	0.043	2177	95	53%	-
	198	280	Monday, April 10, 2017	Weekday	0.039	1911	75	42%	-
	199	339	Tuesday, April 11, 2017	Weekday	0.039	1817	72	40%	-
	200	355	Wednesday, April 12, 2017	Weekday	0.039	1755	69	39%	-
	201	337	Thursday, April 13, 2017	Weekday	0.039	1823	72	40%	-
	202	80	Friday, April 14, 2017	Friday	0.044	2199	96	54%	-
	203	11	Saturday, April 15, 2017	Saturday	0.042	2533	107	60%	-
	204	30	Sunday, April 16, 2017	Sunday	0.043	2343	102	57%	-
	205	342	Monday, April 17, 2017	Weekday	0.039	1808	71	40%	-
	206	205	Tuesday, April 18, 2017	Weekday	0.039	1996	79	44%	-
	207	230	Wednesday, April 19, 2017	Weekday	0.039	1963	77	43%	-
	208	291	Thursday, April 20, 2017	Weekday	0.039	1894	75	42%	-
	209	165	Friday, April 21, 2017	Friday	0.044	2060	90	51%	-
	210	128	Saturday, April 22, 2017	Saturday	0.042	2108	89	50%	-
	211	48	Sunday, April 23, 2017	Sunday	0.043	2265	99	56%	-
	212	254	Monday, April 24, 2017	Weekday	0.039	1940	77	43%	-
	213	233	Tuesday, April 25, 2017	Weekday	0.039	1957	77	43%	-
	214	216	Wednesday, April 26, 2017	Weekday	0.039	1976	78	44%	-
	215	282	Thursday, April 27, 2017	Weekday	0.039	1907	75	42%	-
	216	62	Friday, April 28, 2017	Friday	0.044	2234	98	55%	-
	217	115	Saturday, April 29, 2017	Saturday	0.042	2127	90	51%	-
	218	67	Sunday, April 30, 2017	Sunday	0.043	2225	97	54%	-
May-17	219	233	Monday, May 01, 2017	Weekday	0.039	1957	77	43%	-
	220	170	Tuesday, May 02, 2017	Weekday	0.039	2044	81	46%	-
	221	192	Wednesday, May 03, 2017	Weekday	0.039	2015	79	44%	-
	222	186	Thursday, May 04, 2017	Weekday	0.039	2024	80	45%	-
	223	84	Friday, May 05, 2017	Friday	0.044	2192	96	54%	-
	224	114	Saturday, May 06, 2017	Saturday	0.042	2129	90	51%	-
	225	41	Sunday, May 07, 2017	Sunday	0.043	2291	100	56%	-
	226	110	Monday, May 08, 2017	Weekday	0.039	2137	84	47%	-
	227	127	Tuesday, May 09, 2017	Weekday	0.039	2114	83	47%	-
	228	142	Wednesday, May 10, 2017	Weekday	0.039	2084	82	46%	-
	229	247	Thursday, May 11, 2017	Weekday	0.039	1946	77	43%	-
	230	21	Friday, May 12, 2017	Friday	0.044	2421	106	60%	-
	231	7	Saturday, May 13, 2017	Saturday	0.042	2740	116	65%	-
	232	4	Sunday, May 14, 2017	Sunday	0.043	3009	131	74%	-
	233	107	Monday, May 15, 2017	Weekday	0.039	2143	85	48%	-
	234	145	Tuesday, May 16, 2017	Weekday	0.039	2078	82	46%	-
	235	139	Wednesday, May 17, 2017	Weekday	0.039	2095	83	47%	-
	236	191	Thursday, May 18, 2017	Weekday	0.039	2016	80	45%	-
	237	111	Friday, May 19, 2017	Friday	0.044	2135	94	53%	-
	238	54	Saturday, May 20, 2017	Saturday	0.042	2246	95	53%	-
	239	39	Sunday, May 21, 2017	Sunday	0.043	2295	100	56%	-
	240	176	Monday, May 22, 2017	Weekday	0.039	2034	80	45%	-
	241	231	Tuesday, May 23, 2017	Weekday	0.039	1962	77	43%	-
	242	168	Wednesday, May 24, 2017	Weekday	0.039	2046	81	46%	-
	243	218	Thursday, May 25, 2017	Weekday	0.039	1974	78	44%	-
	244	20	Friday, May 26, 2017	Friday	0.044	2424	106	60%	-
	245	57	Saturday, May 27, 2017	Saturday	0.042	2241	95	53%	-
	246	87	Sunday, May 28, 2017	Sunday	0.043	2179	95	53%	-
	247	45	Monday, May 29, 2017	Weekday	0.039	2276	90	51%	-
	248	143	Tuesday, May 30, 2017	Weekday	0.039	2081	82	46%	-
	249	197	Wednesday, May 31, 2017	Weekday	0.039	2010	79	44%	-

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				Weekday: 0.039 peak occ. sp/daily transaction Friday: 0.044 peak occ. sp/daily transaction Saturday: 0.042 peak occ. sp/daily transaction Sunday: 0.043 peak occ. sp/daily transaction					
				Rate Applied	Expected Peak Parking per Daily Transaction	Daily Transaction Count from Safeway Data	Expected Peak Parking Demand (Occupied Spaces)	Percent Occupied (178 Spaces Available)	Max Occupancy? (100%)
June-17	250	240	Thursday, June 01, 2017	Weekday	0.039	1952	77	43%	-
	251	36	Friday, June 02, 2017	Friday	0.044	2312	101	57%	-
	252	68	Saturday, June 03, 2017	Saturday	0.042	2219	94	53%	-
	253	23	Sunday, June 04, 2017	Sunday	0.043	2404	105	59%	-
	254	167	Monday, June 05, 2017	Weekday	0.039	2052	81	46%	-
	255	136	Tuesday, June 06, 2017	Weekday	0.039	2098	83	47%	-
	256	228	Wednesday, June 07, 2017	Weekday	0.039	1966	78	44%	-
	257	221	Thursday, June 08, 2017	Weekday	0.039	1972	78	44%	-
	258	32	Friday, June 09, 2017	Friday	0.044	2336	102	57%	-
	259	27	Saturday, June 10, 2017	Saturday	0.042	2387	101	57%	-
	260	14	Sunday, June 11, 2017	Sunday	0.043	2464	107	60%	-
	261	131	Monday, June 12, 2017	Weekday	0.039	2103	83	47%	-
	262	133	Tuesday, June 13, 2017	Weekday	0.039	2101	83	47%	-
	263	154	Wednesday, June 14, 2017	Weekday	0.039	2067	82	46%	-
	264	139	Thursday, June 15, 2017	Weekday	0.039	2095	83	47%	-
	265	42	Friday, June 16, 2017	Friday	0.044	2287	100	56%	-
	266	22	Saturday, June 17, 2017	Saturday	0.042	2415	102	57%	-
	267	10	Sunday, June 18, 2017	Sunday	0.043	2549	111	62%	-
	268	320	Monday, June 19, 2017	Weekday	0.039	1852	73	41%	-
	269	188	Tuesday, June 20, 2017	Weekday	0.039	2022	80	45%	-
	270	275	Wednesday, June 21, 2017	Weekday	0.039	1915	76	43%	-
	271	330	Thursday, June 22, 2017	Weekday	0.039	1833	72	40%	-
	272	112	Friday, June 23, 2017	Friday	0.044	2132	93	52%	-
	273	47	Saturday, June 24, 2017	Saturday	0.042	2268	96	54%	-
	274	33	Sunday, June 25, 2017	Sunday	0.043	2321	101	57%	-
	275	245	Monday, June 26, 2017	Weekday	0.039	1947	77	43%	-
	276	272	Tuesday, June 27, 2017	Weekday	0.039	1922	76	43%	-
	277	212	Wednesday, June 28, 2017	Weekday	0.039	1990	79	44%	-
	278	211	Thursday, June 29, 2017	Weekday	0.039	1991	79	44%	-
	279	35	Friday, June 30, 2017	Friday	0.044	2316	101	57%	-
July-17	280	94	Saturday, July 01, 2017	Saturday	0.042	2168	92	52%	-
	281	83	Sunday, July 02, 2017	Sunday	0.043	2194	96	54%	-
	282	71	Monday, July 03, 2017	Weekday	0.039	2212	87	49%	-
	283	75	Tuesday, July 04, 2017	Weekday	0.039	2204	87	49%	-
	284	361	Wednesday, July 05, 2017	Weekday	0.039	1686	67	38%	-
	285	360	Thursday, July 06, 2017	Weekday	0.039	1705	67	38%	-
	286	227	Friday, July 07, 2017	Friday	0.044	1968	86	48%	-
	287	162	Saturday, July 08, 2017	Saturday	0.042	2062	87	49%	-
	288	91	Sunday, July 09, 2017	Sunday	0.043	2170	95	53%	-
	289	265	Monday, July 10, 2017	Weekday	0.039	1929	76	43%	-
	290	271	Tuesday, July 11, 2017	Weekday	0.039	1924	76	43%	-
	291	225	Wednesday, July 12, 2017	Weekday	0.039	1969	78	44%	-
	292	289	Thursday, July 13, 2017	Weekday	0.039	1897	75	42%	-
	293	163	Friday, July 14, 2017	Friday	0.044	2061	90	51%	-
	294	102	Saturday, July 15, 2017	Saturday	0.042	2154	91	51%	-
	295	37	Sunday, July 16, 2017	Sunday	0.043	2309	101	57%	-
	296	229	Monday, July 17, 2017	Weekday	0.039	1964	77	43%	-
	297	303	Tuesday, July 18, 2017	Weekday	0.039	1871	74	42%	-
	298	295	Wednesday, July 19, 2017	Weekday	0.039	1888	75	42%	-
	299	322	Thursday, July 20, 2017	Weekday	0.039	1849	73	41%	-
	300	121	Friday, July 21, 2017	Friday	0.044	2120	93	52%	-
	301	213	Saturday, July 22, 2017	Saturday	0.042	1989	84	47%	-
	302	156	Sunday, July 23, 2017	Sunday	0.043	2066	90	51%	-
	303	203	Monday, July 24, 2017	Weekday	0.039	2002	79	44%	-
	304	262	Tuesday, July 25, 2017	Weekday	0.039	1932	76	43%	-
	305	305	Wednesday, July 26, 2017	Weekday	0.039	1869	74	42%	-
	306	333	Thursday, July 27, 2017	Weekday	0.039	1829	72	40%	-
	307	268	Friday, July 28, 2017	Friday	0.044	1925	84	47%	-
	308	185	Saturday, July 29, 2017	Saturday	0.042	2025	86	48%	-
	309	115	Sunday, July 30, 2017	Sunday	0.043	2127	93	52%	-
	310	258	Monday, July 31, 2017	Weekday	0.039	1938	76	43%	-

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				Weekday: 0.039 peak occ. sp/daily transaction Friday: 0.044 peak occ. sp/daily transaction Saturday: 0.042 peak occ. sp/daily transaction Sunday: 0.043 peak occ. sp/daily transaction					
				Rate Applied	Expected Peak Parking per Daily Transaction	Daily Transaction Count from Safeway Data	Expected Peak Parking Demand (Occupied Spaces)	Percent Occupied (178 Spaces Available)	Max Occupancy? (100%)
August-17	311	296	Tuesday, August 01, 2017	Weekday	0.039	1884	74	42%	-
	312	332	Wednesday, August 02, 2017	Weekday	0.039	1832	72	40%	-
	313	325	Thursday, August 03, 2017	Weekday	0.039	1841	73	41%	-
	314	95	Friday, August 04, 2017	Friday	0.044	2166	95	53%	-
	315	149	Saturday, August 05, 2017	Saturday	0.042	2073	88	49%	-
	316	120	Sunday, August 06, 2017	Sunday	0.043	2124	93	52%	-
	317	356	Monday, August 07, 2017	Weekday	0.039	1742	69	39%	-
	318	305	Tuesday, August 08, 2017	Weekday	0.039	1869	74	42%	-
	319	341	Wednesday, August 09, 2017	Weekday	0.039	1812	72	40%	-
	320	318	Thursday, August 10, 2017	Weekday	0.039	1853	73	41%	-
	321	344	Friday, August 11, 2017	Friday	0.044	1801	79	44%	-
	322	207	Saturday, August 12, 2017	Saturday	0.042	1995	84	47%	-
	323	168	Sunday, August 13, 2017	Sunday	0.043	2046	89	50%	-
	324	310	Monday, August 14, 2017	Weekday	0.039	1865	74	42%	-
	325	343	Tuesday, August 15, 2017	Weekday	0.039	1804	71	40%	-
	326	304	Wednesday, August 16, 2017	Weekday	0.039	1870	74	42%	-
	327	350	Thursday, August 17, 2017	Weekday	0.039	1779	70	39%	-
	328	251	Friday, August 18, 2017	Friday	0.044	1943	85	48%	-
	329	201	Saturday, August 19, 2017	Saturday	0.042	2004	85	48%	-
	330	145	Sunday, August 20, 2017	Sunday	0.043	2078	91	51%	-
	331	329	Monday, August 21, 2017	Weekday	0.039	1834	72	40%	-
	332	299	Tuesday, August 22, 2017	Weekday	0.039	1875	74	42%	-
	333	298	Wednesday, August 23, 2017	Weekday	0.039	1876	74	42%	-
	334	301	Thursday, August 24, 2017	Weekday	0.039	1872	74	42%	-
	335	144	Friday, August 25, 2017	Friday	0.044	2079	91	51%	-
	336	136	Saturday, August 26, 2017	Saturday	0.042	2098	89	50%	-
	337	122	Sunday, August 27, 2017	Sunday	0.043	2119	92	52%	-
	338	252	Monday, August 28, 2017	Weekday	0.039	1941	77	43%	-
	339	351	Tuesday, August 29, 2017	Weekday	0.039	1773	70	39%	-
	340	242	Wednesday, August 30, 2017	Weekday	0.039	1951	77	43%	-
	341	321	Thursday, August 31, 2017	Weekday	0.039	1851	73	41%	-
September-17	342	55	Friday, September 01, 2017	Friday	0.044	2244	98	55%	-
	343	233	Saturday, September 02, 2017	Saturday	0.042	1957	83	47%	-
	344	73	Sunday, September 03, 2017	Sunday	0.043	2209	96	54%	-
	345	34	Monday, September 04, 2017	Weekday	0.039	2317	91	51%	-
	346	318	Tuesday, September 05, 2017	Weekday	0.039	1853	73	41%	-
	347	323	Wednesday, September 06, 2017	Weekday	0.039	1848	73	41%	-
	348	276	Thursday, September 07, 2017	Weekday	0.039	1913	75	42%	-
	349	215	Friday, September 08, 2017	Friday	0.044	1979	87	49%	-
	350	69	Saturday, September 09, 2017	Saturday	0.042	2218	94	53%	-
	351	57	Sunday, September 10, 2017	Sunday	0.043	2241	98	55%	-
	352	244	Monday, September 11, 2017	Weekday	0.039	1948	77	43%	-
	353	288	Tuesday, September 12, 2017	Weekday	0.039	1900	75	42%	-
	354	224	Wednesday, September 13, 2017	Weekday	0.039	1970	78	44%	-
	355	311	Thursday, September 14, 2017	Weekday	0.039	1862	73	41%	-
	356	160	Friday, September 15, 2017	Friday	0.044	2064	90	51%	-
	357	125	Saturday, September 16, 2017	Saturday	0.042	2116	89	50%	-
	358	70	Sunday, September 17, 2017	Sunday	0.043	2213	96	54%	-
	359	216	Monday, September 18, 2017	Weekday	0.039	1976	78	44%	-
	360	238	Tuesday, September 19, 2017	Weekday	0.039	1953	77	43%	-
	361	222	Wednesday, September 20, 2017	Weekday	0.039	1971	78	44%	-
	362	328	Thursday, September 21, 2017	Weekday	0.039	1836	72	40%	-
	363	113	Friday, September 22, 2017	Friday	0.044	2131	93	52%	-
	364	106	Saturday, September 23, 2017	Saturday	0.042	2146	91	51%	-
	365	99	Sunday, September 24, 2017	Sunday	0.043	2164	94	53%	-



Department of Permitting Services
Fire Department Access and Water Supply Comments

DATE: 17-Dec-18
TO: Peter Cloutier
Timmons Group
FROM: Marie LaBaw
RE: New Hampshire Ave Restaurant Redevelopment
120180260

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **17-Dec-18**. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.



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

September 17, 2018

Mr. Tim McNamara, Safeway, Inc.
4551 Forbes Blvd.
Lanham, MD. 20706

Re: Forest Conservation Exemption 42019037E; Parcel 5; New Hampshire Avenue Restaurant

Dear Mr. McNamara:

This letter is to inform you that your request for an exemption from submitting a forest conservation plan 42019037E, New Hampshire Ave. Restaurant, is confirmed. This plan submitted on September 12, 2018 is in compliance with Chapter 22A-5(S)(2) of the Forest Conservation Law. This exemption covers an activity conducted on a tract less than 1 acre that will not result in the clearing of more than a total of 20,000 square feet of existing forest, or any existing specimen or champion tree, and reforestation requirements would not exceed 10,000 square feet. Forest in any priority area on-site must be preserved.

A pre-construction meeting is required after the limits of disturbance have been staked, prior to any clearing or grading to verify the limits of disturbance and to determine if any tree protection is required. The property owner's representative, construction superintendent, a Maryland licensed tree expert, this forest conservation inspector, and the Montgomery County Department of Permitting Services (DPS) sediment control inspector should attend.

Please contact this inspector to schedule the pre-construction meeting or if you have further questions. You may contact me at david.wigglesworth@montgomeryplanning.org or at 301-495-4581.

Sincerely,

David Wigglesworth

Sr. Planner

Development Applications & Regulatory Coordination

CC: 42019037E

Pete Cloutier (Timmons Group)



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Diane R. Schwartz Jones
Director

December 7, 2018

Mr. Pete Cloutier
Timmons Group
20110 Ashbrook Place, Suite 100
Ashburn, Virginia 20147

Re: **REVISED SITE DEVELOPMENT
STORMWATER MANAGEMENT PLAN** for
New Hampshire Avenue Restaurant
Redevelopment
SM File #: 282440
Tract Size/Zone: 0.77 acres/NR-0.75
Total Concept Area: 0.77 acres
Block: C
Parcel(s): N005
Watershed: Northwest Branch

Dear Mr. Cloutier:

Based on a review by the Department of Permitting Services Review Staff, the revised stormwater management concept for the above-mentioned site is **acceptable**. The revised stormwater management concept proposes to meet required stormwater management goals via pervious pavement and micro bioretention.

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. The areas of permeable pavement must be designed to Montgomery County standards and are not to be underdrained. Overdrains are required.
3. Provide documentation for MSHA approval of the storm drain adequacy computations.
4. Landscaping shown on an approved Landscape Plan as part of the approved Site Plan are for illustrative purpose only and may be changed at the time of detailed plan review of the Sediment Control/Storm Water Management plans by the Mont. Co. Department of Permitting Services, Water Resources Section.

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

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



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

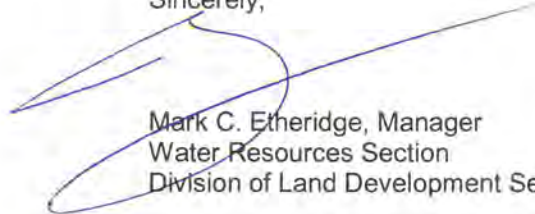
Pete Cloutier
December 7, 2018
Page 2

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 Leo Galanko at 240-777-6242.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mark C. Etheridge', is written over the typed name and title.

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

MCE: lmg

cc: N. Braunstein
SM File # 282440

ESD: Required/Provided 3,416 cf / 3,480 cf
PE: Target/Achieved: 2.0"/2.0"
STRUCTURAL: 0 cf
WAIVED: 0 ac.

SITE PLAN NEEDS STUDY



Prepared for:
Potomac Foods Group
7611-N Rickenbacker Dr.
Gaithersburg, MD 20879

Somer Cross, AICP
Miller, Miller & Canby
200-B Monroe St.
Rockville, MD 20850

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Overview

Potomac Foods Group is proposing to construct and operate a small restaurant with drive thru service on a property located at 15421 New Hampshire Avenue in Silver Spring, Maryland located in the Cloverly Village Shopping Center. An abandoned bank building is currently located on the site. Potomac Foods Group intends to demolish the existing building and construct a Burger King restaurant with drive-thru service. This analysis evaluates the need for a drive-thru restaurant, as required for a site plan application for such a use under the Montgomery County Zoning Ordinance, Section 7.3.4.E.3. This report will also evaluate the location of the proposed use to determine whether a multiplicity or saturation of similar uses in the same general neighborhood will be created by the development of this use.

Market Area

The 8 minute drive that defines the Market Area, as calculated around midday on a weekday, comprises an area of roughly 15.8 square miles. Within that market area, the fast-food market includes only one other commercial area, located in Colesville around the intersection of Randolph Road and New Hampshire Avenue.

There is a resident population of approximately 22,800 within the market area, or approximately 2% of the total population of Montgomery County. According to the Montgomery County MCAtlas Development Finder, the area is a relatively affluent population comprising mostly upper middle class residents. There are around 7,449 housing units and the main household type is married-couple families. The main employment for the population is professional and management careers.

Competitive Environment

Potomac Foods Group proposes to develop a Quick Service Restaurant (QSR) on the site at 15421 New Hampshire Avenue. Within the eight-minute drive time radius, market research indicates that there is a leakage of opportunity for restaurants in general. In other words, demand for restaurants within the market area exceeds the supply and the customer base must go outside that area for the services they desire. There are only two burger-oriented Quick Service Restaurants (QSRs) with drive-thrus within the identified market area, a McDonald's and a Wendy's. The application proposes a Burger King restaurant which is not currently located within the drive-time area and would meet the demand for another restaurant.

Introduction

Potomac Foods Group is proposing to develop a drive thru restaurant on a property located at 15421 New Hampshire Avenue in Silver Spring, Maryland. The company plans to demolish the existing one-story masonry bank building and develop an approximately 2890 square foot restaurant with drive-thru services.

This analysis evaluates the need for a drive-thru restaurant. It addresses the requirements of the Montgomery County Zoning Ordinance for a site plan application including a drive-thru use found in Section 7.3.4.E.3. In particular, the following addresses whether there is a need for the proposed business “due to an insufficient number of similar uses presenting serving existing population concentrations in the County” as required by that section. The analysis also reviews whether the use, at this location, will result in “a multiplicity or saturation of similar uses in the same general neighborhood.” Section 7.3.4.E.3.

The need for the proposed restaurant with drive-thru at this location is based on:

- Needs of the current population in the Cloverly area of Montgomery County; and
- Supply of similar restaurants in the neighborhood.

Potomac Foods Group intends to operate a Burger King restaurant on this site. A Burger King restaurant is considered a “quick-service restaurant” (QSR), or “fast-food restaurant” or also a “limited service restaurant.” All three of those terms are interchangeable. A QSR is an industry term for restaurant concepts like McDonald’s and Burger King with counter or drive-thru orders, price points of \$4-\$7 meals, limited options on their menus, and no table service provided.

The only other QSRs within the market area for this site are a Wendy’s and a McDonald’s restaurant located to the east. No other Burger King is located within the market area.

The information used in this report was obtained from the following sources:

- U.S. Census Bureau
- Maryland National Capital Park and Planning Development Finder
- Maryland Department of Transportation, State Highway Administration Traffic Volume Counts;
- Industry publications on trends and sales at quick service restaurants:

- Celentano, Domenick (2017, Nov. 20) *Three Basic Restaurant Formats*, The Balance. Retrieved from <https://www.thebalance.com/types-of-restaurant-formats-1326193>.
- Oches, Sam (2017, August) *"The QSR 50" QSR Limited-Service, Unlimited Possibilities*. Retrieved from <https://www.qsrmagazine.com/reports/2017-qsr-50>
- Nanji, Ayaz (2016, Nov. 8) *How Far Consumers Travel to Make Everyday Purchases* Marketing Profs. Retrieved from <http://www.marketingprofs.com/charts/2016/3105/how-far-consumers-travel-to-make-everyday-purchases>.
- Drive Time maps from FreeMapTools.com
- ESRI Business Analyst data prepared by M-NCPPC
- Cloverly Master Plan, 1997

The Market Area

The site is located on New Hampshire Avenue on a pad site within the Cloverly Village Shopping Center. The shopping center is centrally located in the Cloverly area, south of Norbeck Road / Spencerville Road and north of the ICC. This is the only shopping location within the Cloverly area. The Shopping Center contains a variety of restaurants, but no quick service options, other than a Safeway kiosk located within the Safeway grocery store.

As stated in the 1997 Cloverly Master Plan, "[t]he Cloverly Commercial Area at New Hampshire Avenue and Briggs Chaney Road is the primary retail area and center of Cloverly." The Plan supports redevelopment within the commercial center to "strengthen retail vitality and encourage its use as a public gathering place." Cloverly Master Plan pp 23-24.

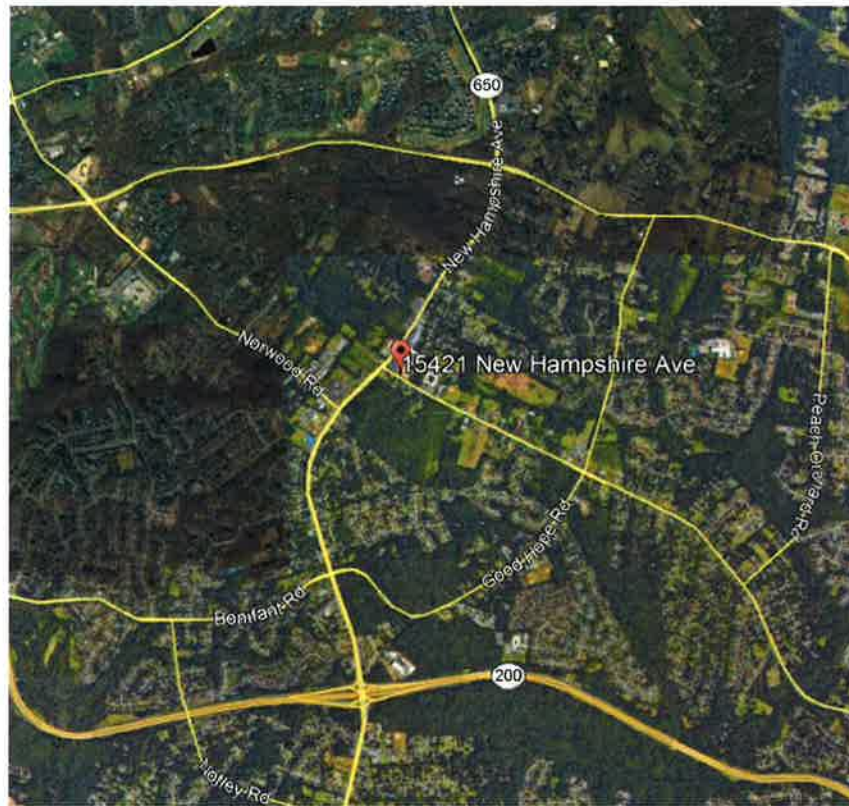


Figure 1 - Site Location Source: Google Maps / MMC



Figure 2 - Cloverly Shopping Center Source: Google Maps / MMC

A 2016 survey of consumers found that most people will travel approximately 8 minutes for fast food purchases. The Market Area for this study is based on that 8 minute drive time, calculated during peak mid-day travel from the site. The analysis below describes the resident population and vehicular traffic in that area.

The 8 minute drive time area from the site consists of approximately 15.8 square miles and stretches north along New Hampshire Avenue to approximately Sir Galahad Way and south along New Hampshire to just south of the intersection with Randolph Road. The westernmost boundary of the area is just west of the intersection of Ednor Road and Norbeck Road while the easternmost boundary follows the eastern branch of Paint Branch Stream.

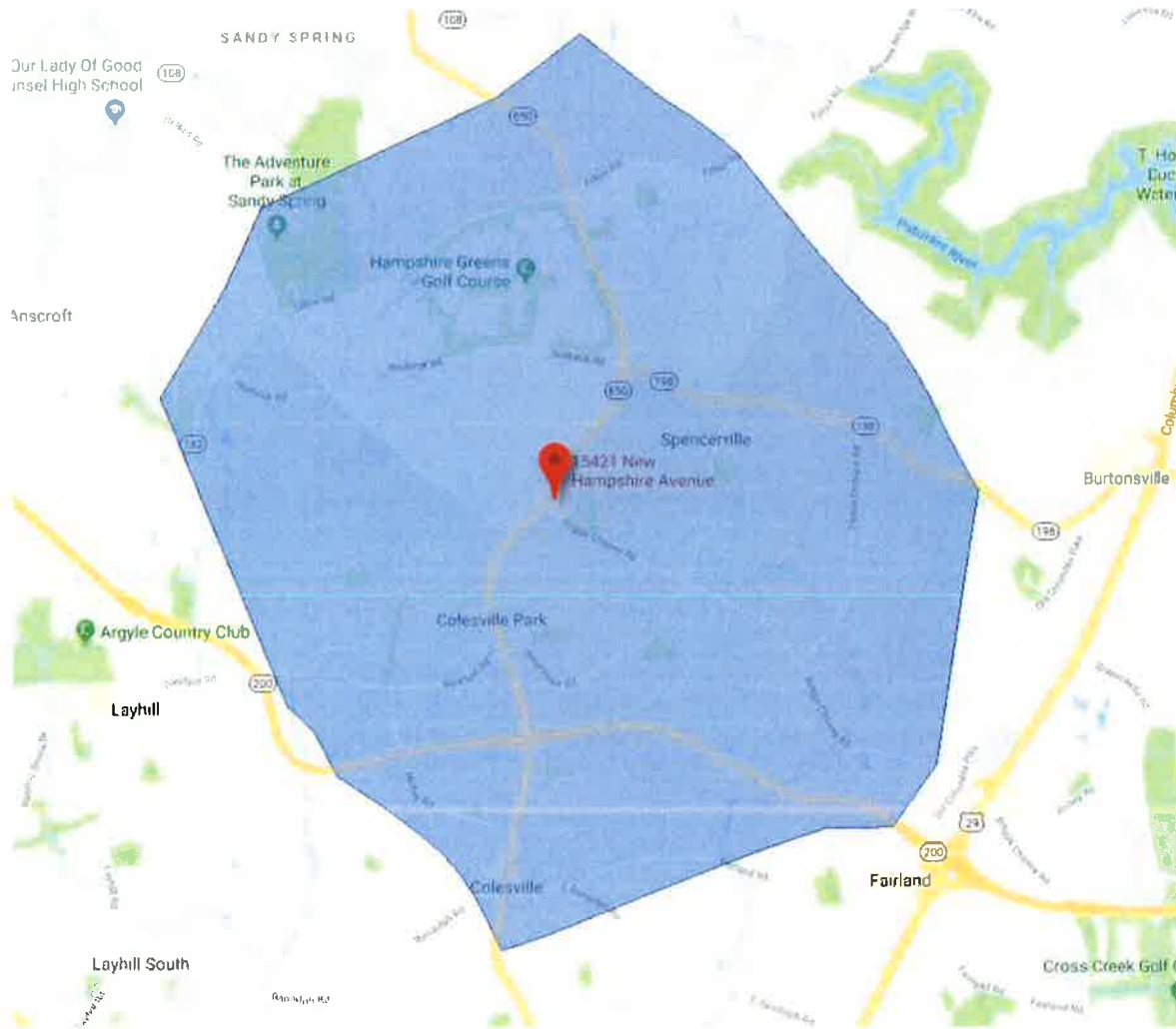


Figure 3 - Market Area - 8 Minute Drive Source: FreeMapTools.com / Google Maps / MMC

Demographics

According to the most recent US Census (2010), there were approximately 21,800 residents within the 8 minute market area. The area is growing. As of 2017 figures, that number had increased an additional thousand and is expected to increase an additional 800 more by 2022. There are approximately 7,449 households in the market area.

	2010	2017	2022
Population	21,804	22,809	23,629
Households	7,167	7,449	7,683
Average Household Size	3.03	3.05	3.06
Median Age	43.8	45.4	45.6

Table 1 - Market Area Population Source: M-NCPPC ESRI Demographic and Income Profile

The Cloverly area has a higher ratio of persons per household than the rest of the county. The Cloverly CDP had 3 persons / household while the County was only 2.76 in 2015. The average household income in the area is fairly affluent with \$121,417 in 2017, which is higher than the median household income for the County (approximately \$100,350 in 2016). The majority of the population in the area has an income over \$100,000, with more than 21% making more than \$200,000

Households by Income	2017		2022	
	Number	Percent	Number	Percent
<\$15,000	136	1.8%	144	1.9%
\$15,000 - \$24,999	199	2.7%	191	2.5%
\$25,000 - \$34,999	239	3.2%	217	2.8%
\$35,000 - \$49,999	362	4.9%	337	4.4%
\$50,000 - \$74,999	995	13.4%	926	12.1%
\$75,000 - \$99,999	929	12.5%	897	11.7%
\$100,000 - \$149,999	1,622	21.8%	1,652	21.5%
\$150,000 - \$199,999	1,380	18.5%	1,533	20.0%
\$200,000+	1,587	21.3%	1,786	23.2%
Median Household Income	\$121,417		\$129,527	
Average Household Income	\$154,597		\$169,399	
Per Capita Income	\$50,406		\$54,963	

Table 2 - Market Area Household Income Source: M-NCPPC ESRI Demographic and Income Profile

2017 Household Income

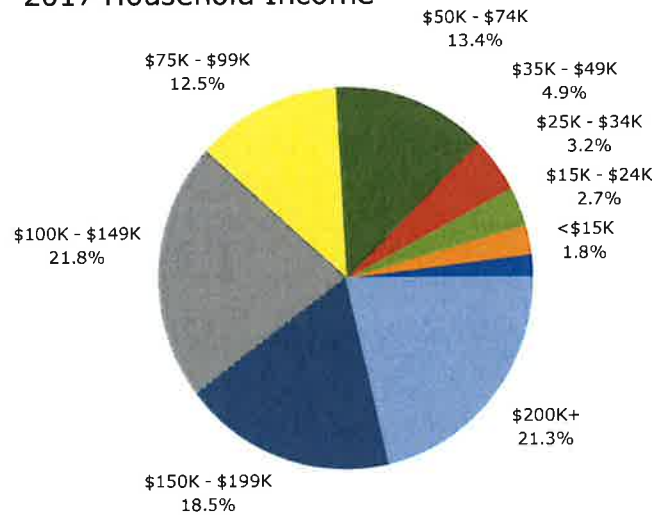


Figure 4- 2017 Household Income Source: M-NCPPC ESRI Demographic and Income Profile

The area is also highly educated. More than 50% of the total population over age 25 has a Bachelor's degree or higher, and a total of 29.5% has a graduate or professional degree. Almost three quarters of the population hold "white collar" jobs.

Employment Industry	
Total	12,065
Agriculture/Mining	0.5%
Construction	5.2%
Manufacturing	2.2%
Wholesale Trade	1.1%
Retail Trade	7.6%
Transportation/Utilities	3.5%
Information	2.9%
Finance/Insurance/Real Estate	5.8%
Services	62.0%
Public Administration	9.3%
Total	12,064
White Collar	73.9%
Management/Business/Financial	21.4%
Professional	34.5%
Sales	7.5%
Administrative Support	10.6%
Services	14.6%
Blue Collar	11.5%
Farming/Forestry/Fishing	0.1%
Construction/Extraction	3.5%
Installation/Maintenance/Repair	3.6%

Production	2.4%
Transportation/Material Moving	2.0%

Table 3 - Market Area Employment Source: M-NCPPC ESRI Community Profile

Retail Market

Consumer spending is the amount of money spent by households in an area. The Spending Potential Indexes (SPIs) measure spending per consumer household for a product or service. The SPIs compare area's household expenditures with the national averages for each product or service category. Anything above a 100 score is considered higher than national average spending.

The 8-minute drive time market area exceeds national averages in each consumer spending category. With regards to food away from home, the SPI is 177, 77 times higher than the national average.

2017 Consumer Spending in Market Area	
Food Away from Home: Total \$	\$43,858,088
Average Spent	\$5,887.78
Spending Potential Index	177

Table 4 - Market Area 2017 Consumer Spending Source: M-NCPPC ESRI Community Profile

Market Area Industry Spending						
Industry Summary	NAICS	Demand (Retail Potential)	Supply (Retail Sales)	Retail Gap	Leakage / Surplus Factor	No. of Businesses
Total Retail Trade and Food & Drink	44-45,722	\$502,266,863	\$203,908,373	\$298,358,490	42.2	98
Total Retail Trade	44-45	\$451,863,379	\$189,307,499	\$262,555,880	40.9	72
Total Food & Drink	722	\$50,403,484	\$14,600,874	\$35,802,610	55.1	26
Industry Group	NAICS	Demand (Retail Potential)	Supply (Retail Sales)	Retail Gap	Leakage / Surplus Factor	Number of Businesses
Food Services & Drinking Places	722	\$50,403,484	\$14,600,874	\$35,802,610	55.1	26
Special Food Services	7223	\$1,634,633	\$564,080	\$1,070,553	48.7	2
Drinking Places - Alcoholic Beverages	7224	\$1,511,791	\$0	\$1,511,791	100.0	0
Restaurants/Other Eating Places	7225	\$47,257,059	\$14,010,021	\$33,247,038	54.3	24

Table 5 - Market Area Industry Spending Source: M-NCPPC ESRI Retail Market Profile. NAICS category 7225 includes limited service restaurants, like the proposed Burger King.

Leakage/Surplus Factor by Industry Subsector

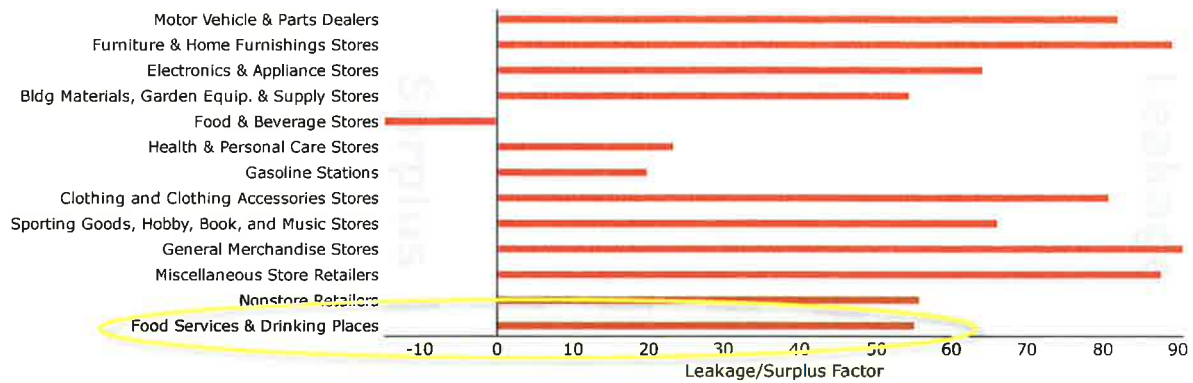


Figure 5 - Market Area Leakage / Surplus Factor Source: M-NCPPC ESRI Retail Marketplace Profile

The market area spending data for the area shows a leakage in both the “Restaurants/ Other Eating Places” and the “Food Services and Drinking Places” categories. There is a demand for eating establishments, like QSRs, that is not currently being met in the market area.

Quick Service Restaurants in the Market Area

There are only two other quick service restaurants within the eight minute travel time market area. Both restaurants have drive-thru services. These QSRs are located catty-corner to each other in the Colesville Road commercial center in the extreme southern end of the defined market area.

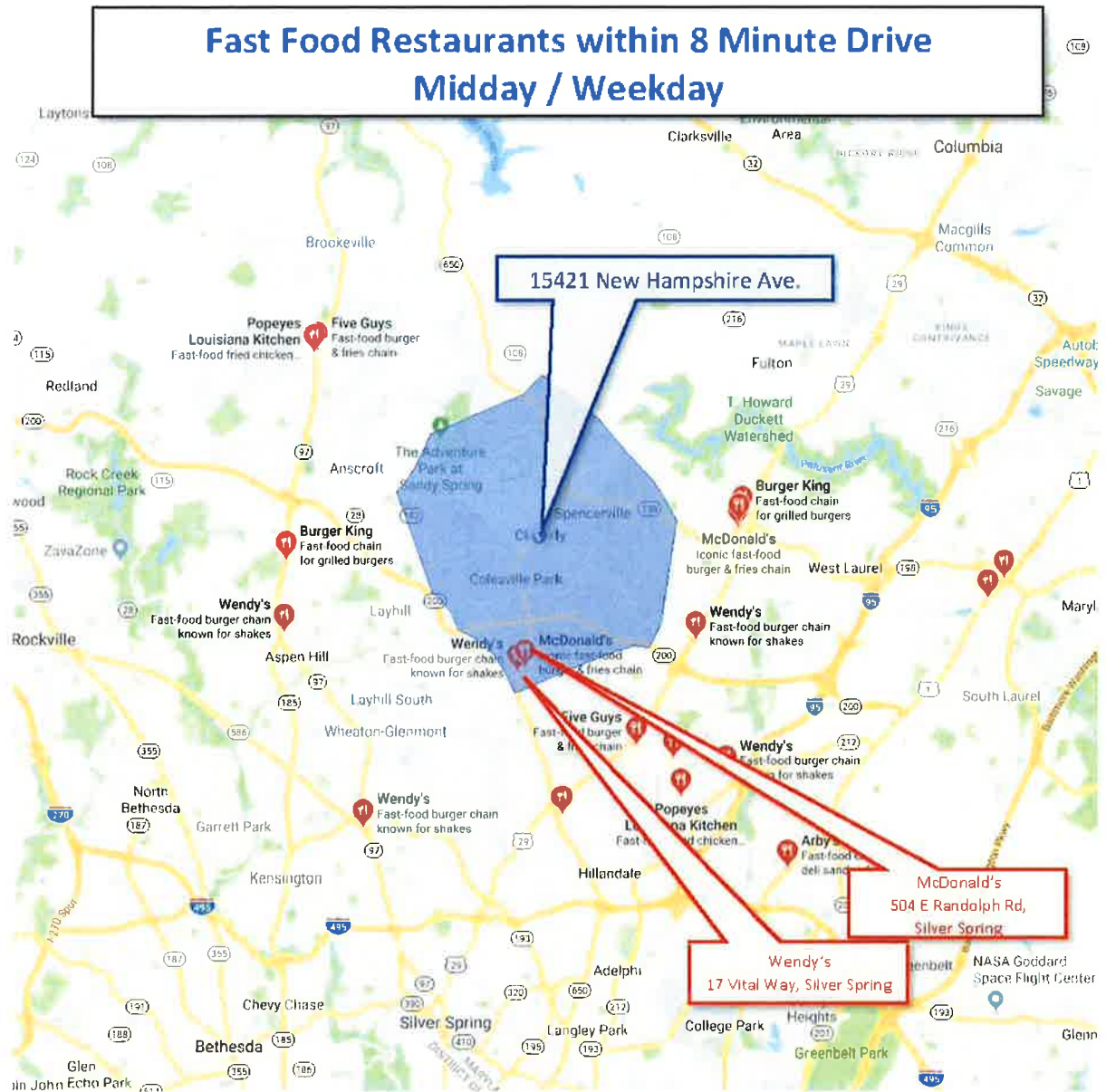


Figure 6 - Fast Food Restaurants within Market Area Source: Google Maps / MMC

The first is McDonald's located at 504 East Randolph Road.



Figure 7 – Streetview McDonald's 504 East Randolph Road Source: Google Maps



Figure 8 – Aerial McDonald's 504 East Randolph Road Source: Google Maps

The second, Wendy's located at 17 Vital Way, is across the intersection of New Hampshire Avenue and Raldolph Road from the McDonalds.



Figure 9 - Streetview Wendy's 17 Vital Way Source: Google Maps



Figure 10 - Aerial Wendy's 17 Vital Way Source: Google Maps

Both restaurants are located off of New Hampshire Avenue but are south of the ICC, which separates that portion of New Hampshire Avenue from the Cloverly neighborhood. While the Wendy's and McDonald's provide fast-food burger options with drive-thrus, the dividing line of the ICC may hinder the Cloverly market from driving there.

Conclusions

The market area currently has a demand for new quick service restaurants with a drive thru, which this proposed use can meet. The population of the market area is educated, affluent, and consists primarily of families. When busy families need quick meal options, there are currently no fast-food opportunities in the Cloverly area. ESRI community information shows that there is a large restaurant leakage in the market area where the population of the trade area "leaks" out to other trade areas in order to satisfy its dining needs. The proposed Burger King, a limited service restaurant, would shore up some of the restaurant service demanded of the market population and meet that population's need for additional food service use.

In addition, there are currently no other Burger King restaurants in the market area, and no QSRs in the Cloverly Shopping Center area (other than Safeway's Starbucks kiosk). Therefore, no multiplicity or saturation of similar uses will be created in the general neighborhood by the establishment of this use.