



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

Staff Report: Site Plan 820100130, Safeway Store #2797

ITEM #: _____

MCPB HEARING DATE: December 2, 2010

REPORT DATE: November 18, 2010

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief
 Robert Kronenberg, Supervisor
 Development Review Division

FROM: Sandra Pereira, Senior Planner
 Development Review Division
 301.495.2186
Sandra.Pereira@mncppc-mc.org



APPLICATION DESCRIPTION: Proposal to replace an existing Safeway Store with a larger (59,821 square feet) Safeway Store and a parking waiver; 3.92 acres; MXTC Zone; located at 3333 Spartan Road, approximately 450 feet east of Georgia Avenue; Olney Master Plan.

APPLICANT: Safeway, Inc.

FILING DATE: June 23, 2010

RECOMMENDATION: Approval with conditions

EXECUTIVE SUMMARY: The site plan proposes to remove the existing Safeway Store and replace it with a state-of-the-art Safeway Store of 59,821 square feet. The re-development will include a mid-block connector in front of the proposed store between Spartan Road and Buehler Road, a lower-level structured parking garage, a surface parking lot, and public use spaces. The Applicant requests a parking waiver of 26 spaces, or 9.8% of the total number of required spaces. Major community concerns relate to the use of PAMR mitigation funds for the Buehler Road connection as recommended by staff.

Approval signatures

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SITE DESCRIPTION

Vicinity

The subject property is located at 3333 Spartan Road in the southeast quadrant of the intersection of Georgia Avenue (MD 97) and Olney-Sandy Spring Road (MD 108) in the Olney Town Center. The property is zoned MXTC (Mixed Use Town Center) as are all other properties in the Town Center. The general context of the Town Center consists of a collection of strip shopping centers and individual stores that lack easy and convenient connections. The neighborhoods around the Town Center consist of townhouses, garden apartments and single-family houses. Directly south of the property, across Spartan Road, is the Giant grocery store site. To the southeast are multi-family residences, zoned R-20. Immediately to the west are a gas station and a car repair shop. To the north, across Buehler Road (also referred to as Dennit Drive), are various commercial uses.

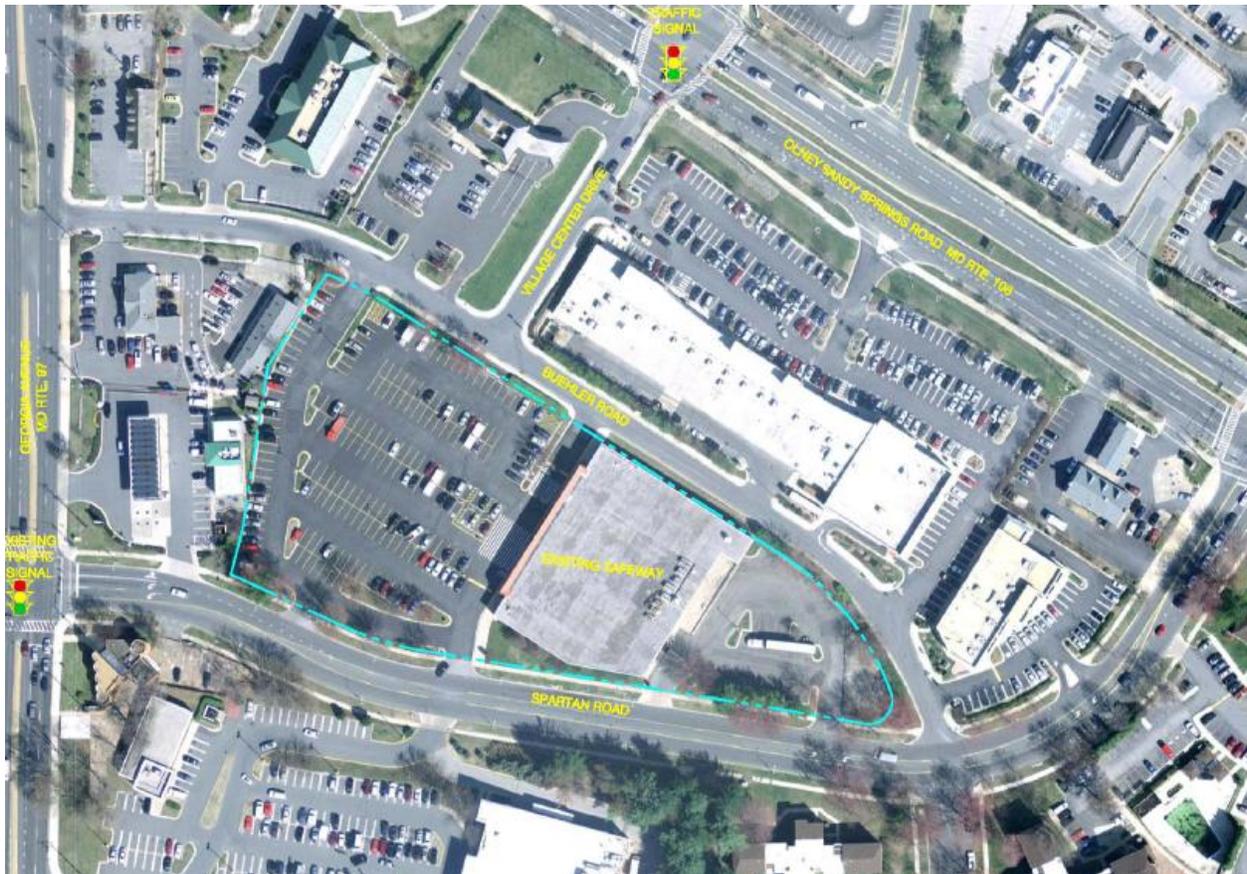


Vicinity Map

Site Analysis

Currently, the 3.92-acre site is improved with a 39,419 square foot Safeway grocery store constructed in 1978. The majority of the site is paved with surface parking, loading areas, and circulation routes. The triangular-shaped site drops in elevation a total of approximately 30 feet in the general southwest-northeast direction.

There are no streams, wetlands, floodplains, or sensitive features on-site, nor any forest or specimen trees. One significant tree exists on the site and will be retained. The site is located in the Hawlings River watershed, a tributary to the Patuxent River. This watershed is designated Use IV. The property is located outside of the Patuxent River Primary Management Area (PMA). There are no known historic properties or features on site.



Aerial Photo

PROJECT DESCRIPTION

Previous Approvals

The preliminary plan for this site was approved in 1970.

Proposal

The Site Plan proposes to replace the existing grocery store with a maximum 59,821 square foot newly constructed Safeway grocery store. The 42-foot tall building fronts on a new mid-block connector street between Spartan Road to Buehler Road. The building will contain a grocery store with the mid-block vehicular and pedestrian connector street that separates the surface parking lot and grocery store. One level of structured parking with 101 spaces is located beneath the store with access from Buehler Road and the rear of the site. The surface parking lot contains 149 spaces and is directly across from the main entrance to the store. Access to the surface parking lot is from Buehler Road and Spartan Road. The Applicant requests a parking waiver of 26 spaces, or 9.8% of the total number of required parking spaces [Appendix C]. Loading operations are located at the rear of the building.

The proposed mid-block connector will be aligned with Village Center Drive to the north of Buehler Road and will provide a vehicular/pedestrian connection between Buehler Road and

Spartan Road as recommended in the Olney Master Plan. Pedestrian movement through the mid-block connector was enhanced through streetscape treatment, building façade articulation, and abutting activating uses combined with seating areas. Vehicular movement through the mid-block connector incorporates traffic calming measures, such as wide bands of decorative concrete.



Illustrative Plan

Pedestrian access to the building is provided from the mid-block connector and at the southeast corner of the building. Continuous sidewalks with tree panels and landscaped areas will be provided along Spartan and Buehler Roads. Vehicular access to the parking garage below the store level is located on Buehler Road, and via an internal connection between Buehler Road and Spartan Road along the east side of the store building, which also provides truck access to the loading area.



Perspective rendering of the western building façade and the mid-block connector street

The project is providing a minimum of 10 percent of the net lot area as public use space. The public use space for the project is divided roughly into five areas. The largest, at approximately 10,000 SF on the eastern corner of the site, is intended as a park for the community and will have an open lawn, interactive features, interpretative signage and educational areas of bio-retention including a boardwalk bridge and a dry creek bed. A serpentine wall with plantings is located on the edge of the lawn area to provide screening and buffering from the public space and loading. The other three areas of public use space, located at the corners of the building, are similar in character with seating and tables on a hardscaped surface with decorative pervious pavers. The spaces at the northwest and southwest corners of the store are connected by a sidewalk running along the front of the building, which is being partially counted towards the public use space requirement. This sidewalk is significant because it provides pedestrian access and safety on the mid-block connection recommended in the master plan.



Illustrative rendering of the park at the eastern corner of the site

PROJECT ANALYSIS

Master Plan

The subject site is located within the boundaries of the 2005 *Olney Master Plan*. The Olney Master Plan has general and specific recommendations applicable to this site in the chapter titled Town Center Plan (p. 45).

The goal of the master plan is to create a town center where pedestrians can walk in a well-designed and safe urban environment between different shopping centers and other destinations. The proposed project provides improved sidewalks with green panels and street trees along Spartan Road and Dennit Drive, trees and landscaping in the parking lot, public use spaces as required by the MXTC Zone, and a through block connection between Spartan Road and Buehler Road/Dennit Drive as envisioned by the Master Plan. The site plan also accounts for potential future interconnectivity between the Safeway parking lot and the adjoining properties' to the west if those properties redevelop in the future, as recommended in the Master Plan.



Perspective rendering of the Public Use Space at the southwest corner of the building

The Applicant has worked with Staff and the Olney Town Center Advisory Committee to resolve some of the issues and concerns raised by Staff and the Advisory Committee. Community Based Planning staff has reviewed the plans and concludes that the proposed redevelopment of the Olney Safeway store, although not a mixed use development, is consistent with the goals and

recommendations of the Olney Master Plan and the concept of an interconnected Olney Town Center [Appendix A].

Transportation and Circulation

Since the original preliminary plan approval for the Safeway store in 1970 pre-dates the requirement for an Adequate Public Facilities (APF) approval, an APF approval is required for the subject site plan application. As explained below and in their memorandum dated November 15, 2010 [Appendix A], Transportation Planning staff recommends that APF requirements need to be satisfied with this site application for the difference in square footage between the existing 39,419 SF Safeway Store #2797 and the proposed 59,821 SF store.

Adequate Public Facilities Review

The APF review for the subject site plan application to replace existing Safeway Store #2797 required a traffic study in accordance with the Montgomery County *LATR/PAMR Guidelines*, since the 59,821 SF grocery store proposed on the site generated **30** or more total peak-hour trips during the typical weekday morning (6:30 – 9:30 a.m.) and evening (4:00 – 7:00 p.m.) peak periods. As stipulated under Section II.A of the *LATR/PAMR Guidelines*, however, the study was limited to the number of signalized intersections based on the estimated incremental peak-hour trips resulting from the increase in square-footage to the store rather than the total number of peak-hour trips generated by the new store (since the existing grocery store has been in operation for more than 12 years).

The Applicant submitted a LATR/PAMR traffic study dated July 29, 2010, that examined traffic-related impacts of the proposed new store on nearby intersections and at the site driveways. Staff’s review of the study indicated that the study complied with the requirements of the *LATR/PAMR Guidelines* and the traffic study scope provided by staff.

- Local Area Transportation Review

A summary of the intersection capacity/Critical Lane Volume (CLV) analysis results from the traffic study for the weekday morning and evening peak-hours within the respective peak-periods is presented in the table below.

**SUMMARY OF CAPACITY CALCULATIONS
PROPOSED OLNEY SAFEWAY STORE #2797 REPLACEMENT**

Intersection	Traffic Conditions					
	Existing		Background		Total (Build)	
	AM	PM	AM	PM	AM	PM
Georgia Ave and MD 108	1,180	1,251	1,224	1,355	1,233	1,369
Georgia Ave and Morningwood Dr/Spartan Rd	1,205	1,303	1,211	1,325	1,217	1,371
MD 108 and Village Center Dr	715	1,007	757	1,091	771	1,128
MD 108 and Spartan Rd	930	1,017	962	1,191	971	1,198

Source: Safeway – Olney LATR & PAMR Traffic Study. Wells and Associates, Inc. July 29, 2010.

Note: Olney Policy Area Congestion Standard: 1,450 CLV.

As shown in the table above, under Total (or Build) traffic conditions, intersections included in the traffic study will operate within the Olney Policy Area congestion standard of 1,450 CLV. The application therefore satisfies the LATR requirements of the APF test.

- Policy Area Mobility Review

To meet the PAMR requirements of the APF test, the Applicant is required to mitigate 10% of “new” peak-hour trips generated by the new Safeway store (i.e., 10% of 136 “new” evening peak-hour trips, which is 14 peak-hour trips).

The Applicant is proposing to satisfy the PAMR requirements of the APF test with a payment of \$154,000.00 to DOT (at \$11,000.00 per trip). The application therefore satisfies the PAMR requirements of the APF test.

Issue of Connecting Buehler Road

As noted above, to satisfy the PAMR requirements of the APF test, the Applicant is required to make a PAMR mitigation contribution of \$154,000.00 to DOT. Staff is recommending that, consistent with the goals of County’s Growth Policy, the Applicant’s PAMR mitigation contribution be used for transportation capacity improvements in the Olney Policy Area, specifically to initiate a CIP project for the master plan recommended connection of Buehler Road in Olney. Staff is also recommending that the proposed Buehler Road connection CIP project include, consistent with the master plan recommendation, an evaluation of appropriate traffic calming measures along the section of Buehler Road between Spartan Road and Prince Philip Drive to address concerns related to potential cut-thru traffic, speeding, and pedestrian safety as expressed by the residents in communities adjacent to Buehler Road. Staff recognizes that there is no direct correlation between the Olney Safeway project and the need for the Buehler Road connection. However, the policy area element of the Subdivision Staging Policy is designed to help facilitate the timely implementation of master planned infrastructure.

As background, the 2005 *Olney Master Plan* reaffirmed Buehler Road as a continuous roadway between Spartan Road and Prince Philip Drive while reclassifying it from a four-lane arterial (as recommended in the 1980 *Olney Master Plan*) to a two-lane primary residential street with a 70-foot right-of-way. The 2005 *Olney Master Plan* also removed an unbuilt section of Buehler Road that was included in the 1980 *Olney Master Plan* and extended between Prince Philip Drive and Old Baltimore Road as a primary residential street.

The 2005 *Olney Master Plan* notes the following in the master plan regarding Buehler Road:

“The Buehler Road connection is a critical part of the roadway system in and out of the Town Center. The unbuilt portion of Buehler Road should be used for local vehicular traffic. Where the road is 48 feet wide, the pavement width should be reduced to a size generally consistent with that of a Primary Residential Street. Buehler Road also provides a valuable Town Center connection for pedestrians and bicycles from the adjoining residential communities.”

It is noted that the Greater Olney Civic Association (GOCA), at their October 12, 2010 meeting, voted on and passed a motion to oppose the use of PAMR mitigation funds for the Buehler Road connection. Additionally, staff has met with residents of the Camelback Village Condominium on September 23, 2010, as well as a resident on St. Theresa Drive on November 10, 2010, to discuss their opposition to the Buehler Road connection. The GOCA and other neighborhood opposition to the recommended road connection is based on concerns related to an increase in traffic and travel speed on Buehler Road, use of Buehler Road by cut-through traffic, and potential danger to children playing at St. Peter's Catholic Church. Staff recognizes that these concerns need to be addressed in the roadway design process but maintains that the design of the Buehler Road extension remains the most appropriate means for applying PAMR resources toward the transportation system needs in the Olney Town Center area.

The section of Buehler Road between Spartan Road to the north and St. Theresa Drive to the south, except for approximately 160 feet near St. Peter's Catholic Church, is currently built to arterial standards with 48-foot wide pavement, curbs (closed section), and four-foot wide sidewalks/ten-foot wide tree panels on both sides. It is noted that the unbuilt section of Buehler Road is dedicated as public right-of-way to its full width of 80 feet. The section of Buehler Road to the south of St. Theresa Drive to Prince Philip Drive is currently built to primary residential street standards within an 80-foot right-of-way, with 24-foot wide pavement, open section, and a six-foot wide asphalt path to the west side of the roadway. In this area, St. Theresa Drive, a secondary residential road with no sidewalks, also connects Buehler Road to Prince Philip Drive. The northern section of Buehler Road provides access to the Camelback Village Condominiums, St. Peter's Catholic Church, and a WSSC standpipe. The southern section of Buehler Road provides access to a neighborhood of approximately 300 homes and Southeast Olney Local Park.

The connection of Buehler Road is recommended in the master plan and is essential to completing the master plan network of streets within the southwest quadrant of Georgia Avenue and Olney-Sandy Spring Road in Olney. Buehler Road is the only roadway that connects residential neighborhoods in this quadrant directly to the Town Center. The road connection will provide enhanced neighborhood transportation connectivity, transportation network redundancy, and additional ingress/egress options for residents in the immediate area. It will also provide adjoining residents an alternate travel route between their communities and the Town Center, so that they do not need to use Georgia Avenue (MD 97) or Olney-Sandy Spring Road (MD 108), thereby reducing demand at intersections along these State roadways.

A CIP project to design the Buehler Road connection would be consistent with recent roadway projects that connect established residential communities while recognizing and working to address understandable stakeholder concerns regarding cut-through traffic. Examples of such projects include Valley Park Drive in Damascus (opened in 2006), Locbury Drive in Germantown (opened in 2009) and Rainbow Drive in Cloverly (mandatory referral review in summer 2010).

In summary, the Buehler Road connection would enhance neighborhood traffic circulation, redistribute local traffic, and minimize overall vehicle miles traveled (VMT). The Buehler Road connection could also enhance access to residential subdivisions for emergency

response teams as well as for school bus traffic oriented to/from local public schools. Additionally, the road connection could provide environmental/cost benefits to local residents from overall reduced VMT and reduced emissions. Staff requests the Planning Board to:

1. Endorse staff recommendation to connect Buehler Road as recommended in the 2005 Olney Master Plan,
2. Endorse use of the PAMR mitigation payment of \$154,000.00 by DOT to initiate a CIP project for the master plan recommended connection of Buehler Road along with evaluation of appropriate traffic calming measures along the section of Buehler Road between Spartan Road and Prince Philip Drive, and
3. Endorse transmittal of a letter from the Planning Board Chair to Mr. Arthur Holmes, DOT Director expressing support for the Buehler Road connection CIP project, and requesting allocation of the PAMR mitigation payment towards the proposed Buehler Road connection CIP project and any traffic calming measures along Buehler Road.

Environment

A Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) #420101370 was approved for the site on May 5, 2010. The site is subject to Section 22A of the County code. As shown on the final Forest Conservation Plan, there are no forest or specimen trees on-site that are affected by this development. There is one significant tree, a 25-inch diameter at breast height (DBH) red maple tree located along Spartan Road, that was determined to be in good condition and which will be retained. The afforestation requirement of 0.59 acres will be met through fee-in-lieu payment.

The stormwater management concept [Appendix A] consists of implementing Environmental Site Design to the Maximum Extent Practicable (ESD/MEP) for treatment of surface runoff. ESD design strategies proposed include alternative surfaces (green roof and permeable pavements), micro-scale practices (biofiltration), and an overall reduction of existing impervious surfaces. In lieu of providing structural practices onsite for the remaining ESD volume which cannot be treated, a waiver was granted based upon the existing downstream Regional Stormwater Management Pond in the Olney Town Center.

Development Standards

The subject site is zoned MXTC (Mixed Use Town Center). The purpose of the MXTC Zone is to provide a mix of commercial and residential uses in the Town Center. A grocery store is a permitted use in the MXTC Zone. The proposed development meets the purpose and requirements of the zone as detailed in the Findings section of this report.

The table below indicates the proposed development's compliance with the Zoning Ordinance.

PROJECT DATA TABLE FOR THE MXTC ZONE

Development Standard	Permitted/Required	Proposed for Approval
Gross Tract Area (SF)	n/a	170,932
Previous Dedication	n/a	0
Net Lot Area (SF)	n/a	170,932
Max. Floor Area Ratio (FAR) (59-C-11.5-2)	0.35	0.35
Max. Building Area (SF)	59,821	59,821
Max. Building Height (feet) (59-C-11.5-3)	42	42 ^(a)
Min. Public Use Space (%) (59-C-11.5-4) For lots of more than 40,000 SF	10	10.8
Min. Building Setbacks (feet) (59-C-11.5-5)		
Front (west side)	0	254
North Side (Buehler Road)	0	0
South Side (Spartan Road)	0	0
Rear (east side)	0	217
Parking Lot Internal Landscaping (% of 77,733 SF surface pkg facility)	5 (3,887 SF)	20.8 (16,168 SF)
Min. No. of Parking Spaces	266 (@5sp/1000 SF of GLA) ^(b)	250 ^(c)
Handicap Spaces	6	9
Max. Compact Spaces	62	27
Bicycle spaces (59-E-2.3(a)) (@ 1 bike space/20 vehicle spaces)	13 (250 vehicle sp/20)	40
Motorcycle spaces (59-E-2.3(d)) (@2% x total vehicle spaces)	5 (2% x 250 vehicle sp)	5

^(a) As measured from the southwest corner of the building on Spartan Road.

^(b) The Gross Leasable Area (GLA) is 53,161 square feet.

^(c) The Applicant is requesting a Parking Waiver for 26 parking spaces, which represents 9.8% of the total number of required parking spaces. This parking waiver accounts for a shortage of 16 spaces currently not provided on site and 10 spaces, which could potentially be lost by implementing a future inter-parcel connection between the subject site and the adjoining properties to the west as recommended by the Master Plan.

COMMUNITY OUTREACH

The Applicant has met all proper signage, noticing, and submission meeting requirements. The application information was properly posted on the property. On June 8, 2010, a pre-submission meeting was held, as required, and on June 23, 2010, the Applicant properly notified adjacent and confronting property owners and civic associations of the site plan submission. An affidavit of posting dated June 22, 2010 was provided to Staff by the Applicant. A summary of the Applicant's community outreach efforts is provided in their letter dated September 20, 2010 [Appendix B]. Staff has received correspondence on this matter from various residents [Appendix B] and has met with the Olney Town Center Advisory Committee (OTCAC) and the Camelback Village Condo Board.

Major community concerns have been raised relating to the use of PAMR mitigation resources for the Buehler Road connection as recommended by staff, and the potential implications on cut-thru traffic, speeding, and pedestrian safety. Staff has received a petition with 134 signatures in opposition to the potential connection of Buehler Road. As discussed above in the **Transportation** section, Staff recognizes that these concerns need to be addressed in the roadway design process, and maintains that the design of the Buehler Road extension remains the most appropriate means for applying PAMR resources toward the transportation system needs in the Olney Town Center area.

Staff had an ongoing dialogue with the OTCAC during the review process. The main concerns shared by this group pertained to the Public Use Space and the pedestrian crossing on Spartan Road as described in their letter dated November 1, 2010 [Appendix B]. In coordination with OTCAC and Staff, the Applicant revised the design of the PUS at the eastern corner of the site to create more usable space and to add an educational component to the bio-retention areas. With respect to the pedestrian crossing on Spartan Road, Staff encouraged the Applicant to make this request to MC-DOT independently of the PAMR funding allocation decision.

FINDINGS

1. *The site plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development, if required, unless the Planning Board expressly modifies any element of the project plan.*

Neither a development plan, diagrammatic plan, schematic development plan nor a project plan was required for the subject site.

2. *The site plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56.*

The proposed use is allowed in the MXTC (Mixed Use Town Center) Zone and the site plan fulfills the purposes of the zone by providing commercial uses in the Town Center.

As the project data table on page 12 indicates, the site plan meets all of the development standards of the zone. With respect to building height, setbacks, and density the proposed development is under all the maximum standards allowed. With respect to public use space, the proposed development provides 10.8% of the net lot area.



Building elevations along the Mid-Block Connector Street and Spartan Road

The site plan meets the street façade requirements of the MXTC zone (Sec. 59-C-11.5.1.) with the western building façade along the North-South mid-block connector. At this location, the building façade is within 10 feet of a publicly accessible sidewalk and extends for at least 75 percent of the publicly accessible sidewalk. The western building façade includes the principal entrance to the grocery store and displays architectural treatments, such as fenestration, accent bands and diversity of materials, which add interest for the pedestrian. Although the street façade requirements might have been primarily intended for building facades along street frontages, the Zoning Ordinance

allows flexibility to have them along a publicly accessible sidewalk, way or space. The site plan did not fully meet the street façade requirements along Spartan Road or Buehler Road due to site constraints, such as the triangular shape of the property and east-west grade drop, and specific programmatic requirements of the grocery store, such as, providing direct and relatively flat access from the main entrance to the adjacent surface parking lot. Nonetheless, these facades are still articulated to add interest through architectural treatment and selection of building materials, such as brick, cultured stone and spandrel glass. Overall, the proposed western building façade will achieve the goals of pedestrian oriented development and will encourage mid-block movements as recommended in the Master Plan.

Pursuant to Section 59-E-4.5 of the Zoning Ordinance, the Applicant is requesting a Parking Waiver to reduce the parking requirements for the project by 26 spaces, which represents 9.8% of the total number of required parking spaces [Appendix C]. This parking waiver accounts for a shortage of 16 spaces currently not provided on site and 10 spaces, which could potentially be lost by implementing a future inter-parcel connection between the subject site and the adjoining properties to the west as recommended by the Master Plan. Staff supports granting the waiver primarily for two reasons. First, the subject site is located in the Town Center which is envisioned to be pedestrian-oriented and should encourage less reliance on the automobile. Second, research on parking ratios for similarly situated suburban grocery stores in Montgomery County show that the average is between 2.35 to 3.2 occupied spaces per 1,000 gross leasable area (GLA) [Appendix C]. The proposed ratio of approximately 4.5 spaces per 1,000 square feet of GLA is above that average, and deemed sufficient by the Applicant and Staff.

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

a) Locations of buildings and structures

The site plan will replace the existing grocery store with a maximum 59,821 square foot newly constructed Safeway grocery store, which will contain upgraded amenities and design elements. The 42-foot tall building is located approximately in the middle of the triangular-shaped site and fronts on a new mid-block connector. By taking advantage of the site's topography, the building has a grocery store at grade with the mid-block connector street and structured parking with 101 spaces beneath the building at grade with the rear of the site. Surface parking, with 149 spaces, is directly across from the main entrance to the store.

Because of the severe grade drop, approximately 30 feet in the southwest-northeast direction, there are several retaining walls proposed throughout the site. In the front, two retaining walls, ranging in height between 1 and 5 feet, sustain the relatively flat grades of the surface parking lot. In general terms, the parking lot will be below the Spartan Road elevations and above the Buehler Road elevations. In the rear, two retaining walls of varying heights between 4 and 8 feet delineate access to the parking garage and the loading area. A brick serpentine wall located in the corner park serves primarily to screen views of the loading and parking garage entrance.

The locations of the buildings and structures are adequate and efficient, while meeting the aesthetic concerns of the area, and do not pose any safety concerns on the site.



Building elevations along Buehler Road and the rear of the site

b) Open Spaces

The project is providing a minimum of 10.8 percent of the net lot area as public use space as required by the MXTC zone. The public use space for the project is divided roughly into five areas. The largest, with approximately 10,000 SF on the eastern corner of the site, is intended as a park for the community with an open lawn, interactive features, interpretative signage and educational areas of bio-retention including a boardwalk bridge and a dry creek bed. Ownership and maintenance of the park will be provided by Safeway. The other three areas of public use space, located at the corners of the building, are similar in character with seating and tables on a hardscaped surface with decorative pervious pavers. These areas might have slightly different functions according to their locations in relation to the building. Thus, the space at the SE corner of the building across from the bus stop could potentially serve as a waiting area protected from the elements for the bus users. The spaces at the northwest and southwest corners of the store will complement the uses inside the building. These two spaces are connected by a sidewalk, running along the front of the building, which is being partially counted towards the public use space requirement. This sidewalk is significant because it provides pedestrian access and safety for the mid-block connection recommended in the master plan. It is envisioned to be a cross-block promenade with shade trees and street lights that emphasize the pedestrian scale. The open spaces provided are safe, adequate, and efficient.



Rendering of the Public Use Space areas in front of the grocery store

c) Landscaping and Lighting

The landscape plan meets the internal landscaping requirements for parking facilities, enhances the Spartan Road and Buehler Road frontages, and beautifies the open spaces proposed. The plan consists of street trees along the perimeter of the property, shade trees in the parking lot islands, flowering trees in the open spaces, and a variety of evergreen and deciduous shrubs around the perimeter of the parking areas. The proposed landscaping defines the areas of public use space by creating an edge, directing views and adding interest. The landscaping on the park at the eastern corner successfully creates a useable area of open lawn framed by landscaped areas and bio-retention areas. Landscape material is effectively used to screens views of the loading areas and garage entrances in the rear of the site. The landscaping is adequate, safe and efficient.

The lighting plan consists of pole mounted light fixtures with a 30-foot height located on the parking lot islands and at the rear entrance to the parking garage and loading areas. Additional ornamental light fixtures with a pole height of approximately 12 feet will add pedestrian scale to the mid-block promenade in front of the store and the park at the eastern corner. All onsite lighting fixtures will be full cut-off. The proposed lighting provides safe, adequate and efficient illumination.

d) Recreation Facilities

The application is not subject to the Recreation Guidelines as this is not a residential project; however, the public use areas, specifically the park, will provide passive and active recreational activities for surrounding residents and store patrons.

e) Pedestrian and Vehicular Circulation Systems

Access and circulation will be greatly improved through the mid-block connector street designed as an extension of Village Center Drive north of Buehler Road. This private internal roadway will provide a vehicular/pedestrian connection between Buehler Road and Spartan Road as recommended in the Olney Master Plan. Pedestrian movement through the mid-block connector is accommodated and encouraged by having a wider, unobstructed sidewalk along the front of the building, street trees in tree pits, ornamental light fixtures, and variety in the paving material and/or colors. In addition to the streetscape treatment, the building façade articulation described above, and the activating uses combined with seating areas, will emphasize the pedestrian scale and circulation. Vehicular movement through the mid-block connector incorporates traffic calming measures, such as wide bands of decorative concrete.

Pedestrian access from adjacent sidewalks adequately and efficiently integrates this site into the surrounding area. Continuous sidewalks with tree panels and landscaped areas will be provided along Spartan and Buehler Roads. Pedestrian access points to the building are located on the mid-block connector and the southeast corner of the building. Vehicular access to the parking garage below the store level is located on Buehler Road and via an internal connection between Buehler Road and Spartan Road along the east side of the store building, which also provides truck access to the loading area. Staff recommends reserving a 10-foot wide strip along the entirety of the western property line to provide for a possible future reciprocal access easement for vehicular and pedestrian

access to and from the adjoining parcels to the west. As conditioned, the pedestrian and vehicular circulation systems are safe, adequate, and efficient.

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

The proposed grocery store, at the eastern edge of the Town Center, is compatible with the adjacent and confronting commercial uses within the Town Center and residential uses to the southeast abutting the Town Center. The site layout further increases compatibility by having the store front and surface parking oriented to the west or the core of the Town Center, and by having a park located at the eastern corner where the site confronts residential uses. Building height at 42 feet is consistent with the Master Plan recommended height for the Town Center edges (p.56) and is compatible with the adjoining residential development and surrounding one-story commercial development. The structure itself is in scale with the nearby buildings and is located such that it will not adversely impact existing or proposed adjacent uses.

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

A Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) #420101370 was approved for the site on May 5, 2010. The site is subject to Section 22A of the County code. As shown on the final Forest Conservation Plan, there are no forest or specimen trees on-site that are affected by this development. There is one significant tree, a 25-inch diameter at breast height (DBH) red maple tree located along Spartan Road that was determined to be in good condition, and which will be retained. The afforestation requirement of 0.59 acres will be met through fee-in-lieu payment.

The stormwater management concept consists of implementing Environmental Site Design to the Maximum Extent Practicable (ESD/MEP) for treatment of surface runoff. ESD design strategies proposed include alternative surfaces (green roof and permeable pavements), micro-scale practices (biofiltration), and an overall reduction of existing impervious surfaces. In lieu of providing structural practices onsite for the remaining ESD volume which cannot be treated, a waiver was granted based upon the existing downstream Regional Stormwater Management Pond in the Olney Town Center.

RECOMMENDATION AND CONDITIONS

Staff recommends approval of site plan 820100130, Safeway Store #2797, for a new 59,821 square foot Safeway grocery store and a parking waiver, on 3.92 gross acres. All site development elements shown on the site and landscape plans stamped “Received” by the M-NCPPC on August 30, 2010, and October 25, 2010, are required except as modified by the following conditions.

Environment

1. Forest Conservation & Tree Save

The Applicant must satisfy all conditions prior to the recording of a plat(s) or to the issuance of sediment and erosions control permits by the Montgomery County Department of Permitting Services.

- a) Inspections must occur consistent with Section 110 of the Forest Conservation Regulations.
- b) Submission of in-lieu fee payment for forest planting requirement prior to any clearing or grading occurring onsite.

2. Stormwater Management

The proposed development is subject to Stormwater Management Concept approval conditions dated September 20, 2010 unless amended and approved by the Montgomery County Department of Permitting Services [Appendix A].

3. LEED Certification

The Applicant must achieve a LEED (Leadership in Energy and Environmental Design) Certified Rating Certification at a minimum. The Applicant must make good faith efforts to achieve a LEED Silver rating. Before the issuance of any use and occupancy certificate, the Applicant must inform M-NCPPC staff of the LEED Certification Level for which they are applying. If this level is less than a Silver rating, before the issuance of the final use and occupancy certificate the Applicant must provide to staff a written report for public record purposes only from the Applicant’s LEED consultant analyzing the feasibility of achieving a LEED-Silver rating, to include an affidavit from a LEED-Accredited Professional identifying the minimum additional improvements required to achieve the LEED Silver rating, including their associated extra cost. Submission of this report constitutes compliance with this condition.

Open Space & Amenities

4. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to, seating and tables, boardwalk bridge, interpretive signage, and bike racks.

Transportation & Circulation

5. Transportation

- a) The Applicant must limit development on the property to a new 59,821 square-foot Safeway grocery store, in place of an existing 39,419 square-foot store.
- b) The Applicant, prior to the release of any building permit associated with the construction of the new Safeway store, must pay \$154,000.00 to Montgomery County Department of Transportation (DOT) to satisfy the Policy Area Mobility Review (PAMR) requirement of the APF test (to mitigate fourteen (14) new weekday site-generated peak-hour trips).
- c) Limit APF approval for the subject application to 85 (eighty-five) months from the date of mailing of the Planning Board resolution.

6. Vehicular Circulation

Narrow the Spartan Road driveway for the loading dock/garage in the back of the store on the west side, while providing adequate maneuvering room for trucks to exit, in coordination with MC-DPS.

7. Future reciprocal access easement

The Applicant must reserve and show on the certified site plan a 10-foot wide strip along the entirety of the western property line to provide for a possible future reciprocal access easement (“Easement”) for vehicular and pedestrian access to and from the adjoining parcels (Olney Gardens Lot 1, N233 and Lot 2, N200) (“Adjoining Properties”), when or if the Adjoining Properties redevelop. The Easement will provide for a connection that will be a minimum of 20 feet in width (east/west) when established, and can be located anywhere within the reserved area that reasonably accomplishes mutual access for both properties. The ultimate location of the Easement will be determined during the preliminary and/or site plan process for either of the Adjoining Properties, along with the participation of the Applicant. The Applicant will enter into a Reciprocal Access Easement on commercially reasonable terms with the owners of the Adjoining Properties upon their redevelopment when the Planning Board deems it necessary to have reciprocal access through all of the properties. The Easement will be solely for the purpose of reciprocal access, must be compatible with the overall site layout of Applicant’s property and the Adjoining Properties, and may be reasonably relocated by Applicant in the event of any future redevelopment of Applicant’s property, or by the Adjoining Properties in the event of their redevelopment.

Site Plan

8. Site Design

- a) Unify the public use space in front of the grocery store by using paving materials and/or colors in the sidewalk similar to those in the two seating areas.
- b) In the park at the eastern corner of the site, eliminate the western portion of the path that surrounds the lawn area and expand the lawn into this area.

- c) Provide three interpretive signs in the park at the eastern corner of the site that each highlight one of the following educational themes: Micro-Bioretenion Areas, LEED, and Butterfly/Native Plantings.
- d) The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on Sheet A2.2 of the submitted architectural drawings, as determined by M-NCPPC Staff.

9. Landscaping

- a) Provide an additional shade tree along the frontage of the grocery store and adjust the spacing of the remaining proposed trees as needed.
- b) Enlarge the tree pits for the shade trees along the frontage of the grocery store to a minimum of 5' x 6' (internal dimensions) with a soldier course border of pervious pavers, and provide an expanded area of structural soil that is a minimum of 2 feet wide beyond the internal dimensions and 3 feet deep on all four sides of the tree pit.
- c) Provide street trees in a green panel along the entire Buehler Road frontage.
- d) Replace flowering trees in the Buehler Road frontage with street trees, such as Sourwood.

10. Lighting

- a) The lighting distribution and photometric plan with summary report and tabulations must conform to IESNA standards for commercial development.
- b) All onsite down- light fixtures must be full cut-off fixtures.
- c) Deflectors shall be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting adjacent residential properties.
- d) The height of the light poles for the parking lot fixtures shall not exceed 30 feet including the mounting base.
- e) The height of the light poles for the ornamental light fixtures shall not exceed 12 feet including the mounting base.

11. Landscape Surety

The Applicant shall provide a Performance Bond(s) in accordance with Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance with the following provisions:

- a) The amount of the surety shall include plant material, on-site lighting, site furniture, bicycle facilities, interpretive signage and boardwalk bridge. Surety to be posted prior to issuance of first building permit and shall be tied to the development program.
- b) Provide a cost estimate of the materials and facilities, which, upon staff approval, will establish the initial bond amount.
- c) Completion of plantings for the development, to be followed by inspection and bond reduction. Inspection approval starts the 1 year maintenance period and bond release occurs at the expiration of the one year maintenance period.
- d) Provide a Site Plan Surety and Maintenance Agreement that outlines the responsibilities of the Applicant and incorporates the cost estimate. Agreement to be executed prior to issuance of the first building permit.

12. Development Program

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

- a) Clearing and grading must correspond to the construction phasing to minimize soil erosion and must not occur prior to approval of the Final Forest Conservation Plan, Sediment Control Plan, and M-NCPPC inspection and approval of all tree-save areas and protection devices.
- b) Street lamps and sidewalks must be installed within six months after street construction is completed. Street tree planting may wait until the next growing season.
- c) The development program must provide phasing for installation of on-site landscaping and lighting.
- d) Landscaping associated with the parking lot shall be completed as construction of the parking lot is completed.
- e) On-site amenities including, but not limited to, sidewalks, benches, trash receptacles, and bicycle facilities must be installed prior to release of the building occupancy permit.
- f) The eastern corner park including the boardwalk bridge, the serpentine wall, the pervious pavers path, interpretive signage, site furniture, and on-site lighting, must be completed prior to release of the building occupancy permit. Landscaping associated with the park may wait until the next growing season.
- g) The development program must provide phasing of dedications, stormwater management, sediment and erosion control, afforestation, trip mitigation, and other features.

13. Certified Site Plan

Prior to 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 final forest conservation approval, stormwater management concept approval, development program, inspection schedule, and site plan resolution on the approval or cover sheet.
- b) Add a note to the site plan stating that “M-NCPPC staff must inspect all tree-save areas and protection devices prior to clearing and grading”.
- c) Modify data table to reflect development standards enumerated in the staff report.
- d) Ensure consistency of all details and layout between site plan and landscape plan.
- e) Provide a cross-section detail of the tree pits for the shade trees along the frontage of the grocery store.
- f) Show building height measuring point on the plans.

APPENDICES

- A. Agency Letters
- B. Correspondence
- C. Parking Waiver Request

Appendix A

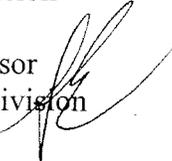


MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MEMORANDUM

DATE: November 15, 2010

TO: Sandra Pereira, Planner/Coordinator
Development Review Division

VIA: Shahriar Etemadi, Supervisor 
Transportation Planning Division

FROM: Cherian Eapen, Planner/Coordinator 
Transportation Planning Division
301-495-4525

SUBJECT: Site Plan No. 820100130
Proposed Safeway Store, Olney (Safeway Store #2797)
3333 Spartan Road, Olney
Lot 10, Olney Gardens Subdivision
Proposed replacement of existing 39,419 SF store with a new 59,821 SF store
Safeway, Inc. ("Applicant")
Olney Town Center
Olney Master Plan/Olney Policy Area

This memorandum presents Transportation Planning staff's review of an application by Safeway, Inc. ("Applicant") to obtain Adequate Public Facilities (APF) approval for a new 59,821 square-foot grocery store in place of an existing 39,419 square-foot grocery store located within the boundary of the Olney Town Center. The original preliminary plan approval for the Safeway store in 1970 pre-dates the requirement for an APF approval and therefore, an APF approval is required for the subject site plan application.

The Safeway store site is located at 3333 Spartan Road, and is bounded by Spartan Road to the south and Buehler Road to the north. The site is also midway between Olney-Sandy-Spring Road (MD 108) to the east and Georgia Avenue (MD 97) to the west. The property is zoned MXTC and is located within the Olney Policy Area.

FINDING AND RECOMMENDATIONS

Transportation Planning staff finds the site application to replace the existing 39,419 SF Safeway Store #2797 located at 3333 Spartan Road with a 59,821 SF store to satisfy APF requirements, and recommends that the Planning Board approve the site plan. Staff recommends the following transportation-related conditions to be part of the Planning Board's approval of the APF and the site plan:

1. The Applicant must limit development on the property to a new 59,821 square-foot Safeway grocery store, in place of an existing 39,419 square-foot store.
2. The Applicant, prior to the release of any building permit associated with the construction of the new Safeway store, must pay \$154,000.00 to Montgomery County Department of Transportation (DOT) to satisfy the Policy Area Mobility Review (PAMR) requirement of the APF test (to mitigate fourteen (14) new weekday site-generated peak-hour trips).
3. Limit APF approval for the subject application to 85 (eighty-five) months from the date of mailing of the Planning Board resolution.

It is staff's recommendation that, consistent with County's Growth Policy, the Applicant's PAMR mitigation contribution described above be used for transportation capacity improvements in the Olney Policy Area itself. Staff therefore recommends that DOT use the PAMR mitigation payment of \$154,000.00 by the Applicant (see Condition #2 above) as seed money to initiate a Capital Improvement Program (CIP) project for the master plan recommended connection of Buehler Road in Olney. Staff also recommends that the proposed Buehler Road connection CIP project include, consistent with the master plan recommendation, evaluation and implementation of appropriate traffic calming measures along the section of Buehler Road between Spartan Road and Prince Philip Drive to address concerns related to potential cut-thru traffic, speeding, and pedestrian safety expressed by the residents in communities adjacent to Buehler Road. Staff requests the Planning Board to:

1. Endorse staff recommendation to connect Buehler Road as recommended in the 2005 Olney Master Plan,
2. Endorse use of the PAMR mitigation payment of \$154,000.00 by DOT to initiate a CIP project for the master plan recommended connection of Buehler Road along with evaluation of appropriate traffic calming measures along the section of Buehler Road between Spartan Road and Prince Philip Drive, and
3. Endorse transmittal of a letter from the Planning Board Chair to Mr. Arthur Holmes, DOT Director expressing support for the Buehler Road connection CIP project, and requesting allocation of the PAMR mitigation payment towards the proposed Buehler Road connection CIP project and any traffic calming measures along Buehler Road.

DISCUSSION

Site Location and Access

The proposed new 59,821 SF Olney Safeway Store #2797 will be located generally at the same location as the existing store. The site is bounded by Spartan Road to the south and Buehler Road to the north.

Access to the existing grocery store is currently from Spartan Road and Buehler Road, and includes four driveways along Spartan Road and two driveways along Buehler Road. The main parking area for the existing store is located to the west side of the store building/site (i.e., to the front of the store), which is accessed via two driveways on Spartan Road and two driveways on Buehler Road. The loading area for the current store and additional store parking are located to the east side of the store building/site (i.e., to the rear of the store) and is accessed from Spartan Road via two driveways.

Access to the new store is proposed with two driveways from Spartan Road and three driveways from Buehler Road. These include:

1. An extension of Village Center Drive to the south of Olney-Sandy Spring Road as a private internal roadway along the west side of the store building (i.e., front of the store), providing access to the surface parking lot proposed to the front of the store (Note: This internal roadway will provide vehicular/pedestrian connection between Buehler Road and Spartan Road as recommended in the Olney Master Plan – see Attachment No. 1),
2. A connection from Buehler Road to the parking garage below the store level, and
3. An internal connection between Buehler Road and Spartan Road along the east side of the store building to provide truck access to the loading area and access to the parking garage below the store level.

Area Master Plan Recommendations: Roadway and Pedestrian/Bikeway Facilities

The 2005 Approved and Adopted *Olney Master Plan* includes the following nearby master-planned roadways and pedestrian/bikeway facilities:

1. Olney-Sandy Spring Road (MD 108), to the north of the site, as a four-lane divided major highway (M-60) between Laytonsville to the west and Dr. Bird Road (MD 182) to the east with a recommended minimum right-of-way width of 150 feet. A shared-use path (SP-35, between Georgia Avenue to the west and Dr. Bird Road to the east in both the *Olney Master Plan and Countywide Bikeways Functional Master Plan*) is recommended for MD 108, and currently exists along both sides of MD 108.
2. Spartan Road, to the south of the site, as a two-lane business district road (B-5) between Appomattox Avenue to the north and Georgia Avenue to the southwest with a recommended minimum right-of-way width of 80 feet. A shared-road bikeway (B-36,

between Georgia Avenue to the southwest and Old Baltimore Road to the northeast) is recommended for Spartan Road, which currently exists.

3. Buehler Road, to southeast of the site (to the south of Spartan Road), as a two-lane primary residential street (P-24) between Spartan Road to the north and Prince Philip Drive to the south with a recommended minimum right-of-way width of 70 feet. A shared-road bikeway (B-7, between Spartan Road to the north and Prince Philip Drive to the south) is recommended for Buehler Road. This bikeway currently exists except for the unpaved section of Buehler Road, which is recommended to have a shared-use path.

Adequate Public Facilities Review

The APF review for the subject site plan application to replace existing Safeway Store #2797 required a traffic study in accordance with the Montgomery County *LATR/PAMR Guidelines* since the 59,821 SF grocery store proposed on the site generated **30** or more total peak-hour trips during the typical weekday morning (6:30 – 9:30 a.m.) and evening (4:00 – 7:00 p.m.) peak periods. As stipulated under Section II.A of the *LATR/PAMR Guidelines*, the study however was limited to the number of signalized intersections based on the estimated incremental peak-hour trips resulting from the increase in square-footage to the store rather than the total number of peak-hour trips generated by the new store (since the existing grocery store has been in operation for more than 12 years).

The Applicant submitted a LATR/PAMR traffic study dated July 29, 2010, that examined traffic-related impacts of the proposed new store on nearby intersections and at the site driveways. Staff review of the study indicated that the study complied with the requirements of the *LATR/PAMR Guidelines* and the traffic study scope provided by staff.

Using Institute of Transportation Engineers (ITE) *Trip Generation (8th Edition)* report trip generation rates for supermarkets and ITE *Trip Generation Handbook* recommendations for PM peak-hour “new” and “pass-by” trip percentages, the traffic study estimated that the proposed grocery store will generate 215 peak-hour trips during the weekday morning peak period and 401 peak-hour trips during the weekday evening peak period. After accounting for the existing grocery store, the traffic study estimated that the proposed development in-effect will result in 73 additional peak-hour trips during the weekday morning peak period and 213 additional peak-hour trips during the weekday evening peak period to the site. The trip generation summary for the proposed development is presented in Table 1.

**TABLE 1
SUMMARY OF SITE TRIP GENERATION
PROPOSED OLNEY SAFEWAY STORE #2797 REPLACEMENT**

Trip Generation	Morning Peak-Hour			Evening Peak-Hour		
	In	Out	Total	In	Out	Total
<i>Proposed Safeway Store</i>						
59,821 SF Supermarket	131	84	215	320	307	627
“Pass-by” Trips (PM – 36%)	--	--	--	115	111	226
“New” Supermarket Trips	131	84	215	205	196	401
<i>Existing Safeway Store (for trip credit)</i>						
39,419 SF Supermarket	87	55	142	211	203	414
“Pass-by” Trips (PM – 36%)	--	--	--	76	73	149
“New” Supermarket Trips	87	55	142	135	130	265
Total Trips due to Store Replacement	44	29	73	109	104	213
Net Increased “Pass-by” Trips	--	--	--	39	38	77
Net Increased “New” Site Trips	44	29	73	70	66	136

Source: Safeway – Olney LATR & PAMR Traffic Study. Wells and Associates, Inc. July 29, 2010.

- Local Area Transportation Review

A summary of the intersection capacity/Critical Lane Volume (CLV) analysis results from the traffic study for the weekday morning and evening peak-hours within the respective peak-periods is presented in Table 2.

**TABLE 2
SUMMARY OF CAPACITY CALCULATIONS
PROPOSED OLNEY SAFEWAY STORE #2797 REPLACEMENT**

Intersection	Traffic Conditions					
	Existing		Background		Total (Build)	
	AM	PM	AM	PM	AM	PM
Georgia Ave and MD 108	1,180	1,251	1,224	1,355	1,233	1,369
Georgia Ave and Morningwood Dr/Spartan Rd	1,205	1,303	1,211	1,325	1,217	1,371
MD 108 and Village Center Dr	715	1,007	757	1,091	771	1,128
MD 108 and Spartan Rd	930	1,017	962	1,191	971	1,198

Source: Safeway – Olney LATR & PAMR Traffic Study. Wells and Associates, Inc. July 29, 2010.

Note: Olney Policy Area Congestion Standard: 1,450 CLV.

As shown in Table 2, under Total (or Build) traffic conditions, intersections included in the traffic study will operate within the Olney Policy Area congestion standard of 1,450 CLV. The application therefore satisfies the LATR requirements of the APF test.

- Policy Area Mobility Review

To meet the PAMR requirements of the APF test, the Applicant is required to mitigate 10% of “new” peak-hour trips generated by the new Safeway store (i.e., 10% of 136 “new” evening peak-hour trips, which is 14 peak-hour trips).

The Applicant is proposing to satisfy the PAMR requirements of the APF test with a payment of \$154,000.00 to DOT (at \$11,000.00 per trip). The application therefore satisfies the PAMR requirements of the APF test.

Issue of Connecting Buehler Road

As noted above, to satisfy the PAMR requirements of the APF test, the Applicant is required to make a PAMR mitigation contribution of \$154,000.00 to DOT. Staff is recommending that, consistent with the goals of County’s Growth Policy, the Applicant’s PAMR mitigation contribution be used for transportation capacity improvements in the Olney Policy Area. Staff is therefore recommending that DOT initiate a CIP project for the master plan recommended connection of Buehler Road in Olney with the PAMR mitigation payment of \$154,000.00 by the Applicant as seed money. Staff is also recommending the proposed Buehler Road connection CIP project to include, consistent with the master plan recommendation, evaluation of appropriate traffic calming measures along the section of Buehler Road between Spartan Road and Prince Philip Drive to address concerns related to potential cut-thru traffic, speeding, and pedestrian safety expressed by the residents in communities adjacent to Buehler Road. Staff recognizes that there is no direct correlation between the Olney Safeway project and the need for the Buehler Road connection. The policy area element of the Subdivision Staging Policy is designed to help facilitate the timely implementation of master planned infrastructure.

As background, the 2005 *Olney Master Plan* reaffirmed Buehler Road as a continuous roadway between Spartan Road and Prince Philip Drive while reclassifying it from a four-lane arterial (as recommended in the 1980 *Olney Master Plan*) to a two-lane primary residential street with a 70-foot right-of-way. The 2005 *Olney Master Plan* also removed an unbuilt section of Buehler Road that extended between Prince Philip Drive and Old Baltimore Road as a primary residential street from the 1980 *Olney Master Plan*.

The 2005 *Olney Master Plan* notes the following in the master plan regarding Buehler Road (see Attachment No. 2):

“The Buehler Road connection is a critical part of the roadway system in and out of the Town Center. The unbuilt portion of Buehler Road should be used for local vehicular traffic. Where the road is 48 feet wide, the pavement width should be reduced to a size generally consistent with that of a Primary Residential Street.”

Buehler Road also provides a valuable Town Center connection for pedestrians and bicycles from the adjoining residential communities.”

It is noted that the Greater Olney Civic Association (GOCA) at their October 12, 2010, meeting voted on and passed a motion to oppose the use of PAMR mitigation resources for the Buehler Road connection as recommended by staff. Additionally, staff has met with residents of the Camelback Village Condominium on September 23, 2010, as well as a resident on St. Theresa Drive on November 10, 2010, to discuss their opposition to the Buehler Road connection. The GOCA and neighborhood opposition to the recommended road connection is based on concerns related to increase in traffic and travel speed on Buehler Road, use of Buehler Road by cut-through traffic, and potential danger to children playing at the St. Peter's Catholic Church resulting from the road connection. Staff recognizes that these concerns need to be addressed in the roadway design process, and maintains that the design of the Buehler Road extension remains the most appropriate means for applying PAMR resources toward the transportation system needs in the Olney Town Center area, as described in the following paragraphs.

The section of Buehler Road between Spartan Road to the north and St. Theresa Drive to the south, except for approximately 160 feet near St. Peter's Catholic Church, is currently built to arterial standards with 48-foot wide pavement, curbs (closed section), and four-foot wide sidewalk/ten-foot wide tree panel on both sides. It is noted that the unbuilt section of Buehler Road as above is dedicated as public right-of-way to its full width of 80 feet. The section of Buehler Road to the south of St. Theresa Drive to Prince Philip Drive is currently built to primary residential street standards within an 80-foot right-of-way, with 24-foot wide pavement, open section, and a six-foot wide asphalt path to the west side of the roadway. In this area, St. Theresa Drive, a secondary residential road with no sidewalks, also connects Buehler Road to Prince Philip Drive. The northern section of Buehler Road provides access to the Camelback Village Condominiums, St. Peter's Catholic Church, and a WSSC standpipe. The southern section of Buehler Road provides access to a neighborhood of approximately 300 homes and Southeast Olney Local Park.

Staff believes that connecting Buehler Road as recommended in the master plan is essential to completing the master plan network of streets within the southwest quadrant of Georgia Avenue and Olney-Sandy Spring Road in Olney as Buehler Road is the only roadway that connects residential neighborhoods in this quadrant directly to the Town Center. The road connection will provide enhanced neighborhood transportation connectivity, transportation network redundancy, and additional ingress/egress options for residents in the immediate area. It will also provide adjoining residents an alternate travel route between their communities and the Town Center, so that they do not need to use Georgia Avenue (MD 97) or Olney-Sandy Spring Road (MD 108), thereby reducing demand at intersections along these State roadways.

A CIP project to design the Buehler Road connection would be consistent with recent roadway projects that connect established residential communities while recognizing and working to address understandable stakeholder concerns regarding cut-through traffic. Examples of such projects include Valley Park Drive in Damascus (opened in 2006), Locbury Drive in

Germantown (opened in 2009) and Thompson Road/Rainbow Drive in Cloverly (mandatory referral review in summer 2010).

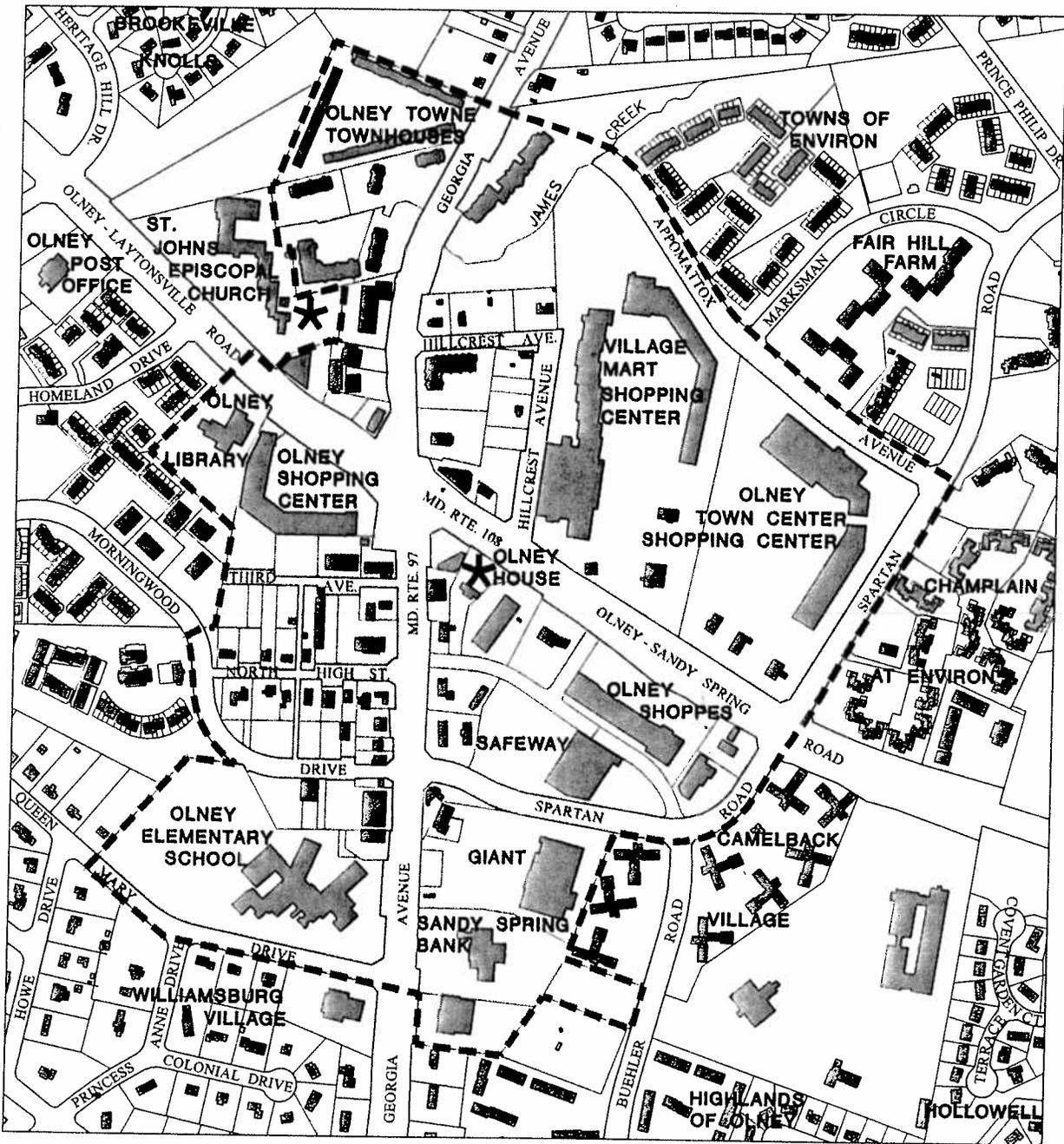
In summary, the Buehler Road connection would enhance neighborhood traffic circulation, redistribute local traffic, and minimize overall vehicle miles traveled (VMT). The Buehler Road connection could also enhance access to residential subdivisions for emergency response teams as well as for school bus traffic oriented to/from local public schools. Additionally, the road connection could provide environmental/cost benefits to local residents from overall reduced VMT and reduced emissions.

SE:CE:tc
Attachments

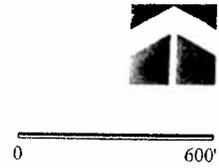
cc: Khalid Afzal
Cathy Conlon
John Carter
Greg Leck
Sarah Navid
Gary Erenrich
Corren Giles
Chris Kabatt

mno to SP re Olney Safeway Site Plan.doc

Town Center Context

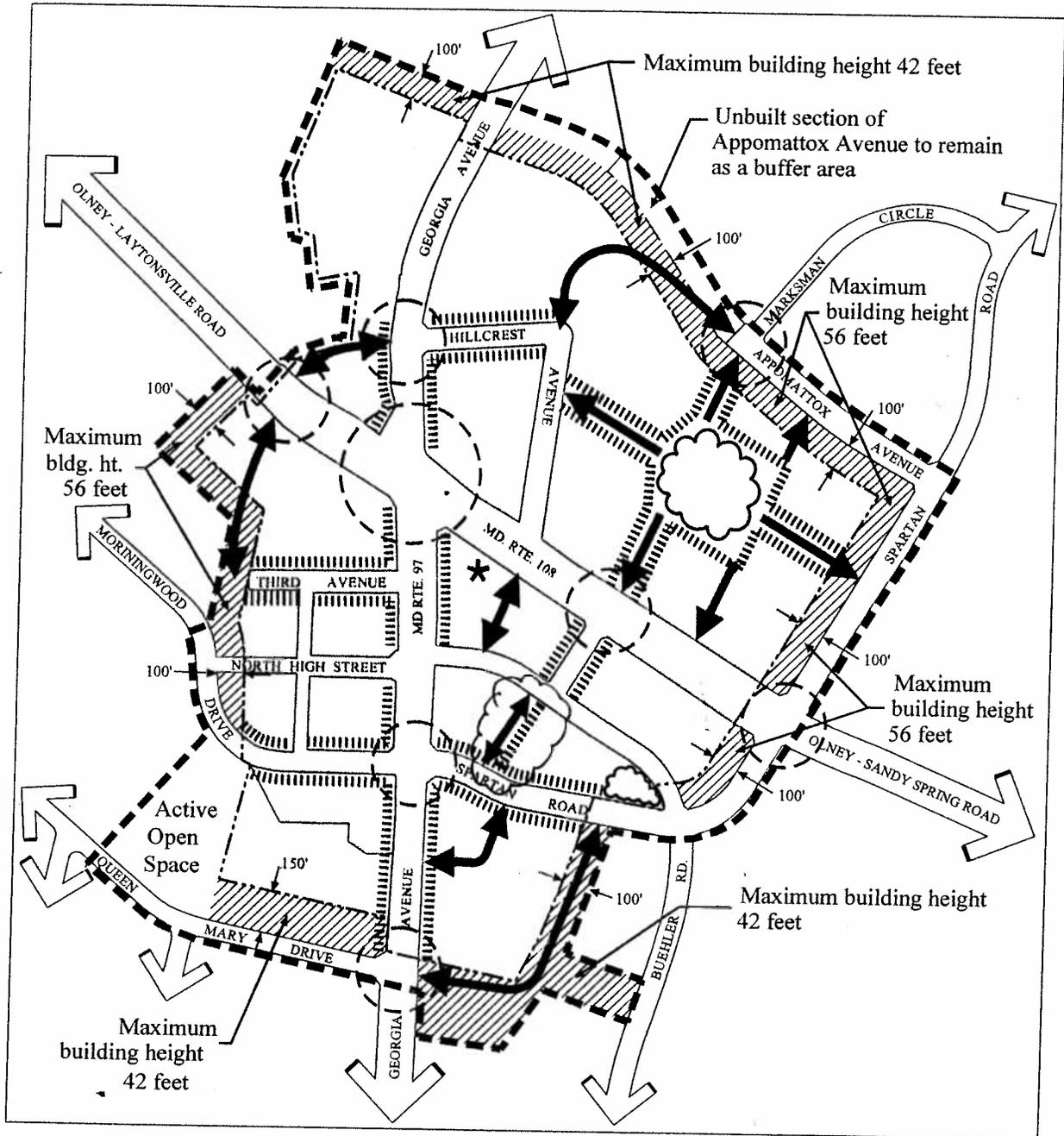


- * HISTORIC SITES
- OLNEY TOWN CENTER BOUNDARY

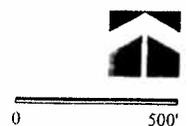


Attachment No. 1

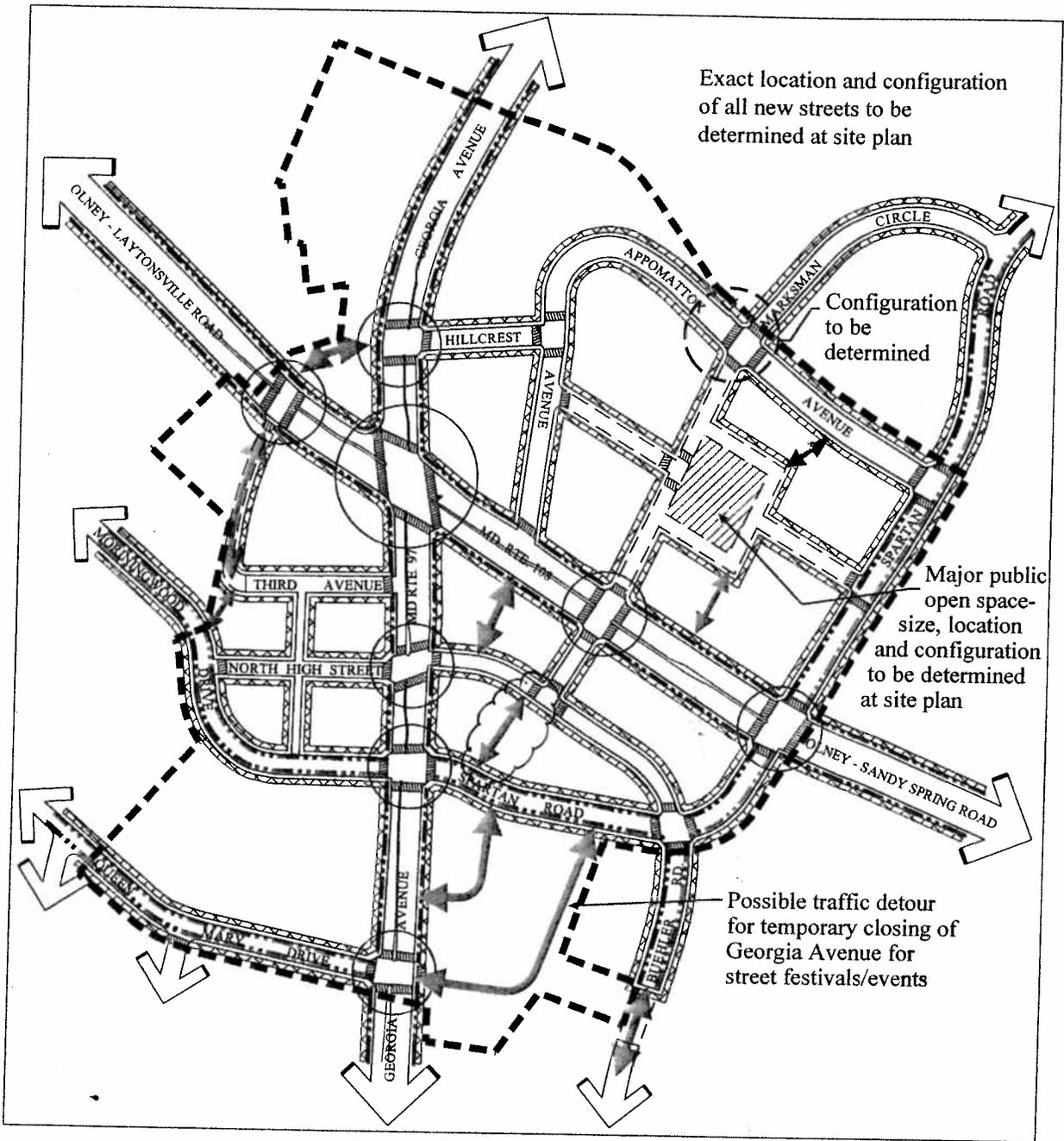
Town Center Concept



- Town center boundary
- High priority pedestrian crossings
- ▭ Core area - max. bldg. ht. - 70'
- ▨ Edge area - max. bldg. ht. - 42' to 56'
- ★ Existing Olney House (Historic)
- ☼ Public open space exact size, location and configuration to be determined at site plan
- ▤ Recommended street facade, locations shown for illustrative purposes
- ↔ Vehicular/ pedestrian connection-exact location and configuration to be determined at site plan



Town Center Pedestrian and Bicycle Circulation Concept



- Town Center Boundary
- ↔ Pedestrian/ Vehicular Connection
- ⊕ Crosswalk
- High Priority Pedestrian Crossings

- [Hatching] Sidewalk/ Bike Path/ Vehicular
- [Hatching] Shared Use Bike Path (off-road)
- [Hatching] Shared Roadway Bike Path



Buehler Road

The 1980 Olney Plan classified Buehler Road as an arterial road with 48 feet of paving between Prince Philip Drive and Spartan Road. The roadway has been built to arterial standards, except for an unbuilt segment approximately 160 feet in length adjacent to Saint Peter's Catholic Church. The southern section of Buehler Road provides access to a neighborhood of approximately 300 homes and Southeast Olney Local Park. To the south of King William Drive, the roadway provides the sole means of access to 21 individual houses. The northern section of Buehler Road provides access to the Camelback Village apartment complex, Saint Peter's Catholic Church, and the WSSC standpipe.

The Buehler Road connection is a critical part of the roadway system in and out of the Town Center. The unbuilt portion of Buehler Road should be used for local vehicular traffic. Where the road is 48 feet wide, the pavement width should be reduced to a size generally consistent with that of a Primary Residential Street. Buehler Road also provides a valuable Town Center connection for pedestrians and bicycles from the adjoining residential communities. The road classification should be changed from an arterial (A-47) to a Primary Residential Street (P-24).

The 1980 Olney Plan also designated an unnamed southerly extension of Buehler Road as a primary residential roadway (P-17) between Prince Philip Drive and Old Baltimore Road. This roadway segment has subsequently been precluded by the Hallowell subdivision and is not needed for connectivity. This segment should therefore be removed from the Olney Plan.

Recommendations:

1. **Designate Buehler Road as a primary residential roadway with a 70-foot right-of-way between Prince Philip Drive and Spartan Road.**
2. **Complete the unbuilt portion of Buehler Road north of King William Drive and reduce the pavement width for the 48-foot-wide section to a size generally consistent with a Primary Residential Street**
3. **Remove the unbuilt portion of Buehler Road south of Prince Philip Drive from the Master Plan.**

Spartan Road

The 1980 Plan designated Spartan Road as an arterial road between Georgia Avenue and MD 108 and as a business district roadway between MD 108 and Appomattox Avenue. Currently, in both segments, Spartan Road performs as a road to distribute commercial traffic within the Town Center. Both segments have an 80-foot right-of-way and there is no need for more than two through travel lanes, although the full pavement width is needed for turning lanes at the intersections with Georgia Avenue and MD 108. Spartan Road should be reclassified between Georgia Avenue and MD 108 from arterial to business district street, which will facilitate application of consistent treatments regarding streetscaping and on-street parking where feasible.



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

Date: November 9, 2010
TO: Sandra Pereira
Development Review Division
FROM: Khalid Afzal, Team Leader, East Transit Corridor Team
Community-Based Planning Division
SUBJECT: Olney Safeway Store # 2797—Site Plan 820100130

The proposed site is located in the Olney Town Center within the 2005 Olney Master Plan. The proposed project will replace the existing Safeway store with a new store. The Olney Master Plan has general and specific recommendation applicable to this site in the chapter titled Town Center Plan (p. 45).

The goal of the master plan is to create a town center where pedestrians can walk in a well-designed and safe urban environment between different shopping centers and other destinations. The proposed project provides improved sidewalks with green panels and street trees along Spartan Road and Dennit Drive, trees and landscaping in the parking lot, public use spaces as required by the MXTTC Zone, and a through block connection between Spartan Road and Dennit Drive as envisioned by the Master Plan. It provides for connecting the Safeway parking lot with the adjoin property's parking lot if that property redevelops in the future, as recommended in the Master Plan to provide interconnectivity among shopping centers and stores in the Olney Town Center.

The applicant has worked with the staff and the Olney Town Center Advisory Committee to resolve some of the issues and concerns raised by the staff and the advisory committee. Community Based Planning staff has reviewed the revised plans and concludes that the proposed redevelopment of the Olney Safeway store, although not a mixed use development, is consistent with the goals and recommendations of the Olney Master Plan and the concept of an interconnected Olney town center.



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

TO: Sandra Pereira, Senior Planner, Development Review
VIA: Mark Pfefferle, Acting Chief, Environmental Planning *MP*
FROM: Mary Jo Kishter, Senior Planner, Environmental Planning *MJK*
SUBJECT: Site Plan and Final Forest Conservation Plan #820100130
Safeway Store #2797 – Olney Safeway
DATE: November 17, 2010

Environmental Planning staff has reviewed the above referenced Site Plan and Final Forest Conservation Plan #820100130, and recommends **approval** subject to the following conditions:

1. The proposed development shall comply with the conditions of the Final Forest Conservation Plan (FFCP) recommended by Environmental Planning (attached).

BACKGROUND

The site is located at 3333 Spartan Road, between Spartan Road and Denit Drive, southeast of the intersection of Georgia Avenue and Olney-Sandy Spring Road in Olney. The property totals 3.92 acres and is zoned MXTC. The proposal is to replace the existing Safeway grocery store with a reconstructed Safeway that contains upgraded amenities. The re-development will include a lower-level structured parking garage, a ground level parking lot, and public open spaces.

Environmental Guidelines

There are no streams, wetlands, floodplains, or sensitive features on-site, nor any forest or specimen trees. One significant tree exists on the site and will be retained. The site is located in the Hawlings River watershed, a tributary to the Patuxent River. This watershed is designated Use IV. The property is located outside of the Patuxent River Primary Management Area (PMA) and the on-site topography is relatively flat. A Natural Resource Inventory Forest Stand Delineation (NRI/FSD) #420101370 was approved for the site on May 5, 2010.

Forest Conservation

The site is subject to Section 22A of the County code. A final Forest Conservation Plan was submitted along with the Site Plan application. There is no forest or specimen trees on-site that are affected by this development. There is one significant tree, a 25-inch diameter at breast height (DBH) red maple tree that was determined to be in good condition. This tree is located along Spartan Road and will be retained.

This site has an afforestation requirement of 0.59 acres. The applicant is proposing to meet the requirement through fee-in-lieu payment.

Stormwater Management

The site has a Stormwater Management Concept Plan found to be acceptable with conditions by DPS on September 20, 2010. This concept includes implementation of Environmental Site Design (ESD) to the maximum extent practicable (MEP) through the use of a green roof and permeable pavements, and biofiltration. A waiver was granted in lieu of providing on-site structural practices for the remaining ESD volume which cannot be treated. The waiver was based on the existing Regional Stormwater Management Pond in the Olney Town Center.

RECOMMENDATION

Environmental Planning staff recommends approval of Site Plan #820100130 for the Olney Safeway #2797 site subject to conditions.

Attachment:

1. Staff memo to applicant recommending Planning Board approval of the final forest conservation plan with conditions.

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

November 17, 2010

Ms. Renee Montgomery
Safeway, Inc.
4551 Forbes Blvd.
Lanham, Maryland 20706

Re: Final Forest Conservation Plan
Property Name: Olney Safeway #2797
Plan Number: 820100130
Tract size/Net Tract Size: 3.92 acres/3.92 acres
Zone/Land use Category: MXTC/CIA

Dear Ms. Montgomery:

Environmental Planning has reviewed the forest conservation plan above and recommends the Planning Board approve the plan received on October 25, 2010 subject to the following conditions:

1. Inspections must occur consistent with Section 110 of the Forest Conservation Regulations.
2. Submission of in-lieu fee payment for forest planting requirement prior to any clearing or grading occurring onsite.

This letter must appear on all reproduced copies of the approved Final Forest Conservation Plan. Any changes from the approved Final Forest Conservation Plan may constitute grounds to rescind or amend any approval actions taken, and to re-evaluate the site for additional or amended plantings. If there are any subsequent additions or modification planned for this development, a separate amendment must be submitted to M-NCPPC for review and approval prior to those changes occurring. If you have any questions regarding these actions, please feel free to contact me at (301) 495-4701.

Sincerely,

A handwritten signature in cursive script that reads "Mary Jo Kishter".

Mary Jo Kishter
Senior Planner
Environmental Planning Division

Cc: FCP File 820100130
Stephen Edgar



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Carla Reid
Director

September 20, 2010

Mr. Jason Sherman
CPH Engineers, Inc.
4321 Forbes Blvd
Lanham, MD 20706

Re: Stormwater Management **CONCEPT** Request
for Safeway Store #2797 Olney
SM File #: 237986
Tract Size/Zone: 3.92 Ac. / MXTC
Total Concept Area: 3.92 Ac.
Lots/Block: 10
Parcels: N252
Watershed: Hawlings River

Dear Mr. Sherman:

Based on a review by the Department of Permitting Services (DPS) Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of implementing Environmental Site Design (ESD) to the maximum extent practicable (MEP) for treatment of surface runoff. ESD design strategies proposed include alternative surfaces (Green Roof and Permeable Pavements), Micro-Scale Practices (Biofiltration) and an overall reduction of existing impervious surfaces. In lieu of providing structural practices on-site for the remaining ESD volume which cannot be treated, a waiver is hereby granted based upon the existing downstream Regional Stormwater Management Pond (Olney Town Center).

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

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
4. A detailed review of the stormwater management computations will occur at the time of detailed plan review. The stormwater management computations should be revised to be in accordance with the ESD Process & Computations guidelines (July 2010) published by MDE.
5. As discussed with Mike Geier of my staff, if at all possible combine MB-4 and MB-6 into one facility as well as MB-5 and MB-7.

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

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is required.

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

If you have any questions regarding these actions, please feel free to contact Mike Geler at 240-777-6342.

Sincerely,



Richard R. Brush, Manager
Water Resources Section
Division of Land Development Services

RRB:lla CN237986 Olney Safeway.mjg.doc

cc: C. Conlon
M. Pfefferle
SM File # 237986

QN - waived; Acres: 4
QL - onsite; Acres: 4
Recharge is provided



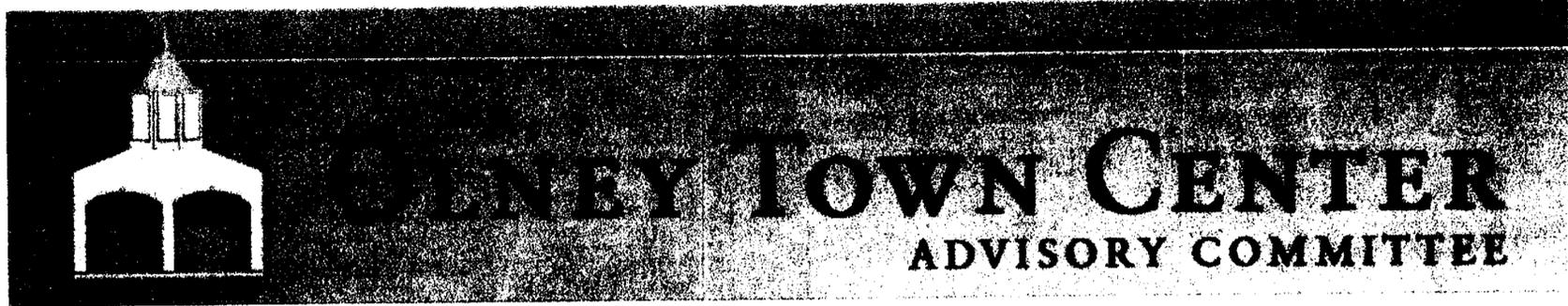
FIRE MARSHAL COMMENTS

DATE: 01-Oct-10
TO: Jason Sherman - jsherman@cphengineers.com
CPH Engineers, Inc.
FROM: Marie LaBaw
RE: Safeway #2797
820100130

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **03-Sep-10**. 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.

Appendix B



November 1, 2010

RECEIVED
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OFFICE OF THE CHAIRMAN
THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Françoise Carrier, Chair
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, MD 20901

Ref: Olney Safeway Redevelopment

Recommendation: Approval, with Recommendations to Address Two Remaining Concerns

Dear Ms. Carrier and Planning Board members,

The Olney Town Center Advisory Committee is pleased to provide the Montgomery County Planning Board with our recommendations on the Safeway redevelopment in our town center.

When the Montgomery County Council approved the Olney Master Plan in 2005, it recommended that our Committee be established to create a common community-based vision of what Olney's town center could look like in the future and how it might function in relation to the surrounding neighborhoods. Specifically, the committee was charged with: creating an illustrative concept for the town center; creating a concept plan for a civic center/town commons; and reviewing development proposals for parcels within the town center and making recommendations to the Montgomery County Planning Board.

The primary authority vested in the committee comes from the direction provided by members of the Montgomery County Council and the former Planning Board Chairman Derick Berlage to "give similar and equal weight to the Committee's and Planning staff's advisory opinions."

We are generally in favor of the Safeway redevelopment plan and enthusiastically support the LEED certification and architectural articulation along Spartan Road as presented in their site plan. We are pleased with the alignment of the northwest parking lot access connecting with Village Center Drive and with the park at the east end of the property. We also like the underground parking with its natural lighting.

Our Committee attended a public presentation of the site plan and met with the Safeway development team on three other occasions to discuss their design. We also had conference calls with Safeway representatives and contractors. We are pleased with their willingness to reconsider several design issues, resulting in the following:

- Sidewalks around the entire building.
- Pedestrian crossings at all but one (see issue below regarding crossing of Spartan) of the areas likely to have pedestrian traffic.
- Redesign of the public use space at the east end of the lot to accommodate the public's wishes for a more flexible space and amenities for children.
- A building entry facing Spartan Road from one of the front vestibules to provide a visual entrance from Spartan Road.
- A controlled intersection from their surface parking lot onto the Denit service drive at Village Mart Drive.

Outstanding Issues

There are two items that still need to be addressed to sufficiently address pedestrian safety and the urban design goals of the Olney Master Plan:

Public Use Space (PUS) Set Aside

Safeway's revised PUS has 5 distinct areas including a newly proposed area along the store front which faces the surface parking lot along the west side of the building. When combined with the two PUSs at the NW and SW corners of the building, it forms one continuous PUS that goes from the Spartan entrance of the surface parking lot along the entrance of their store to the seating area by the Denit entrance of the surface parking lot.

Safeway's proposal to make the area in front along the main entrance of the building a PUS could offer the public an interesting cross-block promenade. To

accomplish this will require careful design to assure a continuously accessible walkway crossing the grocery cart traffic going from the store to/from the parking lot. In a recent redesign of this area, Safeway added some width (an area they calculate to be approximately 5.5 feet of width) to the walkway to provide for the needed clearance for a public thoroughfare. They plan to store the shopping carts inside the building and have customer service options that discourage the loading of cars along this area. For this reason, our committee feels it would be appropriate for the additional width (5.5 feet of width by Safeway's calculation) be considered PUS. OTCAC advises that the original area along the main entrance not be considered PUS because it serves a primarily commercial purpose.

The other issue with PUSs is at the east end of the lot, the site of a proposed park area that incorporates drainage swales. The park has the potential to be a wonderful PUS and a true asset to the community. However, as currently designed, the large area dedicated to drainage swales has only passive public use as a visual amenity. Although the proposed landscaping is attractive, the public can not tread on the swales, preventing full use of this space by the public. For this reason we do not feel that the full area of these drainage swales should meet the requirement of the 10% PUS.

RECOMMENDATIONS:

- 1) Count the recently added width of walkway as PUS along the main entrance of the store but not the previously proposed area that serves a primarily commercial use.
- 2) Since the area of the drainage swales is not fully usable by the public, count only a percentage of the area of the swales in the calculation of the PUS. We turn to planning staff to suggest an equitable percentage of the swale area that should be considered for PUS.

Safe Pedestrian Crossing on Spartan by Safeway Surface Parking Lot Entrance

Spartan Road at the SW corner of the Safeway building is a natural area for pedestrian crossings. The newly proposed PUS (described above) along the main entrance of the store supports our proposition that there should be a pedestrian crossing at this location to connect with Giant's entrance/access, roughly aligned. Pedestrians cross there now and the layout of the new PUSs, with a pedestrian

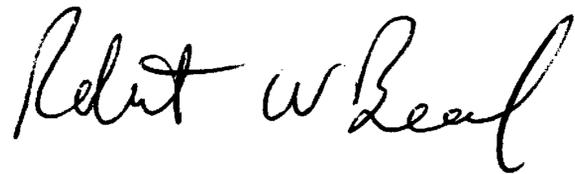
thoroughfare beginning at that location and crossing the block, will encourage more pedestrian crossings at that location.

RECOMMENDATIONS:

- 1) The OTCAC strongly urges the planning board to recommend/support a safe and appropriate pedestrian crossing at the Safeway/Giant parking entrances on Spartan through the dedication of public funding to assure this safe crossing. We recommend the allocation of Safeway's required PAMR funding to be used for this purpose.
- 2) Safeway should provide the curb cuts and connection from their PUS to the pedestrian crossing.

Thank you for considering these recommendations.

Respectfully submitted,



Bob Beard, Chair
Olney Town Center Advisory Committee
www.olneytowncenter.org

September 20, 2010

Ms. Sandra Pereira
Senior Planner
Development Review Division
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
2nd Floor
Silver Spring, MD 20910

Re: Safeway Store #2797 (Olney, Maryland)
Site Plan Application No. 820100130
Summary of Community Outreach Efforts and Response to Outstanding Olney
Town Center Advisory Committee Issues

Dear Sandra,

On behalf of Safeway Inc., this letter summarizes our community outreach efforts in connection with the proposed redevelopment of Safeway Store #2797 (Olney, Maryland) through Site Plan Application No. 820100130 (the "Project").

We understand that you are meeting tomorrow with the Olney Town Center Advisory Committee ("OTCAC") to discuss its outstanding concerns regarding the Project. We hope that this letter provides you with some helpful background information on Safeway's continuing efforts to address any and all questions and concerns raised by the greater Olney civic community regarding the Project. This letter also addresses OTCAC's two primary and remaining issues in connection with the Project: (1) the adequacy of the Project's proposed public use space and (2) construction of a pedestrian crosswalk across Spartan Road.

Throughout the past year, Safeway actively participated in a series of community outreach meetings with OTCAC, the Greater Olney Civic Association ("GOCA"), and the greater Olney civic community. As you may recall, Safeway began preparing its plans for the Project during the fall of 2009. Following our initial meeting with Planning Department staff last December, we engaged in four community outreach meetings over the course of the next seven months, and engaged in numerous telephone calls and email exchanges with residents and civic leaders. During this period, Safeway has maintained an open and continuous dialogue with OTCAC and other Olney civic leaders, and hopes to continue this dialogue as our plans for the Project progress.

Safeway first met with OTCAC leaders to discuss the proposed Project on January 25, 2010. At this meeting, OTCAC expressed enthusiasm about the Project and asked Safeway numerous questions, which focused on the Project's design, public use space, and parking availability and layout. At this meeting, Safeway noted that the Project would expand the footprint of the existing Olney Safeway store and create a new, modern and active grocery store with both a screened surface parking lot and a below-grade structured parking garage. Safeway also explained to OTCAC that the Project would be extremely pedestrian friendly and green

through (1) the installation of additional and wider sidewalks along Spartan Road and Buehler Road, and (2) the creation of multiple public use space areas, including a landscaped public park at the southeastern corner of the property. During this meeting, OTCAC asked why Safeway did not pursue an optional method of development, that would include both residential and retail uses in the Project. We explained that while Safeway was interested in development of a mixed-use retail and residential project in Olney, given current economic conditions, a mixed-use development is not economically feasible for Safeway in this location. We noted that the Project will feature a Starbucks coffee shop, a Bergmann's dry cleaners, and a pharmacy, in addition to a grocery store.

Less than two months later, on March 11, 2010, Safeway met with GOCA leadership representatives including current President, Matt Zaborsky, Past President Sharon Dooley, First Vice President, Ellen Bogage and Past President Helene Rosenheim. Similar to the questions and concerns raised by OTCAC during the January 2010 meeting, here, GOCA focused on the Project's proposed public use space, parking, and pedestrian accessibility. The GOCA representatives in attendance seemed supportive of the Project and looked forward to seeing the Project's final plans.

In response to comments raised during the OTCAC and GOCA leadership meetings, in late March, 2010, Safeway incorporated a series of architectural and site design changes into the proposed site plan. These changes include:

- Adjustments to the parking lot layout to incorporate additional pedestrian walkways;
- Addition of pedestrian crosswalks along Buehler Road to the surrounding properties located to the northeast of the Safeway property;
- Increase in public use area to the northwest and southwest building corners;
- Addition of decorative pavement and lighting to the main driveway;
- Addition of a knee wall and enhanced vegetation to screen the surface parking lot;
- Enlargement and enhancement of store front through the addition of trellises, planters and benches;
- Modification of the building footprint to accommodate public use spaces;
- Addition of screen wall to truck dock; and
- Significant upgrade to and enhancement of the Buehler Road elevation.

Next, on June 8, 2010, we held our required Pre-Submission Community Meeting for the Project's site plan application during one of GOCA's regularly scheduled meetings at the Buffington RE/MAX Building, located at 3300 Olney-Laytonsville Road. More than 50 community members attended this meeting. During the meeting, we elaborated on the architectural and design elements of the Project. We indicated that Safeway plans to realign Village Center Drive and that the goal of Safeway's design for the redeveloped store is to encourage interconnectivity between the store and the surrounding areas. To foster connectivity, we noted that sidewalks will be added along Spartan and Buehler Roads. In response to a comment raised during the meeting, Safeway also stated that it will strongly consider adding a crosswalk on Buehler Road between the public park and the adjacent retail area (where Rita's Water Ice is located) to encourage a safe pedestrian connection in this location. As you are

aware, Safeway subsequently agreed to the construction of this crosswalk and included it within its plans.

During this meeting, Safeway also provided additional details on the Project's improved green and public open spaces, including the proposed public park located on the southeastern portion of the property. We explained that the park will be approximately three-quarters of an acre in size and will feature outdoor seating areas, pervious materials, a screenwall, and microbiological swales for enhanced stormwater management capture and treatment. Safeway also noted that the park will include lights and security cameras, which addressed some of the meeting attendees' safety concerns regarding the park. Safeway also noted that there will be plantings along Buehler Drive to create a promenade effect and that the remodeled store will have a partial green roof. Overall, the meeting attendees appeared supportive of the Project.

In response to comments raised during the pre-submission community meeting, Safeway incorporated additional architectural and site design changes into the proposed site plan. These changes include:

- Addition of direct pedestrian access from Spartan Road and Buehler Road to the southeastern public use area;
- Increase in size of the southeastern public use area;
- Proposed addition of areas of pervious pavement;
- Addition of a pedestrian connection to the adjacent gas station; and
- Proposed addition of a partially vegetated roof.

After filing our site plan application with the Planning Department in mid-June 2010, Safeway once again met with members of OTCAC's Advisory Board on June 29, 2010. During this meeting, OTCAC specifically expressed its interest in a store entrance door on Spartan Road near the southwest corner of the store, along with an enlarged public use space at this location. However, given the steep grade change along Spartan Road, our engineers determined that a pedestrian entrance on Spartan Road is impractical; Safeway's architects and engineers did modify the site plan to enlarge the public use space in this area and later added another entrance to the store near its southwestern corner. OTCAC also commented on its intent in improving pedestrian safety and accessibility at the intersection of Spartan Drive and the new drive aisle.

In response to comments raised during the June 29, 2010 OTCAC Advisory Board meeting, and to comments raised by Planning Department staff following our site plan application submission, in August, 2010, Safeway incorporated another series of architectural and site design changes into the proposed site plan. These changes include:

- Increase in size of and design enhancements to the proposed store front area;
- Addition of tree boxes along store front;
- Significant increase in size to the proposed areas of pervious pavement;
- Proposed continuous sidewalk along Buehler Road;
- Addition of crosswalks along Buehler Road;
- Increase in size of northwest public use area;
- Addition of decorative trellis to northwest public use area;

- Addition of door to southwest vestibule to allow for direct pedestrian access from Spartan Road; and
- Increase in size of proposed vegetated roof area.

It is our understanding that at this time, OTCAC still has two outstanding concerns regarding the Project: (1) the adequacy of the Project's proposed public use space and (2) construction of a pedestrian crosswalk across Spartan Road. We will address both of these issues in turn below:

1. Adequacy of the Project's proposed public use space:

Safeway believes that its public use space proposal for the Project not only meets, but generously exceeds the public use space requirements for the Project set forth in the Montgomery County Zoning Ordinance ("Zoning Ordinance"). We also feel that the Project's proposed public use space satisfies the intent of the recommendations for the Property included in the 2005 Olney Master Plan ("Master Plan") and the Olney Town Center Conceptual Illustration approved by OTCAC on September 23, 2008 ("Conceptual Illustration").

Per Section 59-C-11.5-4 of the Zoning Ordinance, for a standard method of development project on a lot greater than 40,000 square feet in the MXTC zone like Safeway's Project, 10% public use space is required. As you recall, the Project currently proposes 11.4% public use space. Because the Property's net lot area is 170,932 square feet, 10% required public use space is equivalent to approximately 17,093.2 square feet; 11.4% proposed public use space is equivalent to approximately 19,486.2 square feet. Therefore, the Project proposes 2,393 square feet of public use space greater than the Zoning Ordinance's public use space requirement for the Project.

Section 59-C-11.5-4 of the Zoning Ordinance includes the following footnote:

Public use space may be provided indoors or outdoors and must conform to master or sector plan recommendations. Development on lots of up to 40,000 square feet may provide a portion or all of the required public use space as green area. Development on lots of more than 40,000 square feet must not provide all of the required public use space as green area. However, the Planning Board may waive any public use space requirement if expressly recommended in a master or sector plan (emphasis added).

In addition, Section 59-A-2.1 of the Zoning Ordinance broadly defines the term "public use space:"

space devoted to public enjoyment, such as, but not limited to, green areas, gardens, plazas, walks, pathways, promenades, arcades, urban parks, town squares, public plazas with elements such as water features, and passive and active recreational areas including outdoor recreation areas for a child day care

facility. Public use space may also consist of space and/or amenities recommended by an approved urban renewal plan. Public use space must not include parking or maneuvering areas for vehicles. Except for an outdoor recreation area for a child day care facility, public use space must be easily and readily accessible to the public and be identified by a sign placed in public view. If public pedestrian walkways are recommended in an approved and adopted master plan or sector plan, it may be counted as public use space (emphasis added).

Safeway's interpretation of this footnote, combined with the Zoning Ordinance's definition of public use space, is that for a lot greater than 40,000 square feet like the Olney Safeway, a proposed project can be extremely flexible as to how it provides public use space, so long as (1) the proposed public use space complies with the recommendations contained in the project's governing master plan (here, the 2005 Olney Master Plan), (2) the public use space does not include parking or maneuvering areas for vehicles, (3) the public use space is easily and readily accessible to the public and is identified by a sign placed in public view, and (4) the public use space must not all be green area. To the best of our knowledge, there are no additional restrictions on the provision of public use space for a Project such as ours contained in the Zoning Ordinance or the County Code.

Pages 56 and 57 of the Master Plan include two recommendations, which specifically address the use of public open space in the Olney Town Center:

1. Wider sidewalks with sidewalk cafes and landscape amenities should be provided as part of public use spaces in appropriate locations; and,
2. Provide benches, landscaping, light fixtures, trash receptacles, and other amenities in public spaces.

Safeway's proposed public use space plan for the Project specifically complies with the Master Plan recommendations for the Property. Safeway plans to widen the sidewalks along Spartan Road and Buehler Road, will improve the redeveloped store front with enlarged outdoor seating areas containing benches, umbrella tables and chairs, landscaping, and trash receptacles, and will provide a premier quality public park in the southeastern portion of its Property. These public use spaces do not include parking or maneuvering areas for vehicles, are easily and readily accessible to the public, will be identified by a sign placed in public view, and do not consist entirely of green space.

The Master Plan and the Conceptual Illustration identify the northeast, rather than the southeast, quadrant of the Olney Town Center as the appropriate location for a large, distinctive public use space. Specifically, page 47 of the Master Plan identifies two shopping centers in the Northeast Quadrant (of the Olney Town Center), which "have the greatest potential for including a civic center and a town commons." In addition, page 7 of the Conceptual Illustration explains that the northeast quadrant should include "an internal public space to become the heart of center of downtown with a green-way linkage to community building at the corner (of Rt. 108 and

Georgia Avenue.” The Conceptual Illustration only generally states that the southeast quadrant of the Olney Town Center, where the Project is located, should “provide public open spaces.”

In accordance with the language contained in the Master Plan and the Conceptual Illustration, the Project provides an appropriate and proportionate amount of landscaped public use space. Although some community members have identified the Project’s surface parking lot as an ideal location for a large civic space in the Olney Town Center, a green public space in this location would be thoroughly incompatible with the overall site design and functions of the Project, as well as with the recommendations for the Olney Town Center contained in the Master Plan and the Conceptual Illustration. Moreover, a large public space in this location would be isolated from the Olney Gateway located at the intersection of Rt. 108 and Georgia Avenue, and is disproportionate as compared to the overall size of the property. Not only does Safeway believe that it has complied completely with all public use space requirements, but it also believes that any serious attempt to mandate additional public use space within the currently proposed surface parking lot will jeopardize the viability of this Project.

2. Construction of a pedestrian crosswalk across Spartan Road:

In response to OTCAC’s request for a crosswalk on Spartan Road, Safeway is receptive to the County Department of Transportation’s (“DOT”) construction of a pedestrian crosswalk across Spartan Road on the east side of the access drive into the Project. As you are aware, Safeway proposes to pay a fee in lieu of constructing physical improvements to satisfy its Policy Area Mobility Review (“PAMR”) trip mitigation requirement. A pedestrian crosswalk across Spartan Road in this location is consistent with language included in the September 13, 2010 letter from Greg Leck of DOT to Cherian Eapen of Transportation Planning, which broadly states that the PAMR fee should “help support pedestrian safety improvement projects within the policy area.” Moreover, we are unaware of any restrictions contained in either the Annual Growth Policy or in the published LATR and PAMR Guidelines, which would prohibit DOT from using our PAMR fee for this crosswalk. Thus, we recommend that Safeway’s PAMR fee to DOT be used to finance the crosswalk, and that DOT’s use of the PAMR fee for its construction of this Spartan Road crosswalk become a condition of our site plan approval. Please see attached photo of existing Spartan crosswalk at the eastern end of the site and a suggested mid-block location for a second crosswalk.

In conclusion, we hope that this letter provides you with a better understanding of Safeway’s community outreach efforts and its willingness to address ideas and concerns raised by Olney civic associations in connection with this Project. Please do not hesitate to contact me if you have any additional questions regarding this matter. We look forward to hearing your presentation of the Project’s site plan application before the Planning Board next month. Thank you.

Sincerely,

Renee Montgomery

Renee Montgomery
Safeway Inc.

cc: Robert Messer
Jeffrey Satfield
Jason Sherman
Robert G. Brewer, Jr., Esq.
April B. Mackoff, Esq.
Bob Beard, Chair, Olney Town Center Advisory Committee
Jim Smith, Olney Town Center Advisory Committee
Joe Buffington, Olney Town Center Advisory Committee
Khalid Afzal, Maryland-National Capital Park and Planning Commission
Robert Kronenberg, Maryland-National Capital Park and Planning Commission

MCP-CTRACK

From: lucia crowder lydard [busterslucy@verizon.net]
Sent: Wednesday, October 13, 2010 6:10 PM
To: MCP-Chair
Cc: 'lucia crowder lydard'
Subject: BUEHLER RD.

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OFFICE OF THE CHAIRMAN
THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

TO WHOM IT MAY CONCERN:

I WOULD LIKE TO VOICE MY OPPOSITION TO THE OPENING UP OF BUEHLER RD. HAVING LIVED IN THE HIGHLANDS OF OLNEY SINCE 1995, AND BEING A HOMEOWNER HERE SINCE 2000, I AM OPPOSED TO OPENING UP BUEHLER RD. THIS WOULD BE HARMFUL TO THE COMMUNITY AND PROPERTY VALUES, DESTROYING THE PEACEFULNESS OF LIVING HERE. I ALSO SIGNED A PETITION THAT WAS GOING AROUND THE NEIGHBORHOOD. I BELIEVE IT WOULD ALSO DECREASE PROPERTY VALUES HERE. FOR PEOPLE WALKING IN OLNEY, IT IS ALREADY DANGEROUS ON PRINCE PHILLIP WITH THE SPEEDING CARS. SELDOM DO ANY OF THEM STOP FOR CROSSWALKS WHEN WALKING WITH CHILDREN OR A DOG. THIS NEIGHBORHOOD IS FULL OF SMALL CHILDREN.
HOW ABOUT MORE SPEEDING CAMERAS AND PEOPLE LEARNING PATIENCE INSTEAD.
THANKS SO MUCH.

*BLESSINGS IN ABUNDANCE~
LUCIA*

Pereira, Sandra

From: Afzal, Khalid
Sent: Tuesday, September 28, 2010 4:21 PM
To: Pereira, Sandra; Kronenberg, Robert; Etemadi, Shahriar; Eapen, Cherian
Subject: FW: Concerning Possible Connection of Buehler Rd

FYI

From: Joe Fritsch [mailto:joe.fritsch@verizon.net]
Sent: Tuesday, September 28, 2010 2:51 PM
To: Afzal, Khalid
Cc: 'Matt Zaborsky'; highlandsacc@yahoo.com; county.council@montgomerycountymd.gov
Subject: Concerning Possible Connection of Buehler Rd

Hello,

As a resident of the Highlands of Olney and Buehler Rd I wanted raise my concerns on the possible connection of Buehler Rd. The main issue here is if we want to have Olney a walkable community or one which promotes constant use of motor vehicles. If the road is connected the traffic and speed will increase. This will make it more dangerous along Buehler Road and detour people from taking the short walk to the town center and add yet more motor vehicles to the Buehler Rd.

While it has been stated that the advantage to connecting the road is that it will reduce traffic on Prince Phillip Rd, I argue that exactly the opposite would happen. Prince Phillip is the only major road currently connected to Buehler Rd (South) therefore the vast majority of new traffic added to Buehler Rd would also use Prince Phillip Rd. This would also raise the risk of accidents at the junction of Buehler and Prince Phillip Rd. When turning from Buehler Rd onto Prince Phillip the line of sight is poor for traffic coming from the west on Prince Phillip.

Another concern is that at busy times, it will most likely become necessary for a stop light at Spartan and Buehler Rd due to the added traffic from making the connection, especially for pedestrian crossing. Currently Spartan Rd can be difficult to cross and the added traffic, if the road is connected, will only make things much worse. The proximity of this intersection might be too close to the Spartan and 108 intersection to legally add a stop light.

As for this connection remaining in the Master Plan, during the last review of the Olney Master Plan it was suggested by Planning Staff that this connection be removed from the Master Plan due to the strong public outcry against the connection. It was only left in the Olney Master Plan due to the wishes of the County Council.

So the question comes down to, do we want a more motor vehicle friendly community at the expense a pedestrian friendly community? It would be more wise to spend the money improving the crosswalks and pedestrian access to Safeway rather than put a road through that the majority of residents never wanted.

Please keep me advised to the progress of this possible connection.

Sincerely,

Joe Fritsch
17717 Buehler Rd,
Olney MD 20832

Pereira, Sandra

From: Afzal, Khalid
Sent: Monday, October 11, 2010 1:52 PM
To: Pereira, Sandra; Kronenberg, Robert
Subject: FW: opposition to Buehler Road cut-through

FYI

From: Adrian Karmazyn [mailto:adriankarmazyn@yahoo.com]
Sent: Monday, October 11, 2010 1:25 PM
To: Afzal, Khalid
Cc: lorigoodwin1@yahoo.com
Subject: opposition to Buehler Road cut-through

Dear Mr. Afzal,

I am writing to express my strong opposition to the proposed extension of Buehler Rd, creating a vehicular cut- through from Highlands/Hallowell to downtown Olney.

It seems that 9 out of 10 people that we talk to are opposed, citing the serious danger that the increased traffic will present to the children of the neighborhood.

I look forward to meeting you and voicing my opposition at the GOCA meeting Tuesday evening (October 12). Also, I would like to know who will be responsible for making the final decision?

Best regards,

Adrian Karmazyn
17404 Buehler Road (Olney)
m: 202-550-1816

P.S. I am copying my neighbor, Lori Goodwin, on this email.

MCP-CTRACK

From: Adrian Karmazyn [adriankarmazyn@yahoo.com]
Sent: Monday, November 15, 2010 9:50 PM
To: MCP-Chair
Subject: Olney Safeway Site Plan 820100130 - Buehler Road issue

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OFFICE OF THE CHAIRMAN
THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Ms. Françoise Carrier
Planning Board Chair

The Maryland-National Capital Park and Planning Commission

Silver Spring, MD 20910

Dear Ms. Carrier (and all members of the Planning Board),

I am writing to urge you to oppose the proposed connection of the southern and northern portions of Buehler Road in Olney, Maryland. The proposal would create a cut-through street--stretching from the Hallowell neighborhood through the Highlands, Highlands Condominiums and Camelback neighborhoods to downtown Olney—which would be extremely hazardous to the children of these four neighborhoods along Buehler Road. The cut-through would threaten the safety of children at bus stops in the area, those playing near Southeast Olney Park and at St. Peter's Church school, as it would channel hundreds of additional cars per day onto Buehler Road. As we know, pedestrian safety is a major problem--there have been numerous pedestrian fatalities and serious injuries on Montgomery County roads in recent months.

The Buehler Road proposal came about as an adjunct to the Olney Safeway redevelopment project [Olney Safeway Site Plan 820100130]. As part of its development plans, Safeway is required to pay \$154,000 into a fund for traffic improvements. Some are proposing that this money be applied to opening Buehler Road. However, opponents believe that the money should instead be applied to improving pedestrian safety through the creation of additional crosswalks in the area, installation of left turn signals at Prince Philip Drive and Route 108 and at Spartan Road and Route 108, and installation of additional speed cameras in the area, including on Prince Philip.

Safeway spokesperson Renee Montgomery has stated publicly that Safeway is NOT a proponent of opening Buehler and creating a cut-through and that Safeway does not need the road opened in order to be successful. On October 12, the leadership of the Greater Olney Civic Association, in a vote of 17 to 5, passed a resolution against opening up a Buehler cut-through, because it would endanger children in the area. Concerned citizens have, to date, gathered over 300 signatures of residents in the area of Buehler Road, who are opposed to connecting the two segments of Buehler. Finally, in recent letters, the Maryland State Highway Administration and the Montgomery County Department of Transportation do not call for the extension of Buehler Road or for any other road expansion as part of Safeway's redevelopment.

Please REJECT the proposal to open up a Buehler Road cut-through to downtown Olney, which would create a cut-through street linking the existing southern and northern parts of Buehler.

Please share this correspondence with the entire Planning Board. I am sending you a copy of this correspondence in the US mail along with a petition **against** the Buehler cut-through connection/extension consisting of over 300 signatures (34 pages) as well as a copy of the GOCA resolution **against** the proposed project. Please watch for these materials in the mail.

Sincerely,

Adrian Karmazyn

17404 Buehler Road

Olney, MD 20832

(301)260-9630

Appendix C



ATTORNEYS

NOV 10 2010

November 10, 2010

BY HAND DELIVERY

Ms. Rose Krasnow
Mr. Robert Kronenberg
Ms. Sandra Pereira
Maryland-National Capital Park & Planning Commission
Development Review Division
8787 Georgia Avenue
Silver Spring, Maryland 20910

**Re: Supplement to Initial Request for Parking Waiver
Safeway Store #2797 (Olney, Maryland)
Site Plan Application No. 820100130**

Dear Ms. Krasnow, Mr. Kronenberg and Ms. Pereira:

Our firm represents the Applicant, Safeway Inc., in regards to the pending Site Plan Application No. 820100130 for its property located at 3333 Spartan Road in Olney, Maryland (the "Property"). As you are aware, the Site Plan proposes the replacement of the existing 39,419 square foot Safeway grocery store located on the Property with a maximum 59,272 square foot reconstructed Safeway grocery store (the "Project").

As reflected in the Statement of Justification for the Site Plan Application submitted on June 23, 2010 ("Statement"), Safeway requested a waiver of the parking requirements pursuant to Section 59-E-4.5 of the Zoning Ordinance, which will permit the Applicant to reduce the amount of off-street parking for the Project. This letter supplements our initial request for a parking waiver dated June 23, 2010 and requests a waiver of 26 parking spaces (as compared to our original request for a waiver of 20 parking spaces), as adjusted to accommodate changes to the Site Plan Application since the Development Review Committee meeting, modifications to the location of stormwater management facilities, and a possible future internal parking lot connection along the western boundary of the Property.

The Project will actually provide 250 parking spaces, which will be distributed through 101 spaces located within a lower-level garage parking structure and 149 parking spaces located in a surface parking lot. Six of the surface parking lot spaces will be handicapped accessible spaces. Motorcycle parking will also be provided on the surface lot and within the lower-level garage parking structure. For an exclusively retail use of this Property like the

proposed Safeway, Section 59-E of the Zoning Ordinance requires five parking spaces for each 1,000 gross leasable square feet. The proposed Safeway contains approximately 53,161 gross leasable square feet and therefore, requires 266 parking spaces under this standard.

Pursuant to Section 59-E-4.5 of the Zoning Ordinance, the Applicant requests approval of a modest parking waiver from the required number of parking spaces. Specifically, Safeway requests a waiver of 26 parking spaces, which represents almost 10% of the total number of required parking spaces. The Applicant believes that the parking facilities plan objectives set forth in Section 59-E-4.2 of the Zoning Ordinance will be satisfied by providing 240 parking spaces on the Property. Moreover, the Applicant's request is extremely reasonable given the fact that Safeway will provide at all times almost all (90%) of the required parking spaces on its Property. At the time of initial construction, Safeway will actually construct 250 spaces, but is requesting a waiver for 10 additional parking spaces, as described below. The proposal for 240 spaces represents a parking ratio of approximately 4.5 spaces per 1,000 square feet of gross leasable area; the proposal to construct an interim 250 spaces represents a parking ratio of approximately 4.7 spaces per 1,000 square feet of gross leasable area.

The Applicant's present waiver request of 26 parking spaces (as compared to its original request for a waiver of 20 parking spaces) is to accommodate possible future internal parking lot connections along the western boundary of the Property and to adjust for changes in the Site Plan from the Development Review Committee comments and modifications to the location of stormwater management facilities. Safeway will provide an easement along the western boundary of the Property for a future internal parking lot connection; if that is implemented, approximately 5 parking spaces would be lost. This would reduce the number of available parking spaces from 250 to 245. Also, Safeway believes that future changes in site access may cause the loss of approximately 5 parking spaces, further reducing the parking spaces from 245 to 240. Therefore, the requested waiver of 26 spaces reflects a diminution from 266 "required" spaces down to the 250 parking spaces proposed to be built, plus up to 10 parking spaces which may be lost later due to future access connections.

As noted in the Statement, Wells + Associates compiled and evaluated data on the number of parking spaces utilized by similarly situated suburban grocery stores in Montgomery County, including the following stores:

1. Safeway grocery store located at the intersection of Arlington Road and Bradley Boulevard in Bethesda ("Bethesda Safeway"); and,
2. Giant grocery store located on Arlington Road in Bethesda ("Bethesda Giant").

Based upon our preliminary research of parking counts conducted during the past two years at these grocery store locations, the parking rate at the current Bethesda Safeway ranges from 2.12 to 2.16 occupied parking spaces per 1,000 gross leasable square feet. Similarly, the parking rate at the Bethesda Giant ranges from 2.63 to 3.08 occupied parking spaces per 1,000 gross leasable square feet.

Since the time that we submitted the Statement, Safeway and Wells + Associated compiled and evaluated data on the number of parking spaces utilized by two additional similarly situated suburban grocery stores in Montgomery County, as well as the existing store on the Property:

1. Safeway grocery store located on Connecticut Avenue in Kensington (“Kensington Safeway”);
2. Safeway grocery store located on Redland Boulevard in King Farm (Rockville) (“King Farm Safeway”); and,
3. Existing Safeway grocery store located on the Property (“Olney Safeway”).

Based upon this research of parking counts conducted during the past two years at these grocery store locations, the parking rate at these additional stores is comparable to the ranges described above for the two Bethesda grocery stores. According to this supplemental research, the parking experience at all stores surveyed is between 1.48 to approximately 4+ spaces per 1,000 square feet of gross leasable area. The average (among all stores) is between 2.35 to 3.2 occupied spaces per 1,000 gross leasable square feet.

These comparable grocery stores are all suburban grocery stores located near ride-on bus routes, and they are not located proximate to Metrorail service. The required Code parking ratio of 5 parking spaces for each 1,000 gross leasable square feet greatly exceeds the parking demand at all of these additional stores. We believe that the proposed ratio of approximately 4.5 spaces per 1,000 square feet of gross leasable area is sufficient to account for nearly all parking demands at the proposed new store and meets the statutory standards for the requested parking waiver.

For all of the reasons articulated in this letter, Safeway respectfully requests that the Planning Board grant the waiver pursuant to Section 59-E-4.5 of the Zoning Ordinance to reduce the parking requirements for the Project by 26 spaces.



ATTORNEYS

Ms. Rose Krasnow
Mr. Robert Kronenberg
Ms. Sandra Pereira
November 10, 2010
Page 4

Thank you in advance for your consideration of the pending Site Plan and the parking waiver request. Please contact us if you need any additional information.

Sincerely,

Robert G. Brewer, Jr.

April B. Mackoff

Enclosures: As stated

cc: Khalid Afzal
Cherian Eapen
Shahriar Etemadi
Renee Montgomery
Robert Messer
Jeffrey Satfield
Jason Sherman
David Smith
Marty Wells
Chris Kabatt