

October 21, 2004

MEMORANDUM

TO: Catherine Conlon, Acting Supervisor
Development Review Division

VIA: Shahriar Etemadi, Supervisor
Transportation Planning

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

SUBJECT: Preliminary Plan No. 1-05001
Fairland View
Stravinsky Drive/Fairland Road
Fairland/White Oak Policy Area

CE

This memorandum summarizes Transportation Planning staff's Adequate Public Facilities (APF) review of the subject Preliminary Plan to build 73 single-family attached (townhouse) dwelling units on the property, in an R-60 Zone within the Fairland/White Oak Policy Area. The application was reviewed under the FY 2005 Annual Growth Policy (AGP) since it was filed after July 1, 2004.

RECOMMENDATIONS

Transportation Planning staff recommends the following conditions as part of the transportation-related requirements to approve this Preliminary Plan application:

1. Place in reservation the area shown on Attachment 1, dated March 17, 2004 ("Reservation Area") until the earlier of (a) September 1, 2005; or (b) a final Record of Decision is issued by the FHWA, and that Record of Decision does not include the Reservation Area, or any portions thereof, within the final Intercounty Connector (ICC) alignment.

2. If FHWA issues a final Record of Decision that includes the Reservation Area, the applicant shall submit a revised Preliminary Plan that locates all dwelling units and related infrastructure (e.g., roads, public areas, etc.) outside of the Reservation Area.
3. Limit any future development as part of this subject Preliminary Plan on the site to 73 townhouse units.
4. Dedicate, and show on final record plat, adequate right-of-way along Fairland Road to provide 50 feet of right-of-way from the roadway centerline.
5. Construct Stravinsky Drive extension and its terminus within the property as a 60-foot wide secondary residential street with sidewalks, and with proper termination (with a cul-de-sac).
6. Provide a lead-in sidewalk from Fairland Road to the site at the approximate location shown on the Preliminary Plan (approximately 150 feet west of Copland Court).
7. Provide sidewalks across townhouse driveways at-grade. The sidewalk ramps within the site and along the Stravinsky Drive extension should meet Americans with Disabilities Act Best Practices.
8. Provide adequate sidewalks, handicapped access ramps and crosswalks within the site in coordination with the Montgomery County Department of Permitting Services.
9. Coordinate with the Montgomery County Department of Public Works and Transportation (DPWT), and the Department of Permitting Services on design requirements for the proposed extension and termination of Stravinsky Drive, DPWT recommended parking restrictions along Stravinsky Drive, and on-site/off-site sidewalk, parking requirements.

DISCUSSION

Site Location, Access, Circulation and Transportation Facilities

The site is located within the Tanglewood community of Fairland, within the northeast quadrant of US 29/Fairland Road intersection, and is proposed to have access to Fairland Road via Stravinsky Drive, Schubert Drive and Brahms Avenue.

The Master Plan alignment of the proposed Intercounty Connector is to the north of the property, with an interchange with US 29 to the northwest corner of the property. The master-planned US 29/Fairland Road interchange is to the southwest corner of the property.

Proposed Intercounty Connector

SHA is currently developing detailed mapping as part of its preparation of the Draft Environmental Impact Statement (DEIS) for the proposed ICC (a limited-access east-west highway intended to link areas between I-270 and I-95/US 1, through central/eastern Montgomery County and western Prince George's County).

The ICC planning process has concurrence on two alternative alignments, selected through the Alternatives Retained for Detailed Study (ARDS) process, called Corridor 1 and Corridor 2. Corridor 1 is the southern alignment that generally follows the alignment incorporated in the area master plans for the ICC, and Corridor 2 is the alignment to the north that is not represented in any area master plans. Of the above two alternative roadway alignments, based on the most current information provided by the SHA, the proposed Corridor 1 alignment interchange with Columbia Pike (US 29) would physically impact the proposed Fairland View development as shown on Attachment 1.

Master Plan Roadways and Pedestrian/Bikeway Facilities

The 1997 Approved and Adopted *Fairland Master Plan* describes the nearby master-planned roadways, pedestrian and bikeway facilities as follows:

1. Columbia Pike (US 29), to the west of the property, as a six-lane divided Major Highway (CM-10) between Northwest Branch to the southwest and MD 198 to the northeast. A minimum right-of-way width of 100 to 200 feet is recommended for this section of US 29. The master plan also recommends a commuter bikeway for US 29.
2. Fairland Road, to the south of the property, as a two- to four-lane divided, east-west Arterial (A-75) between Paint Branch to the west and Prince George's County Line to the east, with a minimum 80-foot right-of-way, and sidewalks. A Class I bikeway (PB-50) is recommended in the master plan for Fairland Road from Old Columbia Pike to Prince George's County Line along the south side of the roadway.
3. Musgrove Road, between Old Columbia Pike (P-25b) to the southwest and Fairland Road (A-75) to the northeast, is a two-lane Arterial (A-100), with a minimum right-of-way width of 80 feet. The Master Plan also recommends sidewalks and a Class II/III bikeway (PB-43) along Musgrove Road/US 29 between Cherry Hill Road and Fairland Road. Additionally, Marlow Road to the east of Musgrove Road to Galway Elementary School is recommended as a Class III bikeway (PB-56) in the Fairland Master Plan.
4. Brahms Avenue, between Schubert Drive to the north and Fairland Road to the south, as a two-lane Primary (P-33), with a minimum right-of-way width of 70 feet.
5. Intercounty Connector, as a Freeway (F-9) within the *Fairland Master Plan* area, to the north of the property.

Nearby Transportation Improvement Projects

The Maryland State Highway Administration (SHA) Consolidated Transportation Program, and the Montgomery County Department of Public Works and Transportation (DPWT) Capital Improvement Program includes the following nearby projects:

1. Fairland Road: This DPWT project involves reconstruction of Fairland Road from US 29 to Prince George's County line, including widening to 3 lanes, a sidewalk on the north side of the road, a Class I bikeway on the south side of the road, etc. The project is in final design and is anticipated to start construction in late 2006.
2. US 29/Briggs Chaney Road Interchange: The above interchange is currently under construction by SHA and is approximately 14% complete as of September 2004. The estimated completion date for the project is October 2007.
3. US 29/Musgrove Road/Fairland Road Interchange: SHA is currently in the process of preparing preliminary design plans for the interchange. The project is fully funded for Preliminary Engineering and has funding for partial right-of-way.
4. The Intercounty Connector: Planning studies for this SHA project are currently ongoing.

Local Area Transportation Review

A traffic study was required for the subject Preliminary Plan per the *Local Area Transportation Review (LATR) Guidelines* since the subject development was estimated to generate 30 or more peak-hour trips during the typical weekday morning (6:30 – 9:30 a.m.) and evening (4:00 – 7:00 p.m.) peak periods.

The consultant for the applicant submitted a traffic study (dated June 11, 2004) that determined the traffic-related impacts of 74 townhouses on the nearby roadway intersections during weekday morning and evening peak periods. Staff review of the above traffic study indicated that the study complied with the requirements of the *LATR Guidelines* and the traffic study scope provided by the staff.

The proposed Fairland View development was estimated to generate approximately 36 peak-hour trips during the weekday morning peak-period, and approximately 61 peak-hour trips during the weekday evening peak-period. A summary of the above is provided in Table 1.

**TABLE 1
SUMMARY OF SITE TRIP GENERATION
FAIRLAND VIEW - 74 TOWNHOUSES**

Time Period	Trip Generation		
	In	Out	Total
Weekday Morning Peak-Hour	6	30	36
Weekday Evening Peak-Hour	41	20	61

Note: Based on M-NCPPC trip generation rates for townhouses.

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

**TABLE 2
SUMMARY OF CAPACITY CALCULATIONS (CLV)
FAIRLAND VIEW - 74 TOWNHOUSES**

Intersection	Traffic Conditions							
	Existing		Background		Total		Total w/Applicant Funded Imps	
	AM	PM	AM	PM	AM	PM	AM	PM
US 29/Fairland Rd	1,541	1,485	1,560	1,491	1,569	1,504	1,544	1,459
Fairland Rd/Brahms Ave/Verizon Access ¹	823	727	832	733	5.1	6.5	--	--
Fairland Rd/Musgrove Rd/Marlow Farm Rd ¹	765	605	774	620	9.0	7.9	--	--
Schubert Dr/Stravinsky Dr/Access Dr	117	117	117	117	153	179	--	--
Schubert Dr/Brahms Ave	256	275	256	275	291	331	--	--

Source: Fairland View Traffic Study. The Traffic Group, Inc. June 11, 2004.

FY 2005 Congestion Standard for Fairland/White Oak Policy Area: 1,500

¹ Background and Total Traffic Conditions reflect proposed DPWT improvements along Fairland Road. Total traffic conditions reflect operation of the intersection with a roundabout/traffic circle.

As shown in Table 2, under Total traffic conditions, CLV values at the study intersections were either below the FY 2005 Fairland/White Oak congestion standard of 1,500, or with an applicant identified roadway improvement (lane designation changes to the eastbound Fairland Road approach to US 29) did not exceed the respective CLV under Background traffic conditions. It is noted that the above mitigation improvement is being utilized by another pending Development Plan Amendment (DPA-04-2), and is acceptable to both the Maryland-National Capital Park and Planning Commission staff, and Maryland State Highway Administration (see Attachment 2).

Per Section III.A of the *LATR Guidelines* (see Attachment 3), "An intersection improvement may be used by two or more developments if construction of the improvement has not been completed and open to the public. In order to be considered, the program or improvement must provide sufficient capacity to:

- result in a calculated CLV in the total traffic condition that is less than the congestion standard for that policy area, or
- mitigate the traffic impact if the calculated CLV in the total traffic condition exceeds the intersection congestion standard for the applicable policy area. Mitigation is achieved when the CLV in the total traffic condition that includes traffic from each contributing development *with* the improvement is equal to or less than the CLV in the background traffic condition without the improvement."

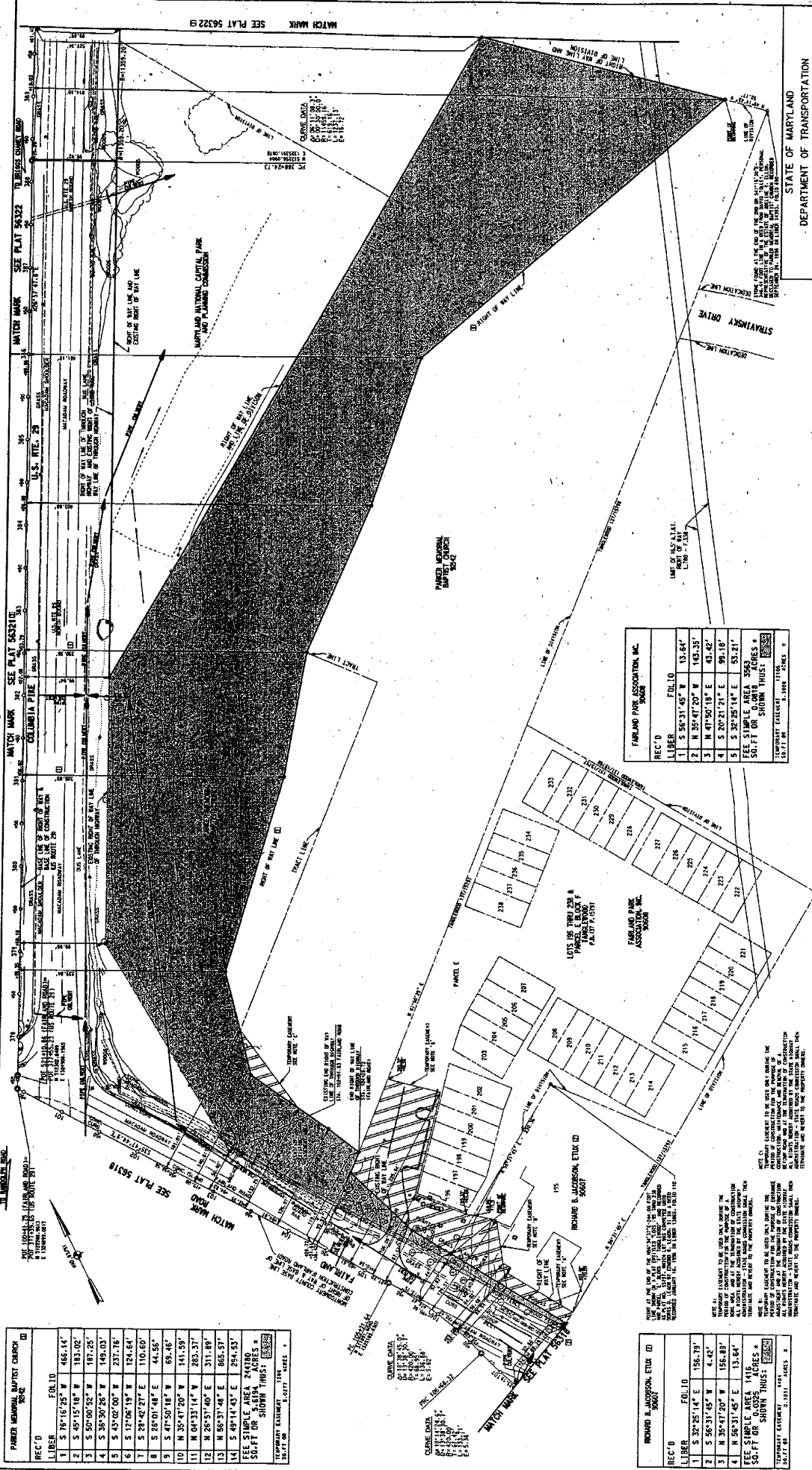
Based on the review of the analysis presented in the traffic study, staff concludes that the proposed improvement to the eastbound Fairland Road approach to its intersection with US 29 will create adequate capacity to accommodate traffic associated with both the subject development as well as the pending DPA.

Staff has also reviewed a parking survey/parking demand analysis presented by the applicant (dated August 30, 2004), performed at the request of DPWT staff. Based on the findings contained in the study, staff support Department of Public Works and Transportation's plans to restrict parking to one side of Stravinsky Drive.

CE:gw
Attachments

cc: Piera Weiss
Mary Goodman
Rich Weaver
Jeff Riese
Sarah Navid
Greg Cooke
Wes Mitchell
Wes Guckert
Al Blumberg

mno to conlon re fairlandview 1-05001



REC'D
LIBER

LIBER	FOLIO	ACRES
1	S 16°15'25" W	486.14'
2	S 48°15'18" W	183.02'
3	S 80°00'52" W	187.25'
4	S 38°30'26" W	149.03'
5	S 43°02'00" W	237.76'
6	S 12°06'19" W	124.64'
7	S 28°42'27" E	110.60'
8	S 28°01'48" E	44.58'
9	S 47°50'18" W	69.46'
10	N 35°47'20" W	141.59'
11	N 04°33'14" W	280.37'
12	N 20°37'40" E	311.89'
13	N 66°37'48" E	168.37'
14	S 89°11'45" E	294.53'

SEE PLAT 56322 B
MATCH MARK

REC'D
LIBER

LIBER	FOLIO	ACRES
1	S 32°25'14" E	156.79'
2	S 56°31'45" W	4.42'
3	N 35°47'20" W	158.89'
4	N 52°31'46" E	13.64'

SEE PLAT 56322 B
MATCH MARK

REC'D
LIBER

LIBER	FOLIO	ACRES
1	S 56°31'45" W	13.64'
2	N 35°47'20" W	143.35'
4	N 47°50'18" E	43.42'
5	S 20°21'21" E	99.18'
5	S 32°25'14" E	53.21'

SEE PLAT 56322 B
MATCH MARK

STATE OF MARYLAND
DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION
STATE ROADS COMMISSION

RIGHT OF WAY PROJECT: U.S. ROUTE 29
FEDERAL AID PROJECT NO. 1-1-29
CONSTRUCTION PROJECT: U.S. ROUTE 29
CONSTRUCTION PROJECT NO. 1-1-29

SCALE: 1" = 100'

PLAT No. 56320

RECORDS SECTION: U.S. ROUTE 29
APPROVED BY: [Signature]
DATE: 10/11/61

REVENUE EASEMENT TO BE USED ONLY DURING THE CONSTRUCTION PERIOD FOR THE PURPOSE OF MAINTAINING ACCESS TO THE PROPERTY FROM THE ADJACENT PROPERTY. THIS EASEMENT IS NOT TO BE USED FOR ANY OTHER PURPOSE AND IS TO BE TERMINATED UPON COMPLETION OF THE CONSTRUCTION PROJECT.

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Robert L. Ehrlich, Jr., Governor
Michael S. Steele, Lt. Governor

Robert L. Flanagan, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

August 31, 2004

Mr. Ronald Welke
Transportation Coordinator
M-NCPPC
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Montgomery County
U.S. Route 29 General
Fairland View



Attachment 2

Dear Mr. Welke:

Enclosed are State Highway Administration's (SHA) comments on the review of the Traffic Impact Study Report by The Traffic Group, Inc. dated June 11, 2004 (received by the EAPD on August 3, 2004) that was prepared for the proposed Fairland View residential development in Montgomery County, Maryland. The comments and conclusions are as follows:

- Access to the 74 Townhomes is proposed from Stravinsky Drive (a County roadway). SHA has requested that the updated right-of-way lines for the Inter-County Connector (ICC) be shown on the site development plans. The necessary right-of-way for the ICC will likely impact the number of developable lots for site.
- The traffic consultant determined that the proposed development would negatively impact the U.S. Route 29 at Fairland Road intersection. Therefore, in order to mitigate the site traffic impact, the traffic consultant proposed to modify the eastbound Fairland Road approach from the existing 1 left turn lane, 1 left/through lane, 1 through lane, and 1 right turn lane -to- 2 left turn lanes, 1 through lane, and 1 through/right lane.

In conclusion, SHA concurs with the proposed mitigation measures at the U.S. Route 29 at Fairland Road intersection. Therefore, SHA recommends that the M-NCPPC condition the applicant to design and construct the roadway improvements at the U.S. Route 29 at Fairland Road intersection. Roadway improvement plans and traffic signal modification plans should be submitted to SHA for our review and comment in order to receive an SHA permit. If you have any questions or comments regarding the enclosed, please contact Larry Green at (410) 995-0090 x20.

Very truly yours,

Bo Ward, Assistant Chief
Engineering Access Permits Division

- cc: Greg Cooke – SHA Engineering Access Permits Division
 Cherian Eapen – M-NCPPC Montgomery County
 Larry Green – Daniel Consultants, Inc.
 Lee Starkloff – SHA District 3 Traffic Engineering
 Joseph Finkle – SHA Travel Forecasting Section
 William Richardson – SHA Traffic Development & Support Division
 Dennis Simpson – SHA Regional Planning
 Michael Lenhart – The Traffic Group, Inc.

My telephone number/toll-free number is _____
 Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

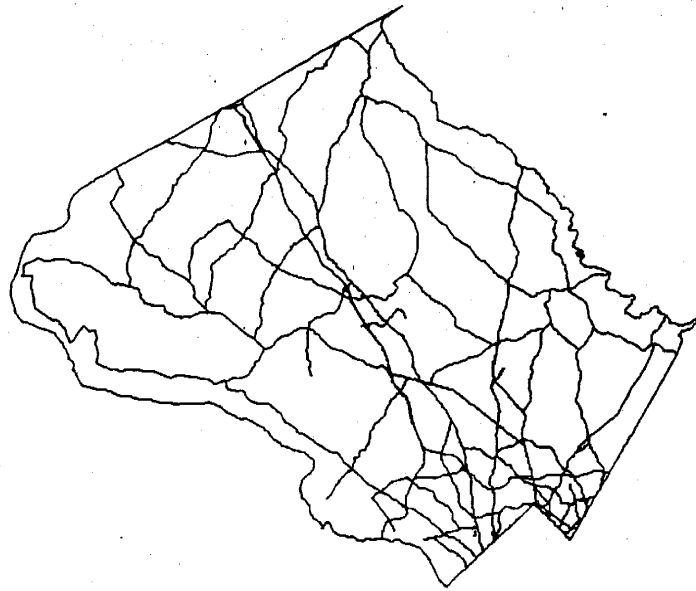


*Approved
and
Adopted
July 1, 2004*

Local Area Transportation Review Guidelines

Attachment 3

*Guidelines of the
Montgomery County Planning Board for the
Administration of the
Adequate Public Facilities Ordinance*



Published by:



**THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION**

Montgomery County Department of Park and Planning
8787 Georgia Avenue
Silver Spring, MD 20910-3760

Transportation staff has 15 working days after submittal to notify the applicant as to whether or not the traffic study is complete.

For a trip mitigation program or an intersection improvement to be considered for more than one application, the program or improvement must provide enough capacity to allow all the applications participating in the program or improvement to satisfy the conditions of LATR. An intersection improvement may be used by two or more developments if construction of the improvement has not been completed and open to the public. In order to be considered, the program or improvement must provide sufficient capacity to:

- result in a calculated CLV in the total traffic condition that is less than the congestion standard for that policy area, or
- mitigate the traffic impact if the calculated CLV in the total traffic condition exceeds the intersection congestion standard for the applicable policy area. Mitigation is achieved when the CLV in the total traffic condition that includes traffic from each contributing development *with* the improvement is equal to or less than the CLV in the background traffic condition without the improvement.

When development is conditioned upon improvements, those improvements must be bonded, under construction, or under contract for construction prior to the issuance of building permits for new development. Construction of an improvement by one applicant does not relieve other applicants who have been conditioned to make the same improvement of their responsibility to participate in the cost of that improvement.

If the Planning Board grants an extension to an approved preliminary plan, Transportation Planning staff will determine if the traffic study needs to be updated based on the APF validity period, usually three years, originally approved by the Planning Board.

B. Scope of Traffic Study

At a meeting or in written correspondence with Transportation Planning staff, the following aspects of the traffic study will be proposed by the applicant and/or provided by staff and agreed upon:

1. intersections that are to be included in the traffic study. The number of intersections to be included will be based upon the trips generated by the development under consideration (see Section II.A. for specific criteria regarding "land at one location"). As a general guideline, Table 2 indicates the number of significant signalized intersections from the site

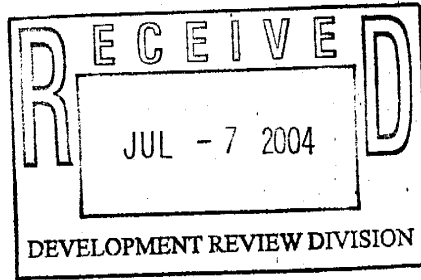
Item # 15
Attachment 2

HOLLAND & KNIGHT LLP

3 Bethesda Metro Center
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Bethesda, Maryland 20814-6301

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www.hklaw.com

July 1, 2004



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St. Petersburg	*Holland & Knight LLC
San Antonio	**Representative Office

STACY P. SILBER
301-664-7621
spsilber@hklaw.com

Derick Berlage, Esq.
Chairman
Montgomery County Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Fairland View – Townhouse Unit Mix
Preliminary Plan of Subdivision

Dear Chairman Berlage:

On behalf of Winchester Homes, Inc. (the "Applicant"), and pursuant to Section 59-C-1.621, fn 1 of the Montgomery County Zoning Ordinance (the "Zoning Ordinance" or "MCZO"), we are requesting that the Planning Board approve townhouse units on property known as Fairland View. Fairland View is located in the northeast quadrant of Fairland Road and U.S. Route 29 (the "Property"). The Property is zoned R-60, and is situated within the Fairland Master Plan area.

On May 20, 2004, the Planning Board reviewed a pre-preliminary plan (7-04059) for Fairland View. The issue being considered by the Planning Board was the development of Fairland View with 100% townhouses, pursuant to Section 59-C-1.621, fn 1 of the Zoning Ordinance. As part of its pre-preliminary plan review, Park & Planning Staff recommended that it had no objection to the Applicant's 100% townhouse proposal. At the May 20, 2004 hearing, the Planning Board agreed with this recommendation. Through the Planning Board's consideration of the pending preliminary plan for the Property, we ask that the Planning Board confirm and approve the 100% townhouse plan, as proposed.

Mr. Derick Berlage

July 1, 2004

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I. Introduction.

Development in the R-60 zone may contain 100% townhouses (beyond the 60% base) upon a finding by the Planning Board that the proposed development is: (1) more desirable from an environmental perspective than a development that would result from limiting townhouses to 60% of the total dwelling units on-site; and (2) compatible with adjacent existing and approved development. MCZO §59-C-1.621, fn 1. Under a 100% plan, the Applicant would be allowed 76 town house units. The Applicant is proposing 74, inclusive of 10 MPDUs. For the reasons stated herein, the proposed development more than satisfies the provisions of §59-C-1.621, fn 1 of the Zoning Ordinance.

II. Allowing 100% townhouses is more desirable from an environmental perspective than a development that would result from the adherence to the 60% limit.

The Property is located in the northeast quadrant of a heavily traveled transportation corridor - Fairland Road and US Route 29. The Intercounty Connector (ICC) is proposed to the north of the site and the interchange of the ICC with US 29 directly adjoins the Property. US 29 is also actively used for bus service. Because of the existing and proposed transportation system, and associated noise constraints, as recognized in the Fairland Master Plan, the 100% clustered townhouse option is the best method to enable the provision of interior recreational areas, open space and wide buffers for noise attenuation.

A. Fairland Master Plan.

The County Council, in its adoption of the Fairland Master Plan recognized the urban environment of the Property and acknowledged that single family development on the property is unlikely. The Council provided that "[c]onstraints on Area 5b [the subject Property] include no access to Fairland Road because of the proposed US 29 interchange (access will be through the existing townhouse community via Stravinsky Drive), and potential noise impacts from the proposed interchanges." Master Plan at 39. The Council also stated that the "... proximity to the proposed interchanges of US 29/ICC and US 29/Fairland Road and access through an existing townhouse development, make detached housing unlikely on this site, from a marketing perspective." Master Plan at 39 (emphasis added). The Council has encouraged "clustering for traffic noise mitigation and access constraints." Master Plan at 40.

B. Significant buffers.

A plan providing for 100% townhouse units allows the Property to be designed with a bermed buffer area that is more than 50 feet in width and runs

Mr. Derick Berlage

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along the entire northwest frontage of the Property. This buffer area will be planted with trees and placed in a conservation easement for forest preservation. The townhouses will be set back no less than 100 feet from the property line abutting the adjacent right-of-way. The townhouse configuration, and the associated clustering also allows the townhouses themselves to serve as noise attenuation for recreation area (both backyards and overall recreational space) that is interior to the site.

C. Open Space and Recreational Areas.

The proposed plan results in significant open space and recreational areas that are interior to the site and away from the heavily traveled external road system. The Applicant proposes a 1,500 square foot play area in the middle of the site. The play area will be landscaped and buffered from the external road system by surrounding townhouses. In addition, the Applicant proposes two sitting areas and a third picnic sitting area. The plan also shows an open play area to the north, which is 10,000 square feet in size and is far removed from US. Route 29 and Fairland Road. The Applicant has proposed two storm water management facilities on the Property; one to the south, along Fairland Road, and another to the east adjacent to the existing townhouses. Although significantly more expensive, the Applicant is proposing to install underground water quality facilities in both of these locations. The Applicant proposes to keep both areas as open space. The proposed open space and interior location of the recreational amenities is all made possible by the provision of 100% townhouses on the Property.

III. A 100% townhouse plan will ensure compatibility with adjacent existing and approved development in this area.

The Fairland View townhouse plan is compatible with adjacent development in the area. As discussed above, US Route 29 is located to the west of the Property, with Fairland Road located to its south. The Fairland Park townhouse community is located to the Property's east, and is zoned R60/TDR.

The Fairland View project, as proposed, represents the best option for achieving compatibility of housing with the existing townhouses and the adjacent road system. As discussed herein, the proposal allows for significant buffers adjacent to the road system, and recreational facilities interior to the housing development.

In addition, the Fairland View townhouse development is compatible with the large townhouse project to the east of the site. The existing townhouses are approximately 2.5 stories tall. The Fairland View townhouses are approximately the same height. The Fairland View town homes are set back

Mr. Derick Berlage

July 1, 2004

Page 4

over 20 feet from the Property line, and will be approximately 50 feet from the closest townhouse within the adjacent Fairland Park townhouse community. The Applicant will provide significant landscaping within the Property and between the subject Property and the adjacent Fairland Park townhome community.

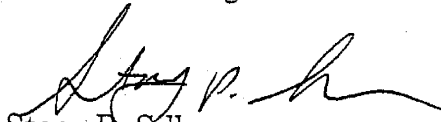
IV. Conclusion.

As discussed herein, the applicant's 100% town home proposal represents the best option in developing the Property. The proposed plan provides for flexibility in design, thereby allowing for larger buffer areas, and a significant amount of open space; and ensures compatibility with the road systems to the north and west, and the townhouse community to the east. The 100% town home Fairland View community is also consistent with the recommendations of the Fairland Master Plan.

For all of the reasons stated herein, we ask that the Planning Board grant Applicant's request to provide 100% town homes on the subject Property. Please contact us should you have any questions.

Sincerely,

Holland & Knight LLP


Stacy P. Silber

cc: Mr. Richard Weaver
Mr. Mike Lemon
Mr. Al Blumberg