

4605-C Pinecrest Office Park Drive
Alexandria, Virginia 22312-1442
(703) 914-4850
FAX (703) 914-4865
Email - mcv@mcvainc.com
www.mcvainc.com

Exhibit 1

PLANNING . ENGINEERING . INFORMATION TECHNOLOGY

MEMORANDUM

TO: Michele Rosenfeld

FROM: Joe Mehra, P.E. PTOE

SUBJECT: Takoma Metro Station Joint Development Traffic Study Review

DATE: February 20, 2014 **JOB:** J-835

A new residential apartment development is being proposed at the existing Kiss & Ride site to the northeast of the Takoma Park Metro station in the Washington Metropolitan Area Transit System (WMATA). A traffic report dated November 2013 was prepared for the purpose (1) of documenting existing traffic conditions in the vicinity of the Takoma Metro Station ("Existing Conditions Analysis"); (2) assessing expected traffic conditions in 2020 if the project is not built ("2020 No-Build Conditions"); and the projected traffic conditions resulting from the proposed Joint Development at its projected opening date of the year 2020 ("2020 Build Conditions").

In my opinion the traffic analysis and the findings, as documented in the Technical Memorandum, have deficiencies, errors and omissions that make the study results invalid.

Existing Conditions Analysis—

The WMATA study contains conclusions about existing conditions at the intersection of Eastern Avenue and Piney Branch Road that appear to be materially inconsistent with other recent traffic studies in the vicinity:

- a. The WMATA Study concludes that the intersection of Eastern Avenue and Piney Branch Road is operating at a Level of Service (hereinafter “LOS”) C during both the morning and evening peak hours; and
- b. That the eastbound and westbound approaches to this intersection are operating at LOS E during the evening peak hour.

These conclusions are inconsistent with the conclusions of the *Traffic Impact Study Walter Reed Local Redevelopment Authority Reuse Plan, Final Draft*, dated August 15, 2012, which conclude:

- a. The intersection of Eastern Avenue and Piney Branch Road is operating at LOS **D** (not C) during the evening peak hours; and
- b. The eastbound approach is operating at LOS **E** during the morning peak hour (the WMATA report shows LOS C for this approach during the morning peak hour); and
- c. The eastbound and westbound approaches both are operating at LOS **F** (not E) during the evening peak hour.

These discrepancies must be clarified and, if the WMATA study is flawed, WMATA’s analysis must be corrected before this project is allowed to proceed to the next phase.

The WMATA study also contains the following conclusions about existing conditions at the intersection of Blair Road, Cedar Street and 4th Street:

- a. The intersection is operating at LOS D during the morning peak hours; and
- b. The intersection is operating at LOS E during the evening peak hours.

However, a November 1, 2013 study prepared by Legion Design concluded that this intersection is operating at LOS **F** (not E) during the evening peak hour (with a delay of 82.5 seconds per vehicle). This discrepancy must be clarified and, if the WMATA study is flawed, WMATA’s analysis must be corrected before this project is allowed to proceed to the next phase.

2020 No-Build Conditions – The methodology for projecting normal growth in traffic to 2020, as described in the Technical Memorandum is as follows:

“MwCOG 2.3 model was used to project the traffic growth from 2013 to 2020 (excluding the development at the Takoma Metro Station). MwCOG model indicates that three of the local jurisdictions including Washington D.C., Prince George’s County, and Montgomery County are showing more than 10% total increase in households and employment from 2010 to 2020. Silver Spring, which is located to the northeast of the Takoma Metro Station, expects significant growth in both jobs and number of residents. This study, assumed a total growth of 15% from 2013 to 2030 in the AM and PM peak period that is equivalent to an annual traffic growth rate of 2%.”

First of all, I am assuming that the 2030 is a typographical error and should be 2020. Secondly, this methodology is for a macro level study and not applicable to a micro level traffic impact study such as for this development. A typical traffic impact study involves a two-step process to develop future traffic without the development. The first step consists of developing annual growth rates in traffic based on a historic traffic data and trends. This annual growth rate is applied to the existing counts to develop future traffic based on normal growth rates. The second step is to identify planned and approved developments in the vicinity of the site and estimate their traffic generation. This traffic is then assigned to the various study intersections. The addition of the existing traffic, the normal growth in traffic and the traffic from the adjacent developments result in future traffic without the proposed development. While the ITE Recommended Practice for Transportation Impact Analyses for Site Development recommends this approach for a *macro* analysis, it is not applicable to a *micro* analysis when trying to establish traffic impacts in a narrowly circumscribed geographic area. Instead, the traffic report should (1) establish an annual traffic growth rate; and (2) *additionally* identify planned and approved developments in the vicinity of the site and estimate the traffic volumes associated with those planned and approved developments and allocate them to surrounding intersections. The study should then quantify the *cumulative* impact of the overall traffic growth rate and the additional traffic from specific projects to get an accurate assessment of the background traffic conditions, against which the new project can be evaluated.

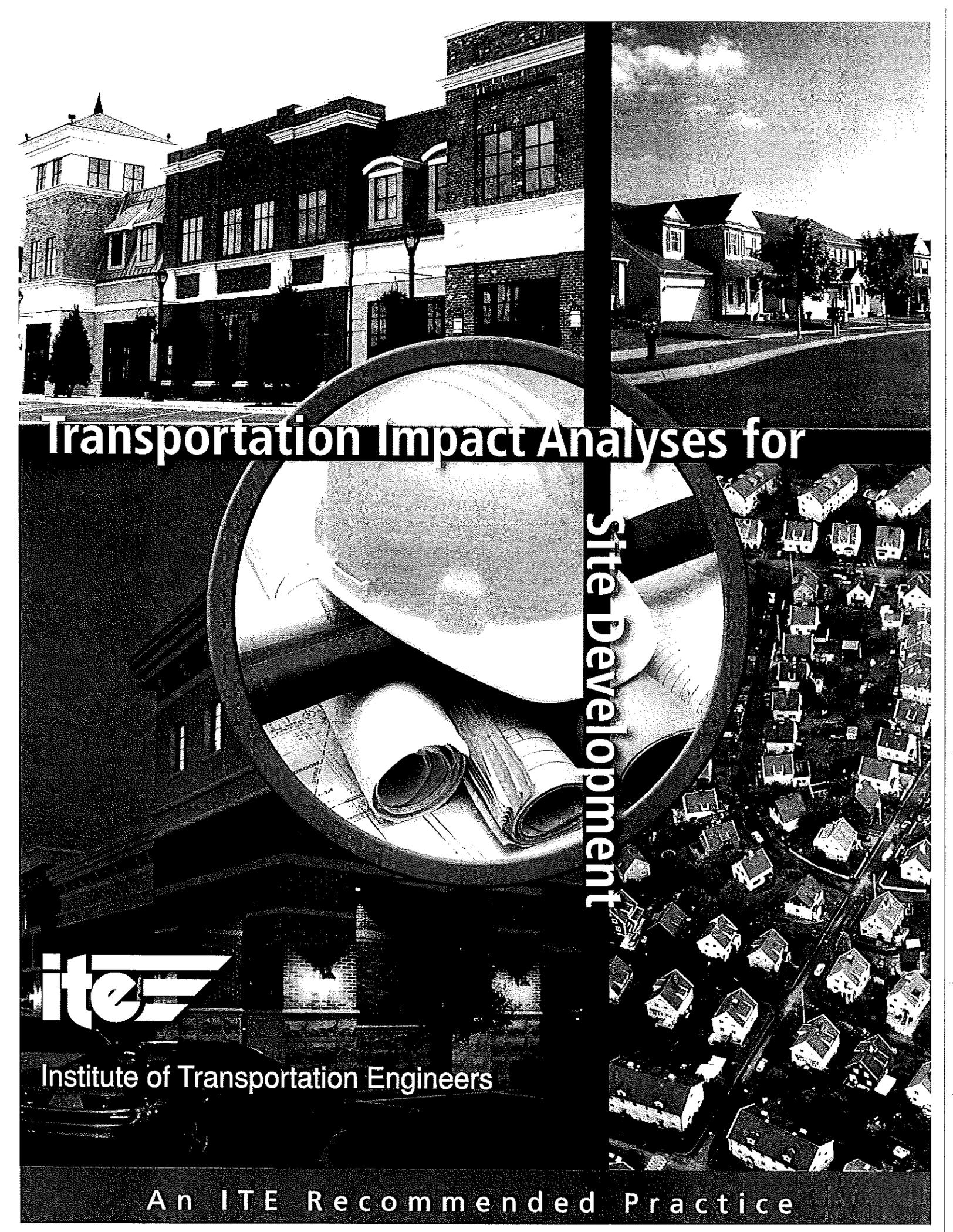
This is a significant error in the methodology. There are several planned and approved developments in the vicinity of the site and they include the following:

1. Walter Reed Reuse which is estimated to generate 2,197 vehicle trips during the PM peak hour.
2. Takoma Central – 235-255 Carroll Street. The proposed redevelopment of a former Brownfield site consists of 160 rental apartments and approximately 8,300 square feet of on-street retail located near the Takoma Red Line Metro Station.
3. Takoma Park – 6924 Willow Street. The proposed development consists of two apartment buildings totaling 76 units.
4. Spring Place residential development consisting of 150 apartment units in Squares 3185 and 3186 with access on to Spring Place.
5. 18,710 sq feet of new retail under construction on the first floor of an existing three-story office building at 6856 Eastern Ave.-- Under Construction
6. Douglas Development Apartments at Willow & Maple, NW. This project is currently approved for two buildings with 44 units per building.
7. Theological Seminary at 6896 Laurel St., NW - Closed about a year ago, renovations underway, Leased to a school for English As A Foreign Language at 68,929 square feet.
8. Republic Restaurant located at Laurel Street and Carroll Avenue. This restaurant with over 100 seats opened in early December and would not be included in the traffic counts conducted in September 2013.

The impact of these planned/approved and under construction developments would be more pronounced at some intersections and less at others depending upon the location of the development. Only by including the traffic associated with these developments in the transportation analysis can there be a true projection of the 2020 traffic conditions. The methodology used in the study fails to do this analysis.

2020 Build Conditions – Table 5 of the WMATA study (page 12) includes a summary of LOS shows that the levels of service at the intersection of Carroll Street and Cedar Avenue improves from a LOS C to a LOS B during the PM peak hour after adding the proposed development traffic. How was that achieved without making any further improvements to the roadway network without the development in 2020 (comparing to the three no-build scenarios in 2020).

Conclusions – The critical errors in the forecasting methodology results in erroneous traffic projections. All scenario analysis conducted subsequent to the forecasting process are meaningless, since they are based on erroneous traffic forecasts. The study should be redone using the industry standard procedures.



Transportation Impact Analyses for

Site Development



Institute of Transportation Engineers

An ITE Recommended Practice

4. Non-Site Traffic Forecast

Estimates of non-site traffic are required to complete the analysis of horizon-year conditions. These estimates characterize the "base" conditions—that is, without the subject site being developed (or re-developed). Figure 4-1 shows the interrelationships of transportation system data and transportation demand data for existing, background and "total-future" (with project site) traffic conditions.

Components of Background Traffic

Non-site traffic consists of two components:

- Through traffic, consisting of all movements through the study area, without either an origin or a destination in the study area (sometimes referred to as "background growth"); and
- Traffic generated by all other developments in the study area, with an origin and/or a destination in the study area (sometimes referred to as "background development" or "pipeline development").

The latter category is particularly important, since conditions associated with nearby developments may be affected by traffic generated by the new site, or may generate traffic that affects the site being studied. Figure 4-2 shows an example of estimated future non-site traffic. A comparison of Figure 3-3 with Figure 4-2 shows how existing traffic volumes differ from future background traffic conditions.

Methodology

There are three principal methods of projecting non-site traffic:

- Build-up method, using specific developments;
- Use of area or sub-area transportation plan or modeled volumes; and
- Trends or growth rate method.

Each has its appropriate use, and each is based on data that may be available or generated as part of the site transportation impact study.

Advantages and concerns of each technique are as follows.

1. **Build-up method, using specific developments:**
 - Typically appropriate in areas of moderate growth;
 - Usually used when the project has a horizon of 5 years or less; and
 - Often the best method when there is good local information on development approvals.
2. Use of area or sub-area transportation plan or modeled volumes:
 - Often used with large, regional projects that will develop over a long period;
 - Often appropriate for areas of high growth; and
 - Locally credible transportation plan data that are adaptable to the study year must be available.
3. Trends or growth rate method:
 - Typically used for small projects that will be built within a year or two;
 - Local recordkeeping of traffic counts must be good;
 - At least 5 years of data showing stable growth should be available;
 - Simple, straightforward approach;
 - Not appropriate for long-range horizons; and
 - May result in over- or undercounting of non-site traffic growth.

These methods should be carefully considered based on study issues and objectives, available data and reviewing agency preferences or requirements. The final selection should be made only after discussions with the reviewing agency. A brief summary of these methods is presented below. For more detailed discussions, see references listed at the end of this chapter and report.

Introduced by: Councilmember Grimes

CITY OF TAKOMA PARK, MARYLAND

Resolution 2013-68

Resolution Regarding Development Proposed for the Site of the Takoma Metro Station

- WHEREAS,** the City of Takoma Park deeply values the access to bus and rail transit provided by the Takoma Metro station on our border with Washington, D.C.; and
- WHEREAS,** the Washington Metropolitan Area Transit Authority (WMATA) is a public body whose responsibilities include providing exemplary transit services while maximizing transit accessibility, use, and transit-generated revenue; and
- WHEREAS,** any development of WMATA-owned land must maintain exemplary transit access and service while seeking maximum financial returns from development activities; and
- WHEREAS,** WMATA wishes to enter into an Amended Joint Development Agreement with EYA, which had previously proposed building a townhome development on the Takoma Metro station property; and
- WHEREAS,** as part of that Agreement, a design for development of the Takoma Metro station property has been prepared similar to the one presented to the Takoma Park City Council by a representative of EYA on July 22, 2013; and
- WHEREAS,** any design to be considered as part of a Joint Development Agreement should incorporate changes stemming from the findings of the traffic study and the comments of the community, and WMATA should work with the City of Takoma Park as a Local Jurisdiction before the Agreement is considered for WMATA board and board committee approval; and
- WHEREAS,** the City looks forward to the site's development because, done well, the project has enormous potential to be a signature project for the City of Takoma Park as much as for the District of Columbia; and
- WHEREAS,** the City looks forward to working in close coordination with WMATA, our Washington, D.C. neighbors, and EYA to fully realize the potential of the site; and
- WHEREAS,** the City acknowledges that the project needs to succeed financially for the developer and notes that this outcome need not be incompatible with the City's objectives; and
- WHEREAS,** in the final design, the access by pedestrians, bicyclists, handicapped patrons, and

bus riders should be easy, safe, comfortable and attractive and the transit facilities must be of an adequate capacity to accommodate the community's transit needs for decades; and

WHEREAS, any development of the property should be compatible with the surrounding neighborhoods in Takoma Park, Maryland and Washington, D.C.; and

WHEREAS, the Council held a public hearing on the Takoma Metro development design on October 7 and received testimony from 26 people and organizations with varied opinions on the proposed development; and

WHEREAS, the current design (attached) places the drop-off location for the Metro station's elevator entrance at a distance two to three times greater than the current location, posing a hardship for the elderly and persons with disabilities; and

WHEREAS, the design places a loading dock in a location opening directly onto Eastern Avenue and in a configuration such that large vehicles, including waste-hauling and delivery trucks, must back across the sidewalk (which will be a primary pedestrian path to the transit facilities); and

WHEREAS, the design shows five stories along Eastern Avenue, with three stories set back just 23 feet from the street and two additional stories just eight to ten feet back from the front of the building, which would be a large mass directly across a narrow right of way from single family homes; and

WHEREAS, the R-5-A zoning of the portion of the proposed Takoma Metro development site on Eastern Ave. NW allows a maximum height of three (3) stories/forty (40) feet. The C-2-A zoning of the portion of the site set some distance back from Eastern Ave. NW allows a maximum height of fifty (50) feet. While a Planned Unit Development process could allow deviation from current zoning, neighborhood compatibility suggests that the building height should comply with zoning limits, with the step-up to more than three stories of the building set back to the boundary of the C-2-A zone; and

WHEREAS, the design places parking access lanes only nine feet from the adjoining multifamily residential property on Eastern Avenue, providing little buffer for the residents; and

WHEREAS, the design shows 178 parking spaces for the 212 apartment units which, at a .844 parking ratio is too high for a transit-oriented development, creating neighborhood traffic impact and risking sacrifice of transit-use revenue to driving; and the plan shows just 98 parking spaces for transit users despite significant community demand for parking, discouraging transit use by community residents who wish to drive to the Takoma station; and

WHEREAS, green space on the property is a valued amenity and should be recorded as a

permanent park of approximately the same size as the existing green space; and it is important that the green space be attractive and usable; and

WHEREAS, WMATA is conducting a traffic study for the area around the Takoma Metro property to provide information on the extent to which the development may impact streets and intersections in the area and on the measures that may be taken to address that impact, which the City will comment on at the appropriate time;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND THAT

SECTION 1. The City of Takoma Park requests that WMATA’s staff and board consider the comments of the City at all stages, prior to all actions that would affect the Takoma Metro station property and transit facilities and the neighboring community and business district.

SECTION 2. The City asks WMATA and developer EYA to modify the design associated with the Takoma Amended Joint Development Agreement, to fully address concerns expressed here about the safety (loading-dock positioning), transit-accessibility (location of drop-off for persons with disabilities), neighborhood compatibility (setback from Eastern Avenue, NW; massing on, and step-back from, Eastern Avenue NW; building height within current zoning limits; and adequate buffer from neighboring building), and traffic and transit-use impact (number of residential parking spaces) of the Takoma project prior to a vote on the Amended Joint Development Agreement.

SECTION 3. The City appreciates WMATA’s policy that it “coordinates closely with Local Jurisdictions to implement its joint development program” and asks that such coordination, with the City of Takoma Park as a Local Jurisdiction, continue for the duration of the Takoma project, and that developer EYA, per WMATA’s requirement “to work with Local Jurisdictions throughout the joint development process,” maintain regular contact with the City, working in a timely way with the City regarding design changes, planning, and other project milestones.

BE IT FURTHER RESOLVED THAT the City shall inform the Maryland Secretary of Transportation, the Montgomery County Executive, and the Montgomery County Council of the City’s comment to WMATA concerning the Takoma Amended Joint Development Agreement.

Adopted this 28th day of October, 2013.

Attest:

Jessie Carpenter, CMC
City Clerk

10-10-13

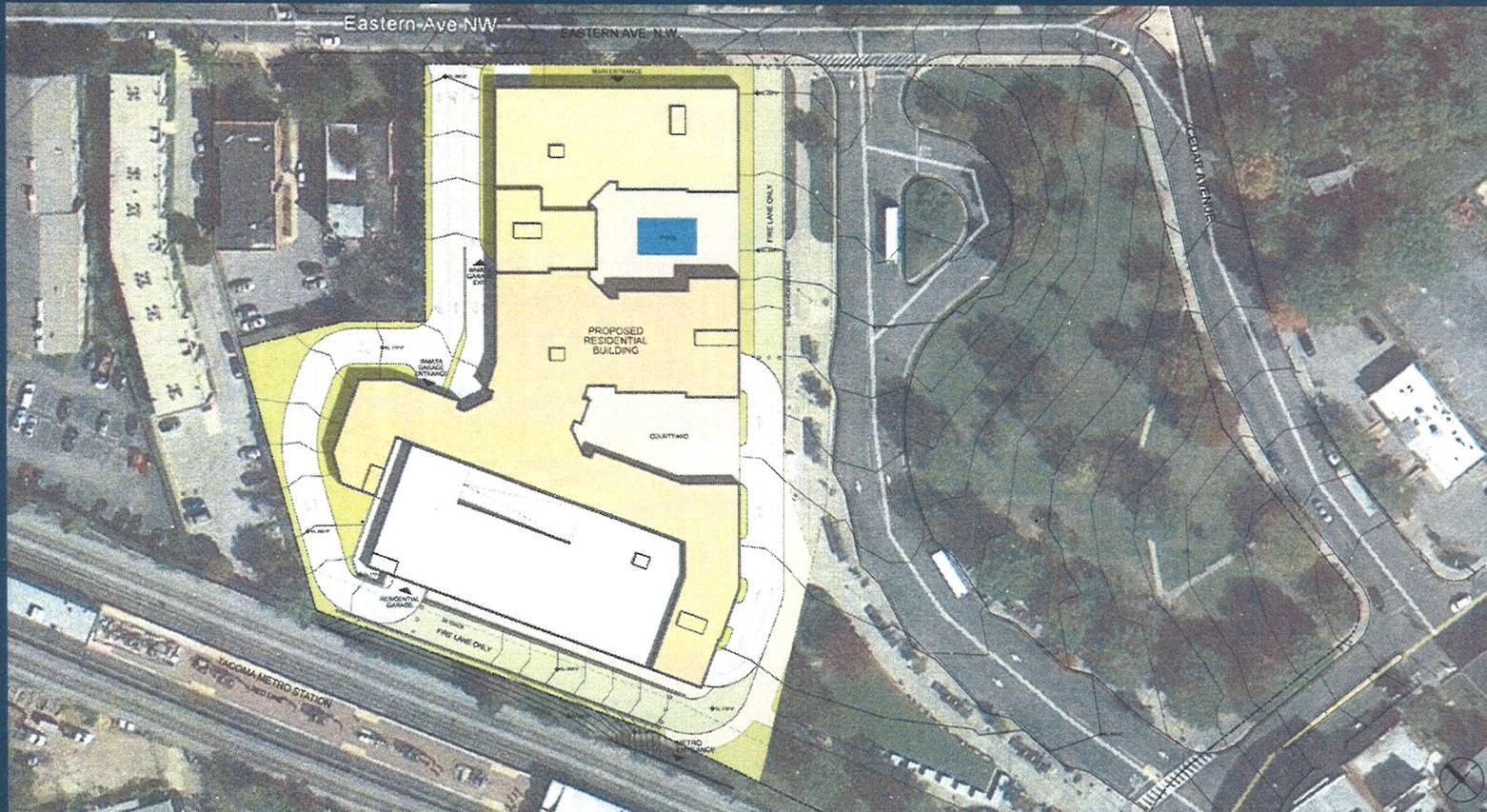


Background – Revised Takoma Plan





Background – Revised Takoma Plan

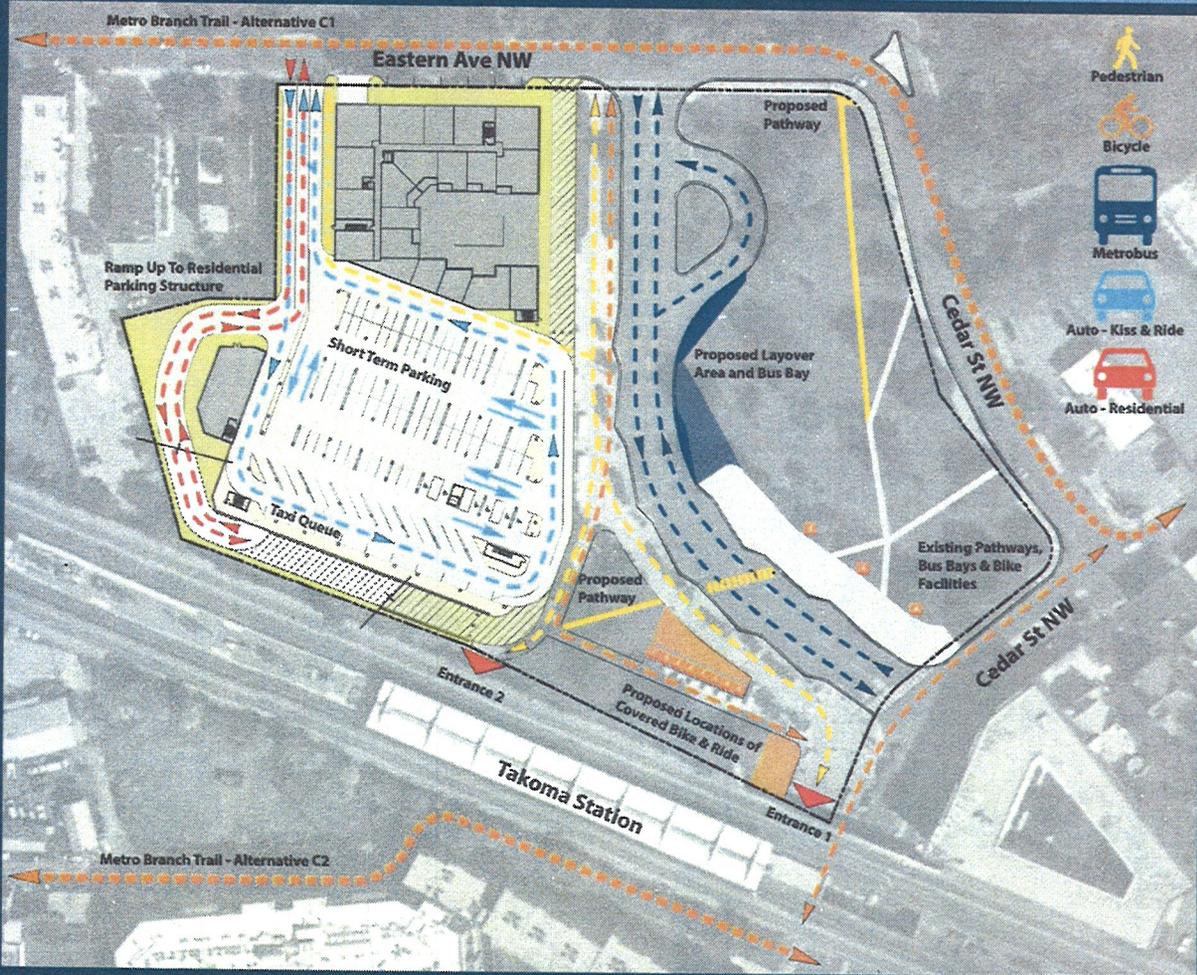




Background – Revised Takoma Plan

The new plan addresses:

- Development context
- Site constraints
- Metro transit needs
- Community needs and objectives





Advisory Neighborhood Commission 4B
Government of the District of Columbia
6856 Eastern Avenue, NW - Suite 314
Washington, DC 20012

RESOLUTION #13-1105
Recommendations Regarding the
Takoma Metro Station Redevelopment
Adopted November 25, 2013

WHEREAS:

Advisory Neighborhood Commission 4B is concerned about the current proposal to build approximately 200+ apartments on the surface parking lot and on the landscaped buffer separating the parking lot from the adjacent three-story apartment building.

We direct this resolution to the Washington Metropolitan Area Transit Authority (WMATA) Board and its Committee on Planning, Program Development and Real Estate (PPDRE). We ask that the WMATA Board, including WMATA Board Chair Tom Downs, PPDRE Chair Muriel Bowser, and DC Board Members Tom Bulger and Terry Bellamy consider this resolution prior to any vote and respond in writing.

We thank WMATA's Director of Real Estate and Station Planning Stan Wall for providing a traffic impact study, received on November 22, 2013 and look forward to reviewing it.

However, the study's conclusions that the project would "slightly impact the traffic generation on Eastern Avenue" is not credible. Also, its conclusion that some curbside parking may need to be eliminated is a problem. Eastern Avenue residents object to these changes and are also concerned about how a bike route to the station may affect them.

We have heard from residents, property owners and businesses. While there is support for developing a portion of the Takoma Metro Station property, and support for this proposal in whole or in part, there is also considerable concern about some important elements, and we find that concern persuasive.

ANC 4B cites the following issues and concerns:

- * The WMATA Board may vote to amend its existing Joint Development Agreement with EYA in December 2013. That vote is a key decision on an Agreement that will be difficult to modify or reject due to, among other reasons, financial terms which make design changes expensive.

The developer currently proposes a building that is mostly 6 to 7 stories tall and translates to 72 feet high. This proposal well exceeds the 50 foot maximum height permitted on much of that site by right in the current DC zoning regulations. Forty feet is the height limit on part of it.

- * The proposal is out of scale and overwhelms the three-story apartment and cooperative buildings on Eastern Avenue that are its neighbors. It is even more out of scale with the one and two-story homes across the street on Eastern Avenue.

Furthermore, the four buildings already built or approved that sit next to the tracks are 50 feet tall -- in conformity with DC zoning regulations.

- * It appears that the developer, EYA, may wish to negotiate -- through the PUD process -- a height greater than the legal limit. We question whether the WMATA Board should be voting on a project with dimensions that are not permitted by DC zoning regulations.

- * EYA has not provided drawings or models that show either their proposal or the legal limit in context with the existing neighboring homes, apartments and cooperative buildings, making it difficult for the community to understand the proposal. We question whether the

WMATA Board should be voting on any proposal without seeing its impact on neighboring properties, a key principle of urban design.

* Designating a permanent public park on the existing green space at the corner of Carroll and Cedar is a major and necessary provision, and ANC 4B thanks PPDRE Chair Bowser and WMATA staff for including it. However, the community needs more information and more discussion prior to any vote.

* The approximately 70-foot treed buffer between the existing parking lot and the three-story apartment building at 7036 Eastern Avenue, NW would be eliminated under this proposal, eliminating a great number of mature trees. It would be replaced with the driveways for cars and trucks that will serve the entire building, subjecting neighbors to fumes and noise. We encourage the developer to incorporate innovative green, air and water infrastructure fixes that utilize grasses and trees currently on the project site.

* The proposed project conflicts with key elements of the Takoma Central District Plan, the current planning document for the area adopted by the DC Council in 2002.

For example, one of the Plan's goals is to "preserve and enhance Takoma's small town/village character" by limiting new residential and commercial buildings to "no more than 2-4 stories in height to match existing neighborhood scale." (Page 8) The Central District Plan also calls for a 50-foot landscaped buffer between the station's transit functions and residences, "such as the multi-family structures to the north along Eastern Avenue." (Page 52)

* The proposed building is poorly designed. For example, trash trucks will need to back over a sidewalk that is a heavily used walking route to the Metro Station. Persons with disabilities who park in the public garage need to cross drive lanes in order to enter the Station.

* Community outreach and consultation have been inadequate. WMATA and EYA representatives have attended only one public meeting with DC residents, held on July 13, 2013. EYA and WMATA said they were unable to answer specific questions about height, scale, setbacks, parking, and the park, among other issues, because the plans were preliminary.

The Commission thanks WMATA staff and EYA Senior Vice President Jack Lester for meeting with ANC 4B01 and 4B02 Commissioners Sara Green and Faith Wheeler. However, we are concerned that WMATA and EYA representatives declined an invitation to attend a November 23, 2013 community meeting hosted by Commissioners Green and Wheeler. They did hold an invitation-only meeting with residents at a Maryland restaurant and one meeting at a Takoma, DC restaurant for a small number of residents who were asked to RSVP in advance.

THEREFORE, BE IT RESOLVED that the design is not ready for a WMATA Board vote.

We call on the WMATA Board to direct its staff, working with the developer, to work closely and collaboratively with the community, particularly with those who live in the adjacent buildings, to improve the design so that it conforms to DC zoning regulations and is compatible with the character and scale in Takoma, DC. We also call on the WMATA Board to fix the proposal's poorly designed and unsafe features.

In addition, we ask that the WMATA Board consider the adverse impact this project will bring to the community.

These steps need to be taken *before* any WMATA Committee or full Board vote.

THEREFORE, BE IT FURTHER RESOLVED that WMATA staff and EYA consider a design that puts housing on top of a platform with two levels of parking underneath. Such a design will replace the taller structure currently proposed to house parking, and will solve other design flaws, including the poor location of elevators.

We ask WMATA and EYA to come back before ANC 4B so that we can vote on the final approval of the project.

AND BE IT FURTHER RESOLVED that the WMATA Board consider soliciting other bids for the property in order to ensure that the best design is built at the Takoma Metro Station.

We look forward to reviewing a proposal that will enhance the community.

ADOPTED by show-of-hands vote at a regular public meeting (notice of which was properly given, and at which a quorum of eight of nine members was present) on November 25, 2013, by a vote of 7 yes, 1 no.