

Program of Requirements for Montgomery Mall Transit Center:

Off-street bus bays, comprised of six 65-foot bays in a saw tooth configuration to accommodate 40-ft buses and allow for independent ingress and egress of each bus. Access to the transit center will be from the eastern signalized entrance at Westlake Terrace, and the ring road; exit for eastbound buses will be via a bus ramp directly to Westlake Terrace (right exit only). The bus ramp to Westlake Terrace will not exceed a 5 percent slope. Two of the saw tooth configurations will need to accommodate 60-foot articulated buses. Two bus layover locations will also be provided. Height of any structures extending over bus movement areas will be a minimum of 16 feet vertical clearance. Layout of the transit center is included in Attachment A. All pavement for the bus movement areas of the transit center and the exit ramp, as well as drive entrances, will be of specifications sufficient for bus traffic; standard pavement specifications for buses are included with Attachment A.

Bays to be configured around a central passenger waiting area, with canopy structure covering passenger waiting areas. Structures should be configured with canopy covering bus loading area as well as passenger waiting areas. Passenger waiting area under canopy will be weather/wind protected, have seating, and be lit and equipped with radiant space heaters. Facility design to be visually open to minimize “hidden” areas, with waiting areas to be visible in multiple directions. Facility will be constructed with provisions for two pay telephones as well as two emergency call boxes/phones - - emergency call phones to be located at either end of the central passenger waiting area, to be connected to transit security or police.

Two transit information kiosks to be located at the passenger waiting area of the bus bays, at least two sides of each kiosk to hold transit information. Transit information display panels will be consistent in size with those now being designed for other Montgomery County bus stops. Kiosks may be 3 or 4 sided.

Safe, convenient, passenger/pedestrian access to both the mall entrance and Westlake Terrace, with sidewalks and crosswalks at service roads and parking structures. Pedestrian pathways should be configured so as to minimize conflicts with traffic. Westfield will attempt to design stair access from the walkways leading from the transit center to the lower parking area in parking structure B. The configuration of pedestrian pathways is included in Attachment B.

Turning radius (50 feet) to accommodate 40-ft. buses and 60-ft. articulated buses.

Entire transit center area to be well lit with ambient lighting and with activity area lighting at passenger waiting areas.

Provisions for the future installation of real time sign information including necessary electrical and cable conduit, with provisions for variable message boards to be mounted in the canopied passenger waiting areas, and at a comfortable waiting areas inside the mall, next to the customer service desk and possibly in the food court/boulevard areas.

Transit Store/Sales Kiosk inside mall, adjacent to the Westfield Customer Service Desk, comprised of dedicated display area with counters to provide ride guides, Ride On and Metro route and schedule information, transit pass sales, car-sharing information, and phone for requesting taxi service. Transit Store/Sales Kiosk will be provided with an internet connection to enable customers to access web-based transit information, and directly access the Ride On website. Transit Store/Sales Kiosk will be maintained by County-provided personnel. When staffed, kiosk will be staffed by the County during selected hours and self-serve at other times, with Westfield's Customer Service Desk staff being able to direct customers to appropriate transit information requested by passengers.

Bike racks (four 4-rung units), to be weather protected as feasible or under cover of parking garage roof, located in proximity to mall entrance and transit center. Location of bike racks will be coordinated with the MNCPPC Bicycle Coordinator, in association with other bicycle facilities being included in mall redevelopment.

Taxi stand for 3 cabs, located in proximity to the Transit Center

All facilities and walkways are to comply with ADA guidelines, and be handicapped accessible.

Passengers and transit operators will have access to restrooms in the mall.

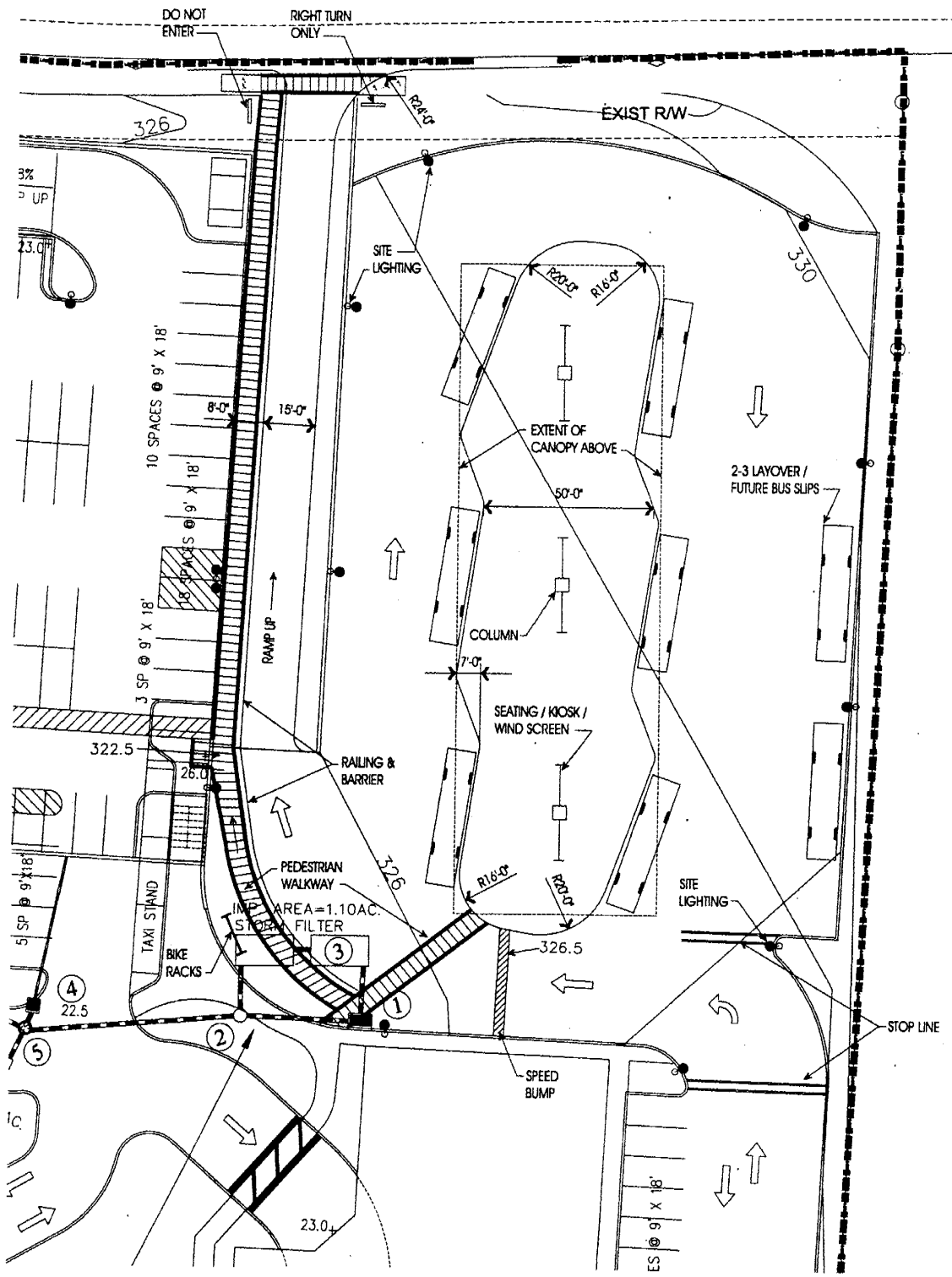
Provisions, with appropriate signage, will be made for the number of commuter parking spaces in the previous agreement; designated spaces will be located in parking structure B, with commuter parking allowed weekdays, from 5:00 am to 7:00 pm.

Provisions for future installation of closed circuit security cameras, to be monitored by the County or transit authority, will be provided in the central passenger waiting area.

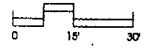
A conceptual plan for a commuter parking area along the east side of the bus bay area, separated from bus circulation area, to accommodate 50 automobiles, will be prepared by Westfield for the County to submit to the Maryland State Highway Administration (SHA), for the purpose of the County seeking easements from SHA for I 270 encroachment for future construction of the commuter parking lot. Should the State provide such easement, the County will seek funds from sources other than Westfield as provided under this site plan approval, for the purpose of constructing the commuter parking area.

It is understood that the new transit center will be constructed on the northeast corner of the property under the first phase of mall reconstruction, to be built during construction

of Sears new building and the New Parking Structure "B." Upon completion of the new transit center, bus service at the existing transit center will be relocated to the new transit center.



January 14th, 2005



Sheet 1 (Revised)

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January 18, 2005

Mr. Michael Ma
Supervisor, Site Plan and Project Plan Review
Development Review Division
Montgomery County Park and Planning Department
Montgomery County Planning Board, M-NCPPC
8787 Georgia Avenue
Silver Spring, MD 20910

Re: Site Plan 8-05003 (Westfield Shoppingtown Montgomery, the "Center")
Preliminary Plan 1-05018

Dear Michael:

On behalf of Westfield Corporation, Inc. (Westfield), the Applicant for the subdivision and site plan approvals referenced above for the expansion and redevelopment of the Center, we are writing to summarize its request for a parking waiver. As you know, this matter has been discussed in depth among the Transportation Planning staff of the Planning Board and employees of the Department of Public Works and Transportation (DPW&T).

The Applicant's justification for the reduction in the required parking ratio to 4.5 spaces per each thousand square feet of gross leaseable area (GLA) has two primary bases: first, industry standards for large regional shopping standards now reflect the 4.5/1000 GLA ratio; and second, actual usage of parking at this Center demonstrates that 4.5 spaces per 1000 square feet of GLA is adequate.

Westfield's consultant, The Traffic Group, submitted a Final Report dated November 23, 2004, in support of the parking waiver; this Final Report references the Urban Land Institute studies which recommend the lower ratio of 4.5 and provides the expert's analysis based on parking counts conducted at the Center over the 2004 summer, adjusted for the busier shopping

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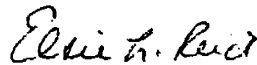
Mr. Michael Ma
January 18, 2005
Page 2

days of December. Other super regional malls in the Washington area also park at a ratio of 4.5/1000 feet of GLA or lower, including the Shoppingtown at Wheaton (4.5) and the soon to be enlarged Tyson's Corner (4.21). In addition, actual parking counts, conducted at the Center during the recent peak holiday shopping season (the two days after Thanksgiving and on early December weekends) by both The Traffic Group and the Applicant's own personnel, submitted to you in mid-December, substantiate the fact that the provision of 4.5 spaces per each thousand feet of GLA is a sufficient number of spaces to serve the Center's customers. At the busiest parking hours, the usage ratio was no more than 4.47/1000. A copy of these two data sets is also attached here, as well as the Parking Comparison prepared by The Traffic Group.

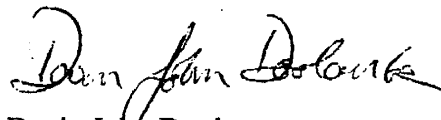
Specifically, the Applicant requests that the reduction in required parking be approved by authorizing the use of a parking ratio of 4.5 spaces/1000 square feet of GLA. As the actual gross leaseable area of the Center will vary depending on final design and leasing decisions, the exact number of spaces is difficult to prescribe at this time. The ratio currently in effect at the Center is 5.0 spaces/1000 feet of GLA.

Westfield intends to continue its annual agreements with Marriott International, Inc., for offsite parking of its employees during the peak or high shopping days of the year in accordance with longstanding agreements with DPS. Westfield provides shuttle service for Center employees and other incentives to promote this offsite parking during the busier shopping days of the year. A copy of the most recent Marriott agreement is attached for your reference.

Sincerely,



Elsie L. Reid



Devin John Doolan

ELR/jmt

Enclosures:

- 1) Parking Occupancy Study by The Traffic Group
- 2) Parking Survey by Westfield
- 3) Marriott Offsite Parking Agreement
- 4) Parking Comparison by The Traffic Group

Westfield Shoppingtown Parking Comparison

CENTER	Area	Parking Spaces	Ratio
Annapolis/MD	1,178,355	4613	4.00
Chesterfield/MO	1,318,299	5976	4.50
Crestwood/MO	1,028,410	4410	4.30
Mid Rivers/MO	1,061,811	5253	4.95
South County/MO	1,028,474	4758	4.65
West County/MO	1,217,579	5551	4.50
Wheaton/MD (Existing)	1,101,623	5649	5.13
Wheaton/MD (Redo)	1,440,244	6511	4.15

*Crown 11 Screen Theaters

*AMC Theaters Opening Spring 2005

*AMC 11 Theaters Opening Spring 2005

*Wierenburg 14 Screen Theaters

NA

N/A

*Loves 11 Screen Theaters

*Loves 11 Screen Theaters

Tyson's (Existing)	1,921,242	9489	4.94
Tyson's (Redo)	2,444,648	10289	4.21

NA

*AMC 16 Screen Theaters Opening Spring 2005

Lake Forest	1,085,000	5700	5.25
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N/A

*Approved
and
Adopted
July 1, 2004*

Local Area Transportation Review Guidelines

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



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PARK AND PLANNING COMMISSION**

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

development planning and will need to be coordinated with existing and planned locations for standard shelters.

The bus shelter must be within one-quarter mile of the edge of the proposed or an existing development and the frequency of the transit service must be at intervals of 20 minutes or less during the weekday morning and evening peak periods.

For any off-site improvement shown in Table 3, pedestrians and bicyclists should be able to safely cross any roadway to reach their destination. The applicant may provide improvements that Transportation Planning and DPWT staffs agree would increase the safety of the crossing.

c. Provision of Bike Lockers

An applicant may propose to reduce LATR impact by providing bike lockers for a minimum of eight bikes at an activity center located within a one-mile radius of the edge of the development.

d. Provision of Static and Real-Time Transit Information Signs, and Information Kiosks

An applicant may propose to reduce LATR impact by providing static or electronic signs, and/or information kiosks at bus shelters, large office buildings, retail centers, transit centers, or residential complexes that indicate scheduled or real-time transit information, e.g., the scheduled or estimated arrival of the next bus on a given route.

Static transit information signs may be provided only at locations other than CCC-provided standard bus shelters, since provision of this type of information at those shelters is part of that agreement. For static transit information provided at office buildings, retail centers, etc., the applicant should include provision for changing this information three times per year.

e. Graduated and Maximum Trip Reduction Credits

Related to the construction or provision of the above (a through d), the maximum trip credit for any development is related to the congestion standard for that policy area. In policy areas with higher congestion standards, the maximum reduction in trips is higher in recognition of the desire to enhance pedestrian safety and/or encourage transit and bike use in these areas. (See Table 3.)

Table 3 identifies trip reduction options. Any or all of the options may be used for a given application. The maximum trip reduction per development is a function of the policy area congestion standard, as shown in Table 3.

Table 3: Graduated and Maximum Trip Credits Related to Congestion Standards

Non-Automobile Transportation Amenity	Trip Credit vs Congestion Standard		
	1400-1500	1550-1600	1800
100 linear feet of five-foot sidewalk	0.5	0.75	1.0
100 linear feet of eight-foot bike path	0.5	0.75	1.0
Curb Extension/Pedestrian Refuge Island/Handicap Ramp	2.0	3.0	4.0
LED Traffic Signals/ Intersection	4.5	6.75	9.0
Accessible or Countdown Pedestrian Signals/ Intersection	1.0	2.0	3.0
Bus Shelter	5.0	7.5	10.0
“Super” Bus Shelter	10.0	15.0	20.0
Bus Bench with Pad	0.5	0.75	1.0
Information Kiosk	1.5	3.0	4.5
Bike Locker (set of eight)	2.0	3.0	4.0
Real-Time Transit Information Sign	10.0	15.0	20.0
Static Transit Information Sign	0.25	0.4	0.5
Maximum Trip Credits	60	90	120

B. Procedures for Application of Section VI - Trip Reduction Methods

The determination of the total number of trips generated by a proposed development will be made prior to any reduction. If a proposed development generated more than 30 total weekday peak-hour trips, a traffic study would be required. If an applicant proposes a traffic mitigation agreement or non-automobile transportation amenities, the reduction could be accounted for in the traffic study. At the request of Transportation Planning staff, an applicant proposing these

alternatives to physical improvements will be required to gather data on current bus patronage or pedestrian/bicycle activity within the local area to aid in evaluating effectiveness.

The applicant may only apply a trip reduction method after the total number of peak-hour trips is determined using standard trip rates. Trip reduction derived from this section may not be applied in policy areas where the Annual Growth Policy does not allow the application of the special procedure for limited residential development.

Resolution No:

Introduced: July , 2003

Adopted: July , 2003

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: County Council

SUBJECT: ~~FY 2003 Annual Growth Policy Ceiling Element~~ FY 2004 Annual Growth Policy – Ceiling Element

Background

1. County Code Section 33A-15 requires that no later than November 1 of each odd-numbered year, the County Council must adopt an Annual Growth Policy (AGP) Policy Element to be effective until November 1 of the next odd-numbered year, to provide policy guidance to the agencies of government and the general public on matters concerning land use development, growth management and related environmental, economic and social issues.
2. ~~On May 15, 2002, in accordance with the requirements of Section 33A-15, the County Executive transmitted to the County Council his comments and recommendations on the FY 2003 Annual Growth Policy Ceiling Element based on the Final Draft FY 2003 Annual Growth Policy submitted by the Planning Board on May 2, 2002. The Final Draft Annual Growth Policy Ceiling Element as submitted by the Planning Board contained supporting and explanatory materials and a set of recommended growth capacity ceilings for each policy area within the County.~~ On May 15, 2003 2002, in accordance with the requirements of Section 33A-15, the County Executive transmitted to the County Council his comments and recommendations on the FY 2004 Annual Growth Policy Ceiling Element based on the Final Draft FY 2004 Annual Growth Policy submitted by the Planning Board on May 2, 2003. The Final Draft Annual Growth Policy Ceiling Element as submitted by the Planning Board contained supporting and explanatory materials and a set of recommended growth capacity ceilings for each policy area within the County.
3. ~~On June 4, 2002, June 3, 2003,~~ the County Council held a public hearing on the ~~FY 2003 Annual Growth Policy Ceiling Element~~ FY 2004 Annual Growth Policy Ceiling Element.
4. ~~On June 11, 2002 June 16, 2003,~~ the Council's Planning, Housing, and Economic Development Committee conducted a worksession on the recommended Ceiling Element.
5. ~~On June 25, 2002 June 24, 2003,~~ the Council conducted a worksession on the Ceiling Element, at which careful consideration was given to the public hearing testimony, updated information, recommended revisions and comments of the County Executive and Planning Board, and the comments and concerns of other interested parties.

- on the applicant's failure to request background data, to submit a traffic study, or to submit a complete updated traffic study after notice that a study is incomplete, all within the time limits in **TP7.4**.

The Planning Board may grant one or more 6-month extensions of a queue date if the applicant demonstrates that a queue date expired or will expire because of governmental delay beyond the applicant's control. The Planning Department may grant one 6-month extension of a queue date for Department of Permitting Services approval of individual sewage disposal or wells. Any additional queue date extensions for Department of Permitting Services approval may only be granted by the Planning Board.

TP7.4 Traffic studies

TP7.4.1 Required when sufficient capacity becomes available

The queue date of an application for which there is not sufficient staging ceiling capacity when the complete application is filed will expire when sufficient capacity becomes available, unless the applicant:

- requests background data from the Planning Board to prepare a traffic study within 1 month after capacity becomes available; and
- submits a traffic study within 1 month after receiving the background data. However, if the Planning Board provides the background data between June 1 and September 15, the study must be submitted by October 15.

TP7.4.2 Required to obtain a new queue date after expiration

If the queue date of an application which includes a traffic study expires, an updated traffic study must be filed to obtain a new queue date.

TP7.4.3 Notice of incomplete traffic study

The Planning Board must notify an applicant within 15 days after a traffic study is filed if the study is incomplete. An applicant must file a complete traffic study within 30 days of receipt of the notice that a study is incomplete.

TP7.5 Special Ceiling Allocation for Affordable Housing

If an application for a preliminary plan approval that uses the special ceiling allocation for affordable housing is denied by the Planning Board after July 1, 1992, the applicant retains its original queue date and is subject to all other applicable provisions of **TP7**.

TL Local Area Transportation Review (LATR)

TL1 Establishment of Local Area Transportation Review Standards

The transportation planning model used for Policy Area Transportation Review addresses the average level of traffic in the policy area. If this were the only test, an area with acceptable average level of service could have one or more intersections, or roadway links, with unacceptably poor levels of service.

It is necessary, therefore, that a local area test be applied to assure that new development is not allowed to cause such congestion.

To achieve an approximately equivalent transportation level of service in all areas of the County, greater congestion is permitted in policy areas with greater transit accessibility and usage. Table 7 shows the intersection level of service standards by policy area. Local Area Transportation Review must at all times be consistent with the standards and staging mechanisms of adopted master plans and sector plans.

Local Area Transportation Review must be undertaken for subdivisions which would generate 50 or more peak hour automobile trips in either of the following circumstances:

- for the policy area, total approved development is within 5 percent of the policy area ceiling; or
- for the local area, the proposed development is located near a congested area.

In administering the Local Area Transportation Review (LATR), the Planning Board must not approve a subdivision if it finds that an unacceptable peak hour level of service will result after taking into account existing roads, programmed roads, available or programmed mass transportation, and improvements to be provided by the applicant. If the subdivision will affect an intersection, or roadway link for which congestion is already unacceptable, then the subdivision may only be approved if it does not make the situation worse.

The nature of the LATR test is such that a traffic study is necessary if local congestion is likely to occur. The Planning Board and staff must examine the applicant's traffic study to determine whether adjustments are necessary to assure that the traffic study is a reasonable and appropriate reflection of the traffic impact of the proposed subdivision after taking into account all approved development and programmed transportation projects.

For Local Area Transportation Review purposes, the programmed transportation projects to be considered are those fully funded for construction in the first 5 years of the current approved Capital Improvements Program, the state's Consolidated Transportation Program, or any municipal capital improvements program.

For these purposes, any road required under Section 302 of the County Charter to be authorized by law is not programmed until the time for petition to referendum has expired without a valid petition, or the authorizing law has been approved by referendum.

If an applicant is participating in a traffic mitigation program or one or more intersection improvements to meet Local Area Transportation Review requirements, that applicant will be considered to have met Local Area Transportation Review for any other intersection where the volume of trips generated is less than five Critical Lane Movements.

The Planning Board has adopted guidelines for the administration of Local Area Transportation Review. To the extent that they are consistent with this Policy, the Planning Board guidelines may continue to apply or to be amended as the Planning Board deems it necessary to do so.

After consultation with the Council, the Planning Board may adopt administrative guidelines that allow use of a "delay" or queuing analysis, different critical lane volume standards, or other methodologies, to determine the level of congestion in appropriate geographic locations such as in urbanized areas, around Metrorail stations, or in specific confined areas planned for concentrated development related to other forms of transit.

In its administration of Local Area Transportation Review, the Planning Board must carefully consider the recommendations of the County Executive concerning the applicant's traffic study and proposed improvements or any other aspect of the review.

To achieve safe and convenient pedestrian travel, the Planning Board may adopt administrative guidelines requiring construction of off-site sidewalk improvements consistent with Section 50-25 of the County Code. To maintain an approximately equivalent transportation level of service at the local level considering both auto and non-auto modes of travel, the Planning Board may permit a reduction in the amount of roadway construction or traffic mitigation needed to satisfy the conditions of Local Area Transportation Review in exchange for the construction of non-automobile transportation amenities, such as sidewalks and bus shelters.

TL1.1 Metro Station Policy Area LATR Standards

In each Metro Station Policy Area, the Planning Board, in consultation with the Department of Public Works and Transportation, must prepare performance evaluation criteria for its Local Area Transportation Review. These criteria must be used to accomplish: (a) safety for pedestrians and vehicles; (b) access to buildings and sites; and (c) traffic flow within the vicinity, at levels which are tolerable in an urban situation. The County Executive also must publish a Silver Spring Traffic Management Program after receiving public comment and a recommendation from the Planning Board. This program must list those actions to be taken by government to maintain traffic flow at tolerable levels in the Silver Spring CBD and protect the surrounding residential area.

TL1.2 Potomac LATR Standards

In the Potomac Policy Area, only the areas contributing traffic to the following intersections must be subject to Local Area Transportation Review: (a) Montrose Road at Seven Locks Road; (b) Democracy Boulevard at Seven Locks Road; (c) Tuckerman Lane at Seven Locks Road; (d) Democracy Boulevard at Westlake Drive; (e) Westlake Drive at Westlake Terrace; (f) Westlake Drive at Tuckerman Lane; and (g) Bradley Boulevard at Seven Locks Road.

TA Alternative Review Procedures

TA1 Metro Station Policy Areas

An applicant for a subdivision which will be built completely within a Metro station policy area need not submit any application or take any action under *Policy Area Transportation Review* or *Local Area Transportation Review* if the applicant agrees in a contract with the Planning Board and the County Department of Public Works and Transportation to:

- meet trip reduction goals established by the Planning Board as a condition of approving that subdivision, which must require the applicant to reduce at least 50% of the number of trips attributable to the subdivision, either by reducing trips from the subdivision itself or from other occupants of that policy area;
- participate in programs operated by, and take actions specified by, a transportation management organization (TMO) to be established by County law for that policy area (or a group of policy areas including that policy area) in order to meet the mode share goals established under the preceding paragraph;