

APPROVED AND ADOPTED

AMENDMENT TO THE SECTOR PLAN FOR FOUR CORNERS AND VICINITY

December 1988

An amendment to the Sector Plan For Four Corners and Vicinity, 1986, being also an amendment to the General Plan for the Physical Development of the Maryland-Washington Regional District and the Master Plan of Highways within Montgomery County, Maryland.

Prepared By:

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760 .

Revised By:

THE MONTGOMERY COUNTY EXECUTIVE  
May 16, 1988

Approved By:

THE MONTGOMERY COUNTY COUNCIL  
October 25, 1988

Adopted By:

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
December 14, 1988

PLEASE RETURN TO:  
OFFICE OF PLANNING POLICIES  
101 MONROE STREET, 4TH FL.  
ROCKVILLE, MD 20850

ABSTRACT

TITLE: Approved and Adopted Amendment to the Sector Plan  
for Four Corners and Vicinity

AUTHOR: The Maryland-National Capital Park and Planning  
Commission

SUBJECT: Approved and Adopted Amendment to the Sector Plan  
for Four Corners and Vicinity

DATE: December, 1988

PLANNING AGENCY: The Maryland-National Capital Park and  
Planning Commission

SOURCE OF COPIES: The Maryland-National Capital Park and  
Planning Commission  
8787 Georgia Avenue  
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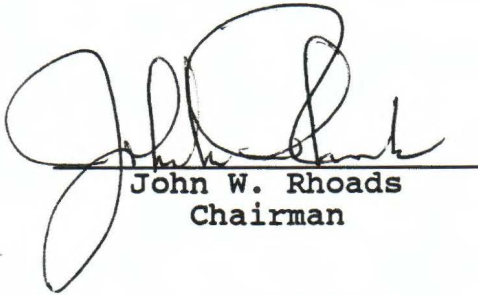
NUMBER OF PAGES: 4

ABSTRACT: This publication contains the text for a proposed  
amendment to the Sector Plan for Four Corners and  
Vicinity, 1986, being also an amendment to the  
General Plan for the Physical Development of the  
Maryland-Washington Regional District and the Master  
Plan of Highways within Montgomery County, Maryland.  
The amendment provides traffic standards for  
development on the Kay Tract.

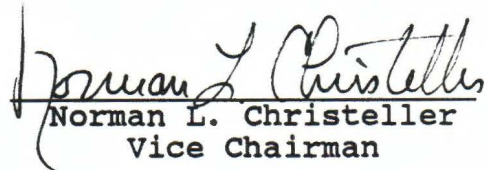
CERTIFICATE OF APPROVAL AND ADOPTION

This Amendment to the Sector Plan for Four Corners and Vicinity, 1986; the General Plan for the Physical Development of the Maryland-Washington Regional District; and the Master Plan of Highways within Montgomery County, Maryland; has been approved by the Montgomery County Council, sitting as the District Council, by Resolution No. 11-1079 on October 25, 1988, and the Montgomery County Executive on November 1, 1988; and has been adopted by the Maryland-National Capital Park and Planning Commission by Resolution No. 88-33 on December 14, 1988, after a duly advertised public hearing pursuant to Article #28 of the Annotated Code of Maryland, 1986 (1988 Supplement).

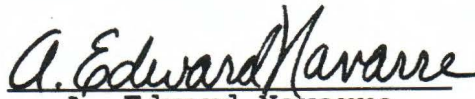
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION



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## THE MASTER PLAN AMENDMENT PROCESS

Staff Draft -- This document is prepared by the Montgomery County Planning Department for presentation to the Montgomery County Planning Board. It is a working paper that identifies the major issues being addressed by the proposed amendment. Alternative courses of action and specific recommendations are presented. The public is given the opportunity to comment on the Staff Draft, often at worksessions. A Preliminary Draft Amendment is then prepared for approval by the Planning Board. The Preliminary Draft incorporates those changes to the Staff Draft which the Planning Board considers appropriate.

Preliminary Draft Amendment -- This document is a formal proposal to amend an adopted master plan. It is prepared by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission. Before proceeding to publish a final draft amendment, the Planning Board must hold a public hearing. After the close of the record of this public hearing, the Planning Board holds open worksessions to review the testimony, and to determine whether to make any revisions to the preliminary draft.

Final Draft Amendment -- This document contains the Planning Board's final recommendations. It is transmitted to the County Executive, who must review it and forward it to the County Council, with any revisions deemed appropriate. If the County Executive makes no revisions in the Planning Board's final draft, the Council may adopt the unchanged draft without holding a public hearing. If the Executive does make revisions, or if the Council wishes to consider any revisions, the Council must schedule a public hearing. After the close of record of this public hearing, the Council holds an open worksession to review the testimony, and then adopts a resolution approving, modifying, or disapproving the final plan amendment.

If the Council action modifies and approves the Executive's Revised Final Draft Amendment, the Approved Amendment must be sent to the County Executive for approval or disapproval. If disapproved by the County Executive, the Council may override the disapproval of the Plan by an affirmative vote of five members.

Failure of either the County Executive or the Council to act within the prescribed time limits constitutes approval of the plan amendment as submitted to the body which fails to act.

Adopted Amendment -- The amendment approved by the County Council is forwarded to The Maryland-National Capital Park and Planning Commission for adoption. Once adopted by the Commission, the amendment officially amends the various master plans cited in the Commission's adoption resolution.

APPROVED AND ADOPTED AMENDMENT TO THE SECTOR PLAN FOR  
FOUR CORNERS AND VICINITY, JULY, 1986

When the Montgomery County Council approved the Four Corners Sector Plan in July, 1986, there was an unresolved issue concerning transportation standards as a prerequisite to the granting of the MXPB zoning on the Kay Tract. The Council ultimately decided to remove the proposed traffic standards from the Plan and substitute the following statement:

"o Traffic standards for MXPB zone application will be provided by future amendment to the Four Corners Master Plan."

BACKGROUND

The Four Corners Sector Plan recommends rezoning the Kay Tract from the R-H zone to the R-60 zone with an ultimate rezoning to the MXPB zone if certain standards can be met. The Sectional Map Amendment, adopted by the County Council in October 1986, rezoned the property to the R-60 Zone.

The Sector Plan, on page 37, states the following:

"... any proposed development on the 'Kay Tract' must link all site generated vehicles to corresponding transportation improvements. This is intended to ensure that any increases in critical lane volumes attributable to development of the site are adequately accommodated by necessary improvements, thus preventing any further deterioration of operating conditions."

This statement in the Plan is actually the effect of the Adequate Public Facilities Ordinance on any proposed R-60 subdivision. If there is staging ceiling capacity, local area review will be required and the Colesville Road/University Boulevard intersection does not meet the established standard of adequacy. Any

subdivision approval would, therefore, be conditioned on transportation improvements which would correct the identified inadequacies.

The Maryland State Highway Administration and the Montgomery County Department of Transportation are engaged in studies of both physical improvements to the U.S. Route 29 Corridor (from Georgia Avenue to the County Line) and traffic reduction measures. Until decisions are made and recommendations are agreed upon, it will be difficult to improve the capacity of the Colesville Road/University Boulevard intersection beyond what is recommended in the Sector Plan (jug handles to eliminate present left-turn movements and access control).

The Sector Plan, on pages 38-41, sets out the standards and conditions to be met to qualify for the Mixed Use Planned Development zone. The MXPDP zone is, from a public policy perspective, the preferred land use because it can better address environmental issues, the mix of uses can reduce the peaking factor for traffic, and it supports the County's economic development policies. There is, however, still uncertainty about the solution of the traffic problems at the Four Corners intersection. It was the consensus of the County Council that this needs to be explicitly reflected in the standards and conditions for the MXPDP zone on the Kay Tract.

APPROVED AND ADOPTED AMENDMENT

[ ] INDICATES LANGUAGE TO BE DELETED

\_\_\_\_\_ INDICATES NEW LANGUAGE TO BE ADDED

PAGE 38 second paragraph.

[Approval of an MXPDP application on the "Kay Tract" would be conditioned on the proposed development addressing the constraints on the site and a number of conditions and standards (see Figure 9). These conditions and standards should include, but are not limited to the following:

- o Traffic standards for MXPDP zone application will be provided by future amendment to the Four Corners Sector Plan.]

No zoning application for the MXPDP zone on the Kay Tract should be granted unless the proposed development addresses the constraints on the site and satisfies a number of conditions and standards. The application should address the urban design criteria in Figure 9. The conditions and standards to be met include, but are not limited to, the following:

- o The proposed development must be generally compatible with the highway and transit recommendations contained in this plan.
- o The application must address the traffic conditions of the Colesville Road/University Boulevard intersection.
- If the application precedes the programming of public improvements that would bring the intersection to an acceptable level of service, it must demonstrate that transportation improvements will eliminate all traffic impacts caused by the



development and will result in critical lane volumes that are no worse than they would be if the development did not occur.

- If the application follows the programming of public improvements that are expected to bring the intersection to an acceptable level of service, it must demonstrate that the intersection will continue to operate at an acceptable level of service with the traffic generated by the proposed development.

o Any proposed improvement must be reasonably probable of fruition in a time frame in which the Adequate Public Facilities Ordinance can constrain development.

These standards may be met by a combination of the following:

- selecting and balancing a mixture of land uses according to their respective trip generation and distribution characteristics, thereby creating an opportunity to spread the timing and distribution of site generated traffic;
- on-site and off-site roadway improvement;
- transportation systems management projects; and
- public and private improvements that will generate additional capacity at the intersection.

The zoning application should establish a linkage between transportation improvements and site buildout. Site development should be staged, with each stage tied to a corresponding set of transportation improvements.

Resolution No.: 11-1079  
Introduced: October 25, 1988  
Adopted: October 25, 1988

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION  
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT  
WITHIN MONTGOMERY COUNTY, MARYLAND

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By: District Council

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Subject: Approval of Final Draft Amendment to the Sector Plan for Four  
Corners and Vicinity

Background

1. On May 13, 1988, in accordance with Chapter 33A-9 of the Montgomery County Code, the County Executive submitted a Final Draft Amendment to the Sector Plan for Four Corners and Vicinity providing transportation standards for MXPD zoning of the Kay Tract.
2. The Final Draft Amendment to the Sector Plan for Four Corners and Vicinity distinguishes between a zoning application which precedes the programming of public improvements to bring the Four Corners intersection to an acceptable level of service and one which follows this event.
3. On July 12, 1988, the Montgomery County Council held a public hearing regarding the Final Draft Amendment to the Sector Plan for Four Corners and Vicinity. The Amendment was referred to the Council's Planning, Housing and Economic Development Committee for review and recommendation.
4. On October 13, 1988, the Planning, Housing and Economic Development Committee reviewed the Final Draft Amendment to the Sector Plan for Four Corners and Vicinity and recommended to the Council that the amendment be approved with revisions to eliminate the proposed requirement that an applicant for rezoning of the Kay Tract demonstrate that potential impacts can be mitigated by private sources. The Committee also recommended that language be included in the amendment stating that any proposed improvement must be reasonably probable of fruition and in a time frame within which the Adequate Public Facilities Ordinance can constrain development.

5. The District Council reviewed the Final Draft Sector Plan for Four Corners and Vicinity on October 25, 1988, and agreed with the recommendations of the Planning, Housing and Economic Development Committee.

Action

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland approves the following resolution:

Explanation: Underlining indicates language added.

[Brackets] indicate language deleted.

The Final Draft Amendment to the Sector Plan for Four Corners and Vicinity, is approved as follows:

[Approval of an MXPD application on the "Kay Tract" would be conditioned on the proposed development addressing the constraints on the site and a number of conditions and standards (See Figure 9). These conditions and standards should include, but are not limited to the following:

- o Traffic standards for MXPD zone application will be provided by future amendment to the Four Corners Sector Plan.]

No zoning application for MXPD zone on the Kay Tract should be granted unless the proposed development addresses the constraints on the site and satisfies a number of conditions and standards. The application should address the urban design criteria in Figure 9. The conditions and standards to be met include, but are not limited to, the following:

- o The proposed development must be generally compatible with the highway and transit recommendations contained in this plan.

- o The application must address the traffic conditions of the Colesville Road/University Boulevard intersection.
  - If the application precedes the programming of public improvements that would bring the intersection to an acceptable level of service, it must demonstrate that transportation improvements will eliminate all traffic impacts caused by the development and will result in critical lane volumes that are no worse than they would be if the development did not occur.
  - If the application follows the programming of public improvements that are expected to bring the intersection to an acceptable level of service, it must demonstrate that the intersection will continue to operate at an acceptable level of service with the traffic generated by the proposed development.
- o Any proposed improvement must be reasonably probable of fruition in a time frame in which the Adequate Public Facilities Ordinance can constrain development.

These standards may be met by a combination of the following:

- selecting and balancing a mixture of land uses according to their respective trip generation and distribution characteristics, thereby creating an opportunity to spread the timing and distribution of site generated traffic;
- on-site and off-site roadway improvement;
- transportation systems management projects; and
- private improvements that will generate additional capacity at the intersection.
- programmed public improvements that will generate additional capacity at the intersection.

The zoning application should establish a linkage between transportation improvements and site buildout. Site development should be staged, with each stage tied to a corresponding set of transportation improvements.

This is a correct copy of Council action.

Kathleen A. Freedman

Kathleen A. Freedman, CMC  
Secretary of the Council

Approved:

Sidney Kramer

Sidney Kramer, County Executive

11/1/98

Date



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

MCPB NO. 88-37

M-NCPPC NO. 88-33

RESOLUTION

WHEREAS, The Maryland-National Capital Park and Planning Commission, by virtue of Article 28 of the Annotated Code of Maryland, is authorized and empowered, from time to time, to make and adopt, amend, extend, and add to a General Plan for the Physical Development of the Maryland-Washington Regional District; and

WHEREAS, the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission, pursuant to said law, held a duly advertised public hearing on November 25, 1987, on the Preliminary Draft of a proposed amendment to the Sector Plan for Four Corners and Vicinity, 1986, being also an amendment to the General Plan for the Physical Development of the Maryland-Washington Regional District; and

WHEREAS, the Montgomery County Planning Board, after said public hearing and due deliberation and consideration, on March 17, 1988, approved the Final Draft of the proposed amendment, and forwarded it to the Montgomery County Executive and to the Montgomery County Council for its information; and

WHEREAS, the Montgomery County Executive reviewed and made recommendations on the Final Draft of the proposed amendment to the Sector Plan for Four Corners and Vicinity, 1986, and forwarded those recommendations to the Montgomery County Council on May 16, 1988; and

WHEREAS, the Montgomery County Council, sitting as the District Council for the portion of the Maryland-Washington Regional District lying within Montgomery County, held a public hearing on July 12, 1988, wherein testimony was received concerning the Final Draft of the proposed amendment; and

WHEREAS, the Montgomery County Council, sitting as the District Council for that portion of the Maryland-Washington Regional District lying within Montgomery County on October 25, 1988, approved modifications and revisions to the Final Draft of the proposed amendment by Resolution 11-1079; and

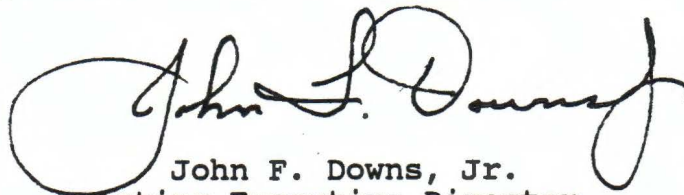
WHEREAS, the Montgomery County Executive approved the Amendment to the Sector Plan for Four Corners and Vicinity, 1986, on November 1, 1988;

NOW, THEREFORE, BE IT RESOLVED, that the Montgomery County Planning Board and the Maryland-National Capital Park and Planning Commission do hereby adopt said Amendment to the Sector Plan for Four Corners and Vicinity, 1986, together with the General Plan for the Physical Development of the Maryland-Washington Regional District as approved by the Montgomery County Council in the attached Resolution 11-1079; and

BE IT FURTHER RESOLVED, that copies of said Amendment shall be certified by the Maryland-National Capital Park and Planning Commission and filed with the Clerk of the Circuit Court of each of Montgomery and Prince George's Counties, as required by law.

\* \* \* \* \*

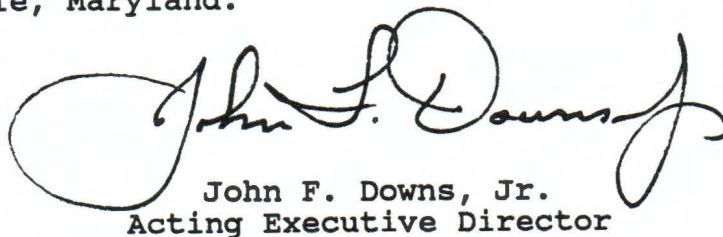
This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Keeney, seconded by Commissioner Henry, with Commissioners Keeney, Henry, Hewitt, Floreen, and Christeller voting in favor of the motion at its regular meeting held on Thursday, December 1, 1988, in Silver Spring, Maryland.



John F. Downs, Jr.  
Acting Executive Director

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Maryland-National Capital Park and Planning Commission on motion by Commissioner Henry, seconded by Commissioner Floreen, with Commissioners Botts, Rhoads, Dabney, Christeller, Henry, Wootten, Yewell, and Floreen voting in favor of the motion, with Commissioners Keeney and Hewitt being absent at its regular meeting held on Wednesday, December 14, 1988, in Riverdale, Maryland.



John F. Downs, Jr.  
Acting Executive Director