



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of May 22, 2010**

DATE: May 4, 2010

SUBJECT: North River Street Neighborhood Traffic Calming Project

C. M. RECOMMENDATION: Approve and fund the North River Street Neighborhood Traffic Calming Project as recommended by the Neighborhood Traffic Calming Committee (NTCC).

ISSUES: The County Board made substantial policy changes to the Neighborhood Traffic Calming Program effective September 13, 2008, which included how the area of impact for a traffic calming project is determined. When the new traffic calming manual was printed in early 2009, some of the former language relating to area of impact was inadvertently left in the printed manual. Opponents of the North River Street project maintain that that discrepancy invalidates the process. This corrected language for the NTC Manual has since been posted on the NTC website. Staff has concluded that the NTCC correctly followed the County Board approved NTC Program changes as they apply to the North River Street NTC project.

SUMMARY: The segment of North River Street from North Glebe Road to the County line has been on the Problem-Severity list of neighborhood streets with documented speeding problems for many years. In September 2009, staff began to work with neighborhood residents to craft a traffic calming plan to address speeding and other traffic safety issues. A plan emerged and was presented to the community at an open house in December 2009. The plan consists of speed cushions, nubs, a gateway entry treatment at North Glebe Road and narrowing and realigning the intersection of 38th Place North at North River Street. The project is estimated to cost \$180,000. A post card vote was taken and the project was approved by 80 percent of the households in the area of impact.

After the open house, a number of neighborhood residents living outside the area of impact began objecting to the plan because they felt they had no say in the planning process or did not get to vote on the proposal. The Working Group has agreed to some minor design modifications to the approved plan to accommodate these concerns at the 38th Place intersection and at the entryway at North Glebe Road. The Neighborhood Traffic Calming Committee (NTCC) held a public hearing on April 26th where it unanimously approved the North River Street plan and denied an appeal from a group of residents opposed to the plan and process (See **Attachment 1**).

County Manager: MB [signature]

County Attorney: MTN [signature]

Staff: Jeffrey Sikes, DES Transportation Planning

Staff supports the recommendation of the NTCC to the County Board to approve the plan and approve the use of NTC Program funds for implementation.

BACKGROUND: Residents of North River Street in the Chain Bridge Forest neighborhood requested traffic calming assistance several years ago to address a speeding problem along the street. Since the NTC Program is a “problem-severity” driven program, where streets with higher problem-severity ranking scores are given preference, other streets with higher ranking scores were funded first, and North River Street has only been recently selected for treatment.

North River Street intersects North Glebe Road and provides access to the Chain Bridge Forest neighborhood. About one-third of the households in the neighborhood are located in Arlington and two-thirds are in Fairfax County. The segment of North River Street in Arlington is approximately 1200 feet long and the roadway continues into Fairfax County for a distance of approximately one-half mile. A number of side streets off North River Street end in cul-de-sacs.

Traffic data collected over the past several years have shown a consistent speeding problem on North River Street. Data collected near 39th Street North have shown a consistent traffic volume of over 1500 vehicles per day with 85th percentile speeds ranging from 32 to 35 miles per hour. Recent traffic data collected on North River Street in Fairfax County by the Fairfax County DOT near the county line indicated 85th percentile speeds of 39 mph in the northbound direction and 41 mph in the southbound direction. Data were last collected in Arlington in June 2009.

The NTCC and staff began working with residents in September 2009 to develop solutions to the speeding problem. A Working Group was formed in October 2009 and alternatives began to be explored. After several meetings a plan emerged that was presented at an open house in December 2009. Residents of the area of impact were asked to vote on the project, and did so by post card ballot. The voting, which concluded in early January 2010, showed substantial support for the project by 80 percent of the households in the area of impact.

The timeline and significant recent events for the North River Street neighborhood traffic calming project are provided in detail on **Attachment 2**.

On April 26, 2010, the Neighborhood Traffic Calming Committee (NTCC) held a public hearing on the North River Street traffic calming project. Prior to consideration of the project, the NTCC heard an appeal by a group known as the Concerned Citizens of Chain Bridge Forest (CCCBF) contending that the plan was invalid because the guidelines in the NTC manual were not followed (see **Attachment 5**). The NTCC denied the appeal and took testimony from 18 speakers before approving the plan by a vote of 8-0, and has recommended that the County Board approve and fund the project (see **Attachment 1**).

DISCUSSION: The traffic calming plan approved by the Working Group and recommended for approval to the County Board by the NTCC is a modest plan that uses a combination of traffic calming measures to reduce travel speeds on North River Street from North Glebe Road to the Arlington County line, a distance of about 1200 feet. The construction cost of the plan has been estimated to be \$180,000.

Description of the Traffic Calming Plan: The traffic calming measures proposed for the North River Street project are identified below and shown on **Figure 2**.

1. At the North Glebe Road intersection with North River Street, construct a textured pavement gateway feature with a raised center island to separate the traffic lanes and define proper location for vehicles entering and exiting the neighborhood.
2. At the intersection of North River Street and 38th Place North, narrow and realign the 38th Place intersection by decreasing the curb radius to reduce the speeds of right-turning vehicles and reduce the crossing distance for pedestrians from 90 feet currently to 45 feet. Install in North River Street north and south of 38th Place North raised islands to slow traffic and define the travel lanes. Install one or more Carlyle street lights to provide illumination of the intersection.
3. Install a speed cushion on North River Street south of the intersection of 39th Street North.
4. At the intersection of 39th and 40th Streets North, construct curb extensions into North River Street to slow traffic and reduce pedestrian crossing distances. This will improve pedestrian safety and provide a gathering spot for students waiting for school buses.
5. Install a speed cushion near the Arlington County line.

The proposed curb locations of these improvements were painted on the roadway by the County survey crew early this year to provide residents with a sense of how these improvements would fit into the existing right of way.

Existing Conditions: The street system in the Chain Bridge Forest community is composed of wide finished streets (typically 36-foot wide) with sidewalks on both sides of each street and wide utility strips. There are no overhead utilities in the neighborhood which is very unusual for Arlington streets. There are also no streetlights on any street in the neighborhood. Intersections have large curb radii which allow vehicles to take turns at fast speeds and long crossing distances keep pedestrians crossing the street exposed longer to the risk of vehicle-pedestrian conflicts. These factors were taken into consideration when developing the plan.

Opposition to the Proposed Plan: One of the initial steps in the planning process is to identify the area of impact of a potential traffic calming project. These are the households on the street affected by the speeding problem and most impacted by the proposed solutions. Other households in the neighborhood may be affected by the inconvenience of “driving” over or through the traffic calming measures, rather than by the speed of vehicles passing their homes.

At the September 9, 2009 meeting of the NTCC, the area of impact of the North River Street project was determined. It was determined that there were 35 households in the area of impact, including the 18 households which front on North River Street from North Glebe Road to the County line, and some households on the side streets (38th Place North, 39th Street North and 40th Street North). The significance of a household being in the area of impact is that the residents participate in the development of the plan and vote on the plan, while residents in the neighborhood outside of the area of impact do not. Also, under NTC guidelines, the support of the civic association for a traffic calming project is not required, but is encouraged. The “Area of Impact” for the North River Street traffic calming project is shown on **Figure 1**.

One of the early concerns of the NTCC was that entire Chain Bridge Forest neighborhood be kept informed of the progress of the Working Group. The June 2009 issue of the Chain Bridge Forest newsletter informed the community that traffic calming planning would begin in a few months and provided names of people to contact for information. Updates of the status of the planning effort and contact information were provided in the September 2009 and November 2009 newsletters, as well as other communications provided by the Working Group.

After the Open House held in December 2009, significant opposition to the plan from residents living outside the area of impact became apparent. Many of those opposed live on the streets which end in cul-de-sacs to the east of North River Street or in the Fairfax County section of Chain Bridge Forest.

The reasons given by the opposition group for opposing the plan included the following:

1. The households on North Ridgeview Road, Round Hill Road and 41st Street North should be included in the area of impact and be able to vote on the project because they are affected by the project.
2. The NTCC determined the area of impact incorrectly.
3. The project as designed is dangerous and will cause accidents- emergency response vehicles will be affected.
4. The entire neighborhood should be able to vote on the project since it affects everyone.
5. We did not know about the project until after the plan was developed.
6. I use 38th Place North to reach North Glebe Road and the proposed intersection design is hard to understand and dangerous.
7. Two lanes are needed to exit the neighborhood at North Glebe Road, or else traffic will back up along North River Street during rush hour.

Meetings with the Chain Bridge Forest Community: At the request of the president of the Chain Bridge Forest Association (CBFA) County staff made a presentation of the North River Street traffic calming plan to interested neighborhood residents at a meeting on January 20, 2010. The meeting was attended by approximately 75 residents at the Madison Center. Most of those present were opposed to the plan for reasons stated above. At the meeting the technical reasons for some measures being used and other measures not being used and how the NTC process works in Arlington was explained.

Another large Chain Bridge Forest community meeting was held on April 13th with elected officials and staff from Arlington County, Fairfax County and General Assembly Delegates. Since the Chain Bridge Forest community straddles both Arlington and Fairfax Counties, the meeting dealt with issues of mutual interest including traffic calming, snow removal and emergency vehicle response times. The North River Street traffic calming issue dominated the discussion. Since the time allotted for responses was limited, questions were written and a detailed response to the questions was promised. The responses to the questions were posted on the Chain Bridge Forest web site. "Frequently Asked Traffic Calming Questions – North River Street in Chain Bridge Forest" is **Attachment 4**.

Working Group Agrees to Minor Modifications to the Approved Plan: The group opposed to the approved plan has focused their opposition on two elements of the plan: the entryway to

the neighborhood at North Glebe Road and the realignment and narrowing of the intersection of 38th Place North at North River Street.

Prior to the NTCC consideration of the plan on April 26th, the Working Group had been asked to reconvene to consider modifications to the approved plan that would address some key concerns. On April 12th, the Working Group met to consider minor modifications to these two plan elements.

The modifications agreed to by the Working Group on April 12th included the following:

1. At the entrance to the neighborhood on North River Street at North Glebe Road, in order to facilitate two travel lanes exiting the neighborhood, the west side curb will be moved five-feet to widen the exit lanes to a total of 20 feet. There is adequate right of way to move the curb and maintain a three-foot utility strip and existing sidewalk. This would address the issue of providing two approach lanes at the intersection.
2. At the 38th Place North intersection with North River Street, the size of the previously proposed curb radius at the southeast corner of the intersection will be reduced. The Working Group did not make any change to the previously proposed curb radius at the northeast corner of the intersection. This slight modification to the plan will address the concerns expressed by some residents that the intersection will be made too narrow to safely make turns without colliding with other vehicles. A stop line and a short segment of centerline will be painted on the 38th Place North approach to North River Street to assist drivers to stay in the correct lane.
3. The center island on North River Street will be shortened by about five feet to provide more clearance for vehicles(including fire apparatus) making a left turn from 38th Place North to North River Street.

These changes are reflected on the North River Street Traffic Calming Plan currently available on the Neighborhood Traffic Calming web page.

Emergency Vehicle and School Bus Access: Concerns have been expressed that the curb extensions and narrowing of the intersection of 38th Place North will impact the ability of emergency vehicle equipment to respond to emergency calls on the side streets. To address this, staff from the Arlington County Fire Department took two pieces of equipment to the site to travel through the proposed curb extensions and nubs. Because of the existing wide streets in the neighborhood the Fire Department reports that the proposed curb locations will not adversely affect its ability to respond or increase response times. Similarly, school buses do not have any operational problems negotiating the nubs or curb extensions. The Fire Department did request that the middle island on North River Street be shortened by a few feet on the north end to accommodate wide turns of the ladder truck. This modification has already been made.

Appeal to the NTCC by the Concerned Citizens of Chain Bridge Forest (CCCBF): In February, the NTCC and staff received an appeal of the traffic calming proposal from a group of residents known as the Concerned Citizens of Chain Bridge Forest (CCCBF). These residents live primarily in the section of the neighborhood east of North River Street and in the Fairfax County section of the neighborhood. The appeal was to be heard by the NTCC at the funding meeting on March 8th, but since the NTCC did not have a quorum present, the appeal was not

heard. An updated appeal was received by staff on April 23rd for distribution to the NTCC for the April 26th funding session. The latest appeal is **Attachment 5**.

At the April 26th public hearing, the NTCC considered the appeal of the CCCBF prior to considering the traffic calming plan. The appeal sought to invalidate the approved plan by attempting to show that the NTC process in the printed manual had not been followed correctly.

The areas where the CCCBF felt the process had not been correctly followed included:

1. The area of impact had not been determined correctly because residences on cul-de-sacs were not included in the area of impact and given a vote on the traffic calming proposal.
2. Households within one-block of a nub should be given a vote on the plan as indicated in the printed NTC manual.
3. The NTC requirements regarding notice to the community of a traffic calming process were not followed.

The NTCC heard the appeal as presented by a member of the CCCBF, but denied the appeal by an 8-0 vote. A detailed explanation of the reasons for denying the appeal is contained in the letter from the NTCC Chairman to the County Board (**Attachment 1**).

Incorrect Language in Printed NTC Manual: A key issue raised by the project opponents has been that the NTCC and the Working Group did not follow procedures in the outdated printed NTC manual by excluding households that should have had the ability to vote on the project under the old standard for determining area of impact.

Language on page 7 in the printed NTC manual that was distributed following the County Board's updates to the NTC program on September 13, 2008 stated that households within one block of a nub (or traffic circle) are able to vote on a traffic calming proposal. The "nub" (and traffic circle) language should have been removed from the manual as part of the September 2008 revisions, but was inadvertently missed by staff during the revision process. The NTC manual on the Neighborhood Traffic Calming web page has the corrected language.

On September 13, 2008 the County Board redefined the area of impact as: "(1) residences that directly front on the street where traffic calming measures will be installed; (2) residences on cul-de-sacs or courts directly connected to that street segment, and (3) nearby residences on side streets directly connected to that street segment". Although households on side streets within one block and beyond the subject street may be affected by "driving" through or around the traffic calming measures, they are not affected by speeding on their street, and under the policy change adopted by the County Board on September 13, 2008, are not in the area of impact and would not vote on the project.

The NTCC and County staff have maintained that the policies and changes adopted by the County Board on September 13, 2008 were effective as of that date, and the manual and revisions attached to that Board Report is the only true and accurate copy of the Neighborhood Traffic Calming Manual, although the printed version of the manual had incorrect language and inadequately reflected these revisions.

In the case of the North River Street traffic calming project, there could be up to five households that may have been excluded from the area of impact if the “within one block of” language were applied. However, based upon the strong support (80 percent approval) the project received, including these five households as negative votes would not change the outcome of the process. The project would then be approved by 70 percent of the area of impact, rather than by 80 percent.

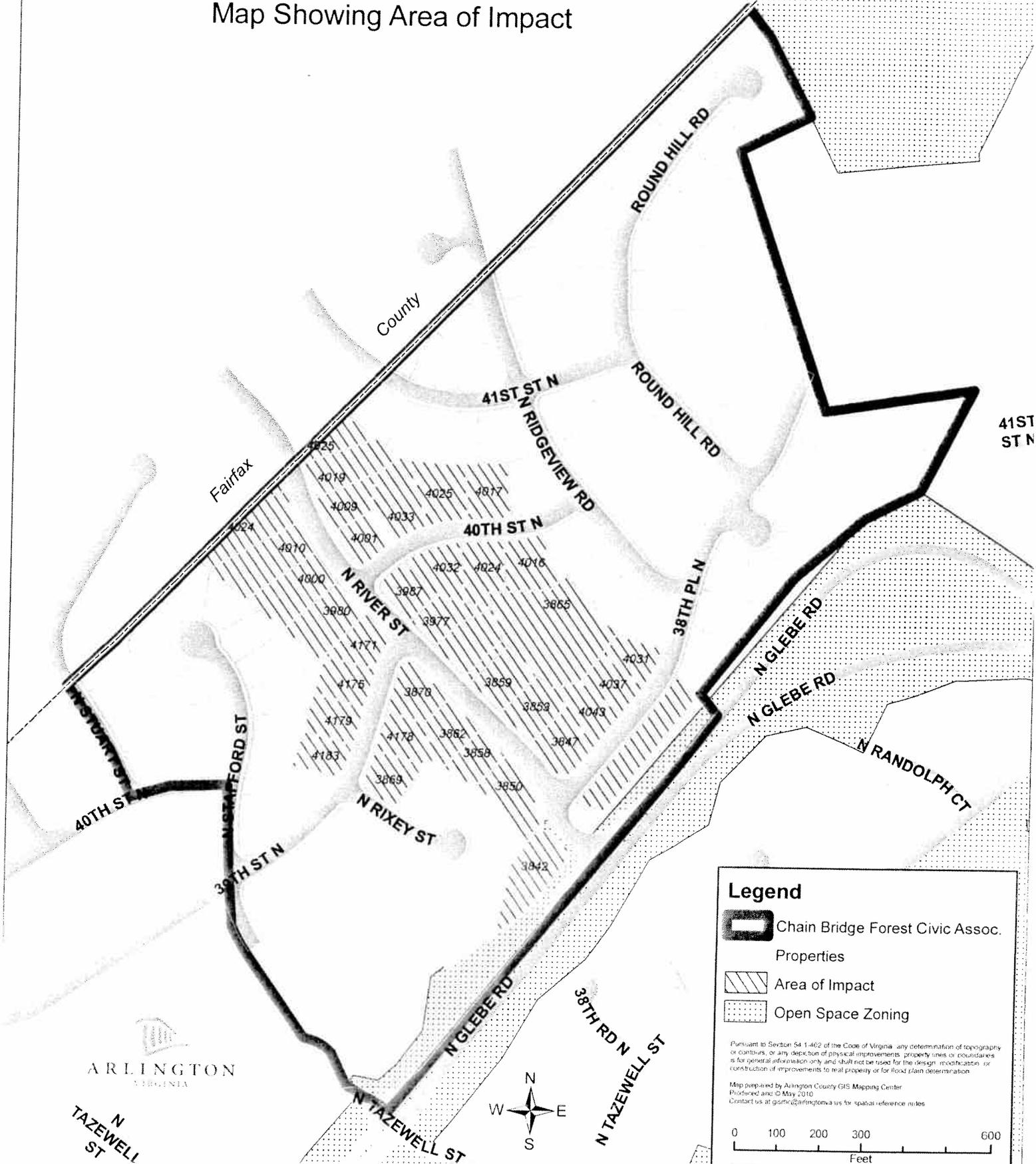
FISCAL IMPACT: The traffic calming plan for North River Street has been estimated to cost \$180,000. Funds are available in Neighborhood Traffic Calming (NTC) Program PAYGO budget (Fund 313 Cost Center 43512 Project NTC) to cover the cost of design and construction. Construction is anticipated to take place early next year.

Figure 1:

ARLINGTON COUNTY, VIRGINIA

North River Street Traffic Calming Project

Map Showing Area of Impact



Legend

- Chain Bridge Forest Civic Assoc. Properties
- Area of Impact
- Open Space Zoning

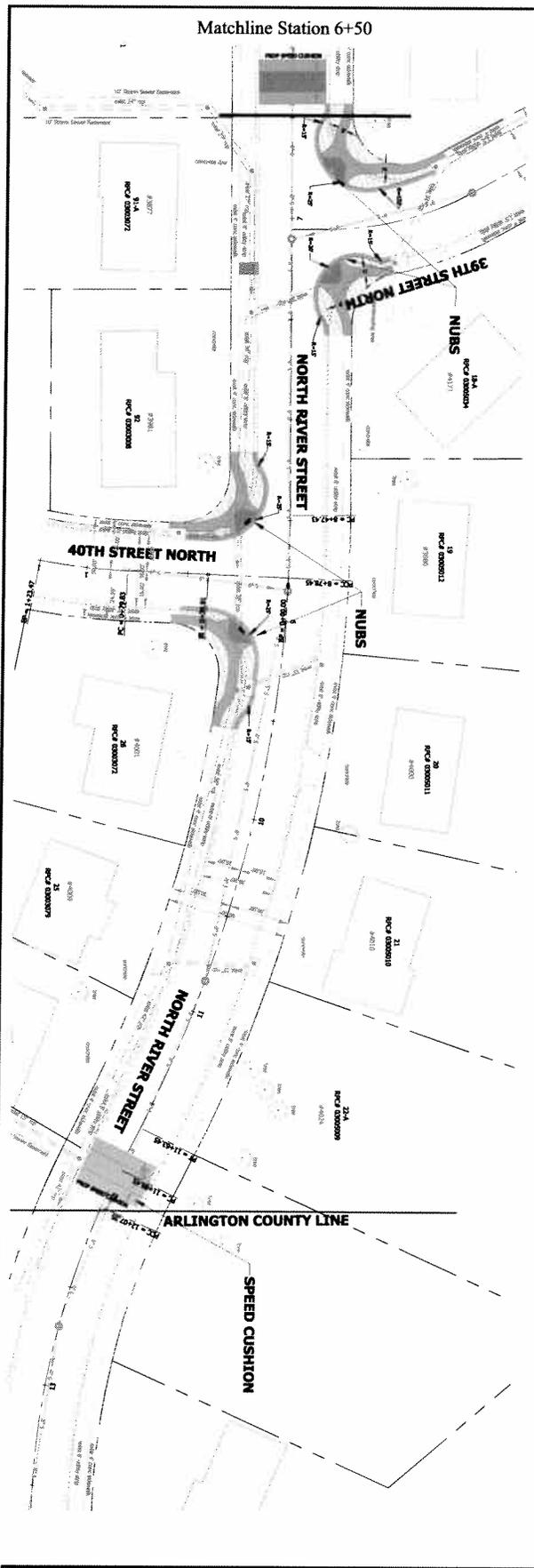
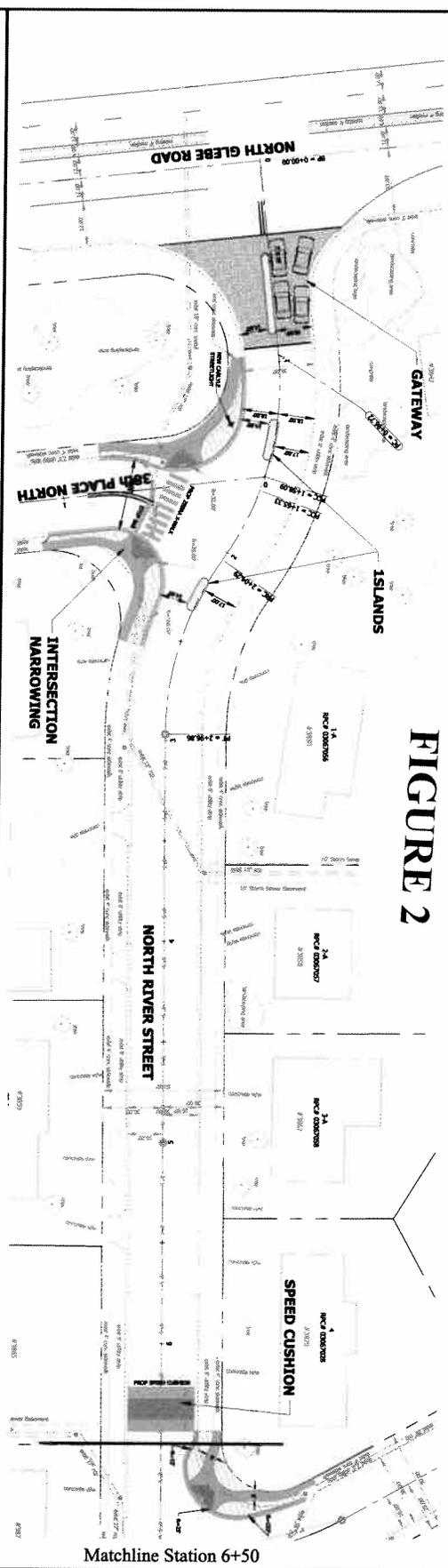
Pursuant to Section 54.1-462 of the Code of Virginia, any determination of topography or contours, or any depiction of physical improvements, property lines or boundaries is for general information only and shall not be used for the design, modification, or construction of improvements to real property or for flood plain determination.

Map prepared by Arlington County GIS Mapping Center
Produced and © May 2010
Contact us at gisinfo@arlingtonva.us for spatial reference notes.

0 100 200 300 600
Feet

NORTH RIVER STREET TRAFFIC CALMING

FIGURE 2



North River Street



DEPARTMENT OF
ENVIRONMENTAL SERVICES
Engineering & Capital Programs Division
2101 North Glebe Road, Suite 410
Arlington, VA 22209
Tel: 703-228-2800
Fax: 703-228-2800

Scale:	AS NOTED
Drawn:	MARIA URBAN, TRANSMEDIA, INC.
Checked:	MARIA URBAN, TRANSMEDIA, INC.
File Number:	11-000000
Project:	May 21, 2010
Prepared by:	CAMERON
Scale:	AS NOTED
Sheet:	

Project Name and Location:	North River Street
Proposed Plan:	From North Glebe Road To County Line
Design Team Services:	
Engineering & Survey:	
Transportation:	
Review:	
Date:	

ATTACHMENT 1



Neighborhood Traffic Calming Committee
Kevin M. Sweeney, Chair
Willis C. Braswell, Jr.
Mileva M. Hartman
Ed Hiltz
Dwight Hlustick
William "Chips" Johnson
Tracie G. Morris
Thomas Petty

May 11, 2010

Hon. Jay Fisette, Chair
Arlington County Board
2100 Clarendon Blvd. Suite 300
Arlington, VA 22201

Re: Neighborhood Traffic Calming Plan Recommendation – North River Street
from North Glebe Road to the Fairfax County Line

Dear Chair Fisette:

At the funding session on April 26, 2010, the Neighborhood Traffic Calming Committee (NTCC) voted unanimously, 8-0,¹ to recommend that the County Board approve and fund a neighborhood traffic calming (NTC) Plan for North River Street in the Chain Bridge Forest neighborhood. This letter discusses several issues that have arisen due to some opposition to the Plan within the CBF neighborhood and a related appeal.

The Process

In selecting North River Street, providing notice to the neighborhood, facilitating the formation of a working group, developing an NTC Plan and polling the Area of Impact, the NTCC followed the policies and procedures set forth in the NTC Guide on the County's web site.²

North River Street meets the NTC program's speeding problem eligibility criteria. It is the highest ranked for speeding problem severity of the approximately 80 streets that currently qualify for traffic calming. A Working Group of citizens, County Staff and NTCC members developed the Plan during four meetings over the course of approximately two months in fall 2009. The Working Group considered and discussed the concerns of the larger neighborhood at length during these meetings. The Working Group should be commended for their interest and participation, and their willingness to consider the concerns of residents on other streets not directly affected by the speeding problem.

An open house for the project was held on December 17, 2009, in conjunction with the mailing of Plan information and ballots to the 35 homes in the Area of Impact. Of these 35 homes, 28 voted in favor of the Plan; four voted against; and three did not vote. Under the NTC Procedures, this outcome equates to 28 yes and seven no votes. With

¹ This vote represented the full current membership of the NTCC. There are three vacancies among the 11 positions on the NTCC. We have recently stepped up our efforts to recruit new committee members.

² "Neighborhood Traffic Calming Program - Process, Criteria & Measures" (November 2008)(commonly referred to as the "Manual.")

Honorable Jay Fisette, Chair
May 11, 2010
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80% approval, the North River Street Plan exceeds the 70% super-majority required for a Plan including speed humps.

A little more than one month after the completion of the four-month process and the conclusion of the voting, on February 26, 2010, an appeal was filed by the Concerned Citizens of Chain Bridge Forest (CCCBF), a neighborhood organization that formed to oppose the Plan. Throughout the development of the Plan and the voting, there was little indication of opposition to the Plan within the larger CBF neighborhood. It was only after the Plan had been voted on that the opposition arose.

The CCCBF subsequently supplemented and amended their appeal twice. The CCCBF presented their appeal (as supplemented and amended) at the April 26 funding session. The NTCC unanimously denied the appeal. The NTCC then took public comment on and approved the Plan. The arguments presented by the appeal overlap with arguments made by opponents to the Plan during public comment. I will discuss the appeal first, then the Plan.

The Appeal

The CCCBF appeal dated April 22, 2010, presented three arguments: the NTCC had (1) drawn the Area of Impact too narrowly, contrary to the definition in the Manual; (2) failed to follow the purported requirement that Plans including nubs must be approved by all households within one block of the proposed nub; and (3) did not provide adequate notice to the community of the North River Street project.³ As stated above, the NTCC denied the appeal. The arguments do not recognize the principles underlying the program.⁴

Area of Impact Definition. The Area of Impact is a defined term in the Manual, and was the product of extensive discussion during the September 2008 Board Meeting. The NTCC voted unanimously on the designated Area of Impact at the regular October 2009 NTCC meeting, using that definition as applied to a map of the neighborhood and data provided by Staff regarding traffic flow and volumes within the neighborhood.

The Area of Impact is defined as "(1) residences that directly front on the street segment where the traffic calming measures will be installed; (2) residences on cul-de-sacs or courts directly connected to that street segment; and (3) nearby residences on side streets directly connected to that street segment." Manual, p. 10.

Key to understanding the Area of Impact is the meaning of the word "impact." As

³ As noted above, the CCCBF had submitted other appeal documents in February and March. During the April 26 Funding Session, the CCCBF's representative, Mr. David B. Apatoff, advised us that the April 22 appeal document represented a synthesis of their arguments, and should be the focus of the NTCC's consideration of the CCCBF appeal. Accordingly, arguments presented in earlier appeals regarding the validity of the vote count and the validity of the data confirming a speeding problem are not addressed here. We believe the vote totals and speed data have been shown to be accurate.

⁴ This discussion of the Appeal is my own, but I believe it fairly reflects the views of many if not all NTCC members, based on discussions at the funding session and prior NTCC meetings.

stated in the Manual, "impact" refers primarily to those households most directly affected by the speeding problem. Because the Plan measures will be constructed on their street, they must balance the trade-offs between any inconvenience caused by the traffic calming measures and the speeding problems. Residents on adjacent or nearby streets do not experience the speeding or aggressive driving problems directly. Indeed, it frequently appears that nearby residents can be primary contributors to a speeding problem on a neighborhood street. Unfortunately, this can mean that in some comparatively rare instances neighbors on surrounding streets are unsympathetic to the speeding problem on the project street (although they rarely acknowledge this) and unwilling to accept any street modification, however minor, to address the problems.

Contrary to the CCCBF's argument, the "Area of Impact" definition does not require inclusion of neighborhood residents who use the project street as solely as motorists. The CCCBF contends that the Manual's definition requires that any residents who must drive past the traffic calming measures are "impacted" and consequently must be permitted to vote on the Plan. Thus, for example, if a street such as 38th Place North extends several blocks from North River Street before dead-ending in a cul-de-sac, the CCCBF contends that every household on these several blocks is "directly connected" to North River Street and all residences must be permitted to vote. The CCCBF's argument would include in the Area of Impact not only all of 38th Place, but all of the Arlington portions⁵ of Round Hill Road, 41st Street North, N. Ridgeview Road all part of an interwoven directly connected street or cul-de-sac.

This argument is contrary to County Policy, in particular the focus of the program on problem streets as opposed to neighborhood-wide speeding problems. It also is contrary to "people first, not cars first," focus of the NTC program. Manual, p. 1.

The CCCBF has argued that all of the households on the streets identified above are "landlocked" by the proposed Plan. This exaggerated characterization is indicative of their misunderstanding of the objectives of the NTC Program and this Plan. None of the measures in the Plan is restrictive.⁶ Indeed, none of the Plan measures in controversy is a vertical measure (such as a speed hump or raised crosswalk).

In establishing the NTC Program more than a decade ago, the County Board carefully weighed the need to reduce speeding in residential neighborhoods against the importance of maintaining an integrated street network. The approximately 75 Plans presented by the NTCC to the Board over the past decade were not designed to block or divert traffic, or to create hardships for drivers. They were designed to lower speeds and discourage other forms of aggressive driving in residential neighborhoods.

In addition to the emphasis on the use of non-restrictive traffic calming measures, the Board also sought to establish a program that would objectively and equitably deploy resources throughout the County. To that end, the Board developed a street-specific

⁵ The CBF neighborhood straddles Arlington and Fairfax Counties.

⁶ "The NTC Program *embraces the integrated nature of the street networks and does not promote blocking streets or diverting traffic. For the most part, the traffic calming measures that are employed in the program are designed only to control traffic speeds.*" Manual, p. 2 (emphasis in original).

program to focus on true problem streets, to require the use of objective data to establish the existence of a speeding problem, and to rank the streets with speeding problems based on those objective data, to ensure the deployment of traffic calming resources on a worst-first basis.

The CCCBF's principal complaints concern the intersection of 38th Place and N. River Street and several small islands to be placed on North River between 38th Place and N. River Street to better define the travel lanes. The width of 38th Place at the intersection currently is 90 feet, much wider than the design guidelines in the County's Master Transportation Plan and unsafe for pedestrians. The Plan would narrow this intersection to 45 feet, still substantially in excess of the design guidelines. The County's traffic engineering staff has repeatedly assured the NTCC that the proposed changes in the Plan will *improve* safety at this intersection for pedestrians and drivers. Staff recommended these measures to address a number of safety concerns.

Neither the CCCBF nor the other residents have argued, nor could they credibly argue, that the North River Street Plan will divert traffic to their streets. They are not affected by the speeding problems on North River Street, and consequently are not within the "Area of Impact," as defined in the Manual.

Approval Requirements for Nubs. Some language in the NTC Manual that was printed and distributed following the Board's consideration of updates to the NTC Program in September 2008 stated that all homes within one block of a nub should vote on the nub. The appellants and some CBF residents opposed to the Plan have contended that their homes are within one block of one of a "nub" in the proposed plan and should have been permitted to vote. It appears that they would have voted against the "nub." From a review of the map of the Area of Impact, there appear to be no more than five such homes.

Whether in fact the purported "nubs" are in fact nubs or "intersection geometry realignments," a separate measure, may be a valid question that would call into doubt the premise of this argument. However, even accepting this premise, the CCCBF's argument is contrary to the Area of Impact definition. The nub language should have been removed from the Manual as part of the 2008 revisions, if not before. Any NTC Plan involving more than one block of a street could be undermined if each plan component had to be approved by that block. A subset of the residents could vote down one or more Plan elements on an "a la carte" basis.

The one-block-support requirement formerly applied to requests for traffic circles or nubs prior to the adoption of the current NTC Program in 1998. It should be recognized that even if the argument is accepted, it does not appear likely to affect the outcome here. Historically, this requirement included not only the residents on side street(s), but on the main street (i.e. North River Street) extending one block in each direction. In view of the high level of support for the Plan on North River Street itself, the proposed nubs would likely meet the required threshold of support in any event. It is regrettable that erroneous language remained in the Manual. However, no resident has, to my knowledge, contended that he or she did not participate in the Working Group process based on their reliance on the definition on the Manual.

Adequacy of Notice. Notice of the impending North River Street NTC project was distributed within the CBF neighborhood via newsletter and e-mail, beginning in June 2009, several months before the process began, and continuing throughout the time the process was ongoing. Some CBF residents have contended they did not receive notice. However, their contentions could not be verified and in some instances appear to be incorrect.

Some opponents argued that they were aware of the process, but (1) relied on the participation of the Chain Bridge Forest Homeowners Association (CBFA) to represent their interests, and (2) did not realize that such measures as intersection narrowing, median islands, and gateway treatments would be used.

The appellants do not explain the basis for their belief that the CBFA, even if officially represented, would necessarily have opposed the Plan measures opposed by the CCCBF. They do not contend that they sought any information regarding the Plan or the process to ensure that their individual views were being conveyed. Indeed, their argument appears to acknowledge that they were aware of the process and made a conscious choice not to participate, directly or indirectly.

The gateway treatment at the intersection of North River Street and N. Glebe Road, the median islands, and the "narrowing" of the 38th Place at the intersection with North River Street are all standard traffic calming measures that have been used in Arlington for a decade or more. See Manual, p. 20 (table listing gateway treatments, medians, and intersection geometry changes, as well as nubs). All of these measures have been employed in previous projects. See Manual, pp. 30, 31, 32, and 33 (listing, at the bottom of each referenced page, locations where each of these measures has been employed in Arlington County).

The NTCC's denial of the appeal was based on careful consideration of the CCCBF's arguments in light of the purpose and principles of the NTC Program. We recommend that the Board similarly reject the appeal if it is presented again when the Board considers the NTCC's recommendation of the North River Street Plan.

Transparency. Some members of the public contended, during the funding session and at previous public meetings, that the Working Group process had not been transparent. In fact, however, as described above ample notice was provided to the Chain Bridge Forest Neighborhood, months in advance of the commencement of the project and continuing throughout the project, through the CBF newsletter and web site. The Working Group included two CBF residents whose households are outside the Area of Impact. The NTCC participants, including me, repeatedly stressed the importance of providing notice to the broader community outside of the Area of Impact regarding the project, and it seems clear that this admonition was followed. No one was excluded or discouraged from attendance at Working Group meetings.

The Plan

The Plan reflects months of hard work by residents, County Staff and the NTCC. The Plan should slow traffic on North River Street and consequently make the community safer. The Working Group members took into account the potential concerns of

neighbors on adjacent streets. It has been reviewed and approved by County traffic engineers, who have attended public meetings to respond to residents' concerns.

Due to the steepness of much of North River Street, the NTC toolbox items that could be used are limited. It was considered particularly important to slow traffic at the top of the hill (where the proposed gateway treatment, median islands and the 38th Place intersection changes would be located) to make the Plan effective.

At the informal request of the Board, the NTCC and NTC Staff held several public meetings to address the objections to the Plan that were raised after the process had concluded. With the encouragement of the Board, Staff, NTCC members and the Working Group met to consider changes to the Plan to address the opponents' complaints. At that meeting, the Working Group made several changes, but none appeared to sway any of the opponents.

In the public comment on the Plan, we heard a number of complaints that the median islands and the intersection configuration changes at the 38th Place intersection would create hazards, and that the County Staff and NTCC had disregarded safety concerns with the proposed design of the intersection of North River Street and 38th Place North. The County traffic engineers and transportation planning staff have reviewed those concerns, observed and studied traffic patterns and flow data, and have assured the NTCC that the Plan is not only safe, but indeed safer than the current conditions. We have no reason to doubt their expert judgment. I, and I believe many NTCC members, have driven on N. River and the side-streets on many occasions since the process began. The measures have been outlined on the street pavement for some time now. Although I am unfamiliar with the neighborhood, I found it easy to drive around the proposed measures.

In unanimously voting to approve the Plan, the NTC took note of the concerns of both Plan supporters and opponents that lighting is inadequate at the intersection of North River and Glebe, and at the intersection of North River and 38th Place. The concern was raised during Working Group meetings and at the public meetings following approval of the Plan. On an amendment to the Motion to recommend the Plan, the NTCC voted unanimously during the funding session to recommend that available NTCC funds be used to improve lighting at those intersections. The NTC Program does not typically fund street lighting. However, the NTCC believes that lighting would complement the NTC Plan by improving visibility in the part of North River Street at night.

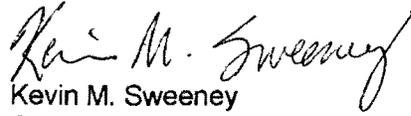
Summary and Conclusion

The NTCC was directly involved in this process throughout, and sought to ensure that the process and the Plan complied with the County procedures and policies as set forth in the Manual and as reaffirmed over the history of the NTC Program. County Staff, in particular Jeff Sikes and Wayne Wentz, were both instrumental in developing the Plan and in attempting to be responsive to all perspectives in the neighborhood. I also thank my colleagues on the NTCC for their participation in this process and their guidance and participation as the Plan was developed. We recommend that the Board approve the Plan as presented, including the lighting recommendation.

Honorable Jay Fisette, Chair
May 11, 2010
Page 7

Please feel free to contact me if you have any questions or concerns.

Sincerely

A handwritten signature in cursive script that reads "Kevin M. Sweeney".

Kevin M. Sweeney
Chair
Neighborhood Traffic Calming Committee

cc: Hon. Christopher Zimmerman, Vice Chairman
Hon. Mary Hughes Hynes, Member
Hon. Barbara A. Favola, Member
Hon. J. Walter Tejada, Member
Members, NTCC

Attachment 2

North River Street Traffic Calming Timeline

1999	The initial request for traffic calming was made to Arlington County DPW, in the form of a request for all-way stop signs.
2000	North River Street added to the list of streets qualifying for traffic calming assistance.
2000-2009	North River Street slowly moves up the problem severity ranking chart.
Spring 2009	County staff notifies residents that the street had become the County's highest priority street for traffic calming consideration and that work would begin on the planning effort later in the year.
June 2009	The Chain Bridge Forest Association (CBFA) informed the CBF community in its newsletter that the traffic calming would begin in the coming months and provided the names of people to contact for information about the project.
September 2009	Volunteers began to discuss planning with County staff. The CBFA included in its newsletter once again a request for volunteers to work on the project, as well as contact persons. At the monthly NTCC meeting on September 9 th the area of impact of the North River Street project was determined and approved by the NTCC.
October 2009	Arlington County sent a letter to each household in the area of impact informing residents of the project and inviting them to an initial planning meeting. A working group was established of volunteers living in the area of impact. The Working group met with County staff and NTCC members four times over the next few weeks to discuss the traffic safety problems on North River Street and to develop solutions.
November 2009	The CBFA included in its newsletter details about progress on the traffic calming plan as well as another request for resident comments or participation. The working Group continued to work with staff and NTCC members and finalized its proposal.
December 2009	County staff sent letters to households in the area of impact that included a drawing of the proposal, a ballot and an invitation to an Open House at which residents could learn more about the plan and ask questions of staff. The Open House was held on December 17.
January 2010	Voting on the plan concluded. 80 percent of the households in the affected area approved the plan (28 of 35 households). At the request of the CBFA, County staff held a meeting on January 20 th at which all CBF residents were invited to learn about the plan and to ask questions.

March
2010

On March 8th the NTCC holds a funding session on the NTC plan for North River Street, but does not act for lack of a quorum. The NTCC and staff remain for almost 2 hours to answer questions about the plan and process from the more than 70 people in attendance. County Board Chairman Fisette writes letter to participants indicating process and time line for the North River Street project (**Attachment 3**)

April
2010

On April 12th, the Working Group meets to consider some “tweaks” to the approved plan that might make the plan more acceptable to those opposing the plan. The “tweaks” are approved by the Working Group. On April 13th, a meeting is held by the CBFA with elected officials from Arlington and Fairfax Counties to talk about issues of mutual interests. These include traffic calming, snow removal and response times to the neighborhood by emergency responders. Because of the large number of questions and short time to answer, questions are taken in written form and staff agrees to respond in writing. The document that resulted is called “Frequently Asked Traffic Calming Questions-North River Street in Chain Bridge Forest”, (See **Attachment 4**) which was distributed to the neighborhood. On April 26th, the NTCC held another funding session and with all NTCC members present rejected a claim (by a vote of 8-0) from a group called the Concerned Citizens of Chain Bridge Forest (CCCBF) claiming that the process was flawed because the area of impact was not properly defined. The NTCC also on April 26th approved (by a 8-0 vote) the NTC plan for North River Street and recommended to the County Board to approve and fund the plan for implementation (See **Attachment 1**).



HOPPE HALL FOCK
CLERK TO THE
COUNTY BOARD

ARLINGTON COUNTY, VIRGINIA
OFFICE OF THE COUNTY BOARD

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ARLINGTON, VIRGINIA 22201-5406
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MEMBERS

JAY FISETTE
CHAIRMAN
CHRISTOPHER ZIMMERMAN
VICE CHAIRMAN
BARBARA FAVOLA
MARY HYNES
J. WALTER TEJADA

March 29, 2010

Dear Resident,

Thank you for letting County Board members know of your concerns about the proposed neighborhood traffic calming project on N. River Street. I am responding on behalf of the Board. All members have received your letter.

As you may know, the County Board adopted some new traffic calming procedures when it revised the traffic calming manual last year. The manual can be found online at

<http://www.arlingtonva.us/Departments/EnvironmentalServices/dot/planning/ntc/EnvironmentalServicesTrafficCalming.aspx> .

The manual on the web is still in the process of being updated, but sets forth the basic process and substantive elements of the NTC Program. The County Board relies on the Neighborhood Traffic Calming Committee (NTCC) to carry out County Board adopted policies as found in the manual, and the County Board has rarely changed an NTCC final recommendation.

I am advised that a meeting was held on January 20, where NTC Staff and an NTCC representative met with residents of the Chain Bridge Forest neighborhood to hear and respond to concerns regarding the North River Street Project. On March 8, the Committee held a meeting attended by more than 70 citizens who asked questions or offered comments on the Project. The NTCC members and County Staff attempted to respond to the comments, and agreed to provide additional information regarding the Plan.

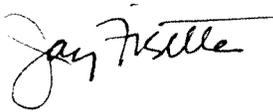
In view of the concerns expressed at these two meetings, the NTCC Chair, Kevin Sweeney, and NTC Staff are arranging a meeting with the already established North River Street Working Group to consider some ways to address the concerns, in particular regarding the intersections of (1) 38th Place and N. River St and (2) Glebe and N. River St..

Our understanding from the Committee is that the following process will be followed:

1. The North River Street Working Group will consider tweaks to their approved conceptual design; these tweaks are intended to address some of the issues raised at the January 20 informal meeting and the March 8 NTCC meeting.
The Working Group will decide what they wish to recommend to the NTCC regarding these tweaks.
2. The NTCC will hold a public “funding meeting” at which time they will take further comments from the public and consider the North River Street NTC Plan, including any tweaks recommended by the Working Group. At the same meeting, the NTCC will consider a pending neighborhood appeal.
The NTCC will decide whether to 1) recommend funding for the project and forward it to the County Board and 2) grant or deny the pending neighborhood appeal
3. If forwarded, the Arlington County Board will take the River Street traffic calming project up at one of its regularly scheduled meetings
Neighbors have the right of appeal at a County Board meeting if they disagree with NTCC recommendation; appeal would occur at the same meeting where the Board considers the NTCC funding recommendation.

I hope this is clear and helpful. If you have additional question, please contact the staff liaison, Jeff Sikes, at 703-228-3696 or jsikes@arlingtonva.us.

Sincerely,



Jay Fisette
County Board chair

Frequently Asked Traffic Calming Questions North River Street in Chain Bridge Forest

Safety

- 1. Why do traffic planners believe that the redesign of the front entrance to CBF with median strips, curb extensions and narrowing of 38th Place will not create the likelihood of head on collisions? Is there a speeding problem specifically at the Glebe Rd. entrance to our neighborhood? Has there been a test of one car leaving 38th Place to check the difficulty of clearance? Why are the median strips so near private driveways?**

Many cars currently come rapidly off of Glebe onto N. River. Combining the new medians with speed humps after the steep slope is the mostly likely way to remind drivers they are entering a neighborhood where the speed limit is slower than Glebe Road. It's our hope that once slowed, the drivers will continue to abide by the speed limit as they move deeper into the neighborhood.

The medians will direct both incoming and exiting traffic into defined travel lanes with a physical barrier and will greatly decrease the likelihood of head-on collisions compared to current conditions. The curb extensions will require traffic to slow when making the wide turn onto 38th Place and will improve pedestrian safety by reducing the crossing distance.

On 38th Place approaching River Street, there will be a new stop line painted on the pavement, as well as a short segment of double-yellow centerline that will indicate to drivers both where to stop and where on the roadway their vehicle should be. At no point on 38th Place will the roadway approaching River Street be less than 36 feet wide, a typical road bed size throughout Arlington wide enough to provide safe clearance between a vehicle turning and a vehicle waiting to turn.

The medians will not interfere with turning into private driveways along River Street.

- 2. Is there specific transportation engineering information available with regard to the safety of installing medians in areas where there is a steep grade in terms of accidents, potential rollovers or other increased hazards that could ensure? Are there lighting standards for such conditions?**

Yes there is transportation engineering guidance on the effectiveness of medians. Because the medians define travel lanes more precisely drivers will no longer be able to take the wide turns at high speeds and will necessarily slow when making the turn into the neighborhood from westbound North Glebe Road onto River Street and when turning from River Street onto 38th Place. The resulting slower travel speeds will lessen the chances of rollovers and head on crashes.

While Staff agrees that street lighting in the vicinity of the 38th Place intersection would be desirable, the traffic calming program doesn't include funds for lighting improvements. The County would be happy to work collaboratively with the Civic Association to explore other ways to provide additional lighting around the community park edge.

3. Why are median strips and curb extensions needed? Could not traffic cushions, speed bumps, speed enforcement, rumble strips, stop signs, speed cameras, roundabouts or less expensive or intrusive solutions be found?

The medians and curb extensions are needed near 38th Place to define the travel lanes, slow traffic and improve pedestrian safety by reducing crossing distances. The curb extensions proposed at 39th and 40th Streets improve pedestrian safety by reducing the street crossing distance. There are three school bus stops in this area, and the curb extensions will also provide more safe gathering space for students waiting for the bus.

The section of River Street from 38th Place to near 39th Street is too steep to install speed humps/cushions. Speed cameras are not allowed by the State legislature in Virginia. Stop signs are not effective as speed control measures since travel speeds are lowered only near the intersection and mid-block speeds are not affected. Rumble strips create noise that many Arlington residents have found unacceptable. Traffic circles are not used in Arlington at three-way intersections because of right of way and turning constraints.

4. What are the specific volume levels of traffic and measured speeding levels for Arlington and Fairfax? How is it that River Street arose to the top of the list in 2009?

In Arlington, traffic data were collected along River Street south of 39th Street North several times in the past several years. The last count was in May 2008 with a daily traffic volume of 1604 vehicles, average speed of 27 mph and an 85th percentile speed of 32 mph. Traffic speeds (85th percentile speeds) at this location have ranged from 32 to 36 mph over the years. North River Street has been on the NTCC Problem Severity list since 1999 and was selected by the NTCC in 2008 as the next street to be offered traffic calming assistance, as other streets with higher scores had already been selected.

In Fairfax County initial data collected in the fall of 2009 indicated that their segment of River Street and Upton Streets did not qualify to participate in their program which uses slightly higher traffic speeds than Arlington's program. The community requested that data be re-collected, and when re-collected in March 2010, the section of River Street, but not Upton Street, now qualified for the traffic calming program.

5. Is there a plan to do a live test of the proposed plan with school buses and emergency response vehicles to verify the adequacy of the design in terms of turning radii and emergency vehicle speed?

Staff has observed in the field that Arlington County Public School buses have no trouble negotiating the turns where the nubs are proposed. The streets in CBF are extremely wide compared to the neighborhood streets in most of the County. There have been many traffic calming and Neighborhood Conservation street projects involving street narrowing and curb extensions. Arlington County School bus drivers have learned to safely navigate these streets. The Fire Dept. has driven two pieces of equipment (including a ladder truck) through the proposed measures at 38th Place, 39th Street and 40th Street and found no operational problems that would affect their response times.

- 6. Will not the practical result of the plan be to put more traffic on River Street since traffic will now turn down 40th Street and then access River Street rather than going to 38th Place and turning and then see the reverse flow in the evening?**

It has not been Staff's experience that significant numbers of neighbors change their travel patterns once the traffic calming devices have been installed. It is true that neighbors are more likely to drive slowly as a result of traffic calming. As such we do not believe that residents living east of River Street will change their travel patterns to avoid the re-configured intersection of River Street and 38th Place.

Coordination with Fairfax and civic associations

- 1. Has there been formal coordination in the traffic calming process involving Fairfax County, Chesterbrook Woods or the CBF Association?**

Arlington County staff have been working with the Fairfax County DOT. Initially we informed them of the traffic calming project in Arlington and shared our plan. Adjustments were made to the plan based on data provided by Fairfax DOT. Initial data in Fairfax County indicated that their segment of River Street and Upton Streets did not qualify to participate in the program. However, the community requested that data be re-collected, and when re-collected in March 2010, the section of River Street, but not Upton Street, now qualifies for the Fairfax traffic calming program. There has been no coordination by Arlington staff with Chesterbrook Woods. Officers of the CBFA have served on the Working Group

- 2. In a time of major County budget difficulties and cutbacks why not proceed with a \$30,000 plan that involves traffic cushions/speed humps/rumble strips that should solve the problem at much less expense? Or at least try this first? Now that Fairfax County is proceeding ahead with traffic calming could not Arlington County put the current plan on hold and develop a coordinated and unified plan for traffic calming since the greatest level of speeding is in Fairfax County?**

There are funds available in the Arlington NTC Program to cover the cost of this project. Because of the steep grade of River Street from 38th Place to near 39th Street North, speed cushions cannot be placed here. The first speed cushion is proposed to be located just south of the 39th Street intersection. The incremental approach would result in no traffic calming measures from Glebe Road to near 39th Street, a distance of over 600 feet. Rumble strips are not appropriate traffic calming devices because they create noise which residents would find unacceptable.

The Fairfax County traffic calming effort has not begun yet, and it is far from certain that funding or a plan will emerge from this effort. The Fairfax plan will likely consist of at least two speed humps between the County line and Highwood Street. The Arlington plan proposes to locate a speed cushion at the County line and spacing criteria would place the next hump about 500 feet away in Fairfax.

We do not believe that there is anything to gain from delayed implementation of the Arlington plan. It will simply mean that we will continue to put neighbors at risk due to speeding cars.

Parking and landscaping

- 1. Will there be no parking zones along River Street near the entrance where there is often parking for the use of the mailbox and cars parking waiting on school buses?**

There will likely be a "No Parking" area on the west side of River Street from the driveway of #3850 to Glebe Road as a result of the median islands. Staff will be working with the Postal Service on the relocation of the existing mailbox to a safer location perhaps along 38th Place North.

- 2. What provision is going to be made for landscaping and lighting the median islands and who will pay for this?**

The median islands are proposed to be six feet wide and long enough to be landscaped. Staff will work with the Beautification Committee on the landscape design and the County will fund the planting materials. Lighting of the islands or the area near the 38th Place intersection is not in the current funding plan and will need to be worked on collaboratively by the County and the Civic Association.

Arlington's Neighborhood Traffic Calming Process

- 1. Why do Arlington County procedures that define "the affected area" limit this area to such a small area, and not formally involve neighborhood association, the broader community in a cul-de-sac neighborhood?**

The Arlington Neighborhood Traffic Calming Manual defines the affected area of a traffic calming project as the area affected by the identified speeding problem. The speeding problem was identified on North River Street from North Glebe Road to the County line. In addition to the households which front on N. River Street, some households on the side streets (38th Place, 39th Street and 40th Street) were also deemed to be affected by the speeding due to the speed at which drivers took those corners from River Street. Using this County Board adopted definition, a total of 35 households are in the affected area.

While other households some distance from River Street rely upon a segment of River Street for access to their homes and to exit the community, these households are not impacted by the speeding on River Street. These households may be impacted by having to drive a segment of roadway where measures have been installed as part of the strategy to encourage drivers to obey the speed limit. While there may be some minor inconvenience, access is not restricted nor are these residents required to travel a different route to reach their destinations.

Under the Arlington County process, civic association approval of a traffic calming project is not required, but it is encouraged.

- 2. In how many previous cases of landlocked or cul-de-sac neighborhoods has Arlington County addressed traffic calming projects? Should not special definitions of affected area be devised in such cases to allow more people to vote?**

Each traffic calming project is different in terms of the street length, street network, traffic volumes and speeds. In each case, one of the first steps in the process is for the NTCC to determine the affected area using the guidelines in the NTC program manual. The guidelines in the NTC program manual are clear as to how the affected area is to be determined and at the same time provides some flexibility for the NTCC in determining the affected area. We believe the current guidelines for determining affected area to be adequate.

- 3. What was the scoring system used to evaluate the traffic calming plan for North River Street? Was the CBFA Board asked to evaluate or assess the plan?**

Under NTC procedures a scoring system is used when the NTCC considers multiple projects at a single meeting (for more detail on how points are computed for the Funding Ranking visit www.arlingtonva.us and search on traffic calming manual and then review Appendix 4). Since the River Street project is the only project being considered for funding this round, the score is a moot point. No points were provided for the civic association support for the project, since the CBFA did not take a position on the project.

- 4. What consideration has been given to snow plowing once the medians are installed? Will there not be large problems of all sorts including visibility?**

The snow storms of this past winter were unusual in terms of severity. The medians are proposed to be six-foot wide. For a more typical snow storm the medians could offer a place to store some of the snow pushed by the plow. Our experience has been that traffic calming measures are not impediments to snow removal.

- 5. How many times has the Arlington County Board concurred with the recommendations of the NTCC since the traffic calming process started? Will the NTCC hearing on April 26th and the Arlington County Board hearings in May give concerned citizens the chance to be truly heard and listened to in a fair and responsive manner?**

Since the NTC program was implemented in 2000, the County Board has considered and approved approximately 80 projects. All of the projects that have been recommended for approval by the NTCC have been approved by the County Board. Along the way, there were a few projects that did not get to the Board because the project did not have the necessary neighborhood support. The NTCC funding meeting on April 26th and the County Board meeting are open meetings where citizen comment is encouraged. Speakers are allowed to speak from two or three minutes (civic association officers are allowed five minutes) after submitting a speakers slip.

UPDATE OF APPEAL
BY THE
CONCERNED CITIZENS OF CHAIN BRIDGE FOREST

April 22, 2010

The Concerned Citizens of Chain Bridge Forest are submitting this document to clarify and update their Appeal filed on February 23, 2010.

In the two months since our Appeal was filed, a number of public meetings have been held and letters have been exchanged about the North River Street Calming Plan. During this process other voices have raised several collateral concerns about the plan. While our group is generally supportive of the concerns expressed by some of our neighbors, we don't want any ambiguity or uncertainty at the April 26 hearing about the specific grounds for our Appeal.

Our group supports traffic calming for River Street and wishes to preserve the Arlington funds currently allocated for that purpose. However, the current traffic plan is invalid because it was created in clear violation of NTCC's own rules in three crucial respects:

- 1. The plan violates NTCC's rule requiring that residences on cul-de-sacs be included in the calculation of the area of impact and given a vote;**
- 2. The plan violates NTCC's rule requiring that all households within a block of a nub be given a vote; and**
- 3. The plan violates NTCC's requirements regarding notice to the community of a traffic calming project.**

These three violations are the basis for our Appeal. Any one of these violations by itself is sufficient to require that the River Street "area of impact" be recalculated and a fresh vote taken.

We have summarized each of these three grounds below.

- 1. The plan violates NTCC's rule requiring that residences on cul-de-sacs be included in the calculation of the area of impact and given a vote**

NTCC's Manual specifically provides at page 6 that the "'area of impact' consists of... residences on cul-de-sacs or courts directly connected to that street segment." The Manual repeats this standard again in the definition of "area of impact" on page 10.

The map which we have attached as Exhibit A highlights in yellow residences on cul-de-sacs directly connected to the street segment that were improperly excluded from the area of impact.

The only way to cure this otherwise fatal defect is to go back and include the improperly excluded residences in the area of impact and conduct another vote.

2. The plan violates NTCC's rule requiring that all homes within a block of a nub be given a vote

NTCC's manual specifically provides that "nubs should obtain support from 60% of the households on the street within one block of the intersection." (page 7).

The map attached as Exhibit B highlights in yellow the households within one block of the intersection that were improperly excluded from the vote on the nubs on 38th place, 39th street and 40th street. Without including these households, NTCC has no way of knowing whether it has satisfied the 60% minimum or not.

The only way to cure this otherwise fatal defect is to go back and include the improperly excluded households in the area of impact and conduct another vote.

3. The plan violates NTCC's requirements regarding notice to the community of a traffic calming project

NTCC's manual specifically provides that "the input and approval requirements of the process for traffic calming discussed below must be satisfied..." (page 4, emphasis added). Those input and approval requirements are spelled out in pages 5-8 of the NTCC manual.

The initial notice of the first planning meeting is to be prepared by the NTCC staff and distributed or mailed to each of the households in the area of impact. (Page 5). The notices that were sent out to comply with this directive failed to meet the requirements of the rule. For the reasons noted in Sections 1 and 2 above, the NTCC staff never distributed notices to many of the required homes in the area of impact.

The only way to cure this otherwise fatal defect is to go back and include the improperly excluded households in the area of impact and conduct another vote.

Moreover, this failure of notice cannot be excused by reference to subsequent announcements in the Chain Bridge Forest Homeowner's Association ("CBFA") Newsletter. **Each and every one of those newsletter announcements mistakenly stated that the CBFA was actively engaged in the planning process, a misrepresentation which lulled the entire community into the mistaken belief that the Homeowner's Association was representing the broader interests of the community,** balancing traffic speed, functionality and aesthetics. If it had not been for

these inaccurate notices, other homeowners in the area of impact and surrounding area would have participated in the working group and possibly changed the resulting plan.

CBFA newsletters informing the community about the traffic calming process were sent out on three occasions. Each time they stated that the CBFA was working directly with Arlington County on the River Street traffic calming project. In November 2009, the newsletter reported that CBFA was "*working actively with Arlington County to develop a plan for traffic calming.*" In June 2009, the newsletter reported that "*the CBFA has been in discussions with Arlington County*" about the traffic calming project. In September 2009, the newsletter reported that "*the Association continues to maintain contact with county officials responsible for the Neighborhood Traffic Calming Program.*"

These repeated claims of CBFA activity were not accurate. The CBFA Board later acknowledged in a letter to the community that the CBFA had played no role in the process because Arlington County's procedures on traffic calming "*give the CBFA no role in the process.*" (See Exhibit C, attached).

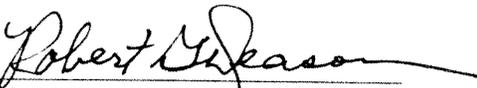
Thus, even if the NTCC staff had originally distributed notices to the proper area of impact, households within that area of impact were later misled into passivity by repeatedly inaccurate newsletters. The NTCC Manual emphasizes: "It is important... to disseminate project information and justification to residents in the area of impact on a regular basis." In this case, the CBFA did the opposite: it distributed misinformation.

The notices that were provided by the CBFA newsletter were clearly inaccurate and inadequate to satisfy the mandatory requirements of the NTCC manual regarding notice to the community. That defect can only be cured by giving all residents in the area of impact the opportunity to vote that they are entitled to receive under the Manual.

CONCLUSION

For the reasons stated above, the NTCC must recalculate the area of impact and re-open the voting process to conform to the mandatory rules in the manual.

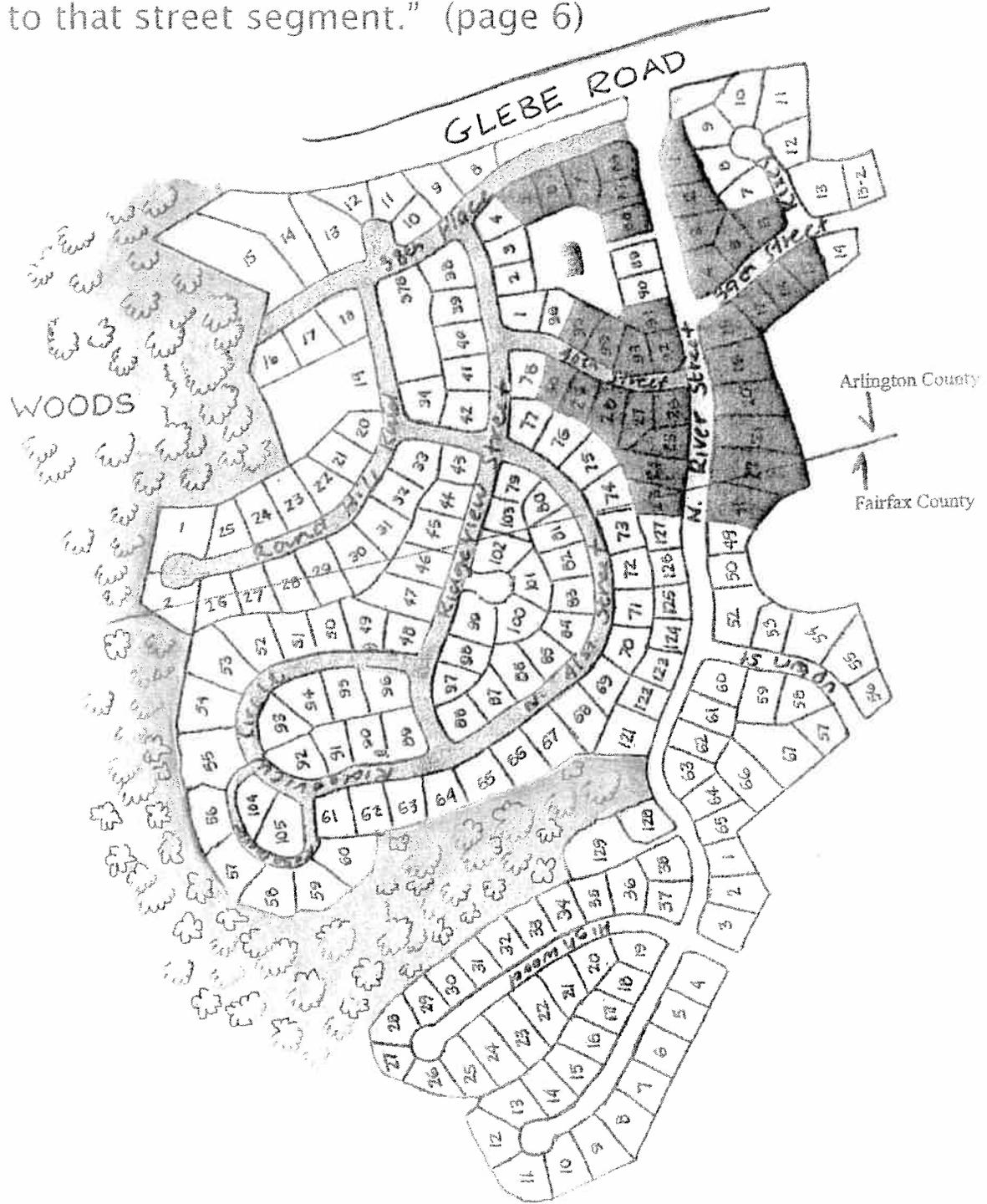
Thank you for your consideration,



Robert Deason on behalf of

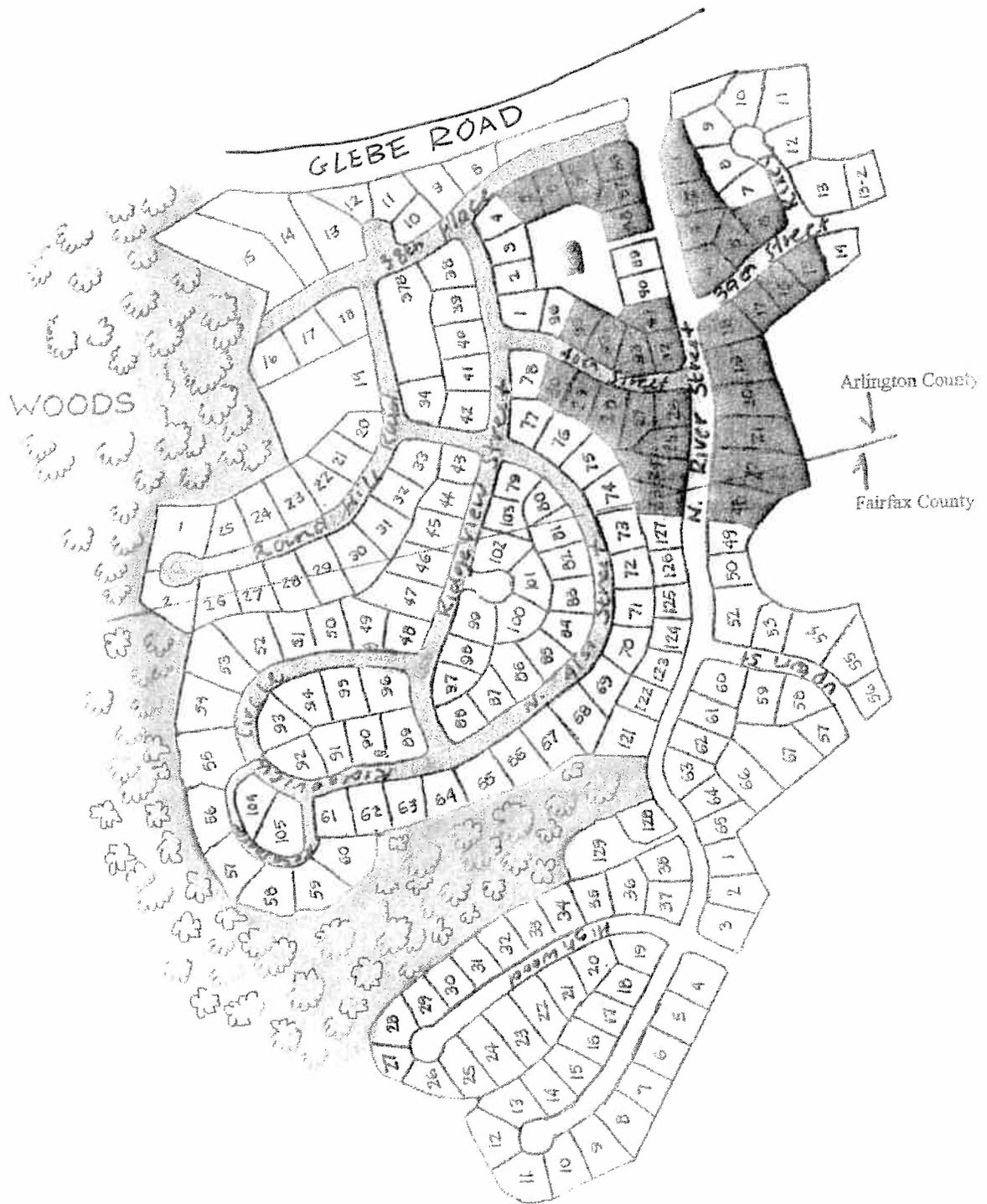
The Coordinating Committee of the Concerned Citizens of Chain Bridge Forest

NTCC Requirement: "The area of impact consists of... residences on cul-de-sacs or courts directly connected to that street segment." (page 6)



 = Residences improperly excluded

NTCC Requirement: "Nubs should obtain support from 60% of the households on the street within one block of the intersection." (Page 7)



 = Households improperly excluded

Dear all: This is open letter to the Chain Bridge Forest Association Board to the neighborhood. We had hoped to be able to advise everyone in this letter of the new date for the Arlington Co. NTCC Hearing and a meeting of the neighborhood at Madison Center, but we unfortunately do not yet have this information. We will advise just as soon as possible. This letter is also going to be distributed house to house.

March 15, 2010

RE: Arlington County Traffic Calming Proposal

Dear Chain Bridge Forest Residents and Petition Signers,

On March 4th, the Officers and Board of Directors of the Chain Bridge Forest Association (CBFA) received a petition signed by over 150 residents relating to Arlington's traffic calming proposal on North River Street. This petition is to be provided soon on the CBFA web site. The petition expressed concerns with the traffic calming plan and requested that the CBFA Board take certain action with respect to these concerns. The Board held an emergency meeting on Saturday March 6th to consider the Petition and to discuss what further actions it can take. This letter is the Board's response to this petition.

It is important to note that the Arlington County traffic calming process is controlled by established procedures, namely the Neighborhood Traffic Calming Program Process, Criteria and Measures, which were adopted by the Arlington County Board in 2008 (this document is available on the Arlington County Department of Transportation website). Residents of Chain Bridge Forest who volunteered for and participated in the working group that developed the River Street proposal were required to adhere to the procedures in that program guide, and the County's Neighborhood Traffic Calming Committee (NTCC) monitored and facilitated the process to ensure that the procedures were followed. These procedures give the CBFA Board no role in the process.

The role of the CBFA Board in this matter has been to keep the neighborhood informed of meetings and progress as best it could. In fact, the CBFA's desire to provide community residents with helpful information about the plan is the reason why we posted updates in the June, September, and November 2009 newsletters. It also is the reason why we asked for the January 20th informational meeting that was held at the Madison Center and open to all CBF residents, at which an Arlington County transportation official and an NTCC member were on hand to explain the proposal and take questions from the residents that attended.

On March 8, 2010 a public hearing was to have been held where the NTCC was scheduled to make a formal recommendation on whether or not to forward the plan to the County Board for final approval. Unfortunately, the NTCC did not have the required quorum to take official action at that meeting, however, the 5 members who were at the meeting took 90 minutes of questions from the nearly 70 CBF residents who turned out. The formal NTCC hearing will be rescheduled, and an email communication will be sent to the CBFA community once the date has been set.

Finally, a meeting will be scheduled by the CBFA Board in April at the Madison Center to discuss issues related to community communications, as well as other issues such as snow plowing and timely emergency services for the CBF neighborhood. The date of this meeting will be determined once the NTCC hearing is set, so as to avoid a conflict, and Madison Center room availability is known.

In summary, because of residents' divided opinions on the traffic calming plan, it would be inappropriate for the CBFA Board to take a position on it even if the County's procedures afforded it a role. The CBFA Board will continue to provide residents with relevant information related to the traffic calming project.

Respectfully,

Chain Bridge Forest Officers and Board of Directors