

MEMORANDUM

July 10, 2009

TO: County Council

FROM: Marlene L. Michaelson, Senior Legislative Analyst
Glenn Orlin, Deputy Staff Director

SUBJECT: Germantown Sector Plan

The Planning Board Draft of the Sector Plan for the Germantown Employment Area (the "Germantown Sector Plan") was transmitted by the Planning Board in February 2009. The Council held a public hearing on May 12, 2009. The Planning, Housing, and Economic Development (PHED) Committee met 4 times to review the Sector Plan. Their recommendations are presented below.

The Plan focuses on the Town Center and employment areas along I-270, covering approximately 2,400 acres of the 11,000 acre Germantown Planning Area. (A map of the Planning Area appears on page 11 of the Sector Plan.) The Executive's fiscal impact analysis is on © 1 to 5. A Planning Department staff memoranda addressing Sector Plan issues raised by Staff and the Committee are attached on © 6 to 13.

Council Members should bring a copy of the Sector Plan to the meeting.

OVERVIEW OF PHED RECOMMENDATIONS

The PHED Committee supports the Sector Plan vision and all of the key recommendations listed on pages 8 to 10 of the Plan. The Committee also supported the recommended land uses for each of the 8 districts in the planning area. The Committee does recommend changes to the implementation strategy for the Sector Plan, particularly for zoning and staging. The Committee also recommends changing in the density for 2 properties. The major Committee recommendations, described in more detail below are as follows:

- Replace the Town Sector (TS) zone with the Transit Station Mixed-Use - 2 (TMX-2) zone for most properties in the planning areas since the TMX-2 zone has numerous public benefits and protections that do not exist in the TS zone.
- Delete the Sector Plan's staging recommendations since the Growth Policy can be amended to accomplish the Plan's recommendations to reserve capacity for Town Center or favor commercial development and because the staging triggers are not related to the development being staged.
- Increase density on 2 sites: on the core Town Center properties west of the transit stop designated for the highest density (2.0 floor area ratio (FAR)) increase density from 1.0 to 1.5 FAR; on the Rolling Hills property increase residential density from 25 units per acre to 30 units per acre. (On 2 additional sites the Committee supported the ultimate density recommended by the Planning Board rather than the interim staged density.)
- Add or clarify critical information in the Sector Plan regarding density, height, and the rationale for zoning changes.

CHANGES FROM THE 1989 PLAN

The Sector Plan recommends various changes to the land uses and zoning recommended in the 1989 Germantown Master Plan that will improve opportunities for mixed-use, transit-oriented development and enhance the Town Center and Employment Corridor. Several of the properties are recommended to change from single use residential or commercial zones to mixed-use zones. The focus on mixed-use development is consistent with trends in planning and the land uses recommended for other higher density centers in the County. Density is increased and shifted to reflect the planned Corridor Cities Transitway (CCT) and concentrate density near transit stations. The Plan significantly increases both residential and commercial densities in the planning area, **tripling the residential density from 5,845 units allowed under the 1989 Plan to 15,100 units, and the commercial density from 20.3 million square feet (approximately 60,000 jobs) to 23 million square feet (or close to 70,000 jobs)**. This reduces the jobs/housing ratio for the planning area, consistent with the recommendations in the 2002 Transportation Policy Report to reduce the jobs/housing ratio in the I-270 Corridor, while increasing it on the eastern side of the County. The Sector Plan also designates Germantown as the Upcounty Cultural Center and places an emphasis on design, described in more detail in the Draft Germantown Design Guidelines. The Committee generally supports the vision and land use strategy articulated in the Plan and believes it creates an improved vision for the future of Germantown.

MAJOR POLICY ISSUES IMPACTING MULTIPLE PROPERTIES

1. Overall Strategy Regarding Density/Height

Committee Recommendation: Add/clarify height limited for all Transit Station, Mixed-Use properties.

The Plan significantly increases residential density with a more modest increase in commercial density. The greatest increases in density occur in the areas closest to the CCT. The maximum floor area ratio (FAR) for the planning area is 2.0, similar to both Shady Grove and Twinbrook. The Council received testimony from several property owners requesting additional density, particularly in the Town Center and near the MARC station. Densities will be considered on a property by property basis, but the Council may want to have a general understanding of the Planning Board's rationale at this time. This strategy is described in the attached memorandum from Planning Department staff on © 6 to 8. In summary, the Sector Plan recommends placing the highest density (2.0 FAR) at the Town Center transit station, with lower densities for other properties served by transit and the lowest densities for properties not served by transit.

The Plan provides guidance on height for most, but not all, properties. Given that neither the Transit-Station, Mixed Use (TMX-2) zone nor the Town Sector Zone has maximum heights, the Committee recommends that height limits be added or clarified for all TMX-2 properties and TS. Structures are recommended to be a maximum of 180 feet (approximately 15 stories) at the area immediately adjacent to the transit station at Century Boulevard, and 143 feet (approximately 12 stories) along MD 118 and near other transit stations, with lower heights (100 feet) along I-270.¹ Attached on © 14 to 16 is a chart that updates the height information for each property. Staff believes the Council should continue its policy of using feet, not stories, as the measurement for height, since there is great variability in the height of a story.

2. Zoning Strategy

Committee Recommendation: Add information to the Sector Plan regarding the existing zoning, areas recommended for a change in zoning, and the rationale for any proposed change in zoning.

The Sector Plan's zoning strategy appears to be to maintain the existing Town Sector (TS) Zoning where it currently exists, to retain the zoning for virtually all of the land zoned in residential, planned development, and residential mixed-use zones. It rezones other properties recommended for mixed-use development to the TMX-2 zone. The Plan does not present an overall zoning strategy, provide any information about existing zoning, or include a rationale for the recommended zones. Information regarding the existing and proposed zoning for each property in the planning area has been prepared by Planning Department staff at Council staff's request and is attached at © 14 to 16. Pages 36 to 55 of the Plan describe the land use recommendations for each major property, with no reference to the recommended zone. Maps on pages 57 to 63 display the zoning recommendations but do not provide the rationale for any recommended changes (or indicate what the existing zoning is). To improve the Plan's clarity, The Committee recommends that a description of the zoning and rationale for changes be included in the land use section of the Plan. The final plan should include the existing zoning (in text or maps) and rationale for any change in zoning. (Additionally, it would be helpful to have maps identifying the locations of properties in the same sections as the discussion of those properties.)

¹ Planning Staff have indicated that the correct height along MD 118 should be 100 feet.

3. Community Facilities

Committee Recommendation: Prepare a new section on community facilities that clearly describes whether existing or planned community facilities are sufficient to serve the population of the planning area at build out and, if not, the potential location for new community facilities.

One of the functions of a master plan is to identify whether there is sufficient land available for all necessary public facilities and, if not, to identify potential locations for those facilities so that the Planning Board can require the dedication or reservation of land at the time of development. The limited discussion of community facilities in the Sector Plan on page 20 does not clearly address whether sufficient land is available for each of the major public facilities typically addressed in a master plan (schools, libraries, parks, recreation centers, police and fire stations) or make recommendations for potential new sites. Some of this information appears in the appendix but, in Staff's opinion, is important enough to be included in the Plan itself, at least in summary form. (Staff believes that any recommendations that development review staff need to consider when reviewing a development application should be in the body of the Plan. Background information not essential to a development application can go in the appendix.) In one case, the appendix identifies that at least one new site will be needed for recreation purposes, but the Sector Plan does not identify a potential site.² Without a recommendation in the Sector Plan, M-NCPPC would have no basis to reserve the land or use the Advance Land Acquisition Revolving Fund to purchase land. Moreover, there may be no undeveloped land available when facilities are needed. The Committee has asked the Planning Department Staff to prepare a new section on community facilities for the Council's consideration. For each type of facility, the Plan should identify whether there is sufficient land available to meet the needs of the community at build out and should identify additional sites when it is determined they are needed.

4. Staging

Committee Recommendation: Delete the Sector Plan staging recommendations and use the growth policy to stage development in Germantown and, if desirable, provide a preference for Town Center.

The Germantown Sector Plan includes a staging plan on pages 64 to 65. The staging plan allows approximately 13% of total new commercial development (excluding pipeline) and 21% of new residential development to proceed without staging, as well as any Montgomery College academic buildings. (This includes 25% of Town Center development and smaller percentages of other areas.) Thirty percent of new development can proceed in Stage 1, and the remainder in Stage 2. The "triggers" to proceed to Stage 1 include the following:

² The Appendix on page 119 recommends that "M-NCPPC should work closely with the Department of Recreation to incorporate community recreational facilities into a detailed land use plan for the further development of Germantown."

- Council adopts the Sectional Map Amendment.
- Phase 1 of the urban services district is established, covering the Town Center and West End.
- An annual monitoring program is developed for non-driver mode share, vehicle miles traveled.
- Funding for urban parks is included in the six-year Capital Improvements Program (CIP).
- Funding for a MARC parking garage is included in the six-year CIP or Comprehensive Transportation Priorities (CTP).
- An alternative park and ride location outside Town Center is selected.
- The Bowman Mill Drive connection to MD 118 is open to traffic.

The criteria for Stage 2 are as follows:

- Funding for the CCT segment between Metropolitan Grove and Germantown Transit Station is included in the six-year CIP or CTP.
- A funding agreement is in place for CCT alignment and stations between the Town Center and Dorsey Mill stations (using public or private funding sources).
- Determine the need for a sector plan amendment when the decision on M-83 is reached.
- Non-driver mode share is increased to 21 percent in the previous 12 months.
- Observation Drive from MD118 to Middlebrook Road is constructed and open to traffic.
- The Goldenrod Lane connection to Observation Drive and Cider Press Drive to MD 355 are constructed and open to traffic.
- Century Boulevard to Dorsey Mill Drive is constructed and open to traffic.
- Funding for Dorsey Mill Bridge across I-270 is included in the six-year CIP or CTP.

Staging Testimony

The Council received testimony from several property owners opposing the proposed staging. Among their comments were the following concerns:

- Staging would impede desirable development and redevelopment.
- There is little relationship between some of the staging triggers and development tied to those triggers (e.g., properties with commercial development should not be delayed pending the construction of a garage that will serve residents; properties required to provide open space and recreational amenities should not be delayed until there is funding for a park that will not serve the residents of that property).
- Splitting development into multiple phases on a single property will make it more difficult to get financing or pay for amenities. Moreover, single stage development of a property promotes integrated and complementary development.
- Most staging triggers are completely outside the property owners' control.
- Previous studies have shown there is insufficient funding for an Urban District, and the District can only succeed if there is additional development to fund it.
- The best way to provide funding for the Urban District and needed infrastructure is to allow development to proceed.

Staff Comments

Staging adds a level of complexity to master plans that is sometimes necessary when it is determined that the Growth Policy alone will not be sufficient to time development with the availability of public facilities or achieve other important objectives. Staging was used in the 1989 Germantown Master Plan to provide an incentive for the retail and entertainment uses in the Town Center to develop before other areas in Germantown. Staging has also been used when there is uncertainty as to whether development can meet certain environmental standards (Clarksburg).

In Staff's opinion, the Sector Plan does not provide a strong enough rationale for the complex staging that is proposed, and Staff shares the concerns raised by some regarding specific triggers. The first question the Committee should consider is whether the Growth Policy is sufficient to control growth or whether additional staging is necessary. The Growth Policy divides Germantown into 3 areas: Town Center, Germantown East, and Germantown West. The Growth Policy could be amended to direct capacity to the Town Center or to favor commercial or residential development, achieving the goals articulated in the Plan.

The main reason for requiring staging would be if the plan has a goal that cannot be achieved via the Growth Policy. If such a goal exists, it is not clear in the Sector Plan. Should the Committee decide that staging is necessary, it should be a far more simplified staging plan with 2 instead of 3 stages and a limited number of targeted triggers.

Regardless, Staff recommends eliminating the following staging triggers included in the Plan:

- Since the creation of the urban district will require funding from employers and/or residents, it can best be successful once development is in place, not as a prerequisite.
- While funding for the recommended new urban park will be important, Staff questions whether it is necessary to have this as part of a staging plan, particularly since the designated site has a commercial structure on it and it is unclear when/if the recommended land swap will occur.
- The purpose of the transportation adequacy tests in the Growth Policy — Policy Area Mobility Review (PAMR) and Local Area Transportation Review (LATR) — is to assure that master-planned development is staged in accordance with the provision of transit and highway improvements. Including further transportation staging requirements in the sector plan would add a further layer of restrictions that would retard development unnecessarily, since PAMR and LATR alone calculate how much development can be accommodated. Furthermore, any further staging requirement would be arbitrary and immutable, at least until the sector plan is next revised a decade or two from now; meanwhile, the Growth Policy is updated every two years.

A primary example of this problem is using the Corridor Cities Transitway as a staging requirement. The CCT is a mega-project that will only be constructed when Federal and State aid has been programmed to build it. The likelihood is that the first stage of the CCT will extend north only to Metropolitan Grove and, optimistically, this segment will open in the next 8-10 years. Extending the line north to Germantown and Clarksburg will

likely take another decade at least, so while it is reasonable to include the CCT as part of the transportation system at buildout, it may not open to Germantown until 2030.

In the meantime, however, there are other means for significantly upgrading transit service. With a relatively modest investment, express bus service from Germantown to points south using the I-270 HOV lanes could run more frequently and to more destinations than the current service. Even the Life Science Center area could be served directly via the I-270 HOV lanes and Sam Eig Highway. Why, then, should development in Germantown be arbitrarily retarded if the CCT is not operating in the short- to mid-term? The County's objective is for the Federal government to fund the CCT as soon as possible, but should the County tie development in Germantown to a Federal funding decision, when other options improving transit mobility are more readily at hand?

Staff also shares the concern that dividing the allowable development for most properties into multiple stages may preclude the type of comprehensive development contemplated by the Sector Plan. The Committee supported the Staff recommendation to delete staging from the Plan.

5. Requirements for Minimum Height, Structured Parking, Mixed-Use

Committee Recommendation: Amend the Sector Plan's required minimum 3-story height requirement to add the words "where feasible". Instead of requiring structured parking for all new construction, require that any parking be located so as not to preclude the establishment of structured parking in the future. Change Sector Plan language to encourage mixed-use buildings rather than prohibit single-use buildings.

The Sector Plan includes recommendations to help create a more dense and urban character for Germantown, including a requirement that buildings be a minimum of 3 stories and language to discourage surface parking (see page 18). The Staging Plan on page 64 also reiterates the requirement for a minimum height of 36 feet and adds a further requirement that there be no single purpose buildings in several districts.

Several property owners have expressed concern about these recommendations, believing that there is not a market at the current time for taller buildings and that structured parking would not be economically feasible at this time. Staff believes that parking issues should be addressed via the creation of a parking district and that every effort should be made to either build structured parking or lots that can easily be converted to structured parking. This is addressed further below. Instead of requiring structured parking for all new construction, Staff recommends the Plan require that any parking be located so as not to preclude the establishment of structured parking in the future.

To Staff's knowledge, the County has never required a minimum building height in a master plan. It is unclear whether the Planning Board would have the legal authority to turn down a project with a lower building height, particularly if a three-story building is not economically feasible. Staff would prefer to use incentives to encourage the additional height, instead of a

minimum requirement that could prevent any development from occurring. Staff also concurs with the sentiment expressed by one property owner that the minimum height could result in the uniform development of 3 story structures throughout the Sector Plan area. The Committee recommends amending the Sector Plan's required minimum 3-story height requirement to add the words "where feasible".

Staff is also unclear regarding the rationale for not allowing single-use buildings. Although Staff supports the goal of mixed-use development, it may also be appropriate to have a limited number of single-use structures. The Committee recommends changing the Sector Plan language to encourage mixed-use buildings rather than to prohibit single-use buildings.

6. Urban District and Parking Lot District

Committee Recommendation: Revise the Sector Plan to support an Urban District but recognize that it may not be viable in the short term. Encourage the immediate creation of a Parking Lot District.

Urban District. As noted in the discussion on staging above, Staff does not believe that the creation of an Urban District should precede the availability of funding for the District. Even when the Town Center is fully developed, the Urban District Tax will only generate a small proportion of what will be needed to fund the desired services. For example, currently the Urban District taxes pay for only 24% of the Urban District services in Silver Spring, 14% in Bethesda, and 10% in Wheaton. A Germantown Town Center Urban District simply would not have sufficient resources without a significant cross-subsidy of parking revenue or general funds. This cannot happen without additional development and fee-based parking. While an Urban District would provide benefits for Germantown, the Sector Plan should not create the unrealistic expectation that it will be created in the near term.

Parking Lot District. While Staff believes it is premature to establish an Urban District, a Parking Lot District (PLD) for the Town Center should be established immediately to allow the opportunity for new development there to pay the County to build, maintain, and operate shared parking lots (one or two of which may evolve into garages in the longer term) rather than having the individual developments provide their own separate lots to meet the parking requirements in the zoning ordinance.

Paid parking should be instituted in these new lots and on-street within the Town Center. As long as the charge is modest and easy to pay, Staff believes parking charges will not drive Town Center customers away to other retail locations.

New development of a certain size threshold should also be required to dedicate (or allocate) a portion of its property to the PLD at no cost. The initial construction of lots in Germantown would be paid from the General Fund, which in turn would be reimbursed by the PLD once sufficient parking revenue has been generated. Once the construction costs have been paid off, the PLD should be able to afford to cross-subsidize Urban District services in the Town Center.

7. BLT Program

Committee Recommendation: Do not revise the requirements in the TMX zone to purchase BLTs, but consider ways to link the cost of the BLT to land values or rental costs, to ensure that owners of lower-valued properties are not put at a competitive disadvantage by purchasing BLTs.

The Council received testimony objecting to the requirement in the TMX-2 zone to purchase building lot termination (BLT) development rights. These objections are similar to those the Council heard during its review of the Twinbrook Sector Plan and the approval of the TMX-2 zone. While Staff does not believe the Council should reconsider the requirement to purchase BLTs in the TMX-2 zone (or any other mixed-use zone), Staff continues to believe that the cost of a BLT should be linked to the price of land or property rental rates in the area in which the BLT is being purchased. The cost of a BLT should not disadvantage one TMX-2 zoned area over another for development purposes. Staff supports reduced costs for BLTs in areas where land costs and rental income are lower. The purchase price of a BLT will be established in Executive Regulations, which have just been transmitted by the Executive.

8. Transit Station Development Area

Committee Recommendation: Revise the map that displays the Transit Station Development area to include all areas zoned TMX-2.

The TMX-2 zone can only be used in a transit station development area, and that area must be defined in a master plan. Some master plans, such as Twinbrook, define the entire area as a transit station development area. Other plans define it on a map in the plan. Although there is a map entitled *Proposed Transit Station Development Area in the Sector Plan* on page 56, it does not define the boundaries of the Transit Station Development Area and, instead, displays circles around each transit station. It appears that some of the properties designated in the Draft Sector Plan for TMX-2 zoning fall outside the boundaries of the circles. Additional properties recommended for TMX-2 zoning by the Committee are definitely outside these limited boundaries. Staff believes a better and more comprehensive map needs to be included in the Sector Plan. Staff sees little disadvantage to an area that is too broadly defined, but a significant disadvantage if TMX-2 designated properties are unable to develop under the zone.

9. Design Guidelines

Committee Recommendation: Continue the Council's practice of not reviewing Design Guidelines. Direct Planning Department Staff to ensure that the Design Guidelines are revised to reflect decisions made during the Council's Sector Plan review.

The Planning Department has prepared Draft Design Guidelines to accompany the Germantown Sector Plan. The Guidelines have not yet been considered by the Planning Board. These

guidelines are not a part of the Sector Plan and **will not be approved by the Council**. The intent is to create a document that can be changed more frequently than a master plan and respond to changes in development or design standards and patterns. Nonetheless, the Council has received testimony about the Design Guidelines and there are some design guidelines that parallel recommendations in the Sector Plan. Staff recommends that the Council direct Planning Department Staff to ensure that the guidelines are revised to reflect decisions made during the Council's review of the Sector Plan. Staff further supports continuing the Council's practice of not undertaking a detailed review of the design guidelines.

10. Meaning of Land Use Maps and Floating Symbols

Committee Recommendation: Provide caveats that explain how land use and transportation maps and diagrams are to be interpreted and the extent to which the Planning Board has the discretion to approve development or road alignments that follows the goals of the Sector Plan but not the specific locations shown on those maps.

Several property owners raised questions regarding the required adherence to the land use and transportation maps. Some of the concerns including whether open space needs to be located exactly where shown on maps, whether mixed-use properties provided flexibility in text would then have to build certain types of uses (or place them in specific locations) based on maps, and whether unbuilt roads would have to show the exact alignments displayed in Sector Plan maps. Although the Sector Plan includes floating symbols, there is no text to explain what a floating symbol is. The Committee recommends adding language that clarifies the intent of these maps and the extent to which the Planning Board has flexibility to approve development not consistent with the maps or diagrams.

INDIVIDUAL PROPERTIES

FOX CHAPEL DISTRICT

The Fox Chapel District is at the southeast corner of the Sector Plan and includes commercial uses along MD355 and Middlebrook Road, as well as the Middlebrook Mobile Home Park.

Fox Chapel Shopping Center (FC-1) and Middlebrook Mobile Home Park (FC-5)

Committee Recommendation: Support the RMX-2C/TDR zoning but clarify what mix of development is allowed on each portion of the site. Amend the Sector Plan's recommendation to allow higher density development if the properties are assembled to instead allow the greater density if a joint development plan is submitted that achieves the Sector Plan objectives (e.g., a connection between the commercial and residential portions of the property).

Size of property: 13 acres for FC-1 and 24 acres for FC-5

Location Map: Page 63

Existing Zoning: C-1 (FC-1) and R-200, R-90, R-30 and C-1 (FC-5)

Proposed Zoning: RMX-2C/TDR

Summary of land use recommendations (see page 55): The Plan recommends that the shopping center be redeveloped as a mixed-use village center of commercial uses and residential uses. If it is assembled with the adjacent Middlebrook Mobile Home Park, the Plan recommends a total density of 0.3 FAR for commercial uses and 22 units per acre for the Mobile Home Park. If the properties are not assembled, the Plan recommends limiting the density to 0.3 FAR for commercial uses and 5 units per acre for residential.

Testimony: The Council received testimony from Bozzuto Homes, Inc., representing the Middlebrook Mobile Home Park, asking that the entire 50-acre area, including the shopping center and Mobile Home Park, be rezoned for mixed-use development with an emphasis on residential development. They also asked not to be designated for transferable development rights (TDRs) and that the Sector Plan requirement for assemblage be changed to require a joint plan of development.

Staff Comments: There was some confusion regarding the Plan recommended zoning for this property, but Planning Department staff have confirmed that it was the Planning Board's intent to zone the entire site RMX-2C, and Staff supported this designation. The Plan is unclear as to whether the entire site is recommended for both commercial and residential development, and the Planning Department indicates that the Board's intent was to only allow residential development on the portion of the site that is currently residential and a mix of commercial and residential on the portion of the site that is currently commercial. The Sector Plan text should be rewritten to clarify this recommendation.

The densities have been established to encourage assemblage. Although the Sector Plan does not provide a rationale for assemblage, Planning Department staff indicate that under current ownership and development, there is a substantial grade difference between the shopping center and the mobile home property. This grade difference results in an extensive retaining wall on the back of the shopping center which impedes the pedestrian connection between the residences, mobile home park, and retail services. With assemblage, any higher density multi-family development can be located closer to MD-355 and further from the R-200 development to the east.

The property owner has asked that the Sector Plan's recommendation for assemblage be changed to require a joint plan of development, since they are concerned that assemblage cannot occur unless the land owners are willing to sell/buy land from each other. A joint development plan could accomplish many of the Sector Plan's goals (such as to provide connections between the shopping center and adjacent residential neighborhood). Staff supports their request, but recommends that the Sector Plan indicate the specific goals of the joint development plan (e.g., connections between residential and commercial development). The property owner has also asked that the number of transferable development rights (TDRs) they are required to purchase be reduced by requiring 1 TDR per 3 units instead of the existing 1 TDR per 2 units. Staff is concerned about the precedent this would set for other high density residential areas and recommends against this change.

R-200 properties (FC-8) – recommendation for accessory apartments

Committee Recommendation: Delete Sector Plan language recommending that accessory apartments become a permitted use for a specific location in the planning area, since this requires a change in the zoning ordinance.

Size of property: 5 acres

Location Map: page 63

Existing Zoning: R-200

Proposed Zoning: R-200

Summary of land use recommendations (see page 55): Recommends retaining the residential character of the MD-355 gateway into Germantown by allowing existing R-200 properties (FC-8) to have by-right accessory housing units.

Testimony: None

Staff Comments: Since accessory apartments could only be allowed by right with an amendment to the zoning ordinance, Staff recommends either deleting this language or revising it to recommend a zoning text amendment.

Credit Union Property (FC-9)

Committee Recommendation: Rezone outlot A to C-1 to facility access to the credit union property, pending any objection by the property owner.

Size of property: 4 acres

Location Map: page 63 and © 17

Existing Zoning: R-90, C-1

Proposed Zoning: R-90 C-1

Summary of land use recommendations: This area was not discussed in the Plan. The revised zoning is indicated on the zoning map on page 63 (area 9). A map showing the location of the credit union portion of this area is shown on © 17.

Testimony: The MCT Federal Credit Union supports the change in zoning from R-90 to C-1 but requests that adjacent outlot A, which is currently split zoned C-1 and R-90 (see © 17) be zoned entirely C-1 to provide access for the Credit Union to Plummer Drive, since they anticipate that the State Highway Administration will want to minimize access points along MD-355.

Staff Comments: Although this property is recommended for a change in zoning from R-90 to C-1, it is not discussed at all in the Sector Plan. The zoning change will enable the MCT Federal Credit Union to build a branch at this location. Absent objection from the property (which Staff has no reason to believe is likely), Staff supports the requested change.

MONTGOMERY COLLEGE DISTRICT

Committee Recommendation: Do not take any position regarding the preferred location for the hospital. Retain the I-3 zoning recommended in the Sector Plan but add an option for rezoning to LSC (see specific language below). Amend the I-3 zone to allow hospitals as permitted uses.

College Property (Areas 1, 2, and 9)

Size of property: 301 acres

Location Map: page 62

Existing Zoning: R-60 and R&D/I-3

Proposed Zoning: I-3

Summary of land use recommendations (see page 52): Expand Montgomery College's academic facilities to 1.1³ million square feet and provide up to 1 million square feet for a technology park linking the business and academic communities. Preserve 50 acres of high priority forest. Develop technology, medical, and office uses with signature architecture that takes advantage of visibility from I-270. Use structured parking to reduce impervious surface area and improve water quality in the Gunners Branch watershed.

Testimony: The Council received extensive testimony on this area. Several people commented on their preference for the hospital to be located either in Germantown or Clarksburg. The Council also received testimony regarding the protection of the forested area on this site and expressing concerns that the College's expansion plans could impact the forested area. Montgomery College, the Montgomery College Foundation, Holy Cross Hospital, and Foulger-Pratt (the selected developer of the science and technology business park) submitted testimony regarding various elements of the Sector Plan, including their concerns regarding the staging plan and requirements for structured parking, their preferences for the revised Life Sciences Center (LSC) zone, and various transportation issues that are being addressed in a separate memorandum. The Council also received testimony from Winchester Homes and Adventist Hospital asking that the Council not take any action that would appear to favor Germantown as the site for a new hospital, including rezoning the land.

Staff Comments: The Council has received a significant amount of testimony on the hospital being proposed for the Montgomery College property. Most of the testimony focused on whether Germantown or Clarksburg would be a better site for a new County hospital. This determination will be made by the Maryland Health Care Commission through its Certificate of Need process; the County does not play a role in this process. Staff believes that the County would benefit from a new up-county hospital but that the Council should not take a position favoring one location or one hospital over another. Therefore, Staff does not believe the Germantown Sector Plan should take a position on this issue. However, the Council should do all in its power to facilitate development once a site is chosen.

The Committee recommends against staging. The Plan calls for the protection of a significant portion of the site as high priority forest, and the Committee does not recommend any further

³ The Sector Plan incorrectly allowed 1.9 million square feet of academic facilities. Planning Department staff indicate that the correct amount is 1.1 million square feet.

changes to the Sector Plan. Regarding parking, the Plan's language appears to require structured parking, and it may be necessary to have surface lots in the short term until a certain threshold density is reached. During the Planning Board's review of this project they should ensure both that the location of surface lots would not in any way preclude the ultimate construction of structured parking and that structured parking will be added to the site once a certain level of density is reached. Staff recommends revising the Sector Plan, which does not appear to give the Board the discretion to allow interim surface parking and make these determinations.

The College has requested LSC zoning, since they believe this will be the best zone to accommodate a hospital and related uses. The LSC zone also does not require a special exception for a hospital. Staff concurs that the LSC zone may be the best zone if the Maryland Health Care Commission determines that Germantown will be the site of the new County hospital. Staff questions whether LSC would still be the best zone if the hospital does not locate in Germantown, especially since potential changes to the zone have not yet been approved. Staff believes that Montgomery College should have the **greatest possible flexibility** to create a business park that will be compatible with its mission. The proposed changes to the LSC zone allow a broader range of uses, but it has not been adopted and may not cover the full range of options the College may want to pursue, particularly if the hospital does not locate there. For example, the **existing** LSC zone does not permit computer programming and software services, but it is possible that without a hospital the business park would be more successful with a focus on information technology, rather than bio-technology. The LSC zone also limits general office to 50% of the gross floor area, something that may also be problematic if there is a change in the focus of the business park.

To provide the greatest flexibility for the college, the Committee recommends that the following language be added to the Sector Plan:

The existing combination of I-3 and R-60 zoning on the College property will probably not serve the College's goals to partner with private biotechnology, medical, and/or technology businesses that may help support the College's mission. This Sector Plan recommends rezoning the entire property to the I-3 zone (for development under the standard or optional method), which appears to provide the greatest flexibility to meet the College's needs. Current revisions being considered for the Life Science Center (LSC) zone could also make this zone appropriate for the College property. Once the zone is amended, additional analysis should determine whether the I-3 or LSC zone would better serve the College's needs. If this determination is made after the Sectional Map Amendment, and rezoning is advised, a government-sponsored Local Map Amendment may be appropriate.

Residential Requirements

The Committee also questioned whether the College would be required to provide residential development under the I-3 zone. If the College or its partners do not want to provide housing, they can develop under the I-3 standard method, which neither requires nor permits housing. If the College or its partners determine they want to have a housing component, they can develop under the optional method. The I-3 optional method does not specify a minimum residential

component, but indicates that “development under the optional method must include employment, residential, and retail uses”. It appears that the College could meet the requirements of the I-3 optional method with a very limited number of dwelling units.

SENECA MEADOWS/MILESTONE DISTRICT

Seneca Meadows Property (SM-1)

Committee Recommendation: Amend the Sector Plan language to indicate that this may be an appropriate location for a community recreation center if residential development is located on this site and another alternative location for the recreation center in the vicinity is not identified. Clarify that the urban park should be ½ acre. Clarify language that appears to limit street level retail.

Size of property: 65 acres

Location Map: Page 61

Existing Zoning: I-3

Proposed Zoning: TMX-2

Summary of land use recommendations (see page 51): Concentrate mixed-use development at the transit station with an average density of 1.0 FAR on the Seneca Meadows property north of Crystal Rock Tributary. To ensure the area retains an employment profile, develop with a minimum of 70 percent employment uses that include limited street level retail and a maximum of 30 percent residential uses. Street level retail must conform to the Plan’s urban design guidance. Locate a 25,000 square foot community recreation center and an urban park near the transit station.

Testimony: The Council received testimony from Minkoff Development Corporation, who indicated the Planning Board’s strong support for their plans to build a Wegman’s grocery store and expressed concerns about the requirements for a recreation center and urban park on their site. The Council received letters from several individuals who indicated opposition to the rezoning, some fearing that retail would generate more traffic than office. The Council also received testimony from a Clarksburg developer who believes that placing a Wegman’s at this location would make it less attractive for a grocery store to locate in Clarksburg.

Staff Comments: Staff believes that the recommended TMX-2 zoning is appropriate at this location near a proposed transit stop. While the TMX-2 would accommodate a grocery store, it would also accommodate a number of other uses that would be appropriate here. As to the recreation center, since the Recreation Department is considering an alternative site (Ridge Road Recreational Park) and the desirability of a recreation center at this location depends on whether there is housing on the site, the Committee recommends amending the Plan recommendation accordingly. It further recommends that the Sector Plan reflect the Planning Department Staff intent that the urban park be ½ acre. The Plan recommends limiting retail uses along streets (see middle column of page 51), and this language should be clarified.

Milestone Shopping Center (SM-3) and Neelsville Village Center (SM-4)

Committee Recommendation: Support the Sector Plan’s recommendation, particularly the reference to a future, more compact, urban form of development.

Size of property: 201 (SM-3) and 55 (SM-4) acres

Location Map: 61

Existing Zoning: RMX-3/TDR and RMX-1

Proposed Zoning: RMX-3/TDR and RMX-1

Summary of land use recommendations (see page 51): Support the Milestone Regional Shopping Center (SM-3) and Neelsville Village Center (SM-4) as the Germantown-Clarksburg destination retail center. If ownership consolidates, a coordinated redevelopment option may be proposed that meets the existing RMX zone density standards of 0.5 FAR. With redevelopment, add residential uses and urban open spaces in a compact urban form with structured parking.

Testimony: None

NORTH END DISTRICT - EAST OF I-270

Committee Recommendation: Delete the Sector Plan recommended staging element and allow this area to develop to 1.0 FAR recommended at build out. (See earlier recommendation of Committee to clarify how land use maps will be used.)

Milestone North (NE-6)

Size of property: 44 acres

Location Map: 60

Existing Zoning: I-3

Proposed Zoning: TMX-2

Summary of land use recommendations (see page 48): In Stage 1, develop the Milestone North property at an average density of 0.75 FAR with a mix of research and development, employment, technology, street level retail, restaurants, and new housing. Orient up to 225 new multifamily housing units to the existing residential areas. Residential uses are not to exceed 20 percent of total development on this site. Development in Stage 2 may proceed to 1.0 FAR if the Town Center transit station properties have achieved an average density of 1.5 FAR.

Testimony: The Council received testimony from Trammell Crow expressing concern with several elements of the Sector Plan and the TMX-2 zone in particular. They believe the Sector Plan does not provide for any viable interim development and that there is no market at this time for structured parking or ground floor retail. The Sector Plan provides too many bureaucratic obstacles, including staging, requirements for minimum height, and design guidelines. They object to the TMX-2 zone’s BLT purchase requirements and the maximum height allowed under the standard method of development. They further object to the Land Use map’s depiction of where residential should be located, and want the entire property designated as commercial-mixed use. They also recommend that height be described in stories, not feet.

Comments: The Committee addressed many of the comments in the testimony in its earlier recommendations. The Committee does not believe there is sufficient rationale to stage development on this property and recommends removing the staging provision and limiting density to 1.0 FAR.

The Land Use map on page 47 does show a potential location for residential development closest to existing residential development, and the owner has an approved plan for a commercial building at that location. Staff does not believe that the Sector Plan map would prevent Trammell Crow from building its approved project and that the Sector Plan recommendations are appropriate if they decide not to use the existing approval and submit a new plan. Moreover, these maps should serve as guides rather than firm requirements. Since the Sector Plan does not require residential development, it is entirely possible that the property owner will develop this site entirely commercial and would not have to adhere to the recommended location for residential development. The Council has previously determined that height should always be described in feet and not stories, given the variation in the height of a story.

NORTH END DISTRICT - West of I-270

Committee Recommendation: Delete the Sector Plan recommended staging element and allow this area to develop to 1.0 FAR. Further explore whether changes in the zoning ordinance or development regulations should allow “use flexibility” among blocks in a development.

Symmetry/Totah property (NE-1)

Size of property: 19 acres

Location Map: page 60

Existing Zoning: I-3

Proposed Zoning: TMX-2

Summary of land use recommendations (see page 48): In Stage 1, develop at an average density of 0.75 FAR and a mix of uses with a minimum of 60 percent employment and a maximum of 40 percent residential. Permit a limited amount of street level retail near transit and along Century Boulevard. Design employment uses and a hotel to take advantage of the site’s visibility from I-270. In Stage 2, allow development up to 1.0 FAR if the Town Center transit station properties have achieved an average density of up to 1.5 FAR.

Testimony: The Council received testimony from Nicole Totah on behalf of Symmetry LLC. Ms. Totah objected to the Plan’s staging recommendations, the minimum 3-story height recommendations, and design guidelines (issues that were addressed in this memorandum). Ms. Totah also opposed the 0.75 FAR limit connected to the first stage and the Plan’s recommendation that the maximum density be 1.0 FAR (only allowed once the Town Center reaches 1.5 FAR). She would prefer to be allowed 1.0 FAR by right with the possibility of going to 1.5 if transportation allows. She believes that the density on this property should not be linked to another property and that the Plan should not have the ability to dictate where companies may go. Finally, she requests use flexibility among different blocks.

Staff Comments: Planning Department staff believe that the recommended FAR of 0.75 would allow this property to achieve the Plan objectives and goals regarding form and mix-of-uses. The Committee does not believe there is sufficient rationale to stage development on this property and recommends removing the staging provision and limiting density to 1.0 FAR. Allowing “use flexibility among blocks” is more a regulatory issue than one that should be addressed in a master plan.

TS Versus TMX-2 Zoning

Committee Recommendation: Replace TS zoning with TMX-2 zoning in various locations in the Sector Plan to better achieve the Sector Plan recommended land use vision and amenity requirements.

One of the issues that impacts several of the following properties is whether the Town Sector (TS) or Transit Station Mixed-Use (TMX-2) zone would be the better zone for mixed-use properties. Staff questions whether the TS zone is the best zone to achieve the Plan’s visions for the following reasons:

- The TS zone was conceived as a suburban mixed-use zone for overall modest densities of development. It limits population to 15 people per acre, which equates to approximately 5 units per acre or up to 7.5 for multi-family, less than is appropriate for a transit station area. These population limits are problematic for some property owners.
- Since these limits apply to the entire area zoned TS, the only way to understand what may be allowed on a specific property is to know the amount of population capacity already used up and what other TS property owners are considering. The zone has worked well where there is a single property owner, but there could be various problems with multiple property owners. In theory, one TS development could use population capacity to the detriment of another property owner.
- There is nothing in the zone to indicate that the Planning Board may allocate this capacity among property owners or is required to adhere to a master plan recommended allocation.
- The TS zone limits total commercial development to 10% and industrial development to 6%; it is not truly a mixed-use zone appropriate for a higher density, mixed-use transit center.
- The zone provides no limits on floor area ratio (FAR), density, height, or setback.
- It does **not** require consistency with the master plan and, therefore, Staff questions whether the Planning Board would have the basis to implement many of the Sector Plan provisions that limit FAR, height, etc.
- It does not include requirements for transferable development rights or building lot termination rights.
- It does not require the provision of amenities, although several are identified in the Sector Plan.
- It does not allow bonus market units for those who exceed the minimum requirement for MPDUs, nor does it have a workforce housing provision.

Given all these factors, Staff concludes that the TS zone is no longer appropriate for application in the Employment Corridor and Town Center areas of Germantown, where transit-oriented

development should be more intense and where public amenities and policies need more focus and application. The Planning Board reached a different conclusion and an e-mail from the Chair attached at © 20 to 21 argues for the TS zone. Staff does not agree with his conclusion that the densities would be more restricted under the TMX-2 zone, because the Sector Plan calls for average densities over properties of no greater than 2 FAR, and this is consistent with the TMX-2 zone. Staff also does not recommend any amendments to the TS zone (other than allowing a TS area to be less than 1,500 acres if rezoned by a sectional map amendment.) More extensive amendments to the TS zone could have unintended impacts on areas outside the Sector Plan, including Montgomery Village.

In Germantown, there is considerable merit to rezoning all commercial mixed-use properties to the same zone. This promotes uniformity of administration and design implementation. It avoids inadvertent anomalies in the implementation of the master plan as well. It will also allow for an easier transition to any possible future zone developed and applied in the zoning ordinance rewrite program. The land uses, mix of uses, and recommended amenities in the Sector Plan would work very well with the TMX-2 zone, which is recommended for parts of Germantown. TMX-2 is intended for mixed-use development near transit stations; the densities are consistent with the recommendations in the Plan; and the zone requires conformance with the master plan, as well as the provision of amenities and the purchase of BLTs. This issue is addressed below for each property zoned TS.

Lerner Property (NE-2)

Committee Recommendation: Rezone the property to TMX-2 and cap density at 0.75 FAR. Provide language in the Plan indicating that the final location of public and private open space will be determined during the development review process and may not be in the exact location shown on the Sector Plan maps.

Size of property: 130 acres

Location Map: page 60

Existing Zoning: TS

Proposed Zoning: TS

Summary of land use recommendations (see page 48): Orient signature office buildings and employment uses along I-270 on NE-2. Allow up to 1.5 million square feet of employment uses, a hotel, and up to 110,000 square feet of retail space. Allow a residential population of 1,425 as defined in the Town Sector zone, with a mix of high-rise and low-rise residential units.

Testimony: The Council received testimony on behalf of Lerner Enterprises requesting the TMX-2 zone instead of the TS zone to allow them to build a residential community of 1,500 housing units (including 1,200 for an active adult retirement community), a change in the alignment of Crystal Rock Drive, elimination of or changes to the staging requirements, and a change in the forest preservation recommendation to reduce it from approximately 24 acres to 17-18 acres.

Staff Comments: This property highlights one of the shortcomings of the TS zone, which focuses on population rather than density. The FAR and the potential impact of residents on public facilities probably have a greater impact on the surrounding area than population. TS zoning, with its population limits, appears to be an inappropriate zone for a senior housing community. Moreover, Staff believes that the TMX-2 zone is generally preferable to the TS zone, and cannot identify any reason to not grant the property owner's request for TMX-2 zoning, but with the same 0.75 limit on FAR recommended for other North End District properties.

Since the Plan only includes general recommendations regarding the forest to be protected and does not specify a need to protect 24 acres, Staff does not see a need for a change to the Sector Plan. The specific acreage to be protected should be determined during the regulatory review process. The property owner expressed concern that Planning Department staff would be inclined to adhere to the delineation of the area to be protected shown as private open space on page 47, but Staff believes this land use map shows the general boundaries for uses, rather than specific boundaries for forest protection.

CLOVERLEAF DISTRICT LAND USE

Century Technology Park, 270 Corporate Center, Cloverleaf South, First Federal Property

Committee Recommendation: Support the TMX-2 zoning. Clarify that the Sector Plan recommended percentage guides for different land uses are meant to apply to each property. Delete the recommendation for a grocery store, correct height inconsistencies, and indicate that final location of open space will be determined during the development review process.

Size of property: 125 acres (entire district)

Location Map: page 59

Existing Zoning: I-3

Proposed Zoning: TMX-2

Summary of land use recommendations (see page 46): The entire Cloverleaf District is recommended for TMX-2 zoning with an average density of 1.0 FAR and heights of 125 feet (approximately 10 stories) or up to 143 feet (approximately 12 stories) at the transit station. The Sector Plan recommends that the land uses be 50 to 60 percent commercial and 40 to 50 percent residential, but there are no requirements for the individual specific properties. The Sector Plan also recommends employment uses and a hotel along I-270, as well as street level retail near the transit station and a small grocery store.

Testimony: The Council received testimony from Trammell Crow, the developer of Century Technology Park (see area number 1 on page 59). They raised a number of general concerns regarding the Sector Plan and TMX-2 zone that are summarized in discussion of their other property (Milestone North - NE-6). In addition, they raised the following concerns:

- They object to the reference to permeable pavement (p.45) to reduce imperviousness because they believe it is too specific.
- They believe the calculation of heights was incorrect and that the Plan should just refer to stories.
- They object to the recommendation for a grocery store.
- They object to the requirement to provide a half-acre green common at the heart of the neighborhood (p.46).

Staff Comments: Staff supports the zoning recommendation for this property. While Staff does not object to the mix of uses proposed by this area, it is unclear whether these standards are meant to apply to each property or to the entire area and, if the latter, how the Planning Board would handle individual applications as they come in.

Many of the comments in the Trammell Crow testimony were discussed at previous worksessions or in the above comments regarding its other property (Milestone North - NE-6). Since permeable pavement is described as an example of a way to reduce imperviousness rather than a requirement, Staff does not recommend any change to the Sector Plan wording. Trammell Crow correctly noted that there are some inconsistencies on the height limits; these should be corrected in the height charts attached on © 14 to 16. As noted above, the Council believes feet should be used instead of stories to measure height. Staff is unclear why it would be necessary for the Sector Plan to recommend a hotel and grocery store. Both are permitted uses in the TMX-2 zone, and the only time Staff recommends identifying specific uses in master plans is when the zone requires a master plan recommendation for a certain use. Finally, Staff believes it is important for master plans to describe the size and location of potential open space, but would not object to a clarifying statement that indicates the final location will be determined during the development review process.

TOWN CENTER CORE

Bellemead TC-1 and TC-9

Committee Recommendation: Rezone the property to TMX-2 and determine what changes in the zoning ordinance or M-NCPPC rules or procedures are necessary to ensure that the existing approvals would not be impacted by the change in zoning.

Size of property: 9 acres and 8 acres.

Location Map: page 57, # 1.

Existing Zoning: TS

Proposed Zoning: TS

Summary of land use recommendations (see page 38): Redevelop with up to 2.0 FAR of mixed-use development with a minimum of 70 percent residential use, and include a 0.3 acre public use space at the transit station.

Testimony: The Council received a letter from Bellemead supporting the Sector Plan's recommendation for TS zoning and opposing the Council Staff recommendation to consider this

property for TMX-2 zoning, but subsequently indicated to the PHED Chair that they would accept TMX-2 zoning if it in no way impacted existing approvals and contractual agreements. They have approvals for 255,000 square feet of retail development, and 180,000 square feet have been constructed thus far.

Staff Comments: Staff continues to believe that TMX-2 zoning is the right **long-term** zone for this property, but would only recommend applying it if Bellemead could be guaranteed that it would have no impact on the build-out of their approved project.

Police and Fire Station (TC-2)

Committee Recommendation: **Revise Sector Plan language to indicate that a mix of uses is appropriate only if they do not impede the operations of the Police and Fire Stations.**

Size of property: 7 acres

Location Map: page 57

Existing Zoning: I-3

Proposed Zoning: TMX-2

Summary of land use recommendations (see page 38): The Plan recommends redeveloping the Police and Fire Station property at an average density of 2.0 FAR of mixed-use development, including residential uses. It recommends expanding police facilities, retaining the fire and rescue facility, and providing structured parking for all uses on the property. Mixed-uses should include street level retail, restaurants, and a significant amount of affordable or workforce housing.

Testimony: The County Executive submitted testimony expressing concerns for the Plans' recommendations for mixed-use development and public open space immediately adjacent to the fire station. He indicates that "Mixed-use development, including high-density residential occupancies near the fire and police station, would add to vehicular and pedestrian traffic near both stations, and potentially have a negative impact on response time. Residential use on that block would likely result in complaints about noise from the emergency vehicles next door." The Executive also objects to the public open space immediately to the rear of the fire station over an area that is presently used by Station 29 units to access Crystal Rock Drive. He strongly recommends that public space not be placed in this location unless a street access plan for emergency vehicles is maintained.

Staff Comments: Staff supports the concept of mixed-use development at this site and believes the specific uses can be evaluated at the time of redevelopment, provided that access issues can be addressed. While housing could be problematic, it might be ideal if it is workforce housing for the police and fire employees working at those stations. This may also be a good site for the parking district to provide parking, provided that access will not conflict with police and fire access to the stations. Staff does recommend revising the language to indicate that potential uses should be evaluated at the time of redevelopment to ensure that they would not impede the operation of the stations.

Cinema (TC-3) and Century XXI properties (TC-4)

Committee Recommendation: Support the recommended TMX-2 zoning recommended for TC-4 and rezone TC-3 property to TMX-2. Clarify that a mix of uses, including commercial, entertainment, and housing, are appropriate for these properties.

Size of property: 7 acres

Location Map: page 57

Existing Zoning: TS and I-1

Proposed Zoning: TS and TMX-2

Summary of land use recommendations (see page38): The Plan recommends redeveloping the cinema and Century XXI properties at an average density of 2.0 FAR, consisting of housing and entertainment uses.

Testimony: None.

Staff Comments: TC-3 is recommended to retain its TS zoning, while TC-4 to its east and TC-2 to the west are recommended for TMX-2 zoning. For the reasons outlined above, Staff recommends rezoning TC-3 to TMX-2. Staff supports the recommended land use but recommends clarifying that the full build out of the property would allow commercial office, entertainment, and housing since the Plan appears to limit uses to just entertainment and housing, and there are already commercial uses on the property.

Properties along MD118/I-270 (TC-5 to TC-10)

Committee Recommendation: Rezone all properties to TMX-2.

Size of property: approximately 35 acres

Location Map: page 57

Existing Zoning: I-1, I-3, and TS

Proposed Zoning: TS and TMX-2

Summary of land use recommendations (see page 38): Redevelop properties along MD 118/ I-270 at an average density of 2.0 FAR with mixed commercial uses, including hotels.

Testimony: See Bellemead comments under TC-1 above.

Staff Comments: Town Center properties 4, 5, 6, 7, 8, 10, and a small part of 9 are recommended for TMX-2, while 3 and the remainder of 9 are recommended to keep their TS zoning. However, there is a single land use recommendation for properties 5 to 10. It is unclear to staff what rationale exists for keeping areas 3 and most of 9 in the TS zone (other than ensuring that existing and approved developments are held harmless from the change in zoning). Moreover, Staff remains unconvinced of the Planning Board's ability to limit density on the TS properties to 2.0 FAR.

A small sliver of land (area 10 and part of 9) is recommended for TMX-2 zoning, even though it is surrounded by TS zoning on either side. Since the TMX-2 zone does not have any upper limit on height and provides an upper limit of 2.0 FAR, it is important to provide master plan guidance on these issues. The Plan addresses density but not height. The Planning Department-recommended heights for these properties appears on © 14 to 16.

Safeway (TC-14) and EuroMotors (TC-15)

Committee Recommendation: Rezone to TMX-2. Increase FAR from 1.0 to 1.5 and change the Plan requirement to retain a grocery store to indicate that the site should retain a destination anchor, such as a grocery store. Clarify that a mix of uses, including residential uses, is allowed on this site. Amend language to encourage mixed-use buildings rather than to prohibit single-use buildings and recognize the public open space dedication made by Artery.

Size of property: 15 acres

Location Map: page 57, #s 14 and 15

Existing Zoning: TS

Proposed Zoning: TS

Summary of land use recommendations (see page 38): Allow up to 1.0 FAR on the Safeway (TC-14) and EuroMotors (TC-15) properties between Century Boulevard and MD 118. Redevelopment should be primarily commercial uses with street level retail. Retain a grocery store as street level retail. Although page 40 of the Plan (middle column, first bullet) indicates that height along MD 118 should be up to 143 feet (12 stories), Planning Department staff indicate that the correct height along MD 118 should be 100 feet.

Testimony: The Council received testimony from the Artery Group, LLC expressing concern with the Plan's density recommendations, conflicting recommendations as to the mix of uses on the property, requirement for a grocery store, and prohibition of single-use buildings. They believe that a density of 1.6 to 2.0 FAR as opposed to the 1.0 recommended by the Sector Plan is necessary to provide the catalyst for redevelopment and achieve the Sector Plan vision. They are also concerned that various comments and graphics in the Sector Plan could be interpreted to restrict the construction of additional residential development, which they believe will be essential for their planned mixed-use development. They are concerned about language in the Plan that prohibits single purpose retail development and requires the retention of a grocery store on the property. In addition, they have asked that if the site is rezoned to TMX-2, there is clarification that Artery has already met its public open space requirement in its earlier phase of development (with the land dedicated for BlackRock and Town Center Commons). If the property is rezoned to TMX-2, they believe the price of a BLT should be linked to land values, as previously suggested by Council Staff. Finally, they ask that Urban and Parking District fees not place an unequal burden on existing developments.

Staff Comments: Artery questions why the property designated as the core neighborhood would have a lower FAR than other properties equally close to a transit station. This site serves as a transition to the lower densities to the west and, therefore, Staff would not support a 2.0

FAR, but believes that a 1.5 FAR may be appropriate if the property is rezoned to TMX-2, since it requires consistency with master plan density specifications. (If the property retains its TS zoning, there is no requirement for consistency with the master plan, and Staff would be reluctant to support a greater density.)

Artery has expressed concern that Sector Plan language and graphics could be interpreted to prohibit housing, and although Staff does not share their interpretation, the language is somewhat vague and should be clarified to indicate that residential development may be part of the mix of uses on this site. As noted earlier in this memorandum, Staff recommends modifying language that prohibits single-use structures. The Plan should also recognize the prior public open space dedications made for Black Rock Performing Arts Center and the open space in front of Black Rock.

Artery has also asked to delete the statement that requires them to retain a grocery store. As with other properties, Staff sees no reason to require this specific land use at this location. The market should determine the number and location of grocery stores in Germantown. (The presence of street level retail, preferably with a destination anchor, is important, but it need not be a grocery store. For example, a bookstore could be just as successful in drawing people to Town Center.) Like other properties in Town Center, Staff believes that TMX-2 zoning would be more appropriate and provide greater flexibility. If the Town Center is the last of the TS properties to redevelop, it is possible that other sites will have used up the residential population capacity or limits on commercial development, thereby limiting the development potential on this important site.

TOWN CENTER - West of Middlebrook Road

Germantown Commons Shopping Center (TC-17)

Committee Recommendation: Rezone to TMX-2.

Size of property: 19 acres

Location Map: page 57

Existing Zoning: TS

Proposed Zoning: TS

Summary of land use recommendations (see page 38): Redevelop the Germantown Commons Shopping Center (TC-17) at up to 0.5 FAR with a maximum of 40 percent residential uses. Create a new private street pattern that is walkable and street-oriented.

Testimony: None

Trevion Property (TC-18)

Committee Recommendation: Support the Sector Plan’s recommended TMX-2 zoning and recommend 1.0 FAR.

Size of property: 16 acres

Location Map: page 57, # 18

Existing Zoning: C-O

Proposed Zoning: TMX-2

Summary of land use recommendations (see page 38): Develop at an average density of 1.0 FAR of mixed uses with an employment emphasis that achieves at least 65% office uses, a hotel and service retail, and a maximum of 35 percent residential uses located along the Wisteria Drive end of the site.

Testimony: The Council received testimony from the Gunners Lake Thirteen Ltd. Partnership, which owns and manages the Trevion Property. In place of the Sector Plan’s recommendation for TMX-2 zoning, they have requested alternative zoning since they believe the TMX-2 represents a downzoning from the existing C-O zoning (which they indicate would permit 1.5 FAR by right or up to 3.0 FAR or 450,000 square feet with site plan review). They have requested PD-60 zoning or the retention of the existing C-O zoning, and have expressed concerns about the complexities and uncertainties of the TMX-2 zone, including the required purchase of BLTs.

Staff Comments: Staff believes that PD-60 zoning would not provide any of the public benefits of alternative high density residential or mixed-use zones and has consistently recommended against this zone. Although the C-O zone allows up to 1.5 FAR, it has a far more narrow range of uses and less flexible development standards. Staff believes the TMX-2 zone will increase the opportunities for additional development and redevelopment on this site and supports the Sector Plan recommended zoning.

Sugarloaf Shopping Center (TC-20)

Committee Recommendation: Support the Sector Plan recommendations.

Size of property: 12 acres

Location Map: page 57

Existing Zoning: C-2

Proposed Zoning: RMX-2C

Summary of land use recommendations (see page 38): Redevelop the Sugarloaf Shopping Center at an average density of 0.6 FAR of mixed uses with a retail emphasis that includes housing; the optional method of development is recommended. Provide a public street through the property from Germantown Town Commons to Wisteria Drive.

Testimony: None

Properties along the southeast side of Locbury Drive Extended (TC-21)

Committee Recommendation: Support the Sector Plan recommendations.

Size of property: 4 acres

Location Map: page 57

Existing Zoning: C-2

Proposed Zoning: RMX-2C

Summary of land use recommendations (see page 38): Redevelop properties along the southeast side of Locbury Drive Extended (TC-21) at an average density of 0.5 FAR if assembled under optional method.

Testimony: None

TOWN CENTER WEST END

North of MD 118

Martens property (TC-22) and Waters Road Triangle property (TC-23)

Committee Recommendation: Support the Sector Plan recommendations for the Martens property but revise the map to properly show the stream buffers (see earlier Committee recommendation regarding the meaning of land use maps). Rezone the Waters Road Triangle property to RMX-2C to make the existing uses conforming, as intended in the 1989 Master Plan.

Size of property: 27 acres

Location Map: page 57

Existing Zoning: RMX-2

Proposed Zoning: RMX-2

Summary of land use recommendations (see page 41): Redevelop the Martens (TC-22) and Waters Road Triangle (TC-23) properties with a maximum of 420,000 square feet of employment and retail and 400 dwelling units with TDRs. Density should be distributed to permit up to 200,000 square feet of commercial uses and 300 units on the Martens property and up to 220,000 square feet of commercial uses and 100 units on the Waters Road Triangle properties.

Testimony: The Council received testimony on behalf of Vernon Martens opposing the Plan's staging recommendations and the recommended density. Mr. Martens believes the density caps should be eliminated or, at a minimum, set at 360 dwelling units, 240,000 square feet of commercial uses, and 0.5 FAR. In a subsequent e-mail, he also objected to the private open space shown on pages 36 and 37.

The Council also received testimony on behalf of Mr. Wildman. The 1989 Germantown Master Plan rezoned his property to RMX-2, making the existing commercial uses non-conforming. Subsequently, the RMX-2C zone was created, which would have allowed the existing commercial development while providing for redevelopment opportunities. Mr. Wildman believes that his properties would have been zoned RMX-2C if that zone existed at the time of the 1989 Germantown Master Plan. He has asked for a rezoning to RMX-2C at this time to accommodate the commercial uses. He further notes that the land use map on page 39 designates the property with a “C” to indicate mixed-use, commercial development, while the Sector Plan recommends a zone that is focused on residential development.

Staff Comments: Planning Department staff believe additional density would not be appropriate on the Martens property. Regarding the private open space, Staff believes it is useful to include this in the Sector Plan, but language can be added to indicate that the exact location will be determined during the development review process.

Staff reviewed the minutes from the discussion of the Waters Road Triangle property during the 1989 Master Plan and found that the Council discussed the fact that existing businesses were an integral part of the Germantown Plan and directed that the RMX zone be amended to ensure that the structures on the Waters Triangle site not become non-conforming. It appears that the text amendment was not amended to achieve this goal. Staff concurs with Mr. Wildman’s assessment that the 1989 Master Plan would have probably recommended RMX-2C if it had existed at the time. Since the Sector Plan limits the number of residential units and square feet of commercial development, the primary impact of the rezoning is to make the existing structures conforming.

South of MD 118

Marc Station – TC-24

Committee Recommendation: Support the Sector Plan recommendations but add the rationale for the rezoning.

Size of property: 5 acres

Location Map: page 57

Existing Zoning: R-200

Proposed Zoning: TMX-2

Summary of land use recommendations (see page 41): Redevelop the County-owned MARC station parking lot with street level retail facing MD 118 and a parking structure for MARC riders set into the slope of the property. The parking structure’s location and design should be compatible with the nearby historic district.

Testimony: There was no testimony on the garage, but significant testimony opposing having the construction of the garage as a staging trigger.

Staff Comments: This is one of several properties in this area recommended for rezoning to TMX-2. Although Staff does not disagree with the recommendation, there is no discussion of the recommended rezoning or rationale for the change.

County-owned property east of the Pumphrey-Mateney House (TC-25)

Committee Recommendation: Support the Sector Plan recommendations, but add rationale for rezoning.

Size of property: 0.3 acres

Location Map: page 57

Existing Zoning: O-M

Proposed Zoning: TMX-2

Summary of land use recommendations (see pages 41-42): Create two additional single-family detached lots on County-owned property east of the Pumphrey-Mateney House fronting Walter Johnson Drive, to create a compatible setting for the historic property.

Testimony: None

Properties south of MD 118 between the MARC station and Wisteria Drive

Shaw/Haddad property (TC-26) and Walter Johnson property (TC-27)

Committee Recommendation: Support the Sector Plan recommendations, but add rationale for rezoning and FAR limit for TC-27.

Size of property: 10 acres

Location Map: page 57

Existing Zoning: O-M

Proposed Zoning: TMX-2

Summary of land use recommendations (see page 41): Redevelop the properties south of MD118 between the MARC Station and Wisteria Drive (TC-26) with mixed uses up to 0.5 FAR. Orient commercial uses to MD118 and single-family attached residential uses along Walter Johnson Drive.

Testimony: None

Staff Comments: The zoning map on page 57 indicates that these properties are to be rezoned to TMX-2, but there is no mention of the rezoning or the rationale in the text. Since the TMX-2 limit on FAR, absent any master plan recommendation, is 2.0, it is important to include limits in the Sector Plan when the intent is for development less than 2.0. There is an FAR limit for TC-26, but it does not appear to apply to TC-27.

Medical Office Park (TC-28) and Post Office property (TC-29)

Committee Recommendation: Support the Sector Plan limits on density and recommended land uses, but rezone to TMX-2 zone.

Size of property: 10 acres

Location Map: page 57

Existing Zoning: R-200 (TC-28) and C-T (TC-29)

Proposed Zoning: RMX-2/TDR

Summary of land use recommendations (see page 41): Redevelop the Medical Office Park (TC-28) as mixed-use with a residential emphasis, up to 18 units per acre. If the post office (TC-29) relocates, redevelop the site for residential uses at 18 units per acre.

Testimony: None

Staff Comments: While Staff supports the land use recommendation for this site, Staff questions why these properties were not considered for TMX-2 zoning to make the zoning consistent for this entire area. Given the flexibility of the TMX-2 zone, it would be possible to achieve the Plan’s land use objective with the TMX-2 zone and the language in the Sector Plan. The complexities of the RMX zones also lead Staff to prefer alternative zones where appropriate. The Committee supports keeping the residential density capped at 18 units per acre (approximately 0.5 FAR).

Unidentified Town Center Properties

Committee Recommendation: Rezone government owned properties, the areas between TC-1 and TC-15 and TC-2 and TC-11 and the small properties between TC-13 and 17 to TMX-2. Retain TS zoning on all other unnumbered properties.

There are several properties in the Town Center that are zoned Town Sector (TS) but were not numbered or reviewed for this Sector Plan. Generally, these properties are developed, and Planning Department Staff did not believe there would be the likelihood for redevelopment during the life of the Sector Plan. Since the Committee has recommended rezoning much of the property in Town Center from TS to TMX-2, Staff recommended that the remaining TS parcels be considered for TMX-2 zoning. Staff has reviewed these properties with Planning Department Staff and makes the following recommendations:

- Those properties on the northern edge of Town Center that are adjacent to TS zoned properties outside the Sector Plan boundaries should retain their TS zoning.
- Those properties located between 2 areas recommended for TMX-2 zoning should also be rezoned TMX-2. This includes the area between area 1 and area 15, which should have a floor area ratio (FAR) limit of 1.5, the area between area 2 and area 11, which should be rezoned TMX-2 with an FAR limit of 1.0, and the small properties between TC-13 and TC-17, which should have an FAR of 1.0.

- TC-11 (the Library), TC-12 (Black Rock Performing Arts Center) and TC-13 (Up-County Government Services Center) should also be changed to TMX-2 to create a consistent zoning pattern.

Prior to the Council action, Staff will contact all property owners who may be unaware of the recommended rezoning to TMX-2.

GATEWAY DISTRICT

Rolling Hills property (GA-5)

Committee Recommendation: The Committee supports the RMX-1 zoning. The majority supports a density of 30 units to the acre. Councilmember Elrich supports the Plan-recommended 25 units to the acre.

Size of property: 40 acres

Location Map: page 58

Existing Zoning: R-H, PD-9, R-30, C-T

Proposed Zoning: RMX-1

Summary of land use recommendations (see page 44): Although the Plan indicates on page 43 that it does not recommend any changes in land uses from the current commercial and industrial uses, the Rolling Hills property is recommended for a change in zoning from R-H, PD-9, R-30, and C-T to RMX-1 with housing at 25 units per acre. The Sector Plan recommends placing high-rise residential buildings on the portion of the property with lower site elevations to avoid incompatible relationships with the nearby historic district, while still placing density closest to the MARC station. It also recommends a range of unit types, including single-family attached units. At the Committee worksession, Planning Department staff indicated that the Plan should have a height limit of 90 feet.

Testimony: The Council received testimony on behalf of Clark Enterprises, Inc., owner of the Rolling Hills property, supporting the recommended zoning but objecting to the Staging Plan and design guidelines. They ask that the Council remove the staging requirements and recommendation for specific unit types in the Sector Plan. They have also addressed specific recommendations in the Draft Design Guidelines (including building height and an illustrative concept plan). Although this was not in their written testimony, they subsequently indicated to Staff a request for 30 units per acre instead of the 25 recommended in the Sector Plan.

Staff Comments: The Committee has already addressed the Staging Plan and design guidelines in a previous worksession. Staff supports the RMX-1 zoning recommendation for this property. Planning Department staff do not believe that the property should develop at 30 units per acre due to concerns regarding intensity, potential height, and traffic. Staff believes the master plan should always recommend a mix of housing types whenever possible and supports the language in the Sector Plan that recommends a range of unit types, including single-family attached.

Oakwood Properties

Committee Recommendation: No change to the Sector Plan is appropriate since this area is outside the Sector Plan boundaries and the requested changes could not be accomplished through the Sector Plan.

The Oakwood Properties is the owner and developer of the Churchill Senior Housing community, which is located in Germantown outside the boundary of the Sector Plan. It is zoned TS and was previously approved for 300 senior independent and assisted living units, but they are currently considering requesting additional density on the site. They have asked the Council to ensure that there is adequate development potential under the population cap applicable to the Churchill Town Sector, to allow for the development of additional senior housing in Germantown to serve the needs of the County. The only options to insure this would be either to limit residential growth in the Sector Plan area or amend the TS zone to either change the way the population cap is calculated (Oakwood has recommended excluding senior communities) or eliminate the need to be within a population limit. Staff does not recommend limiting residential growth in the Sector Plan area to less than recommended in the Sector Plan. While amendments to the TS zone related to the calculation of the population cap appear to be appropriate, there would have to be a separate process to thoroughly evaluate the impact of alternatives, and this clearly could not be done before completion of this Sector Plan.

Cider Barrel

Committee Recommendation: Support the Sector Plan recommendation to relocate the Cider Barrel.

The Council received testimony objecting to the Plan’s recommendation to relocate the historic Cider Barrel to public property such as the police and fire site, the Upcounty Regional Services Center, or along the Century Boulevard promenade (see page 34 and pages 76 and 96 in the appendices). Kathie Hulley testified that the location of the structure is important historically. Since the Cider Barrel is now surrounded by new residential development with no public access, Staff believes that relocation to a more appropriate setting could lead to an interpretive use and would best protect this resource. Staff supports the Plan recommendation.

Environmental Issues

Committee Recommendation: Support the Sector Plan recommendations and add the Carbon Footprint analysis to the appendix. The Committee recommends additional consideration of the status of the Germantown Bog apart from the Sector Plan review.

The environmental section of the Sector Plan appears on pages 32 to 33. Staff believes this section appropriately describes the unique environmental resources of the Germantown Planning Area and the need for various strategies to protect or improve the natural environment, including protecting wetlands and forested areas, increasing tree canopy, improving stormwater

management measures, and stream restoration projects. The potential redevelopment of properties built without stormwater management measures may provide a unique opportunity to improve the natural environment in Germantown. The Council received testimony recommending an impervious cap for Germantown, but Staff does not believe this is appropriate for this corridor city where transit and higher densities are recommended. Additionally, impervious caps have only been used in areas with the most fragile watersheds in the County.

At the Committee worksession, Planning Department Staff presented a Carbon Footprint analysis which they believe should be added to the appendix.

Amenities

Committee Recommendation: Move the list of proposed amenities to the body of the Sector Plan.

The proposed amenities for the Sector Plan that would be required under the TMX-2 zone are described in Appendix 20 (page 129 in the technical appendices). Staff believes that any recommendations that are critical to the development review process should be included in the body of the Plan rather than in the appendices and, therefore, recommends moving the list of amenities into the Plan.

Technical Corrections

There are numerous technical errors in the Plan that need to be corrected. While those that could have a substantive impact have been identified in previous Staff memoranda, there are others (including comments received in testimony) that have not yet been addressed. Staff will work with Planning Department staff to identify all the changes as part of the resolution drafting process.

Appendices

Staff had previously recommended that certain sections of the appendices be moved into the body of the Sector Plan (a summary of community facility recommendations and description of amenities). Staff also believes that some sections can be removed from the appendices before the final printing of the adopted Sector Plan. Examples include the text of the Urban Service District Legislation or the text of the Transit Mixed-Use zone. Staff will work with Planning Department Staff to finalize these changes before final adoption.



OFFICE OF MANAGEMENT AND BUDGET

Isiah Leggett
County Executive

Joseph F. Beach
Director

MEMORANDUM

March 27, 2009

TO: Phil Andrews, President, County Council

FROM: Joseph F. Beach, Director, Office of Management and Budget

SUBJECT: Fiscal Impact Analysis of the Sector Plan for the Germantown Employment Area: An Amendment to the Germantown Master Plan

The purpose of this memorandum is to transmit a fiscal impact statement to the Council on the subject Amendment.

AMENDMENT SUMMARY

The Maryland-National Capital Park and Planning Commission submitted their draft *Sector Plan for the Germantown Employment Area: An Amendment to the Germantown Master Plan* to Montgomery County Government in February 2009. The Plan modifies the 1974 Master Plan in the following areas:

- Housing mix – promote a mix of housing types that can accommodate families of varying ages and income levels and allow opportunities for them to continue living in Germantown, as their needs and tastes change;
- Community identity – develop a greater sense of community identity;
- Community facilities – provide appropriate locations for community facilities; and
- Balance between housing and employment opportunities – provide greater opportunity for people to both live and work in Germantown.

The Plan's recommendations include:

- Complete the economic core envisioned in the General Plan;
- Increase employment;
- Organize communities around transit;
- Enhance connections to Germantown's greenbelt and stream valley parks;
- Pursue design quality and sustainability in the public and private realms; and
- Build on cultural, historic, and civic facilities.

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COMMERCIAL

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Office of the Director

Phil Andrews, President

March 27, 2009

Page 2

FISCAL SUMMARY

Pursuant to the Regional District Act, attached are the fiscal costs associated with this draft Germantown Master Plan Amendment. These costs were provided by the following departments: Transportation, General Services, Fire and Rescue Service, Police, Recreation, and the Upcounty Regional Services Center. Costs are reflected in 2009 dollars. Please note that all capital project cost estimates are high-level, order of magnitude estimates. Final estimates for capital projects would not be available until completion of design development.

The following departments reported no fiscal impact: Housing and Community Affairs, Permitting Services, Economic Development, Libraries, County Attorney, and Health and Human Services.

A written testimony with specific comments on the draft Germantown Amendment will be forwarded separately to the Council.

The following contributed to and concurred with this analysis: Edgar Gonzalez, Department of Transportation; Gary Stith, Department of General Services; Captain Tom Didone, Department of Police; Scott Gutshick, Fire and Rescue Service; Catherine Matthews, Upcounty Regional Services Center; Jeff Bourne, Department of Recreation; Scott Reilly, Department of Housing and Community Affairs; Alicia Thomas, Department of Permitting Services; Patricia Stromberg, Health and Human Services; Tina Benjamin, Department of Economic Development; Rita Gale, Department of Public Libraries; Cliff Royalty, Office of the County Attorney; and Amy Wilson, Office of Management and Budget.

If you have any questions about this fiscal impact analysis, please contact Amy Wilson, Office of Management and Budget, at 240-777-2775. The Executive Branch staff will be available during the County Council's work session on the plan.

JFB: aw

Attachment

c: Timothy L. Firestine, Chief Administrative Officer
Diane Schwartz Jones, Assistant Chief Administrative Officer
Kathleen Boucher, Assistant Chief Administrative Officer
Arthur Holmes, Department of Transportation
David Dise, Department of General Services
Gary Stith, Department of General Services
Tina Benjamin, Department of Economic Development
Carla Reid, Department of Permitting Services
Richard Bowers, Montgomery County Fire and Rescue Service
Thomas Manager, Department of Police
Gabriel Albornoz, Department of Recreation
Parker Hamilton, Department of Public Libraries
Rick Nelson, Department of Housing and Community Affairs
Leon Rodriguez, Office of the County Attorney
Catherine Matthews, Upcounty Regional Services Center
Amy Wilson, Office of Management and Budget
Marlene Michaelson, County Council
Jeff Zyontz, County Council

**Fiscal Analysis of the Planning Board Draft Sector Plan
Germantown Employment Area: An Amendment to the Germantown Master Plan**

Capital Improvement Projects

Project	Description	Page # in Plan	Cost Estimate	Implem. Dept.
Arterials				
Observation Drive	Little Seneca Creek to Dorsey Mill Road	Appendix 21; page 131	\$7,938,000	DOT
Waring Station Road	Clopper Road to Wisteria Drive	Appendix 21; page 131	\$10,206,000	DOT
Wisteria Drive ¹	Crystal Rock Drive to Great Seneca Highway	Appendix 21; page 131	\$0	DOT
Business Streets				
Century Blvd.	Kinster Drive to Cloverleaf Center Drive	Appendix 21; page 132	\$20,725,000	DOT
Crystal Rock Drive	Black Hill Park Access to Kinster Drive	Appendix 21; page 132	\$15,072,750	DOT
Crystal Rock Drive ¹	Middlebrook Road to Wisteria Drive	Appendix 21; page 132	\$0	DOT
Dorsey Mill Road	Crystal Rock Drive Extension to Observation Drive Extension	Appendix 21; page 132	\$21,273,175	DOT
Walter Johnson Drive ¹	Bowman Mill Road to Wisteria Drive	Appendix 21; page 132	\$0	DOT
Wisteria Drive ¹	Father Hurley Blvd. to Germantown Road	Appendix 21; page 132	\$0	DOT
Wisteria Drive ¹	Germantown road to Crystal rock Drive	Appendix 21; page 132	\$0	DOT
Other Roadway/Transit-related Improvements				
MD 355	MD 355 at MD 27	Appendix 21; page 133	\$90,000,000	DOT
MD355	MD 355 at MD118	Appendix 21; page 133	\$90,000,000	DOT
MD 355	MD355 at Middlebrook Rd	Appendix 21; page 133	\$80,000,000	DOT
I-270	I-270 at Dorsey Mill or I-270 at Father Hurley	Appendix 21; page 133	\$50,000,000	DOT
Father Hurley Blvd.	Father Hurley at Observation Drive	Appendix 21; page 131	\$75,000,000	DOT
Underground Garage Parking ²	TBD	N/A	TBD	DOT
Public Facilities Including Parks and Open Space				
Full Service Community Recreation Center ³	Utilizing the complete program of requirements (33,000 nsf, 4 athletic fields, playcourt, playground, 190 car parking)	Appendix 21; page 133	\$20,000,000	DGS
Small Recreation Center ³	21,000 nsf, limited or no outside amenities	Appendix 21; page 133	\$14,000,000	DGS
Elementary School	In the Seneca Valley cluster, a future elementary school site (Waring Station Elementary School) located on Waring Station Road	Appendix 3; page 15	\$21,000,000	MCPS
Germantown Town Center Urban Park	Current CIP Project #078704	Appendix 19; page 127	N/A	Parks
Kingsview Local Park	Facilities for youth and teens, such as skate park or plaza, open play area, playground	Appendix 19; page 127	\$3,000,000	Parks

Seneca Crossing Local Park	Provide needed fields, possibly cricket and other active recreation facilities. Currently in facility planning	Appendix 19; page 127	\$6,000,000	Parks
Family-oriented play park near Upcounty Regional Services Center ⁴	M&T Bank Site	Appendix 19; page 127	\$800,000	Parks
Subtotal – Capital Improvement Projects			\$525,014,925	

Operating and Capital Outlay Expenses

Services	Description	Page # in Plan	Cost Estimate	Implem. Dept.
Additional staffing and operating expenses for new Recreation Centers ³	Cost estimate includes personnel (\$328,000, 6.5WYs); operating (\$404,000)	N/A	\$732,000	REC
Additional EMS Unit ⁵	Additional EMS Unit and deploying costs. Cost estimate includes personnel (\$684,000, 18WYs); operating (\$53,000); and capital (\$225,000)	N/A	\$962,000	FRS
Additional Aerial Unit ⁵	Additional Aerial Unit and deploying costs. Cost estimate includes personnel (\$1,656,000, 9WYs); operating (\$179,100); and capital (\$1,130,000)	N/A	\$2,965,100	FRS
Addition staffing and operating expenses for Upcounty Regional Services Center ⁶	Establishing an Urban District for Germantown will require funding for additional staff and operating expenses. Cost estimate includes: personnel (\$1,157,060, 21.7WYs); and operating (\$496,230)	N/A	\$1,653,290	URSC
Additional police officers to be assigned to the 5 th District (Germantown) Phase I ⁷	First year costs include: personnel (\$1,504,000 - \$1,755,000, 18-21 officers); and operating (\$923,000-\$1,076,000 cruisers and equipment)	N/A	\$2,831,000	Police
Additional police officers, to be assigned to the 5 th District (Germantown)-Phase II ⁷	First year costs include: personnel (\$2,590,000-\$3,180,000, 31-38 officers); and operating (\$1,590,000-\$1,950,000 cruisers and equipment)	N/A	\$5,130,000	Police
Additional staffing and operating expenses for new elementary school	Cost estimate includes: personnel (\$790,000, 16.5WYs); operating (\$445,000)	N/A	\$1,235,000	MCPS
Subtotal – Operating and Capital Outlay			\$15,508,390	
Total Cost Estimate			\$540,523,315	

Notes and Assumptions:

¹Project cost estimate is \$0; existing paving, already built.

²The plan is not specific on the number of public parking spaces to be accommodated in garages. DOT's current cost for underground parking spaces is approximately \$40,000 per space.

³Noted in Plan as one Urban Recreation Center-during discussions between Department of Recreation and Maryland-National Capital Park and Planning Commission it was noted that two Centers may be necessary to address long term future needs.

⁴Development costs estimated at \$800,000, which assumes the land swap with Germantown Square Local Park property is cost neutral.

⁵Additional fire and rescue apparatus will be needed to keep pace with increased call load and increased fire and EMS risk associated with planned development.

⁶ Since the timing for establishing a district is dependent on the staging and implementation of development it's unknown exactly how many staff would be needed at first.

⁷Additional police officers and cruisers will be needed to keep pace with the increased population and planned development.



June 8, 2009

MEMORANDUM

TO: Marlene Michaelson, Senior Legislative Analyst
Montgomery County Council

VIA: Glenn Kreger, Acting Chief
Vision Division

FROM: Sue Edwards, Team Leader, North Central Transit Corridor
Vision Division (301-495-4518)

SUBJECT: PHED Worksession (June 15) on Germantown Employment Area Sector Plan

The M-NCPPC staff has been asked to prepare background on the following topics:

1. Overall strategy regarding density/height
2. Zoning strategy
3. Requirements for urban character – minimum three stories and structured parking
4. Public Facilities
5. Staging
6. Urban District and Parking District

- 1. Describe the Planning Board's overall strategy for determining appropriate density and height levels in the Sector Plan.**

Density

The *Planning Board Draft Sector Plan for the Germantown Employment Area: An Amendment to the Germantown Master Plan* provides for up to 23 million square feet of commercial development with approximately 69,700 jobs and 15,100 housing units at buildout.

The Plan builds a pattern of density focused at the Town Center transit station, stepping down to surrounding communities. The overall pattern will:

- *Concentrate the highest density, 2.0 FAR at the Town Center transit station and surrounding properties*
- *Develop most of the employment corridor properties with mixed-use at an average density of 1.0 FAR*
- *Limit the average density to between 0.5 FAR and 0.75 FAR for properties that will be served by transit located north of MD 27 adjoining existing residential communities*
- *Provide densities of 0.3 to 1.0 FAR for properties near the MARC station.*
- *Develop areas not served by CCT or MARC at average densities of 0.3 to 0.5 FAR (Sector Plan, page 15)*

Height

The Sector Plan calls for each of Germantown's seven districts to have an identifiable center, with the Town Center being preeminent. Coherent, identifiable centers are created when density and buildings are clustered in a core area and building heights step down toward the periphery adjacent to residential areas. The Draft Urban Design Guidelines for the Germantown Employment Area Sector Plan, as the guidelines are refined and publicly discussed, will generate more specific guidance as to height. In general, the design guidelines will direct development at transit-served locations to be clustered around the transit stations by placing the greatest density and tallest buildings close to the station. For districts without a transit station, development will create a center by closely arranging taller buildings in a core area (Draft Urban Design Guidelines, page 30).

The Planning Board considered building height when applying the TMX-2 (Transit Mixed-Use) zone for a number of properties that are currently served by MARC transit or will be served in the future by the Corridor Cities Transitway. The Board sought to focus development in areas that are (or will be) served by transit, with the greatest height and density located at the Town Center transit station. (The 1989 Germantown Sector Plan recommended that the Town Center be "the principal activity center for Germantown" and the 2009 Planning Board draft Sector Plan continues this philosophy.)

The TMX-2 zone (sec 59-C-14.24) allows for development standards for the standard method and optional method of development. Standard method projects have a maximum density of development of 0.5 FAR with a maximum building height of 42 feet (sec 59-C-14.244). Projects filed under the TMX-2 optional method of development may have a maximum density of up to 2.0 FAR with building height determined at project plan. The Sector Plan provides guidance for building height within the text of each analysis area (Sector Plan, pages 37-55).

2. Why were certain zones used in certain locations?

The Sector Plan recommends an array of mixed-use zoning categories to shape development. Existing zones used in the Sector Plan include:

- RMX-1
- RMX-1/TDR
- RMX-2/TDR
- RMX-2C
- I-3 with an option for mixed-use

The Sector Plan applied new zoning in instances where:

- Properties are served by existing or future transit (within ¼ mile)
- Potential employment in the future was maintained
- Existing zoning inconsistencies would inhibit future employment and mixed-use development or redevelopment

The Sector Plan reconfirms the Town Sector (T-S) zone for approximately 300 acres of the Churchill Town Sector included in the Sector Plan boundaries. Approximately 1,250 acres of Churchill T-S zoned properties are outside of the Sector Plan boundaries and did not participate in discussions of distributing the remaining Town Sector population credits. The T-S properties in Germantown are not eligible for rezoning until 2018 unless the zone itself is extensively modified.

The Sector Plan does not recommend zoning changes to single purpose residential, commercial, or industrial zones except for three properties on the southern end of MD 355 where C-1 zoning is recommended for a future credit union and for a current, non-conforming restaurant. Zoning for existing residential communities has not been altered by the proposed Sector Plan.

Analysis Area	Transit Station	Proposed Zoning
Town Center Core	Town Center	T-S TMX-2
West End of Town Center	MARC	TMX-2 RMX-2 RMX-2C
Gateway	Adjacent to MARC	RMX-1
Cloverleaf	Cloverleaf	TMX-2
North End	Manekin (west of I-270) Dorsey Mill (east of I-270)	T-S TMX-2
Seneca Meadows	Seneca Meadows	TMX-2
Montgomery College	None	I-3 optional
Fox Chapel	None	RMX-2/TDR RMX-2C

3. How do the Sector Plan requirements for urban character such as a three-story minimum building height and requirement for structured parking contribute to the Sector Plan objectives?

Development in Germantown consists, for the most part, of vast footprints of one and two story buildings with expansive surface parking areas. Throughout the Germantown planning area retail locations have included separate pad sites used by banks and restaurants with drive-through windows. Office parks have developed with independently sited, one and two-story flex buildings. The exception to this pattern has been the Milestone Business Park with two six-story buildings constructed since 2002.

Only the Town Center received attention for maximum building height, building envelope, parking, streetscape, gateway features, open space and pedestrian and vehicular circulation with guidance contained in the 1992 Germantown Design Study: Guidance for the Implementation of Future Development of the Town Center.

The Sector Plan references the importance of community form in discussing the timing and location of development:

“Community form is as important as the amount of development. Minimum building heights of 36 feet (three occupiable floors) will be required to encourage higher future densities. No single purpose retail buildings will be allowed in the Town Center, West End, Gateway, Cloverleaf, or North End Districts. Single purpose office buildings are acceptable. Selected single purpose retail buildings may be permitted in the Seneca Meadows District when site plan review is required” (Sector Plan, page 64).

The Plan’s urban framework (page 18) directs that parking take place “...on the streets, in mid-block structures or in structures lined with street activating uses. Surface parking, where necessary, should be located behind or to the side of development and screened with building extensions, low walls, or evergreen hedges.”

The Sector Plan also states that “parking should not exceed the minimum required in the Zoning Ordinance. Encourage shared use parking and, if feasible, develop public/private parking facilities” (page 18).

The Plan’s Environmental Framework also references protecting water quality, stormwater interception in lieu of regional stormwater facilities, minimizing impervious surface area, and “developing Germantown in an urban pattern [that] will provide the opportunity for creative green design and building options that enhance environmental quality” (page 33).

4. What public facilities are needed and in what locations to implement the land use recommendations of the Sector Plan?

The following community facilities are located within the Sector Plan boundaries:

- Germantown Fire Station No. 29
- District V Police Station
- Germantown Regional Library
- BlackRock Center for the Arts
- The Upcounty Regional Services Center
- Plumgar Neighborhood Recreation Center
- Seneca Valley High School
- Roberto Clemente Middle School
- Waring Station elementary school site (undeveloped)

Other facilities outside the Sector Plan area that support the land use within the Sector Plan boundaries are:

- Kingsview/West Germantown Fire Station No. 22
- East Germantown Fire Station (under construction)
- Neelsville Middle School
- Waters Landing Elementary School
- Lake Seneca Elementary School
- Germantown Elementary School
- Fox Chapel Elementary School

- Captain James E. Daly Elementary School
- Sally K. Ride Elementary School
- Clarksburg Cluster Elementary School (under construction)

Additional school capacity needs are analyzed in Appendix 3: School Capacity Analysis (page 14) shown here:

New Units by Type					Student Generation by Level		
Cluster	Single Detached	Townhouse	Mid-rise	Total units	K-5	6-8	9-12
Clarksburg	0	73	1,208	1,281	66	55	47
Northwest	0	0	1,413	1,413	59	55	47
Seneca Valley	0	80	5,995	6,075	269	243	206
Total of New Development	0	153	8,616	8,769	394	353	300
Redevelopment of Rolling Hills Apartments* (Northwest cluster)					-95	-35	-50
Redevelopment of Middlebrook Mobile Home park* (Clarksburg cluster)					-70	-25	-40
Deductions for redevelopment					-165	-60	-90
Total Master Plan student generation					229	293	210

*The Master Plan (MP) total subtracts students currently residing in Rolling Hills Apartments (468 garden-style apartments) and the Middlebrook Mobile Home Park (200 homes). These communities are replaced in the Master Plan by lower-yielding, mid-rise units included in the units shown for the Clarksburg and Northwest clusters.

The conclusion of Appendix 3 is that *“most of the additional residential development foreseen in the Germantown Employment Area Sector Plan falls within the Seneca Valley cluster. The presence of the Waring Station ES school site in this cluster provides the option of a new elementary school in the future, if needed by buildout of the master plan development”* (Technical Appendix, page 15).

The Planning Board will discuss the Growth Policy school test on June 8, 2009

<http://montgomeryplanningboard.org/agenda/2009/documents/boardmemoforschooltestFY10.pdf>

Development in the Clarksburg and Seneca Valley clusters will require payment of a schools facility fee in FY 10.

Recreation Needs

Appendix 18 contains the request by the Department of Recreation to locate an additional community-serving recreation center (similar in size and programming to the Germantown Community Recreation Center) within the Sector Plan boundaries to serve recreation needs east of I-270. Park, Planning and Recreation staff are discussing a potential location which will be presented at the June 15 PHED worksession.

5. What is the rationale for the staging increments and staging triggers contained in the Sector Plan?

Staging Rationale

The Staging Plan is discussed on pages 64 and 65 of the Sector Plan:

“The general purpose of staging in master plans is to ensure that infrastructure keeps pace with development. Other goals of staging include:

- *encouraging development to occur in certain districts, such as the Germantown Town Center*
- *promoting certain types of uses to occur first, such as employment in Germantown*
- *limiting the extent of interim uses that provide economic return on a property but may take on a permanence that impedes implementing the master plan vision”.*

The staging plan prioritizes development based on the following principles:

- *Staging should implement the Plan’s basic elements:*
 - *Increase employment*
 - *Provide mixed land uses at transit locations*
 - *Strengthen the Germantown Town Center*
 - *Enhance community identity*
 - *Create sustainable development opportunities*

A limited amount of interim uses are allowed when they are linked to public policy objectives such as creating transit-servicable densities, workforce housing, or providing new housing units that contribute to the Town Center’s vitality” (Sector Plan, page 64).

The staging plan reflects the philosophy in the 1989 Germantown Master Plan that the Town Center should be emphasized as the principal activity center for Germantown.

Staging Triggers

The Staging Plan consists of four elements:

	Commercial Development (s.f.)	Jobs (estimated)	Dwelling units
Pipeline of approved development (no staging triggers)	3,241,729	13,000	0
Interim uses (no staging triggers)	1,694,856	6,800	1,660
Stage 1 (with staging triggers)	3,908,522	15,600	2,220
Stage 2 (with staging triggers)	7,425,732	29,700	3,630
New development ¹	16,270,839	65,100	7,510

¹Net amount when redevelopment and demotions are considered.

The interim level of development consists of 25 percent of new development approvals; there are no staging triggers applied to interim development. Other development not subject to staging includes (1) Projects that are 60 percent workforce or employer-sponsored housing; and (2) academic facilities at Montgomery College; and (3) development reviewed as mandatory referral.

Stage 1 consists of 30 percent of new development. The staging triggers for Stage 1 include:

- Sectional Map Amendment
- Phase 1 of an urban service district
- Monitoring program for non-driver mode share
- Urban parks funding
- MARC parking garage funding
- Alternative park and ride location outside of Town Center
- Bowman Mill Drive connection to MD 118

Stage 2 consists of 45 percent of new development. The staging triggers for Stage 2 include:

- Funding for CCT segment between Metropolitan Grove and Germantown Town Center
- Determination of whether M-83 will be built
- Increase of non-driver mode share to 21 percent
- Construction of Observation Drive extended
- Goldenrod Lane and Cider Press Drive extension to MD 355
- Complete Century Boulevard
- Fund Dorsey Mill Road bridge crossing over I-270

6. How will an Urban Service District and Parking Lot District implement the Plan recommendations?

This information will be discussed orally at the June 15, 2009 PHED worksession.

SE:ha: M:germantown.0 council session.june 15 worksession.orverarching issues.060309

PROPERTY	EXISTING ZONING	PROPOSED ZONING	Developed (Y or N)	FAR limit (if stated in Plan)	HEIGHT LIMIT (stated in Plan)	HEIGHT LIMIT (not stated Plan)
Town Center						
TC-1	T-S	No change	Y	FAR 2.0	180 ft at CCT station; 143 ft. toward I-270	100 ft along MD 118
TC-2	I-3	TMX-2	Y	FAR 2.0	143 ft	
TC-3	T-S	T-S	Y	FAR 2.0	143 ft	
TC-4	I-1	TMX-2	Y		143 ft	
TC-5	I-3	TMX-2	Y	FAR 2.0		60 ft
TC-6	I-1	TMX-2	Y	FAR 2.0	143 ft	
TC-7	I-3	TMX-2	approved plan	FAR 2.0	143 ft	
TC-8	I-3	TMX-2	Y	FAR 2.0	143 ft	
TC-9	T-S	T-S	Y	FAR 2.0	143 ft	
TC-10	I-3 and I-1	TMX-2	Y	Far 2.0	143 ft	
TC-11	T-S	T-S	Y			
TC-12	T-S	T-S	Y			
TC-13	T-S	T-S	Y			100 ft along MD 118; 60 ft along Century
TC-14	T-S	T-S	Y	FAR 1.0		100 ft along MD 118; 60 ft along Century
TC-15	T-S	T-S	Y			100 ft along MD 118; 60 ft along Century
TC-16	C-2, C-3	TMX-2	Y			100 ft
TC-17	T-S	T-S	Y	FAR 0.5		60 ft; 40 ft along Locbury Drive
TC-18	C-O	TMX-2	Y	FAR 1.0	100 ft	
TC-19	O-M, C-T	TMX-2	partially		100 ft	
TC-20	C-1, C-2	RMX-2C	Y	FAR 0.6	100 ft along MD 118; 60 ft along Century	
TC-21	C-2	RMX-2C	Y	FAR 0.5		40 ft
TC-22	RMX-2	RMX-2	N			60 ft
TC-23	RMX-2	No change	partially			60 ft
TC-24	R-200	TMX-2	parking lot		40 ft	
TC-25	O-M	TMX-2	partially			60 ft.
TC-26	O-M	TMX-2	Y			60 ft.
TC-27	O-M	TMX-2	partially			60 ft.
TC-28	R-200	RMX-2/TDR	Y			60 ft.
TC-29	C-T	RMX-2/TDR	Y			60 ft.
Gateway District						
GA-1	R-200	No change	Y			
GA-2	I-1	No change	Y			
GA-3	PD-13, PD-15	No change	Y			40 ft
GA-4	R-200	No change	Y			

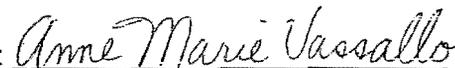
PROPERTY	EXISTING ZONING	PROPOSED ZONING	Developed (Y or N)	FAR limit (if stated in Plan)	HEIGHT LIMIT (stated in Plan)	HEIGHT LIMIT (not stated Plan)
GA-5	R-H, PD-9, R-30, C-T	RMX-1	Y			90 ft in the interior; 60 ft on exterior
Cloverleaf District						
1	I-3	TMX-2	Y	FAR 1.0	143 ft. at transit, 125 ft along I-270	
2	I-3	I-3	Y	FAR 1.0	143 ft. at transit, 125 ft along I-270	
3	I-3	TMX-2	Y	FAR 1.0		125 ft
4	I-3	TMX-2	Y	FAR 1.0	143 ft. at transit,	90 ft along Crystal Rock Drive
5	I-3	TMX-2	Y	FAR 1.0	143 ft. at transit,	90 ft along Crystal Rock Drive
6	I-3	TMX-2	Y	FAR 1.0		125 ft along I-270
Northend District						
1	I-3	TMX-2	N	FAR 0.75	143 ft. at transit, 72 ft near ex. residential,	125 ft. along I-270
2	T-S	No change	N	FAR 0.75	143 ft. at transit,	125 ft along I-270
3,4,5	R-30	No change	Y			
6	I-3	TMX-2	Y	FAR 0.75	125 ft along I-270, 60 ft adj. to residential	
7	R & D	No change	Y			
8	R-30	No change	Y			
Seneca Meadows/Milestone District						
1	I-3	TMX-2	partially	FAR 1.0	143 ft at transit	125 ft along I-270, 60ft, adj. to residential
2	I-3	No change	Y			
3	RMX-3/TDR	No change	Y			
4	RMX-1	No change	Y			
5	RMX-3/TDR	No change	Y			
6	R-200/TDR	No change	Y			
7	RMX-3/TDR	No change	Y			
8	R-200/TDR	No change	Y			
9	R-200	No change	Y			
10	R-200/TDR, C-3	No change	Y			
11	R-200	No change	Y			
12	O-M	No change	Y			
13	R-200	No change	Y			
Montgomery College						
1	R-60, R & D, I-3	I-3 optional	partially			100 ft along I-270 60 ft for south

PROPERTY	EXISTING ZONING	PROPOSED ZONING	Developed (Y or N)	FAR limit (if stated in Plan)	HEIGHT LIMIT (stated in Plan)	HEIGHT LIMIT (not stated Plan)
2	I-3	No change	Y			
3	R-60/TDR, C-4	No change	Y			
4	R-60/TDR, C-5	No change	Y			
5	R-60/TDR, I-3	No change	Y			
6	R-60/TDR	No change	Y			
7	R-20	No change	Y			
8	R-60	No change	Y			
9	I-3	I-3 optional	Y			
Fox Chapel						
1	C-1	RMX2C/TDR	Y	FAR 0.3 commercial		60 ft along MD 355, 50 ft adj. to sf residential
2	R-60/O-M	No change	y			
3	C-3	No change	Y			
4	C-1	RMX2C/TDR	Y			60 ft along MD 355
5	R-200, R-90, R-30, C-1	RMX-2C/TDR	Y			60 ft along MD 355, 50 ft adj. to sf residential
6	RT 12.5	RT-15	Y			
7	R-90	No change	Y			
8	R-200	No change	Y			
9	R-90, C-1	No change	Y			
10	C-1, C-2, C-3	No change	Y			
11	R-H	No change	Y			

Sincerely,

SHULMAN, ROGERS, GANDAL
PORDY & ECKER, P.A.

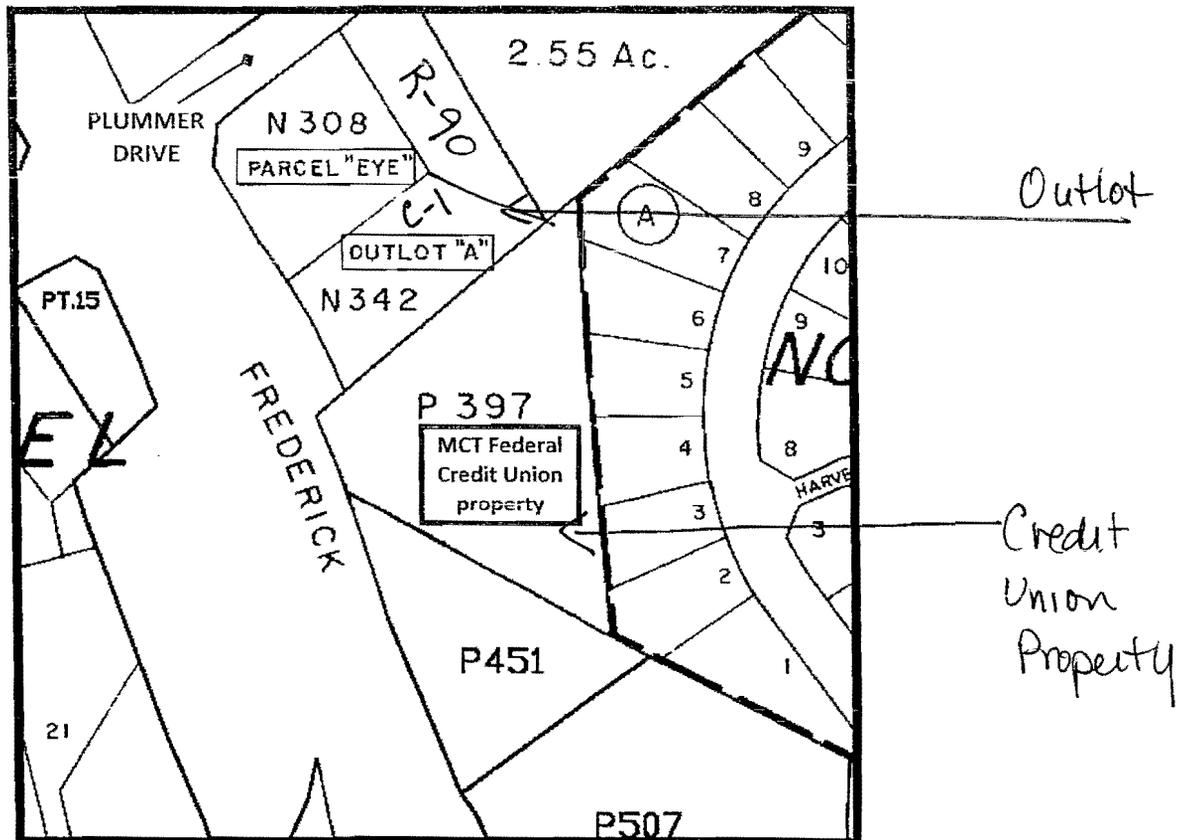
By: 
David D. Freishtat

By: 
Anne Marie Vassallo

cc: Mr. Thomas Beck
Ms. Marlene Michaelson

Tax Map showing:

- 19215 Frederick Road (P397, MCT Credit Union property)
- Parcel I/"Eye" (N308)
- Outlot A (N342)



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RMX Zone Comparison Chart
Density and Height

Density Standard Method	RMX-1	RMX-2	RMX-2C	RMX-3	RMX-3C	RMX-1/TDR	RMX-2/TDR	RMX-2C/TDR	RMX-3/TDR
<i>Commercial</i>			0.3FAR		0.3FAR			0.3 FAR	
<i>Maximum Residential-dependent upon the method of development in R-200 zone.</i>			14.5 d.u./acre; 17.69 d.u./acre		14.5 d.u./acre; 17.69 d.u./acre	11 d.u./acre	11 d.u./acres	14.5 d.u./acre; 17.69 d.u./acre	11 d.u./acre
Cluster Development	2 d.u./acre	2 d.u./acre		2 d.u./acre		2 d.u./acre	2 d.u./acre		2 d.u./acre
Development incl. MPDU units	2.44 d.u./acre	2.44 d.u./acre		2.44 d.u./acre		2.44 d.u./acre	2.44 d.u./acre		2.44 d.u./acre
Maximum Height Standard Method	RMX-1	RMX-2	RMX-2C	RMX-3	RMX-3C	RMX-1/TDR	RMX-2/TDR	RMX-2C/TDR	RMX-3/TDR
<i>Commercial</i>			3 stories or 42 feet (w/except.) (C-2)		3 stories or 42 feet (w/except.) (C-2)				
<i>Residential</i>	50 feet or 3 stories or 40 feet; accessory bldg. 2 stories or 25 feet	50 feet or 3 stories or 40 feet; accessory bldg. 2 stories or 25 feet	35 feet; additional 8 feet for rooftop structures and mechanical apprut.(R-30)	50 feet or 3 stories or 40 feet; accessory bldg. 2 stories or 25 feet	35 feet; additional 8 feet for rooftop structures and mechanical apprut.(R-30)	50 feet or 3 stories or 40 feet; accessory bldg. 2 stories or 25 feet	50 feet or 3 stories or 40 feet; accessory bldg. 2 stories or 25 feet		50 feet or 3 stories or 40 feet; accessory bldg. 2 stories or 25 feet

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RMX Zone Comparison Chart

Density and Height

Density, Optional Method (MaxIMH)	RMX-1	RMX-2	RMX-2C	RMX-3	RMX-3C	RMX-1/TDR	RMX-2/TDR	RMX-2C/TDR	RMX-3/TDR
Commercial	0.35 FAR but less than 200K sq. ft.	0.5 FAR but less than 600K sq. ft.	0.5 FAR but less than 600K sq. ft.	0.5 FAR but less than 1.3 mil. sq. ft.	0.5 FAR but less than 1.3 mil. sq. ft.	0.35 FAR but less than 200K sq. ft.	0.5 FAR but less than 600K sq. ft.	0.5 FAR but less than 600K sq. ft.	0.5 FAR but less than 1.3 mil. sq. ft.
Residential	30 d.u. per acre	30 d.u. per acre							
(19)	Where located near commercial, max is 40 d.u. per acre	Where located near commercial, max is 40 d.u. per acre	Where located near commercial, max is 40 d.u. per acre	Where located near commercial, max is 40 d.u. per acre	Where located near commercial, max is 40 d.u. per acre	Where located near commercial, max is 40 d.u. per acre	Where located near commercial, max is 40 d.u. per acre	Where located near commercial, max is 40 d.u. per acre	Where located near commercial, max is 40 d.u. per acre
								Any increase in density above standard method density requires the use of TDRs.	

Michaelson, Marlene

From: Hanson, Royce [Royce.Hanson@mncppc-mc.org]

Sent: Saturday, June 20, 2009 10:28 PM

To: Knapp, Mike; Floreen's Office, Councilmember; Elrich's Office, Councilmember

Cc: Michaelson, Marlene

PHED Committee:

After the discussion last Monday concerning the retention of the Town Sector Zone for town center and Lerner properties I had an opportunity to revisit the decision made by staff and Board in recommending staying with the T-S Zone instead of recommending the TMX zone. Because of the length of time since we made the decisions, I did not recall the details during the discussion, which tended to focus on the characteristics of the zone and the legality of severing part of it by SMA. Here is the policy rational for why the Board retained it and continues to recommend its use:

A central objective of the plan is to make possible the creation of a vibrant town center, with an overall density of 2.0 FAR for the area from the MARC station in the West End to the CCT station at Aircraft and Century plus a few other tracts proposed for the T-S and TMX-2 zones. This level of overall FAR is important, both to support the CCT and to provide the level of activity necessary for a strong mixed use center. While development at the other CCT stations should be more dense that the broader areas surrounding them, none should equal the density of the town center.

Achieving an overall density of 2.0 FAR for the entire town center will require that some of the parcels now in the T-S Zone develop at higher densities, since today, the entire town center, running from the Up County Service Center to the transit hub is developed at about 0.3 FAR. Much of this area will not redevelop during the life of this plan. It is important, therefore, that the developable land be allowed somewhat higher densities than 2.0 if the overall average is to be approached, let alone reached. ***That will not occur if the TMX-2 zone is used because it establishes the maximum allowable density for each parcel at 2.0 FAR, and it is probable that some of those parcels will not attain full density.*** The analysis the staff prepared, using an optimistic assumption about the number of parcels in the town center that would develop if each of them attained the full 2.0 FAR under TMX-2, the highest overall density that could be achieved in the Town Center is about 1.3 FAR. This is not enough to create and sustain a place that is clearly identifiable as the center of Germantown.

It is possible, however, to achieve both the density needed to make a great place of the town center and provide the boost in density in that area sufficient to bring the overall average up to 2.0 by using the Town Sector Zone. This is because the T-S Zone does not have an FAR limitation for non-residential uses. It is even more flexible than the TMX, it is in the right place to have the right effect, and its continued use does not raise any of the issues associated with severing it from the rest of the T-S zoned property in Germantown.

There are limitations respecting its use, which have been discussed. It has a different method of calculating the MPDU requirement. It lacks an explicit BLT or master plan consistency requirement. Both of these deficiencies are relatively easy to resolve. Both could be provided by a text amendment. Master Plan consistency is required under the subdivision regulations, and new state law, effective July 1, also requires master plan consistency. While the latter excludes density and use from the consistency requirement, it does require consistency with master plan policies, staging, and development patterns. In short, we have sufficient regulatory authority to achieve the development objectives of the plan.

Council Member Knapp may remember a conversation we had during the development of the sector plan, when

6/25/2009

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I expressed my concern that the TMX-2, as enacted by the Council after the Twinbrook Plan discussion, would not provide sufficient density for the appropriate development of the town center. While one solution might have been the creation of a TMX-3 or TMX-4, the Board has been reluctant to recommend creating a "family" of TMX zones in light of the further work that is being done on revision of the zoning code. A more comprehensive and better approach to mixed use zoning is being developed that we will propose in conjunction with the White Flint and West Gaithersburg plans and it is conceivable that this new zone can replace many if not all other mixed use, transit-oriented zones and some other commercial zones. In any event, since the objectives of the Germantown Plan can be achieved without creating any new zones through continued use of the T-S zone, we recommend its use.

With respect to the Lerner tract, also in the T-S zone, we dealt extensively with it during the work sessions for the Germantown plan. The 0.75 FAR recommended for the site is appropriate for it for several reasons. First of all, it permits fairly intense development in the vicinity of a CCT station, but at less density than the Town Center or Cloverleaf, maintaining the plan's policy of permitting the greatest density at the town center and progressively less density at other stations as their distance from the center increases. The density proposed for the tract appeared to consistent with the owner's intentions for the future development of the tract at that time, and allowed protection of the important forest stand on the property, which is important to retaining the percentage of tree cover and level of natural resource protection recommended by the plan.

Royce

Royce Hanson
Chairman
Montgomery County Planning Board
Maryland-National Capital Park & Planning Commission
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Silver Spring, MD 20910
301-495-4605
rhanson@mncppc-mc.org

6/25/2009

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Montgomery College District-- Zoning Analysis

Development Standards	Zones				
	I-3 Zone	I-3 Optional	Proposed LSC	TMX-2	TMX-2 Optional
Purpose of the Zone	Medium density industrial development for park-like development of high technology industries, research and development facilities, corporate and business offices and similar uses.	Permits mixed use development at locations that have convenient access to transit and are recommended in the Master Plan. Modifies development standards and reduces setbacks.	Makes changes to the LSC zone to permit mixed use development under certain circumstances in order to promote growth and advancement of life sciences and applied technologies and to establish the use of building lot termination development rights in the LSC zone.	Permits moderate through intensive mixed-use development in a Transit Station Development Area.	Greater densities may be permitted and fewer specific development standards. Additional public facilities and amenities must be provided by the developer.
Allowed Uses	Examples of permitted uses: light manufacturing, research and development, cafeteria/dining, general offices, health clubs, laboratories, medical clinics, telecommunications facilities, day care/family care, etc. Retail sales and personal services allowed when operated primarily for the convenience of employees. SE: dwellings, eating and drinking establishments, hotel, hospital, conference facilities with lodging, art or cultural centers.	Includes all the permitted uses of the I-3 zone. The optional method is intended to provide a compatible mix of uses including employment, housing, and retail configured to define and animate the streets and create a strong sense of place. Allows by right: dwellings, health club, hotel, housing and facilities for elderly, some commercial and service uses SE: eating and drinking establishments with drive-in, hospital.	Eliminates permitted use table in favor of broad categories of uses such as: arts, entertainment, and recreation; communications facilities or structures; food service; health care services; personal services; research, development and related services; retail trade; transportation facilities or structures; utilities. General office limited to 50 percent	Examples of permitted uses: dwellings, variety of retail including grocery, hotel, convenience food and beverage stores, drug store, health club, theater, recreation facilities, general and professional office, private educational institutions, art, etc.	Same as TMX-2

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Development Standards	I-3 Zone	I-3 Optional	Proposed LSC	TMX-2	TMX-2 Optional
Maximum Density (FAR)	0.5 FAR	0.6 FAR (Non-residential)	2.0 FAR (or by master plan designation)	0.5 FAR	2.0 FAR (or by master plan designation)
Maximum Building Coverage			25 percent (zoning code)	75 percent	Determined at project plan
Maximum Residential	Not allowed	40 percent of total density with a base density of 8 units/acre for the gross tract area. Allows 12.5 units/acre (if MPDU & TDR is used)	By master plan designation	By master plan designation	Determined at project plan
Maximum Retail	Primarily for convenience of employees	20 percent of non-residential gross floor area	Not limited	Not limited	Not limited
Minimum Public Use Space			15 percent	10 percent	20 percent
Green Area	35 percent		25 percent (zoning code)		
BLT Requirement			12.5 percent of any density above 0.5 FAR		12.5 percent of any density above 0.5 FAR
Special Feature(s)	Max. density can be increased up to 0.6 FAR if applicant obtains approval of a traffic mitigation agreement at the time of site plan review (see §59-C-5.3)	Allows mixed use development. Retail/Service – 20 percent max Employment – 60 percent max	Bldg. coverage can be increased up to 50 percent when applicant proposes to construct structured or underground parking	Max. residential FAR may be increased in proportion to any MPDU density bonus and workforce housing units provided onsite	

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AGENDA ITEM #7B
July 14, 2009
Worksession

MEMORANDUM

July 10, 2009

TO: County Council
60
FROM: Glenn Orlin, Deputy Council Staff Director
SUBJECT: **Worksession**—Germantown Employment Area Sector Plan—transportation elements

Councilmembers: Please bring your copies of the Draft Sector Plan and the Technical Appendices (TA) to this worksession.

This memorandum addresses the elements in the Transportation section of the Planning Board Sector Plan (pp. 25-31), other transportation-related elements in the plan, and Technical Appendices (TA) #14-16 (pp. 98-115 of the TA document). The Executive's Fiscal Impact Statement (©1-5) estimates the public costs of the transportation recommendations in the Sector Plan at about \$460 million in constant (2009) dollars. This amount includes neither the Corridor Cities Transitway (CCT) nor the widening of I-270, each extending through the planning area. The full list of projects is on ©3; no engineering has been conducted for these projects, so the cost estimate may be higher or lower by 50% than what is shown.

Most of the elements discussed in this memo are those about which there is some disagreement with the Sector Plan expressed by the Executive (©6-12) and Department of Transportation (©13-25), public testimony, or Council staff. Some purely technical corrections will be made to the final document, but they are not identified in this memorandum.

1. The meaning of transportation recommendations in a master plan. Master plans are blueprints for the long-term (20+ years) future of an area: both for how land should be developed (type and density) and what functional facilities, such as road projects, will be needed to serve this development. But incorporating a new road, transitway, or a road widening in a master plan does not mean it will be built in the short term. In fact, for a project to be built in the short term it would also have to be included in the State or County six-year capital improvements program, which is a separate public process altogether. Incorporating a new road or a road widening in a master plan does not even guarantee it will be built in the long term.

What it does mean is that it is County policy that eventually such a project will be needed, and that every step will be taken to protect the option to build it. For example, it means that sufficient right-of-way will be protected and required for dedication. It means that the right-

of-way will not be used in ways that would make it more difficult to build or widen a road in the future. Even if current residents of an area oppose a project that they believe is neither wanted nor needed during their tenure, incorporating a project in a master plan allows a future generation of residents to choose differently if conditions change.

2. Land use/transportation balance. With the exception of the Potomac Subregion Master Plan, all master plans adopted by the Council for the past 25 years have been in balance: that is, the planned transportation system can meet the travel demand generated by the planned development. A plan in balance does not mean that traffic conditions at build-out will be deemed ‘good’ or even ‘fair’; more likely the traffic congestion will be at the borderline between ‘tolerable’ and ‘intolerable.’

The analysis of master-planned land use/transportation balance is conducted using the same technique as are used under the policy area review test in the most recent Growth Policy. Therefore, a Policy Area Mobility Review (PAMR)-type analysis was conducted for this plan, calculating Relative Transit Mobility (RTM) and Relative Arterial Mobility (RAM) and comparing the result to the standard. The difference between the Growth Policy analysis and this sector plan analysis, however, is that RTM and RAM are not calculated at a point 4 years out, but at build-out (2030).

The Sector Plan boundary does not conform to an existing policy area, so this analysis examined the results for Germantown East (GTE) and Germantown West (GTW) areas. (Germantown West, under the PAMR analysis, also includes the Germantown Town Center Policy Area.) The results show that both GTE and GTW are well in the “Acceptable” range, within a significant margin of error.

Local Area Transportation Review (LATR) was also conducted with the build-out land use and transportation network. The results (see TA, pp. 101-103) showed that three intersections would be more than 30% over capacity, so the plan recommends grade-separated interchanges at all three: MD 355/Middlebrook, MD 355/MD 118, and MD 355/MD 27. An interchange is also proposed at MD 27/Observation Drive; that intersection would only be 8% over capacity, but adding the interchange would create a short controlled-access MD 27 from the edge of the planning area to I-270, carrying traffic from eastern Clarksburg, Damascus, and points north to I-270 without interrupting local circulation within Germantown East. None of the other intersections would be worse than 12% over capacity at build-out, a small enough problem that can be addressed by adding no more than a turn lane or two.

Some of these intersections are outside the Town Center where the congestion standard is currently 1425 Critical Lane Volume; once the CCT is built it is plausible to assume that the Growth Policy would be amended to allow intersections close to CCT stations to have a standard closer to that used in the Town Center, 1600 CLV, which means that no further turn lanes may be needed at such intersections.

Finally, it should be noted that the plan assumes a 25% non-auto driver mode share for employees at build-out. Currently that share is 16%; with the addition of the CCT, more MARC

service, and more bus service by build-out, 25% is certainly achievable, and certainly more realistic than the 35% mode share assumption in the 1989 Germantown Master Plan.

The PHED Committee (and Council staff) finding (3-0): Concur that the plan is in land use/transportation balance.

3. Other urban areas. DOT objects to the Sector Plan’s recommendation to expand the size of the Germantown Town Center Policy Area, and thus the area in which the Road Code’s urban area street design standards are applied. DOT believes that such a change could occur only by revising the Road Code’s Executive regulation. But the Rode Code defines urban areas as “Metro Station Policy Areas, *Town Center Policy Areas*, and *other urban areas expressly identified in a Council resolution.*” The Executive regulation includes maps showing the urban area boundaries as a useful convenience to stakeholders so they can refer to one document to understand where the urban standards apply. The Executive regulation itself, though, does *not* determine the boundaries of urban areas. The Draft Plan’s recommendation to expand the Town Center is appropriate.

This Sector Plan can provide guidance as to how the Germantown Town Center Policy Area should be expanded, just as past sector plans have recommended how the boundaries of certain Metro Station policy areas should be changed. The actual change would be accomplished in the Growth Policy, and this expansion of the Germantown Town Center Policy Area has been concurrently recommended in the Staff Draft of the 2009-2011 Growth Policy. The urban area standards could apply also to streets in the Cloverleaf District, which is planned for a CCT station and mixed-use, transit-oriented development with a street grid of short blocks (see p. 45 of the Sector Plan).

PHED Committee (and Council staff) recommendation (3-0): Concur with the Sector Plan’s recommendation to expand the Town Center Policy Area, and the Sector Plan should recommend that the Council’s “Other Urban Area” resolution be amended to include the Cloverleaf District.

4. MD 355 right-of-way and M-83. While M-83 lies outside the Sector Plan boundary, one of the alternatives in the study is to widen MD 355 further than what is currently recommended in the plan. Furthermore, the Countywide Bus Rapid Transit (BRT) Study soon to be undertaken may examine MD 355 through Germantown as a BRT route. For these reasons the Sector Plan recommends exercising a 250’-wide right-of-way on MD 355—rather than the current 150’-wide ROW—pending completion of the M-83 study.

The Executive and DOT object to identifying this wider right-of-way in the Sector Plan (©9, 21). Their point is that the completion of M-83 is assumed in the County’s master plan, and until or unless it is no longer part of the plan should the MD 355 ROW be widened. Because M-83 has been master-planned for decades, it should be given every benefit of the doubt; it was at Council staff’s initiative that the M-83 facility planning study was funded in the first place. Nevertheless, the potential environmental and funding obstacles to M-83 are so great that the intent of the Sector Plan’s recommendation is prudent. Even if the study confirms the feasibility of its master-planned alignment, the extra ROW along MD 355 might be needed for BRT.

PHED Committee (and Council staff) recommendation (2-1): Councilmembers Knapp and Elrich recommend amending the note at the bottom of page 67 of the Draft Plan to read:

**** This plan recommends a minimum 250' right-of-way for Frederick Road (MD 355) pending completion of the Midcounty Highway Extended (M-83) and Countywide Bus Rapid Transit facility planning studies. Following completion of these studies, the Council by resolution may set a smaller minimum right-of-way, but not less than 150'.**

Councilmember Floreen concurs with the Executive and DOT that the right-of-way should remain at 150'.

5. MD 355 interchanges and urban network alternatives. As noted in section 2 above, the Sector Plan recommends grade-separated interchanges on MD 355 at Middlebrook Road, MD 118, and MD 27. However, it also notes that 'urban network' alternatives—a pattern of at-grade, one-way couplets around an open space—may also address the capacity needs. An example of such an alternative in California is shown on page 30 of the Sector Plan.

The Executive does not automatically disagree with such urban network alternatives; he notes the truisms that plan recommendations should be buildable and operable, and that if such an alternative is ultimately selected the sector plan should be ultimately amended to reflect it (©8). DOT opposes including in the plan urban network alternatives in lieu of grade-separated interchanges; it supports only master plan alternatives based on conclusions in studies (©20-21).

PHED Committee (and Council staff) recommendation (3-0): Concur with the Planning Board and the Executive. When further study for an interchange is conducted, invariably at-grade solutions are also examined and sometimes selected as the preferred option. Subsequently the master plan should be amended to reflect this. (This actually happened in Germantown. The 1989 plan called for an interchange at Great Seneca Highway and Clopper Road, but a subsequent study determined it was not needed, and a plan amendment was approved deleting the interchange.) However, the important point is that the necessary right-of-way for either an interchange or the urban network alternative be identified and reserved.

6. Aircraft/Crystal Rock one-way pair. The Sector Plan recommends evaluating converting Aircraft Drive and Crystal Rock Drive as a one-way pair through the Town Center area, with Aircraft Drive headed southbound and Crystal Rock Drive northbound (©26). DOT opposes any operational recommendation in a master plan, and it believes that this suggestion may negatively affect the fire and police stations there.

Planning staff's response is that access to and from the police station would be accommodated via driveway access on both Aircraft Drive and Crystal Rock Drive, eliminating the need to circulate around the block. Fire trucks could exit the station on to Crystal Rock Drive, as they do now, and could turn right to head west up Crystal Rock Drive or turn at

Aircraft Drive to head east towards MD 118. Another option would be to reposition a fire truck to exit on to Aircraft Drive, thus eliminating the circulation movements completely.

PHED Committee (and Council staff) recommendation (3-0): Concur with the Sector Plan. Council staff agrees the recommendations about traffic operations are generally not appropriate in master plans, but in this instance the Sector Plan is only suggesting that the one-way pair must be *evaluated*. There is sufficient rationale to give this matter serious consideration.

7. Cider Press Place. On April 24 the PHED and Education Committees held a worksession to decide the roadway network within the so-called “College Quadrant” bounded by MD 118 on the north, MD 355 on the east, Middlebrook Road on the south, and I-270 on the west. A charrette organized by Council staff and consisting of Montgomery College and M-NCPPC staff developed a series of four alternative road networks in the quadrant in addition to those generated by the Sector Plan and the College’s own master plan. The two Committees concurred on West Alternative #2, which would have Observation Drive extend as a 4-lane arterial from its current southern terminus at MD 118 to the southwest where it would connect to existing Goldenrod Lane, hug the western and southern parts of the campus, and then proceed southeast to Middlebrook Road. West Alternative #2 includes two other access points for the quadrant: existing Goldenrod Lane north to MD 118, and the extension of Cider Press Place as a 2-lane minor arterial in a 70’ ROW from MD 355 to Observation Drive (©27)

The College is now requesting deletion of Cider Press Place from the plan (©28-29). Below are the College’s four arguments, and Council staff’s response:

1. Cider Press Place is currently constructed on a 50-foot right-of-way as part of the Orchard run development. As the attached photos show, there are 17 townhouses facing the road, with all 17 driveways connecting onto Cider Press place. If reconstructed as a minor arterial road with a 70-foot right-of-way, as is presently recommended in the Plan, some homes would be as close as 13 feet to the road. That would be a very dangerous mix of excessive traffic and homeowners within a very narrow and confined space.

Response: Existing Cider Press Place has sufficient width for a 2-lane minor arterial, especially since every abutting house has a garage and driveway (©30). Except perhaps at the MD 355 intersection itself—which is set apart from the townhouses—there is no reason to reconstruct existing Cider Press Place. The 70’ ROW would be secured across Gunners Branch and the College property to allow for more ample landscaping and a larger setback for sidewalks.

2. Because of the existing development along MD 355, there are no safe direct outlets from the Germantown Campus to MD 355. As well, any connector would require crossing the environmentally sensitive Gunners Branch, which civil engineers have told us would result in significant disturbance and at a prohibitive cost.

Response: The College has no access at all (safe or unsafe) to MD 355. A super-block as large and with as much planned development as the College Quadrant warrants at least one full-movement access point at MD 355. The environmental planners at M-NCPPC did not cite this right-angled crossing of Gunners Branch as an environmental issue of note, either in the Sector Plan or in the charrette.

3. Requiring a Cider Press Place connection would seriously impede the College's ability to develop either the Germantown Campus or the [Science & Technology] Park in a cohesive and coordinated manner in the limited remaining amount of developable, non-environmentally challenged land.

Response: All of the alternatives developed in the charrette would leave 49 acres for the Tech Park and hospital, give or take a half-acre. The alignment of Cider Press Lane between Gunners Branch and Observation Drive is somewhat flexible; it does not have to follow on a direct line between these two points, as long as the connection is not too circuitous. The exact route would be determined at subdivision or site plan approval.

4. The proposed road would have only right-in/right-out access to MD 355 and would offer limited utility as an access point. The College, Foulger-Pratt, and Holy Cross Hospital all agree that this road is not needed to support their respective planned uses.

Response: Once the connection is made, there would be a full intersection at MD 355—not right-in, right-out only—and it would probably be signalized as well. M-NCPPC's traffic analysis for the area has determined there is a need for this access point.

The PHED Committee wanted more information regarding the Cider Press Place alignment and the alternatives studied. A map showing four build options is on ©31. The Planning staff's comparison of these options is displayed below:

Sector Plan proposed access – Cider Press Place

- Transportation Circulation – Allows for signalized intersection along MD 355. Conflicts with driveways along Cider Press Place.
- Environment – Workable, stream crossing acceptable.
- College Development Program/ Building Locations - Allows for proposed program.
- Community – Negative affects community along Cider Press Place.
- Costs – ROW already in place, connection and stream crossing costs.

Option 1 - Access from C-4 property (owner Ben Lewis)

- Transportation Circulation –Allows for a signalized intersection along MD 355.
- Environment – Worst location, steep grades, stream crossing impacts.
- College Development Program/ Building Locations - Compromises proposed program.
- Community – No impact.
- Costs - Most expensive, would require purchasing all of the C-4 zoned property, plus connection, stream valley crossing and steep hillside to grade out or expensive retaining walls required.

Option 2 - Access through existing Oak Mill Apartments opposite Appledowre Way

- Transportation Circulation – Achieve a signalized intersection along MD 355.
- Environment – Workable, stream crossing acceptable.
- College Development Program/ Building Locations - No impact, allows for proposed program.
- Community – Major impact, eliminates apartments’ existing parking lot.
- Costs – Expensive, ROW must be purchased, parking areas rebuilt, connection and stream crossing costs.

Option 3 - Access adjacent to Boys and Girls Club

- Transportation Circulation – Does not achieve a signalized intersection along MD 355, too close to the intersection with Middlebrook Road. Could achieve a private drive, right-in, right-out that would serve the hospital.
- Environment – Best location, level grades, stream crossing acceptable.
- College Development Program/ Building Locations - No impact, allows for proposed program.
- Community – No impact.
- Costs – College owns property. Connection and stream crossing costs.

Council staff believes neither Option 1 nor Option 3 is a desirable alternative. Option 1 is likely to be the most challenging and expensive to build, because it traverses commercial property west of MD 355 and crosses the stream where the topography is most severe among the four options. It would also create the longest alignment through the College’s property, so it would consume more right-of-way and reduce the College’s footprint for expansion of the campus and/or tech park. Option 3 connects to MD 355 too close to Middlebrook Road to have other than a right-in, right-out intersection there, so the utility of this option is only half of the other three.

Option 2 is a plausible alternative to the Sector Plan’s proposed access (©32). There is an existing median break and left turn bays at MD 355; all that appears to be missing is a set of traffic signals and some signing and marking. However, a new two-lane roadway would have to be built to the west that would take property from the Oak Mill Apartments, including some of its northernmost parking lot. Since the land west of the apartments is in the stream valley, there appears to be no location to replace the lost parking. A question is whether the complex could reduce the number of its parking spaces (which includes several visitor spaces) yet stay within Code requirements.

Cider Press Place is the best option (©32). The existing block of Cider Press Place is 24 feet wide (about 27 feet between curb faces) and so is more than sufficient for the proposed minor arterial. Although 17 townhouses front the roadway, all of them have driveways with aprons that nearly touch each other, so no parking is allowed on this block. As a minor arterial it will carry moderate traffic, but not enough to hinder entrance or exit from these driveways.

A disadvantage of Cider Press Place is that its current access is right-in, right-out only; therefore, there would need to be a median break with left-turn lanes constructed on MD 355.

Furthermore, because of its short distance to the MD 355/Appledowre/Oak Mill intersection, the existing median break at that intersection would have to be closed, rendering access from Appledowre and the Oak Mill Apartments right-in, right out only. However, these changes on MD 355 would be less costly than the cost of Option 2, which requires acquiring property for and building a new 2-lane road from MD 355 to the stream valley.

Council staff recommends sticking with the network in West Alternative #2 as approved by the PHED and Education Committees in April, which includes a 2-lane minor arterial connecting future Observation Drive to MD 355 via Cider Press Place, with direct access to and from northbound and southbound MD 355.

PHED Committee recommendation (3-0): Concur with the Sector Plan's recommendation for the Cider Press Place connection, but add a note stating that an alternative equivalent route may be selected. *Council staff recommends accomplishing this by adding the following footnote to the Cider Press Place description on page 67 of the Sector Plan:*

****An alternative route connecting Observation Drive to MD 355 in the vicinity may be selected, as long as it is a 2-lane minor arterial with direct access to and from northbound and southbound MD 355.*

8. West End street network. The graphic on ©33 illustrates the street network for this portion of the Town Center/West End. The graphic shows the proposed centerline of new roadways and the properties affected by these roadways. The roadways include:

- B-16 Bowman Mill Drive
- B-5 Waters Road
- B-22 Waterford Hills Road
- B-10 Century Boulevard Extended

In each case, the roadways are intended to align with, or provide a safe intersection with, existing Sector Plan roadways.

The Sugarloaf Partnership property is proposed for significant redevelopment which will provide the possibility to align Century Boulevard Extended on the west side of Wisteria Drive. The Wildman property (P915) and the Mini Storage property to the north (P868) would be split by the extension of Century Boulevard southwest of Waterford Hills Road. Jody Kline, representing Mark Wildman, recommended that the West End street network be revised so as not to severely impact Mr. Wildman's property.

PHED Committee (and Council staff) recommendation (3-0): Eliminate the southernmost extension of Century Boulevard between Waterford Hills Road and Waters Road that bisects the Wildman and Mini Storage properties, while providing ample bikeway and pedestrian connectivity in the West End. The West End will have sufficient circulation without this extension. Other Business District Streets may be developed as part of preliminary or site plan. Deleting this link will not affect land use/transportation balance.

9. Corridor Cities Transitway (CCT). The CCT is being examined by the Council this month. The Maryland Department of Transportation has released its environmental document for the I-270/US 15 Corridor (including the CCT), and held public hearings on June 16 and 18. The Planning Board reviewed both the CCT and proposed highway improvements on July 6, and the Transportation, Infrastructure, Energy and Environment (T&E) Committee scheduled its review on July 13. The full Council will address this matter on July 21 and, if necessary, July 28, with the objective of crafting a joint Executive/Council position, and, if possible, a position that will also be shared by the Cities of Rockville and Gaithersburg, and perhaps by Frederick County and the City of Frederick as well.

It should be pointed out that the purpose and time-frame of the I-270/US 15 Study is shorter term than the Sector Plan, however. The I-270/US 15 Study is geared to identifying a capital improvement that can be programmed and built in the near-to-mid term, so it is likely that it will not be as extensive as the improvement identified in a master plan.

The Sector Plan describes the CCT as either a light rail line or busway with five stops: at the Town Center, in the Cloverleaf District, in the North End District west of I-270, in the Seneca Meadows District, and at Dorsey Mill in the North End District east of I-270. North of the Town Center station the CCT would split into a western branch (serving the Cloverleaf and West North End stations) and an eastern branch (serving the Seneca Meadows station) before rejoining south of the Dorsey Mill station. The State's study does not include an eastern branch with its Seneca Meadows station. It does show a West North End station as a "future" station (beyond 2030, so not part of the project to be funded). The Sector Plan deletes a formerly planned station at Middlebrook Road, but the State's study also identifies it as a "future" station.

The Executive and DOT recommend deleting the eastern branch, noting that it would add 1½ miles of transitway for only one station (Seneca Meadows), increasing both the capital and operating costs and making the project less cost-effective (see ©7, 17). They did not point out another disadvantage: that the frequency of service would be reduced to the Cloverleaf station and the "future" West North End station if some transit vehicles were directed to the eastern branch. However, this is more of an issue if the mode were light rail. Buses could be scheduled more frequently so as not to affect the frequency of the western branch line service. DOT also recommends deleting the Middlebrook station since it would be far from residential areas (©18).

PHED Committee (and Council staff) recommendation (3-0): Retain the right-of-way for the eastern branch in the Sector Plan. Particularly if the CCT were a busway, the eastern branch could be used for more than service to the Seneca Meadows station; the bridge over I-270 could be used by local buses—and bicyclists and pedestrians—moving between the Town Center and Cloverleaf Districts to other points in the general Seneca Meadows/Milestone District.

10. Right-of-way width for CCT/Century Boulevard. Part of the CCT route runs in the right-of-way of Century Boulevard between Crystal Rock Drive and Dorsey Mill Road. In this shared space the Sector Plan recommends a minimum right-of-way width of 130'. However, DOT has heard from MTA that a minimum of 134' is needed for this cross-section, and

generally a larger section will be needed for drainage and other ancillary facilities. DOT, therefore, is recommending a minimum right-of-way width of 150' along this section of Century Boulevard. MTA supports 150', but its most important criterion is that the CCT portion of the right-of-way—the area between the inside curbs of the two roadways, be at least 56'. The Committee discussed this item on June 22 but deferred making a recommendation.

Robert Brewer, representing Trammel Crow, recommends a 134'-wide right-of-way for this section of Century Boulevard. He transmitted a typical plan view and cross-section showing how 134' could accommodate four travel lanes (each 11' wide) with a 4'-wide offset to the inside curb and a 2'-wide offset to the outside curb, 14'-wide planting strips between the CCT and the roadways and 5'-wide strips between the roadways and the sidewalk or bike path (©34).

PHED Committee (and Council staff) recommendation (3-0): Set the minimum right-of-way at 134'. The curb offsets in ©34 are too generous (1' to either the inside or outside curb is sufficient, requiring 8' less) and that the CCT width is too narrow (it should be 6' more: 26', not 20'), and that the planting strip between the CCT and each roadway should be 15' not 14' (requiring 2' more). This would provide the 56' required by MTA within a 134' right-of-way. Also recall that rights-of-way designated in master and sector plans are *minimums*: the Planning Board can require a wider right-of-way in spots where ancillary facilities are necessary: turning lanes, stormwater management facilities, etc.

11. Access from I-270 to Dorsey Mill Road or Father Hurley Boulevard. Incorporation of direct access to the Dorsey Mill transit station to and from the north along I-270 is proposed. This access can be provided by either direct access ramps at the Dorsey Mill Road interchange or a revision to the Father Hurley Boulevard interchange. The new access would facilitate intermodal connections between future managed lanes and bus services on I-270 and the transit service along the CCT. This access would also reduce congestion at the junction of Father Hurley Boulevard with Crystal Rock Drive, reduce commercial traffic use of Kinster Drive, and provide better access to businesses along Century Boulevard.

Intermodal access. The interchange would facilitate intermodal access between I-270 and the CCT. The CCT is currently planned to extend into Frederick County, but the current MDOT study northern terminus is at the COMSAT property in Clarksburg, where a park-and-ride lot is planned to intercept auto trips heading southbound in the morning via the proposed Little Seneca Parkway interchange with I-270.

The Clarksburg Master Plan envisions redevelopment of the COMSAT site and extension of the CCT so that a terminal station park-and-ride lot would not be appropriate at the COMSAT site in the long term. Similarly, the Germantown Draft Plan recommends that the Germantown Town Center, as the community's focal point, emphasize CCT access on walking and bus-access, rather than park-and-ride access. Park and ride access and intermodal access would rather be facilitated at the Dorsey Mill station, where the CCT crosses I-270.

General Purpose Access and Circulation. Access to and from the north on I-270 to the North End and Cloverleaf districts is provided by the Father Hurley Boulevard interchange. Century Boulevard and the CCT pass beneath Father Hurley Boulevard (the bridge structures are

already in place) without any ramp connections; the 1989 Plan envisioned those connections to be via Crystal Rock Drive.

The 1989 plan configuration requires those who want to access the higher density development along Century Boulevard to cross over it going west on Father Hurley Boulevard and then loop back to the east along local business streets including Kinster Drive, which has subsequently developed as an entirely residential community. This looping movement is focused on the intersection of Father Hurley Boulevard and Crystal Rock Drive and would require additional turn lanes to accommodate. Planning staff point out that the looping movement also increases vehicle miles of travel. Direct access to and from the north on I-270 in the vicinity of Dorsey Mill Road would facilitate more direct access to the more highly developed CCT station areas along Century Boulevard. The Sector Plan would still pass Policy Area Mobility Review for year 2030 conditions without the I-270/Dorsey Mill Road interchange so the benefits of the interchange are localized, not a prerequisite for getting the overall transportation system to work.

Implementation Concerns and Opportunities. Property representatives in the vicinity of the Dorsey Mill CCT station were interested in obtaining access to both directions of I-270 from Dorsey Mill Road. Planning staff did not propose access to and from the south at Dorsey Mill Road due to the close spacing between Dorsey Mill Road and Father Hurley Boulevard. The direct access ramps just to and from the north at Dorsey Mill Road would be expensive, most likely \$30-50 million. Direct access to the south requires “braided” ramps, increasing the cost.

A new access point also requires obtaining an Interstate Access Point Approval from the Federal Highway Administration, a process that emphasizes the effect of a new access point on the interstate highway rather over the effect on the local street system. While any new access would benefit local circulation conditions, Planning staff does not believe it would relieve congestion on I-270.

For these reasons, the Maryland DOT indicated in fall 2008 that they were not interested in pursuing the concept as part of the I-270/US 15 Study. The proposal does not warrant incorporation into the current study, but would need to be a later add-on. The State Highway Administration has advised that the connections to Dorsey Mill Road would not be viable due to its short distance to the Father Hurley Boulevard interchange, and it recommends removing the connection from the plan. DOT concurs with SHA, and the Executive questions including the Dorsey Mill Road ramps in the plan given the State’s position.

One opportunity may be to pursue a concept to reconfigure the Father Hurley Boulevard interchange to incorporate Dorsey Mill Road, in a manner similar to the I-270 Spur interchanges with Old Georgetown Road (MD 187) and Rockledge Drive at Rock Spring Park. Such a reconfiguration would provide the benefits described above and may be more feasible from an implementation perspective. The Planning Board adopted plan language that supports direct access, prioritizes the multimodal connectivity purpose, and provides greater flexibility to pursue a concept that is not strictly needed for land use transportation balance, but that would nevertheless have value in the long term.

PHED Committee (and Council staff) recommendation (3-0): Concur with the Sector Plan. There would be substantial benefit in securing access to and from the north on I-270, but if ultimately it cannot be achieved, the plan would still be in balance with land use.

12. Minor arterials. The Sector Plan is the first to designate certain roads as minor arterials, a new classification created by the Road Code bill in 2007. A minor arterial is an intermediate classification between arterial and primary residential street and is defined in the law as “a 2-lane arterial meant nearly equally for through movement for vehicles and access to abutting property.”

The Sector Plan recommends three roads to be classified as minor arterials: Cider Press Place from MD 355 to Observation Drive, Crystal Rock Drive from MD 118 to Middlebrook Road, and Kinster Drive from Century Boulevard to Crystal Rock Drive. DOT does not support classifying any of these streets as minor arterials because they have different cross-sections and operational characteristics (©24).

PHED Committee (and Council staff) recommendation (3-0): Concur with the Sector Plan. Within every classification there is a range of cross-sections and operating characteristics, but these three roads all meet the law’s definition as having 2 travel lanes, and would have the dual—and nearly equal—function of serving local and non-local traffic.

13. Crystal Rock Drive alignment in North End District. The Sector Plan shows the north end of existing Crystal Rock Drive to be extended as a Business District Street (B-11) and looped around to meet Century Boulevard at the new Dorsey Mill Road, near the proposed Manekin CCT station. The Lerner Corporation, which owns much of the property through which this road would traverse, wishes to have the Sector Plan show B-11 not as a loop but as two roads intersecting at a traffic circle. (See the Rodgers Associates memorandum on ©35, Lerner’s proposed development concept on ©36, and Sector Plan’s loop geometry is on ©37-38.)

The Sector Plan’s diagrams merely mean that the end of Crystal Rock Drive and Century Boulevard should be connected by a Business District Street, thus what the Lerner Corporation is proposing is consistent with the Sector Plan. It is common for a master plan to propose a connection, with the ultimate shape of that connection to be determined at preliminary plan or site plan approval. An example: the Kensington/Wheaton Master Plan (1990) proposed a future primary residential street connection through the Indian Spring Country Club between Georgia Avenue and Layhill Road via Tivoli Lake Boulevard and the Indian Spring Access Road. The plan showed a looping alignment (see P-13 on ©39). However, when the preliminary plan was approved 18 years later, it showed that the extension of these two roads met at a town square (©40): the primary residential street connection was made, but at a town square requiring right-angled turns, not dissimilar to what the Lerner Corporation proposes.

PHED Committee (and Council staff) recommendation (3-0): Retain the current diagrams in the plan. Identifying the specific alignment on ©36 in the plan presupposes that that particular development concept will be approved. Before all is said and done, what if the Lerner Corporation decides to proceed with a somewhat different concept? What if it ultimately decides to sell its interest to another developer, which may have a different concept? Rather than

locking in an alignment now, the alignment in the plan should be as generic as possible. However, should the Lerner Corporation ultimately proceed with the concept through plan approval, **it would help if the Council were to provide supportive legislative history by indicating for the minutes that the alignment on ©36 is consistent with the Sector Plan.**

14. Proposed street cross sections and target speeds. The street and highway table on pp. 66-69 of the Sector Plan proposes a particular target speed for most roadway links. As defined in the Road Code regulation:

Target Speed is the speed at which vehicles should operate on a thoroughfare in a specific context, consistent with the level of multimodal activity generated by adjacent land uses, to provide mobility for motor vehicles and a safe environment for pedestrians and bicyclists. The target speed is usually the posted speed limit. [Standard 020.01 – Page 2]

DOT opposes the identification of target speeds for non-residential roadways classified in the plan, arguing that target speeds are include in the Road Code regulation, which is much easier to amend than a master or sector plan. But the target speeds in the regulation are expressed in ranges (see ©41-42); given that the appropriate target speed is one that should be set given “a specific context, consistent with the level of multimodal activity generated by adjacent land uses,” it is entirely appropriate that master and sector plans recommend a specific target speed. **PHED Committee (and Council staff) recommendation (3-0): Concur with the Sector Plan regarding the identification of target speeds.**

The same street and highway table also indicates in many (but not all) cases, the specific cross section standard to which the road should be built, referencing specific standards in the Executive regulation. DOT is concerned that this may create conflicts and confusion in the future if these Road Code standards are revised periodically.

The Planning Board should be applauded for tying its recommendations to explicit standards in the Executive regulation, rather than developing its own extra-legal standards. But to address DOT’s point—that a change in the regulation may render a Sector Plan recommendation out of date, **the PHED Committee (and Council staff) recommends (3-0) adding the following note to the table:**

******The Cross Section refers to a specific standard in Executive Regulation 31-08 in 2008. If the regulation is amended, the cross section should be an adopted standard most closely resembling the initial standard.**

15. Other road and right-of-way recommendations. The Sector Plan recommends reducing the right-of-way on two existing roads: Father Hurley Boulevard from Crystal Rock Drive to I-270, from 150’ to 120’; and Observation Drive from Dorsey Mill Road to Germantown Road, from 150’ to 100’. DOT opposes reducing these rights-of-way (©22). **PHED Committee (and Council staff) recommendation (3-0): Concur with DOT.** This property is already secured and provides flexibility for further improvements, including landscaping, in the more ample right-of-way.

The Sector Plan calls for retaining the current 4-lane cross-section on Crystal Rock Drive between MD 118 and Father Hurley Boulevard. The road has a wide median, allowing for a total of 6 lanes, which was assumed in the 1989 plan. DOT recommends continuing with the 1989 plan's recommendation for 6 lanes (©22). **PHED Committee (and Council staff) recommendation (3-0): Concur with the Final Draft.** The LATR test can be met by adding turn lanes at certain intersections in this section; the 5th and 6th through lanes are not needed.

PHED Committee (and Council staff) recommendation (3-0): Concur with DOT's recommendation to reduce the skewed angle of the intersection of Wisteria Drive and Waters Road in conjunction with future development (©23).

Crystal Rock Drive between Middlebrook and Germantown Roads is currently a 2-lane private street connecting to public road segments of Crystal Rock Drive on either end. The Sector Plan recommends classifying this segment as a minor arterial, but DOT disagrees, arguing that it should remain a privately maintained road (©23). **PHED Committee (and Council staff) recommendation (3-0): Concur with the Final Draft.** This segment is important for internal circulation in the Town Center area; should the private development choose to incorporate traffic devices that would impede such circulation, the County should take steps to acquire it.

16. Bikeways. The planned bikeway network is mapped on page 26 and detailed in the table on pages 70-72 of the Sector Plan. **PHED Committee (and Council staff) recommendation (3-0): Concur with three changes recommended by DOT (©24), as follows:**

- **Extend PB-3 along Seneca Meadows Parkway east to the intersection of Observation Drive and Shakespeare Boulevard as a signed shared roadway (Class III Bikeway).**
- **Change the classification of PB-22 on Crystal Rock Drive between Middlebrook Road and MD 118 from a signed shared roadway (Class III) to a shared use path (Class I).**
- **Evaluate the feasibility of changing the classification of PB-37 on Crystal Rock Drive between MD 118 and Kinster Drive from a signed shared roadway (Class III) to bike lanes (Class II).**



OFFICE OF MANAGEMENT AND BUDGET

Isiah Leggett
County Executive

Joseph F. Beach
Director

MEMORANDUM

March 27, 2009

TO: Phil Andrews, President, County Council

FROM: Joseph F. Beach, Director, Office of Management and Budget

SUBJECT: Fiscal Impact Analysis of the Sector Plan for the Germantown Employment Area: An Amendment to the Germantown Master Plan

The purpose of this memorandum is to transmit a fiscal impact statement to the Council on the subject Amendment.

AMENDMENT SUMMARY

The Maryland-National Capital Park and Planning Commission submitted their draft *Sector Plan for the Germantown Employment Area: An Amendment to the Germantown Master Plan* to Montgomery County Government in February 2009. The Plan modifies the 1974 Master Plan in the following areas:

- Housing mix – promote a mix of housing types that can accommodate families of varying ages and income levels and allow opportunities for them to continue living in Germantown, as their needs and tastes change;
- Community identity – develop a greater sense of community identity;
- Community facilities – provide appropriate locations for community facilities; and
- Balance between housing and employment opportunities – provide greater opportunity for people to both live and work in Germantown.

The Plan's recommendations include:

- Complete the economic core envisioned in the General Plan;
- Increase employment;
- Organize communities around transit;
- Enhance connections to Germantown's greenbelt and stream valley parks;
- Pursue design quality and sustainability in the public and private realms; and
- Build on cultural, historic, and civic facilities.

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Office of the Director

FISCAL SUMMARY

Pursuant to the Regional District Act, attached are the fiscal costs associated with this draft Germantown Master Plan Amendment. These costs were provided by the following departments: Transportation, General Services, Fire and Rescue Service, Police, Recreation, and the Upcounty Regional Services Center. Costs are reflected in 2009 dollars. Please note that all capital project cost estimates are high-level, order of magnitude estimates. Final estimates for capital projects would not be available until completion of design development.

The following departments reported no fiscal impact: Housing and Community Affairs, Permitting Services, Economic Development, Libraries, County Attorney, and Health and Human Services.

A written testimony with specific comments on the draft Germantown Amendment will be forwarded separately to the Council.

The following contributed to and concurred with this analysis: Edgar Gonzalez, Department of Transportation; Gary Stith, Department of General Services; Captain Tom Didone, Department of Police; Scott Gutshick, Fire and Rescue Service; Catherine Matthews, Upcounty Regional Services Center; Jeff Bourne, Department of Recreation; Scott Reilly, Department of Housing and Community Affairs; Alicia Thomas, Department of Permitting Services; Patricia Stromberg, Health and Human Services; Tina Benjamin, Department of Economic Development; Rita Gale, Department of Public Libraries; Cliff Royalty, Office of the County Attorney; and Amy Wilson, Office of Management and Budget.

If you have any questions about this fiscal impact analysis, please contact Amy Wilson, Director, Office of Management and Budget, at 240-777-2775. The Executive Branch staff will be available during the County Council's work session on the plan.

JFB: aw

Attachment

- c: Timothy L. Firestine, Chief Administrative Officer
- Diane Schwartz Jones, Assistant Chief Administrative Officer
- Kathleen Boucher, Assistant Chief Administrative Officer
- Arthur Holmes, Department of Transportation
- David Dise, Department of General Services
- Gary Stith, Department of General Services
- Tina Benjamin, Department of Economic Development
- Carla Reid, Department of Permitting Services
- Richard Bowers, Montgomery County Fire and Rescue Service
- Thomas Manager, Department of Police
- Gabriel Albornoz, Department of Recreation
- Parker Hamilton, Department of Public Libraries
- Rick Nelson, Department of Housing and Community Affairs
- Leon Rodriguez, Office of the County Attorney
- Catherine Matthews, Upcounty Regional Services Center
- Amy Wilson, Office of Management and Budget
- Marlene Michaelson, County Council

**Fiscal Analysis of the Planning Board Draft Sector Plan
Germantown Employment Area: An Amendment to the Germantown Master Plan**

Capital Improvement Projects

Project	Description	Page # in Plan	Cost Estimate	Implem. Dept.
Arterials				
Observation Drive	Little Seneca Creek to Dorsey Mill Road	Appendix 21; page 131	\$7,938,000	DOT
Waring Station Road	Clopper Road to Wisteria Drive	Appendix 21; page 131	\$10,206,000	DOT
Wisteria Drive ¹	Crystal Rock Drive to Great Seneca Highway	Appendix 21; page 131	\$0	DOT
Business Streets				
Century Blvd.	Kinster Drive to Cloverleaf Center Drive	Appendix 21; page 132	\$20,725,000	DOT
Crystal Rock Drive	Black Hill Park Access to Kinster Drive	Appendix 21; page 132	\$15,072,750	DOT
Crystal Rock Drive ¹	Middlebrook Road to Wisteria Drive	Appendix 21; page 132	\$0	DOT
Dorsey Mill Road	Crystal Rock Drive Extension to Observation Drive Extension	Appendix 21; page 132	\$21,273,175	DOT
Walter Johnson Drive ¹	Bowman Mill Road to Wisteria Drive	Appendix 21; page 132	\$0	DOT
Wisteria Drive ¹	Father Hurley Blvd. to Germantown Road	Appendix 21; page 132	\$0	DOT
Wisteria Drive ¹	Germantown road to Crystal rock Drive	Appendix 21; page 132	\$0	DOT
Other Roadway/Transit-related Improvements				
MD 355	MD 355 at MD 27	Appendix 21; page 133	\$90,000,000	DOT
MD355	MD 355 at MD118	Appendix 21; page 133	\$90,000,000	DOT
MD 355	MD355 at Middlebrook Rd	Appendix 21; page 133	\$80,000,000	DOT
I-270	I-270 at Dorsey Mill or I-270 at Father Hurley	Appendix 21; page 133	\$50,000,000	DOT
Father Hurley Blvd.	Father Hurley at Observation Drive	Appendix 21; page 131	\$75,000,000	DOT
Underground Garage Parking ²	TBD	N/A	TBD	DOT
Public Facilities Including Parks and Open Space				
Full Service Community Recreation Center ³	Utilizing the complete program of requirements (33,000 nsf, 4 athletic fields, playcourt, playground, 190 car parking)	Appendix 21; page 133	\$20,000,000	DGS
Small Recreation Center ³	21,000 nsf, limited or no outside amenities	Appendix 21; page 133	\$14,000,000	DGS
Elementary School	In the Seneca Valley cluster, a future elementary school site (Waring Station Elementary School) located on Waring Station Road	Appendix 3; page 15	\$21,000,000	MCPS
Germantown Town Center Urban Park	Current CIP Project #078704	Appendix 19; page 127	N/A	Parks
Kingsview Local Park	Facilities for youth and teens, such as skate park or plaza, open play area, playground	Appendix 19; page 127	\$3,000,000	Parks

Seneca Crossing Local Park	Provide needed fields, possibly cricket and other active recreation facilities. Currently in facility planning	Appendix 19; page 127	\$6,000,000	Parks
Family-oriented play park near Upcounty Regional Services Center ⁴	M&T Bank Site	Appendix 19; page 127	\$800,000	Parks
Subtotal – Capital Improvement Projects			\$525,014,925	

Operating and Capital Outlay Expenses

Services	Description	Page # in Plan	Cost Estimate	Implem. Dept.
Additional staffing and operating expenses for new Recreation Centers ³	Cost estimate includes personnel (\$328,000, 6.5WYs); operating (\$404,000)	N/A	\$732,000	REC
Additional EMS Unit ⁵	Additional EMS Unit and deploying costs. Cost estimate includes personnel (\$684,000, 18WYs); operating (\$53,000); and capital (\$225,000)	N/A	\$962,000	FRS
Additional Aerial Unit ⁵	Additional Aerial Unit and deploying costs. Cost estimate includes personnel (\$1,656,000, 9WYs); operating (\$179,100); and capital (\$1,130,000)	N/A	\$2,965,100	FRS
Addition staffing and operating expenses for Upcounty Regional Services Center ⁶	Establishing an Urban District for Germantown will require funding for additional staff and operating expenses. Cost estimate includes: personnel (\$1,157,060, 21.7WYs); and operating (\$496,230)	N/A	\$1,653,290	URSC
Additional police officers to be assigned to the 5 th District (Germantown) Phase I ⁷	First year costs include: personnel (\$1,504,000 - \$1,755,000, 18-21 officers); and operating (\$923,000-\$1,076,000 cruisers and equipment)	N/A	\$2,831,000	Police
Additional police officers, to be assigned to the 5 th District (Germantown)-Phase II ⁷	First year costs include: personnel (\$2,590,000-\$3,180,000, 31-38 officers); and operating (\$1,590,000-\$1,950,000 cruisers and equipment)	N/A	\$5,130,000	Police
Additional staffing and operating expenses for new elementary school	Cost estimate includes: personnel (\$790,000, 16.5WYs); operating (\$445,000)	N/A	\$1,235,000	MCPS
Subtotal – Operating and Capital Outlay			\$15,508,390	
Total Cost Estimate			\$540,523,315	

Notes and Assumptions:

¹Project cost estimate is \$0; existing paving, already built.

²The plan is not specific on the number of public parking spaces to be accommodated in garages. DOT's current cost for underground parking spaces is approximately \$40,000 per space.

³Noted in Plan as one Urban Recreation Center-during discussions between Department of Recreation and Maryland-National Capital Park and Planning Commission it was noted that two Centers may be necessary to address long term future needs.

⁴Development costs estimated at \$800,000, which assumes the land swap with Germantown Square Local Park property is cost neutral.

⁵Additional fire and rescue apparatus will be needed to keep pace with increased call load and increased fire and EMS risk associated with planned development.

⁶ Since the timing for establishing a district is dependent on the staging and implementation of development it's unknown exactly how many staff would be needed at first.

⁷Additional police officers and cruisers will be needed to keep pace with the increased population and planned development.

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Isiah Leggett
County Executive

OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

MEMORANDUM

March 30, 2009

TO: Phil Andrews, President
Montgomery County Council

FROM: Isiah Leggett, County Executive 

SUBJECT: Planning Board Draft, Sector Plan for the Germantown Employment Area

GENERAL SUPPORT FOR THE MASTER PLAN CONCEPT

The County Executive is very supportive of the intent of the Plan to transform Germantown into a vibrant downtown for surrounding residential neighborhoods. The vision of Germantown as the "upcounty downtown" to create a transit-served, mixed-use community and strategic location for employment is appropriate. We appreciate the time, energy and commitment of the Planning Board and its staff in preparing this Planning Board Draft Master Plan and look forward to working with the County Council, the community, and the Planning Board to create a plan to guide Germantown forward and help it develop a positive sense of identity.

As the Council considers the proposed Plan, we think it is important for the end result to be a plan that promotes a strong sense of community and identity. We offer for County Council consideration some issues and thoughts discussed below. Additional technical comments are appended.

TRANSPORTATION

The Executive Branch supports the Plan's goal of transforming Germantown into a transit-oriented community with the multi-modal hub of the Corridor Cities Transitway (CCT). We support the Plan's emphasis on the design and funding of the CCT and other transit, including the MARC station and bus service. We further support the plan's goal to fill gaps in the local network and accommodate the through traffic while utilizing all of the various transportation options – highways, buses, MARC, bicycle facilities, and sidewalks, all planned to accommodate safe pedestrian travel.

Transportation/Land Use Balance

The Executive Branch is concerned that the plan does not produce continuous transportation/ land use balance under the current Growth Policy Standard. Localized congestion problems include 11 intersections with congestion levels that exceed the Growth Policy standard, and five intersections that are approaching the Growth Policy Standard. By 2030, the Plan achieves PAMR balance.

The Plan recommends a staging process for development of this sector of Germantown. We strongly support the staging of development. It is critical that density be released at the same time that commensurate infrastructure is provided or programmed to be implemented in accordance with current rules. At the same time, it is critical that the plan envision densities high enough to provide strong support for the CCT. We believe that a detailed transportation analysis for each stage should be made to determine Transportation/Land Use Balance and included in the Technical Appendix.

CCT Alignments and Related Issues

Currently, the proposed Plan shows both the western and eastern alignments for the CCT. The State of Maryland's CCT study shows only the western alignment that crosses Dorsey Mill Road. Inclusion of an eastern alignment that adds approximately 1 ½ miles with a single stop creates serious questions as to ridership, costs and service delivery. Including the second alignment east of I-270 would increase both the construction and operating costs for the CCT, rendering the Maryland Department of Transportation's proposal more costly and less competitive for Federal funds at the national level. The east side of I-270 can be served instead by local buses to the CCT and the MARC station, and express buses to the Shady Grove Metro Station. *Based on these facts, the Executive Branch recommends showing only the western alignment of the CCT in the Plan, and eliminating the eastern leg.*

Circulator Bus

The Plan recommends a circulator bus for frequent service between the Town Center, MARC Station and transit neighborhoods. Excellent bus service is already provided in Germantown. The recommended circulator bus service must be developed so that it does not overlap with the extensive Ride-On service existing in Germantown today. Phase I of the restructuring of Germantown Ride-On routes in 2005 resulted in good coverage of the Germantown Town Center Area. The plans for Phase 2 include route expansion to the west side over to the Soccerplex, as well as to the east side of I-270. Phase I of the restructuring resulted in the Germantown ridership rate exceeding that of the overall system. In Germantown, overcrowding continues to grow, and Park & Ride lots are at full capacity. The Plan mentions Bus Rapid Transit (BRT) and specifies a circulator bus and expanded access to MARC stations. An effective BRT requires dedicated bus lanes and/or priority treatment. We do not believe that the circulator bus and route expansions necessarily have to take place on dedicated lanes or with priority treatment.

MARC Train and Station

The Plan recommends concentrating residential development near the station to enable patrons to walk to the station. Specifically, the Plan recommends mixed-use development on the property where MARC parking currently exists, with the inclusion of MARC parking in garages serving the planned new mixed-use development. The Executive Branch concurs with these recommendations as long as the current number of MARC parking spots is expanded as part of the residential development in this area. However, this parking should not be a staging trigger for Stage I impacting all development in this Plan but should be tied to residential development, particularly in the MARC train station area (see comments on Staging). If the parking garage is a trigger for Stage I, the ability to proceed to Stage I is questionable. The additional parking should be the responsibility of the Maryland Transit Administration and included in the MARC development plans. Temporary MARC parking would have to be provided during construction. Finally, the Plan notes that MARC will build additional parking near the MARC station by 2015, and should specify the source of this information since the Executive Branch is not aware of the plans for the additional parking.

An older apartment complex, Rolling Hills Apartments, located at the corner of Great Seneca Highway and Wisteria Drive, backs onto the MARC station. If that property is redeveloped, another opportunity is presented to promote use of public transit by reinforcing the connection between the MARC station and another neighborhood.

MD 355

The Executive Branch supports the Plan's street network goals which include serving regional and through traffic with highways, filling in a complete network of local roads, accommodate exclusive transit routes, and creating pedestrian and bike routes that create a range of transportation alternatives.

The Plan retains the recommendation for a grade-separated interchange at MD 355 and MD 27. Grade-separated interchanges at MD 355 and Middlebrook Road, and MD 355 and MD 118 are added. In this context, the Plan supports further study of one-way couplets as urban network alternatives to grade-separated interchanges. This urban network alternative consists of a pattern of at-grade, one-way couplets around a town square feature. Planning Board Staff has conducted a preliminary analysis of this alternative and concluded that this approach could provide capacity comparable to the proposed at-grade interchanges. The Plan suggests further study of this concept as a supplemental effort to this plan, or as part of a project planning study. Master/Sector Plan recommendations should be buildable and operable, since they guide our orderly and smooth development process. If changes are required in the future based on further studies, the County must go back and amend the Master/Sector Plan.

M-83

M-83 is outside of the study area. The Plan assumes the construction of M-83 as part of the regional transportation network. MCDOT's M-83 study is expected to be completed in early 2011. Language in the Plan highlights an alternative to M-83 under study by MCDOT staff, involving MD 355. This alternative, proposed by MNCPPC staff, involves increasing the ROW along MD 355 from the current 150' ROW to a 250' ROW that can include BRT. The Executive Branch opposes inclusion of this alternative in the Master Plan, as well as the accompanying expansion of the ROW on MD 355 to 250'. Alternatives should be studied before they are included in a Plan and it should be at least preliminarily determined that a recommendation is buildable. If changes are required in the future based on further studies, the Master/Sector Plan can be amended.

I-270

The plan recommends a partial interchange to and from I-270 N. at Dorsey Mill Road or a revision to the Father Hurley Interchange. These recommendations are intended to reduce congestion at the intersection of Father Hurley and Crystal Rock Drive, and minimize commercial traffic on Kinster Drive.

In previous comments, MCDOT had cautioned that that the Dorsey Mill Interchange would be too close to the existing interchange at I-270 and Father Hurley Boulevard/Ridge Road, and recommended that MNCPPC work with the State to examine the issue. MCDOT believes that implementation of ramps to/from the north would likely require reconstruction of the northern Father Hurley Boulevard/Ridge Road ramps and installation of collector-distributor roads between the two interchanges. After discussion with the State, MNCPPC determined that the Dorsey Mill interchange would likely not meet Interstate Access Point Approval requirements. Given that, we question why this interchange is reflected in the plan.

Observation Drive

The Executive Branch concurs with the Plan's recommendation to construct Observation Drive as a north-south connection through the Montgomery College District. However, as we indicated in our comments to the Planning Board, we support an alignment that avoids major pedestrian crossings between housing and the college campus and one that enables current plans of Montgomery College both for future buildings and for its technology center to be implemented. In addition, consideration should be given to the impact of the Plan's alignment on Gunners Branch as well as the impacts on the steep slopes in this area. Montgomery College Germantown has offered to preserve extensive forest acreage on its site and has offered an alternate alignment. Additional discussion on the impact of the proposed location of Observation Drive is included below in the discussion about Montgomery College.

County Road Code Design Standards

There are many instances where streetscape and road design features are specified that are not consistent with the Road Code standards. Master/Sector Plans should use existing and approved road standards.

The plan contains multiple references to "compact, walkable, pedestrian-friendly streets with continuous building lines" which based on the draft Design Guidelines translates to narrow streets, tight turning radii at intersections, and poor access around and to the rear of buildings. To insure that the MCFRS does not have difficulty traversing the streets during emergency responses, we recommend that the Plan require all modified street standards to meet fire department access requirements per National Fire Protection Association (NFPA) Standard #1, Chapter 18, as well as the new County Road Code.

STAGING

A staging plan with infrastructure and other public facilities constructed early is most desirable, as learned in Clarksburg. The Plan recommends a staging process for development of this sector of Germantown. The Executive Branch strongly supports the staging of development. It is critical that density be released at the same time that commensurate infrastructure is provided or fully funded for implementation. At the same time, it is critical that the plan envision densities high enough to provide strong support for the CCT. A transportation analysis for each stage of development should be included to ensure Transportation and Land Use Balance.

Careful attention must be given to the specific elements of the staging plan. As proposed, the staging plan would require transportation infrastructure improvements to be completed before much of the proposed development can occur. Some of these improvements are not in the County CIP or are not in the control of the County as to funding and timing. While the infrastructure staging element is critical, care must be taken so that the realization of the Master Plan's vision for Germantown as a transit-oriented, mixed-use community is able to be realized. In addition, there should be a clear nexus between the development and the staging elements. This may mean that staging elements will need to be different depending on when and where development occurs.

In order to successfully maintain the newly expanded Town Center, some type of funding mechanism will be required. The draft Plan envisions an Urban Service District (USD) and requires this as a Stage I element; however such districts have been primarily supported by parking district revenues out of necessity. A 2005 evaluation of a USD in Germantown indicated that the tax base was not adequate to support the desired level of service. Due to its current size, density, mix of occupants, and lack of any local parking district revenues, Germantown Town Center does not have the capacity for the urban district model used in other areas of Montgomery County. Until the density is in place a USD would require contributions from a number of large

corporate employers and a mixture of funding sources with a substantial portion possibly coming from the County's General Fund. Further work is needed on this to determine if it may be feasible to implement a USD that provides limited services initially. Requiring the USD before development may discourage property owners from building as quickly as they planned; especially during this current economic market. The Executive Branch recommends that the Plan address the establishment of the USD in a manner that is workable for the Executive Branch implementing agencies and other stakeholders in the process and that it not be a Stage I requirement. It will need to be created but the timing and level of services it will provide is a function of the funding needed to support it.

MONTGOMERY COLLEGE

The Germantown Campus of Montgomery College is an important public institution in Germantown and a crucial part of the education system for the entire County. The capacity for future expansion on this campus is critical. The Rockville and Takoma Park campuses of Montgomery College have limited capacity for future expansion making the Germantown Campus even more important for the future of Montgomery College.

The Executive Branch agrees with Montgomery College on the importance of the College's ability to implement its plans for the future to deliver and grow higher education opportunities and effectively provide workforce development. Some of the important issues raised by the Plan are:

- 1) The extension of Observation Drive – This has already been addressed, but this roadway is the main access through the campus and needs to serve the business park that will enhance the educational mission of the College. On the other hand, it is important to protect large stands of mature forest. A reasonable balance needs to be struck so that the needs of the College for its Science and Technology Park as well as its campus are met while being sensitive to and protecting the environment. The Plan recommends preserving 50 acres as a forest reserve. The College has recommended a 30-acre forest reserve. More discussion on this issue is needed.
- 2) I-3 Zoning -- The I-3 zoning recommended in the Plan should be re-evaluated to ensure that an appropriate zone for the campus that will permit development of the campus and the technology park to create the kind of synergy that has developed in the Shady Grove area using the Life Sciences Center Zone.

WATER AND SEWER SERVICE

The Executive Branch recommends that the Plan include additional information about water and sewer service and infrastructure. The Plan should acknowledge that this portion of the County is intended to use public water and sewerage systems consistent with the planning and policies adopted in the Comprehensive Water Supply and Sewerage Systems Plan. WSSC

provides community water and sewer service in the master plan area. A few properties within the Plan area still use individual on-site wells and septic systems; however, the Plan should recommend that all of these properties should be approved for and eventually receive public water and sewer service. Additionally, the Plan should state that a substantial portion of the Plan area lies within the Little Seneca Creek watershed and drains directly to Little Seneca Lake, and that the lake serves as, among other things, an emergency drinking water source for users of the Potomac River, including WSSC.

PUBLIC FACILITIES

Fire Station 29

Mixed-use development and public open space are proposed immediately adjacent to the fire station. Mixed-use development, including high-density residential occupancies, near the fire and police station would add to the vehicular and pedestrian traffic near both stations, and potentially have a negative impact on response time. Residential use on that block would likely result in complaints about noise from the emergency vehicles next door.

Fire and Rescue Services is also concerned about the suggestion that Aircraft Drive and Crystal Rock Drive be changed to a one way pair. This would directly impact the access of emergency vehicles.

The draft Plan shows public open space immediately to the rear (west) of the fire station over an area that is presently used by Station 29 units to access Crystal Rock Drive from the rear-facing bays of the station. The Executive Branch notes that such public open space would cut off this important access to Crystal Rock Drive and strongly recommends that the public space not be placed in this location unless a street access plan for emergency vehicles is maintained.

I am pleased to have the opportunity to provide you with Executive Branch review comments on the Planning Board Draft of the Germantown Employment Center Sector Plan. Executive Branch staff is available to assist you as you deliberate the future plan for the Germantown Employment Center.

We look forward to working through these planning issues with the County Council, Planning Board and the community to ensure that a sustainable, successful and implementable plan is achieved for Germantown.

TLF:dar

Attachments 1 – 4

March 20, 2009

TO: Diane Schwartz Jones, Assistant Chief Administrative Officer
Office of the County Executive

Gary Stith, Deputy Director for Planning and Special Projects,
Department of General Services

FROM: Edgar Gonzalez, Deputy Director for Transportation Policy
Department of Transportation

SUBJECT: MCDOT Comments on the Planning Board Draft of the Germantown
Employment Corridor Sector Plan

The purpose of this memorandum is to transmit the Department of Transportation's comments on the Planning Board Draft of the Germantown Employment Corridor Sector Plan. A separate list of technical and editorial comments will be transmitted directly from MCDOT staff to MNCPPC staff. Major transportation policy issues include the following:

- 1) Lack of Land Use/ Transportation Balance
- 2) Expansion of Urban Areas Beyond Those Defined in the Road Code
- 3) The Design Guidelines
- 4) The Sector Plan's Blanket Reliance on Travel Demand Management (TDM) in lieu of Intersection Widening
- 5) Questionable TDM Goals and Assumptions
- 6) Inclusion of the Eastern Alignment of the Corridor Cities Transitway(CCT)
- 7) Pedestrian Safety Concerns

These core issues and related concerns are discussed below. The Department has met several times with MNCPPC staff to address MCDOT concerns and we are awaiting additional information.

I. Germantown Employment Corridor Sector Plan Core Transportation Policy Issues

1) Lack of Land Use / Transportation Balance

MCDOT is concerned that the plan does not produce continuous transportation/ land use balance under the current Growth Policy Standard. Localized congestion problems include 11 intersections with congestion levels that exceed the Growth Policy standard, and five intersections that are approaching the Growth Policy Standard. By 2030, the Plan achieves PAMR balance.

The Plan recommends a staging process for development of this sector of Germantown. ***MCDOT strongly supports the staging of development.*** It is critical that density be released at the same time that commensurate infrastructure is provided or programmed to be implemented in accordance with current rules. At the same time, it is critical that the plan envision densities high enough to provide strong support for the CCT. MCDOT is looking for the detailed transportation analysis for each stage to determine Transportation/Land Use Balance. ***MCDOT requests inclusion in the Plan of the transportation and land use assumptions used to run the model for each stage and the end stage of 2030.***

The Planning Board has repeatedly signaled that would like to move away from the current Growth Policy Standards in order to achieve higher densities in transit areas. Whereas this is a laudable goal, it is being done at the cost of greater congestion. This will be a topic of debate as the Germantown Sector Plan, the Growth Policy and the White Flint Sector Plan move through the Council this year.

2) Expansion of Urban Areas Beyond Those Defined in the Road Code

MCDOT notes that the Road Code sets geographical boundaries for defined Urban Areas. Higher levels of congestion are tolerated in urban areas, based on greater levels of transit service provided.

MCDOT opposes the expansion of the Urban Area in the Germantown Employment Corridor Sector Plan. Decisions to expand the urban areas should be implemented through changes to the Context Sensitive Design Standards, where the urban areas are defined. The current proposal in the plan would shift the authority from the County Council to the Planning Board, with a much more limited role by the Executive Branch. MCDOT believes that even if this was desirable, which is not, an Amendment to a Master Plan is not the vehicle to approve such changes in authority.

3) Design Guidelines and Streetscape Plan Are Not Subject to Council Review

As presented, the Germantown Design Guidelines and the Germantown Streetscape Plan, unlike the Sector Plan itself, are not subject to Executive review and Council approval. MCDOT notes that the Chapter 49 of the County Code, and specifically the Road Code, governs the classification and other elements of the highway system. MCDOT asserts that the proposed Design Guidelines and the Streetscape Plan would conflict with the Regulations on the Context Sensitive Design Standards, recently approved by Council. The proposal in this plan will result in confusion for all stakeholders throughout the development process, as there would be differences on Council approved Standards and Planning Board approved Guidelines. There is no proposed mechanism for resolving disputes between the competing documents.

MCDOT suggests that if the Design Guidelines are desired, they should be developed as an amendment to the Context Sensitive Design Standards, under the lead responsibility of the Executive Branch. The Planning Board staff would participate and provide input, but Regulation modifications should be led in the Executive Branch. The process would involve also the different agencies in the Executive Branch that participated in the process of developing the Regulations for the new Standards. Ultimately, there is the need for County Council approval, as called for under Method 2 Regulations. Final authority should be the County Council.

MCDOT further notes that the Planning Board is in the process of providing Design Guidelines for White Flint, Gaithersburg West, and retroactively for Twinbrook. As Germantown is the first plan with Design Guidelines to reach the Executive and Council Review stage, it will set a precedent for this new initiative. The Executive Branch should support the legal authority we currently have through the County Code and Executive Regulation for design and operational issues involving the public right-of-way.

4) Recommendations for Congested Intersections: TDM in lieu of Widening

The Sector Plan recommends that Travel Demand Management (TDM) serve as the first priority for addressing congestion. It further states that in urban areas and transit station areas, intersection widening should be considered *as a last resort* to best preserve transit-oriented development along the CCT.

MCDOT notes that measures such as carpools and vanpools, despite very aggressive efforts by staff and funding support, have proved their limitations in reducing vehicular traffic over time. Therefore it is MCDOT's position that relying on TDM rather than intersection improvements to reduce congestion is likely to fail.

MCDOT recommends that MNCPPC drop from the plan the notion of “widenings as a last resort”, as well as all prohibitions from implementing specific intersection improvements, such as “hot-rights”.

5) Travel Demand Management (TDM) Goals and Assumptions

MCDOT requests greater clarity regarding what the Travel Demand Management (TDM) goals are, and how they are to be achieved.

- a) Appendix 14, page 104 states the current non-auto driver mode share (NADMS) among employees in the Sector Plan area is 18 percent. ***MCDOT requests clarification of the basis for that statement***
- b) The Sector Plan indicates an area wide achievement of 25 percent NADMS was used as an assumption in the local area traffic modeling. However the plan does not state that 25 percent NADMS among employees is the goal for this area. Using a larger NADMS results in a reduced number of trips in the model, and therefore better levels of service for the transportation network; that could in fact occur. ***MCDOT recommends that the plan provide more specific information regarding TDM assumptions.***
- c) ***MCDOT recommends that the Sector Plan indicate what the specific parameters are for how the TDM measurement or goal will be determined – e.g., is this goal (if it is the goal) to be determined based on employees commuting during the peak hour or peak period; by what point is this goal (if it is one) to be achieved? In general the plan is quite vague about the role of TDM, though it mentions it is important.***
- d) The Staging chart contained in Part 5 appears to contain different assumptions about TDM than elsewhere in the text. It states that before Stage 1 can begin, “An annual monitoring program [must be] developed for non-driver mode share, vehicle miles traveled.” ***MCDOT requests clarification.***
- e) The Staging chart indicates that in order for Stage 2 to proceed, funding for the CCT segment from Metropolitan Grove to the Germantown Transit Station must be included in the CIP or CTP. However, another requirement for Stage 2 to proceed is that the “Non-driver mode share [has] increased to 21 percent in the previous 12 months.” ***MCDOT recommends that the plan clarify what strategies or provisions would be in place prior to existence of the CCT which would result in a three percent increase in the NADMS in this area over this period of time – and why only the prior 12 months is of concern. MCDOT further recommends that the Sector Plan explicitly state that increasing the NADMS from 18 percent to 21 percent is a significant improvement – about a 17 percent improvement in the percentage of commuters using alternative modes.***

Travel Demand Management continued

- f) In Appendix 9, Environmental Resources Analysis, there is a very brief mention of the need to “provide transit incentives to minimize single occupant vehicle travel.” (p. 66). This appears to be the only mention of the importance of these types of programmatic measures, though it is not clear as to who the plan intends should provide the incentives. **MCDOT recommends that the Sector Plan clarify that developers and employers would be expected to provide these types of incentives and participate in other programmatic measures as conditions of development approvals.***

6) Two CCT Alignments

The Sector Plan currently shows both the western and eastern alignments of the CCT. The State of Maryland’s CCT study shows only the western alignment that crosses Dorsey Mill Road. It does not seem realistic that the eastern alignment can be built by 2030 when it is not even included in the State’s study.

In addition, the western alignment alone is a lower cost plan than the dual alignment, and it goes through the higher density portion of Germantown. Including the second alignment west of I-270, and the additional crossing of I-270, would increase both the construction and operating costs for the CCT, rendering the MMCDOT proposal more costly and less competitive for Federal funds at the national level. It is very unlikely that an additional eastern CCT will be cost-effective. The east side of I-270 can be served by local buses to the CCT and the MARC station, and express buses to the Shady Grove Metro Station. MNCPPC indicated that both alignments should be included in the Plan in order to articulate the overall vision of the Plan.

MCDOT recommends showing only the western alignment of the CCT in the Plan. MCDOT could support inclusion of what is currently the eastern leg of the CCT if it is described as “a high quality transit option that is not the CCT.”

7) Pedestrian Safety Concerns

MCDOT supports the expansion of the pedestrian network in the plan. MCDOT requests greater specificity regarding pedestrian facilities such as interconnected pedestrian pathways and safe crossings, in addition to the comments below:

Pedestrian Safety Concerns continued

a) Pedestrian Connections

The Plan recommends short blocks. MCDOT concurs and notes that this eliminates the need for mid-block crossings. For safety reasons, the Plan should eliminate mid-block crossings on boulevards.

b) Pedestrian- Friendly Intersection Design

MCDOT supports pedestrian-friendly intersections but notes that such intersections can be accomplished even with widenings of intersections by including refuge islands and other defined features. Intersections not only serve pedestrians but also serve buses, emergency vehicles, delivery vehicles, bicyclists and cars.

c) The Need for more Transit, Pedestrian and Bikeway Connections for Montgomery College, MARC and other key locations

MCDOT recommends a greater focus in the plan on multi-modal connections to Montgomery College. MCDOT further recommends the Sector Plan include a recommendation to link the United States Department of Energy to the proposed Town Center CCT station.

II. Additional Transportation Issues

In addition to the core transportation issues outlined above, MCDOT has identified the following transportation issues:

1) Other CCT issues:

- a) MCDOT supports the elimination of the Middlebrook CCT station. That proposed station is isolated from the residential population.
- b) MCDOT notes that the plan proposed recreation and day care in transit station areas. MCDOT notes that more information is needed to determine whether these facilities should be incorporated into CCT station design or the responsibility of developers in the vicinity of the CCT stations.
- c) MCDOT recommends that the plan identify specific location(s) for additional commuter parking to serve the Town Center.

2) Conceptual Layouts for Transportation Improvements to Clarify Impacts upon the Community

MCDOT recommends that the Sector Plan better illustrate the intersections that fail, and clarify the options to prevent each intersection from failing. To this end, MCDOT requested conceptual layouts for the interchange improvements which would better illustrate the impacts of transportation recommendations on the surrounding land uses and the community.

Specifically, MCDOT asked MNCPPC to provide preliminary layouts for recommended transportation improvements superimposed on the existing land use. MNCPPC transportation staff noted that a similar product had been provided as part of the Shady Grove Plan, and committed to provide a best effort toward that type of layout for Council review of the Sector Plan.

3) County Road Code Design Standards

MCDOT opposes the many instances where streetscape and road design features are specified, as inclusion of these items in the Plan violates the agreement with respect to the Road Code. Master/Sector Plans should use existing and approved road standards. A new standard needs to be approved by MCDOT and the Council before being added to a Master/Sector Plan.

One specific instance is under “Streetfront Retail Development” where the reference to 20 to 26’ wide sidewalks must be reconciled with the Design Standards. The reference to pole mounted or free standing signs on the same page should also be deleted as such signs are usually necessary for traffic Control (operational) purposes. Other instances are included in MCDOT’s technical/editorial comments transmitted directly from MCDOT staff to MNCPPC staff.

4) Proposed Street Cross Sections

MCDOT opposes using the “Proposed Street Cross Sections” in the plan and supports using the Road Code instead. Again this inconsistency can create conflicts and confusion.

5) Target Speeds

MCDOT opposes MNCPPC’s identification of target speeds for non-residential roadways classified in the Plan. Target speeds are included in the Road Code, which is much easier to amend than a Master or Sector Plan.

6) Circulator Bus

The Plan recommends a circulator bus for frequent service between the Town Center, MARC Station and transit neighborhoods. MCDOT notes that excellent bus service is already provided in Germantown. The recommended circulator bus service must be developed so that it does not overlap with the extensive Ride-On service existing in Germantown today. MCDOT notes that Phase I of the restructuring of Germantown Ride-On routes in 2005 resulted in good coverage of the Germantown Town Center Area. The plans for Phase 2 include route expansion to the west side over to the Soccer Plex, as well as to the east side of I-270. Phase I of the restructuring resulted in the Germantown

ridership rate exceeding that of the overall system. In Germantown, overcrowding continues to grow, and Park & Ride lots are at full capacity.

The plan mentions BRT and specifies a circulator bus and expanded access to MARC stations. An effective BRT requires dedicated bus lanes and/or priority treatment. ***At the present time, MCDOT does not think that the circulator bus and route expansions necessarily have to take place on dedicated lanes or with priority treatment.***

7) Development and Parking at the MARC Station

The Plan recommends concentrating residential development near the station to enable patrons to walk to the station. Specifically, the Plan recommends mixed-use development on the property where MARC parking currently exists, with the inclusion of MARC parking in garages serving the planned new mixed-use development. ***MCDOT concurs with these recommendations as long as the current number of MARC parking spots is expanded as part of the development.*** The additional parking should be the responsibility of the MTA and included in the MARC development plans. Temporary MARC parking would have to be provided during construction. Finally, the Plan notes that MARC will build additional parking near the MARC station by 2015. MCDOT is not aware of these plans. So we request that the plan document the specific program funding this assertion.

8) Aircraft Drive and Crystal Rock Drive Street Circulation

MCDOT opposes the recommendation to change the circulation pattern at Aircraft and Crystal Rock Drives to one-way couplets as operational recommendations which are outside the purview of Master Plans. The Plan recommends operating Crystal Rock Drive as one-way northbound between MD 118 and Aircraft Drive. This is intended to allow for a longer queue for traffic from I-270, as well as bus door access on the right side adjacent to the Transit Center as buses circulate around the Bellmead Property and the transit station. The plan further recommends operating Aircraft Drive as one-way southbound between Crystal Rock and MD 118. This is intended to eliminate additional turning movements on MD 118. MCDOT is concerned about the access and mobility of emergency response equipment from the Town Center Fire Station.

9) MD 355 & Urban Network Alternatives

MCDOT supports the Plan's street network goals which include serving regional and through traffic with highways, filling in a complete network of local roads, accommodate exclusive transit routes, and creating pedestrian and bike routes that create a range of transportation alternatives.

The Plan retains the recommendation for a grade-separated interchange at MD 355 and MD 27. Grade-separated interchanges at MD 355 and Middlebrook Road, and MD 355 and MD 118 are added. In this context, the Plan supports further study of one-

way couplets as urban network alternatives to grade-separated interchanges. This urban network alternative consists of a pattern of at-grade, one-way couplets around a town square feature. Planning Board Staff has conducted a preliminary analysis of this alternative and concluded that this approach could provide capacity comparable to the proposed at-grade interchanges. The Plan suggests further study of this concept as a supplemental effort to this plan, or as part of a project planning study.

MCDOT opposes the recommendation for Urban Network Alternatives in lieu of interchanges included in the Master Plan, in addition to the Master Plan recommendation to study these alternatives. MCDOT supports Master Plan recommendations based on conclusions of studies, and opposes the mention of possible alternatives in a Master/Sector Plan. If the Urban Network Alternative is a better alternative to an interchange, then propose it now. Master/Sector Plan recommendations should be buildable and operable, since they guide our orderly and smooth development process. If changes are required in the future based on further studies, the County must go back and amend the Master/Sector Plan.

10) M-83

M-83 is outside of the study area. The Plan assumes the construction of M-83 as part of the regional transportation network. MCDOT's M-83 study is expected to be completed in early 2011. Language in the Plan highlights an alternative to M-83 under study by MCDOT staff, involving MD 355. This alternative, proposed by MNCPPC staff, involves increasing the ROW along MD 355 from the current 150' ROW to a 250' ROW that can include BRT. ***MCDOT opposes inclusion of this alternative in the Master Plan, as well as the accompanying expansion of the ROW on MD 355 to 250'. Alternatives should be studied before they are included in a Plan. Master/Sector Plan recommendations should be buildable. If changes are required in the future based on further studies, the County must go back and amend the Master/Sector Plan. The plan should clearly state what assumption was made in the traffic forecast used in this Plan for M-83.***

11) I-270

The plan recommends a partial interchange to and from I-270 N. at Dorsey Mill Road or a revision to the Father Hurley Interchange. These recommendations are intended to reduce congestion at the intersection of Father Hurley and Crystal Rock Drive, and minimize commercial traffic on Kinster Drive.

In previous comments, MCDOT had cautioned that that the Dorsey Mill Interchange interchange would be too close to the existing interchange at I-270 and Father Hurley Boulevard/Ridge Road, and recommended that MNCPPC work with the State to examine the issue. MCDOT believes that implementation of ramps to/from the north would likely require reconstruction of the northern Father Hurley Boulevard/Ridge Road ramps and installation of collector-distributor roads between the two interchanges. After discussion

with the State, MNCPPC determined that the Dorsey Mill interchange would likely not meet Interstate Access Point Approval requirements.

- a) *MCDOT recommends that the Dorsey Mill interchange be eliminated from discussion in the Plan.*
- b) *MCDOT requests a detailed drawing showing how the recommended revision to the Father Hurley Interchange would work. MCDOT further recommends that MNCPPC get an initial reading from the relevant State and Federal agencies, as was done with the Dorsey Mill Interchange.*
- c) *MCDOT notes that a roadway bridge on Dorsey Mill Road across I-270 is currently programmed in Facility Planning. MCDOT has had a preliminary discussion with a developer who may be willing to fund the bridge. This bridge does not include the transitway.*

12) Observation Drive

MCDOT concurs with the Plan's recommendation to construct Observation Drive as a north-south connection through the Montgomery College District. We support a peripheral alignment such as the one preferred by the College, which avoids major pedestrian crossings between housing and the college campus. In general, Montgomery College Germantown should be the driving force behind determining the alignment through its own campus. Pedestrian safety should be a major factor in determining the final alignment.

13) Proposed ROW Reductions

MCDOT opposes the recommendations to reduce the ROW widths of the following roads. If a road is already constructed it does not make sense to give up ROW.

<u>Road</u>	<u>Limits</u>	<u>Current MP ROW</u>	<u>PB Rec.</u>
Father Hurley	Crystal Rock to I-270	150'	120'
Observation Drive	Dorsey Mill Rd to Germantown Rd.	150'	100'

14) Proposed Reduction of Travel Lanes on Crystal Rock Drive

MCDOT opposes the recommendation to reduce travel lanes on Crystal Rock Drive to create a 50-wide linear, landscaped open space and greenway along Crystal Rock Drive for recreational use and to provide access to Black Hill Regional Park. The travel lanes along Crystal Rock Drive will be needed. If access to the Park is important, a different solution must be found.

15) MCDOT Recommended ROW Increases to Support the CCT

MCDOT recommends increasing ROW widths for the following road segments to accommodate the CCT. MCDOT recommends that the Transit ROW be 150' instead of the 130' listed on pages 66 – 67 of the Plan. The Master Plan's proposed ROW for the Transitway should be based on a light rail scenario including a sidewalk and a bike path, and specifically the design considerations in the ongoing CCT study. This ROW will provide the maximum flexibility to design a transitway without acquiring additional ROW.

<u>Road</u>	<u>Limits</u>	<u>PB Rec</u>	<u>MCDOT Rec</u>
Century Blvd	Dorsey Mill to Kinster Dr.	130'	150'
Century Blvd.	Kinster Drive to Aircraft Drive	130'	150'
Century Blvd.	Aircraft Drive to Crystal Rock Drive	130'	150'

16) Roadway Network Map (page 29)

- a) ***MCDOT recommends that the Sector Plan recommend reducing the skewed angle of the intersection at Waters Road with Wisteria Drive in conjunction with future development.***
- b) ***MCDOT recommends showing the alignments of B-16 (Bowman Mill Road), MA-4 (Cider Press Place).***

17) Crystal Rock Drive from Middlebrook Road to Germantown Road (p. 31 - MA-1)

MCDOT recommends that Crystal Rock Drive between Middlebrook and Germantown Roads (MA-1) is a privately maintained road and should remain so.

18) Street Classification Issues

MCDOT recommends that, consistent with the discussion and classification of the Road Code, the Sector Plan should not recommend street classifications which are not already in the Road Code. The Road Code should incorporate classifications and design features before they are presented in a Master Plan and accompanying documents. The Design Guideline includes 4 types of streets that are not classified in the Road Code. These street types listed on page 13 include Boulevards, Main Streets, Local Streets, and Greenways.

Additional Street Classification Issues are outlined below:

- a) MCDOT recommends a more consistent approach to the proposals for minor arterials: the 3 proposed streets each have different cross-sections and operational characteristics; ***MCDOT does not support classifying any of these streets as minor arterials.***

- b) ***MCDOT notes that B-19 (the new road between Century Boulevard and Crystal Rock Drive) may be difficult to implement because it appears to impact existing developed commercial properties.***

- c) ***MCDOT supports reclassifying the industrial streets to business streets as long as their dimensions meet or exceed the approved dimensions for context sensitive roads.***

- d) ***MCDOT recommends the plan confirm the proposed extension of Waters Road to Germantown Road will intersect opposite Bowman Mill Drive.***

19) Bicycle Facilities

MCDOT supports the expansion of the bicycle network in the plan. MCDOT recommends the following specific changes to bicycle network recommended and outlined in the Plan:

- 1. Page 26:
 - a. On all maps, please put as many road name references as possible. Lines on an empty space on a map are subject to many interpretations.
 - b. Text refers to Seneca Greenway, but is not identified on the map.
 - c. Text refers to missing bikeway from Pinnacle Drive to Celebration Way. Identify the bikeway reference number.
 - d. Text references M-83 but map does not reference it.
 - e. Text should refer to the Bicycle System Implementation Section list.
 - f. PB-3 line on map should be continued to connect with SP-69 at PB-15.
 - g. PB-2 and PB 4 should be Shared Use Paths as they connect to all paths.
 - h. PB-22 is a critical link between PB-37/SP-66 and SP-63. It should be a Shared Use Path.
 - i. PB-37 – Consider possibility of bike lanes.

- 2. Page 28: Street Cross Sections do not provide for separate bike paths, they just show sidewalks, except for the greenway.

- 3. Pages 70-72:
 - a. Header in Table should say Master Plan Bike Route “Number” instead of #2.

- b. Bolding in Table is inconsistent.
- c. Page 72 refers to Seneca Meadows Road – Should it be ‘Parkway’?

4. Technical Appendices:

- a. Page 114 – Typeset on map is so small as to be illegible. Map should refer reader to Table that explains Bikeway numbers.
- b. Page 116 – Map should identify the roadway names on the eastern and western edges.
- c. Page 120 – Bicycle Beltway should be in place prior to any development approvals. Map should include an access from Crystal Rock Drive to Middlebrook Road paths such as MD 118.

20) Creation of an Urban District for Germantown

The Plan supports the creation of an Urban District to finance and maintain infrastructure and possible bus circulator service in Germantown. ***MCDOT supports establishment of an urban service district responsible for maintenance of existing and proposed streetscaping within the County rights-of-way. MCDOT notes that in other urban areas of the County, the existing Urban Maintenance Districts are funded through subsidies from parking revenues. MCDOT recommends that the Plan identify a source of funding for the Urban Maintenance District, beyond the private contributions currently envisioned. MCDOT further recommends that an Urban District be created simultaneously with the plan.*** Without one, the vision of Germantown outlined in the plan cannot be implemented and maintained.

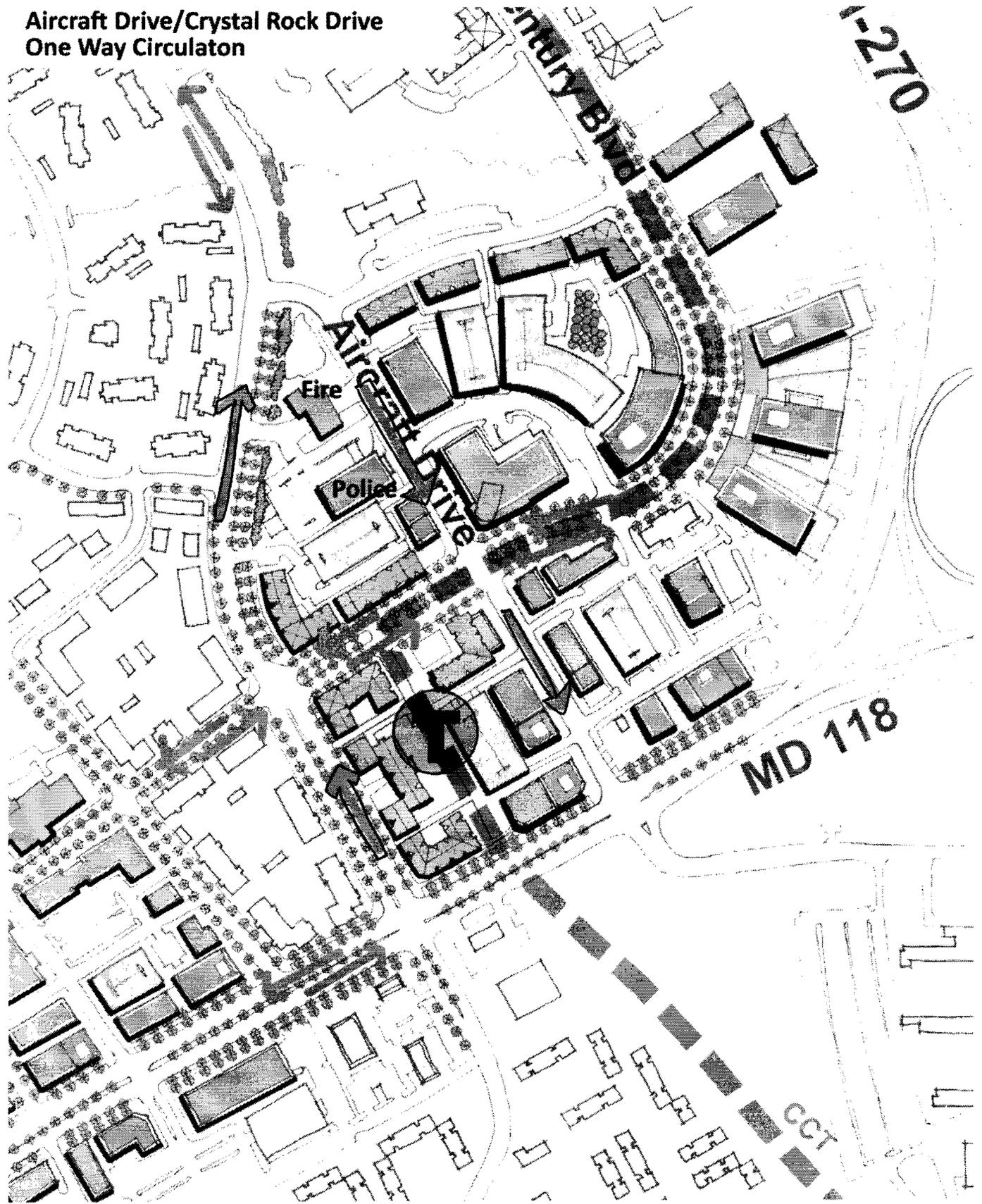
21) Parking

The plan states “Parking policy should encourage transit ridership, require fewer parking spaces, and take advantage of shared parking. Projects should include flex cars and spaces, use structured parking and screen parking from the street.” MCDOT recommends that the plan identify specific locations for parking.

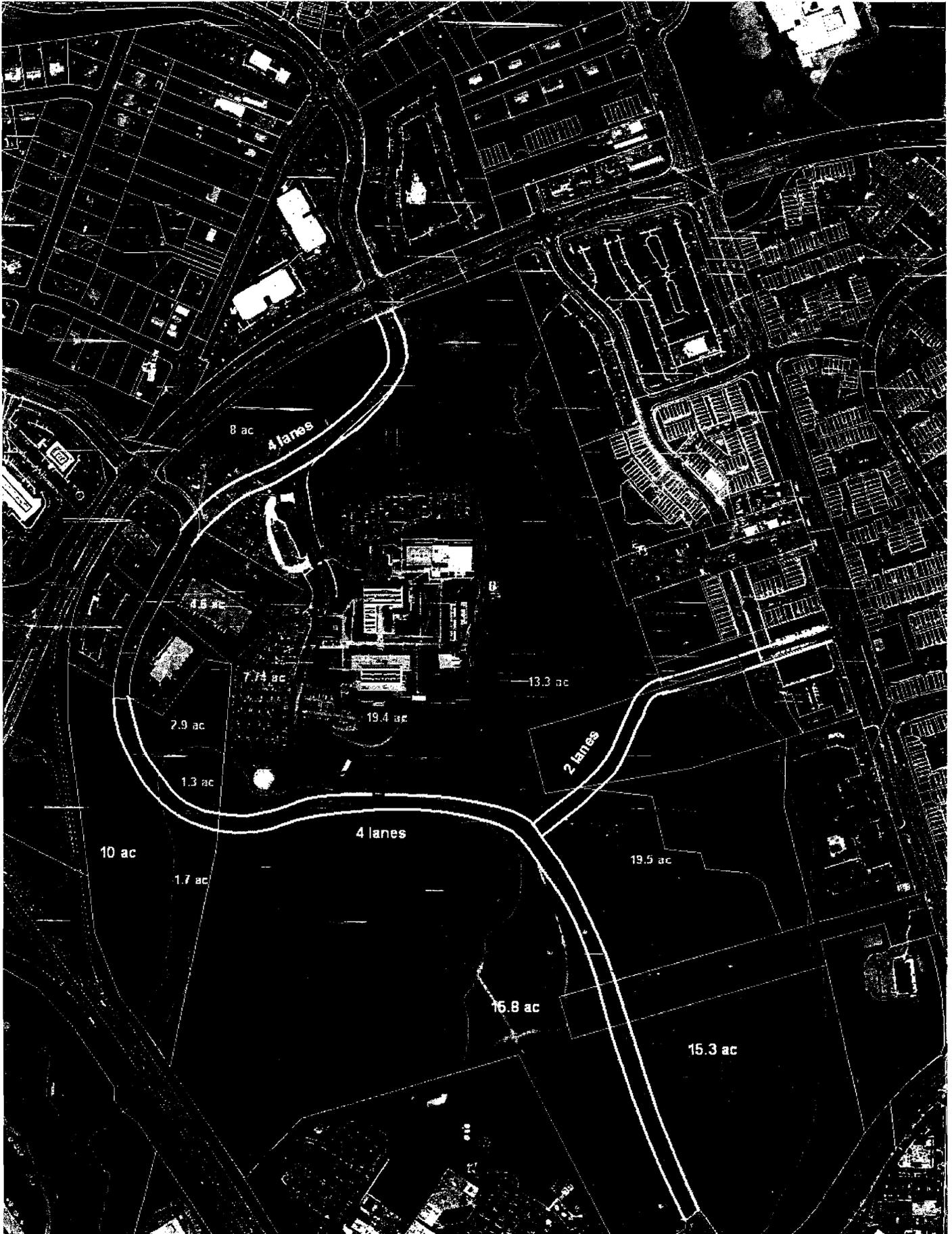
22) Parking at the Transit Center

The Technical Appendix states that “additional parking is currently needed near the transit center and will be needed in the future with the Future CCT.” The current demand for parking of transit passengers at the Germantown Transit Centers is greater than the number of available spaces. ***MCDOT recommends that the Plan incorporate provision of parking for transit commuters.***

**Aircraft Drive/Crystal Rock Drive
One Way Circulation**



West Alternative 2



MONTGOMERY COLLEGE
Germantown Campus
Office of the Vice President and Provost

June 10, 2009

TO: Ms. Marlene Michaelson
Senior Legislative Analyst
Montgomery County Council

FROM: Hercules Pinkney, Ed.D. 
Vice President and Provost

SUBJECT: Follow-up Information – Montgomery College District

This is follow-up to your May 28, 2009, meeting with Bill Campbell and Steve Poteat (Montgomery College), Bryant Foulger (Foulger-Pratt), Bob Dalrymple (Linowes & Blocher), and Eileen Cahill (Holy Cross Hospital) in which you requested more information on issues pertaining to the Montgomery College District and the Science & Technology Park ("the Park") in the draft Germantown Sector Plan ("draft Plan"). Specifically, you requested Montgomery College's comments on the draft Plan as it relates to Cider Press Place, Zoning, Development Staging, and Urban Design Guidelines specific to the Montgomery College District. Our responses are below.

A. Cider Press Place

You will recall that the April 24, 2009, joint action of the Montgomery County Council's Education Committee and the Planning, Housing, and Economic Development Committee on the location of Observation Drive extended required the redesign of the Park. Toward that end, Montgomery College took a closer look at the draft Plan's proposed connecting road – Cider Press Place – between Observation Drive extended and MD 355 and has identified the following significant problems:

1. Cider Press Place is currently constructed on a 50-foot right-of-way as part of the Orchard Run development. As the attached photos show, there are 17 townhouses facing the road, with all 17 driveways connecting directly onto Cider Press Place. If reconstructed as a minor arterial road with a 70-foot right-of-way, as is presently recommended in the draft Plan, some homes would be as close as 13 feet to the road. That would be a very dangerous mix of excessive traffic and homeowners within a very narrow and confined space.

2. Because of the existing development along MD 355, there are no safe direct outlets from the Germantown Campus to MD 355. As well, any connector would require crossing the environmentally sensitive Gunners Branch, which civil engineers have told us would result in significant disturbance and at a prohibitive cost.
3. Requiring a Cider Press Place connection would seriously impede the College's ability to develop either the Germantown Campus or the Park in a cohesive and coordinated manner in the limited remaining amount of developable, non-environmentally challenged land.
4. The proposed road would have only right-in/right-out access to MD 355 and would offer limited utility as an access point. The College, Foulger-Pratt, and Holy Cross Hospital all agree that this road is not needed to support their respective planned uses.

Montgomery College strongly believes that a connection to MD 355 via Cider Press Place is unsafe and offers very little benefit. We urge the County Council to remove from the draft Plan the Cider Press Place connector from Observation Drive extended and MD 355.

B. Zoning

The draft Plan proposes an I-3 zone for the Montgomery College District (i.e., the area bounded by I-270 on the west, MD 118 on the north, MD 355 on the east, and Middlebrook Road on the south). However, Montgomery College believes that the concentration of businesses and institutions that focus on life sciences and technology present a different development scenario from a typical I-3-zoned business park and thus proposes the Park be reclassified to the Life Science Center (LSC) zone.

A key factor in the success of the Park will be the ability to market the specialized focus of an LSC zone. Accordingly, as we move toward the development of the Park, we believe the current LSC zone (with the modifications as generally proposed through the Gaithersburg West Master Plan Amendment) recognizes and promotes the specialized and unique purpose of the Park and would be a vital element for Montgomery College and Montgomery County in achieving our collective vision for the Park.

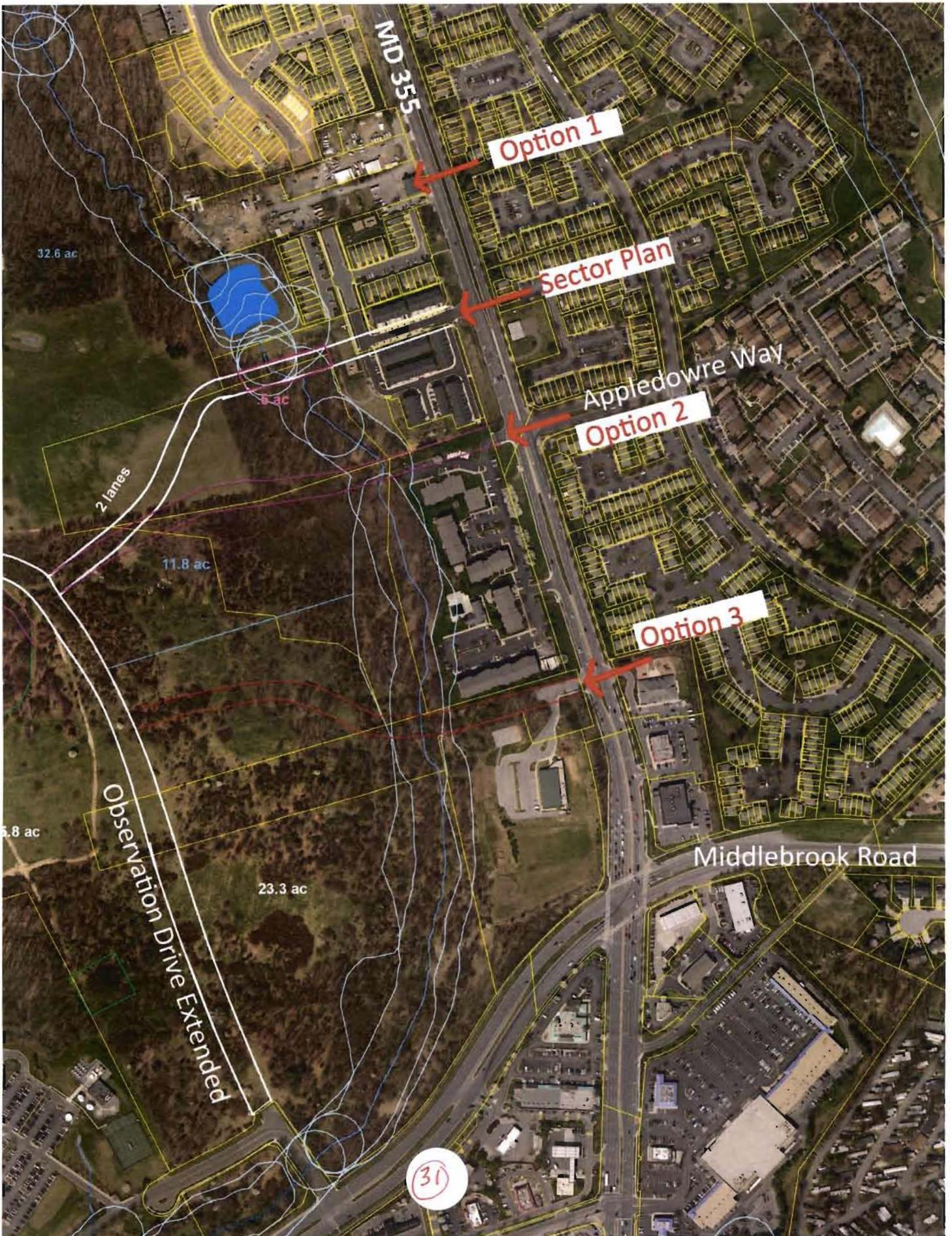
Specifically, Montgomery College believes an LSC zone would be more appropriate for the following reasons:

1. As you are aware, Foulger-Pratt Companies won the development rights for the Park. After years of trying to secure an anchor tenant, Foulger-



30

Montgomery College District West Alternative 2





Sector Plan

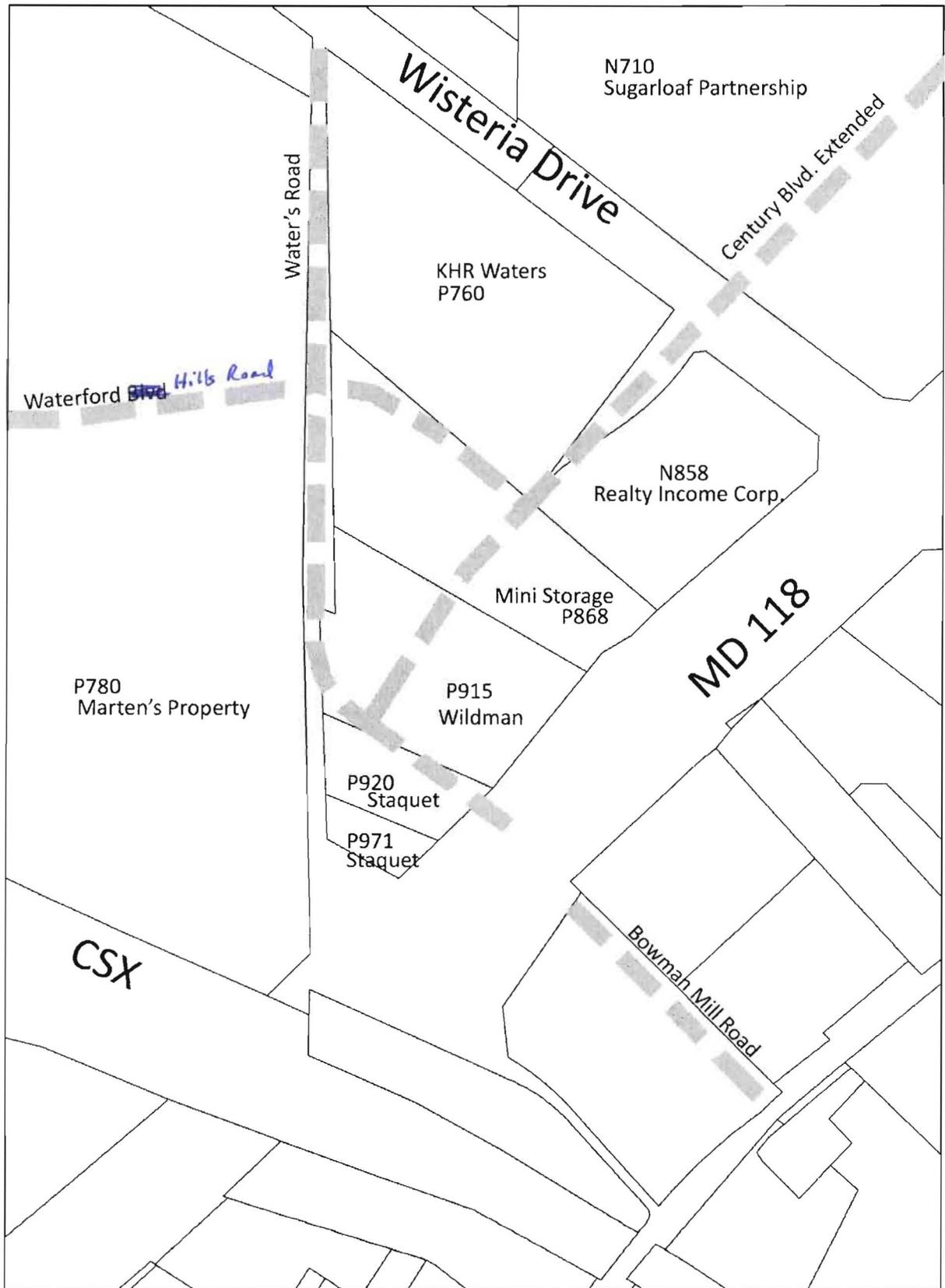
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Option 2

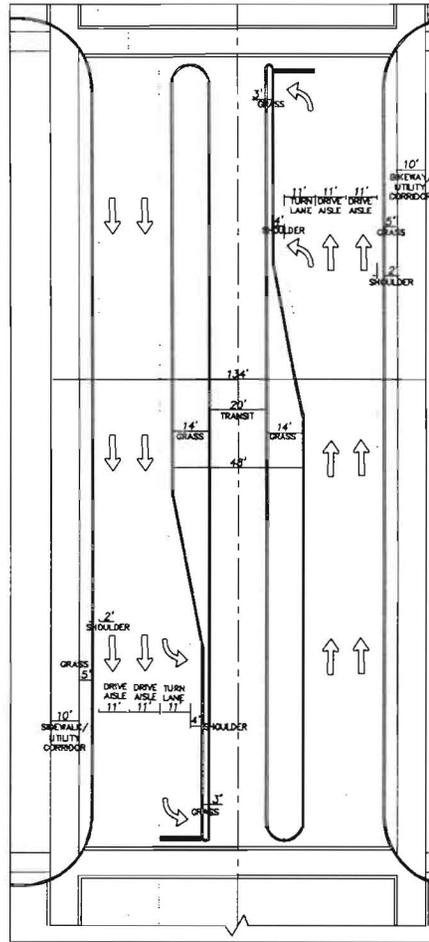
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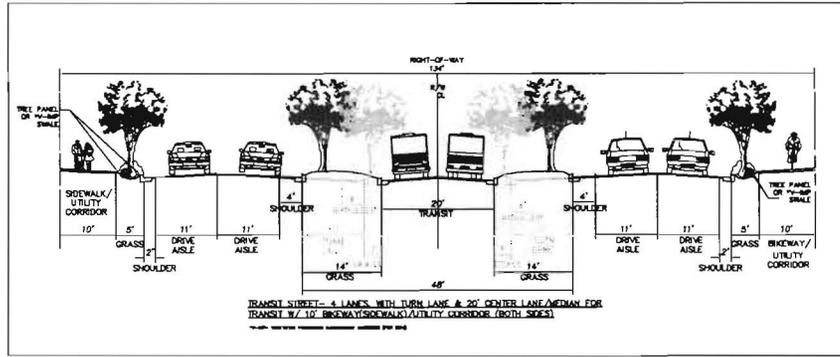
West End Proposed Street Network



34



PLAN: 1"=20'



TRANSIT STREET - 4 LANES WITH TURN LANE & 20' CENTER LANE WIDTH FOR TRANSIT 14' TRANSIT SIDEWALK/UTILITY CORRIDOR (BOTH SIDES)

SECTION: 1"=10'

REVISION	DATE	REVISION	DATE

APPLICANT:
 CENTURY TECHNOLOGY CAMPUS
 TRAMMELL CROW COMPANY
 1085 THOMAS JEFFERSON STREET, NW
 SUITE 400
 WASHINGTON, DC 20007
 PHONE: (202) 285-3355
 CONTACT: MRS. JENNIFER KEATING-DIX

134' RIGHT-OF-WAY
 CENTURY BOULEVARD
 EXHIBIT



1964 Century Boulevard
 809 PCC
 Gaithersburg, Maryland 20878
 PH: 301-948-7700 FAX: 301-948-7700
 PH: 301-283-6429 (Cellular)
 F: 301-248-6796
 www.rodgers.com

BY	DATE
BASE DATA	CHD/2 (10/05)
DESIGNED	CHD/2 (10/05)
DRAWN	CHD/2 (10/05)
REVIEWED	CHD/2 (10/05)
RODGERS CONTACT:	
RELEASE FOR	
BY	DATE

PARCELS S.T. U & V
CENTURY TECHNOLOGY CAMPUS

11 LOCATION DISTRICT No. 2
 MONTGOMERY COUNTY, MARYLAND

SCALE:	1"=20'
JOB NO.:	83602
DATE:	JUNE 2006
SHEET NO.:	1 OF 1

MEMORANDUM

TO: Glen Orlin
FROM: Doug Wrenn *DW*
SUBJ: Germantown Master Plan North End District Road Alignment
DATE: June 25, 2009
CC: Marlene Michaelson
Joyce Furhman
Mike Knapp
Sue Edwards
Dan Hardy
Robby Brewer
Warren Elliott
Francine Waters

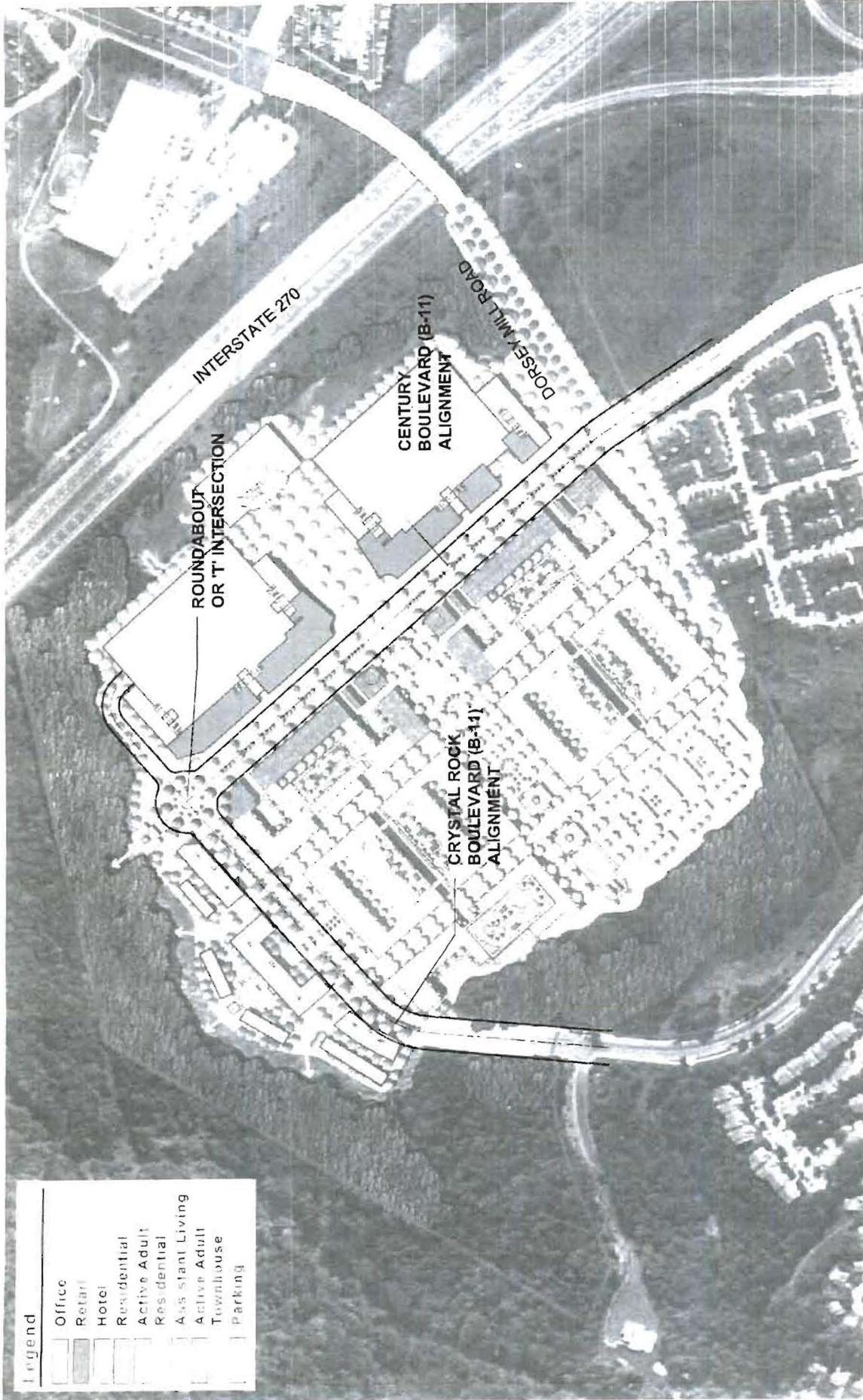
As part of the Germantown Master Plan Process, the Lerner Corporation prepared a concept for the development of their property in the North End District. The concept calls for a mixed-use neighborhood composed of office, retail, hotel, and residential uses, instead of the traditional suburban office park that was included in the 1989 Germantown Master Plan. The new concept will result in a transit-oriented neighborhood that will be more urban in character.

Just as the recommended mix of uses and urban character is a departure from the 1989 Germantown Master Plan, the alignment and character of the roadway network has also been modified. The Master Plan road designated B-11 (described as the Crystal Rock segment from the proposed Dorsey Mill Road extension {B-14} to Black Hill Park Access) should reflect a more urban geometry so as to promote a low design speed and pedestrian-friendly environment.

The attached plans show the proposed realignment of Crystal Rock Drive and Century Boulevard (Exhibit A), and the introduction of a roundabout or 'T' intersection where they intersect, instead of the more suburban type of sweeping 'loop' geometry as indicated in the current Planning Board Draft (see exhibits B and C). These modifications should have been included in the Planning Board Draft of the Master Plan, as neither the Planning Board nor planning staff objected to this new geometry.

On behalf of the Lerner Corporation, we ask that you recommend that this technical correction be made at the upcoming June 29th PHED Committee work session. If you have any questions, please do not hesitate to contact me at 301-948-4700.

35



Legend

- Office
- Retail
- Hotel
- Residential
- Active Adult
- Residential
- Assisted Living
- Active Adult
- Townhouse
- Parking



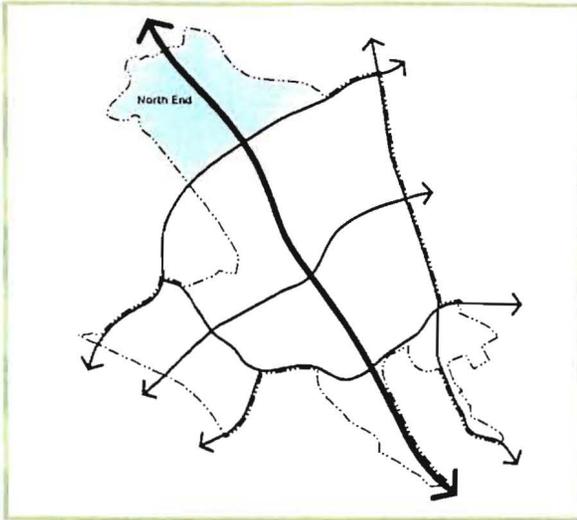
1" = 100'

CRYSTAL ROCK



© 2014 Lerner

North End District Land Use



THE NORTH END DISTRICT

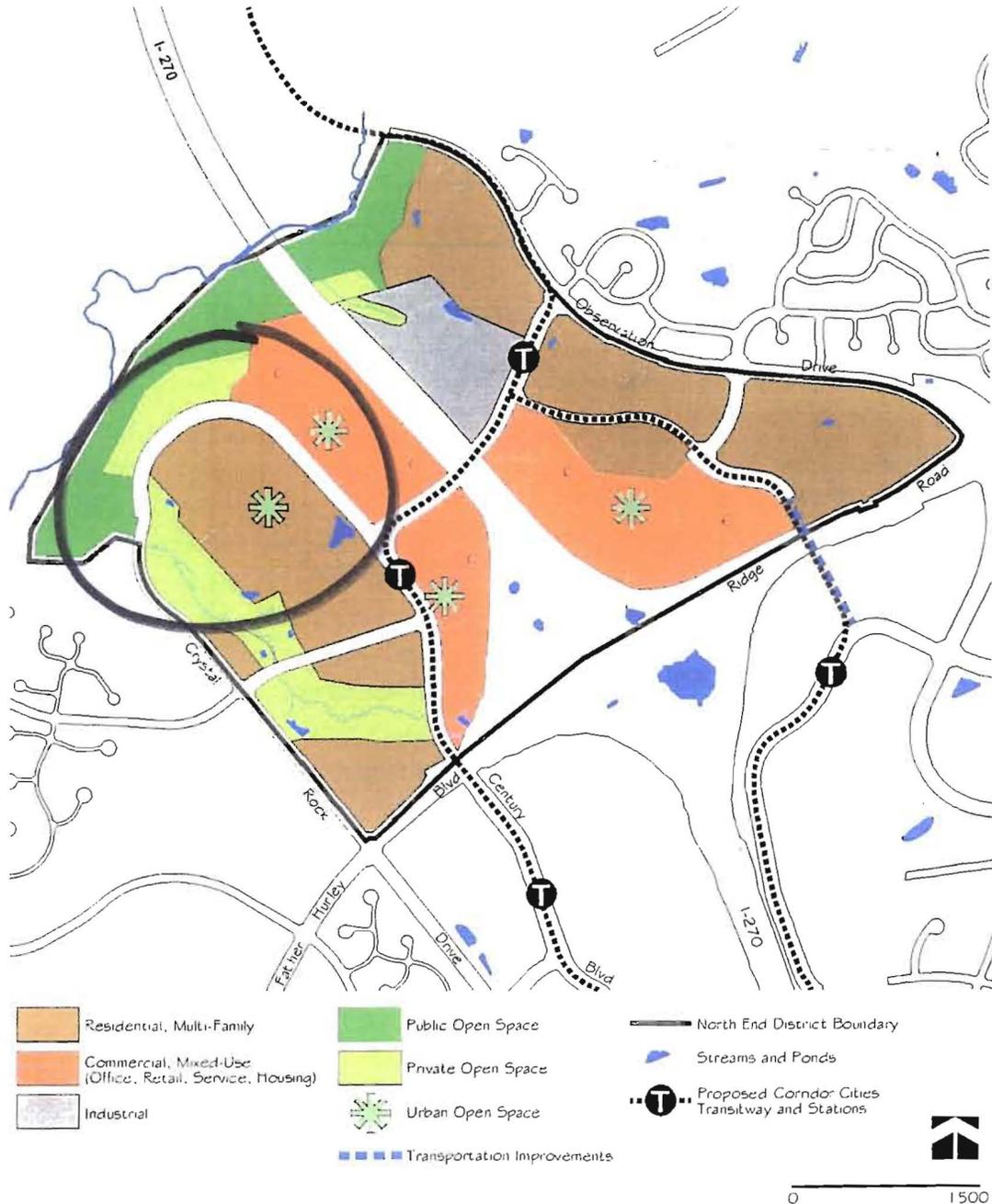
This 280-acre district extends across both sides of I-270 bounded on the north by Black Hill Regional Park and the North Germantown Greenway. It will showcase views and access to both natural areas. The west side of I-270 will evolve from a small residential community amid undeveloped land to an employment location highlighted by additional residential, retail, and hospitality uses. Tall buildings focused on the Manekin CCT station will mark sites visible from I-270.

East of I-270, redevelopment will be within walking distance of the Dorsey Mill CCT station. The Milestone Business Park will be expanded with new residential and retail uses. Six-story

office buildings will surround an urban courtyard within walking distance of existing and future residential units near Observation Drive.



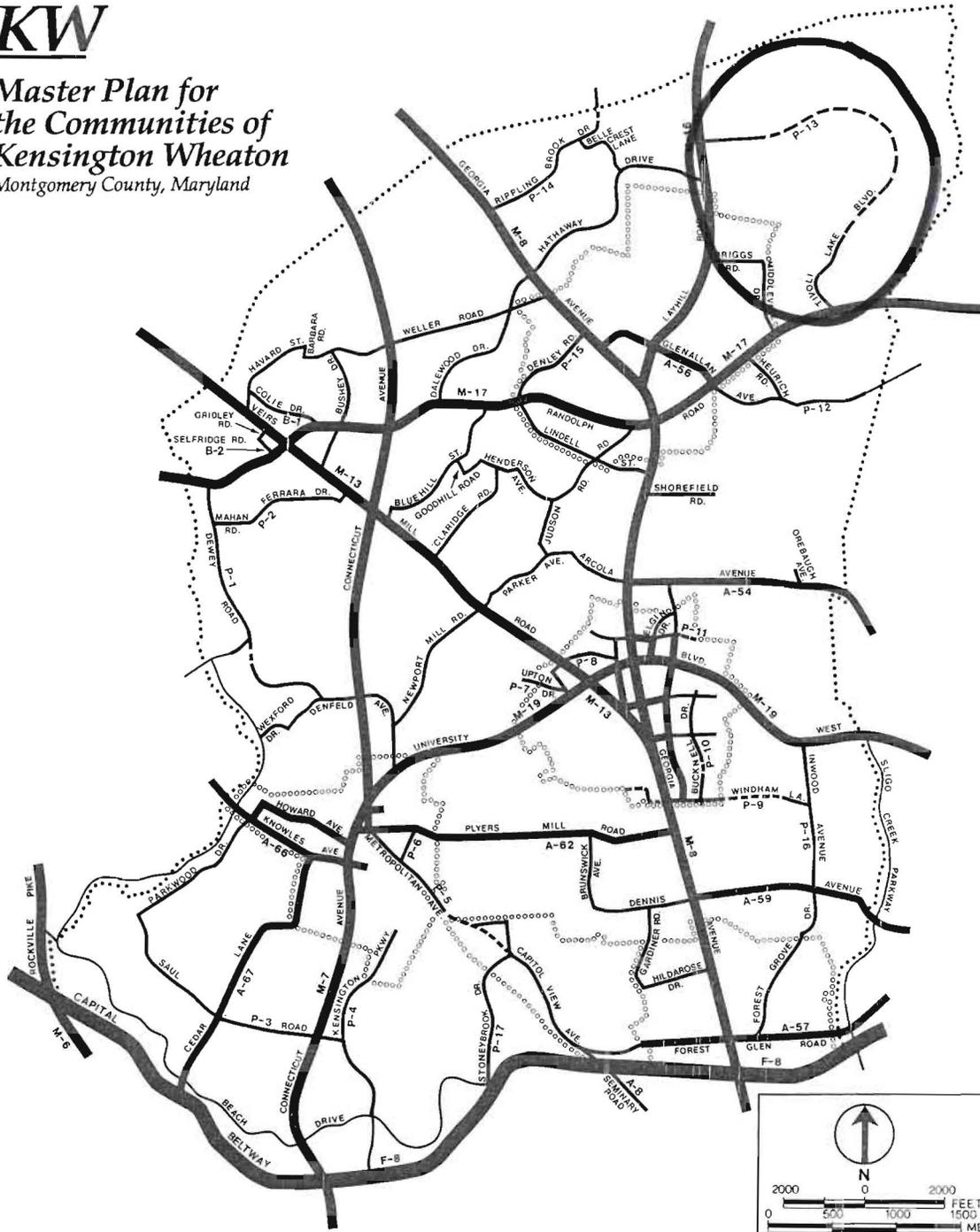
Multi-story office building in the Milestone North Business Park.



0 1500

KW

Master Plan for the Communities of Kensington Wheaton Montgomery County, Maryland



Adopted Street and Highway Plan

- PLANNING AREA BOUNDARY
- o-o-o-o-o SECTOR PLAN AREA
- ▬ FREEWAY
- ▬ MAJOR HIGHWAY
- ▬ ARTERIAL ROAD/BUSINESS DISTRICT STREET
- ▬ PRIMARY STREET
- - - - PRIMARY STREET NOT YET CONSTRUCTED
- ▬ PARK ROAD

Note: Highways and streets designated by letter and number on this map are listed in Table 5-2. However, the only primary streets shown this way are those which have not yet been built or built to standard.

All street rights-of-way not otherwise classified shall conform to the requirements of the zoning ordinance, or the subdivision regulations, whichever is more restrictive, whether the zoning lies on one or both sides of the street.

When specific development plans are submitted, additional arterial roads, business district streets, industrial streets, and/or primary residential streets may be required. The requirement may be for dedication of right-of-way or for dedication and construction of the road.

See the sector plans for street classification or specific transportation recommendations within each sector plan area.

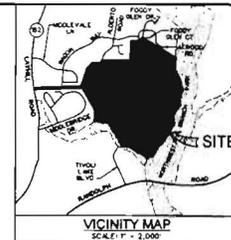
Illustration 5-4

The Maryland - National Capital Park & Planning Commission

39

INDIAN SPRING PRELIMINARY PLAN

WHEATON (13TH) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND



Approved Preliminary Subdivision Plan No. 2008-0011
MCPS Resolution No. 85-28

As the meeting of WETALE, KISHORE & WETZEL and our Planning Board Consent dated 10/18/07

Pursuant to Chapter 50 of the Montgomery County Code the Planning Board approved Preliminary Plan No. 2008-0011 to create 773 lots on 388 acres of land located on the east side of Laurel Road approximately 1,800 feet south of Little Van Lane ("Property" or "Subject Property"), in the Georgetown-Hoover Estates that area, subject to the following conditions:

1) Approval under the Preliminary Plan is limited to a maximum of 173 detached residential units in a maximum of 463 dwelling units and 517 dwelling units including 134 townhouses (Total Dwelling Units (TDU) = 1,114).

2) The Applicant shall provide a site plan showing the proposed layout of the site in accordance with the Transportation Planning Memorandum (TPM) dated June 7, 2006 and the following conditions:

10. The Applicant shall provide a site plan showing the proposed layout of the site in accordance with the Transportation Planning Memorandum (TPM) dated June 7, 2006 and the following conditions:

11. The Applicant shall provide a site plan showing the proposed layout of the site in accordance with the Transportation Planning Memorandum (TPM) dated June 7, 2006 and the following conditions:

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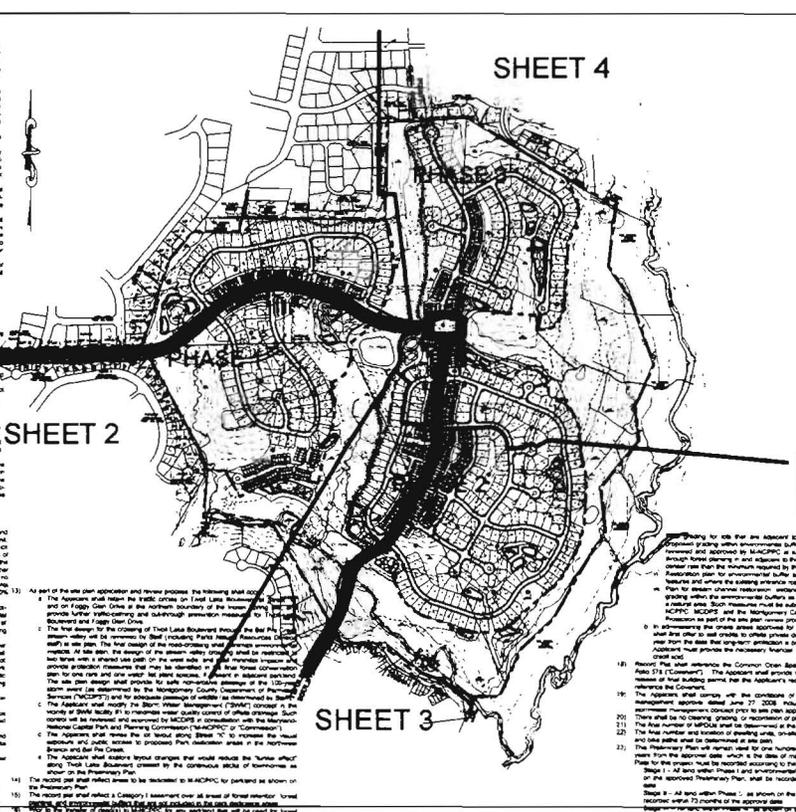
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SHEET 4

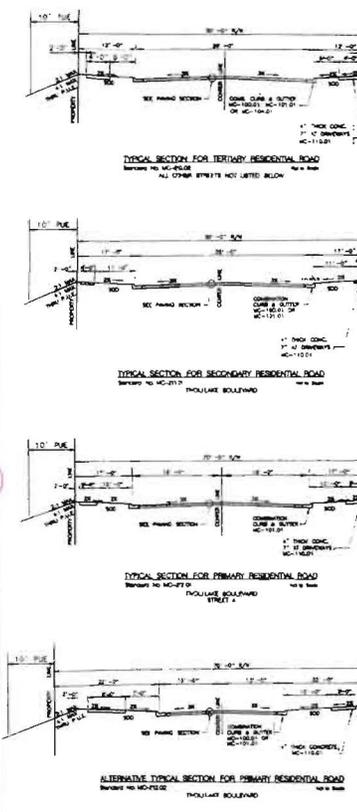
SHEET 2

SHEET 3

PHASING AND COMPOSITE PLAN

GENERAL NOTES AND SITE DATA

- Cross Tract Area: 308.36 Acres
- Zoning: R-200 (297.56 Acres) and R-90 (10.8 Acres) - Cluster Option
- Maximum Density Permitted by Zoning (with MPDU's): R-200 - 2.44 DU/AC and R-90 - 4.39 DU/AC.
- Maximum Number of Dwelling Units Permitted: 773
- Number of Dwelling Units Proposed: 773 (12,200 DU / Acres)
- Number of Moderate Priced Dwelling Units Included: 18 (15% of total units)
- Proposed Housing Mix: Single Family Detached - 463 Units (60% of total); Single Family Attached - 310 Units (40% of total); Townhouses - 1,500 sq.ft.
- Minimum Lot Area Permitted by Zoning: Single Family Detached - 6,000 sq.ft.; Townhouses - 1,500 sq.ft.
- Property is located in the Kensington-Wheaton Master Plan Area (Not Tract District)
- Property is located in the Northwest Branch watershed (Use IV watershed).
- Existing topography by AS Surveys - 2' contour intervals.
- Boundary information from available deed information.
- Army Corp of Engineers approved wetland delineation by McCloskey & Associates.
- 100-Year floodplain delineation by LSA dated September 2003.
- There exists an approved MRFSD/MCPCPC file no 4-03546.
- There are no designated historic sites associated with this property.
- Existing Water & Sewer Service Categories: M/WS1.
- The proposed lot locations, areas, dimensions and size are appropriate. Final computations and information will be provided on the record plats.



SSS SITE SOLUTIONS, INC.
18110 Rockville Pike, Suite 100
Rockville, MD 20850
(301) 441-1111 Fax (301) 441-1111
Faxing: Engineering, Surveying, Construction

WINCHESTER HOMES
APPLICANT
WINCHESTER HOMES, INC.
8906 ROCKLEDGE DRIVE, SUITE 800
BETHESDA, MD 20817
(301) 803-4800
ATTN: MIKE LEMON

NO.	DATE	DESCRIPTION
1	10/18/07	APPROVED PRELIMINARY PLAN
2	10/18/07	APPROVED PRELIMINARY PLAN
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100	10/18/07	APPROVED PRELIMINARY PLAN

ENGINEER'S CERTIFICATE
I HEREBY CERTIFY TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF THAT THE ABOVE SHOWN RECORD COMES WITH THE MONTGOMERY COUNTY SUBDIVISION REGULATIONS AS ADOPTED OCTOBER 1941 AND AS AMENDED THEREAFTER. NEITHER THE DIVISION WAS OBTAINED FROM THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, NOR TOPOGRAHY WAS OBTAINED FROM ANY SOURCE OTHER THAN THE ABOVE.

SIGNATURE: *Carol E. Ostria* DATE: 9/16/08
PRINTED NAME: CAROL E. OSTRIA TITLE: GENERAL MANAGER
NO. REC. NO.: 15893

CERTIFIED PRELIMINARY PLAN
The following conditions and plan showing, submitted in the Planning Board's approval of this Preliminary Plan, are hereby approved by the Planning Board of Montgomery County, Maryland, on this 10th day of October, 2008.

Carol E. Ostria
General Manager

PRELIMINARY PLAN
INDIAN SPRING
WHEATON (13TH) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

MISS UTILITY NOTE
The following conditions and plan showing, submitted in the Planning Board's approval of this Preliminary Plan, are hereby approved by the Planning Board of Montgomery County, Maryland, on this 10th day of October, 2008.

SCALE: 1" = 2,000'

DATE: 9/16/08

NO. REC. NO.: 15893

Montgomery County Context Sensitive Road Design Standards
 Standard 020-01- Target and Design Speed

STANDARD

The following target speeds shall apply to county roads in a manner consistent with the guidance provided in the APPLICATION section of this standard. A Design Exception for a Target Speed outside the standard range may be issued by DOT on the basis of an Engineering and Traffic Investigation. This investigation should include a comprehensive analysis of the existing and planned development, the connecting transportation system, and the environmental conditions surrounding the project. Situations in which a design exception for a lower target speed may be warranted include, but are not limited to, roadways with pedestrian and bicycle activity higher than typically encountered in densely developed urban core areas. Design exceptions for higher target speeds may also be warranted in some circumstances. The Design Exception documentation should clearly document project-specific circumstances requiring variance from the standard range.

Road Classification/ Area Type	Design/Target Speed		
	Urban	Suburban	Rural
Freeway	Refer to AASHTO Interstate Design Guide		
Controlled Major Highway	40 – 50	40 – 55	45 – 55
Parkway	30 – 40	30 – 45	45 – 55
Major Highway	30 – 40	30 – 50	45 – 55
Country Arterial	–	35 – 50	35 – 50
Arterial	30* – 35	30 – 40	35 – 50
Minor Arterial	25 – 35	30 – 35	35 – 50
Business District Street	25 – 30	25 – 35	25 – 35
Industrial Street	30 – 35	30 – 35	30 – 35
Country Road	–	25 – 40	25 – 40
Primary and Principal Secondary Residential Streets	Minimum 300-foot centerline radius (Minimum Sight distance for 30 mph)		
Secondary Residential Street	Minimum 150-foot centerline radius (Minimum Sight distance for 25 mph)		
Tertiary Residential Street	Minimum 100-foot centerline radius (Minimum Sight distance for 25 mph)		

* - A target speed of 25 MPH may be used by Design Exception on arterial roads located in an “urban core” location provided the roadway serves primarily to provide local access as opposed to a regional function as part of a larger transportation system or network, and provided that two or more of the following conditions are met along both sides of the entire

length of road where the lower speed is applied. An urban core location is defined by all of the following characteristics:

- Medium to high density such as a permitted total development floor-area-ratio (FAR) of greater than 2.0 on the parcels adjacent to the roadway.
- Permitted building frontage directly on the street without intervening off-street parking or without substantial open space (without setbacks greater than 10 feet).
- Permitted building heights of 3 or more stories on parcels adjacent to the roadway.
- Primary pedestrian access to buildings is to and from the public sidewalk along the street.

The designer is responsible for selecting the design speed based on the recommended target speed and guidance provided in this standard and a thorough understanding of project conditions. When selecting a target and design speed, the designer should consider the anticipated speed limit on the roadway. The designer must document the rationale for selecting a target speed value from the ranges defined above following the application criteria provided in the following section.

If a design speed outside the ranges defined above is necessary due to project-specific conditions, the designer must justify and document the variance from this standard. In order to ensure continuity and/or a logical progression of design speeds along a roadway segment, the recommended target speed and selected design speed are subject to the approval of the Director of the appropriate Executive Branch Department (DOT for CIP projects and in accordance with the normal subdivision review process for private development projects) or their designees.

All county roads with design speeds of 45 MPH or less shall be designed using the AASHTO “Low Speed” criteria for superelevation.

APPLICATION GUIDANCE

The following sections contain criteria for application of target speed and design speed standards for reconstructed roads and new roads.

RECONSTRUCTED ROADS

To determine the applicability of the above standards, the designer must evaluate existing conditions along the corridor including existing operating speeds, speed limits, the safety record of the road, and the pedestrian and bicycle accommodation provided. Where feasible, the designer should select a design speed within the target speed range provided in the standard following the appropriate application guidelines. If infeasible due to project-specific conditions, the designer should select an appropriate design speed and document the supporting analysis. In these cases, the designer should follow one of two approaches:

- Select a design speed that falls outside the target speed range provided in the standard since conditions will not be significantly modified by the proposed design.