

**Worksession**

**MEMORANDUM**

February 26, 2010

TO: County Council

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

SUBJECT: **Worksession**—White Flint Sector Plan Staging

**Please bring your copy of the Sector Plan document to this meeting.**

This memorandum addresses the Planning, Housing, and Economic Development (PHED) Committee's recommendations on staging portions of the White Flint Sector Plan. The staging recommendations begin on page 69 of the Plan and recommend four different phases of development. As with other master and sector plans, the Planning Board would make the decision whether the Plan may proceed from one phase to the next. No geographical preference is provided for any property or district in the Plan, but given the relatively small size of the planning area and the proximity of most properties to Metro, Council staff does not believe that is a problem. The first three phases of the staging allow for the development of approximately 75% of the zoning envelope capacity in roughly equal amounts. Since transportation modeling was based on the development allowed under these three phases (and not the zoning envelope) any development beyond that allowed in Phase 3 would mean the land use and transportation in the Plan would not be in balance.

The staging plan is guided by four principles described on page 69:

- Coordinating development with public infrastructure
- Promoting a sense of place
- Promoting balance
- Ensuring fiscal responsibility

**The PHED Committee generally concurs with these four principles, but recommends certain revisions to specific staging requirements as noted below.**

Coordinating development with public infrastructure. The Draft Plan's staging plan recommends certain projects and services in each phase. But, with a few exceptions, Staff believes that staging related to transportation should be based on performance goals—not exceeding intersection level of

service standards and achieving mode share goals—rather than completing certain projects. Since it is unknown which developments will proceed during each phase, it is not possible to divine which set of improvements/services are needed. Also, if only one improvement encounters a long delay in implementation during Phase 1, for example, then development in Phase 2 may be held back indefinitely, even though another improvement might address the need just as well. The majority of the Committee concurred with this view; Councilmember Elrich indicated a general preference for listing specific projects.

Promoting a sense of place. Exceptions to the above would be those projects deemed important enough to promote this sense of place: infrastructure needed for the creation of the civic green; streetscaping, sidewalk, and bikeway improvements; and the rebuilding of Rockville Pike. These projects are not vital for the transportation system to function as the community builds out, but they are necessary to creating a sense of community as it builds out, to assure that “there’s a there there.”

Promoting housing/employment balance. The Sector Plan sets a cap on the amount of residential and commercial development in each phase except Phase 4.

	<b>Residential</b>	<b>Commercial</b>
Phase 1	3,000 DU	2.0 million square feet
Phase 2	3,000 DU	2.0 million square feet
Phase 3	3,800 DU	1.69 million square feet

The allocation is intended to achieve the Plan’s recommendation to have a housing focus with 60% of total development allocated for residential development. The Council received correspondence from Pam Lindstrom questioning whether the Plan has sufficient protections to ensure that the 60% target will be met. She recommends adding a criteria requiring that 80% of the housing in each phase be built before development can proceed to the second phase. While Staff understands her concern and is supportive of achieving the Plan’s housing objectives, market conditions will influence the timing of development and it may not be possible to achieve specific targets in a particular phase. Rather than including a percentage target in the Plan, Staff recommends requiring that the Planning Board be charged with assessing whether the Plan is meeting its housing goals before opening the next phase of development. The Committee concurred with the Staff recommendation (see specific language below).

Ensuring Fiscal Responsibility. The Planning, Housing, and Economic Development (PHED) and Management and Fiscal Policy (MFP) Committees have been considering options for funding the infrastructure necessary for this plan and have further work to do. An update on their efforts will be presented in a separate memorandum.

Page 73 of the Sector Plan describes a fourth phase of development that would occur if transit use results in fewer than anticipated trips. However, at this time the very aggressive mode split recommended by the Committee will just manage to achieve a balanced plan and Council staff believes it is premature to suggest that additional development may be possible. Even if the area could accommodate additional development and still achieve transportation balance, it is unclear whether other public facilities, such as schools, could accommodate greater development. In addition, there is no doubt that the Sector Plan will be amended at least once, if not multiple times, before the first three phases of development are built out. ***The PHED Committee recommends removing the references to Phase 4 from the Sector Plan.***

Much of the Committee's discussion was about staging that would occur in the Growth Policy rather than the Sector Plan itself. The Committee committed to having a White Flint Growth Policy amendment prepared for introduction on March 16, prior to action on the Sector Plan, which is scheduled for March 23.

**The following section is the staging recommendation in the Sector Plan (pages 69 to 73) with the PHED Committee's recommendations shown in legislative format with brackets for deletions and underscores for additions.**

## **Staging Plan**

A staging plan addresses timing of new development and public facilities within the lifetime of a sector or master plan. A successful staging plan should be elastic enough to respond to market forces without losing the plan's vision or requiring amendments. It must also make realistic assumptions about the facilities needed to support development while minimizing negative impacts on surrounding development. In White Flint, staging must include increasing transit ridership as a means to reduce traffic congestion.

The White Flint staging plan is guided by the following.

- Ensuring fiscal responsibility. Timing and sequence of development should be matched to capital improvement funding. Funding for the capital improvements required by new growth will come from a variety of public and private sources. Private development should provide for those public facilities needed to support the new development and not burden existing facilities.
- Coordinating development with public infrastructure. Public facilities should be provided in conjunction with private land development, including dedication of land for public use in order to reduce the costs to the public.
- Promoting balance. The Plan recommends substantial residential development to create neighborhoods in White Flint. Nonresidential development should not preempt residential development by absorbing available capacity or land.
- Promoting a sense of place. The reconstruction of Rockville Pike as a boulevard and the creation of a civic core area are both fundamental to creating a sense of community and place in White Flint. The sequence in which these projects are developed, especially the construction phases for Rockville Pike, is critical to traffic management and to minimizing disruption to commerce and impacts on surrounding communities.

The proposed zoning envelope contains more potential density than will be used over the life of the Plan. The Mobility chapter outlined the requirements for accommodating new development, such as the desired mode split, the enhanced street network, and more emphasis on multifamily residential development since it generates less traffic than nonresidential development. The Plan recommends a staging plan that meters development approvals to ensure that the transportation infrastructure is in place when needed. The amount of development that can be accommodated by the proposed infrastructure and transit is approximately 75 percent of the recommended zoning envelope capacity.

Of primary importance is managing traffic congestion, which can be accomplished by building the proposed street grid and improving and enhancing access to transit. The realignment of Old Georgetown Road and Executive Boulevard is the critical part of the road network that will provide an alternative for through traffic on Rockville Pike and diffuse traffic through the Plan area.

Second is ensuring that proposed civic uses, intended to create vitality within the urban core, are built and constructed early in the life of the Plan.

Finally, reconstruction of Rockville Pike will require additional right-of-way, which cannot be obtained all at once, since development will occur property by property. The Plan recommends dedication of the 150 foot right-of-way and an additional reservation to 162 feet to accommodate the design of the multi-modal cross section. An interim solution may be necessary, such as locating a drive-aisle in the setback area or setting aside vaults for the undergrounding of utilities outside the limits of the future reconstruction. Regardless of when the reconstruction occurs, there will be disruption to adjacent businesses. Efforts should be made to address that disruption, such as local bus shuttles and an evening construction schedule.

Before any additional development can be approved, the following actions must be taken.

- Approval and adoption of the Sector Plan.
- Approval of sectional map amendment.
- Amend the Growth Policy to expand the White Flint Metro Station Policy Area (MSPA) to encompass the Sector Plan boundary, and to exempt development within White Flint from the Policy Area Transportation Review (PATR) test. The traffic from existing and approved development in the White Flint MSPA would still be counted in the PATR of all other Policy Areas, including North Bethesda.
- [Council resolution to expand the Metro Station Policy Area to encompass the entire Sector Plan boundary, which:
  - Requires workforce housing
  - proposes legislative changes to allow impact fees to be captured in a Metro Station Policy Area
  - reduces Transportation Impact Tax
  - allows Critical Lane Volume (CLV) Standard to increase to 1,800.]
- Establish the Sector Plan area as a State of Maryland Bicycle Pedestrian Priority Area.
- Create public entities or financing mechanisms necessary to implement the Sector Plan within [12] 6 months of adopting the sectional map amendment. [These include, as appropriate, the following:
  - parking management authority
  - urban service district
  - redevelopment office or similar entity
  - tax increment financing district
  - special assessment district.]

*(Staff note: since it is not yet clear what mechanisms will be developed but the Executive has already eliminated at least one option on this list, the Committee concurred with the Staff recommendation to delete the list of options.)*

- Develop a transportation approval mechanism and monitoring program within 12 months of adopting the sectional map amendment.
  - Planning Board must develop biennial monitoring program for the White Flint Sector Plan area. This program will include a periodic assessment on development approvals, traffic issues, public facilities and amenities, the status of new facilities, and the Capital Improvements Program (CIP) and [Annual] Growth Policy [(AGP)] as they relate to White Flint. The program should conduct a regular assessment of the staging plan and determine if any modifications are necessary. The biennial monitoring report must be submitted to the Council.
  - The Planning Board must establish an advisory committee of property owners and interested groups, with representation from the Executive Branch, that [support] are stakeholders in the redevelopment of the Plan area, to evaluate the assumptions made regarding congestion levels, transit use, and parking. The committee’s responsibilities should include monitoring the Plan recommendations, identifying new projects for the Amenity Fund, monitoring the CIP and [AGP] Growth Policy, and recommending action by the Planning Board and County Council to address issues that may arise.
  
- Any development approvals that proceed before the [public entities are in place] amendments to the Growth Policy have been adopted are subject to existing regulatory review requirements including LATR and PAMR. *(Staff note: these amendments will be introduced on March 16 and Staff recommends that the future use of LATR in White Flint be determined during the consideration of these amendments.)*
  
- Initiate development of plans for through-traffic access restrictions for the residential neighborhoods abutting the Sector Plan area, including traffic from future development in White Flint.

## Phasing

Development may occur anywhere within the Plan area, however, all projects will be required to fund or, at a minimum, defray total transportation infrastructure costs. The phases of the staging plan are set at 30 percent, 30 percent, and 40 percent respectively of the 17.6 million square feet of new development. This Plan recommends that affordable housing units provided under the CR Zone incentives (and are in addition to those required by Chapter 25A) may be excluded from the staging capacity. Residential development must pass the School Adequacy Test in the Growth Policy. This test is assessed annually.

### **Phase 1: 3,000 dwelling units and 2.0 million square feet nonresidential development**

During Phase 1, the Planning Board may approve both residential and nonresidential development until either of the limits above is reached. Work-around road projects west of Rockville Pike, including the streets for the civic core, should be contracted for construction during Phase 1 and completed before commencement of Phase 2.

The following prerequisites must be met during Phase 1 before to moving to Phase 2.

- Contract for the construction of the realignment of Executive Boulevard and Old Georgetown Road.
- Contract for construction of Market Street (B-10) in the Conference Center block.

- Fund streetscape improvements, sidewalk improvements, and bikeways for substantially all of the street frontage [all streets] within one quarter-mile of the Metro station: Old Georgetown Road, Marinelli Road, and Nicholson Lane.
- Fund and complete the design study for Rockville Pike to be coordinated with SHA, MCDOT, and M-NCPPC.
- [Establish a bus circulator system linked to surrounding office districts and residential neighborhoods.] *(Staff note: The circulator and parking caps (next bullet) may very well be undertaken to meet the 35% NADMS in this phase, but they should not be explicit requirements.)*
- [Establish an inventory of long-term parking spaces to set requirements for Phase 1 and Phase 2 parking caps that provide a progressive achievement of the end-state limitation of 0.61 long-term parking spaces per employee in the Plan area.] *(Councilmember Elrich did not support deleting this.)*
- Limit long-term parking spaces to capacity established in the [Annual] Growth Policy.
- Achieve [30] 34 percent non-auto driver mode share for the Plan area. *(Councilmember Floreen supported a 32 percent non-auto driver mode share.). (Staff note: Since the Council has raised the ultimate mode share goals for residents from 46% to 51% and for employees from 39% to 50%, the interim goals must be higher than recommended in the Draft Plan; otherwise, the Council's ultimate goals will never be achieved.)*
- The Planning Board should assess whether the build out of the Sector Plan is achieving the Plan's housing goals.

**Phase 2: 3,000[,] dwelling units and 2.0 million square feet nonresidential development**

Before development beyond the limits set in Phase 1 can be approved, the Planning Board must determine that all the Phase 1 public projects have been completed. The amount of development that could be approved in Phase 2 is set at approximately one third of the planned development. During Phase 2, the Planning Board may approve both residential and nonresidential development until either of the limits above is reached.

The following prerequisites must be completed during Phase 2 before proceeding to Phase 3.

- Construct streetscape improvements, sidewalk improvements, and bikeways for [all streets] substantially all of the street frontage within one quarter-mile of the Metro station: Old Georgetown Road, Marinelli Road, and Nicholson Lane.
- Complete realignment of Executive Boulevard and Old Georgetown Road.
- Construct the portion of Market Street as needed for road capacity.
- Fund the second entrance to the White Flint Metro Station.
- [Construct Nebel Street Extended between Nicholson Lane and Rockville Pike as needed for road capacity.]

- Explore the potential for expediting portions of Rockville Pike where sufficient right-of-way exists or has been dedicated. It should be constructed once the “work-around” roads are open to traffic.
- [Conduct a North Bethesda residential areas circulation study.] *(Staff note: This would be superseded by the requirement prior to Phase 1 to develop plans for cut-through-traffic restrictions.)*
- Increase non-auto driver mode share to [35] 42 percent. *(Councilmember Floreen supported a 39 percent non-auto driver mode share.)*
- [Limit long-term parking spaces to capacity established in the Annual Growth Policy.] *(Councilmember Elrich did not support deleting this provision.)*
- The Planning Board should assess whether the build out of the Sector Plan is achieving the Plan’s housing goals.
- The Planning Board must develop a plan to determine how to bring the mode share to 51 percent NADMS for residents and 50 percent NADMS for employees during Phase 3.

**Phase 3: 3,800 dwelling units and 1.9 million square feet nonresidential development**

Before development beyond the limits set in Phase 2 can be approved, the Planning Board must determine that all the Phase 2 public and private projects have been completed. In Phase 3, the remaining transportation capacity could be committed. At the end of Phase 3, the development should total 14,500 units (17.4 million square feet) and 12.9 million nonresidential square feet. This is a 58/42 percent residential/nonresidential mix and close to the desired 60/40 percent residential/nonresidential mix.

- Complete all streetscape improvements, sidewalk improvements, and bikeways outside one quarter-mile from the Metro.
- Reconstruct any remaining portion of Rockville Pike not constructed during prior phases.
- [Fund MARC station.]
- [Increase non-auto driver mode share to 39 percent.]
- Achieve the ultimate mode share goals of 51 percent NADMS for residents and 50 percent NADMS for employees.
- [Limit long-term parking spaces to 0.61 per employee.] *(Councilmember Elrich did not support deleting this provision.)*

**[Phase 4: Raising the Transportation Cap**

The Plan recommends a level of development and a mix of uses that can be accommodated by the road network and transit facilities. The proposed road infrastructure supports the proposed development and it is important to note that there are no additional roads within the Plan boundaries that would further improve vehicular mobility.

There is growing evidence from other parts of the country that urban scale, transit-served development does not always result in higher traffic congestion. Detailed monitoring of traffic conditions over time

will indicate if transit use results in fewer than anticipated vehicle trips. If that is the case, the transportation cap of 9,800 dwelling units and 5.9 million square feet of development should be reexamined. The CR Zone as applied in the Plan allows a greater zoning capacity than can be served by the proposed mobility infrastructure. This was done so that if assumptions regarding the transportation cap proved conservative, the County Council would not have to revisit the zoning envelope to allow more development and could confine their review to the transportation issue. The proposed monitoring program should include provisions for alternative transportation analyses, such as a cordon line cap, to evaluate how much additional density could be supported.]

*(Staff note: Amend Table 7 to be consistent with the changes above.)*

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