

MEMORANDUM

February 22, 2010

TO: Planning, Housing, and Economic Development (PHED) Committee

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

SUBJECT: White Flint Sector Plan Staging

**Note: This is the same as the last packet, except where we have changed recommendations based on consideration of points made during the discussion at the February 16 worksession or in subsequent correspondence. These changes are marked in *bold italics*. Committee Members should bring a copy of the Sector Plan to the meeting for reference.**

This is the Planning, Housing, and Economic Development (PHED) Committee's ninth worksession on the White Flint Sector Plan. This memorandum addresses the Plan's staging recommendations.

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

Council staff generally concurs with these four principles, but recommends certain revisions to focus on performance measures, rather than specific improvements. In addition, Council staff questions whether the staging plan goes as far as necessary to promote balance and recommends removing the fourth stage from the Plan.

Coordinating development with public infrastructure. The Draft Plan’s staging plan recommends certain projects and services in each phase. But, with a few exceptions, 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.

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. Affordable housing units are excluded from the staging capacity requirements.

	<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 the 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.

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. While the joint Committees have not yet selected a funding strategy, it will be critical to determine whether the revenue flow from the selected mechanism(s) is likely to match the costs of infrastructure from each from. This issue should be addressed before final Council action on the staging plan.

Council staff recommendations. Below are our specific recommendations:

Add a section stating that in all phases:

- *Residential development must pass the School Adequacy Test in the Growth Policy.* This test is assessed annually.
- *Development must pass the Local Area Transportation Review test in the Growth Policy.* Currently, the threshold is 1,800 Critical Lane Volume (CLV), unless an analysis shows an

intersection with a CLV higher than 1,800 will have queues that will not extend more than 90% to the next signalized intersection. This test is assessed on each development at subdivision.

Prior to Phase 1:

- *Retain the requirement to adopt a Sector Plan and its sectional map amendment.*
- *Amend the Growth Policy to expand the White Flint Metro Station Policy Area to encompass the Sector Plan boundary, and to exempt development within White Flint from the Policy Area Transportation Review (PATR) test. However, existing and approved development in the White Flint MSPA would still be counted in the PATR of all other Policy Areas, including North Bethesda.*
- *Amend the sub-bullet requiring workforce housing if the Council passes the legislation it is considering to make workforce housing optional.*
- *Remove sub-bullets about the transportation impact taxes. This should be decided as part of White Flint financing plan.*
- *Remove the sub-bullet regarding 1,800 CLV. This is covered by the blanket provision above.*
- *Retain the requirement to establish the Sector Plan area as a Maryland Bicycle Pedestrian Priority Area.*
- *Retain the requirement to create public entities or financing mechanisms that are necessary to implement the Plan within 12 months of adopting the sectional map amendment (i.e., mid-2011), but delete the sub-bullets. The specific entities and mechanisms that will implement the plan will be developed in the next 12 months, but the range of possibilities is wider than those listed. The current sub-bullets list some options likely to be eliminated from consideration.*
- *Retain the requirement to develop a monitoring program within 12 months of adopting the sectional map amendment, as well as sub-bullets requiring that there be a monitoring program and an advisory committee of stakeholders.*
- *Revise the last requirement to state that: “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.”*
- ***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.** The development of these plans and required resident concurrence **generally** should follow the procedures in Executive Regulation 17-94AM, “Through Traffic Volume Access Restrictions in Residential Areas.”*

Prior to Phase 2 (i.e., during Phase 1):

- *Retain the requirement that work-around road projects west of Rockville Pike, including streets for the civic core, be contracted, including the realignment of Executive Boulevard, the extension of Old Georgetown Road north to Montrose Parkway, and the construction of Market Street in the Conference Center block.*
- *Retain the requirement to **substantially** program streetscape improvements, sidewalk improvements, and bikeways for all streets within one-quarter-mile of the Metro Station.*
- *Retain the requirement to complete the design for Rockville Pike.*
- *Achieve a weighted-average 35% non-auto-driver mode share (NADMS) for residents and employees in White Flint. In the Draft Plan the NADMS goal in this stage is 30%. However, the Committee has raised the ultimate mode share goals for residents from 46% to 51% and for employees from 39% and 50%. The interim goals must be higher; otherwise, the Committee’s ultimate goals will never be achieved.*

- *Delete the requirements for a bus circulator and for the inventory and limitation on long-term spaces.* These actions may very well be undertaken to meet the 35% NADMS in this phase, but they should not be explicit requirements.
- ***Add a requirement that the Planning Board assess whether the build out of the Sector Plan is achieving the Plan's housing goals.***

Prior to Phase 3 (i.e., during Phase 2):

- *Retain the requirements to **substantially** complete construction of the streets for the civic core, including the realignment of Executive Boulevard, the extension of Old Georgetown Road north to Montrose Parkway, and the construction of Market Street in the Conference Center block.*
- ***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.
- *Retain the requirement to **substantially** complete construction of streetscape improvements, sidewalk improvements, and bikeways for all streets within one-quarter-mile of the Metro Station.*
- *Delete the requirement to conduct a North Bethesda residential areas circulation study.* This would be superseded by the requirement prior to Phase 1 to develop plans for cut-through-traffic restrictions.
- *Achieve a weighted-average 45% (not 35%) NADMS for residents and employees in White Flint.*
- ***Retain the requirement to fund the second entrance to the Metro Station.***
- *Delete the requirements for constructing Nebel Street Extended and limiting long-term parking spaces.* Either or both action might be taken to meet the LATR and mode share requirements, but they should not be explicit requirements in this or any phase.
- ***Add a requirement that the Planning Board assess whether the build out of the Sector Plan is achieving the Plan's housing goals.***

During Phase 3:

- *Retain the requirement to **substantially** complete construction of streetscape improvements, sidewalk improvements, and bikeways for all streets beyond one-quarter-mile of the Metro Station.*
- ***Reconstruct the balance of Rockville Pike that was not reconstructed during Phase 2.***
- *Achieve the ultimate mode share goals of 51% NADMS for residents and 50% NADMS for employees.*
- *Delete the requirements for the MARC Station and long-term parking.* Again, either or both actions might be taken to meet the LATR and mode share requirements, however.

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. *Council staff recommends removing the references to Phase 4 from the Sector Plan.*