



March 13, 2008

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Glenn Kreger, Acting Chief *GK*
Community-Based Planning Division

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SUBJECT: Germantown Master Plan Amendment – Presentation and Discussion of Preliminary Staff Recommendations

STAFF RECOMMENDATION: Approval of preliminary land use and zoning recommendations.

The March 27, 2008 Planning Board worksession will focus on preliminary land use and zoning recommendations for the 2,450 acres in the Germantown Master Plan (Attachment 1: Germantown Study Area) within the 11,000-acre area covered in the 1989 Germantown Master Plan. Previous Planning Board discussions include:

- October 25, 2007 Land Use Scenarios
- December 17, 2007 Capacity Analysis (held in Germantown)

At the December 17, 2007 session, the Planning Board endorsed a land use scenario, Alternative #2, with modifications that would allow housing on the east side of I-270 where appropriate.

This alternative completes the land use framework by:

- Expanding and strengthening the Town Center
- Integrating housing with employment to create mixed-use centers near transit
- Creating connected green space and urban open spaces among the mixed-use neighborhoods
- Providing a comprehensive pedestrian and bicycle trail network
- Celebrating Germantown's identity, history, and cultural attractions

RECOMMENDATIONS

The Germantown Master Plan Amendment concentrates on maintaining employment in the County's "job reserve" while introducing the opportunity for mixed-use development that will be served by future transit. The recommended land use concept for this master plan area includes up to the following at ultimate buildout:

- 19.91 million square feet of total commercial space
- 10.2 million square feet of total office space
- 2.8 million square feet of total retail space
- 2.2 million square feet of total industrial uses
- 4.6 million square feet of other uses, including public uses
- approximately 62,900 jobs
- approximately 8,721 new dwelling units with bonus density.

This Plan will achieve several Planning Board objectives including providing for use of Transferable Development Rights (TDRs); analyzing the fiscal implications of development and needed infrastructure and facilities; creating sustainability through new development; and providing design guidance. The following are the major land use and zoning recommendations in the attached analysis:

1. Direct development to areas served by transit.
 - Retain the most dense zoning designation (2.0 FAR) at the Bellemead Town Center Transit Station property;
 - Allow 1.0 FAR for most Employment Corridor property currently zoned I-3;
 - Limit density to 0.75 FAR for employment properties north of Father Hurley Boulevard.
2. Adjust the mix of uses by adding housing near transit stations. Rezone significant areas to TOMX-1.
3. Support the agricultural preservation program by requiring the use of TDRs in the TOMX-1 Zone to achieve densities in excess of 0.5 FAR.
4. Support the proposed land uses with a complete network of road improvements, bikeways and pedestrian paths. Provide a staging plan to ensure that the infrastructure keeps up with development.
5. Enhance community identity through design recommendations for the study area as a whole and design guidelines for each district within the study area. Create a hierarchy of streets with distinct streetscapes to create a sense of place.
6. Protect environmental resources such as priority watersheds (especially the Milestone Tributary), unique features (such as the Germantown Bog), and mature forest (especially in the Montgomery College District) through:
 - 1) Careful site design that minimizes impervious surfaces and provides green spaces with trees.
 - 2) Establishing the goal of 40 percent forest and urban tree cover for the Germantown Study Area as a whole.
 - 3) Taking the measures needed to protect the streams leading to Little Seneca Lake and the Germantown Bog.
7. Emphasize sustainability through "green" community and building design.

A detailed analysis of these recommendations is attached.

**2008 Germantown Master Plan Amendment
Staff Analysis: Land Use and Zoning**

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I. LAND USE CONCEPT

The Land Use Concept (Attachment 2: Land Use Concept) is based on a framework that:

- 1) directs redevelopment and new mixed-use development to areas served by MARC and the future Corridor Cities Transitway (CCT);
- 2) balances the level of development with the transportation network and sustainable environmental quality;
- 3) promotes limited or no change to large portions of the master plan study area including areas along Middlebrook Road, portions of MD 355, the Milestone retail center, and residential areas adjacent to Father Hurley Boulevard.

Staff considered the desire of many property owners to achieve additional density and opportunity for retail and housing at employment sites. Germantown is substantially larger than Downcounty, Metro-served areas such as the Bethesda Central Business District (CBD) and White Flint and contains multiple transit stops. A substantial amount of density is proposed at each CCT or MARC transit station within Germantown. (Attachment 3: Bethesda CBD and Attachment 4: White Flint Planning Area).

In developing our recommendations, staff evaluated the impacts on transportation capacity, the roadway character needed to promote pedestrian-friendly streets, appropriate building heights, and other site-specific factors. The resulting land use recommendations achieve the following:

- Retain the most dense zoning designation (2.0 FAR) at the Bellemead Town Center Transit Station property;
- Allow 1.0 Floor Area Ratio (FAR) for most Employment Corridor property currently zoned I-3
- Limit density to 0.75 FAR for employment properties north of Father Hurley Boulevard

A letter from the Gaithersburg-Germantown Chamber of Commerce requests an overall density potential of 1.0 FAR without use of TDRs and 1.5 FAR with use of TDRs (Attachment 5: Letter from Chamber of Commerce).

II. URBAN FORM AND COMMUNITY IDENTITY

Urban form and design guidelines are critical to achieving the desired design character and community identity for Germantown's future. The Plan will have **area-wide design recommendations** establishing principles of good design such as street-oriented development, activating uses adjacent to urban open space, and placing the tallest buildings at the heart of transit centers transitioning downward next to existing residential communities. **Specific form and design guidelines** for each District will address building lines, open spaces, views and landmark sites. Some Districts also will have perspective sketches showing building mass relations, street layouts and building heights (Attachment 6: Town Center Urban Form and Attachment 7: Perspective Illustrative).

Community identity and place-making recommendations will be woven into the design guidelines to ensure that Germantown remains distinctive and authentic to its history and broad cultures. Germantown has a rich history and nature oriented setting that can be reflected in building designs, urban open spaces and signage. Through the use of the Optional Method of

Development, required amenities can include plazas planted with native species that bring a sense of the surrounding green belt into the Town Center. Cultural or historic narratives can be embedded in paving designs, incorporated into artwork or programmed into community events. Germantown's distinctive Town Center transit center and bus transfer facility with its artwork transit theme is a good example of celebrating and integrating community identity into development.

Design guidance includes the character of the public realm including the streetscape. The Plan proposes a series of Boulevards, Main Streets, Internal Streets and Greenways reflecting the size of the roadway and adjacent land use context. (Attachment 8: Streetscape Plan).

III. ENVIRONMENTAL RESOURCES

In preparing land use and zoning recommendations, staff evaluated new information on stream quality and forest resources to determine areas within the Germantown Study Area where redevelopment could potentially improve environmental conditions and where new development could enhance resource protection.

A. Existing Conditions

Watershed Descriptions

The northern and western portions of the study area drain to Little Seneca Lake via two main tributaries and portions of other watersheds that originate outside of the study area. The *Milestone Tributary* watershed comprises about 700 acres in the northern portion of the study area. The watershed includes the Germantown Bog, which is a unique resource in Montgomery County designated as a Wetland of Special State Concern. The stream drains directly into Little Seneca Lake without any intervening regional stormwater management lakes. Milestone Tributary is a Maryland Use IV stream, indicating a comparatively high water quality that should be maintained.

The *Churchill Tributary* drains to Little Seneca Lake via Lake Churchill. Lake Churchill provides some measure of pre-treatment for water quality before the water reaches Little Seneca Lake. The Churchill Tributary is a Maryland Use I stream, indicating a slightly lower standard for water quality.

In addition to the above streams, the Germantown Study Area contains portions of other subwatersheds that drain directly to Little Seneca Lake in the North End District. The portions of these watersheds lying within the study area boundary contain significant mature forest and wetland resources, including seeps and seasonal pools.

The remaining portions of the study area drain to Great Seneca Creek.

The upper portion of the Gunners Branch watershed lies almost entirely within the boundaries of the study area. Wetlands associated with the tributary on the east side of the Montgomery College District are degraded, and the stream buffer is not well vegetated. Gunners Branch is a Maryland Use I stream.

Stream Conditions

The Countywide Stream Protection Strategy formulated jointly by the Montgomery County Department of Permitting Services and the County Department of Environmental Protection established baseline stream conditions in a monitoring cycle conducted from 1994 to 2000 (Attachment 9: 1994-2000 Baseline Conditions). At that time, most watersheds in Germantown were rated good to fair based on the Index of Biological Integrity which evaluates fish and insects living in the streams (Attachment 10: 2006 Stream Quality). Monitoring in 2006 shows stream quality in several Germantown watersheds declined between 2000 and 2006 as follows:

- Good to fair Milestone Tributary
- Fair to poor Churchill Tributary
- Good to fair Portions of subwatersheds draining to Seneca Lake in the North End District of the master plan
- Fair to nearly poor Gunners Branch

The highest priority for preservation is the *Milestone Tributary* and the portions of other watersheds draining to Little Seneca Lake in the North End District. Continued degradation of these watersheds may ultimately impair the function of Little Seneca Lake as an emergency water supply and diminish its recreational value.

Protection and restoration efforts for priority watersheds will affect all or portions of the North End, Seneca Meadows/Milestone, Cloverleaf, and Town Center Districts.

Forest Resources

Other critical resources in the Germantown Study Area include a large block of mature forest in the Montgomery College District. This forest is of sufficient size and configuration to contain forest interior habitat. For many years, there has been concern over declining populations of bird species that require forest interior conditions for nesting and breeding. Loss of habitat has been identified as contributing to the decline of these species. Forest interior conditions should be preserved in designing development for this area. Property on the west side of I-270 in the North End District also contains outstanding forest within steep slopes contiguous to Black Hill Regional Park.

B. Priority Actions

Declines in water quality are most closely associated with increases in impervious surface and loss of forested land. Efforts to protect watersheds from further decline should focus on minimizing new impervious surfaces as much as possible and reducing existing imperviousness when redevelopment occurs. Site design should include more green open space with trees and should focus on stormwater treatments that maximize infiltration of runoff. Existing forest land should be protected and replanting should occur first in unforested stream buffers.

Redevelopment should reduce existing impervious surfaces by stressing compact site design and increasing pervious open space. In particular, structured parking should replace standard surface parking wherever possible. Redevelopment should include improved on-site stormwater treatments that maximize infiltration.

Any future redevelopment in the vicinity of the Germantown Bog should include extraordinary measures, offering protection no less stringent than currently provided.

Environmental Recommendations

- Goal of 40% for forest and urban tree canopy coverage in the Germantown Study Area
- Protect significant forest resources
 - Montgomery College District
 - North End District
- Protect streams that drain to Little Seneca Lake
 - Milestone Tributary
 - Churchill Tributary
 - Portions of the watershed in the North End District

- Prevent further degradation of streams “on the edge”
 - Milestone Tributary
 - Lower Gunners Branch
 - Upper Gunners Branch

- Protect wetland habitat, seasonal pools, and stream buffers
 - Reforest inadequately vegetated stream buffers
 - Improve buffers in redeveloping areas

Incorporate recommendations of the Water Resources Master Plan and Green Infrastructure Plan currently under development

IV. SUSTAINABILITY

The Germantown of the future will benefit from sustainable mixed-use development that is compact and relatively self-contained. These new developments will connect with existing development by means of pedestrian and bicycle-friendly design; connections to transit, regional bikeway and park trail systems; and links to a system of park, open space and green corridors.

“Green” community design includes minimizing imperviousness especially when redevelopment opportunities are presented which may be used to increase perviousness from current conditions. Green community design also includes retention of high value natural resources such as upland and interior forest; expanded protection for streams, stream valleys, and wetlands; and protection of significant habitat such as seasonal pools and unique communities such as the Germantown Bog/Fen.

Building form for both public and private development must also contribute to sustainability by achieving Leadership in Energy and Environmental Design (LEED) certification or better as well as placing a greater focus on energy efficiency and renewable energy sources. Green landscaping includes use of native plants tolerant of Montgomery County conditions, and landscaping that contributes to urban tree canopies which provide improved air quality and shade.

Achieving sustainable principles for stormwater management includes minimizing run-off, providing on-site stormwater controls instead of regional stormwater ponds, and reusing collected stormwater. Development should minimize solid waste and promote recycling of building materials when redevelopment occurs.

Green development considers noise impacts and includes noise-compatible site design within residential and mixed-use projects.

The Plan should aspire for Germantown to become a model for green communities of the future. Green community principles and sustainability policies and regulations will be applied to all new development or redevelopment proposals.

V. LAND USE RECOMMENDATIONS FOR THE ANALYSIS DISTRICTS

The study area is divided into seven districts for analysis purposes (Attachment 11: Germantown Analysis Districts) which closely correlates to traffic zones used for transportation modeling. Within these districts are neighborhoods intended to develop with unique characteristics and image, especially to capitalize on historic or cultural aspects or themes.

Recommended land use and zoning levels require a substantial investment in transportation and other infrastructure including energy and fiber-optic transmission. The Corridor Cities Transitway and other major roadway investments such as I-270 widening and the Mid-County Highway (M-83) will be needed. Localized improvements are identified for each District.

A. Town Center District

The Town Center is emerging as Germantown's "downtown" for community shopping, entertainment and leisure. Development plans have been submitted to construct additional office and retail uses near the I-270/MD 118 interchange including a signature seven-story building with structured parking in the northwest quadrant of the I-270/MD 118 interchange.

The Town Center (Attachment 12: Town Center District) consists of two distinct neighborhoods: the Town Center Core and the West End near the MARC station. The Town Center is located on the west side of I-270 primarily between MD 118 and Father Hurley Boulevard. This area is intended to have taller buildings, highest density and a diversity of uses centered at the future Town Center transit station currently in use as a transit center for bus transfers. Major streets include Aircraft Drive, Crystal Rock Drive, Century Boulevard, Wisteria Drive and Middlebrook Road. Highest density will occur at the CCT station between MD 118 and Century Boulevard on property owned by Bellemead.

Plan recommendations will strengthen the Town Center by introducing more housing close to transit, shopping and jobs. The existing District 5 Police Station and Station 29 Fire and Rescue facility provide an opportunity to co-locate workforce housing with public safety facilities in the Town Center.

Land use and zoning recommendations for the Town Center Core include:

Name/Owner	Existing Zoning	Proposed Zoning	Land Use Changes
Transit station/Bellemead	T-S	No change	Highest density for transit station
Bellemead additions to T-S	T-S	No change	
Police and Fire	I-3	TOMX-1	Add work force housing and ground floor retail
Matan	I-3	TOMX-1/TDR*	Add retail and housing
Aircraft Drive properties	I-3	TOMX-1/TDR*	Add commercial and housing
Gas station at Aircraft Drive	C-3	TOMX-1	
Office condo (new)	O-M	No change	
Kindercare	C-3	No change	
Exxon station	C-3	TOMX-1	Add commercial and housing
The Colony residential	PD 13-15	No change	
Medical/hospital	C-T	No change	
Bank of America	C-3	TOMX-1	
Mi Rancho properties	C-3	TOMX-1	
Auto shop	C-3	TOMX-1	
Dentist special exception	R-30	TOMX-1	
Artery properties	T-S	No change	Amend Development Plan to add housing
Germantown Commons	T-S	No change	Amend Development Plan to add housing
Sugarloaf Center/Lotte Plaza	C-2/C-1	RMX-2C/TDR	Add housing under standard method. Not recommended for optional method

The TOMX-1/TDR* recommendation assumes a 0.5 FAR for standard method with TDRs required to obtain densities between 0.5 and 1.0 FAR

Transportation improvements needed to support these recommendations include:

- Expanding the roadway network with a new public roadway crossing I-270 and linking Century Boulevard and Crystal Rock Drive
- Intersection improvements along MD 118

West End Neighborhood

The West End of Town Center is currently an under-developed area of commercial services, housing and light industrial uses located west of Wisteria Drive between MD 118 and Father Hurley Boulevard. The Plan seeks to strengthen the area with additional housing and service oriented commercial uses in proximity to the MARC station. These recommendations will complete transit-served development between Father Hurley Boulevard and MD 118 as well as redevelop the Sugarloaf Center/Lotte Plaza retail center.

Land use and zoning recommendations for the West End include:

Name/Owner	Existing Zoning	Proposed Zoning	Land Use Changes
Martens property remainder	RMX-2	RMX-2/TDR	Add housing with recommendation for Optional Method and limit on commercial
Wildman and Waters Road properties	RMX-2	RMX-2/TDR	Add housing with recommendation for Optional Method and limit on commercial
Properties along Locbury Drive	C-2	RMX-2C	Not recommended for Optional Method unless assembled
O-M properties near MARC	O-M	Pending	Consider TOMX-1
Trevion offices	C-O	TOMX-1	Add housing
Post Office	C-2	RMX-2/TDR	
Townhouse medical offices	R-200	RMX-2/TDR	

Transportation improvements needed to support these recommendations include:

- Completing the Father Hurley Boulevard crossing of the CSX tracks
- Extend Century Boulevard through the Germantown Commons and Sugarloaf retail centers
- Create a direct connection from Waters Road to MD 118 lined up to form an intersection with Bowman Mill Drive
- Recognize Bowman Mill Drive as a master plan roadway
- Complete Locbury Drive from Wisteria Drive to Middlebrook Road

B. Gateway District

The Gateway District extends from I-270 west along Middlebrook Road and comprises several different residential neighborhoods and commercial areas (Attachment 13: Gateway District). It includes the employment and residential areas along I-270, residential neighborhoods off Waring Station Road, Seneca Valley High School, and the Department of Energy (DOE) federal campus. This Plan recommends that, the Rolling Hills rental apartment complex be partially redeveloped under the Moderately Priced Dwelling Unit (MPDU) bonus provisions. A critical mass of the existing two-bedroom, two-bath affordable rental units should be retained along Great Seneca Highway.

Land use and zoning recommendations for the Gateway District include:

Name/Owner	Existing Zoning	Proposed Zoning	Land Use Changes
Rolling Hills apartments	PD-9/R-H/R-30	R-30 base PD-18	Allows for partial redevelopment with MPDU bonus provisions
Residential properties along Middlebrook Road	PD-13	No change	
Small auto dealer	I-1	No change	
Storage	I-1	No change	
Middlebrook Office Park	I-1	No change	
Chevron and office property	I-1	No change	
Storage USA	I-1	No change	
Fitzgerald Auto	I-1	No change	
Criswell properties	I-1	No change	
Warehouses	I-1	No change	
Department of Energy	R-200	No change	

Transportation improvements needed to support these recommendations include:

- Pedestrian access from Rolling Hills apartments to MARC station

C. Cloverleaf District

The Cloverleaf District is a small district on the west side of I-270 (Attachment 14: Cloverleaf District). It is currently developed with employment uses in older office buildings some of which have been vacant for several years. A future CCT station along Century Boulevard provides the opportunity to create a new transit-served, mixed-use neighborhood. A public urban park (approximately one acre) will be needed to serve this new development.

This District would link open space and protected green space to existing and proposed development including a linear green space along Crystal Rock Drive. Redevelopment within the Cloverleaf District should include green community principles.

Land use and zoning recommendations for the Cloverleaf District include:

Name/Owner	Existing Zoning	Proposed Zoning	Land Use Changes
Century Technology Campus (Trammell Crow)	I-3	TOMX-1/TDR*	Add housing, hotel and retail
Trammell Crow flex space	I-3	TOMX-1/TDR*	If redeveloped, add housing
Matan flex space	I-3	TOMX-1/TDR*	If redeveloped, add housing
Extended Stay Hotel	I-3	TOMX-1/TDR*	If redeveloped, add housing
Century XXI/Savatar	I-3	TOMX-1/TDR*	Add housing and retail. Structured parking exists
Salvation Army	I-3	TOMX-1/TDR*	If redeveloped, add housing

The TOMX-1/TDR* recommendation assumes a 0.5 FAR for standard method with TDRs required to obtain densities between 0.5 and 1.0 FAR

Transportation improvements needed to support these recommendations include:

- A new roadway and crossing over I-270
- A grid of new streets within the Century Technology Park
- A public road connection between Century Boulevard and Crystal Rock Drive
- At-grade improvements to Century Boulevard
- Pedestrian facilities along Crystal Rock linear open space

D. North End District

The North End District is located on both sides of I-270 at the northwest end of Germantown’s new mixed-use districts (Attachment 15: North End District). The Cloverleaf CCT station will serve this district on the west; the Milestone CCT stop will be on the east side of I-270. The future Dorsey Mill Road bridge will link the east and west employment areas along I-270.

On the east side of I-270 are the Milestone Business Park and Milestone residential neighborhoods along Observation Drive. The Plan recommends a mixed-use neighborhood centered at the transitway on the west side. Existing residential and employment and research and development uses are changed very little by the Plan recommendations.

The Symmetry/Totah property located adjacent to the Father Hurley Boulevard ramp from I-270 is currently undeveloped. The Far North Village property is currently undeveloped yet has approval for employment uses within the Town Sector (T-S) zone. Staff is evaluating a change to the T-S zone for this property and will make a formal recommendation in the draft plan this summer. The Plan will recommend extraordinary protection measures and potential land acquisition for retaining high quality forest contiguous with Black Hill Regional Park.

Land use and zoning recommendations for the North End District include:

Name/Owner	Existing Zoning	Proposed Zoning	Land Use Changes
Far North Village/Lerner	T-S	Pending	Density cap of 0.75 FAR
Symmetry/Totah	I-3	TOMX-1/TDR*	Density cap of 0.75 FAR
Milestone Business Park	I-3	TOMX-1/TDR*	Density cap of 0.75 FAR, add housing to existing employment
Milestone residential	R-30	No change	

The TOMX-1/TDR* recommendation assumes a 0.5 FAR for standard method with TDRs required to obtain densities between 0.5 and 1.0 FAR

Transportation improvements needed to support these recommendations include:

- Construction of Dorsey Mill Road bridge over I-270
- Urban diamond ramps to and from the north at I-270
- Extending Observation Drive into Clarksburg
- Widening MD 355 north of MD 27 into Clarksburg
- Improved access to Crystal Rock Drive

E. Milestone District

The Seneca Meadows/Milestone District is a large area containing employment, regional retail, and housing uses (Attachment 16: Milestone District). It incorporates a number of distinct neighborhoods: Seneca Meadows Technology Park, Milestone Regional Shopping Center (including the Neelsville Village Center), Shakespeare Boulevard’s Eaton Manor residential neighborhoods, Meadowbrook Estates and the medical park along old MD 118/Boland Farm Road. The CCT station along Seneca Meadows Parkway offers an opportunity to create a focus of development and activity in the area.

Land use and zoning recommendations for the Milestone District include:

Name/Owner	Existing Zoning	Proposed Zoning	Land Use Changes
Milestone Center	RMX-3/TDR	No change	Currently allows for mixed-use; separate ownership
Neelsville Center	RMX-1	No change	Currently allows for mixed-use
Eaton Manor residential	RMX-3/TDR	No change	
Seneca Meadows	I-3	North end TOMX-1/TDR*	Dedicate land for urban recreation center at north end above Milestone Tributary

The TOMX-1/TDR* recommendation assumes a 0.5 FAR for standard method with TDRs required to obtain densities between 0.5 and 1.0 FAR

Transportation improvements needed for these recommendations include:

- Grade separation of MD 355 and MD 27/Ridge Road or an equivalent at-grade treatment
- Consider an alternative to M-83 that uses MD 355
- Widen MD 355 to provide six through lanes

F. Montgomery College District

The Montgomery College District is approximately 280 acres containing primarily publicly owned land occupied by Montgomery College with employment and technology uses oriented towards I-270 (Attachment 17: Montgomery College District). The College is conducting a five-year facility plan to determine capital needs for future academic and student service buildings and facilities. Housing for this district is located along MD 355.

Montgomery College and a private development partner seek to build a technology park adjacent to the academic campus. This business park will link education and training elements of the College with business applications by the private sector. The entire District consists of similar use properties; a uniform zoning recommendation will need to be developed. At present, the College is requesting a “flexible mixed-use zone similar to the Life Sciences Center Zone” which has not been drafted.

The future Observation Drive extended and internal roadways should avoid the high quality interior forest of the site; replanting should first occur in unforested stream buffers within this watershed.

Land use and zoning recommendations for the Montgomery College District include:

Name/Owner	Existing Zoning	Proposed Zoning	Land Use Changes
Goldenrod properties	I-3	Pending	
Hughes Network	I-3	Pending	
Montgomery College	I-3, R-60, R & D	Pending	
Properties along MD 355	R-60/TDR	No change	
Ben Lewis Plumbing property	C-1	No change	

Transportation improvements needed for these recommendations include:

- Extend Observation Drive southward to Middlebrook Road selecting an alignment on the eastern edge of the campus to avoid upland forest area
- Examine extending Goldenrod Lane
- Evaluate the feasibility of a connection from future Observation Drive to MD 355
- Grade separation of MD 355 at MD 118 or an equivalent treatment
- Consider an alternative to M-83 that uses MD 355

G. Fox Chapel District

The Fox Chapel District straddles MD 355 (Attachment 18: Fox Chapel District) and is comprised of primarily commercial and retail uses. It is a gateway into Germantown, extending down to the Germantown Greenbelt. The Plan seeks to strengthen the focus of the commercial center on the east side of MD 355, increasing housing opportunities and improve the gateway.

Contract purchasers for the mobile home park do not agree with staff recommendations for this property. A consortium of residential property owners on MD 355 between Scenery Drive and Plummer Drive request consideration of O-M zoning.

Land use and zoning recommendations for the Fox Chapel District include:

Name/Owner	Existing Zoning	Proposed Zoning	Land Use Changes
Middlebrook Square retail center	C-1/C-2	No change	
Fox Chapel retail center	C-1	RM-2C/TDR	Support Standard Method at 0.3 FAR; not recommended for Optional Method
Undeveloped office site	O-M	No change	
Commercial and split zoned properties	C-1	RMX-2C	
Mobile home park	C-1 some residential	RMX-2C for commercial, R-30 base for resident.	
Credit union property	R-90	C-2	Adjacent to commercially zoned property (gas station)
Residential properties along MD 355	R-90	No change	Support text amendment for accessory units by right

Transportation improvements needed for these recommendations include:

- Grade separation of MD 355 at Middlebrook Road or an equivalent treatment
- Consider an alternative to M-83 that uses MD 355

VI. TRANSFERABLE DEVELOPMENT RIGHTS

The March 27, 2008 Planning Board agenda includes a worksession on tracking transferable development rights and the designation of TDR receiving areas in ongoing master plans including Germantown, Gaithersburg, and White Flint. This agenda item will be coordinated with the Germantown Master Plan discussion.

Data on TDR sending and receiving areas appears in the 2007 Tracking Transferable Development Rights Report (<http://www.mc-mncppc.org/research/documents/TDRstatusreport-finaldraft.pdf>). There are approximately 3,400 TDRs severed from agricultural property and available for purchase with an additional 1,500 remaining to be severed. The total supply of TDRs is therefore approximately 4,900.

As explained in the TDR report, there is a wide difference between the supply of TDRs from the sending areas and the current TDR receiving area capacity. The Planning Board and County Council have directed that new master plans identify new TDR receiving areas when density increases. This Plan recommends consistently that TDRs be required for TOMX-1/TDR densities in excess of 0.5 FAR.

The Gaithersburg-Germantown Chamber of Commerce and other property owners oppose the required use of TDRs for densities between 0.5 FAR and the 1.0 FAR maximum density allowed by the TOMX-1/TDR zone, as written.

VII. IMPLEMENTATION

When completed, the Germantown Master Plan will contain a range of implementation mechanisms, including:

- Zoning recommendations to be implemented via a Sectional Map Amendment
- Staging to identify which development opportunities should go first based on infrastructure capacity
- Infrastructure program including technology infrastructure and energy
- Urban Service District for CBD-level maintenance and promotion

Property owners have also requested (1) flexibility in zoning and approvals to allow for market shifts, and (2) consideration of interim levels of development to create positive cash flow for a period of time before being required to make extensive infrastructure investments.

Determining the sequence of development will depend on funding levels to complete large Federal projects such as I-270 widening and shared funding options for CCT and M-83. These transportation investments support development throughout the I-270 Corridor. The ability to affect CCT mode selection of either light-rail transit (LRT) and bus-rapid transit (BRT) will impact the recommended phasing, opportunities for private sector funding and operating segments involving both the west and east sides of I-270.

VIII. PUBLIC OUTREACH

The public outreach strategy used in the Germantown Master Plan consists primarily of meeting monthly with an appointed Community Advisory Committee (C.A.C). As needed, working groups were formed for expanded attention to CCT and zoning issues. Future meetings are being organized to follow up with the Upcounty Latino Network and English for Speakers of Other Languages (ESOL) classes sponsored by Montgomery College.

Staff will prepare a summary of comments from the March 11, 2008 C.A.C. meeting as an addendum to this staff report.

The staff has also met with property owners who disagree with the preliminary zoning recommendations. Some of these differences have not been settled including those related to: Montgomery College, Rolling Hills apartments, Wildman property, Matan property, Middlebrook Mobile Home Park, Lerner property, and residential properties along MD 355.

IX. ADDITIONAL ANALYSIS

In addition to these preliminary land use and zoning recommendations, there are several continuing topics for staff analysis and recommendation:

1. Extent of design guidance not previously addressed in master plans
2. Modifications to the TOMX-1 and TOMX-1/TDR zones
3. TDR balance of sending and receiving areas
4. CCT mode choice
5. Transportation network
6. Fiscal implications of recommended development
7. Sustainability indicators

The Planning Board will direct staff concerning next steps for further Planning Board review, content and production of a draft master plan document, and schedule for a public hearing in summer 2008.

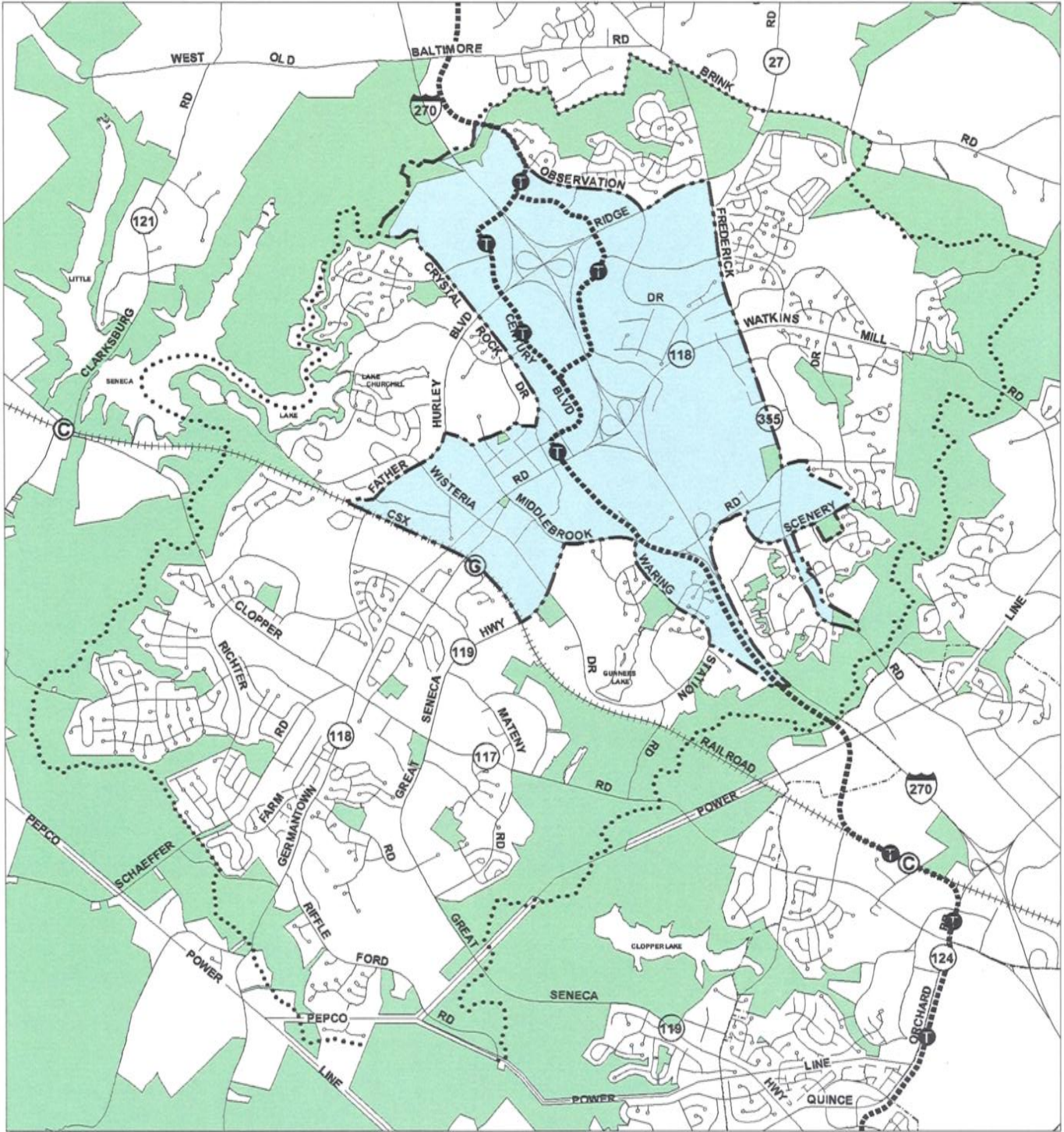
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Attachments

1. Germantown Study Area
2. Land Use Concept
3. Comparison to Bethesda Central Business District
4. Comparison to White Flint Planning Area
5. Letter from the Chamber of Commerce
6. Town Center Urban Form
7. Perspective Illustration
8. Streetscape Plan
9. Water Quality 1994-2000 Baseline Conditions
10. Change in Stream Quality by 2006
11. Germantown Analysis Districts
12. Town Center District
13. Gateway District
14. Cloverleaf District
15. North End District
16. Milestone District including Seneca Meadows
17. Montgomery College District
18. Fox Chapel District

ATTACHMENT 1

Study Area within Planning Area



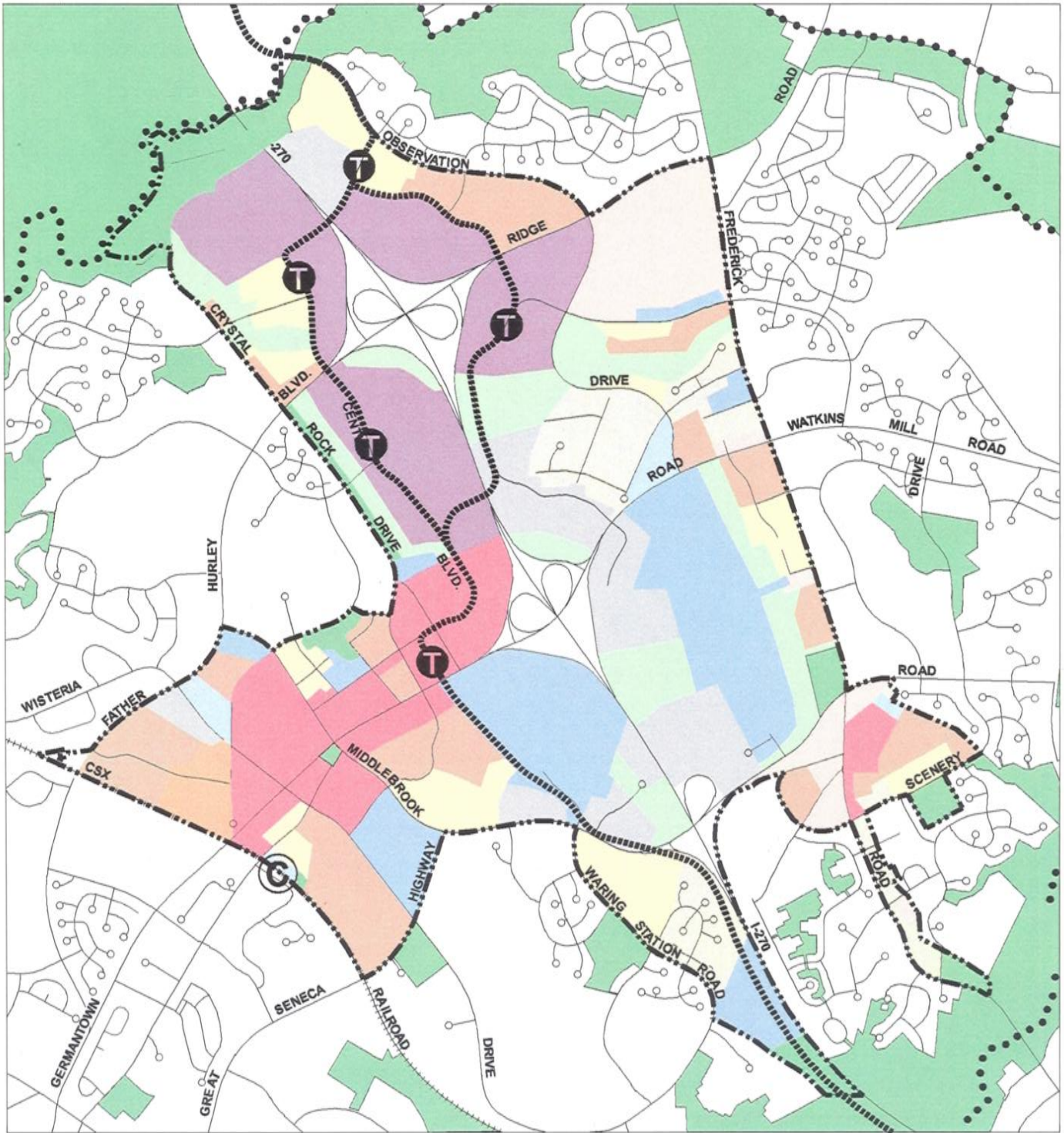
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- Germantown Study Area
- Parkland
- Germantown Planning Area
- T Proposed CCT and Stations



ATTACHMENT 2

Proposed Land Use Concept

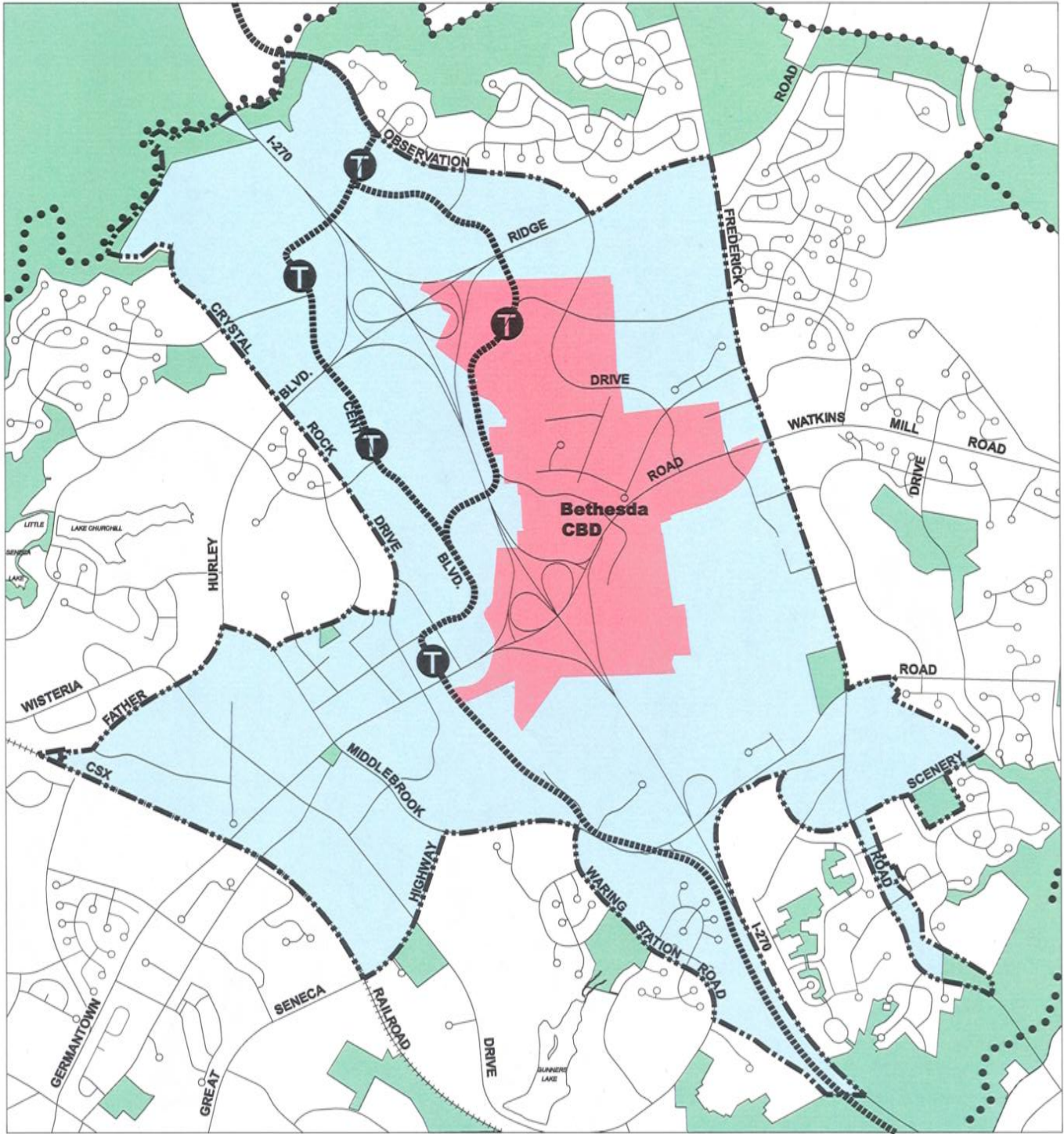


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|--|--|--|--|--|----------------------------|
| | Residential, Single-Family | | Commercial Uses | | Private Open Space |
| | Residential, Townhouse | | Office Uses | | Proposed CCT and Stations |
| | Residential, Multi-Family | | Technology, Office (Research and Development) | | MARC Commuter Rail Station |
| | Residential, Mixed-Use (Primarily Residential) | | Industrial | | Germantown Study Area |
| | Commercial, Mixed-Use (Office, Retail, Service, Housing) | | Institutions (Public and Private) Schools, Churches, Post Office | | Germantown Planning Area |
| | Transit, Mixed-Use (Office, Retail, Service, Housing) | | Public Parkland and Open Space | | |







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Comparison to Bethesda Central Business District

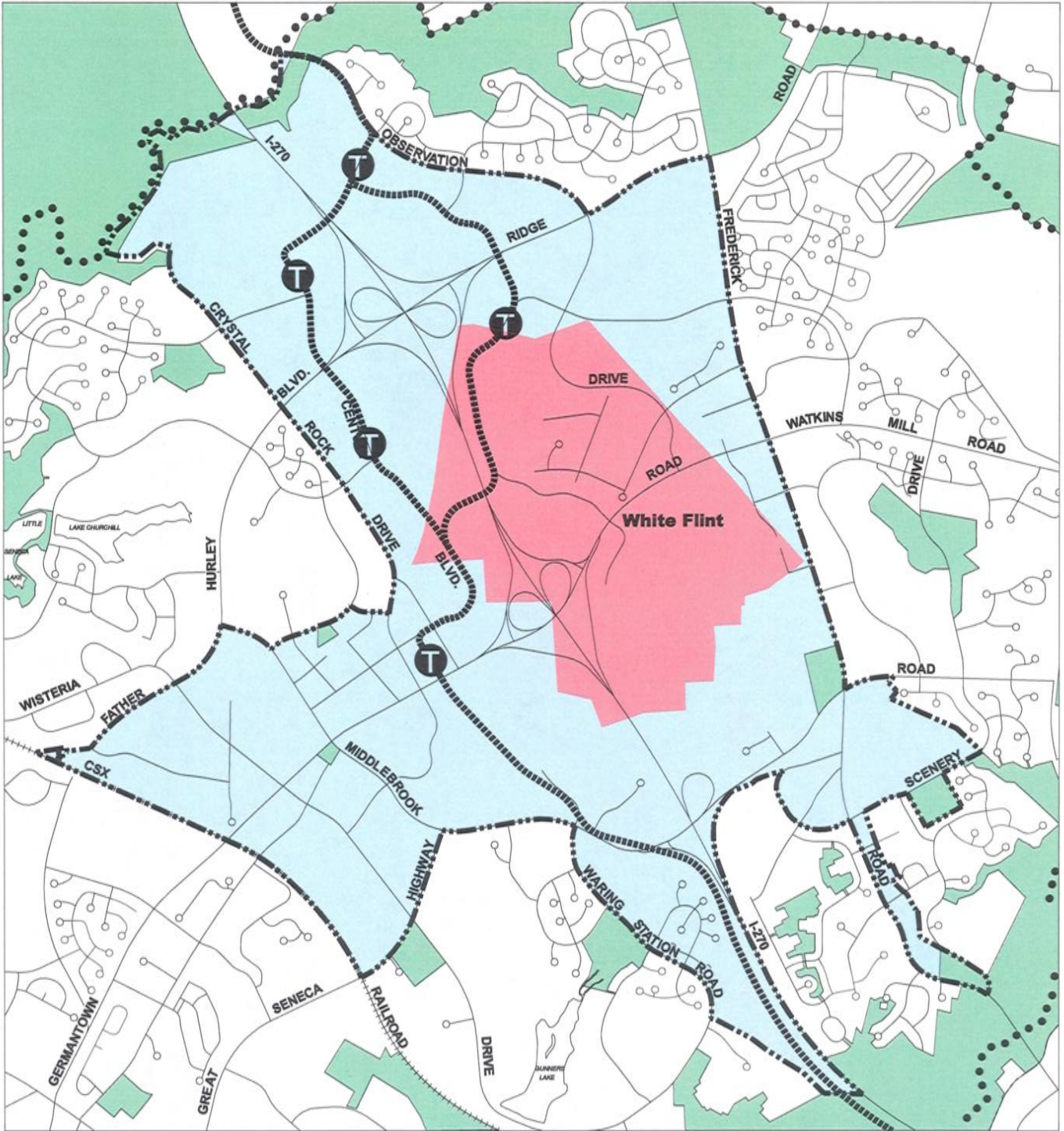


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-  Germantown Study Area
-  Parkland
-  Germantown Planning Area
-  Proposed CCT and Stations



Comparison to White Flint Planning Area



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-  Germantown Study Area
-  Parkland
-  Germantown Planning Area
-  Proposed CCT and Stations





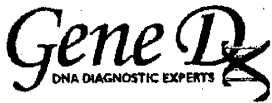
Gaithersburg-Germantown Chamber of Commerce, Inc.

4 Professional Drive, Suite 132, Gaithersburg, Maryland 20879-3426, (301) 840-1400, Fax (301) 963-3918

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The Gazette



GENESIS

HUGHES



McShea

MiddleBrook
PHARMACEUTICALS



Woodsly Grove



February 26, 2008

Ms. Sue Edwards
Community-Based Planning
8787 Georgia Avenue
Silver Spring, Maryland 20901

Re: Germantown Master Plan
Zoning Recommendations

Dear Sue:

We recently convened a meeting of the Germantown Business District property owners to discuss the Staff's draft zoning recommendations for the affected properties. We realize that the Staff has not completed its thinking on these issues (e.g. there is no zoning recommendation yet for the North Village property and the TDR and other issues still appear up in the air), but we thought it would be appropriate for us to share our observations with you at this juncture.

We collectively think it is important for all zones to create a significant incentive for redevelopment. It is not appropriate to assume that the maximum density of development offered by any zone can be achieved due to site and other constraints, or that there has to be an exact correlation between this theoretical maximum density and today's projection of the adequacy of public facilities. The Growth Policy and the Project Plans will control how much and when a project gets built at the time it is submitted for approval. While it is important to understand the current limits of school and transportation capacity, these limits are not necessarily applicable over the twenty year life span of the master plan as lifestyles and demographics evolve and change.

We are concerned that the proposed zoning seems to diverge from the vision of the ULI study conducted in 2006, as well as what we interpreted as the Planning Board's vision for Germantown. The Business District properties actually need to yield a minimum 1.0 FAR in order to redevelop these properties into mixed-used developments and provide the amenities expected of them. This is also a minimum yield to help support the Corridor Cities Transitway. This minimum density must be net of any TDRs (but inclusive of MPDUs). Allocating a realistic net density of 1.0 FAR is a level of development which can be accommodated by projected public facilities, since the timing variables are controlled by the Growth Policy and Project Plans.

We have some specific comments on the draft TOMX zone concept that we would like to express for your consideration:

1. Optional Method Breakpoint: Properties should be permitted to develop under the standard method up to an FAR of .5. This is what is currently permitted under the I-3 zone; the site plan process would still apply. Setting the optional method breakpoint at the proposed .3 FAR is unfair and unnecessary.

Increase the Value of Your Business!



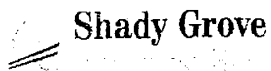
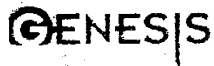
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2. Percentage Use Limitation: We request that the Staff not include use limitations in the master plan that suppress the use flexibility inherent in the TOMX zone. Perhaps a minimum employment use would be acceptable, but any other minimums and maximums will limit flexibility and would represent the Staff's view on the appropriateness of limitations under current market conditions—not market conditions over the twenty year lifespan of the master plan.

3. TDRs: We recognize that there will be pressure to apply TDRs everywhere in the master plan area. However, doing so without understanding their economic impact of the viability of redevelopment projects would be a big mistake. The property owners already have the burden of structured parking and proffers on any density between 0.5 and 1.0 FAR from the optional method. Adding the cost of TDRs (which cost about the same per FAR as land) on top of these other costs makes it economically infeasible to develop above 0.5. As discussed earlier, we believe that no TDR purchase requirement should apply for 1.0 FAR to preserve the economic viability and incentive for this redevelopment; rather, TDRS should apply only for any density requested by a property owner above 1.0 FAR. Specifically, we suggest that the TOMX 1.0 zone allow a density up to 1.5 FAR if TDRs are used above 1.0 FAR. Doing so would align the economic implications of the TDR purchase prices for the increased density. The current Staff proposal to require the purchase of TDRs above .5 FAR is completely infeasible and unfair.

It is our desire and vision to make Germantown a great place to live and work and we hope we can work with Park & Planning to meet that vision. We appreciate the opportunity to participate in this important dialogue with you, since we share your desire to resolve as many issues in the master plan before the staff makes their preliminary zoning recommendations. If a meeting with the staff on any of these issues would be helpful, please let me know. Thank you.

Sincerely,

Marilyn Balcombe
President and CEO

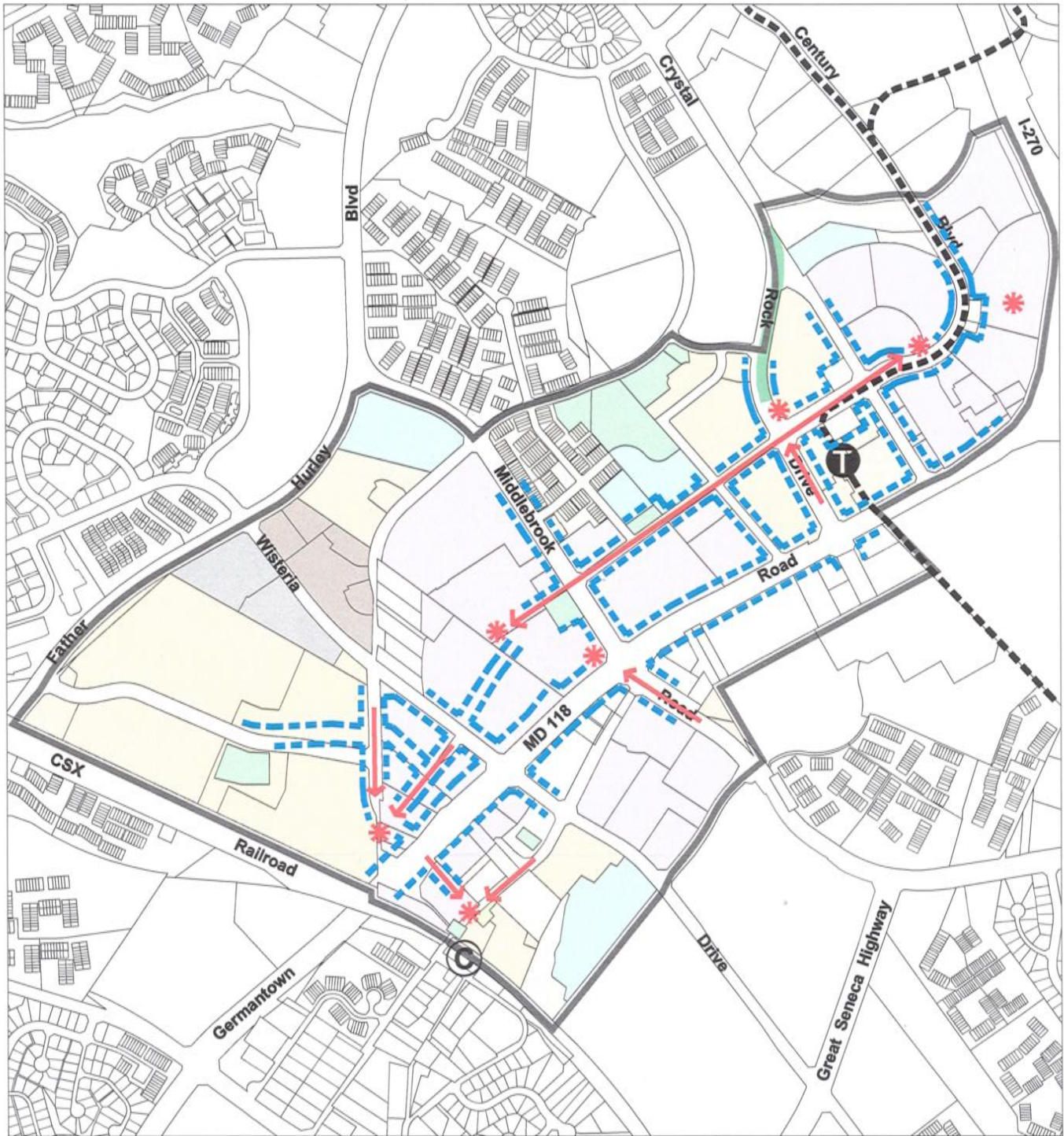
Germantown Business District Partners:

- Bellemead Development Corporation
- Hughes Network Systems
- Kennedy Associates
- Lerner Enterprises
- Matan Companies
- Minkoff Development Corporation
- Oxbridge Development Group
- Trammei Crow Company






Increase the Value of Your Business!

ATTACHMENT 6

Town Center Urban Form



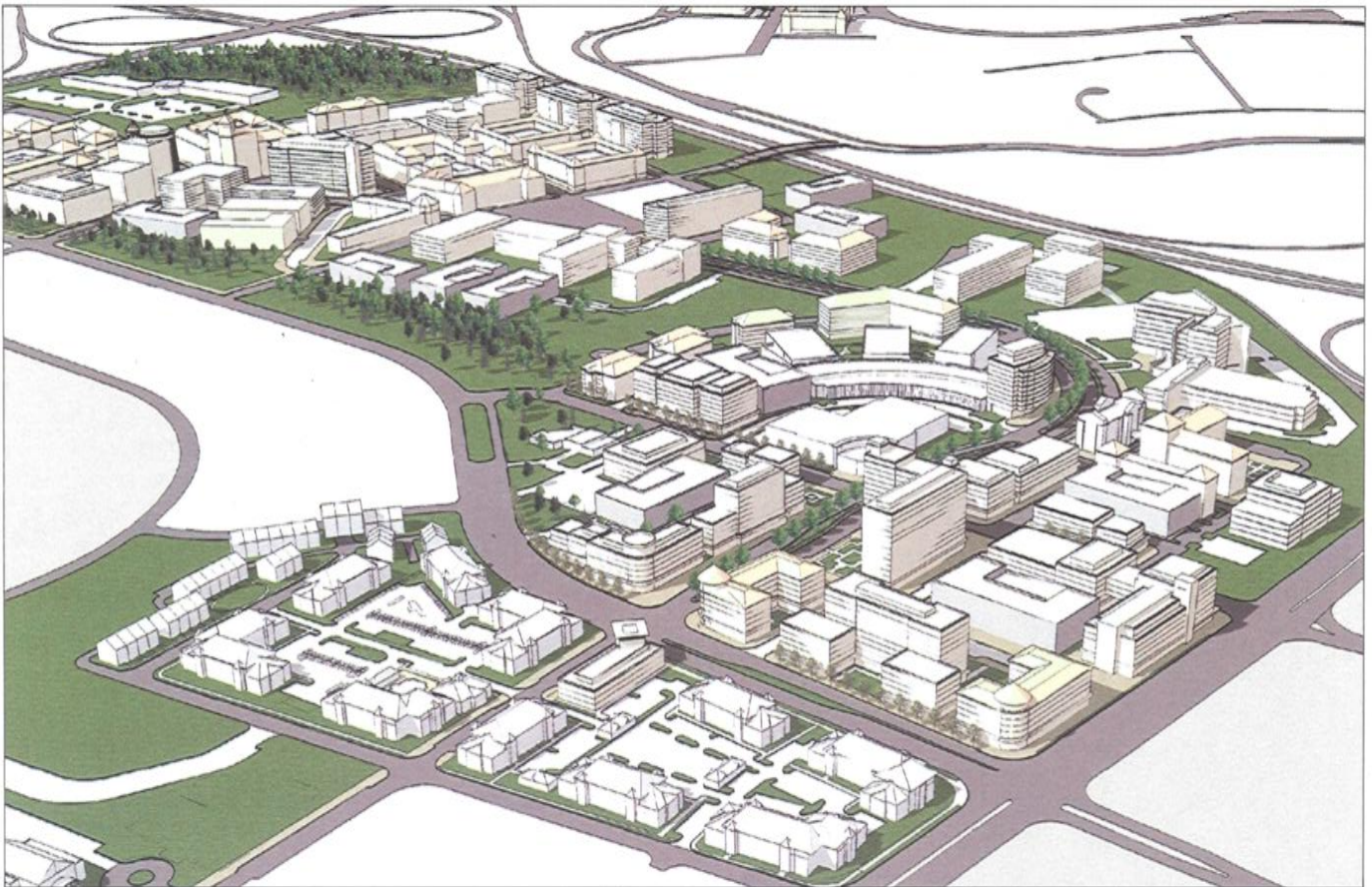
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-  Building Line
-  Major Views
-  Landmark Sites
-  Proposed CCT and Stations
-  MARC Commuter Rail Station



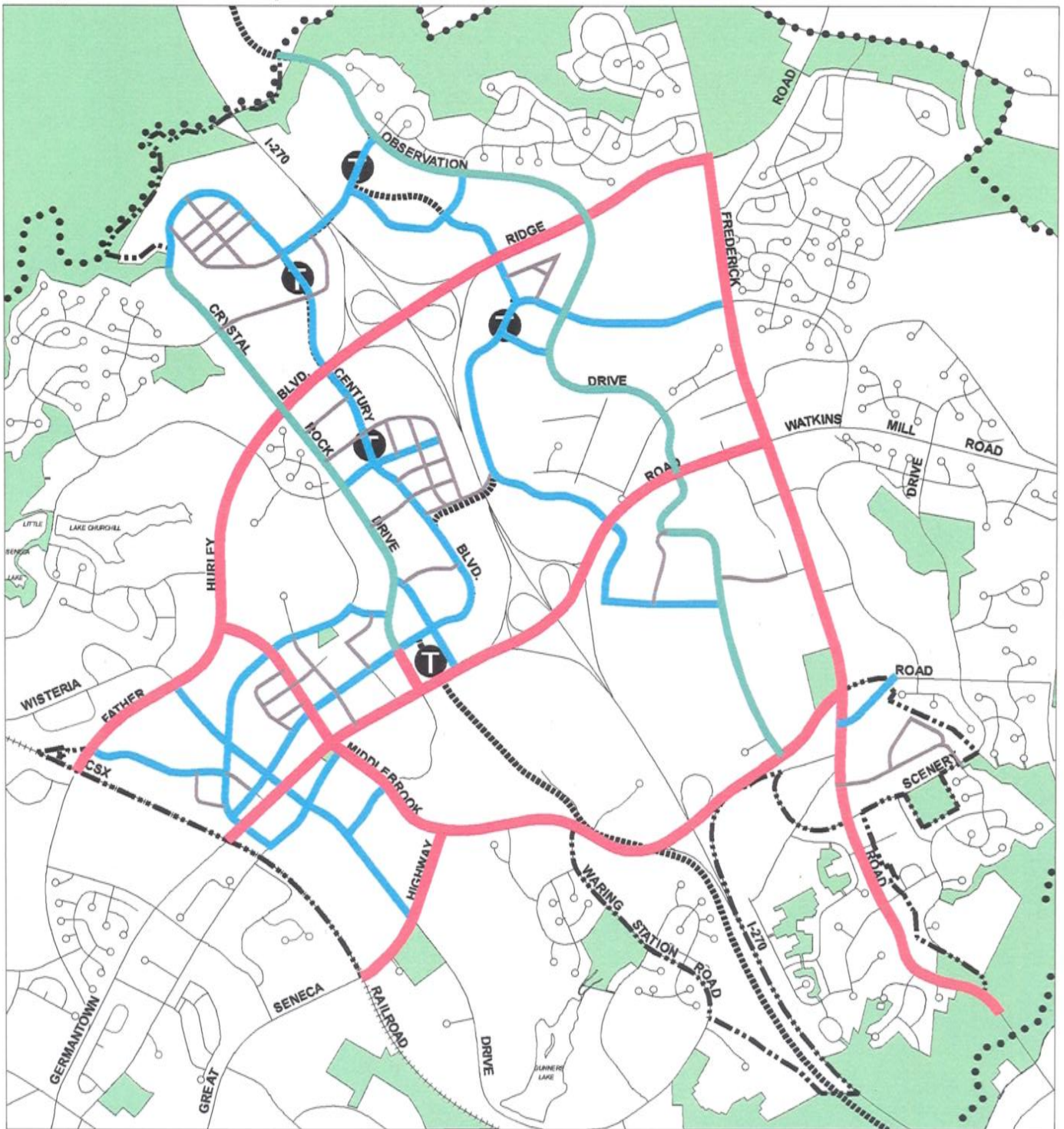
ATTACHMENT 7

Town Center and Cloverleaf Districts 3D Illustration



ATTACHMENT 8

Proposed Streetscape Plan



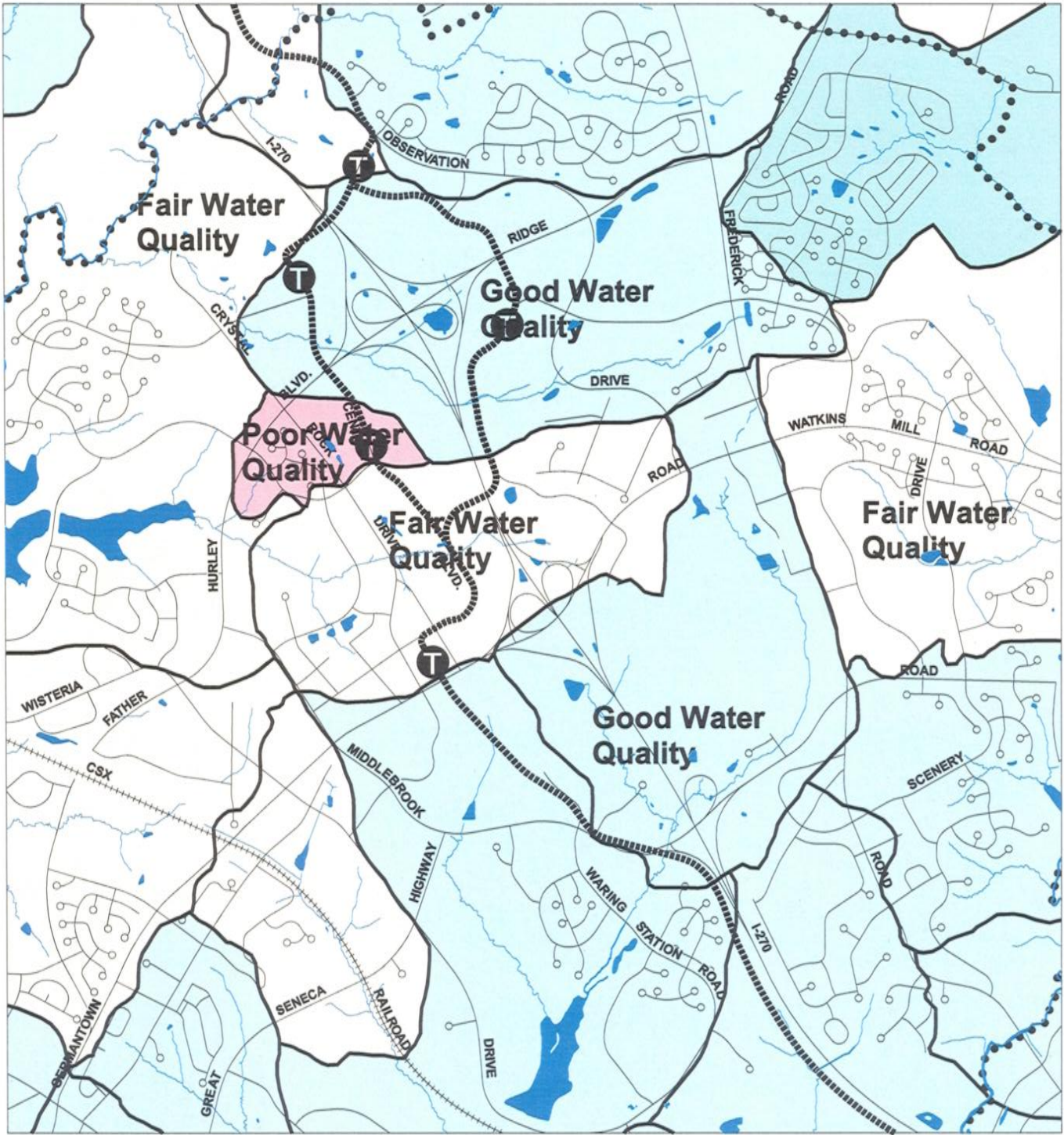
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- | | |
|--|---|
|  Boulevards |  Germantown Study Area |
|  Main Streets |  Parkland |
|  Internal streets |  Germantown Planning Area |
|  Greenways |  Proposed CCT and Stations |



ATTACHMENT 9

Water Quality 1994-2000 Baseline Conditions

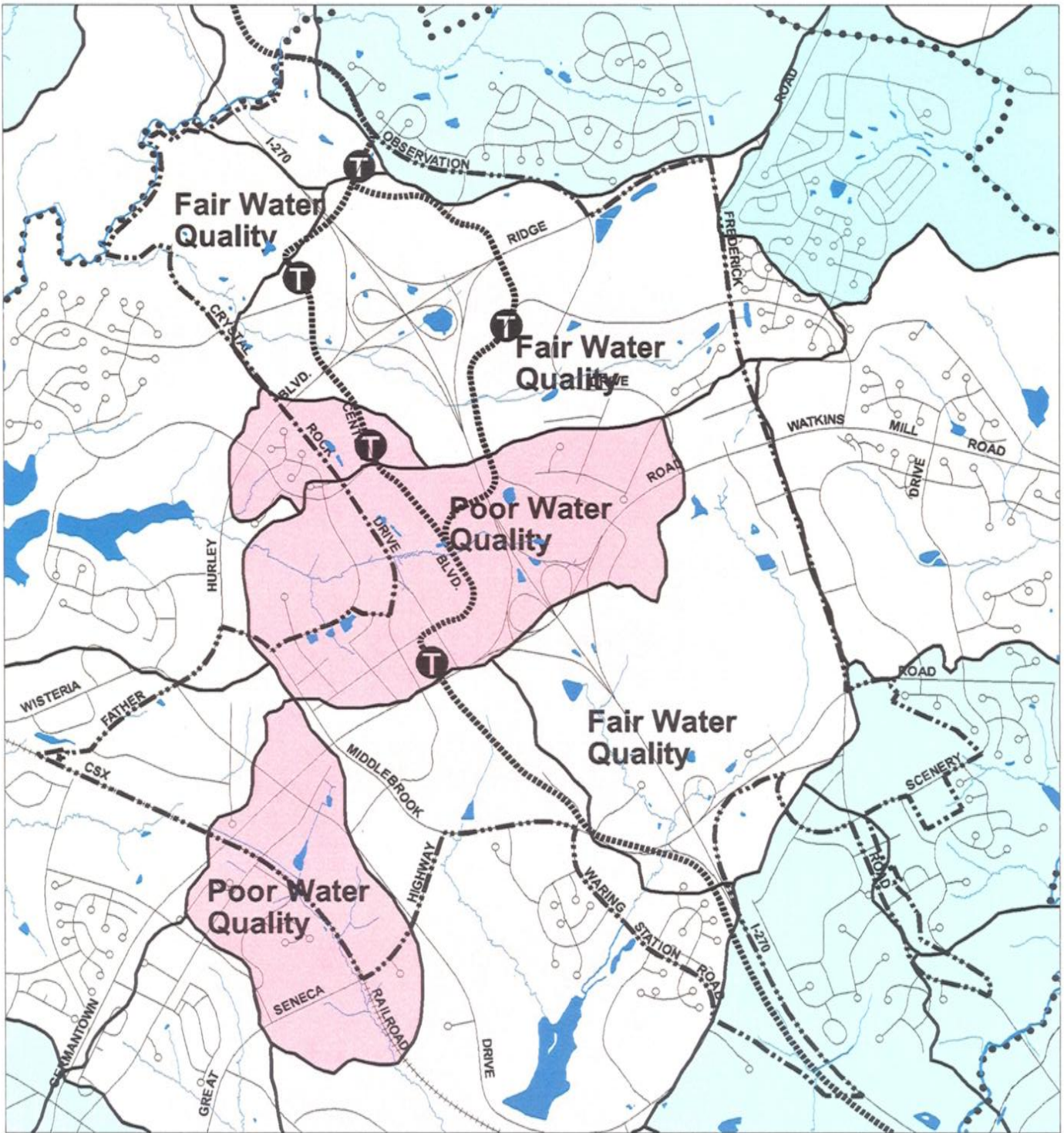


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- Germantown Study Area
- Germantown Planning Area
- T--- Proposed CCT and Stations



Water Quality 2006 Data



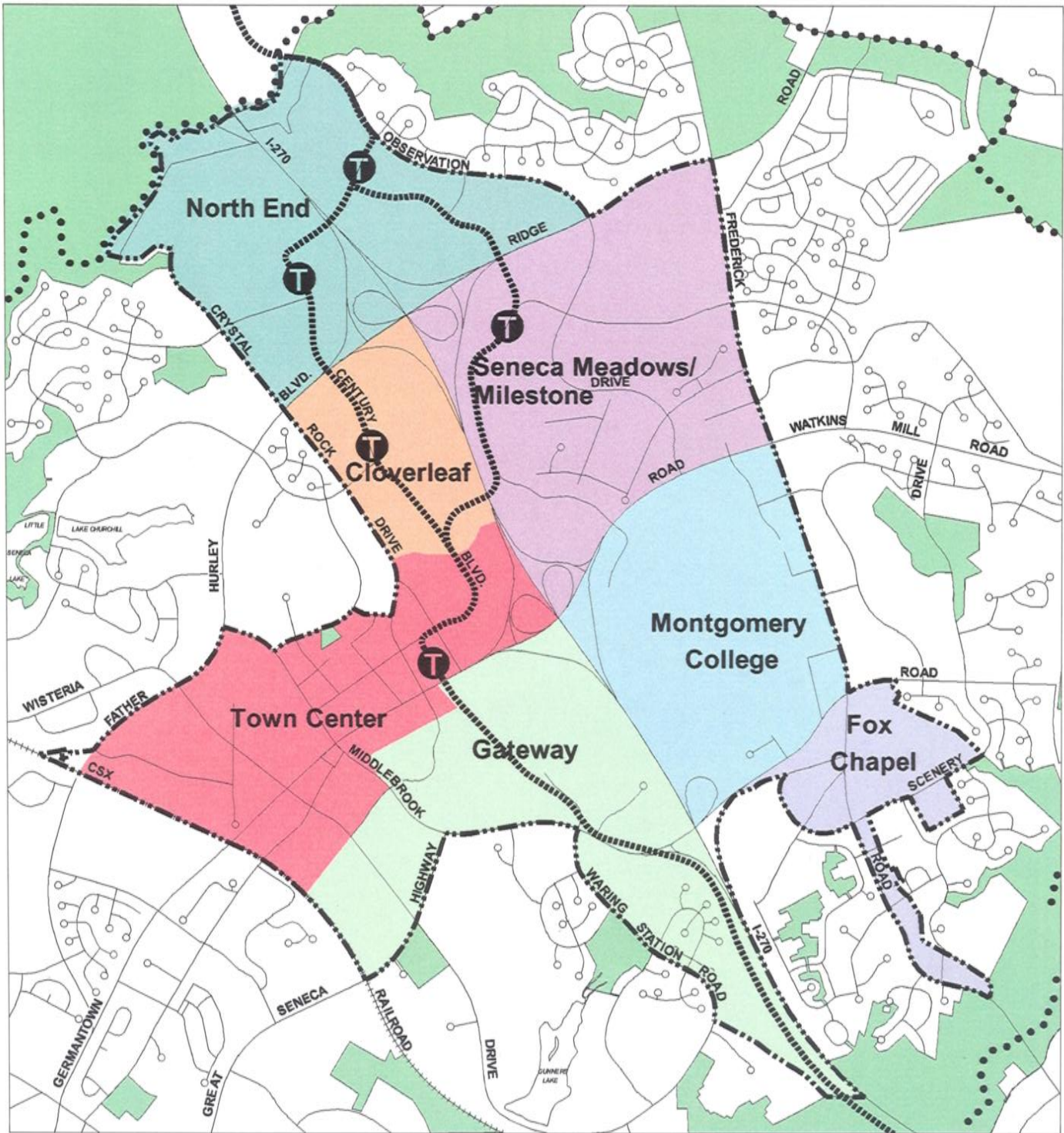
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-  Germantown Study Area
-  Germantown Planning Area
-  Proposed CCT and Stations



ATTACHMENT 11

Germantown Districts



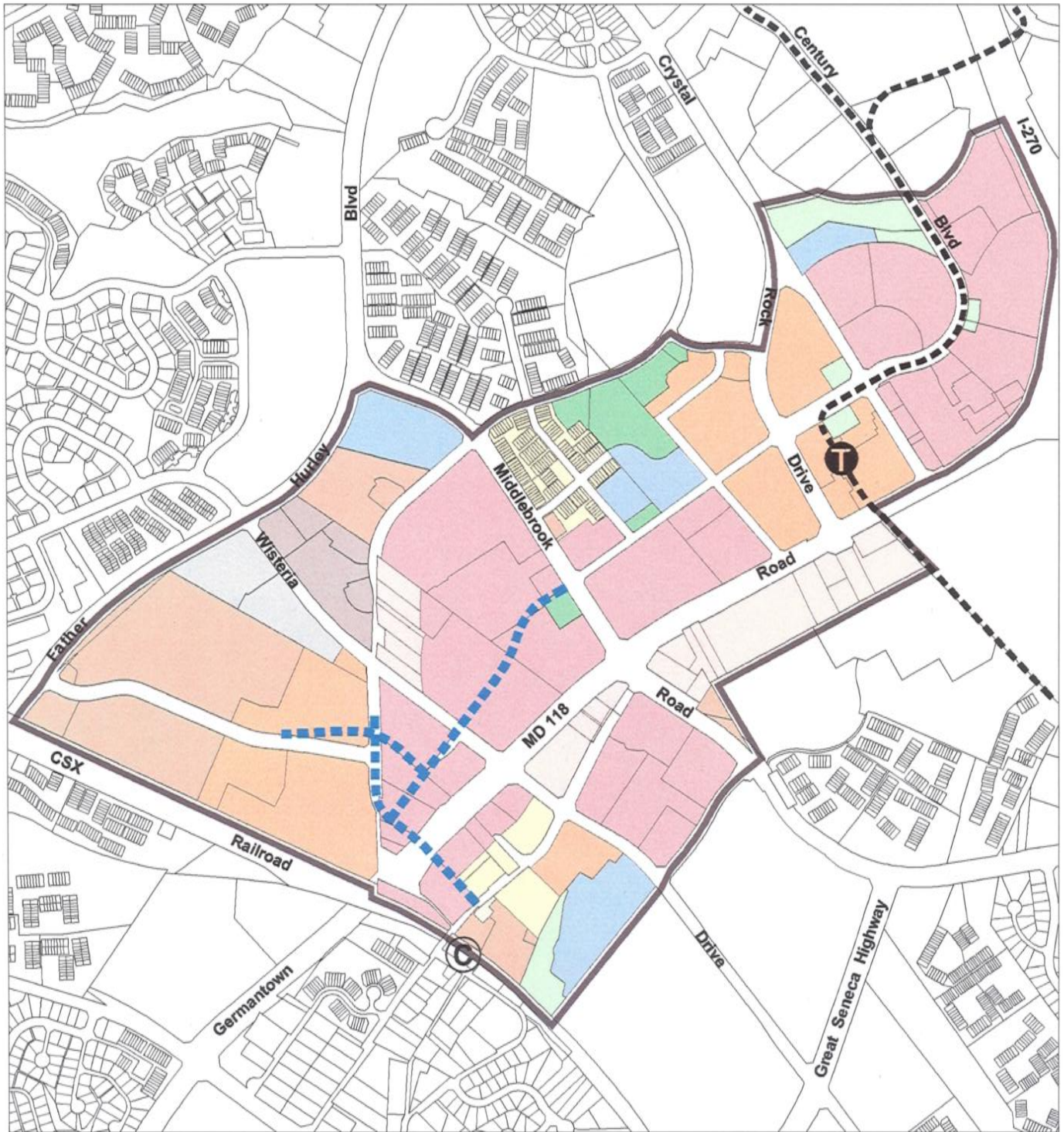
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- Parkland
- Germantown Study Area
- Germantown Planning Area
- T Proposed CCT and Stations


















ATTACHMENT 12

Town Center Proposed Land Use

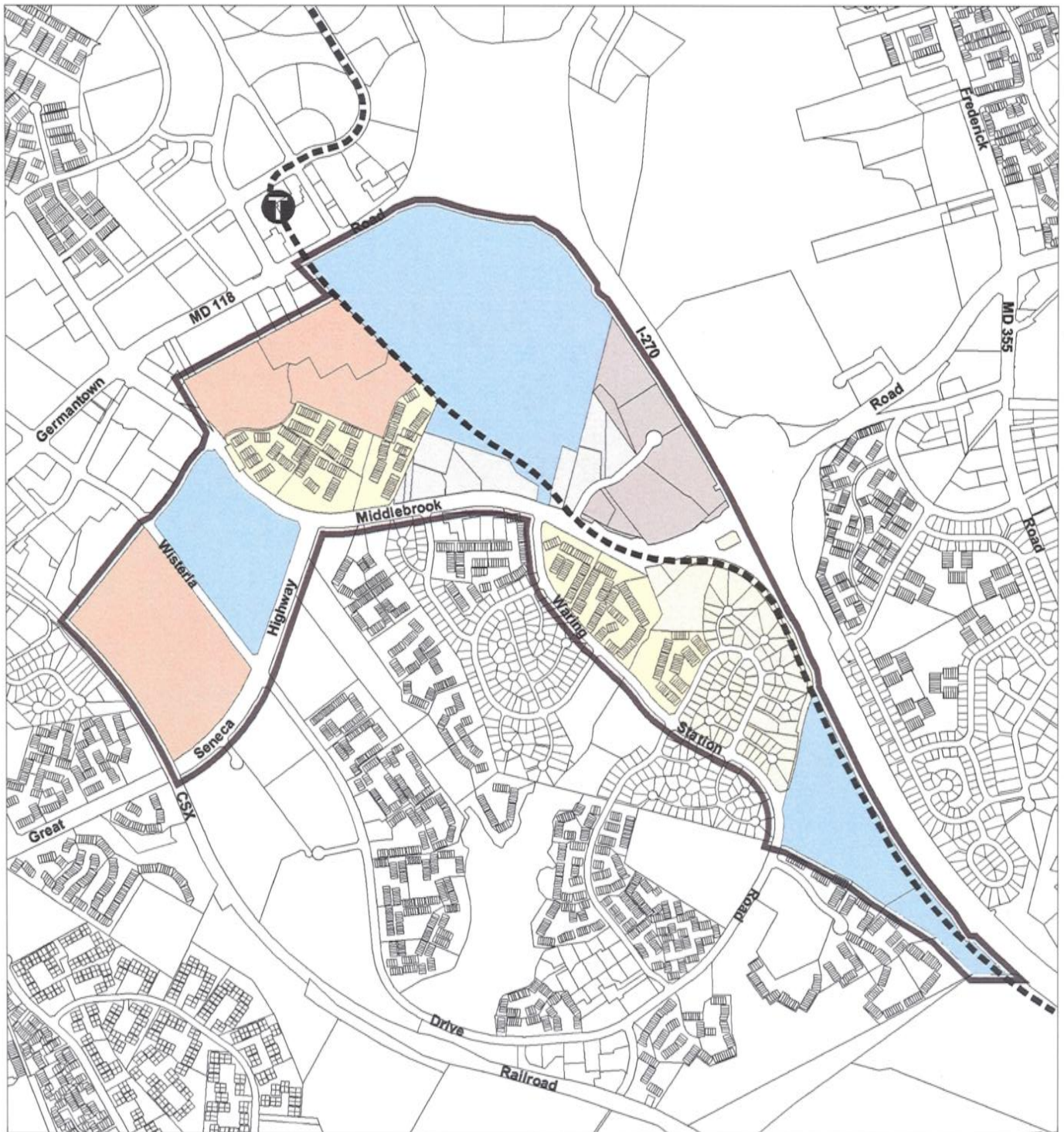


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 Residential, Single-Family	 Commercial Uses	 Private Open Space
 Residential, Townhouse	 Office Uses	 Proposed CCT and Stations
 Residential, Multi-Family	 Industrial	 MARC Commuter Rail Station
 Residential, Mixed-Use (Primarily Residential)	 Institutions (Public and Private) Schools, Churches, Post Office	 Transportation Improvements
 Commercial, Mixed-Use (Office, Retail, Service, Housing)	 Public Parkland and Open Space	 0 500' 1000'

ATTACHMENT 13

Gateway District Proposed Land Use



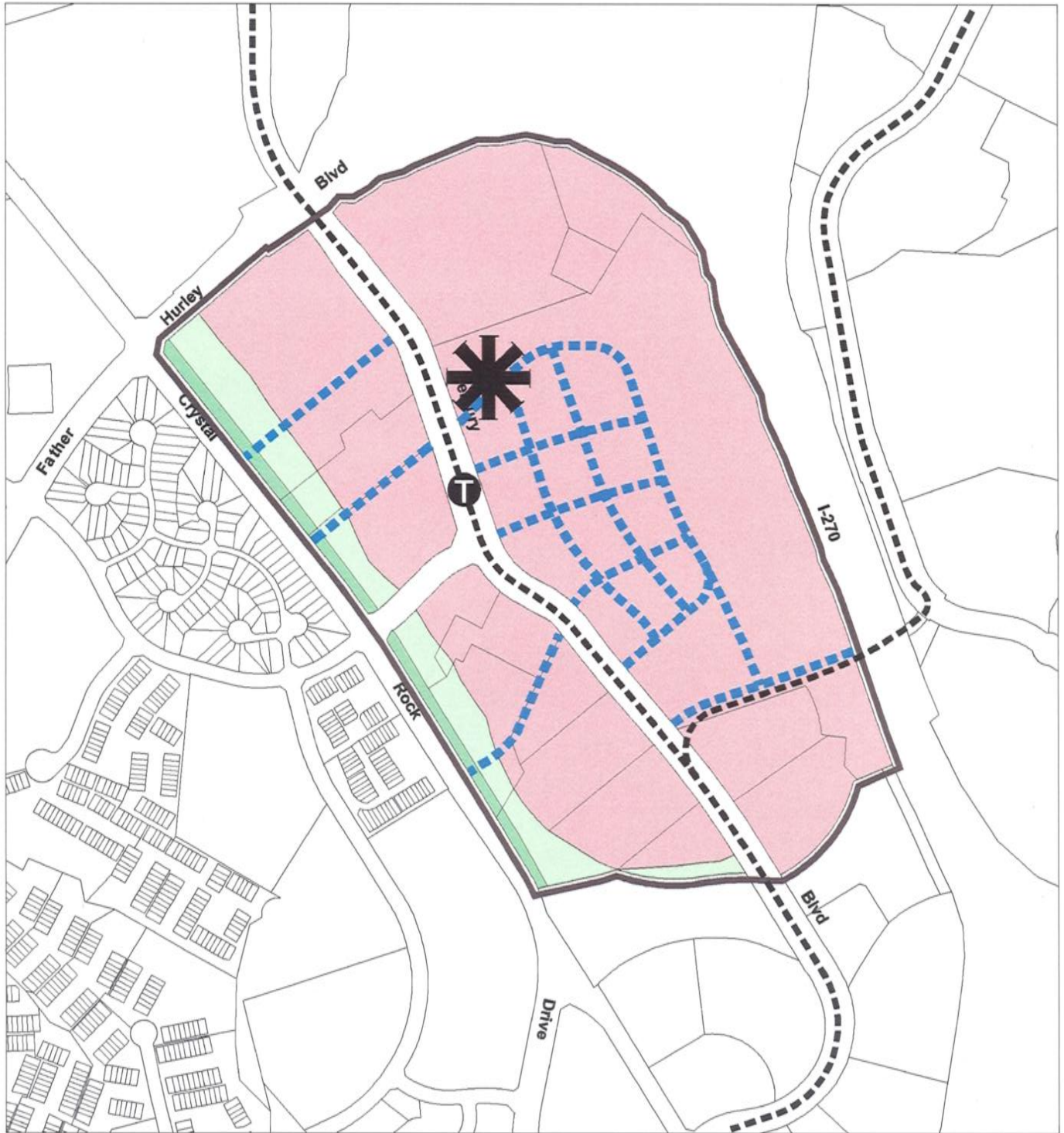
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- Residential, Single-Family
- Residential, Townhouse
- Residential, Multi-Family
- Technology, Office (Research and Development)
- Industrial






- Institutions (Public and Private) Schools, Churches, Post Office
- Private Open Space
- Public Parkland and Open Space
- T Proposed CCT and Stations



Cloverleaf District Proposed Land Use



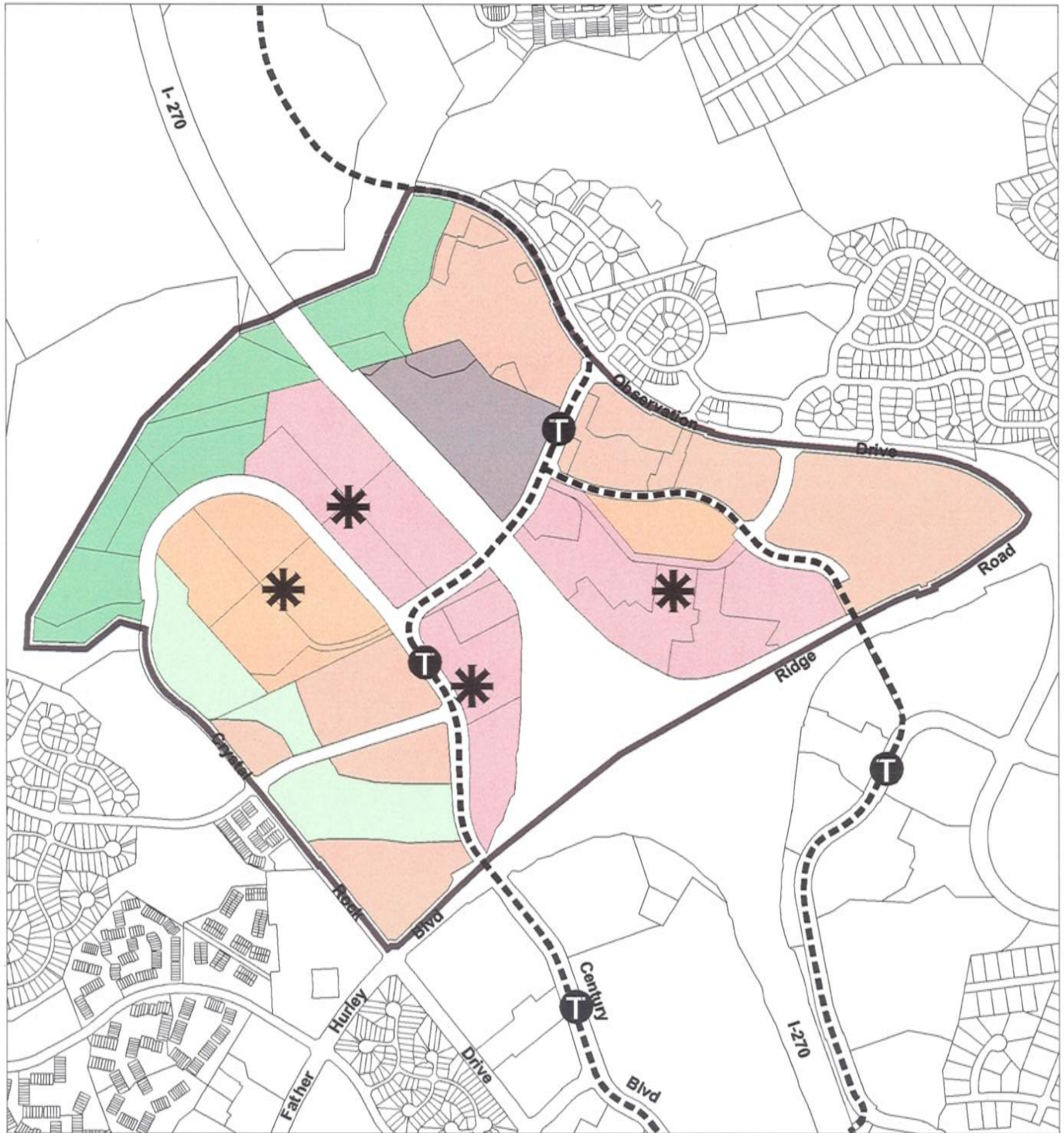
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






-  Public Parkland and Open Space
-  Private Open Space
-  Proposed CCT and Stations
-  Urban Open Space
-  Transportation Improvements

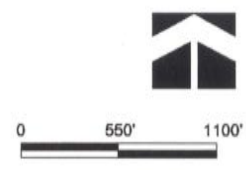


ATTACHMENT 15

North End District Proposed Land Use



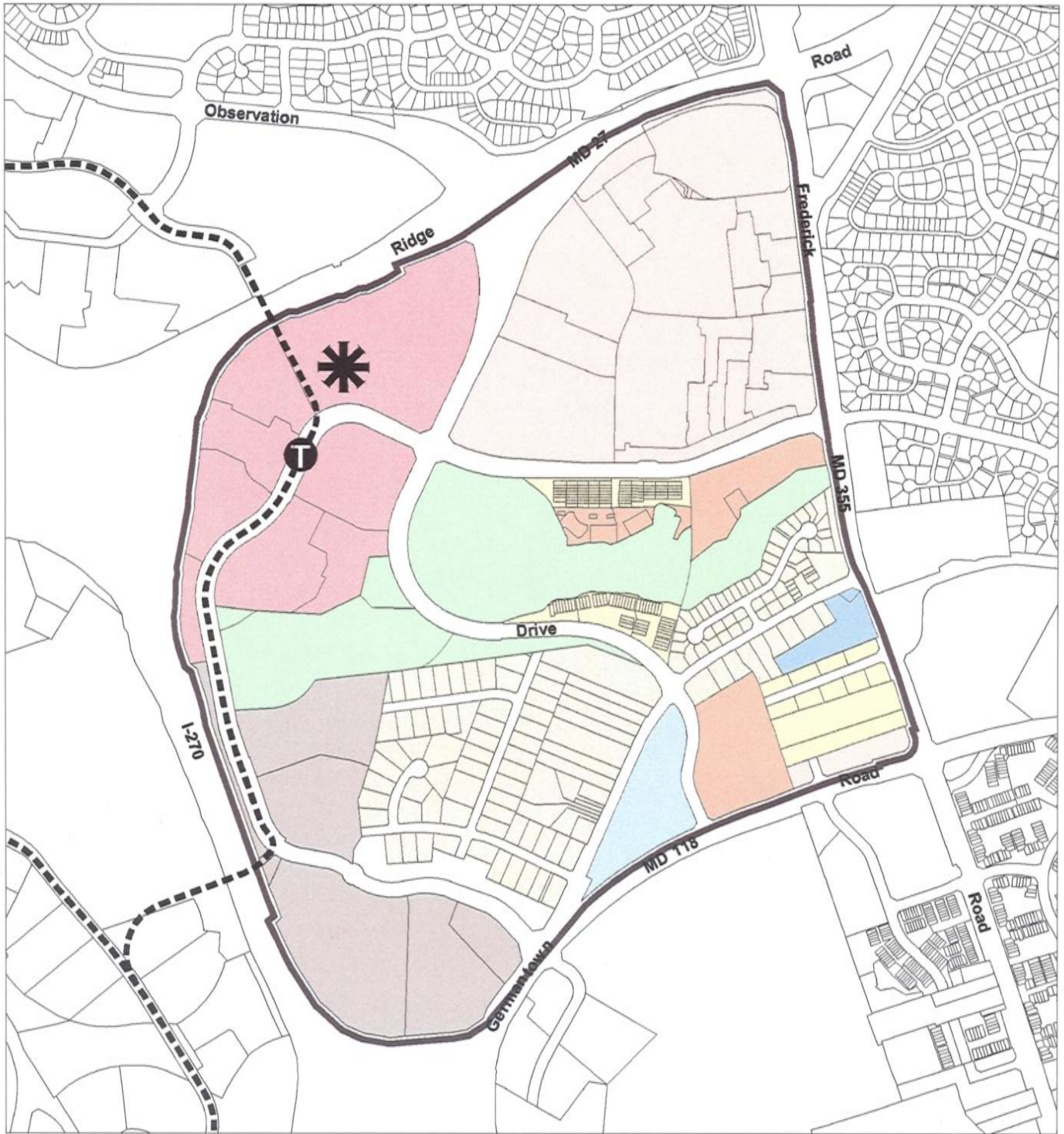
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|---|--|---|---------------------------|
|  | Residential, Multi-Family |  | Private Open Space |
|  | Residential, Mixed-Use (Primarily Residential) |  | Proposed CCT and Stations |
|  | Commercial, Mixed-Use (Office, Retail, Service, Housing) |  | Urban Open Space |
|  | Technology, Office (Research and Development) | | |
|  | Public Parkland and Open Space | | |



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ATTACHMENT 16

Seneca Meadows/Milestone District Proposed Land Use

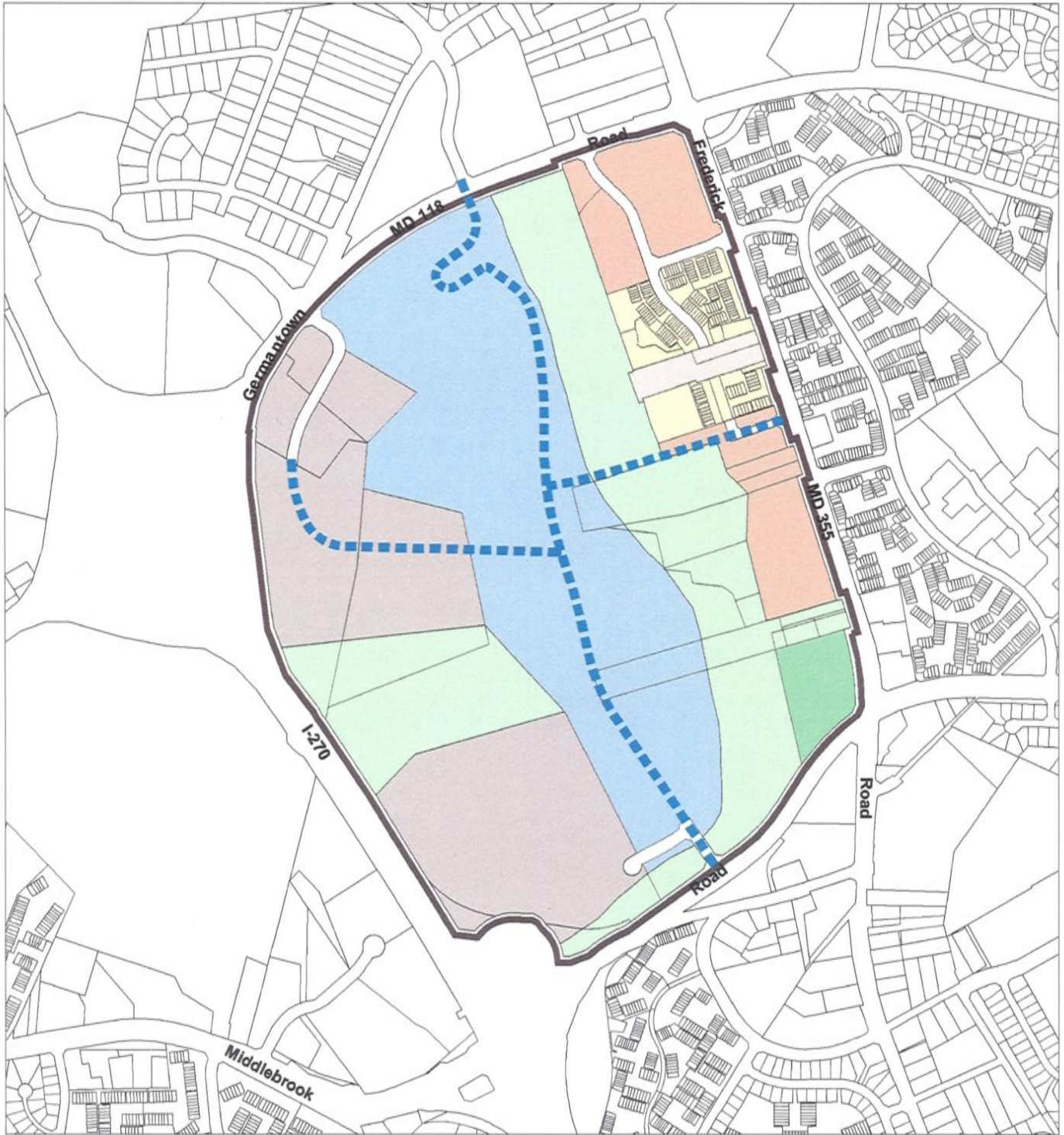


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 Residential, Single-Family	 Office Uses	 Proposed CCT and Stations
 Residential, Townhouse	 Technology, Office (Research and Development)	 Urban Open Space
 Residential, Multi-Family	 Institutions (Public and Private) Schools, Churches, Post Office	
 Commercial, Mixed-Use (Office, Retail, Service, Housing)	 Public Parkland and Open Space	
 Commercial Uses	 Private Open Space	

ATTACHMENT 17

Montgomery College District Proposed Land Use



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- | | |
|--|--|
|  Residential, Townhouse |  Public Parkland and Open Space |
|  Residential, Multi-Family |  Private Open Space |
|  Commercial Uses |  Proposed CCT and Stations |
|  Technology, Office (Research and Development) |  Transportation Improvements |
|  Institutions (Public and Private) Schools, Churches, Post Office | |










ATTACHMENT 18

Fox Chapel District Proposed Land Use



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- | | |
|---|--|
|  Residential, Single-Family |  Public Parkland and Open Space |
|  Residential, Townhouse |  Proposed CCT |
|  Residential, Multi-Family | |
|  Commercial, Mixed-Use
(Office, Retail, Service, Housing) | |
|  Commercial Uses | |

