



Germantown Plan for the Town Sector Zone, Preliminary Staff Recommendations

pe Phillip Estes, AICP, Planner Coordinator, Area 3 Division, Phillip.Estes@montgomeryplanning.org

gp Jamey Pratt, Senior Planner, Area 3 Division, Jamey.Pratt@montgomeryplanning.org

fb Fred Boyd, Supervisor, Area 3 Division, Fred.Boyd@montgomeryplanning.org

RAW Rich Weaver, Chief, Area 3 Division, Richard.Weaver@montgomeryplanning.org

Completed: 04/25/2019

Description

Germantown Plan for the Town Sector Zone, Preliminary Staff Recommendations.

Staff Recommendation

Planning Board discussion and guidance to staff on the Germantown Plan for the Town Sector Zone master plan preliminary recommendations.

Summary

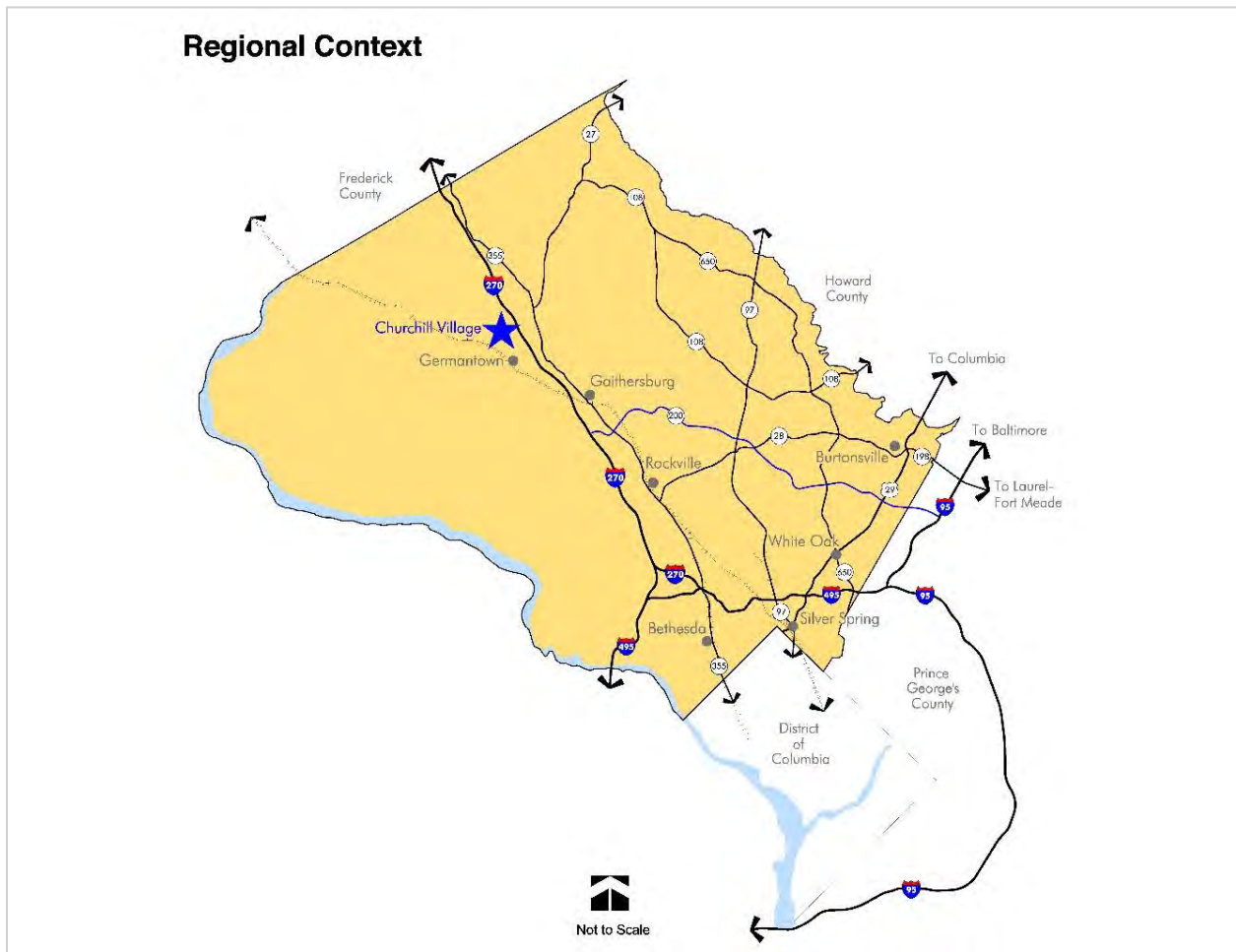
Planning staff will update the Planning Board on the Germantown Plan for the Town Sector Zone Master Plan, including community outreach efforts, preliminary land use and zoning recommendations, and next steps.

Introduction

In accordance with the work program established by the Montgomery County Council, the Planning Department initiated in April 2018 the Germantown Plan for the Town Sector Zone, a master plan for the Churchill Village community of Germantown.

The master plan's scope of work was approved by the Montgomery County Planning Board in November 2018. It describes the proposed boundaries, purpose, outreach strategy, and schedule. The scope of work also provides background, context, and a summary of the issues to be addressed.

This staff report presents the preliminary recommendations for the master plan, which includes replacing the Town-Sector zone with current zoning classifications, in accordance with preserving Churchill Village's residential character, protecting open space and recreation areas, and supporting neighborhood-serving commercial uses.

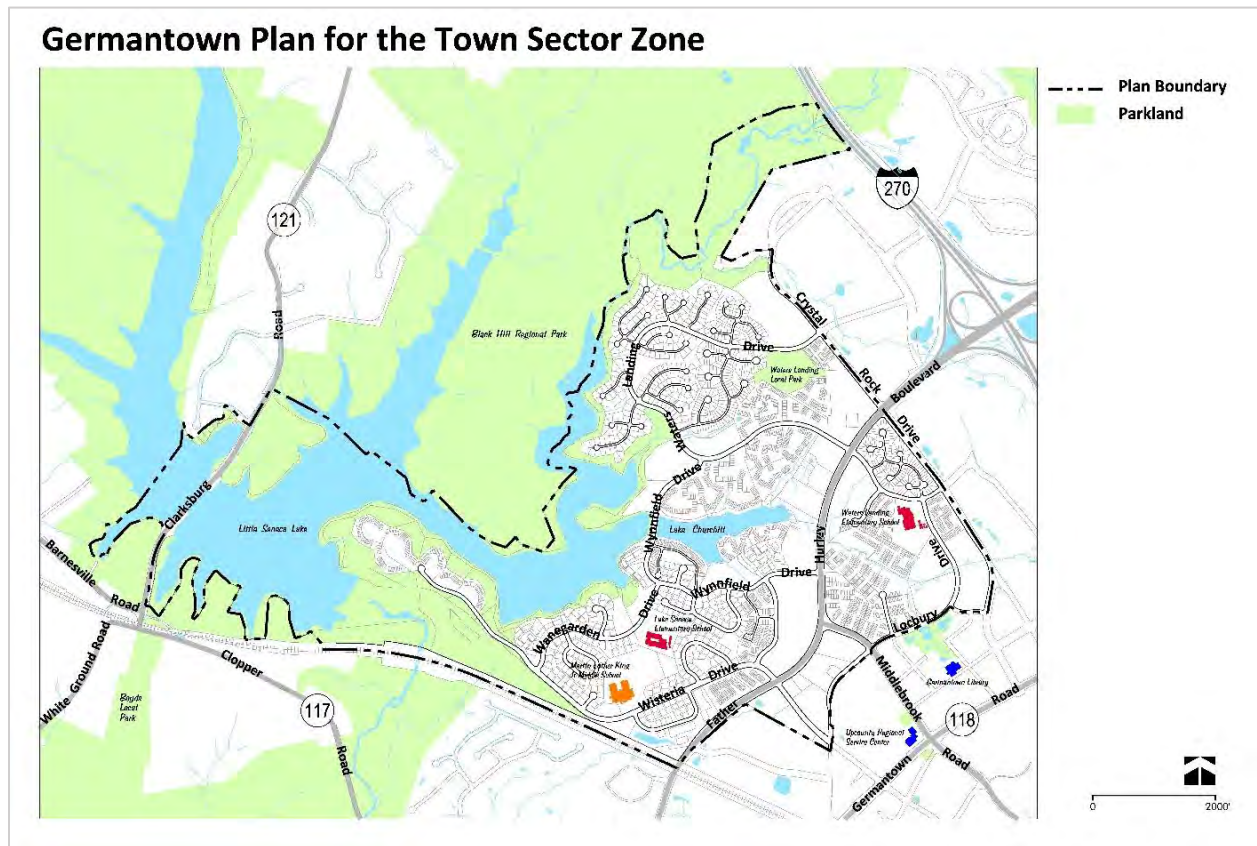


Background

In 1968, the mostly undeveloped area known today as Churchill Village was rezoned to the newly-created Town-Sector Zone (T-S). The T-S Zone, along with the approved development plan, facilitated the development of a new community that combined abundant green space with residential, commercial, institutional development, and public infrastructure. With the exception of a 4.8-acre property, the community is completely built-out. Today, there are houses, townhomes, and multifamily units mixed across the community. Commercial uses, located in the southeastern portion of the plan area, were generally constructed between 1981 and 2003.

In 2014, Montgomery County adopted a comprehensive update to the zoning ordinance which included new zoning classifications. As a result, the Town-Sector zone is no longer available as a zoning classification and will be phased out. Article 59-8 “Zones Retained from Previous Ordinance,” states the following: The zones in Article 59-8 were applied by Local Map Amendment before this Zoning Ordinance was adopted. These zones may appear on the digital zoning map, but they cannot be requested by a property owner under a Local Map Amendment or applied to any additional property under a Sectional Map Amendment adopted after October 30, 2014” (Section 8.1.1). Accordingly, this included the T-S zone. When master plans that contain any of the zones in Article 59-8 are updated or amended, the revised master plans will replace these zones and recommend new zones.

Pursuant to the rules for the T-S zone, “applications for [zoning] reclassification [were] prohibited until 50 years after the grant of the T-S zone” (Zoning Ordinance, §59-8.3.3.D.3.b). Since the T-S zone was approved in 1968, this feature expired in 2018. While it is not expected that rezoning applications will be submitted as a result of the zoning control expiration date, it is a primary purpose for this master plan effort.

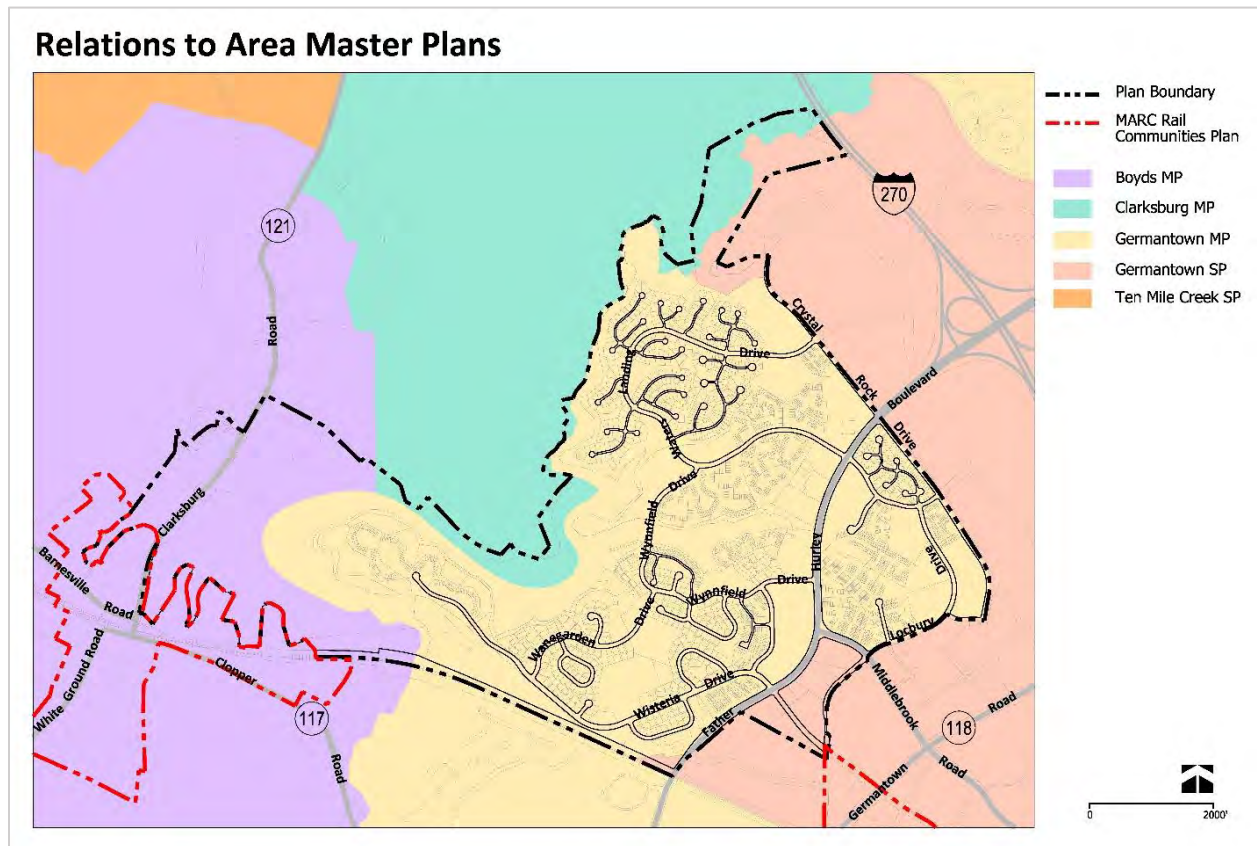


Purpose of the Master plan

The main purpose of this master plan is to recommend the appropriate new zoning classifications to replace land that is zoned T-S. As previously discussed, applications for rezoning property by individuals were prohibited for a 50-year horizon. This zoning control feature expired in 2018. Additionally, small areas of non-Town Sector zones (near the plan boundary) will also be rezoned to correct zoning inconsistencies caused mostly by right-of-way alignments and the creation of Little Seneca Lake.

Planning Framework

The Germantown Plan for the Town Sector Zone master plan area is part of the greater Germantown area. The main focus of the plan is the Churchill Village community within the 1989 Germantown Master Plan area, which now contains all land in Germantown in the Town Sector Zone. The plan boundary also contains parts of Little Seneca Lake and Black Hill Regional Park that are within the 1985 Boyds Master Plan, the 1994 Clarksburg Master Plan, and the 2009 Germantown Employment Area Sector Plan; a small, mostly commercial area from the 2009 plan is also included. (The 2019 MARC Rail Communities Sector Plan will also rezone approximately 25 acres of publicly owned T-S-zoned land within Churchill Village near Boyds.) The total plan area is approximately 1,429 acres.



The General Plan for Montgomery County, "On Wedges and Corridors," was adopted by the M-NCPPC in 1964. Its purpose is to help establish overall policies for development and to relate these policies to the metropolitan framework. The General Plan envisioned development radiating outward from Washington, DC in a series of cities along major transportation corridors, with wedges of lower density and green open space in between them. Each corridor city was to be relatively self-sufficient, with employment, a range of housing choices, and supportive community services. Germantown was identified as a corridor city and a master plan was completed in 1974.

The intent of the 1974 Master Plan was to fulfill the objectives of the General Plan. More specifically, the 1974 Master Plan recommended that Germantown (which includes Churchill Village) develop into a "new community" similar to new planned communities such as Reston and Columbia. Unlike these new communities, however, Germantown could not be developed by a single developer because of fragmented land ownership. To manage this concern, the County government coordinated the efforts of planning, zoning, subdivision, capital programming, and many individual developments to create a cohesive "new town."

The 1989 Germantown Master Plan built upon the 1974 Master Plan. It modified four elements: housing, community identity, community facilities, and jobs/housing balance. In Churchill Village

specifically, development occurred under the guidance of the approved 1968 development plan. The 1989 plan noted that Churchill Village was nearly built-out with only 132 acres of developable land remaining. The 1989 plan recommended that Churchill Village would not be served by a “village center” at Waters Landing Drive and Father Hurley Boulevard because two major shopping areas (Sugarloaf Centre and Germantown Commons) are in close proximity and serve the community. The current recommendation from the 1989 plan is that the previously recommended “village center” property be developed as a religious facility and/or senior housing.

The 2009 Germantown Employment Area Sector Plan included approximately 300 acres of the Churchill Village T-S zone and included portions of the Town Center, West End, and the North End District. The 2009 plan ultimately changed approximately 250 acres of the T-S zone to the Commercial/Residential (CR and CRT) zones to facilitate mixed-use development. These 250 acres contained nearly all of the 132 acres of developable land that had been mentioned in the 1989 plan. The remaining 1,292 acres of Churchill Village were noted as largely built-out with residential uses; this portion of Churchill Village is still guided by the 1989 Germantown Master Plan, and it is this area that is the focus of this master plan.

A limited number of non-T-S-zoned properties around the periphery of the T-S zone were included in the plan area to resolve some zoning inconsistencies that largely are a result of right-of-way alignments and the construction of Little Seneca Reservoir.

Discovery and Community Engagement

Community engagement is a key component of this master plan. A variety of methods and techniques were used to create an environment that supported public participation. People and organizations were identified that had an interest in Churchill Village and Germantown. These stakeholders included local residents, homeowners associations, and business owners who were invited to participate, share ideas, and provide feedback. The discovery phase and the plan preparation were guided by an ongoing and collaborative engagement process that included:

- Throughout the summer and early fall of 2018, planning staff met with several Germantown-area organizations and homeowners associations (HOA) at their regularly scheduled meetings to discuss the plan, receive comments, and answer questions. These groups included the Churchill Community Foundation, Churchill Village South HOA, Waters Landing Association HOA, and the Churchill Village East HOA.
- During the same time, staff met with government partners and agencies that have a stake in the community and an interest in the plan. These groups included Montgomery County Council District 2 staff; Upcounty Regional Services Center staff; the Gaithersburg-Germantown Chamber of Commerce’s Economic Development Committee; Washington Suburban Sanitary Commission staff; and Montgomery County Parks Department.

- On October 11, 2018, Planning Department staff held a community kick-off meeting at the Upcounty Regional Services Center, which was attended by residents and community stakeholders. This outreach meeting officially notified the community that the Plan is underway. It provided a platform to engage stakeholders in discussions about the purpose, scope, and goals of the plan. After a staff presentation and discussion, an open house format followed which provided opportunities for one-on-one dialogue between staff and participants. Topics raised included zoning for vacant land, open space protection, and proposed residential zoning.
- On March 14, 2019, a second community meeting was held to present staff's preliminary recommendations and draft zoning map. Similar to the kick-off meeting, there was a staff presentation, which was followed by an open-house and poster displays. Staff was present to further discuss the plan and answer questions. Topics included open space and recreation, zoning and potential infill development, process and additional opportunities to participate.
- Staff has maintained regular updates through the project website, and news releases, with additional opportunities to provide testimony before the Planning Board and County Council.

Preliminary Recommendations

Staff presented and discussed preliminary recommendations at a community open house on March 14, 2019 at the Upcounty Regional Services Center in Germantown. Topics discussed included proposed zoning, density, open space protection, recreational areas, and other land use matter affecting the community. See Attachment A, recommended zoning maps.

Residential Zoning

Zoning recommendations for residential neighborhoods will maintain the existing residential land uses and densities and preserve the low- to medium density character found in Churchill Village. The building types allowed in the recommended zoning are consistent with single-family homes, duplexes, townhomes, and multi-family housing. Overall height and bulk regulations of buildings and landscaping standards will be consistent with the as-built environment. Existing single-family neighborhoods are recommended for either the R-60 or R-90 (one-family detached residential zones). Existing townhouse communities are recommended for one of three zones, depending on the density of the existing development: low-density, medium density, or high density. Multi-family communities are recommended for either the R-10, R-20 or R-30 zones, depending on the density of the existing development.

Commercial Zoning

Major redevelopment of the commercial areas in the plan area is not anticipated. Recommended zoning will accommodate existing commercial uses while allowing for future reinvestment opportunities. The General Retail (GR) zone is recommended for property along

Staff Preliminary Recommendations
Germantown Plan for the Town Sector Zone
04/25/2019

Wisteria Drive and Father Hurley Boulevard. This includes general retail, restaurants, a self-storage facility, veterinarian clinic, and a private school.

Moderate changes for property along the north side of Wisteria Boulevard may result with the recommended Employment Office (EOF) zone for the Churchill Executive Park, a commercial condominium development. The EOF zone would support the current development of mostly professional offices, while allowing the opportunity for residential units in the future. With the EOF zone, the property could continue commercial operations or convert some commercial condominium units to residential units creating a mixed-use development, should market conditions change.

Institutional Uses

Public facilities and institutional uses recommended for low-density residential zones, which is typically how these uses are zoned throughout the County. Montgomery County Public Schools (MCPS) are recommended for the R-200 zone (One Family Detached, large lot). The singular property in the community with a religious facility (Mother Seton Parish) is also recommended for the R-200 zone.

Vacant Property (21000 block of Waters Landing Drive)

At the southwest quadrant of Father Hurley Boulevard and Waters Landing Drive is an undeveloped 4.8-acre parcel of land (parcel P540). The property is located adjacent to the Churchill Senior Living Center, which is the most recent development within Churchill Village (built in phases in 2001 and 2016 with approval for a further 45 assisted living units). The senior center and the vacant property make up the area recommended in 1989 for senior housing or a religious facility. Other land surrounding the vacant parcel is developed with multi-family and townhouse units. This property is the last remaining undeveloped and available land in Churchill Village.

Notably, in the Germantown retail market area, the 2017 *Retail Trends Study* indicates there is an unmet demand for the neighborhood services and goods retail category (NG&S). The NG&S category includes establishments that depend on patronage of local residents and workers. It includes such uses as markets, dry cleaners, hair salons, delis, day care, and the like. In this context, staff believes a mixed-use zoning classification that supports multi-family or townhouse development with a density similar to or slightly higher than the neighboring senior center with the potential for a modest amount of NG&S development would be reasonable and desirable.

Staff is evaluating potential zoning options and densities for this property to allow for mixed-uses, namely the Commercial/Residential Neighborhood (CRN) zones.

Overlay Zone

The community is well-served by parks, trails, and open space. Churchill Village has one of the most extensive trail networks in Montgomery County, crisscrossing neighborhoods, following

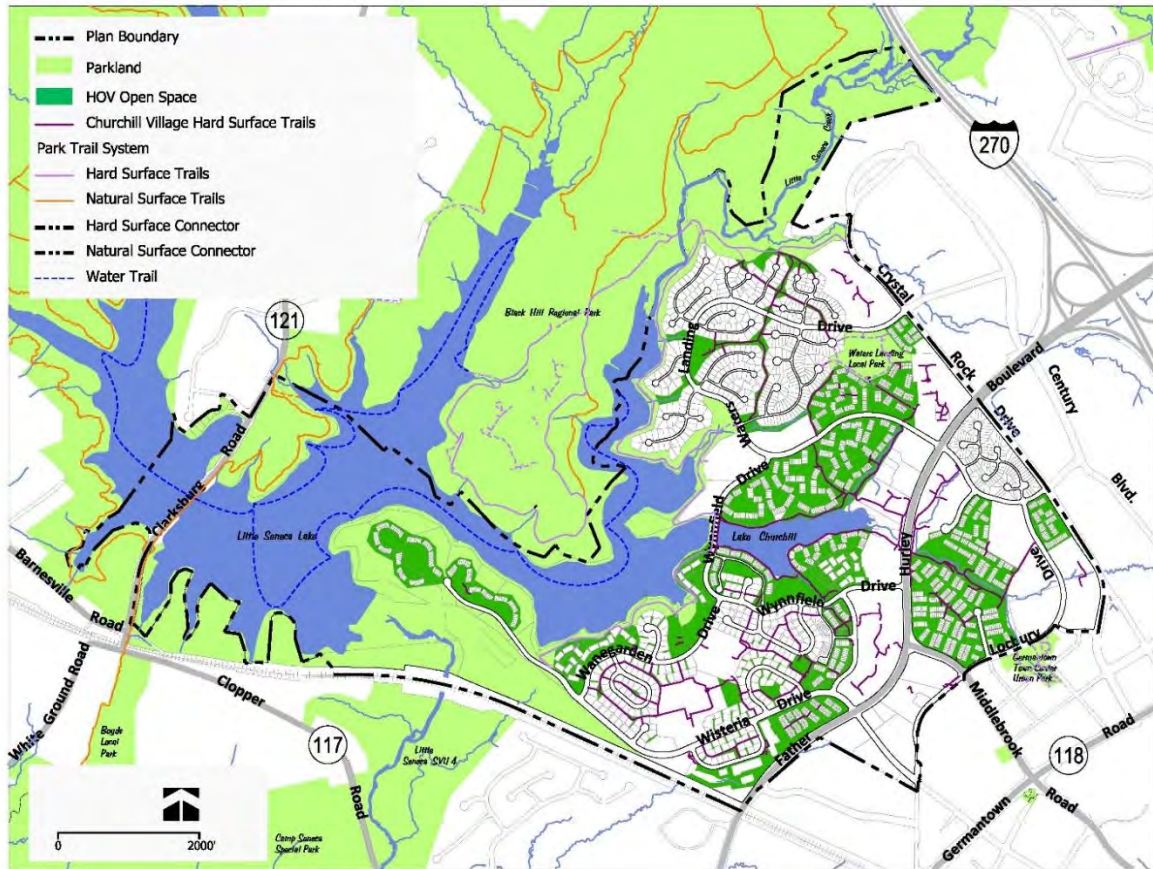
lake shores, and connecting with Black Hills Regional Park. There are swimming pools, playgrounds, and recreation centers owned and operated by homeowners' associations. Many of these facilities are embedded into the community and integral to the neighborhoods.

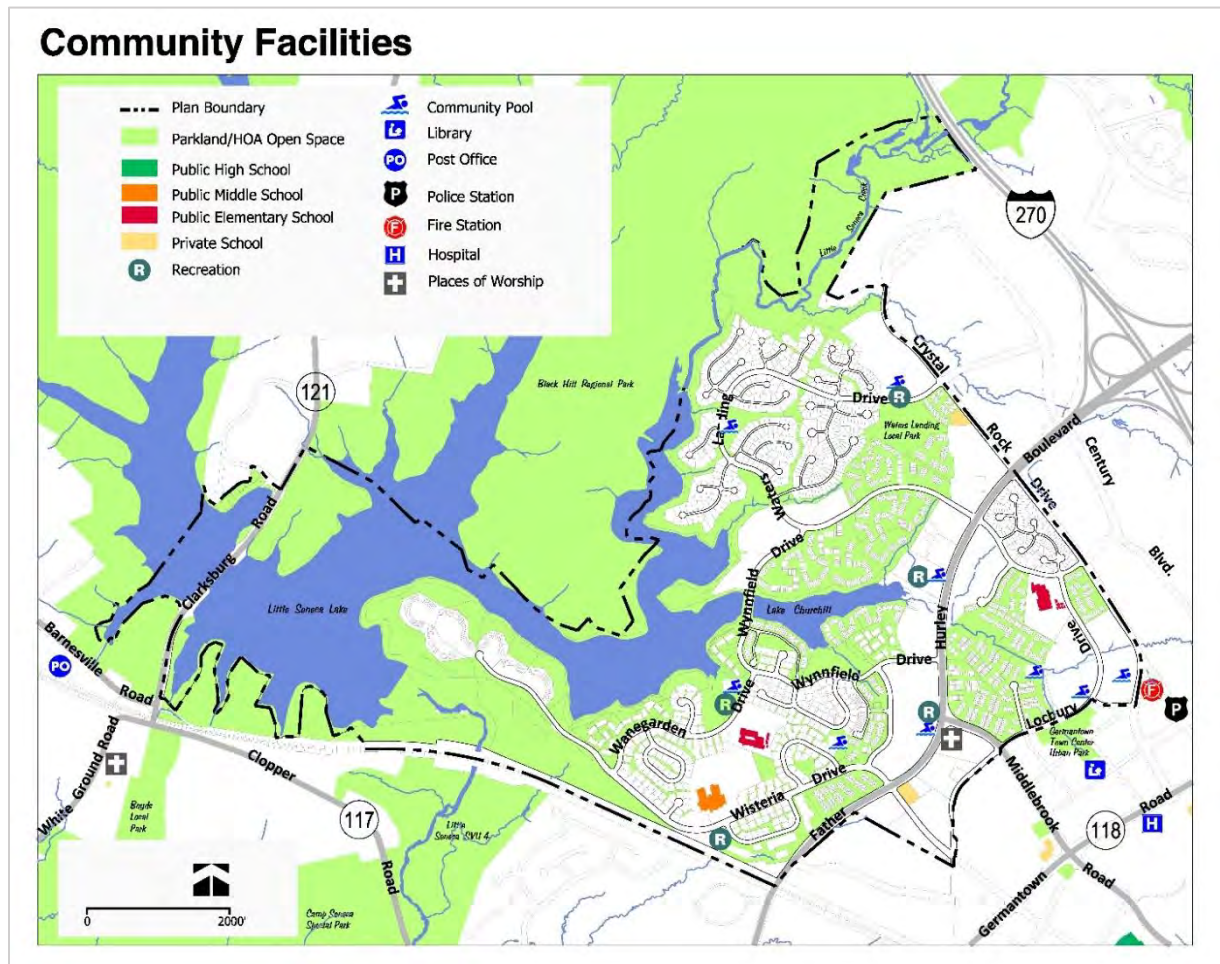
In order to preserve the community's residential character and open space system, as well as to ensure compatibility between existing and new development, staff is considering a Churchill Village Overlay Zone. The overlay zone would align with property that was formerly subject to the Churchill Village development plan. It would be shown on the official zoning map and added to the zoning ordinance.

As was discussed above, the T-S zone was different from conventional zones in that it provided flexibility with regard to development regulations (height, bulk, density, use). Consequently, much of the existing development does not precisely conform to the recommended zoning, especially since the bulk of the open space requirements for the individual developments were met by the overall provision of large amounts of open space elsewhere within the development plan area. In order to address concerns with respect to the implementation of new zones and potential unintended consequences as it relates to open space and development standards, an overlay zone is recommended specifically to:

- Preserve existing quasi-public open space and recreation areas owned and maintained by homeowner associations.
- Address compatibility between existing and future development.
- Allow uses that were permitted by right when established under the T-S zone to be grandfathered under the new zones.
- Address development irregularities on some properties that will occur as a result of rezoning from the T-S zone. Some properties that were built under the T-S zone do not precisely conform the development standards in the recommended zones. Such properties would be grandfathered.

Trails and Open Space





Access to Black Hills Regional Park

Regional parks in Montgomery County provide a wide-range of recreational opportunities. It is also a long-standing policy that such parks should retain at least two-thirds of the acreage for conservation purposes. The size of a regional park is generally 200 acres or more, and they typically provide facilities such as picnicking, campgrounds, water-oriented recreation, and hiking. Regional parks which exhibit unique features due to their location draw visitors from a large service area with the expectation that vehicular access is provided by existing major roads. Adjacent neighborhoods may generally have non-vehicular access through trails, either hard or natural surface.

At the November 29, 2018 meeting of the Planning Board, the Board questioned whether a vehicular access road from the northern part of the plan area into Black Hills Regional Park had ever been considered. Staff indicated that it would investigate the question. In 2002, Park Department staff conducted an access road feasibility study from Crystal Rock Drive and other locations in the vicinity (see Attachment B). Three possible alignments were studied, and it was determined that “all three road alignments... would have a significant impact on the

Staff Preliminary Recommendations
Germantown Plan for the Town Sector Zone
04/25/2019

environment. The clearing of the road would affect large number of trees and subsequently affect the bird habitat of the Park.”

Montgomery County Parks’ Best Natural Areas (BNA) contain the best examples of park natural resources in Montgomery County. The designated BNA at Black Hill Regional Park encompasses a large area of oak and hickory forest and the sensitive watershed of Little Seneca Creek. The construction of a road within in this area would irreversibly disrupt the forest interior habitat, Little Seneca stream, and wetland habitat. Due to the elevation changes, the road would require significant grading and retaining walls that would increase the footprint of the permanent forest disturbance. In addition, a road would cross and disrupt the existing trails in the area, diminishing the park user experience.

Conclusion

The Germantown Plan for the Town Sector Zone team presented its preliminary recommendations to the community on March 14, 2019 and will continue to further develop the plan’s recommendations. In an effort to continue engagement and seek community comment, staff is preparing an interactive online map to present the preliminary new zones in the master plan.

Staff seeks guidance from the Planning Board on the preliminary recommendations presented in this report and as shown on the preliminary zoning maps. Planning Board guidance and feedback will be incorporated into a master plan working draft. It is anticipated that the master plan working draft will be presented to the Planning Board in May 2019.

Schedule

The Germantown Plan for the Town Sector Zone master plan officially began in April 2018, with background analysis, data collection, information gathering, and outreach.

Transmittal of the Planning Board draft of the master plan to the District Council and the County Executive is scheduled for Summer 2019. The plan’s remaining major milestones are outlined below.

Schedule for the Germantown Plan for The Town Sector Zone

May 2019	Planning Board Draft
Summer 2019	County Council public hearing
Fall 2019	Commission adoption
Fall 2019	Sectional map amendment (rezoning)

Staff Preliminary Recommendations
Germantown Plan for the Town Sector Zone
04/25/2019

Contacts

Phillip Estes, AICP, Planner Coordinator
301-495-2176
Phillip.Estes@montgomeryplanning.org

Jamey Pratt, Senior Planner
301-495-4588
Jamey.Pratt@montgomeryplanning.org

Fred Boyd, Supervisor
301-495-4654
Fred.Boyd@montgomeryplanning.org

Project Webpage
<http://montgomeryplanning.org/planning/communities/area-3/germantown/germantown-plan-town-sector-zone/>

Twitter @montgomeryplans

Attachments

Attachment A: Draft Recommended Zoning Maps

Attachment B: Black Hills Regional Park Master Plan and Park Access Road Feasibility Study (2002)