



# MONTGOMERY COUNTY PLANNING DEPARTMENT

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

June 1, 2010

MCPB  
Item # 2A  
6/3/10

## MEMORANDUM

**TO:** Montgomery County Planning Board

**FROM:** John Carter, Chief *JC*  
Urban Design Division

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Urban Design Division

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Urban Design Division

**SUBJECT:** Draft Germantown Design Guidelines, May 2010  
Worksession No. 2

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**STAFF RECOMMENDATION:** Review Testimony and Approve Guidelines for  
Final Publication

## DISCUSSION

### Summary of Revisions

On March 11, 2010, the Planning Board held the first worksession for the March Draft Germantown Urban Design Guidelines. The Planning Board received comments from the citizens, property owners, and County agencies and directed the staff to make revisions to the Draft. The staff has made revisions requested by the Planning Board. A brief outline of the Planning Board's requests follows:

- Eliminate the illustrative layouts.
- Eliminate hard lines between different building heights unless specified in the Sector Plan.
- Work with MCDOT to revise text for the Public Utility Easements adjacent to the street rights-of-way.
- Delete references to number of stories and use feet to express allowable building heights.
- Continue to respond to individual property owner and agency concerns.
- Shift the case studies to the end of the document.

## **Review Process**

Since Worksession No. 1, staff continued to meet with citizens, property owners and agencies to address their concerns. The process for developing the guidelines has been as follows:

- Prepared an early draft to accompany the Planning Board Draft on February 2009.
- Presented the early draft to the County Council on July 2009.
- Updated the Draft Guidelines, October, 2009 with County Council's final Sector Plan approval.
- Held a public hearing on the Draft Guidelines on December 3, 2009.
- Scheduled Worksession No. 1 on the Draft Guidelines on March 11, 2010.
- Incorporated Planning Board changes into final Draft Guidelines, May, 2010 and hold Worksession No.2 on May 27, 2010.

## **ANALYSIS AND RECOMMENDATIONS**

Staff has prepared a summary of worksession comments from the Planning Board, property owners and agencies with staff recommendations for review by the Planning Board. These specific revisions have been incorporated into the May Draft of the Design Guidelines.

### **Item No. 1: Guideline Organization**

Staff reorganized the guidelines to emphasize three types of places in Germantown: Town Center, Montgomery College and Mixed Use Communities. The Town Center, the most intensely developed among the districts, is the heart of Germantown. Montgomery College is an academic village with the Germantown campus and Technology Park. The Mixed Use Communities are comprised of all the other districts with similar land use characteristics that include employment, housing, and retail. The Mixed Use Communities are Gateway, Cloverleaf, North End – West side, North End – Milestone, Seneca Meadows and Fox Chapel.

The Corridor Cities Transitway and its stations is a major organizing element for development patterns. The guidelines now include it in the list of defining characteristics emphasizing the importance of this transit system. The defining characteristics are: streets, open spaces, buildings, environment and the CCT.

Case Studies have been shifted to the end of the document as a reference guide showing examples of similar development that may inform development of the districts.

### **Item No. 2: Removal of Illustrative Drawings**

The Planning Board commented in Worksession No. 1 that the illustrative concepts layouts might be viewed as dictating how property should be developed. Staff has deleted the illustrative drawings from the May Draft Design Guidelines.

**Item No. 3: Condensed Text**

Staff reduced the length of the guidelines. Descriptive and repetitive text has been eliminated. Staff has retained the Sector Plan requirements in each section to help clarify what is a requirement versus a guideline.

**Item No. 4: Public Utility Easements in street rights-of-way**

The Planning Board requested Staff to work with Montgomery County Department of Transportation (MCDOT) to resolve differences and enable street oriented development to occur along those streets where urban character is desired. Staff has met with utility companies, MCDOT, and property owners and revised the language. Also, there is pending subdivision legislation to allow all utilities in the right-of-way. Bill 17-10, Public Utility Easement- Urban Roads will address this issue.

MCDOT wishes to eliminate references to Public Utilities Easements in the guidelines until the subdivision amendment is finalized by County Council. The revised language does not dictate where utilities should go, but instead identifies the objective of achieving street oriented development using the building setbacks required in the zones and guidelines. The staff revised language is:

- In urban areas, place utilities in locations that enable minimal building setbacks as required in the zone and these guidelines. Provide a coordinated utility concept plan at the time of regulatory review. Avoid a public utility easement (PUE) in front of buildings, if feasible.

**Item No. 5: MCDOT's Comments on Street Standards and Guidelines, Table A**

MCDOT and staff have worked on revisions to Table A that clarify lead agency responsibilities, identifying what is required by the Sector Plan, approved by the County Executive, and recommended by the guidelines. Revisions address MCDOT concerns. The revised Table A is included in the May Design Guidelines.

**Item No. 6: Citizens Concerns on Building Heights**

The Montgomery County Civic Federation expressed concerns that building heights especially in the transition areas were not consistent or clear. Staff met with Civic Federation representatives, revised the text to be consistent and added clarifying text on each building height legend that states:

- Step down building heights adjacent to residential communities to 35 feet (50 feet maximum including bonus density) to achieve compatible transitions unless the Plan identifies specific heights.

**Item No. 7: Rolling Hills Comments by Property Owner**

Clark Enterprises, owner of Rolling Hills, located in the Gateway District, raised concerns over the layout shown on the illustrative drawings, defining building height lines, building stories, and specific recreation facilities.

In response to the request from the Planning Board, staff revised the Design Guidelines to eliminate the illustrative drawings, blend the building heights (eliminating a definitive line), eliminate references to the 50 percent of the units to be located north of the stream valley, and add tree preservation text.

**Item No. 8: Safeway Property Comments by Property Owner**

The Artery Organization, owners of the Safeway Property in the Town Center along Century Boulevard, have expressed concerns over the building layouts, mix of units within a block, setbacks and public use space along Century Boulevard, and lack of specific Sector Plan language describing allowable uses.

Staff has revised the May Design Guidelines to eliminate illustrative drawings, delete recommendations for a mix of units within a block, delete public use spaces except for those specifically identified in the Sector Plan, and revise building setbacks along Century Boulevard to achieve a 20 – 25 foot building setback.

**Item No. 9: Seneca Meadows comments by Property Owner**

The Minkoff Development Corporation requested that the guidelines maintain flexibility for future development and that the illustrative drawing should be viewed as not the only way that properties can develop. The illustrative drawing has been eliminated. A big box retailer is permitted by the Sector Plan and the Sector Plan’s language should be included to clarify what is a requirement and what is a guideline.

**Item No. 10: Montgomery College and Holy Cross Hospital Comments by Linowes and Blocher**

Linowes and Blocher, representing Holy Cross Hospital, expressed concerns over showing a layout for their development. Illustrative drawings have been eliminated.

Montgomery College representatives raised concerns over the recommendations for an urban campus and the amount of tree preservation. The Planning Board agreed that the College should become a “compact and walkable” campus, but not necessarily an urban one. The case study for Montgomery College’s Silver Spring Campus will be eliminated from the document. The Planning Board supported the Sector Plan’s tree preservation requirement.

### **Item No. 11: Middlebrook Mobile Home Park Comments by Property Owner**

Clark Wagner, with the Buzzuto Development Company, requested a revision of the tree preservation along the eastern property line adjacent to the R-200 residential property. The Planning Board retained the proposed guideline to achieve 50 foot for tree preservation along the eastern property line on the Middlebrook Mobile Home Property. Staff has maintained the text accordingly.

### **CONCLUSIONS**

The Germantown Urban Design Guidelines incorporate the revisions requested by the Planning Board, staff, and additional comments by property owners and citizens. Worksession No. 2 provides the opportunity for the Planning Board to review the May Draft and provide further guidance to staff.

### **NEXT STEPS**

- Approve the Guidelines for final publication
- Provide a web based document.

M:Kumm/GermantownUrbanDesignGuidelines/PBWorksession2StaffMemo5.24.10