



August 25, 2008

MEMORANDUM

TO: Montgomery County Planning Board

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

FROM: Sue Edwards, Team Leader, I-270 Corridor
Community-Based Planning Division (301.495.4518)

SUBJECT: Worksession #1 - Germantown Master Plan Amendment

STAFF RECOMMENDATION: Review public hearing comments and set development standards for the Transit Mixed-Use (TMX) Zone in the Germantown Master Plan

This staff report addresses the following:

- I. Future worksession dates and topics
- II. Public hearing testimony summary
- III. Density allocation principles
- IV. Development standards for the TMX Zone in the Germantown Master Plan

I. FUTURE WORKSESSIONS

The Planning Board will consider staff recommendations and public hearing input on the following dates:

Worksession #2	September 25, 2008	Urban Design, Transportation
Worksession #3	October 6, 2008	Properties west of I-270
Worksession #4	October 30, 2008	Properties east of I-270, Staging

II. PUBLIC HEARING TESTIMONY SUMMARY

The Public Hearing for the Draft Germantown Master Plan was held on Monday, July 28, 2008 at Globe Hall on the Germantown campus of Montgomery College. Over 150 people attended with more than 45 people presenting testimony. The hearing record was held open until August 11, 2008 allowing for additional testimony to be entered into the record.

Attachment A summarizes the comments; the full record of correspondence is included as Attachment C. These comments will be addressed in subsequent worksessions.

Attachment A groups comments according to specific districts or as areawide comments. In general, comments correspond to concerns of residents, property owners and interested parties as follows:

No. of Comments	Category	Generalized Comments
14	Residents	<ul style="list-style-type: none"> • Maintain Germantown as family friendly community • No high rise buildings • Build transit; emphasize existing MARC transit • Focus on Town Center • Support historic resources that provide identity • Improve character of MD 355 • Oppose M-83
32	Property Owners	<ul style="list-style-type: none"> • Provide sufficient density to achieve amenities • Economics of TMX Zone • Build transit • Allow for new uses, e.g. active adult communities • Staging: don't allow urban service district to hold up development • Mixed views on Observation Drive through College • Plan needs to reflect ULI vision • Montgomery College academic campus and business park are important Germantown assets
13	Other parties	<ul style="list-style-type: none"> • De-emphasize automobiles • Roadway recommendations are too restrictive • Supports agricultural preservation through BLT easement program • Build transit • Protect forests and water quality • Oppose DOE historic designation • Oppose M-83 Midcounty Highway • Support M-83 as regional roadway • Increase affordable housing opportunities including retaining existing affordable housing

III. DENSITY ALLOCATION PRINCIPLES

The focus of the Draft Germantown Master Plan is to target employment and mixed use at existing and future transit stations. There are several CCT stations identified in Germantown, plus the existing MARC station area. Each of these stations will have a unique identity and combination of land uses and with differing levels of intensity based on the general appropriateness of the location.

Beginning with community meetings in 2005-2006 and the Urban Land Institute Advisory Services Report in June 2006, it is clear that the community, property owners, the County government, and other interested parties want to see Germantown develop with transit-served, mixed-use centers. These same participants also endorse the continued strength of the Germantown Town Center with its mix of cultural features, shops, restaurants, and housing. The Town Center, which is centrally located, and therefore targeted for the highest density, will be a lively destination for transit and pedestrian oriented entertainment, shopping and civic activity.

Staff developed land use and zoning recommendations for properties within the transit station areas using the following principles:

- The highest density, mix of uses and critical mass of activity will be at the **Germantown Town Center transit station**. The property bounded by MD 118, Crystal Rock Drive, Century Boulevard, and Aircraft Drive with TS zoning will have the highest density of 2.0 FAR.
- Properties surrounding the TS-zoned Town Center area and **within ¼ mile walking distance of the Town Center transit station** will have a maximum density of 1.0 FAR. This level of density will contribute to the concentration of activity at, and liveliness of, the Town Center, without detracting from the Town Center as the focal point of activity.
- The **MARC station area** and the **Cloverleaf and Seneca Meadows CCT stations** are appropriate for increased intensity and a broader mix of uses, with maximum densities ranging between 0.5 FAR near the edges of the ¼ mile walking radius and 1.0 FAR nearest to the transit stations.
- Density at future **Manekin and Dorsey Mill CCT stations** will be higher than currently allowed, but held to a maximum of 0.75 FAR to ensure compatibility with existing lower density residential uses.

Attachment B, Proposed Density at Transit Stations depicts these principles.

In areas where transit service is not planned, staff recommended minimal, if any, increases in land use intensity and limited rezoning.

IV. DEVELOPMENT STANDARDS FOR THE TMX ZONE IN THE GERMANTOWN MASTER PLAN

In the period since the Draft Germantown Master Plan was released for comment in May 2008, Planning staff and County Council staff have developed a new transit mixed use zone for use in transit station areas of the Twinbrook, Germantown, and White Flint master plans.

The Draft Germantown Master Plan will be modified as follows:

The TMX Zone will replace the TOMX Zone as the primary zoning tool for development in designated transit station development areas. An important element of the TMX Zone is its use as a receiving area for building lot termination (BLT) development rights. Like the Central Business District (CBD) zones, the TMX Zone establishes the standard method and optional methods of development. Under the TMX Zone, 12.5 percent of any density above the maximum allowed under the standard method of development would require the purchase of BLTs or a proportional contribution to the Agricultural

Land Preservation Fund. The BLT requirement applies to both residential and non-residential development with a mixed-use project. The TMX Zone provides the same amenity fund provisions as in the CBD and RMX zones. Site plans submitted for the TMX Zone must address general design principles recommended in the sector or master plan and also meet the design guidelines adopted by the Montgomery County Planning Board.

The TMX Zone provides more flexibility than the previous TOMX-1 Zone in setting standard and optional method densities in each sector or master plan and applies to both residential and non-residential components of a mixed-use project. The TMX Zone also sets design principles applicable to both standard method and optional method projects.

The Planning Board has discussed the TMX Zone most recently on July 30, 2008. The Council held a public hearing on July 29, 2008 where a number of property owners in the White Flint area and one property owner in Germantown addressed the development standards contained in the TMX zoning text. In testimony at the Germantown Master Plan public hearing other property owners commented on:

- Maximum building height (section 59-C-14.25.44)
- Minimum and maximum density of development (section 59-C-14.25.6)
- Existing buildings and uses (section 59-C-14.29)

These topics, and other zoning text issues, will be discussed at the County Council’s Planning, Housing, and Economic Development Committee (PHED) worksessions on Zoning Text Amendment 08-14 for the TMX Zone for September 9 and September 23, 2008. The section on existing buildings and uses has great relevance to Germantown properties currently zoned I-3 with approved density of 0.5 FAR (or 0.6 FAR with traffic mitigation).

Proposed TMX Development Standards for Germantown

Staff recommends the following development standards for TMX zoned properties in Germantown:

	TMX	
	Standard	Optional
59-C-14.25.1 Minimum net lot area for any development (in square feet) ¹		18,000
59-C-14.25.2 Maximum building coverage (percent of lot area)	75	
59-C-14.25.3 Minimum public use space (percent of net lot area)	10 ²	20 ³
59-C-14.25.44 Maximum building height (in feet)	42	⁴
-If adjoining or directly across the street from land confronting or developed in a residential zone with a maximum of 15 dwelling units per acre or less	35	
59-C-14.25.5 Minimum setbacks (in feet)		
-From an adjacent TMX Zone ⁵	15	
-From an adjacent commercial or industrial zone	20	
-From an adjacent single-family residential zone	25	25
-From a public right-of-way	10	
59-C-14.25.6 Minimum and maximum density of development ⁶ (floor area ratio)	0-0.5 ⁷	0.6-1.0 ⁷

¹A smaller lot may be approved if the lot is located adjacent to or confronting another lot classified in or recommended for the same zone or the combined lots are subject to a single project plan. The minimum lot area requirement does not prohibit a lot of less than 18,000 square feet for purposes of subdivision or record plat approval.

²The required standard method public use space may be reduced to 5 percent if the Planning Board finds that the reduction is necessary to accommodate the construction of Moderately Priced Dwelling Units (MPDU's) including any on-site bonus units.

³The required optional method public use space may be reduced or eliminated on-site if an equivalent amount of public use space is provided off-site in the same transit station development area within a reasonable time. A payment instead of all or some of the public use space may be made if approved under Division 59-D-2.31.

⁴Maximum building height permitted for any building under optional method must be determined in the process of project plan review. In approving a maximum building height, the Planning Board must consider the size of the parcel, the relationship of the building to the surrounding area, the need to preserve light and air among buildings, and the effects on the orderly development of the surrounding area.

⁵If the proposed building or the adjacent building on an abutting lot has windows or apertures facing the lot line that provides light, access or ventilation to a habitable space, the setback shall be 15 feet. If the adjacent building on an abutting lot does not have windows or apertures, no setback is required.

⁶The maximum dwelling unit intensity or residential FAR may be increased in proportion to any MPDU density bonus provided on-site and any workforce housing provided under 59-A-6.18.

⁷Master or sector plan recommendations may limit the maximum density within these ranges where necessary for orderly development of the surrounding area. 12.5 Percent of any density above the maximum standard method as set in the applicable master or sector plan must be through the purchase of BLTs or through a contribution to the Agricultural Land Preservation Fund described in section 59-C-14.30.

Existing Buildings and Uses

Zoning Text Amendment 08-14 provides for existing buildings, uses, and development approvals as follows:

59-C-14.29 Existing Buildings and Uses

- (a) Any lawful structure, building, or established use that existed before the applicable Sectional Map Amendment adoption date is a conforming structure or use and may be continued. Structurally altered, repaired, renovated, or enlarged up to 10 percent of the gross floor area or 7,500 square feet, whichever is less. However, any enlargement of the building that is more than 10 percent of the gross floor area or 7,500 square feet or construction of a new building must comply with the standards of the TMX Zone.

- (b) In the TS-R and TS-M zones, development under a development plan approved before the adoption of the applicable Sectional Map Amendment remains valid and construction may proceed subject to applicable approvals. Any increase in density above the approved development plan limit must be subject to the standards of the TMX Zone.
- (c) Development under a preliminary plan approved before adoption of the Sectional Map Amendment may be amended after the adoption of the applicable Sectional Map Amendment under the standards of the previous zone or under the TMX zone standards.

The TS-R and TS-M zones are not applied within the Germantown Master Plan area. Section 59-C-14.29 (a) applies to a number of properties where the I-3 Zone or other commercial zoning designations are currently applied.

Most notably, many of the large properties have preliminary plan approvals for unbuilt density where section 59-C-14.29 (c) would apply. This appears to be workable language to address property owner concerns. Further clarification is needed as to what point the standards of the previous zone “expire” and when the shift to TMX zone standards and uses occurs.

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Attachments

- A. Germantown Public Hearing Testimony Summary
- B. Proposed Density at Transit Stations
- C. Public Hearing Correspondence

ATTACHMENT A

Germantown Public Hearing Testimony

I.D.	Type	Person/Company	District	Comments	Worksession Topic
4	7/28 TES	Margaret Schoap Dayspring Retreat Center	Areawide	<ul style="list-style-type: none"> • Opposes M-83 • TPR removed M-83 for modeling purposes – why is it still being studied? 	Transportation
5	7/28 TES PPT	Beverly Magda Germantown Alliance	Areawide	<ul style="list-style-type: none"> • Jobs jobs jobs. • Transit transit transit. • Safety issues with Observation Drive at Montgomery College. • Opposes Department of Energy historic designation. • No highrise buildings. • Don't let urban service district hold up development. 	Density, Urban Design, Staging
6	7/28 TES	Ben Ross Action Committee for Transit	Areawide	<ul style="list-style-type: none"> • This is not a transit oriented plan – too much automobile. • All capital projects are vehicular – no capital project for CCT. • Connect Transit Center directly to HOV lanes. • Promote mixed use along major bus routes. 	Transportation/CCT
7	7/28	Jim Clifford Agricultural Policy Task Force	Areawide	<ul style="list-style-type: none"> • Supports BLT. • Sound and fair policy to limit rooftops in Agricultural Reserve. 	TMX Zone
8	7/28 LTR	Marilyn Balcombe Germantown Chamber of Commerce	Areawide	<ul style="list-style-type: none"> • Density for TMX set below current I-3 density. • First step in staging plans requires formation of urban service district which is beyond control of property owners. • Observation Drive should not be part of staging plan. • Fox Chapel recommendations should be earlier in staging plan. • Opposes historic designation of Department of Energy. • Supports 1600 CLV for Town Center with expanded policy area boundaries to match expanded Town Center boundaries. • One way pair for Aircraft/Crystal Rock will hurt retail locations. 	Density, Transportation, Staging

I.D.	Type	Person/Company	District	Comments	Worksession Topic
9 9a	7/28 8/11 LTR	Doug Wrenn Germantown Task Force	Areawide	<ul style="list-style-type: none"> • Does not meet ULI vision for multiple centers of activity that could be similar in density and mix of uses. • Uses examples from Arlington's Rosslyn/Ballston corridor where incentive zoning created densities from 1.5 FAR to 3.8-6.0 FAR when desired mix of uses and amenities proposed. • Reorganize districts to what is real and recognizable. • Replace name of suburban-style Town Center with Germantown Urban Business District. • Be clear about top priorities. • Rethink staging elements especially the urban service district. 	Transportation/CCT, Staging, Town Center
10	7/28	Susan Soderberg Germantown Historical Society	Areawide	<ul style="list-style-type: none"> • Destroying the historicity of the place. • Re-examine the wedges and corridor concept which is not relevant to the 21st century. • Should be satellite cities not corridor cities. 	Transportation/MARC, Historic District
11	7/28	Inez Vega IDI (senior housing)	Areawide	<ul style="list-style-type: none"> • Wants master plan recommendation for senior housing, active adult communities. • Senior housing should be able to go in first phase of staging. 	Housing, North End, Staging
12	7/28	Mike Rubin Self	Areawide	<ul style="list-style-type: none"> • Importance of Agricultural Reserve. • Also a developer – need streamlined development approval process. • Create ombudsman position as final arbiter of staff disputes. 	TMX Zone
13	7/28 TES	Sharon Dooley Self	Areawide	<ul style="list-style-type: none"> • Balance between rural and urban. • Tall buildings are grandiose for Germantown. • There are still unbuilt housing units from last plan, why propose more. • Current foreclosures will depress housing values. 	Density, Urban Design
14	7/28 TES	Kathie Hulley CAC member	Areawide	<ul style="list-style-type: none"> • Build M-83 – it is needed. • Reconsider school capacity. • Questions whether more MARC riders can be accommodated. 	Transportation, Schools

I.D.	Type	Person/Company	District	Comments	Worksession Topic
15	7/28 TES	Pamela Lindstrom Self	Areawide	<ul style="list-style-type: none"> • Redeveloping mobile home park will take away affordable housing. • Develop senior housing master plan across entire county. • Plan has good vision. • Too uniform density over too large area. • TMX zone not justified. • Concern that modified CCT route proposed by Johns Hopkins could reduce ridership to such a degree that the CCT segment to Germantown and Clarksburg would not be justified. 	TMX Zone, Transportation/CCT
16	7/28 8/4 LTR	Mary Siegfried	Areawide	<ul style="list-style-type: none"> • Speaking as a general resident. • Focus should be on the Town Center. • Four smaller "cities" causes chaos and congestion. • Emphasize existing transit which is MARC. 	Town Center, Transportation/MARC
17	7/28 PPT	Jackie Nelligan Student	Areawide	<ul style="list-style-type: none"> • Student opposes M-83. • Would fragment forest, damage habitat. 	Transportation
43	7/28	Richard Wilder	Areawide	<ul style="list-style-type: none"> • Opposes M-83. 	Transportation
43a	8/11 PPT	Richard Wilder Montgomery Village resident	Areawide	<ul style="list-style-type: none"> • Cost of M-83. • Excessive environmental impact from all 11 M-83 alternatives. • Wildcat Branch is Class III stream and partially designated as a Special Protection Area. • Traffic impact to Montgomery Village of M-83. • Supports consideration of Alt 5 that uses existing MD 355. 	Transportation
44	7/28 TES	Cindy Snow Self	Areawide	<ul style="list-style-type: none"> • Supports transit service to Montgomery College from the south at Middlebrook Road. • Staging for plan should mention CCT. • Retain market rate affordable units at Rolling Hills apartments. 	Transportation/CCT, Housing
45	7/28 TES	Andy Aviles CAC member	Areawide	<ul style="list-style-type: none"> • Supports Town Center with its mix of uses, cultural facilities. • High rise buildings out of character for Germantown. • Prefers to keep status quo of Germantown rather than ruin the family-oriented place that is Germantown today. 	Urban Design, Town Center properties

I.D.	Type	Person/Company	District	Comments	Worksession Topic
46	7/28 LTR	Diane Schwartz Jones County Executive Office	Areawide	<ul style="list-style-type: none"> • Concerned about “of right” density in TOMX zone. • Densities outside of Town Center may not support transit and redevelopment. • Requests analysis of specific improvements to bring intersections to CLV of 1.0 or better. • Recommends only showing western leg of CCT to be consistent with MTA study. • Supports eliminating Middlebrook CCT station. • Need more locations for Town Center commuter parking. • Circulator bus service should not overlap with the extensive Ride-On service currently provided. • Expand MARC parking spaces as part of West End land use recommendations. • Opposes study of Urban Network Alternative at MD 355/Middlebrook Road. • Opposes consideration of M-83 alternative along MD 355. • Opposes partial interchange at Dorsey Mill Road as too close to existing interchange of I-270/Father Hurley Boulevard. • Opposes I-270 crossing between Century Boulevard and Seneca Meadows Parkway. • Concurs with Observation Drive extended but defers to Montgomery College and to pedestrian safety in the location of the road. • Opposes Wisteria Drive as four-lane divided roadway with 80-foot ROW. This standard has not been adopted by County Council in road code revisions. • Support portions of local street network except for Century Boulevard west of Wisteria Drive; new road B-17. • Support certain roadway reclassifications; oppose designation of Middlebrook Road as business district street between Father Hurley Boulevard and MD 118. • Oppose change in circulation patterns of Aircraft Drive and Crystal Rock Drive. 	Transportation, TMX Zone, Staging, Town Center properties

I.D.	Type	Person/Company	District	Comments	Worksession Topic
46a	8/8 LTR	Diane Schwartz Jones County Executive's Office	Areawide	<ul style="list-style-type: none"> • Oppose the many instances where streetscape and road design features are specified in draft master plan. • Requests wider ROW than recommended for Father Hurley Boulevard; Observation Drive from Dorsey Mill to Germantown Road; Ridge Road; Century Boulevard; Dorsey Mill extended. • Opposes recommendation to not widen intersections of MD 118; supports pedestrian-friendly street design. • Opposes creation of a parking district as not in the best interest of the County. • Suggests transportation analysis be conducted for every stage. • Establish the urban service district in a manner that is workable for the Executive Branch implementation agencies. • Possible that the vitality of the Town Center will be weakened by multiple other transit centers such as Cloverleaf, North End. • Requests all properties within plan area be provided community water and sewer through the Comprehensive Water Supply and Sewerage Systems Plan. • A comprehensive infrastructure analysis should be conducted to determine what infrastructure is needed to support recommended densities. • Notes incompatibility of public safety uses with mixed use development and high density residential uses. 	Affordable Housing
42	8/6 LTR	Robert Hydorn, President Montgomery Village Foundation	Areawide	<ul style="list-style-type: none"> • Advocates a balanced housing stock including affordable housing opportunities. • For publicly owned sites, supports both affordable and workforce housing. • The County Executive's Affordable Housing Task Force recommends each master plan set affordable housing targets. 	Transportation
				<ul style="list-style-type: none"> • MV Foundation long opposed M-83. • Encourages alternatives such as Alt 2 and Alt 5. 	

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47	8/12 email	Lisa Murdock	Areawide	<ul style="list-style-type: none"> Natural beauty surrounding Germantown; diversity of residents is an asset. Improve character of MD 355. Opposes high rise buildings. Wants CCT as light rail. 	Transportation, Urban Design
51	8/11 LTR	Kathie Hulley Clarksburg Civic Assoc	Areawide	<ul style="list-style-type: none"> Supports M-83 as essential corridor to Damascus, Clarksburg and beyond. Questions how 7,500 new dwelling units do not result in need for any new schools. New residential units in Germantown will stifle potential for public transportation north of Germantown. New MARC riders will stress commuter rail capacity, parking. Notes that Adventist Hospital has owned property in Cabin Branch development of Clarksburg for future hospital. If Holy Cross comes to Montgomery College property, what happens to employment potential of the Clarksburg property? 	Transportation/MAR C, Schools, Montgomery College properties
52	8/11 email	Cynthia Fain	Areawide	<ul style="list-style-type: none"> Retain forests on Montgomery College and North End properties. 	Montgomery College, North End properties
27	7/28	Campbell Smith Century Tech Park	Cloverleaf	<ul style="list-style-type: none"> Redevelopment potential of 2.4 million (55 acres) in transit-oriented configuration. Concerns about staging – take out things that are not under control of property owners AND indicate where infrastructure should be tied to staging of specific properties. Opposes 60/40 split between commercial and residential because it increases cost, increases parking demand, and loses the benefits of mixed use. Bridge over I-270 is vague, no proof that it's needed. Owner proposes townhouse units in this location. 	TMX Zone, Transportation, Staging, Cloverleaf properties
1	6/18 LTR	Steve Orens YBM Construction	Fox Chapel	<ul style="list-style-type: none"> Opposes extension of Blunt Road. Requests cul-de-sac recommendation to continue. 	Transportation, Fox Chapel properties
22	7/28	Hishmat Eskandari Islamic Society of Germantown	Fox Chapel	<ul style="list-style-type: none"> Represents owners of Parcel 471, a proposed Mosque site along Blunt Road. 	Transportation, Fox Chapel properties

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25	7/28 MAP	Clark Wagner Bozzuto	Fox Chapel	<ul style="list-style-type: none"> Opposes Blunt Road extension and widening to Middlebrook Road due to its impact upon proposed Mosque. Closure of Giant Food store at Fox Chapel Shopping indicates economic problems, area in need of revitalization. Mobile Home has fractured zoning, needs to be consolidated and better integrated with shopping center. Staff recommendation of 18 du/acre too low. Requests 30 du/acre or approximately 722 units in order to preserve affordable housing units and 53,000 SF retail along I-270. Proposes .7 FAR. 	Fox Chapel properties, Housing
23, 24	7/28	Hwaida Hassanein Murtaz Jahan Day Care Business Owners	Fox Chapel	<ul style="list-style-type: none"> Opposes Blunt Road connection to Middlebrook Road. Traffic increase will create unsafe conditions for children, residents and businesses using the current dead end street. Turning movements and two way traffic will be dangerous. ISG offers many programs for the community. Its functions will be negatively affected by the proposed street extension. 	Transportation, Fox Chapel properties
28	8/6 LTR	Anne Marie Vassallo MCT Federal Credit Union	Fox Chapel	<ul style="list-style-type: none"> Supports C-1 zoning recommendation. Wants to see Outlot A also rezoned to C-1 to facilitate MCT access and circulation. 	Fox Chapel properties
56	7/28 TES	MD 355 homeowners	Fox Chapel	<ul style="list-style-type: none"> 10 property owners request rezoning from R-200 to Commercial. All have frontage and driveways on MD 355. 	Fox Chapel properties
40	7/28	Barbara Sears For Rolling Hills/Clark	Gateway	<ul style="list-style-type: none"> Current zoning theoretically produces 1700 units. Wants RMX-1 w/35 units per acre + commercial but no TDR requirement. Staff recommendation inconsistent with policies (transit, mix of types, MPDUs) to retain current units. 	Gateway properties, Housing
18, 19, 20, 21	7/28	Dr. Hercules Pinkney Rocky Sorrell/Steve Poteat Doug Firstenberg/Bryant Foulger, Montgomery College	Montgomery College	<ul style="list-style-type: none"> College will grow to 20,000 students (at least 2056) and needs to expand academic campus. Tech Park is part of the vision of the college offering a synergy with the college and has been planned for some time with \$17 m public money. 	Montgomery College district properties, Transportation

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27a	7/29 LTR	Campbell Smith Trammell Crow/Milestone	North End	<ul style="list-style-type: none"> Academic master plan developed by the college is a mixed use plan including academic, Tech Park and workforce housing. Tech Park jobs are jeopardized by Draft Plan proposal to set aside 50 ac of forest along I-270. Biotech building types, i.e. low buildings are not accommodated by the Plan. (Need surface parking/three stories.) Visibility of Tech Park from I-270 is jeopardized by forest conservation. ULI study says high quality tech jobs are needed in Germantown. Building types supported by Draft Plan of small footprints, six to eight stories do not support biotech type functions. Need a signature site along I-270 for a 420,000 s.f. in a single building. Have a potential tenant, but will lose if required to set aside the 50 acres of forest. Working with special legal counsel and other academic institutions to develop a zone that will be flexible and integrate appropriate land uses in an academic setting including the possibility of a floating zone. Economics of TMX zone. Development standards of TMX zone. Reduced densities recommended for North End. 	TMX Zone, Density
34	7/28	Justine Beachley Cloverleaf Townhomes Assoc	North End	<ul style="list-style-type: none"> Germantown is affordable, peaceful and family-oriented; don't alter the quality of life. Transit station will bring crime. Do impact studies. Kinster Drive should remain a dead end. Focus on the Town Center. Don't keep growing. 	North End properties, Transportation
35	7/28	Michael Ferry Resident	North End	<ul style="list-style-type: none"> Town Center is a prime example of a success. Opening Kinster creates safety problems and would disconnect the community. If opened, two lanes only. 	North End properties, Transportation

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48	8/11 LTR	Delores Milmoie Audubon Naturalist Society	North End Montgomery College	<ul style="list-style-type: none"> • People don't move to Germantown for jobs or walking. • Maintain the character and safety of the road. • Study Kinster residents' needs. • Environmental stewardship to preserve high quality interior forest at Montgomery College; 400 mature trees with 108 meeting "specimen tree" definition. • North End forest: protect habitat and stream quality of Little Seneca Creek. • Highly support recommendation of 40% tree cover for the future. Currently less than 14% tree cover. 	Montgomery College, North End properties
49	8/11 email	David Hauck Sierra Club	North End Montgomery College	<ul style="list-style-type: none"> • Preserve Lerner property forest – mature oak and beech forest is free of invasive plants. • Retain high quality contiguous forest on Montgomery College property with 108 specimen trees. • Urge 45% forest cover objective for Germantown, not 40% recommended by staff. 	North End properties, Montgomery College properties
29	7/24 LTR	Nicole Totah and Steve Kaufman	North End	<ul style="list-style-type: none"> • Support vision of plan. • Need to work on TMX zone – more incentives, fewer mandates. • Need interim uses to bring jobs. • TMX standard method 0.3 FAR is too low. 0.5 as a matter of right. • No exactions until over 1.0 FAR. • Need ongoing citizen outreach during change/implementation. • In favor of an urban district. • Put partial interchange in an earlier phase. • Nicole: approve streets and allow blocks to change – exchange density. • Allow height along I-270 (form can reduce bulk/mass). • Economics must make sense so that financing can be attained – increase revenues and reduce costs. • Developers can control some costs, not others – need to control the exaction costs. 	TMX Zone, Density, Urban Design, Transportation, Staging

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30, 31, 32, 33	7/28 LTR MAP	Robbie Brewer, Don Evans, David Kitchens, Warren Elliott Lerner Enterprises	North End	<ul style="list-style-type: none"> Current entitlements under TS Zone 1.3 m s.f. office. Agrees with recommendations for mixed use, employment emphasis, I-270 access ramps, local streets and pedestrian networks. Opposes: limitation of residential to 570 multi-family dwellings, forest preservation, 8-story height max, and staging. Proposes a change to TS zoning text to allow different population value for active adult housing. Need more info on linear park along Crystal Rock Drive. 	North End properties, Urban Design, Staging, Transportation
26	7/28	Bradley Chod Minkoff Development	Seneca Meadows	<ul style="list-style-type: none"> TMX zone problematic with the proposed .3 FAR and 28' building height limit for Standard Method. TMX Zone in conflict with existing entitlements. Opposes the staging trigger for the bridge over I-270 before Stage 2 and Seneca Meadows can proceed. Requests traffic analysis to understand why the eastside traffic is such a problem (PAMR analysis) when the failing intersections occur on the west side of I-270. Questions the need for a recreation center and 2 acre park on Seneca Meadows. Proposed housing on their property doesn't justify this. Opposes impact fees as too expensive and will discourage development. 	TMX Zone, Transportation, Staging, Seneca Meadows property
2	7/1 LTR	Jim Clifford Bud Wildman property	Town Center	<ul style="list-style-type: none"> TMX zone would render existing auto repair business non-conforming. Requests C-3 zoning for adjoining parcels. 	Town Center
41	7/28 TES	Bob Dalrymp/Justin Hayes Matan Companies	Town Center	<ul style="list-style-type: none"> TMX proposal standard level density is less than by-right density allowed under current I-3. Standard Method creates problems given that the current I-3 zone allows .5 FAR. (Tantamount to taking away allowed density in order to get back through the Optional Method of Development with Building Lot Termination requirements. 	TMX Zone, Density, Transportation, Urban Design

I.D.	Type	Person/Company	District	Comments	Worksession Topic
50	8/8 LTR	David Freishtat Gunners Lake Thirteen Ltd. Partnership	Town Center	<ul style="list-style-type: none"> Grandfathering provision needs to consider pending preliminary and site plan for this 12.2 acre property at the bend of Century Boulevard and I-270. Building heights along I-270 should be clarified. Clarify statement that 50% of non-residential in the Town Center allowed to proceed according to the Staging Plan. Trevion property currently has C-O zoning. Approval for 450,000 s.f. office with approximately 160,000 s.f. built. TMX Optional method density is lower than C-O density of 1.5 FAR. Unfair to hinge a property's development potential on the availability of BLTs that may or may not be available. In this case, BLTs a mechanism to compel the property owner to buy back density otherwise lost from C-O potential. Other requirements also burden properties developed under TMX: MPDUs, additional on-site amenities, transportation mitigation, etc. Prefers continuation of C-O or apply PD-60. PD-60 could result in additional 205,000 s.f. office; 750 du; 25,000 s.f. locally serving retail. 	TMX Zone, Density
53	5/8 LTR	Cliff Stein Savatar Realty Advisors	Town Center	<ul style="list-style-type: none"> Century XXI office complex built with 175,000 sf. Includes 4-level parking garage. Property zoned I-1. Requests to build housing above parking garage at 2.0 FAR. Also requests retail designation for vacant area in front of office buildings for single story retail. 	Town Center properties
3	7/3 EMAIL	M. Staquet Staquet parcels	West End	<ul style="list-style-type: none"> Requests status of the Costco proposal. Requests County to acquire both parcels in entirety if B-2 cul-de-sac removed and direct access made to MD 118. 	Transportation West End properties
36	7/28 TES	Sue Carter MM&C on behalf of Mark Wildman, property owner	West End	<ul style="list-style-type: none"> Rezone to RMX-2C to make existing use conforming. New road cuts through property – not discussed at CAC meetings – too close to MD 118, and should have been discussed. 	Transportation, West End properties

I.D.		Type	Person/Company	District	Comments	Worksession Topic
36a	7/28 LTR	Sue Carter for Mark Wildman	West End	<ul style="list-style-type: none"> Same points as oral testimony. 	Transportation, West End properties	
37	7/28	Mark Wildman Property owner	West End	<ul style="list-style-type: none"> Distance from Waters Road to MD 118 is too close. Connect from Father Hurley to MD 118. 	Transportation, West End properties	
38	7/28	Phil Perrine Property owner	West End	<ul style="list-style-type: none"> DLSS Property on Walter Johnson Drive. Existing Schematic Development Plan under O-M zone for about 50,000 s.f. office (about 0.5 FAR). Considering productivity housing at 21.5 units per acre. Wants multi-family with ground floor retail, not attached housing. TOMX/TMX Zone limits height to 28' – wants 50' for pitched roof. 	TMX Zone, Urban Design, Housing, West End properties	
38a	7/25 LTR	Phil Perrine DLSS property	West End	<ul style="list-style-type: none"> Owners want to do productivity housing at 21.5 du/acre. Request MF residential. Increase height limit in TMX Zone to 50 feet. 	West End properties, Housing	
39	7/28	Vernon Martens Son of property owner	West End	<ul style="list-style-type: none"> Current site plan approved for total of 63 acres. Housing under current master plan (610 du) is built – remaining 26 acres of commercial (250,000 s.f.). Infrastructure is in place for commercial but MP reduces that to 100k and adds 300 dus. 	West End properties	
54	8/5 LTR	Kristin Baczynski	West End	<ul style="list-style-type: none"> Requests increase in MARC parking spaces. Will new four-story parking garage result in net increase of parking spaces when one surface lot is eliminated? 	West End properties	
55	8/11 email	Lynne Rosenbusch	Areawide	<ul style="list-style-type: none"> Plan pays lip service to the viability of CCT. Suggests additional parking for Ride-on bus #70 and bus #100 at MC. Need more detail for bike facilities. 	Transportation	
7/28	Oral testimony at public hearing					
TES	Written testimony					
PPT	PowerPoint testimony					
MAP	Graphic exhibit(s)					
LTR	Letter					

ATTACHMENT B

Proposed Density at Transit Stations

