



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
Item #5
6/18/09

June 12, 2009

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Glenn Kreger, Acting Chief *GK*
Vision Division

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SUBJECT: Worksession #13: White Flint I Sector Plan
Continue Discussion of Staging, Administration and Financing;
Begin Review of Final Draft

STAFF RECOMMENDATION: Approve Staff Revisions to Public Hearing Draft Text

CURRENT JUNE-JULY WORKSESSION SCHEDULE

July 9 Worksession #14:
Review Draft

July 23 Worksession #15
Request to Transmit

PURPOSE OF THIS WORKSESSION

The purpose of this worksession is twofold:

- Part 1: Continue to discuss the Staging Plan interface with Administration and Financing
- Part 2: Begin an in-depth review of the Draft White Flint Planning Board Draft.

PART 1: STAGING PLAN INTERFACE WITH ADMINISTRATION AND FINANCING

a. Draft Plan Proposal

The Draft Plan described financing and administrative mechanisms working together as an Implementation Authority. The Implementation Authority would collect money from various, specified public and private sources, and would then program the expenditure of those funds by way of a distinct Capital Improvements Program (CIP). The Implementation Authority's CIP would include only those transportation projects necessary for advancing the staging element of the Draft Plan.

b. Planning Board Worksessions

On May 7, staff presented potential changes to the recommendations of the Draft Plan in light of new information obtained after the Public Hearing. The Board discussed with staff from the Executive Branch aspects of the Executive's testimony. During that discussion, the Board made two relevant decisions:

1. The Plan should not recommend an administrative mechanism
2. The Plan should recommend the use of Tax Increment Financing (TIF)

The implication of the first decision is that it may no longer be possible to fund one list of projects with both public and private money, and that it might be necessary to create two separate lists (public projects and private projects). This is because the private sector would be unwilling to make annual assessment payments towards infrastructure if the expenditure of that money would then be subject to the uncertainties of the regular CIP process.

The Board inquired about the work being done by consultants working for the Director of Finance. That discussion included questions regarding the scope of that consultant's work and the schedule. It was generally felt at that session that it would be sufficient if the Executive's consultants could produce an analysis showing the bonding capacity of various combinations of tools before the Council took up the Sector Plan.

On June 4, staff proposed revisions to the Draft Plan language. The revisions eliminated reference to the Implementation Authority and included a description of the existing tool box for financing the Sector Plan. The tool box included tax increment financing, special assessments, development districts, and excise taxes.

Staff's fundamental assumption was that some projects would be funded by the private sector (either through a special assessment district or a development district, or both) and other infrastructure projects would be funded by the public (either through tax increment financing or by issuing general obligation debt as part of the regular CIP).

Staff assumed that the determination of the proportional contributions of the private sector and public sector would be made by the Executive on the basis of the approved and adopted Sector Plan, the current state of relevant legislation, and the results of the Executive Branch financial analysis of the Sector Plan.

The Planning Board rejected staff's approach, and requested that the language be changed to include only two tools: tax increment financing and a special assessment district. The Board also requested that the revised language be more specific about how the funding mechanism should work and what the relationship should be between the financing tools and the staging requirements. In light of that conversation, staff is returning for additional guidance with respect to financing and staging.

Issues and Staff Recommendations

Issue 1: Tax Increment Financing and Special Assessments

The issue remains as to how to finance which projects. Staff suggests that there are two ways that the financing tools could be used to fund critical transportation projects designated as staging requirements in the Sector Plan.

- *Two Separate Funding Sources for Two Separate Lists of Projects.* Divide the transportation staging projects into two lists—one to be funded by the public sector and one to be funded by the private sector. The public sector would pay for some projects by issuing TIF bonds or general obligation bonds, and the public sector would cover any revenue shortfall. The private sector would pay for some projects through a special assessment and would have to cover all of the bond payments for those infrastructure projects. This approach would put limits on the exposure of all parties in the event of a revenue shortfall. Practically speaking, this would involve the following steps:
 - Create a Tax Increment Financing District to pay for some of the infrastructure and public facility projects that are required before advancing to Phase 2. Whatever is not paid for by the TIF must be paid by the General Fund. Create a Special Assessment District to pay for some of the infrastructure projects that are required before advancing to Phase 2.
 - Determine the list of projects to be funded by each tool on the basis of the projected bonding capacity of those streams of revenue.
- *Combined Funding Source for One List of Projects.* Fund all transportation staging projects together using a combined TIF/Special Assessment District. The TIF would be the primary source of funding for the bond payments, and the Special Assessment District would be the secondary source. In the early years, when incremental revenues are low, most of the funding necessary to cover bond payments would come from the Special Assessment. This approach could result in significant and uncertain financial exposure of the private sector in Phase 1.
 - Create a Tax Increment Financing District to pay for some of the infrastructure and public facility projects that are required before advancing to Phase 2.

- Create a Special Assessment District to cover any difference between the amount necessary to cover the annual payments on TIF bonds issued and the actual revenues generated by the TIF in any given year. This would require an annual determination of projected TIF revenues for the coming tax year and subsequent calculation of any Special Assessment based on a rate and method established in the legislation that created the Special Assessment District.

Staff notes that under either scenario, the County must approve legislation and the County must conduct extensive financial analysis. The following is a rough outline of the necessary components of legislation creating a TIF District and Special Assessment District.

Tax Increment Financing District

A Tax Increment Financing District typically involves an extensive “sources and uses” analysis, which would result in a projection of incremental revenues by source. This determination would inform the list of infrastructure and public facility projects to be paid for by the TIF District. To create a Tax Increment Financing District, the County Council would need to pass legislation containing the following key elements:

- Define the geographic area to be included in the TIF District. This might include both a map and a list of all affected tax identification numbers.
- Specify that the District created is a TIF District.
- Authorize the creation of a special fund that would hold the revenues until they are spent.
- Specify sources of revenue. Under current law, property tax can be specified without any additional actions required. In order to use other sources of revenue, the area must be determined by the State of Maryland to qualify as a Transit-Oriented Development. Such a determination could enable the County to capture other taxes, such as recordation taxes or development impact taxes.
- Establish the portion of incremental revenues, by source, that would be captured by the District.
- Define the projects that would be paid for by the TIF District.

Special Assessment District

A Special Assessment District requires extensive analysis of revenue projections based on various assessment rates and methods. Though there is currently no consensus on the legal authorization to create a Special Assessment District, legislation creating any such district would probably contain—at a minimum—the following elements:

- Define the geographic area to be included in the Special Assessment District. This might include both a map and a list of all affected tax identification numbers.
- Specify that the District created is a Special Assessment District.
- Authorize the creation of a special fund that would hold the revenues until they are spent.
- Specify the method for calculating the special assessment (front foot, ad valorem, trips generated, etc.).
- Specify the assessment rate for each land use (alternatively, this rate could be determined annually by the Council when the TIF District fails to generate enough revenues to cover the annual payments on the TIF bonds issued).
- Define the projects that would be paid for by the Special Assessment District.

Staff Recommendation:

The Planning Board decided in the June 4 worksession to recommend both a TIF and Special Assessment District. The private sector and the Executive Branch are in the process of analyzing the financing tools recommended in the Sector Plan. In addition Executive Branch staff is projecting the costs of the projects as required. The private sector and the Executive Branch should have completed analysis of the financing tools recommended in the Sector Plan before the Council begins work sessions this fall.

- The Planning Board should continue to recommend a TIF and Special Assessment District as they had concluded at the June 4 worksession.

Issue 2: Connections between Staging and Financing

At the June 4 worksession, the Planning Board raised concerns regarding the coordination between the financing mechanisms and funding the projects recommended in the Staging Plan.

There was lengthy discussion regarding specific staging requirements, during which Commissioner Robinson expressed the concern that the private sector would be uncomfortable paying an annual special assessment for transportation projects if the staging remained tied to the uncertainty of public appropriations in the CIP for the amenities. Commissioner Presley expressed the concern that removing the amenities from the staging might lead to significant development occurring without many of the essential place-making elements. In short, both Commissioners expressed concern that implementation could leave one party “holding the bag.” The other Board members concurred with the concern.

The Board generally agreed that the “workaround” Rockville Pike road projects were necessary components of staging. There was discussion as to whether the projects need to be funded, contracted for construction, or completed prior to commencement of the subsequent stage. Road construction contracts typically include significant penalties to the public sector when changes to the project scope occur. As such, contracting for construction represents the “point of no return.”

The Staging Plan includes a requirement that all necessary police, fire and rescue facilities be completed before development proceeds to Phase 2. Some Board members reaffirmed a commitment to having all such public service facilities completed in Phase 1.

The Planning Board considered a third category of projects that improve pedestrian mobility in the immediate vicinity of existing transit. These projects are essential both to place making and to achieving target mode share splits.

On motion, the Board decided to split Phase 2 and that the amenity projects included in the Draft Plan as requirements before moving to Phase 2 should be in the CIP before development moves to Phase 2 and must be completed before the development will be allowed to proceed to the second half of Phase 2.

Staff Commentary

Staff would like to emphasize that the rationale for the staging element is not land use/transportation balance or revenue/expenditure balance. The rationale links placemaking and transportation elements, both are fundamental to realize the Sector Plan “vision” for White Flint. Staff notes that the end result of the Staging Plan is the reconstruction of Rockville Pike, which creates both a “place” and a multi-modal transportation facility. One purpose of the Staging Plan is preventing land use and transportation from becoming unacceptably out of balance and preventing revenues and expenditures from becoming unacceptably out of balance.

The intent of the Staging Plan is to sequence the following:

- Studies that result in CIP construction projects
 - Rockville Pike
 - Circulator Study
- CIP projects that must precede other CIP projects
 - Rockville Pike east and west workarounds
- Placemaking projects
 - Civic Green
 - Market Street (both sides of Rockville Pike)
 - Rockville Pike Promenade
- Mode share goals
- Sidewalk improvements
- Transit
 - MARC station
 - North Metro Entrance
 - Rockville Pike bus transit

- Public Facilities
 - Fire and Rescue/Emergency Services
 - Police
 - Library

Staff Recommendations:

Based on the Planning Board's June 4 decisions, staff has outlined the following recommendations to guide the crafting of the final language for the Staging Plan.

- Maintain the current placemaking and transportation "work-around" rationale for staging. Road project completion necessary for the Rockville Pike "work-around" should remain staging requirements.
- Limit the number of staging requirements that are likely to be funded through the regular CIP process and paid for out of the General Fund.
- The staging requirement for each of the work-around projects **west** of Rockville Pike (Executive Boulevard/Old Georgetown Road realignment) should be that the project must be contracted for construction prior to the commencement of Phase 2a and completed prior to the commencement of Phase 2b.
- The staging requirement should be that the work-around project **east** of Rockville Pike (Nebel Street Extended) be completed prior to the commencement of Phase 3.
- East-west Market Street (B-10), a place making street, should be fully funded before development proceeds to Phase 2a.
- The Civic Green and Library must be CIP projects before development advances to Phase 2a and completed before development advances to Phase 2b.
- The Civic Green and the Library should be funded through the regular CIP process and could be paid for out of the General Fund or out of the Amenity Fund.
- All necessary police, fire, and rescue facilities are completed before development proceeds to Phase 2a.
- Pedestrian improvements within ¼ mile of Metro should be fully funded in the CIP before development proceeds to Phase 2a. These improvements would affect the following streets: Old Georgetown Road, Marinelli Road, and Nicholson Lane.
- Remove Wall Park from the list of staging requirements because it is a public-private partnership and can be accomplished independently of the Staging Plan.

New text to replace pages 74-75 in the Draft Plan.

STAGING PLAN

Pre-Requisites

Before any development can be approved, the following actions must be taken:

- Approval and Adoption of the Sector Plan.
- Approval of Sectional Map Amendment.
- Council resolution to expand the Metro Station Policy Area to include the entire Sector Plan boundary.
 - Requires workforce housing
 - Proposes legislative changes to allow impact fees to be captured in a Metro Station Policy Area
 - Reduces Transportation Impact Tax
 - Allows Critical Lane Volume (CLV) Standard to increase to 1,800
- Coordinate with SHA/MCDOT to develop a Rockville Pike Boulevard Feasibility Study.
- Establish the Sector Plan area as a State of Maryland “Bicycle Pedestrian Priority Area.”
- Create public entities or financing mechanisms necessary for the implementation of the Sector Plan including, as appropriate, the following:
 - Parking Management Authority
 - Urban Service District
 - Redevelopment Office or similar entity
 - Tax Increment Financing District
 - Special Assessment District
- Develop a Transportation Approval Mechanism and Monitoring Program.
 - Planning Board to develop biennial monitoring program for the White Flint Sector Plan area. This program will include a periodic assessment on development approvals, traffic issues, public facilities and amenities, the status of new facilities, the Capital Improvements Program (CIP) and Annual Growth Policy (AGP) as it relates to White Flint. The program should conduct a regular assessment of the Staging Plan and determine if any modifications are necessary.
 - Establish an advisory committee of property owners and interested groups that support the redevelopment of the White Flint Plan area, to evaluate the assumptions made regarding congestion levels, transit use, etc. The committee’s responsibilities should include monitoring the Plan recommendations, identifying new projects for the Amenity Fund, monitoring the Capital Improvements Program (CIP) and Annual Growth Policy (AGP), and ensuring that issues are addressed by the Planning Board and/or Council.
 - Establish an inventory of long-term parking spaces to set requirements for Phase 1 and Phase 2 parking caps that provide a progressive achievement of the end-state limitation of 0.61 long-term parking spaces per employee in the Sector Plan area.

Phasing

Development may occur anywhere within the Sector Plan area, however, all projects will be required to fund or at a minimum defray total transportation infrastructure costs. The phases of the Staging Plan are set at 30 percent, 15 percent, 15 percent, and 40 percent respectively of the 17.6 million square feet of new development.

Phase 1: 3,000 dwelling units and 2.0 million square feet nonresidential development

During Phase 1, the Planning Board may approve both residential and nonresidential development until either of the limits above is reached. Work-around road projects west of Rockville Pike should be contracted for construction during Phase 1, and completed before commencement of Phase 2b. The following objectives must be met during Phase 1 as a prerequisite to moving to Phase 2:

- Contract for construction the realignment of Executive Boulevard and Old Georgetown Road.
- Contract for construction of Market Street (B-10) in the Conference Center block.
- Achieve 30 percent non-auto driver mode share for the Plan area.
- Fund streetscape improvements; pedestrian systems improvements and bicycle network/plan for all streets within a ¼ mile of the Metro station: Old Georgetown Road, Marinelli Road, and Nicholson Lane.
- Establish a bus circulator system linked to surrounding office districts and residential neighborhoods.
- Conduct a North Bethesda residential areas circulation study.
- Construct a police/fire and rescue facility.
- Fund an express library.
- Limit long-term parking spaces to capacity established in Growth Policy.
- Fund and complete the design study for Rockville Pike to be coordinated with SHA, MCDOT and M-NCPPC.

Phase 2a: 1,500 dwelling units and 1.0 million square feet nonresidential development

Phase 2 has two parts. Before development beyond the limits set in Phase 1 can be approved, the Planning Board must determine that all the public projects listed in Phase 1 have been completed. The amount of development that could be approved in Phase 2a is set at approximately one sixth of the planned development. During Phase 2a, the Planning Board may approve both residential and nonresidential development until either of the limits above is reached.

The following objectives must be completed during Phase 2a as prerequisites to move to Phase 2b:

- Acquire land for the Civic Green through purchase or dedication.
- Construct streetscape improvements; pedestrian systems improvements and bicycle network/plan for all streets within a ¼ mile of the Metro station: Old Georgetown Road, Marinelli Road, and Nicholson Lane.

- Construct an express library.
- Complete realignment of Executive Boulevard and Old Georgetown Road.
- Construct Market Street.

Phase 2b: 1,500 dwelling units and 1.0 million square feet nonresidential development

Before development beyond the limits set in Phase 2b can be approved, the Planning Board must determine that all the public projects listed in Phase 2a have been completed. The amount of development that could be approved in Phase 2b is set at approximately one sixth of the planned development.

The following must be met during Phase 2b as prerequisites to move to Phase 3:

- Increase non-auto driver mode share to 35 percent.
- Montgomery County Public Schools (MCPS) to evaluate the need and/or status of an additional elementary school within the cluster. MCPS to evaluate locating an elementary school on land already owned by MCPS large enough and more appropriate for a school.
- Fund the second entrance to the White Flint Metro Station.
- Construct Nebel Street Extended between Nicholson Lane and Rockville Pike.
- Limit long-term parking spaces to capacity established in Growth Policy.

Phase 3: 3,800 dwelling units and 1.9 million square feet nonresidential development

Before development beyond the limits set in Phase 2 can be approved, the Planning Board must determine that all the public and private projects listed in Phase 2 have been completed.

In Phase 3, the remaining transportation capacity could be committed. At the end of Phase 3, the development should total 14,500 units (17.4 million square feet) 12.9 million nonresidential square feet. This is a 58/42 residential/non residential mix and close to the desired 60/40 residential/non residential mix.

- Increase non-auto driver mode share to 39 percent.
- Complete all streetscape improvements, pedestrian systems improvements and bicycle network/plan outside a ¼ mile from the Metro.
- Reconstruct Rockville Pike.
- Fund MARC station.
- Limit long-term parking spaces to 0.61 per employee.

Phase 4: There are no changes.

Issue 3: Reconsider Administration and Financing Sections in the Draft Plan

The Draft Plan recommended the creation of an implementation authority possessing broad powers and numerous specified responsibilities. The purpose of the implementation authority was to implement the staging and capital improvements elements of the Draft Plan. The activities of the implementation authority would have required substantial funding. The financing section of the Draft Plan described a specific public-private financing mechanism capable of funding certain capital projects. The Executive Branch submitted testimony in opposition to the administration and financing sections of the Draft Plan. The Executive Branch further clarified its position on these topics in a series of meetings following the public hearing.

a. Administration by existing models/structures

On May 7, 2009, staff revisited the issue of administration with the Planning Board. The Planning Board supported changing the section on administration by removing the Draft Plan's recommendation that the County create an implementation authority. In lieu of an implementation authority, implementation of the staging and capital improvements elements of the Sector Plan will be aided by the Bethesda-Chevy Chase Regional Services Center, an Urban Service District, and a Redevelopment Office or similar entity.

Staff recommendation:

- *The Planning Board should approve the following text, which entirely replaces the text found in the Administration section on pages 79 and 80.*

Administration

This Plan recommends the creation of an Urban Service District, as well as a Redevelopment Office or similar entity, both of which will work in close coordination with the Bethesda-Chevy Chase Regional Services Center.

The Urban Service District will perform the following: provide increased maintenance of the streetscape and its amenities; provide additional public amenities such as plantings, seating, shelters, and works of art; promote the commercial and residential interests of the community; and program cultural and community activities.

The Redevelopment Office, or similar entity, would provide specific redevelopment expertise. A redevelopment office would serve as an interface between developers and County agencies regulating development, utilities, State Highway Administration, WMATA, and other public sector entities.

b. Financing implementation of the Sector Plan

The Draft Plan recommendations related to financing were revisited with the Planning Board on May 7, 2009 and again on June 4, 2009. On May 7, the Planning Board supported making changes to the financing language in the Draft Plan in light of the information provided by the Executive Branch after the public hearing, and in light of the changes to the recommendations related to administration. On June 4, the Planning Board requested that some of the flexibility in the Plan language be removed.

Staff Recommendation:

- *The Planning Board should approve the following text, which replaces the text found in the Financing section on pages 80 and 81.*

Financing

Implementation of the White Flint Sector Plan will require substantial public and private investment in infrastructure and public facilities. The infrastructure necessary to advance the staging should be financed through general fund revenues appropriated in the regular CIP process, as well as through the creation of a Tax Increment Financing District and a Special Assessment District.

Recognizing that the Council and the Executive will decide whether to implement the Sector Plan using either of these recommended tools, the following principles should guide the ultimate decision-making with respect to how the infrastructure is financed:

- Leverage the substantial tax increment generated by redevelopment in the Sector Plan.
- Be sensitive to the limits of the private sector's capacity to fund public infrastructure in light of the requirements to provide public benefits and amenities.
- Provide maximum certainty regarding the timing and extent of public sector investments.
- Expand the Metro Station Policy Area boundary to be coterminous with the Sector Plan boundary.
- To the extent possible, capture impact taxes or similar excise taxes paid by development in the district and spend those revenues within the Sector Plan boundary.
- To the extent possible, residential condominium developments' share of the financing burden should be met by one-time payments rather than recurring obligations.
- Direct private sector funds to improvements within the Sector Plan boundary, to the extent that the benefits of those improvements accrue within the Sector Plan boundary.
- Direct public sector funds to improvements within the Sector Plan boundary to the extent that the benefits of those improvements accrue beyond the Sector Plan boundary or accrue to the public sector as a property owner.

PART 2: IN-DEPTH REVIEW OF THE DRAFT WHITE FLINT PLANNING BOARD DRAFT

The Final Draft Plan contains substantive revisions based on the discussions and decisions made by the Planning Board during the worksessions. Staff has also made editorial revisions including reorganizing text so that the vision and recommendations are integrated better. The substantive revisions are catalogued below; the page numbers refer to the pages in the Public Hearing Draft.

1. Plan Vision (page 7) has been edited.
2. MD 355/I270 Framework (page 7) has been re-titled “County-wide Land Use and Transportation Policies” and edited.
 - Added information on existing and proposed jobs and housing ratio.
3. Background (pages 10-16)
 - Added a Demographics and Housing Resource Section
4. Making a Great Urban Place (page 17) has been edited.
 - Six elements (text box, page 17), Center, Circulation, Buildings, Public Use and Open Spaces, Transitions, and Sustainability, have been renamed to “Core, Mobility, Buildings, Public Open Space, Compatibility, and Sustainability” and the descriptions edited.
5. Core (page 18) rewritten.
6. Circulation (pages 20-21) renamed Mobility.
7. Pedestrian Priority Streets (page 21) renamed Walkable Streets.
8. Buildings (page 22) new section on building heights with Height Map.
9. Transitions (page 24) renamed Compatibility.
10. Land Use and Zoning - Area Wide (pages 26-33):
 - a. Density (page 26) edited
 - b. Figures 15, Table 2, Figure 16 deleted
 - c. Density Transfer (page 28) deleted
 - d. Figures 17 and 18 deleted
 - e. Building Heights (page 32) moved to Buildings under the “Making a Great Urban Place” section (item 8 above).
 - f. Mixing the Uses (pages 33-34) edited
 - g. Table 4 (page 34) moved to County-wide Policies and renumbered Table 1.
11. Recommendations by District (pages 35-50):
 - a. This section has been completely rewritten and reflects CR zoning recommendations.
 - b. Height and Density Maps appear alongside Zoning Maps with explanatory text describing special conditions.
12. Sustainability (pages 51-54) rewritten, Figure 32 removed.
13. Mobility (pages 55-63) edited to reflect Planning Board’s decisions:
 - a. Road Network
 - b. MD 355 cross-section
 - c. Bikeway Network
 - d. Parking Management

14. Public Facilities (pages 64-70) has been renamed Public Facilities and Historic Preservation.
 - a. Added expansion of White Flint Neighborhood Park
 - b. Added text for Civic Green
 - c. Public Schools Section (page 66) rewritten
 - d. Historic Preservation edited for errors.
15. Implementation:
 - a. Zoning (pages 71-72) changed as recommended to Planning Board at June 4 worksession to reflect CR zoning.
 - b. Staging (pages 72-76) amended to add more phases as per Planning Board's discussion on June 4.
 - c. Table 7 (pages 77-78) amended as per June 4 discussion.
 - d. Administration and Financing (pages 79-81) amended as per Planning Board discussion on June 4.

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Attachments:

1. Summary of Worksession #12, June 4, 2009
2. Draft Planning Board Draft Plan

ATTACHMENT #1

SUMMARY OF WORKSESSION #12: June 4, 2009

The Planning Board reviewed zoning, staging, administration and financing, and the recommended right-of-way for Rockville Pike (MD 355) at this worksession.

Fire and EMS Facility

- The Board recommended the use of the SHA parcel, north of Montrose Parkway, to locate a Fire and EMS Facility with other public uses.

CR District

- The Board discussed different elements in the proposed CR District, including the relationship between building heights and density and its relationship to a master plan.

White Flint Mall District

- The Board supported three zones on the White Flint Mall property.
 - CR 4 with building heights at 300 feet at the northwestern corner adjacent to the Fitzgerald property; edges at CR 1.5 with building heights at 50 feet; and the core area at CR 3 with building heights up to 200 feet.
 - The design guidelines would go into greater specificity to detail the building heights and density per blocks within each district.
- The Board approved the following language regarding heights for the White Flint Mall area:
 - The heights shown on the map demonstrate the intent of this Plan that heights decline as buildings move from the north and west of the site toward the southern and eastern edges of the zone. Some variance from the lines on the map may be necessary to accommodate good design, but the overall effect should be that buildings within each height band not exceed the height indicated.
 - Staff will make some modifications to the proposed language, including meaning and context of good design.

Rockville Pike

- The Board endorsed new language explaining the purpose and function of Rockville Pike (MD 355). Additional language was added for east-west BRT service.
- The Board supported the recommended 150' right-of-way for Rockville Pike using the existing centerline. The right-of-way can increase up to 162' to accommodate Bus-Rapid Transit (BRT), if the County's BRT study recommends a median transit way for MD 355.

- State Highway Administration (SHA) supported the 162' right-of-way and WMATA noted no fatal flaws to use a portion of the WMATA easement pending construction details.

Parking Management

- The Board endorsed using the CR zone to meet parking needs. No parking authority was supported.

Staging

Overall

- Transportation elements, especially for capacity and to establish the grid of streets, and public safety are imperative to first phase.
- The Board supported the recommended changes to the prerequisites to the Staging Plan.
- Civic Green, express library and Wall Park redevelopment should be achieved through dedications or through Capital Improvements Program (CIP) and must be built before 50 percent of Phase 2 is complete.
- There are four phases overall.

Phase 1

- The Board recommended changing the first two elements in Phase 1, moving from “funding” to “completion” of the realignment of Executive Boulevard and Old Georgetown Road and the construction of Market Street.
- Police/Fire/EMS service was assigned to Phase 1.
- Streetscape and pedestrian improvements within a ¼ mile were removed from this phase.
- All other projects were retained in Phase 1.

Phase 2

- The second phase was divided into two new segments with 1,500 dwelling units and 1 million square feet of non-residential development in each new segment.
- The Civic Green, redevelopment of Wall Park, and express library were moved to Phase 2 and must be built before 50 percent of Phase 2 is complete. These facilities can be achieved through dedications or the CIP.
- The Board proposed new language for school.
 - Montgomery County Public Schools (MCPS) to evaluate the need and or status for an additional elementary school in the cluster. The Planning Board to evaluate if a school can be placed on land that is owned by MCPS that is both larger and more appropriate for a school site.

Phase 3

- The Board made no additions or changes to this phase.

Phase 4

- The Board made no additions or changes to this phase.

Administration and Financing

- The Board endorsed the creation of an Urban Service District, redevelopment office or similar entity.

- The Board supported using Tax Increment Financing (TIF) and special assessment district to finance redevelopment in the Plan area.
 - Draft legislation and parameters for Tax Increment Financing (TIF) and a Special Assessment District will be required prior to transmitting the plan.

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