

PHED # 1  
September 29, 2009

## MEMORANDUM

September 25, 2009

TO: Planning, Housing, and Economic Development (PHED) Committee

FROM: <sup>MM</sup> Marlene L. Michaelson, Senior Legislative Analyst  
<sup>GO</sup> Glenn Orlin, Deputy Council Staff Director

SUBJECT: Overview of Gaithersburg West Master Plan

Planning Department staff will present an overview of the Gaithersburg West Master Plan to the Planning, Housing, and Economic Development (PHED) Committee. The Gaithersburg West area covers 4,360 acres in the I-270 Corridor. While the primary focus of the Plan is on the Life Sciences Center (LSC), it also includes the western Quince Orchard neighborhoods, and enclave areas surrounded by the City of Gaithersburg including the National Institute of Standards and Technology (NIST), Rosemont, Oakmont/Walnut Hill and the Washingtonian Light Industrial and Residential areas.

The Plan's key recommendations appear on pages 7-8 and are summarized below:

- Transform the LSC into a dynamic live work community with growth opportunities in research, medical and bioscience interests.
- Realign the Corridor Cities Transitway (CCT) to provide 3 transit stops in LSC Central, West and Belward.
- Concentrate density at the CCT stops and provide appropriate transitions to adjacent neighborhoods and the historic Belward Farm.
- Improve circulation and connectivity and increase the use of transit.
- Provide an open space plan with opportunities for recreation and non-motorized transportation.
- Replace the PSTA with a new residential community.
- Maintain established residential neighborhoods.
- Create a sustainable community.
- Minimize the impacts of development on the Piney Branch Special Protection Area.
- Meet the recreation needs of Gaithersburg West with a new park.
- Support the Agricultural Reserve with the purchase of Building Lot Termination (BLT) easements.

Although the Council received oral testimony from over 70 speakers and written testimony from several dozen more, most of the testimony related to a single issue: whether the recommended density is too great and will overburden the surrounding neighborhoods, or whether it is appropriate and necessary to continue to attract science and health related institutions and businesses and thereby meet the County's economic development goals. This is a complex question and one that Staff believes the Committee cannot address without further information from the Planning Department/Board on several key issues:

1. How did the Planning Board determine that 20 million square feet was the appropriate amount of commercial development needed to serve the life science institutions and businesses the County want to continue to attract? There appears to be little disagreement that there should be some potential for growth of the existing health, academic and life sciences organizations and businesses and that a denser pattern of development can provide a better alternative to the existing single-use, automobile driven developments which have large surface parking lots and little appeal for pedestrians or surrounding residents. However, there is significant debate regarding the level of development needed to achieve these objectives.
2. What is the Planning Board's assessment of alternative density recommendations of the Residents for Reasonable Development (RRD) (for 12.7 million square feet of commercial development - approximately the same amount allowed under the 1990 Plan), the Montgomery County Civic Federation (for a 1/6 reduction in jobs from the 60,000 jobs recommended in the Plan to 50,000 jobs) and the County Executive's recommendation (for a 2 million square foot reduction in commercial development to 18 million square feet). What are the advantages and disadvantages of each of these alternatives?
3. Did the Planning Board consider a greater concentration of the density on the portions of the Life Science Center that is not adjacent to lower density residential neighborhoods? What would be the impact of further concentrating the recommended density?
4. What is the impact of the Plan recommendations on the surrounding neighborhoods and can the Master Plan better address the transitions from the contemplated commercial development to those neighborhoods? The Plan recommends buffers but otherwise says little about the transition at the edges of the commercial development.
5. What is the likely timeframe for the build out of this Master Plan and is it appropriate to rezone the area to a density that is not likely to be achieved in the lifetime of the Master Plan or a significant period beyond? While the Plan should definitely provide a long-term vision for the area at build-out, might it be more appropriate to zone for a more realistic 20-year time frame (or stage the zoning)?
6. The Maryland Department of Transportation, State Highway Administration, and Maryland Transit Administration have raised significant concerns about the land use and transportation assumptions in the Draft Plan. Council staff does not agree with the State's argument that Master Plan approval should wait until the State has decided on a preferred alternative for the I-270 improvements and the Corridor Cities Transitway; the time-frame for the State's study is 2030, while the master plan time-frame is the area's ultimate build-out, which presumably will occur decades later. However, the other remarks in the State's letter are worthy of comprehensive review and response from the Planning Board.
7. What combination of transportation facilities, services, and policies would be needed to provide land-use transportation balance for each of the alternative land use scenarios described in Question #1?

8. Under the Draft Plan's land use recommendations, and under any of the alternative land use scenarios, does an extension of Sam Eig Highway into Belward Farm obviate the need for an interchange at Muddy Branch Road/Great Seneca Highway or at Key West Avenue/Great Seneca Highway? What are the impacts of each project?
9. Staff believes that a staging plan is a critical element of this plan and is particularly supportive of triggers that are **performance based** (e.g., the increase in non-driver mode share). Staff also supports the linkage to the CCT, given the importance of this transit option to achieving the densities in the Plan. With these two triggers in place, Staff questions whether there is a need to include other specific transportation projects since the reducing the non-driver mode share and providing capacity are more important than the specific projects used to accomplish those goals. Staff also believes it is worth exploring the advantages and disadvantages of staging the zoning recommendations, rather than recommending the full zoning planned for build-out and then limiting density in a separate staging plan. (Based on the recommended zones, this would probably mean staging the floor area ration (FAR) rather than the zone itself.)

The Master Plan recommendations raise two other issues unrelated to the overall density questions that may require additional input from the Planning Board:

- The Plan recommends Planned Development (PD) zoning for two properties. Since PD zoning does not provide any of the public benefits of the Transit Mixed-Use (TMX-2) or CR zones or other higher density zones that require the purchase of Transferable Development Rights (TDRs), Staff has generally advised against use of the PD zone. Staff recommends the Committee ask the Planning Board to explore whether there is an alternative zone with greater public benefits that could achieve the Master Plan land use objectives for these properties.
- The Council has just introduced the CR zone and it is unclear whether the Council will complete its work on the CR zone in time to coincide with the completion of this Master Plan. If not, the Council should be prepared with an alternative zoning option such as the TMX-2 zone. The Committee should ask the Planning Board to assess the impact of zoning the 2 areas recommended for CR as TMX-2 (or any other zone they believe would be an appropriate alternative).
- The Committee should seek the Planning Board's input as to whether any of the Master Plan recommendation are likely to either encourage or discourage annexation of properties in the LSC district and what strategies, if any, could prevent against an annexation that would result in development inconsistent with Master Plan objectives. (This question is not meant to apply to those enclave properties clearly recommended for annexation.)
- The Council received testimony from several individuals indicating that the Master Plan recommendations are inconsistent with the deed restrictions on the Belward Farm. While the Planning Board does not generally get involved in private deed restrictions between 2 private parties, the Council should understand whether there are potentially viable legal challenges that could prevent implementation of the Master Plan as recommended.

The Committee's next worksession is scheduled for October 5 and Staff does not believe that it will be possible for the Planning Board to answer these questions in 6 days and therefore recommends deferring the Committee's next meeting until this information is available.

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