

PHED Committee #1
September 17, 2013

MEMORANDUM

September 13, 2013

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

FROM: Marlene Michaelson, Senior Legislative Analyst *MM*

SUBJECT: Glenmont Sector Plan

This is the Planning, Housing, and Economic Development (PHED) Committee's first worksession on the Glenmont Sector Plan. A separate memorandum from Glenn Orlin addresses the transportation issues in the Plan. The topics to be covered at this meeting are historic preservation, affordable housing, and property specific recommendations (with the exception of the Georgia Avenue West Area). The meeting on the 30th will address Georgia Avenue West land use issues, environmental and community facility issues, and any follow-up issues from the first meeting.

Councilmembers should bring their copy of the Plan to the meeting.

BACKGROUND

The Glenmont Sector Plan covers an area of about 711 acres adjacent to the Glenmont Metro Station. The Glenmont Shopping Center, located at the intersection of Georgia Avenue and Randolph Road, is the heart of the community. Bordering the shopping center on three sides are multifamily, garden apartments in two- to three-story structures, surrounded by communities of primarily single-family detached houses.

Although the 1997 Sector Plan increased development potential in the planning area, there has been no significant private redevelopment in Glenmont since its adoption, with only one property – Privacy World – currently beginning the development process. The fragmented ownership of the shopping center (15 properties with 12 different owners) and a weak market have inhibited redevelopment, and the ownership will continue to be a problem. The area contains 1,459 rental units in three garden apartment complexes built in the 1960s and 1970s. The Sector Plan notes that they lack modern amenities and may require costly upgrades and maintenance.

There has been significant public investment in the area with the construction of the Metro Station and garages, the ongoing reconstruction of Glenallan Elementary School, and the pending construction of a grade-separated interchange at the corner of Randolph Road and Georgia Avenue

The Plan’s goals and guiding principles are listed on page 18 and are as follows:

- Encourage redevelopment that makes the best use of public investment in Metro and that creates a distinct community identity.
- Maintain and support a wide choice of housing types and neighborhoods for people of all incomes, ages, and physical capabilities at appropriate densities.
- Improve connectivity
- Conserve and enhance natural resources to provide a healthy and green environment.

HISTORIC PRESERVATION

Attached on © 1 to 4 is a memorandum from Council Legislative Attorney Jeff Zyontz regarding the recommendations for historic designations in the Sector Plan. Mr. Zyontz concurs with the Planning Board recommendation to designate the Georgia Avenue Baptist Church as historic, but disagrees with their recommendations to designate the Wheaton-Glenmont Police Station and the Glenmont Water Tower.

DEVELOPMENT LEVELS

The following chart summarizes the development in the Glenmont Planning area, including existing development, zoned capacity, and proposed development.

DEVELOPMENT LEVELS IN GLENMONT			
Land Use	Existing	1997 Sector Plan 30 Year Buildout	Proposed
Non-Residential floor area (sf)	402,000	508,500	813,000
Housing Units	3,100	4,600	8,990
Jobs	873	1,278	2,350
Jobs-Housing ratio	0.3:1	0.3:1	0.3:1

Over the long term, the Plan’s recommendation could result in double the current commercial development and up to three times the number of housing units. Given the nature of the market, it is unclear what development, if any, will occur in the short term and it is very likely that any redevelopment would occur over many years. In discussions with Planning Department staff, Winexburg Manor and Forest Glen owners were clear that their redevelopment interests were long-term, and a financial feasibility study found that a public subsidy would probably be necessary to make redevelopment of the shopping center viable.

Staff notes that, while the Council received testimony expressing concern over the potential impact of the additional development on traffic, there was only limited testimony objecting to the heights and densities proposed in the Sector Plan. Several speakers were enthusiastic about potential redevelopment and supported the Sector Plan's recommendations.

HOUSING AFFORDABILITY

Housing Affordability is addressed on pages 15 to 16 of the Sector Plan. While the recommendations in this Sector Plan raise some of the same issues the Committee addressed in Long Branch, there are clear differences that lead Staff to support the proposed rezoning at this time. Most significantly, Glenmont has an existing Metro station rather than a planned light-rail station.

Unlike in the Planning Board Draft of the Long Branch Sector Plan, the Glenmont Plan does not require affordable housing in excess of the current County law, yet would still result in a significant increase.¹ The Planning Department estimates that the Sector Plan would result in approximately triple the current affordable housing without any special requirement for affordable housing that differs from those applied throughout the County:

- Redevelopment could result in the loss of 86 rent-restricted units and 284 low-moderate-income market rate units, but full build out would result in 585 moderately priced dwelling units (MPDUs) assuming 12.5 percent Moderately Priced Dwelling Units (MPDUs).
- Redevelopment would remove 1,089 existing workforce housing units, but the Planning Department estimates these would be replaced with 4,096 market rate workforce housing units.

Redevelopment of Glenmont would still raise questions regarding displacement of current residents and the impact of having market rate affordable units replaced by MPDUs, but there are other moderately priced housing developments not recommended for rezoning directly adjacent to the planning area, and it is unlikely that the major properties would develop at the same time. Staff believes that Glenmont would benefit from the examination of the broader questions regarding aging affordable units and displacement of renters that were raised in the context of the Long Branch Plan, but Staff does not recommend deferring rezoning of these properties so close to a Metro Station.

SPECIFIC PROPERTIES

Glenmont Shopping Center

Description in Sector Plan: Page 21

Zoning map on page 23

Existing zoning: RMX-2C

Recommended Zoning: CR 3.0, C 1.0, R 2.5, H 120

¹ The Planning Board Draft of the Long Branch Plan recommended 15% MPDUs in Long Branch, and the PHED Committee did not support this recommendation. The Committee believes the Council needs to discuss whether it should require a higher level of affordable housing in Long Branch than in other areas in the County when Long Branch already has one of the highest concentrations of poverty and affordable housing.

Sector Plan Recommendation: The approximately 20-acre site is the most identifiable site in Glenmont. The existing RMX-2C zoning would allow an FAR of approximately 1.0 and the Sector Plan recommends a significant increase in density and mixed-use development (commercial on the ground floor and residential on top). The Planning Department hired a consultant to conduct a financial feasibility of the center (see page 12) and found that a public/private venture approach is the only option that could work on this property at this time, since a subsidy is required to make redevelopment financially feasible. Although the near-term market projections do not support mid-rise or high-rise development, the proposed maximum height of 120 feet is “designed to encourage, over the long term, a compact building footprint with up to two buildings higher than six stories.” The Sector Plan recommends locating the highest heights on the interior of the property and sets a 45-foot height limit for the portion of the site adjacent to Glen Way Gardens community to the northeast. The Plan recommends that this site have a centrally located public open space and notes that if the property is developed in phases, there could be more than one public open space.

Testimony: The Council received testimony from two property owners supporting the overall height and density recommendations. One requested that the commercial floor area ratios (FAR) be increased to 2.5 to provide flexibility for whatever development opportunity might best allow redevelopment (e.g., if an office project becomes viable). Several who testified expressed the need for ongoing County support and possible financial assistance to make redevelopment possible. The Council also received testimony from residents who enthusiastically supported the redevelopment of the shopping center and the potential for public open space on this site.

Staff Recommendation: Staff supports the Sector Plan total FARs and height recommendations for this site and believes they are appropriate for a site adjacent to Metro. The ownership and market conditions will make redevelopment of this site particularly challenging, especially without public funding, and therefore Staff agrees with the property owner’s request to provide the maximum flexibility for this site.

Metro Station/Layhill Triangle Block

Description in Sector Plan: Page 25
Zoning map on page 23
Existing zoning: RMX-2C and R-90
Recommended Zoning: CR 2.0, C 0.25, R 1.75, H 120

Sector Plan Recommendation: This 16.5-acre site is the location of the Metro Station entrance, the bus loop, kiss and ride, WMATA garage, the WSSC water tower, and a few commercial properties along Layhill Road. The Sector Plan indicates that the WMATA portion of the property has significant long-term development potential and therefore recommends an FAR of 2.0 and a maximum height of 120. Although stick construction of four to six stories is the most likely form of development, the Plan recommends a maximum height of 120 feet to allow design flexibility for structured parking facilities, particularly if they have to provide parking for Metro.

Testimony: None

Staff Recommendation: Staff supports the Sector Plan total FARs and height recommendations for this site, but recommends that the commercial FAR be increased to 0.5 to provide additional flexibility and ensure that all ground floor development can be commercial.

Privacy World

Description in Sector Plan: Page 26

Zoning map on page 23

Existing zoning: TS-R

Recommended Zoning: CR 2.0, C 0.25, R 2.0, H 120

Sector Plan Recommendation: This 30.9 acre site is zoned TS-R and is improved with 352 garden apartments. The Planning Board just approved a Preliminary Plan to allow the construction of 1,550 residential units and 90,000 square feet of commercial development. The Sector Plan recommends rezoning the property to CR 2.0, C 0.25, R 2.0, H 120, which would accommodate the approved development.

Testimony: The Council received testimony from the property owner supporting the Sector Plan recommendations and emphasizing the importance of redeveloping housing built in the 1960s that no longer serves the need of the current market.

Staff Recommendation: Staff supports the Sector Plan recommendations for this site.

Winexburg Manor

Description in Sector Plan: Page 26

Zoning map on page 23

Existing zoning: R-30 and R-20

Recommended Zoning: CR 1.75, C 0.25, R 1.5, H 85 and CRN 1.5, C 0.25, R 1.5, H 45

Sector Plan Recommendation: This site currently has 3-story garden apartments and a 9-story building. The Sector Plan recommends zoning that would allow the existing 9-story building and would also allow for the development of four- to six-story garden apartments with some limited commercial uses. The Sector Plan limits heights at the edge of the property closest to the area abutting existing townhouses to 45 feet (for a 100 foot depth).

Testimony: The Council received testimony from the property owner supporting the zoning recommendations but opposing the recommendation for additional affordable housing as the identified public benefit and indicating that the redevelopment will provide a significant amount of affordable housing.

Staff Recommendation: Staff supports the Sector Plan zoning recommendations for this site and does not believe there is a need to recommend additional affordable housing as the public benefit on this site given the amounts that will be produced in the planning area.

Glenmont Forest Block

Description in Sector Plan: Page 27

Zoning map on page 23

Existing zoning: R-30

Recommended Zoning: CR 1.75, C 0.25, R 1.5, H 75 and CRN 1.5, C 0.25, R 1.5, H 45

Sector Plan Recommendation: This site is the location of the 32-acre Glenmont Forest Apartments, which have 482 garden apartment units in two- to three-story structures, as well as the police and fire station and a non-profit (Catholic Charities). The Sector Plan recommended zoning will allow the redevelopment of this property with four- to six-story apartments and also provides for a 100-foot deep area limited to a height of 45 feet adjacent to single-family residential development. The Plan recommends that the priority public benefits be open space and affordable housing to obtain more than the required 12.5 percent MPDUs.

Testimony: The Council received testimony from the property owner supporting the zoning recommendations but opposing the recommendation for additional affordable housing as the public benefit, and indicating that the redevelopment will provide a significant amount of affordable housing but that they believe it might be difficult for them to commit to including a greater amount of affordable housing than required by existing law.

Staff Recommendation: Staff supports the Sector Plan zoning recommendations for this site and does not believe there is a need to recommend additional affordable housing as the public benefit on this site given the amounts that will be produced in the planning area.

Glen Waye Garden Condominiums

Description in Sector Plan: Page 30

Zoning map on page 23

Existing zoning: R-30

Recommended Zoning: R-30

Sector Plan Recommendation: This 15-acre site is developed with 214 condominiums, and the owners have no plans to redevelop. The Sector Plan recommends confirming the existing zoning.

Testimony: None

Staff Recommendation: Staff supports the Sector Plan recommendation to reconfirm the existing zoning.

First Assembly of God Church and Other Properties

Description in Sector Plan: Page 30

Zoning map on page 23

Existing zoning: R-90

Recommended Zoning: R-90, suitable for floating townhouse zone at 15 units per acre

Sector Plan Recommendation: This property contains a Church, properties owned by PEPCO and WMATA, and three single-family parcels (between 2 properties zoned RT-12.5). The Plan indicates that this area would be appropriate for townhouse development since there are townhouses to the

immediate north and west. The Sector Plan recommends confirming the existing R-90 zoning and indicating that the area is suitable for a floating townhouse zone at a density of 15 units per acre.

Testimony: None

Staff Recommendation: Staff supports the Sector Plan recommendation to reconfirm the existing R-90 zoning and indicate that the area is suitable for floating townhouse zone at 15 units per acre.

Existing Neighborhoods Surrounding the Glenmont Core

Description in Sector Plan: Page 30

Zoning map on page 23

Existing zoning: R-60, R-90 and RT-12.5

Recommended Zoning: R-60, R-90 and RT-12.5

Sector Plan Recommendation: This Sector Plan recommends confirming the zoning of the areas surrounding the core and preserving their suburban characteristics and providing better connections to the core and other area amenities.

Testimony: None

Staff Recommendation: Staff supports the Sector Plan recommendation to reconfirm the existing zoning.

MEMORANDUM

September 13, 2013

TO: Planning, Housing, and Economic Development Committee

FROM: Jeff Zyontz, Legislative Attorney

SUBJECT: Glenmont Sector Plan Draft - Amendments to the Master Plan for Historic Preservation:
Upper Patuxent Area Historic Resources

This worksession will start with a presentation by Planning Staff on the proposed Historic Preservation Master Plan Amendment. The Committee will then review the 3 historic resources recommended by the Planning Board for designation.¹ Other sites can be added for discussion at the discretion of Committee members. Background material beyond the proposed Master Plan is available on the Planning Board's website: <http://www.montgomeryplanning.org/historic/glenmont/>.

Criteria for historic designation

County Code

The recommendations of the Planning Board are guided by Chapter 24A. Historic resources that meet the following criteria may be designated by the Council:

- (b) In considering historic resources for designation as historic sites or historic districts, the planning board shall apply the following criteria:
- (1) *Historical and cultural significance.* The historic resource:
 - a. Has character, interest or value as part of the development, heritage or cultural characteristics of the county, state or nation;
 - b. Is the site of a significant historic event;
 - c. Is identified with a person or a group of persons who influenced society; or
 - d. Exemplifies the cultural economic, social, political or historic heritage of the county and its communities.

¹ The Public Hearing draft included a recommendation to 2 additional sites: Americana Glenmont #31-43 and the Kensington Volunteer Fire Department. These resources were not mentioned in the Planning Board Draft, although there was testimony in support of the Americana Glenmont. The Maryland Historical Trust found the Americana Glenmont to be eligible for the National Register of Historic Places, with excellent documentation. The Trust found the Volunteer Fire Department not eligible for the National Register. Mr. Kurtze, from the Trust, characterized the building as "an undistinguished example of a common building type and style".

- (2) *Architectural and design significance.* The historic resource:
- a. Embodies the distinctive characteristics of a type, period or method of construction;
 - b. Represents the work of a master;
 - c. Possesses high artistic values;
 - d. Represents a significant and distinguishable entity whose components may lack individual distinction; or
 - e. Represents an established and familiar visual feature of the neighborhood, community or county due to its singular physical characteristic or landscape.

These criteria are referenced by number and letter in the Planning Board's master plan amendment. Owner's consent is not a criteria used by the Planning Board. Consideration of ownership, alterations from the original construction, and National Register Eligibility are NOT required by County code.

Council's role

Nothing in County or State law mandates the designation of historic resources. Chapter 24A-3(b) requires the Planning Board to apply historic criteria in making its recommendation to the Council, but it does not bind the Council to adopt all of the resources that meet the historic criteria. The designation of historic resources is by the adoption of an amendment to the Master Plan for Historic Preservation.

The purpose of all master plans, including the Master Plan for Historic Preservation, is found in the State code - Land Use Article §21-101(b):

The purpose of the plan is to:

- (1) guide and accomplish a coordinated, comprehensive, adjusted, and systematic development of the regional district;
- (2) coordinate and adjust the development of the regional district with public and private development of other parts of the State and of the District of Columbia; and
- (3) protect and promote the public health, safety, and welfare.

When the public interest is not served by historic designation, the Council is not required to designate the resource and should not do so.

When the public interest is served by designation, the Council may amend a master plan to include more resources than recommended by the Planning Board. In Glenmont, the Planning Board recommended including 3 resources in the Master Plan for Historic Preservation. The Historic Preservation Commission recommended 2 additional sites (Americana Glenmont #31-43 and the Kensington Volunteer Fire Department #33-44).

Mid-twentieth century historic resources

The opportunities for designating sites will be enormous as post-1950 sites are considered without any discipline in addition to the code criteria.² The vast bulk of the County was developed after 1950. The National Register requires that a historic building be at least 50 years old before it is National Register

² In any event, the thought of designating historic resources younger than the age of the staff drafting this memorandum is depressing at best.

eligible. It also requires a judgment about the architectural integrity of the resource. There is no such criterion in the County Code. For the purposes of staff recommendations, staff will not recommend a mid-twentieth century site for historic designation that is not also at least preliminarily National Register eligible.

Resource #31-45 Wheaton-Glenmont Police Station, Fourth District (1959), 2300 Randolph Road

The resource was recommended because it exemplifies the cultural economic, social, political or historic heritage of the county and its communities (Criterion 1d) and the architecture embodies the distinctive characteristics of a type, period or method of construction Criterion 2a).

Staff does not recommend designation. The Maryland Trust’s preliminary evaluation did not find the resource to be National Register Eligible. The opinion of Trust’s staff, the architecture arguably represents an obsolete design at the end of the Colonial Revival Period; in any event the 1968 wing compromised the integrity of the original building.

Resource #31-45 Georgia Avenue Baptist Church (1956; 1962) 12525 Georgia Avenue

The resource was recommended because it embodies the distinctive characteristics of a type, period or method of construction (Criterion 2a).

Staff recommends designation. The Maryland Trust’s preliminary evaluation found the resource to be National Register eligible. In the opinion of Trust staff, the building represents an example of mid-century modern church design. The building incorporated locally-developed structural material that found broad acceptance during the period.

Resource #31-47 Glenmont Water Tower (1947), 12413 Georgia Avenue

The resource was recommended because it has character, interest or value as part of the development, heritage or cultural characteristics of the county, state or nation (Criterion 1a) and it represents an established and familiar visual feature of the neighborhood, community or county due to its singular physical characteristic or landscape (Criterion 2e).

Staff does not recommend designation. The Maryland Trust’s preliminary evaluation did not find the resource to be National Register eligible. Trust staff found that the removal of the central staircase comprises its integrity. In addition, it is only one of many necessary elements that made suburban expansion possible.

WSSC opposes the designation of the Glenmont Water Tower. WSSC correctly noted in its correspondence that as a bi-county agency, it is exempt from controls that would normally apply to a designated historic resource.³ Planning Staff does not dispute this claim.

³ State agencies are exempt from zoning – City of Baltimore v. State, 281 v. 217 (1977). WSSC is a state agency – WSSC v. Utilities, Inc. 365 MD 1(2001). Although the County applies historic regulations through a master plan designation, most counties apply historic regulation by zoning.

Planning Staff would note that the authority to assert regulator control is different than the authority to designate property. The Regional District Act authorizes the County to designate historic resources without regard to their ownership. The Council could designate a property as historic even if it cannot regulate any activity on the site.

Historic designation without the associated controls is not meaningless in its educational value and application to a future owner. Designation could educate the public about the resource and may inform WSSC's thinking about what to do with the tower in the future. In addition, in the unlikely event the ownership of the tower were to change hands, the designation requires the future owner to comply with historic preservation requirements.

The lack of regulatory controls did not dissuade the Council from designating federal facilities. The Naval Medical Center is in the County's Master Plan for Historic Resources. A historic designation will be a consideration in non-binding (mandatory referral) comments to agencies. The historic designation of federal property does not create HPC's enforceable jurisdiction. In staff's opinion, there is a qualitative difference between the Naval Medical Center and the Glenmont Water Tower.

F:\Zyontz\Historic Preservation\Upper Patuxent Amendment\Glenmont historic resources\PHED Memo September 17.doc