



October 21, 2010

**MEMORANDUM**

**TO:** Montgomery County Planning Board

**VIA:** Glenn Kreger, Acting Chief, Vision Division  
Khalid Afzal, Team Leader, East Transit Corridor Team  
Vision Division *KA*

**FROM:** Sandy Tallant, Planner Coordinator (301-495-1329) *ST*  
East Transit Corridor Team, Vision Division

**SUBJECT:** Worksession #2 – Wheaton Central Business District (CBD) and Vicinity Sector Plan: Land Use and Zoning – Districts, Parcel Specific Issues and Zoning.

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**STAFF RECOMMENDATION:** Resolve district and parcel specific issues for the Sector Plan as summarized below.

**INTRODUCTION**

This is the Planning Board's second worksession on the proposed Wheaton CBD and Vicinity Sector Plan. The Board held a public hearing on the Public Hearing Draft of the Wheaton CBD and Vicinity Sector Plan on Thursday, July 29, 2010 at 7:30 p.m. in the MRO Auditorium. On October 7, 2010 the Planning Board held its first worksession which covered overarching issues. A table summarizing all of the oral and written testimony received during and after the hearing is provided as Attachment 1. The community can find copies of the submitted testimony on the Wheaton Sector Plan website at: [www.montgomeryplanning.org/community/wheaton/index.shtm](http://www.montgomeryplanning.org/community/wheaton/index.shtm).

This report is designed to get the Board's input and recommendations on the Plan's districts and on individual parcels. The Urban Design Guidelines will be discussed in a later worksession. The Board members should bring their copies of the Public Hearing Draft. This report is organized into two parts:

- A discussion of the issues and staff recommendations for the Planning Board's consideration and action; and
- A schedule of future worksessions to address additional issues in the Plan not covered in Worksession 2.

**Standard Method CR v Standard Method CBD-2: Continuation of Issue #5 from Worksession #1**

Owners of the Wheaton Crossing Shopping Center at the northeast corner of Georgia Avenue and University Boulevard have raised concerns that the Standard Method development under the proposed CR Zone allows only 0.5 FAR while they can get up to 2.0 FAR under Standard Method in the CBD-2 Zone (which covers most of the core in the Wheaton CBD). The Planning Board asked the staff at the October 7, 2010 Worksession to bring additional information comparing the CR and CBD zones.

**Discussion:**

The CR Zone generally allows a maximum of 0.5 FAR while the same properties can achieve up to 2.0 FAR under the existing CBD-2 Zone under Standard Method without a site plan requirement. (CR Zone also requires site plan for Standard Method projects of more than 10,000 square feet commercial, or 10 units or higher residential projects.) A more detailed analysis of Optional Method development under the proposed CR Zone shows that a majority of properties can achieve 2.0 or higher FARs under CR Zone Optional Method without incurring significant additional cost primarily because many of these properties are close to Metro and neighborhood services, which entitles them to automatic incentive FARs and there are other incentive density options for achieving the proposed FAR without significant additional costs. At the worksession on October 28, staff will present a detailed comparison of a CBD-2 Standard Method 2.0 FAR project and an Optional Method 2.0 FAR project under the CR Zone on the site whose owners have raised this issue.

Staff believes that the proposed CR Zone is the right zone for Wheaton, which has a combination of small, medium and large parcels and a variety of building types. It encourages the revitalization of properties by allowing higher densities on smaller parcels compared to the existing CBD zones, which require a minimum of 10 percent public use space for Standard Method, and a minimum of 20 percent of public use space and a minimum lot size of 18,000 square feet for Optional Method developments. The CR Zone also reduces the minimum parking requirements, which would reduce development costs, and its incentive density mechanism includes provisions for small retail spaces which could possibly be occupied by small businesses.

**Staff Recommendation:**

Retain the CR Zone recommendations to replace the current CBD zones.

## **WORKSESSION #2 ISSUES**

### **District and Parcel Specific Issues**

#### **Core District**

**Issue 9: Should Parking Lot 13 be specifically designated as the location for a major public space? Should the proposed public space on Parking Lot 13 be owned by the Department of Parks?**

#### **Discussion:**

Map 1 on page 56 of the Draft Plan indicates Parking Lot 13 as the general location of a proposed park. On page 58, the Draft Plan recommends a central, civic open space in the vicinity of parking Lot 13 (third bullet). The Montgomery County Department of General Services supports the Plan's recommendations for a major civic space in the Core District. Their testimony stated that "rather than focusing specifically on Parking Lot 13, the Plan should recognize the need for an urban park to be included as part of the redevelopment plan, without reference to whether this is achieved through a single parcel or as an assemblage of properties in the core area".

The Wheaton Redevelopment Advisory Committee (WRAC) endorses the Plan's emphasis on redeveloping land currently used for surface parking, and that Parking Lot 13 could include active public spaces. Parking Lot 13 has been the primary focal point for revitalization discussions with the community since 2000. The heart of those discussions has included the location of a major civic open space on Parking Lot 13.

The Executive staff and their private partner (B.F. Saul Company) agree with the Plan's recommendation that County-owned surface parking should be used to jump-start revitalization as part of a public/private partnership and that a major civic space for community-wide events in the vicinity of Parking Lot 13 should be a part of such redevelopment plans (see page 23 of the Plan).

The intent of the Plan's language, "in the vicinity of Parking Lot 13", is to allow the flexibility requested by the County to assess the specific location of the space in the context of an overall strategy for redevelopment. At the same time, the Plan's language tying the open space to Parking Lot 13 emphasizes the importance of a central location. Although the parking lot is not currently a civic open space, it is surrounded by appropriate retail and other uses with an existing open space and abutting street network on three sides. These qualities would contribute to the success and safety of a proposed civic open space regardless of its exact location, and could provide a cost savings to a future development project in the Core.

Staff suggests that the Plan language be expanded to further emphasize that the Plan's intent is to conceptually direct the location of the open space to the center of the Core District and allow the specific location of the open space to be determined during the development review process.

As to the ownership of the proposed major civic public open space, the County Executive suggests eliminating/modifying recommendations that the Department of Parks should own and operate this space as an urban park (page 23). They suggest it would be better to maintain flexibility and consider alternative management operations as appropriate.

From the perspective of the County's private partner, B.F. Saul Company, the success of a public open space—and to some extent, the success of a redeveloped Wheaton CBD—will depend on activating this central public space. Activity happens through effective programming of a 'town square' space, which is a full time job as it must create activities to fill the space approximately 200 days per year. As the owner of 47 successful shopping centers, the B.F. Saul Company believes it has the experience with programming space to draw crowds. And although the Department of Parks does programming throughout the park system it may not be to the extent required for supporting the revitalization of Wheaton.

The Department of Parks is re-examining the role of urban parks within our Park system, and one of the key questions is ownership of urban open spaces. The Department of Parks already owns and manages urban parks and believes that the major public spaces in urban areas should be owned, designed, managed, and operated by the M-NCPPC because these parks serve the greater community beyond the confines of any particular business or development. However, recognizing the significant effort it will take to revitalize Wheaton's CBD and the intense programming needed to make Wheaton a lively place, the Department of Parks is open to working with the developer to craft an agreement that allows the developer and the County to be a partner in the programming of a major civic open space in Wheaton. An example of a joint partnership is Wisconsin Place in Friendship Heights. The developer built the recreation center, turned it over to Park and Planning, which now sub-leases the facility to the County's Recreation Department for its operation. In the City of Rockville, the City owns the central Town Plaza, but events are programmed by both the public and private sectors, such as the library and the surrounding restaurants and developers.

**Staff Recommendation:**

Include text in the Plan that expands upon the recommendation that the major civic open space for Wheaton in the Core District should be centrally located in the vicinity of Parking Lot 13. Add text stating that the exact location of the major open spaces should be determined during the development review process for a public/private project that incorporates Parking Lot 13.

Modify the Draft Plan to remove language concerning the ownership of the civic space on Parking Lot 13. Add text indicating that the ownership by the Department of Parks may be one of the options, and that the final status of ownership, management, and operation will be determined as part of the development review process.

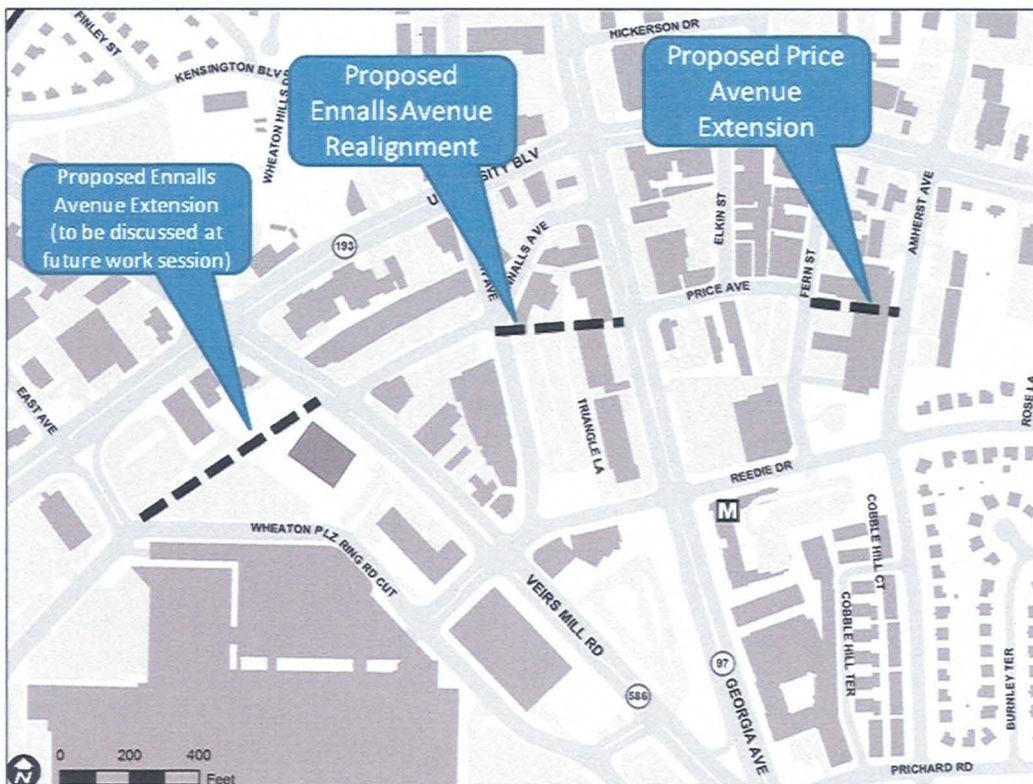
**Issue 10: Should Ennalls Avenue be realigned to connect with Price Avenue?**

**Discussion:**

During the Planning Board’s tour of the Wheaton Sector Plan area, Commissioner Dreyfuss requested that the rationale for the Ennalls Avenue realignment be discussed at the October 28 worksession. Although there was no direct testimony concerning the realignment of Ennalls Avenue to connect with Price Avenue, staff met with Santa Otten, a representative for one of the properties that might be affected by a re-alignment. Establishing a new right-of-way through existing structures will place a ‘cloud’ on the properties in the path of the proposed realignment. The County is in strong support of this road realignment as part of the redevelopment of downtown Wheaton, and plans to include acquisition of impacted properties along with other needed facilities in Wheaton in the upcoming Capital Improvements Plan (CIP) for planning and preliminary engineering in FYI 2012 and 2013.

Staff supports the realignment of Ennalls Avenue for increased connectivity resulting in improved pedestrian safety and the opportunity to enhance redevelopment of the Core district. In addition, a realigned Ennalls Avenue would help establish Ennalls Avenue as a viable alternative to University Boulevard and improve circulation within the CBD for pedestrians as well as vehicles.

**Location Map depicting location of potential Ennalls Avenue Realignment and the Price Avenue Extension.**



Moving the intersection of Ennalls Avenue to meet Price Avenue on Georgia Avenue would provide a four legged intersection and the opportunity for a traffic signal to further enhance pedestrian crossings on Georgia Avenue.

From the perspective of the County's and their private partner (B. F. Saul Company), realignment of Ennalls Avenue creates a superior parcel of developable land on the northern boundary of Parking Lot 13, the future 'town square' for Wheaton. To work best, a 'town square' should have pedestrian-friendly, mixed-use development abutting it on all edges. The Ennalls Avenue realignment would help create this condition at the northern end of Parking Lot 13.

Although it is feasible to assess the need for an Ennalls Avenue extension as part of the County's public/private revitalization projects in the future as the County and B.F. Saul Company proceed with the planning of their project, staff believes that the Draft Sector Plan should provide guidance regarding a desirable realignment of Ennalls Avenue.

**Staff Recommendation:**

Retain the proposed Ennalls Avenue realignment in the Plan.

**Issue 11: Clarify the purpose of extending Price Avenue to Amherst Avenue through private properties and the County garage.**

**Discussion:**

Map 16 on page 42 of the Draft Plan indicates an extension of Price Avenue (B-20) east of Georgia Avenue to Amherst Avenue. The Montgomery County Department of General Services believes that the extension of Price Avenue easterly to Amherst Avenue is desirable within the greater framework of revitalization but has concerns on the cost and impact of this recommendation to the Parking Lot District. The proposed extension of Price Avenue would go through the County Garage 45, which was not designed to accommodate an extension of Price Avenue. The County staff has asked that an alternative be described in the Plan.

In order for the extension of Price Street to proceed to Amherst Avenue, the parking garage would need to be eliminated/rebuilt and the site redesigned as part of a public/private partnership that could include combined development on Parking Lot 17. If Parking Lot District land is redeveloped, the County must be reimbursed for the cost of the land and the current and future parking needs must be met (pages 22-23 of the Plan).

The proposed Price Avenue extension is one of three segments of the proposed new CBD circulation system within Wheaton. Stretching from Amherst Avenue in the east, this road would link to the Wheaton Mall site on the west and create an east-west alternate to Reddie Drive and University Boulevard.

The extension of Price Avenue provides an opportunity to increase pedestrian and bicycle connectivity within Wheaton. The new street would create two smaller blocks from one of the longest blocks in the CBD and would provide for the creation of two new intersection nodes, one at Fern Street and the other at Amherst Avenue. The shorter block lengths and new street connection would improve access to the CBD, Metrorail/Metrobus and commercial destinations in Wheaton's core.

**Staff Recommendation:**

Add text to the Plan's sections on Approach and Network Integrity, and The Street Network, (page 41 of the Draft Plan) to explain the extension of Price Avenue to Amherst Avenue as described above. Additionally, the text should state that this road extension would only be considered as part of a public/private partnership that incorporates a redesign and removal of Garage 45. The extension of Price Avenue would not be required as part of a future renovation of Garage 45.

**Issue 12: Should Veirs Mill Road and University Boulevard (west of Veirs Mill Road) be designated as Priority Retail Streets?**

**Discussion:**

Map 7 on page 18 of the Draft Plan identifies Priority Retail Streets. Testimony from the Montgomery County Department of General Services suggests that the Draft Plan should extend priority retail streets designation to Veirs Mill Road from Georgia Avenue to just northwest of University Boulevard, and along University Boulevard to just west of Veirs Mill Road. The testimony states that, "All of these roads are well within walking distance of the Metro, the Veirs Mill/University intersection will be an important gateway, further underscoring the need to include Veirs Mill Road as a priority retail street."

Under the general requirements of the CR Zone developments located on a street identified as priority retail street in the Sector Plan must be developed in a manner that is consistent with the recommendations and objectives of the Sector Plan and address any applicable design guidelines.

Of the three major State highways in Wheaton, Veirs Mill Road is the least pedestrian-oriented of the three due to the auto-dominant land uses that flank it, the width of traffic lanes, and high traffic volumes. The block between Georgia Avenue and University Boulevard is dominated by the Westfield Wheaton Mall on one side, and the WMATA bus terminal on the other. This stretch of Veirs Mill Road is not considered a prime location for retail uses that depend on pedestrian activity. Although the Plan recommends improvements such as lower speeds, enhanced medians, and street trees to encourage pedestrian activity (pages 40-41 of the Plan), Veirs Mill Road will likely retain much of the character of a major vehicular roadway.

University Boulevard west of Veirs Mill Road also has an auto-oriented character due to surrounding land uses, and will likely retain much of this character despite recommended improvement to convert it into a boulevard.

Staff does not recommend designating Veirs Mill Road and University Boulevard (west of Veirs Mill Road) as Priority Retail Streets. There is no strong economic reason to encourage retail uses in these locations; the market should dictate the uses in the ground floor of development along these sections of roadways. The lack of retail priority streets designation does not preclude retail uses from locating on the ground floor of any development along these roads.

**Staff Recommendation:**

No change to the Draft Plan.

**Issue 13: Retain Veterans Park at its current location.**

**Discussion:**

The Draft Plan on page 23 recommends a park in the Plan area to replace the existing Veterans Park if the current Veterans Park is used for development purposes. On page 58, the Plan recommends that if the Wheaton Veterans Park is not redeveloped per the County's public/private revitalization initiative, it should be renovated to be more visible and inviting from the surrounding streets. If redeveloped, veterans memorial function of the park should be moved to a more central open space. Any redevelopment of the Veterans memorial should be closely coordinated with veterans groups.

The testimony submitted on this issue opposes any plans to develop or relocate Wheaton Veterans Park and supports the enhancement and better use of the park.

The 0.7-acre Wheaton Veterans Park is the only existing park within the Sector Plan boundary. The park is located on the edge of the Price District one block east of the Wheaton Metro station on a steeply sloped parcel. It was completed in the early 1990's to serve the surrounding area and provide a site for Veterans' and Memorial Day celebrations. Although the park provides a transition to the single-family detached Wheaton Forest neighborhood to the east, it is under-utilized and is in need of repair.

The County has selected the developer B.F. Saul Company for a public/private partnership for the County and WMATA owned parcels located around Parking Lot 13; not widening Veterans Park. The Wheaton Redevelopment Office intends to issue an RFQ for the remaining groups of publicly owned parcels once the first public/private partnership initiative is fully engaged (community meetings, design concept, and development plans).

Veterans Park provides a green buffer between the CBD and the adjoining single-family detached neighborhood. However, staff believes that options should be left open for an improved open space at this location through the County's revitalization program or replacement of the Veterans Memorial elsewhere in the Plan area.



**Staff Recommendation:**

No change to the Plan.

**Issue 14: Increase the proposed height on the Standard Properties parcel to emphasize Wheaton's southern gateway and encourage a signature building (page 34, Lot A).**

**Discussion:**

The Draft Plan places the greatest densities and building heights in the core. The tallest development (up to 250 feet high) is recommended on the WMATA triangle site at the convergence of Veirs Mill Road and Georgia Avenue to encourage an iconic building at the southern gateway to Wheaton. Taller buildings are also allowed at the two other important nodes in Wheaton: the intersections of University Boulevard/Georgia Avenue, and University Boulevard/Veirs Mill Road, which serve as the northeast and northwest gateways to the downtown. The heights and densities decrease closer to the single-family residential communities surrounding Wheaton's commercial areas.

This site is currently zoned C-2 with a maximum building height of 42 feet and recommended in the Draft Plan for a maximum FAR of 4.0 and 100-foot building height. The property owner requests 5.0 FAR and 150 feet maximum building height to provide a signature development on their site to complement the "landmark building" envisioned across the street at the WMATA triangle site. Staff has no objection to the proposed increase in the property's maximum density 5.0 FAR and an increase in the maximum height from 100 feet to 150 feet, with transition down to 40-45 feet along Amherst Avenue.

**Staff Recommendation:**

Increase the density of the site to 5 FAR and the maximum building height to 150 feet along Georgia Avenue, transitioning down to 1.5 FAR with a maximum height of 45 feet adjacent to the low-rise residential development along Amherst Avenue. This zoning approach would be similar to the block directly north of the site (Block J).

Additionally, staff recommends increasing the height of the portion of the Block J (the Archstone at Wheaton Station building) proposed in the Plan from a maximum height of 100 feet to 150 feet to create continuity in zoning height along Georgia Avenue should this site ever redevelop.

## *Surrounding Neighborhoods*

### **Issue 15: Rezone the WTOP site on University Boulevard from the existing R-90 to higher mixed-use densities.**

#### **Discussion:**

The County Executive has requested rezoning of the WTOP site to a higher density. Figure 3 and text (Block Q) on page 36 of the Draft Plan retain the existing R-90 zoning on the site, which includes the WTOP Transmitter Facility at 2015 University Boulevard West. The existing facility was commissioned in 1939, and consists of a concrete and block building and three radio towers. A 1.4-acre parcel of land that includes the building has a historic designation. The transmission facility is licensed by the Federal Communications Commission (FCC) to operate a 50,000 watt directional signal at AM 1500, and serve as an auxiliary transmission site for FM 103.5.

The transmitter building is currently under consideration for federal grant money for Homeland Security purposes to serve as a broadcast center for the Washington D.C. area in times of disaster or national need. Emergency studios are currently under construction, and the facility will be able to operate independently from the electric grid for as long as 60 days.

During the Draft Plan development process, the property owners asked that the site not be upzoned since they intend to retain the current use on the site, and that any upzoning would raise their property taxes. Therefore, staff recommends retaining the current recommendation.

#### **Staff Recommendation:**

No change to the Plan.

### **Issue 16: Is the CR Zone the appropriate zone on properties in Kensington View and Wheaton Forest that serve as transitional areas between commercial and single-family residential uses:?**

#### **Discussion:**

The Draft Plan on page 34 (Figure 2) and page 35, (Block HH) in the Wheaton Forest community east of the Amherst Avenue, south of University Boulevard; and on page 37 (Blocks S, Lots 7 through 13), and page 39 (Blocks X and Y) in the Kensington View community on the north side of University Boulevard west of Veirs Mill Road recommends rezoning properties from a combination of existing R-60, C-1, C-2 and C-T to CR Zone.

The adjoining communities have raised concerns that the CR Zone permits a much larger group of non-residential uses by right compared to what is currently permitted in the R-60 Zone (by special exception) and a very limited number of non-residential uses permitted by right in the C-T Zone, and that some of these non-residential uses would

not be appropriate next to single-family areas. Staff has looked at the list of non-residential uses permitted by right in the CR Zone and identified the following uses that would not be compatible with adjoining residential uses:

1. Ambulance or rescue squads
2. Automobile repair and services
3. Automobile sales, outdoors (except where a municipality prohibits the use within its jurisdiction by resolution)
4. Entertainment/performance venue
5. Manufacturing, compounding, processing, or packaging of cosmetics, drugs, perfumes, pharmaceuticals, toiletries, synthetic molecules, and projects resulting from biotechnical and biogenetic research and development
6. Manufacturing and assembly of medical, scientific, or technical instruments, devices, and equipment
7. Eating and drinking establishments
8. Retail trades, businesses, and services of a general commercial nature

The Planning Department is preparing a Zoning Text Amendment (ZTA) to the CR Zone that would, along with other changes to the Zone, identify these uses as "Limited Uses" designated by letter L in the CR Zone use table. The proposed ZTA would prohibit any buildings, parking facilities and driveway entrances within 100 feet of the agriculturally or residentially zones property line for the first six uses in the list above. It would also prohibit drive through service on the last two uses in the list (eating and drinking establishments, and Retail, businesses, and services of a general commercial nature). On October 28, the Development Review staff will present the proposed ZTA to the Planning Board for transmittal to the County Council.

Staff worked with the Kensington View community in coming up with the uses identified in the list above. However, the community has decided not to support the CR Zone on the properties on the north side of University Boulevard and on East Avenue. They have asked that the current C-T Zone be retained on these properties. The attached letter, dated October 6, 2010 from Judy Higgins, Chair, Land Use Committee, Kensington View Civic Association explains their concerns and decision on the C-T Zone.

Staff believes the proposed text amendment to the CR Zone would make the CR Zone compatible with the adjoining residential communities in Wheaton and, combined with the CR Zone flexibility to tailor maximum floor area and building height to a particular context, make the proposed CR Zone a better alternative to the current C-T Zone. Since the ZTA would have application anywhere CR Zone adjoins residentially zoned property, staff have also advised the City of Takoma Park and the Town of Kensington regarding the application of the proposed ZTA with respect to the pending Takoma/Langley and Kensington Sector Plans.

**Staff Recommendation:**

Support the proposed amendments to CR Zone, and retain the current recommendation of the CR Zone.

**Kensington View Civic Association: SDPA 05-2, BB&T Bank****06 October 2010**

Hello Chair Carrier,

This is Judy Higgins representing the Kensington View Civic Association. I am writing in reference to SDPA 05-2, BB&T Bank. As a result of the September 16, 2010 Planning Board decision recommending 'Approval with binding conditions' our community has voted to support the project. Our support was based on that decision, your comments, those of the other Commissioner's in attendance, and positive negotiations with the applicant and property owner.

We felt it important to share our decision with the board as your decision was an instrumental part of those negotiations. Since we have continuously asked for 'protection' for our neighborhood's borders, we are hoping the Board's decision and our negotiations will achieve the protections we desire. We are continually referred to as, "The Gateway to Wheaton" but in fact this is the last 'Gateway to Kensington View' where all 8 roads in our subdivision are dead ends.

I have attached the 'gentlemen's agreement' that was negotiated, composed and submitted to our community by Miller Miller & Canby, Attorneys, on behalf of the applicant and property owner. We understand that the applicants representative will be negotiating with MNCPPC staff regarding the specifics of those 'binding conditions' as requested by Mr Grossman and KVCA. I have also attached the statement KVCA submitted to Mr Grossman detailing our support for the project.

As we are nearing the Wheaton Sector Plan 'work sessions', where we will be in attendance, we would like to further emphasize that our community continues to believe that the CR Zone, regardless of the limitation of uses, is not the appropriate tool for the transitional properties on the edges of our fragile community. These properties are not located in the CBD, Urban District, or even in Wheaton, they are in the vicinity of the Wheaton Sector Plan planning area.

Since we have negotiated these 'binding conditions' at your urging, BB&T has a lease that will far outlive the new Sector Plan, and we do not believe the CR zone, as written, is appropriate for these transition areas, we request that the CT zone be continued on these properties.

We are once again putting our community's future in the hands of Montgomery County officials seeking to further strengthen and protect our small Kensington community's identity by not allowing further commercial encroachment through ill advised zoning decisions, need I mention, Acorn Storage? We continue to work diligently with planners, as we have done for the last two years in hopes of resolution to our problem.

We hope you will review the attachments and forward them to the other Commissioners prior to commencement of the work sessions.

We thank you in advance for any consideration you can give us.

Judy Higgins  
Kensington View Civic Association  
Chair, Land Use and Zoning Committee

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**Issue 17: Consider preserving the four-acre Montgomery County Art and Design College (MCADC) property on Georgia Avenue south of the Sector Plan area as green space to offset CBD redevelopment.**

**Discussion:**

The Draft Plan recommends providing an interconnected system of parks, trails, and public open spaces where people can gather, enjoy the outdoors, and conduct business. The Plan also recommends renovating Wheaton Veterans Park, providing a central, civic urban park in the Core, and improving connectivity to regional parks and trails such as Wheaton Regional Park and Sligo Stream Valley Park.

The MCAD property is not within in the Sector Plan boundary and will not be within walking distance to new residents and workers anticipated in downtown Wheaton by the Draft Plan. Any proposals for preserving the MCAD property as public parkland should be handled through other processes.

**Staff Recommendation:**

No change to the Plan.

**SCHEDULE FOR FUTURE WORKSESSIONS**

In the next worksession, the Board and staff will discuss the remaining parcel-specific issues and urban design guidelines.

Worksession #3	November 18	Continued Neighborhood Specific Issues and Urban Design.
Worksession #4	December 9	Remaining issues, if needed.

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Attachment 1: Summary of public hearing testimony (revised 10/21/10)

**Wheaton CBD and Vicinity Sector Plan July 29, 2010 Public Hearing Testimony Digest and Correspondence Received After  
the August 13, 2010 Closing of the Public Hearing, September 2010  
Worksession #2 Revised 10/21/10**

ISSUE (SPEAKER)	STAFF RESPONSE	BOARD DECISION
<p><b>Issue 1: The Plan should promote more office growth in Wheaton. The proposed jobs/housing balance should be significantly revised to emphasize Wheaton as a major employment center instead of a bedroom community. (Pages 7-9, 23)</b></p> <p><b>Montgomery County Sierra Club, Pamela Lindstrom</b> – The plan does not inspire growth; it describes the un-dynamic place the growth forecast sees. Should envision the Georgia Avenue corridor becoming a “complete community” and not just a bedroom community for the I-270 Corridor. Wheaton’s residents should not be expected to commute to the I-270 Corridor if they want to better their lot. The need for balanced land use among the corridors was a major conclusion of the 2001 Transportation Policy Report (TPR).</p> <p>The goal should be growth in professional jobs in downtown Wheaton near transit access for the workforce. Such jobs would be the foundation for better incomes in the area, more demand for new urban housing and more prosperous retail.</p> <p><b>Upper Sligo Civic Association, Kathleen Michels</b> – Wheaton could be a 24/7 destination with more jobs and entertainment opportunities in the evening then a bedroom community. Would like Wheaton to be a unique model of urban greening. Could be more innovative at the mall, including re-purposing. Current model with anchor stores is very 20<sup>th</sup> century.</p> <p><b>Housing Opportunities Commission, Maryann Dillon</b> – Emphasize the need for additional commercial development in Wheaton’s core.</p> <p><b>Wheaton Redevelopment Advisory Committee, Jonathan Fink</b> – The Plan must promote Wheaton’s potential as an office and employment hub. It is essential to Wheaton’s future that the office real estate market be expanded to ensure Wheaton can attract a large employer(s) to enhance Wheaton’s daytime economy.</p> <p><b>Audubon Naturalist Society, Diane Cameron</b> – Wheaton should become a green business and job center, not a bedroom community. The jobs/housing balance in the draft should be flipped so that Wheaton will grow many more jobs and fewer new residential units. Grow enough jobs in Wheaton that more people are commuting “in the opposite flow path” (north in the morning and south in the evening) on the Red Line.</p> <p><b>Sligo Headwaters Civic Association, Leah Haygood</b> – Concerned that not enough is done to encourage and develop jobs in Wheaton. Value diversity of small businesses in Wheaton and it’s not clear how the Plan helps preserve them and encourage new ones to locate in Wheaton.</p>	<p>No change in the Draft Plan.</p> <p>The estimated jobs/housing ratio in the Draft Plan is adequate. See staff report for detailed discussion.</p> <p>The small businesses will be supported by a combination of the proposed CR Zone’s incentives for on-site space for small stores, a possible retail action plan, expanding the streetscape program, and creating a community development corporation to help implement revitalization strategies along with the small business help programs by the County’s Department of Economic Development and Wheaton Redevelopment Office.</p>	<p>Insert revised table and explain it better (e.g., how the estimate relates to the low and high scenario, and the zoning envelope). Emphasize that the market will determine the J/H ratio and the proposed zoning provides sufficient flexibility – it does not constrain the potential for office development if there is a market for it. More office is desirable and the CR zone permits it.</p> <p>Include text in the Plan that encourages landowners and developers to come to Wheaton, NOT discourage them.</p>



**ISSUE (SPEAKER)**

**STAFF RESPONSE**

**BOARD DECISION**

<p><b>Issue 2: The goal of 30 percent non-auto driver mode share seems low compared to Silver Spring and Bethesda (other Metro-served CBDs in the County). (Pages 40-49)</b></p>	<p>County Executive – The 30 percent non-auto driver mode share goal seems low compared to other Metro-served CBDs (Silver Spring, Bethesda).</p>	<p>No change in the Draft Plan. The proposed 30 percent mode share is an appropriate goal for Wheaton. See the staff report for a detailed discussion.</p>	<p>Explain how we got the NADMS percentage in the text of the Plan.</p>
<p><b>Issue 3: The Plan’s jobs/housing ratio will result in Wheaton residents boarding an already over-crowded Metro Red Line at peak hours in Wheaton instead of coming to jobs in Wheaton. (Pages 40-49)</b></p>	<p>Sligo Headwaters Civic Association, Leah Haygood – Plan’s current J/H ratio will result in Wheaton residents boarding an already over-crowded Red Line at peak hours instead of working in Wheaton.</p>	<p>No change in the Draft Plan. The proposed jobs/housing ratio is an appropriate goal for Wheaton as discussed in the staff report.</p>	<p>No change to Plan text.</p>
<p><b>Issue 4: Existing school facilities in the area may not be adequate for the projected student population generated by new development in Wheaton. (Page 58)</b></p> <p>Kensington Heights Citizens Association, William Houston – Can the projected additional elementary students generated by new development in Wheaton be absorbed down the road into middle school and high schools when the time comes?</p> <p>Kensington Heights, Jane Folsom – An increased number of residents associated with infill development has affected the schools which has caused overcrowding at Oakland Terrace Elementary School.</p>	<p>The estimated number of students in the Plan is in error. Change the incorrect number of projected elementary school students as revised by the MCPs staff.  The middle and high schools in the area have capacity to absorb the amount of development proposed for Wheaton. See discussion in the staff report.</p>	<p>Change the text on page 58 of the Draft Plan to reflect that the proposed residential development could yield up to 386 elementary school students, 310 middle school students, and 300 high school students. There are no capacity issues for middle and high school students, but an additional elementary school site may be needed if actual development is higher than the development estimated in this Plan.</p>	<p>Change the text on page 58 of the Draft Plan to reflect that the proposed residential development could yield up to 386 elementary school students, 310 middle school students, and 300 high school students. There are no capacity issues for middle and high school students, but an additional elementary school site may be needed if actual development is higher than the development estimated in this Plan.</p>
<p><b>Issue 5: The proposed CR Zone may be a disincentive to redevelop properties in Wheaton. (Pages 33-39)</b></p> <p>Aaronson Family, Jody Kline, Miller, Miller &amp; Canby, commercial property owners – The CR Zone will be a disincentive for redevelopment because the zone is complicated and costly for standard method of development, the likely development for most properties. This Plan may actually stifle interest in redevelopment, by reducing the standard method of development threshold from 2.0 to .5 FAR, in effect, a down zoning that requires buying back that density and going through the sketch plan review process.</p>	<p>No change in the Draft Plan.  See discussion in the staff report.</p>	<p>Revisit the CR zone during the October 28 Planning Board Worksession to further discuss how the proposed zoning does or does not incentivize redevelopment.</p>	<p>Revisit the CR zone during the October 28 Planning Board Worksession to further discuss how the proposed zoning does or does not incentivize redevelopment.</p>

ISSUE (SPEAKER)	STAFF RESPONSE	BOARD DECISION
<p>The Use Table in the CR Zone is confusing, some uses specifically designated in the CBD zones are not permitted in the CR zone. Owners of commercial retail properties may not be "grandfathered" for existing uses and may have less flexibility to re-lease their property to fill vacancies. The lack of consistency may cause questions about nonconformity of uses.</p> <p><b>Virginia Sheard, residential property owner</b> – The CR Zone may not be the most appropriate for small properties due to a burden to provide public space and the like.</p> <p><b>Thomas Martin, residential property owner</b> – supports the CR zones recommended in the Plan.</p>		<p>Conduct outreach (community seminars/forums) for small business owners/property owners to explain how the proposed CR zone works in layman's terms and compare it to how existing zoning works.</p>
<p><b>Wheaton Urban District Advisory Committee, Jeannette Feldner</b> – Supports the use of the new CR zones and the removal of the Overlay Zone. Should place more emphasis on including small retail in new construction along the arterials to create street level activity and long-time identity as a "small retail" downtown at the same time attracting some office development with the creation of a signature building.</p>	<p>No change in the Draft Plan.</p> <p>Street level activity is encouraged in the core and even required on some streets.</p>	
<p><b>Chris Lindsay, commercial property owner</b> – Transfer of density within the Sector Plan area should be permitted for all properties in order to foment a more cohesive implementation to the Sector Plan's proposals.</p> <p>Existing permitted and special exception uses should continue to remain permitted under the zone and the Plan without the stranglehold that can be brought about by nonconforming or similar designations.</p>	<p>No change in the Draft Plan.</p> <p>Transfer of density can only occur on abutting and adjacent properties within the CR zone.</p> <p>Existing uses are grandfathered in the CR zone.</p>	
<p><b>Issue 6: Rezone existing single-family detached homes within one mile of the Metro station to higher densities (pages 16-23).</b></p> <p><b>Leonard Greenberg, CBD property owner/developer</b> – Incentivizing the redevelopment of existing single-family homes adjacent to the Core by recommending townhouses and multi-family zoning within one mile of the Metro entrance.</p> <p><b>Elizabeth Chaisson, Wheaton resident</b> – Increase density within walking distance of the Wheaton Metro Station. Retrofit small single-family detached homes in the neighborhoods surrounding the downtown thus enhancing their desirability for future generations. Allow by-right conversion of homes to include accessory dwelling unit or home office.</p>	<p>No change in the Draft Plan.</p> <p>See discussion in the staff report.</p>	<p>The Plan should include text that supports accessory apartments even if the comprehensive zoning re-write doesn't make them a permitted use in the residential zones.</p>
<p><b>Issue 7: The Plan's vision should include the concept of sustainability. It should include economic development tools to promote "green businesses" in Wheaton. (Pages 7-9, 16, 23, 49-51)</b></p> <p><b>Audubon Naturalist Society, Diane Cameron</b> – Green infrastructure should be an integral part of revitalization because it will increase property values and business profitability.</p> <p><b>Elizabeth Chaisson, Wheaton resident</b> – Wheaton should be the first green district in the County that markets and attracts green businesses and implements going green.</p>	<p>Add language to the Draft Plan to better highlight the sustainable aspects of the Plan.</p>	<p>Include modified language in the Planning Board Draft to add emphasis on sustainable development, green infrastructure and environmental best management practices.</p>



ISSUE (SPEAKER)	STAFF RESPONSE	BOARD DECISION
<p><b>Sligo Headwaters Civic Association, Leah Haygood</b> –The Plan needs a stronger vision-one based on Wheaton being unique and evolving into a green economy center of Montgomery County. Create a “sustainable district,” like the arts and entertainment district. Provide incentives for green businesses, non-profit organizations, educational institutions, residences and public amenities.</p> <p><b>Kensington Heights Citizens Association, William Houston</b> – Supports the plan’s recommendations on environment.</p>	<p><b>Issue 8: The Plan should provide more east-west bike connections in Wheaton. (Pages 40-49)</b></p> <p><b>Wheaton Redevelopment Advisory Committee, Jonathan Fink</b> – supports the proposed Bikeway Network, however, the design of any future pedestrian and bicycle path network should not impede the redevelopment of large lots, or interfere with the assemblage of smaller lots.</p> <p><b>Washington Area Bicycle Association, Casey Anderson</b> – Support the plan’s bikeway network and explicit commitment to make all the streets bikeable. Would like a couple more east-west connections.</p> <p><b>Montgomery Bicycle Advocates, Jack Cochrane</b> – A number of business district streets need to be identified as shared roadway bikeways or having bike lanes: Blueridge Avenue (B-15), Realigned Ennalls Avenue and Price Avenue (B-19 and B-20), entire Mall ring road (B-25), bike route parallel to University Blvd. on north side (B-8, etc.), Reedie Drive (B-22), Galt Avenue, Pritchard, Horde Street (P-34), Alberti Drive, and at least one (two would be better) bike-friendly mall entry at Ennalls (B-19) and the existing mall entry (B-22) would be useful for bikes.</p> <p><b>State Highway Administration</b> – Prefer Wheaton be designated as a Bicycle Pedestrian Priority Area rather than a requirement for development.</p>	<p>Modify the proposed Draft Plan (text and graphics, pages 44-45) to include the following streets as shared roadway bikeways:</p> <ol style="list-style-type: none"> <li>Blueridge Avenue (B-15) - From Galt Avenue to Amherst Avenue.</li> <li>Entire mall ring road (B-25) around Wheaton Mall, not just the north and east portions.</li> <li>Bike route parallel to University Boulevard on north side (B-8, etc.) – Along Geiger Avenue to West Avenue to Oak Drive to Hillsdale Drive. Then take the most expedient route to the best crossing of Veirs Mill Road, ideally at Kensington Boulevard.</li> <li>Pritchard Road (B-27, P-33) – from Amherst Avenue to Horde Street – this will provide a better connection between the park facilities on the eastern edge of the Sector Plan area and the CBD.</li> <li>Galt Avenue – Extend the bikeway designation southward to University Boulevard to connect to other routes.</li> </ol>

**ISSUE (SPEAKER)**

**STAFF RESPONSE**

**BOARD DECISION**

Other: Additional Planning Board Directives to Staff - Planning Board Worksession #1

Page 13 describes Wheaton and lists the public sector revitalization programs/projects. Describe the projects further and locate the maps on page 16, 17 and 18 closer to the text.

Page 15 identifies the usefulness of the overlay zone as an issue. Cross-reference the RETAIL overlay zone to the other pages referencing the overlay zone in the Plan.

Strategically reorganize the following pages: page 24 Existing Land Use (map), page 28 Proposed Land Use (Map) and page 25: Existing Zoning (Map)

Include text in the Plan that open spaces that are proposed are suggestions and not site specific places (open spaces and parks) and that there may be others not shown on maps. Staff will revisit this issue with the Planning Board when open spaces are discussed in each district in upcoming Worksessions 2 and 3 for additional direction.

**ISSUE (SPEAKER)**

**STAFF RESPONSE**

**BOARD DECISION**

**Issue 9: Should Parking Lot 13 be specifically designated as the location for a major public space? Should the proposed public space on Parking Lot 13 be owned by the Department of Parks? (Pages 16-23)**

<p><b>Executive Branch</b> – Support the recommendation of a civic urban park, but are concerned about the recommendation that the current Parking Lot 13 be the designated location for this public use space. The County needs to assess whether this would be in the best interest of an overall strategy for redevelopment. Rather than focusing specifically on Parking Lot 13, the Plan should recognize the need for an urban park to be included as a part of the redevelopment plan, without reference to how it is done.</p>	<p>Will be discussed at a later Planning Board worksession.</p>	
<p><b>Department of Economic Development</b> – Suggest eliminating/modifying recommendation that the Department of Parks should own and operate the major civic space recommended for the Core District as part of a public private partnership to better maintain flexibility and consider alternate management options as appropriate.</p>		
<p><b>Audubon Naturalist Society, Diane Cameron</b> – Applauds creation of parkland out of some of the existing surface parking lots; would like to see a proposed park in the core (triangle park) to include a beautiful public plaza and amphitheater.</p>	<p>Will be discussed at a later Planning Board worksession</p>	
<p><b>Wheaton Redevelopment Advisory Committee, Jonathan Fink</b> – Believe that creating active use public open spaces will be vital in promoting Wheaton’s potential as a lively and safe urban center. The use of County owned land must be used to spur development of “activity generating people places.” Endorse the Plan’s emphasis on redeveloping land currently used for surface parking. Agree that Parking Lots 13, 14, and 17 could be transformed to include active use public spaces. In particular, Parking Lot 17 holds potential as an inexpensive interim open space for dramatic and musical performances.</p>		
<p>Fully endorse the use of public properties for festivals, art exhibitions, outdoor movie theaters, outdoor cafes and eating areas, dances, and musical performances.</p>		
<p><b>Elizabeth Chaisson, Wheaton resident</b> – Supports five or six public or private 1 acre sites scattered within a mile of the Metro, each with its own iconic green 12 plus story elevator building fronting a small half acre public park or space. This would allow the ent in the older one and two story commercial buildings in Wheaton to remain affordable to the smaller businesses while providing room for middle to upscale businesses, housing and retail in the newer high rent towers.</p>	<p>Will be discussed at a later Planning Board worksession</p>	
<p><b>Issue 10: Should Ennalls Avenue be realigned to connect with Price Avenue?</b></p>		
<p>Additional information requested by Commissioner Dreyfuss.</p>		

**ISSUE (SPEAKER)**

**STAFF RESPONSE**

**BOARD DECISION**

<p><b>Issue 11: Clarify the purpose of extending Price Avenue to Amherst Avenue through private properties and the County garage. (Pages 41-44)</b></p> <p><b>Wheaton Urban District Advisory Committee, Jeannette Feldner</b> – Supports the proposed extension of Price Avenue across Georgia Avenue creating a more logical grid for the downtown.</p> <p><b>County Executive</b> – The proposed extension of Price Avenue towards east will go through the Garage 45 structure, which was not designed nor constructed to accommodate the extension of Price Avenue. The Plan should include additional text to explain a rationale and justification for this proposal, recognizing that such plans are not always feasible. An alternative should be described in the Plan.</p>	<p>Will be discussed at a later Planning Board worksession</p>	<p></p>
<p><b>Issue 12: Should Veirs Mill Road and University Boulevard (west of Veirs Mill Road) be designated as Priority Retail Streets? (Pages 16-23)</b></p> <p><b>Executive Branch</b> – Extend Priority Retail Streets to include Veirs Mill Road from Georgia Avenue to just northwest of University Boulevard and along University Boulevard to just west of Veirs Mill Road. The Plan should foster flex office and rental residential space at street level that can be converted to retail space when the market allows.</p> <p><b>Shawna Morris, resident</b> – Wheaton’s “downtown” could be dramatically improved through a concerted and coordinated approach to create a “critical mass” of nice shops and restaurants to attract people like Silver Spring.</p>	<p>Will be discussed at a later Planning Board worksession</p>	<p></p>
<p><b>Issue 13: Retain Veterans Park at its current location. (Page 58)</b></p> <p><b>Wheaton Urban District Advisory Committee, Jeannette Feldner</b> - Support the enhancement and better use of Veterans Park.</p> <p><b>Wheaton Forest Civic Association, Diane Lynne</b> – Oppose any plans to develop the Wheaton Veterans Park.</p>	<p>Will be discussed at a later Planning Board worksession</p>	<p></p>
<p><b>Issue 14: Increase the proposed height on the Standard Properties parcel to emphasize Wheaton’s southern gateway and encourage a signature building (page 34, Block A). (Pages 33-35).</b></p> <p><b>Standard Properties, Inc., Stuart Barr, Learch Early &amp; Brewer, Chtd.</b> – Provide the opportunity for a signature development to complement the “landmark building” envisioned across the street at the WMATA triangle site. Increase maximum density from CR4 to CR5 and an increase in the maximum height from 100 feet to 130 feet. Envision the tallest buildings on the property located along Georgia Avenue with the height tapering down towards Amherst Avenue.</p>	<p>Will be discussed at a later Planning Board worksession</p>	<p></p>
<p><b>Issue 15: Rezone the WTOP site on University Boulevard from the existing R-90 to higher mixed use densities. (Page 60)</b></p> <p><b>Executive Branch</b> – Consider increasing zoning for the non-historic portion of the WTOP property.</p>	<p>Will be discussed at a later Planning Board worksession</p>	<p></p>

**ISSUE (SPEAKER)**

**STAFF RESPONSE**

**BOARD DECISION**

<p><b>Issue 16: Is the CR Zone the appropriate zone on properties in Kensington View and Wheaton Forest that serve as transitional areas between commercial and single-family residential uses? (Pages 34-36, 38-39)</b></p>	<p><b>Wheaton Redevelopment Advisory Committee, Jonathan Fink</b> – Agrees that certain lots at the edges of residential neighborhoods have the potential to sustain small-scale, non-residential uses but need to ensure that adjacent residential neighborhoods are not adversely impacted.</p> <p><b>Judy Higgins, Eleanor Duckett, Stephanie Savolaine – Kensington View</b> Strengthen language to protect the neighborhood from retail development on transition sites along East Avenue, and on University Boulevard (Block S –East Avenue between Kensington Blvd. and University Blvd.). A far more compatible and limiting zone should be assigned to these properties instead of the proposed CR Zone on the properties currently zoned R-60, C-0, and C-2.</p> <p><b>Virginia Sheard, residential property owner</b> – Proposed zoning for edge communities like Kensington View is not adequately addressed. The CR zoning recommendations, particularly on East Avenue and parts of University Blvd. and between Valley View and East Avenue, do not protect the adjacent residents from adverse impacts. Specific language must be written to ensure that only low impact activities can occur within the 45 foot height limits, and only a minimum commercial component should be allowed.</p> <p><b>Wheaton Forest Civic Association, Diane Lynne</b> – The CR Zone adjacent to our residences may be inconsistent with the surrounding residential neighborhood. Oppose the proposed CR designation on these properties.</p>	<p>Will be discussed at a later Planning Board worksession</p>	
<p><b>Issue 17: Consider preserving the four-acre Montgomery County Art and Design College (MCADC) property on Georgia Avenue south of the Sector Plan area as green space to offset CBD redevelopment. (Pages 55-58)</b></p>	<p><b>Beverly Sobel, resident, Pylers Mill Crossing in Wheaton</b> – Request consideration of preserving the 4-acre MCAD property as green space to offset CBD redevelopment. The Parks Department should explore opportunities for large parks outside, but near the Plan area, to meet the standards established in the Land Preservation, Parks, and Recreation Plan.</p>	<p>Will be discussed at a later Planning Board worksession</p>	
<p><b>Issue 18: The proposed building height and density on the Wheaton Mall property: the adjoining community thought it was too high but the County staff thought it was too restrictive. Also, the adjoining community raised concerns about existing stormwater management (SWM) issues on the property. Wheaton Mall owners raised issues regarding the existing LTR approvals and agreement, site plan review requirement under the proposed CR Zones, the creation of a Wheaton Mall overlay zone, and related edits to the Draft Plan text.</b></p>	<p><b>Executive Branch</b> – Encourage the transformation of the mall to an urban town center with strong synergies to the rest of Wheaton. Consider increasing both height and density on the Westfield property while stepping down beyond the ¼ mile station boundary towards the existing communities. The proposed height of 75 feet and FAR could be too restrictive.</p>	<p>Will be discussed at a later Planning Board worksession.</p>	

ISSUE (SPEAKER)	STAFF RESPONSE	BOARD DECISION
<p><b>Westfield Corporation, Inc., Jim Agliata and Furey, Doolan, &amp; Abell</b> – Seek assurances that a new Sector Plan for Westfield will have no effect on contractual rights per a July 2001 LATR agreement. Mixed use zoning requirements should be optional and should be implemented gradually to accommodate the existing structures and uses in the mall. Requests consideration of an overlay zone for the Mall property to provide greater flexibility of site plan review. Recognize its unique characteristics such as the ring road configuration, surface parking requirements, and existing structures and parking commitments. The Plan must recognize the place and function of regional malls and of Westfield Wheaton in particular as a key to the success of Wheaton.</p>	<p>The proposed CR zones encourage small business on the ground floor.</p>	
<p><b>Wheaton Redevelopment Advisory Committee</b> – Future office space along Veirs Mill Road and Georgia Avenue should include small retail establishments located on the ground floor to encourage street level activity.</p>	<p>Supports the greater integration of Westfield Mall with the downtown core by improving zoning incentives for higher density mixed-use residential and office development along Veirs Mill Road.</p>	
<p><b>Kensington Heights Citizens Association</b> – There are continued drainage problems suffered by houses in the vicinity of the Mall at the current level of development. Further development on Mall property requires full compliance with the principles of Environmental Site Design and should include planning for 100-year stormwater management requirements.</p>	<p>Will be discussed at a later Planning Board worksession.</p>	
<p><b>Kensington Heights, Jane Folsom</b> – Infill development is a problem for stormwater control. There is excessive runoff from Westfield into our neighborhood and into Silver Creek. This needs to be addressed at the source, not by culverts downstream.</p>		
<p><b>Issue 19: Retain the existing green buffer along the ring road on the Wheaton Mall property to reduce the impact of future Mall redevelopment on adjacent residential areas.</b></p>		
<p><b>Kensington Heights Citizens Association</b> – Retain a green buffer between the neighborhood and the ring road surrounding the Mall to reduce the impact of new development on Mall property adjacent residential areas. Reduce the allowable height of buildings along the edge of the Mall property to 35 feet stepping up to 45 feet, then to 75 feet to reduce the issues of scale, privacy, and access to natural light and air on residential properties.</p>	<p>Revise the Draft Plan text to include recommendations for retaining the existing green buffer.  Building height transition will be addressed at the Planning Board Worksessions.</p>	
<p><b>Danila Sheveiko, residential property owner</b> – Include a green buffer zone between the Westfield Mall ring road and their property line abutting residential uses.</p>		

**Issue 20: Provide a pedestrian and bikeway only connection with no vehicular access for the unbuilt portion of Kensington Boulevard between East Avenue and Veirs Mill Road.**

**Stephanie Savolaine, residential property owner, Kensington View –** Pedestrians and bicyclists should have a safe network of routes that allow access to key amenities within our increasingly urban neighborhood.

The currently un-built ROW of Kensington Boulevard should be developed as a pedestrian and bicycle through-way, made safer and better able to serve all members of the community consistent with the specific staff recommendations. This would retain the ROW in public ownership in the possible future event that the County needs to relieve vehicular traffic at the south-bound intersection of Veirs Mill Road and University Boulevard. Strongly believes that the ROW should not be opened to vehicular traffic simply to enhance the development potential of lots 9-13 on the east side of East Avenue.

**Chris Lindsay, commercial property owner –** Owner does not support a Kensington Boulevard connection from Veirs Mill Road to the existing Kensington Boulevard. Suggest a properly stepped pedestrian/bike connection in the paper Kensington Boulevard right-of-way at this location if contours allow.

Does not support pedestrian connections on Lindsay property located south of Veirs Mill Road and north of University Boulevard due to its encroachment on Lindsay's property making it notably smaller and reducing redevelopment potential. Suggest extending it along East Avenue from Upton Drive westward toward Kensington Boulevard.

**Issue 21: Retain the CBD-2 zoning on the Wheaton Crossing Shopping Center properties (Draft Plan, page 36, Blocks N and O). (Pages 35-36)**

**Aaronson Family property, commercial property owners, Jody Kline –** Oppose the proposed CR zoning for their property. The first wave of development could be encouraged by the standard method of development in the existing CBD-2 zone and would probably be discouraged by the CR zone's maximum 0.5 FAR for standard method development.

Will be discussed at a later Planning Board worksession

**Issue 22: Increase the residential and commercial densities on the Weinberg property from 3.5 to 4.0 FAR (pages 35-36)**

**Weinberg Family property, Michele Rosenfeld, Rosenfeld & Rosenfeld –** Supports the CR Zone on the Weinberg property (Block 7, parcel 8) but requests that the recommended commercial and residential density be increased from 3.5 to 4 because it would give additional flexibility to a larger redevelopment project with respect to market-driven demand for residential over commercial space, and vice versa.

Will be discussed at a later Planning Board worksession

**ISSUE (SPEAKER)**

**STAFF RESPONSE**

**BOARD DECISION**

<p><b>Issue 23: Allow Hickerson Drive to be closed permanently to vehicular traffic to achieve a vibrant retail corridor and pedestrian circulation within the Blueridge District. (Pages 41-44)</b></p>	<p>Jody Kline for the Aaronson Family, <i>commercial property owners</i> – Deemphasize Hickerson Drive as a vehicular right-of-way and emphasize its importance for pedestrian connectivity so that it could become the “spine” or retail corridor of an integrated mixed use development within sight and walking distance of the Wheaton Metro Station.</p>	<p>Will be discussed at a later Planning Board worksession</p>	<p><b>Issue 24: Should Wheaton have a Transportation Management District (TMD) to encourage more people to take transit? (Pages 48-49)</b></p>
<p><b>The County Department of Transportation</b> – Given the current lack of office employment, and the fact that this Plan states Wheaton “is not envisioned to be a major office hub”, the success of a TMD effort in achieving the employee mode share goals is questionable.</p>	<p>Will be discussed at a later Planning Board worksession</p>	<p><b>Issue 25: The proposed Veirs Mill Road right-of-way would negatively impact the redevelopment potential of the Lindsay Ford property. (Pages 41-46)</b></p>	
<p><b>Chris Lindsay, property owner</b> – Oppose pedestrian connections on Lindsay property located south of Veirs Mill Road and north of University Boulevard. Instead, extending it along East Avenue from Upton Drive westward toward Kensington Boulevard. Does not support a Kensington Boulevard connection from Veirs Mill Road to the existing Kensington Boulevard, but suggests a properly stepped pedestrian/bike connection in the unbuilt Kensington Boulevard right-of-way at this location if feasible.</p> <p>Does not support the Master Plan ROW of 120’ for Veirs Mill Road or the proposed local street bisecting the subject block, which will reduce the amount of developable land.</p> <p><b>Stephanie Savolaine, residential property owner - Kensington View</b> – The currently unbuilt ROW of Kensington Boulevard should be developed as a pedestrian and bicycle through-way, retaining the ROW in public ownership in case the County needs to relieve vehicular traffic at the south-bound intersection of Veirs Mill Road and University Blvd.</p>	<p>Will be discussed at a later Planning Board worksession</p>	<p><b>Issue 26: Road designation should be in conformity with community context. (Pages 40-49)</b></p>	
<p><b>County Executive</b>– For certain roads, the Plan does not recognize the concept of Context Sensitive Design of roads. Several roads in existing (and planned) single family residential areas are designated as business streets. In other cases road segments within the existing Central Business District are designated as Residential Primary Streets. One of the primary determinants of context is the master planned land use of the properties abutting a street.</p>	<p>Will be discussed at a later Planning Board worksession.</p>		



**ISSUE (SPEAKER)**

**STAFF RESPONSE**

**BOARD DECISION**

**Issue 27: Re-evaluate the minimum Sector Plan rights-of-way widths including all major highway segments given their bikeway and Bus Rapid Transit (BRT) potentials. (Pages 40-49)**

**County Department of Transportation** – Reevaluate the minimum master planned right-of-way widths for all Major Highways segments, given their BRT and bikeway potentials.

Will be discussed at a later Planning Board worksession

**Issue 28: Should the Urban Design Guidelines be in the Sector Plan as they used to be in the past?**

**Montgomery County Civic Federation** – Do not support the idea of master plans and design guideline as separate documents. Design guidelines should be in master plans as they have been in the past.

Will be discussed at a later Planning Board worksession

**Other Testimony**

**Executive Branch** – The Plan captures the Executive’s stated vision that Wheaton’s future is a major mixed-use market center in the mid-county region. Strongly support the vision of high density, mixed-use town center development with its protection of surrounding neighborhoods and the accompanying grid work.

Will be discussed at a later Planning Board worksession

Recommends that references to the bus transit includes all the Bus Rapid Transit (BRT) routes under study. Further, we recommended the recently completed WMATA Station Access Study be cited and that the Plan recognize the critical role of the existing and extensive bus network.

**State Highway Administration**, Pages 40-49 – Further study is needed regarding the placement of signals, and the lowering of speed limits.

Will be discussed at a later Planning Board worksession

Supports short-term on-street parking, provided that parking does not generate increased operational and safety concerns along state roadways.

Supports the Plan’s efforts to revitalize the area. Encourage Montgomery County to coordinate developer-improvements in order to properly mitigate traffic and support transportation vision as outlined in the Plan.

The recommendation of BRT on the outside curb lane is too specific.

**The County Department of Transportation**, Pages 40-49 – There is a discrepancy between the total numbers of parking spaces as shown in table 5.

Will be corrected in the Planning Board Draft

**County Department of Environmental Protection** – The Plan does not mention solid waste and recycling requirements for future development and for retrofits. The Plan should include language to lay the groundwork for adequate solid waste management infrastructure in the CBD.

Will be discussed at a later Planning Board worksession and language will be added to the Planning Board Draft as needed.

ISSUE (SPEAKER)	STAFF RESPONSE	BOARD DECISION
<p>As part of raising awareness of water flow through increased visibility, we recommend including a commitment to daylight streams when possible during the redevelopment process.</p> <p>Clarify how encouraging small properties to redevelop together to facilitate shared use minimizes and mitigates impervious surfaces.</p>		
<p><b>County Fire and Rescue Services, Pages 40-49</b> – Roundabouts slow responding fire-rescue vehicles more than smaller vehicles. If any are to be included in the CBD, they must be designed to accommodate easy traversing by fire-rescue vehicles to minimize delays for essential life and property saving efforts.</p> <p>Reduced traffic speeds, and street closure for events will slow response time of emergency vehicles due to traffic congestion.</p>		
<p><b>Page 49</b>-The newer proposal of planting trees on roof-tops would present a long-term maintenance concern and may require changes to the Life Safety Code in order to be able to provide firefighting water supply directly to rooftops.</p>		
<p><b>Wheaton Redevelopment Advisory Committee, Jonathan Fink</b> – Support the draft Plan’s vision: the urban density all along Wheaton’s three main thoroughfares, the proposed CR Zone, the recommended mix of office, retail, and residential uses, and the overall economic and environmental sustainability of Wheaton.</p> <p>Supports reducing the targeted speeds of Wheaton’s main thoroughfares through the use of attractive traffic calming modifications.</p> <p>Supports improving pedestrian access to Westfield Wheaton Mall at every egress.</p> <p>Agrees that redevelopment is friendly to the environment; that incentives are needed to ensure future buildings are built with energy efficient design, building a pedestrian and bicycle network, reduction in impervious services and an increase in tree canopy, and encouraging small properties to redevelop together to facilitate shared use helps achieve goals for a greener Wheaton.</p> <p>Page 58 – if the County’s property housing the Crossways Community becomes an elementary school, make every effort to relocate the program within Wheaton. Supports the Plan’s proposal for an additional elementary school and agrees that the County-owned former elementary school building used by the Crossways Community is a good option.</p> <p>Supports design modifications to Wheaton’s existing streetscape to increase pedestrian traffic and street level activity.</p>	<p>Will be discussed at a later Planning Board worksession.</p>	

ISSUE (SPEAKER)	STAFF RESPONSE	BOARD DECISION
<p>Page 26 – Agrees that the Wheaton Retail Preservation Overlay Zone should be removed.</p>		
<p><b>Wheaton Urban District Advisory Committee, Jeannette Feldner</b> - Page 59 – Bring some amenities or recreational facilities such as an indoor pool to the downtown.</p>	<p>Will be discussed at a later Planning Board worksession.</p>	
<p><b>Sligo Headwaters Civic Association, Leah Haygood</b> – Pages 49-53 – Wheaton should model how a degraded urban environment can transform into one that improves the environment through green building, environmental site design, etc.</p>	<p>Will be discussed at a later Planning Board worksession.</p>	
<p><b>Audubon Naturalist Society, Diane Cameron, Pages 49-53</b> – The County’s ability to meet the restoration challenge, contained in the 2010 National Pollutant Discharge Elimination System (NPDES) stormwater permit to restore 20% of uncontrolled imperviousness by 2014, depends in part on the direction taken by the Wheaton Plan.</p> <p>Would like to see environmental site design applied through retrofits to parking lots, roofs and yards, and integrated into the County’s considerable economic development resources. Suggest inclusion of the new Environmental Site Design requirements for all projects.</p> <p>Hope that a green direction will be woven throughout the entire Plan including economic development and transportation components.</p>		
<p><b>Anacostia Watershed Citizens Advisory Committee, Michael Smith</b> – Applauds the draft plan’s call to raise awareness of water flow through increased visibility. Asks that the Plan go beyond these aspirations by using the Anacostia Restoration Plan as a kick start to make Wheaton a nationally recognized showcase of Environmental Site Design. The Plan should make explicit mention of both Sligo Creek and the Anacostia Watershed.</p> <p>Supports creating green linkages with plantings and signage along Windham Lane to Sligo Creek Park and along Blueridge Avenue to Wheaton Regional Park.</p>	<p>Will be discussed at a later Planning Board worksession.</p>	
<p><b>Washington Area Bicycle Association, Casey Anderson</b> – The land use component makes this a place where you’d actually want to ride your bicycle and walk. Additional mixed use, and more density is done in a way that activates the street and makes it more appealing to be out on the street, which in turn will give drivers the idea that this is a place for people and not just for cars.</p>	<p>Will be discussed at a later Planning Board worksession.</p>	
<p><b>Kensington Heights Citizens Association, William Houston, pages 40-49</b> – Consider redirecting a portion of Veirs Mill Road beneath the current ground level, and creating a vibrant pedestrian-only plaza between the Mall and the CBD.</p>	<p>Will be discussed at a later Planning Board worksession</p>	

ISSUE (SPEAKER)	STAFF RESPONSE	BOARD DECISION
<p>Should consider what responsibility we have for ensuring that the services provided by Crossways Community Center continue if a new elementary school is located to this site.</p> <p><i>Jane Folsom resident</i> – Infill development has caused increased traffic on residential streets many of which do not have sidewalks.</p> <p>Where would the services provided at Crossways Community go?</p> <p><b>Housing Opportunities Commission</b> – The Plan should have a dedicated section on housing. Housing is a fundamental element in any community and deserves a discreet discussion.</p> <p><b>Virginia Sheard, Kensington View, pages 40-49</b> – While a 30% mode share goal is desirable, plans must accommodate parking and accessibility, the high number of drivers who converge on Wheaton for bus and transit services, which is likely to increase if the BRT becomes a reality; the number of outside Wheaton patrons and shoppers who will be necessary to sustain the expected new restaurants, services, and events.</p> <p>The proposed town center on part of Parking Lot #13 will have limited visibility from the bounding highways. Development on corners such as Reedie and Veirs Mill and Georgia and Veirs Mill should be set back sufficiently and limited in height to provide a visual connection to the outside world. 150' and 200' buildings to the lot lines will block all invitation to enter the activity area.</p> <p>Guidelines should be available for review concurrently with the Sector Plan.</p> <p>Strongly request that until a document is approved for final distribution, drafts and associated reports be formatted only as black and white, portrait oriented, documents. Graphics should be made readable with best use of black and gray tints, and variation in line weights.</p> <p>Questions the importance of the information in the Appendices and why they exist, and hopes they go away before transmitted to the Council. Need to use clear simple English to make documents more understandable.</p> <p><b>Chris Lindsay, commercial property owner, pages 40-49</b> – Has State Highways Administration vetted the proposed roadways in the context of Veirs Mill Road and University Boulevard as State Roads?</p> <p>How and by whom proposed local streets will be maintained since they are not on the Master Plan of Highways?</p>	<p>Will be discussed at a later Planning Board worksession.</p>	

ISSUE (SPEAKER)	STAFF RESPONSE	BOARD DECISION
<p><b>Danila Sheveiko, residential property owner, pages 41-42</b> – Plan a path to the Metro across the south and southeast parking lots that has some shade by converting some of the Mall’s surface parking to pedestrian and non-motorized vehicle use with curbing to protect people from cars and trucks.</p> <p>The Plan should fully embrace Environmental Site Design (ESD) requiring that ESD be applied to the maximum extent practical on all development projects in accordance with state and local regulations.</p>	<p>Will be discussed at a later Planning Board worksession</p>	
<p><b>Elizabeth Chaisson, Wheaton resident</b> – Plan should show how to retrofit what we have so that it will be sustainable in the years to come such as: Painting roofs white to cool it, improving stormwater runoff with rain barrel and a garden, building living edible walls with fruit trees, composting, converting basements to legal one bedroom accessory dwelling units.</p>		
<p><b>Safeway, Steve Robins, Lerch Early &amp; Brewer, pages 34-35</b> – Staff’s recommendations for the property are entirely consistent with what already has been approved by the Planning Board. Proposed zoning is from CBD-3 to CR6: C 5.5, R 5.5, H 200. The project is consistent with the CR 6 zone.</p>		
<p><b>Washington Properties Company, Heather Dlhopsky, Linowes and Blocher LLP, page 37</b> – Need to ensure that the proposed project at the corner of Georgia Avenue and Veirs Mill Road (245 multi-family dwelling units on 1.76 acres) adheres to the proposed vision and recommendations in the Draft Sector Plan.</p>		
<p><b>Thomas Martin, residential property owner</b> – Agree with the Draft Sector Plan’s purpose of transforming Wheaton into a beautiful, walkable urban center, with an active streetscape.</p>		
<p><b>Marian Fryer, residential property owner</b>– support the draft Plan.</p>		

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