

M-NCPPC



**MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING**

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

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**MCPB**  
**Item # 6**  
**06/01/06**

**DATE:** May 19, 2006  
**TO:** Montgomery County Planning Board  
**VIA:** Rose Krasnow, Chief, Development Review *RK*  
John Carter, Chief, Community-Based Planning  
Carlton Gilbert, Zoning Supervisor *CG*  
**FROM:** Khalid Afzal, Team Leader, Community-Based Planning *KA*  
Greg Russ, Zoning Coordinator *GR*  
**REVIEW TYPE:** Zoning Text Amendment  
**PURPOSE:** To amend the Zoning Ordinance to promote higher density mixed-use development in close proximity to the Wheaton Metro Station through limited application of the optional method of development; to revitalize and retain the existing street level retail area in the Wheaton Central Business District as a major marketplace; to amend the standards and approval procedures for optional and standard method of development projects under the Wheaton Overlay zone; and to generally amend the Wheaton Retail Preservation Overlay zone

**TEXT AMENDMENT:** No. 06-11  
**REVIEW BASIS:** Advisory to the County Council sitting as the District Council, Chapter 59 of the Zoning Ordinance  
**INTRODUCED BY:** Councilmembers Perez and Praisner  
**INTRODUCED DATE:** April 4, 2006  
**PLANNING BOARD REVIEW:** June 1, 2006  
**PUBLIC HEARING:** June 13, 2006; 1:30pm

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**STAFF RECOMMENDATION:** APPROVAL with modifications

**PURPOSE OF THE TEXT AMENDMENT**

To amend the Zoning Ordinance to promote higher density mixed-use development in close proximity to the Wheaton Metro Station through limited

application of the optional method of development; to revitalize and retain the existing street level retail area in the Wheaton Central Business District as a major marketplace; to amend the standards and approval procedures for optional and standard method of development projects under the Wheaton Overlay zone; and to generally amend the Wheaton Retail Preservation Overlay zone

## **BACKGROUND**

The Wheaton Retail Preservation Overlay Zone (Overlay Zone) was the first overlay zone enacted in Montgomery County. It was approved by the District Council in 1990 and was intended to preserve existing businesses in the Wheaton Central Business District (CBD). The Overlay Zone requires site plan approval for any new buildings and for additions to existing buildings, regardless of size, under the standard method of development. The Overlay Zone precludes the optional method of development and therefore, restricts future redevelopment to the maximum densities and building heights allowed under the standard method.

A primary purpose of the Overlay Zone was to protect the Wheaton Marketplace area from large-scale redevelopment that could transform downtown Wheaton into a large-scale urban center with primary emphasis on office development. More specifically, people were afraid that redevelopment in Wheaton could be similar to what was then occurring in downtown Bethesda, as that CBD was emerging in the late 1980's. It is important to note that the Wheaton CBD Sector Plan and the Retail Preservation Overlay Zone were enacted in anticipation of, and before, the opening of the Wheaton Metro Station. Unfortunately, many of the Overlay Zone's provisions have become disincentives to the types of development that the community now desires.

The 1990 Wheaton CBD Sector Plan: The 1990 Sector Plan recognized that the Overlay Zone could have a major effect on the redevelopment of Wheaton and the Plan text recommended that the Zone should be reevaluated within a ten-year timeframe to assess the effects on the downtown and to reflect on the effects of Metro accessibility. The subject reassessment of the Overlay Zone is in accord with the recommendations of the 1990 Sector Plan. While the sector plan amendment process may be initiated in FY 07, the three to four year sector plan approval period would effectively mean that a reevaluation of the Overlay Zone provisions would not be complete for at least three years. The proposed text amendment is designed to address redevelopment potential for the next three to five years and it recognizes that longer term vision should be addressed through the comprehensive amendment to the Sector Plan and resulting sectional map amendment. The proposed text amendment encourages the retention of small stores and the provision of new housing which are both in accord with the intent of the Sector Plan and other County policies.

According to the sponsors, it is important to the Wheaton Redevelopment effort to amend the Overlay Zone now because a number of the restrictive elements contained in the existing law are hurting existing businesses that are otherwise in a position to expand and improve their business operations.

### **Proposed Amendments**

The changes proposed to the Overlay Zone are described as follows:

- Amend the purpose section of the Overlay Zone to encourage higher density, mixed-use development in close proximity to Metro including housing, available to a variety of income groups; office uses; retail and commercial services; and arts and entertainment uses. The purpose clause amendments also include the importance of creating opportunities to retain small stores as part of the redevelopment process.
- Site plan approval by the Planning Board should not be required for all standard method projects. Wheaton and a small portion of the Silver Spring CBD are the only CBD zoned areas that now require site plan approval for all new standard method buildings and additions. Projects that consist of 20,000 gross square feet or less of new or total building floor space in buildings of less than 42 feet in height should be exempt from site plan review.
- The current prohibition on the use of the optional method of development should be eliminated and optional method projects in the overlay zone should be required to provide at least 45 percent of the street level floor space in new or expanded buildings for small businesses. In addition, at least one-half of the required public use space should be in the form of green area to benefit the surrounding community.
- The proposed height limits of the overlay zone should accommodate higher densities near Metro and a somewhat lower scale of development away from the metro that reinforces the policy emphasis of retaining the “marketplace” as a major component of downtown Wheaton. Building heights should be capped at 125 feet (about 11 stories) for sites located south of Ennals Avenue, south of Price Avenue and west of Fern Street. Sites located north of Ennals Avenue, north of Price Avenue and east of Fern Street are located farther from Metro and should be limited to a maximum building height of 100 feet (about 9 stories).
- For small projects that would generate less than 1,800 square feet of public use space, the Planning Board would be authorized to allow the required public-use space to be located off-site, within the CBD, or be provided as on-site or off-site streetscape. Streetscape must be provided on a one-for-one square foot basis.

- Project plan approval under the procedures of Division 59-D-2 should not be required for optional method of development projects in the Overlay Zone that are subject to the subdivision requirements of Chapter 50 of the County Code. The findings normally required for project plan approval can be made as part of the approval of a subdivision plan or as part of the required site plan. This is important to help streamline the approval process for optional method projects without sacrificing project quality.
- For standard method of development projects that propose to set aside up to 30 percent of their street level space to small businesses, up to 30 percent (1:1 ratio) of the street level floor space will not be counted as part of the project FAR and the maximum building coverage limitation can be increased from 75 percent of net lot area to 85 percent of net lot area.
- All projects subject to site plan approval procedures should be required to provide the appropriate Wheaton streetscape, as part of the approval process.

The "Staff Analysis" section below addresses the proposed amendments listed above.

## **STAFF ANALYSIS**

### **MAJOR ISSUES**

#### **1. ALLOW OPTIONAL METHOD IN THE OVERLAY ZONE**

##### **Proposed ZTA:**

Allow optional method of development in the overlay zone and add a height limit of 125 feet for properties south of Ennals and Price avenues and west of Fern Street (the southern part of the overlay zone), and 100 feet in the remaining northern and eastern portion of the overlay zone (northern part of the overlay zone) (59-C-18.102).

##### **Staff Recommendation:**

Modify the proposed ZTA as follows:

1. Allow optional method of development throughout the overlay zone, regardless of the geographic area, but still retain the variety of small stores and retail in the Marketplace by requiring that all new optional method developments in the overlay zone provide:
  - a. mixed-use with retail on the first floor;
  - b. At least 45 percent of the ground floor retail space to be provided for small stores and restaurants to retain the existing variety of small stores in the area;

- c. Provide street facades (buildings fronting and built up to the sidewalk or a public use space); and
  - d. Eliminate surface parking in front of buildings.
2. Do not limit the height of buildings to 100 or 125 feet in the CBD-2 or CBD-3 Zone based on certain geographic parameters, as proposed in the ZTA. Maximum building height should be limited to 125 feet throughout the overlay for optional method of development.

## **Background and Analysis**

The overlay zone currently prohibits optional method of development, which means that the higher density development with increased building height is not an option in the overlay zone. It effectively limits the maximum building height to 60 feet (5 to 6 stories) in the underlying CBD-2 Zone and 72 feet (6 to 7 stories) in the underlying CBD-3 Zone.

The main focus of the Wheaton Sector Plan was to revitalize Wheaton while retaining the existing scale and the mix of retail businesses in the Market Place at the time of the Wheaton Sector Plan preparation in 1990. The Market Place was defined as “a *triangular area formed by the intersecting geometry of Georgia Avenue, University Boulevard and Veirs Mill Road*” (page 41). The emphasis was on the retention and upgrade of the existing structures, not demolition and redevelopment of existing buildings in the Market Place. (Page 50: “*The Plan does not encourage or recommend the redevelopment of the Market Place*”).

The Sector Plan recommended the creation of an overlay zone to achieve the goal of preserving the “*existing businesses and structures in the Wheaton Market Place*” (page 43). The Sector Plan further stated that the overlay zone “*would be applied to specific areas of central business districts where it is determined that more restrictive development controls are needed to retain existing retail use and service.*”

Since the Wheaton overlay zone was the first of its kind in the County, its impact on the new development was untested. The Sector Plan therefore provided for a periodic review of the zoning in the sector plan area. On page 45 of the plan, third paragraph, the plan states:

*“The zoning in this Plan ought to be subject to review within the same time period as the other elements of the Plan, namely a period of ten years or when events dictate. Such a review would have several advantages, chief among them the opportunity to measure actual experience with the Retail Preservation Overlay Zone after the opening of Metro, and the relationship of the overlay’s development controls to the scale and bulk of new buildings and modernizations, and the actual retention of existing retail*

*uses and services. A periodic review should also evaluate the progress of new development in regard to the Sector Plan's development program and mix of uses. Areas could be removed or added to the overlay district prior to the 10-year re-evaluation of the Sector Plan by amending section of the Plan, as experience dictates."*

The proposed overlay zone amendment is consistent with the intent of the Sector Plan to review, and modify if necessary, the zoning controls in the overlay zone. This amendment will serve as an interim step before the Sector Plan is revised in three to four years. Since not much has happened in the overlay zone since its adoption in 1990, and no major development/s is expected to happen in the Market place in the near future, primarily due to lack of large assembled properties, staff is recommending to keep the proposed amendment limited in scope and simple in concept and implementation. Staff believes that it is appropriate to relax the restriction of optional method in the overlay zone, and that it should be allowed throughout the overlay zone regardless the distance from the Metro since all of the Overlay Zone area is in close proximity to Metro. Carving the Overlay Zone into 100 feet and 125 feet creates unnecessary complication without any significant urban design and compatibility benefits.

Staff therefore recommends against establishing geographic street boundaries that limit the maximum building height to 100 feet in some areas, or 125 feet in other areas where optional method could be allowed in the overlay zone. The maximum building height for the optional method of development in the underlying CBD-2 zone is 143 feet, and up to 200 feet in the CBD-3 Zone. A very small portion of the overlay zone has CBD-3 as the underlying zone; a large majority of it, including the Market Place and the area north of University Boulevard, is CBD-2. Staff recommends that a maximum height of 125 feet be established for optional method development throughout the overlay. This figure accommodates the maximum height suggested for mixed-use development located closer to the metro station as proposed in the text amendment. Since the Planning Board would address the issues of compatibility and neighborhood impact through a site plan review for any development under the optional method of development, a geographic delineation of the area for two different building heights is not needed.

Staff believes that the design of a potential development in the Wheaton Overlay Zone, and what street level quality and amenities it would contribute to the area is simpler and more effective than the maximum building height criteria, especially when it is hard to predict where the new development in the near future will occur. Staff therefore recommends that optional method development in the Overlay Zone should be permitted only if the project provides certain public amenities and design benefits, as outlined above, that are more in keeping with the objectives of the Sector Plan.

## **2. SITE PLAN EXEMPTION FOR SMALL ADDITIONS**

**Proposed ZTA:**

Projects that involve 20,000 square feet or less of new building floor space (or that cumulatively increase the total amount of floor area on a site to no more than 20,000 square feet) or include no greater than 42 feet in height should be exempt from site plan review (59-C-18.103).

**Staff Recommendation:**

Allow new building construction, renovations and additions cumulatively up to 10,000 square feet of gross floor area to be exempt from the site plan requirements of the overlay zone if the proposal meets all other requirements of the underlying zone and the Wheaton Overlay Zone.

**Background and Analysis**

The average structure size in the Wheaton Retail Preservation Overlay zone is approximately 4,053 square feet of gross floor area. To allow an increase in floor area cumulatively up to 20,000 square feet (approximately 5 times the average structure size) without providing site plan review appears excessive and inconsistent with the intent of the Sector. Site Plan review is a useful tool to make sure that the new developments have appropriate urban design elements (street facades, appropriate location and design of public use space, parking areas and driveway locations, etc.). Allowing new developments or additions with total floor area of up to 20,000 sf would exempt a significant majority of developments from the site plan review requirements. Staff believes that 20,000 sf is excessive since the impetus of this specific amendment is to help, and encourage, small additions and renovations where the costs of the site plan review process for the property owners outweigh the public benefits of the site plan review process. The proposed staff recommendation to limit the cumulative gross floor area to 10,000 square feet without site plan review would permit (on average) existing structures to over double in floor area before a site plan is required.

**3. NOT COUNTING ADDITIONAL FLOOR AREA AS FAR****Proposed ZTA:**

For any standard method of development project that provides at least 30 percent of the street level retail floor space for use by businesses with less than 3,000 gross square feet (sf) of floor space and restaurants with less than 5,000 sf of gross floor space, 30 percent of the street level floor space must not be included in the maximum FAR calculation allowed under the base zone (59-C-18.102 (b)(1)).

**Staff Recommendation:**

Do not allow discounting of the permitted FAR. Instead, make it a bonus provision. Reword the language to provide a one to one ratio of bonus density (up to 30% of the street level retail floor area) for the provision of at least 30% street level retail space for businesses of a certain size (as described above)

**Analysis**

Not counting floor area is similar to allowing bonus floor area but without documentation of such. Staff recommends that the language in the text amendment be amended to reflect the proposed bonus FAR for the provision of at least 30% of the street level retail space for businesses of less than 3,000 sf of floor area and restaurants with less than 5,000 sf of gross floor area.

**4. BONUS FLOOR AREA IN EXCHANGE FOR SMALL BUSINESS SPACE**

**Proposed ZTA:**

For optional method developments in the overlay zone, allow the maximum FAR permitted in the underlying zone to be increased by 15% if 60% of the street level space is devoted to small businesses with less than 3,000 gross sf of floor space and restaurants with less than 5,000 sf of gross floor space (59-C-18.102 (a)(1)(c)).

**Staff Recommendation:**

For optional method developments in the overlay zone, do not allow the maximum FAR permitted in the underlying zone to be increased by 15% (or any other ratio) if certain amount (60% in the proposed ZTA) of the street level space is devoted to small businesses (see 59-C-18.102 (a)(1)(c)).

**Analysis**

This amendment is really not needed or effective in helping small businesses since no development in the recent Wheaton CBD history has achieved anywhere near the maximum FAR permitted for optional method in the underlying zone, and none is expected to do so in the near future before the update of the Wheaton Sector Plan. In fact, recent developments outside the overlay zone have opted for standard method densities and process even when staff encouraged the applicants to achieve higher densities through the optional method of development. If the project does not reach the maximum permitted FAR anyway, it is not



likely to opt for additional floor area, and therefore is not going to provide space for small businesses in return. Office market outlook for Wheaton in the near future does not seem to suggest that things are going to be any different between now and the planned update of the Wheaton Sector Plan. This kind of change in the current zoning controls can be deferred until the update of the sector plan without any negative impact on the plans for revitalization of the Wheaton CBD.

It should be noted that the proposed ZTA already requires that any optional method of development project provide at least 45 percent of the street level retail space for use by small businesses with less than 3,000 gross square feet of floor space and restaurants with less than 5,000 square feet of gross floor space. Staff believes that it will be more effective to require optional method developments to provide 45 percent of the street level retail space and that an additional bonus mechanism is not needed here.

**5. INCREASE MAXIMUM BUILDING COVERAGE FROM 75% TO 85%**

**Proposed ZTA:**

For standard method projects, increase the maximum building coverage from 75% (as required by the underlying CBD-2 or CBD-3 Zones) to 85% if the project provides at least 30 percent of the street level retail floor space for use by businesses with less than 3,000 gross sf of floor space and restaurants with less than 5,000 gross sf of floor space (59-C-18.102 (b)(2)).

**Staff Recommendations:**

Do not allow projects in the overlay zones to increase maximum building coverage to 85% from the maximum 75% allowed in underlying CBD-2 and CBD-3 zones.

**Analysis:**

Staff is concerned that allowing additional building coverage will negatively impact the provision of public use space at the ground level. Staff recommends that for those mixed-use developments that include Moderately-priced Dwelling Units (MPDUs), the developer utilize the existing provisions for reducing public use space from 10% to five percent.

**6. OFF-SITE PUBLIC USE SPACE**

**Proposed ZTA:**

For optional method projects, the Planning Board may allow the required public use space of less than 1,800 sf to be provided off-site within the Wheaton CBD as either public use space or streetscape on a one-for-one square-foot basis. (59-C-18.102 (a)(1)(E).

**Staff Recommendations:**

Do not permit this change since the Zoning Ordinance already permits public use space to be transferred to accommodate MPDUs on-site.

**Analysis:**

As stated above, the Zoning Ordinance already provides a mechanism for transferring public use space within the same CBD for projects providing MPDUs on-site. Since staff's recommendation is to allow the optional method of development only when mixed-use projects are requested, the proposed text change would be unnecessary. The additional proposal to allow public use space to be transferred to streetscape would be confusing since the streetscape requirements are utilized in the public right-of-way and are already a requirement for development.

**7. Delete Project Plan Requirement**

**Proposed ZTA:**

Project plan approval under the procedures of Division 59-D-2 should not be required for optional method of development projects in the Overlay Zone that are subject to the subdivision requirements of Chapter 50 of the County Code. (59-C-18.103 (b)(1)

**Staff Recommendations:**

Require optional method of development projects that are subject to the subdivision requirements to meet the project plan findings of Section 59-D-2.42 at the time of preliminary plan approval.

**Analysis:**

The findings normally required for project plan approval can be made as part of the approval of a subdivision plan. This is important to help streamline the approval process for optional method projects without sacrificing project quality. Staff recommends that the ZTA reference conformance to the project plan findings of Section 59-D-2.42 at the time of preliminary plan approval. This recommendation would ensure consistent application of project plan requirements while also streamlining

the process for those optional method developments that must also obtain subdivision approval.

## **8. At least half of the Public Use Space to be Green Area**

### **Proposed ZTA:**

At least one-half of the public use space required under 59-C-6.233 must be green area and include landscape features that will serve to enhance the amenity of the development. (59-C-18.102 (a)(1)(D))

### **Staff Recommendations:**

Do not support the proposal

### **Analysis:**

The public use space requirements along with certain public facilities and amenities are typically determined on a case-by-case basis at the time of project plan/preliminary plan/site plan approvals. Staff recommends that this process continue. If the question of providing more green space on-site is an issue, then this can be addressed during the site plan review process.

## **OTHER ISSUES**

### **Use of the Term “Small Business”**

The term “small business” is not a defined term in the Zoning Ordinance. In addition, the Department of Economic Development provides various definitions for the term based on different industries (wholesale, manufacturing, service, etc.). Staff recommends that the term not be used. Instead, staff recommends that only the size/space requirements for retail and restaurant uses remain (example: “street level retail floor space for use by businesses with less than 3,000 gross square feet of floor space and restaurants with less than 5,000 square feet of gross floor space...”)

### **Streetscape Plan for Optional Method Developments**

Staff recommends that optional method projects prohibit on-site surface parking in the front of buildings and instead, locate buildings fronting and built up to the sidewalk or a public use space in order to provide for streetscape and adequate sidewalk space for pedestrians. The Planning Board would be authorized to waive this provision. The proposed requirement would assist in providing development consistent with the more urban landscape of the Wheaton CBD.

## **RECOMMENDATION**

Based on the analysis as discussed above, staff recommends that ZTA 06-11 be approved with modifications as described in the staff report. The subject proposal as amended provides for a reasonable level of standard method expansion for existing businesses while continuing to require site plan review for projects above a certain level. Although optional method is now being introduced to the zone, it is done so with standards generally below those of the base optional method requirements and only so to permit mixed-use projects that include street level retail with 45% of such required for businesses with smaller space requirements.

The amendment now proposed is designed to address redevelopment potential for the next three to five years and recognizes that longer term vision should be addressed through the comprehensive amendment to the Sector Plan and resulting sectional map amendment. The proposed text amendment encourages the retention of small retail and restaurants and the provision of new housing which are both in accord with the intent of the Sector Plan.

GR

### **Attachments**

1. Proposed Text Amendment No. 06-11 (as introduced)
2. Map of Wheaton Retail Preservation Overlay
3. Letter in Support from Wheaton Redevelopment Advisory Committee
4. Table of Properties Located in Wheaton Retail Preservation Overlay

# ATTACHMENT 1

Zoning Text Amendment No: 06-11  
Concerning: Amendment to the Wheaton  
Retail Preservation Overlay Zone  
Draft No. & Date: 2 – 03/29/06  
Introduced: April 4, 2006  
Public Hearing: June 13, 2006; 1:30 p.m.  
Adopted:  
Effective:  
Ordinance No:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF  
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN  
MONTGOMERY COUNTY, MARYLAND**

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By: Councilmembers Perez and Praisner

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**AN AMENDMENT** to the Montgomery County Zoning Ordinance for the purpose of:

- promoting higher density mixed-use development in close proximity to the Wheaton Metro Station through limited application of the optional method of development;
- revitalizing and retaining the existing street level retail area in the Wheaton Central Business District as a major marketplace;
- amending the standards and approval procedures for optional and standard method of development projects under the Wheaton Overlay zone; and
- generally amending the Wheaton Retail Preservation Overlay zone.

By amending the following section of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

DIVISION 59-C-18	“OVERLAY ZONES”
Section 59-C-18.10	“Retail Preservation Overlay Zone for the Wheaton Central Business District”
Section 59-C-18.101	“Purpose”
Section 59-C-18.102	“Regulations”
Section 59-C-18.103	“Procedures for application and approval”
Section 59-C-18.104	“Site plan contents and exemptions”
Section 59-C-18.105	“Planning Board approval”

*EXPLANATION: **Boldface** indicates a heading or a defined term.  
Underlining indicates text that is added to existing laws  
by the original text amendment.  
[Single boldface brackets] indicate text that is deleted from  
existing law by the original text amendment.  
Double underlining indicates text that is added to the text  
amendment by amendment.  
[[Double boldface brackets]] indicate text that is deleted  
from the text amendment by amendment.  
\* \* \* indicates existing law unaffected by the text amendment.*

#### *ORDINANCE*

*The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:*

1           **Sec. 1. DIVISION 59-C-18 is amended as follows:**

2   **DIVISION 59-C-18. OVERLAY ZONE**

3   \* \* \*

4   **59-C-18.10. Retail preservation overlay zone for the Wheaton Central**  
5   **Business District.**

6       **59-C-18.101. Purpose.**

7   It is the purpose of this overlay zone to:

8       (a) Retain a [the existing scale of development and] mix of retail and service  
9       uses within the Wheaton Central Business District.

10      (b) [Regulate development to preserve] Provide opportunities to retain a variety  
11      of small businesses, retail uses and services in the Wheaton Central  
12      Business District and to encourage new businesses to meet the needs of  
13      workers, shoppers, visitors and residents.

14      (c) Encourage building designs [to make new buildings] compatible with the  
15      existing [buildings] character of street level uses found within and adjacent  
16      to the overlay zone.

17      (d) Provide flexible standards to implement public objectives such as retention  
18      of the small business character that exists in downtown Wheaton.

19      (e) Encourage higher-density, mixed-use, transit oriented development located  
20      in close proximity to the Wheaton Transit Station, with an emphasis on  
21      housing, office uses, commercial services, and arts and entertainment  
22      establishments.

23 (f) Encourage both standard method of development and optional method of  
24 development projects to include small, street level businesses to help retain  
25 a small business identity.

26 **59-C-18.102. Regulations.**

27 (a) **[Restriction on use of o] Optional method of development.** [In the  
28 Wheaton Retail Preservation Overlay Zone, the optional method of  
29 development is prohibited.] The optional method of development  
30 procedure may be used if authorized in the underlying zone. Use of the  
31 optional method of development procedure is intended to promote higher  
32 density mixed-use development in close proximity to the Wheaton Metro  
33 Station and to revitalize and retain the existing retail area in Wheaton as a  
34 major marketplace.

35 **(1) Optional Method of Development Standards.**

36 (A) The maximum height for any CBD-2 or CBD-3 zoned optional  
37 method of development project located south of Ennals  
38 Avenue, south of Price Avenue and west of Fern Street is 125  
39 feet. The maximum building height for any CBD-2 or CBD-3  
40 zoned optional method of development project located north of  
41 Ennals Avenue, north of Price Avenue and east of Fern Street is  
42 100 feet.

43 (B) Any optional method of development project must provide at  
44 least 45 percent of the street level retail space for use by small  
45 businesses with less than 3,000 gross square feet of floor space  
46 and restaurants with less than 5,000 square feet of gross floor  
47 space. The space must be restricted to such small business use



48 for a period of ten years after the issuance of the initial use and  
49 occupancy permit. The ten year time period is binding upon  
50 future owners and successors in title and must be stated as a  
51 condition of any site plan approved by the Planning Board.

52 (C) The maximum FAR allowed in the underlying zone may be  
53 increased by an amount equal to 15 percent of the street level  
54 space if a total of 60 percent of the street level space is devoted  
55 to small business use as described in subsection (B) above.

56 (D) At least one-half of the public use space required under 59-C-  
57 6.233 must be green area and include landscape features that  
58 will serve to enhance the amenity of the development.

59 (E) The Planning Board may allow any public use space  
60 requirement under Sec. 59-C-6.233 that is less than 1,800  
61 square feet to be provided off-site within the Wheaton CBD as  
62 either public use space or streetscape on a one-for-one square  
63 foot basis.

64 (b) **Standard Method of Development**

65 (1) For any standard method of development project that provides at least  
66 30 percent of the street level retail floor space for use by businesses  
67 with less than 3,000 gross square feet of floor space and restaurants  
68 with less than 5,000 square feet of gross floor space, 30 percent of the  
69 street level floor space must not be included in the maximum FAR  
70 calculation allowed under the base zone. Space provided for small  
71 business use must be maintained for small business use for a period of  
72 ten years after the issuance of the initial use and occupancy permit.

73 The ten year time period is binding upon future owners and successors  
74 in title and must be stated as a condition in any site plan approved by  
75 the Planning Board.

76 (2) The maximum building coverage under Section 59-C-6.232, may be  
77 increased from 75 percent to 85 percent for any standard method of  
78 development project that provides street level retail space for use by  
79 businesses with less than 3,000 gross square feet of floor space and  
80 restaurants with less than 5,000 square feet of gross floor space, in the  
81 amounts required in subsection (1) above.

82 (3) As part of the approval of a site plan for a standard method of  
83 development project, the Planning Board may allow any public use  
84 space requirement under Sec. 59-C-6.233 that is less than 1,800 square  
85 feet to be provided off-site within the Wheaton Central Business  
86 District as either public use space or streetscape on a one-for-one  
87 square foot basis.

88 [(b)](c) **Land uses.** All permitted [or] and special exception uses allowed under the  
89 standard method of development and the optional method of development  
90 [in] of the underlying CBD Zone, are allowed in the Wheaton CBD overlay  
91 zone, except that:

92 (1) [In new buildings over one story in height built after July 16, 1990,  
93 the street level leasable space must be used for:] In any building  
94 constructed after July 16, 1990, the street level leasable space must be  
95 used only for the following purposes:

96 (A) hotel

97 (B) any of the commercial uses allowed under 59-C-6.22(d);

98 ([B] C) the following service uses allowed under 59-C-6.22(e):

99 appliance repair shop[s];

100 banking and financial institution[s];

101 barber and beauty shop[s];

102 child day care facility;

103 clinic

104 dry cleaning and laundry pickup station[s];

105 duplicati[on]ng service[s];

106 educational institution, private

107 health club

108 photographic studio[s];

109 self-service laundromat;

110 shoe repair shop[s];

111 tailoring or dressmaking shop[s]; or

112 ([C] D)[the following] all cultural, entertainment and recreational uses

113 [from subsection] allowed under 59-C-6.22(f) as well as art galleries

114 which are permitted as specialty shops under 59-C-6.22(d).[:]

115 [billiard parlors;

116 bowling alleys;

117 commercial recreational or entertainment establishments;  
118 indoor theater;  
119 libraries and museums.]

120 (2) In any new buildings constructed after July 16, 1990, all street level  
121 [retail] uses must be directly accessible from a sidewalk, plaza, or other  
122 public space.

123 [(3) Windows and apertures cover occupy at least 50 percent of the street-  
124 level exterior wall area that fronts on sidewalks, plazas, or other public  
125 open spaces.]

126 **59-C-18.103. Procedure for application and approval.**

127 (a) Standard Method of Development: If required, [A] a site plan for [any]  
128 development in the Wheaton Retail Preservation Overlay Zone must be  
129 approved under [the provisions of] Division 59-D-3. Development subject  
130 to site plan approval [includes] is limited to the following:

131 [(a)] (1) construction of new buildings that include more than 20,000 square feet  
132 of floor area or exceed 42 feet in height; and

133 [(b)] (2) additions and other exterior improvements to existing buildings that  
134 cumulatively increase the total amount of [development] floor area on a  
135 site to more than 20,000 square feet or increase the building height to  
136 more than 42 feet[;]. [and]

137 [(c) addition of off-street parking spaces or revisions to parking facilities  
138 that require the approval of a new parking facilities plan under Section  
139 59-E-4.1.]

140 **(b) Optional Method of Development:**

141 (1) For projects that are subject to subdivision or resubdivision under  
142 Chapter 50, a Division 59-D-2 Project Plan is not required. In order  
143 to approve the preliminary plan of subdivision, the Planning Board  
144 must find that the proposed subdivision will include public facilities,  
145 amenities and design features that will create an environment capable  
146 of supporting the greater densities and intensities permitted by the  
147 limited optional method of development allowed in this Overlay Zone.

148 (2) For projects that are not subject to subdivision or resubdivision, under  
149 the provisions of Chapter 50, a project plan must be submitted and  
150 approved in accordance with the procedures of Division 59-D-2.

151 For any optional method of development proposal in the Wheaton Retail  
152 Preservation Overlay Zone, a Division 59-D-3 Site Plan must be submitted and  
153 approved by the Planning Board, in accordance with the provisions of Division 59-  
154 D-3.

155 **59-C-18.104. Site plan contents and exemptions.**

156 (a) Sections 59-D-3.22 and 59-D-3.23 do not apply in the Wheaton CBD  
157 overlay zone for standard method of development projects that require site  
158 plan approval.

159 (b) A site plan for a standard method of development project in the Wheaton  
160 CBD overlay zone must include:

161 (1) the location, height, ground coverage, and use of all structures;

- 162 (2) for each residential building, the number and type of dwelling units,  
163 classified by the number of bedrooms, and the total floor area, if any,  
164 to be used for commercial purposes;
- 165 (3) the floor areas of all nonresidential buildings and the proposed use of  
166 each;
- 167 (4) the location of recreational and green areas and other open spaces;
- 168 (5) calculations of building coverage, density, green area, number of  
169 parking spaces, and areas of land use;
- 170 (6) the location and dimensions of all roads, streets and driveways,  
171 parking facilities, loading areas, points of access to surrounding streets,  
172 and pedestrian walks;
- 173 (7) a landscaping plan (or final forest conservation plan, if required under  
174 Chapter 22A), showing all man-made features and the location, height  
175 or caliper, and species of all plant materials;
- 176 (8) an exterior lighting plan, including all parking areas, driveways and  
177 pedestrian ways, alleys, building security lights, and the height,  
178 number, and type of fixtures with a diagram showing their light  
179 distribution characteristics; and
- 180 (9) a development program with the sequence in which all structures, open  
181 spaces, vehicular and pedestrian circulation systems, landscaping, and  
182 recreational facilities are to be developed. The applicant must  
183 designate the point in the development program sequence when the  
184 applicant will ask the Planning Board to inspect[ion] for compliance  
185 with the approved site plan.

186           (10) a streetscape plan prepared in accordance with the Wheaton Central  
187                   Business District Streetscape Standards adopted by Executive  
188                   Regulation. The required streetscape must be provided before the  
189                   issuance of the final use and occupancy permit by the Department of  
190                   Permitting Services.

191           **59-C-18.105. [Planning Board] [a]Approval Requirements for All**  
192                   **Projects In the Wheaton Retail Preservation Overlay Zone.**

193           [(a)]       [The Board must find that] [a]At least 50 percent of the street level  
194                   exterior wall area, fronting on sidewalks, plazas, or other public open  
195                   spaces, [has] must contain windows and apertures [before approving a  
196                   site plan for the Wheaton CBD overlay zone].

197           [(b)]       The procedures for Planning Board approval under Section 59-D-3.4  
198                   are modified for this overlay zone to require the following findings:

199                   (1)   the site plan does not conflict with the recommendations in the  
200                   Wheaton CBD Sector Plan;

201                   (2)   the site plan meets all of the requirements of this overlay zone as  
202                   well as the applicable requirements of the underlying zone; and

203                   (3)   each structure and use is compatible with other uses and other  
204                   site plans and with existing and proposed adjacent  
205                   development.]

206

206           **Sec. 3. Effective date.** This ordinance becomes effective 20 days after the  
207 date of Council adoption.

208

209 This is a correct copy of Council action.

210

211

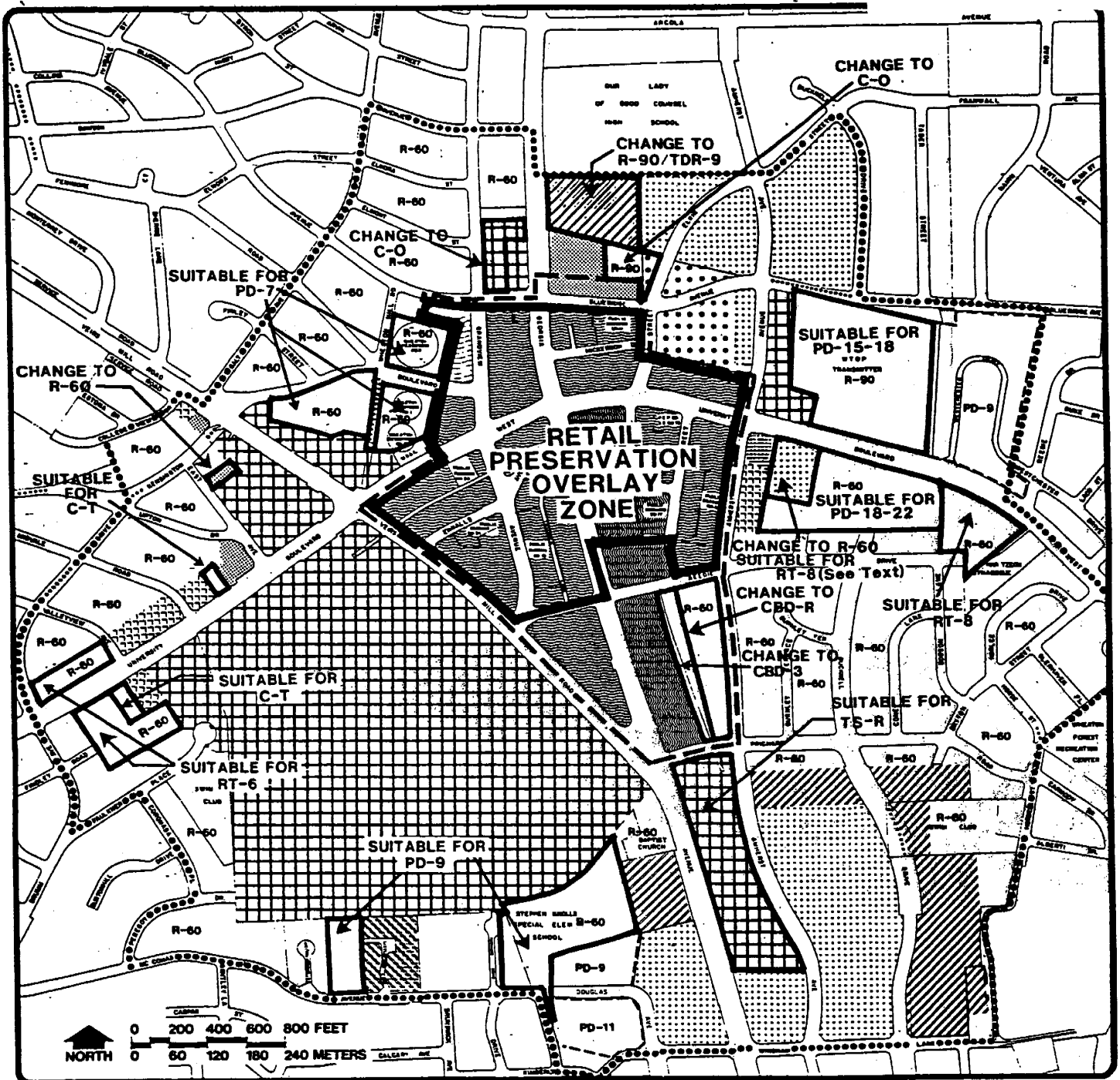
212

213

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214 Linda M. Lauer, Clerk of the Council





### PROPOSED ZONING PLAN

R-90 One Family	R-20 Low Density Apartment	C-1 Local Commercial
R-60 One Family	PD-9 P.D. Plannend Development Zone	C-2 General Commercial
RT-8 Townhouse	O-M Office Building Moderate Intensity	CBD-1 Central Business District
RT-12.5 Townhouse	C-O High Density Office	CBD-2 Central Business District
R-30 Medium Density Apartment	C-T Commercial Transition Zone	CBD-3 Central Business District

**WHEATON**

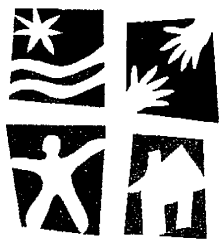
- Sector Plan Boundary
- Central Business District Boundary
- Dedicated Street Not Constructed

SEPT. 1990

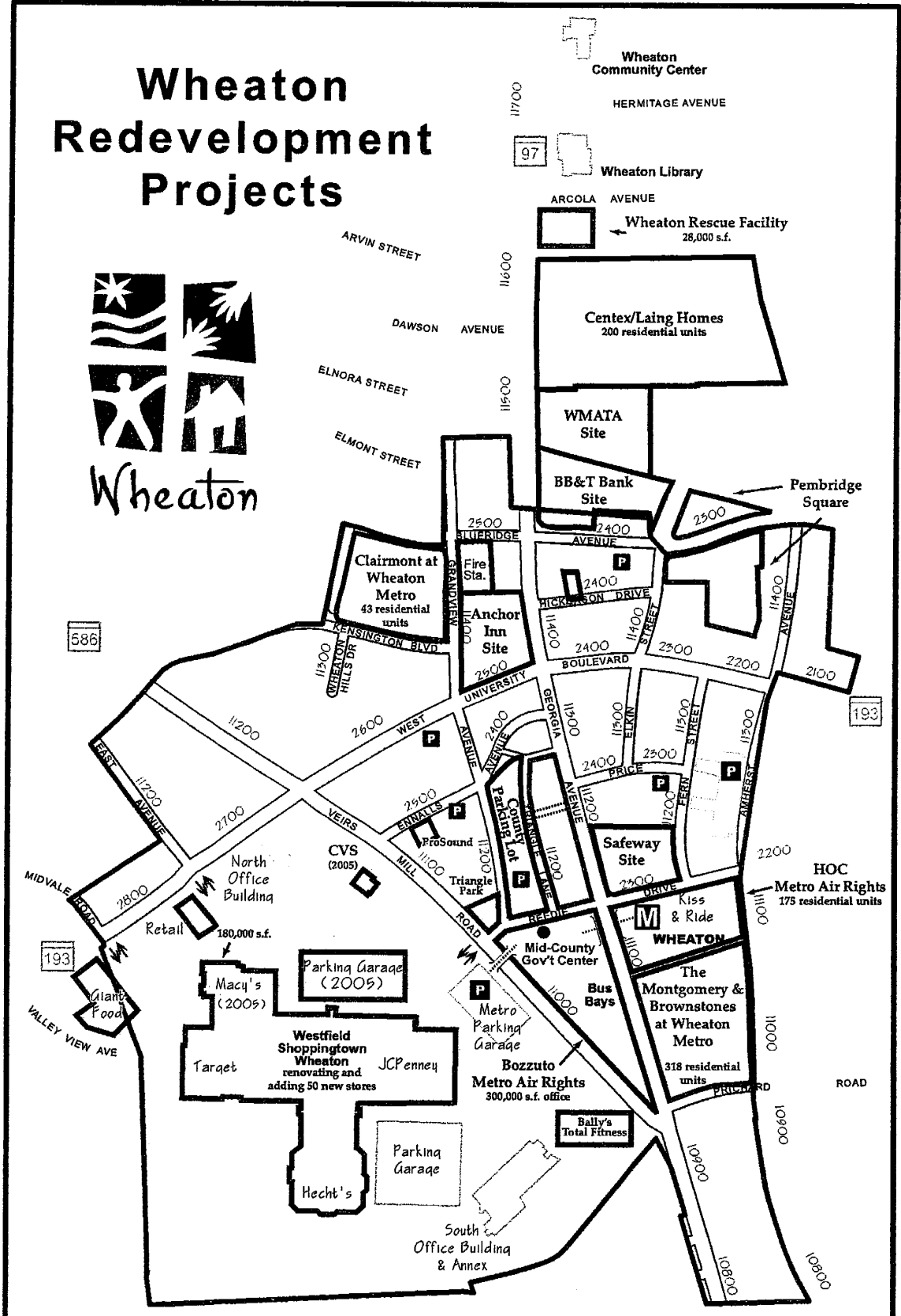
9

SECTOR PLAN

# Wheaton Redevelopment Projects



Wheaton



	Redevelopment/Revitalization Site		Parking Lot
	Potential Future Redevelopment Site		Parking Garage
	Wheaton Urban District		Pedestrian Walkway
			Future Pedestrian Walkway



Map produced by  
Montgomery County DTS-GIS



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THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

WHEATON REDEVELOPMENT ADVISORY COMMITTEE

May 19, 2006

The Honorable George Leventhal  
President, Montgomery County Council  
Stella B. Werner Office Building  
100 Maryland Avenue  
Rockville, Maryland 20850

Re: Wheaton Retail Preservation Overlay Zone Amendment  
Zoning Text Amendment 06-11

Dear Mr. Leventhal:

The Wheaton Redevelopment Advisory Committee (WRAC) consists of Wheaton area residents and business owners/operators appointed by the County Executive to advise the County Executive, the Director of the Wheaton Redevelopment Program, and the Director of the Mid-County Services Center on all phases of the revitalization of downtown Wheaton. Since its inception, WRAC has worked hand-in-hand with the Wheaton Redevelopment Program, Mid-County Services Director, and other stakeholders to enhance the County's revitalization effort in downtown Wheaton. Over the course of the next few weeks, the County Council will consider legislation which can potentially have a dramatic impact on that revitalization -- the proposed amendment to the Wheaton Retail Preservation Overlay Zone. WRAC fully supports the amendment and, on behalf of WRAC, I am pleased to transmit to the Council our comments concerning this important legislation.

WRAC has looked extensively at the proposed overlay amendment over the past couple of years. During its review, WRAC has always kept in mind the critical challenge of encouraging redevelopment opportunities in Wheaton while simultaneously preserving Wheaton's special character. Many residents and business owners call Wheaton home because of its unique diversity, eclecticism, and small business character. WRAC understands that a balance must be struck between injecting new life into Wheaton, which will allow Wheaton to realize its full potential as a vibrant urban community, while still maintaining the essence of Wheaton in the face of that change. WRAC firmly believes that the proposed overlay amendment strikes that balance.

Although you are probably familiar to some degree with the history of the Wheaton Retail Preservation Overlay Zone, it bears repeating to provide the appropriate historical context. The Overlay Zone was enacted in 1990 as part of the last update to the Wheaton Central Business

**Mid-County Regional Services Center**

2424 Reedie Drive • Wheaton, Maryland 20902-4669  
240/777-8100, TTY 240/777-8112, FAX 240/777-8111

[www.montgomerycountymd.gov/midcounty](http://www.montgomerycountymd.gov/midcounty) • [midcty.citizen@montgomerycountymd.gov](mailto:midcty.citizen@montgomerycountymd.gov)  
At Wheaton Metro Station

District and Vicinity Sector Plan. It was the first overlay zone enacted in the County and its purpose was clear by its name, to preserve the existing retail marketplace in the downtown.

For the past sixteen years, the current overlay zone has, in one sense, accomplished what it set out to do. Primarily by requiring the fairly cumbersome site plan review process for all new projects regardless of size and by precluding the optional method of development, the overlay zone has kept things in downtown Wheaton essentially the same. Many small businesses have benefited from this protection and have remained in the downtown "marketplace" for decades. But along with stability has come stagnation. There have only been four development projects in the area covered by the sector plan during that sixteen-year period. The stringent limits of the current overlay zone have precluded new development projects, particularly housing projects, which would add additional customers and economic traffic to the downtown. Instead, such developments have been constructed around the periphery of the downtown area, the opposite of the normal goal to concentrate such projects in the central core. The zone has kept buildings the same and out of date. It has stymied the existing businesses which otherwise wanted to expand or improve. The overlay zone has, at least to some degree, unintentionally hurt the very businesses it sought to protect.

Fortunately, the amendment to the overlay zone, with its balance of change and preservation, can potentially allow Wheaton to have it all. New projects, new buildings, and expansion opportunities will benefit existing businesses and inject new life into the downtown. But new life will not necessarily mean sacrificing Wheaton's identity. The downtown can still retain its character through the amendment's small business retail space requirements. Those requirements will help ensure that Wheaton keeps its small business character and welcomes existing small businesses back into the downtown as revitalization continues. WRAC is sensitive to the needs and concerns of existing small businesses and is committed to doing what it can to help preserve businesses in the face of change. WRAC fully supports and encourages the Council to support additional County programs that are designed to ease the transition for existing businesses as Wheaton undergoes revitalization. Many lessons have been learned from watching the progress of redevelopment in other communities in Montgomery County and we believe they can be applied effectively in Wheaton.

Throughout its refinement, this legislation has received input from a wide variety of community members, business representatives, and government officials. Many interested parties were able to participate and share their views at a Wheaton Town Hall meeting conducted this past March. The meeting was very well attended and many important issues were raised. WRAC wishes to emphasize a couple of additional points based on some of the questions and comments from the meeting. First, this legislation does not attempt to somehow "super-size" Wheaton to a scope and density that is beyond what exists in the other Central Business Districts in our County. WRAC looked very carefully at the height, scale, and density impacts which may result from the amendment. This amendment, while it does allow for somewhat increased development in terms of density, scale, and height, allows no more than has been used in other CBDs and, indeed, is still more restrictive in terms of height limits than in other districts. Moreover, the amendment carefully provides for the new density to "step down" as it approaches the edges of the CBD so as to provide a transition to the lower, less dense development outside the CBD. Finally, the overlay amendment also will not necessarily mean that Wheaton's downtown will be developed to the maximum extent of the proposed zoning changes. Development will be determined on a parcel

by parcel basis based on market conditions and the applicable development process which applies. If substantial redevelopment does occur, however, WRAC is confident that Wheaton can not only accommodate additional growth but will thrive with it.

Finally, we understand that the County Council is charged not only with looking at what is best for Wheaton, but what is best for our entire County. Regardless of its need for revitalization, Wheaton is a logical place for additional development in our County. Wheaton's existing infrastructure, its proximity to the District and to the Beltway, and its existing transit all make it one of the smartest places for additional growth. If this amendment can achieve its desired purpose of accommodating additional growth in a logical place while preserving Wheaton's existing character, then that is a win-win result for everyone in Wheaton and in the entire County.

The Wheaton Sector Plan recognizes that master plans are intended to be updated and revised about every ten years and that "the original circumstances at the time of plan adoption will change over time." It is time to recognize today's circumstances and allow Wheaton the opportunity to realize its full potential, a potential that we fully expect will be recognized in the next revision of the Sector Plan in the next few years. Please support the proposed amendment.

At its meeting of May 17, 2006, the WRAC supported the submission of this letter by unanimous vote. Thank you very much for your consideration of WRAC's comments and recommendation.

Sincerely yours,



Holly Olson  
Chairperson

CC: County Council Members  
Planning Board  
Natalie Cantor  
Joseph Davis

ZONE	PREM_NUM	PREM_DIR	PREM_STREE	PREM_TYPE	OWNER1	GR_FLR	ARE	NO_STORIES	NO_DWELLIN	YEAR_BUILT	SDATSQFT	SDATACRE
CBD2	11210		AMHERST	AVE	MONTGOMERY COUNTY		0	0	0	0	9025.000	0.207
CBD2	2621	W	UNIVERSITY	BLV	ZEVIN FAMILY LLC	4041	4041	1	1	1968	9897.000	0.227
CBD2	2529		ENNALLS	AVE	TETTER, MICHAEL & H	2244	2244	1	0	1955	4675.000	0.107
CBD1	2604		BLUERIDGE	AVE	MATRAKAS, MARIA G ET AL	2020	2020	0	1	2004	1091.000	0.025
CBD2	11254		GEORGIA	AVE	YOULUS, JOSHUA ET AL	2625	2625	1	0	1957	4854.000	0.111
CBD3	2300		PRICE	AVE	COCITA, ARLIENE ET AL	8974	8974	1	0	1988	12612.000	0.290
CBD2	2521		ENNALLS	AVE	LE, ANH NGOC HOANG	1122	1122	1	1	1955	2311.000	0.053
CBD2	11193		VEIRS MILL	RD	HORSMON, ELVA G T/C B A GODFREY	2574	2574	1	1	1955	9780.000	0.225
CBD1	2522		BLUERIDGE	AVE	HARRIS, HARRY B	2020	2020	0	1	2004	1087.000	0.025
CBD2	11234		GEORGIA	AVE	CHACONAS, GEORGE C & B G	2890	2890	2	0	1952	4170.000	0.096
CBD1	2501		KENSINGTON	BLV	HSU, DIANE & TERRY HSU	2036	2036	3	1	2004	1141.000	0.026
CBD2	2646	W	UNIVERSITY	BLV	MONLEE PARTNERSHIP	2800	2800	1	0	1947	5608.000	0.129
CBD2	11340		AMHERST	AVE	SIPOCZ, JOSEPH M	4902	4902	1	0	1983	13000.000	0.298
CBD2	2505		ENNALLS	AVE	LE, ANH NGOC HOANG	2210	2210	1	1	1958	4623.000	0.106
CBD2	2204	W	UNIVERSITY	BLV	SGM L L C	0	0	0	0	0	10491.000	0.241
CO	2401		BLUERIDGE	AVE	WEINBERG, LEANOR R ET AL	19952	19952	4	0	1963	5595.000	0.128
CBD2	11208		GRANDVIEW	AVE	ATTIAS, DAVID N & L	8352	8352	2	0	1954	5282.000	0.121
CBD2	2522	W	UNIVERSITY	BLV	BOBROW, WILLIAM ET AL	3750	3750	2	0	1947	12480.000	0.287
CBD2	2547		ENNALLS	AVE	TRIANGLE PK ASSOC I LTD PTN	4686	4686	1	0	1954	9705.000	0.223
CBD2	11300		FERN	ST	LAFAYETTE PLACE ASSOC LTD	10478	10478	2	0	1955	7064.000	0.162
CBD1	2513		KENSINGTON	BLV	ZHANG, DANZAI ET AL	2036	2036	3	1	2004	1551.000	0.036
CBD1	2520		BLUERIDGE	AVE	VINOPOL, RONALD M & CORINNE K	2020	2020	0	1	2004	1109.000	0.025
CBD2	2526	W	UNIVERSITY	BLV	ABATUNO, MICHAEL A TRUSTEE	3104	3104	2	0	1970	10439.000	0.240
CBD1	2606		BLUERIDGE	AVE	LESNOY, DAVID S &	2020	2020	2	0	2004	1115.000	0.026
CBD2	2321	W	UNIVERSITY	BLV	LER INC	26336	26336	2	0	1955	20846.000	0.479
CBD1	11428		GRANDVIEW	AVE	KOH, YONG SOO	2020	2020	3	1	2004	1040.000	0.024
CBD2	11210		AMHERST	AVE	MONTGOMERY COUNTY	0	0	0	0	0	18462.000	0.424
CBD2	11143		GRANDVIEW	AVE	MONTGOMERY COUNTY	0	0	0	0	0	60293.000	1.384
CBD1	11512		CLAIRMONT VIEW	TER	YI, JAMES J ET AL	2036	2036	3	1	2004	1263.000	0.029
CBD2	2670	W	UNIVERSITY	BLV	ARNOLD, MARSHALL J TR	3750	3750	1	1	1948	5600.000	0.129
CBD1	0		BLUERIDGE	AVE	PULTE HOME CORP	0	0	0	0	0	15317.000	0.352
CBD2	2640	W	UNIVERSITY	BLV	TANG, TONG M & Q	0	0	0	0	0	5460.000	0.125
CBD1	11510		CLAIRMONT VIEW	TER	WILLIAMS, BEVERLY E & WOODROW	2040	2040	3	1	2004	1263.000	0.029
CBD2	2		HICKERSON	DR	AARONSON, EDWARD A TR ET AL	0	0	0	0	0	6971.000	0.160
CBD2	11230		GEORGIA	AVE	TRETTETTER SHOPPING CENTERS	6300	6300	2	0	1955	5880.000	0.135
CBD2	11244		GEORGIA	AVE	KOSTIANES, ANTOINETTE TR	3000	3000	1	0	1958	5646.000	0.130
CBD3	11241		GEORGIA	AVE	CHEVY CHASE BANK, FSB	2625	2625	1	0	1996	26908.000	0.618
CBD2	2322	W	UNIVERSITY	BLV	LAFAYETTE PLACE ASSOC LTD	8124	8124	1	0	1971	11635.000	0.267
CBD2	2201	W	UNIVERSITY	BLV	2201 UNIVERSITY LLC	1764	1764	1	1	1970	17740.000	0.407
CBD2	11416		GEORGIA	AVE	GAFM LLC	33846	33846	2	0	1955	25981.000	0.596
CBD2	2401	W	UNIVERSITY	BLV	AARONSON, EDWARD A TR ET AL	15873	15873	1	1	1951	26624.000	0.611
CBD2	11255		GRANDVIEW	AVE	FERRANTE, JOSEPH ET AL TR	3725	3725	1	1	1952	10092.000	0.232
CBD2	11309		FERN	ST	WONG TRAN LLC	0	0	0	0	0	6160.000	0.141
CBD1	2511		KENSINGTON	BLV	GRIUALVA, HELEN C	2036	2036	3	1	2004	1048.000	0.024
CBD3	11325		GEORGIA	AVE	MARLU INVESTMENTS LLC	1700	1700	1	1	1991	4263.000	0.098
CBD2	2525		ENNALLS	AVE	LEWIS, GLADYS D ET AL TR	1254	1254	1	1	1955	2536.000	0.058
CBD2	2601	W	UNIVERSITY	BLV	FIRST STATES INVESTORS 5200 LLC	0	0	0	0	0	7852.000	0.180
CBD2	0	W	UNIVERSITY	BLV	POTOMAC ELECTRIC POWER CO	0	0	0	0	0	8067.000	0.185
CBD2	11272		GEORGIA	AVE	GALLERY HOLDINGS LLC	7510	7510	2	1	1952	4198.000	0.096
CBD2	2402		BLUERIDGE	AVE	MONTGOMERY COUNTY	0	0	0	0	0	46173.600	1.060
CBD2	2515		ENNALLS	AVE	RUSH, FRED G JR TRUSTEE	2244	2244	1	0	1955	4623.000	0.106
CO	2409		BLUERIDGE	AVE	GEORGIA AVENUE INC	1740	1740	2	1	1948	5100.000	0.117
CBD2	11315		FERN	ST	WONG TRAN LLC	4050	4050	1	0	1991	9114.000	0.209
CBD2	2514	W	UNIVERSITY	BLV	ENNALLS AVENUE LLC	5085	5085	2	1	1956	6088.000	0.140
CBD2	11237		FERN	ST	11249 FERN STREET PTNSHP	0	0	0	0	0	2750.000	0.063
CBD1	11518		CLAIRMONT VIEW	TER	CHEKIS, AAOE & SHARONE L	2040	2040	3	1	2004	947.000	0.022
CBD2	11226		GEORGIA	AVE	TRETTETTER SHOPPING CENTERS	6300	6300	2	0	1955	5880.000	0.135

CBD2	11258		GEORGIA	AVE	CHACONAS, BARBARA G		1200	1	0	1948	2807.000	0.054
CBD1	2524		BLUERIDGE	AVE	DUONG, HAO T P & CHI T		2020	0	1	2004	1074.000	0.025
CBD2	11210		AMHERST	AVE	MONTGOMERY COUNTY		0	0	0	0	9100.000	0.209
CBD1	11430		GRANDVIEW	AVE	RUSO, MICHAEL & MICHELLE		2020	3	1	2004	1040.000	0.024
CBD2	11416		GEORGIA	AVE	GAFM LLC		0	0	0	0	4023.000	0.092
CBD3	2404		PRICE	AVE	LEE & LEE INVESTMENTS INC		3083	1	1	1965	12507.000	0.287
CBD2	11165		VEIRS MILL	RD	LEVIN, ALAN ET AL		6028	1	0	1953	9484.000	0.218
CBD1	11502		CLAIRMONT VIEW	TER	ARTCHER, ABIGAIL A & NEWMAN		2020	3	1	2004	1010.000	0.023
CBD3	2300		PRICE	AVE	MONTG COUNTY		0	0	0	0	26147.000	0.600
CBD2	11304		AMHERST	AVE	MONTGOMERY COUNTY		0	0	0	0	9100.000	0.209
CBD1	11502		CLAIRMONT VIEW	TER	GRAUMAN, TOBIAS & ELIZABETH		2020	3	1	2004	1010.000	0.023
CBD3	2410	W	UNIVERSITY	BLV	MARLU INVESTMENTS LLC		1740	1	1	1953	3175.000	0.073
CBD2	0		KENSINGTON	PKW	MONTGOMERY COUNTY		0	0	0	0	852.000	0.020
CBD2	2608	W	UNIVERSITY	BLV	2600 UNVIERSITY LTD PTNSHP		8234	2	0	1959	4370.000	0.100
CBD1	11240		GEORGIA	AVE	GOUZOULIS, GEORGE		2625	1	0	1957	4900.000	0.112
CBD2	2608		BLUERIDGE	AVE	SPRY, FREDIE JR		2020	0	1	2004	1860.000	0.043
CBD3	11216		GEORGIA	AVE	KAMMAK INVESTMENTS LLC		2700	1	0	1955	5040.000	0.116
CBD3	11323		GEORGIA	AVE	U S GAS & CO INC		5214	1	0	1970	24281.000	0.557
CBD1	11516		CLAIRMONT VIEW	TER	DOSSANI, SAMEER F ET AL		2036	3	1	2004	1010.000	0.023
CBD1	11504		CLAIRMONT VIEW	TER	SUPHABPHANT, CHOKCHAI & SIRIKAN W		2036	3	1	2004	1010.000	0.023
CBD2	11427		GEORGIA	AVE	AARONSON, EDWARD A TR ET AL		16788	1	0	1947	28409.000	0.652
CBD2	11212		GEORGIA	AVE	THOMPSON, JOSEPH S JR & N E G		1275	1	0	1954	2380.000	0.055
CBD2	2521	W	UNIVERSITY	BLV	GRANDVIEW PROPERTIES LLC		6728	2	1	1960	7386.000	0.170
CBD2	11420		GEORGIA	AVE	AARONSON, DORIS R ET AL		3258	1	0	1968	29281.000	0.672
CBD3	2418	W	UNIVERSITY	BLV	CLARY BROS CORPORATION		1740	1	1	1952	3300.000	0.076
CBD2	11153		VEIRS MILL	RD	CHARLES & MARGARET LEVIN FAMILY		21887	2	1	1960	29457.000	0.676
CBD2	2601	W	UNIVERSITY	BLV	FIRST STATES INVESTORS 5200 LLC		0	0	0	0	8516.000	0.196
CBD3	11305		GEORGIA	AVE	WASHINGTON MUSIC SALES		10000	1	0	1975	21000.000	0.482
CBD2	11225		FERN	ST	WHEATON POST 268 DEPT OF MD		5133	1	0	1976	13020.000	0.299
CBD3	11326		ELKIN	ST	PIE ASSOCIATES		3139	1	0	1952	3123.000	0.072
CBD2	11200		GEORGIA	AVE	SCHOLL, EDWARD E & NORMA J ET AL		2200	1	1	1959	12089.000	0.278
CBD1	2602		BLUERIDGE	AVE	CHRETIEN, KATHERINE & JEAN-PAUL		2020	0	1	2004	1070.000	0.025
CBD3	11333		GEORGIA	AVE	MARLU INVESTMENTS LLC		9880	1	1	1991	12772.000	0.293
CBD1	2505		KENSINGTON	BLV	CATO, GEORGE L JR		2000	3	1	2004	1053.000	0.024
CBD1	11434		GRANDVIEW	AVE	RAPENA, ROBERT J &		2020	3	1	2004	1040.000	0.024
CBD1	2509		KENSINGTON	BLV	LOVE, NEO P & DENNEAN		2000	3	1	2004	1046.000	0.024
CBD2	11308		FERN	ST	FERN STREET PARTNERSHIP		5206	1	0	1954	6689.000	0.154
CBD1	11416		GRANDVIEW	ST	ALVARADO, ROSITA E		2020	3	1	2004	1040.000	0.024
CBD2	11137		VEIRS MILL	RD	GEORGIA EAST LIMITED PTNSHP		11600	2	1	2003	7796.000	0.179
CBD3	2408	W	UNIVERSITY	BLV	GEORGIA EAST COAST LP		3170	1	1	1954	5559.000	0.128
CBD2	2519		ENNALLS	AVE	LE, ANH NGOC HOANG		1122	1	1	1955	2311.000	0.053
CBD2	2630	W	UNIVERSITY	BLV	MONTG COUNTY		0	0	0	0	16800.000	0.386
CBD2	2506		ENNALLS	AVE	MONTGOMERY COUNTY		0	0	0	0	20492.000	0.470
CBD2	0		REEDIE	DR	MARYLAND NATIONAL CAPITAL		0	0	0	0	29654.000	0.681
CBD2	2200	W	UNIVERSITY	BLV	KOIER, JUNE E REV LIV TRUST		4500	2	0	1967	8170.000	0.188
CBD2	2549		ENNALLS	AVE	TRIANGLE PK ASSOC I LTD PTN		4941	1	0	1954	11274.000	0.259
CBD2	11214		GEORGIA	AVE	THOMPSON, JOSEPH S JR & N E G		1275	1	0	1954	2380.000	0.055
CBD1	11500		CLAIRMONT VIEW	TER	LEVIN, LORI		2030	3	1	2004	1237.000	0.028
CBD2	2662	W	UNIVERSITY	BLV	R A HOFF LLC		3040	1	1	1951	4104.000	0.094
CBD2	2652	W	UNIVERSITY	BLV	TSAO, STEWART T & W W		3871	1	0	1955	4104.000	0.094
CBD2	2551		ENNALLS	AVE	TRIANGLE PK ASSOC I LTD PTN		3008	1	0	1954	3606.000	0.083
CBD2	2610	W	UNIVERSITY	BLV	2610 ASSOCIATES		2540	1	0	1957	4200.000	0.096
CBD2	11321		FERN	ST	WARD, R CRAIG & H J		3750	1	0	1966	8125.000	0.187
CBD2	11237		FERN	ST	11249 FERN STREET PTNSHP		0	0	0	0	1050.000	0.024
CBD2	2601	W	UNIVERSITY	BLV	FIRST STATES INVESTORS 5200 LLC		0	0	0	0	7939.000	0.182
CBD2	2501		ENNALLS	AVE	CORDARO, ANGELO & A		2892	1	0	1957	5262.000	0.121
CBD2	2416		BLUERIDGE	AVE	QUICK PRINTING INC		15890	3	1	1986	7650.000	0.176
CBD2	2509	W	UNIVERSITY	BLV	ANCHOR INN PROPERTIES LLC		10257	1	1	1991	19274.000	0.442

CBD1 11426		GRANDVIEW	AVE	ADDO, KATE & FERDINAND E		2020	3	1	2004	1040.000	0.024
CBD2 2666	W	UNIVERSITY	BLV	VALENTI, JOSEPHINE C		1440	1	0	1947	2800.000	0.064
CBD2 2601	W	UNIVERSITY	BLV	FIRST STATES INVESTORS 5200 LLC		0	0	0	0	6691.000	0.154
CBD1 11414		GRANDVIEW	AVE	LXI, MARC JEAN YVES &		2020	3	1	2004	1300.000	0.030
CBD2 2654	W	UNIVERSITY	BLV	CARRY, FANNIE N ET AL		1920	1	0	1951	4105.000	0.094
CBD1 0		CLAIRMONT VIEW	TER	PULTE HOME CORP		0	0	0	0	12145.000	0.279
CBD2 11249		FERN	ST	11249 FERN STREET PTNSHP		4692	2	0	1963	6600.000	0.152
CO 2413		BLUERIDGE	AVE	GEORGIA AVE INC		4125	1	1	1961	5100.000	0.117
CBD2 11310		ENNALLS	AVE	EXXON CORPORATION		140	1	0	1984	11527.000	0.265
CBD2 11224		GRANDVIEW	AVE	CAPRI BUILDING CORP		10757	2	0	1958	6081.000	0.140
CBD2 11242		GRANDVIEW	AVE	LEVIN, CHARLES & MARGARET		40166	2	0	1988	20527.000	0.471
CBD2 2503		ENNALLS	AVE	THOMPSON, JOSEPH S JR & N E G		4556	2	0	1962	4623.000	0.106
CBD2 2440		ENNALLS	AVE	GREENMOUNTAIN ASSOC LTD PTN		7774	1	0	1952	10215.000	0.235
CBD2 11236		GEORGIA	AVE	GOUZOUJIS, GEORGE		2625	1	0	1958	4900.000	0.112
CBD1 11418		GRANDVIEW	AVE	ABRAMSON, DAVID S ET AL		2020	3	1	2004	1040.000	0.024
CBD2 11147		VEIRS MILL	RD	CHARLES AND MARGARET LEVIN FAMILY		2375	1	0	1968	7362.000	0.169
CBD2 11220		GEORGIA	AVE	AUD, DUDLEY G ET AL		2400	1	1	1955	4480.000	0.103
CBD3 2407		PRICE	AVE	MORRISON, RAYMOND L ET AL		1800	1	0	1952	2205.000	0.051
CBD1 2518		BLUERIDGE	AVE	PITTS, JAMES T		2020	0	1	2004	1432.000	0.033
CBD2 2646	W	UNIVERSITY	BLV	MONLEE PARTNERSHIP		2800	1	0	1987	5608.000	0.129
CBD2 2535		ENNALLS	AVE	R R MCMAN LLC		4615	1	1	1954	9705.000	0.223
CBD2 11316		FERN	ST	SILVER SPRING MEMORIAL		5356	1	0	1952	7026.000	0.161
CBD1 11412		GRANDVIEW	AVE	KWAK, KYU H & SUSAN Y		2036	3	1	2004	1426.000	0.033
CBD2 11262		GEORGIA	AVE	CAPCO LAND COMPANY		4800	2	0	1948	5200.000	0.119
CBD2 11315		ELKIN	ST	LEVIN, CHARLES L & M L ET AL		4070	1	0	1958	6756.000	0.155
CBD1 11520		CLAIRMONT VIEW	TER	RIVERA, WILLIAM		2020	3	1	2004	1247.000	0.029
CBD2 2658	W	UNIVERSITY	BLV	PLUM ASSOCIATES		3100	1	0	1950	4103.000	0.094
CBD2 2638	W	UNIVERSITY	BLV	DAMIANO, CAMILLO & G		3310	1	0	1955	5320.000	0.122
CBD1 11420		GRANDVIEW	AVE	DAVIS, LINDA M		2020	3	1	2004	1040.000	0.024
CBD1 11436		GRANDVIEW	AVE	FIRST STATES INVESTORS 5200 LLC		0	0	1	0	6100.000	0.140
CBD1 11422		GRANDVIEW	AVE	DEGUZMAN, MANUEL P ET AL TR		2036	3	1	2004	1040.000	0.024
CBD2 2423		ENNALLS	AVE	YOO, JIHEE ET AL		2020	3	1	2004	1040.000	0.024
CBD2 11435		GRANDVIEW	AVE	GATTI, RICHARD S SR		5846	2	0	1959	3076.000	0.071
CBD1 2516		BLUERIDGE	AVE	WHEATON RESCUE SQUAD INC		8574	0	0	0	12278.000	0.282
CBD2 11300		GEORGIA	AVE	JAGWANI, ANUP & CRISTINE H		2020	3	1	2004	1606.000	0.037
CBD2 11311		ELKIN	ST	GREEN MOUNTAIN ASSOC LTMD		11177	1	0	1958	16124.000	0.370
CBD2 11245		GRANDVIEW	AVE	LEVIN, CHARLES L & M L ET AL		5345	1	0	1960	7122.000	0.163
CBD2 11264		GEORGIA	AVE	SUBURBAN BANK		0	0	0	0	3127.000	0.072
CBD2 11210		GEORGIA	AVE	JONES, FRANK ET AL		3480	1	0	1951	4700.000	0.108
CBD2 2423		HICKERSON	DR	FARAGE, NICK		1800	1	1	1955	3360.000	0.077
CBD1 11432		GRANDVIEW	AVE	MAGAFAN, ANGELO H & S E		5584	1	1	1956	6250.000	0.143
CBD1 2600		BLUERIDGE	AVE	BRANCH, JOSEPH		2020	0	1	2004	1040.000	0.024
CBD3 2404	W	UNIVERSITY	BLV	KISUMBI, SAMWIRI & MIA		2020	0	1	2004	1070.000	0.025
CBD2 2204	W	UNIVERSITY	BLV	GEORGIA EAST COAST LP		1826	1	1	1951	2420.000	0.056
CBD2 11319		ELKIN	ST	CHARLES & MARGARET FAMILY		3300	1	1	1951	3648.000	0.084
CBD3 11301		ELKIN	ST	SGM LLC		2127	1	1	1965	11718.000	0.269
CBD2 11257		KENSINGTON	BLV	LEVIN, CHARLES L & M L ET AL		6765	1	0	1960	7440.000	0.171
CBD2 11448		GEORGIA	AVE	CHARLES & MARGARET FAMILY		0	0	0	0	3620.000	0.088
CBD2 11260		GEORGIA	AVE	LEVIN, CHARLES L & M L ET AL		6222	1	0	1955	7499.000	0.172
CBD1 2501		CLAIRMONT VIEW	WAY	BASKIN, TANYA L		2000	3	1	2004	1027.000	0.024
CO 2411		BLUERIDGE	AVE	MOTIVA ENTERPRISES LLC		0	0	0	0	9061.000	0.208
CBD2 11230		GRANDVIEW	AVE	CHACONAS, GEORGE C & B G		1200	1	0	1947	2784.000	0.054
CBD3 2410	W	UNIVERSITY	BLV	SPEED, MICHAEL		2038	3	1	2004	1300.000	0.030
CBD2 2306	W	UNIVERSITY	BLV	GEORGIA AVENUE INC		9000	2	0	1971	5100.000	0.117
CBD2 11445		VEIRS MILL	RD	MUTH, FRANCES E ET AL		15400	2	0	1957	7789.000	0.179
				HONDROS, CHRIS S & L E		900	1	0	1953	1647.000	0.038
				POTOMAC ELECTRIC POWER CO		0	0	0	0	8967.000	0.206
				LEVIN, CHARLES & MARGARET		2244	1	1	1954	7121.000	0.163



CBD2	11301	FERN	ST	11301 FERN ST ASSOC LLC	6317	1	0	1971	7150.000	0.164
CBD2	11250	GEORGIA	AVE	YEE, LUCY ET AL	2625	1	0	1956	4900.000	0.112
CBD2	2421	REEDIE	DR	MONTGOMERY COUNTY	4768	1	1	1952	7107.000	0.163
CBD2	2415	REEDIE	DR	MONTGOMERY COUNTY	9680	2	1	1951	8221.000	0.189
CBD1	11506	CLAIRMONT VIEW	TER	ALEXANDER, BAMIDELE B &	2020	3	1	2004	1010.000	0.023
CBD2	11402	GEORGIA	AVE	OLD BLADENSBURG PROPERTIES LLC	0	0	0	0	20005.000	0.459
CBD2	11249	FERN	ST	11249 FERN STREET PTNSHP	0	0	0	0	550.000	0.013
CBD2	2601	UNIVERSITY	BLV	FIRST STATES INVESTORS 5200 LLC	16362	3	1	1958	10317.000	0.237
CBD1	2500	CLAIRMONT VIEW	WAY	SMITH, LANAYA WILLIAMS	2020	3	1	2004	1300.000	0.030
CBD2	2523	ENNALLS	AVE	BELLAFORE, S & G ET AL	990	1	0	1955	2070.000	0.048
CBD1	2503	KENSINGTON	BLV	NUNES, ARLENE M	2036	3	1	2004	1109.000	0.025
CBD2	0	FERN	ST	MONTGOMERY COUNTY	0	0	0	0	12651.000	0.290
CBD1	11514	CLAIRMONT VIEW	TER	AKUETE, NI-AMA ET AL	2000	3	1	2004	1010.000	0.023
CBD2	2301	UNIVERSITY	BLV	MEKHAYARAJANANONTH, PRICHA &	0	0	1	0	3136.000	0.072
CBD3	11301	GEORGIA	AVE	SKOUZES, DEMOSTHENES & V	6300	2	0	1950	4864.000	0.112
CBD2	11322	FERN	ST	KNOEDLER, JOHN C	5789	1	1	1959	7480.000	0.172
CBD2	11401	GEORGIA	AVE	AARONSON, EDWARD A TR ET AL	19500	1	0	1947	62804.000	1.442
CBD3	2405	PRICE	AVE	PROIA, FRANCES B TRUSTEE	2292	1	1	1952	2399.000	0.055
CBD3	2400	UNIVERSITY	BLV	CRISAFULLI, JOSEPH M	5202	2	1	1954	5810.000	0.133