



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

MCPB
Item #
02/24/11

February 17, 2011

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Glenn Kreger, Acting Chief, Area 2 Division *GK*
Khalid Afzal, Team Leader, East County Team, Area 2 Division *KA*

FROM: Sandy Tallant, Planner Coordinator (301-495-1329) *ST*
East County Team, Area 2 Division

SUBJECT: Worksession #6 – Wheaton Central Business District (CBD) and Vicinity Sector Plan: Continuation of Land Use and Zoning – Districts and Parcel Specific Issues, and Urban Design Guidelines.

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

INTRODUCTION

This is the Planning Board's sixth worksession on the proposed Wheaton CBD and Vicinity Sector Plan (Draft Plan). The Board held a public hearing on the Public Hearing Draft 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. Planning Board worksessions #2 (held on October 28), #3 (held on November 18), and #4 (held on December 9, 2010) covered district and parcel specific issues. Worksession #5 (held on January 6, 2011) was a presentation by GreenWheaton, a private group that addressed environmental concepts that could support the goal of the Draft Plan to make Wheaton a unique and sustainable community - economically, environmentally, and socially.

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.

This report is a continued discussion on the Draft Plan's districts and on individual parcels from worksession #4. The Board members should bring their copies of the Public Hearing Draft. This report is organized into three parts:

- A discussion of the issues and staff recommendations for the Planning Board's consideration and action;
- A presentation on Urban Design Guidelines for Wheaton; and
- A schedule of next steps.

WORKSESSION #6 ISSUES

District and Parcel Specific Issues

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?

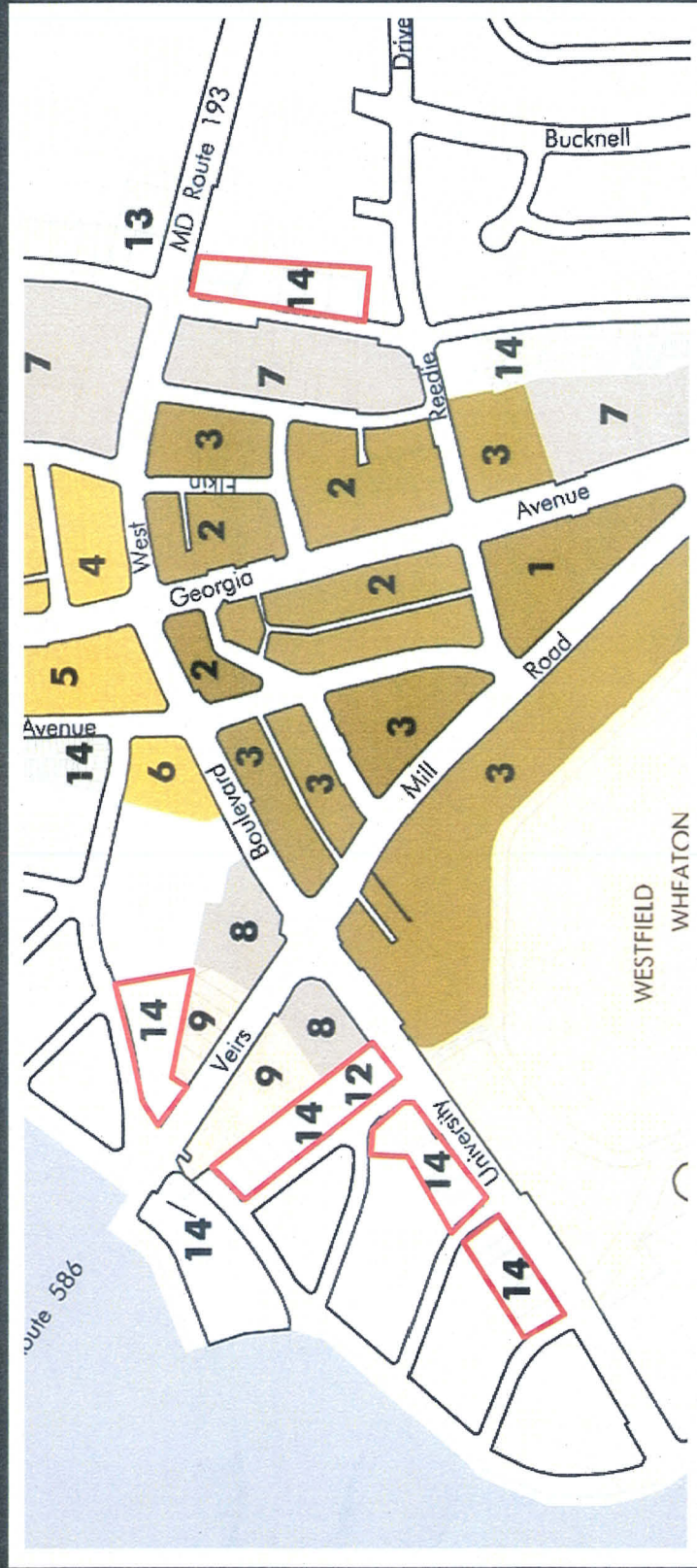
Discussion:


The Draft Plan on pages 34, 35, 38, and 39 recommends rezoning properties from a combination of existing R-60, C-1, C-2 and C-T zones to CR: 1.5, C 0.5, R 1.5, H 45. These recommendations are accompanied with text recommending some parcels for residential development as a transition to the single-family residential neighborhood to the west of the property. The Draft Plan states that no commercial uses should be developed on the properties along East Avenue. The pertinent pages and locations are referenced below (see map, circle page 2a):

- *Page 34 (Figure 2) and page 35 (Block HH) in the Wheaton Forest community east of the Amherst Avenue, south of University Boulevard;*
- *Page 38 (Block S, Lots 7 through 13, Lindsay Ford properties on East Avenue);*
- *Page 39 (Blocks X and Y, on the north side of University Boulevard west of Veirs Mill Road) in the Kensington View community.*

The Lindsay Ford property owners (on Veirs Mill Road west of University Boulevard) have indicated that they intend to use their properties on East Avenue as parking for their cars in relation to the auto sales use on the Veirs Mill Road side of their property. They have a pending special exception (S-2179) for the R-60 lot on East Avenue for this purpose. Over the long term, the Draft Plan envisions all of the Lindsay Ford parcels (along East Avenue and Veirs Mill Road) to be redeveloped with mixed residential and commercial uses with no commercial uses along East Avenue (see attached map, circle page 2b, and page 38 of the Draft Plan).

Issue 16: Testimony – Is the CR Zone Appropriate for Transition to Single-Family Residential Uses



-  Public Hearing Draft Plan Proposed CR Zoning abutting or adjacent to single-family residential neighborhoods

Block S Lindsay Property



Block S

The adjoining community of Kensington View has raised concerns that the CR Zone permits a much wider range of non-residential uses than what is currently permitted in the R-60 Zone by special exception and the limited number of non-residential uses permitted in the C-T Zone. They believe that some of these non-residential uses would not be appropriate next to or across the street (East Avenue) from single-family detached houses. The Kensington View community has requested that the existing C-T Zone be retained on these properties. They would like to see residential or office townhouses on these properties. No existing zone, however, allows such a mix of uses with such narrow limitations (see letter, dated October 6, 2010 from Judy Higgins, Chair, Land Use Committee, circle page 3a).

Kensington View residents were also concerned that re-zoning the existing C-T zoned properties along University Boulevard to the CR Zone would supersede the conditions of approval on the pending special exception for a BB&T Bank by allowing a broader range of uses. However, staff believes that this concern is addressed by the grandfathering provisions of the CR Zone.

The Planning Board is currently reviewing a proposed zoning text amendment (ZTA) to the CR Zone that would create two new zones in the CR group of zones with the overall goal of ensuring context-sensitive, mixed-use development: a CRN (Neighborhood) Zone; and a CRT (Town) Zone. The proposed ZTA also retains the current CR Zones (with some modifications) for Metro station and other high density areas. The Kensington View community has raised concerns that the CRN Zone permits reduced minimum parking requirements which could result in on-street parking on the adjoining neighborhood streets. They also believe that the proposed CRN Zone requires minimum building heights, which would preclude the development of single-family houses, (see letter dated February 10, 2011, circle page 3b and 3c). However, staff notes that this comment is based on incorrect interpretation of the CR ZTA language; the proposed ZTA does not require minimum building heights.

Staff believes that because the current zoning (C-T) does not allow residential uses, a mixed-use zone that includes townhomes or multifamily uses should be considered for the C-T zoned sites on University Boulevard and East Avenue. The proposed CRN Zone addresses many of the concerns raised by the Kensington View community, and the following provisions make the CRN Zone the best alternative to the existing C-T Zone for transitional properties.

The CRN zone:

1. Allows only the standard method of development.
2. Requires site plan review for: developments of more than 10,000 sf or more than 10 units; a building height of more than 40 feet; or developments of more than 0.5 FAR adjacent to or across the street from residentially zoned properties.
3. Allows for a limited number of non-residential uses, and requires certain non-residential uses to be located at least 100 feet away from existing single-family residential properties.

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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**Kensington View Civic Association
Judy Higgins, Chair, Land Use and Zoning Committee
CR Zone - Zoning Text Amendments
Montgomery County Planning Board - Agenda Item #3 - 10 February 2011**

Kensington View has been very clear that we do not agree with the standards regarding height and uses of the CRN Zone. We believe that only light office or residential uses are appropriate as a 'buffer' next to any single-family neighborhood.

*Since the results of our discussion of February 3, 2010 on Sections 59-C-15.4 and 59-C-15.5 are not available for review, we again state the following to ensure our opinion is being noted: was posted 2/9/11 late afternoon after this was finalized by our committee
The CRN Zone:*

- *Should be used as implied, for the protection of neighborhoods not encouragement of commerce.*
- *No height minimum should be imposed to allow for possible future redevelopment to single family homes if the property owner should choose.*
- *To ensure compatibility with any existing neighborhood the maximum height should be no more than 45".*
- *Should only allow residential or low intensity offices development.*

The following addresses the items on today's agenda, Sections 6,7,8,9.

59-C15.62 Streetscape

Without the 'design guidelines' available, this is difficult to address.

59-C15.64 Parking

*After hours and hours of research and frustration that no citizens should have to do we determined this was too complicated and completely unfair, but unfortunately at this juncture imperative! Here is our best shot at understanding in the hopes we may receive sound, sustainable future redevelopment with adequate parking.
We firmly believe that CRN and CRT should require the provisions of Section 59-E, which is time proven.*

59-C-15.64

MC Code-Section 59-E-2.8, Parking facilities within or adjoining residential zone.

This appears to have requirements more conforming to a residential neighborhood.

59-E-2.81 (a) "Where a parking facility is within a residential zone or adjoins land in a residential zone that is neither recommended for commercial or industrial use on an approved and adopted master or sector plan, nor used for public or private off-street parking, nor in a public right-of-way that is 120 feet or more in width, residential setbacks apply as follows: All parking surfaces, spaces and driveways must be set back a distance not less than the applicable front, rear or side yard setback required for the property in the residential zone that adjoins or confronts the applicable boundary of the parking facility".

In Kensington View, East Avenue currently has 25 foot building restriction lines, University Blvd. and Kensington Blvd. have 40 foot building restriction lines. The CR Zone is not clear on whether this applies to confronting properties, as we don't find this mentioned.

**Kensington View Civic Association, CR Zone - Zoning Text Amendments
Montgomery County Planning Board - Agenda Item #3 - 10 February 2011**

59-C-15.641 Parking Ratios (Table between lines 305-306 in ZTA clean copy Jan. 13, 2011)
Based on our calculations using one example from our neighborhood this is what we are seeing.

**Hair Salon - CT Zoned Property, Wheaton CBD Sector Plan, Pg 39, Block X, Lot 1
(This property morphed from corporate office with accessory hair services to total hair salon)**

**Description - 4,878 sf building on a 17,563 sf lot
CT Zone currently requires 17 parking spaces.**

When Hugo's is doing well, this is not enough parking, so clients park in the lawyer's lot next door or on the residential street that does not have permit parking.

CRN zone will reduce this requirement to 10 parking spaces

CRT zone will reduce this requirement to 7 parking spaces

CR Zone would require 19.5 based on location (between 1/4 and 1/2 mile of metro, 4 spaces per 1,000 sf).

Can this possibly be correct? Would you figure Hugo's on 1/4 - 1/2 mile from Metro or within 1/4 mile of a bus route?

We clearly know where spillover will be directed!

59-C-51-642. Accepted Parking Spaces

Ford Dealership, East Ave, Wheaton CBD Sector Plan, Pg 38, block S, lots 7-13 & P282 Veirs Mill Road:

**If the properties on Veirs Mill Road are assigned the CR Zone and are in the 'parking lot district,' and the CRN or CRT are assigned to the East Avenue properties and developments can cross lot lines, how will the parking be treated?
Which parameters do you use, since we don't see any differences for confronting residential zones.**

This is the X factor to us...

59-C-15.645 Landscaping and Lighting

Why does 59-C-15.645 (b) require "one deciduous tree per 30 feet" for properties adjacent to residential lots, but "no less than 30 percent of the parking facility area (at 15 years growth)" for all other properties?

59-C-15.71 Setbacks

(a) This section deals with setbacks of buildings adjacent to lot or parcels in an agricultural or single-family residential zone.

What about the confronting properties as on East Ave or other sections of the county where the property may be deeply embedded in a residential zone?

Do these setbacks also apply to parking lots?

(a), (2) As we do not agree with the heights and you with your wisdom you may agree with us, this angular plane projection and drawing would need to be changed.

59-C-15.72. Public Use Spaces

In the table - what is included and considered 'limit of disturbance' is that parking lot, land or area for building?

(2) Line 395 and 396 from redline 1-13-11 - Making a payment in part or in full for design, construction, renovation, restoration, installation, and/or operation near applicable master or sector plan areas.

Operation of what near applicable master or sector plan area?

Thank you for reviewing our comments.

4. Allows the ability to reduce the maximum FAR and building height through the master plan to adequate levels as dictated by each context.

Please note that this document does not reflect any changes that the Planning Board may have made to the CR Zone Text Amendment at the February 17 Planning Board meeting.

Staff Recommendation:

Kensington View/Wheaton Hills District

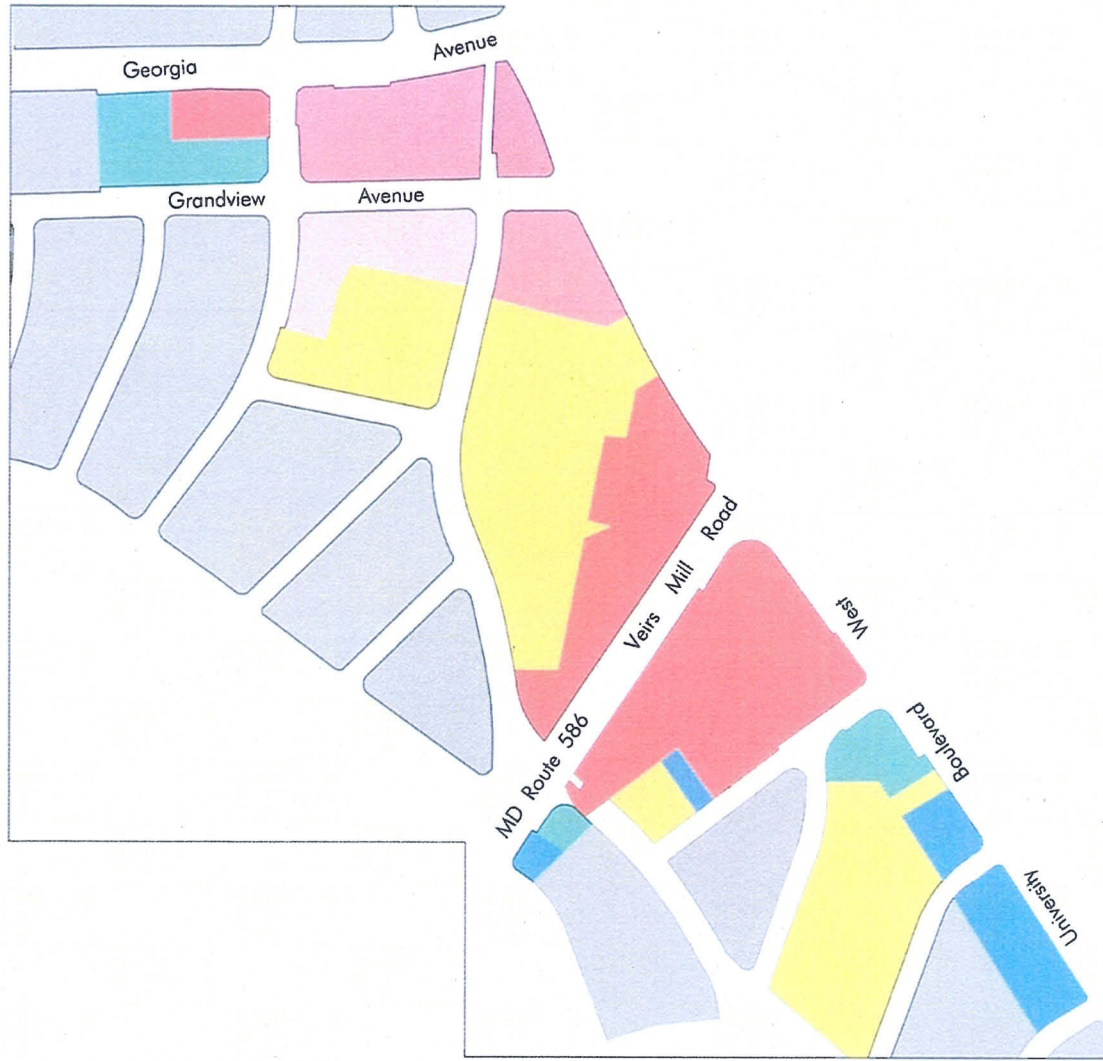
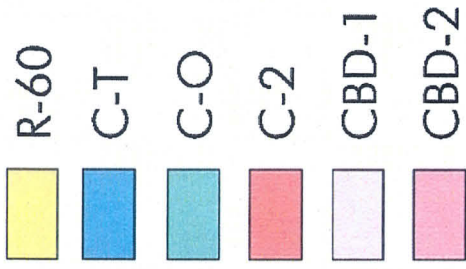
University Boulevard

The CRN zone is appropriate for currently commercial and residentially zoned properties along University Boulevard between East Avenue and Valley View Avenue. The proposed CRN zone recommends maximum height and density that is compatible with neighboring residential properties allowing low intensity transitional mixed-use development between single-family residential zones in the Kensington View neighborhood and commercial uses across University Boulevard on the Westfield Mall property site. (See circle pages 4a and 4b).

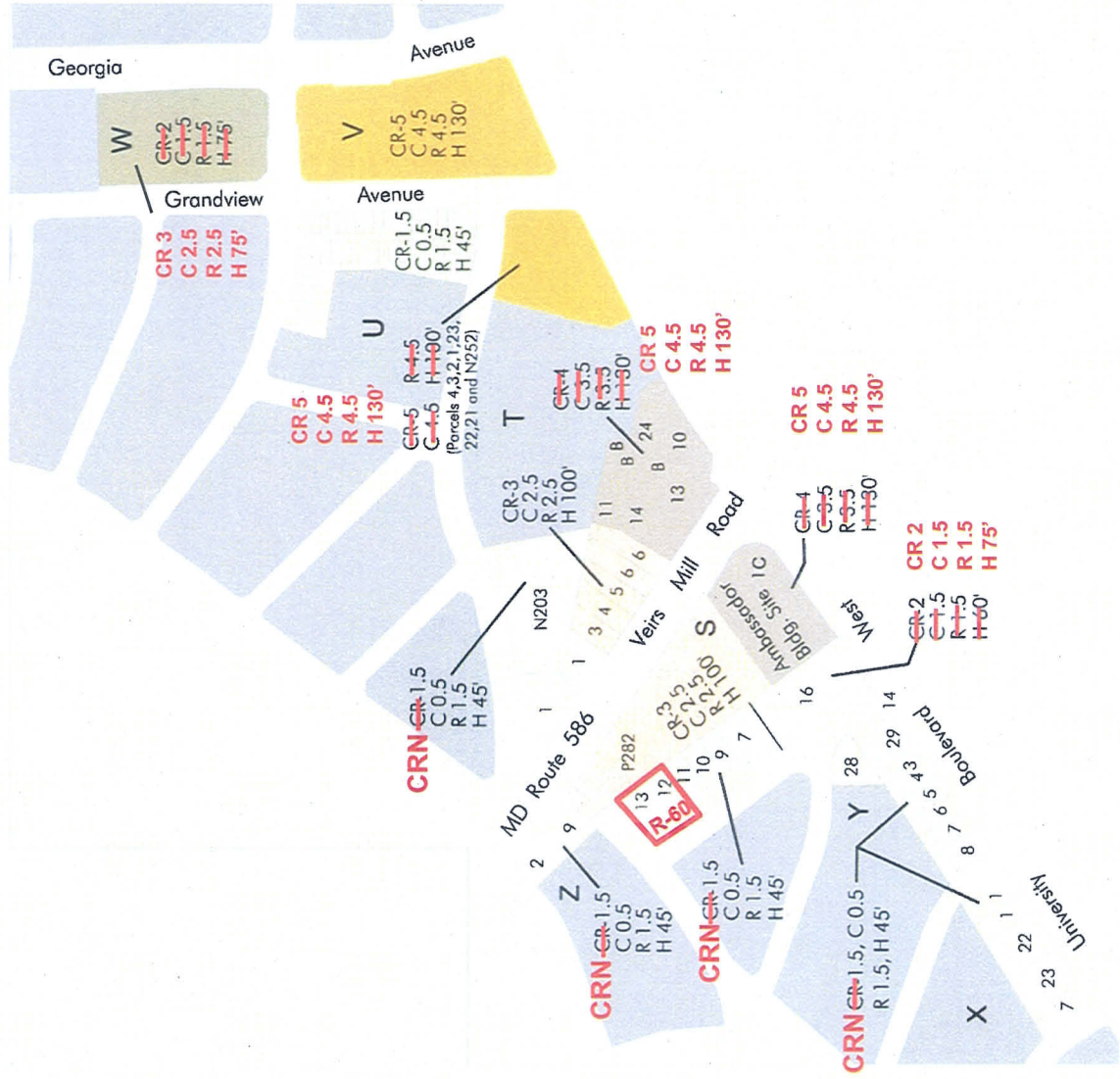
1. Rezone lots 7, 23, 22, and lot labeled PT-1 on Block X and lots PT-6, PT-7, and PT-8 on Block Y on University Boulevard, (page 39 of the Draft Plan) from C-T to CRN 1.5: C 0.5, R1.5, H 45'. Include text in the Draft Plan to note that residential or professional townhouse development would be appropriate on these sites.
2. Rezone lot PT-5 on Block Y (page 39 of the Draft Plan) from R-60 to CRN 1.5: C 0.5, R 1.5, H 45'. Include text in the Draft Plan to note that residential or professional townhouse development would be appropriate on these sites.
3. Rezone lots 29 and 28, and PT-3 and PT-4 on Block Y (page 39 of the Draft Plan) from C-O to CRN 1.5: C 0.5, R 1.5, H 45'. Include text in the Draft Plan to note that residential or professional townhouse development would be appropriate on these sites.

Veirs Mill Road

The CRN zone is also appropriate for the small amount of frontage on Block Z west of the Lindsey Ford site. Staff recommends placing low-intensity transitional residential and/or mixed-use development between commercial uses on the Lindsay Ford properties (Block S) and single-family residential zones in the Kensington View neighborhood to the south and west of Block Z:



Kensington View/Wheaton Hills District Existing Zoning



Kensington View/Wheaton Hills District
Proposed Zoning Changes

4. Rezone lots 2 and 9 on Block Z (page 39 of the Draft Plan) from C-O and C-T to CRN 1.5: C 0.5, R 1.5, H 45'. Include text in the Draft Plan to note that residential or professional townhouse development is appropriate on these sites.

Along the east side of East Avenue (Block S), (page 38 of the Draft Plan) the properties currently zoned C-T and C-2 are appropriate for the CRN Zone.

5. Retain the R-60 Zone for lots 12 and 13 to retain the single-family residential character of the Kensington View Neighborhood. The R-60 zoned properties on this block (or a larger assemblage of these lots including the R-60 lots and the adjoining proposed CRN zoned properties) may be appropriate for rezoning to a townhouse zone later if the property owners desire to develop residential townhouses along the East Avenue frontage of the block.
6. Rezone lot 11 from C-T to CRN 1.5, C 0.5, R 1.5, H 45'. Residential or professional townhouse development is appropriate on these sites.
7. Rezone lots 7, 9, and 10 from C-2 to CRN 1.5: C 0.5, R 1.25, H 45'. Residential or professional townhouse development is appropriate on these sites.

Kensington Boulevard

The CRN zone is appropriate for lot N203, Block T, to provide a transition to the existing single-family residential uses across Kensington Boulevard, in the Wheaton Hills neighborhood.

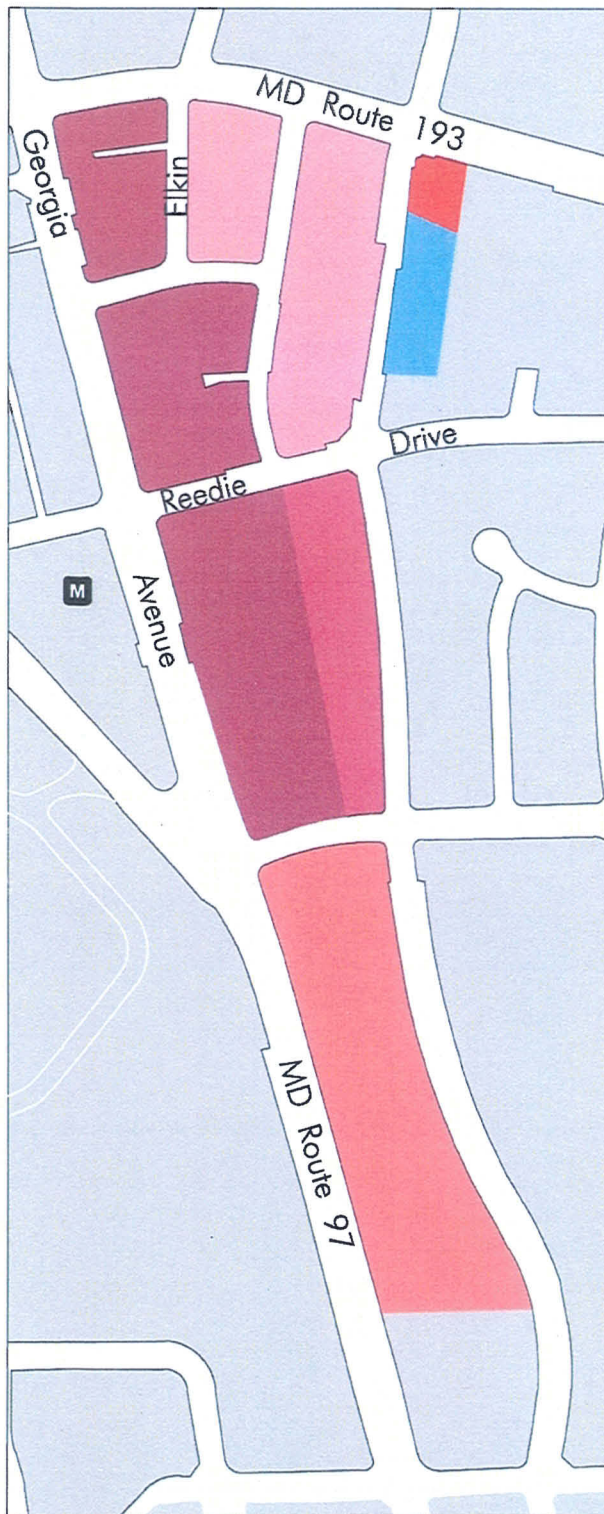
8. Rezone lot N203, on Block T, along Kensington Boulevard (page 38-39 of the Draft Plan) from R-60 to CRN 1.5, C 0.5, R 1.5, H 45'. Residential or professional townhouse development is appropriate on these sites.








Price District

The proposed CRN Zone is appropriate to provide transition in height and density of future development to be compatible with the existing residential community to the east by placing low intensity transitional mixed-use development along the east side of Amherst Avenue between University Boulevard and Reddie Drive (circle pages 5a and 5b):

12. Rezone Block HH east of Amherst Avenue, south of University Boulevard (page 35 of the Draft Plan), from C-1 and C-T to CRN 1.5: C 0.5, R 1.5, H 45'.
13. Rezone the existing townhouses on Block J on the west side of Amherst Avenue between Reddie Drive and Prichard Road (page 35 of the Draft Plan) from CBD-R1 to CRN 1.5: C 0.5, R 1.5, H 45'.

Price District Existing Zoning



-  C-T
-  C-1
-  C-2
-  CBD-R1
-  CBD-2
-  CBD-3
-  Wheaton Metro Station

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 the approximately 12.3-acre WTOP site to a higher density. The Draft Plan retains the existing R-90 zoning on the site, which includes the WTOP transmitter facility at 2015 University Boulevard West (Figure 3 and text, Block Q, on page 36 of the Public Hearing Draft Plan). The existing facility was commissioned in 1939, and consists of a concrete and block building and three radio towers. 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 has received 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 (see circle page 6a). 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 up-zoned since they intend to retain the current use on the site, and that any up-zoning would raise their property taxes. Staff's recommendation was to retain their current R-90 zone.

During the Wheaton Sector Plan Worksession # 2 (October 28, 2010), the Planning Board directed staff to include text in the Plan that indicates that a floating zone would be appropriate should the property ever redevelop. The Board asked staff to consider recommending either floating zone PD-18 or RT-15 and bring a recommendation back to the Planning Board. Staff recommends that the RT-15 would be appropriate on this site for the following reasons:

1. The RT-15 Zone is more appropriate for townhouse development on parcels of this size and configuration because the zone requires less green area and a low maximum height limit of 35 feet. PD Zones are generally meant for large parcels where a mix of various types of housing units is desirable.
2. RT-15 is a less complicated zone (only site plan review is required) compared to the PD-18 zone, which requires a site plan and a development plan.
3. Although the PD Zone requires building single-family houses along the edges of the property next to the existing single-family houses to create appropriate transition, a very small part of the WTOP site's northern edge abuts existing single-family houses, which means that PD zoning does not provide any additional advantage over the RT-15 Zone.

**WTOP Transmitter Site (2015 University Blvd West) – Relevant Information as
Pertaining To the Proposed 2010 Wheaton Sector Plan**

The WTOP Transmitter Facility at 2015 University Boulevard West was commissioned in 1939, and consists of a concrete and block building and three 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 FCC specifies the precise location of the towers in the license. The towers are only part of the antenna system: underneath the ground surrounding the towers are copper radials, fanning out from the towers similar to spokes on a wheel. The ground radials and tower system form a complete system that is totally encompassed by the plot of land owned by Bonneville Broadcasting International. Maintaining the ground radial system prohibits additional large-scale development on the property itself. To maintain safety from excessive radio frequency (RF) exposure to the general public, the distance from the towers to the property lines must not be changed. In addition, the electromagnetic field radiating from the towers can cause interference to electronic devices, telephones, computers and anything made of metal that can “pick up” a signal due to the principal of electromagnetic induction. Relocating these towers while maintaining the requirements imposed by the FCC, FAA, and local zoning laws would be nearly impossible and prohibitively expensive.

The nearly park like setting of the Wheaton transmitter property includes an important environmental aspect. A water pond for the proper drainage of run-off from nearby development has attracted wild geese and deer. It would be very difficult if not impossible to re-engineer this pond.

The transmitter building in Wheaton is currently under consideration for federal grant money. Since both 1500 AM and 103.5 FM have co-located transmitters in this facility the government has realized the importance of this site in case of an emergency. It is to serve as a broadcast center for the Washington DC area in times of disaster or national need. Emergency studios are currently under construction. A new generator and underground fuel tank are to be installed, and the facility will be able to operate independently from the electric grid for as long as 60 days.

The Wheaton transmitter site is unique. It has been there since the 1930's and is irreplaceable. It cannot be developed or moved, and is a very special asset to the community. Local governments should understand the unique nature of this property and why it is there.

Staff Recommendation:

Include text in the Draft Plan that indicates that the RT-15 Zone would be appropriate should the WTOP property ever redevelop.

Wheaton Mall District:

Issue 18e: Expand the area of increased maximum building height of 200 feet on the Veirs Mill Road frontage of the Mall property.

Discussion:

The Draft Plan on page 37 recommends rezoning a portion of the Westfield Mall property along Veirs Mill Road (bounded to the west by the Mall ring road) to CR 6: C 5.5, R 5.5, H 150' to encourage mixed-use residential and office development to integrate the Veirs Mill frontage of the Mall into the Core.

The Executive Branch recommended increasing both height and density on the Westfield Mall property within ¼ mile from the Metro station and stepping down beyond the ¼ mile station boundary towards the existing communities.

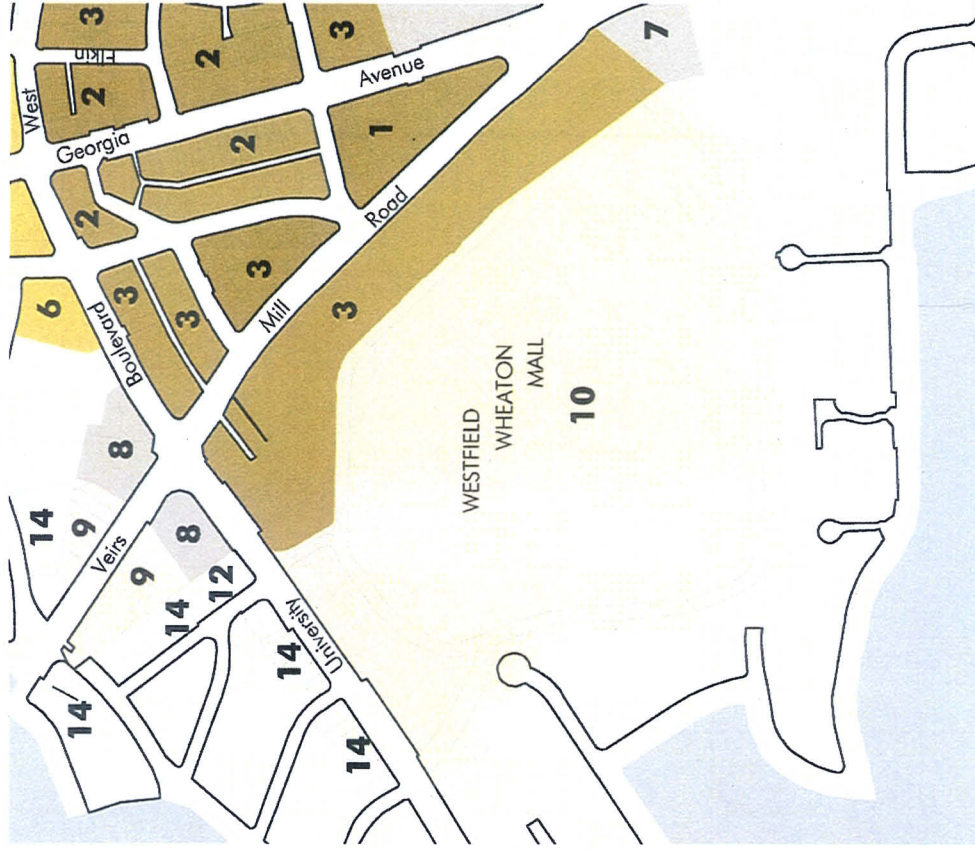
In a letter dated September 23, 2010, the Westfield Mall owners requested increasing the maximum permitted building height from 150 feet to 200 feet along Veirs Mill Road to accommodate their long-term plans to develop the Veirs Mill Road side of the property with higher density mixed-use developments.

At the December 9, 2010 Worksession #4, the Planning Board agreed with the staff recommendation to increase height on Westfield's Veirs Mill Road frontage, and on the remaining two blocks in the Core, page 33, (blocks A and C) from the recommended 150 feet to 200 feet, (see circle page 7a illustrating the existing and proposed zoning for the Core District).

Staff has worked with the Wheaton Mall representatives to redefine the boundary of the proposed CR 6 Zone along the Veirs Mill Road side of the property to create a slightly larger area than originally proposed in the Public Hearing Draft Plan for the proposed CR 6 designation. Westfield's conceptual plans for a possible mixed-use development on that part of the mall property helped to inform this vision. The revised boundary is also more clearly delineated and measureable as it will create a split-zone condition on the property. (Attached circle page 7b).

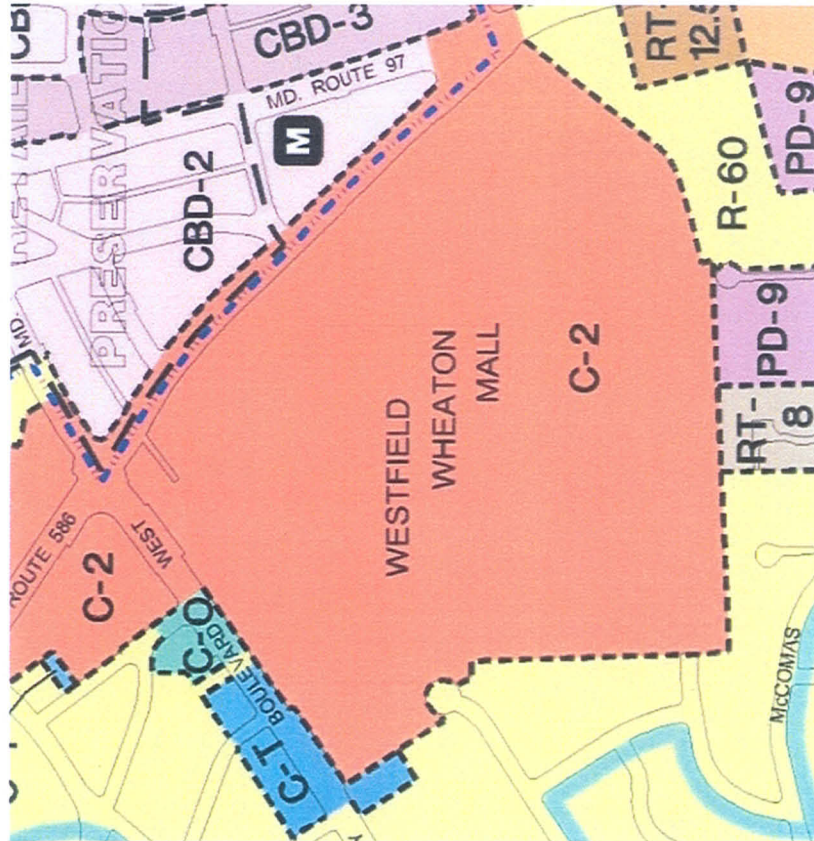
The Public Hearing Draft Plan recommended rezoning the central core of the mall site to CR 3: C 1.5, R 2.5, H 75' (page 37). Working with the Wheaton Mall representatives and reviewing the application of the CR Zone to the entire Wheaton Mall property, staff has concluded that certain CR Zone standards cannot be applied on the Mall property without further interpretation of these provisions. For example, the CR Zone requires buildings to be oriented to the street frontage but there is no "street frontage" for the core mall structure. Similarly, requiring ten percent open space on a site that is

Westfield Wheaton Mall Property



Public Hearing Draft Plan Proposed Zoning

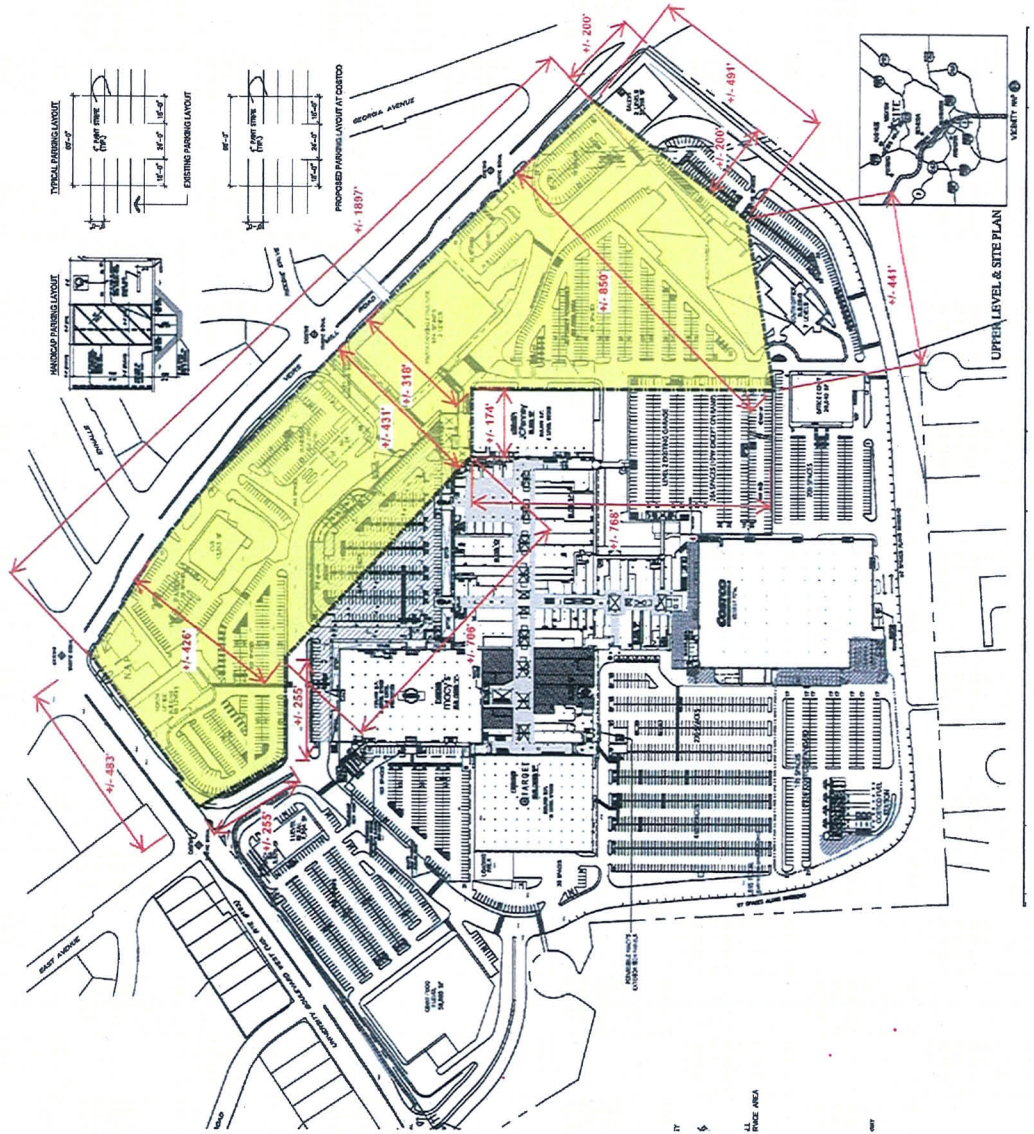
- 3 CR 6: C 5.5, R 5.5, H 150'
- 10 CR 3: C 1.5, R 2.5, H 75'



Existing Zoning

Westfield Properties

Westfield's Proposed Expansion of CR Zoned Portion of their Property



contractually obligated to retailers for parking is likely unfeasible. For these reasons, staff recommends that the existing C-2 Zone be retained on the existing Mall portion of the site, and that the zoning for this portion of the Westfield site be revisited during the comprehensive zoning re-write when special conditions of the mall sites can be specifically addressed.

The Public Hearing Draft Plan recommends that maximum building heights of 45 feet be allowed along the southern portion of the Mall's ring road adjacent to the residential neighborhood for a depth of 200 feet. It also recommends that building heights along much of University Boulevard frontage be at a maximum height of 75 feet to provide compatibility with surrounding residential development (page 37).

Testimony from the Kensington Heights Citizens Association states that new development on the Mall property should not overwhelm adjoining communities. They contend that the elevation of the Mall property is already considerably higher than the surrounding Kensington Heights neighborhood (which has a maximum height of 35 feet for residential lots). Forty-five foot high buildings on a hill 20-30 feet above the adjacent homes will tower over their neighbors and create issues of scale and privacy. They propose no more than 35 feet maximum building height for a certain distance from the property line adjacent to the Kensington Heights residential properties, going up to 45 feet in the interior and stepping up to the 75-foot maximum building height for the rest of the existing Mall excluding the property along Veirs Mill Road.

The Planning Board agreed with staff's recommendation that a 200-foot buffer with a height limitation of 45 feet along Westfield's southern property line provides adequate transition between future Mall development and the Kensington Heights residential neighborhood, particularly in conjunction with the recommended language to designate the wooded area along the southern edge of Westfield's property as a green buffer (Issue 18k). Changes in the elevation and the retention of the wooded buffer further provide visual screening between these two uses.

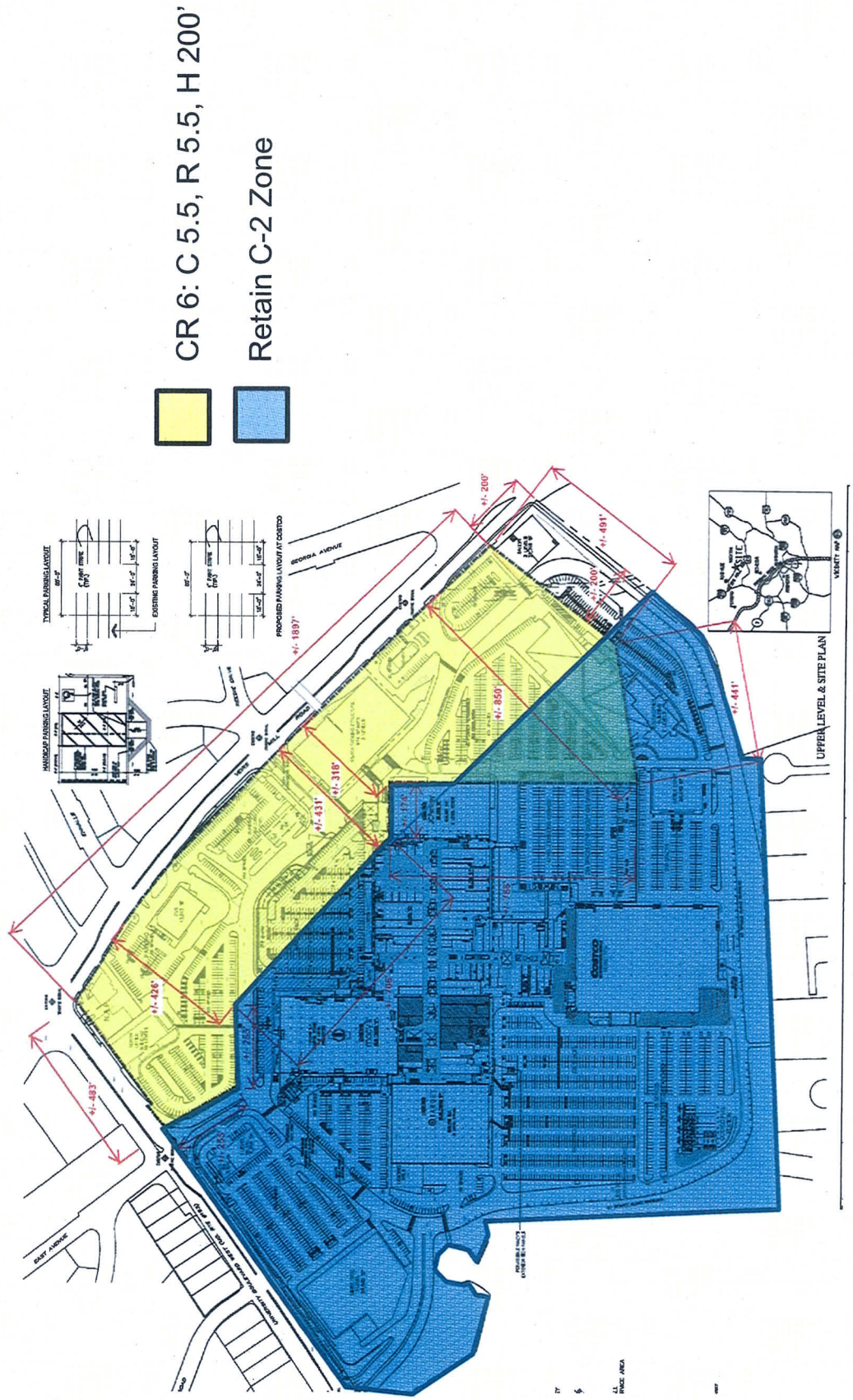
Since staff is now recommending retaining the existing C-2 Zone on the core Mall property including its southern parking lots and the ring road along its southern edge, staff believes that the Sector Plan text should contain language to address the community's concerns regarding the preservation of an appropriate buffer along the ring road. Although C-2 is currently not subject to a Site Plan review, such language in the Sector Plan would provide guidance for any future rezoning of the C-2 portion of the Mall property to make sure that adequate transition is provided along its residential edge.

Staff Recommendation:

1. Rezone the Mall's property fronting Veirs Mill Road to CR 6: C 5.5, R 5.5, H 200' as delineated on circle page 8a.
2. Retain the existing C-2 zoning on the remaining portion of the Westfield site.

Westfield Properties

Staff recommendation for CR zoned portion of the property



Change the maps and text in the Draft Plan on page 37 to reflect the revised rezoning recommendations (see circle page 8a).

Include new text to emphasize the need for maintaining the existing buffer along the southern edge of the property abutting the residential community and emphasize that any rezoning of the C-2 portion of the mall site in the future must maintain a green buffer and provide an appropriate building height transition.

Issue 29: Consider acquiring the approximately 1.8-acre property, located at 2609 McComas Avenue south of the Westfield Mall Property and owned by Kensington Heights LLC, as green space

Discussion:

Jane Folsom of Kensington Heights testified at the July 29, 2010 Public Hearing that ongoing infill development has gradually eliminated almost all of the green space in the community. Following the public hearing, Ms. Folsom requested that the McComas Avenue property be preserved as green space for the Kensington Heights community, which includes a petition signed by others in the community (see circle pages 9a-9e).

The property was recommended as suitable for rezoning from the existing R-60 to PD-9 in the 1990 Wheaton Sector Plan. On October 12, 2010, the County Council approved a rezoning for the property to RT-8 for up to eleven townhouses and three single-family detached homes.

The Parks Department conducted an initial review of the approximately 1.8-acre site for its suitability for park use. This initial assessment suggests that the property would not be suitable for parkland and would not meet the criteria for acquisition through the Legacy Open Space (LOS) program. Factors that limit the park potential of this site include: the presence of eight different adjoining and confronting properties; problematic public use and access due to slopes and adjacent properties; and the considerable expense of developing the site for parkland given that the site contains steep topography from deposited fill and the resulting engineered slopes. If the Planning Board seeks to increase the amount of parkland in the Kensington View neighborhood, staff recommends that this occur outside of the Wheaton Sector Plan process (circle page 9f).

Staff Recommendation:

No change to the Plan.

RECEIVED

10-0733
AUG 17 2010

OFFICE OF THE CHAIRMAN
THE MARYLAND NATIONAL CAPITAL
PLANNING COMMISSION

Garcia, Joyce

From: Jane Folsom [jafol2010@hotmail.com]
Sent: Tuesday, August 17, 2010 1:09 PM
To: MCP-Chair; donna@intelligentfingers.com; Dan Sheveiko; Erl Houston; Barbara Dowd; John - Washington, DC Jinkins; Laura Kerv; Adam Rosenbaum
Subject: FW: Wheaton Sector Plan 2.

Dear Madam Chair

I apologize for not doing an adequate spell check when I sent this in last week. I only just realized that the Email address was incorrect.

2ndPP Because our community is so convenient to transit and retail shopping we have been an attractive area for infill development. This has caused increased traffic on residential streets many of which do not have sidewalks. An increased number of residents has also affected the schools which has caused overcrowding at Oakland Terrace ES. Newport Mill MS and Northwood HS have been reopened. The planners suggested that the Crossway facility (formerly Pleasant View ES) could be reopened as an Elementary School. Nothing was said about where these services would be relocated.

Infill development is a problem in other ways. Our community needs more green space and there is very little left for public use.

Westfield acquired 3 sizable properties- Was this part of their required green space? These were sold to Avalon and then to Sterling Mehring / Kensington Hts LLC . One area on University between Drumm Ave and the Giant Food has been rezoned for a number of townhouses. But the only access is via Findley/Drumm.

Infill development is also a problem for any 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.

I heard a planners comment that there was excessive parking in the Wheaton Business Dist and Westfield, but I did not see that in the draft plan.

Sincerely
Jane Folsom

From: jafol2010@hotmail.com
To: mcp-chiar@mncppc-mc.or; jafol2010@hotmail.com; erlhouston@verizon.net; karenc425@aol.com; dsheveiko@kensingtonheightsmd.org; njdowd@corporatefinanceinc.com; barbararuben@verizon.net; adamhrosenbaum@yahoo.com
Subject: Wheaton Sector Plan
Date: Fri, 13 Aug 2010 16:06:26 -0400

Fancoise Carrier, Chair
Maryland National Capital Park and Planning Commission
8787 Georgia Ave
Silver Spring Md 20901

Dear Madam Chair

I have lived in Kensington Heights for 41 years. This neighborhood is adjacent to what is now Wheaton Westfield. It consists of mostly owner occupied single family homes with some townhouses added since the 1980's. About 6 homes could be described as historic dating from before 1940. Many homes have been added to or completely rebuilt. We have been minimally impacted by the recent downturn. We have terrific access to NIH, and other employment centers. We have a good neighborhood with an excellent elementary school. However we have recently been severely threatened by Westfield's effort to obtain a ZTA allowing Costco to build a 16 bay gas station near residents, a community pool and a special needs school. Fortunately, the Planning Board and the County Council realized that was a really bad idea and the ZTA was withdrawn.

Another ongoing problem is the infill development. This has gradually eliminated almost all of the green space in the community.

I would like to continue with pedestrian issues, the unsafe areas of University Blvd and Ga. Ave.
There are problems with the so-called buffer area between the neighborhood and Westfield
Please inform me of when the worksessions are. Also I would like to be involved in a walkabout on MComas and Drumm
and the ring road.

Jane Folsom 301 942 6918
2704 Calgary Ave
Kensington MD. 20895
jafol2010@hotmail.com

We citizens of Montgomery County
want a park in our neighborhood
at 2609 McComas Ave (Mt. McComas)

name address
Irene Solomates, 2507 Jennings Road S. S. MD.
301 949-5017 20902

Fabricia Downey 2917 Burtonhill Drive
Kensington MD 20895

Margaret Albert 3003 Rlyer Mill Rd. Kensington
20895

Ellen M. Durig 2812 Peregay Dr. Kensington 20895
Marcio F. Suroche 2913 McComas Ave Kensington MD
20895

Wendy Melillo Farrell 10804 Melvin Grove Ct.
Kensington. 20895

James Young 10805 Melvin Grove Ct Jamesyoung@thedemers.org
Kensington, MD 20895

Henry Breitman 2907 McComas Ave Kensington MD 20895

Ingela Heath 2809 Jennings Rd Kensington 20895
301 949-3469

Mary C. M. Levini 2805 Inland Rd. Kensington 20895

Collected by Jane Johnson
Sept 14, 2010

we, citizens of Montgomery County
want a park in our neighborhood
at 2609 McComas - (MP McComas)

collected by Jane Folsom
2704 Calgary Ave Sept 14
Kens. Md 2081

Name Print & Sign

Dulcie Stewart
TIMOTHY HUTCHESON
Edward D. Williams
Isabel J.K. Abrahams

Address
3626 Peartree Ct S/Spring 20901
10109 MCKENNEY AVE. 103 S/S/S PG NO. 20902
10840 DOUGLAS AVE., SILVER SPRING, MD 20912
" " " " " " "

Hector Pardo Browder
2307 Plyers Mill Rd
Silver Spring MD 20902.

Jennifer Rusiecki

2501 PLYERS MILL RD.
SILVER SPRING, MD 20902

Rosa M Galdamez

April H Cassler
James Hes piter

10911 Drumm Ave Kensington MD 20895
10800 LITTLEFORD LN 20891

Susan S. Berkheimer
susan S. Berkheimer

2707 Plyers Mill Road
Silver Spring, MD 20902.

Sheila Enright
Sheila

11911 Coronada Pl.
Kensington MD 20895

Judy Cochran

2724 Jennings Rd

Laura Downey

2917 Burtonhill Dr
Kensington MD 20895

We citizen of Montgomery County
want a park in our neighborhood
at 2609 McComas Ave (Mt. McComas)
name sign & print address

Arnel Roshwald 3002 Jennings Rd
Kensington, MD 20895
Christine S. Parker 10712 Casper St, K-town
20895
Elizabeth Chassen 10922 Rempert Way 20902
Leah Kuanil 10720 Dentley Ln 20895
Rebecca Korschmick
Jill (L M Trexler) 2706 Calgary Ave Kens 20895

Scott Hanna 2713 JENNINGS RD. KEN 20895
Theresa S. Blandon Theresa S. Blandon 2905 Plyers Mill Rd,
MIL RD,

Zepha Soto 2725 Plyers Mill Rd
Silver Spring MD. 20902
SNOW

Please consider a park on this land Michael Snow 10846 Daybas Ave
Silver Spring, MD 20902

Laura Anderson Jutland Kensington, MD. 20895

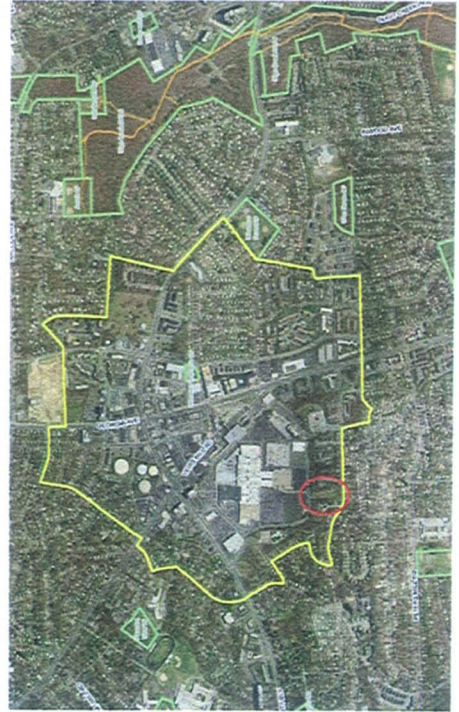
R. Kastennayer 3100 Drumm Ct Kensington MD 20895

Sabri Puffolot 10835 Little Ard Lane

collected by Jane Folsom Sept 14, 2010

2704 Calgary Ave
Kens Md. 20895

Kensington Heights Neighborhood - 2609 McComas Avenue - 1.8 Acre Site



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

Discussion:

The Montgomery County Civic Federation testified that they do not support the idea of master plans and design guidelines as separate documents. Design guidelines should be in master plans as they have been in the past. The Federation is concerned with the protection of edge neighborhoods. They request that all design guidelines for development adjacent to residential property should be in the Sector Plan. They would also like to see design guidelines presented by the staff at the same time that the sector plan is presented so that the community can see how the design guidelines relate to the Sector Plan recommendations.

With the exception of street standards and other specific recommendations from the Sector Plan, the Design Guidelines are not regulations that mandate specific street standards, locations of buildings, and open spaces. The Design Guidelines illustrate how the Sector Plan recommendations might be met without dictating specific solutions.

The planning and development process is structured in a hierarchy of decisions:

- **Sector Plan** - Recommendations provide the vision for the Wheaton CBD and the major implementation mechanism of zoning
- **Zoning Ordinance and other codes** - Establish standards and regulations for development
- **Design Guidelines** - Provide guidance and suggestions to encourage design choices that fulfill the Sector Plan vision.

The amount of detail and the examples of case studies included in the Design Guidelines are intended to suggest solutions regarding the design of the public realm (streets, open space and buildings) in a flexible way without prescribing specific solutions. The White Flint Design Guidelines have already served as a useful tool to foster design excellence in the public realm in North Bethesda.

The Design Guidelines for the Wheaton CBD will not be finalized until after the County Council has approved the Sector Plan to allow any changes to be incorporated into the final document. A PowerPoint and rough draft will be available before the Sector Plan is sent to the County Council. After the Sector Plan is approved by the County Council and before the Design Guidelines are finalized, public meetings and hearings with the Planning Board will be conducted to allow input from the public.

Keeping the Design Guidelines separate from the Sector Plan provides a flexible method of providing additional detail and sample case studies that are not appropriate in the Sector Plan without dictating specific solutions. As a separate document, design guidelines can be modified by the Planning Board to reflect future conditions without need for a lengthy sector plan amendment process.

Staff Recommendation:

The Sector Plan and Design Guidelines should remain separate documents.

Staff Presentation of the Urban Design Guidelines

The staff presentation at the worksession will provide an overview of the content and organization of the Design Guidelines.

The purpose of the design guidelines is to provide clarity of design expectations for property owners, developers, and design professionals to guide decisions made during the development review process while at the same time preserving flexibility to achieve better design solutions in the future...and perhaps even to inspire them.

The Wheaton Design Guidelines will reflect the recommendations that are in the final approved and adopted Sector Plan. They will be available before any property in Wheaton is rezoned by sectional map amendment (SMA), under the current schedule anticipated to be in spring 2012.

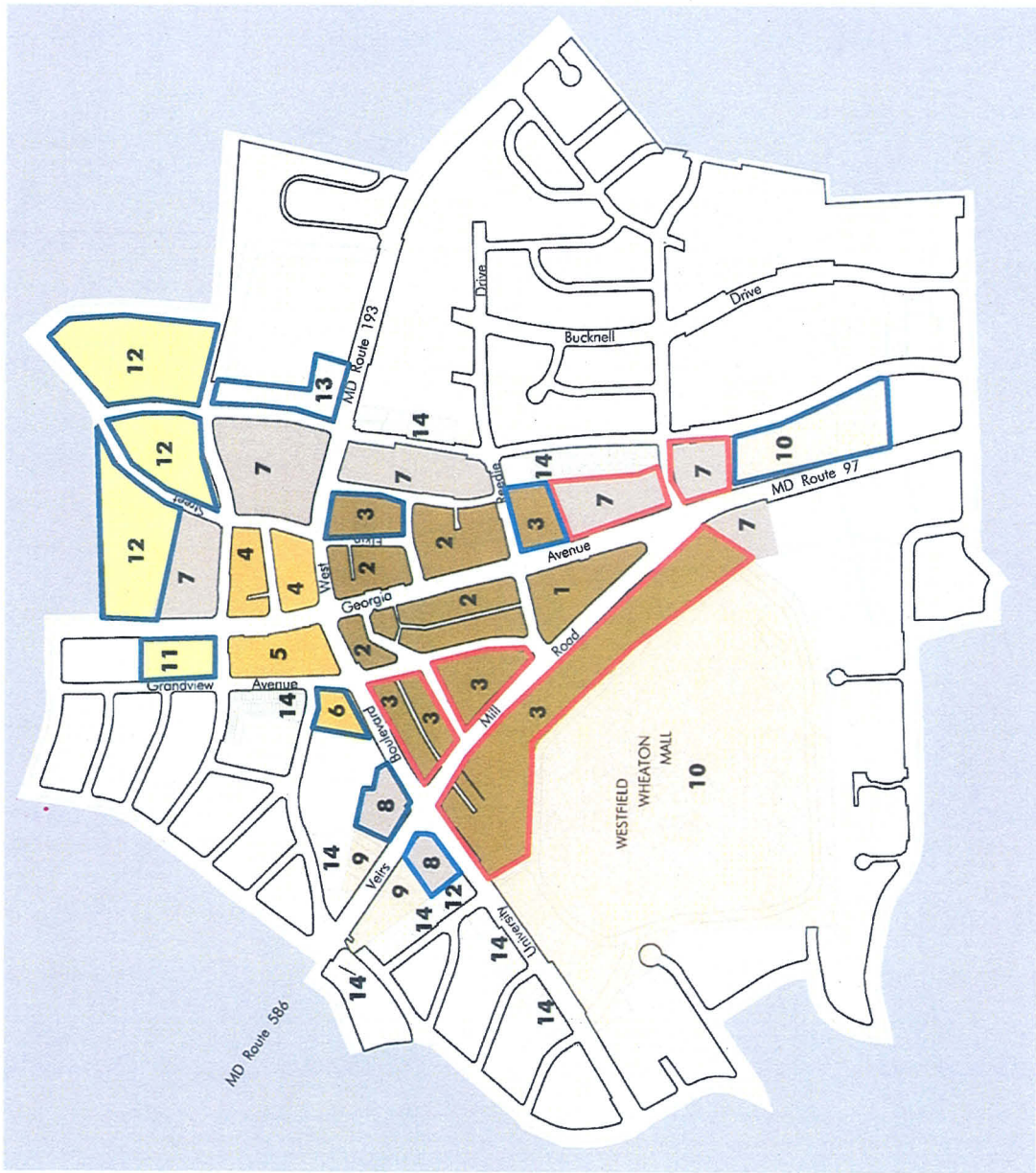
Staff will continue to work with property owners and residents to refine the guidelines as the Sector Plan process continues at the County Council. This will be particularly important as ideas evolve for Westfield Mall and for the publicly owned properties in the Core District that are a part of the County's public/private partnership for this area of the downtown. Environmental concepts presented to the Planning Board by GreenWheaton at the Worksession #5 on January 6, 2011 support the goals of the Plan to make Wheaton a unique and sustainable community - economically, environmentally, and socially, and will be reflected in the Urban Design Guidelines. The Design Guidelines document will come back to the Planning Board for public hearing and action in early 2012.

Other Zoning Changes

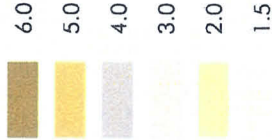
Staff has revisited all rezoning recommendations in the Public Hearing Draft Plan. Staff recommends zoning changes to a few properties that are located adjacent to sites where recommended zoning changes were made by the Planning Board during the worksessions in light of the Planning Board's discussions during worksessions on the Public Hearing Draft's rezoning recommendations. Where there were increases or decreases in use, height or density, staff re-evaluated the zoning on adjacent properties to determine if these sites required further consideration by the Planning Board. Changes to the Draft Plan's rezoning recommendations for some properties could leave some of the adjoining properties in zoning designations that no longer seem appropriate. Consequently, staff now recommends the additional zoning changes listed below. All of the recommended zoning changes, including those decided by the Board in the previous worksessions, have resulted in a consolidation of zoning categories (from 14 in the Draft Plan to nine). (See circle pages 11a-11d.)

Wheaton CBD and Vicinity Sector Plan Public Hearing Draft

11a



Maximum FAR

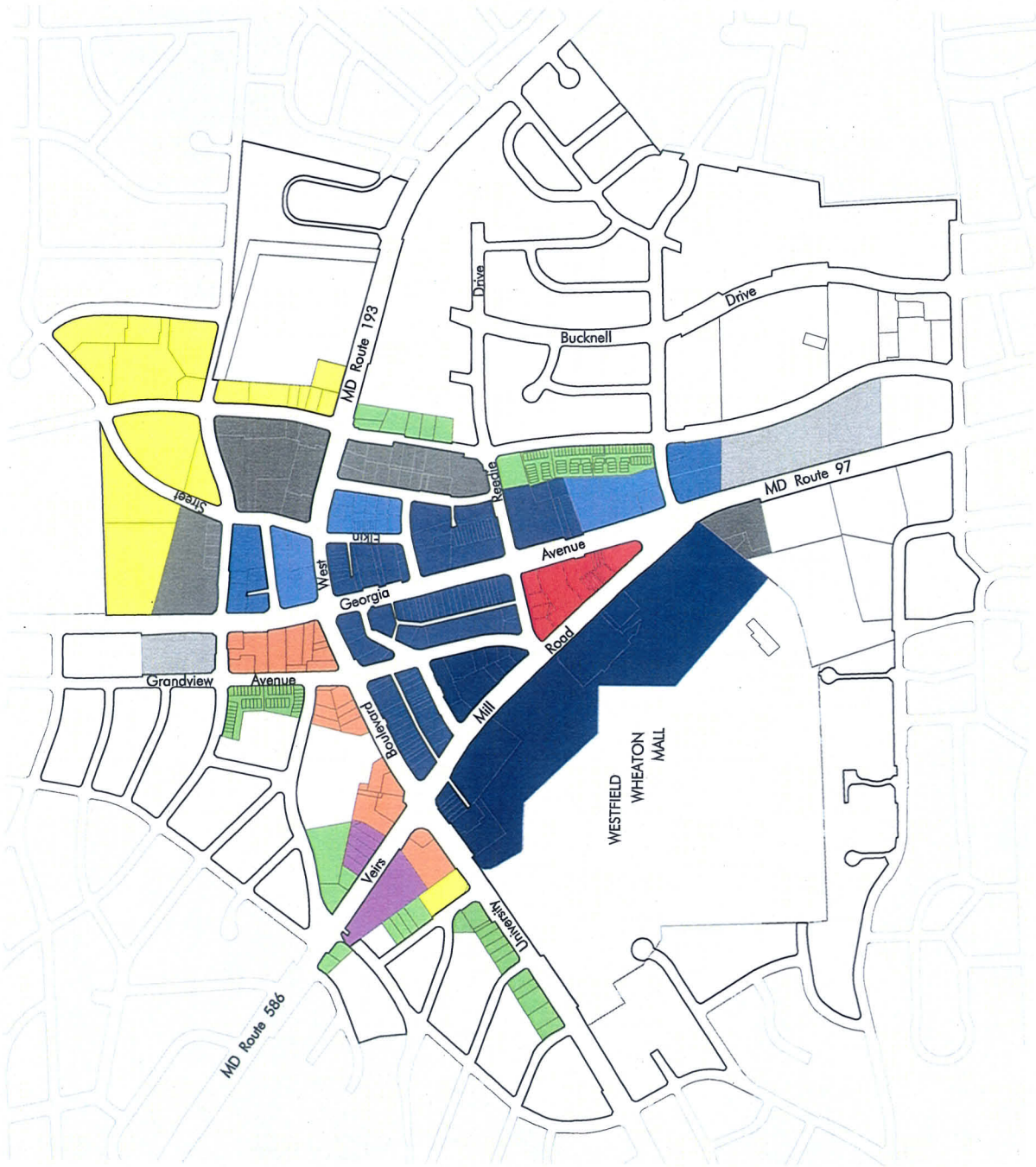


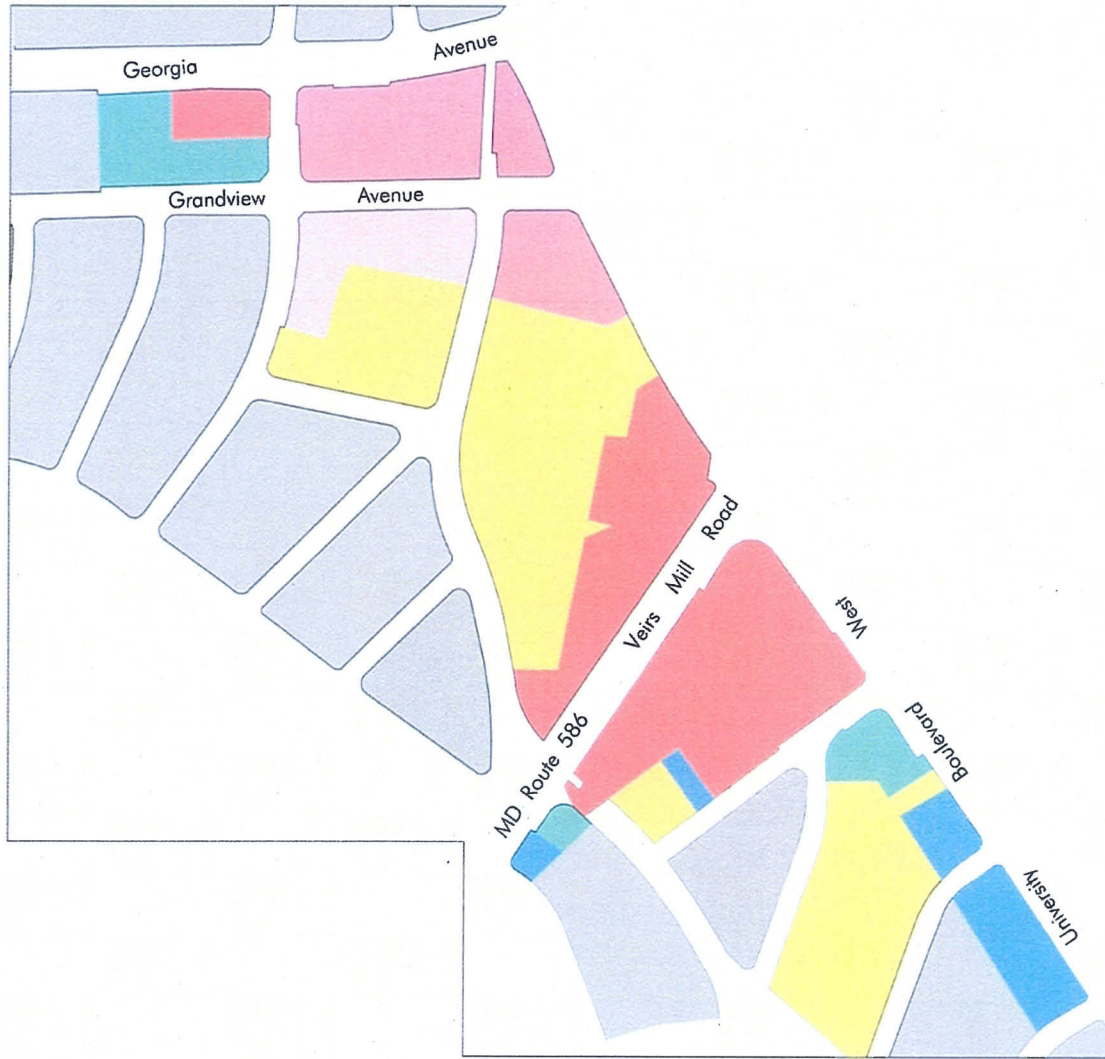
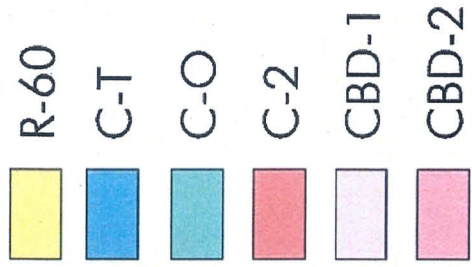
- 1 CR 6: R 3: H 250'
- 2 CR 6: C 5.5: R 5.5: H 200'
- 3 CR 6: C 5.5: R 5.5: H 150'
- 4 CR 5: C 4.5: R 4.5: H 150'
- 5 CR 5: C 4.5: R 4.5: H 130'
- 6 CR 5: C 4.5: R 4.5: H 100'
- 7 CR 4: C 3.5: R 3.5: H 100'
- 8 CR 4: C 3.5: R 3.5: H 130'
- 9 CR 3: C 2.5: R 2.5: H 100'
- 10 CR 3: C 1.5: R 2.5: H 75'
- 11 CR 2: C 1.5: R 1.5: H 75'
- 12 CR 2: C 1.5: R 1.5: H 60'
- 13 CR 1.5: C 1: R 1: H 75'
- 14 CR 1.5: C 0.5: R 1.5: H 45'

- Zoning changes made by the Planning Board during prior sector plan worksessions
- Other zoning changes



Proposed Zoning Changes





Kensington View/Wheaton Hills District Existing Zoning



Kensington View/Wheaton Hills

Ambassador Building site (Lot 2) and lot PT-1 on Block S (page 38 of the Public Hearing Draft Plan) - *This property is at the northwest intersection of University Boulevard and Veirs Mill Road, across from the highest density core district.*

The Public Hearing Draft Plan recommends this site be rezoned from C-2 to CR4.0: C3.5, R3.5, H130. The staff now recommends that this site be rezoned to CR 5: C4.5, R 4.5, H 130' to provide a better transition and relationship to the core district's 6 FAR and a maximum building height of 200 feet. During worksession #4, the Planning Board directed staff to increase the maximum building height from 150 feet to 200 feet for the portion of Westfield's property along Veirs Mill Road (Public Hearing Draft Plan recommendation CR 6: C 5.5, R 5.5, H150). Staff believes that the Ambassador building site's rezoning should be modified to provide a closer density and building height relationship to the properties in the core across University Boulevard.

Block T, Lots PT-10, 14, PT-13, 24 and outlot labeled B, Parcels E and C (page 38 of the Public Hearing Draft Plan) - *This property is at the northeast intersection of University Boulevard and Veirs Mill Road, across from the highest density core district.*

The Public Hearing Draft Plan recommends that these parcels be rezoned from C-2 to CR4.0: C3.5, R3.5 H 130'. Staff now recommends that these parcels be rezoned to CR 5: C4.5, R 4.5, H 130'. These lots are located across Veirs Mill Road from the Ambassador Building site at the intersection of Veirs Mill Road and University Boulevard and Core District Block A. The proposed rezoning is recommended to be consistent with the Ambassador Building site at this important location.

Block T, lots PT-4, PT-3, PT-2, PT-1, 23, 22, 21, and N252 (page 38 of the Public Hearing Draft Plan) – *This property is located at the northwest corner of the intersection of University Boulevard and Grandview Avenue.*

The Public Hearing Draft Plan recommends that this site be rezoned from CBD-2 to CR 5.0, C4.5, R4.5, H100. Staff now recommends that the building height on this site be increased to 130 feet by rezoning it to CR 5: C4.5, R 4.5, H 130'. The recommended 30' increase in building height makes this site consistent with the recommended building height along the northern side of University Boulevard between Georgia Avenue and Veirs Mill Road. Staff is also concerned that a maximum building height of 100 feet may be too limiting for a maximum density of 5.0 FAR.

Block W, parcels zoned C-O and C-2 parcels (page 39 of the Draft Plan) – *These parcels are located north of University Boulevard on the west side of Georgia Avenue.*

The Public Hearing Draft Plan recommends that these two parcels be rezoned from C-O and C-2 to CR 2.0, C1.5, R1.5, H75. Staff now recommends that these parcels be rezoned to CR3: C 2.5, R 2.5, H 75'. This increase of 1 FAR would avoid any downzoning on this property since the existing C-O Zone can be up to 3.0 FAR. Include text in the Planning Board Draft Plan that recommends that any future development

transition down in height along the Grandview Avenue frontage and along the northern edge of these parcels to existing single-family houses.

Blueridge District

Blocks L, M, and R, (page 36 of the Public Hearing Draft Plan) - *These blocks are located along the northern edge of the planning area north of University Boulevard and east of Georgia Avenue. (Circle pages 13a and 13b.)*

The Public Hearing Draft Plan recommends that these blocks be rezoned from CBD-0.5, R-30, and R-20 to CR2.0: C1.5, R1.5, H 60'. The staff now recommends that these blocks be rezoned to CR 2.0: C 1.5, R 1.5, H 75'. The minor increase in maximum building height for any redevelopment on these blocks will allow a standard stick built mixed-use building that typically ranges from 70 to 75 feet in height. Staff believes that a 60-foot building height limit may place an undue financial burden on the redevelopment and make it less viable. The Planning Board Draft Plan should include text to require appropriate decreases in building heights along the edges of these blocks to be compatible with the existing residential communities adjacent to these blocks.

Parcels located on the western portion of Block Q on the east side of Amherst Avenue between University Boulevard and Blueridge Avenue (page 36 of the Draft Plan). *Block Q is located at the northeast corner of University Boulevard and Amherst Avenue.*

The Public Hearing Draft Plan recommends these properties be rezoned from C-2 to CR1.5: C1.0, R1.0, H 75'. Staff now recommends that these properties be rezoned to CR 2: C 1.5, R 1.5, H 75'. The increased density will be consistent with the proposed zoning on blocks L, M, and R immediately to the north of the parcels and allow appropriate transition to the 4.0 FAR on Block P across Amherst Avenue to the west and the proposed WTOP site to the east which could develop with townhouses.

Price District

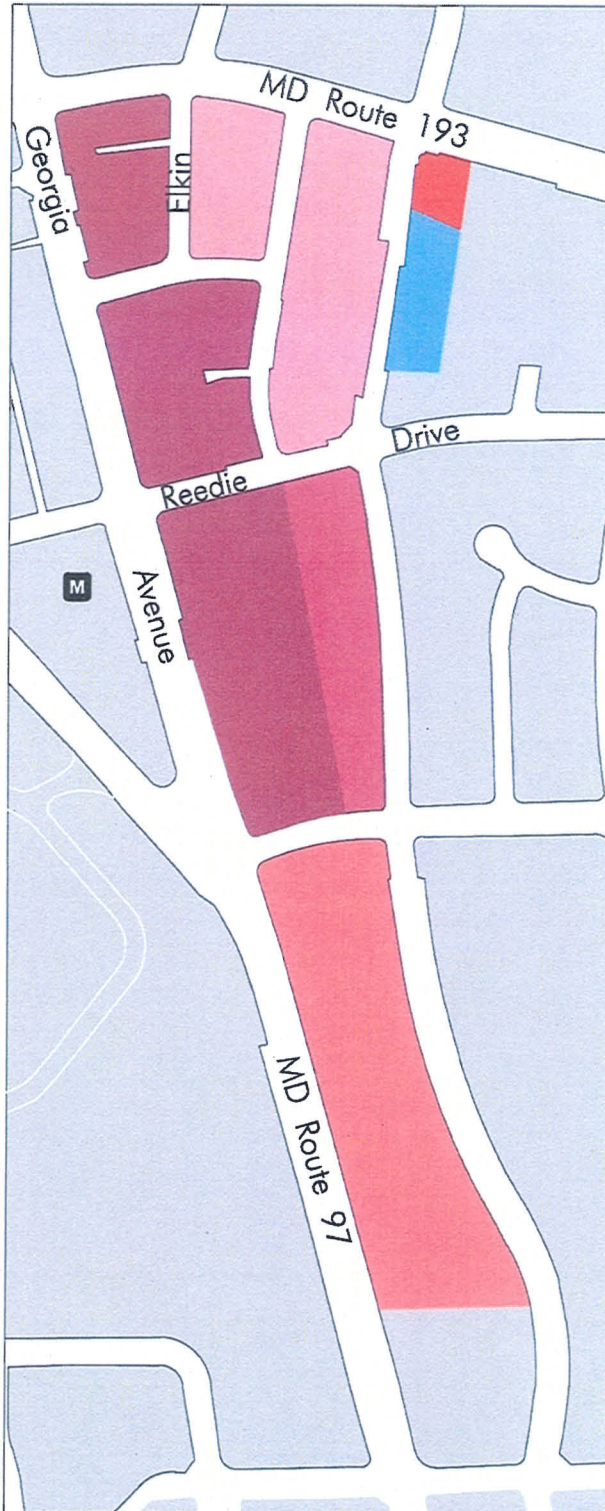
Block G south of University Boulevard between Elkin and Fern Streets (page 36 of the Public Hearing Draft Plan) – *This block is located on the southeast corner of University Boulevard and Georgia Avenue. (See circle pages 13c and 13d.)*








The Public Hearing Draft Plan recommends that this block be rezoned from CBD-2 to CR6.0: C5.5, R5.5, H 150'. Staff now recommends that the density on this block be reduced by one FAR and be rezoned to CR 5: C 4.5, R 4.5, H 150'. The proposed reduction in FAR creates a better transition between the proposed 6 FAR site to the west of the block and the proposed 4 FAR property to the east. 5 FAR is also consistent with the existing CBD-2 Zone which allows 5 FAR for mixed-use development under the Optional Method. Given the small size of this block, it is highly unlikely that this block would achieve more than 5 FAR.



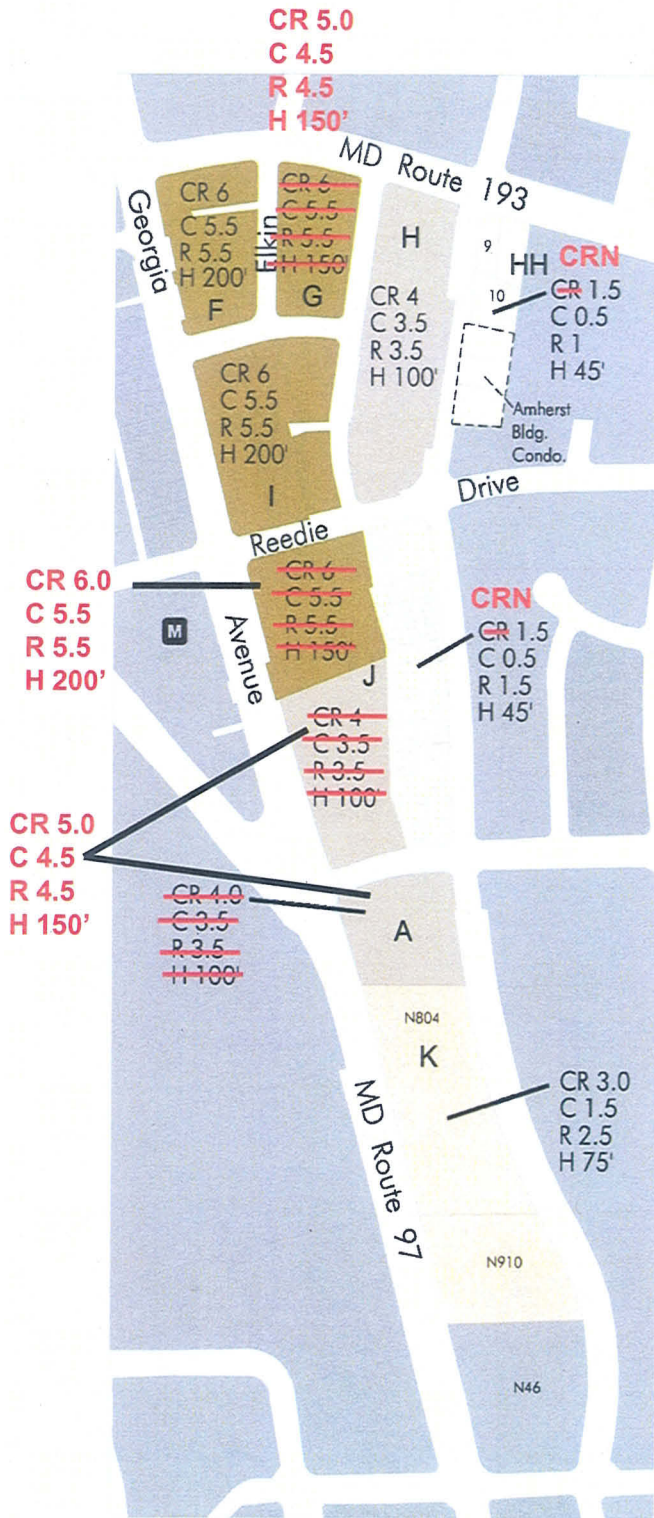
Blueridge District
Existing Zoning

Price District Existing Zoning



-  C-T
-  C-1
-  C-2
-  CBD-R1
-  CBD-2
-  CBD-3
-  Wheaton Metro Station

Price District Proposed Zoning Changes



The northern portion of Block J on the south side of Reddie Drive between Georgia and Amherst Avenues (page 35 of the Draft Plan)

The Draft Plan recommends that this northern half of this block be rezoned from CBD-3 to CR6: C5.5, R5.5, H150. The staff now recommends that this site be rezoned to CR 6.0, C5.5, R 5.5, H200 to be consistent with the recommended rezoning on other blocks surrounding the WMATA Triangle, which has a maximum permitted building height of 250 feet.

The Draft Plan recommends rezoning the southern portion of Block J from C-2 to CR3: C1.5, R2.5, H75. Staff now recommend rezoning this southern portion to CR3: C2.5, R2.5, H75 to allow greater flexibility in the development of this site by increasing the allowable commercial FAR from 1.5 to 2.5.

NEXT STEPS

Wheaton Sector Plan Schedule 2011

- | | |
|--------------------|--|
| February 28 | Tentative Planning Board Worksession #7 (Continuation of Worksession # 6, if needed) |
| March 17 | Planning Board Meeting - Staff will seek permission from the Planning Board to transmit the Planning Board Draft of the Sector Plan. This will be the Planning Board's last opportunity to make changes to the Draft Plan. |
| April 15 | Delivery of the Planning Board Draft of the Wheaton Sector Plan |

ST:ha M:\Wheaton (Sandy)\Planning Board Packets\PB Worksessions\Worksession # 6\Planning Board Worksession # 6 tracked changes accepted.doc

Attachment 1: Public testimony received

**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 #6 Revised 2/10/11**

ISSUE (SPEAKER)	STAFF RESPONSE	BOARD DECISION
<p>WORKSESSION #1, OCTOBER 7, 2010</p> <p>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)</p>	<p>Montgomery County Sierra Club, Pamela Lindstrom – 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>Upper Sligo Civic Association, Kathleen Michels – 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 20th century.</p> <p>Housing Opportunities Commission, Maryann Dillon – Emphasize the need for additional commercial development in Wheaton’s core.</p> <p>Wheaton Redevelopment Advisory Committee, Jonathan Fink – 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>Audubon Naturalist Society, Diane Cameron – 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>Sligo Headwaters Civic Association, Leah Haygood – 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>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>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)</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>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)</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>Issue 4: Existing school facilities in the area may not be adequate for the projected student population generated by new development in 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>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.</p> <p>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>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>Issue 5: The proposed CR Zone may be a disincentive to redevelop properties in Wheaton. (Pages 33-39)</p> <p>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)</p> <p>Aaronson Family, Jody Kline, Miller, Miller & 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. 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.</p>	<p>No change to the Draft Plan.</p>	<p>Approve staff recommendation. 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>

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>Virginia Sheard, residential property owner – 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>No change in the Draft Plan.</p>	
<p>Wheaton Urban District Advisory Committee, Jeannette Feldner –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>Street level activity is encouraged in the core and even required on some streets.</p>	
<p>Chris Lindsay, commercial property owner – 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>No change in the Draft Plan.</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>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>Issue 6: Rezone existing single-family detached homes within one mile of the Metro station to higher densities (pages 16-23).</p> <p>Leonard Greenberg, CBD property owner/developer – 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>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>Elizabeth Chaisson, Wheaton resident – 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>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)</p>		
<p>Audubon Naturalist Society, Diane Cameron – Green infrastructure should be an integral part of revitalization because it will increase property values and business profitability.</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>
<p>Elizabeth Chaisson, Wheaton resident – Wheaton should be the first green district in the County that markets and attracts green businesses and implements going green.</p> <p>Sligo Headwaters Civic Association, Leah Haygood –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</p>		

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district. Provide incentives for green businesses, non-profit organizations, educational institutions, residences and public amenities.

Issue 8: The Plan should provide more east-west bike connections in Wheaton. (Pages 40-49)

Wheaton Redevelopment Advisory Committee, Jonathan Fink – 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.

Washington Area Bicycle Association, Casey Anderson – Would like a couple more east-west connections.

Montgomery Bicycle Advocates, Jack Cochran – 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.

State Highway Administration – Prefer Wheaton be designated as a Bicycle Pedestrian Priority Area rather than a requirement for development.

Revise the Draft Plan to include more bike connections.

Modify the proposed Draft Plan (text and graphics, pages 44-45) to include the following streets as shared roadway bikeways:

- a. Blueridge Avenue (B-15) - From Galt Avenue to Amherst Avenue.
- b. Entire mall ring road (B-25) around Wheaton Mall, not just the north and east portions.
- c. 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.
- d. 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.
- e. Galt Avenue – Extend the bikeway designation southward to University Boulevard to connect to other routes.

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

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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.

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<p>WORKSESSION #2, OCTOBER 28, 2010</p> <p>Optional Method CR v Standard Method CBD-2: Continuation of Issue #5 from Worksession #1</p>	<p>Powerpoint illustration of Standard Method CBD v Optional Method CR for a 2.0 FAR development on Aaronson properties</p>	<p>Agree with staff's recommendation – no change in the Draft Plan</p>
<p>Issue 9: Should Parking Lot 13 be specifically designated as the location for a major public space? (Pages 16-23) owned by the Department of Parks?</p>	<p>Executive Branch –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>Department of Economic Development – 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>Audubon Naturalist Society, Diane Cameron – Would like to see a proposed park in the core (triangle park) to include a beautiful public plaza and amphitheater.</p> <p>Wheaton Redevelopment Advisory Committee, Jonathan Fink – 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."</p> <p>Elizabeth Chaisson, Wheaton resident – 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 rent 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>Confirmed staff's recommendation to 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. The exact location of the major open space should be determined during the development review process for a public/private project that incorporates Parking Lot 13.</p> <p>Modify the Draft Plan indicating that the ownership by the Parks Department 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.</p>
<p>Issue 10a: Should Ennalls Avenue be extended across Veirs Mill Road onto the Westfield Wheaton Mall property?</p>	<p>The Draft Plan proposes to connect the Wheaton Plaza Ring Road across Veirs Mill Road with Ennalls Avenue via a new business street. The proposed roadway would complete the three part Ennalls/Price connection which would provide additional circulation options in the CBD.</p>	<p>To be discussed at a later worksession</p>

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<p>Issue 10b: Should Ennalls Avenue be realigned to connect with Price Avenue?</p> <p>One of the property owners impacted by the proposed extension of Ennalls Avenue sent in a letter opposing the proposed extension.</p>	<p>Ennalls Avenue extension is needed to improve mobility and connectivity in the Core. Retain the Draft Recommendation.</p>	<p>Retain the proposed Ennalls Avenue realignment in the Plan at this time. Additional information requested by Commissioner Dreyfuss. Will be discussed further at a later worksession.</p>
<p>Issue 11: Clarify the purpose of extending Price Avenue to Amherst Avenue through private properties and the County garage. (Pages 41-44)</p> <p>County Executive – 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>The proposed extension is needed to improve mobility and connectivity in the core. Retain the Draft Plan recommendation.</p>	<p>Retain the proposed extension in the Draft Plan at this time. Will be discussed at a later worksession.</p>
<p>WORKSESSION #3, NOVEMBER 18, 2010</p>		
<p>Issue 12: Should Veirs Mill Road and University Boulevard (west of Veirs Mill Road) be designated as Priority Retail Streets? (Pages 16-23)</p> <p>Executive Branch – 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>No change to Draft Plan</p>	<p>Approve staff recommendation</p>
<p>Issue 13: Retain Veterans Park at its current location. (Page 58)</p> <p>Wheaton Urban District Advisory Committee, Jeannette Feldner – Support the enhancement and better use of Veterans Park.</p>	<p>No change to Draft Plan</p>	<p>Approve staff recommendation</p>
<p>Wheaton Forest Civic Association, Diane Lynne – Oppose any plans to develop the Wheaton Veterans Park.</p>	<p>No change to Draft Plan</p>	<p>Approve staff recommendation</p>
<p>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).</p>	<p>Increase the density of the site from 4.0 FAR to 5.0 FAR and the maximum building height to 150 feet along Georgia Avenue, transitioning down to 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). The new proposed zoning is CR 5: C 4.5, R 4.5, H 150 feet.</p>	<p>Approve staff recommendation</p>

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	<p>In order to maintain consistent zoning and maximum building height along the east side of Georgia Avenue increase the density and height of the portion of Block J (the Archstone at Wheaton Station building) from a maximum 4.0 FAR and 100-foot building height proposed in the Plan to an FAR of 5.0 with a maximum height of 150 feet should this site ever redevelop. The new proposed zoning is CR 5: C 4.5, R 4.5, and H 150 feet.</p>	
<p>Issue 15: Rezone the WTOP site on University Boulevard from the existing R-90 to higher mixed use densities. (Page 60) Executive Branch – Consider increasing zoning for the non-historic portion of the WTOP property.</p>	<p>No change to Draft Plan</p>	<p>The Plan should indicate that a floating zone would be appropriate should the property ever redevelop. Consider rezoning the WTOP property to either PD-18 or RT-15. Analyze and bring back to the Planning Board.</p>
<p>Issue 17: Consider preserving the four-acre Montgomery College Art and Design School (MCAD) property on Georgia Avenue south of the Sector Plan area as green space to offset CBD redevelopment. (Pages 55-58)</p>	<p>No change to Draft Plan</p>	<p>Approve staff recommendation</p>
<p>Beverly Sobel, resident, Plyers Mill Crossing in Wheaton – 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>No change to Draft Plan</p>	<p>Approve staff recommendation</p>
<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.</p>	<p>Retain the paper ROW for the Kensington Boulevard connection to Veirs Mill Road until otherwise determined through the development review process for a future project on the Lindsay Ford properties.</p> <p>Staff further recommends including language in the Draft Plan that recommends that the Kensington Boulevard ROW connecting East Avenue to Veirs Mill Road be retained as a</p>	<p>Retain the paper ROW for the Kensington Boulevard connection to Veirs Mill Road until otherwise determined that the ROW should be abandoned in response to development and decided during the development review process for a future project on the Lindsay Ford properties.</p>
<p>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.</p> <p>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</p>	<p>Retain the paper ROW for the Kensington Boulevard connection to Veirs Mill Road until otherwise determined through the development review process for a future project on the Lindsay Ford properties.</p> <p>Staff further recommends including language in the Draft Plan that recommends that the Kensington Boulevard ROW connecting East Avenue to Veirs Mill Road be retained as a</p>	<p>Retain the paper ROW for the Kensington Boulevard connection to Veirs Mill Road until otherwise determined that the ROW should be abandoned in response to development and decided during the development review process for a future project on the Lindsay Ford properties.</p>

ISSUE (SPEAKER)	STAFF RESPONSE	BOARD DECISION
<p>development potential of lots 9-13 on the east side of East Avenue.</p> <p>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.</p> <p>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.</p>	<p>pedestrian/bike connection. If the roadway is constructed, its design should limit the impact upon the adjacent residential properties. The needed ROW should come from the larger block on the east side of East Avenue.</p>	<p>Include language in the Draft Plan that recommends that the Kensington Boulevard ROW connecting East Avenue to Veirs Mill Road be retained as a pedestrian/bike connection even if it is a street is not needed. If a vehicular connection is determined to be needed, its design should limit the impact upon the adjacent residential properties. The needed ROW should come from the larger block on the east side of East Avenue.</p>
<p>Issue 22: Increase the residential and commercial densities on the Weinberg property from 3.5 to 4.0 FAR (pages 35-36)</p>		
<p>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.</p>	<p>No change to Draft Plan</p>	<p>Approve staff recommendation</p>
<p>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)</p>		
<p>Jody Kline for the Aaronson Family, commercial property owners – 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>Modify the Draft Plan's text to reflect that the abandonment of Hickerson Drive may be considered if a private street designation would provide flexibility in creating a vibrant retail corridor with enhanced pedestrian and vehicular circulation within the Blueridge District. The abandonment of Hickerson Drive as a public street should be considered only if a combined development of the two blocks is proposed. A through block pedestrian connection should be maintained with retail as shown on Map 7, Priority Retail Streets, on page 18 of the Draft Plan.</p>	<p>Approve staff recommendation</p>
<p>Issue 25: The proposed Veirs Mill Road right-of-way would negatively impact the redevelopment potential of the Lindsay Ford properties. (Pages 41-46)</p>		
<p>Chris Lindsay, property owner – 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</p>	<p>Retain the 120-foot right-of-way recommendations for Veirs Mill Road as set forth in Table 2 of the Public Hearing Draft</p>	<p>Approve staff recommendation</p>

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<p>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>Stephanie Savolaine, residential property owner - Kensington View – The currently un-built 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>Plan.</p>	
<p>Issue 25a: The two conceptual pedestrian connections shown bisecting the southern Lindsay Ford property on pages 41 and 42 of the Draft Plan would restrict the ability to redevelop the property: The one parallel to Veirs Mill Road is unnecessary, and both would reduce the redevelopment potential of the property.</p>	<p>On Map 16, page 42 of the Draft Plan, remove the lines denoting pedestrian connections on the Lindsay property south of Veirs Mill Road and add text to the Plan acknowledging that any development on the southern Lindsay property must provide for adequate pedestrian circulation, bike connections, neighborhood compatibility, and consideration of public access to remaining parcels. The exact alignment and design of pedestrian connections would be determined during the development review process.</p>	<p>Approve staff recommendation</p>
<p>Issue 25b: The proposed local street depicted on the northern Lindsay Ford properties on page 42 and described on page 41 of the Draft Plan would overtake the northern Lindsay Ford property at this location and effectively preclude its development.</p>	<p>On Map 16, page 42 of the Draft Plan, remove the lines denoting local streets on the Lindsay property north of Veirs Mill Road and add text to the Plan acknowledging that any development on the northern Lindsay property must provide for adequate pedestrian and vehicular circulation, neighborhood compatibility, and consideration of public access to remaining parcels. The exact location of pedestrian and vehicular connections would be determined during the development review process.</p>	<p>Approve staff recommendation</p>

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<p>WORKSESSION #4, DECEMBER 9, 2010</p>		
<p>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)</p>		
<p>Wheaton Redevelopment Advisory Committee, Jonathan Fink – 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>Retain the CR Zone for the transitional areas in the Draft Plan. A proposed text amendment to the CR zone will address some of the transitional issues raised by the community.</p>	<p>Move this item to a future Worksession to coincide with development of new CR Zones.</p>
<p>Judy Higgins, Eleanor Duckett, Stephanie Savolaine – <i>Kensington View</i> 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>Virginia Sheard, residential property owner – 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>Wheaton Forest Civic Association, Diane Lynne – 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>Issue 24: Should Wheaton have a Transportation Management District (TMD) to encourage more people to take transit? (Pages 48-49)</p>		
<p>The County Department of Transportation – 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>No change to Draft Plan.</p>	<p>Remove bullet # 3 from paragraph two on page 41 which reads, “<i>Strong transportation demand management systems are already in place in Wheaton.</i>”</p>
<p>Issue 26: Road designation should be in conformity with community context. (Pages 40-49)</p>	<p>Amend the Draft Plan to include roadway designation changes as appropriate.</p>	<p>Accept the staff recommended changes except for Amherst Avenue and Windham Lane. Change the designation of Amherst Avenue from Business to Residential Primary on the entire block from Windham Lane to Pritchard Road. Bring cross-</p>

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		<p>sections back to the Planning Board in a future worksession. Maintain Windham Lane as Residential Primary.</p>
<p>Issue 18a: Westfield Wheaton Mall should be able to retain the existing APFO approval if zoning is changed from C-2 to CR. Westfield Corporation, Inc., Jim Agliata and Furey, Doolan, & Abell – They seek assurances that a new Sector Plan for Westfield will have no effect on contractual rights per a July 2001 LATR agreement.</p>	<p>Include language in the Implementation section of the Plan to note that the APFO approvals remain vested through their expiration date and are not affected by re-zoning.</p>	<p>Approve staff recommendation.</p>
<p>Issue 18b: Site plan review requirement of the proposed CR Zone should be eased for the Westfield property through the creation of a Westfield overlay zone.</p>	<p>No change to Draft Plan.</p>	<p>Approve staff recommendation.</p>
<p>Westfield Corporation, Inc., Jim Agliata and Furey, Doolan, & Abell – Requests consideration of an overlay zone for the Mall property which could reduce or eliminate the site plan review process.</p>		
<p>Issue 18c: The 10 percent minimum public use space requirement applied to the entire Mall property would be excessive and difficult to meet before the full redevelopment of the Mall property.</p>	<p>No change to Draft Plan.</p>	<p>Approve staff recommendation.</p>
<p>Westfield Corporation, Inc., Jim Agliata and Furey, Doolan, & Abell – Westfield suggests that open space and amenities may be found in appropriate interior spaces as well as outdoor. Current lease arrangements severely limit the control Westfield has on their property which could hinder the ability to provide open space.</p>		
<p>Issue 18d: The CR Zone's grandfathering provision of expansion/addition to existing facilities should be increased from 30,000 square feet to 50,000 square feet.</p>	<p>No change to Draft Plan.</p>	<p>Approve staff recommendation.</p>
<p>Westfield Corporation, Inc., Jim Agliata and Furey, Doolan, & Abell – Westfield requests increasing the grandfathering provision of expansion/addition to existing facilities from 30,000 square feet to 50,000 square feet to further limit the need for Site Plan Review for exterior renovations of the Mall to accommodate new tenants.</p>		
<p>Issue 18e: Increase maximum building height on the Veirs Mill frontage of the Mall property from 150 feet to 200 feet.</p>	<p>No change to Draft Plan.</p>	<p>Approve staff recommendation.</p>

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<p>Westfield Corporation, Inc., Jim Agliata and Furey, Doolan, & Abell – To accommodate future plans for the Mall property being considered by Westfield.</p> <p>Executive Branch – 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>Change the rezoning designation on page 37 for the portion of the Westfield Mall property along Veirs Mill Road and University Boulevard to CR 6: C 5.5, R 5.5, H 200.</p> <p>Change the recommended zoning on page 33 and 34 of the Draft Plan for blocks A and C in the core across Veirs Mill Road from the Mall property to CR 6: C 5.5, R 5.5, H 200 to create consistent scale in the core. Specifically delineate the western boundary of the proposed CR Zone along Veirs Mill Road.</p>	<p>Approve staff recommendation.</p>
<p>Issue 18f: Is the proposed building height and density on the Wheaton Mall property near residential neighborhoods too high?</p> <p>Kensington Heights Citizens Association – 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>No change to Draft Plan.</p>	<p>Approve staff recommendation.</p>
<p>Danila Sheveiko, residential property owner – Include a green buffer zone between the Westfield Mall ring road and their property line abutting residential uses.</p>		
<p>Issue 18g: Should the existing ring road and proposed local streets on the Mall property be in public or private ownership?</p>		

ISSUE (SPEAKER)	STAFF RESPONSE	BOARD DECISION
<p>Westfield Corporation, Inc., Jim Agliata and Furey, Doolan, & Abell – Westfield is strongly opposed to any change in control over the Ring road. The Ring road is a facility designed to accommodate the critical issues related to traffic flow within the Mall to accommodate major tenants and their economic interests. Traffic patterns mean everything to the success of the Mall. Mall tenants would not stand for the conversion of the Ring Road from a private facility to a “public” street with attendant controls over which Westfield would lose critical decision-making rights. As a public road, the road would, for example, require ROW permits subject to public road standards. Westfield would be faced with legal challenges to any change in legal control over the critical Ring. Conversion to public status would create impossible legal issues regarding setbacks, landscaping issues, etc. Design standards called for in the Road Code further create more legal ad security issues - the Ring Road is a private facility and must remain so.</p>	<p>Add language to the Draft Plan to reinforce the importance of enhanced connectivity on the mall property with improved access to Wheaton’s core and the Metrorail station while the site continues as a regional mall. The Plan should note that the existing Mall Ring Road and access drives will play a role in achieving the Plan’s connectivity goals. The proposed internal streets serving the mall property can remain private. If the Planning Board is asked to approve a future redevelopment of the Mall property for something other than a regional shopping center as defined in the County Code, public designation of these streets may be considered. Include text which confirms private ownership of the Mall street network as well as the objective of increased connectivity.</p>	<p>Approve staff recommendation. Add text to the Draft Plan noting that it would be beneficial to add sidewalks along Westfields’s ring road.</p>
<p>Issue 18h: The adjoining community raised concerns about existing stormwater management (SWM) issues on the property. Kensington Heights Citizens Association – There are continued drainage problems suffered by houses in the vicinity of the Mall at the current level of development. Any future development on the Mall property should be required to be in full compliance with the principles of environmental site design and should include planning for 100-year stormwater management requirements.</p>	<p>The Draft Plan emphasizes sustainability and green developments to the extent that the Plan can influence the sustainability of future development beyond the applicable regulatory controls. However, the staff will review the Draft Plan language and propose any necessary modifications in the Planning Board Draft to address these comments.</p>	<p>Approve staff recommendation.</p>
<p>Issue 18i: Signage may not be allowed as envisioned by the Mall. Westfield Corporation, Inc. – Existing regulations in the Zoning Code do not allow them to install new signs including electronic or computerized signs of various sizes and regulations.</p>	<p>Evaluate changes to Article 59-F to allow Westfield Mall to create improved signage for their property along Veirs Mill Road either as a zoning text amendment or as part of the zoning re-write. Include guidance on signage in the Wheaton Urban Design Guidelines, as appropriate.</p>	<p>Approve staff recommendation.</p>
<p>Issue 18j: Westfield proposed edits to the Draft Plan Text</p>		

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<p>Westfield Corporation, Inc., Jim Agliata and Furey, Doolan, & Abel –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>Make suggested changes to the Draft Plan as appropriate. Add language to the Draft Plan that recognizes the importance of maintaining an economically competitive mall.</p>	<p>Approve staff recommendation.</p>
<p>Issue 18k: 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.</p>	<p>Revise the Draft Plan text to include recommendations for retaining the existing green buffer.</p>	<p>Approve staff recommendation.</p>
<p>Kensington Heights Citizens Association – 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></p>	<p></p>
<p>Danila Sheveiko, residential property owner – Include a green buffer zone between the Westfield Mall ring road and their property line abutting residential uses.</p>	<p></p>	<p></p>

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STAFF RESPONSE

BOARD DECISION

Issue 10a: Should Ennalls Avenue be extended across Veirs Mill Road onto the Westfield Wheaton Mall Property?

Westfield Corporation, Inc., Jim Agliata and Furey, Doolan, & Abell –Westfield is strongly opposed to any change in control over the Ring road. The Ring road is a facility designed to accommodate the critical issues related to traffic flow within the Mall to accommodate major tenants and their economic interests. Traffic patterns mean everything to the success of the Mall.

Retain the proposed extension of Ennalls Avenue from Veirs Mill Road to the Wheaton Plaza Ring Road in the Plan. The specific alignment should be determined during the development review process not in the Wheaton Sector Plan. Both the development review process and the abandonment process accommodate community input and require a public hearing. Add a note to the Draft Plan that the proposed realignment may require the Department of Permitting Services to deny a building permit and cause a property owner impacted by the proposed realignment to go through an appeal process with the County Board of Appeals.

Approve staff recommendation with additional language: Retain the proposed extension of Ennalls Avenue from Veirs Mill Road to the Wheaton Mall Ring Road as a private road.
Recommend sidewalk and streetscaping in the Urban Design Guidelines. Give clearer direction to the Department of Permitting Services (DPS) that the proposed road extension is not intended to be built until a significant amount of redevelopment of the northeastern portion of the Mall property is initiated by the property owner. The proposed conceptual location of the road is not intended to impact the footprint of the existing building (CVS) or an expansion of the building currently adjacent to the conceptual location of Ennalls Avenue extended.

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

One of the property owners impacted by the proposed extension of Ennalls Avenue sent in a letter opposing the proposed extension.

Add text to the Plan specifying that the specific alignment of the Ennalls Avenue to connect with Price Avenue and the associated abandonment of the existing right of way will be determined at a later date during the development review process which will accommodate community input and require a public hearing.

Add a note to the Draft Plan that the proposed realignment extension may require the Department of Permitting Services to deny a building permit and cause a property

Approve staff recommendation.

ISSUE (SPEAKER)	STAFF RESPONSE	BOARD DECISION
<p>Issue 11: Clarify the purpose of extending Price Avenue to Amherst Avenue through private properties and the County garage. (Pages 41-44)</p> <p>Wheaton Urban District Advisory Committee, Jeannette Feldner – Supports the proposed extension of Price Avenue across Georgia Avenue creating a more logical grid for the downtown.</p> <p>County Executive – 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>owner impacted by the proposed realignment to go through an appeal process with the County Board of Appeals.</p> <p>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.</p> <p>Add a note to the Draft Plan that the proposed realignment extension may require the Department of Permitting Services to deny a building permit and cause a property owner impacted by the proposed realignment to go through an appeal process with the County Board of Appeals.</p>	<p>Approve staff recommendation.</p>
<p>Issue 28: Should the Urban Design Guidelines be in the Sector Plan as they used to be in the past?</p> <p>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.</p> <p>Other Testimony -</p> <p>County Department of Transportation – 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)</p> <p>County Department of Transportation – Reevaluate the minimum master planned rights-of-way widths for all Major Highways segments, given their BRT and bikeway potentials.</p> <p>Executive Branch – 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.</p> <p>State Highway Administration, Pages 40-49 – Further study is needed regarding the placement of signals, and the lowering of speed limits.</p>	<p>Staff will address comments in the Planning Board Draft Plan as appropriate.</p> <p>Staff will address comments in the Planning Board Draft Plan as appropriate.</p> <p>Staff will address comments in the Planning Board Draft Plan as appropriate.</p> <p>Staff will address comments in the Planning Board Draft Plan as appropriate.</p>	

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<p>Supports short-term on-street parking, provided that parking does not generate increased operational and safety concerns along state roadways.</p> <p>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.</p> <p>The recommendation of BRT on the outside curb lane is too specific.</p> <p>The County Department of Transportation, Pages 40-49 – There is a discrepancy between the total numbers of parking spaces as shown in table 5.</p>	<p>Will be corrected in the Planning Board Draft</p>	
<p>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.</p> <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>Staff will address comments in the Planning Board Draft Plan as appropriate.</p>	
<p>County Fire and Rescue Services, Pages 40-49 – 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>Staff will address comments in the Planning Board Draft Plan as appropriate.</p>	
<p>Page 49-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>Wheaton Urban District Advisory Committee, Jeannette Feldner - Page 59 – Bring some amenities or recreational facilities such as an indoor pool to the downtown.</p> <p>Sligo Headwaters Civic Association, Leah Haygood – 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>Staff will address comments in the Planning Board Draft Plan as appropriate.</p> <p>Staff will address comments in the Planning Board Draft Plan as appropriate.</p>	

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<p>Audubon Naturalist Society, Diane Cameron, Pages 49-53 – 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>Anacostia Watershed Citizens Advisory Committee, Michael Smith –Plan should use 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>Washington Area Bicycle Association, Casey Anderson – The land use component should make this a place where you’d actually want to ride your bicycle and walk. Additional mixed use, and more density should be 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>Kensington Heights Citizens Association, William Houston, pages 40-49 – 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>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. Where would the services provided at Crossways Community go?</p> <p>Housing Opportunities Commission – The Plan should have a dedicated section on housing. Housing is a fundamental element in any community and deserves a discreet discussion.</p> <p>Virginia Sheard, Kensington View, pages 40-49 – 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>Staff will address comments in the Planning Board Draft Plan as appropriate.</p> <p>Staff will address comments in the Planning Board Draft Plan as appropriate.</p> <p>Staff will address comments in the Planning Board Draft Plan as appropriate.</p> <p>Staff will address comments in the Planning Board Draft Plan as appropriate.</p> <p>Staff will address comments in the Planning Board Draft Plan as appropriate.</p> <p>Staff will address comments in the Planning Board Draft Plan as appropriate.</p>	

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<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>Chris Lindsay, commercial property owner, pages 40-49 – 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>Staff will address comments in the Planning Board Draft Plan as appropriate.</p>	
<p>Danila Sheveiko, residential property owner, pages 41-42 – 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>Staff will address comments in the Planning Board Draft Plan as appropriate.</p>	
<p>Elizabeth Chaisson, Wheaton resident – 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>Staff will address comments in the Planning Board Draft Plan as appropriate.</p>	
<p>Washington Properties Company, Heather Dihopolsky, Linowes and Blocher LLP, page 37 – 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>Staff will address comments in the Planning Board Draft Plan as appropriate.</p>	

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