

Resolution No.: 17-313
Introduced: November 29, 2011
Adopted: November 29, 2011

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

By: District Council

SUBJECT: Approval of Planning Board Draft Wheaton CBD and Vicinity Sector Plan

1. On April 19, 2011, the Montgomery County Planning Board transmitted to the County Executive and the County Council the Planning Board Draft Wheaton CBD and Vicinity Sector Plan.
2. The Planning Board Draft Wheaton CBD and Vicinity Sector Plan amends the approved and adopted 1990 Wheaton CBD and Vicinity Sector Plan; The General Plan (On Wedges and Corridors) for the Physical Development of the Maryland-Washington Regional District in Montgomery and Prince George's Counties, as amended; the Master Plan of Highways within Montgomery County, as amended; and the Countywide Bikeways Functional Master Plan, as amended.
3. On June 20, 2011 the County Executive transmitted to the County Council his fiscal analysis of the Wheaton CBD and Vicinity Sector Plan.
4. On July 19, 2011, the County Council held a public hearing regarding the Planning Board Draft Wheaton CBD and Vicinity Sector Plan. The Sector Plan was referred to the Planning, Housing, and Economic Development Committee for review and recommendation.
5. On September 26 and October 31, 2011, the Planning, Housing, and Economic Development Committee held worksessions to review the issues raised in connection with the Planning Board Draft Wheaton CBD and Vicinity Sector Plan.
6. On November 15, 2011, the County Council reviewed the Planning Board Draft Wheaton CBD and Vicinity Sector Plan and the recommendations of the Planning, Housing, and Economic Development Committee.

Action

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

The Planning Board Draft Wheaton CBD and Vicinity Sector Plan, dated April 2011, is approved with revisions. County Council revisions to the Planning Board Draft Wheaton CBD and Vicinity Sector Plan are identified below. Deletions to the text of the Plan are indicated by [brackets], additions by underscoring.

General

All page references are to the April 2011 Planning Board Draft Plan.

Specific Changes

Page 7, add a bullet to Wheaton's role in the county as follows:

Wheaton has:

- Varied local and specialty retail uses
- A regional mall
- Proximity to Metro
- Access to I-495 and the District of Columbia
- Broad housing choices
- Environmental features including portions of the Sligo Creek (of the Upper Anacostia) and Rock Creek Watersheds

Page 9, revise the second paragraph as follows:

Wheaton is located at the intersection of three roads: University Boulevard West, a major east-west road; Georgia Avenue, a major north-south corridor; and Veirs Mill Road, which connects Wheaton to Rockville and MD 355. A significant amount of traffic moves [west] through Wheaton to and from I-270, one of the County's employment corridors. Wheaton can capture work trips by providing more employment opportunities east of I-270. Wheaton of the future [When Wheaton develops more fully it] will provide[, in conjunction with Silver Spring and future development along the Route 29 Corridor,] a full set of services, employment, and housing opportunities for the eastern [half] part of the County.

Page 9, modify the fourth paragraph as follows:

To ensure a sustainable economy in Wheaton, new land uses must be balanced with the existing, predominantly retail uses to increase daytime population. New office space should be encouraged as it would attract different kinds of businesses and jobs. More employees and more residential development will provide customers for local services

and businesses. Redevelopment may displace some existing businesses, but it will also create more demand for specialty retail and small businesses [specialty retail, particularly the smaller businesses]. This plan encourages preservation of space for small businesses in new mixed-use developments.

Page 10, modify third bullet as follows:

- The natural and built environments can be improved through development that reduces energy consumption, contributes to the restoration of Wheaton Branch of Sligo Creek and the Silver Creek tributary of Rock Creek, and that provides better stormwater management, greater tree canopy, and walkable streets.

Page 10, Table 1, Estimated Development and Jobs-Housing Ratio, modify the 1990 Plan estimate from 4.2:1 to 4.3:1.

Page 10, delete the last paragraph, after Table 1, as follows:

[The 10,200 existing jobs and 2,000 housing units in Wheaton demonstrate that the 1990 Plan was overly optimistic about both jobs and housing. This Plan's estimate of likely development reflects the market's view of Wheaton's potential to attract new development. This estimate does not limit the potential for additional jobs if conditions change and public or private property owners find more class A office development to be feasible.]

Page 11, modify the last paragraph as follows:

The Plan encourages office development by increasing maximum permitted commercial FAR in the Core District, placing the highest commercial density on the WMATA Block, and substantially increasing the maximum commercial FAR on the Veirs Mill Road frontage of the Westfield Mall property. The proposed mixed-use zoning is flexible enough to respond to market demands [and may yield a significantly different mix, with more or less jobs or housing than estimated]. It does not restrict commercial development in the short or long term, and the transportation network can accommodate a significant amount of development beyond the estimated plan yield, as described in Appendix 3, Transportation Analysis. Economic development strategies should be developed to encourage office development wherever feasible.

Page 13, under The Wheaton Community, modify the 1st paragraph, 4th line as follows:

Together, these groups make up [52] 51 percent of Wheaton's population.

Page 13, under The Wheaton Community, modify the 2nd paragraph, 2nd line as follows:

Almost 70 percent of the population over the age of 25 has a bachelor's degree, which is a higher concentration than found Countywide.

Page 21, last paragraph, modify the 3rd line as follows:

The County's Wheaton Redevelopment Office and [Office] Department of Economic Development should work with property owners to attract a variety of retailers to the CBD and the Westfield Wheaton Mall.

Page 22, under "Existing programs should consider", modify 3rd bullet as follows:

- launching an advertising campaign developed jointly by the County, small businesses, Westfield Wheaton Mall, and the [Kensington-Wheaton] Wheaton-Kensington Chamber of Commerce.

Page 22, add a bullet under Developing a Nighttime Economy:

- Crime Prevention Through Environmental Design (CPTED) reviews should be incorporated into redevelopment efforts.

Page 23, delete the second paragraph as follows:

[In January 2010, the County issued a Request for Qualifications (RFQ) seeking a development partner for the design, construction, and financing of transit-oriented development on these properties. The County and WMATA have selected a partner for the WMATA Triangle (bounded by Georgia Avenue, Veirs Mill Road, and Reddie Drive) and for Parking Lot 13, and have signed a letter of intent. No formal contract has been signed to date.]

Page 23, delete the first sentence in the third paragraph and add new text as follows:

[The County plans to reissue the RFQ for the remaining properties.] The County is pursuing development opportunities through partnerships with private developers to create mixed-use developments on County-owned properties in Wheaton to spur revitalization.

Page 23, modify the sentence before the bullets as follows:

New development resulting from [the RFQ] public-private partnerships should be consistent with Plan objectives and should:

Page 25, Establishing Public Use Spaces, delete the second sub-bullet regarding possible relocation of Wheaton Veteran's Park as follows:

- [Consider relocating Wheaton Veterans Urban Park from its current location at the corner of Reddie Drive and Amherst Avenue to Lot 13 as part of a redevelopment project.]

Pages 26 and 28, delete Map 8 on page 26 and combine it with Map 9 on page 28.

Page 27, modify the sub-heading as follows:

Urban Design [Principles] Elements

Page 29, modify Map 10, Land Use Concept, to show the two blocks bounded by Georgia Avenue, University Boulevard West, Hickerson Drive, Elkin Street, and Blueridge Avenue as mixed-use commercial emphasis instead of mixed-use residential emphasis. Add footnote indicating that the land use map shows general recommendations for land uses; zoning will determine the mix of uses on a property-by-property basis.

Page 33, modify the second paragraph as follows:

The heights and densities decrease closer to the single-family residential communities surrounding Wheaton's commercial areas and no change in zoning is recommended for the developed low density stable residential communities that surround the more dense central areas.

Page 33, add at the end of the text in the box above the diagram:

The example below is for a 2.0 FAR building.

Page 33, add the following note to one of the vertical edges of the diagram:

Maximum allowed building height

Page 44, Block B2, modify the first paragraph as follows:

This block was developed in the early 2000s with new housing at less than the maximum allowed density. One existing parcel remains along Georgia Avenue as office use. Higher densities are more appropriate closer to the Metro station along Reddie Drive and along Georgia Avenue, and heights should transition from [150] 200 feet along Georgia Avenue to 45 feet at the residential edge along Amherst Avenue.

Page 44, under Block B2, modify the third bullet as follows:

- Rezone the offices and apartments on the southern portion of the block along Georgia Avenue (Parcels 4, 5, and 1) from CBD-3 to [CR 5.0, C 4.5, R 4.5, H 150] CR 6.0, C 5.5, R 5.5, H 200.

Page 44, under Block C2/D2 (east of Fern Street), delete the second paragraph regarding Wheaton Veteran's Urban Park and include a reference to the park text under Community Facilities on page 77:

[If the Wheaton Veterans Urban Park site is incorporated into a redevelopment project, the Veteran's memorial should be relocated elsewhere in downtown. A green transition should be provided (identified through development review) along Amherst Avenue on the Veterans Park site to compensate for the loss of transition and green space that the existing park provides.]

Page 45, Block A, add the following sentence at the end of the second paragraph:

The north-south pedestrian connection shown on this block on the "Existing and Proposed Street and Pedestrian Network" map should be designed as a safe and pleasant, direct passage, open to the public, with ample width, height and adequate lighting between Blueridge Avenue and future connection provided on the Leesborough development site to the north. Pedestrians should be able to travel from Blueridge Avenue to points north, including any future development at the undeveloped WMATA site, the Leesborough community, the Wheaton Library, and the Wheaton Recreational Center, without obstacles and in an inviting and safe manner. This connection may also be provided as a private street.

Page 48, Westfield District, third paragraph, modify the first sentence as follows:

Over the long term, a new, transit-oriented and pedestrian friendly development of office, housing, and neighborhood-serving retail, with public use spaces and recreational facilities along the Veirs Mill Road frontage could be integrated into Westfield's property.

Page 48, Westfield Wheaton Mall site and Block D, modify the third bullet and split text into two bullets as follows:

- [Retain] Preserve the existing green buffer area in its entirety, which is currently approximately 5 acres in size and 30 feet to 200 feet in depth, along the property's southern edge between the residential community and the Mall ring road to reduce the impact of new development on adjacent residential areas and the nearby school]. Provide a maximum building height of 45 feet for a depth of 2000 feet from the southern edge of the property line along the ring road, to create a compatible building height transition.] and to contribute to the protection and restoration of the Sligo Creek and Rock Creek watersheds. All existing forested areas should be maintained as forest. Consider the establishment of a conservation easement for the buffer zone and enhancement of the existing buffer area with additional plantings and landscaping through the regulatory process, as applicable. Explore opportunities for expansion of the existing buffer area as future major redevelopment occurs on the Mall site. This will help improve the health of the watershed by reducing impervious surfaces and will provide a better transition between the Mall site and the adjoining residential community. Explore the option of a multi-functional green infrastructure shared use path with rows of trees and rain gardens in the section of the ring road adjacent to the

existing buffer area. Also consider additional shared use path connections through the buffer to the neighboring community.

- No structures should be allowed within the buffer zone. For areas outside the buffer zone, within 200 feet from the southern property line along the ring road, limit building height to a maximum of 45 feet, to create a compatible transition.

Page 50, add language at the end of the first paragraph as follows:

The district will continue to be primarily residential with office and retail along the two major roads. No change in zoning is recommended for the existing, single-family residential area, and it is critical that new uses adjacent to, or across the street from, existing houses are carefully designed to be compatible in scale and character with the existing residential development.

Page 50, replace Veirs Mill Road in the first sentence of the third bullet with University Boulevard as follows:

- Rezone Lot 24 along [Veirs Mill Road] University Boulevard from C-2 to CR 5.0, C 4.5, R 4.5, H 130. ...

Page 51, correct existing zoning map to show all R-60 properties on Veirs Mill Road (as shown on map on page 36).

Page 52, Blocks B2, G, and H, delete the fourth sentence in the first paragraph:

[Three of the lots next to Valley View Avenue are vacant.]

Page 52, Blocks B2, G, and H, modify the bullets after the two paragraphs as follows:

- [Rezone parcels 1 and 7, and lots 23, and 22 on Block H and lots 6, 7, and 8 on Block G from C-T to CRN 1.5: C 0.5, R 1.5, H 45.]
- [Rezone parcel 5 on Block G from R-60 to CRN 1.5: C 0.5, R 1.5, H 45.]
- Rezone parcel 7 and lots 22 and 23 on Block H from C-T to CRN 1.0, C 0.25, R 1.0, H 45.
- Rezone Parcel 1 on Block H, and lots 6, 7, and 8 on Block G from C-T to CRN 1.0, C 0.5, R 1.0, H 45.
- Rezone parcel 5 on Block G from R-60 to CRN 1.0, C 0.5, R 1.0, H 45.
- Rezone lots 29 and 28, and parcels 3 and 4 on Block G from C-O to CRN 1.5, C 0.5, R 1.5, H 45.
- Rezone lots 2 and 9 on Block B2 from C-O and C-T to CRN 1.5, C 0.5, R 1.5, H 45.

Page 53, Block F, add language at the end of the first paragraph as follows:

The Plan recommends rezoning the car dealership property to create higher and denser mixed-use development (office or residential) near the corner of Veirs Mill Road and University Boulevard. A through-block connection between Veirs Mill Road and East Avenue is desirable at this location (see also text under Pedestrian Circulation, first bullet on page 62). For properties recommended for CRN zoning along the East Avenue

frontage of the block, residential or professional townhouses would be more compatible with the single-family houses across East Avenue than other commercial uses. Any commercial development along East Avenue must have a residential appearance.

If the car dealership properties are developed as one development, low-scale uses should be placed along East Avenue, with larger commercial uses and mixed-use development along Veirs Mill Road. Any adverse impacts of the recommended 100-foot maximum building height along the Veirs Mill Road side of the block should be carefully analyzed during the redevelopment process to make sure that higher building masses are placed away from the East Avenue frontage, with appropriate transition in building heights from the Veirs Mill Road side to the maximum building height of 45 feet along East Avenue. The Planning Board may limit height to less than allowed by the zone to achieve compatibility.

Page 53, Block F, modify the first through fourth bullets as follows:

- Rezone lots 7, 9, and 10 from C-2 to CRN 1.5, C [0.5] 0.25, R 1.5, H 45. [Residential or professional townhouses would be more compatible with the single-family houses across East Avenue than commercial uses.]
- Rezone lot 11 from C-T to CRN 1.5, C [0.5] 0.25, R 1.5, H 45. [Residential or professional townhouses would be more compatible with the single-family houses across East Avenue than commercial uses.]
- Rezone lots 12 and 13 from R-60 to CRN 1.5, C [0.5] 0.25, R 1.5, H 45. [Residential or professional townhouses would be more compatible with the single-family houses across East Avenue than commercial uses.]
- Rezone parcel 14 and lot 16 from C-2 to CR 2.0, C 1.5, R 1.5, H 75. Provide appropriate transition from higher building height along the University Boulevard frontage to the rear of the property along East Avenue to mitigate any adverse visual impacts on the single-family neighborhood to the west. The Planning Board must evaluate the compatibility with the adjacent residential neighborhood at the time of development and may limit the height on the property to less than 75 feet to achieve compatibility.

Page 53, Block F, delete the last paragraph as follows:

[The 100-foot maximum building height along Lindsay Ford's Viers Mill Road parcel should transition to the maximum permitted building height of 45 feet for the proposed CRN Zone along East Avenue. If the Lindsey Ford properties are developed as one development under the optional method, low-scale residential uses should be placed along East Avenue, with larger commercial uses and mixed-use development along Viers Mill Road.]

Page 55, modify the first sentence in the first paragraph as follows:

Wheaton has a substantial and varied residential base outside of its commercial areas, including single-family detached, townhouses and garden apartments.

Page 55, modify the first sentence in the second paragraph as follows:

The 1990 Plan recommended PD and RT zones for some of the properties outside the commercial core, and most of these properties have developed accordingly, with the exception of the Stephen Knolls School site.

Page 55, modify the second bullet as follows:

- Single-family houses along Georgia Avenue north of Blueridge Avenue are suitable for offices by special exception[, but]. If granted, driveways and parking should not be enlarged and the structures should retain a residential character.

Page 55, delete the last bullet and replace it with new text as follows:

- [Houses located within the existing residential neighborhoods surrounding Wheaton’s downtown should be considered for accessory apartments.]
- Existing single-family residential neighborhoods should be preserved and protected from the adverse impacts of nearby non-residential development.

Page 57, revise the second sentence in the first paragraph under Approach and Network Integrity as follows:

Carefully layering networks of auto, transit, bike, and pedestrian facilities will improve mobility and access in the CBD, where design, safety, environmental, and community objectives require a multifaceted approach to placemaking.

Page 58, Table 2, Wheaton Roadways:

Modify the Ennalls Avenue designation as follows:

Ennalls Avenue	[Mall Ring Road] <u>Veirs Mill Road</u>	[Georgia Avenue] <u>Grandview Avenue</u>	B-19	[(Proposed Road)]	70	2	25	2005.02
	<u>Grandview Avenue</u>	<u>Georgia Avenue</u>	<u>B-19</u>	<u>(Proposed Road)</u>	<u>60</u>	<u>2</u>	<u>25</u>	<u>2005.01</u>

Delete “Bike Lanes, SW width” from Notes column for Reddie Drive.

Delete “Bike Lane ROW as Median” in the Notes column for Bucknell Drive.

Page 61, modify the second sub-bullet as follows:

- Realign Ennalls Avenue between Grandview Avenue and Georgia Avenue to meet Price Avenue at its intersection with Georgia Avenue. [This segment could be a public or private street.] The Plan recognizes that providing on-street parking on a relocated Ennalls Avenue between Grandview Avenue and Georgia Avenue may not be possible if impacts to adjacent properties are to be minimized. Therefore, the Plan acknowledges that achievement of the ultimate Business Street section that would include on-street parking on at least one side of the street may not be realized until redevelopment occurs on both sides of this segment of Ennalls Avenue.

Page 61, modify the fifth sub-bullet as follows:

- The realignment may impact the redevelopment of properties between Grandview Avenue and Georgia Avenue, but will require a complete public process whereby community and property owner concerns can be addressed. [Should property owners not be able to obtain a building permit due to the location of this proposed roadway, an appeals process is available for owners to take concerns to the County Board of Appeals.]

Page 61, modify the sixth sub-bullet as follows:

- The extension of Price Avenue between Fern Street and Amherst Avenue should be done concurrently with redevelopment of County Parking Garage 45. Currently, there are no plans to redevelop this parking structure, so this portion of the Ennalls-Price road connection may be the last to be developed. Depending upon the nature of this redevelopment, the extension of Price Avenue may be built without one or both parking lanes, thereby reducing the necessary right-of-way.

Page 63, modify the first bullet as follows:

- [Certain local] Local Streets in the CBD are identified for improved connectivity and access and for their place-making potential. These streets should include features that communicate slower vehicle speeds such as special paving, plantings, and flush curbs with bollards. Innovative stormwater management features should also be included in their design. The width of adjacent sidewalks should accommodate outdoor dining and retail activity. The streets should also be designed to be closed to vehicular traffic to accommodate open air markets, outdoor dining, and event space without significantly affecting circulation and traffic flow in the immediate area. [These streets include:
 - Hickerson Drive between Georgia Avenue and Elkin Street
 - Elkin Street between Price Avenue and University Boulevard.]

Page 63, modify the first and last sentences of the second bullet as follows:

- Hickerson Drive [may] should be abandoned if the resulting private street connection provides ... A through-block connection in the east-west Hickerson Drive orientation should be maintained during and after redevelopment of the adjacent properties.

Page 64, Table 3, Countywide and Local Bikeways:

Add an asterisk to DB-5 in the Facility Type column and add the following note to the table:

*The segment of Dual Bikeway DB-5 along University Boulevard from Amherst Avenue to Georgia Avenue (MD97), as proposed in the 2005 Countywide Bikeways Functional Master Plan, should be deleted.

Modify LB-5 as follows:

LB-5	Valley View/ Mall Ring Road	Hillsdale Drive	[SR-25] <u>LB-3</u>	Signed Shared Roadway
	<u>Mall Ring Road</u>	<u>LB-3</u>	<u>SR-25</u>	<u>Signed Shared Roadway or Shared Use Path</u>

Modify LB-7 as follows:

LB -7**	[Hillsdale/]Kensington/Galt	[Oak Dr] <u>Upton Dr</u>	Fenimore Rd/ SR-21	Signed Shared Roadway
---------	-----------------------------	-----------------------------	-----------------------	--------------------------

Add the following note to the table:

**See related discussion regarding the retention of the right-of-way for Kensington Boulevard under “The Street Network”. (Reference new page #)

Modify LB-10 as follows:

LB10	Horde Street	Prichard Rd/ <u>Carmody Dr</u>	[Sector Plan] <u>Wheaton Forest Park Boundary***</u>	Shared Use Path
------	--------------	--------------------------------	---	--------------------

Add the following note to the table:

***Continues to University Boulevard as a park trail just outside the Sector Plan Boundary. For reference see planned Shared Use Path / Trail as recommended in Master Plan for the Communities of Kensington Wheaton (May 1989; amended April 1990), page 224.

Page 65, modify Map 19, Existing and Proposed Bikeways, as follows:

Delete the segment of LB-7 between Oak Drive and Upton Drive.

Page 73, amend the Natural Systems map to include a specific designation for the buffer area south of Wheaton Mall and to correctly depict and label watersheds and streams.

Page 76, modify Map 22, Existing Community Facilities and Proposed Open Spaces, as follows:

- show the former elementary school site on Upton Drive
- label the names of the existing parks
- reduce the shaded area on the WTOP parcel to show only the 1.4-acre historic Environmental Setting

Page 77, modify the second bullet under Public Park Facilities as follows:

- [If Wheaton Veterans Urban Park is not included in a public/private redevelopment initiative, r]Renovate [it] Wheaton Veterans Urban Park to be more visible and inviting from the surrounding streets. [If it is redeveloped, t]The function of memorializing war veterans [should] could be moved to a more central open space in another location. Any relocation or redevelopment of the veterans memorial should be closely coordinated with veterans groups.

Page 80, Libraries, change the third sentence as follows:

The library's planned renovation at its current location, [possibly in combination with] currently planned as a joint library/community recreation center on the land occupied by the Wheaton Library and the Wheaton Community Center, will consider future needs, including [the] demands for computers, Wi-Fi, language learning programs, and services to teens and the diverse Wheaton community.

Page 81, revise the last bullet on the page as follows:

- Any redevelopment of the approximately 12.31-acre WTOP site must conform to the requirements established in its historic designation, including preserving the 1.4-acre historic setting.

Page 83, Public Benefits in the CR Zone, update the text and the list of public benefits as follows:

The CR Zone requires public benefits under optional method development. The following list of public benefits [are] should be considered priorities [to meet the Plan's vision:] during project development and review of optional method projects in the CR Zone. This list is not mandatory, and it does not preclude consideration of other benefits as listed in the CR Zone to achieve the maximum permitted FAR. The requested benefits should be carefully analyzed to make sure they are the most suitable for a particular location and consistent with the Sector Plan's vision, and that they satisfy the changing needs of the

area over time. When selecting these benefits, the Planning Board should consider community needs as a determining factor.

- Connectivity and Mobility
 - Through-block pedestrian connections
 - Streetscape
 - Advance[d] right-of-way dedication
 - [Bike station on WMATA block]
- Diversity of uses and activities
 - Child daycare center
 - Dwelling unit mix
 - On-site space for small businesses
- Quality buildings and site design
 - Public art
 - Structured parking
 - [Public use space in the vicinity of parking lot 13]
 - Public open space
 - [through-block pedestrian connections]
- Protection and Enhancement of Natural Environment
 - Tree Canopy

All illustrations and tables included in the Plan are to be revised to reflect District Council changes to the April 2011 Planning Board Draft Plan. Maps that display proposed densities will require a new color to show FARs of 1.0 and to show zoning changes in the Kensington View/Wheaton Hills and Price Districts. All maps should be updated to reflect all current and proposed roadway configurations and networks (including the second entrance to the Westfield property on Veirs Mill Road). The text and graphics are to be revised as necessary to achieve and improve clarity and consistency, to update factual information, and to convey the actions of the District Council. Graphics and tables should be revised to be consistent with the text.

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council