

AGENDA ITEM #24
May 21, 2009

Action

MEMORANDUM

May 19, 2009

TO: County Council

FROM: ^{WCM} Marlene L. Michaelson, Senior Legislative Analyst

SUBJECT: Resolution to Set a Public Hearing for the Limited Amendment to the Wheaton Central Business District and Vicinity Sectional Map Amendment (G-883)

Attached is a resolution to set the public hearing for the Wheaton Central Business District and Vicinity Sectional Map Amendment (SMA) and the application for the SMA submitted by the Planning Board. (NOTE THAT THE DATE OF THE PUBLIC HEARING HAS CHANGED FROM JUNE 23 TO JUNE 30). The SMA would implement the recommendations of the recently Approved and Adopted Limited Amendment to the Wheaton Central Business District and Vicinity Sector Plan by putting into effect zoning changes recommended in the Sector Plan.

Councilmembers should remember that the SMA is restricted by ex parte rules. Therefore, Councilmembers should not engage in off-the-record communications.

Resolution No.: _____
Introduced: May 21, 2009
Adopted: _____

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: Notice of Public Hearing on Sectional Map Amendment (G-883) for the Limited Amendment to the Wheaton Central Business District and Vicinity Sector Plan Area

Background

1. On, May 12, 2009 the Montgomery County Planning Board submitted a proposed Sectional Map Amendment (SMA) to rezone approximately 7.5 acres in the Limited Amendment to the Wheaton Central Business District and Vicinity Sector Plan (Wheaton Limited Sector Plan) area. The remaining land in the SMA will retain its existing zoning classification.
2. The Sectional Map Amendment is consistent with the recommendations of the recently Approved and Adopted 2008 Wheaton Limited Sector Plan.

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:

Legal notice shall be given of the public hearing to be held on June 30, 2009 at 1:30 p.m., at the Council Office Building, located at 100 Maryland Avenue, Rockville, Maryland for the purpose of giving the public an opportunity to comment on the proposed Sectional Map Amendment.

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council

LU & ZONING



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

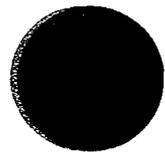
has - MM
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OFFICE OF THE CHAIRMAN

May 8, 2009

The Honorable Phil Andrews
President
Montgomery County Council
Council Office Building
100 Maryland Avenue, 6th Floor
Rockville, MD 20850

042363



MAP IN FILE

Subject: Sectional Map Amendment
Limited Amendment to the Approved and Adopted 1990 Sector Plan for
Wheaton Central Business District and Vicinity.

Dear Mr. Andrews:

On December 9, 2008, the Montgomery County Council, sitting as the District Council, approved the Limited Amendment to the Approved and Adopted 1990 Sector Plan for the Wheaton Central Business District and Vicinity by Resolution No. 16-813. The Maryland-National Capital Park and Planning Commission adopted the Amendment on March 18, 2009, by Resolution No. 09-07.

At its regularly scheduled meeting on May 7, 2009, the Montgomery County Planning Board unanimously approved filing the Sectional Map Amendment (SMA) for the Limited Amendment to the Approved and Adopted 1990 Sector Plan for the Wheaton Central Business District and Vicinity. This SMA implements the zoning recommendations for the Limited Amendment.

Transmitted herewith are copies of the Sectional Map Amendment for the Limited Amendment to the Approved and Adopted 1990 Sector Plan for the Wheaton Central Business District and Vicinity for filing in accordance with Article 59-H of the Zoning Ordinance of Montgomery County, Maryland.

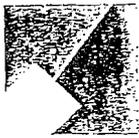
We look forward to working with you to complete this project.

Sincerely,

Royce Hanson
Chairman

Attachments

2009 MAY 12 PM 3:24



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

Item #
5/7/09

April 24, 2009

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Glenn Kreger, Acting Chief *GK*
Vision Division

Khalid Afzal, Team Leader, East Transit Corridor Team *KA*
Vision Division

FROM: Kristin O'Connor, Senior Planner, East Transit Corridor Team (301) 495-2172
Vision Division *KA for KO*

SUBJECT: Application to File a Sectional Map Amendment to Implement the Limited Amendment to the *Approved and Adopted 1990 Sector Plan for the Wheaton Central Business District and Vicinity*

RECOMMENDATION: Approval to file a Sectional Map Amendment (SMA) for a Limited Amendment to the 1990 *Approved and Adopted Sector Plan for the Wheaton Central Business District and Vicinity*.

DISCUSSION

The SMA for the December 2008 *Limited Amendment to the Sector Plan for the Wheaton Central Business District and Vicinity* will contain: 1) the current zoning sheets; and 2) the proposed zoning on a transparent sheet. The Limited Amendment SMA covers approximately 7.6 acres. Of that, approximately 7.45 acres are being rezoned, and .013 acres are being reconfirmed under the current zone.

To implement the *Limited Amendment to the Sector Plan for the Wheaton Central Business District and Vicinity*, this SMA records the following rezonings (see Attachment 1 – Index to Parcels map):

Property	Size	Existing Zoning	Proposed Zoning
Lots 5,6 and Parcel C	3.65 acres	C-O	CBD-1.0
Lot 8	0.13 acres	C-O	C-O
Parcel 920 (WMATA)	3.8 acres	R-90/TDR	CBD-0.5

Currently, there is one pending zoning case within the boundary of the proposed Limited Amendment and SMA: a rezoning application (G-845) for PD-88 Zone on Lots 5, 6, and Parcel C. In a letter sent to the Hearing Examiner, the applicant's attorney confirmed that the case will be withdrawn upon the approval of this SMA.

CONCLUSION

Approval of the Sectional Map Amendment will help implement the goals, objectives, policies, and recommendations of the *Approved and Adopted Limited Amendment to the Sector Plan for the Wheaton Central Business District and Vicinity*. Staff recommends that the Planning Board authorize the SMA to be filed.

KO:ha: G:\OCONNOR\SMA\Final SMA MEMO to Planning Board for Wheaton CBD.doc

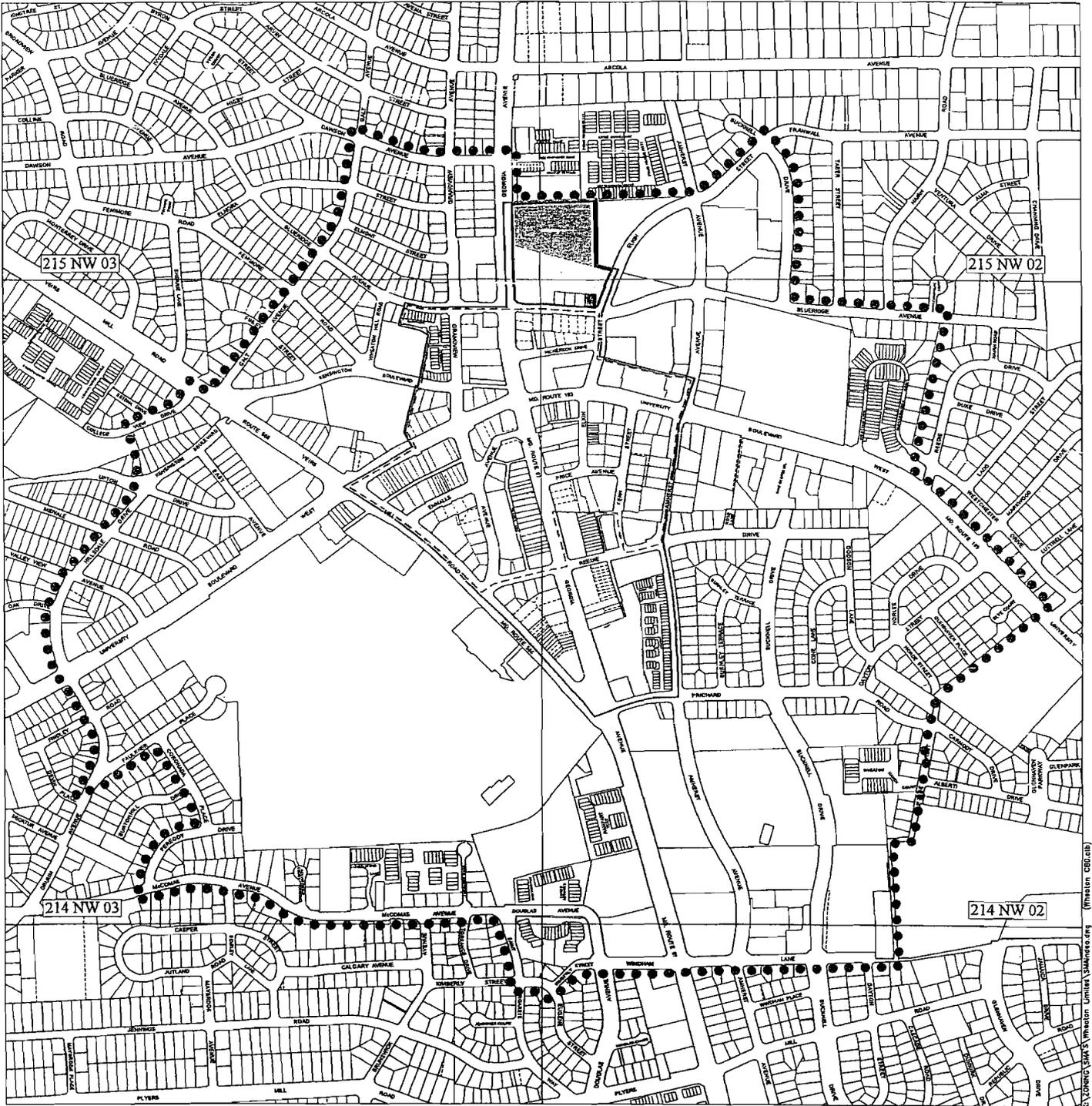
Attachment:

1. Index to Parcels map

ATTACHMENT 1

VICINITY MAP FOR

WHEATON CBD LIMITED AMENDMENT S.M.A. AREA INDEX



LEGEND

- | | | | |
|-------|--------------------------------------|--|------------------------------------|
| ● ● ● | SECTOR PLAN BOUNDARY | | FROM R-80/TDR TO CBD-0.6 3.8 ACRES |
| — | C.B.D. BOUNDARY | | FROM C-0 TO CBD-1 3.85 ACRES |
| — | WHEATON LIMITED S.M.A. AREA BOUNDARY | | C-0 TO BE RETAINED 0.13 ACRES |
| - - - | WHEATON OVERLAY ZONE BOUNDARY | | TOTAL ACREAGE 7.45 ACRES |



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