

M E M O R A N D U M

March 3, 2016

TO: Planning, Housing, and Economic Development (PHED) Committee
FROM: ^{MM} Marlene Michaelson, Senior Legislative Analyst
SUBJECT: Westbard Sector Plan

This is the Planning, Housing, and Economic Development (PHED) Committee's second worksession on the Westbard Sector Plan. The first worksession focused on transportation and schools. This memorandum addresses all other Plan issues. Attached on © 2-5 is a memorandum from Councilmember Berliner relating his thoughts on the Plan.

Councilmembers should bring their copy of the Plan to the meeting.

Background

The Westbard Sector Plan covers an area of approximately 181 acres in the southern part of Montgomery County near Bethesda and Friendship Heights. The Sector Plan for the area was last updated in 1982, making it the oldest master plan in the County. Little has changed in the area over the past 30 years. The Sector Plan will allow for the redevelopment of the older retail centers. Equally important, it will provide new parks in an area that does not have a single County park. The restoration of the Willett Branch stream will both improve water quality and provide a significant amenity for the residents of Westbard and the surrounding communities.

The Vision for the Plan is described on page 6 of the Plan. Eight goals are set forth on page 8:

- Transforming existing streets into multi-modal transitways and adding new connections.
- Preserving and enhancing local retail.
- Retaining light industrial uses.
- Designing mixed-use buildings that offer residents a range of retail, office, and housing options.
- Providing housing options that will allow residents to age in place.
- Adding a network of green open spaces connected by trails and bikeways that provides places for outdoor recreation, gathering and relaxation.

- Renovating the Willett Branch stream into a major amenity that will become a unifying feature of the community.
- Increasing affordable housing options.

There has been significant discussion about the potential density allowed by this Plan. Planning staff has provided the following estimate of potential density that would result if all sites likely to redevelop were built out.

	Existing Plan	Build-out Current Zoning	Build-out Concept Plan
Residential Units	1,104 units	1,684 units	3,584 units
Commercial Square Footage	390,237 SF	722,524 SF	720,800 SF
Industrial Square Footage	667,573 SF	1,372,585 SF	462,000 SF

**Assuming an average residential unit size of approximately 1,250 square feet. This includes hallway, interior public spaces, loading and reception areas. Smaller unit size of approximately 900 square feet was taken into consideration for estimated affordable housing projects*

Alternative estimates of the maximum density were presented in testimony before the Council. However, these higher estimates assume that every existing building in the Sector Plan area is demolished and rebuilt as either entirely residential or entirely commercial, something that could not feasibly occur. First, it is highly unlikely that all existing buildings would be demolished in the life of this Plan – or even a far longer time horizon. Moreover, as redevelopment occurs, there will be a need to replace the existing commercial uses and also add some residential development. Given the current successful commercial uses that are in such demand, Staff sees no possibility of the entire planning area developing residential. Similarly, since the demand for retail space appears to be shrinking both countywide and nationally, and since Westbard is surrounded by successful regional shopping centers, Staff sees no possibility of developing entirely commercial.

The Council received a very large quantity of **testimony and correspondence** regarding this plan, much of which was general in nature rather than site specific. While most of those who contacted the Council supported some redevelopment, particularly of the Westwood Shopping Center, and there was virtually universal support for the parks and open space recommendations (and considerable excitement regarding the restoration of the Willett Branch stream), most people were also concerned that the densities recommended in the Plan would negatively impact the surrounding residential neighborhoods and overwhelm the area with additional traffic, incompatible land uses, and too many new school children. **Staff believes it is possible to achieve all of the benefits offered by the Sector Plan without the negative impact feared by some.**

ENVIRONMENT

The Environment is discussed on pages 49 to 54 of the Plan. The Plan's recommendations have the potential to measurably increase the quality of the environment by reducing the significant amount of impervious surfaces (over two-thirds of which are devoted to roads and parking lots), add trees where none currently exist (thereby reducing the intense and unhealthy "urban heat island effect"), add stormwater management measures where none currently exist, and transform Willett Branch from a storm drain frequently used for illegal dumping to a community asset with improved stream ecology. The figure on page 52 of the Plan shows the existence concentration of impervious surfaces, all surrounding Willett Branch and exacerbating runoff problems caused due to the lack of stormwater management.

PARKS AND OPEN SPACE

Urban Design, Parks, and Open Space are discussed on pages 40 to 48 of the Plan. Although this section of the Plan addresses height, Staff believes that is better discussed as the Committee reviews specific property recommendations, where Staff has recommendations for changes.

Staff believes that the Sector Plan's recommendations for new parks are among the most important recommendations in the Plan. **There are currently no parks or public gathering spaces within the Sector Plan boundaries.** Nearby parks outside the Sector Plan boundaries are not easily accessible on foot through safe and convenient routes. The Plan recommends adding a new civic green, a Willett Branch Urban Greenway, a Countywide Urban Recreational Park, and a neighborhood Green Urban Park, as well as new trail connections. New park locations are shown on page 44.

Willet Branch

Staff has asked Department of Parks staff to be prepared to discuss plans for the Willett Branch Urban Greenway at the meeting. The existing stream is a concrete-lined channel that functions as a storm drain. It is in extremely deteriorated condition and is used for illicit dumping and graffiti. High velocity and uncontrolled runoff from significant impervious surface cover on surrounding properties has a major impact on the stream. The problems associated with the stream and pictures are on pages 96 to 97 of the Sector Plan **Appendix**.

Development of this new park greenway will have to occur in stages, since some portions of the park will be dependent on the redevelopment of certain properties. The Appendix to the Plan describes a "Proposed Initial Phase" and "Proposed Long-term Phase" on pages 100 to 107. Staff believes that phasing and funding plans can enable the short-term implementation of the first phase of this project with potentially transformative benefits for the Westbard area. By purchasing some portion of the land, rather than relying solely on dedications during development, the Council can jump-start this important project.

The portion of the project that Staff believes should constitute Phase 1 is shown as the "Proposed Initial Phase" on a map on page 101 of the Sector Plan Appendix and attached on © 6. Phase 2 would include portions of the park associated with development that is likely to occur in the relatively near term (area C on the map on page 107 of the Sector Plan Appendix and attached on © 7). The portion Staff has identified as Phase 3 includes those portions of the park associated with **longer-term**

development likely to occur beyond the time horizon of this Plan (e.g., daylighting of portions of the stream on the Washington Episcopal School (WES) property.) These areas are shown as areas A, B, and D on the map on © 7. County funding for acquisition and development could be considered at a later date if these properties do not redevelop.

Staff recommends that the Council ask the Planning Board to prepare a more detailed phasing plan, identifying which portions of the Greenway can be expedited with public funding. Staff further recommends that the PHED Committee schedule a meeting this summer to discuss M-NCPPC priorities for acquisition and where acquisition of portions of the Willett Branch Greenway fit within the list of priorities. Staff believes that plans should be made to acquire necessary parcels as soon as possible, but that determination cannot be made without considering whether it would divert money from other equally or more important acquisitions. Facility Planning should be scheduled immediately following acquisition.

Equity One appears to be the only private property owner considering redevelopment whose property includes a portion of the stream. The stream will provide an amenity for the property east of Ridgefield Road. Should they be ready to proceed before M-NCPPC can acquire (through purchase or dedication) other portions of the Greenway Park, they should be encouraged to develop appropriate access to the stream and improve the portions on their property without having to wait for the more comprehensive Greenway Park planning and development to occur.

Willetts Branch Requirements

The Council has received testimony regarding the Plan's recommendations that will impact Willett Branch related to stream buffers, daylighting the stream, and structural elements such as retaining walls. The Sector Plan recognizes that requiring the ideal buffers to offer the maximum stream protection would eliminate the potential for redevelopment on some key parcels and states the following on page 49 and elsewhere in the Plan:

“The improvements to Willett Branch need to balance and complement the goals of improving stream quality, while also allowing recommended redevelopment to proceed. Accordingly, at the time of regulatory review, stream buffer areas may be modified and/or reduced if necessary to achieve the balance described above.”

The Council received testimony suggesting that the buffer should never be compromised, as well as testimony asking that the Plan directly state that it will be necessary to reduce the buffer. If it is never compromised, there will be no Greenway Park because there will not be any incentive for private property owners to redevelop. Although buffer modification is very likely at specific locations, this determination should be made by the Planning Board at the time of development rather than in the Sector Plan. Nonetheless, Staff does believe that the Sector Plan's language could be modified to clarify the intent and restate the need for balance indicated on page 49. Staff recommends several specific modifications listed below.

Page 66, first bullet:

Explore opportunities to stabilize and/or daylight the Kenwood tributary [on each side of Ridgefield Road]. Artfully re-engineer and enhance the existing water [fall] features on the east side of Ridgefield Road as an amenity.

Page 66, third bullet:

Enable the stream to serve as an amenity for adjacent development and facilitate access to the stream with features such as terracing and ramps. [Remove the large retaining walls and create amenity areas with gentler slopes. Include terracing and ramps to facilitate access to the stream.]

Page 66, eighth bullet:

Any redevelopment should make efforts to preserve the large trees along the entrance driveway to the Kenwood Place Condominium and the property boundary between the condominium and Westwood Shopping Center.

Add a new bullet to the first column of bullets on page 66:

- Balance the goals of improving stream quality with the objective of allowing recommended redevelopment to proceed, which is likely to necessitate modifications to stream buffer requirements on some properties.

The Sector Plan recommends the creation of a **new civic green** in the location of the Westwood Shopping Center, a property where near-term redevelopment is likely. Staff believes that every community deserves parks with recreational facilities, as well as public gathering places where neighbors are inclined to linger and interact. The current shopping centers in Westbard provide no such opportunity. The civic green recommended in the Plan provides a major benefit for residents in the area.

The Plan indicates that the civic green should be “approximately ½ acre but no less than 1/3 acre” and Staff believes this is an appropriate range.¹ In Staff’s opinion, the location and quality of the space is far more important than the size. Some of the most cherished public spaces are 1/3 acres or less.

GENERAL LAND USE ISSUES

Prior to addressing each of the property-specific recommendations, there are several general topics the Committee should consider. The Council heard from many people that the **densities** recommended in this Plan are too high and too urban for this area, while the Planning Department indicated in their briefing to the Council their belief that the densities recommended are consistent with densities recommended for other suburban shopping centers in the County. However, no other suburban centers in the County have FARs in excess of 2.5, other than those properties directly adjacent to a Purple Line or Metro station. Moreover, the overall impact of the Plan’s recommendations are to significantly increase densities from what currently exists on certain properties.

Staff strongly agrees with those who believe that some redevelopment is important for Westbard - to rejuvenate older shopping centers, to create new community gathering areas, to improve environmental quality, and for simple aesthetic reasons. Therefore, it is important to have sufficient increases in density to encourage appropriate redevelopment, but not set densities so high as to overwhelm the area.

¹ On page 41, the Plan states that the civic green should range from approximately ½ to 2 acres, but this was an error.

Overall, Staff believes the Council should approve increases in densities on select properties where near-term redevelopment is both likely and advisable. For properties with no plans for short-term development plans – and where there is the greatest uncertainty about the Sector Plan’s recommendations – Staff recommends that the Council use zoning to **confirm existing heights and densities** and use a **floating zone** designation to encourage future redevelopment, but with a follow-up process that will provide the Council a future opportunity to reassess appropriate heights, densities and the mix of residential and commercial use. Staff suggests that for several of these properties, the Sector Plan indicate a range of potential densities with further evaluation to occur at the time of a future Local Map Amendment. The Plan recommended zoning for many properties assuming ground floor retail with 5 floors of residential on top whether this mix is still appropriate at the time of redevelopment should be evaluated during the rezoning. Staff has recommended a reduction in the maximum floor area ratio (FAR) for most properties.

The designation of a floating zone in a master plan indicates the plan’s determination that the property is appropriate for development or redevelopment in the future, but that it is premature to rezone it at the current time and that additional analysis is required before rezoning occurs. As discussed further below, Staff does **not** support the floating zone designation for properties with light industrial uses, since Staff believes the Council should not support the redevelopment of the limited areas within the County currently zoned for these purposes.

One of the issues raised in testimony which Staff believes needs to be addressed is the **amount of commercial density** in the Sector Plan. Some who submitted testimony expressed the concern that Westbard would become a regional shopping destination, instead of providing shopping to serve the local community. Staff does not believe this is the intent of the Sector Plan – or of the property owners who have expressed an interest in redeveloping. Nor does Staff believe there is. Page 18 of the Sector Plan includes a section on the Preservation of Local Retail, which focuses on the need to maintain and support small, independent retailers.

Finally, Staff notes that the Sector Plan does not include text descriptions for each site identified in the Sector Plan. **Staff recommends that the Plan include a description of each site as well as the rationale for the recommended change in zoning.** To differentiate among different sites with the same number in the Sector Plan, Planning Department staff has created a new map on © 1 which sequentially number each site in the Sector Plan, rather than using the same numbers in each District. The demand for this type of retail given surrounding retail currently available and market trends.

AFFORDABLE HOUSING

Increasing affordable housing is one of the goals of the Sector Plan. There are Sector Plan requirements that two specific properties have more than the minimum amount of moderately priced dwelling units (MPDUs) typically required by law (12.5%), and the section in the Sector Plan that addresses housing in some of the specific districts recommends that affordable housing “be given priority for public benefit points under the optional method of development” for specific areas. With only 48 rent restricted affordable housing units in the planning area (approximately 4% of households), **the area has a significant deficit.**

The Plan specifically recommends that the Park Bethesda site in the Westbard Avenue District (site 6a and 6b in the maps on © 1 and on page 63 of the Sector Plan) have increased affordable housing.

Residential portions of the site “greater than 35 feet in height must provide at a minimum 25 percent affordable housing units, including a minimum of 15 percent moderately priced dwelling units and 10 percent workforce housing units.” On page 72, the Sector Plan also requires that in the River Road Corridor District, development on sites south of River Road and west² of the Capital Crescent Trail “should include moderately priced dwelling units (MPDUs) at 15 percent (2.5 percent above the mandated 12.5 percent for developments with more than 20 dwelling units)”. The Plan also discusses the potential for additional affordable units on property controlled by the Housing Opportunities Commission (HOC). In the South Westbard District, the Plan recommends a Commercial/Residential Town (CRT) for the Little Falls Library to allow a “public/private partnership that includes a minimum of 25 percent affordable housing and the co-location with a public facility, such as a preserved or rebuilt library.” There are no housing recommendations in the sections on the North River and South River Districts.

Other than the site currently occupied by HOC, it is unclear to Staff why specific areas were targeted for additional affordable housing, while other properties in the planning area were not. **Staff recommends that the Committee consider the merits of a 15 percent MPDU requirement throughout the planning area on all development subject to MPDU requirements (all developments over 20 units).** Given the significant shortage in this area, Staff believes this is an appropriate means of providing additional affordable units. **Staff further recommends that the Plan provide additional clarification regarding the Workforce Housing Units (WFHUs) requirement on the Park Bethesda Property.** The Plan should indicate, as it did in the Chevy Chase Lake Plan, that Workforce Housing must be built under a binding regulation or agreement ensuring the WFHUs are affordable to a full range of households (up to 100% of AMI). The recommendation related to the Little Falls Library as discussed below.

DISTRICT RECOMMENDATIONS

The Sector Plan divides the area into five Districts:

- Westbard Avenue
- River Road Corridor
- North River District
- South River District
- South Westbard District

Properties in each of these Districts are addressed below:

WESTBARD AVENUE DISTRICT

The Westbard Avenue District is discussed on pages 62-67 of the Sector Plan. This District includes most of the properties where near-term development appears possible.

² The Plan says **east** of the Capital Crescent Trail, but this is a typographical error.

Site 1 – Westwood Shopping Center

The 11 acre Westwood Shopping Center is a 35' tall strip mall, with extensive surface parking lots. It is currently zoned Neighborhood Retail (NR) 0.75, H 45. The Sector Plan recommends CRT 2.0, C 1.25, R-1.25, H 60. Planning Department Staff indicate that an FAR of C 1.25 and R-1.25 allows for market flexibility between residential and commercial development. Sixty foot heights will accommodate 20-30 foot ground floor retail such as a grocery store, with up to three 10 foot tall floors of residential or commercial above. It would also accommodate 45-50 foot tall townhouses over a 10-15 foot tall parking deck.

The existing commercial FAR on the shopping center is approximately 0.7. Staff believes that an increase in commercial FAR, as well as new residential development will provide the incentive for redevelopment, but **Staff does not believe a 1.25 commercial FAR is necessary to achieve the Plan's objectives and recommends that the commercial FAR be limited to either 0.75 or 1.0.**

Concern was expressed about the size of individual retail stores on this site and how the development will impact on existing merchants. This issue is addressed on page 18 of the Sector Plan and the property owner has indicated in a letter to the Council his intent to try to maintain smaller, local, more service oriented businesses on the ground floor and to try to accommodate existing businesses, including offering to maintain existing rents (with inflation increases) for those who relocate to the new center.

The Plan calls for a “civic use in the center of the Westbard Avenue District”. **Staff recommends that this language be expanded upon to indicate that the space will be indoors on the site of the redevelopment Westwood Shopping Center and that the specific use will be determined at the time of development in consultation with County agencies.**

Site 2 – Manor Care Site

The approximately 2.12 acre Site 2 is the location of the Manor Care nursing home, now vacated. It is currently zoned R 60 with a height of 35 feet. The Plan recommends CRT 1.5, C 0.25, R 1.5, H 55. Planning Department Staff indicate that an FAR of R-1.5 and height of 55 feet will allow for the taller townhomes being constructed today, similar to the EYA towns off of Little Falls Parkway. While the zone will also accommodate multi-family residential, they believe the Plan is more accommodating for townhouses. Although the CRT zone requires a minimum of 0.25 FAR of commercial zoning, the Plan “strongly encourages residential as the predominant use for this parcel”. The Plan is silent on the type of housing unit and regarding transitions to adjacent neighborhoods. The linear parking lot on the site is recommended to be deconstructed and reforested as part of the stream stabilization.

The Council received a significant amount of testimony on this property with concerns about the proposed height and form of development closest to the Springfield single-family residential neighborhood.

Staff recommends the following amendments to the Sector Plan:

- Add language about the importance of providing an appropriate transition to the adjacent single-family neighborhood.
- Limit development to townhouses.
- Limit height adjacent to the single-family neighborhood to 45 feet. Heights of up to 55 feet would be appropriate along Ridgefield Road (or the realigned Westbard Avenue).
- Reduce the total FAR and Residential FAR from 1.5 to 1.0 FAR.

The change in zoning and requirement for townhouses will reduce maximum development potential from approximately 111 multi-family units to 37 townhouses.³ If the Council does not remove the requirement to daylight the Willet Branch on this site as suggested by Staff earlier in this memorandum, there could be a significant reduction in the number of townhomes that could be built.

Site 3 – Westwood II

Site 3 is the approximately 2 acre location of Westwood II shopping center. It is currently zoned CRT 0.75, C 0.75, R 0.25, H 35 and the Sector Plan recommends CRT 1.5, C 0.5, R 1.5, H 90. There is no text in the Sector Plan describing the site or the rationale for the Plan’s recommendations, but Planning Department staff indicate that a commercial FAR of 1.5 with 90 feet of height will allow the owner to compensate for property lost to the existing stream valley buffer and realignment of Ridgefield Road and Westbard Avenue. The existing adjacent building at the intersection of Ridgefield Road and River Road is 90 feet. They believe that a 1.5 FAR is low as compared to other 90 foot buildings that usually accommodate about a 3.0 FAR.

The Council received a significant amount of testimony asking that the height on this property be limited to 45 feet – or lower than the Sector Plan recommendation for 90 feet. Some have suggested returning it to the 75 feet recommended in the Planning Department Staff Draft.

This will most certainly be one of the most difficult sites in the planning area to redevelop due to the realignment of Westbard Avenue and the desire to create a water amenity where the stream crosses the site. This could be the first part of the future Willet Branch Greenway Park to develop. These two public benefits are significant and Staff believes the height helps should provide the flexibility to achieve them. In addition, there is an existing 90 foot tall building adjacent to the property. **Staff supports the Plan recommended density and height but recommends adding language to the Sector Plan describing this site and the importance of transitioning to the surrounding residential communities, which may require reducing the height. The Sector Plan should specifically indicate that the Planning Board should consider whether it is appropriate to limit height to less than the maximum allowed by the zone (e.g., between 75 feet and 90 feet) to more appropriately transition to surrounding neighborhoods.**

³ Assuming an average townhome size of 2,500 square feet and average multi-family unit of 1,250 and without assessing site constraints that may further limit potential development.

Site 4 – HOC – Equity One Property

Site 4 is the location of the 145 foot tall Westwood Towers high-rise multi-family building presently leased by HOC, with 43 affordable housing units. There is an existing 145 foot tall building that is not anticipated to redevelop. It is currently zoned R-10 and the Sector Plan recommends rezoning it CRT 2.5, C 0.5, R 2.0, H 75. The proposed zone will allow the owner to build up to 150 additional multi-family units, with a commitment to 30% affordable units. A significant portion of the site is restricted by environmental constraints such as stream buffer and floodplain. Planning Department Staff indicate that the 2.5 FAR was recommended to allow future development in addition to the existing structure on the site.

Staff recommends that the Sector Plan be amended to increase the height on the parcel that has the existing building so that it does not become non-conforming. Staff supports the zoning on the remaining portion of this site.

Site 5 – Bowlmor, Gas Station and Storage Building

Site 5 is 2.5 acres and has an existing Bowlmor business and Citgo gas station. It is currently zoned CRT 0.75, C 0.75, R 0.25, H-45 and is recommended for CRT 2.5, C 0.5, R 2.0, H 110. The Sector Plan does not include any text describing this property but Planning Department staff indicate that the proposed zone will allow the owner to build multi-family with ground floor retail up to a maximum height of 110'. There are already 110' and 145' tall buildings to the north (HOC) along Westbard Avenue. In addition, the Stream Valley Buffer and floodplain associated with Willett Branch will reduce developable area.

Staff supports the Plan but recommends that language be added to the Sector Plan describing this site and the rationale for the change in zoning.

Site 6a and 6b – Park Bethesda

Sites 6a and 6b are discussed on pages 62-63 of the Plan. Site 6a is a 6 acres vacant site adjacent to the Park Bethesda building. It is currently zoned EOF - 1.5, H 45, R 60 and recommended for CRT 2.5, C 0.25, R 2.5, H 35. The Plan recommends a 35 foot height limit to ensure compatibility with the adjacent townhouse development, but a 2.5 FAR to allow density averaging across the site.

Site 6b is the location of the 110' tall Park Bethesda apartments, built in 1974. It is currently zoned EOF 1.5, H45 but is recommended for CRT 2.5, C-0.25, R-2.5, H-110. The Planning Board recommended heights of 75' to 110' to accommodate a 25% affordable housing commitment. The existing FAR is 0.8 for both 6a and 6b. Planning Department Staff indicate that the Sector Plan recommended a FAR of 2.5 to accommodate approximately 500 new units on the entire site, over 100 of which would be affordable. On 6a, the Plan recommends limiting the height to 35 feet where it is adjacent to an existing townhouse development. CRT zoning is also recommended for this site with an FAR of 2.5 to allow density averaging. The type of housing unit is not specified. The boundary between the zoning for 6a and 6b will be the new connector street between Westbard Avenue and River Road.

Staff recommends that this section of the Sector Plan be clarified. It is Staff's understanding that Planning Board's intent was to require that any new multi-story building be placed behind (east of) the existing 110 foot building, but this is not specified in the Sector Plan and the property owner has suggested it be located to the south and closer to the existing townhouse community. Although the Sector Plan limits heights at the southern end of the property to 35 feet, the 2.5 FAR on this portion of the site and lack of comment regarding the form of housing sends a mixed message. **Staff recommends reducing the FAR to 1.0 on 6a and/or clearly specifying that this area should be townhouses.**

It will not be possible to determine the exact location of the road prior to the Sectional Map Amendment (SMA) which implements the zoning therefore the Planning Department will have to make assumptions regarding the location of the road and the SMA should include a note indicating that a follow up Corrective Map Amendment should be undertaken to correct zoning lines if the road location differs from what was assumed for the SMA.

The Plan includes recommendations regarding Workforce Housing Units (WFHUs), such as the requirement for Westbard Avenue District Sites 6a and 6b where residential portions of the site greater than 35 feet must provide a minimum of 15% MPDUs and 10% WFHUs. Staff recommends this language be clarified – as it was in Chevy Chase Lake Plan to indicate that Workforce Housing must be built under a binding regulation or agreement ensuring the WFHUs are affordable to a full range of households (up to 100% of AMI).

RIVER ROAD CORRIDOR

The River Road Corridor is discussed on pages 68-73 of the Sector Plan.

Site 7 – American Plant Food, APA, Roof Center, Talbots and McDonalds

Site 7 (Site 1 on page 69) is the location of American Plant Food (1.45 acre), Talbots (.53 ac.), Roof Center (1.46 acre), and McDonalds (1.05 acre). These properties are currently zoned CRT 0.75, C 0.75, R 0.5, H 40. The Master Plan recommends rezoning the property to CRT 3.0, C 0.25, R 2.75, H 75. The Sector Plan does not describe this site or the rationale for the rezoning, but Planning Department staff indicate that the additional height will allow owners to build mixed use five over one construction type with underground parking and that lower densities or heights may not justify new development. The Planning Board recommended 3.0 FAR to provide greater flexibility and incentivize provision of amenities, including upgrading River Road and naturalizing Willett Branch, which backs to all three sites.

Staff believes that the American Plant Food and Roof Center properties have unique constraints and their redevelopment would provide the opportunity to create a portion of the Willets Branch Greenway Park and therefore **Staff supports the recommended zoning as a means of encouraging redevelopment.** The Talbots property should also receive the same zoning since it could not redevelop independently. **These are the only properties in the Plan for which Staff supports a 3.0 FAR.** Staff recommends that Site 7 be split into two areas for zoning purposes and the **McDonalds site retain its existing CRT 0.75 zoning with a floating zone recommendation for a potential rezoning.** Staff believes that a 3.0 FAR is too large for this property and others along River Road and further believes it is premature to rezone this property at time, given the many questions raised by those who testified on the Sector Plan and the fact that the property owner

has no near term plans to redevelop. Staff recommends maintaining the existing zoning and adding a floating zone recommendation for CRT zoning at a density of 1.5 to 2.5 FAR and height of up to 75 feet with the exact density and mix of residential and commercial development to be determined at the time of rezoning. The Sector Plan should provide guidance on issues that should be considered in making these determinations.

Site 8 – Kenwood Station Shopping Center (includes Whole Foods and Sunoco Gas Station)

Site 8 (Site 2 on page 69) is the location of the 3.7 acre Kenwood Shopping Center (Whole Foods 2.64 acre, Storage 0.55 acre, and Sunoco 0.47 ac.). It is currently zoned CRT 0.75, C 0.75, R 0.5, H 40 and the Sector Plan recommends CRT 3.0, C 0.75, R 2.75, H 75.

Staff believes that a 3.0 FAR is too large for these properties and others along River Road and further believes it is premature to rezone this property at time, given the many questions raised by those who testified on the Sector Plan and the fact that the property owner has no near term plans to redevelop. Staff recommends maintaining the existing zoning and adding a floating zone recommendation for CRT zoning at a density of 1.5 to 2.5 FAR and height of up to 75 feet with the exact density and mix of residential and commercial development to be determined at the time of rezoning. The Sector Plan should provide guidance on issues that should be considered in making these determinations.

Site 9 – Kenwood Storage

Site 9 (Site 3 on page 69) has the 2.2 acre Self Storage Building. It is currently zoned IM 1.5, H45 and the Sector Plan recommends CRT 1.5, C 0.25, R 1.25, H 40. The heights and densities are lower here to address compatibility concerns with adjacent single family neighborhoods.

Staff recommends retaining the existing zoning with a floating zone recommendation for CRT 1.5, H 45 (the existing building is 45 feet tall) with the mix of residential and commercial zoning to be determined at the time of rezoning.

Site 10 – Gas Stations, Dance Studio, and Bank

Site 10 (Site 4 on page 69 of the Plan) is less than 1 acre and has commercial properties north of River Road (Gas station 0.34 acre, Gas station 0.24 acre, and Bank 0.29 acre). It is currently zoned CRT 0.75, C 0.25, R 0.25, H 35 and is recommended for CRT 3.0, C 3.0, R 2.75, H 75. The rationale for the change in zoning is not discussed in the Plan, but Planning Department Staff indicate that the density is required to accommodate retail and unit numbers possible under the 5/1 construction type proposed in the Concept Framework Plan. The Concept Framework Plan anticipated that the recommended FAR's would not be achieved without assemblage.

Staff believes that a 3.0 FAR is too large for these properties and further believes it is premature to rezone this property at time. Staff recommends maintaining the existing zoning and adding a floating zone recommendation for CRT zoning at a density of 1.5 to 2.5 FAR and height of up to 75 feet with the exact density and mix of residential and commercial development to be

determined at the time of rezoning. The Sector Plan should provide guidance on issues that should be considered in making these determinations.

Site 11 – Storage, 7-Eleven and Gas Station

Site 11 (Site 5 on page 69) is a 2.2 acre property which has commercial properties south of River Road (Gas station 0.32 acre, storage building 1.61 acre, and 7-Eleven 0.31 acre). It is currently zoned CRT 0.75, C 0.75, R 0.5, H 40 and is recommended for CRT 3.0, C 0.25, R 2.75, H 75. The rationale for the increase in density is not described in the Plan but Planning Department staff indicate that the density is required to accommodate retail and unit numbers possible under the 5/1 construction type proposed in Concept Framework Plan.

Staff believes that a 3.0 FAR is too large for these properties and further believes it is premature to rezone this property at time. Staff recommends maintaining the existing zoning and adding a floating zone recommendation for CRT zoning at a density of 1.5 to 2.5 FAR and height of up to 75 feet with the exact density and mix of residential and commercial development to be determined at the time of rezoning. The Sector Plan should provide guidance on issues that should be considered in making these determinations.

Site 12 – Gas Station

Site 12 (Site 6 on page 69) is a less than one acre site with a Gas Station. It is currently zoned CRT 0.25, C-0.25, R-0.25, H-35' and is recommended for CRT 2.0, C-0.25, R-1.75, H-75'. The rationale for the change in zoning is not described in the Sector Plan, but Planning Department staff indicate that a FAR of 2.0 was recommended due to the small parcel size and parking requirements.

The property owners have not indicated any short term development plans and Staff questions whether the zoning and recommended focus on residential development is correct at this location. **Staff recommends maintaining the existing zoning and adding a floating zone recommendation for CRT zoning at a density of 1.0 to 2.0 FAR and height of up to 75 feet with the exact density and mix of residential and commercial development to be determined at the time of rezoning. The Sector Plan should provide guidance on issues that should be considered in making these determinations.**

Site 13 – Kenwood Tower

Site 13 (Site 7 on the map on page 69) is the location of Kenwood Tower, an **existing** 90 foot tall office building. The property is 0.55 acres and is currently zoned EOF 1.5, H-45.⁴ The Sector Plan recommends CRT 3.0, C 3.0, R 3.0, H -90' zoning. This FAR and height were recommended to make the existing 90' office building compliant with proposed zoning and offer residential flexibility, should it redevelop.

Staff supports the recommended Sector Plan zoning for this existing building.

⁴ The height limit, which is less than the existing building, was done in error since there was no intent to make this property non-conforming.

NORTH RIVER DISTRICT

The North District is discussed on pages 74-77 of the Sector Plan.

Sites 14 and 15 are the location of the Washington Episcopal School (WES) site. It is currently zoned PD-28 and the Sector Plan recommends CRT 4.75, C-0.75, R-4.75, H-97 on the 1 acre portion of the site that was the subject of a recent Local Map Amendment to allow a senior housing project (Site 15 on © 1 and Site 2 on page 75) and CRT 1.0, C-1.0, R-1.0, H-55' on the remaining 10 acres that currently houses the school (Site 14 on © 1 and Site 1 on page 75). This zone was recommended as a conversion from the existing PD zone. The Plan indicates that if Site 2 (15) “develops under the new zoning rather than the previously approved PD zone, and new application for development involving the same uses as approved in the Development Plan, and its PD zoning must incorporate the approved binding elements, as conditions of the preliminary plan or site plan, as appropriate.

Staff is concerned about the legal viability of trying to reference a list of binding elements from an approval associated with another zone and instead recommends that the Plan specific list the relevant provisions.

On Site 2 (15), Staff recommends that development under the CRT 4.75 zone only be allowed if the property develops as a senior housing facility with the building limited to 121 dwelling units, including MPDUs, and a height of eight stories or 97 feet. This is consistent with terms of the binding elements. Should the property not develop as a senior housing facility, development should be capped at CRT 2.5 C 0.75, C 1.75, H 97. Staff will work with Planning Department staff to determine which other elements of the binding conditions should be referenced in the Sector Plan.

On Site 1 (14), the Council heard a significant amount of testimony expressing concern about whether the Sector Plan’s zoning recommendation could encourage the relocation of the school site and redevelopment of the property. The school has indicated that they hope to expand and have no plans to relocate at this time. **Staff recommends changing the zoning on this portion of the property to CRT 0.5, C 0.5, R 0.25, H 55, which would allow their contemplated expansion but would not encourage redevelop similar to other properties along River Road, there should be a floating zone recommendation but on this site limited to CRT 1, H 55 with the mix of residential and commercial development to be determined at the time of rezoning.** Key elements of the binding elements should be incorporated in the Sector Plan (e.g., total school building space limited to 175,000), but it would be inappropriate to include in a master plan detailed recommendations that could change over the life of the Sector Plan (e.g., specific locations of buildings, parking, and amenities), but the Plan should encourage Planning Department staff to review those elements when reviewing development plans.

SOUTH RIVER DISTRICT

The South River District is discussed on pages 78-81 of the Sector Plan. Specific sites are not identified on the map on © 1 since the Sector Plan recommends confirming the existing zoning (see page 79 in the Sector Plan); however, it also recommends adding a floating zone recommendation for CRT 3.0, C0.5, R 2.75, H-75 for property that is currently zoned Moderate Industrial (IM) and has auto-repair shops. The Sector Plan discusses the importance of the industrial district’s economic

impact on the down-County and Staff believes the County has a shortage of zoning for light and medium industrial uses. **Staff believes the County must preserve these uses and does not support the Sector Plan recommendation for a floating zone, which would encourage redevelopment of a predominately residential nature.**

SOUTH WESTBARD DISTRICT

The South Westbard District is discussed on pages 82-83 of the Sector Plan. This district also does not identify specific sites since it confirms existing zoning, but the Plan has a floating zone recommendation for this district as well. To accommodate the demand for affordable housing in the Westbard Sector Plan area, the Plan recommends consideration of a CRT floating zone for this R-60 zoned property. As a condition of redevelopment under this floating zone recommendation, the project must involve a public/private partnership that includes a minimum of 25 percent of affordable housing, and the co-location with a public facility, such as a preserved or rebuilt library.

This recommendation generated significant testimony with several people concerned that the Plan was recommending the destruction or relocation of the library even though the Plan does not recommend this. Instead it envisions adding an affordable housing to the library site. County law requires that all capital improvement projects (CIP) evaluate options for providing affordable housing on public sites and Staff believes this will occur regardless of the floating zone recommendation.⁵ **Staff recommends continuing to indicate that this area may be an appropriate location for affordable housing when there is a future CIP project related to the library, but that the floating zone designation should be removed at this time.**

COMMUNITY FACILITIES

The Sector Plan discusses Community Facilities on pages 22-23. This section has brief descriptions of the issues related to child care services, elderly care services, educational facilities, the proposed civic building, public school, police stations, fire and rescue and libraries. The Sector Plan specifically states that the Plan does not recommend relocating the Little Falls Library at this time. The Committee already discussed the need to expand the section on public schools. The Council received testimony regarding the need for a senior center and **Councilmember Berliner has recommended that the Council consider using the civic space to be provided by Equity One for this purpose.** It is Staff's understanding that it is contrary to the policies of the Department of Recreation to build senior centers. Staff has asked Recreation staff to attend the worksession to address Committee questions regarding this issue.

HISTORY

The Sector Plan discusses the history of the planning area on pages 55 to 60 and also has interesting historical notes throughout the Plan. The Plan recommends recognizing and preserving the African-American heritage of the neighborhood through historical markers and to recognize and capitalize on

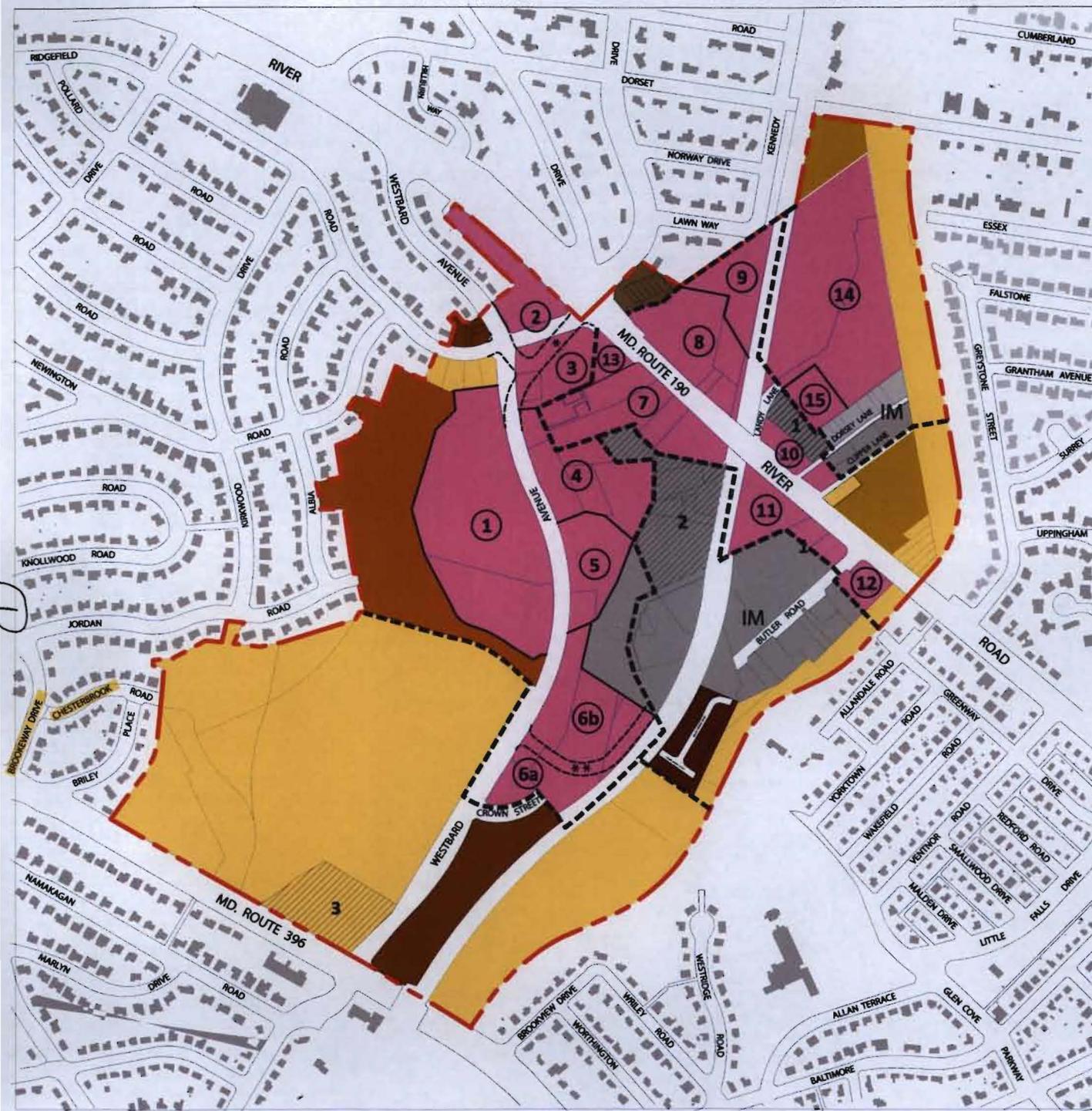
⁵ Bill 37-12, Capital Improvements Program – Affordable Housing Assessment, requires the Office of Management and Budget to submit with the CIP an evaluation of the feasibility of including a significant amount of affordable housing in applicable capital projects. The evaluation is completed as a part of facility planning.

the Native American, agricultural, industrial, suburban, transportation, and mid-20th century architectural history of the area through interpretive signage.

Street Names

Both Clipper Lane and Dorsey Lane in this District are named after African Americans who were residents of an African American community in the vicinity of the Macedonia Baptist Church. Page 68 of the Sector Plan recommends that the names of these streets not be changed and the Council received testimony from Reverend King, Pastor of the Macedonia Baptist Church supporting the Sector Plan language. **It is unusual for a master plan to comment on street names, but Staff believes it is appropriate in this instance.**

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- Westbard Plan Boundary
 - C-0 Commercial Office Building
 - R-10 Multi-Family High Density
 - R-20 Multi-Family Med Density
 - R-60 One-Family Detached
 - RT-8 Town Houses 8/DUA
 - RT-12.5 Town Houses 12.5/DUA
 - Town Houses 15/DUA
 - IM Light Industrial
 - CRT Commercial Residential Town
- 1 CRT-2.0, C-1.25, R-1.25, H-60'
 - 2 CRT-1.5, C-0.25, R-1.5, H-55'
 - 3 CRT-1.5, C-0.5, R-1.5, H-90'
 - 4 CRT-2.5, C-0.5, R-2.0, H-75'
 - 5 CRT-2.5, C-5.0, R-2.0, H-110'
 - 6a CRT-2.5, C-0.25, R-2.5, H-35'
 - 6b CRT-2.5, C-0.25, R-2.5, H-75'-110'
 - 7 CRT-3.0, C-0.25, R-2.75, H-75'
 - 8 CRT-3.0, C-0.75, R-2.75, H-75'
 - 9 CRT-1.5 C-0.25, R-1.25, H-40'
 - 10 CRT-3.0, C-3.0, R-2.75, H-75'
 - 11 CRT-3.0, C-0.25, R-2.75, H-75'
 - 12 CRT-2.0, C-0.25, R-1.75, H-75'
 - 13 CRT-3.0, C-3.0, R-3.0, H-90'
 - 14 CRT-1.0, C-1.0, R-1.0, H-55' *
 - 15 CRT-4.75, C-0.75, R-4.75, H-97' *
- * Translated from existing PD-28 zone
 - 1 Floating zone: CRT-3.0, C-2.75 R-2.75, H-75'
 - 2 Floating zone: CRT-3.0, C-0.5 R-2.75, H-75'
 - 3 Floating zone: CRT-2.0, C-0.25 R-2.0, H-75'



MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

ROGER BERLINER
COUNCILMEMBER
DISTRICT 1

CHAIRMAN
TRANSPORTATION, INFRASTRUCTURE
ENERGY & ENVIRONMENT COMMITTEE

MEMORANDUM

February 16, 2015

TO: Nancy Floreen, Chair, Planning, Housing, Economic Development Committee
George Leventhal, Member, Planning, Housing, Economic Development Committee
Hans Riemer, Member, Planning, Housing, Economic Development Committee

FROM: Roger Berliner

SUBJECT: Westbard Sector Plan

I believe the goals of the Westbard Plan are laudable: revitalization of the Westbard Shopping Center; increasing affordable housing in this part of the county; creating green, public gathering spaces; and greatly enhancing environmental and stormwater protections are all important objectives.

And I am convinced achieving these objectives does not have to come at the expense of the surrounding neighborhoods nor at the cost of overburdening our already stretched infrastructure. The plan put forth by our planning board is too aggressive. It can and should be substantially pared back by almost half. In doing so, the Council will allow the Westbard community to experience a more organic and gradual transformation. To that end, I am writing to you today to share some of my thoughts on how I believe we could achieve these objectives and to respectfully ask for your Committee's consideration during the upcoming worksessions.

1. **Significantly reduce the overall number of net new units to approximately 1,200 units** - about half of what was proposed in the Planning Board Draft. To achieve this, I recommend the following:
 - a. **Do not upzone properties in the River Road Corridor**, but implement a floating zone for those properties that wish to seek redevelopment in the future and are integral to public policy goals of the plan such as the restoration of the Willett Branch.. The process involved in pursuing development under a floating zone provides ample opportunities for public input and that of the Planning Department, Planning Board, and Council to assess the pace and impact of earlier development.

- b. **Eliminate the floating zone for the Little Falls Library parcel.** The Executive Branch has stated that there are no plans to redevelop the Little Falls Library site in the foreseeable future. If and when the building needs to be razed or needs major structural renovations, the issue of redeveloping with affordable housing can be revisited.
 - c. **Eliminate the CRT floating zone for the IM-zoned properties in the South River District.** The properties provide essential services to the Westbard and surrounding communities and the light industrial zoning should be retained.
- 2. **Protect the integrity of existing residential areas by implementing appropriate zoning and height adjustments for properties adjacent to new development.**
 - a. **Limit redevelopment on the Manor Care site to townhomes**
 - b. **Retain the 35' height limit on the Park Bethesda parcel closest to the Westwood Mews Condominiums** and include language in the plan that calls for sensitivity to the adjacent residential community when siting the new townhomes on this property.
 - c. **Reduce the height on the Westwood II parcel** in order to provide a better transition to the single family neighborhood of Springfield.
- 3. **Include strong language reflecting the current development plan for Washington Episcopal School.** Reduce the FAR on this property, especially the commercial allowance, as it does not reflect the negotiated plan under the previous PD-28 zoning. Limit any new residential units to the senior residential project already planned and negotiated for the parcel and ensure that any new development plan incorporate the previously approved binding elements for this property.
- 4. **Use the civic space to be provided by Equity One as a senior center.** 24% of Westbard residents are 65 years of age or older, double the countywide average. It is my understanding that Equity One has agreed to provide the County public use space in its new center. I recommend we consider using that space for a senior center since the closest senior center to Westbard is in Silver Spring. There is not a single county senior center west of 270.
- 5. **Affordable Housing:** I support the affordable housing goals of the plan as well as the desire for a better mix of residential options in the Westbard area. There are currently only 43 affordable income restricted units in the area and we need to do better. Even if the overall scale of the plan is reduced, an estimated 190-250 net new affordable/workforce units could be realized in addition to the 185 units of senior housing already approved for the Washington Episcopal School site.
- 6. **Transportation & Transit:** Given Westbard's proximity to major metro and some of our urban nodes, we should increase transit options as well as provide for improved multimodal connections and pedestrian safety:
 - a. **Expansion of current Ride-On Route 23 and WMATA's T-2 Route** should be strongly encouraged if ridership projections support such expansion. Enhanced bus shelters, real time arrival information, and direct service to Bethesda should be added.
 - b. **Private shuttles to and from Metro** should be required of new development and required at site plan.

- c. **The realignment of Westbard and River Road** should be a required element of the plan in order to better protect the Springfield community from cut through traffic and truck traffic in particular.
 - d. The proposed **connector road between Westbard Avenue and River Road and enhanced access to the Capital Crescent Trail** on the Park Bethesda property should be a required element of the plan.
 - e. **Expanded and improved pedestrian and bicycle facilities** should be a strong requirement of the plan. In addition to the complete streets framework outlined in the plan, **pedestrian safety improvements to River Road** should be implemented regardless of redevelopment in the corridor. Each pedestrian crossing should be evaluated for repainting, the addition of reflective lighting, and additional signage and requests made to State Highway Administration. Implementation of traffic calming measure on River Road should be evaluated.
 - f. Include strong language urging the implementation of a **traffic light at River Road and Landy Lane** by the State Highway Administration.
7. **Schools:** Reducing the scope of the plan by approximately half will significantly reduce, but not eliminate, concerns regarding the impact of the plan on our already overcrowded schools.
- a. **While the expanded school analysis in the Appendix (pp. 111-114) is commendable, more of this information should be included in the primary Sector Plan document.** The 1/8 of a page devoted to schools on page 12 of the Draft Plan is inadequate. In addition, additional details relating to the viability of school sites for additional capacity and lease information for current closed schools referenced should be included.
 - b. Although MCPS has significantly refined its generation rate formulas and techniques in recent years, debate centered around this topic continues. I have written to MCPS and asked if they would **consider a shift to cluster specific student generation formulas** vs. the more regional formulas used today. The Whitman Cluster PTA Leadership, using MCPS GIS data, has demonstrated a large discrepancy between historical projections for the Cluster using the regional formula and the actual numbers of students emerging from multifamily buildings within the cluster. This discrepancy needs to be understood, accounted for, and documented in the plan as appropriate.
 - c. The Whitman Cluster PTA leadership, MCPS staff, and I will be meeting soon to review student generation numbers as they relate to current infrastructure capacity and future/planned capacity projects. I will keep you abreast of those discussions.
8. Refine the zoning recommendations and consider reducing the FAR for parcel 1, the Westwood Shopping Center, in alignment with the plan's redevelopment goals for the property. Doing so would provide greater certainty for the community that the new project will be built out at a neighborhood scale.
9. **The restoration of the Willett Branch and accompanying greenway/parkland must remain an integral part of this plan.** Whenever possible, the restoration work should be required of property owners at time of redevelopment. A Capital Improvement Project (CIP) description form should be developed for that portion that must be completed by the Department of Parks

10. **Public amenities in this plan must not be compromised.** Language in the plan must make it clear that the various new green/public gathering spaces recommended in the Draft Plan must be dedicated at the time of site plan approval. The **Civic Green** in the Westbard District should be no less than ½ acre. If the Planning Department does not believe, for some reason, that public amenities outlined in the plan can be required of property owners at site plan, an amenity fund should be considered to account for the public amenities.

11. **Preserving and Enhancing Local Retail:** Strengthen and add language clarifying the desire to minimize disruption to existing local retail establishments and to retain existing local retailers to the extent possible. New retail options should be neighborhood- serving rather than regional or destination retail entities. It is highly encouraging that Equity One has stated in writing their commitment to relocate local retailers into their new space to the extent possible at existing rental rates (plus CPI). If temporary relocations must occur, all county resources, including the services of the County's *Small Business Navigator*, should be employed.

Thank you in advance for your consideration of these suggestions. I look forward to joining you and working with you to achieve the optimal results for our residents and county as we finalize the Westbard Sector Plan.

cc: Councilmembers
Marlene Michaelson
Glenn Orlin

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Parks, Trails and Open Space Recommendations

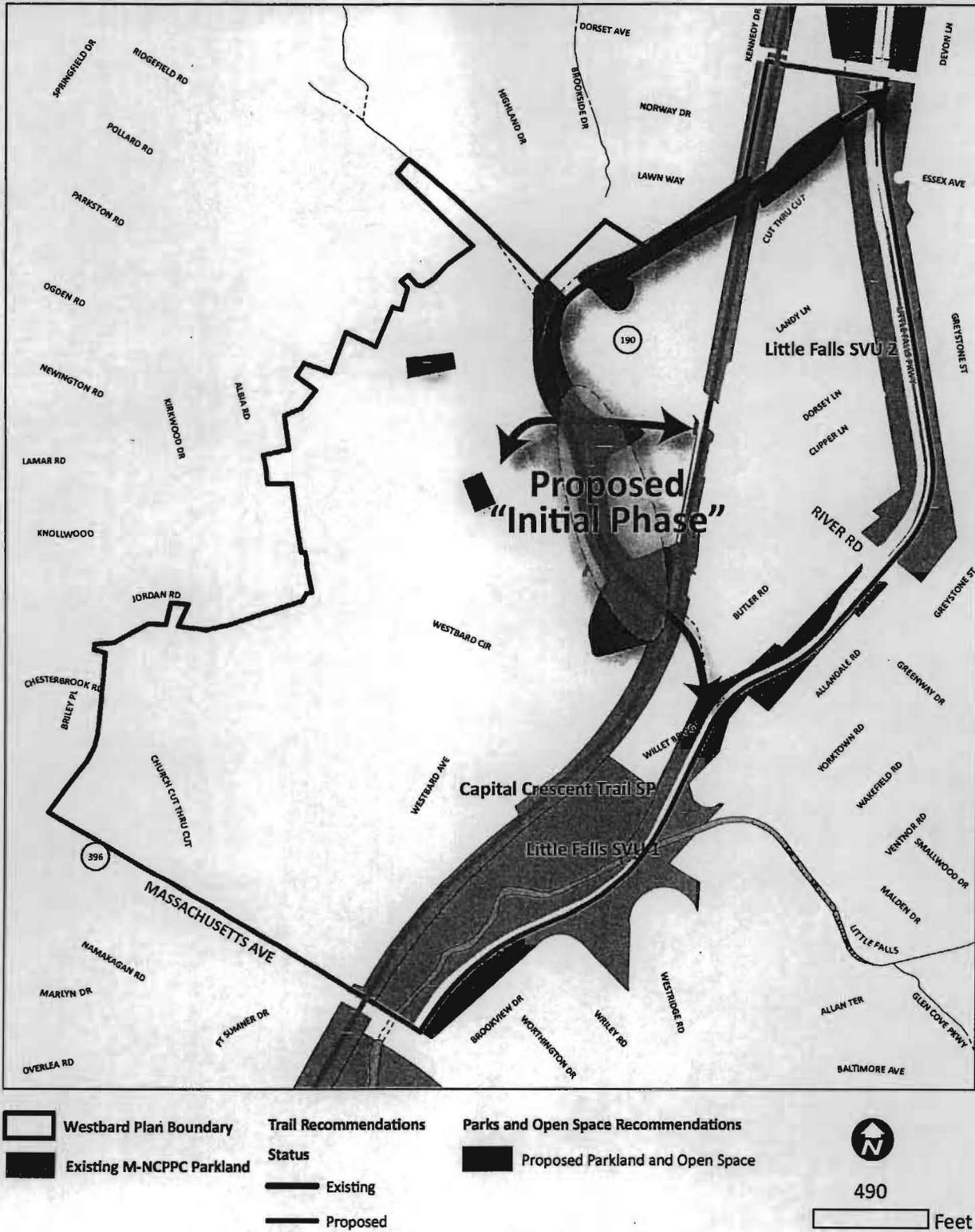


Figure D.7: Westbard Parks Recommendations Initial Phase Area Map

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Parks, Trails and Open Space Recommendations

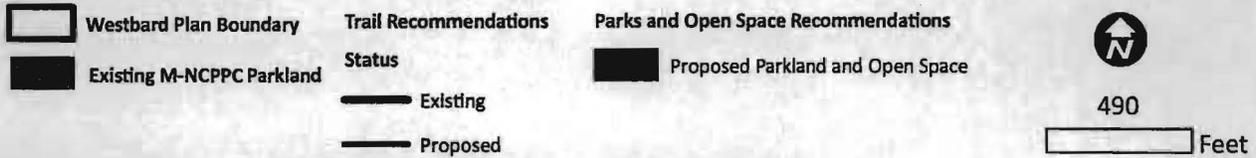
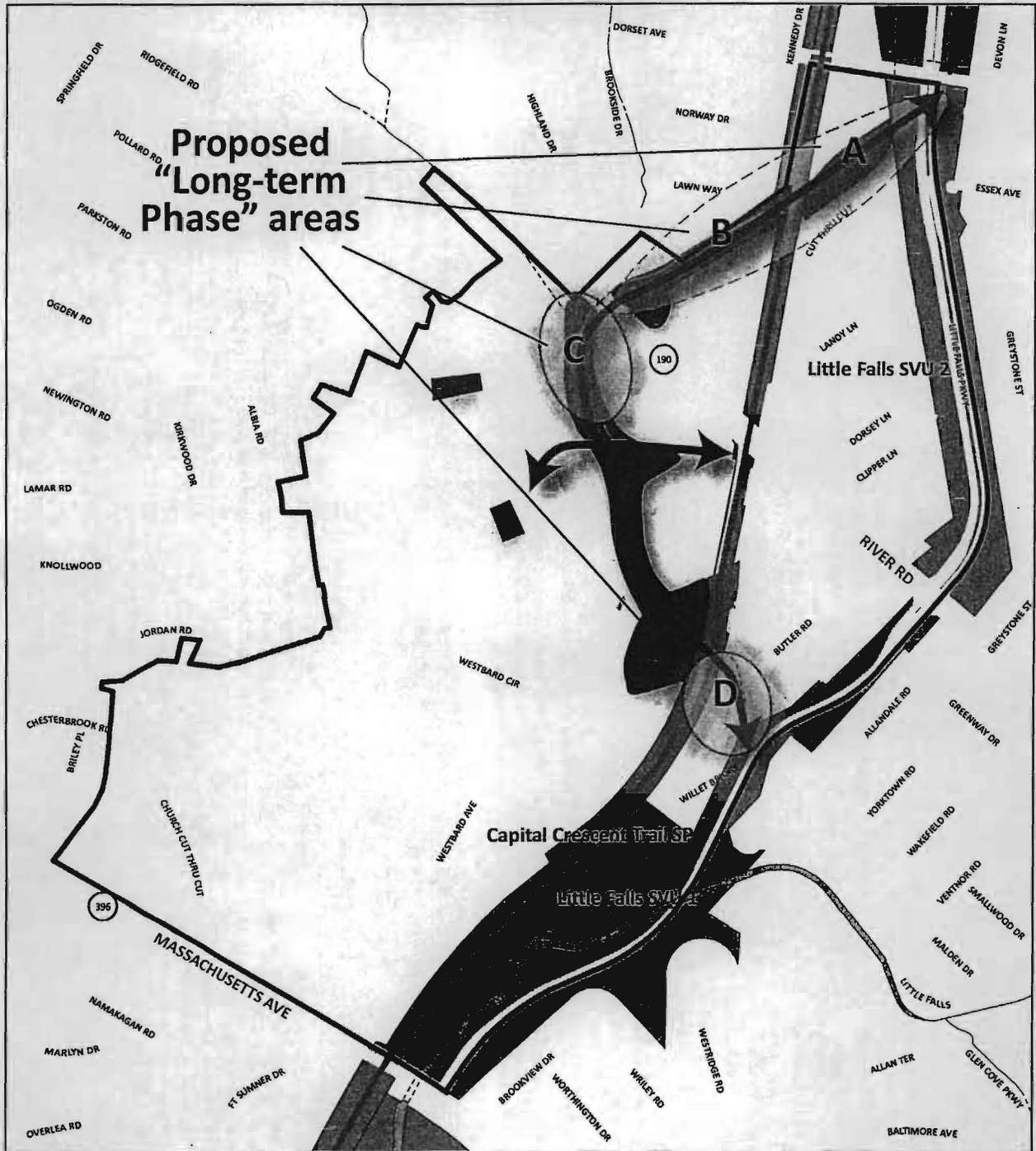


Figure D.10: Westbard Parks Recommendations Long-term Phase Area Map

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