



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

**MCPB**  
**Item #**  
**1/8/09**

**DATE:** December 22, 2008  
**TO:** Montgomery County Planning Board  
**VIA:** Rose Krasnow, Chief, Development review  
Ralph Wilson, Zoning Supervisor  
**FROM:** Greg Russ, Zoning Coordinator  
**REVIEW TYPE:** Zoning Text Amendment  
**PURPOSE:** To revise the boundaries of the Wheaton Central Business District

**TEXT AMENDMENT:** No. 08-17  
**REVIEW BASIS:** Advisory to the County Council sitting as the District Council, Chapter 59 of the Zoning Ordinance  
**INTRODUCED BY:** District Council at the request of the Planning Board  
**INTRODUCED DATE:** December 9, 2008

**PLANNING BOARD REVIEW:** January 8, 2009  
**PUBLIC HEARING:** January 13, 2009; 1:30 p.m.

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**STAFF RECOMMENDATION:** Approval to revise the boundaries of the Wheaton Central Business District to implement the recommendations of the Limited Amendment to the Wheaton Central Business District Sector Plan

**BACKGROUND/ANALYSIS**

On December 9, 2008 the County Council approved a limited amendment to the Wheaton Central Business District Sector Plan that recommends changes to the Central Business District (CBD) boundary to include additional property located north of Blueridge Avenue between Georgia Avenue and Elkin Street. Currently, the southernmost portion of Parcel C of the Villa Verde subdivision and Lots 5, 6, 7 and 8 – all of which are to the north of Blueridge Avenue - establish the northern boundary of the CBD. The Sector Plan Amendment recommends expanding the CBD boundary to include the remaining portion of Parcel C of the Villa Verde subdivision and the unsubdivided Parcel 920 owned by the Washington Metropolitan Area Transit Authority (WMATA). The attached map (Attachment 2) depicts the proposed boundary modification.

Central Business District boundaries are defined by metes and bounds descriptions approved by the Council. The metes and bounds description of the amended Wheaton CBD boundary is attached to ZTA 08-17. The proposed boundary description and Zoning Ordinance text

changes are provided as Attachment 1 of this report. Staff recommends approval of ZTA 08-17 to revise the boundaries of the Wheaton Central Business District to implement the recommendations of the Limited Amendment to the Wheaton Central Business District Sector Plan adopted by the County Council on December 9, 2008.

GR

**Attachments**

1. Proposed Text Amendment 08-17 with attached metes and bounds
2. Map of CBD boundary changes

# ATTACHMENT 1

Zoning Text Amendment No: 08-17  
Concerning: Wheaton Central Business  
District - Boundaries  
Draft No. & Date: 1 – 12/3/08  
Introduced:  
Public Hearing:  
Adopted:  
Effective:  
Ordinance No:

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

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By: District Council at the Request of the Planning Board

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

- revising the boundaries of the Wheaton Central Business District

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

ARTICLE 59-C	“ZONING DISTRICTS; REGULATIONS”
DIVISION 59-C-6	“CENTRAL BUSINESS DISTRICT ZONES”

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

*ORDINANCE*

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

1           **Sec. 1. DIVISION 59-C-6 is amended as follows:**

2   **DIVISION 59-C-6. CENTRAL BUSINESS DISTRICT ZONES**

3   **Sec. 59-C-6.1. Zones established.**

4   \* \* \*

5   **59-C-6.12. Central business districts.**

6   The central business districts are located as follows, and may be amended in  
7   accordance with the procedure for text amendments as set forth in division 59-H-9:

8   \* \* \*

9   (d)   **Wheaton Central Business District.** All of the area contained within the  
10       metes and bounds description attached to Ordinance No. [8-86]  
11       (APPROPRIATE NUMBER), adopted (DATE OF ADOPTION).

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13       **Sec. 2. Effective date.** This ordinance becomes effective 20 days after the  
14       date of Council adoption.

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16   This is a correct copy of Council action.

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Linda M. Lauer, Clerk of the Council

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Attachment to Ordinance No.

METES AND BOUNDS DESCRIPTION OF PROPOSED  
WHEATON CENTRAL BUSINESS DISTRICT BOUNDARY  
(as modified December 2008)

Being all of the lots, blocks parcels or portions thereof which are contained within the perimeter described as follows:

Beginning at a point on the north side of University Boulevard, West said point being the intersection of the west line of Lot 5 in Block A with the aforesaid right-of-way as shown on a plat of Triangle Park recorded October 11, 1926 in Plat Book 4, Plat 330 among the land records of Montgomery County, Maryland and running thence with said lot line N26°56' W approximately 60 feet to intersect a southwesterly prolongation of the west line of Lot 21 Block A as shown on the aforesaid subdivision of Triangle Park; thence with said southwesterly prolongation N13°26' E and crossing parts of Lot 5 and 4 in Block A approximately 112 feet to the southwest corner of said Lot 21, thence N13°26' E and with the west line of Lot 21, 171.55 feet to intersect the south right-of-way line of Kensington Boulevard; thence southeasterly and with said right-of-way line approximately 16 feet to intersect a southwesterly prolongation of the west line of Parcel B in Block 44, as shown on plat number 9 of Wheaton Hills as recorded November 18, 1947 in Plat Book 32, Plat #2058 among the Land Records of Montgomery County, Maryland; thence leaving said south right-of-way line and running with the aforesaid prolongation N10°42'40" E for a distance of 80 feet to intersect the north right-of-way line of Kensington Boulevard; thence N10°42'40" E and running with the aforesaid west line of Parcel B, 295.53 feet; thence N71°07'27"W, 49.30 feet; thence N76°40'40"W, 126.53 feet to the southwest corner of Lot 3 in Block 44 as shown on the aforesaid Plat 9 of Wheaton Hills; thence along the west line of said Lot 3, N15°17'58"E, 108.48 feet to intersect the south right-of-way line of Blueridge Avenue; thence N15°17'58"E, 25 feet to intersect the centerline of Blueridge Avenue; thence southeasterly along said centerline for a distance of approximately 602 feet to intersect the centerline of Georgia Avenue; [thence with the centerline of Georgia Avenue N1°15'30"W, 115 feet to intersect a westerly projection of the north line of the Villa Verde Subdivision, as recorded December 12, 1928 in Plat Book 4, Plat #388 among the Land Records of Montgomery County, Maryland; thence easterly with said westerly projection 50.5 feet to intersect the east right-of-way line of Georgia Avenue; thence continuing easterly with said north line of Villa Verde

60 S86°12'30"E, 507.34 feet to the northeast corner of Lot 8 in the aforesaid Villa  
61 Verde Subdivision; thence S3°47'30"E, 115 feet to intersect the centerline of  
62 Blueridge Avenue; thence easterly with said centerline of Blueridge Avenue 35  
63 feet to intersect the centerline of Elkin Street; thence in a southerly direction and  
64 with said centerline for an approximate distance of 325 feet;] thence with the  
65 centerline of Georgia Avenue N1°33'10"W, 630 feet to a point perpendicular to the  
66 westerly end of the northerly line described in a deed from James S. Netterstrom,  
67 Personal Representative of the Estate of Harriet R. Jones, to Washington  
68 Metropolitan Area Transit Authority, dated February 27, 1985 and recorded among  
69 the Land Records of Montgomery County, Maryland in Liber 6703 at folio 542;  
70 thence crossing Georgia Avenue N88°26'50"E, 46 feet to the easterly right-of-way  
71 line of Georgia Avenue and the westerly end of the northerly line described in  
72 Liber 6703 at folio 542; thence running with the northerly and easterly lines  
73 described in Liber 6703 at folio 542 N87°36'47"E, 517.38 feet and S01°20'09.7"E,  
74 402.74 feet to a point at the westerly end of the northeasterly line of Parcel C of the  
75 Villa Verde Subdivision as recorded in Plat Book 106, Plat 12251 among the Land  
76 Records of Montgomery County, Maryland; thence running with the northeasterly  
77 line of said Parcel C; S75°58'10"E, 96.65 feet to the easterly end of the  
78 northeasterly line of said Parcel C and the westerly right-of-way line of Elkin  
79 Street; thence S68°31'39"E, 35 feet to intersect the centerline of Elkin Street;  
80 thence in a southerly direction and with said centerline for an approximate distance  
81 of 575 feet; thence with the westerly prolongation of a Commercial Zoning  
82 Boundary (C-2) as shown on the identification plat filed July 27, 1953 in Zoning  
83 Application A-1054; thence with said prolongation N88°40'30"E approximately 37  
84 feet to intersect the east right-of-way line of Elkin Street; thence along said zoning  
85 boundary and crossing a part of Lot 2, Block 2 in Wheaton Manor Subdivision,  
86 recorded April 14, 1953 in Plat Book 45, Plat 3390 among the Land Records of  
87 Montgomery County, Maryland, N88°40'30"E, 90.76 feet; thence continuing with  
88 said zoning boundary S75°04'20"E, 324.54 feet to intersect the west line of Lot 1,  
89 Block 2 in the aforesaid Wheaton Manor Subdivision; thence crossing said Lot 1 in  
90 Block 2, S75°04'20"E, approximately 101 feet to intersect the west right-of-way  
91 line of Amherst Avenue; thence S75°04'20"E, 35 feet to the centerline of Amherst  
92 Avenue; thence southwesterly and with said centerline 210 feet to intersect the  
93 centerline of University Boulevard West; thence N75°04'20"W, 20 feet to intersect  
94 a northeasterly prolongation of the centerline of the adjacent southerly segment of  
95 Amherst Avenue; thence southerly along the aforesaid centerline, 820 feet to  
96 intersect the adjacent southerly segment of the centerline of Amherst Avenue,  
97 located at the intersection of Reddie Drive; thence southerly with said centerline  
98 965 feet to intersect the centerline of Prichard Road; thence southwesterly along  
99 said centerline 495 feet to intersect the centerline of Veirs Mill Road; thence

100 northwesterly along said centerline 2075 feet to intersect the centerline of  
101 University Boulevard West; thence northeasterly with said centerline 460 feet to  
102 intersect the southeasterly prolongation of the west lot line of Lot 5 Block A in the  
103 Triangle Park Subdivision as recorded October 11, 1926 in Plat Book A, Plat 338  
104 among The Land Records of Montgomery County, Maryland; thence N26°56'W,  
105 50 feet to the point of beginning.

106

107 Explanation:

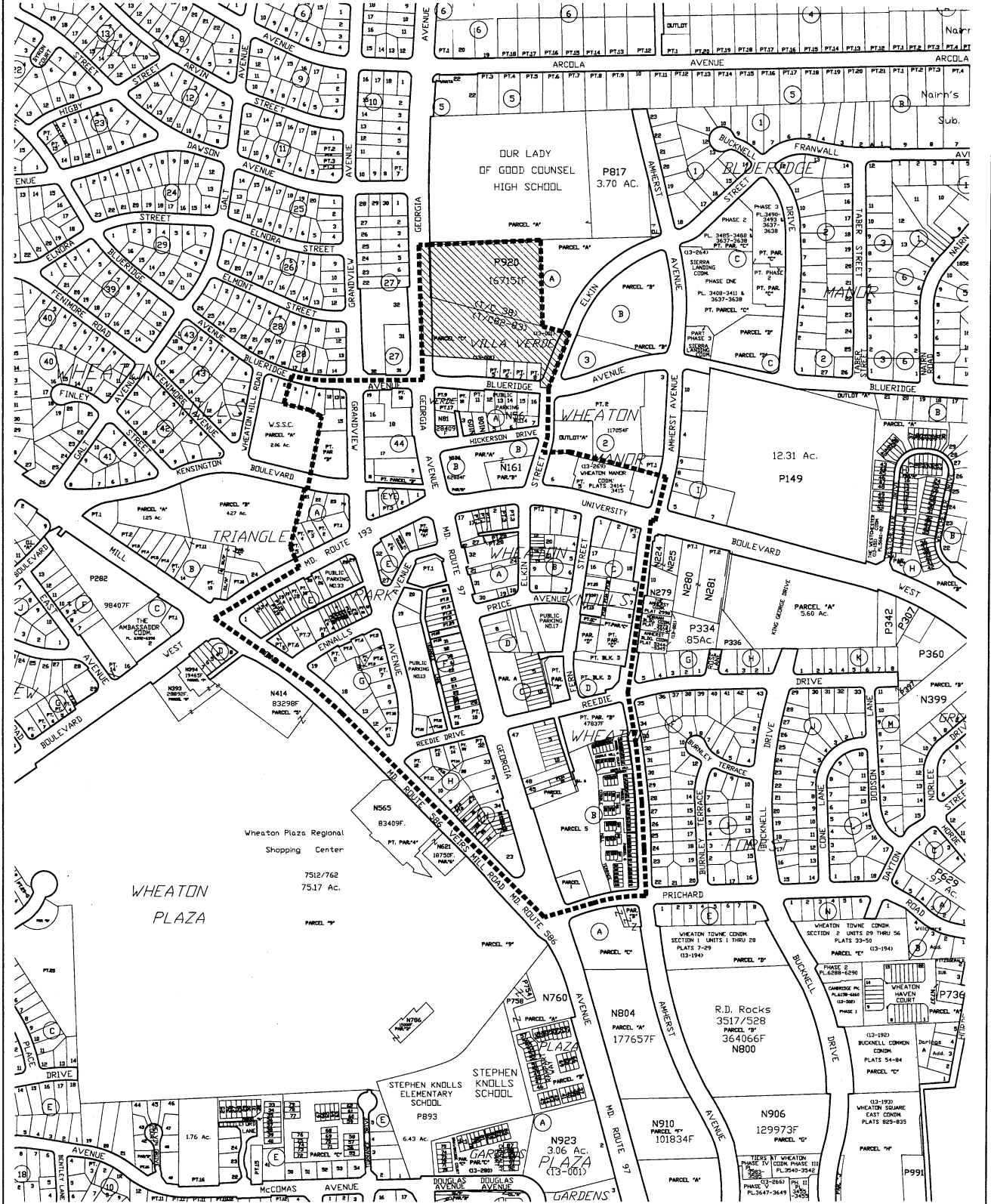
108 Underlining indicates material added to the description attached to Ordinance 8-86.

109 [Brackets] indicates material deleted from the description attached to Ordinance 8-  
110 86.

111

112 This description is based on deeds and plats of record and does not represent a  
113 boundary survey of any of the properties currently lying in the Wheaton CBD zone  
114 or to be added to the Wheaton CBD zone.







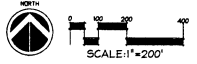
**NOTES:**

- The planimetric information shown on this plan is based, in part, on copyrighted GIS Data from M-NCPPC, and may not be copied or reproduced without express written permission from M-NCPPC.
- This exhibit is for illustrative purposes only and is intended to graphically depict the boundaries of the Wheaton CBD Zone. It does not represent a survey of any property.

**LEGEND**

ADDITION TO WHEATON CENTRAL BUSINESS DISTRICT 

ULTIMATE CENTRAL BUSINESS DISTRICT BOUNDARY 



REVISION	DATE

**RODGERS CONSULTING**  
 Enhancing the value of land assets

Rodgers Consulting, Inc.  
 19847 Century Blvd., Suite 200  
 Germantown, MD 20874  
 301.948.4700  
 301.948.6256 (fax)  
 301.233.6509  
 www.roddgers.com

BASE DATA	BY	DATE
MNCPPC	TPG	03/08
DESIGNED	TPG	03/08
DRAWN	TPG	03/08
REVIEWED	TPG	03/08

RODGERS CONTACT:  
 RELEASE FOR   
 BY: \_\_\_\_\_ DATE: \_\_\_\_\_

**PROPOSED BOUNDARY**  
**WHEATON CENTRAL BUSINESS DISTRICT**

WHEATON (13TH) ELECTION DISTRICT  
 MONTGOMERY COUNTY, MARYLAND

SCALE: 1" = 200'

JOB NO: 851A3  
 DATE: 03/08  
 SHEET NO: 1 OF 1